

**Joint County/City Commissions
Public Hearing
Cycle 2010-2 Comprehensive Plan Amendments
March 3, 2010
Leon County Courthouse
6:00 p.m.**

Attending: County Commission - Chairman Bob Rackleff and Commissioners Bryan Desloge, John Dailey, Akin Akinyemi, Jane Sauls, Cliff Thael, and Bill Proctor. City Commission - Mayor John Marks, and Commissioners Debbie Lightsey, Andrew Gillum, and Mark Mustian (City Commissioner Gil Ziffer absent). Also attending were County Administrator Parwez Alam, County Attorney Herb Thiele, Senior Assistant City Attorney Linda Hudson, and Board Secretary Rebecca Vause

Call to Order: Chairman Rackleff called the Joint City/County Public Hearing on Cycle 2010-2 Comprehensive Plan Amendments to order at 6:00 p.m.

Facilitator: Fred Goodrow, Chief of Comprehensive Planning, Tallahassee-Leon County Planning Department

A. Introductory Comments by Staff

Mr. Goodrow explained that the purpose of the hearing was to provide an opportunity to receive public comment on the 2010-2 Cycle Amendments to the Tallahassee-Leon County Comprehensive Plan. He provided that action was not being requested at this time by either Commission; as both Commissions' will meet individually to consider the amendments. A Comprehensive Plan Workshop is scheduled for the County Commission on March 23rd at 1:30 p.m. and the City Commission on March 17th at 3:30 p.m. In addition, a Joint Workshop is scheduled for April 13th at 1:30 p.m.

Mr. Goodrow pointed out that speaker forms were available and should be completed for anyone wishing to speak on an amendment. He requested that public input be limited to three-minutes per speaker.

He further advised that Amendment #PCT100208 had been withdrawn.

B. Receipt of Public Comments on the Cycle 2010-2 Comprehensive Plan Amendments

AMENDMENT #PCM100201:

Proposed map amendment change from Residential Preservation to Central Urban on 0.3 acres fronting on the east side of Gadsden Street south of Williams Street. [Applicants: James and Kyndra Light]

Mr. Goodrow pointed out that included in the agenda packet was an alternative suggested by staff that went to the Planning Commission. In response to a request by Commissioner Gillum, staff provided a brief overview on the amendment and staff's suggested alternative. In summary, staff's alternative is the neighborhood boundary, zoned office.

Mr. Goodrow explained that the staff's alternative had been presented to the Planning Commission; however, after discussion they decided "not to take it up". Mr. Goodrow suggested that should the Commission choose to pursue the alternative, staff would take it back to the Planning Commission as an advertised public hearing for a formal recommendation to approve or deny.

Speakers: (Amendment #PCM100201)

- Dean Minardi, 550 E. Georgia St., appeared and provided a historical prospective of the property, mentioning that he had previously owned the property (10 years ago) and requested a similar map change. He recalled much discussion about the need for a new category for transitional usages and staff had responded. He asked that history be considered when voting on this amendment and offered support for staff's Neighborhood Boundary Office zoning.
- Sam Hand, Jr., 506 E. Williams St., spoke as a 60+ year resident of Lafayette Park, experienced urban designer and registered landscape architect. He expressed concern that if approved, a very stable inner city neighborhood would begin to collapse from the inside out and urged Commissioners to not start this process.
- Kathy McGuire, 1101 Pine St., stated that she has lived in Lafayette Park for 20 years. She requested that the amendment be voted against as 1) the rezoning would not solve applicant's problem; 2) would create larger zone of more activity, traffic and noise; 3) spot zoning would lead to deterioration of neighborhood, and 4) the proposed revision was not consistent with intent of the current Comprehensive Plan. She requested that the Commission vote against the proposed amendment.
- Leslie Johnson, 423 Williams St., indicated that she was a resident of Shelly Glenn Townhomes which backs up to the property in question. She expressed concern over the increase in City services the property would require if designated as office space and indicated that all residents of Shelly Glenn Townhomes are against the amendment.
- John Wallace, 412 E. Georgia St., indicated that he was the President of the Lafayette Park Neighborhood Association and was speaking on their behalf. He indicated that Lafayette park residents wanted to preserve its designation as one of Tallahassee's oldest completely zoned residential neighborhoods and offered that the petitioner's problems are not a land use change or zoning issue, but rather a nuisance issue. He shared that the neighborhood association has scheduled a meeting for March 15 to include all involved parties in an effort to find resolution to the problem. He complimented the Planning Department for its professional handling and assistance in this issue. Mr. Wallace requested on behalf of the Lafayette Park Neighborhood Association, denial to change the RP land use of the parcel at 913 N. Gadsden to CU and recommended denial of staff's alternative land use change to NBO to any and all parcels within the subject area.
- Richard RuBino, 726 Ingleside Avenue, asserted that this is not a simple land use issue; but a case of over intensity of use. He asked that no action be taken and allow the meeting of March 15 to occur in an effort to give all the participants an opportunity to work together in possible resolution of the situation.
- Lee Cook, 411 Williams St., expressed opposition to any changes to the zoning of the property and asserted that approval would result in "spot zoning" that would not solve the problems but create additional ones. She voiced concern that neither she nor her neighbor was consulted by staff that their property would be included in the Neighborhood Boundary alternative.

