

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
COMPREHENSIVE PLAN AMENDMENT CYCLE 2007-2
September 18, 2007

The Board of County Commissioners met for a Workshop on Comprehensive Cycle 2007-2 in the Leon County Commission Chambers on Tuesday, September 18, 2007 with Chairman DePuy presiding. Present were Commissioners Sauls, Thael, Rackleff, Proctor, Dailey, and Desloge. Also present were County Attorney Herb Thiele, County Administrator Alam, Finance Director David Reid, and Board Secretary Dionte Gavin.

The meeting was called to order at 1:06 p.m.

Facilitators: Wayne Tedder, Director of Tallahassee – Leon County Planning Department; Fred Goodrow, Chief of Comprehensive Planning

A synopsis was provided by Cherry Bryant, Planning Staff.

Chairman DePuy clarified that this was a workshop and a work in progress and would not be finalized until the transmittal public hearing held jointly by City and County Commissions.

Mr. Goodrow announced that a joint City/County workshop is scheduled for October 9, 2007 at 1:00 p.m. in the County Commissioner Chambers and the joint City/County transmittal hearing will be conducted on November 1, 2007 at 6:00 p.m. in County Commission Chambers.

Mr. Goodrow announced that the following amendment numbers had been withdrawn: PCM 070203; PCM 070208; PCT 070201. He also explained that Planning is using a new electronic filing system setup and P stands for Planning Department; C stands for Comprehensive Planning Division; M stands for map amendment and I is for text amendment. The first 2 digits are the year; the next two digits are the cycle and the last two numbers is the number of the application.

Amendment #PCM070201

Proposed map amendment change from Residential Corridor to Residential Corridor Node for 10.3 acres fronting on Mahan Drive and Dempsey Mayo Road. Planning staff, Cherie Bryant, explained the amendment noting that staff recommended approval of the amendment. The Board engaged in some discussion and it was noted that instead of having two separate categories, there should be a zoning category with one residential designation - corridor node. Mr. Tedder stated that staff supports the approach.

Commissioner Thaeli advised that this is in the Lake Lafayette Water Shed Drainage Basin and the County has continued to ignore the requirement of the Comprehensive Plan to establish appropriate special development zones for protection of the watershed for the lake. He stated that nothing has been concluded and encouraged the Board and staff to get back on track and start doing things before additional impervious surface continues to degrade the lake.

Rackleff moved and was duly seconded by Commissioner Sauls, to approve staff recommendations regarding the amendment. The motion carried unanimously, 6-0 (Commissioner Proctor was absent).

Amendment #PCM070202a

This is a proposed map amendment change from Suburban to Recreation/Open Space on 2.9 acres fronting on the east side of Lake Bradford Road at its intersection with Walcott Street.

Steve Hodges, Planning staff, briefed the Board on the land use map amendment. It was noted that parcel A is part of the Capital Cascades Greenway project.

Amendment #PCM 070202b

This is a proposed map amendment change from Rural to Recreation/Open Space on 328.6 acres located at the southeast corner of Baum and Buck Lake Roads. Mr. Steve Hodge, Planning staff, explained that parcel b has been purchased through the Florida Communities Trust Program and as a condition of receiving the grant funds from the State; the future land use designation has to be changed to recreational space or something equivalent.

Commissioner Thaeli moved and was duly seconded by Commissioner Desloge to approve a and b amendments. The motion carried unanimously, 6/0 (Commissioner Proctor was absent).

Amendment #PCM 070204

The proposed map amendment change from Urban Fringe to Residential Preservation on 119.82 acres lying east of Hill N' Dale Drive and bounded on the north by Interstate 10. The property is also proposed for inclusion inside the Urban Service Area (USA). Mr. Tedder explained various issues and pointed out that staff originally encouraged the applicant to go through conservation or cluster subdivision process and referenced page 3 of the agenda material. He explained the cluster process versus the conservation process. If they come in under the urban fringe cluster, they would have 119 units if sewer were available; under conservation subdivision process, they could get 90 dwelling units. Mr. Tedder pointed out that if they used the urban fringe cluster provision, they would

be allowed to cluster 25 percent of their property and 75 percent of the property would be set aside for future development. Once the urban services comes to the area and is brought into the urban services boundary, then the remaining 75 percent of property could be developed which would result in substantial development. He also spoke about the infrastructure phasing report which stated that the urban fringe is the next emerging area but the urban fringe is a barrier to getting sewer to certain areas. He also pointed out that the urban fringe category creates havoc for the Planning Department - it allows development in areas that may not have infrastructure to support it.

