

Tallahassee City Commission &  
Leon County Board of Commissioners  
Cycle 2011-1 Comprehensive Plan Amendments  
May 24, 2011  
Leon County Courthouse

**Attending:** County Commission - Chairman John Dailey and Commissioners Akin Akinyemi, Nick Maddox, Kristen Dozier, and Jane Sauls (Commissioners Bill Proctor and Bryan Desloge absent). City Commission - Mayor John Marks and Commissioners Andrew Gillum, Mark Mustian and Nancy Miller (Commissioner Gill Ziffer absent). Also attending were Senior Assistant City Attorney Linda Hudson, County Attorney Herb Thiele, County Administrator Parwez Alam and Board Secretary Rebecca Vause.

**Facilitator:** Fred Goodrow, Acting Tallahassee-Leon County Planning Department Director

Chairman Dailey called the Joint City/County Workshop on Cycle 2011-1 Comprehensive Plan Amendments to order at 1:30 p.m.

**A. Introductory Comments by Staff**

Mr. Goodrow stated that the purpose of the Workshop was to give Commissioners an opportunity to ask questions and/or get clarification from staff on amendments prior to transmittal. He requested that the County Commission formulate its tentative position on the amendments and that City Commission communicate any changes to their tentative positions. Mr. Goodrow added that a matrix showing the positions of the City, Planning Staff and the Planning Commission was distributed.

It was further shared that public input would not be sought at this time; however additional public comment would be taken at the Joint City/County Transmittal Hearing scheduled for June 28 at 6:00 p.m. in the County Commission Chambers.

Mr. Goodrow sought direction on how to proceed with three amendments that, due to legislative changes, could become small scale amendments; which he advised requires only a transmittal hearing. He ascertained that it was the Commissions' preference for all affected amendments to continue through the advertised process.

**B. Review Proposed Cycle 2011-1 Comprehensive Plan Amendments**

Mr. Goodrow noted that amendments PCM110101, PCM110102 and PCT110110 had generated public comment at the public hearing and suggested that they be addressed first.

PCM110101 - Bellevue Way and Murat Street

This is a request to change the future Land Use Map designation of two lots from "Urban Residential-2" to the "University Transition" category. The two lots total 0.48 acres and are located immediately south of Bellevue Way, between Murat Street and Pauls Drive. The existing Urban Residential-2 category allows a variety of housing types ranging from 4 to 20 dwelling units per acre. The proposed University Transition category allows higher density housing up to 50 dwelling units per acre and non-residential land uses typically required by students and the universities.

Mr. Goodrow advised that staff recommends that the entire neighborhood be included in the proposed change; however, the Planning Commission and the City Commission (its tentative

position) both recommended that only the two lots requested in the initial application be considered.

Staff utilized a map of the neighborhood which revealed that an overwhelming majority (one property owner opposed) of property owners favored the expansion of the zoning request. It was noted by staff that home ownership in the neighborhood has continued to decline since a 2005/2006 study and the neighborhood continues to cater to students.

Commissioner Gillum confirmed that staff had communicated via letter with the landowners (most of which are absentee landowners) regarding the proposed change and had received responses by e-mail, phone and written correspondence in support of the change.

Mayor Marks and Commissioner Akinyemi referenced an e-mail received from Bill Humbert stating him and his wife's support for staff's recommendation. (A copy of the e-mail is included for the record).

Upon questions from Commissioner Sauls, staff shared that the LPA's opposition to the recommendation was based on a desire to maintain the low density and affordable housing in the area.

Commissioner Dozier noted that the area in question is surrounded by University Transition and learned that the area has remained its Urban Residential 2 zoning in an attempt to protect the low density in the neighborhood. Commissioner Dozier commented on the increased numbers of student housing located throughout the area.

On behalf of the County: Commissioner Akinyemi moved, duly seconded by Commissioner Dozier, approval of staff's recommendation. The motion carried 5-0 (Commissioners Proctor and Desloge absent).

Mayor Marks recalled the City's previous position to not approve staff's recommendation.

Commissioner Mustian mentioned that he had supported staff's recommendation initially. He too remarked on the large student population in the area and concurred that it would only increase in the future.

On behalf of the City: Commissioner Mustian moved, duly seconded by Commissioner Miller, approval of staff's recommendation.

Commissioner Gillum stated that he could not support the motion. He opined that more diversity in student housing was needed and if rezoned the area could be developed into another big complex.

The motion carried 3-1 (Commissioner Gillum in opposition and Commissioner Ziffer absent).

