

Proposed Comprehensive Plan Text Amendments

Land Use Element

Policy 2.1.8: [L] (Revision Effective 7/26/06; Rev. Effective 1/7/10)

Maintain a viable mix of available residential densities to accommodate a variety of housing types. Current residential densities are summarized below:

RESIDENTIAL DENSITIES RANGE (Rev Effective 3/14/07)

Future Land Use Category	Maximum Gross Density - Dwelling Units (DU)/Acre (Ac) ¹	Minimum Gross Density Dwelling Units (DU)/Acre (Ac)
Rural	1 DU/10 Ac	No minimum
Urban Fringe ⁵	1 DU/310 Ac (standard) or 1DU/3Ac (elustered Conservation Subdivision)	No minimum
Urban Residential	10 DU/AC	4 DU/Ac
Urban Residential ²	20 DU/Ac ²	No minimum
Village Mixed Use	20 DU/Ac ²	No minimum
Suburban	20 DU/Ac ²	No minimum
Planned Development	20 DU/Ac ²	No minimum
Bradfordville Mixed Use ²	20 DU/Ac	No minimum
Central Urban ^{2,3,4}	45 DU/Ac	No minimum
Activity Center ^{2,3}	45 DU/Ac	No minimum
University Transition ^{2,3,4}	50 DU/Ac	No minimum
Central Core ^{2,3,4} (Eff. 1/7/10)	150 DU/Ac (Eff. 1/19/02)	No minimum
Rural Community	4 DU/Ac	No minimum
Residential Preservation ²	6 DU/Ac	No minimum
Lake Talquin Recreation/Urban Fringe ⁵	1 DU/3 Ac (standard)	No minimum
Lake Protection ⁵	1 DU/2 Ac (standard)	No minimum

Notes:

¹ Maximum gross density is based on the gross acreage of the site and may not be achievable after addressing applicable land development regulations (e.g., parking, stormwater, and other regulations that may limit maximum development potential).

² Density ranges can be increased up to 25% above the maximum limits listed above for the purpose of providing affordable housing units, consistent with Policy 2.1.14 [LU].

³ Density ranges can be increased up to 35% above the maximum limits listed above for the purpose of encouraging infill development and redevelopment, consistent with Policy 12.2.2 [LU]. (Effective 1/19/02)

⁴ In areas designated Central Core, University Transition and Central Urban on the Future Land Use Map, any development with density of more than 50 dwelling units per acre must be subject to the design standards identified in Policy 12.2.2 [LU]. (Effective 1/19/02; Rev. Effective 1/7/10)

⁵ Clustering Option Available

Policy 2.2.2: [L]

URBAN FRINGE * (~~Leon County~~) (Rev. Effective 8/17/92; Revision Effective 7/26/06; Rev. Effective 4/10/09)

~~Acreage located primarily on the urbanized fringe presently characterized by low density residential and/or open space or agricultural activity. Extension of urban services into developable portions of the fringe to accommodate future population growth may be programmed during later period of Plan's scope (2015-2030) as urban service area is adjusted.~~

~~Residential densities in the Urban Fringe area are one unit per three acres. Developments which are designed to cluster units and preserve open space are encouraged. Under this option densities of one unit per acre shall be allowed if clustered on 25% or less of the property thereby allowing three units on a three acre site, providing those three units are placed on no more than a contiguous 3/4 acre (25% of three acres) and restricted to the least environmentally sensitive portion of the land. The remaining portion of the property shall remain in a green space capacity. This green space may eventually be converted to urban land as the USA expands outward to encompass the Urban Fringe property during the latter stages of the 20 year planning period. This clustering option shall not be permitted in the Primary Spring Protection zone as indicated by Policy 4.2.5: [C].~~

The Urban Fringe category is intended to provide the opportunity for very low-density residential areas mixed with open space and agricultural activity on the periphery of the Urban Service Area. To protect Rural areas from premature development, facilitate infill and redevelopment inside the Urban Service Area, and in recognition of the significant area already mapped as Urban Fringe, no additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community. Conversions to the Woodville Rural Community designation shall be consistent with the Transfer of Development Units provision in Policy 4.2.5: [C].