Mr. Tedder pointed out that a major issue is that the subject property is in Talquin water zone but it is City sewer; Talquin will probably not provide sewer so it would have to come from the City. Tomorrow, the City will be discussing their concerns about extending the sewer to the site. Mr. Tedder advised that if sewer is not provided to the site, he would recommend denial of the application.

Commissioner Thael pointed out that this is too much density for the area and he opposes greater urbanization of the County. He further added that they are over-developing a piece of property and the Comp Plan criteria is not being met. Commissioner Rackleff concurred and added that according to his calculations, the applicant is proposing to go from approximately 39 dwelling to 249 units.

It was noted that in October, Planning staff will present a study showing areas that are sensitive in the community and which need to be addressed in different ways through stormwater and sewage treatment.

County Administrator Alam clarified that the County has an agreement with the City that this area would be provided sewer, so based on this, the City is obligated to extend sewer to this area.

Mr. Tedder advised that on Wednesday, a workshop on the same agenda would be held with the City. He noted that when extending the USA (urban services area) boundary, it would require both City and County support.

Commissioner Desloge indicated that it would be premature to take action at this time and it appears that the parties are attempting to work out some of the problems.

Commissioner Desloge moved and was duly seconded by Commissioner Daily to defer action on this item today. The motion was duly seconded by Commissioner Dailey.

Commissioner Dailey called the question, but then withdrew since Commissioner Proctor wished to make comments.

Commissioner Proctor stated that according to the Matrix, two new schools would open in 2008 and inquired about them. Mr. Goodrow explained that a middle school is under construction along Centerville Road and an elementary school in Southwood is scheduled to open shortly. He wanted to know if Leon County Schools has submitted to urban sprawl. Mr. Goodrow advised that the School board is fulfilling a need that is already there, the schools in the area are overcapacity.

The question has been called by Commissioner Desloge. The motion on the floor carried 5-2 (Commissioners Thaell and Rackeff voted in opposition.)

The motion on the floor to defer action carried unanimously, 7/0.

Amendment #PCM 070205

This involves a map amendment change from Residential Preservation to Urban Residential on 2.07 acres located at the southwest corner of the intersection of Ox Bottom and Thomasville Roads.

Commissioner Desloge moved, duly seconded by Commissioner Proctor and carried unanimously, 7/0, to approve staff's recommendation.

Amendment #PCM 070206

This is proposed map amendment change from Recreation/Open Space to Government Operational on 42 acres fronting on Easterwood Drive adjacent to the Animal Service Center. Staff is recommending that the Animal Service Center site be included in this request to Governmental Operational.

Commissioner Rackleff moved and was duly seconded by Commissioner Thaell to defer action to the Joint City/County meeting on October 9th at 1:00 p.m., in County Commission Chambers. Commissioner Rackleff indicated that the importance of keeping parklands.

Commissioner Desloge moved a substitute motion, seconded by Commissioner Dailey to accept staff's recommendation on the rezoning with the caveat to start working with the City on the interlocal agreement.

The Board engaged in considerable discussion regarding the 10.67 acres and its use for the campus, Red Cross, Traffic, City and County needs, Blueprint, bicycle needs, and interim agreement with the City of Tallahassee.

County Administrator Alam suggested that staff be allowed to conduct a preliminary design for the 10 acres, attempt to fit the uses (Red Cross, dispatch, etc.) in the area so Tract A could be used for the bicycle trail; if not, they might have to use some of Tract A for the various facilities. Staff will bring back conceptual layout. Commissioner Desloge clarified that his substitute motion would be as outlined by Mr. Alam.

The substitute motion (as clarified) carried 6 – 1 (Commissioner Rackleff voted in opposition).

Commissioner Desloge moved a substitute motion, seconded by Commissioner Rackleff, to move forward with the Comprehensive Plan and direct staff to work with the City.

The motion carried 6-1 (Commissioner Rackleff voted in opposition).

