

Meeting Date: March 2, 2020

Category: Public Hearing

Subject/Title: First and Only Public Hearing on Ordinance 21-Z-07; Proposed Amendment to the Official Zoning Map to Change the Zoning Classification from the General Commercial (C-2) Zoning District to the Single Family Detached, Attached, and Two-Family Residential (R-3) Zoning District —Cherie Bryant, Planning

For more information, please contact: Susan Denny, Senior Planner, (850) 891-6400.

Statement of Issue

The rezoning application proposes to change the zoning district on a 14.39-acre parcel from the General Commercial (C-2) zoning district to the Single Family Detached, Attached, and Two-Family Residential (R-3) zoning district. This proposed rezoning is to convert the existing day care on the subject property to a school following a Type C Site Plan. There will be no additional development on the site. The subject property is located at 2344 Lake Bradford Road, on the north side of the road, approximately 60 feet west of the intersection of Lake Bradford Road and Walcott Street. The applicant is Blackhawk engineering. The proposed ordinance, including a location map, is included as Attachment 1.

This application is a quasi-judicial proceeding. Ex parte communications are prohibited during review of quasi-judicial proceedings. Ex parte communications are oral or written off-the-record communications made to decision-making personnel, without required notice to the parties that is directed to influence or attempt to influence the merits or outcome of a decision. This term does not include procedural, scheduling and status inquiries or other inquiries or requests for information that have no bearing on the merits or outcome of the proceeding.

Recommended Action

Option 1: Find proposed Ordinance 21-Z-07 consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt it, thereby amending the Official Zoning Map from the General Commercial (C-2) zoning district to the Single Family Detached, Attached, and Two-Family

Residential (R-3) zoning district, based upon the findings of fact and conclusions of law set forth in this report and any evidence submitted at the hearing hereon.

Fiscal Impact

Staff time required to process the rezoning and costs associated with local and state advertising requirements.

Supplemental Material/Issue Analysis

History/Facts & Issues

Original Zoning: Prior to adoption of the *City of Tallahassee Zoning, Site Plan and Subdivision Regulations* in 1992, the parcel was zoned Single-Family Residential (R-2), which allowed single-family and parks and playground development.

February, 1992: After the adoption of the *City of Tallahassee Zoning, Site Plan and Subdivision Regulations*, the parcel was zoned Mixed Use “B” which allowed offices, retailing, enclosed manufacturing, and medium to high density residential development are integral components.

November 1, 1997: The parcel was rezoned to General Commercial (C-2) which is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan.

2005: A 33,812 sq. ft. church was constructed on the site. A 2,254 sq. ft. addition was subsequently added. The property was also used for weekday day care.

February 23, 2011: The Multi-Modal Transportation Ordinance was adopted providing urban design and development standards within central Tallahassee. The subject property was included within the MMTD boundaries.

April 7, 2021: Ordinance 21-Z-07 will be introduced to the City Commission.

April 21, 2021: The City Commission is scheduled to hold the first and only public hearing on Ordinance 21-Z-07.

Summary of Application

The application requests an amendment to the Official Zoning Map to rezone a 14.39-acre parcel located at 2433 Lake Bradford Road from the C-2 zoning district to the R-3 zoning district. Presently, there is a church on the subject property, which is also used as a day care facility on weekdays. The rezoning is necessary to convert the existing day care use on the subject property to a proposed K-8 private school because the C-2 zoning district prohibits schools. After a successful rezoning, a Type C Site Plan will be required to establish the proposed school. The conversion to a school will not require any additional development on the subject property.

The application would be a significant downzoning. The existing C-2 zoning district allows most office and retail uses at a high intensity (20,000 sq. ft. per acre). The proposed R-3 allows medium-density single-family residential (up to 8 units/acre) and recreational and public facility land uses, including schools.

The proposed ordinance, including a location map, is included as Attachment #1.

