

**BOARD OF COUNTY COMMISSIONERS  
WORKSHOP  
CYCLE 2009-2 COMPREHENSIVE PLAN AMENDMENTS  
APRIL 9, 2009**

The Board of County Commissioners met for a Workshop on Cycle 2009-2 Comprehensive Plan Amendments in the County Commission Chambers on Thursday, April 9, 2009 at 1:30 p.m.

Present were Chairman Desloge, Commissioners Dailey, Sauls, Rackleff, and Thael, Proctor and Akinyemi. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, and Board Secretary Rebecca Vause.

Chairman Desloge called the 2009-2 Comprehensive Plan Amendment Workshop to order at 1:30 p.m.

Facilitators: Wayne Tedder, Tallahassee-Leon County Planning Director  
Fred Goodrow, Tallahassee-Leon County Planning Department

Mr. Tedder stated that the purpose of the workshop was to give Commissioners an opportunity to ask questions and/or get clarification from staff on amendments for this cycle and to receive tentative positions on the items presented. Mr. Tedder advised that a public hearing had been previously conducted and two additional hearings would be held.

Staff presentations were provided on the following amendments:

**Amendment #PCM 090211:**

Proposed map amendment change from Residential Corridor and Residential Corridor Node to Mahan Gateway Node (a proposed category) on 274 acres fronting on the north and south sides of Mahan Drive and located at the following intersections: Dempsey Mayo Road, Edenfield Road, and Thornton Road.

John Baker, Comprehensive Planner, utilized a power point presentation to provide information on the Mahan Drive Corridor Study. He shared that there are currently three nodes along Mahan Drive with two existing land use categories (Mahan Residential Corridor, which allows up to 8 dwellings to the acre and Mahan Residential Corridor Node that allows up to 16 dwellings to the acre with some commercial and community uses) and the nodes are located at Dempsey Mayo Road, Edenfield/Highland Drive and Thornton Road. Mr. Baker shared a map which displayed the entire Corridor. He noted that the proposed amendment implements a Board directive to create a land use category that combines the Mahan Residential Corridor and the Mahan Residential Corridor Node land use categories, and also addresses the City Commission's direction to add more land designated Mahan Residential Corridor Node to the Dempsey Mayo Road Node, creating a true urban node.

Mr. Baker offered additional information on the three affected properties.

Commissioner Thael engaged staff in discussion on the amount of commercial development that would be allowed in the amendment and the methodology used to determine the demand for future commercial development. He confirmed that some of the Moore property was located within the node. Mr. Tedder added that there is a pending application for a DRI for the Moore property that is located within the node.

Commissioner Thael expressed that the Board as a decision making body needed all the information available and some rationale, such as type of research conducted and the process used by staff before making decisions on land use.

Commissioner Thaelle inquired on efforts to address architectural standards and energy efficiency components in the design standards to the new developing areas could stand out "as a beacon for smart planning and smart growth". Mr. Baker responded that there were provisions within the draft policy language to address architectural design standards and also includes language that would direct staff to develop those detailed type regulations.

Mr. Tedder stated that, in many cases, the Comprehensive Plan contains more detail than necessary and potentially creates problems down the road when minor changes are needed in the Land Development Code. He asked that the Board consider directing staff to identify those standards they deem more appropriate in the Land Development Code and then have the Comprehensive Plan contain the general provisions. The Board agreed to the request and Chairman Desloge established that nothing official was needed and that staff would "bullet list" those items that would be included in the Comprehensive Plan vs. those within the Land Development Code and a draft would be presented at the next Joint Commission Meeting.

Commissioner Rackleff voiced his support for the amendments as they represent an attempt to bring rationale direction and growth for the corridor and are prudent steps in establishing future development patterns. He pointed out that Florida's population growth is decreasing and asserted that this is important information to note in planning. Commissioner Rackleff noted that the area needed to be preserved as a Gateway into the City. He commented that the Moore property should not be extensively developed due to stormwater problems and wetland issues and expressed hesitancy in approving any further development of this property.

Staff noted that the proposed map amendment, in conjunction with text amendment PCT 090212, streamlines the implementation policies for Mahan Drive Corridor Study.

**Amendment #PCT 090212:**

Proposed text amendment to the Future Land Use Element to delete the Mahan Drive Land Use Categories (Residential Corridor and residential Corridor Node) and adopt a new category, Mahan Gateway Node, to replace the other categories.

**Amendment #PCT 090222:**

Proposed text amendment to the Conservation Element to allow for the reconstruction and moderate expansion of legal nonconformities within elevations consistent with the Special Development Zones provided in Policy 2.2.12:[C].

