

WORKSHOP

Workshop on Proposed Solutions to Promote Sustainable Growth Inside the Lake Protection Zone

Tuesday, November 19, 2013

1:00 – 2:30 p.m.

**Leon County Board of County Commissioners' Chambers
Leon County Courthouse, 5th Floor**

**Leon County
Board of County Commissioners**

Notes for Workshop

Leon County Board of County Commissioners

Workshop Cover Sheet

November 19, 2013

To: Honorable Chairman and Members of the Board

From: Vincent S. Long, County Administrator 

Title: Workshop on Proposed Solutions to Promote Sustainable Growth Inside the Lake Protection Zone

County Administrator Review and Approval:	Vincent S. Long, County Administrator
Department/ Division Review:	Tony Park, P.E., Public Works and Community Development Wayne Tedder, Planning, Land Management and Community Enhancement (PLACE)
Lead Staff/ Project Team:	Cherie Bryant, Interim Planning Manager Brian Wiebler, Principal Planner Stephen Hodges, Senior Planner

Fiscal Impact:

This item has no fiscal impact to the County.

Staff Recommendation:

- Option #1: Accept the following staff recommendations and recommended implementation phases.
- A. Direct staff to develop and bring back a new Lake Protection Node zoning district for the Lake Protection land use category that allows non-residential uses and higher density housing while requiring the Lake Protection stormwater standards.
 - B. Direct staff to develop and bring back land development regulation changes requiring site design standards for the new Lake Protection Node zoning district.
 - C. Direct staff to identify non-conforming land uses in Lake Protection that cannot be addressed by the new Lake Protection Node zoning district and bring back a plan to address them.
 - D. Direct staff to coordinate with the City and bring back a potential common cluster development option for both the incorporated and unincorporated areas within Lake Protection that also incentivizes use of the cluster option.
 - E. Direct staff to initiate a comprehensive plan text amendment and Land Development Regulation changes to remove the half-acre restriction in the unincorporated area when sewer is available.
 - F. Direct staff to review the existing exemption for sidewalks in Lake Protection and bring back draft land development regulation changes with increased requirements for developments that have the potential for walkability.
 - G. Continue implementation of the sense of place planning projects at the Lake Jackson Town Center and the Market District.
 - H. Direct staff to initiate a comprehensive plan map amendment to reflect the Overstreet addition to Maclay Gardens as Recreation/Open Space.
 - I. Maintain the existing Urban Service Area boundary line to promote infill and nodal development.
 - J. Continue to seek funding for the Tallahassee – Leon County Greenways Master Plan.
 - K. Direct County staff to continue to implement the current two-track permitting system to expedite review and provide reductions in the level of review for projects that implement Smart Growth principles.
 - L. Direct staff to include community and stakeholder collaboration in the development of policy changes related to recommendations in this report.

Report and Discussion

Background:

This item is essential to the following FY 2012 & FY 2013 Strategic Initiative that the Board approved at the January 29, 2013 meeting:

- Implement strategies that protect the environment and promote orderly growth, including: Develop solutions to promote sustainable growth inside the Lake Protection Zone. (2013)

This particular Strategic Initiative aligns with the Board's Strategic Priorities – Environment and Governance:

- Protect our water supply, conserve environmentally sensitive lands, safeguard the health of our natural ecosystems, and protect our water quality, including the Floridan Aquifer, from local and upstream pollution (EN1).
- Promote orderly growth which protects our environment, preserves our charm, maximizes public investment, and stimulates better and more sustainable economic returns (EN2).
- Sustain a culture of performance, and deliver effective, efficient services that exceed expectations and demonstrate value (G2).

Staff from the Planning Department, Development Support and Environmental Management, and Public Works developed several concepts intended to implement this Initiative. These concepts are explored further in the Analysis section.

Analysis:

This analysis is divided into the following six sections:

1. What is Sustainable Growth?
2. What is the Lake Protection Zone?
3. Current Residential Density and Uses in Lake Protection
4. Impervious Area as a Predictor of Stream Health
5. Lake Jackson Special Development Zones
6. Staff Recommendations and Implementation Phases

A review of sustainable growth concepts is provided, together with recommendations for incremental policy changes to help align Lake Protection policies. Attachment #1 provides information on the history of the Lake Jackson Basin and institutional responses to the environmental impacts to this significant natural resource.

An important point to consider throughout this analysis is that the current Lake Protection standards restrict development to large lot, residential uses only. However, these standards are not consistent with the Comprehensive Plan directives for the Urban Services Area. Staff will explain this issue further in Section 4 of this Analysis.

1. What is Sustainable Growth?

The 1987 World Commission on Environment and Development established the most often used definition of sustainable development: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." While this definition is widely utilized, it is challenging to directly apply to policy decisions. As such, the definition has been the subject of many efforts to develop implementing principles.

Staff selected "Smart Growth" as the body of work and implementing principles to provide a framework for this analysis. The Smart Growth principles were established by the Smart Growth Network in 1996 and were the subject of four publications developed cooperatively with the International City/County Management Association. The Smart Growth Network has a broad partnership base including the National Association of Counties, ICLEI-Local Governments for Sustainability, Institute of Transportation Engineers, American Planning Association, Florida Department of Health, and the National Association of Realtors. Both Leon County and the City of Tallahassee are members of ICLEI.

The Smart Growth principles were selected for this analysis based on the quality of the information available, specific focus on local government, broad support, and consistency with existing Comprehensive Plan and Board direction. Attachment #2 provides information on why communities select Smart Growth (adapted from "This is Smart Growth," published by ICMA and EPA in 2006).

The ten Smart Growth principles identified by the Smart Growth Network include:

1. Mix land uses
2. Take advantage of compact building design
3. Create a range of housing opportunities and choices
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Strengthen and direct development towards existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective
10. Encourage community and stakeholder collaboration in development decisions