Public Notification & Response

The application requires City Commission action. This request has been noticed and advertised in accordance with the provisions of the Tallahassee Land Development Code. The Planning Department mailed 277 notices to property owners and tenants within 1,000 feet of the subject property. To date, staff has received one inquiry from the nearby Callen neighborhood. The neighbor wanted information regarding the plan for development of the subject site. They were told that at present the plan is for a K-8 school to replace the existing day care without additional development on site.

Facts and Issues

In accordance with Section 10-51 (Procedures for Official Zoning Map Amendments) of the Tallahassee Land Development Code, the City shall consider the following in determining whether to recommend approval or denial of an application:

1. *Comprehensive Plan.* *Is the proposal consistent with all applicable policies of the Comprehensive Plan?*

Yes. The proposed ordinance is consistent with the *Tallahassee-Leon County Comprehensive Plan*. The subject property is in the Suburban Future Land Use Map (FLUM) Category.

According to Land Use Element Policy 2.2.5[L] (See Attachment #3), the primary intent of the Suburban FLUM 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 key to implementing the Suburban FLUM category is the placement of land uses in a manner where they will be complementary and efficient. Policy 2.2.5[L] provides a list of development patterns for the Suburban FLUM. The predominate pattern in the area of the subject property is Urban Pedestrian Center. This pattern includes community services and small retail on both sides of Lake Bradford Road, which complements the nearby neighborhoods such as Callen and Providence.

The proposed rezoning will continue the pattern of complementary land use by allowing a school to operate in the existing church. In addition to community services, the R-3 zoning district allows residential use at a density that is consistent with the surrounding neighborhoods. However, residential development on the subject site is not envisioned at this time.

2. *Conformance with the Land Development Regulations.* *Is the proposed rezoning in conformance with any applicable substantive requirements of the land development regulations, including minimum or maximum district size?*

Yes. The proposed rezoning does not create any inconsistencies with the allowed density, intensity or locational criteria of the R-3 district. The R-3 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan. The R-3 zoning district is anticipated to contain attached and detached single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre, with a minimum gross density of 4 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted. This would include the proposed school.

The subject site is also located in the Multi-Modal Transportation District (MMTD) as delineated on Map 20 of the Comprehensive Plan. The development standards of property in the MMTD are regulated by the Tallahassee Land Development Code. New development is required to meet all MMTD development and design standards, and a change of use is required to meet a more limited set of criteria, recognizing that location of structures, stormwater, and other aspects of the built environment are fixed on the site. Determination of the applicability of MMTD on the proposed K-8 school will be done during the Type “C” Site Plan process.

A comparison of existing and proposed uses in the C-2 and R-3 zoning districts is provided in Table 1, and a comparison of the allowable density and intensity is contained in Table 2.

Table 1: Uses and Activities Allowed by District		
	Zoning Districts	
Uses (x indicates the use is allowed)	C-2	R-2
Antique shops.	X	
Automotive service and repair, including car wash.	X	
Bait and tackle shops.	X	
Building contractors and related services.	X	
Camera and photographic stores.	X	
Cemeteries	X	
Cocktail lounges and bars.	X	
Communications and utilities.	X	
Community facilities related to the permitted principal uses, including libraries, religious facilities, vocational, and police/fire stations. Elementary, Middle and High schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.	X	

Table 1: Uses and Activities Allowed by District		
Zoning Districts		
Uses (X indicates the use is allowed)	C-2	R-2
Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational and exceptional student education schools. Libraries and high schools are prohibited, except in the MMTD where high schools are permitted uses. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.		X
Day care centers.	X	
Gift, novelty and souvenir stores.	X	
Golf courses		X
Indoor amusements (bowling, billiards, skating, etc.).	X	
Indoor theaters (including amphitheaters).	X	
Laundromats, laundry and dry-cleaning pick-up stations with or without drive-through facilities.	X	
Mailing services.	X	
Medical and dental offices and services, laboratories, and clinics.	X	
Motor vehicle fuel sales.	X	
Non-medical offices and services, including business and government offices and services.	X	
Non-store retailers.	X	
Passive and active recreational facilities.	X	X
Personal services (barber shops, fitness clubs, etc.).	X	
Pet day care centers.	X	
Photocopying and duplicating services.	X	
Rental and sales of dvds, videotapes and games.	X	
Rental of tools, small equipment, or party supplies.	X	
Restaurant with or without drive-in facilities.	X	
Repair Service, non-automotive	X	
Residential (any type), provided that it is located on the second floor or above a building containing commercial or offices uses on the first floor	X	
Single-family attached dwellings		X
Single-family detached dwellings		X

