

# VIBRANT | TOMORROW

STATE OF THE LAND USE ELEMENT

## ***Executive Summary***

The goal of the Comprehensive Plan Update project is to “align the land use and development plan with established community priorities,” beginning with a comprehensive assessment and revision of the Land Use Element. While there have been changes, the **Land Use Element has not been comprehensively revised since the current Plan was adopted in 1991.**

Since adoption of the current plan 25 years ago, incremental changes have led to inconsistency in the content and format of the Land Use Element. While the Land Use Element has been effective in helping to achieve long-term community goals, such as the establishment and maintenance of the Urban Service Area boundary, the current structure of the plan could be updated to improve consistency and usability. This effort also provides an opportunity to better integrate the community’s current values into the Comprehensive Plan.

### **Findings:**

- Many amendments were adopted to comply with changing state statutory requirements and most were piecemeal rather than comprehensive
- Over time, the Land Use Element has become overburdened with detailed regulations and outdated policies
- Changing state regulations have provided an opportunity to refocus policies on local priorities
- There is a need to integrate the Land Use and Mobility Elements to achieve shared land use and transportation goals
- Utilizing a values-driven approach for these revisions will emphasize the community’s vision and priorities for future growth and development

This **State of the Land Use Element** report provides the foundation for moving forward with a comprehensive update to the Land Use Element, which includes the integration of the Mobility Element. This report is organized into the following sections:

The *Comprehensive Plan* (Page 2) will briefly discuss the evolution of the Tallahassee-Leon County Comprehensive Plan over the past 50 years.

The *Land Use Element* (Page 6) details the findings of the comprehensive review of the current element. What is working and what isn’t are highlighted, focusing on specific examples.

*Highlights and Recommendations* (Page 16) will summarize the main findings and outline recommendations for moving forward with the update to the Land Use and Mobility Elements.

*Land Use and Mobility Elements Update: Scope and Schedule* (Page 20) details the project timeline.

The *Appendix* (Page 23) contains additional materials referenced within the report.



## **The Comprehensive Plan**

### ***The 2030 Tallahassee-Leon County Comprehensive Plan***

The Tallahassee-Leon County Comprehensive Plan provides the blueprint for growth and development within Leon County. The Comprehensive Plan is used every day in decisions made by local government and guides and informs the actions of property owners, developers, businesses, and neighborhoods. The introduction to the Comprehensive Plan states:

“The purpose of the comprehensive plan is to preserve, protect and enhance the quality of life for all citizens. The plan encourages and supports economically sound residential, educational, employment, cultural, recreational, commercial and industrial opportunities for citizens. This is facilitated by systematically planning for growth, development and redevelopment.”

### ***The Relationship of the Comprehensive Plan to the Land Development Code***

Growth and development in Tallahassee and Leon County – everything from large-scale commercial developments to modifications to single-family homes – are guided by two types of adopted documents governing land use: the Comprehensive Plan and the land development regulations. The Comprehensive Plan regulated land uses within both the City and the County. Within the city limits, the Tallahassee Land Development Code establishes standards for development. The Leon County Land Development Regulations similarly apply to properties located in the unincorporated areas of Leon County.

The Comprehensive Plan addresses issues related to the appropriate and compatible uses of land, management and preservation of natural resources, identification and preservation of historically significant lands and structures, and adequate planning for infrastructure needs. In contrast, the land development regulations address specific requirements such as building setbacks and parking orientation. As such, the Comprehensive Plan is intended to be a pre-requisite to the land development regulations that provide site-specific use and development standards including zoning. The visionary goals, objectives and policies contained in the Comprehensive Plan are implemented through the more detailed land development regulations. All land development regulations and land development decisions must be consistent with the adopted comprehensive plan.

### ***Evolution of the Comprehensive Plan***

The first joint Tallahassee-Leon County Comprehensive Plan was adopted in the 1960s, with the first update completed in 1971. Following the approval of the Growth Management in Act in 1975, all municipal governments in Florida were required to prepare comprehensive plans that addressed minimum requirements and procedures for land use approvals. The introduction to the 1981 update to the Tallahassee-Leon County Comprehensive Plan referenced these statutory directives:

“As a result of the adoption of Florida’s Local Government Comprehensive Planning Act of 1975, all units of local government have to **prepare a comprehensive plan which meets state requirements-as-to-timing, content, and procedure**. This comprehensive plan represents a strong effort by the Tallahassee and Leon County governments to not only satisfy their own needs, but the requirements of the State of Florida as well<sup>1</sup>.”

The Local Government Comprehensive Planning and Land Development Regulation Act of 1985 substantially amended the 1975 growth management legislation and greatly expanded state requirements and the authority of state review for local comprehensive plans. The Local Planning Agency (LPA), which still exists and currently reviews all proposed amendments to the Comprehensive Plan, was formed in 1987 to assist with drafting the updated Comprehensive Plan. The initial LPA was comprised of citizen volunteers whose charge was to develop and forward to the City and County Commissions a Comprehensive Plan consistent with the new statutory requirements established by the 1985 legislation. The LPA established five citizen task forces in April 1988: conservation & recreation/open space; housing; utilities; transportation; and intergovernmental coordination. These five citizen groups developed the goals, objectives and policies that would form the various elements of the new Comprehensive Plan. The resulting document was substantially driven by statutory requirements for goal, objectives, and implementing policies.