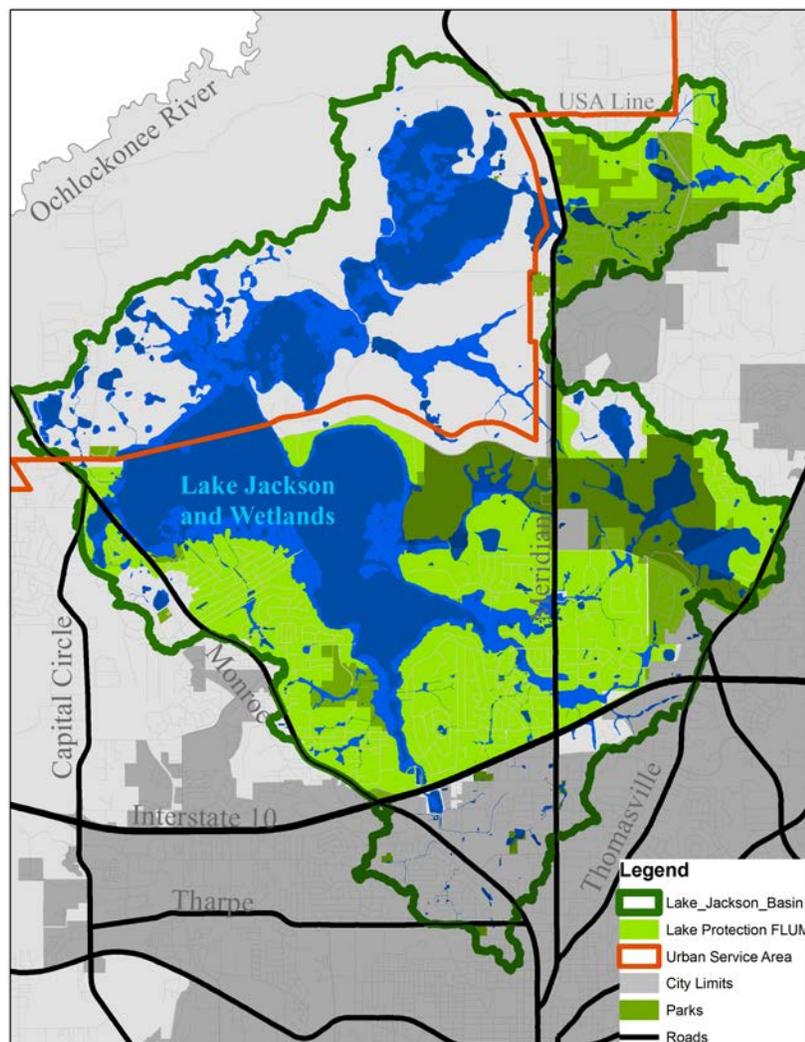
These principles, staff analysis, and the policy examples provided in "Getting to Smart Growth: 100 Policies for Implementation" and "Getting to Smart Growth II: 100 More Policies for Implementation" have been used to provide a response to Board direction to promote sustainable development in Lake Protection.

2. What is the Lake Protection Zone?

In this report, two different areas are used to discuss Lake Jackson. First is the Lake Protection Future Land Use Map category, as mapped and defined in the Tallahassee-Leon County Comprehensive Plan. The Lake Protection category is approximately 10,000 acres in size and was established as “a protection category that is specific to the well documented scientific concerns regarding the degradation and continuing pollution of Lake Jackson” (Policy 2.2.18 [L]). The second area utilized to discuss Lake Jackson is the approximately 27,000 acre full drainage basin for Lake Jackson. The full drainage basin is used to discuss items such as total impervious area draining to Lake Jackson and the Lake Protection Future Land Use Map category is used to discuss policy recommendations.

The following map provides a visual display of how the smaller Lake Protection category fits inside the larger Lake Jackson drainage basin. The Lake Protection category excludes the more intensely developed areas south of Interstate-10, predominantly inside the City Limits. The category also excludes a large section of the northwest portion of the drainage basin that is outside the Urban Service Area and not currently intended to be scheduled for urban activity.

Map of Lake Protection Category and Lake Jackson Drainage Basin



3. Current Residential Density and Uses in Lake Protection

The allowable residential density within Lake Protection is intended to limit development within the drainage basin to large-lot residential zoning. At the time, this was considered the best way to protect water bodies from the impacts of development, especially in more rural areas. However, such low-density residential areas are typically automobile-dependent, which requires impervious surface areas such as roads, driveways, and parking areas that generate higher per-capita environmental impacts. Additional impervious areas can be created by the construction of large houses and large fertilized lawns, which can create additional stormwater runoff.

The existing land use pattern within the area designated Lake Protection in the Comprehensive Plan is dominated (in order of acreage) by residential, open space, and vacant lands (Table 1). Only 1.5 percent of Lake Protection is developed with office, retail, and multi-family.

Lake Protection Existing Land Use Data

2012 Existing Land Use	Count	Acreage	Percent
Single Family Detached/Mobile Home	5400	4442.1	42.6%
Open Space Recreation/Parks*	32	2076.0	19.9%
Vacant	665	1716.9	16.5%
Large lot w/ residence**	28	933.6	8.9%
Open Space Common Areas	60	505.7	4.8%
Open Space Resource Protection	75	197.2	1.9%
School*	2	118.4	1.1%
Transportation/Communications/Utilities	24	100.3	1.0%
Religious/Non-profit	23	78.9	0.8%
Office	82	56.0	0.5%
Retail	28	55.5	0.5%
Multi-Family	17	53.2	0.5%
Single Family Attached	281	35.8	0.3%
Two-Family Dwelling	52	21.6	0.2%
Government Operation*	3	13.4	0.1%
Warehouse	12	11.7	0.1%
Open Space Undesignated	8	9.5	0.1%
Motel/Hospital/Clinic	4	6.5	0.1%
TOTAL	6796	10432	100.0%
Water surface in LP area†	44	3197.5	NA

* Also includes acreage in GO, EF, OS categories inside basin area.

** Separate from Vacant.

† Includes portion of Lake Jackson inside LP; also Lake Hall, Lake Overstreet, Little Lake Jackson, Pints Pond, Spring Pond.

Based on the existing land use data, it is clear that Policy 2.2.18[L] has met its intention of creating a low-density, large-lot suburban residential pattern for most the developed areas in the Lake Protection category. However, approximately 25 percent of the Lake Protection area is currently either vacant or has potential for redevelopment at a higher density.

The Lake Protection policy allows for one residential unit per two acres. The existing net residential density (residential units / residential acres) is slightly more than one residential unit per one acre. This higher density (twice the allowed amount) is the result of smaller lot development that occurred prior to adoption of the Lake Protection policy.

In contrast, the Comprehensive Plan calls for an Urban Service Area average of no less than two residential units per one acre, which is four times the allowed density in Lake Protection. However, the current Lake Protection policy does not support the larger goal of more compact development in the Urban Service Area. While it may not be feasible to increase the density throughout the Lake Protection category without impacting Lake Jackson, targeted areas based on the Smart Growth principles would help in supporting the larger goals for a compact community that preserves green space and rural lands further from the urban core.

Given that all of the Lake Protection designated lands are within the Urban Services Area, it is logical to consider targeted areas for higher density residential and the inclusion of office and commercial uses. Nevertheless, in order to prevent further degradation of Lake Jackson, increases in impervious surface within the intensely developed sub-basins must be limited or mitigated, while the less intensely developed sub-basins could be monitored to ensure net impervious is essential for establishing a healthy system. Mitigation measures may include offsetting water quality improvements from existing impervious areas, new or strict enforcement of existing development requirements that may require additional buffers, additional or alternative treatment of stormwater and wastewater to reduce nutrients, or other measures; such as, retrofitting of existing areas and redevelopment incentives that focus on stormwater quality treatment.

