

SPECIAL COMMISSION MEETING

Tallahassee, Florida
October 6, 2005

**JOINT CITY-COUNTY COMMISSION FIRST PUBLIC HEARING ON
PROPOSED CYCLE 2006-1 AMENDMENTS TO THE COMPREHENSIVE PLAN**

The City Commission met in special joint session with the Board of Leon County Commissioners (County Commission) on October 6, 2005, in the Courthouse Commission Chamber, with City Commissioners Lightsey, Katz and Mustian, and County Commissioners Proctor (Vice-Chairman), Sauls, DePuy, Rackleff and Winchester present. Also present were Assistant City Attorney Hurst and County Attorney Thiele.

Vice-Chairman Proctor called the second joint meeting to order at 6:53 p.m.

**FIRST PUBLIC HEARING ON PROPOSED CYCLE 2006-1 AMENDMENTS
TO THE COMPREHENSIVE PLAN**

Chief of Comprehensive & Environmental Planning Fred Goodrow presented the following proposed Cycle 2006-1 Amendments to the Comprehensive Plan for public input:

Item # 2006-1-	Nature of Amendment	Leon County School District Staff Comments	Planning Staff Recommendation	LPA Recommendation
M-001	<u>Future Land Use Map</u> Proposed map amendment change from Residential Preservation to Central Urban for .33 acres located on the NE corner of the intersection of Gibbs Drive and W. Fourth Avenue.		A	AM Expanded the area to include 1 lot to the east and 2 lots to the west
M-002	<u>Future Land Use Map</u> Proposed map amendment change from Mixed Use C to University Transition for approximately 1.2 acres located on Hayden Road between Overstreet Street and Bellevue Way.		A	A
M-003	<u>Future Land Use Map</u> Proposed map amendment change from Residential Preservation to Mixed Use B (implemented with OR-2 zoning) for a 1.23-acre parcel located on the south side of Bragg Drive between South Adams Street and Bellaire Drive.		D	AM Expanded the area to include 1 lot to the east & 1 lot to the north
M-004	WITHDRAWN BY THE APPLICANT			
M-005	<u>Future Land Use Map</u> Proposed map amendment to change 17.5 acres of land from Mixed Use B to Residential Preservation. The subject site is part of the Crawfordville Trace development and is located off Crawfordville Road between Gem Terrace and Whittaker Road.		A	A
M-006	<u>Future Land Use Map</u> Proposed map amendment to change 25.1 acres of land from Mixed Use B to Residential Preservation. The subject site comprises the Oak Ridge South and the Oak Ridge South Unrecorded subdivisions and is located south		A	A

	of Ross Road and east of Shelfer Road and west of Joseph Street in southern unincorporated Leon County.			
M-007	<u>Future Land Use Map</u> Proposed map amendment to change from Rural to Urban Fringe on approximately 232 acres located north of Mahan Drive and east of Hawks Landing Drive.		D	AM Recommended Alternative A with Development Agreement
T-008	<u>Utilities Element</u> Proposed text amendment to Policy 1.3.1 [SS] to allow the provision of central sanitary sewer service within the Urban Fringe land use category outside of the existing Urban Services Area boundary when such service is available and certain provisions are met.		AM	AM
T-009	<u>Transportation Element</u> Proposed text amendment to the Transportation Element, Policy 1.6.4, which would change the wording from "encourage" to "require" as it relates to the interconnection for vehicular/pedestrian traffic between adjacent incompatible developments if this interconnection has the potential to reduce the vehicular traffic on the external street system without negatively impacting either development.		AM	A
T-010	<u>Transportation Element</u> Proposed text amendment to the Transportation Element, Policy 1.6.3, which would change the wording from "encourage" to "require" as it relates to the interconnection between adjacent, compatible development.		AM	A
T-011	<u>Capital Improvement Element</u> Proposed text amendment to the annual update of the five-year schedule of Capital Improvements Projects for the 2006-2010 planning time frame.		A	A
T-012	<u>Conservation Element</u> Proposed text amendment to Policy 2.1.7 [C] that together with amendment 2006-1-T-013 consolidates City of Tallahassee policy on stormwater retrofit into one location within the Comprehensive Plan. The proposed amendment would eliminate redundancy and the potential for conflict by modifying this policy to reference Stormwater Element Policy 1.4.2 [SM]. This change together with amendment 2006-1-T-013 would also update the Comprehensive Plan to reflect the current level of action accomplished by the City Commission regarding stormwater retrofit.		AM	AM Approve Revision as Recommended by Staff
T-013	<u>Utilities Element</u> Proposed text amendment to Policy 1.4.2 [SM] that would update the Comp Plan to reflect the current level of action accomplished by the City Commission regarding stormwater retrofit. The proposed amendment would eliminate redundancy and the potential for conflict by modifying the this policy to reference Stormwater Element Policy 1.4.2 [SM].		AM Approve Revision as Recommended by Staff	AM
T-014	<u>Land Use, Conservation & Utilities Elements & Vision Statement</u> Proposed streamlining text amendment to remove the Land Use Element Summary from the Comprehensive Plan by either deleting		A	A

