



April 20, 2021

Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street, MSC 160  
Tallahassee, Florida 32399-4120

Re: Adopted Amendments Package

The Tallahassee-Leon County Planning Department hereby submits the adopted small-scale amendments for the 2021 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the Joint City-County Commission adoption public hearing on April 13, 2021.

The adopted amendments are being transmitted as small-scale amendments under section 163.3187(1), Florida Statutes. The adopted amendments package includes two small scale map amendments:

<u>Amendment</u>	<u>Acres</u>
TMA 2021 002 – 1717 West Tennessee Street	0.24
LMA 2021 06 – WW Kelley Road	1.6

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 1.84 acres. None of the adopted amendments are within an area of critical state concern. None of the adopted amendments involve a site within a rural area of opportunity.

Enclosed are the following ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 21-O-16 adopted April 13, 2021
- Leon County Ordinance No. 2021-05 adopted April 13, 2021

If you have any questions concerning the proposed amendments, please contact:  
Artie White at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404;  
e-mail artie.white@talgov.com.

Sincerely,

Artie White, AICP, CNU-A  
Administrator of Comprehensive Planning  
Tallahassee-Leon County Planning Department

cc:  
Emily Pepin (w/o attachments)  
Lou Norvell (w/o attachments)

**ATTACHMENT #1**  
**SUMMARY CHART**

**TALLAHASSEE-LEON COUNTY  
MATRIX FOR 2021 CYCLE COMPREHENSIVE PLAN AMENDMENTS**

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Recommendation</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
<b>TMA 2021 002</b> 1717 W Tennessee Street Small Scale Map Amendment	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> University Transition <b>To:</b> Suburban Approximately 0.24 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Adopted</b> Adoption Hearing April 13, 2021 (Adopted Amendment Package being submitted separately)
<b>LMA 2021 06</b> WW Kelley Road Small Scale Map Amendment	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Rural <b>To:</b> Suburban Approximately 1.6 acres	<b>A</b>	<b>A</b>	<b>A</b>	<b>Adopted</b> Adoption Hearing April 13, 2021 (Adopted Amendment Package being submitted separately)
<b>TTA 2021 004</b> Bicycle and Pedestrian Master Plan	MOBILITY ELEMENT	Adopt a new Policy 1.1.14: [M] supporting the implementation of the Tallahassee-Leon County Bicycle and Pedestrian Master Plan.	<b>A</b>	<b>A</b>	<b>A</b>	<b>Transmitted</b> Transmittal Hearing April 13, 2021 (Proposed Amendment Package being submitted separately)
<b>LMA 2021 03</b> Aenon Church Road Map Amendment	FUTURE LAND USE MAP	<b>From:</b> Urban Residential-2 and Government Operational <b>To:</b> Industry and Mining and Government Operational Approximately 51.1 acres	<b>AM</b>	<b>D</b>	<b>D</b>	<b>Denied</b> Transmittal Hearing April 13, 2021
<b>LMA 2021 01</b> 1311 Sand Road Small Scale Map Amendment	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Urban Residential-2 <b>To:</b> Industry and Mining Approximately 7.72 acres	<b>D</b>	N/A	N/A	<b>Withdrawn By Applicant</b>
<b>LMA 2021 02</b> 4967Capital Circle SE Small Scale Map Amendment	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Suburban <b>To:</b> Industry and Mining Approximately 3.37 acres	<b>A</b>	N/A	N/A	<b>Withdrawn By Applicant</b>
<b>LMA 2021 04</b> Seasons Lane Map Amendment	FUTURE LAND USE MAP	<b>From:</b> Suburban <b>To:</b> Industry and Mining Approximately 40 acres	<b>D</b>	N/A	N/A	<b>Withdrawn By Applicant</b>
<b>LMA 2021 05</b> Tram Road Map Amendment	FUTURE LAND USE MAP	<b>From:</b> Urban Residential-2, Government Operational, and Residential Preservation <b>To:</b> Industry and Mining Approximately 66.8 acres	<b>D</b>	N/A	N/A	<b>Withdrawn By Applicant</b>

**ATTACHMENT #2  
EXECUTED ORDINANCES  
ADOPTING  
SMALL-SCALE  
PLAN AMENDMENTS**

1 **ORDINANCE NO. 21-O-16**

2  
3 **AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL SCALE**  
4 **AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE**  
5 **PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE**  
6 **UNIVERSITY TRANSITION LAND USE CATEGORY TO THE SUBURBAN LAND USE**  
7 **CATEGORY; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING**  
8 **AN EFFECTIVE DATE.**  
9

10 WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the  
11 City of Tallahassee to prepare and enforce comprehensive plans for the development of the City;  
12 and,

13 WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community  
14 Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for  
15 the City's future development and growth; (b) adopt and amend comprehensive plans, or elements  
16 or portions thereof, to guide the future growth and development of the City; (c) implement adopted  
17 or amended comprehensive plans by the adoption of appropriate land development regulations; and  
18 (d) establish, support, and maintain administrative instruments and procedures to carry out the  
19 provisions and purposes of the Act; and,

20 WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the  
21 City of Tallahassee has held several public work sessions, public meetings and several public  
22 hearings with due public notice having been provided, on these amendments to the Comprehensive  
23 Plan; and,

24 WHEREAS, the City Commission of the City of Tallahassee considered all oral and  
25 written comments received during public hearings, including the data collection and analyses  
26 packages, the recommendations of the Local Planning Agency/Planning Commission; and,

27 WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee  
28 has determined it necessary and desirable to adopt these amendments to the comprehensive plan  
29 to preserve and enhance present advantages; encourage the most appropriate use of land, water  
30

1 and resources, consistent with the public interest; overcome present handicaps; and deal effectively  
2 with future problems that may result from the use and development of land within the City of  
3 Tallahassee, and to meet all requirements of law.

4 NOW THEREFORE, BE IT ENACTED by the People of the City of Tallahassee, Florida,  
5 as follows, that:

6 **Section 1. Purpose and Intent.**

7 This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority  
8 set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

9 **Section 2. Map Amendment.**

10 The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit  
11 "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030  
12 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030  
13 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following  
14 Plan element:

15 Map Amendment TMA2021002 which relates to the Future Land Use Map.

16 **Section 3. Conflict With Other Ordinances and Codes.**

17 All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida,  
18 in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

19 **Section 4. Severability.**

20 If any provision or portion of this ordinance is declared by any court of competent jurisdiction  
21 to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of  
22 this Ordinance shall remain in full force and effect.

23 **Section 5. Copy on File.**

24 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified  
25 copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon 2030

1 Comprehensive Plan and these amendments thereto, shall also be located in the Tallahassee-Leon  
2 County Planning Department. The Planning Director shall also make copies available to the public  
3 for a reasonable publication charge.

4 **Section 6. Effective Date.**

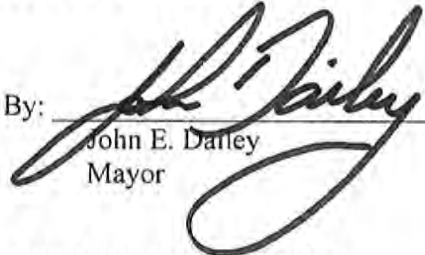
5 The effective date of these Plan amendments shall be according to law and the applicable statutes  
6 and regulations pertaining thereto.

7 INTRODUCED in the City Commission on the 7<sup>th</sup> day of April, 2021.

8 PASSED by the City Commission on the 13<sup>th</sup> day of April, 2021.

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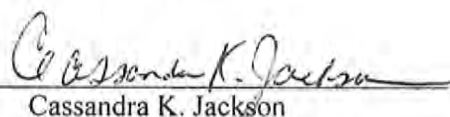
CITY OF TALLAHASSEE

By:   
John E. Dalley  
Mayor

ATTEST:

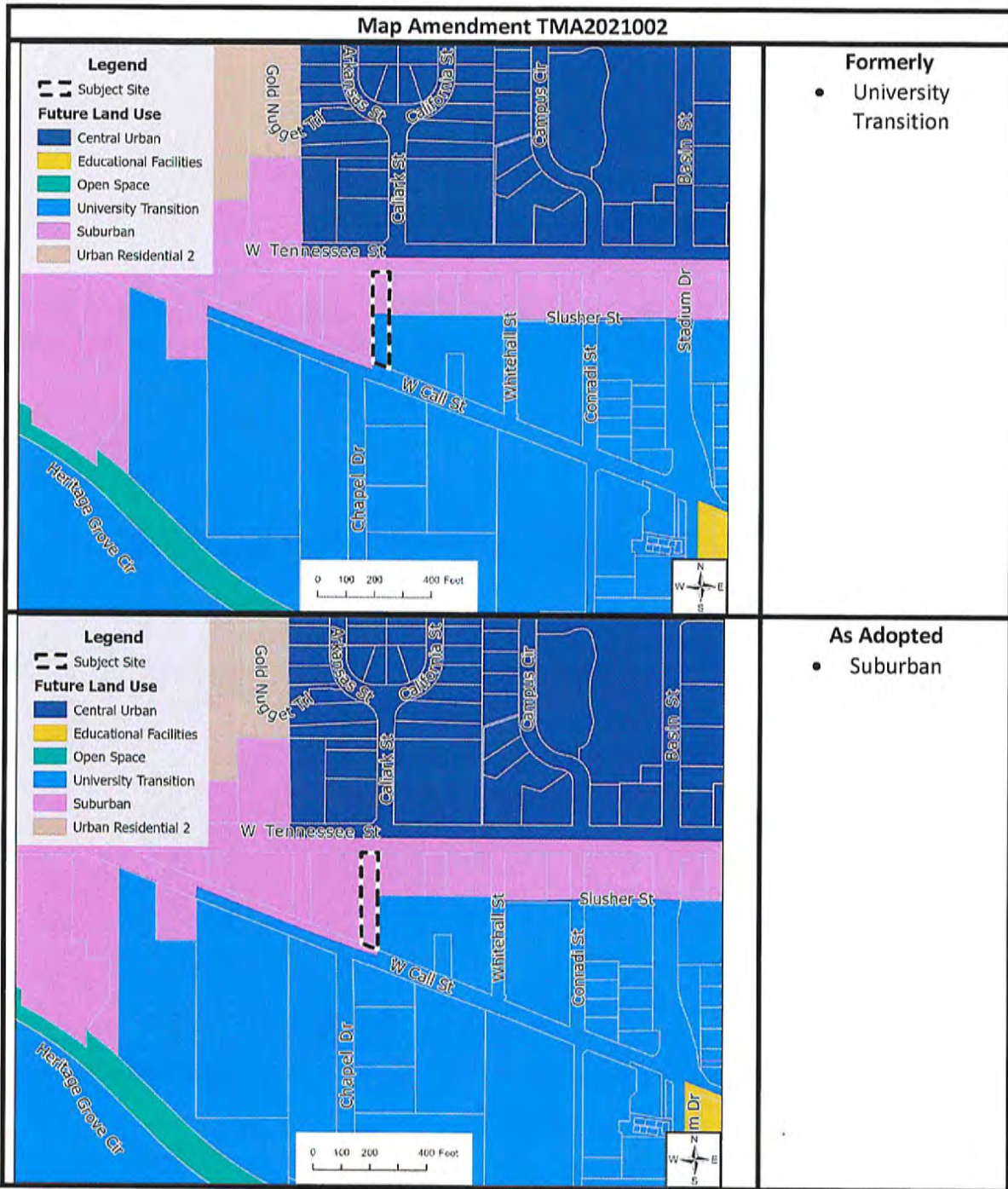
APPROVED AS TO FORM:

By:   
James O. Cooke, IV  
City Treasurer-Clerk

By:   
Cassandra K. Jackson  
City Attorney



**Ordinance No. 21-O-16  
Exhibit A**





1 LEON COUNTY ORDINANCE NO. 2021- 05

2  
3 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**  
4 **LEON COUNTY, FLORIDA, AMENDING THE 2030 TALLAHASSEE-LEON**  
5 **COUNTY COMPREHENSIVE PLAN; ADOPTING AN AMENDMENT TO THE**  
6 **FUTURE LAND USE MAP; PROVIDING FOR APPLICABILITY AND**  
7 **EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR**  
8 **SEVERABILITY; PROVIDING FOR A COPY TO BE ON FILE WITH THE**  
9 **TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT; AND**  
10 **PROVIDING FOR AN EFFECTIVE DATE.**

11 RECITALS

12  
13 WHEREAS, Chapters 125 and 163, Florida Statutes, empowers the Board of County  
14 Commissioners of Leon County to prepare and enforce comprehensive plans for the development of  
15 the County; and

16 WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning  
17 Act, empowers and requires the Board of County Commissioners of Leon County to (a) plan for the  
18 County's future development and growth; (b) adopt and amend comprehensive plans, or elements or  
19 portions thereof, to guide the future growth and development of the County; (c) implement adopted or  
20 amended comprehensive plans by the adoption of appropriate land development regulations; and (d)  
21 establish, support, and maintain administrative instruments and procedures to carry out the provisions  
22 and purposes of the Act; and

23 WHEREAS, Ordinance 90-30 was enacted on July 16, 1990, to adopt the Tallahassee-Leon  
24 County 2010 Comprehensive Plan for the unincorporated area of Leon County. The City of Tallahassee  
25 also adopted a plan for its municipal area by separate ordinance; and

26 WHEREAS, the horizon year for the Tallahassee-Leon County Comprehensive Plan is now  
27 2030 and the Comprehensive Plan is now known as the Tallahassee-Leon County 2030 Comprehensive  
28 Plan; and

1           WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
2 Commissioners of Leon County has held several public work sessions, public meetings, and public  
3 hearings on the proposed amendment to the comprehensive plan, with due public notice having been  
4 provided, to obtain public comment, and has considered all written and oral comments received during  
5 said work sessions, public meetings and public hearings; and

6           WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
7 Commissioners of Leon County transmitted copies of the proposed amendment to the comprehensive  
8 plan to the Department of Economic Opportunity as the State Land Planning Agency and other state  
9 and regional agencies for written comment; and

10           WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
11 Commissioners of Leon County held a public hearing with due public notice having been provided on  
12 the proposed amendment to the comprehensive plan; and

13           WHEREAS, the Board of County Commissioners of Leon County further considered all oral  
14 and written comments received during such public hearing, including the data collection and analyses  
15 packages, the recommendations of the Tallahassee-Leon County Local Planning Agency, and the  
16 Objections, Recommendations, and Comments Report of the Department of Economic Opportunity;  
17 and

18           WHEREAS, in exercise of its authority, the Board of County Commissioners of Leon County  
19 has determined it necessary and desirable to adopt the amendment to the comprehensive plan to  
20 preserve and enhance present advantages; encourage the most appropriate use of land, water and  
21 resources, consistent with the public interest; overcome present handicaps; and deal effectively with  
22 future problems that may result from the use and development of land within Leon County, and to meet  
23 all requirements of law;

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON  
2 COUNTY, FLORIDA, that:

3 **Section 1. Purpose and Intent.**

4 This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the  
5 authority set out in the Community Planning Act, Sections 163.3161 through 163.3215, Florida  
6 Statutes, as amended.

7 **Section 2. Map Amendment.**

8 The Ordinance does hereby adopt the following portion of the text attached hereto as Exhibit  
9 “A,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive  
10 Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030 Comprehensive Plan,”  
11 as amended, in accordance therewith, being an amendment to the following Plan element:

12 Map Amendment LMA202106, which relates to the Future Land Use Map.

13 **Section 3. Applicability and Effect.**

14 The applicability and effect of this amendment to the 2030 Comprehensive Plan shall be as  
15 provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes, and  
16 this Ordinance, and shall apply to all properties under the jurisdiction of Leon County.

17 **Section 4. Conflict with Other Ordinances and Codes.**

18 All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in conflict  
19 with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

20 **Section 5. Severability.**

21 If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of  
22 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and  
23 portions of this Ordinance shall remain in full force and effect.

24 **Section 6. Copy on File.**

1 To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a  
2 certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon County  
3 2030 Comprehensive Plan and these updates thereto, shall also be located in the Tallahassee-Leon  
4 County Planning Department. The Planning Director shall also make copies available to the public for  
5 a reasonable publication charge.

6 **Section 7. Effective Date.**

7 The plan amendment shall be effective upon adoption by the Leon County Board of County  
8 Commissioners and the Tallahassee City Commission and as further provided by the applicable statutes  
9 and regulations pertaining thereto.

10 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County,  
11 Florida, this 13<sup>th</sup> day of April, 2021.

12  
13 LEON COUNTY, FLORIDA

14  
15  
16 By: \_\_\_\_\_

17   
18 Rick Minor, Chair  
19 Board of County Commissioners

20 ATTESTED BY:  
21 Gwendolyn Marshall, Clerk of Court  
22 & Comptroller, Leon County, Florida

23   
24  
25 By: \_\_\_\_\_

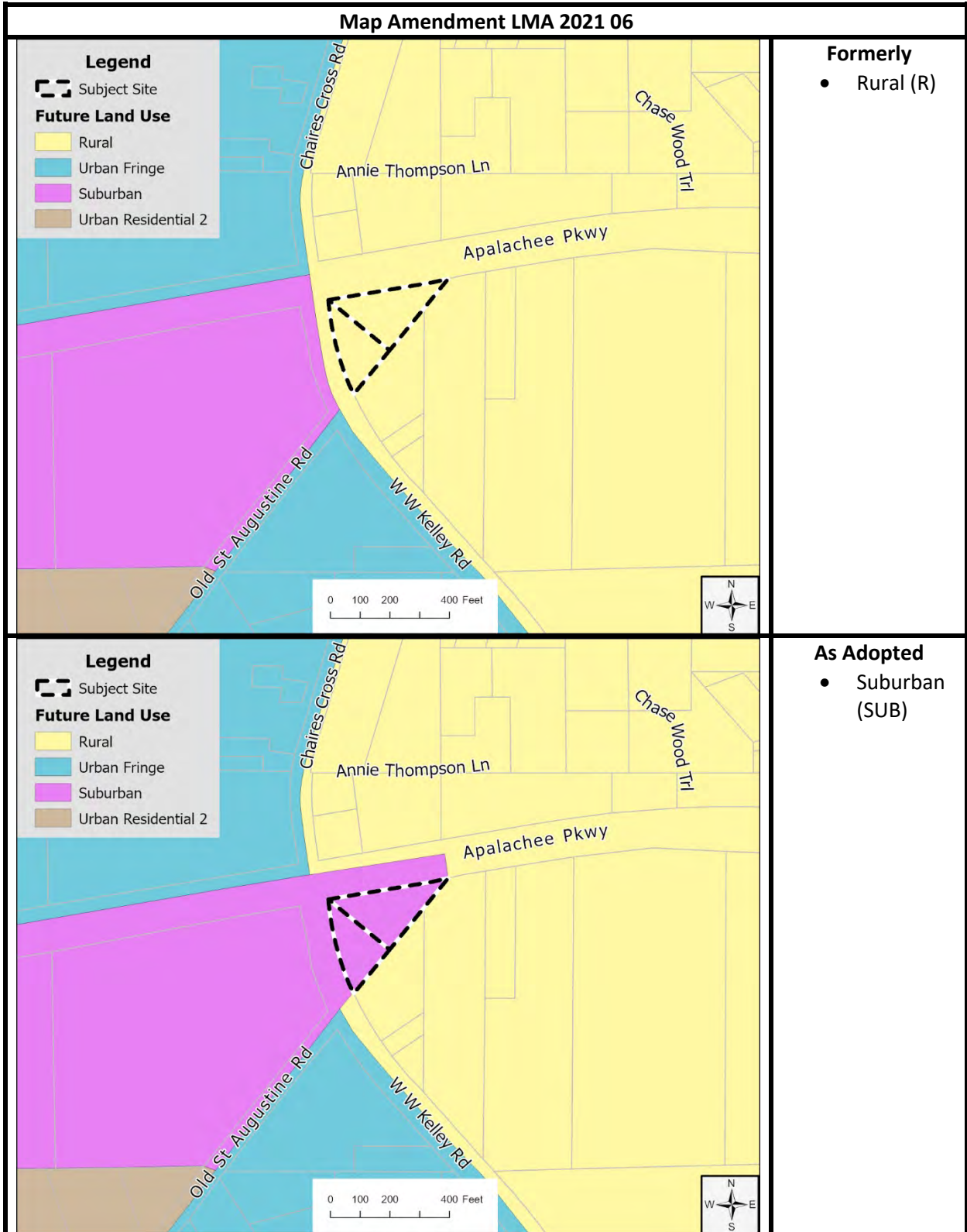


26  
27 APPROVED AS TO FORM:  
28 Chasity H. O'Steen, Esq., County Attorney  
29 Leon County Attorney's Office