Amendment PCM 070207

This is a proposed map amendment change from Residential Preservation to Urban Residential 2 on 1.12 acres located at the southeast corner of Springhill and Springsax Roads.

Commissioner Sauls moved and was duly seconded by Commissioner Desloge to approve the map amendment. The motion carried unanimously, 7-0.

Amendment #PCT 070204

The proposed text amendment changes to the Land Use and Capital Improvements Elements to establish policies within the Comprehensive Plan establishing the Urban Services Boundary as defined in Florida Statutes. The Urban Service Area Boundary is a subset of the present Urban Service Area boundary.

Mr. Tedder explained that this item involves a staffing issue and pointed out that it takes approximately 9 months to process changes. The proposal saves staff about 4 – 5 months. This does not affect the text amendment in the Comp Plan.

Commissioner Proctor moved to approve the amendment. The motion was declared dead for lack of a second.

Commissioner Thael moved and was duly seconded by Commissioner Dailey to deny the amendment. The motion carried 5-1 (Commissioner DePuy voted in opposition and Commissioner Proctor was out of Chambers.) Some Commissioners indicated that they did not want to take away State review.

Amendment #PCT 070206

The proposed text amendment change would replace the optional Education Element with the required Public School Facilities Element. The proposed element integrates State-mandated concurrency requirements for public schools into the comprehensive plan. New policies area also proposed for the Intergovernmental Coordination and Capital Improvements Elements.

Commissioner Dailey moved and was duly seconded by Commissioner Rackleff to approve the text amendment. The motion carried unanimously, 6/0 (Commissioner Proctor out of chambers).

Amendment #PCT 070205

Proposed text amendment changed to the Land Use Element Policy 2.2.2 to clarify timing of development under the clustering option and density of development when urban services are available within the Urban Fringe Future Land Use Category.

Commissioner ThaelI stated that if the County had a well defined urban service area in place with infrastructure, the concept would work

Commissioner ThaelI moved and was duly seconded by Commissioner Rackleff to deny the amendment. The motion failed with a tie vote (Commissioners DePuy, Sauls, and Desloge voted in opposition). The Board advised that this item is deferred to the next meeting.

Amendment #PCT 070207

Proposed text amendment change modifies Policy 2.1.9 of the Land Use Element, providing a sunset date of February 1, 2009 for the non-family heir provision. The proposed amendment simplifies comprehensive plan language related to family heir Policy 2.1.9 subdivisions, creating consistency with Florida Statutes.

Commissioner Sauls moved and was duly seconded by Commissioner Desloge to approve the amendment. The motion carried unanimously, 6/0 (Commissioner Proctor was out of chambers).

Amendment #PCT 070202

Proposed text amendment change to Land Use Element Policies 1.4.18, 2.1.11, and 2.2.28 to remove the restriction in Central Urban future land use category that density on a local street is limited to 16 dwelling units per acre. With the restriction removed the maximum allowable density would be 45 dwelling units per acre.

Amendment #PCT 070203

Proposed text amendment change to the Land Use Element Policy 2.1.12 and disengagement from the Tallahassee Land Development Matrix to remove the restriction that properties in University Transition future land use category are limited to 25 dwelling units per acre on local streets. With the restriction removed the allowable density would be a maximum of 50 dwelling units per acre.

Commissioner Dailey moved and was duly seconded by Commissioner Thaeli to defer action on the two above amendments (Amendment #PCT 070202 and Amendment #PCT 070203). It was noted that these two amendments involve the City.

Commissioner Sauls moved, duly seconded by Commissioner Thaeli and carried unanimously, to schedule a workshop on "clustering." Staff advised that it would be scheduled for the next calendar year.

Commissioner Thaeli referred to an article where Secretary Pelham writes about concerns on the hometown democracy amendment. He also referred to the Secretary's comments about giving citizens more voice regarding major changes such as removal of large rural areas into urban service area and issues going to a referendum. Commissioner Thaeli moved that these items be placed on the agenda for discussion. The Board concurred.

There being no further business to come before the Board, the workshop adjourned at 2:51 p.m.

Approved: _____
C. E. DePuy, Jr.
Chairman

ATTEST:

Bob Inzer
Clerk of the Circuit Court