In sum, the existing homogenous, large-lot development patterns within Lake Protection tend to be automobile- dependent, consume significant quantities of land, and require significant impervious areas on a per-capita basis. Additionally, the constraint upon non-residential uses in Lake Protection, that market forces would tend to foster at nodes consisting of major intersections, forces this development to areas farther away and reachable only by automobile.

Given these issues, it is rational to consider new methods to allow for a more sustainable development pattern in this area that also protects the water quality of Lake Jackson. Targeting areas, based on Smart Growth principles, are intended to help support larger goals for a compact community that preserves green space and rural lands further from the urban core.

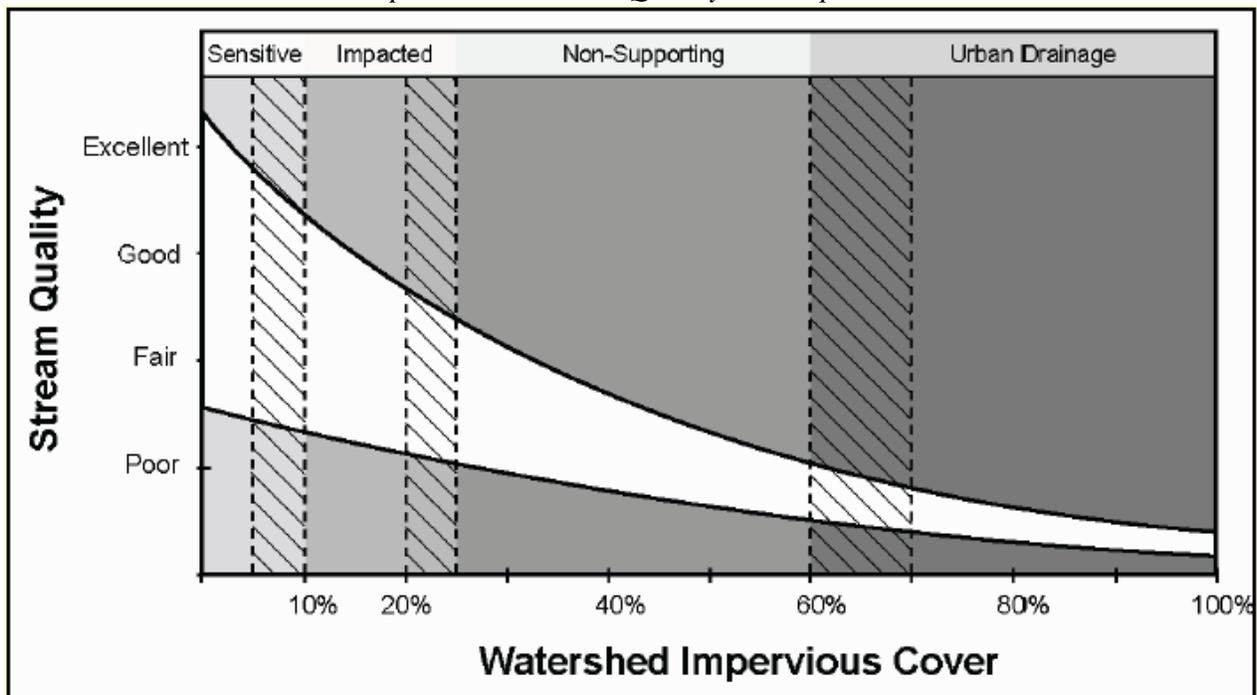
4. Impervious Area as a Predictor of Stream Health

Impervious areas are structures such as pavements and buildings that do not allow rainwater to pass through into the ground. Impervious areas increase the speed and amount of stormwater runoff resulting in impacts to streams. There is a body of research that has established a relationship between the amount of impervious area in a watershed and the receiving stream quality.

While stream quality may vary based on other factors, such as forest cover, agriculture and road density, there is general agreement that watersheds with impervious areas from 10% to 20% will show clear signs of declining stream health. Staff will continue to utilize this information to help guide recommendations on the scale of any development regulation changes based on Smart Growth principles.

The following chart from the June 2013 U.S. Environmental Protection Agency report “Our Built and Natural Environments: A Technical Review of the Interactions Among Land Use, Transportation, and Environmental Quality” depicts the relationship between stream quality and watershed impervious area.

Relationship Between Stream Quality and Impervious Area



The white cone represents the variability in the response of streams to different levels of impervious area (higher variability in watersheds with a small percentage of impervious area). As the percentage of impervious cover in a watershed increases, stream quality declines. The hatched areas indicate that the transition point between stream quality classes is not a precise percentage or break point (originally published in 2009 by Schueler, Fraley-McNeal, and Cappiella, American Society of Civil Engineers).

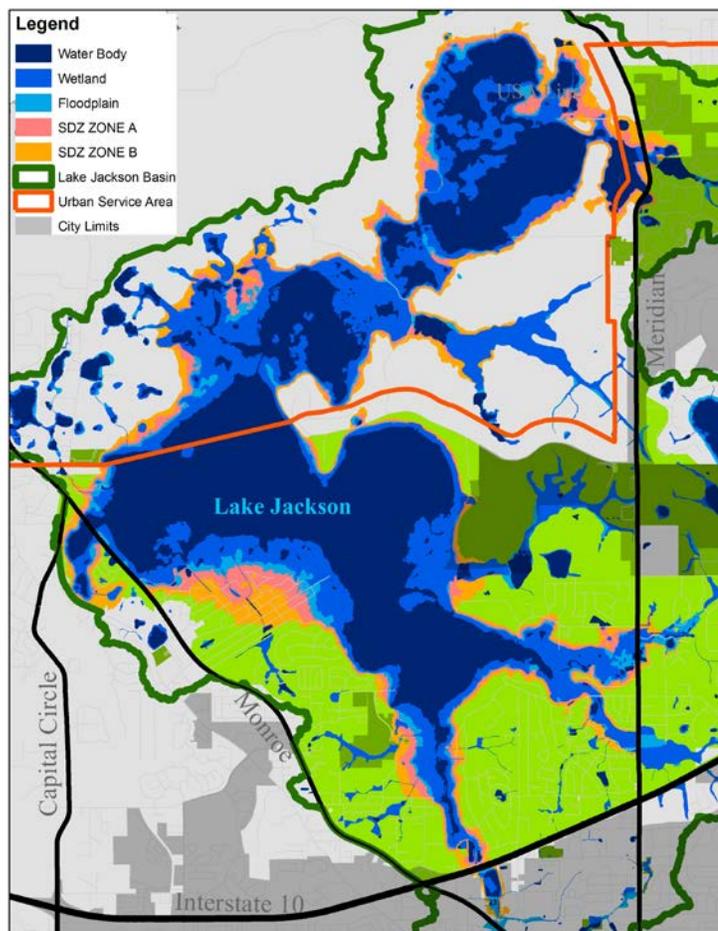
The following map provides the percent impervious area in six sub-regions on the Lake Jackson drainage basin. The impervious area in these sub-regions ranges from 1.5% to 22.6%, with the full Lake Jackson basin containing 9.1% impervious area. The higher percentages of impervious area occur south of Interstate-10 in the areas excluded from the Lake Protection category. The lowest impervious areas occur in the northern portions of the basin that are outside of the Urban Service Area.