Tallahassee and Leon County were required to submit the updated Comprehensive Plan to the Florida Department of Community Affairs (DCA) by February 1, 1990. There were numerous policies initially found not in compliance by DCA. It took over a year to negotiate various changes. In July 1991, 59 policy changes were adopted and the Plan was eventually found in compliance.

Since 1991 the Comprehensive Plan has been updated at least once a year. Evaluation and Appraisal Reports (EARs) required every seven years have been conducted regularly. Over the past 25 years, there have been 976 proposed amendments to the current Comprehensive Plan.

### ***Current Comprehensive Plan***

Today, the comprehensive plan is approximately 350 pages in length. It contains ten (10) elements, eight (8) of which are required by state statute and two (2) that are optional. Within these elements are 43 goals, 149 objectives, and 751 implementing policies. Within the Land Use Element, there are 25 future land use categories.

Since adoption of the current plan 25 years ago, there have been changes large and small to the Comprehensive Plan. Many changes were enacted to comply with changing state statutory requirements and most were piecemeal rather than comprehensive.

Amendments to the plan to implement local values and priorities have primarily focused on a specific initiative or target area, such as the development of a Downtown Boundary, creation of the Multimodal Transportation District (MMTD), and development of Wakulla Springs protection policies. These were

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<sup>1</sup> 1981 Tallahassee-Leon County Comprehensive Plan, Introduction

positive changes, and the implementation of these policies continues to have benefits for the citizens of Tallahassee and Leon County. However, changes to the Comprehensive Plan to implement specific initiatives or area plans coupled with continuous efforts to comply with changing state regulations have resulted in a lack of cohesion within and across elements of the plan. In particular, heavily amended elements, such as the Land Use Element, have become very fragmented and cumbersome.

### ***Comprehensive Plan Update Project***

At a joint meeting of the Tallahassee City Commission and the Leon County Board of County Commissioners on May 26, 2015, staff from the Tallahassee-Leon County Planning Department presented a multi-year scope and schedule for updating the Land Use Element of the Comprehensive Plan. This project was initiated by the Board of County Commissioners at the December 8, 2014 Annual Retreat. At this meeting, Planning staff presented an overall analysis of the effectiveness of the Comprehensive Plan. This analysis included an overview of previous reform efforts and statistics regarding both administrative and privately-initiated amendments to the plan. As a result of this presentation and subsequent discussions, the Board created two new Strategic Initiatives aimed at revising, reformatting, and generally improving the overall usability of the Tallahassee-Leon County Comprehensive Plan.

- Reformat the existing on-line Comprehensive Plan to modernize its appearance and increase usability<sup>2</sup>.
- Initiate a comprehensive review and revision to the Land Use Element of the Comprehensive Plan.

The following section will dive deeper into the recent analysis of the Land Use Element - identifying current shortcomings regarding structure and content but also highlighting Land Use Element policies that continue to work well for the residents of Tallahassee and Leon County.

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<sup>2</sup> This effort has been completed and the reformatted Comprehensive Plan was presented to the Board at the October 13, 2015 meeting and the City Commission at the October 14, 2015 meeting. The reformatted Comprehensive Plan can be viewed online at [www.talgov.com/planning](http://www.talgov.com/planning).



## **The Land Use Element**

### ***State of the Land Use Element***

The recent evaluation of the Land Use Element revealed a number of opportunities to improve the document guiding future growth and development in the Tallahassee-Leon County community. While the Land Use Element has been effective in helping to achieve long-term community goals, such as the establishment and maintenance of the Urban Service Area boundary, the current structure of the plan could be updated to improve consistency and usability and better capture current community values.

Incremental changes have led to inconsistencies regarding the content and format of the Land Use Element, with:

- Orphaned objectives and outdated policies interspersed throughout
- The inclusion of detailed development regulations more appropriately contained within the land development regulations
- Objectives and policies referencing completed initiatives and the creation of plans and guiding document already in existence
- The inclusion of dates that have passed
- Changes focused on statutory requirements and specific items of interest that lack a relationship to other elements of the plan

**It is time for a large-scale update – since adoption of the current Comprehensive Plan in 1991, the Land Use Element has not been comprehensively revised.** Though there are compelling reasons to update the Land Use Element, this effort will maintain and expand the components and aspects of the current element that have served the Tallahassee-Leon County community well. Recent revisions to the format and content of the future land use categories, such as Rural and Lake Protection, have improved clarity regarding allowed uses and the intent is to make similar changes to all future land use categories.