30 Chasity H.  
31 By: O'Steen  
32  
33

Digitally signed by Chasity H. O'Steen  
DN: cn=Chasity H. O'Steen, o=Leon County  
Board of County Commissioners, ou=County  
Attorney's Office,  
email=osteenc@leoncountyfl.gov, c=US  
Date: 2021.04.15 13:29:30 -0400

Exhibit A



**ATTACHMENT #3**  
**ADOPTED AMENDMENTS**

# **Map Amendment TMA 2021 002**

0.24 Acres (of a 0.44-acre parcel)

From: University Transition

To: Suburban

**Staff Recommendation:**

*Approval*

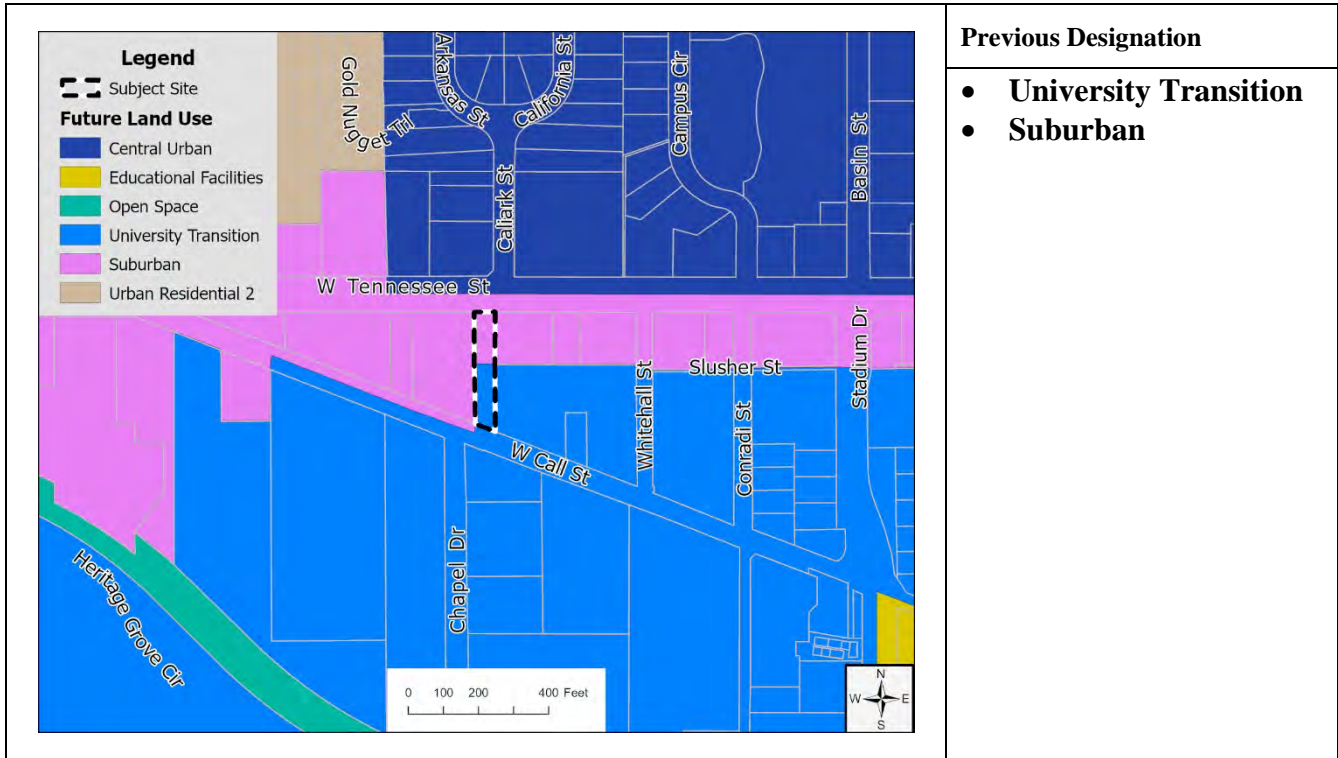
**Local Planning Agency:**

*Approval*

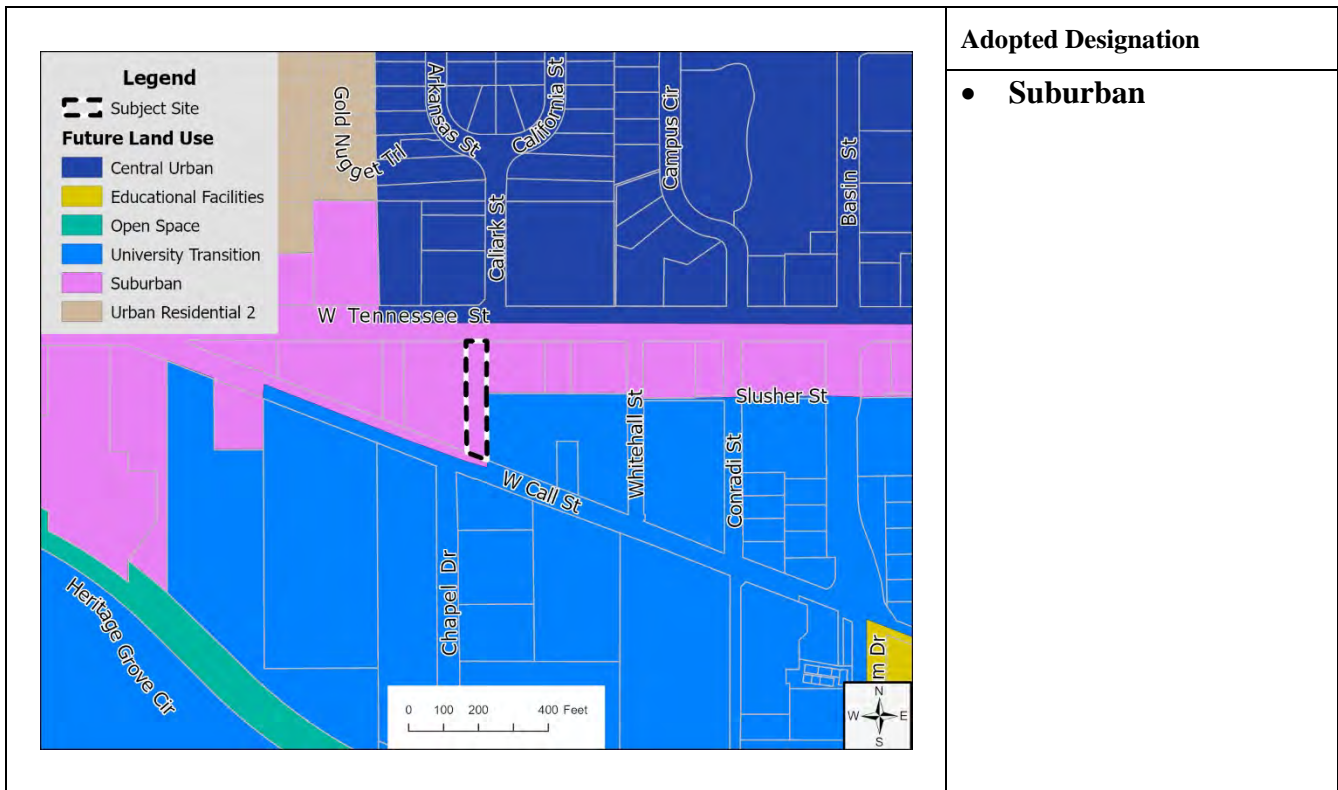
**City Commissioners:**

*Approval*

**Previous Future Land Use Map Designation**



**Adopted Future Land Use Map Designation**





# **Map Amendment LMA 2021 06**

1.6 Acres

From: Rural

To: Suburban

**Staff Recommendation:**

*Approval*

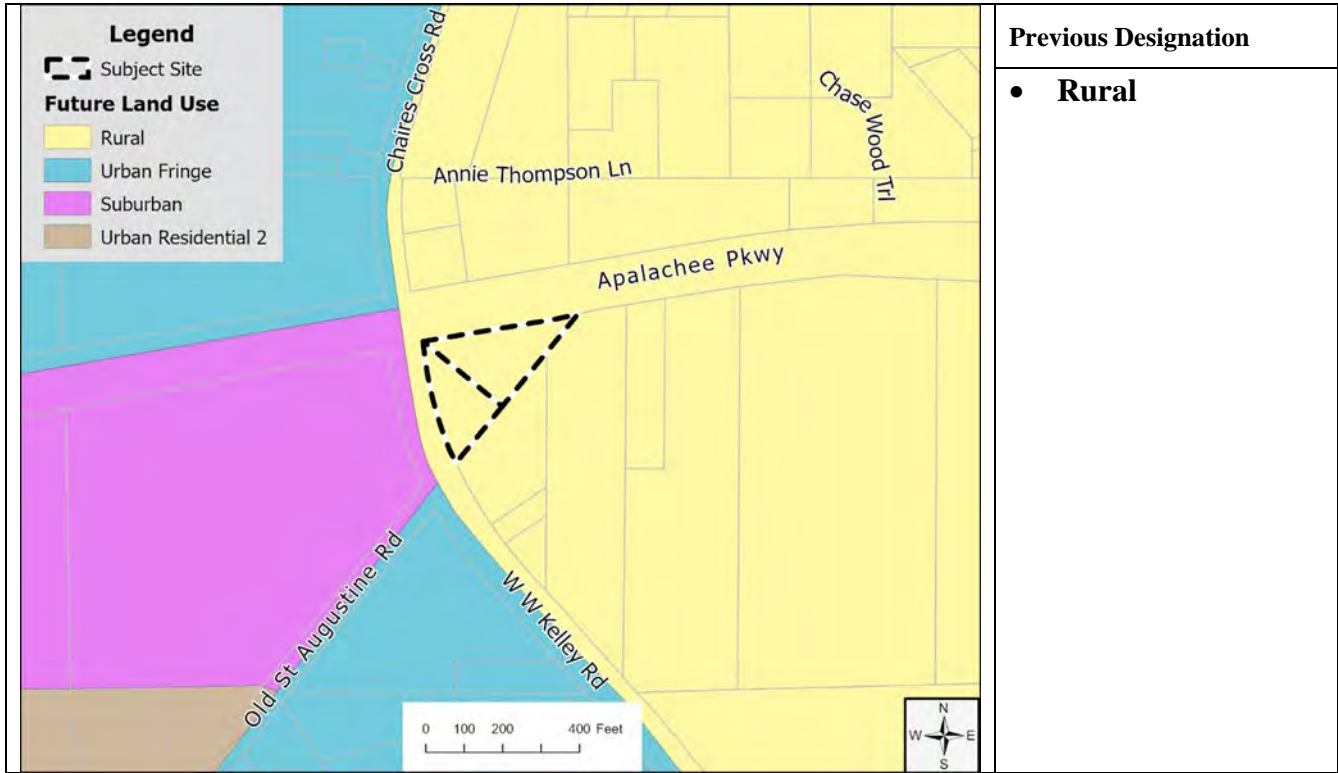
**Local Planning Agency:**

*Approval*

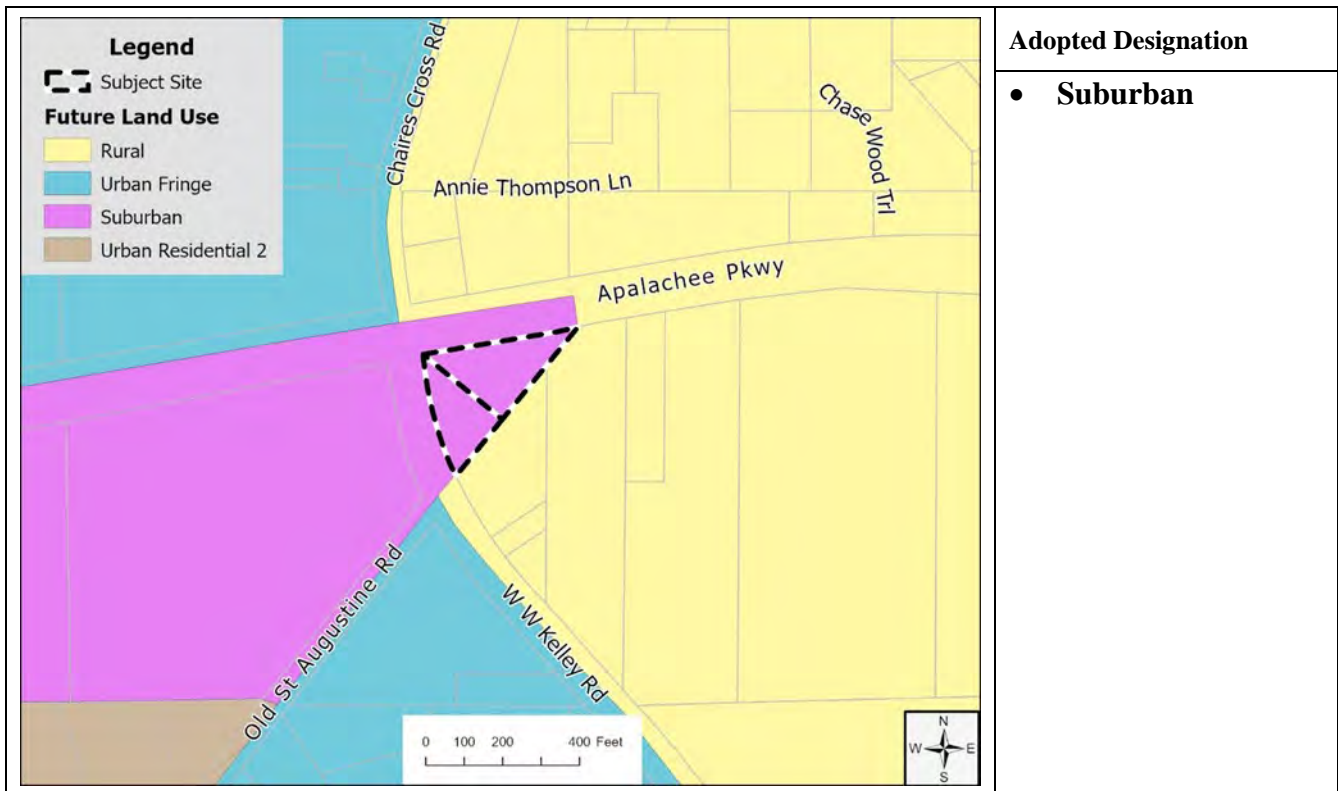
**Board of County Commissioners:**

*Approval*

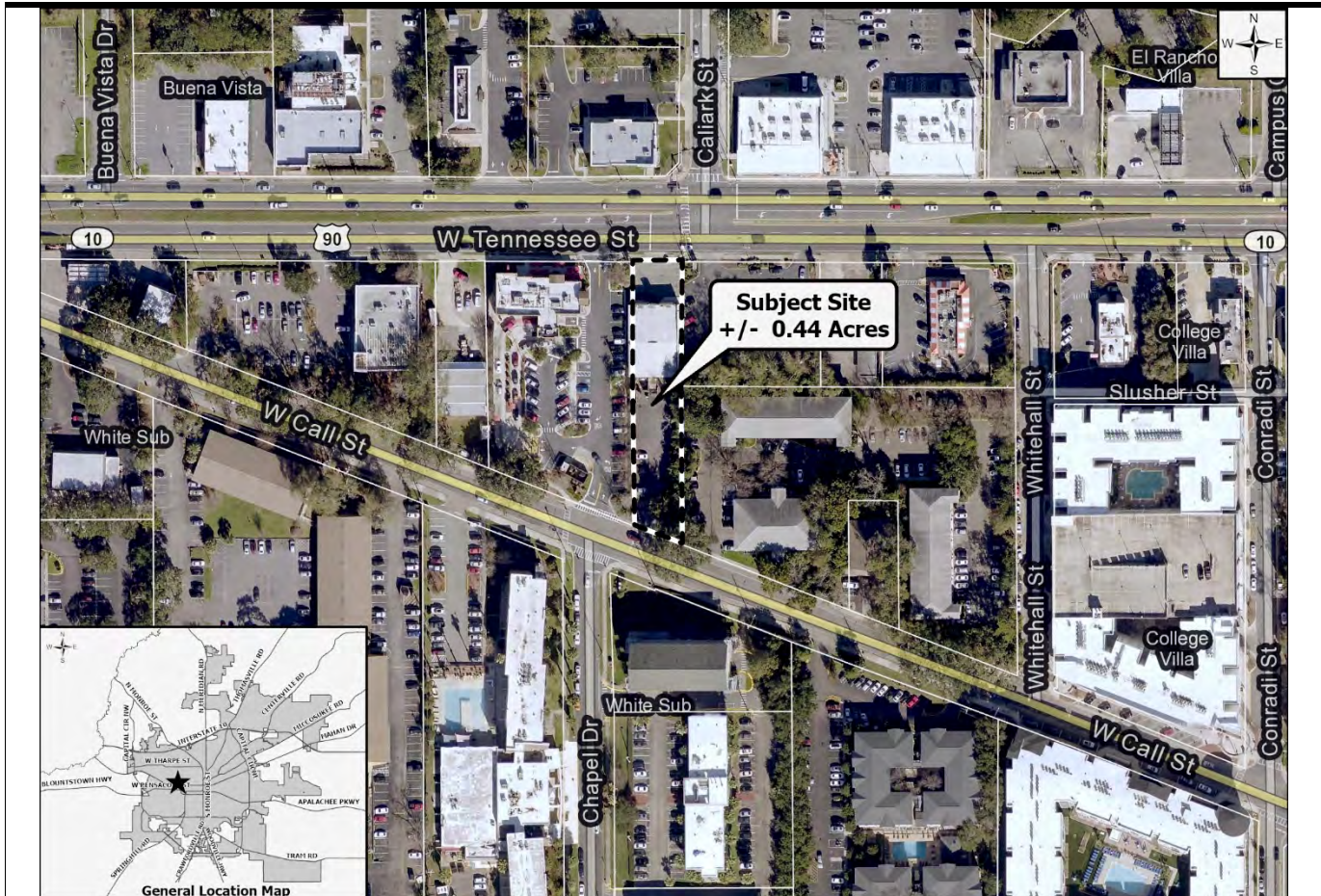
**Previous Future Land Use Map Designation**



**Adopted Future Land Use Map Designation**



**ATTACHMENT #4  
OTHER SUPPORTING  
INFORMATION**



**SUMMARY**

<b>Property Owners:</b>	<b>Property Location:</b>	<b>Amendment Type:</b>
Campus and Main FSU 1 LLC	1717 West Tennessee Street	City Small Scale Map Amendment
<b>Applicant:</b> Berkano Kleymeyer		
<b>TLCPD Staff:</b>	<b>Current Future Land Use &amp; Zoning:</b>	<b>LPA Recommendation:</b>
Julie Conn Christesen	<u>Future Land Use:</u> University Transition and Suburban <u>Zoning:</u> University Transition and Commercial Parkway	Approve
<b>Contact Information:</b>	<b>Proposed Future Land Use &amp; Zoning:</b>	<b>Staff Recommendation:</b>
Julie.christesen@talgov.com 850-891-6433	<u>Future Land Use:</u> Suburban <u>Zoning:</u> Commercial Parkway	Approve
<b>Date:</b> 11/17/2020	<b>Updated:</b> 04/15/2021	

## **A. REASON FOR REQUESTED CHANGE**

### **Include brief summary of proposed future land use change.**

The 0.44-acre parcel located at 1717 West Tennessee Street is currently designated with both the Suburban (SUB) and University Transition (UT) land use categories on the Future Land Use Map. This is a request to change the Future Land Use Map (FLUM) designation on the approximately 0.24-acre portion of the parcel currently designated University Transition (UT) to Suburban (SUB). The portion of this parcel currently classified as Suburban (SUB) would retain that land use designation.