Table 1: Uses and Activities Allowed by District		
Zoning Districts		
Uses (X indicates the use is allowed)	C-2	R-2
Two-family dwellings		X
Zero-lot line single-family detached dwellings		X
Restaurants, with or without drive-in facilities	X	
Retail bakeries.	X	
Retail computer, video, record, and other electronics.	X	
Retail department, apparel, and accessory stores.	X	
Retail drug store with or without drive-through facilities.	X	
Retail florist.	X	
Retail food and grocery.	X	
Retail furniture, home appliances, accessories.	X	
Retail home/garden supply, hardware, and nurseries without outside storage or display.	X	
Retail jewelry stores.	X	
Retail needlework shops and instruction.	X	
Retail newsstand, books, greeting cards.	X	
Retail office supplies.	X	
Retail package liquors.	X	
Retail picture framing.	X	
Retail optical and medical supplies.	X	
Retail package liquors.	X	
Retail pet stores.	X	
Retail picture framing.	X	
Retail sporting goods, toys.	X	
Retail trophy stores.	X	
Shoes, luggage, and leather goods.	X	
Social, fraternal and recreational clubs and lodges, including assembly halls.	X	
Studios for photography, music, art, dance, drama and voice.	X	
Tailoring.	X	
Veterinary service, including veterinary hospitals.	X	
Vocational schools and police/fire stations.	X	
Other uses, which in the opinion of the land use administrator, are of a similar and compatible nature to	X	

<u>Table 1: Uses and Activities Allowed by District</u>		
Zoning Districts		
Uses (X indicates the use is allowed)	C-2	R-2
those uses described in this district.		

Table 2: Density and Intensity Comparison			
Zoning District	Maximum Residential Density	Maximum Non-Residential Building Size	Potential Development on the Subject Site
C-2 <i>Current</i>	8 du/ acre (above commercial or office use only)	20,000 sq. ft. of gross bldg. floor area per acre, individual buildings may not exceed 50,000 gross square feet.	115 dwelling units 287,800 gsf
R-3 <i>Proposed</i>	8 du/acre	10,000 gross square feet per acre	115 dwelling units 143,900 gsf
Net Change in Use			-143,900 Non-residential gsf +0 Residential Units

3. Changed Conditions. *Have the land use and development conditions changed since the effective date of the existing zoning district regulations involved, which are relevant to the properties?*

No.

4. Land Use Compatibility. *Will the proposed rezoning result in any incompatible land uses, considering the type and location of uses involved?*

No. As noted in Table 3, the subject property is adjacent to single-family homes to the west and north. The existing institutional land use on the subject site contains vegetative buffers adjacent to the single-family homes, which may be augmented if required by the Type C Site Plan for the proposed school. To the south of the subject property are commercial, light industrial and institutional land uses in the C-2 zoning district. These uses are separated from the subject property by Lake Bradford Road, a principal arterial roadway maintained by the Florida Department of Transportation.

Table 3: Surrounding Zoning and Land Use				
Area	Zoning	Land Use Category	Physical Use	Comments
Subject Parcel	C-2	Suburban	Church & Day care	The church use is to remain. The day care use is proposed to become K-8 school
North	RP-1	Residential Preservation	Single-family detached residential	N/A
South	M-1/ C-2	Suburban	Church, warehouse, convenience store	Located across a principal arterial roadway
East	OS	Open Space	Open space	Subject parcel is a triangular-shaped, so east adjacency is only at a point.
West	RP-1/R-3	Residential Preservation and Suburban	Single Family detached Residential	N/A

5. School Considerations. *Is there capacity in area schools? What effects on enrollment could the proposed rezoning have on area schools?*

The Leon County School Board has analyzed the submitted School Impact Analysis (SIA) forms, and no issues have been identified. The approved school impact analysis can be viewed in Attachment 4. Final determination of school impacts will be made at the site plan review level.