This effort also provides an opportunity to integrate the community’s current vision and priorities into the Comprehensive Plan. Much of the content of the Land Use Element was developed to comply with state statutory regulations which have since been repealed.

### ***The Land Use Element***

The Land Use Element is required by F.S. §163.3177(6)(a) and designates “proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The element establishes the long-term end toward which land use programs and activities are ultimately directed.”

The purpose of the Land Use Element is to ensure that the character and location of land uses is efficient, incorporate best management practices, incorporate principles of resource conservation and compact development, promote orderly land use transitions and human-scaled growth, and minimize threats to health, safety, and welfare that may be associated with incompatible land uses,

environmental degradation, hazards, and nuisances. Another purpose of this element is to maintain and manage a Future Land Use Map that reflects the local vision for managing the use of land.

In numerous ways, the Land Use Element is the largest element within the Tallahassee-Leon County Comprehensive Plan. The existing Land Use Element comprises over 40% of the pages within the current plan and contains 25% of all Comprehensive Plan policies directing future growth and development in the community. The Land Use Element is the most often utilized and referenced element of the Plan because it lays the foundation for land development decision-making.

### ***Changing State Requirements and Regulations for the Land Use Element***

Prior to 2011, the content of Land Use Elements in Comprehensive Plans across the state of Florida was governed by the requirements of Florida Administrative Code 9J-5. The implementation of these requirements and consistency of proposed developments and other Comprehensive Plan changes with the requirements of 9J-5 were interpreted and evaluated for local governments by the Florida Department of Community Affairs. Local governments were required to comply with numerous and specific state regulations when it came to promoting, regulating, and approving growth and new developments within their communities.

In 2011, the game changed. The 2011 Community Planning Act (*HB7207*) implemented the most sweeping changes to Florida's growth management laws since the passage of the 1985 Local Government Comprehensive Planning and Land Development Regulation Act. The 2011 Act shifted the maintenance and evaluation of comprehensive plans away from the Department of Community Affairs and to the local governments implementing the Plan.

As the authority and responsibility for maintaining and evaluating comprehensive plans was returned to the local governments, the mission of the state agency regulating local planning became greatly restricted and substantially less focused on interpreting local compliance with state requirements. Local governments in Florida now have increased control and responsibility regarding the interpretation and implementation of their Land Use Element. Cities and counties can now better use local priorities to draft the vision for growth and development in their community.

### ***Structure of the Land Use Element***

The structure of the Land Use Element is characterized by a hierarchical framework of goals, objectives and policies. A goal is an overarching principle that guides decision making. Objectives are specific, measurable steps that can be taken to meet the goal. Policies are guidelines, a statement of priority, or a mandate for specific action which is used to attain objectives.

The current evaluation revealed shortcomings regarding the structure of the Land Use Element:

- Over time, some sections have become outdated.
- Due to the piecemeal nature of amendments and changes, there has been a breakdown of the hierarchy in structure of Comprehensive Plan goals, objectives and policies.
- The content has been overburdened in an effort to comply with varying, detailed, and constantly changing state regulations.
- Most importantly, the goals should be updated to more accurately reflect the current community vision for future growth and development.

### *Vague Goals*

Per Florida Statute (Ch. 186.003, F.S.) a goal is a “**long-term end toward which programs and activities are ultimately directed.**” The Land Use Element includes spaces for 14 goals; there are seven existing goals and seven goals which have been deleted over time. The remaining seven goals address:

- Undeveloped areas within the Urban Service Area that are expected to undergo rapid development on a large scale
- Southern Strategy Area
- Welaunee Critical Planning Area
- Policies that address the special characteristics and needs of sub-areas of the City and County
- Promotion of continued growth with an emphasis on selected growth that pays for itself

Although seven goals were deleted over time, their associated objectives and policies still remain in the Land Use Element.

While some of the remaining goals do address important development regulations, others are too vague to articulate a clear vision for future development in the community. This is likely attributable to previous efforts to ensure compliance with state statutory requirements and address all required references for goal language. The following goals from the current Land Use Element illustrate this point:

#### ***Goal 1***

The Comprehensive Plan shall protect and enhance the quality of life in this community by providing economically sound educational, employment, cultural, recreational, commercial, industrial and professional opportunities to its citizens while channeling inevitable growth into locations and activities that protect the natural and aesthetic environments and residential neighborhoods.

#### ***Goal 3***

Tallahassee-Leon County should continue to grow with an emphasis on selected growth that pays for itself through the provision of well paid jobs and economic leverage factors which enhance the quality of life of the community.

In trying to address a multitude of community values, the above goals fail to specify a long term end which objectives and policies should support. Goals are not required to be specific, but they should be clear in establishing the community’s vision for growth and development.

#### *Immeasurable Objectives*

Per Florida Statute (Ch. 186.003, F.S.) an objective is a “**specific, measurable, intermediate end that is achievable and marks progress towards a goal.**” Many current objectives are not measurable and due to the deletion of half of the Land Use Element goals, may or may not address or mark progress towards the remaining goals. An example of an immeasurable objective is included below:

#### ***Land Use Element Objective 3.2***

Provide for the convenient, aesthetically pleasing and compatible location of office uses to provide business and professional services and employment opportunities that are easily accessible through planned integration into the existing transportation network.