The parcel is located in between Call Street and West Tennessee Street. The applicant is seeking the land use change to allow for a potential drive thru, and to expand their options for connecting the front and rear parking areas. Additionally, this land use change will bring the parcel into one land use category instead of splitting it into two categories. This will result in a consistent set of standards for the entire site.

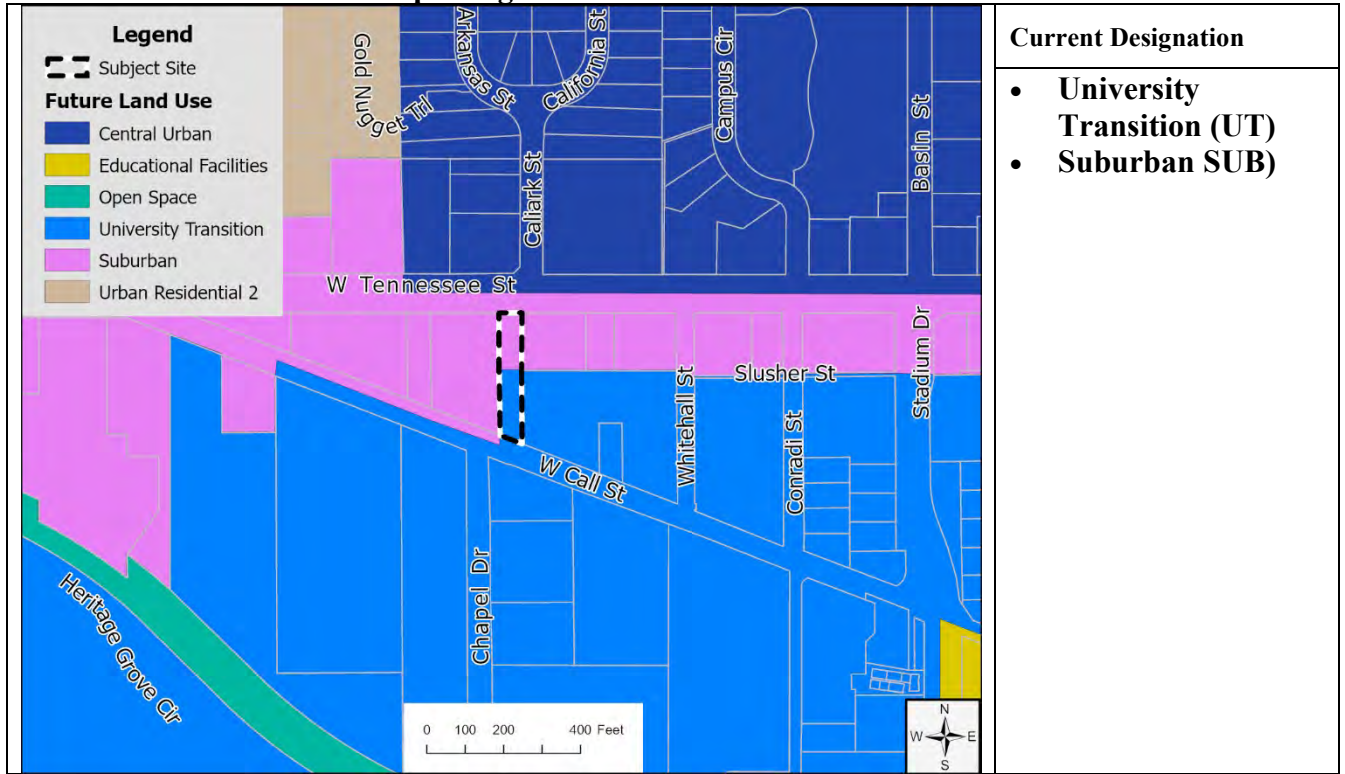
A rezoning application will be processed concurrently with this amendment. A zoning change from University Transition (UT) to Commercial Parkway (CP) is being requested to implement the proposed amendment to the Future Land Use Map on the 0.24-acre subject site.

## **B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION**

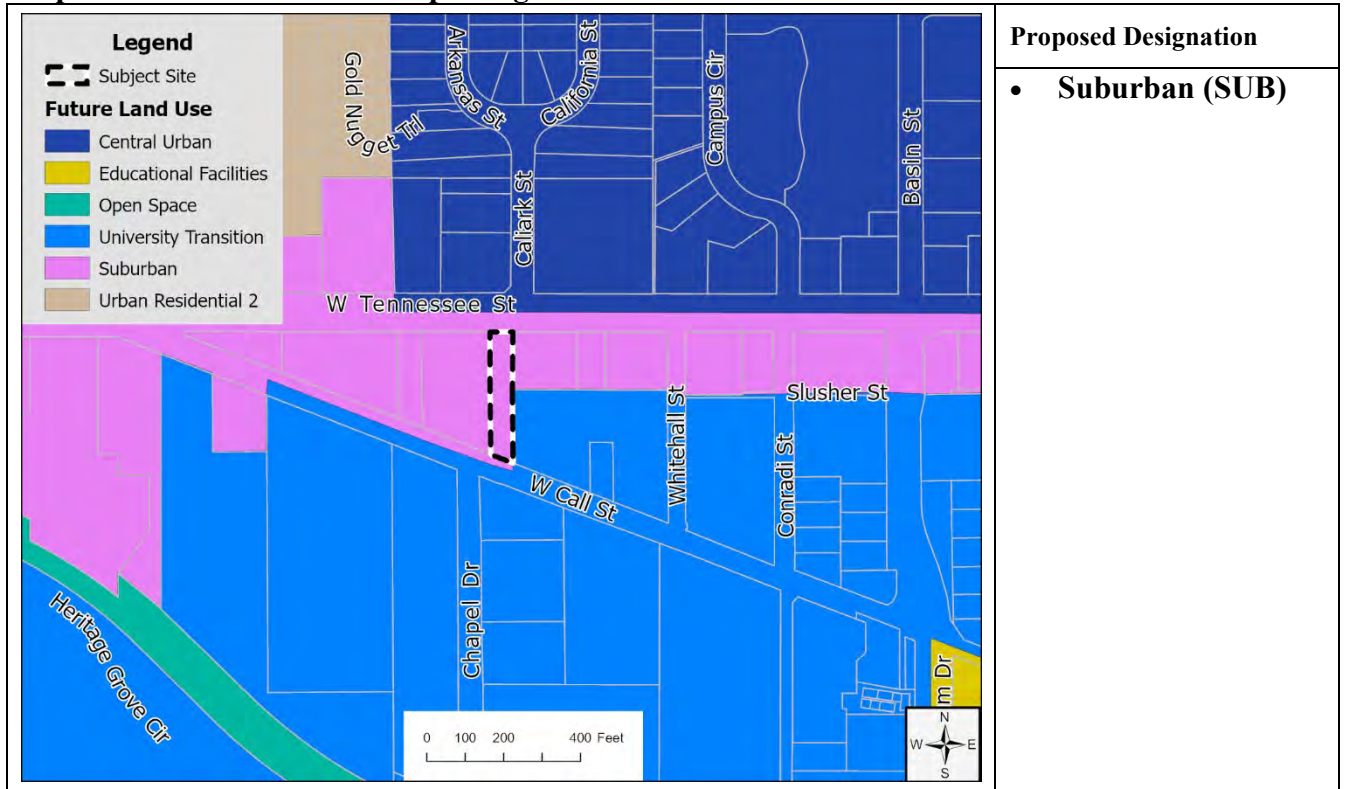
The subject site is currently designated **University Transition** on the FLUM. The proposed amendment would change the FLUM designation of the area to **Suburban**.

The following maps illustrate the current and proposed FLUM designations for the subject site.

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation



### C. STAFF RECOMMENDATION

Find that the proposed future land use map amendment is **Consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment.

Find that the proposed rezoning is **Consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning.

### D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

### E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. Policy 2.2.5 [L] states the purpose of the Suburban land use is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible, within walking distance.
2. Policy 2.2.5 [L] states that to complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.  
Part of the subject site is already classified as SUB on the FLUM. This amendment would bring the entire parcel into the same land use category. The entire site is located directly adjacent to other retail and multi-family dwelling units, and near offices, high, medium and low density neighborhoods, and Florida State University (FSU). It is consistent with surrounding future land uses of Suburban to the west, University Transition to the south and east, and Central Urban to the north.
3. Sec. 10-258, Commercial Parkway District, of the Tallahassee Land Development Code, specifically states that this district is intended to be located in areas designated Suburban on the future land use map of the comprehensive plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes.

The subject site is located between West Tennessee Street, which is a Principal Arterial, and West Call Street, which is a Major Collector. These roadways can both be described as urban area arterial roadways with high traffic volumes.

4. Sec. 10-258, Commercial Parkway District, of the Tallahassee Land Development Code also states the CP district is most suitable for those areas outside of the Multimodal Transportation District (MMTD) as described in the comprehensive plan. Additional CP inside the MMTD may only be designated when the existing land use pattern is mostly comprised of single use developments with suburban character as described in the Suburban Future Land Use Category.

The subject site is located within the MMTD; however, it follows an existing land use pattern of single use developments with suburban character as described in the Suburban Future Land Use Category. It is located near recreational opportunities, commercial goods and services, and cultural activities. Redevelopment of the subject site will have to meet the standards in the MMTD Code.

5. The proposed amendment is not anticipated to have adverse impacts to existing or planned infrastructure.

## F. STAFF ANALYSIS

### History and Background

This area along West Tennessee Street and West Call Street is located in the Multi-modal Transportation District, which is an area where primary priority is placed on assuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit. This is done through a mix of uses to support walking and cycling, densities to support transit, interconnected streets and paths, and good urban design.

The building currently on the subject site has been continuously marketed for lease since September 2018, with the two most common hurdles for potential tenants being the separation of the two parking areas and lack of potential for a drive thru with the current site layout. This comprehensive plan amendment and rezoning application would increase the area of the parcel that could be used for drive thru use and expand the options for connecting the front and rear parking areas. Additionally, the subject site is currently split zoned and is split on the Future Land Use Map. This amendment will bring the subject site under one land use category on the FLUM and one zoning district, which will result in a consistent set of standards for the entire site.

The subject site is surrounded by many different uses, including a Chic-Fil-A, low, medium, and high density residential, and other commercial uses. It is also closely located to FSU.

### Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for **University Transition (2.2.17[L])** and **Suburban (2.2.5 [L])** are included as Exhibit #1.

*[University Transition] (Current)*



### ***University Transition***

Currently, the subject site is categorized as both University Transition and Suburban land uses on the FLUM. While both land uses are appropriate for the subject site, the applicant would like to have the entire site categorized as Suburban. This change will result in a consistent set of standards for the entire site.

The University Transition Land Use Category is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away from the campuses from student housing encroachment.

Higher density residential redevelopment of up to 50 DU/AC is allowed to provide housing for students and close in housing opportunities to the downtown for professionals. Retail commercial limited to a smaller scale classification to provide essential services to immediate residents and ancillary needs of universities such as book stores and photo copying establishments may be permitted. State and private offices properly designed and scaled to surrounding uses may be permitted as well as central parking facilities, artistic studios and workshops. Restaurants, movie theaters, lounges and other entertainment commercial uses shall be permitted as commercial.

### ***[Suburban] (Proposed)***

The Suburban category allows a mixture of office, commercial uses and residential densities up to 20 units per acre. The intent of the Suburban land use category is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby

Part of the subject site is already classified as SUB on the FLUM. This amendment would bring the entire parcel into the same FLU category, which will result in a consistent set of standards for the entire site. The entire site is located directly adjacent to other retail and multi-family dwelling units, and near offices, high, medium and low-density neighborhoods, and Florida State University. It is consistent with surrounding future land uses of Suburban to the west, University Transition to the south and east, and Central Urban to the north.

### **Consistency with Comprehensive Plan**

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan.

- Policy 1.1.1: [L] directs new development to areas within the Urban Services Area. The policy states, “In order to discourage urban sprawl, new development shall be concentrated in the urban service area plus in the Woodville Rural Community future land use category and the rural communities of Capitola, Chaires, Ft. Braden and Miccosukee, as designated on the future land use map.” The subject site is located within the Urban Services Area.
- Policy 2.2.5 [L] states the purpose of the Suburban land use is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density

residential land uses. Employment opportunities should be located near residential areas, if possible, within walking distance.

- Policy 2.2.5 [L] states that to complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.
- Part of the subject site is already classified as SUB on the FLUM. This amendment would just bring the entire parcel into the same FLU category. The entire site is located directly adjacent to other retail and multi-family dwelling units, and near offices, high, medium and low density neighborhoods, and FSU.

### Zoning

The Land Development Code sections for **University Transition (Section 10-242)** and **Commercial Parkway (Section 10-258)** and **Commercial Parkway (Section 10-258)** zoning is included as Exhibit #2.

***University Transition (Current)*** The subject site is currently split zoned both as University Transition (UT) and Commercial Parkway (CP). The applicant would like the subject site to be fully zoned as Commercial Parkway.

#### ***University Transition***

The UT zoning district is intended to be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses, protect existing residential neighborhoods located away from the campuses from student housing encroachment, and transition industrial and lower density residential uses to vibrant urban areas. Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&M Univ., Tallahassee Community College/ Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.

To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core (defined in Comprehensive Plan), a 25% density bonus is available subject to the provisions of Sec. 10-289 of this code. Development standards for this zoning district are established within Division 4 applicable to the MMTD.

#### ***Commercial Parkway (Proposed)***

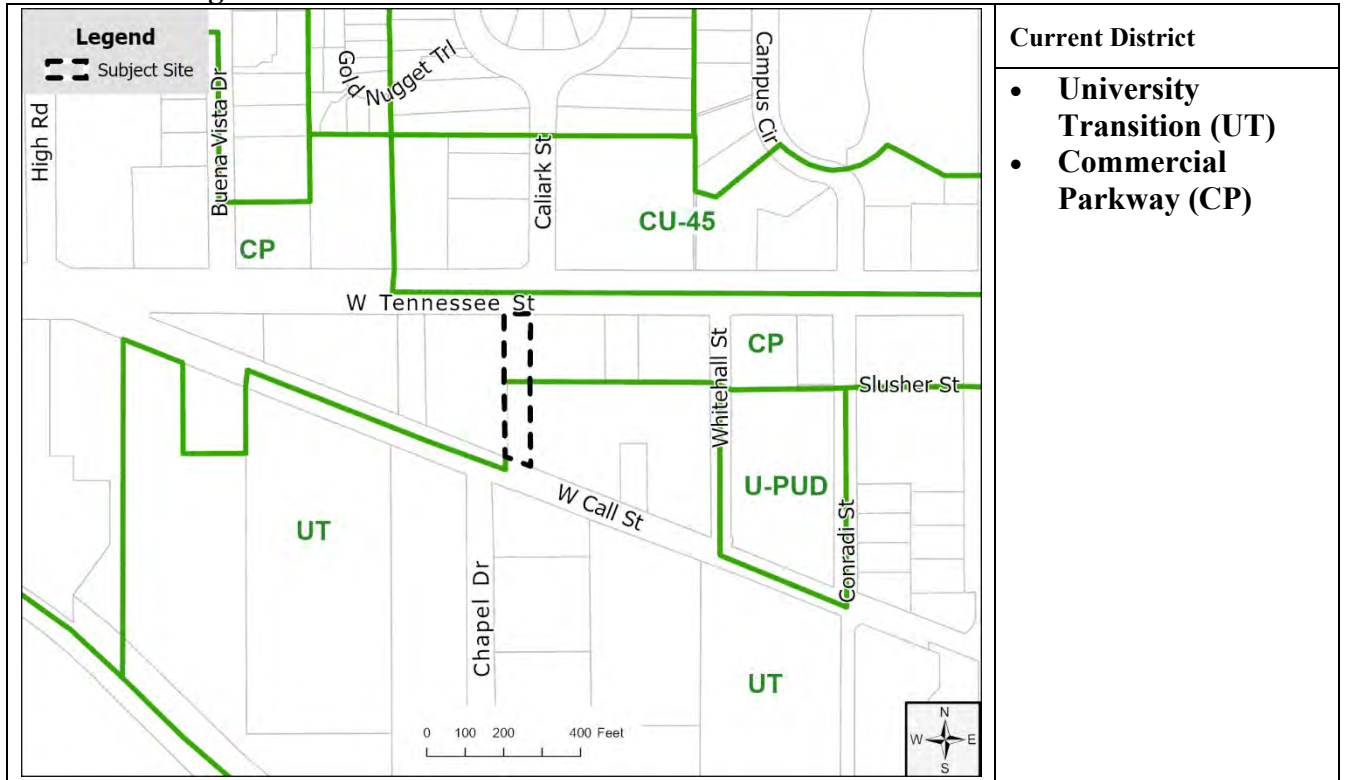
The subject site is already partially zoned as Commercial Parkway. This rezoning application would take the entire site into this category, which will result in a consistent set of standards for the entire site.

The CP district is intended to be located in areas designated Suburban on the future land use map of the comprehensive plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes. The CP district is most suitable for those areas outside of the Multimodal Transportation District (MMTD) as described in the comprehensive plan. Additional CP inside the MMTD may only be designated when the existing land use pattern is mostly comprised of single use developments with suburban character as described in the Suburban Future Land Use Category. The CP district is characterized by a linear pattern of development. Residential development up to a maximum of 16 dwelling units per acre is permitted. There is no minimum gross density for residential when developed in conjunction with non-residential land uses. However, for all other residential developments, a minimum gross density of 6 dwelling units per acre shall be required, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. The access management standards set forth in for the CP district addressing limitations placed on access are intended to minimize and control ingress and egress to arterial roadways and to promote smooth and safe traffic flow of the general traveling public. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments in the CP district that share parking facilities, have parking structures and/or have high floor area ratios are encouraged in the CP district.