Conventional subdivision of land in the Urban Fringe may be permitted at a density of up to one unit per ten acres. To promote a mix of residential areas and perpetually protected open space and agricultural lands, Conservation Subdivision developments are allowed and encouraged. As an incentive to utilize Conservation Subdivision design in Urban Fringe, such projects may be permitted at a density of up to one unit per three gross acres if clustered on no more than 50% of the site. Conservation Subdivisions must also permanently set aside at least 50% of the total site as open space and restrict development to the least environmentally sensitive and otherwise significant portions of the land.

~~Conservation Subdivision developments shall be allowed in Urban Fringe if the development is density neutral, permanently sets aside at least 50% of the total parcel as open space, and restricts development to the least environmentally sensitive and otherwise significant portions of the land.~~

Appropriately sized minor commercial activities and minor offices are permitted. Industrial, office and more intensive commercial land uses are prohibited due to lack of present infrastructure services or potential negative environmental impacts. Present or future agricultural, silviculture and forestry activities may be allowed.

~~Designed to discourage sprawl and promote growth management by not allowing higher densities or intensities of land on the periphery of the USA until urban services are available. Future urbanization of county beyond scope of the Plan is likely to take place in present areas designated Urban-Fringe.~~

~~**URBAN FRINGE** (City of Tallahassee) (Revision Effective 8/17/92; Revision Effective 7/26/06; Rev. Effective 4/10/09)~~

~~Acreage located primarily on the urbanized fringe presently characterized by low density residential and/or open space or agricultural activity. Extension of urban services into developable portions of the fringe to accommodate future population growth may be programmed during later period of Plan's scope (2015-2030) as urban service area is adjusted.~~

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Staff Comment #1: The proposed change above implements the BCC direction to redefine the Urban Fringe, remove the "25-75" cluster option, establish Conservation Subdivision density as one unit per three acres, and establish one unit per ten acres as the density for conventional subdivisions. Existing Policy 1.3.2[SS] language regarding the conversion of Rural and Urban Fringe lands to more dense categories is also restated to add clarity.

Additionally, the proposed change eliminates the separate City and County policies for the Urban Fringe FLUM Category. The only existing difference between the two policies is that the County version allows Conservation Subdivisions and the City version does not. The Planning Department is recommending the reestablishment of a unified policy based on the proposed improvements to the Conservation Subdivision approach.

CONSERVATION SUBDIVISIONS

Objective 2.3: [L]. *(Effective 7/1/04; Renumbered Effective 7/26/06; Revision Effective 8/1/07)*

Conservation Subdivision land development regulations in the County shall continue to provide design options and guidelines for the development of Conservation Subdivisions that advance environmental resource protection or restoration or promote infill and redevelopment. The City may adopt similar provisions.

Policy 2.3.1: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

To minimize the threat of premature conversion of rural land, including properties supporting bona fide agriculture and silviculture, the Conservation Subdivision option shall not be allowed within the Rural Future Land Use category, with the exception of those areas designated as Rural Residential within the Bradfordville Sector Plan.

Policy 2.3.2: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Within the land development regulations, local government shall define for various Future Land Use categories in which Conservation Subdivisions are allowed, any applicable density bonus incentives, and the minimum percentages of parent tract(s) to be protected as contiguous open space within Conservation Subdivisions. It shall be the intent to establish higher open space percentages for the less dense Future Land Use Map categories. Similarly, it is intended that density bonuses only be permitted as an incentive in those land use categories which are more dense than the Urban Fringe land use category. Conservation subdivisions within the Urban Fringe land use category shall be density neutral, and ward no units greater than those achievable via conventional site plans subject to density limitations imposed by Policies 1.3.2[C] and 1.3.6[C].

Staff Comment #2: The deletion of the above text is necessary to implement the proposed densities in Policy 2.2.2 [L].

