

**Agenda Item Details**

Meeting	Sep 28, 2016 - City Commission Meeting
Category	15. 6:00 P.M. PUBLIC HEARINGS
Subject	15.04 First of two Public Hearings on Ordinance No. 16-O-17: Proposed amendments to Chapter 10, Zoning, amending the Lake Protection district and cluster development standards; Second Public Hearing scheduled for October 26, 2016 at 6:00pm in the Chambers of the City of Tallahassee City Commission at City Hall -- Karen Jumonville, Growth Management
Type	Public Hearing

For more information, please contact: Karen Jumonville at 850-891-7100.

Statement of Issue

The proposed Ordinance to amend the Land Development Code is in response to amendments to the Lake Protection Future Land Use (FLU) Category approved on May 26, 2015. Revisions to the Lake Protection FLU included changes allowing residential density of up to two dwelling units per gross acre permitted within developments designed as a Clustered Subdivision; provided for light infrastructure; provided levels of intensity for community services and recreation uses; for existing, lawfully established non-conforming uses that are compatible with surrounding uses and meet all water quality standards to be considered permitted uses. Adoption of the text amendment requires that the Land Development Code be revised. This agenda item requests that the City Commission hold the first of two public hearings regarding Ordinance 16-O-17 to the Tallahassee Land Development Code (TLDC) Chapter 10, related to Lake Protection District and Cluster Development standards, and hold the second public hearing on October 26, 2016. The changes implement the Lake Protection Future Land Use that was adopted May 26, 2015.

Recommended Action

Option 1: Hold the first of two public hearings on Ordinance 16-O-17, revising Chapter 10 of the Tallahassee Land Development Code, revisions to the Lake Protection district and cluster development standards, with the second and final public hearing to be held on October 26, 2016 at 6:00 p.m.

Fiscal Impact

None

Supplemental Material/Issue Analysis***History/Facts & Issues*****History**

July 16, 1990: Adoption of the Tallahassee-Leon County Comprehensive Plan.

February 26, 1992: Adoption of Ordinance 91-O-0065AA, which created the Lake Protection District.

May 26, 2015: Adoption of amendment to the Tallahassee-Leon County Comprehensive Plan revising the Lake Protection Future Land Use Category.

August 2, 2016: The Planning Commission voted 6-0 to find the Ordinance 16-O-17 consistent with the Comprehensive Plan and to recommend that it be approved by the City Commission.

September 14, 2016: The City Commission is scheduled to introduce Ordinance 16-O-17

Facts

Chapter 10, Zoning, of the Tallahassee Land Development Code, Section 10-169 establishes the intent and density in the Lake Protection District, Section 10-240 establishes the uses and development standards in the Lake Protection District, and Section 10-426, establishes standards related to cluster development.

Discussion and Analysis

The City of Tallahassee and Leon County adopted a lake protection Comprehensive Plan text amendment in 2015 (PCT150104, adopted May 26, 2015) to update and revise lake protection standards, defer standards more appropriate for the Land Development Code to that document, and address sustainable growth inside the Lake Protection Zone. The proposed Ordinance No. 16-O-17 (Attachment 1 and Attachment 2) provides changes to the City's Land Development Code to implement the 2015 Comprehensive Plan policy revisions in the City.

The Lake Protection Future Land Use has been in existence since adoption of the Comprehensive Plan in 1990. The category was created in response to concerns regarding water quality in Lake Jackson. At the time, the lake had been negatively impacted by development within its watershed, including the construction of I-10 and large-scale developments along North Monroe Street (Highway 27). These developments contributed to the degradation of the water quality in Lake Jackson by allowing untreated stormwater to flow freely into the lake.

The Lake Protection district was adopted by the City in 1992. LP allows traditional residential development of one dwelling unit per two acres, while allowing a Clustered Subdivision option of one dwelling unit per acre where residential development is clustered on 25 percent of the site, leaving the remaining 75 percent in a natural state. Office, commercial, industrial and light infrastructure uses are not allowed in the District.

The proposed amendment retains the residential, community service and a recreational use currently allowed in the District and amends the Lake Protection and Cluster Development sections of the Land Development Code to be consistent with the LP FLU category. In summary, the changes will:

- Revise the density for cluster development at two dwelling units per one gross acre;
- Allow stormwater facilities to be included in the 60 percent set-aside required under the Clustered Subdivision option, provided the facility is designed as an amenity;
- Provide specific development standards for new and existing non-residential uses;
- Update and combine the District intent and development standards;
- Provide light infrastructure as an allowed use; and
- Remove the uses categorized by the Standard Industrial Code and provide an updated and generalized list of uses, consistent with the uses currently allowed.

Comprehensive Plan Consistency

The Tallahassee-Leon County Planning Commission reviewed the proposed ordinance on August 2, 2016 and found the changes to Chapter 10 of the TLDC consistent with the Comprehensive Plan.

Options

1. Hold the first of two public hearings on Ordinance 16-O-17, revising Chapter 10 of the Tallahassee Land Development Code, revisions to the Lake Protection district and cluster development standards, with the second and final public hearing to be held on October 26, 2016 at 6:00 p.m.

Pros:

- Updates the Land Development Code Lake Protection District and Cluster Development Standards to be consistent with the Comprehensive Plan;
- Reformats the Land Development Code to provide the Lake Protection District intent and development standards in one Section;

Cons:

- Does not maintain the current Lake Protection development and cluster standards, which are stricter than the recently revised Lake Protection FLU policy.

2. Do not hold the first of two public hearings on Ordinance 16-O-17, revising Chapter 10 of the Tallahassee Land Development Code, revisions to the Lake Protection District and Cluster Development Standards, with the second and final public hearing on October 26, 2016.

Pros:

- Maintains the current Lake Protection development and cluster standards, which are stricter than the recently revised Lake Protection FLU policy.

Cons:

- Maintains uses and densities incompatible with the Lake Protection Future Land Use;
- Does not revise the Cluster Development standards to be consistent with the Lake Protection Future Land Use.

3. Provide alternative direction to staff.

Attachments/References

1. Ordinance No. 16-O-17
2. Exhibit A to Ordinance No. 16-O-17

[Attachment 1 - Ordinance -16-O-17 Lake Protection and Cluster Development Standards.pdf \(100 KB\)](#)

[Attachment 2 - Exhibit A to Ordinance 16-O-17.pdf \(129 KB\)](#)