6. Other Matters. *Are there any other matters, which the Commission may deem relevant and appropriate?*

As stated above, the proposed rezoning is necessary as the first step to convert the existing day care on the site to a K-8 private school. If the rezoning is approved a Type C Site Plan will be necessary to establish the school on the site. The

Planning Commission is tasked with the final review and approval of Type C Site Plans.

Options

1. Find proposed Ordinance 21-Z-07 consistent with the Tallahassee-Leon County Comprehensive Plan and recommend that the City Commission adopt it, thereby amending the Official Zoning Map from the General Commercial (C-2) zoning district to the Single Family Detached, Attached, and Two-Family Residential (R-3) zoning district, based upon the findings of fact and conclusions of law set forth in this report and any evidence submitted at the hearing hereon.
2. Do not find proposed Ordinance 21-Z-07 consistent with the Tallahassee-Leon County Comprehensive Plan and do not recommend that the City Commission adopt it, thereby not amending the Official Zoning Map from the General Commercial (C-2) zoning district to the Single Family Detached, Attached, and Two-Family Residential (R-3) zoning district, based upon the findings of fact and conclusions of law of the Planning Commission and any evidence submitted at the hearing hereon.
3. Provide staff alternative direction.

Attachments/References

1. Proposed Ordinance and Location Map
2. Tallahassee Democrat Advertisement
3. Future Land Use Map Category and Zoning Districts
4. School Impact Analysis Form

ORDINANCE NO. 21-Z-07

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN SINGLE FAMILY DETACHED, ATTACHED AND TWO-FAMILY RESIDENTIAL (R-3) ON THE OFFICIAL ZONING MAP; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

SECTION 1: That part or area of the City of Tallahassee shown and described on Exhibit A, attached hereto, is changed from C-2 General Commercial District and hereby designated and established as R-3 Single Family Detached, Attached, and Two-Family Residential District on the official zoning map of the City of Tallahassee adopted and established by the City Commission.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 4. This ordinance shall become effective immediately upon its passage.

INTRODUCED by the City Commission on the ____ day of _____, 2021.

PASSED by the City Commission on the ____ day of _____, 2021.

CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

APPROVED AS TO FORM:

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

By: _____
Cassandra K. Jackson
City Attorney



BLACKHAWK

ENGINEERING INC.

STATE CERTIFICATE # 26881

2417-3 FLEISCHMANN ROAD, TALLAHASSEE FLORIDA 32308
PHONE (850) 224-4295 + FAX (850) 386-4295 + EMAIL : SUPPORT@BLACKHAWKENGINEERS.COM

January 11, 2021

Beth Perrine
Renaissance Center, Third Floor
Place Planning Department – Tallahassee-Leon County Planning Department
435 North Macomb Street
Tallahassee, Florida 32301