Policy 2.3.3: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

To better judge the impacts of Conservation Subdivisions on the demands for services and the effects of coordinating protected open space, local government may phase the implementation of Conservation Subdivisions within Future Land Use Categories more dense than Urban Fringe via the adoption of land development regulation provisions, beginning with Urban Fringe Future Land Use category and those areas designated as Rural Residential within the Bradfordville Sector Plan.

Policy 2.3.4: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Conservation Subdivisions may be zoned as Planned Unit Developments (PUDs) or the land development regulations shall be otherwise crafted in order to provide the necessary flexibility with respect to setbacks, minimum lot sizes, street widths, and parking requirements etc. to increase the likelihood of employing this site design option and foster the long-term viability and usefulness of the open-space subject to the required conservation easement.

Policy 2.3.5: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Preservation features defined in Policies 1.3.4 [C] and 1.3.5 [C] shall be incorporated into the open space of any Conservation Subdivision. Conservation features defined in Policy 1.3.1 [C], archaeological sites, bona fide agriculture and silviculture, viewsheds of canopy roads and of other open space shall be incorporated into the open space of a Conservation Subdivision to the greatest extent practicable.

The Planning and respective Growth Management departments shall encourage the use of Conservation Subdivisions wherever parent tracts have been demonstrated to contain bona fide agriculture and silviculture, environmentally significant features, historically or archaeologically significant resources, or direct connections with existing or planned greenway corridors identified in either the Tallahassee-Leon County Greenway Master Plan or the Blueprint 2000 Project Definitions Report.

Policy 2.3.6: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

In the implementation of Conservation Subdivisions, all critical on-site resources that are to be preserved shall be of adequate size and buffered to ensure protection of the resource.

Policy 2.3.7: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Where possible, local government shall require protected open space(s) within conservation subdivisions to be established adjacent or contiguous with existing or planned greenspace, whether public or private.

Policy 2.3.8: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

In the implementation of Conservation Subdivisions, local government shall require open space and related resources to be placed under a permanent easement that runs with the land. Said easement may be assigned to (1) local government or (2) a local or national land trust that is a 501(c)(3) organization for which conservation of resources is a principal goal and which can provide reasonable assurance it has financial and staff resources to monitor and manage the easement in accordance with the intent of the Objective 2.2 [L] and its supporting policies.

Policy 2.3.9: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Local Government shall require all applications for Conservation Subdivisions to prepare a management plan for all protected open space and a dedicated source of revenues to ensure that all appropriate management activities are undertaken on a regular basis and that all terms of the conservation easement are monitored and enforced.

Policy 2.3.10: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Local and State Government shall be encouraged to enter into agreements with the managers of protected open space within Conservation Subdivisions where it would be mutually

advantageous to consolidate management activities between the subdivision and any adjoining public lands.

Policy 2.3.11: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

It shall be the policy of the Property Appraiser's office to assess at the minimum rate or charge the applicable fee to all land preserved within a Conservation Subdivision, including property in bona fide agricultural and silvicultural use. However, the appraised value of associated developed land shall reflect any added value provided by proximity to protected open space.

Policy 2.3.12: [L] *(Effective 7/1/04; Renumbered Effective 7/26/06)*

Conservation Subdivisions shall be encouraged to include a range of housing types and sizes, and shall not be exempt from any adopted applicable affordable housing provisions.

Utilities Element

Policy 1.3.2: [SS] *(Revision Effective 12/24/2010, previously part of Policy 1.3.1: [SS])*

For areas lying outside of the Urban Service Area boundary and within the Urban Fringe land use category, central sanitary sewer service may be extended and/or provided by an existing utility provider under the following circumstances:

- a) To serve an existing residential subdivision in order to correct documented environmental or health problems associated with failing septic treatment systems; or
- b) To serve a new Conservation subdivision, ~~Urban Fringe cluster subdivision~~ or permitted non-residential use that is otherwise in compliance with the Comprehensive Plan and its implementing land development regulations; AND
- c) No additional lands designated Rural or Urban Fringe as of August 26, 2006 shall be converted to a more dense or intense land use category unless adjoining lands are also within the designated Urban Service Area boundary or the designated Woodville Rural Community. Conversions to the Woodville Rural Community designation shall be consistent with the Transfer of Development Units provision in Policy 4.2.5: [C].