The above objective is vague regarding how the provision of convenient, aesthetically pleasing and compatible location of office uses should be achieved, resulting in an immeasurable objective. No specific area of Tallahassee or Leon County is referenced, nor is convenient defined. Overall, the above objective does not provide any direction or measurable provisions to achieve its purpose or mark progress towards a goal.

#### *Outdated Policies*

Per Florida Statute (Ch. 186.003, F.S.) a policy identifies the manner in which “**programs and activities are conducted to achieve an identified goal.**” While many policies may still be relevant and re-usable, numerous outdated policies are interspersed throughout the Land Use Element, such as the following:

#### ***Land Use Element Policy 1.2.3***

- (a) By 2001, local governments will include requirements in their land development regulations that regulate the location of stormwater facilities or conveyance systems within any abandoned landfills.

#### *Replication of Statutory Language*

The Florida Department of Community Affairs evaluated local comprehensive plans to ensure compliance with state regulations and requirements. To ensure compliance, many communities including Tallahassee and Leon County, adopted goals, objectives, and policies exactly or closely replicating statutory language. As a result, the Land Use Element for the Tallahassee and Leon County community reflects numerous priorities and land use strategies dictated directly by the state of Florida.

An example of a now-defunct 9J-5 statutory requirement and an existing objective from the Land Use Element which closely mirrors this language:

***Section 163.3177(6)(a), F.S. and 9J-5.006***

(b)(1) Coordinate the future land uses with the appropriate topography and soil conditions, and the availability of facilities and services.

***Land Use Element Objective 1.2***

Coordinate the location of land uses with local soil conditions, topography, and aquifer vulnerability<sup>1</sup> as well as available services.

***Lack of Continuity in Formatting and Content of Future Land Use Categories***

Some future land use categories contain detailed descriptions of the types of uses allowed and include additional details such as allowable residential units per acre or maximum commercial square footage per site. Other future land use categories provide far less detail and leave site specific details, including allowable intensities and densities, to the land development regulations and zoning districts.

Recent revisions to the format and content of the Rural and Lake Protection future land use categories have improved clarity regarding allowed uses, densities, and intensities. The continuity of the future land use categories could be greatly improved by revising all categories consistent with the format established by these recent revisions. The updated future land use categories are included in Appendix A.

***Detail as a Detriment***

Occasionally, the inclusion of too much detail can be as detrimental to an efficient planning process as too little detail. The Land Development Matrix, intended to improve determinations of consistency among various policies within the Comprehensive Plan, is in practice more of an impediment to determining compatibility than an aide. Within numerous objectives and policies, the inclusion of detail more appropriate for the land development regulations results in unanticipated challenges for staff and property owners. In some cases, sections of the land development regulations are replicated verbatim within the Land Use Element:

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<sup>1</sup> A 2009 revision added “aquifer vulnerability”

**Leon County Land Development Regulations 10-6.619. - Commercial site location standards.**

Commercial classifications

(1) Minor commercial.

- a. Major function: Provide for sale of convenience goods and services to immediate residential area.
- b. Location:
  - 1. On or near the intersection (access within 330 feet of the centerline of the intersection) of local and arterial, collector and arterial, collector and collector

**Tallahassee-Leon County Comprehensive Plan - Land Use Element Policy 3.1.2**

A. Commercial classifications

1. Minor commercial

- a. Major Function: Provide for sale of convenience goods and services to immediate residential area
- b. Location:
  - 1. On or near the intersection (access within 330 feet of the centerline of the intersection) of local and arterial, collector and arterial, collector and collector

The Land Use Element is also hindered by the inclusion of specific area plans. These special area plans often include detailed policies and development standards more appropriate for a sector plan or Planned Unit Development (PUD) consistent with but outside of the Comprehensive Plan. Special plans are also more sensitive to changing conditions since the intent is most often very specific and focused on a small area of the community. As a result, Comprehensive Plan amendments are sometimes necessary to amend the details found in these plans to address changing conditions over time or changes in market conditions.

***Disconnected Relationship between Mobility Element and Land Use Element***

Land use decisions and transportation decisions are inextricably linked. How people travel within their community is directly tied to how places are developed and where growth occurs. Different types of land uses and development patterns are supported by transportation in differing ways. The Mobility Element recognizes this link between land use and transportation in Policy 1.2.1, stating, “Recognizing that urban, suburban, and rural areas have different needs, develop and maintain context sensitive design standards for transportation facilities to protect and enhance community character and enhance the safety and desirability of walking, cycling, and transit.”