Commissioner Thaelel inquired if staff had made an effort to contact the homeowners. Planning Department confirmed that it was a timing issue; however, Ms. Cook and others in the neighborhood had been spoken with.

Commissioner Thaelel requested that staff bring back for consideration a general policy which ensures that staff has had adequate contact to discuss land use proposals with affected property owners before coming before the Board to consider. Mr. Goodrow responded that this could be discussed at the upcoming workshop and in addition an actual timeline of events would be provided.

Commissioner Gillum requested staff's rationale for the proposed Neighborhood Boundary. Mr. Goodrow offered similar situations where this type alternative was recommended to cover some non conforming uses.

Commissioner Lightsey requested clarification on the appropriate land use and zoning for the AA House. Mr. Tedder, Planning Director, offered in this particular case Central Urban Zoning District would be the most appropriate. Commissioner Lightsey expressed a concern that the Neighborhood Boundary zoning would add more traffic and be a safety issue.

Mr. Tedder acknowledged that his office continues to deal with zoning issues whereby properties designated residential preservation were never developed as residential preservation uses and ultimately were designated non-conforming by the adoption of the Comprehensive Plan. He advised that staff struggle to find alternatives which would provide these properties some sort of protections which allow them to continue as a conforming land use.

Chairman Rackleff confirmed that there were no more speakers on this item.

AMENDMENT #PCM100202:

Proposed map amendment change for properties located in two areas: Area I - From Government Operation and Education Facilities to Central Core and from Government Operational to Open Space and University Transition. These properties lie south of Virginia Street, west of Copeland Street, north of Van Buren Street, and east of Downtown railroad tracks. The properties in total contain 165.01 acres. Area II - From Suburban to Central Urban on properties lying south of Mahan Drive, west of the Downtown railroad tracks, north of Jefferson Street, east of Meridian Street. The properties in total contain 31 acres.

AMENDMENT PCM100203:

Proposed map amendment change from Recreation/Open Space, and suburban to Government Operational on 217 acres located north of Capital Circle SW and east of Springhill Road. [Applicant: Tallahassee Regional Airport]

Speaker: (directed remarks to Amendments PCM100203 and PCT100204)

- Clyde Diao, 1307 Walden Road, Chairman, Tallahassee Regional Airport Advisory Council, indicated that the Council had reviewed and discussed the proposed amendments and concluded they are a very important ingredient in making sure the Tallahassee Regional Airport can perform its functions effectively and to help to spur economic development within the City, County and Region. He relayed the Council's strong recommendation for adoption of the proposed amendments.

Chairman Rackleff confirmed that there were no more speakers on this item.

AMENDMENT #PCT100204:

Proposed text amendment to Policy 2.2.16 of the Land Use Element to clarify airport uses in the Government Operational future land use category.

- Reference Amendment PCM100203 for speaker comments.

AMENDMENT #PCT100205:

Proposed text amendment to the Housing Element and Glossary. The changes are as follows: 1. Adds new policy 1.1.12 that provides the priority for affordable housing resources will take into consideration the annual needs analyses; 2. Amends Policy 2.1.4 to provide that the city shall promote the production of affordable housing units that target the City's greatest need by providing incentives to developers; 3. Amends Objective 3 (3) that pertains to production of rental housing to provide that funding from the Affordable Housing Trust Funds is available only for eligible projects based on Affordable Housing Trust Fund criteria; 4. Amends the definition of Affordable Housing in the Glossary. [Applicant: Department of Economic and Community Development Housing Division]

AMENDMENT #PCT100206:

Proposed text amendment to the Public School Facilities Element data and analysis section and Public School Facilities Element Maps 1, 2, and 3 depicting school zones to be deleted from the Plan.

AMENDMENT #PCT100207:

Proposed text amendment to modify or delete various policies throughout the Sanitary Sewer and Potable Water Sub-elements of the Utilities Element, the Capital Improvements Element, and the Glossary. [Applicant: City of Tallahassee Underground Utilities]

Speaker:

- Pamela Hall, 5051 Quail Valley Road, appeared as a representative of the Water Resource Committee (WRC) and stated that the WRC voted to support staff's recommendation to approve; with a few caveats. A letter from Robert Scanlon, WRC Chair, outlining the Committee's recommendations was distributed to Commissioners and is appended for the record.

Dr. Hall continued her comments as a private citizen stating that there was a need to address the realization that the Urban Service Area (USA) cannot be sewerred as it is too large.

Commissioner Proctor confirmed with Mr. Goodrow that policy changes addressing recommendations 2 & 3 of the WRC would be vetted for incorporation into the next cycle of amendments. Mr. Goodrow added that recommendation 1 was not a significant change and can be accommodated in this cycle.

Commissioner Proctor requested that planning staff meet with him to provide a more in-depth briefing and also indicated to Dr. Hall that he would like to meet with the Water Resources Committee. He noted that he wanted to determine the context of this amendment as it relates to the issue of advance septic tank requirements for the Wakulla Springs Protection Zone.

