

Policy 2.2.18: [L]

LAKE PROTECTION (Rev. Effective 12/22/95; Revision Effective 7/26/06; Renumbered 3/14/07)

Intent

Lake Jackson, designated both an Outstanding Florida Water (OFW) and Aquatic Preserve, is one of the most unique waterways in Florida. Historically, the lake has suffered from water quality issues associated with rapid urbanization and large-scale roadway projects. Lake Jackson's water quality has improved since adoption of the Comprehensive Plan, due in large part to the adoption of stringent stormwater treatment standards and the implementation of capital projects; however, nutrient levels in the Lake remain elevated and the Lake continues to be designated "Impaired" by the Florida Department of Environmental Protection.

The intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin. The bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area.

Allowable Uses, Densities, and Intensities

Residential

The Lake Protection category shall allow for single family residential uses at a base density of one (1) dwelling unit per two (2) gross acres.¹ To encourage compact and efficient development, two density bonus options are available for properties within the category:

1. A residential density of up to two (2) dwelling units per gross acre may be permitted within developments designed as a Clustered Subdivision.
2. A residential density of up to eight (8) dwelling units per gross acre may be permitted within the Lake Protection Node (LPN) zoning district.

¹ (Leon County) Any development affecting real property located in whole or in part within the Lake Protection Future Land Use Map category west of US 27 North for which an initial Planned Unit Development Concept or Final Development Plan was approved before January 1, 2005 shall be vested for all uses, intensities and densities set forth in the PUD Concept Plan Ordinance. Said PUD shall be entitled to rely on the closed basin exemption previously set forth in this section if the Commission determined prior to January 1, 2005 that the PUD met the requirements for such closed basin exceptions and that such determination has not been overturned by a court of competent jurisdiction at the time vested rights are sought under this provision. If a court of competent jurisdiction invalidates such a PUD due to reasons unrelated to whether the property met the requirements for the closed basin exemption, any new or modified PUD application relating to the same real property shall be vested for the uses, intensities and densities of the previously approved PUD. All development within said certified closed basins approved pursuant to this provision shall be approved through the PUD amendment process, except that in unincorporated Leon County a one-into-two residential lot split exemption shall be processed according to the established County procedures instead of the PUD process.

Mixed-use & Non-residential

Non-residential and mixed-use development (including, but not limited to, office and commercial uses) within the Lake Protection category may only be permitted within areas designated with the Lake Protection Node (LPN) zoning district. Within this district, single use, non-residential development shall be allowed at a maximum intensity of 10,000 square feet (s.f.) per acre. Projects containing a vertical mixture of uses, including any combination of office, commercial and residential uses, may receive a bonus of 2,500 s.f. per acre, for a total of 12,500 s.f. per acre.

Community and Recreational Facilities

Community facilities and recreational uses, including, but not limited to, schools, parks, police and fire stations, and religious facilities, shall be permitted within the Lake Protection (LP) and Lake Protection Node (LPN) zoning districts. These uses shall be allowed at a maximum intensity of 10,000 square feet (s.f.) per acre.

Special Conditions

The following special conditions shall apply to the Lake Protection Future Land Use category:

1. The Lake Protection Node zoning district shall only be permitted at the following intersections:
 - Highway 27 North and Sessions Road
 - Highway 27 North and Capital Circle NW/Old Bainbridge Road
 - Highway 27 North and Fred George Road
 - Bannerman Road and Bull Headley Road

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond ¼ mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

2. As an alternative to large-lot developments, Clustered Subdivisions shall be permitted within the Lake Protection zoning district. Clustered Subdivisions shall:
 - Contain a minimum of 60% contiguous open space preserved in perpetuity and comprised of such things as preservation and conservation features, Special Development Zones, undeveloped uplands, passive recreation areas, and storm water facilities designed as a community amenity;
 - Be developed at a maximum density of two (2) dwelling units per gross acre; and,
 - Be served by central water and sewer systems.
3. A volume control based stormwater treatment standard shall be required for all development and redevelopment within the Lake Protection land use category. This standard shall ensure that runoff volumes in excess of the pre-development runoff volume shall be retained for all storm events up to a 100-year, 24-hour duration storm.

To encourage redevelopment in the Lake Protection category, a partial credit may be applied toward existing impervious surface on previously developed sites.

4. Additional development standards deemed necessary to protect Lake Jackson from further degradation and/or improve existing water quality may be included in the land development code.
5. Existing, lawfully established, non-residential uses within the Lake Protection land use category that are compatible with surrounding uses and meet all water quality standards for the Lake Jackson Basin shall be considered permitted uses.

~~This is a protection category that is specific to the well documented scientific concerns regarding the degradation and continuing pollution of Lake Jackson. The category is based on the lake basin boundary adjusted to include contributing watersheds but to exclude existing, more intensely developed areas south of Interstate 10. Consistent with the purpose of this category, Lake Protection densities and intensities shall be applied to undeveloped areas within the Lake Jackson drainage basin when such properties are developed. The Lake Protection category allows residential uses of one unit per two acres¹. An option to develop at a density of one unit per gross acre is available within the City as long as the resultant development clusters the units on 25% of the property and maintains the remaining 75% in natural open space. In the unincorporated portions of the Lake Protection category clustering is allowed on 40% of the site at a net density of two (2) units per acre on the developed portion of the property. The remaining 60% of the property must remain in natural open space. The cluster options are intended to preserve green space within this land use category and be designed to minimize non-point pollution from the site. Cluster of residential development in areas designated for Lake Protection land use shall be permitted only on those portions of parcels not located within the Lake Jackson Special Development Zone and lying below one hundred ten (110) feet NGVD, and for higher elevations not determined to be severely limited by environmental constraints. Such constraints may be determined by on-site environmental analysis, building or soil limitation ratings in the Leon County Soil Survey, or other natural resource inventory determined appropriate by the local government. Industrial, office and commercial uses are prohibited in the Lake Protection category within the city limits. In the unincorporated areas of the Lake Protection category, minor office and minor commercial uses may be approved through the PUD process only if development retains its resultant stormwater on site. All industrial, commercial and office uses other than minor are prohibited in the unincorporated areas of the Lake Protection category as well. Urban services are intended for this category inside the Urban Service Area.~~

~~Additional requirements based on scientific studies and deemed necessary to protect the lake from further degradation, as well as improve existing water quality, will be included in the land development code. Existing non-residential uses within the Lake Protection land use category that meet all water quality standards required in the comprehensive plan by the time frames required in the plan, will be considered permitted uses.~~

~~Within the Lake Protection Category, stormwater for non-single family and non-vested uses shall be retained on-site.~~

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