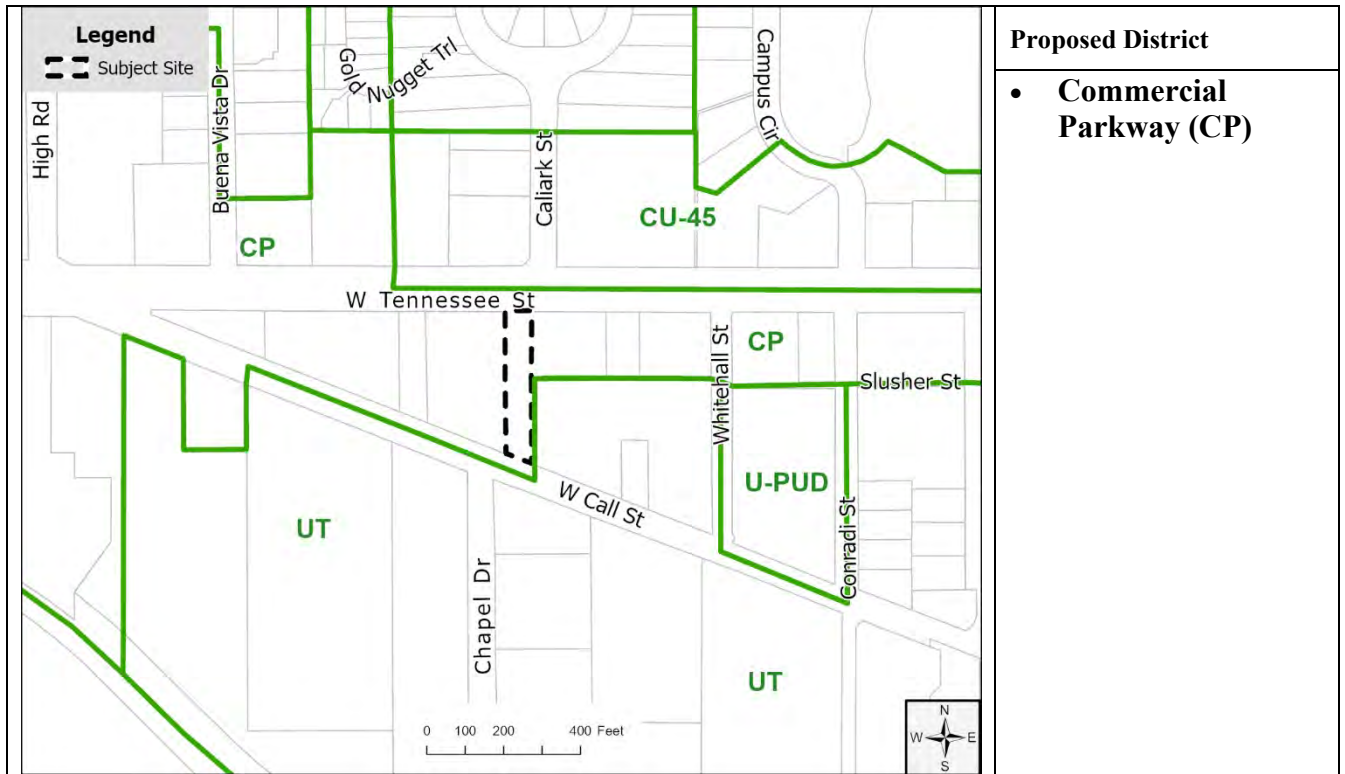
The subject site is located in between West Tennessee Street, which is a Principal Arterial, and West Call Street, which is a Major Collector. These roadways can both be described as urban area arterial roadways with high traffic volumes. This is also within the MMTD but follows an existing land use pattern of single use developments with suburban character as described in the Suburban Future Land Use Category. It is located near recreational opportunities, commercial goods and services, and cultural activities.

The following maps illustrate the current and proposed zoning for the Subject Site.

### Current Zoning



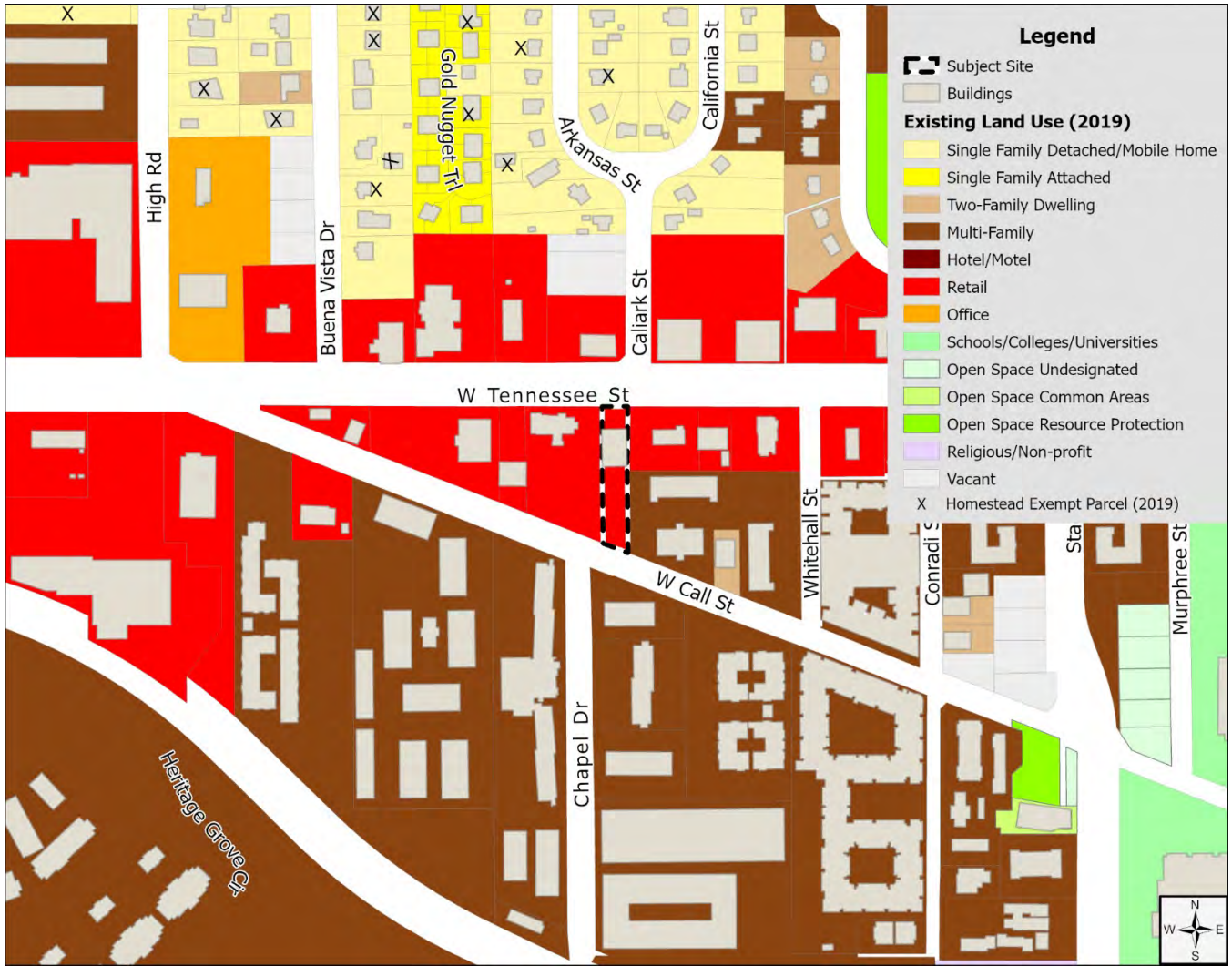
### Proposed Zoning



### Existing Land Uses

The 0.44-acre site located at 1717 West Tennessee Street is currently developed with a structure separating front and back parking areas. The parcel is immediately surrounded to the north and west by other retail, and to the east and south by two-family and multi-family dwellings. Across Tennessee Street to the north, there is more retail and both single family attached and detached neighborhoods.

# Existing Land Use Map



## Infrastructure Analysis

### *Water/Sewer*

Water and sewer are available at the site. The City of Tallahassee is the provider for both to serve the subject site and owns and maintains both systems. The existing water meter size is 1”.

### *Schools*

The Subject Site is zoned for Riley Elementary School, Nims Middle School, and Godby High School. All attendance zones in which the property is located have capacity for this project. Currently, Riley Elementary has a capacity of 62 with a post development capacity of 61. Currently, Nims Middle School has a capacity of 549, with a post development capacity of 548. Currently, Godby High School has a capacity of 532, with a post development capacity of 531.

### *Roadway Network*

The subject property fronts W. Tennessee Street (US Highway 90; State Road 10), a Principal Arterial, on its northern boundary and W. Call Street (a city road), a Major Collector, on its southern boundary. These two roadways converge at an unsignalized intersection approximately 900 feet west of the subject property. Left turning movements onto W. Call Street, a major collector, are restricted via raised median for westbound traffic on W. Tennessee Street, a principal arterial, at this intersection. The signalized intersection of W. Tennessee Street and High Road is situated approximately 100 feet further west from the intersection of W. Tennessee Street and W. Call Street. The north boundary of the subject property is situated immediately southwest of the intersection of W. Tennessee Street and Caliark Street, a three-way signalized intersection (the intersection provides direct access to the Starbucks site, parcel #2135202080000, on the east boundary of the subject property). The south boundary of the subject property is situated immediately northeast of the intersection of W. Call Street and Chapel Drive, a three way unsignalized intersection (the intersection provides direct access to the Chick-Fil-A site, parcel #2134200010000, on the west boundary of the subject property).

Current site design includes two parking lots: one fronting W. Tennessee Street to the north and one fronting W. Call Street to the south. The parking lots are not contiguous and are separated mid-lot by the site’s main structure.

### Site Impact Analysis:

Acres	Buildout Type	Maximum Buildout Intensity	Maximum Buildout	Trip Generation Rate	% Enter	% Exit	Trips Enter	Trips Exit	Total Trips
0.44	Residential	16 DU/Acre	7.04 DU	0.98	63	37	4	3	7
	Commercial	25,000 SF/Acre	11 KSF	43.38	50	50	239	239	477

The table above depicts preliminary calculations based on the maximum residential development and maximum commercial development allowed under the requested land use category and associated rezoning. Trip generation rates and entering/exiting trip percentages for residential and commercial

buildouts are based on Single Family Detached (210) and Coffee and Donut w/DT (814), respectively, as determined by the Institute of Transportation Engineers' Trip Generation Manual, 10<sup>th</sup> Edition to estimate maximum buildout possible for the subject site. Final transportation concurrency calculations will be conducted in the future when a site plan for proposed development is submitted.

Based on maximum residential and commercial development allowed under the requested land use category, this amendment could result in 477 (commercial) or 7 (residential) new trips. Note that the total trips noted in this analysis are substantially higher than will be allowed due to requirements such as stormwater mitigation and other restrictions. The actual traffic impacts and concurrency will be calculated at the time of site plan. It should be noted that in order to be able to provide traffic credit for existing approved uses in the analysis, the existing development must have been active within the 12 months prior to filing for the concurrency review or it has been actively marketed for the 12 months period. Also, these calculated numbers don't include any pass-by percentages, if any. Those details will be reviewed during the concurrency review, if the application is required.

This subject site is within the MMTD and concurrency may be applicable.

#### *Pedestrian and Bicycle Network*

The subject site is accessible by West Call Street, which has sidewalks and bike lanes, and West Tennessee Street, which has sidewalks and sharrows. This site is not far from the St. Marks Trail system.

#### *Transit Network*

This site is serviced by the Azalea weekday Starmetro route, the Starmetro Sunday Route 1, and the Starmetro Night Route 1, as well as the Seminole Express FSU Garnet and Gold routes, the Renegade Route, the FSU Heritage Route, and the Night Nole. Buses arrive at least every 60 minutes.

#### Environmental Analysis

The subject site is located in the Urban Services Area and in the Multimodal Transportation District on currently developed property. There are no significant environmental features on the subject site. The subject site is located in the FSU watershed in the Lake Munson Basin.



**F. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to [enter number of notices] property owners within 1,000 feet of Subject Site.

Public Outreach		Date Completed
X	Notices Mailed to Property Owners within 1000 feet	11/24/2020
X	Signs providing details of proposed land use posted on subject site	1/08/2021
X	Public Open House	12/10/2020
X	Staff Reports Available Online	11/06/2020
X	Email Subscription Notice sent to all users of service	12/07/2020

**Public Open House** – A Public Open House was held on December 10, 2020 to provide an overview of the applications received and the amendments (and concurrent rezonings) being requested. The Open House was held virtually using the WebEx platform. There were 40 people registered to attend the Public Open House. Of those registered, 8 indicated they had an interest in this amendment. Following the presentation on the proposed amendments, there was no discussion on this amendment.

**G. STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle Meetings		Date Completed
X	Local Planning Agency Workshop	1/5/2021
X	Local Planning Agency Public Hearing	2/2/2021
X	Joint City-County Commission Workshop	3/23/2021
	Transmittal Public Hearing [If Applicable]	
X	Adoption Public Hearing	4/13/2021

**Local Planning Agency Workshop – January 5, 2021:** A workshop was held on January 5, 2021 to discuss the proposed 2021 Cycle amendments. Staff provided an overview of the requested amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report.

**Local Planning Agency Public Hearing – February 2, 2021:** The Public Hearing was held on February 2, 2021 to vote on the proposed 2021 Cycle amendments. The LPA found the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend ADOPTION of the proposed amendment. They also found that that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend APPROVAL of the proposed rezoning. There were no public speakers on this item.

**Adoption Public Hearing - April 13, 2021:** The Public Hearing was held on April 13, 2021 to vote on the proposed 2021 Cycle amendments. The City Commission voted to adopt the proposed amendment.

## **H. APPENDICES**

- |              |   |
|--------------|---|
| Appendix #1: | Suburban (Policy 2.2.5 [L]) and University Transition (2.2.17[L])                               |
| Appendix #2: | University Transition (Section 10-242) and Commercial Parkway (Section 10-258) Zoning Code      |
| Appendix #3: | Photo of signs providing details of proposed land use and zoning changes posted on subject site |
| Appendix #4: | Public Comment Received as of March 24, 2021  |

## **Appendix 1: Suburban (Policy 2.2.5 [L]) and University Transition (2.2.17[L])**

Policy 2.2.5: [L]

SUBURBAN (EFF. 3/14/07)

To create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible within walking distance. This category recognizes the manner in which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

Suburban Intensity Guidelines (EFF. 3/14/07; REV. EFF. 7/14/14)

Table 4: Suburban Intensity Guidelines

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percentage Mix of Uses
Low Density Residential	Residential, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ACRE <sup>(1)</sup>	10,000 SQ FT/ACRE	65-90%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ACRE <sup>(4)</sup>	10,000 SQ FT/ACRE <sup>(5)</sup>	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 UNITS/ACRE	20,000 SQ FT/ACRE	65-90%
Medium Density Residential Office	Residential, Office, Ancillary 1 <sup>st</sup> Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools	8 to 20 UNITS/ACRE	20,000 SQ FT/ACRE <sup>(6)</sup>	

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percentage Mix of Uses
Village Center	Residential, Office, Commercial up to 50,000 SQ FT, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SQ FT of floor area.	8 to 16 UNITS/ACRE	12,500 SQ FT/ACRE per parcel for center 20 acres or less <sup>(7)</sup>	
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 UNITS/ACRE <sup>(8)</sup>	Up to 20,000 SQ FT/ACRE <sup>(3)</sup>	35-50%
Suburban Corridor	Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service	Up to 16 UNITS/ACRE	Up to 25,000 SQ FT/ACRE <sup>(6)</sup>	
Medical Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 20 UNITS/ACRE <sup>(1)</sup>	80,000 SQ FT/ACRE <sup>(2)</sup>	5-10%
Business Park	Office, Residential and Commercial	Up to 16 UNITS/ACRE	20,000 SQ FT/ACRE	
Light Industrial	Office, Commercial up to 10,000 SQ FT per business, Light Industrial, Recreation, Light & Heavy Infrastructure, Community Service & Post-Secondary Schools and ancillary residential	1 UNIT/DEVELOPMENT	20,000 SQ FT/ACRE <sup>(9)</sup>	

Notes: (1) 8 units/acre minimum for exclusively residential; (2) Hospitals up 176,000 sq ft/acre; (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed. (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available. (5) The maximum square footage is increased to 12,500 SF if the project is a mixed use development. (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C (7) 250,000 SF of total development permitted on 20 to 30 acre centers. (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed. (9) Storage areas may be 50,000 SF per acre.

While mixed land uses are encouraged in the Suburban Future Land Use Category, the more prevalent pattern will be a compatibly integrated mix of single-use developments that include low and medium density residential, office, retail and light industrial development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.

Policy 2.2.17: [L] UNIVERSITY TRANSITION (REV. EFF. 12/14/04; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 1/7/10) The University Transition land use category may only be applied through amendment to the Future Land Use Map to lands located generally within the rectangle created by the Florida State University main campus and Florida A & M University, Tallahassee Community College/Lively Technical Institute campuses and Innovation Park. Specifically, lands lying west of South Adams Street, South of West Tennessee Street, north of Orange Avenue and adjoining Innovation Park and Tallahassee Community College to the east. It is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away from the campuses from student housing encroachment. However, it is not intended that this category be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods. The category is intended to transition from present industrial and lower density residential uses to those more compatible with vibrant urban areas and shall remain within a compact area located in close proximity land owned by the universities and existing areas designated as University Transition.

Higher density residential redevelopment of up to 50 DU/AC is allowed to provide housing for students and close in housing opportunities to the downtown for professionals. Retail commercial limited to a smaller scale classification to provide essential services to immediate residents and ancillary needs of universities such as book stores and photo copying establishments may be permitted. State and private offices properly designed and scaled to surrounding uses may be permitted as well as central parking facilities, artistic studios and workshops. Restaurants, movie theaters, lounges and other entertainment commercial uses shall be permitted as commercial. Development regulations which allow flexibility in their design and operation to permit such uses as outdoor cafe and gardens shall be incorporated into zoning code. Pedestrian pathways and access systems shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to cut down on dependence of automobile travel. Design controls shall be employed to provide land use compatibility by offsetting potential negative impacts. The areas within the Gaines Street Revitalization Plan Study Area will have up to 100 DU/AC.