Commissioner Lightsey referenced an e-mail from a citizen addressing a change from square footage to volume of sewage produced and requested that staff be prepared to address this, along with the easement issue, at the City's workshop.

Chairman Rackleff confirmed that there were no more speakers on this item.

AMENDMENT #PCT100208: WITHDRAWN BY STAFF

Proposed text amendment to the Transportation Element to update the Right of Way Needs Map as required by Transportation Policy 1.3.3[B].

AMENDMENT #PCT100209:

Proposed text amendment to the Transportation Element to update and reformat the Roadway Functional Classification Maps.

AMENDMENT #PCT100210:

Proposed text amendment to the Historic Preservation Element to modify or delete policies throughout the Element.

AMENDMENT #PCT100211:

Proposed text amendment to the Parks and Recreation Element and Capital Improvements Element to modify or delete policies throughout the Elements. [Applicant: Tallahassee-Leon County Planning Department, City Parks, Recreation and Neighborhood Affairs and County Division of Parks and Recreation]

AMENDMENT #PCT100212:

Proposed text amendment to the solid Waste Sub-Element of the Utilities Element and Capital Improvements Element to modify or delete policies throughout the elements. [Applicant: Tallahassee-Leon County Planning Department]

AMENDMENT #PCT100213:

Proposed text amendment to maps in the Land Use Addendum. Eight maps in the Addendum that are not required and are proposed for deletion and four other maps will be updated with the latest data.

AMENDMENT #PCT100214:

Proposed text amendments to all elements of the Comprehensive Plan to change all planning horizon dates to 2030.

AMENDMENT #PCT100215:

Proposed text amendment to Policy 2.2.5 of the Land Use Element pertaining to the Suburban future land use category. In the Suburban Intensity Guidelines Chart the allowed land uses in the Light Industrial Development Pattern are amended to clarify that offices are an allowed principal use. [Blueprint 2000]

C. Adjournment

Chairman Rackleff closed the Public Hearing at 6:58 p.m. and the meeting was adjourned.

LEON COUNTY, FLORIDA

ATTEST:

BY: _____
Bob Rackleff, Chairman
Board of County Commissioners

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

PCT 100207

3-3-10
Comp Plan P.H.

**STATEMENT OF THE LEON COUNTY
COUNTY-WIDE WATER RESOURCES
CITIZENS ADVISORY COMMITTEE**

The Leon County Board of County Commissioners specifically charged the County-Wide Water Resources Citizens Advisory Committee with the responsibility to recommend policies that would strengthen the linkage between water resources and land use. Based on this charge, the Committee reviewed Cycle 2010-2 Proposed Comprehensive Plan Amendment PCT100207 at its meeting on March 2, 2009, and has the following recommendations:

The Committee voted unanimously to recommend that the Leon County Board of County Commissioners **adopt, with the following recommended changes, the staff recommendation to approve Amendments PCT100207 (revising the Sanitary Sewer Sub-element of the utilities element)**. This recommendation is based on the need for the Comprehensive Plan to reflect current policies and practices, as well as anticipate the needs of a growing community sustainably and responsibly.

The Committee recommends the following changes as part of this proposed amendment:

1. The term "septic tank" in the Sanitary Sewer element should be changed to "septic system" or its equivalent, and the term "package plant" should be changed to "decentralized sanitary wastewater treatment systems" or its equivalent. The intention of this proposed change is to provide flexibility, especially as new technological advances are made in wastewater disposal systems, and consistency with Florida Department of Health nomenclature.
Planning staff supports this recommendation.
2. The Committee advocates additional flexibility in the use of "package plants" within the Urban Services Area (USA). The intention of this proposed change is to allow the use of such systems in areas within the USA that do not currently have access to centralized wastewater treatment, and that such systems that may help provide such treatment in certain circumstances.

Planning staff supports the study of this proposal, but recommends that any policy changes addressing this recommendation wait until the 2011-1 Cycle.

Leon County Citizens Water Resources Committee
Cycle 2010-2 Proposed Amendments

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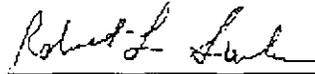
3. Finally, the Committee recommends deleting the last sentence [*italicized*] of Policy 1.3.1:

"An on-site system may serve more than one parcel but only to correct an existing environmental problem. *The capacity of these facilities shall be limited to that necessary to serve development existing on or prior to February 1, 1990.*"

The intent of striking this sentence is to provide more flexibility for addressing underserved areas consistent with the second paragraph above.

Planning staff supports the study of this proposal, but recommends that any policy changes addressing this recommendation wait until the 2011-1 Cycle.

I HEREBY CERTIFY that the above statements were duly approved by the Leon County Countywide Water Resources Citizens Advisory Committee following its meeting on March 1, 2010.



Mr. Robert Scanlon, Chair

Dr. Jim Cavanagh
Mr. Grayal Farr
Dr. Pamela Hall
Mr. John Labie
Ms. Nancy Miller
Dr. Larry Robinson
Mr. Robert Scanlon

cc: Board of County Commissioners
Parwez Alam, County Administrator

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March 3, 2010

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