	unnecessary and/or outdated text or relocating substantive text to the Comprehensive Plan's Vision Statement; Land Use Element goals, objectives and policies; Utilities Element goals, objectives and policies; or Conservation Element goals, objectives and policies.			
T-015	Land Use Element Proposed text amendment to provide additional site design flexibility for developments promoting affordable housing.		A	A
A = Approve AM = Approve as Modified D = Deny				

Mr. Goodrow stated that no action was required at this time. The process for speaker appearances and a request that speakers limit their comments to no more than six minutes were announced at the prior public hearing.

Comprehensive & Environmental Planning Manager Jean Gregory announced the speakers on the respective amendments.

Amendment 2006-1-M-001

Mr. Wayne Colvin, 1500 Sand Road, representing the applicant, appeared before the Joint Commission and, with the use of video graphic aids, depicted the surrounding land uses. He encouraged approval of this amendment to allow the redevelopment of the area with triplexes, to provide affordable rental housing.

Responding to a request for clarification by City Commissioner Lightsey, Mr. Goodrow advised that the Planning Commission, acting as the Local Planning Agency (LPA), had recommended the addition of two adjacent properties in this map amendment request from Residential Preservation to Central Urban. He stated that the staff would advertise this amendment with the expanded area if there was no objection from the City and County Commissions.

County Commissioner Proctor clarified with Planner Steve Hodges that the current density on the subject property was six dwelling units per acre and the amendment would allow 23 units per acre.

Mr. Colvin advised that the intent of the applicant was to potentially develop the area with a quadruplex and a triplex, for a total of 13 two-bedroom dwelling units on the property, targeted towards affordable housing for single parent families. Brief discussion continued regarding prior commercial use of the adjacent property as a hair salon.

Amendment 2006-1-M-003

Mr. Akbar Mu'min, 1411 Eleanor Drive, representing the applicant, appeared before the Joint Commission and discussed the intent to expand the existing religious facility and maintain existing residential rental units in a former motel building that was located on the property.

County Chairman Proctor encouraged communication with the existing neighbors to ensure there were no objections to the proposed expansion.

Mr. Goodrow advised that the Planning Department staff had recommended denial while the Planning Commission, acting as the LPA, had recommended approval as modified with the addition of two tracts to square off the extension of the Mixed Use boundary. He advised that if there were no objections by the Commissions, the staff would advertise the amendment for the entire modified area so that the neighborhood residents would be made aware that this was under consideration.

Amendment 2006-1-M-007

County Chairman Proctor inquired as to the intent of the proposed amendment, and Mr. Goodrow advised that the request was to change the property from Rural, with a maximum density of one (1) unit per ten (10) acres, to Urban Fringe, which would allow up to one (1) unit per three (3) acres. He advised that a Chapter 163 Agreement had been included with the Agenda Materials, which would limit the development of the property to less than the 116 units that could be developed at one unit per three acres, bringing the number of units down to 74 units and including other limitations.