**Appendix 2: University Transition (Section 10-242) and Commercial Parkway (Section 10-258) Zoning Code**

## Section 10-242 UT University Transition District.

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>University Transition is intended to;</p> <ul style="list-style-type: none"> <li>• be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses;</li> <li>• protect existing residential neighborhoods located away from the campuses from student housing encroachment; and</li> <li>• transition industrial and lower density residential uses to vibrant urban areas.</li> </ul> <p>Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&amp;M Univ., Tallahassee Community College/Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core (defined in Comprehensive Plan), a 25% density bonus is available subject to the provisions of Sec. 10-289 of this code.</p> <p><b>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</b></p>	<ol style="list-style-type: none"> <li>1) Advertising agencies.</li> <li>2) Antique shops</li> <li>3) Beauty &amp; barber shops.</li> <li>4) Book &amp; stationary stores.</li> <li>5) Banks, credit unions, financial institutions without drive through facilities.</li> <li>6) Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</li> <li>7) Camera &amp; photographic supply stores.</li> <li>8) Civic &amp; social associations.</li> <li>9) Colleges &amp; universities – educational facilities, administrative offices, athletic &amp; intramural fields and stadiums.</li> <li>10) Commercial art &amp; graphic design.</li> <li>11) Community facilities related to residential uses, including religious facilities, police/fire stations, elementary and secondary schools, and, libraries. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</li> <li>12) Computer &amp; data processing services.</li> <li>13) Dance studio, schools, halls.</li> <li>14) Day care centers.</li> <li>15) Employment agencies.</li> <li>16) Gift, novelty, souvenir shops.</li> <li>17) Hobby, toy, game stores.</li> <li>18) Hotels, motels, bed &amp; breakfasts.</li> <li>19) Indoor amusements (bowling, billiards, arcades).</li> <li>20) Laundromats, laundry, &amp; dry cleaning services without drive through facilities.</li> <li>21) Laundromats, laundry, &amp; dry cleaning services with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</li> <li>22) Live-work units.</li> <li>23) Mailing and postal services.</li> <li>24) Medical &amp; dental offices, clinics, laboratories.</li> <li>25) Mortgage brokers.</li> <li>26) Movie theaters and amphitheaters.</li> <li>27) Museums &amp; art galleries.</li> <li>28) Musical instrument stores.</li> <li>29) News dealers and newsstands.</li> <li>30) Non-medical offices &amp; services, including business, insurance, real estate, and governmental.</li> <li>31) Non-store retail.</li> <li>32) Optical goods stores.</li> <li>33) Passive and active recreation.</li> <li>34) Personal services (barber, spa, etc.)</li> <li>35) Photocopying &amp; duplicating services.</li> </ol>	<ol style="list-style-type: none"> <li>36) Photographic studios, portrait.</li> <li>37) Physical fitness, gyms.</li> <li>38) Public community center/meeting building (non-commercial use only).</li> <li>39) Radio and Television broadcasting.</li> <li>40) Rental and sales of home movies &amp; games.</li> <li>41) Repair services, non-automotive.</li> <li>42) Residential – any type.</li> <li>43) Restaurants and drinking establishments without drive through facilities</li> <li>44) Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</li> <li>45) Retail establishments – bakeries, computer, clothing &amp; accessories, video, records/compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities. (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). florist, food &amp; grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards, package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods.</li> <li>46) Security &amp; commodity brokers.</li> <li>47) Sewing &amp; needlework goods.</li> <li>48) Shoe repair, shoe shine parlors.</li> <li>49) Sporting goods and bicycle shops.</li> <li>50) Social, fraternal, recreational clubs/assemblies.</li> <li>51) Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas.</li> <li>52) Studios: photography, music, art, drama, voice.</li> <li>53) Tailoring.</li> <li>54) Travel agencies.</li> <li>55) Veterinary services.</li> <li>56) Vocational schools.</li> <li>57) Watch, clock, jewelry repair.</li> <li>58) Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007.</li> <li>59) Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district.</li> </ol>
		<ol style="list-style-type: none"> <li>1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</li> <li>2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</li> </ol>
		<p><b>4. Special Exception Uses</b></p> <ol style="list-style-type: none"> <li>1) Automotive rentals, parking, repairs, &amp; service.</li> <li>2) Commercial sports.</li> <li>3) Taxicab operations.</li> <li>4) Off-street parking facilities (applicable to properties in the Downtown Overlay).</li> </ol> <p>(Section 10-422 applies)</p>

**Sec. 10-258. CP Commercial Parkway District**

The following applies to CP Commercial Parkway District:

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>The CP district is intended to be located in areas designated Suburban on the future land use map of the comprehensive plan and shall apply to areas exhibiting an existing development pattern of office, general commercial, community facilities, and intensive automotive commercial development abutting urban area arterial roadways with high traffic volumes. The CP district is most suitable for those areas outside of the Multimodal Transportation District (MMTD) as described in the comprehensive plan. Additional CP inside the MMTD may only be designated when the existing land use pattern is mostly comprised of single use developments with suburban character as described in the Suburban Future Land Use Category. The CP district is characterized by a linear pattern of development. Residential development up to a maximum of 16 dwelling units per acre is permitted. There is no minimum gross density for residential when developed in conjunction with non-residential land uses. However, for all other residential developments, a minimum gross density of 6 dwelling units per acre shall be required, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. The access management standards set forth in for the CP district addressing limitations placed on access are intended to minimize and control ingress and egress to arterial roadways and to promote smooth and safe traffic</p>	<ul style="list-style-type: none"> <li>(1) Antique shops.</li> <li>(2) Armored truck services.</li> <li>(3) Automotive sales and rental (includes any type of motor vehicle including boats and motorcycles).</li> <li>(4) Automotive service and repair, including car wash.</li> <li>(5) Automotive--retail, parts, accessories, fires, etc.</li> <li>(6) Bait and tackle shops.</li> <li>(7) Banks and other financial institutions.</li> <li>(8) Broadcasting studios.</li> <li>(9) Building contractors and related services, without outdoor storage.</li> <li>(10) Camera and photographic stores.</li> <li>(11) Cemeteries.</li> <li>(12) Cocktail lounges and bars.</li> <li>(13) Commercial kennels.</li> <li>(14) Community facilities, including libraries, religious facilities, vocational schools, police/fire stations, and charitable donation stations. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with section 10-413.</li> <li>(15) Day care centers.</li> <li>(16) Gift, novelty, and souvenir stores.</li> <li>(17) Golf courses.</li> </ul>	<ul style="list-style-type: none"> <li>(18) Hotels and motels, including bed and breakfast inns.</li> <li>(19) Indoor amusements (bowling, billiards, skating, etc.).</li> <li>(20) Indoor theaters (including amphitheaters).</li> <li>(21) Laundromats, laundry and dry-cleaning pickup stations.</li> <li>(22) Lawn or tree removal services.</li> <li>(23) Mailing services.</li> <li>(24) Medical and dental offices, services, laboratories, and clinics.</li> <li>(25) Manufactured home sales lots.</li> <li>(26) Mortuaries.</li> <li>(27) Motor vehicle fuel sales.</li> <li>(28) Motor vehicle racing tracks, go-carts, etc.</li> <li>(29) Nonmedical offices and services, including business and government offices and services.</li> <li>(30) Nonstore retailers.</li> <li>(31) Nursing homes and residential care facilities.</li> <li>(32) Off-street parking facilities.</li> <li>(33) Outdoor amusements (golf courses, batting cages, driving ranges, etc.)</li> <li>(34) Passive and active recreational facilities.</li> <li>(35) Pawnshops.</li> <li>(36) Personal services (barber shops, fitness clubs, etc.).</li> </ul>
		<ul style="list-style-type: none"> <li>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the land use administrator.</li> <li>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.</li> </ul>



**PERMITTED USES**

1. District Intent	2. Principal Uses	
<p>flow of the general traveling public. Reuse of existing single use sites for multiple use developments, adding new uses to single use sites and/or multiple use developments in the CP district that share parking facilities, have parking structures and/or have high floor area ratios are encouraged in the CP district.</p> <p>New CP districts in the Suburban FLUM category shall have access to arterial or major collector streets.</p> <p><b>Development standards for properties located within the MMTD are established within Division 4 of this Code.</b></p>	<p>(37) Pest control services.                      (38) Pet day care centers.                      (39) Photocopying and duplicating services.                      (40) Printing and publishing.                      (41) Recreational vehicle park.                      (42) Rental and sales of dvds, video tapes and games.                      (43) Rental of tools, small equipment, or party supplies.                      (44) Repair services, nonautomotive.                      (45) Residential, multi-family.                      (46) Residential, any type, provided it is located on or above the 2nd floor of a structure containing non-residential development on the first floor.                      (47) Restaurants, with or without drive-in facilities.                      (48) Retail bakeries.                      (49) Retail caskets and tombstones.                      (50) Retail computer, video, record, and other electronics.                      (51) Retail department, apparel, and accessory stores.                      (52) Retail drug store.                      (53) Retail florist.                      (54) Retail food and grocery.                      (55) Retail furniture, home appliances and accessories.                      (56) Retail home/garden supply, hardware and nurseries.                      (57) Retail jewelry stores.                      (58) Retail needlework and instruction.                      (59) Retail newsstand, books, greeting cards.</p>	<p>(60) Retail office supplies.                      (61) Retail optical and medical supplies.                      (62) Retail package liquors.                      (63) Retail pet stores.                      (64) Retail picture framing.                      (65) Retail sporting goods, toy stores.                      (66) Retail trophy stores.                      (67) Self-moving operation.                      (68) Retail shoes, luggage, and leather products.                      (69) Sign shops.                      (70) Social, fraternal and recreational clubs and lodges, including assembly halls.                      (71) Studios for photography, music, art, drama, voice.                      (72) Tailoring.                      (73) Towing, wrecking, and recovery services.                      (74) Trailer sales and service.                      (75) Veterinary services, including veterinary hospitals.                      (76) Warehouses, mini-warehouses, or self-storage facilities.                      (77) Other uses which, in the opinion of the land use administrator, are of a similar and compatible nature to those uses described in this district and provided the use is not specifically permitted in another zoning district.</p>

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	not applicable	4 stories
Residential located on or above the 2nd floor of a multi-use structure	none	none	none	25 feet	none	25 feet	10 feet	not applicable	4 stories
Any Permitted Principal Use	none	none	none	25 feet	none	25 feet	10 feet	25,000 s.f. of building floor area per acre and commercial and office uses not to exceed 200,000 s.f. of gross building floor area per parcel, 50,000 s.f. of building area per acre for permitted land uses number (73) warehouses, mini-warehouses, or self-storage facilities as listed in the permitted uses table above. In multi-use structures, residential uses do not count towards this floor area total.	4 stories
<p>7. <i>Access Management Criteria</i> (In case of a conflict with the provisions of other ordinances or regulations, the most strict provisions shall apply):</p> <p>a.) All roadways:</p> <ol style="list-style-type: none"> <li>1. On all city roadways, the city's spacing standards for driveway access, medians, and signals per roadway class type shall prevail.</li> <li>2. On all county roadways, the county's spacing standards for driveway access, medians, and signals per roadway class type shall prevail.</li> <li>3. On all state arterial roadways, the FDOT's spacing standards for driveway access, medians, and signals, as outlined in the FDOT Access Management Classification System shall prevail. Exceptions to the FDOT Access Management Standards include the following: <ol style="list-style-type: none"> <li>a. Existing driveway access for Capital Circle as of December 31, 1995; and Properties on Capital Circle which were granted single driveway permits by FDOT on or before December 31, 1995, which have sole access to Capital Circle and do not have other street access.</li> </ol> </li> </ol> <p>b.) All new commercial development shall construct a vehicular interconnection to adjacent properties that have an existing commercial use. Interconnections shall be required to adjacent vacant properties which are zoned for commercial use. The vehicular interconnections shall be constructed with material consistent with constructed or proposed vehicular use areas. Location of such interconnections shall be approved by the traffic engineer and constructed prior to issuance of a certificate of occupancy. Required interconnections between properties and/or to a private or public roadway shall be placed in a cross access easement acceptable by</p>									

**DEVELOPMENT STANDARDS**

the city attorney. Exemptions to and deviations from the interconnection requirements of this section shall be approved by the parking standards committee.

8. *Street Vehicular Access Restrictions:* Properties in the CP zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from nonresidential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street directly across from where the vehicular access point is proposed: RA, R-1, R-2, R-3, R-4, R-5, MH, MR-1, RP-1, RP-2, RP-MH, RP-UF, and RP-R.

9. *Noise Source Restrictions:* In the event that a property zoned CP abuts a residential property, the noise source of the CP zoned property shall not exceed at L10 noise level of 60 dBA in the daytime (7:00 a.m. to 10:00 p.m.) and an L10 noise level of 50 dBA in the night time (10:00 p.m. to 7:00 a.m.) as measured on the property line abutting the source.

10. *Lighting Standards:* In the event that a property zoned CP abuts a residential property, the night time lighting of the CP zoned property shall meet the following standards: night time lighting shall not exceed 0.5 vertical surface foot candle measured at the property line six feet above grade. Lighting standards shall not exceed 20 feet in height and shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood-lights or spot-lights used as general grounds lighting are permitted. Security lighting is permitted.

11. *Additional Criteria for Pet Day Care Centers:* Outside boarding and unsupervised outside activity are prohibited. Hours of operation for pet day care centers shall be 6:00 a.m. to 9:00 p.m.

12. *Additional Criteria for Charitable Donation Stations:* Such station shall have indoor storage for all donations, and shall have an attendant available during normal business hours responsible for the collection and/or storage of said donations. A "charitable donation station" is considered a community service/facility regulated by section 10-413 of this Code.

General Notes:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and nonresidential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to sanitary sewer policy 2.1.12 of the comprehensive plan for additional requirements.
2. Refer to chapter 5, pertaining to environmental management, for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, pertaining to concurrency management, for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to section 10-426.

### Appendix 3: Photos of public notice signage



**Appendix 4: Public Comment as of March 24, 2021**

There has been no public comment received on this amendment as of March 24, 2021.



**SUMMARY**

<b>Property Owners:</b>	<b>Property Location:</b>	<b>Amendment Type:</b>
Santosh Pradham	Intersection of WW Kelley Road and Apalachee Parkway	<b>County Small Scale Map Amendment</b>
<b>Applicant:</b>		
Teramore Development		
<b>TLCPD Staff:</b>	<b>Current Future Land Use &amp; Zoning:</b>	<b>LPA Recommendation:</b>
<b>Julie Conn Christesen</b>	<b>Future Land Use:</b> Rural (R) <b>Zoning:</b> Rural (R)	<b>Approve</b>
<b>Contact Information:</b>	<b>Proposed Future Land Use &amp; Zoning:</b>	<b>Staff Recommendation:</b>
Julie.christesen@talgov.com 850-891-6433	<b>Future Land Use:</b> Suburban (SUB) <b>Zoning:</b> General Commercial (C-2)	<b>Approve</b>
<b>Date:</b> 11/17/2020	<b>Updated:</b> 04/15/2021	

## **A. REASON FOR REQUESTED CHANGE**

The subject site includes two parcels on the southeast corner of the intersection of WW Kelley Road and Apalachee Parkway. The applicant, Teramore Development, is seeking this land use change to allow for the development of a neighborhood scale retail store. The current FLUM designation on the subject site is Rural, which prohibits higher density residential, and non-residential activities that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities. Therefore, a change to a different FLUM designation is necessary to accommodate the proposed development program.

The proposed Suburban category allows a mixture of office, commercial uses, and residential densities up to 20 units per acre. The intent of the Suburban land use category is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses.

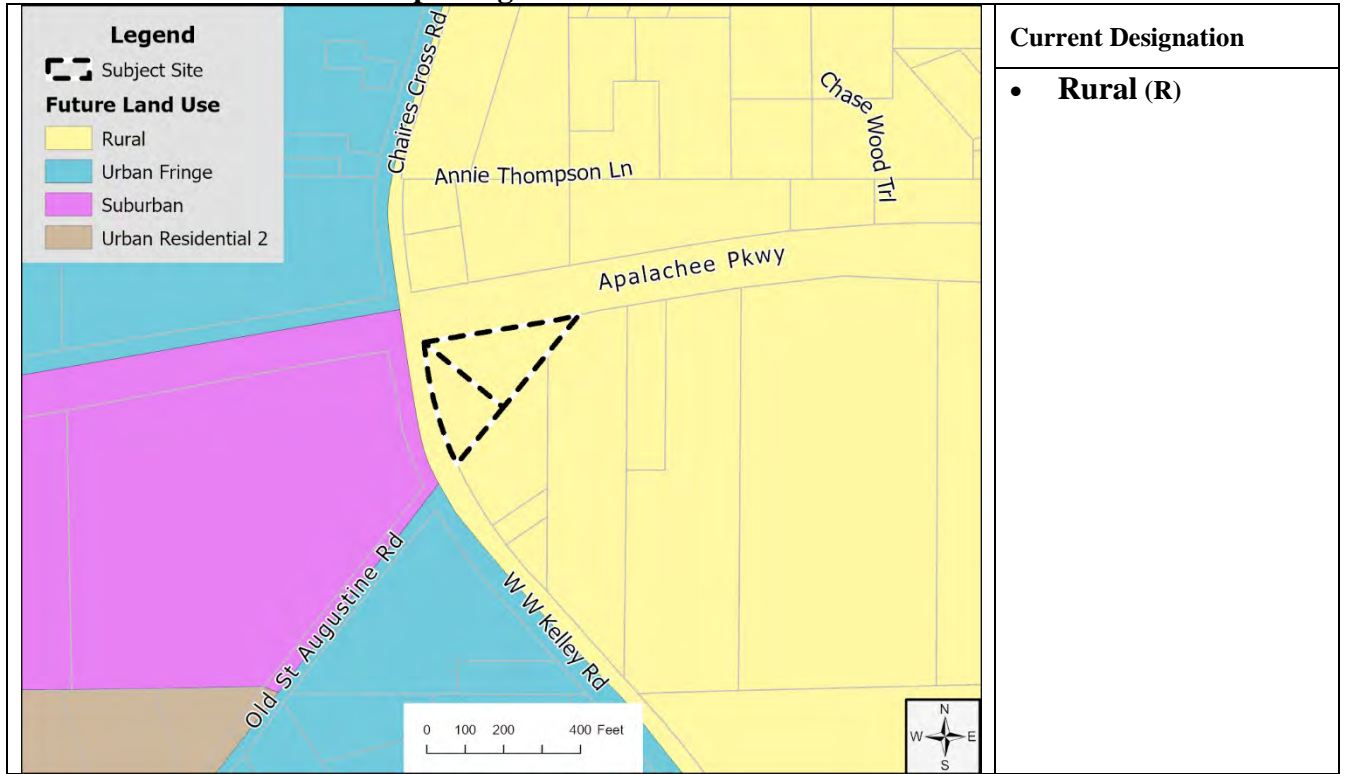
A rezoning application to allow development of a retail store will be processed concurrently with this amendment. A zoning change from Rural (R) to General Commercial (C-2) is requested to implement the proposed amendment to the Future Land Use Map.

## **B. CURRENT AND PROPOSED FUTURE LAND USE DESIGNATION**

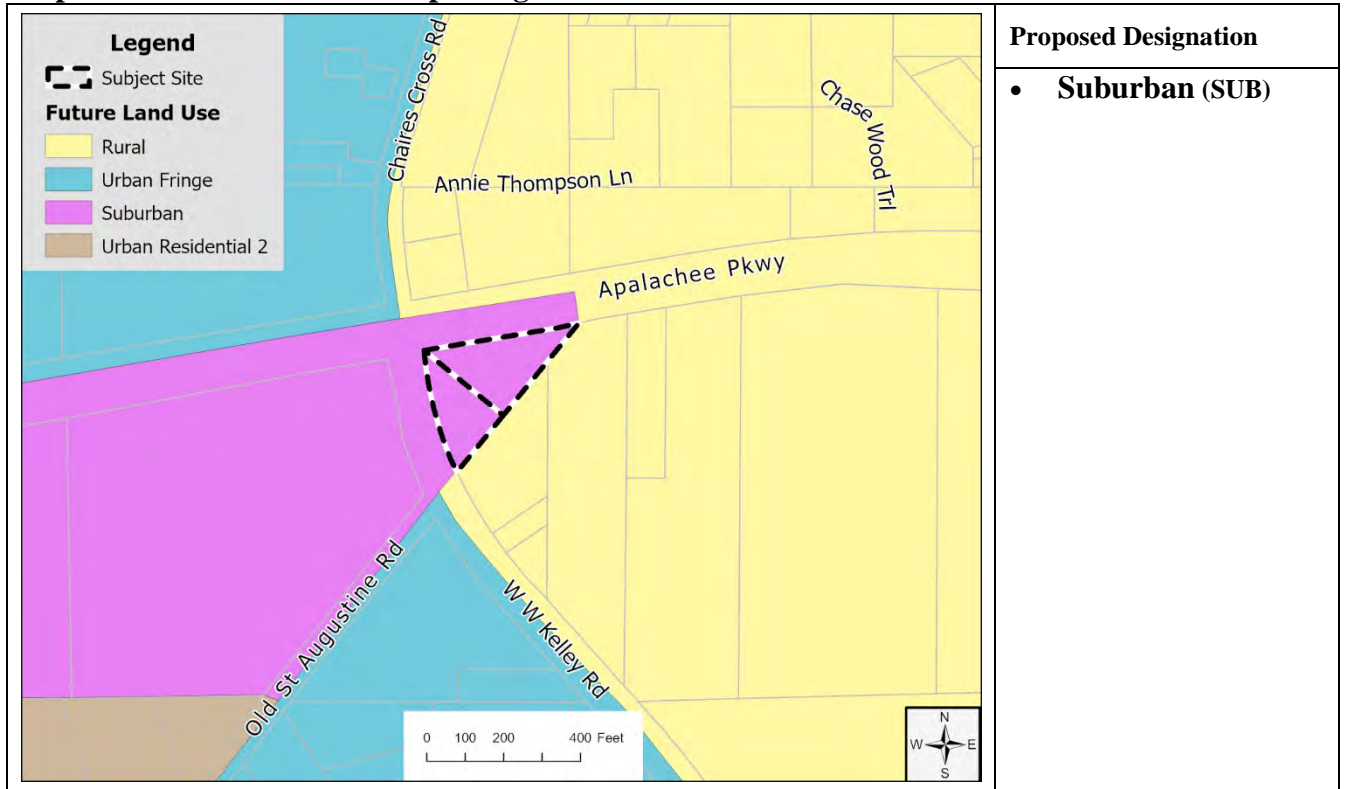
The Subject Site is currently designated **Rural** on the FLUM. The proposed amendment would change the FLUM designation of the area to **Suburban**.