Transportation systems and infrastructure supporting efficient and safe pedestrian, bicycle, transit, and automobile travel are a primary concern for the Tallahassee-Leon County community. In November

2014, Leon County voters approved an extension to the penny sales tax to fund transportation and quality of life improvements, including:

**2020 Sales Tax Extension:**

- Improve and expand local roads
- Reduce traffic congestion
- Build new sidewalks to local schools, commercial areas and recreational amenities
- Target projects in all parts of Leon County
- Reduce neighborhood flooding
- Expand green spaces, parks and natural areas
- Create and promote jobs in our community

The implementation of these projects will have land use implications. Similarly, transportation decisions and implementing policies will be equally influential as land use policies in dictating how Tallahassee-Leon County will develop over the next 20 years. Currently, the majority of policies addressing land use are contained within the Land Use Element, and the majority of policies addressing transportation are found within the Mobility Element. However, both elements contain policies addressing the interrelated nature of transportation and land use in achieving community goals for growth and development:

***Mobility Element Objective 1.1***

Land Use and Transportation Coordination

Coordinate transportation and land use systems that foster vibrant communities with compact urban forms and a mixture of uses to minimize travel distances, reduce vehicle miles traveled and greenhouse gases, and to enhance pedestrian and bicycle mobility and transit accessibility.

***Mobility Element Policy 1.1.8***

Development projects shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network shall be required as a condition of development approval, such as.....

These policies implement development standards in order to achieve a transportation-related goal – for example, in order to realize a “safe, convenient, comfortable and aesthetically pleasing transportation

environment that promotes walking, cycling, and transit use,” Policy 1.1.8 of the Mobility Element requires site-specific design standards such as shaded sidewalks and the installation of bike parking “as a condition of development approval.” In order to “foster vibrant communities with compact urban forms and a mixture of uses to minimize travel distances,” Objective 1.1 of the Mobility Element directs Tallahassee and Leon County to “coordinate transportation and land use systems.”

The complimentary transportation and land use goals within the above objective and policy are intertwined. The Comprehensive Plan Update project presents the opportunity better connect the shared land use and transportation vision within a single element. This will be an effective change that will aid in implementing the community’s vision for efficient and sustainable growth and development in Leon County.

### ***What the Land Use Element Gets Right***

The Urban Service Area (USA) boundary promotes compact and efficient growth by directing future development to areas where residents and businesses can expect the availability of urban infrastructure and services, such as roads, mass transit, stormwater facilities, sanitary sewer, solid waste, and parks. The intent of the Urban Service Area is to promote efficient and compact urban growth, protect the rural character of areas outside the USA from incompatible uses and densities; and assure that local government can afford to provide needed urban services to areas designated to receive such services.

### **Growth Management/Urban Services Area**

#### ***Land Use Element Policy 1.1.1***

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.

Maintenance of the USA boundary and the promotion of growth within this area benefit the community in various ways:

- Reduces the premature development of rural lands
- Fosters more compact development that fosters more transportation alternatives that fosters the reduction of Green House Gas emissions
- Fosters more affordable living (smaller lots and reduced transportation costs)
- Increases efficiency of local government to provide urban services

The maintenance of the USA boundary is directly correlated with local goals because it reduces sprawl and facilitates efficient use of existing municipal services and infrastructure. *The Measuring Sprawl*

2014<sup>2</sup> report found that sprawling cities were correlated with higher rates of obesity, traffic fatalities, ozone pollution, lack of social capital, vehicle miles traveled, physical activity, and residential energy use.

The researchers also found that reducing sprawl had positive socio-economic benefits as well. Residents of more compact metros had greater upward economic mobility: “for every 10 percent increase in an index score, there is a 4.1 percent increase in the probability that a child born to a family in the bottom quintile of the national income distribution reaches the top quintile of the national income distribution by age 30.” Residents of compact metro areas also have longer, healthier lives, with lower BMIs, lower blood pressure, lower rates of diabetes, and fewer car crash fatalities. An average American in a more compact county has a life expectancy three years longer than one in a less compact county<sup>3</sup>.

Tallahassee and Leon County are doing an exceptional job when it comes to reducing sprawl and growing more compact. Local planning efforts recently received national accolades for a reduction in sprawl development patterns. A 2014 study by Reid and Ewing<sup>4</sup> was featured in a *City Lab* article and focused on quantifying how cities around the United States have grown more compact or continued to sprawl between 2000 and 2010. Tallahassee was specifically recognized as the city with the most substantial shift towards compact growth within the ten-year study period. Per the *City Lab* article, “When it comes to promoting compact growth between 2000 to 2010, Tallahassee laps the field<sup>5</sup>.” This statement highlights the success of the USA policies within the Land Use Element and speaks to how local policies have positively influenced responsible growth in the community.

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<sup>2</sup> “Measuring Sprawl 2014.” Smart Growth America, April 2014.