5. Lake Jackson Special Development Zones

Special Development Zones are buffer areas beyond the wetlands and floodplains that surround Lake Jackson. The Zones are established by Policy 2.2.12 [C] of the Comprehensive Plan to help protect water quality by controlling the amount of land that may be disturbed. The following map demonstrates the relationship between the lake, wetlands, floodplain, and Special Development Zones. Zone A includes all lands below 100 feet in elevation (National Geodetic Vertical Datum) and allows for disturbance of up to 5% or 4,000 square feet of a property. Zone B includes all lands between 100 and 110 feet in elevation and requires that 50% of a site must be left natural.

In 2009, the Board approved a Comprehensive Plan amendment to protect legal development that occurred in these areas prior to establishment of the Special Development Zones. The new policy allows for repair, maintenance, remodeling, or reconstruction of structures within their existing footprint and a 20% expansion of government owned public facilities. The 20% expansion provision allowed for a needed expansion at Canopy Oaks School. During the amendment process, staff also recommended inclusion of an 800-square-foot expansion provision for private development that met specified eligibility criteria and followed expansion standards to protect the environment. The State Land Planning Agency (then the Department of Community Affairs, now the Department of Economic Opportunity) objected to the 800 square-foot expansion portion of the amendment. On October 13, 2009, the Board unanimously passed a motion to strike the 800 square-foot expansion provision, but to move forward with the original intent of the amendment dealing specifically with Canopy Oaks School.

Map of Special Development Zones



As the Board previously provided direction to strike the 800 square-foot expansion provision, staff is not making a recommendation to re-initiate this project. However, the information has been provided for background information on previous policy direction and the project could be re-initiated if the Board wishes to provide such direction.

6. Staff Recommendations and Implementation Phases

The following twelve recommendations (A through L) have been developed by staff to express, and be consistent with, one or more Smart Growth principles. In the description of each concept, staff has provided information on their potential implementation, and listed the Smart Growth principles furthered by the recommendation. Information on potential phasing of the recommendations is included at the end of the section.

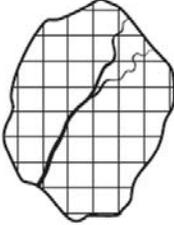
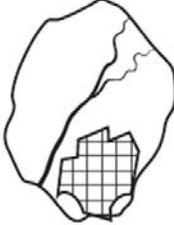
Recommendation A: Direct staff to develop and bring back a new Lake Protection Node zoning district for the Lake Protection land use category that allows non-residential uses and higher density housing while requiring the Lake Protection stormwater standards.

This recommendation is based on the Smart Growth principle of allowing mixed land uses to create more vibrant, diverse, and walkable communities. The provision of active living opportunities, where residents and visitors can easily and regularly walk or bicycle to everyday destinations, supports healthy movement and could lower health care costs. Local areas, like Midtown and Market Square, have a mix of commercial, office, and residential uses, and are arguably some of the most attractive areas to shop, live, and invest in locally.

Development concentrated into geographic nodes is a planning tool that is gaining popularity both locally and elsewhere. The concept involves allowing higher development rights around major intersections rather than along commercial strips that stretch miles down either side of roads. Such nodes, through concentrating commercial, office, and higher density residential uses tied together with sidewalks and bicycle lanes and paths can help reduce automobile trips, decrease the need for widened roadways to accommodate these trips, and provide convenient and attractive walking and bicycling connections to adjacent or nearby residential areas.

The 2006 U.S. Environmental Protection Agency report “Protecting Water Resources with Higher-Density Development” focuses on the idea that more compact development can help save more land to protect water resources. The following graphic from the report demonstrates how the same number of homes can be accommodated in less land area when the land per home is reduced. The graphic is simplified to help illustrate the concept. Staff recognizes that the Lake Jackson basin is complex and that significant development already exists in the basin. However, this concept can still be utilized in new policies to guide future development toward designated nodes.

Protecting Water Resources with Higher-Density Development

Scenario A	Scenario B	Scenario C
		
<p>10,000 houses on 10,000 acres at a density of 1 house per acre consume 1 entire watershed.</p>	<p>10,000 houses on 2,500 acres at a density of 4 houses per acre consume ¼ of 1 watershed.</p>	<p>10,000 houses on 1,250 acres at a density of 8 houses per acre consume 1/8 of 1 watershed.</p>

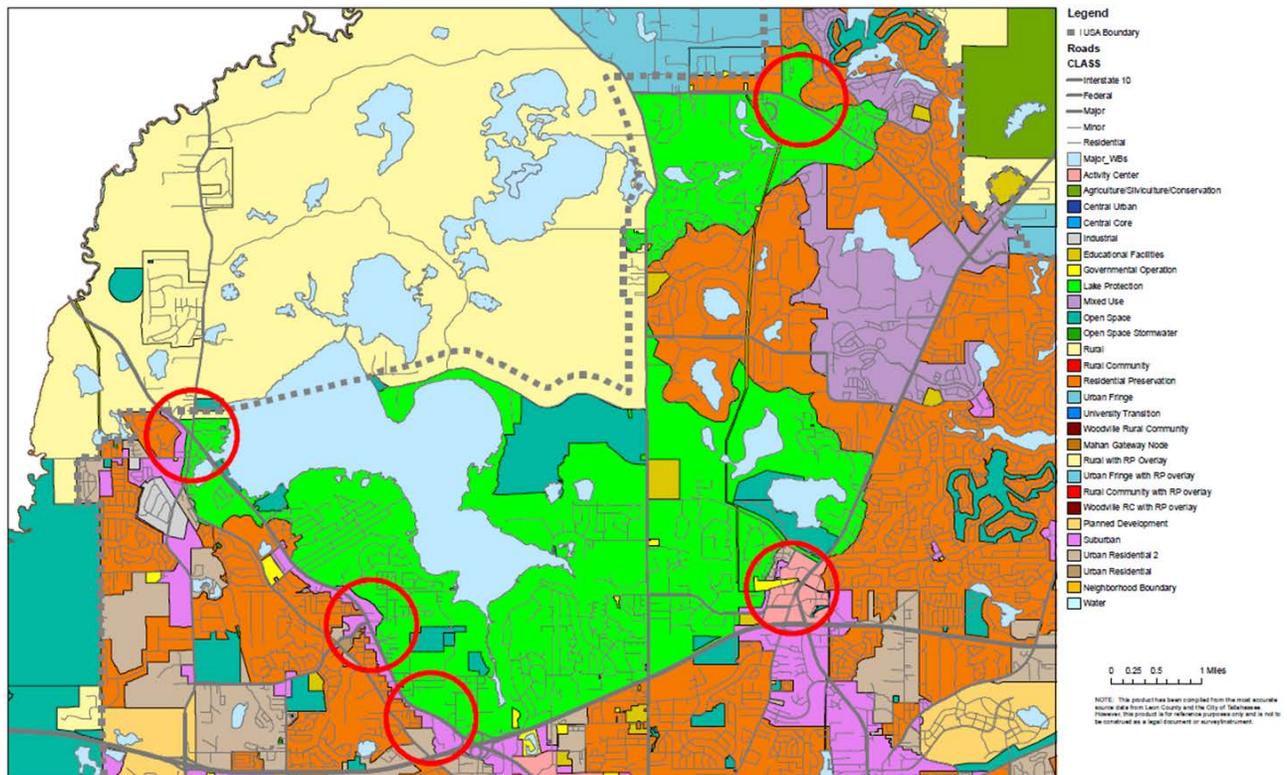
An emerging urban node (the Lake Jackson Town Center) has been identified by the County at the intersection of U.S. Hwy 27 North and Fred George Road. As part of this recognition, the County in turn constructed the new Lake Jackson Branch Library, and supports the Sense of Place planning initiative for this area. This support includes \$100,000 approved by the Board at its regular June 18, 2013 meeting to implement the plan for the Lake Jackson Town Center Sense of Place Initiative. The funding for this project is currently available in the Fiscal Year 2014 budget.