The following maps illustrate the current and proposed FLUM designations for the Subject Site.

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation





### C. STAFF RECOMMENDATION

Find that the proposed future land use map amendment is **Consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **ADOPTION** of the proposed amendment.

Find that the proposed rezoning is **Consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend **APPROVAL** of the proposed rezoning.

### D. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

### E. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

1. Policy 2.2.5 [L] states the purpose of the Suburban land use is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible, within walking distance.
2. Policy 2.2.5 [L] states that to complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.  
The proposed retail store would be located directly adjacent to low density residential neighborhoods and would provide shopping opportunities with convenient access to these homes. The subject parcels are located across WW Kelley Road from parcels designated as Suburban on the FLUM.
3. Section 10-6.647, C-2 General Commercial district, specifically states that it shall apply to areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The proposed retail store would have direct access to Apalachee Parkway, a Principal Arterial, as well as WW Kelley, a Major Collector, which are located within convenient traveling distance to several neighborhoods, community facilities, recreational facilities, and other convince commercial activities.
4. The subject site is located within the Urban Services Area.

The current land use designation of Rural states that “Due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area.” The land use Rural land use category also states, “Property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community.” For these reasons, maintaining the current land use designation of Rural on the subject site located within the Urban Services Area would be inconsistent with the intent of the Rural land use category.

## F. STAFF ANALYSIS

### History and Background

This area along WW Kelley Road and Apalachee Parkway is characterized by low intensity non-residential and low density residential development. While the FLUM does identify much of the area surrounding the subject sites as Rural, it should be noted that the actual surrounding uses are more consistent with the proposed change.

The subject site is approximately 1.6 acres in size and is currently vacant. Low density residential is located immediately south and to the southwest of the subject sites, with a gas station, a parcel with utility infrastructure, and a motel located to the north of the site. Directly to the west of the site is a large, mostly vacant parcel with Suburban FLU and General Commercial zoning, which is the same land use and zoning requested for the subject site.

The applicant is planning to hold a neighborhood meeting on December 8<sup>th</sup> to discuss the proposed amendment. Notes from this meeting can be found in Appendix #4.

### Current and Proposed Future Land Use Categories

The complete comprehensive plan policies for **Rural (2.2.1 [L])** and **Suburban (2.2.5 [L])** are included as Appendix #1.

#### ***Rural/Agriculture (Current)***

The intent of the Rural/Agriculture land use category is to maintain and promote agriculture, silviculture, and natural resource-based activities, to preserve natural systems and ecosystem functions, and to protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Typical land uses within this category shall include agriculture, silviculture, and natural resource-based activities. Due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area.

To promote infill and redevelopment within the Urban Service Area (USA) and Rural Communities, higher density residential, and non-residential activities that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural category.

As such, neighborhood retail is not appropriate in the Rural land use category.

#### ***Suburban (Proposed)***

The proposed Suburban land use category allows a mixture of office, commercial uses and residential densities up to 20 units per acre. The intent of the Suburban land use category is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.

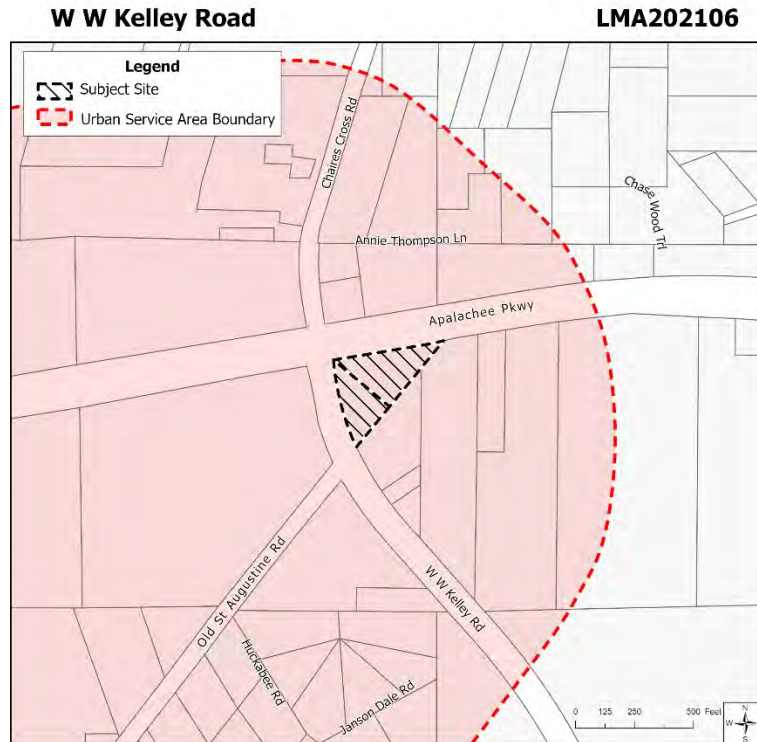
The Suburban land use category does allow for a commercial development and is appropriate for the proposed retail store.

The subject site is located directly adjacent to low density residential neighborhoods, and near a gas station, several places of worship, and recreational opportunities.

### Consistency with Comprehensive Plan

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan.

- Policy 1.1.1 [L] requires that, in order to discourage urban sprawl, new development shall be concentrated in the Urban Service Area (USA) as designated on the future land use map. The subject site is within the USA. This can be seen on the map of the subject site, below:



- Policy 2.2.5 [L] states the purpose of the Suburban land use is to create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible, within walking distance.
- Policy 2.2.5 [L] states that to complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby.
- The proposed retail store would be located adjacent to low density residential neighborhoods and would provide shopping opportunities with convenient access to these homes. The subject site parcels are located directly across WW Kelley Road from parcels designated as Suburban on the FLUM.
- Policy 2.2.1 [L] states that due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area. The current

designation of Rural/Agriculture on the FLUM is inconsistent with the subject site being located inside the Urban Services Area.

- Policy 2.2.1 [L] states that property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community. Since the subject site is located within the Urban Services Area, amending the land use to a more intense land use category is consistent with this policy.

### Zoning

The Land Development Code sections for **Rural (Sec. 10-6.612)]** and **General Commercial (Section 10-6.647)** zoning is included as Exhibit #2.

#### ***Rural (Current)***

The current zoning for the subject site, Rural, is intended to maintain and promote agriculture, silviculture, and natural resource-based activities, preserve natural systems and ecosystem functions, and protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Allowable land uses within this district include agriculture, silviculture, ecotourism-based activities, very low density residential, and community and passive recreational facilities. Non-residential uses, with the exception of community and passive recreational facilities, that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural zoning district. This district is not intended to accommodate commercial activities designed to service basic household needs of area residents. Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein. Due to the need to protect and preserve existing Rural lands from fragmentation and to promote infill and redevelopment within the Urban Services Area and Rural Communities, urban services are not planned or programmed for this area.

Although some of the parcels adjacent to the subject site are also categorized as rural, it should be noted that the actual uses are more consistent with the proposed zoning of C-2. The parcels across WW Kelley share the proposed C-2, General Commercial zoning.

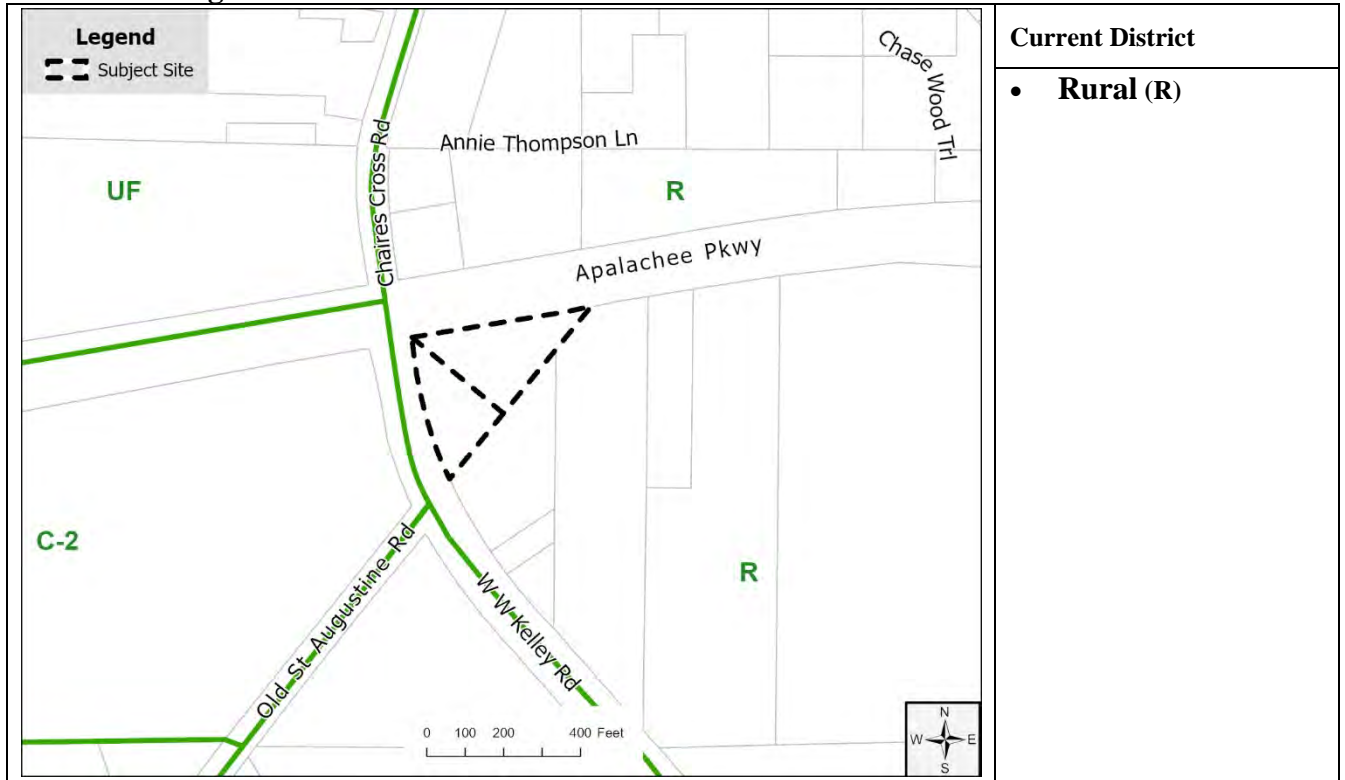
#### ***General Commercial (C-2) (Proposed)***

The proposed zoning for the subject parcels, General Commercial, is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map. This zoning shall apply to areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. In order to maintain compact and nonlinear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.

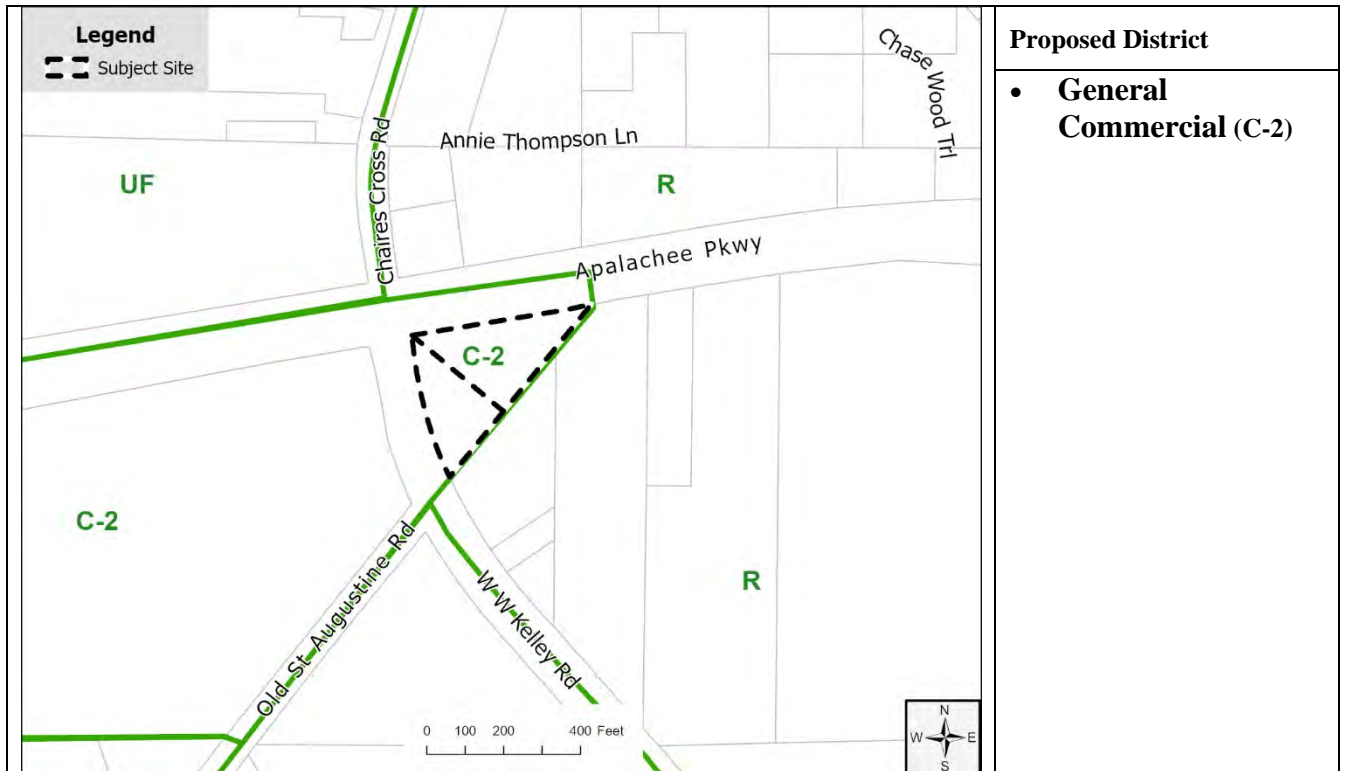
This proposed zoning district allows for commercial development, such as is proposed on these subject sites. And although the subject sites are adjacent to C-2 zoning, they are not within ¼ mile of a commercial development that has more than 20,000 gross square feet of floor area and do not exceed 30 acres in size. The proposed zoning for the subject sites is consistent with adjacent zoning.

The following maps illustrate the current and proposed zoning for the Subject Site.

### Current Zoning



### Proposed Zoning

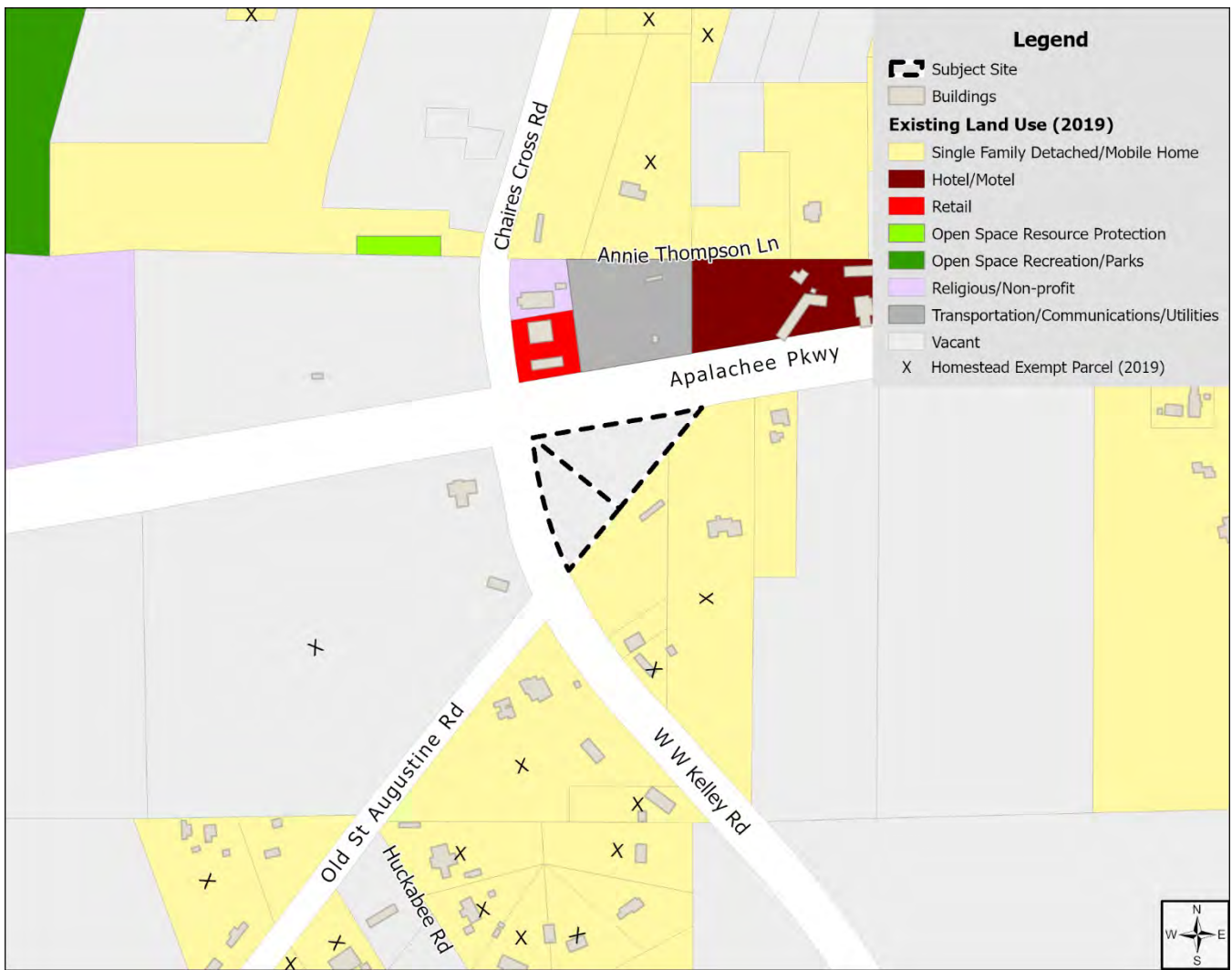


Existing Land Uses

**Discussion of existing uses surrounding the subject site**

The subject site is comprised of two parcels and is approximately 1.6 acres in size and is currently vacant. Low density residential is located immediately south and to the southwest of the subject site, with a gas station, a parcel with utilities, and a motel located directly to the north of the site. Directly to the west of the site is a large, mostly vacant parcel with Suburban land use and General Commercial zoning, which is the same land use and zoning that these parcels are applying to become. Near the site but not directly adjacent there are several places of worship, additional low residential housing, and a school.

**Existing Land Use Map**





## Infrastructure Analysis

### *Water/Sewer*

Talquin has the capacity to serve parcels 3203206100000 & 3203206090000 with Electric and Water utilities. They have a 6” main on Apalachee Parkway side of the road and an 8” main on the WW Kelly side. Based on the information provided, it is assumed the development will not require a meter larger than 1”. As to electric, they have an existing electrical facility that currently parallels & traverses the subject parcel. They should be able to adequately serve any commercial retail store having 9,000 sf at this location.