Staff Comment #3: The deletion of the above text is needed to recognize the proposed removal of the Urban Fringe cluster subdivision option from Policy 2.2.2 [L].

Conservation Element

Policy 4.2.5: [C] *(Effective 4/10/09)*

By 2010, local government shall adopt in the Land Development Regulations a mapped Primary Spring Protection Zone (PSPZ) for Wakulla Springs based on the Leon County Aquifer Vulnerability Assessment (LAVA). Land development regulations shall be adopted to establish

additional requirements and regulations within the PSPZ to minimize the adverse impacts of development on groundwater recharge quality and quantity. At a minimum, local government shall address the items below:

- (1) The preferred method of wastewater treatment in the PSPZ within the Woodville Rural Community and the USA shall be connection to sewer facilities designed to achieve Advanced Wastewater Treatment standards. Land development regulations and the Water and Sewer Agreement shall be amended to include enhanced requirements for new development and redevelopment to connect to Advanced Wastewater Treatment facilities. The costs of required sewer connections in the PSPZ shall be borne in part or in whole by the developer.
- (2) When connection to sewer facilities designed to achieve Advanced Wastewater Treatment standards is not available, new development and redevelopment in the PSPZ shall use Performance Based On-Site Treatment Disposal Systems (OSTDS) as defined in Policy 1.2.6: [SS]. Existing traditional OSTDS shall be upgraded to Performance Based OSTDS when the traditional OSTDS fails, as defined in the Florida Administrative Code. A process providing alternatives to upgrading to a Performance Based OSTDS at the time of traditional OSTDS failure may be developed for low-income households. To ensure that all existing traditional OSTDS and new Performance Based OSTDS function effectively, local government shall designate or institute a Responsible Management Entity and supporting fee structure.
- (3) New development and redevelopment in the PSPZ shall use a Low Impact Development approach, in addition to conventional water quality treatment infrastructure required outside the PSPZ, to minimize adverse impacts of development on water quality and Wakulla Springs. Land development regulations shall specify the mechanism for implementing the Low Impact Development planning and design approach.
- (4) Establish a transfer of development units system within the PSPZ to foster growth in Woodville Rural Community, increase the feasibility of providing centralized sewer service, and protect Wakulla Springs. The transfer of development units system shall be based on the policies below:
 - (A) The Rural and Urban Fringe Future Land Use Map categories inside the PSPZ shall be designated as the sending areas to transfer dwelling units out of. Expansion of the Urban Fringe Future Land Use Map category shall not be allowed in the PSPZ.
 - (B) Areas inside the Woodville Rural Community Future Land Use Map category, where connection to sewer facilities designed to achieve Wastewater Treatment standards is available and required, shall be designated to receive dwelling units.
 - (C) No net increase in dwelling units, as allowed by the Future Land Use Map on the effective date of this policy, shall be allowed in the PSPZ. Areas inside the USA are exempt from this policy and may increase in allowed density when consistent with applicable Comprehensive Plan policies. Approval of a Future Land Use Map amendment outside the USA that would allow an increased number of dwelling units shall require appropriate documentation that rights to the number of increased dwelling units have been, or are committed by a legally binding agreement to be, acquired from the designated sending areas.

- (5) ~~The Urban Fringe clustering provision provided in Policy 2.2.2: [L] shall not be allowed within the PSPZ. Urban Fringe areas in the PSPZ may develop at one dwelling unit per three acres or as a Conservation Subdivision.~~
- (6) Restrict fertilizer content and application rates within the PSPZ.
- (7) Protection of environmentally sensitive areas and features within the PSPZ shall be a priority for the local government environmental land acquisition program.

Staff Comment #4: The deletion of the above text is needed to recognize the proposed removal of the Urban Fringe cluster subdivision option from Policy 2.2.2 [L].