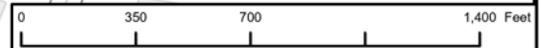
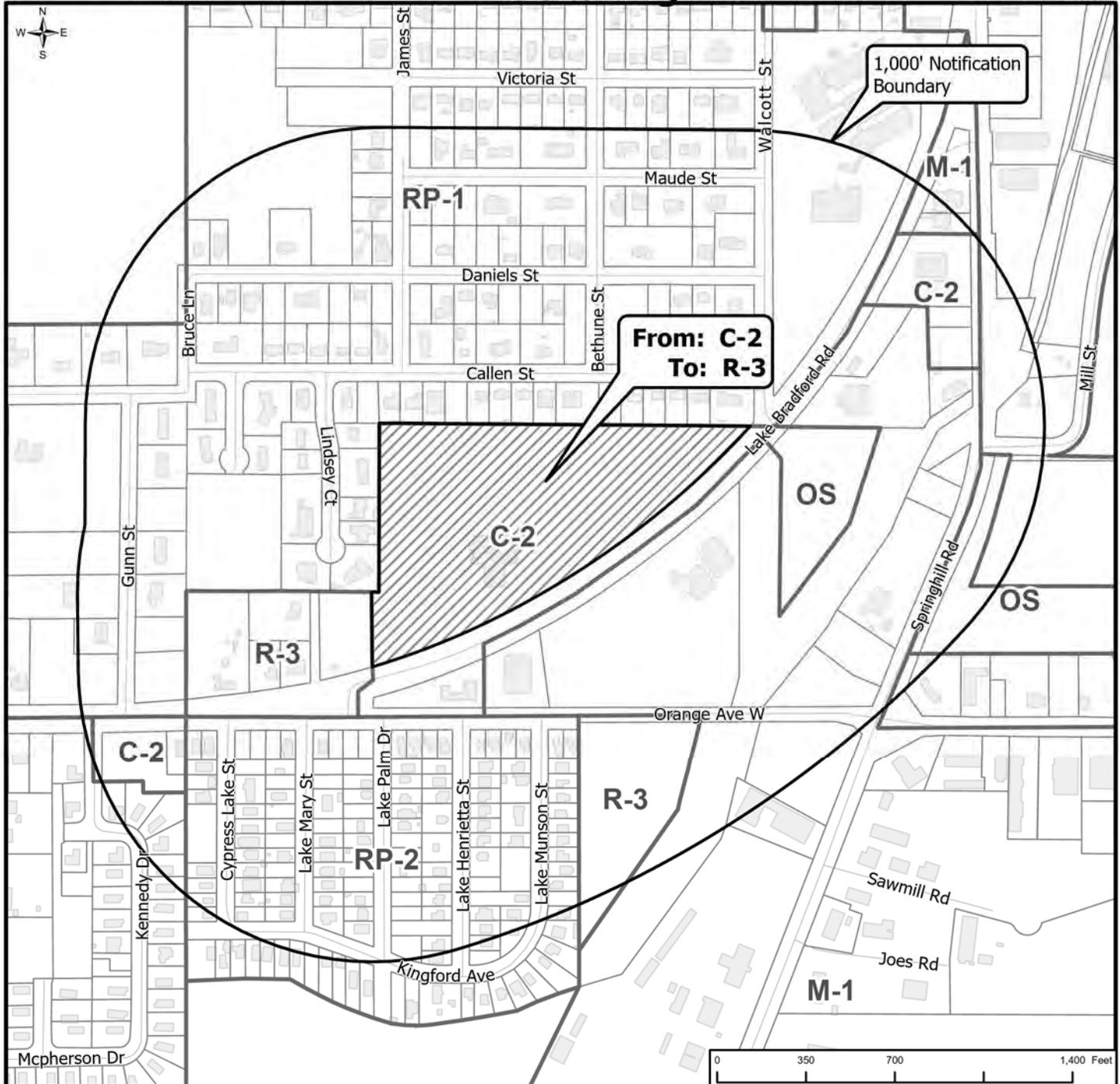
**Re: Creative Minds School of Arts
2344 Lake Bradford Road
BHE # 20BH-219M
City of Tallahassee Application for Rezoning Review**

Legal Description

That part of the South Half of the Northwest Quarter of Section 11, Township 1 South, Range 1 West, Leon County, Florida, and more particularly described as follows: BEGIN at a concrete monument marking the Northeast corner of Lot 19, Block "B" of Camellia Subdivision, a subdivision as per map or plat thereof, recorded in Plat Book 5, Page 28 of the Public Records of Leon County, Florida, said point also being the Southeast corner of Lot 8 (also the Southwest corner of Lot 9), Block "I" of Callen Subdivision, Unit No. 2, a subdivision as per map or plat thereof recorded in Plat Book 3, Page 107 of the Public Records of Leon County, Florida, said point being located 990 feet North and 1986.24 feet West of the Southeast corner of the Northwest Quarter of said Section 11, and run thence South 00 degrees 03 minutes West along the East boundary of Camellia Subdivision 570.22 feet to a concrete monument marking the Southeast corner of Lot 14 (also the most Southeasterly corner of Lot 13), Block "B" of said Camellia Subdivision, thence North 89 degrees 57 minutes West along the South boundary of Lot 13, Block "B" of said Camellia Subdivision 23.28 feet, thence South 00 degrees 03 minutes West 256.68 feet to a concrete monument marking the Northerly right of way boundary of State Road No. 371, said point lying on a curve concave to the Northwesterly, thence Northeasterly along said right of way curve with a radius of 2814.93 feet, through a central angle of 31 degrees 28 minutes 25 seconds, for an arc distance of 1546.27 feet (chord of said arc being North 57 degrees 35 minutes 15 seconds East 1526.90 feet) to a concrete monument on the South boundary of Block "I" of said Callen Subdivision, Unit No. 2, thence North 89 degrees 38 minutes West along the South boundary of said Block "I" of Callen Subdivision, Unit No. 2 a distance of 1264.56 feet to the POINT OF BEGINNING; containing 14.39 acres, more or less.