<http://www.smartgrowthamerica.org/documents/measuring-sprawl-2014.pdf>

<sup>3</sup> “A Ranking of the Most Sprawling U.S. Metro Areas, and Why You Should Care.” Goodyear, Sarah. April 2, 2014, *City Lab*. <http://www.citylab.com/work/2014/04/ranking-most-sprawling-us-metro-areas-and-why-you-should-care/8782/>

<sup>4</sup> “A longitudinal study of changes in urban sprawl between 2000 and 2010 in the United States” Shima Hamidi and Reid Ewing, *Landscape and Urban Planning*; Volume 128, August 2014, Pages 72–82

<sup>5</sup> “The U.S. Cities That Sprawled the Most (and Least) Between 2000 and 2010.” Jaffee, Eric. June 4, 2014. *City Lab*. <http://www.citylab.com/housing/2014/06/the-us-cities-that-sprawled-the-most-and-least-between-2000-and-2010/372105/>



## Highlights and Recommendations

## ***Highlights and Recommendations***

**The goal of the Comprehensive Plan Update project is to align the land use and development plan with established community priorities, beginning with a comprehensive assessment and revision of the Land Use Element.**

The Tallahassee-Leon County Comprehensive Plan provides the blueprint for growth and development within Leon County. The Comprehensive Plan is used every day in decisions made by local government and guides and informs the actions of property owners, developers, businesses, and neighborhoods. The Land Use Element is the most often utilized and referenced element of the Plan because it lays the foundation for land development decision-making. While there have been changes, the **Land Use Element has not been comprehensively revised since the current Plan was adopted in 1991**. The Tallahassee and Leon County community has changed and grown over the past 25 years and the Land Use Element should incorporate current values and priorities into the community's blueprint for future growth and development. This update to the Land Use Element is an opportunity to make these changes, as well as address the structural and content issues revealed during the course of this analysis.

This *State of the Land Use Element Report* summarizes the recent analysis of the Land Use Element - identifying current shortcomings but also highlighting aspects of the Land Use Element that continue to work well and positively serve the residents of Tallahassee and Leon County. As a result of recent changes to state statutory requirements and state evaluation of local comprehensive plans, there are new opportunities to revise and update the Land Use Element to better reflect the current community vision. Local governments now have significantly more control over the comprehensive planning process, and the authority to structure the Land Use Element to better address community values.

### ***State of the Land Use Element***

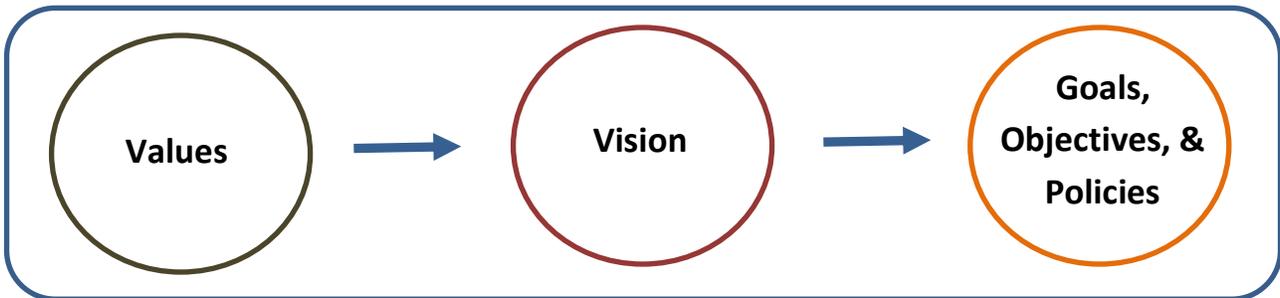
Though there have been changes over the past 26 years, the Land Use Element has not been comprehensively revised since the current plan was originally adopted. While there are compelling reasons to update the Land Use Element, this effort will maintain and expand the components and aspects of the current element that have served the Tallahassee-Leon County community well.

**Recommendation: Move forward with a comprehensive revision to the Land Use Element to address the issues identified in this report, but maintain and expand on strong policies that continue to implement community goals for responsible growth and development.**

### ***A Values-Driven Approach to Updating the Comprehensive Plan***

This holistic revision to the Land Use Element presents an opportunity to bring together a values-driven and data-informed approach to updating the Comprehensive Plan. A values-driven approach to comprehensive planning focuses on issues and values expressed by citizens as the basis for developing the goals, policies, and implementation strategies of the plan. Engrained in the values-driven approach is the goal that planning for future growth and development should be guided by the things that people value about the place where they live and the ways in which they would like to see that place change for the better in the future. A values-driven approach to comprehensive planning will incorporate relevant data, including historic trends and current demographic and socio-economic statistics, with the purpose of informing the development of objectives and policies that implement the values-based vision and goals.

#### **Values-based Planning Approach - Phases**



- **Values:** Structured program of citizen involvement designed to identify community issues and values and build consensus
- **Vision:** Articulation of an overarching concept or vision for the future of the community based on existing values and informed by locally relevant data and analysis
- **Formation of Goals, Objectives, and Policies:** Translation of the overarching vision into specific policy direction supported by data

**Recommendation:** Utilize a values-based and data-informed planning approach to updating and revising the Land Use Element.