PCM110102 – Killarney Way near Shamrock South

This is a request to change the Future Land Use Map designation from the "Residential Preservation" category to the "Suburban" category on a 0.6-acre parcel on the south side of Killarney Way near its intersection with Shamrock South. The existing Residential Preservation category allows residential uses up to 6 dwelling units per acre. The proposed Suburban category allows higher density housing up to 20 dwelling units per acre and a wide variety of office and commercial uses.

Mr. Goodrow advised that the amendment had not generated controversy and speakers on this issue had voiced support for the amendment.

On behalf of the County: Commissioner Sauls moved, duly seconded by Commissioner Akinyemi, approval of staff's recommendation. The motion carried 5-0.

On behalf of the City: Commissioner Gillum moved, duly seconded by Commissioner Mustian, approval of staff's recommendation. The motion carried 4-0 (Commissioner Ziffer absent).

PCM110103 – Ruby Tuesday site on West Tennessee Street

This is a request to change the Future Land Use Map designation from the "University Transition" category to the "Suburban category on a 1.11-acre parcel on the south side of West Tennessee Street near the intersection with Caliark Street. The existing University Transition category allows residential uses up to 50 dwelling units per acre and other non-residential land uses typically required by students and the universities. The proposed Suburban category allows a wider variety of office and commercial uses and would reduce allowed housing density to 20 dwelling units per acre.

PCM110104 – Fred George Basin Greenway

This is a request to change the Future Land Use Map designation from "Urban Residential-2" and "Residential Preservation" to the "Recreation/Open Space" category on 161.5-acres of land purchased in 2009-2010 by Leon County to create the Fred George Basin Greenway. Designating the property as Recreation/Open Space is a requirement of the state grant program used to help purchase the property.

PCM110105 – St. Joe Property on Apalachee Parkway

WITHDRAWN

PCT110106 – Mobility Element

The Mobility Element is a rewrite of the existing Transportation Element to 1) streamline the element by combining duplicative policies, and 2) upgrade the element to address land use coordination and complete streets which cater to all users regardless of age, ability, or travel mode.

PCT110107 – Future Transportation Right-of-Way Needs Map

This is a request to update the Future Transportation Right-of-Way Needs Map. As required by the Comprehensive Plan, the Future Transportation Right-of-Way Needs Map should be updated to ensure consistency with the adopted 2035 Long Range Transportation Plan for the Capital Region.

PCT110108 – Long Range Transportation Plan Cost Feasible Maps

This is a request to update the long range transportation plan cost feasible maps in the Comprehensive Plan. Existing maps in the "Comprehensive Plan will be updated to ensure consistency with the adopted 2035 Long Range Transportation Plan for the Capital region.

PCT110109 – Economic Development Element

This is a proposed text amendment to delete the optional Economic Development Element from the Comprehensive Plan.

Mr. Goodrow conveyed that this element had not generated any opposition; however, he wanted to provide an opportunity for input from the Commissions. He advised that staff continues to recommend its removal.

Mayor Marks commented on the number of initiatives throughout the community to promote growth and future development and opined the element was not needed in the Comprehensive Plan.

Commissioner Dozier relayed that all elements of the Comprehensive Plan have an economic component; which hopefully positively impacts economic development as a whole.

On behalf of the County: *Commissioner Sauls moved, duly seconded by Commissioner Dozier, to accept staff's recommendation to delete the element from the Comprehensive Plan. The motion carried 5-0 (Commissioners Proctor and Desloge absent).*

On behalf of the City: *Commissioner Mustian moved, duly seconded by Commissioner Miller, to accept staff's recommendation to delete the element from the Comprehensive Plan. The motion carried 4-0 (Commissioner Ziffer absent).*

PCT110110 – Urban Fringe and Conservation Subdivisions

This is a proposed text amendment to implement direction from the Board of County Commissioners to redefine the urban Fringe area as a more residential rural area, remove the Urban Fringe "25-75" clustering option, keep Conservation Subdivisions with a density of one unit per three acres, and establish one unit per ten acres as the density for traditional subdivision in Urban Fringe.

Mr. Goodrow indicated that the proposed text amendment had generated considerable public comment.

Bryan Weibler, Comprehensive Planner, provided a power point presentation which included: 1) background; 2) what the amendment is; 3) results from community meetings held; 4) big picture of future growth, and 5) unresolved issues. (A copy of the presentation is included as part of the public record). Upon conclusion of the presentation, Mr. Weibler referenced a handout distributed to the Commissioners which provided the undisputed staff recommendations and unresolved issues, which included the pros, cons and suggested modification. (A copy of the referenced document is included as part of the public record.)

Undisputed Recommendations:

1. Remove the "25-75" cluster development option.
2. Change density for Conservation Subdivisions from 1 Unit/1.33 Acres to 1 Unit/3 Acres.