Creative Minds School of Arts 2344 Lake Bradford Road Rezoning

TRZ #210001



Parcel ID: 41-11-20-256-0000

Size: +/- 14.39 acres

Current Zoning: C-2 (General Commercial)

Proposed Zoning: R-3 (Single Family Detached, Attached Two-Family Residential)

General Location Map

Notice of Public Hearings

This Tallahassee-Leon County Planning Commission Meetings may be held remotely.
Please continue to check our website at Talgov.com/PCAgenda.aspx for further information.

The proposed ordinance listed below will be considered at the following public meetings:

1. Tallahassee-Leon County Planning Commission Meeting on **March 2, 2021 at 6:00 pm**, Smith-Williams Service Center, 2295 Pasco Street
2. City Commission Meeting on **April 21, 2021 at 5:00 pm**, City Commission Chambers, 2nd Floor, City Hall, 300 South Adams Street

CREATIVE MINDS SCHOOL OF ARTS 2344 LAKE BRADFORD ROAD ORDINANCE NO. 21-Z-07

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN SINGLE FAMILY DETACHED, ATTACHED, AND TWO-FAMILY RESIDENTIAL (R-3) ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

DEBBIE LIGHTSEY NATURE PARK REZONING ORDINANCE NO. 21-Z-08

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN OPEN SPACE (OS) ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

822 S. ML KING JR. BOULEVARD REZONING ORDINANCE NO. 21-Z-03

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; CHANGING THE ZONING CLASSIFICATION FROM ALL SAINTS NEIGHBORHOOD A (ASN-A) WITH HISTORIC PRESERVATION OVERLAY (HPO) TO ALL SAINTS NEIGHBORHOOD A (ASN-A); AND REMOVING A STRUCTURE FROM THE LOCAL REGISTER OF HISTORIC PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ENCLAVE MIXED USE REZONING ORDINANCE NO. 21-Z-09

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN UNIVERSITY URBAN VILLAGE (UV) ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

LAKE BRADFORD ROAD ORDINANCE NO. 21-Z-10

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY AS AND IN CENTRAL URBAN-45 (CU-45) ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Notice is hereby given that Leon County will consider at the public hearing set forth below enactment of the proposed ordinance as follows:

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA,

AMENDING CHAPTER 10 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY AMENDING ARTICLE XIV, FERTILIZER USE; PROVIDING DEFINITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Due to ongoing public health concerns, there will be three options for sharing public comment.

- In-person at the meetings; or
- Written via online submission at beth.perrine@talgov.com. Public comment can be submitted online until 9 p.m. on Monday, March 1. Comments submitted after this time (up to the time of the public hearings) will be accepted and included in the official record of the meetings; or
- Virtually via an online platform during the meetings. Citizens wishing to provide public comments virtually during the meetings must register before 9 p.m. on Monday, March 1 at Talgov.com/PCAgenda.aspx.

Face coverings are required in indoor public spaces per action of the Leon County Commission.