#### ***Recent Community Visioning Efforts***

Since 2012, there have been three large-scale community visioning efforts which engaged thousands of local citizens. These recent community visioning efforts, including the Sales Tax Extension, Imagine

Tallahassee, and the 2040 Regional Mobility Plan, provide valuable insights into current community concerns, desires, and priorities.

- *Imagine Tallahassee (2013)*: Financed with private funds and supported by City and County staff, *Imagine Tallahassee* was a focused citizen engagement initiative providing citizens an opportunity to identify a vision for their community and imagine the future of economic development.
- *Sales Tax Extension Citizens Committee Final Report (2014)*: Over the course of two years, the Citizens Committee held dozens of public meetings and sought input from thousands of citizens in order to make final recommendations regarding citizen priorities for sales tax revenue investments.
- *2040 Regional Mobility Plan (2015)*: The 2040 Regional Mobility Plan (RMP) establishes the five-year long range transportation Plan for the four-county Capital Region area. Visioning was completed for the RMP through a series of public workshops held in each of the counties in the CRTPA Region.

**Recommendation:** Utilize recent community visioning efforts to identify current community values, priorities, and trends. Compile the findings of these analyses and integrate the results into the community outreach activities for the Comprehensive Plan Update project.

### ***An Opportunity to Integrate the Land Use and Mobility Elements***

Community goals regarding land use and transportation are interrelated – the Comprehensive Plan should reflect this relationship. The separation of policies that jointly address both transportation and land use into two elements results in challenges implementing the vision for efficient, sustainable, and compatible growth and development within Leon County. Disconnected, the shared future vision that complementary land use and transportation policies aspire to is lost. The current effort to update the Land Use Element provides the opportunity to finally reconcile and recognize the relationship between land use and transportation within Tallahassee and Leon County. Combining these elements allows for the inclusion of the full land use and transportation vision, which will clarify the intent of numerous policies guiding development within the core of the community.

**Recommendation:** Integrate the Land Use and Mobility elements into a single element that jointly addresses land use and transportation.



# **Land Use & Mobility Elements Update: Scope and Schedule**

### ***Land Use and Mobility Elements Update: Scope and Schedule***

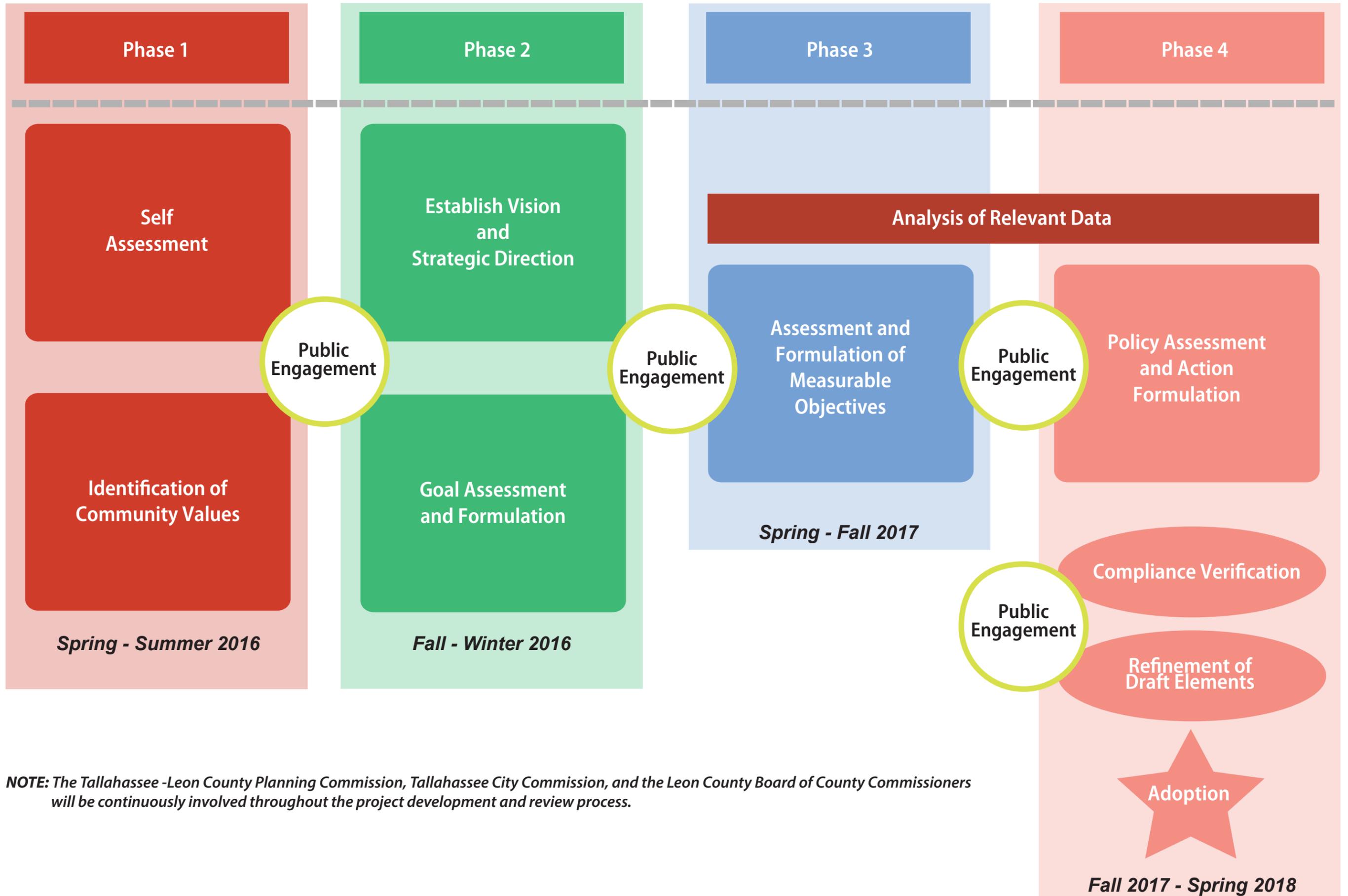
As provided on the following page, a more detailed scope and complete phasing schedule has been developed for the updates to the Land Use and Mobility Element. Currently, the project is working through Phase One. Through a comprehensive analysis, the purpose of this initial phase is to gain a firm understanding of where we are and how we got here with regards to the structure and content of the current Land Use Element. The *State of the Land Use Element Report* details the findings of this initial “Self-Assessment.”