Other local examples include the Mahan Gateway Nodes as identified on the Comprehensive Plan’s Future Land Use Map. These nodes were created based on community concerns that the recently widened Mahan Drive would eventually become lined with a strip of commercial uses similar to West Tennessee Street or Apalachee Parkway.

Land uses are significantly limited in Lake Protection. The incorporated area of Lake Protection (within the City Limits) does not presently allow non-residential uses. The unincorporated area allows some non-residential uses (minor office and minor commercial), but only within a Planned Unit Development process that requires Board approval.

The establishment of nodal areas by the application of a new zoning district could be allowed at identified intersections of major roadways similar to that established along Mahan Drive between Capital Circle and Interstate – 10. Potential locations are identified on the following map with ¼-mile radius circles and may include U.S. Hwy 27 and Capital Circle Northwest, U.S. Hwy 27 and Fred George Road, U.S. Hwy 27 and Sessions Road, the Market Square area, and the intersection of Bannerman and Bull Headley roads.

Potential Lake Protection Node Areas



This new zoning district would specify permitted uses, and urban design and other development standards, including current Lake Protection stormwater standards and requirements and perhaps a cap on total acres in the Lake Jackson Basin that can be placed in the new district. Properties that could be considered for rezoning to new Lake Protection Node would include non-conforming uses, vacant properties whose highest and best use may be commercial or office to serve the surrounding residential areas, and other properties suitable for higher density housing. The extent of these nodal areas would ideally be within a radius of ¼ mile of a main intersection, which is a five-minute walk for most people.

This recommendation is also consistent with the following Smart Growth principles:

- Compact building design
- Range of housing opportunities and choices
- Walkable neighborhoods
- Sense of place
- Direct development towards existing communities
- Variety of transportation choices
- Make development decisions predictable, fair, and cost effective

Recommendation B: Direct staff to develop and bring back land development regulation changes requiring site design standards for the new Lake Protection Node zoning district.

This recommendation is primarily based on the Smart Growth principle of fostering distinctive, attractive communities with a strong sense of place.

The Planning Department, with strong community input, has developed several “placemaking” initiatives, located at existing and emerging urban nodes, including the Market District area near Thomasville Road and Timberlane Road, the Lake Jackson Town Center near the intersection of U.S. Highway 27 North and Fred George Road, South Monroe Street, Midtown, and Downtown. While these efforts have not been regulatory in nature, they have identified several proposed and ongoing infrastructure improvements and other public and private investments. Several recent Future Land Use map and associated zoning changes have been conducted in one or more of these areas in order to allow additional development and redevelopment. Over a period of time the ongoing “Sense of Place” planning process could be applied to one or more nodal areas within Lake Protection.

Locational and site design standards could guide the development and redevelopment of potential nodal areas into distinctive, attractive, walkable areas with a strong sense of place. By focusing the growth pressure into relatively smaller areas with stringent stormwater treatment standards, those standards could also protect the water quality and habitat values of Lake Jackson. The new standards would be incorporated into the new Lake Protection Node zoning district with concepts similar to the existing Mahan Corridor Node Zoning District and the Mobility District.

This recommendation is consistent with the following Smart Growth principles:

- Compact building design
- Walkable neighborhoods
- Direct development towards existing communities
- Variety of transportation choices
- Make development decisions predictable, fair, and cost effective

Recommendation C: Direct staff to identify non-conforming land uses in Lake Protection that cannot be addressed by the new Lake Protection Node zoning district and bring back a plan to address them.

This recommendation is based on the Smart Growth principles of strengthening and directing development towards existing communities, mixing land uses, and making development decisions predictable, fair, and cost effective. Incentivizing building and rebuilding within existing developed areas reduces pressures for development of greenfields located away from already established areas, and can reduce the cost of infrastructure.

There are a number of non-conforming land uses throughout the Lake Protection district. Office and retail uses are the most common non-conforming use. A recent land use change from Lake Protection to Suburban for 10 acres in the Market District area addressed an existing non-conformity for 34 parcels. In implementing Recommendation A to develop a Lake Protection Node category, staff would seek to address many of the non-conforming uses by proposing their rezoning to Lake Protection Node.

Non-conforming uses, located outside of logical node areas, would need to be evaluated for other possible treatments to protect owner investments or transition the use to conform to Lake Protection. Some options may include certificates to document legally established uses, requiring Planned Unit Developments, policy changes to allow specific uses within conditions, or required phase-out of the non-conforming use.

Recommendation D: Direct staff to coordinate with the City and bring back a potential common cluster development option for both the incorporated and unincorporated areas within Lake Protection that also incentivizes use of the cluster option.

This recommendation is based on the Smart Growth principles of compact building design, walkable neighborhoods, preserving open space, farmland, natural beauty, and critical environmental areas, and making development decisions predictable, fair, and cost effective.

Compact building design not only means allowing smaller buildings on a given parcel or lot, but reducing lot sizes, and allowing taller buildings. Compact building design can result in more walkable, diverse communities that also preserve open space, farmland, natural beauty, and critical environmental areas.

The Lake Protection land use category in the Comprehensive Plan (Policy 2.2.18 in the Land Use Element) currently specifies a base density of one residential unit per two acres (~2-acre lot size). This large lot size was used partly based on the idea that lower-density housing equals less impervious surface. However, in practice, large lot sizes often result in large quantities of land being cleared, affecting runoff and natural habitat, and require extensive support infrastructure due to the distance between homes.