Mr. Ed Deaton, 9601 Miccosukee Road, President of the Miccosukee Land Coop Neighborhood Association, and stated their continued objection to this particular development. He stated that the proposed development was not substantially different from what had been previously proposed and, citing urban sprawl, traffic and infrastructure impacts, he stated that the development would not promote urban infill as provided by the Comprehensive Plan.

Ms. Julie Hauserman, 9516 Sunhawk Boulevard, appeared before the Joint Commission and stated that she was a resident of the Sunrise Community, a sister community to the Miccosukee Cooperative. She urged denial of this amendment based on the cost to the taxpayers, its cost to the County in terms of services, and because it did not meet the intent of the Comprehensive Plan in setting the boundaries of the Urban Service Area.

Ms. Ann Bidlingmaier, 1920 Harriet Drive, appeared before the Joint Commission and, noting that she had been involved with environmental issues for approximately 25 years, stated her agreement with Mr. Deaton's description that this was a "Comp Plan buster". She discussed her objection to the amendment and the proposed development project, citing poor judgment and greed, with one lane of traffic into the development and one lane out.

Ms. Edith Sheeks, 9601 Miccosukee Road, appeared before the Joint Commission and requested that her letter and her objections to the proposed development of this amendment property be copied from the previous amendment cycle and placed in the file to reflect her continued objection to this amendment (*on file in the Office of the City Treasurer-Clerk*). She endorsed the prior speakers' comments and opined that this amendment was in violation of the Comprehensive Plan, as it would create urban sprawl in a rural area.

Ms. Pamela Hall, 5057 Quail Valley Road, appeared before the Joint Commission and advised that her main problem with this amendment was that Urban Fringe zoning should not be expanded. She observed that cluster development on this property would not allow any land set aside for future development, and she urged that requests for Urban Fringe require overwhelming demonstration that the area could be included in the Urban Services Area boundary in the near future with substantial urban infill.

Mr. Hermann Frese, 3816 Lost Lane, appeared before the Joint Commission and clarified with Mr. Goodrow that Amendment 2006-1-M-008 was a change of policy establishing criteria for extending central sewer into the Urban Fringe area. Mr. Frese opined that the issues had not changed from the application submitted in the previous cycle of amendments, i.e., the use of septic tanks, stormwater runoff in a basin that currently flooded, traffic on U.S. 90, the impact on schools in the area, and he urged denial of this amendment.

Ms. Katherine Beck, 2292 Hampshire Way, representing the applicant, Dr. Miley Miers, appeared before the Joint Commission and advised that every concern that had been expressed had been addressed. She discussed the Chapter 163 Agreement that the owner had agreed to, including agreeing to place 160 acres identified for a "taking" by Blueprint 2000 in a conservation easement, there would be no silvaculture in that area, providing a 1,200-foot setback between the proposed development and the existing Hawks Rise neighborhood, there would be 74 lots in a conservation

subdivision – not a cluster subdivision – on central sewer and the remainder would be placed in a conservation easement.

County Chairman Proctor clarified with Ms. Beck that the applicant's proposal to work with the City on a cost share agreement to extend City sewer to this development was incorporated into the Chapter 163 Agreement.

City Commissioner Lightsey noted that this proposal involved a long extension of City sewer as the subject property was located approximately 2 ½ miles east of the current extension of sewer to the Chaires community. She also ascertained from County Attorney Thiele that the City was not a party to the Chapter 163 Agreement, which was between the County and Dr. Miers.

Ms. Beck clarified that the agreement provided for mandatory connection to City sewer should it become available, and that would be negotiated with the City.

County Chairman Proctor confirmed with County Attorney Thiele that in order for the City to extend sewer to this project, it would be necessary to approve Amendment 2006-1-T-008 to allow extension of the City sewer inside the Urban Service Area boundary.