Brian Weibler, Comprehensive Planner, provided that the policy is intended to allow property owners within the Special Development Zones to rebuild and to allow for small expansion. He stated that the criteria to be eligible for the policy exemption included: 1) must have a property that was legally established before establishment of the SDZ policies in 1991, and 2) must have legally established property that became non-conforming by the expanded enforcement of SDZs in closed basins in 2006. He added that if deemed eligible, a property owner could continue the structure indefinitely, repair, remodel and maintain it and rebuild if destroyed. In addition, the structure would be eligible for an expansion of the greater of 1,000 sq feet or 20% of the legally established impervious area inside the SDZ; however, four expansion criteria exist that must be followed: 1) address all stormwater and environmental regulations; 2) can't disturb any additional natural vegetation; 3) replant natural vegetation equal to the area of expansion, and 4) utilize areas outside of the SDZ to the greatest extent practicable.

Commissioner Thael expressed concern to allow up a property to add an additional 1,000 sq feet to the property and declared that he would not support the amendment as presented. He offered, however, that he could support a small addition, such as a patio or 1% of the existing footprint.

Commissioner Dailey recalled that the original intent was to address future expansion, if needed, of Canopy Oaks Elementary School. He announced that he would like for the amendment to move forward; however, he shared concerns stated by Commission Thael. He too expressed that allowing an expansion of 1,000 sq feet was too excessive and a lot of the constituent groups involved in this issue would agree. He asked staff to bring something back information addressing the additional expansion concern and expressed an interest in finding a compromise.

Mr. Weibler advised that "Friends of Lake Jackson's" recommendation has been to allow the expansion only for government operated public benefit facilities and not for private individual homes. The proposed 1,000 sq feet was an effort to accommodate the installation of residential swimming pools.

Commissioner Dailey suggested that the issue be revisited with interested groups to see if there was a compromise that does not completely remove all private property owners.

Commissioner Sauls commented that there is a large demand for swimming pools, and unless this is allowed they would not be allowed to be installed.

Mr. Tedder thanked the "Friends of Lake Jackson", especially Mr. George Lewis, as they have done an outstanding job and have been instrumental in trying to work through the issues. He stated that staff would continue to work with them in an attempt to find some kind of compromise.

Commissioner Dailey asked if staff had followed-up with the Department of Community Affairs (DCA) on the proposed inclusion of the private sector. Mr. Tedder responded that there are issues that need to be resolved and assured Commissioner Dailey that the amendment submitted to DCA would contain no "baggage".

Commissioner Akinyemi questioned if the proposed amendment was the appropriate vehicle to address these particular issues as opposed to addressing individual cases through variances or exceptions. Mr. Tedder explained that the enabling language was needed in the Comprehensive Plan to allow that process.

**Amendment #PCT 090215**

Proposed text amendment change to the Land Use and Conservation Elements to rename the Downtown future land use category Central Core and facilitate development of a form based zoning code, eliminate the Urban Central Business District overlay, establish a Downtown Overlay in the text of the Comprehensive Plan and exempt development within the proposed Downtown Overlay from the steep slope requirements. Also amends other sections of the Comp Plan to substitute Central Core future land use map (FLUM) category for Downtown (FLUM) category.

Mr. Tedder stated that this is a "City Only" amendment; however, due to the Board's interest in redevelopment of the downtown area he wanted to share what the City is doing to resolve some of the intensity and density issues in the downtown corridor.

Deepika Andavarapu, Comprehensive Planner, provided a presentation on the proposed amendment. Ms. Andavarapu stated that the intent of the amendment is to define a clear downtown boundary that is easily identifiable, encourages high density and quality development, and removes barriers to achieving density.

*Commissioner Sauls moved, duly seconded by Commissioner Rackleff, to approve PCM090211; PCT090212; PCT 090222, and PCM090215, with modification as recommended by the Board. The motion carried 6-0 (Commissioner Dailey out of Chambers).*

**Amendment #PCM 090201:** Withdrawn

**Amendment #PCM 090202:**

Proposed map amendment change from Lake Protection to Recreation/Open Space on 16 acres on Timberland School Road and bounded on the south by I-10.

*Commissioner Rackleff moved, duly seconded by Commissioner Sauls to approve Amendment #PCM 090202. The motion carried 7-0.*

**Amendment #PCM 090203:**

Proposed map amendment change from Residential Preservation to IE Education Facilities on 59 acres on Swift Creek Middle School located at 2100 Pedrick Road.

*Commissioner Sauls moved, duly seconded by Commissioner Rackleff, to approve amendment #PCM090202. The motion carried 7-0.*

**Amendment #PCM 090204:**

Proposed map amendment change from Residential Preservation to Suburban on 0.7 acres located at the northeast corner of the intersection of Woodville Highway and Briandav Street.