The second component of Phase One is the “Identification of Community Values.” This is comprised of two actions:

1. *Analyses of Recent Community Visioning Efforts:* Over the past three years, there have been three large-scale community visioning efforts focused on Leon County. Thousands of citizens have taken their time to share their vision and desires for the future of their community.
2. *Initial Public Engagement:* After the review of the previous three community visioning efforts has been completed, we need to check-in with the community. These first public meetings and workshops to discuss the Comprehensive Plan Update project will focus on the current community vision for growth and development in Tallahassee and Leon County.

Most importantly, this effort is intended to inspire conversations about the future of the Tallahassee-Leon County community and how these concerns and desires can be incorporated into the local plan guiding growth and development. The goal of these efforts is to gain a clear understanding of current community-based values, which will inform the revision of current policies and the values-based planning process for the integrated Land Use and Mobility elements. Moving forward, the results of the community values analysis and public outreach program will be utilized to evaluate all existing goals, objectives, and policies within the Land Use and Mobility elements.

# Land Use and Mobility Element Update



**NOTE:** The Tallahassee -Leon County Planning Commission, Tallahassee City Commission, and the Leon County Board of County Commissioners will be continuously involved throughout the project development and review process.



## Appendix A

**Appendix A: Revised Format for Future Land Use Categories**

**Land Use Element Policy 2.2.1: Rural/Agriculture**

**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**

**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.

**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 non-residential 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.

#### Community and Recreational Facilities

Community services, light infrastructure, and recreational uses may be permitted provided they are compatible with the natural and rural surroundings. Facilities associated with these uses may be 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 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.

## **Land Use Element Policy 2.2.18: Lake Protection**

### **Intent**

Lake Jackson, designated both an Outstanding Florida Water (OFW) and Aquatic Preserve, is one of the most unique waterways in Florida. Historically, the lake has suffered from water quality issues associated with rapid urbanization and large-scale roadway projects. Lake Jackson's water quality has improved since adoption of the Comprehensive Plan, due in large part to the adoption of stringent stormwater treatment standards and the implementation of capital projects; however, nutrient levels in the Lake remain elevated and the Lake continues to be designated "Impaired" by the Florida Department of Environmental Protection. The intent of the Lake Protection category is to ensure that development within the Lake Jackson basin occurs in a sustainable and environmentally sound manner with minimal impact to water quality. The Lake Protection category is the basis for regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin. The bounds of this category are to be the Lake Jackson basin boundary adjusted to include contributing watersheds but excluding existing, more intensely developed areas south of Interstate 10 and areas outside the Urban Service Area.

### **Allowable Uses, Densities, and Intensities**

#### **Residential**

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

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

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

### Mixed-use & Non-residential

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

### Community and Recreational Facilities

Community services, light infrastructure, and recreational uses shall be permitted within the Lake Protection (LP) and Lake Protection Node (LPN) zoning districts. Facilities associated with these uses shall be allowed at a maximum intensity of 10,000 square feet (s.f.) per gross acre.

### **Special Conditions**

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

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

The exact extent of these Nodes shall be specified in the City of Tallahassee and Leon County land development regulations, but generally shall not extend beyond  $\frac{1}{4}$  mile from the respective intersection and shall not include areas within a Special Development Zone (SDZ) or existing single-family subdivisions.

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

shall be retained for all storm events up to a 100-year, 24-hour duration storm. To encourage redevelopment in the Lake Protection category, a partial credit may be applied toward existing impervious surface on previously developed sites.

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