Ms. Andersen clarified that the City had made no commitment to connect City sewer to this project.

County Chairman Proctor emphasized that he would need to understand how the sewer issue would be resolved before voting on this amendment. He clarified with Ms. Andersen that the County would not at any time be asked to pay the bill for extending City sewer to this project, but rather, the applicant would be required to connect the project to City sewer if it became available to the project. Ms. Andersen opined that the applicant would be required to include a deed restriction to require connection to City sewer if it became available in the future.

County Chairman Proctor concluded that this sewer connection issue needed some clarity before the County Commission workshop on these amendments.

County Commissioner Rackleff inquired as to whether Planning staff had checked this against the City's Sewer Master Plan, and stated his understanding that there was no plan to extend City sewer further to the east.

City Commissioner Lightsey advised that the City' Master Sewer Plan was in the process of being updated and anticipated to be completed in the next several months. She stated that based on past discussions, however, the expansion of City sewer outside of the Urban Service Area where it was currently not allowed would be limited to the south towards the Woodville area because of the environmental constraints. City Commissioner Lightsey opined that any City sewer expansion outside of the Urban Service Area would need to be financially feasible for the City, consistent with other City policies.

County Commissioner Rackleff questioned if the expansion of City sewer was funded from fees paid by existing users. City Commissioner Lightsey replied in the affirmative and explained that there were arrangements for on-site and off-site extensions, with the developers and the City paying part and enough applicants to make the expenditure worthwhile. She stated that it was necessary to have a rational expansion plan that would serve the other policies in the Comprehensive Plan as well.

County Commissioner Rackleff recalled that the Urban Services Area boundary was established to minimize the cost of providing infrastructure.

City Commissioner Lightsey explained that, as Lead Commissioner on Water Resources, Water Quality and Wakulla Springs, she was closely involved in the issue of where City sewer should be expanded.

County Chairman Proctor pointed out there was an equity issue as well, as there were many homeowners on the south side who had been waiting for years to receive City services. He suggested that the applicant needed some definitive response from the City indicating its commitment to extending City sewer to this project, and Ms. Beck stated that the applicant would pursue this with representatives of the City.

County Commissioner Rackleff expressed interest in receiving a cost estimate on extending City sewer out to include this proposed subdivision, and Ms. Andersen indicated that Planning staff would provide that information.

Mr. Goodrow pointed out this amendment was currently a "work in process".

Amendment 2006-1-T-008

Mr. Goodrow advised that Amendment 2006-1-T-008 had been submitted by Dr. Miley Miers as well and was viewed by Planning staff as an opportunity to address the extension of City sewer to the Urban Fringe areas on the south side. He stated that Planning staff recommended some changes to the amendment to provide an opportunity to begin looking at extending City sewer into Urban Fringe areas without moving the Urban Service Area boundary, with a policy requirement that the developer would pay the full cost.

Mr. David Hutcheson, 1967 Commonwealth Lane, appeared before the Joint Commission and discussed his support for this amendment, as it would allow the extension of urban services to some Urban Fringe properties on the south side. He encouraged this to be done financially in accordance with the City and County Water & Sewer Agreement, and he opined that this was appropriate in environmentally sensitive areas that were already in the Urban Fringe.

Mr. Ed Deaton, 9601 Miccosukee Road #25, appeared before the Joint Commission and stated that it appeared the provision of sewer services to the project on the east side would skip the Urban Fringe to provide the service in the Rural area in order to accommodate that particular project. He stated that this was not good planning, particularly when planning expensive infrastructure, and he encouraged providing sewer services in the southern part of the community where it was needed most. Mr. Deaton strongly urged the City to continue its deliberations on infrastructure needs, looking to the south rather than to the east.

Dr. Pamela Hall, 5051 Quail Valley Road, appeared before the Joint Commission and suggested that the Woodville Sector Plan be the location for making changes. She opined that the Woodville corridor needed to be protected to provide central sewer to the Woodville area, and the Comprehensive Plan needed to be revised accordingly. Dr. Hall also recommended including all of the components of urban design that go with central sewer for a cluster of urban development, which should not be surrounded by non-urban development, and she explained that this was a legitimate component of deciding what parcels could be included within the Urban Services Area boundary.