To address this issue, and to give landowners and developers some additional alternatives, two cluster options are presently provided for in Policy 2.2.18 [L]. A cluster option is available within the incorporated area that allows a residential density of one unit per gross acre if the resultant development clusters the units on 25% of the property, and maintains the remaining 75% in natural open space.

The cluster option in the unincorporated area of the Lake Protection category allows the development of 40% of the site at a net density of two units per acre on the developed portion of the property. The remaining 60% of the property must remain in natural open space. The minimum lot size under this cluster option is 1/2 acre. Presently, there are only two such cluster subdivisions that have been built in the unincorporated area of Lake Protection.

Staff was unable to identify a currently applicable rationale for two different cluster options given that sewer is available in a significant portion of the vacant, developable land area within Lake Protection, and these areas are all located within the Urban Service Area.

Recommendation E: Direct staff to initiate a comprehensive plan text amendment and Land Development Regulation changes to remove the half-acre restriction in the unincorporated area when sewer is available.

This recommendation is based on the Smart Growth principles of compact building design, walkable neighborhoods, and making development decisions predictable, fair, and cost effective.

The environmental issues associated with smaller lot sizes on septic tanks were a factor in the creation of the ½-acre minimum lot size in Lake Protection (and the one-acre minimum lot size within the Lake Jackson SDZ). Several older residential areas were previously allowed to be developed on septic tanks, and many of these areas have lots smaller than 1/2 acres. However, Policy 2.2.18[L] does not address sewer availability, nor are there any incentives or options within this policy for reducing lot size below ½-acre when sewer is available.

Recommendation F: Direct staff to review the existing exemption for sidewalks in Lake Protection and bring back draft land development regulation changes with increased requirements for developments that have the potential for walkability.

This recommendation is based on the Smart Growth principles of walkable neighborhoods, compact building design, sense of place, and providing a variety of transportation choices. The benefits of walkability include the ability to age in place, lowered transportation costs, improved personal health and fitness, and expanded choices on how to get around.

Walkability is more than just sidewalks, but they are fundamental to being able to walk to a destination within urban areas. At present, Section 10-7.529(3)f of the County's Land Development Code exempts sidewalks in new residential developments within the Lake Protection zoning district. With some limited exceptions, much of the older development patterns within the Lake Protection district are not very walkable. Both the City and the County are retrofitting certain areas of the urban area with sidewalks where feasible and affordable. These include proposed sidewalks within the Lake Protection district along Maclay and Timberlane roads. The recently updated City/County Greenways Master Plan also proposes several multiuse trails that have the strong potential to improve pedestrian and bicycle connectivity in areas of the Lake Protection district. However, true walkability also requires more mixed-use developments with good pedestrian design.

Two land use map and zoning changes were recently made based on the urban node concept, including a change of land use from Residential Preservation to Urban Residential for 15 acres at the intersection of Fred George Road and Old Bainbridge Road, and a change of land use from Lake Protection to Suburban for a previously developed 10-acre area on the north side of Timberlane Road immediately east of Timberland School Road. Such changes are important steps in providing a sufficient number of residents and services in those emerging activity nodes to foster walkability.

The recommended nodal development concept can help create walkable areas by concentrating development in and around nodes and other developed areas, while protecting more environmentally sensitive areas from development. The Lake Jackson Town Center and the Market Square areas are urban nodes that are becoming more walkable by the installation of new sidewalks and other pedestrian infrastructure, as well as additional public investments and new development.

Staff will seek to address design-related concepts of walkability in Recommendation B. In this recommendation to review the existing sidewalk exemption in Lake Protection, staff will evaluate the potential use of locational standards, such as proximity to a designated node, potential connection to existing or proposed sidewalks or greenways, and sewer availability to determine when sidewalks would be required. Options may include retaining the exemption for isolated residential areas with little or no walkability potential.

Recommendation G: Continue implementation of the sense of place planning projects at the Lake Jackson Town Center and the Market District.

This recommendation is based on the Smart Growth principles of walkable neighborhoods, creating a sense of place, directing development towards existing communities, and providing a variety of transportation choices.

These sense of place planning initiatives are located in two areas recommended for consideration as Lake Protection nodes. These initiatives are intended to identify proposed and ongoing infrastructure improvements and other public and private investments, and to help “brand” these areas as destinations. The continuation of these projects not only will benefit property owners, residents, and visitors to these areas, but may also provide a model that can be applied to other nodal areas within Lake Protection.

Recommendation H: Direct staff to initiate a comprehensive plan map amendment to reflect the Overstreet addition to Maclay Gardens as Recreation/Open Space.

This recommendation is based on the Smart Growth principle of preserving open space, farmland, natural beauty, and critical environmental areas.

Preservation of open space, farmland, and critical environmental areas has been a community value in Leon County for decades. The Greenways Program has acquired approximately 7,500 acres of land countywide since the early 1990s. Several environmental land acquisition projects have been completed within the Lake Protection district during this time, including Okeeheepkee Prairie, Jackson View, the Elinor Klapp-Phipps Greenway, the Overstreet greenway addition to Maclay Gardens State Park, and the Timberlane Ravine Greenway.

Within the Lake Protection district, approximately 27 percent of the existing land use is open space protected as parks, greenways, or other common areas. Additionally, Meridian Road is a canopy road with 100 feet on each side protected by local land development code.

Accurately reflecting the protected status of parklands as Open Space on the Future Land Use Map is another practice that aids in planning and provides for a public process prior to any future change of the use. Currently the Overstreet land acquisition to Maclay Gardens State Park is not accurately represented on the Future Land Use Map as Open Space.

Recommendation I: Maintain the existing Urban Service Area boundary line to promote infill and nodal development.

This recommendation is based on the following Smart Growth principles:

- Mix land uses
- Compact building design
- Range of housing opportunities and choices
- Walkable neighborhoods
- Sense of place
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Direct development towards existing communities
- Variety of transportation choices
- Make development decisions predictable, fair, and cost effective.

Guiding development through the provision of urban services is an established planning principle that has been locally utilized for more than two decades. The intent of the urban service area is to support development and redevelopment in areas where urban services already exist, and in turn, minimize the costs of extending services far from existing developed areas.

The existing Urban Service Area is a critical tool for strengthening and directing development towards the existing community of Leon County and Tallahassee. The Urban Service Area boundary delineates within the Lake Jackson drainage basin a large area of rural land that helps protect water quality flowing into Lake Jackson and several connected waterbodies. This area is also home to a growing number of organic farms and community gardens.

Urban growth boundaries also help areas of concentrated, mixed development succeed by limiting the ability of cheaper undeveloped land nearby to be developed into single use developments.

Recommendation J: Continue to seek funding for the Tallahassee – Leon County Greenways Master Plan.

This recommendation is based on the following Smart Growth principles:

- Walkable neighborhoods
- Sense of place
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Variety of transportation choices

Providing a variety of transportation choices is a vital component of sustainable development. These should include mass transit, bicycling, and walking. Automobiles will continue to be a major transportation mode for longer trips. Nevertheless, mix of uses and improved connectivity makes walking and bicycling more realistic transportation options because destinations can be placed at closer distances, and more direct routes can allow pedestrians to reach a given destination.