### *Schools*

The Subject Site is zoned for Chaires Elementary School, Fairview Middle School, and Rickards High School.

All attendance zones in which the property is located have capacity for this project. Currently, Chaires Elementary has a capacity of 329, with a post development capacity of 324. Currently, Fairview Middle School has a capacity of 571, with a post development capacity of 569. Currently, Rickards High School has a capacity of 298, with a post development capacity of 296.

### *Roadway Network*

The subject site is not within the MMTD. The subject site fronts Apalachee Parkway (US Highway 27; State Road 20), a Principal Arterial, to the north and WW Kelley Road (County Road 2195), a Major Collector, to the west. WW Kelley Road becomes Chaires Cross Road (CR 1543) as it crosses Apalachee Parkway to the north. The intersection of Apalachee Parkway and WW Kelley Road is signalized. Old St. Augustine Road (CR 2196) terminates at its intersection with WW Kelley Road approximately 350 feet south of the aforementioned signalized intersection on the west side of WW Kelley Road. The on the east side of WW Kelley Road, the southwest corner boundary of the subject site faces this intersection with Old St. Augustine Road.

It appears that, in the past, Old St. Augustine Road transected the southwest corner of the intersection of Apalachee Parkway and WW Kelley Road. While this portion of roadway is no longer maintained, the bygone roadway segment formed the basis of the southeast boundary (hypotenuse) of the triangular shaped site in question.

### Site impacts Site Impact Analysis:

Acres	Buildout Type	Maximum Buildout Intensity	Maximum Buildout	Trip Generation Rate	% Enter	% Exit	Trips Enter	Trips Exit	Total Trips
1.452	Residential	16 DU/Acre	23.2 DU	0.98	63	37	14	8	23
	Commercial	12,500 SF/Acre	18.15 KSF	6.84	52	48	65	60	124

The table above depicts preliminary calculations based on the maximum residential development and maximum commercial development allowed under the requested future land use category and associated rezoning. Trip generation rates and entering/exiting trip percentages for residential and

commercial buildouts are based on Single Family Detached (210) and Variety Retail (814), respectively, as determined by the Institute of Transportation Engineers' Trip Generation Manual, 10<sup>th</sup> Edition. Final transportation concurrency calculations will be conducted in the future when a site plan for proposed development is submitted.

Based on maximum residential and commercial development allowed under the requested land use category, this amendment could result in 124 (commercial) or 23 (residential) new trips. No concurrency issues are expected given these preliminary calculations. The total trips noted in this analysis are substantially higher than will be allowed due to requirements such as stormwater mitigation and other restrictions. The actual traffic impacts and concurrency will be calculated at the time of site plan. Transportation concurrency will be determined at time of site plan.

#### *Pedestrian and Bicycle Network*

This site is not accessible via sidewalks, trails, or bike lanes. There are paved shoulders on Apalachee Parkway.

#### *Transit Network*

This site is not serviced by transit.

#### Environmental Analysis

The subject site is located in the Urban Services Area. There are no significant environmental features on the subject site. The subject site is located in the Chaires Crossroads watershed in the St. Marks Basin.

**F. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to [enter number of notices] property owners within 1,000 feet of Subject Site.

Public Outreach		Date Completed
X	Notices Mailed to Property Owners within 1000 feet	11/24/2020
X	Signs providing details of proposed land use posted on subject site	1/08/2021
X	Public Open House	12/10/2020
X	Staff Reports Available Online	11/06/2020
X	Email Subscription Notice sent to all users of service	12/07/2020

**Public Open House** –A Public Open House was held on December 10, 2020 to provide an overview of the applications received and the amendments (and concurrent rezonings) being requested. The Open House was held virtually using the WebEx platform. There were 40 people registered to attend the Public Open House. Of those registered, 10 indicated they had an interest in this amendment. Following the presentation on the proposed amendments, there was no discussion on this amendment.

**G. STAFF REPORT UPDATE**

Below is a list of all public meetings and actions taken by appointed or elected bodies in consideration of this proposed amendment:

Cycle Meetings		Date Completed
X	Local Planning Agency Workshop	1/5/2021
X	Local Planning Agency Public Hearing	2/2/2021
X	Joint City-County Commission Workshop	3/23/2021
	Transmittal Public Hearing [If Applicable]	
X	Adoption Public Hearing	4/13/2021

**Local Planning Agency Workshop** – January 5, 2021: A workshop was held on January 5, 2021 to discuss the proposed 2021 Cycle amendments. Staff provided an overview of the requested amendments and details of the preliminary analyses for the amendments. There were no questions from the LPA that resulted in updates to this staff report. The LPA did ask about the existing use of properties directly adjacent to the subject site. The two adjacent parcels are used as single-family residential property.

**Local Planning Agency Public Hearing** – February 2, 2021: The Public Hearing was held on February 2, 2021 to vote on the proposed 2021 Cycle amendments. The LPA found the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend ADOPTION of the proposed amendment. They also found that that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend APPROVAL of the proposed rezoning. The LPA asked questions of the applicant, but there were no other speakers on this item.

**Adoption Public Hearing** - April 13, 2021: The Public Hearing was held on April 13, 2021 to vote on the proposed 2021 Cycle amendments. The County Commission voted to adopt the proposed amendment.

## **H. APPENDICES**

- Appendix #1: Suburban (Policy 2.2.5 [L]) and Rural (Policy 2.2.1: [L]) Future Land Use Categories
- Appendix #2: Rural (Sec. 10-6.612) and General Commercial (Section 10-6.647) Zoning Code
- Appendix #3: Photo of signs providing details of proposed land use changes posted on subject site
- Appendix #4: Neighborhood Meeting information – hosted and provided by the Applicant
- Appendix #5: Example architectural style for the site included in the amendment application package
- Appendix #6: Public Comment as of March 24, 2021

**Appendix 1: Suburban (Policy 2.2.5 [L]) and Rural (Policy 2.2.1: [L]) Future Land Use Categories**

Policy 2.2.5: [L]

SUBURBAN (EFF. 3/14/07)

To create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible within walking distance. This category recognizes the manner in which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

Suburban Intensity Guidelines (EFF. 3/14/07; REV. EFF. 7/14/14)

Table 4: Suburban Intensity Guidelines

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percentage Mix of Uses
Low Density Residential	Residential, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ACRE <sup>(4)</sup>	10,000 SQ.FT/ACRE	65-90%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ACRE <sup>(4)</sup>	10,000 SQ.FT/ACRE <sup>(5)</sup>	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 UNITS/ACRE	20,000 SQ.FT/ACRE	65-90%
Medium Density Residential Office	Residential, Office, Ancillary 1 <sup>st</sup> Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools	8 to 20 UNITS/ACRE	20,000 SQ.FT/ACRE <sup>(6)</sup>	

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percentage Mix of Uses
Village Center	Residential, Office, Commercial up to 50,000 SQ.FT, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SQ.FT of floor area.	8 to 16 UNITS/ACRE	12,500 SQ.FT/ACRE per parcel for center 20 acres or less <sup>(7)</sup>	
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 UNITS/ACRE <sup>(3)</sup>	Up to 20,000 SQ.FT/ACRE <sup>(3)</sup>	35-50%
Suburban Corridor	Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service	Up to 16 UNITS/ACRE	Up to 25,000 SQ.FT/ACRE <sup>(8)</sup>	
Medical Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 20 UNITS/ACRE <sup>(3)</sup>	80,000 SQ.FT/ACRE <sup>(2)</sup>	5-10%
Business Park	Office, Residential and Commercial	Up to 16 UNITS/ACRE	20,000 SQ.FT/ACRE	
Light Industrial	Office, Commercial up to 10,000 SQ.FT per business, Light Industrial, Recreation, Light & Heavy Infrastructure, Community Service & Post-Secondary Schools and ancillary residential	1 UNIT/DEVELOPMENT	20,000 SQ.FT/ACRE <sup>(9)</sup>	

Notes: (1) 8 units/acre minimum for exclusively residential; (2) Hospitals up 176,000 sq ft/acre; (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed. (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available. (5) The maximum square footage is increased to 12,500 SF if the project is a mixed use development. (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C (7) 250,000 SF of total development permitted on 20 to 30 acre centers. (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed. (9) Storage areas may be 50,000 SF per acre.

While mixed land uses are encouraged in the Suburban Future Land Use Category, the more prevalent pattern will be a compatibly integrated mix of single-use developments that include low and medium density residential, office, retail and light industrial development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.

Policy 2.2.1: [L] RURAL/AGRICULTURE (REV. EFF. 8/17/92; REV. EFF. 7/26/06; REV. EFF. 12/24/10; REV. EFF. 7/6/15; REV. EFF. 1/19/20) INTENT Leon County’s agricultural and silvicultural lands have a long and productive history. They have served as both a source of food and materials for

urbanized areas of the County and as a significant economic engine for the region. Decades of suburbanization have dramatically reduced the amount of arable land available for agriculture and silviculture within the County. These lands are now at a premium and require protection to ensure that they remain viable, unfragmented, and productive for future generations.

The intent of the Rural category is to maintain and promote agriculture, silviculture, and natural resource-based activities, to preserve natural systems and ecosystem functions, and to protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Typical land uses within this category shall include agriculture, silviculture, and natural resource-based activities. Due to the very low intensity development pattern that is intended for the category, urban services are not planned or programmed for the area.

To promote infill and redevelopment within the Urban Service Area (USA) and Rural Communities, higher density residential, and non-residential activities that are not functionally related to and supportive of agriculture, silviculture and other natural resource based activities shall be prohibited within the Rural category.

#### ALLOWABLE USES, DENSITIES, AND INTENSITIES

1. Residential The Rural category shall allow for single family residential uses at a maximum density of one (1) dwelling unit per ten (10) gross acres.
2. Non-residential Agriculture, silviculture, and other natural resource based activities shall comprise the primary non-residential uses within the Rural category. Consistent with Florida's Right to Farm Act, bona-fide agricultural uses, on land classified as agricultural land by the Leon County Property Appraiser, shall not be subject to a nonresidential intensity limitation. Non-residential uses functionally related to and directly in support of agricultural, silvicultural, and other natural resource based activities, including ecotourism activities, may be permitted at a maximum intensity of 2,000 sq. ft. per gross acre. The location of such uses shall be limited to the intersection of major collector and arterial or arterial and arterial designated roadways. Total development at any one intersection shall not exceed 10,000 sq. ft. To ensure that such uses are developed in a manner that is compatible with the rural nature of the area, additional standards and limitations shall be included in the land development code.
3. Community and Recreational Facilities Community services and recreational uses may be permitted provided they are compatible with the natural and rural surroundings. Facilities associated with these uses may be I. Land Use Tallahassee-Leon County 2030 Comprehensive Plan (as of 2019-02ESR Amendment Cycle, eff. 1/19/20) 30 permitted at a maximum intensity of 2,000 sq. ft. per gross acre. Active recreational uses not functionally related to or supportive of agriculture, silviculture, natural resource based, or ecotourism activities, including, but not limited to golf courses, drag strips, and racetracks for motorized vehicles, are prohibited. To ensure that such uses are developed in a manner that is compatible with the rural nature of the area, additional design standards and limitations shall be included in the land development code.

**SPECIAL CONDITIONS** The following special conditions shall apply to the Rural future land use category:

1. Development proposals within the Rural area shall be evaluated for compatibility with adjacent agricultural uses and shall consider the land management activities associated with such uses. Development that is incompatible with agricultural uses, or has the potential to fragment, encroach upon, or displace such uses, shall not be permitted.

2. Property within the Rural category shall not be converted to a more intense land use category unless the subject site adjoins the Urban Service Area or a designated Rural Community.
3. Non-residential and light infrastructure development shall be subject to design standards that preserve the scenic and rural character of this category and protect existing rural residential development from offsite impacts of non-residential development. Design standards shall include, but not be limited to, signage, lighting, parking, landscape buffers, and building materials.
4. Existing uses and structures listed on the local or national historic register at the time of adoption of this amendment shall be considered conforming.



**Appendix 2: Rural (Sec. 10-6.612) and General Commercial (Section 10-6.647) Zoning Code**

**Sec. 10-6.612 Rural**

<b>1. District Intent</b>	<b>2. Allowable District Location</b>
The intent of the Rural zoning district is to maintain and promote agriculture, silviculture, and natural resource-based activities, preserve natural systems and ecosystem functions, and protect the scenic vistas and pastoral development patterns that typify Leon County’s rural areas. Allowable land uses within this district include agriculture, silviculture, ecotourism based activities, very low density residential, and community and passive recreational facilities. Non-residential uses, with the exception of community and passive recreational facilities, that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural zoning district. This district is not intended to accommodate commercial activities designed to service basic household needs of area residents. Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein. Due to the need to protect and preserve existing Rural lands from fragmentation and to promote infill and redevelopment within the Urban Services Area and Rural Communities, urban services are not planned or programmed for this area. Design standards and development standards for non-residential development and restricted uses, as noted herein, shall be required to prevent encroachment and fragmentation of agricultural uses as well as to ensure compatibility with adjacent uses.	The district may only be located within areas designated Rural on the Future Land Use Map.

**PERMITTED, PROHIBITED, AND RESTRICTED USES**

<b>3. Principal Uses</b>	<b>4. Prohibited Uses</b>	<b>5. Restricted Uses</b>	<b>6. Rural Accessory Uses Functionally Related to Bona-Fide Agriculture, Silviculture or Natural Resource-Based Activities</b>
(1) Agricultural (2) Silviculture (3) Wholesale Trade: Farm-product raw materials (4) Wholesale Nursery Products (5) Rural commercial (6) Community services (7) Low-density residential (single, two-family, or manufactured home) (8) Passive recreation (9) Light infrastructure (10) Cemeteries	(1) Manufacturing (2) Extraction and bottling of mineral or springwater – wholesale (3) High Pressure well stimulation/Acid Fracturing and/or Hydraulic Fracturing (4) Gas stations, fuel oil and liquefied petroleum products (5) Convenience stores (6) Grocery stores (7) General merchandise sales (8) Drug stores (9) Automotive repair (10) Motor vehicle racing tracks/amusement parks (11) Heavy Infrastructure (with the exception of those listed under restricted uses) (12) Active recreation (with the exception of those listed under restricted uses) (13) Other uses which are not functionally supportive of and accessory to established agricultural, silvicultural or natural resource-based activities within the Rural zoning district.	(1) Mining (2) Landscape counseling and planning (3) Airports, flying fields and services (4) Camps and recreational vehicle parks (5) Botanical and zoological gardens (6) Archaeological historical sites (7) Commercial kennels (8) Veterinary clinics (9) Riding academies/livery or boarding stables	Pursuant to Section 823.14, F.S., a bona-fide farm operation shall be exempt from local regulation, ordinance, rule or policy that prohibits, restricts, regulates or otherwise limits activities of a bona-fide farm operation on land classified as agricultural land pursuant to s. 193.461 FS.  Pursuant to Section 823.14(3)(b), F.S., “farm operation” shall mean all conditions or activities which occur on a farm in connection with that farm’s products.

<b>7. Development Standards</b>										
<b>Use Category</b>	<b>a. Lot area (acres)</b>	<b>b. Minimum lot frontage</b>	<b>c. Front yard setback</b>	<b>d. Corner yard setback</b>	<b>e. Side yard setback</b>	<b>f. Rear Yard Setback</b>	<b>g. Maximum percent impervious surface area</b>	<b>h. Maximum height at building envelope perimeter</b>	<b>i. Maximum height per additional setback</b>	<b>j. Total maximum height</b>
Low Density Residential	10 acres minimum	15 feet	30 feet	30 feet	20 feet	50 feet	30	35 feet	1’/1’	Not applicable
Rural Commercial	3.0 acres minimum; 5.0 acres maximum*	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	30	35 feet	1’/1’	45 feet

<b>7. Development Standards</b>										
<b>Use Category</b>	<b>a. Lot area (acres)</b>	<b>b. Minimum lot frontage</b>	<b>c. Front yard setback</b>	<b>d. Corner yard setback</b>	<b>e. Side yard setback</b>	<b>f. Rear Yard Setback</b>	<b>g. Maximum percent impervious surface area</b>	<b>h. Maximum height at building envelope perimeter</b>	<b>i. Maximum height per additional setback</b>	<b>j. Total maximum height</b>
Community Services	3.0 acres minimum; 5.0 acres maximum	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet
Restricted Uses; Passive Recreation Facilities	3.0 acres minimum	Not applicable	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	30	35 feet	1'/1'	45 feet
Comp. Plan Policy 2.1.9 Subdivision	0.5 acres minimum	15 feet	25 feet	25 feet	15 feet	50 feet	30	35 feet	1'/1'	Not applicable

**8. Development Standards for Community Service uses:**

Community Service uses shall also be subject to the buffer zone standards (section 10-7.522), the parking and loading requirements (Subdivision 3 of Division 5 of Article VII) and applicable design standards outlined in subsection 11 of this section.

- (1) Single structure: 5,000 gross square feet maximum.
- (2) Site area: 3 acres minimum; Maximum of 5 acres.

**9. Rural Commercial Intersection Location Standards:**

The intersection location standard is intended to group rural commercial activities toward intersections to provide access and to prevent fragmentation of agricultural uses.

- (1) *Major Function:*  
Provide sales and services functionally related to and supportive of agriculture, silviculture and natural resource-based activities.
- (2) *Location:*  
On or near the intersection (access within 330 feet of the centerline of the intersection) of an arterial/arterial or arterial/major collector roadway.
- (3) *Site area:*  
3.0 acres minimum with a maximum of 5.0 acres per quadrant.
- (4) *Allowable building square footage:*  
Maximum of 10,000 gross square feet per intersection (only 2 quadrants per intersection may be developed for rural commercial). Single structure limited to a maximum of 5,000 gross square feet.

**10. Development standards for restricted uses.**

All proposed restricted uses shall meet the applicable provisions of Section 10-6.611 (Special Exception uses and Restricted uses); the applicable design standards noted in subsection 11 of this section; the buffer zone standards (section 10-7.522); and, the parking and loading requirements (Subdivision 3 of Division 5 of Article VII). All restricted uses shall be limited to a maximum building area of 2,000 gross square feet per acre with no more than 5,000 gross square feet of retail commercial or office space. The following restricted uses require satisfaction of additional criteria:

- (1) Mining activities.
  - a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes NAICS items 212321 and 212324.
  - b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
    - 1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property

## 10. Development standards for restricted uses (Continued).

owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.

2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.
4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the county administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.

### (2) Camps and recreational vehicle parks (NAICS 721211 and 721214).

- a. All camps and recreational vehicle parks must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:
  1. Sanitary facilities shall be provided.
  2. Not more than five campsites per gross acre shall be provided.
  3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

### (3) Airports, flying fields and services

- a. All airports, flying fields and services must meet the specific development standards as noted in this section and as required by state or federal law, and shall require review and approval by the Board of County Commissioners following a duly noticed public hearing.

## 11. Site Design Criteria.

Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein.

### (1) A plan and supporting narrative must be submitted pursuant to the applicable site and development plan process outlined in Article VII that demonstrates compliance, as applicable, with the following:

- a. Freestanding onsite signs shall be limited to monument-style signs and the sign base shall be consistent with the materials and design context of the primary onsite building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited. For sites not located at intersections, onsite ground signs shall be limited to no more than 32 square feet in area and limited to no more than 10 feet in height.
- b. Building design standards including any proposed accessory buildings and structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments.
- c. On-site lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the "Dark Sky Friendly" guidelines.
- d. All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.
- e. Lighting at the property line (six feet above ground) adjacent to residential uses shall not exceed 0.1 foot candles.
- f. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.
- g. Perimeter buffering and/or fencing requirements shall be based on the density of the adjacent residential uses. If the adjacent residential density is 0.5 dwelling units per acre or greater, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.
- h. The trash collection dumpster shall be accessible to waste collection vehicles, and shall be located in the side or rear setback area of the onsite principle building. The dumpster shall be screened with a material and design treatment consistent with the building façade of the principle building.
- i. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary onsite building.
- j. The site design shall integrate internal and where appropriate external pedestrian circulation and interconnection including the accommodation of bike circulation were applicable.
- k. The hours of operation shall be limited to 6:00 am to 10:00 pm.
- l. To ensure compatibility, other site design treatments and considerations may be applicable to the proposed use and shall be identified during the proposed project's application review meeting.