*Commissioner Proctor moved, duly second by Commissioner Sauls, to approve Amendment #PCM 090204. The motion carried 7-0.*

**Amendment #PCM 090205:**

Proposed map amendment change from Residential Preservation to Suburban on 1.22 acres fronting on the east and west sides of Cadiz Street (118, 124, and 125 Cadiz Street).

*Commissioner Thaeil moved, duly seconded by Commissioner Rackleff. The motion carried 7-0.*

**Amendment #PCM 090206:**

Proposed map amendment change from Urban Residential 2 and Residential Preservation to Recreation/Open Space on 23.4 acres contained in 3 parcels lying south of Creek Road and east and west of North Ridge Road.

*Commissioner Thaeil moved, duly seconded by Commissioner Dailey. The motion carried 7-0.*

**Amendment #PCM 090207:**

Proposed map amendment change from Suburban to Recreation/Open Space on 23.45 acres fronting on the south side of W. Tennessee Street and lying west of Lukeman Lane and north of Shuler Road.

*Commissioner Sauls moved, duly seconded by Rackleff. The motion carried 7-0.*

**Amendment #PCM 090208:**

Proposed map amendment change on 1.07 acres from Residential Preservation to Suburban on three properties located at the northwest corner of Orange Avenue and Saxon Street and the northeast and northwest corners of Holton Street and Orange Avenue.

*Commissioner Proctor moved, duly seconded by Commissioner Sauls. The motion carried 7-0.*

**Amendment #PCM 090209:** Withdrawn

**Amendment #PCM 090210:** Withdrawn

**Amendment #PCT 090213:**

Proposed text amendment change to the Land Use Element to add policy language to the Southern Strategy Area (SSA) policies encouraging healthcare facilities to locate in the SSA.

*Commissioner Proctor moved, duly seconded by Commissioner Sauls. The motion carried 7-0.*

**Amendment #PCT 090214**

Proposed text amendment change to the Land Use element to add an objective and policy to provide guidance regarding adoption of a "Regional Activity Center" pursuant to Florida Statutes.

Commissioner Thaele expressed concern that the amendment would provide an opportunity for developers to avoid the more strict requirements of the DRI review and commented that the intent of Regional Activity Centers was to support and promote redevelopment and revitalization. He stated that he could support the amendment if it was limited to redevelopment areas and areas targeted for revitalization.

*Commissioner Thaele moved, duly seconded by Commissioner Dailey, to approve as amended: adopt the recommended language of the Water Resources Citizens Advisory Committee (meeting of March 2, 2009) for Objective 9.2 and 9.2.1.*

Commissioner Proctor confirmed with Laura Youmans, Assistant County Attorney, that their office had no opposition to the proposed amendment.

*The motion carried 7-0.*

**Amendment #PCT090216:**

Proposed text amendment change to the Transportation Element the Northwest Functional Classification Map to reclassify certain sections of the following roads: San Luis Road, Solana Avenue, and Mission Road.

*Commissioner Sauls moved, duly seconded by Commissioner Rackleff. The motion carried 7-0.*

**Amendment #PCT090217:**

Proposed text amendment to the Sanitary Sewer Sub-Element to amend the level of service (LOS) for sanitary sewer systems from a two part LOS of 140 gallons per capita per day for mixed land uses and 100 gallons per capita per day for residential only land uses to a single LOS of 100 gallons per capita per day for any land use. The proposed change is based on flows and loads data collected for the Wastewater Treatment Master Plan.

Commissioner Proctor confirmed with staff that there would be no impact on residents related to their concerns on stricter sewer standards and that there was no state mandate requiring the change. Mr. Goodrow explained that the amendment was a standard to be used in order to evaluate the impact of a new development on the sewer system.

Commissioner Proctor recommended that the Board delay action on the change and request staff to bring it back as part of its total review on the issue.

Mr. Tedder suggested that the issue be brought up at the next Joint City/County Workshop and City Utility staff would be available to answer questions and provide further information as needed.

*Commissioner Proctor moved, duly seconded by Commissioner Akinyemi, to defer until the next Joint City/County Workshop. The motion carried 7-0.*

**Amendment #PCT090218:**

Proposed text amendment to the Housing Element (including the City and Leon County Sections) to add new goals addressing increased energy efficiency in the design and construction of new housing and the use of renewable energy resources.

*Commissioner Dailey moved, duly seconded by Commissioner Rackleff to accept staffs recommendation of approval. The motion carried 7-0.*

**Amendment #PCT090219: Withdrawn**

**Amendment #PCT090220: Withdrawn**

**Amendment #PCT090221: Withdrawn**

**Amendment #PCT090223: Withdrawn**

**Adjournment**

The workshop was adjourned at 2:50 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: \_\_\_\_\_  
Bryan Desloge, Chairman  
Board of County Commissioners

BY: \_\_\_\_\_  
Bob Inzer, Clerk of the Court  
Leon County, Florida