The Tallahassee – Leon County Greenways Master Plan includes trail recommendations intended to connect existing residential and other areas to greenways, parks, and other destinations. Funding the proposed trail projects in this Plan will provide additional mobility options, particularly to and from proposed nodal areas.

Recommendation K: Direct County staff to continue to implement the current two-track permitting system to expedite review and provide reductions in the level of review for projects that implement Smart Growth principles.

This recommendation is based on the Smart Growth principle of making development decisions predictable, fair, and cost effective.

Leon County’s Department of Development Services and Environmental Management has made significant progress on reducing proposed project review and permitting timelines. Continuing such efforts, specifically for projects that adhere to Smart Growth principles, is a cost effective way to help shape growth.

Recommendation L: Direct staff to include community and stakeholder collaboration in the development of policy changes related to recommendations in this report.

This recommendation is based on the Smart Growth principle of encouraging community and stakeholder collaboration in development.

Allowing more and/or different kinds of growth within Lake Protection, even confined to nodal areas, will likely be controversial among some residents, landowners, and developers, as well as environmental advocates for the Lake. However, this kind of development is increasingly attractive to growing numbers of homebuyers and renters who prefer to live in walkable mixed-use communities.

In order for the principles of smart growth to be acceptable, it is critical that residents, landowners, developers, and other stakeholders, have the opportunity to develop a common understanding of the concepts presented within this agenda item. Therefore, stakeholder collaboration will be an important part of evaluating and shaping any policy changes that are developed.

Proposed Phasing of Recommended Actions

Given the size and complexity of the recommended project concepts, staff recommends the following workplan and schedule for implementation:

Phase I (Ongoing Efforts)

- Recommendation G: Continue implementation of the sense of place planning projects at the Lake Jackson Town Center and the Market District.
- Recommendation I: Maintain the existing Urban Service Area boundary line to promote infill and nodal development.
- Recommendation J: Continue to seek funding for the Tallahassee – Leon County Greenways Master Plan
- Recommendation K: Continue to implement the current two-track permitting system to expedite review and provide reductions in the level of review for projects that implement Smart Growth principles.

Phase II (2014-1 Comprehensive Plan Amendment Cycle)

- Recommendation E: Direct staff to initiate a comprehensive plan text amendment and Land Development Regulation changes to remove the half-acre restriction in the unincorporated area when sewer is available.
- Recommendation H: Direct staff to initiate a comprehensive plan map amendment to reflect the Overstreet addition to Maclay Gardens as Recreation/Open Space.

Phase III (Code and Policy Work in 2014)

- Recommendation F: Direct staff to review the existing exemption for sidewalks in Lake Protection and bring back draft land development regulation changes with increased requirements for developments that have the potential for walkability.
- Recommendation B: Direct staff to develop and bring back land development regulation changes requiring site design standards for the new Lake Protection Node zoning district.
- Recommendation C: Direct staff to identify non-conforming land uses in Lake Protection that cannot be addressed by the new Lake Protection Node zoning district and bring back a plan to address them.

Phase IV (2015-1 Comprehensive Plan Amendment Cycle)

- Recommendation A: Direct staff to develop and bring back a new Lake Protection Node zoning district for the Lake Protection land use category that allows non-residential uses and higher density housing while requiring the Lake Protection stormwater standards.
- Recommendation D: Direct staff to coordinate with the City and bring back a potential common cluster development option for both the incorporated and unincorporated areas within Lake Protection that also incentivizes use of the cluster option.

Options:

1. Accept the following staff recommendations and recommended implementation phases.
 - A. Direct staff to develop and bring back a new Lake Protection Node zoning district for the Lake Protection land use category that allows non-residential uses and higher density housing while requiring the Lake Protection stormwater standards.
 - B. Direct staff to develop and bring back land development regulation changes requiring site design standards for the new Lake Protection Node zoning district.
 - C. Direct staff to identify non-conforming land uses in Lake Protection that cannot be addressed by the new Lake Protection Node zoning district and bring back a plan to address them.
 - D. Direct staff to coordinate with the City and bring back a potential common cluster development option for both the incorporated and unincorporated areas within Lake Protection that also incentivizes use of the cluster option.
 - E. Direct staff to initiate a comprehensive plan text amendment and Land Development Regulation changes to remove the half-acre restriction in the unincorporated area when sewer is available.
 - F. Direct staff to review the existing exemption for sidewalks in Lake Protection and bring back draft land development regulation changes with increased requirements for developments that have the potential for walkability.
 - G. Continue implementation of the sense of place planning projects at the Lake Jackson Town Center and the Market District.
 - H. Direct staff to initiate a comprehensive plan map amendment to reflect the Overstreet addition to Maclay Gardens as Recreation/Open Space.
 - I. Maintain the existing Urban Service Area boundary line to promote infill and nodal development.
 - J. Continue to seek funding for the Tallahassee – Leon County Greenways Master Plan.
 - K. Direct County staff to continue to implement the current two-track permitting system to expedite review and provide reductions in the level of review for projects that implement Smart Growth principles.
 - L. Direct staff to include community and stakeholder collaboration in the development of policy changes related to recommendations in this report.
2. Direct staff to re-initiate an amendment to allow for limited expansion of existing legally established private development in the Special Development Zones.
3. Accept staff recommendations and recommended implementation phases, with modifications.
4. Board direction.

Recommendation:

Option # 1, A-L.

Attachments:

1. Lake Jackson History and Institutional Responses to Environmental Impacts
2. Why Communities Select Smart Growth

Lake Jackson History

The Lake Jackson, Carr Lake, and Mallard Pond ecosystem is a valuable biological, aesthetic and recreational resource of Leon County and the State of Florida. The expansive freshwater marshes and native submerged vegetation provide exceptional fish, waterfowl and wading bird habitat. Lake Jackson has been internationally known for sport fishing and its trophy largemouth bass. In addition, the lake historically has generated several million dollars annually for the Tallahassee and Leon County area.

Lake Jackson is a disappearing lake that drains periodically into the Florida Aquifer through one or more sinkholes, including Porter Sink, which are usually open to the aquifer below and slowly but continuously drain the lake. As long as the balance of water entering the lake from streams, seeps, and sheet flow runoff exceeds the amount draining into the sink and into the aquifer, the water level of the lake is relatively stable. During drought conditions, however, the lake level may drop, and even completely drain.