Unresolved Issues:

3. Density for Conventional Subdivisions in Urban Fringe
  - a. Change density from 1 Unit/3 Acres to 1 Unit/10 Acres, with the option to pursue a Conservation Subdivision at 1 Unit/3 Acres if the landowner wishes (staff recommendation)
  - b. Keep conventional subdivision density at 1 Unit/3 Acres

Commissioner Maddox was provided additional information from County Attorney Thiele on the potential for increased exposure to Burt Harris Act claims.

Mayor Marks commented that this was a "very significant and fundamental" change and wanted to ensure that this was the right thing and the direction that the City and County want to go.

Commissioner Mustian complimented Planning staff for their efforts in ensuring that the public was aware of the proposed amendment and in its attempts to consider public comment and concerns. Commissioner Mustian mentioned the City Commission's interest in trying to reach some sort of compromise and requested staff provide additional information on the proposed modifications. Mr. Weibler explained that staff recommends that the Commission move forward as recommended, but initiate a follow-up study to look at the areas adjacent to the USA and adjacent to rural communities that could be considered for future higher density development.

Commissioner Maddox ascertained from staff that the impact on property values due to the change is unknown. Upon conclusion of additional dialogue with staff, Commissioner Maddox stated that he favored urban in-fill and would support staff's recommendation.

Commissioner Akinyemi also commended staff on the thoroughness of the analysis and the depth of citizen input. He stated that if the goal is to control sprawl and encourage in-fill, he opined that the one unit per 10 acres was the key component; however, cautioned a "one size fits all" approach. Mr. Weibler in replying to Commissioner Akinyemi's proposal for more staff analysis of areas where the density should be increased prior to the June 28 hearing stated that staff's recommendation (3.a, as amended) would allow the actions that Commissioner Akinyemi suggested. Commissioner Akinyemi recalled that the one to ten proposal received 72% community support.

Commissioner Dozier stated that she was inclined to support the amendment as modified, as it would allow for an increase in the density within the USA, but the conservation option would allow those residents who desire to live rurally but cannot afford a 10-acre tract. She also ascertained from Mr. Weibler that the proposed study would be done in-house with citizen input.

*Commissioner Dozier moved, duly seconded by Commissioner Akinyemi, to accept staff's recommendation 3.a, as modified: Change density for Conventional Subdivisions in Urban Fringe from 1 Unit/3 Acres to 1 Unit/10 Acres, with the option to pursue a Conservation Subdivision at 1 Unit/3 Acres if the landowner wishes, and initiate a project to identify Urban Fringe areas near the USA or rural communities that can be considered for higher density nodes. In addition, establish a timeline for the completion of the study, to be determined by Planning Staff. The motion carried 5-0 (Commissioners Desloge and Proctor absent).*

Commissioner Gillum appreciated staff's consideration of citizen concerns and was relieved of his initial concerns about future growth within the USA, as staff indicated that there would be sufficient housing through 2030 within the USA.

*Commissioner Gillum moved, duly seconded by Commissioner Mustian, to accept to accept staff's recommendation 3.a, as modified: Change density for Conventional Subdivisions in Urban Fringe from 1 Unit/3 Acres to 1 Unit/10 Acres, with the option to pursue a Conservation Subdivision at 1 Unit/3 Acres if the landowner wishes, and initiate a project to identify Urban Fringe areas near the USA or rural communities that can be considered for higher density nodes.*

In addition, establish a timeline for completion of the study, to be determined by Planning Staff. The motion carried 4-0 (Commissioner Ziffer absent).

Commissioner Miller reminded the Commissions that as population growth occurs, zoning changes can be made as appropriate.

Mayor Marks concluded that this is a growing community and growth must be managed properly. He opined that staff's recommendation was a move in the right direction and would support the motion.

On behalf of the County: Commissioner Sauls moved, duly seconded by Commissioner Dozier, approval of amendments PCM110103; PCM 110104; PCT110106; PCT110107; and PCT110108. The motion carried 5-0 (Commissioners Desloge and Proctor absent).

On behalf of the City: Commissioner Gillum moved, duly seconded by Commissioner Mustian, approval of amendments PCM110103; PCM 110104; PCT110106; PCT110107; and PCT110108. The motion carried 4-0 (Commissioner Ziffer absent).

There being no further business to come before the Joint Commissions, Chairman Dailey adjourned the meeting at 2:50 p.m.

LEON COUNTY, FLORIDA

ATTEST:

BY: \_\_\_\_\_  
John Dailey, Chairman  
Board of County Commissioners

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