The Planning Commission will review this application at the public hearing listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days (or 30 days for a decision on a Type C application) from the date the decisions were rendered (City); or within fifteen (15) calendar days of the date of publication of notice of the Planning Commission Public Hearing on the application in the Tallahassee Democrat (County); in accordance with the Bylaws of the Planning Commission and the City of Tallahassee and Leon County Land Development Codes. Copies of the Bylaws and or further information are available from the Planning Department at the Planning Department, 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

NOTICE: You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made by the Commissions or take exception to any findings of fact with respect to any matter considered at the hearings referenced to above, you may need to ensure that verbatim record of the proceedings is made. Such a record shall include the testimony and evidence upon which the appeal is based. Planning Commission will review these applications at the public hearing listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days from the date the decisions is rendered in accordance with the Bylaws of the Planning Commission and the City of Tallahassee Land Development Code. Copies of the Bylaws and or further information are available from the Planning Department located at 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

LOCAL PLANNING AGENCY BRIEFING March 2, 2021 at 6:00 pm

The Local Planning Agency (LPA) may receive a briefing from staff regarding the Comprehensive Plan Amendments and/or approval of meeting minutes, as appropriate.

For more information on these projects please go to www.talgov.com/planning (see public notices tab).

PC030221

Policy 2.2.5: [L]**SUBURBAN** (*Effective 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 (Effective 3/14/07; Rev. Effective 7/14/14)

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 ⁽⁴⁾	10,000 sq. ft. per acre	65-80%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 units/acre ⁽⁴⁾	10,000sq. ft. per acre ⁽⁵⁾	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 units/acre	20,000 sq. ft. per acre	
Medium Density Residential Office	Residential, Office, Ancillary 1 st Floor Commercial, Recreation, Light Infrastructure, Community Service & Post Secondary Schools	8 to 20 units/acre	20,000 sq.ft. per acre ⁽⁶⁾	
Village Center	Residential, Office, Commercial up to 50,000 sq ft, maximum business size. Centers shall not be located closer than 1/4 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. per acre per parcel for center 20 acres or less ⁽⁷⁾	
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 units/acre ⁽³⁾	Up to 20,000 sq ft/acre ⁽³⁾	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 ⁽⁸⁾	
Medical Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 20 units/acre ⁽¹⁾	80,000 sq ft/acre ⁽²⁾	
Business Park	Office, Residential and Commercial,	Up to 16 units/acre	20,000 sq ft/acre	5-10%
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 ⁽⁹⁾	

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.

Section 10-256. C-2 General Commercial District

The following applies to the 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 Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to areas with direct access to major collectors 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.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</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. Elementary, middle, and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413. (8) Day care centers. (9) Gift, novelty, and souvenir shops. (10) Indoor amusements (bowling, billiards, skating, etc.). (11) Indoor theaters (including amphitheaters). (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) Pet day care centers (21) Photocopying and duplicating services. (22) Rental and sales of dvds, video tapes and games. (23) Rental of tools, small equipment, or party supplies.</p>	<p>(27) Retail bakeries. (28) Retail computer, video, record, and other electronics. (29) Retail department, apparel, and accessory stores. (30) Retail drug store. (31) Retail florist. (32) Retail food and grocery. (33) Retail furniture, home appliances, accessories. (34) Retail home/garden supply, hardware and nurseries. (35) Retail jewelry store. (36) Retail needlework shops and instruction. (37) Retail newsstand, books, greeting cards. (38) Retail office supplies. (39) Retail optical and medical supplies. (40) Retail package liquors. (41) Retail pet stores. (42) Retail picture framing. (43) Retail sporting goods, toys. (44) Retail trophy store. (45) Shoes, luggage, and leather goods. (46) Social, fraternal and recreational clubs and lodges, including assembly halls. (47) Studios for photography, music, art, dance, and voice. (48) Tailoring. (49) Veterinary services, including veterinary hospitals. (50) 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.</p> <p>(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. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

1. District Intent	PERMITTED USES		
	2. Principal Uses	3. Accessory Uses	
	(24) Repair services, non-automotive. (25) 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. (26) Restaurants, with or without drive-in facilities.		