Over the past three decades, the water quality and ecological condition of Lake Jackson has been impacted by nonpoint source pollution. Prior to 1990, several large subdivisions with small or medium sized lots were created adjacent to the lake north of Interstate-10. These subdivisions were served by septic tanks, and did not include stormwater facilities to treat runoff. The area south of Lake Jackson had also been developed much more intensely, with a mix of commercial, office, residential, and other land uses. This urban and suburban growth within the watershed allowed sediment, fertilizer, wastes, pesticides, herbicides, heavy metals, oil, gasoline and other pollutants to be carried into Lake Jackson by stormwater runoff. In turn, the growth of nuisance plants such as Hydrilla, blue-green algae, and water hyacinth, increased. As these plants proliferated, died and decomposed, a thick layer of organic muck built up in the bottom of the southern portion of the lake, covering the lake's sandy bottom and destroying fish breeding areas. In some locations, the muck was as deep as three feet. Nutrient cycling between the sediment, the vegetation, and the water column resulted in dramatic ecological changes in the southern portion of the lake and a few other areas.

Another significant impact to the lake's water quality came from the construction of Interstate-10. In the early 1970s, Interstate-10 was constructed across northern Florida, traversing the Lake Jackson watershed and contributing large amounts of fine sediments into the lake.

Institutional Responses to Lake Jackson Impacts

State of Florida Responses

In response to the environmental impacts to this significant natural resource, in 1974 the State of Florida designated the Lake Jackson ecosystem as an Aquatic Preserve for the primary purpose of preserving and maintaining the biological resources in their essentially natural condition. It is the only freshwater lake that is an aquatic preserve in Florida. Chapters 258 and 253, Florida Statutes (F.S) provide the management authority for the Lake Jackson Aquatic Preserve. Chapter

73-534, Laws of Florida, establishes the Lake Jackson Aquatic Preserve and defines the basic management principles. Chapters 18-20 and 18-21, F.A.C. are the two administrative rules directly applicable to the uses of aquatic preserves specifically, and submerged lands in general. The Lake Jackson Aquatic Preserve Management Plan was adopted July 23, 1991, and is currently being updated by the Florida Department of Environmental Protection (DEP). Tallahassee – Leon County Planning Department and Development Support and Environmental Management staff are participating in this planning process through a stakeholder committee.

In addition to being an aquatic preserve, Lake Jackson was designated by the Florida Legislature as a Surface Water Improvement and Management (SWIM) water body, and by DEP as an Outstanding Florida Water (OFW). Section 403.061(27), Florida Statutes, grants DEP the power to establish rules that provide for a special category of waterbodies within the state, to be referred to as “Outstanding Florida Waters,” which shall be worthy of special protection because of their natural attributes. Special protections afforded aquatic preserves include restrictions on dredge and fill, construction of seawalls and other structures and facilities, and the transfer of lands and easements. Management plans are required of aquatic preserves which guide the public use of these waterbodies and their lands, and provide resource protections.

Regional and Local Government Responses

As the ecological health of the lake declined throughout the 1970s, 1980s, and 1990s, the Northwest Florida Water Management District (NFWFMD), other state agencies, Leon County and the City of Tallahassee, through the state’s SWIM program, created and implemented a series of solutions. In 1983, NFWFMD, with federal and state funding, constructed an experimental stormwater treatment facility near Interstate-10 to treat runoff from the southern portion of the watershed, which is characterized by a mix of residential, office, commercial, and other intense land uses. Another facility was constructed on the opposite side of Interstate-10 to treat even more of this runoff as it entered McGinniss Arm. Leon County and the City of Tallahassee, in cooperation with other governmental entities, have constructed at least five regional stormwater treatment facilities, and will construct one or more planned facilities such as the Lexington Road pond adjacent to Meridian Road.

Perhaps the most significant SWIM project conducted to date was the removal of accumulated nutrient-rich sediment and muck from the bottom of Lake Jackson. In 1999, after the lake drained completely, nearly 400,000 cubic yards of muck were removed from Meginniss and Fords arms during Phase I. From January 2000 to March 2001, approximately 1.6 million cubic yards of sediment were removed during Phase II from areas farther out into the southern portion of the lake as well as from some additional areas near the northern and western shores. This restoration project, along with new stormwater facilities and other activities, has significantly improved the water quality and ecological functions of the lake.

Other responses to the degradation of Lake Jackson include the continuing retrofitting of the Lake’s drainage system from urban areas by the construction of regional stormwater facilities such as the Lexington Road pond. This project is currently being designed by the County’s Public Works Department.

In addition to specific stormwater facilities and lake restoration projects, local government has also responded by developing policies addressing Lake Jackson in the Comprehensive Plan and local land development codes.

The primary goal of land use and stormwater mitigation planning at the local government level within the Lake Jackson watershed is the protection of the lake from stormwater runoff pollution. To that end, Policy 2.2.18 established the Lake Protection (LP) land use category in the Land Use Element of the Comprehensive Plan.. This category was developed in the early 1990s in response to the well documented scientific concerns regarding the degradation and continuing pollution of Lake Jackson. It includes the lake basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10.

Furthermore, Policy 2.2.12 in the Conservation Element establishes the Lake Jackson Special Development Zone (SDZ). Section 10-4.323 of the Leon County Land Development Regulations establishes in detail the boundary, designation, restrictions, and limitations within the Lake Jackson SDZ.

Finally, Objective 2.3 and Policies 2.3.1 through 2.3.5 in the Conservation Element address Lake Jackson by limiting on-site sewage disposal systems, lot sizes for residential developments on septic tanks, creating natural vegetation zones around the lake, and retrofitting developed areas in the Lake Jackson basin that do not meet the stormwater standards required by the Comprehensive Plan and implementing land development codes.

WHY SMART GROWTH?

Health, schools, taxes, traffic, the environment, economic growth, fairness, opportunity—many of the things we care about—are all affected by development decisions. From the length of our daily commute to the price of a new home to the safety of our neighborhoods—what, where, and how we build have major impacts on our personal lives, our communities, and our nation.

Growth presents a tremendous opportunity for progress. Communities around the country are looking for ways to get the most out of new development and to maximize their investments. Frustrated by development that requires residents to drive long distances between jobs and homes, many communities are challenging rules that make it impossible to put workplaces, homes, and services closer together. Many communities are questioning the fiscal wisdom of neglecting existing infrastructure while expanding new sewers, roads, and services into the fringe. And in many communities where development has improved daily life, the economy, and the environment, smart growth principles have been key to that success.

Growth is "smart" when it gives us great communities, with more choices and personal freedom, good return on public investment, greater opportunity across the community, a thriving natural environment, and a legacy we can be proud to leave our children and grandchildren.

When communities choose smart growth strategies, they can create new neighborhoods and maintain existing ones that are attractive, convenient, safe, and healthy. They can foster design that encourages social, civic, and physical activity. They can protect the environment while stimulating economic growth. Most of all, we can create more choices for residents, workers, visitors, children, families, single people, and older adults—choices in where to live, how to get around, and how to interact with the people around them. When communities do this kind of planning, they preserve the best of their past while creating a bright future for generations to come.

Adapted from the PDF "[This is Smart Growth](#)," published by ICMA and EPA in 2006.

<http://www.smartgrowth.org/why.php>