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential development shall provide no less than 0.50 acre of buildable area. Nonresidential development and community service facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Footnotes:

\* If subdivision is proposed to create the rural commercial parcel, then the remaining portion of the property shall meet the minimum lot size standards noted herein.

Section 10-6.647. C-2 General Commercial district.

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p>The C-2 district is intended to be located in areas designated Bradfordville Mixed Use, Suburban or Woodville Rural Community on the Future Land Use Map of the Comprehensive Plan shall apply to areas with direct access to major collector or arterial roadways located within convenient traveling distance to several neighborhoods, wherein small groups of retail commercial, professional, office, community and recreational facilities and other convenience commercial activities are permitted in order to provide goods and services that people frequently use in close proximity to their homes. The C-2 district is not intended to accommodate large scale commercial or service activities or other types of more intensive commercial activity. The maximum gross density allowed for new residential development in the C-2 district is 16 dwelling units per acre, with a minimum gross density of 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum density. The residential uses are required to be located on the second floor or above a building containing commercial or office uses on the first floor. Mixed use projects in the C-2 district are encouraged, but are not required. In order to maintain compact and non-linear characteristics, C-2 districts shall not be located closer than ¼ mile to other C-2 or C-1 districts or to parcels of land containing commercial developments including more than 20,000 gross square feet of floor area and shall not exceed 30 acres in size.</p>	<p>(1) Antique shops.  (2) Automotive service and repair, including car wash.  (3) Bait and tackle shops.  (4) Banks and other financial institutions.  (5) Camera and photographic stores.  (6) Cocktail lounges and bars.  (7) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and high schools. Elementary schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations.  (8) Day care centers.  (9) Gift, novelty, and souvenir shops.  (10) Indoor amusements (bowling, billiards, skating, etc.).  (11) Indoor theaters (including amphitheatres).  (12) Laundromats, laundry and dry cleaning pick-up stations.  (13) Mailing services.  (14) Medical and dental offices, services, laboratories, and clinics.  (15) Motor vehicle fuel sales.  (16) Non-medical offices and services, including business and government offices and services.  (17) Non-store retailers.  (18) Passive and active recreational facilities.  (19) Personal services (barber shops, fitness clubs etc.).  (20) Photocopying and duplicating services.  (21) Rental and sales of dvds, video tapes and games.  (22) Rental of tools, small equipment, or party supplies.  (23) Repair services, non-automotive.</p>	<p>(24) Residential (any type), provided that it is located on the second floor or above a building containing commercial or office uses on the first floor.  (25) Restaurants, with or without drive-in facilities.  (26) Retail bakeries.  (27) Retail computer, video, record, and other electronics.  (28) Retail department, apparel, and accessory stores.  (29) Retail drug store.  (30) Retail florist.  (31) Retail food and grocery.  (32) Retail furniture, home appliances, accessories.  (33) Retail home/garden supply, hardware and nurseries.  (34) Retail jewelry store.  (35) Retail needlework shops and instruction.  (36) Retail newsstand, books, greeting cards.  (37) Retail office supplies.  (38) Retail optical and medical supplies.  (39) Retail package liquors.  (40) Retail pet stores.  (41) Retail picture framing.  (42) Retail sporting goods, toys.  (43) Retail trophy store.  (44) Shoes, luggage, and leather goods.  (45) Social, fraternal and recreational clubs and lodges, including assembly halls.  (46) Studios for photography, music, art, dance, and voice.  (47) Tailoring.  (48) Veterinary services, including veterinary hospitals.  (49) Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district.</p>
<p><b>FOR DEVELOPMENT STANDARDS REFER TO PAGE 2 OF 2</b></p>		

DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal Use	none	none	none	25 feet	15 feet on each side	25 feet	10 feet	Except for properties within the Woodville Rural Community, 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed 200,000 square feet of gross building floor area for each district containing 20 acres or less. 12,500 square feet of non-residential gross building floor area per acre and commercial and/or office uses not to exceed a maximum of 250,000 square feet of non-residential gross building area per district for districts containing more than 20 acres to 30 acres. Individual buildings may not exceed 50,000 gross square feet. Within the Woodville Rural Community, 12,500 square feet of non-residential gross building area per acre and commercial uses not to exceed 50,000 square feet of gross building floor area per parcel.	3 stories
<b>7. Street Vehicular Access Restrictions:</b> Properties in the C-2 zoning district shall be located on a major collector or arterial street, but may have additional vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: RA, R-1, R-2, R-3, R-4, R-5, MH, , and RP.									

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and inside the Urban Services Area non-residential development is limited to a maximum of 2,500 square feet of building area. Inside the Urban Services Area, community service facilities are limited to a maximum of 5,000 square feet of building area or a 500-gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).

### Appendix 3: Photos of public notice signage





**Appendix 4: Neighborhood Meeting information – meeting hosted and information provided by the Applicant**



**the planning collaborative**

## Letter of Transmittal

Date: December 11, 2020

To: Artie White, AICP, CNU-A  
Tallahassee-Leon County Planning  
Dept.  
Comprehensive Planning Division  
Via email

From: Allara Mills Gutcher, AICP  
Managing Principal  
the planning collaborative  
2311 Lee Street  
Lynn Haven, FL 32444

Project Name: WW Kelley Road; LMA 2021 06

Purpose: Comprehensive Plan Map Amendment and Rezoning

Materials Submitted:      1) Letter of Transmittal (this document)  
   2) Letter sent to area property owners (with location map)  
   3) Sign-in sheet  
   4) Meeting Notes

Please accept this packet of information for your files. This information is submitted in regard to a neighborhood meeting Teramore Development held on December 8, 2020 regarding the WW Kelley Road application request to Tallahassee-Leon County Planning for a Future Land Use Map amendment and Rezoning.

As a note, this meeting was held virtually and in person. The attendees who participated via Zoom were not recorded on the sign-in sheet.

All materials are submitted via electronic transfer to  
[artie.white@talgov.com](mailto:artie.white@talgov.com)

**165 Big Star Road, Thomasville, Georgia 31757  
Office: 229.516.4289 Fax: 229.516.4229**

November 24<sup>th</sup>, 2020

**Re: Proposed Rezoning and Future Land Use Amendment for property at the corner of Apalachee Parkway and WW Kelley Road, Tallahassee.**

Dear Neighbor,

We are writing to you because you own property within a 1,000 foot radius of a site located at the southeast corner of the intersection of Apalachee Parkway and WW Kelley Road in Tallahassee (see enclosed map). We are seeking a Comprehensive Plan Future Land Use Map amendment from Rural to Suburban, and a rezoning from Rural to C-2. Teramore Development is exploring a potential commercial development at this location and would like to invite you to be a part of a Neighborhood Meeting so we can share with you information regarding our plans for the property and answer questions you may have about our project. You may attend the meeting in person at the below location or via Zoom in accordance with the information below.

The information for the meeting is below:

**DATE:** December 8<sup>th</sup>, 2020  
**TIME:** 6:00 PM-7:00 PM  
**LOCATION:** Central Heights Baptist Church  
7150 Apalachee Parkway  
Tallahassee, FL 32311

**MEETING LINK:** <https://zoom.us/j/91027765503?pwd=dFo4YmJMVy9WajJNbjFWWU02c1p2UT09>




**MEETING ID: 910 2779 5503**

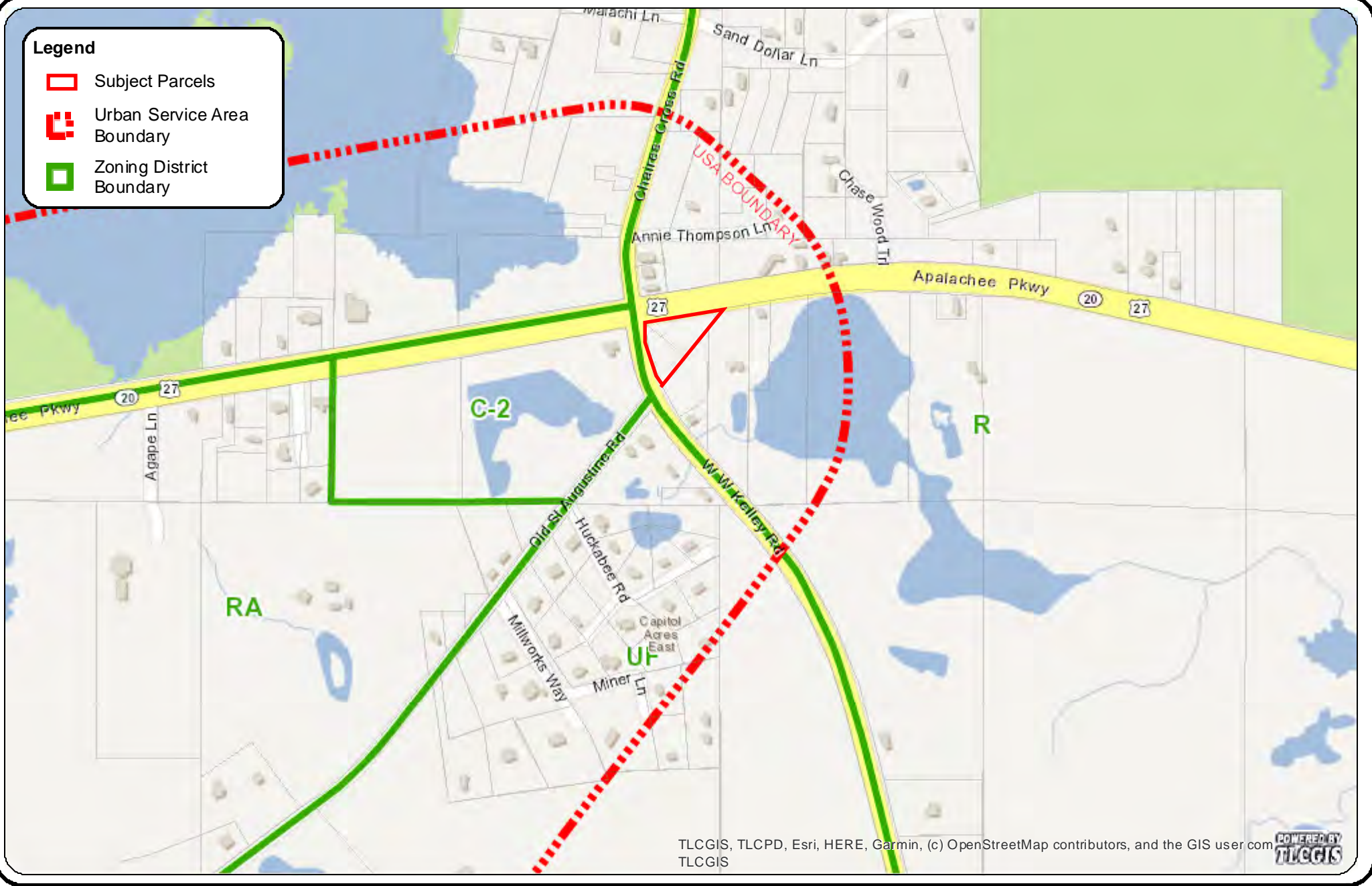
**PASSCODE: 815211**

Should you have any questions prior to or after this meeting, please feel free to contact me at (229) 516-4289. We look forward to seeing you at the meeting.

Sincerely,  
Tyler Graybill

**Legend**

-  Subject Parcels
-  Urban Service Area Boundary
-  Zoning District Boundary



TLCGIS, TLCPD, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community  
 POWERED BY TLCGIS



**Zoning Map  
 DISCLAIMER**

This product has been compiled from the most accurate source data from Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County, the City of Tallahassee, and the Leon County Property Appraiser's Office assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



<b>Scale:</b>	Tallahassee/Leon County GIS Management Information Services Leon County Courthouse 301 S. Monroe St, P3 Level Tallahassee, FL 32301 850/606-5504 <a href="http://www.tlccgis.org">http://www.tlccgis.org</a>
Not To Scale:	
<b>Date Drawn:</b>	September 9, 2020
September 9, 2020	

Date:

Dollar General:

Topic TALAHASSEE, FL: WW KELLEY RD. COMMUNITY MEETING

Date 12-08-2020

Sign in Sheet

Name (Printed)

Address:

Phone #:

Dorothy Speare

3782 Fairview Dr

850-578-838

Joseph Alday

Marianna, FL 32317

850-526-2040

Sandra Crosby

9549 Old St Augustine

850-509-3824

Alexander Silva

L. Bowman

Allen Thompson

(954) 240-5601



December 8, 2020

### **Neighborhood Meeting Notes**

Proposed Future Land Use Map Amendment and Rezoning for property located at the southeast intersection of Apalachee Parkway and WW Kelley Rd, Tallahassee, Florida

Attendee Comments and Questions Included the Following:

- Discussion of proposed development, approximate square footage, parking capacity.
- One attendee remarked that she had spoken to other property owners in the area who expressed excitement about a Dollar General store in the area, due to its convenience—attendee mentioned the closest general retail store is several miles further away currently.
- An attendee expressed she is generally in support of the development, noting that a benefit will be the store's walkability for residents in the immediate vicinity.
- Another attendee expressed concerns about additional traffic to the area, as well as the potential for the proposed site attracting crime. Attendee owns a parcel adjacent to the proposed site.
- Discussion of strategies for mitigating traffic and crime concerns, including lighting, landscape buffering, and specific ingress/egress plans for site.
- Adjacent property owner expressed concerns about vacant alley abutting the proposed site.
- Discussion about convening with surveyor in the future to discuss how alley will be divided.
- Questions and discussion about timeline of development.

**Appendix 5: Example Architectural Style**



There have been two public comments received on this amendment as of March 24, 2021.



**From:** [bscotch@embarqmail.com](mailto:bscotch@embarqmail.com)  
**To:** [CMP\\_PLN\\_AMND](#)  
**Cc:** [Perrine, Beth](#)  
**Subject:** 2021 Comp Plan Public Comment Submission  
**Date:** Monday, January 4, 2021 12:42:30 PM

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- **Amendment:** LMA202106
- **Name:** Mann
- **Address:** 1120 E. Windwood Way
- **City:** Tallahassee
- **State:** FL
- **Zip:** 32311
- **Email Address:** bscotch@embarqmail.com
- **Comments:** Note: Accidentally submitted earlier comment. Please append this to my earlier remarks. Let me say that I prefer retention of the Rural zoning in support of the flavor of life out this way. If rezoning is approved I wish for you to consider the following. It appears the Georgia based applicant for the WW Kelley rezoning builds Dollar General Stores. There is some sentiment that a high density of Dollar stores tend to crowd out other development such as full service groceries and drugstores. Some jurisdictions have passed ordinances limiting density of these stores. While this does not appear to be an issue in rural Leon at this point there are two other considerations. First off is traffic safety. The current Dollar store on the Parkway produces quite a bit of traffic. It is located just over a crest in a 55 mph. zone and potentially dangerous. The exit will now be shared with a new steel storage facility creating more traffic. The lighting of the Dollar store lot were improperly focused and blinded oncoming drivers until some limbs obscured them. Finally, I wish to point out that the appearance of the proposed store will set a norm for other commercial establishments built nearby. I note that a number of jurisdictions have required that building be constructed in an approved style compatible with a rural setting. (These stores are highly lucrative and they can afford to do this.) I am requesting that Leon County do likewise. I know this was long. If you got to here I thank you.

**From:** [Lonnie Mann](#)  
**To:** [Christesen, Julie](#)  
**Subject:** Re: 2021 Comp Plan Public Comment Submission  
**Date:** Tuesday, January 19, 2021 9:34:16 AM  
**Attachments:** [image001.png](#)

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**\*\*\*EXTERNAL EMAIL\*\*\***

Please report any suspicious attachments, links, or requests for sensitive information.

Thanks, Ms. Christesen. I had submitted a long piece on the history of the Parkway, the entrance to the front door of Florida's Capitol. Mostly just lamenting how there is no longer any park left in the parkway. Anyhow, the essence of what I wished to say is contained in the message you did receive.

Lonnie Mann

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**From:** "Christesen, Julie" <[Julie.Christesen@talgov.com](mailto:Julie.Christesen@talgov.com)>  
**To:** "bscotch" <[bscotch@embarqmail.com](mailto:bscotch@embarqmail.com)>  
**Cc:** "White, Artie" <[Artie.White@talgov.com](mailto:Artie.White@talgov.com)>  
**Sent:** Tuesday, January 19, 2021 9:04:35 AM  
**Subject:** 2021 Comp Plan Public Comment Submission

Good morning,

I see in your comment below that you mention you accidentally submitted an earlier comment, but we did not receive any other comments from you.

If you would like to send us other comments, please feel free to email them to [cmpplnammd@talgov.com](mailto:cmpplnammd@talgov.com), or you can send them to me and I will make sure they are a part of the record.

Thank you,  
Julie

**From:** [bscotch@embarqmail.com](mailto:bscotch@embarqmail.com) <[bscotch@embarqmail.com](mailto:bscotch@embarqmail.com)>  
**Sent:** Monday, January 4, 2021 12:42 PM  
**To:** CMP\_PLN\_AMND <[cmpplnammd@talgov.com](mailto:cmpplnammd@talgov.com)>  
**Cc:** Perrine, Beth <[Mary.Perrine@talgov.com](mailto:Mary.Perrine@talgov.com)>  
**Subject:** 2021 Comp Plan Public Comment Submission

- **Amendment:** LMA202106
- **Name:** Mann
- **Address:** 1120 E. Windwood Way
- **City:** Tallahassee
- **State:** FL
- **Zip:** 32311
- **Email Address:** [bscotch@embarqmail.com](mailto:bscotch@embarqmail.com)
- **Comments:** Note: Accidentally submitted earlier comment. Please append this to my earlier remarks. Let me say that I prefer retention of the Rural zoning in support of the flavor of life out this way. If rezoning is approved I wish for you to consider the following. It appears the Georgia based applicant for the WW Kelley rezoning builds Dollar General Stores. There is some sentiment that a high density of Dollar stores tend to crowd out other development such as full service groceries and drugstores. Some jurisdictions have passed ordinances limiting density of these stores. While this does not appear to be an issue in rural Leon at this point there are two other considerations. First off is traffic safety. The current Dollar store on the Parkway produces quite a bit of traffic. It is located just over a crest in a 55 mph. zone and potentially dangerous. The exit will now be shared with a new steel storage facility creating more traffic. The lighting of the Dollar store lot were improperly focused and blinded oncoming drivers until some limbs obscured them. Finally, I wish to point out that the appearance of the proposed store will set a norm for other commercial establishments built nearby. I note that a number of jurisdictions have required that building be constructed in an approved style compatible with a rural setting. (These stores are highly lucrative and they can afford to do this.) I am requesting that Leon County do likewise. I know this was long. If you got to here I thank you.

**Julie Conn Christesen, AICP**

**Principal Planner**

Tallahassee-Leon County Planning Dept.

Comprehensive Planning & Urban Design

[Julie.Christesen@talgov.com](mailto:Julie.Christesen@talgov.com)



Please note that under Florida's Public Records laws, most written communications to or from city and county staff or officials regarding public business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.