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	20,000 square feet of non-residential gross building floor area per acre and commercial and/or office uses may not exceed 50,000 gross square feet.	3 stories
<p>7. Street Vehicular Access Restrictions: 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, RP-1, RP-2, RP-MH, RP-UF, and RP-R.</p> <p>8. Additional Criteria and Restrictions for Pet Day Centers: Outside boarding and unsupervised outside activity are prohibited. In the event that a pet day care center abuts a residential property, the center shall not exceed an L10 noise level of 60 dBA in the daytime (6:00 A.M. to 9:00 P.M.) as measured on the property line abutting the center. Hours of operation for Pet Day Care Centers shall be 6:00 A.M. to 9:00 P.M.</p> <p>9. 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.</p>									

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential 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.

Section 10-246. R-3 Single and Two-Family Residential District

The following applies to the R-3 Single and Two-Family Residential District:

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p>The R-3 district is intended to be located in areas designated Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre, with a minimum gross density of 4 dwelling units per acre when applied to the urban residential future land use category unless constraints of public easements, concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses are also permitted.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p>	<p>(1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools. Libraries and high schools are prohibited, except in the MMTD where high schools are principal permitted uses. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</p> <p>(2) Golf courses.</p> <p>(3) Passive and active recreational facilities.</p> <p>(4) Single-family attached dwellings.</p> <p>(5) Single-family detached dwellings.</p> <p>(6) Two-Family dwellings.</p> <p>(7) Zero-lot line single-family detached dwellings.</p>	<p>(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.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</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)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	not applicable	15 feet	25 feet	maximum length: 8 units	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	same as for single-family detached dwellings	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	60 feet	100 feet	25 feet	same as for single-family detached dwellings	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

GENERAL NOTES:

1. If central sanitary sewer is not available, 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, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, 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.

SCHOOL IMPACT ANALYSIS FORM

Agent Name: Blackhawk Engineering	Date: 01-11-21		
Applicant Name: Old West Florida Primitive Baptist Association	Telephone: 224-4295 Fax: Email:		
Address: 2344 Lake Bradford Road, Tallahassee, FL			
① Location of the proposed Comprehensive Plan Amendment or Rezoning: Tax ID #: 41-11-20-256-0000 (14.39 ac) Property address: 2344 Lake Bradford Road- Creative Minds School of Arts Related Application(s):			
② Type of requested change (check one): <input type="checkbox"/> Comprehensive plan land use amendment that permits residential development. <input checked="" type="checkbox"/> Rezoning that permits residential development. <input type="checkbox"/> Nonresidential land use amendment adjacent to existing residential development. <input type="checkbox"/> Nonresidential rezoning adjacent to existing residential development. *			
③ Proposed change in Future Land Use or Zoning classification: <input type="checkbox"/> <i>Comprehensive plan land use</i> From: _____ To: _____ <input checked="" type="checkbox"/> <i>Zoning</i> From: <u>General Commercial (C-2)</u> To: <u>Single Family Detached, Attached & Two-Family Residential (R-3)</u>			
Planning Department staff use only:			
④ Maximum potential number of dwelling units permitted by the request: Number of dwelling units: <u>4-8 dwelling units</u> Type(s) of dwelling units: <u>All residential types allowed</u>			
Leon County Schools staff use only: Creative Mind School of Arts-Received 2/2/2021			
⑤ School concurrency service areas (attendance zones) in which property is located. Unofficial until School Board approved-Scheduled for the 2/23/2021 Board meeting.			
	Elementary: Pineview	Middle: Nims	High: Rickards
Present capacity	_____ 388 _____	_____ 544 _____	_____ 334 _____
Post Development capacity	_____ 387 _____	_____ 544 _____	_____ 334 _____
Calculations based on maximum possible students-single family <1000 base square feet.			

This form is required by §8.3 of the Public School Concurrency and Facility Planning Interlocal Agreement as adopted on September 1, 2006 by the City of Tallahassee, Leon County, and Leon County School Board. Pursuant to §6.4 of the Agreement, the City or County will transmit the School Impact Analysis Form to a designated employee of the School Board for review at the same time the application is submitted to all departments for review.