Mr. Neil Fleckenstein, 13093 Henry Beadel Drive, appeared before the Joint Commission and concurred with Dr. Hall's comments. He encouraged infill development in general and the development of Woodville as a Village Center.

County Commissioner Rackleff requested a copy of a report written by an FSU Professor approximately ten years earlier comparing the cost of providing sewer and water services to different

parts of the County, including Summerbrook versus a Central Urban location. Mr. Tedder advised that the staff would locate and provide that report.

County Commissioner Rackleff discussed the policy guidelines for providing central sewer services, including an existing subdivision with environmental problems, which he supported for the Woodville area, and a new conservation subdivision or Urban Fringe cluster. He questioned when the latter would not contribute to urban sprawl.

Ms. Andersen advised that those kinds of developments were currently being developed on septic tanks in the Urban Fringe. Brief discussion continued in this regard and County Commissioner Rackleff opined that in some cases septic tanks could be appropriate.

Mr. Tedder advised that this issue would be studied intently for discussion at the workshops, and he advised that currently the Urban Fringe future land use category allowed conservation subdivisions and cluster development. He clarified that this amendment would not increase the density, but was to provide sewer service that was essential to some of the environmental problems in and around some of the environmentally sensitive areas.

County Commissioner Rackleff stressed the need to provide this kind of information to the Commission and the public with time to study the information.

City Commissioner Lightsey pointed out government was currently unable to meet the Comprehensive Plan commitment to providing landowners inside the Urban Service Area with central sewer, and she opined that it would be appropriate to go outside of the Urban Service Area only in very limited and unique circumstances, with the developer paying the expense for the infrastructure to provide central sewer services. She explained that there also needed to be capacity for treatment and disposal of the effluent water.

City Commissioner Lightsey advised that County Commissioner Rackleff had attended a recent symposium on septic systems, presented by state and federal agencies and the Planning Department, and she reported that the current trend of thinking was that because it was too expensive and too difficult to extend central sewer services to all areas, there was a need to make a transition to on-site disposal septic tank systems, which would have continuing treatment operation and management that would be funded through a monthly fee. She urged the Commissions to consider that kind of septic tank treatment system to meet future needs.

County Chairman Proctor suggested that the new septic tank treatment system would be appropriate for the Chason Woods development application on the south side, particularly in view of its proximity to Wakulla Springs. Mr. Tedder stated that under the current policies, central sewer could not be extended to that development, but the staff could recommend a new septic tank treatment system that would require quarterly inspections for those facilities. He indicated that Planning staff would bring back an analysis of the septic tank system discussed by City Commissioner Lightsey.

City Commissioner Lightsey advised that she was attempting to push forward a unified septic tank ordinance that would include the City, Leon County and Wakulla County, applicable initially to the Wakulla Watershed Area, and she opined that it would be important in getting this passed to have the City and Leon County adopt the same new standard for other appropriate areas, naming the operating/management entity. She stated that it was essential to have the County adopt and push that standard.

County Chairman Proctor observed that the applicants for this amendment, Cynthia Henderson and Rick Geshwiler, had no record of supporting the south side. He stated that he could not support this amendment unless it was amended to be specific to the south side and Woodville areas.

Mr. Tedder advised that Planning staff had been working through the Water Resource Target Issue Committee process with City Commissioner Lightsey and Mayor Marks, and would bring recommendations on infrastructure phasing to the full City Commission the end of October 2005. He reported that this would include infrastructure needs throughout the community and septic tanks, in anticipation that the staff would be directed to move forward with policy and implementation of that Infrastructure Phasing Plan. Mr. Tedder explained that this amendment application had been submitted knowing that an Infrastructure Phasing Plan was under development and the staff had begun amending the amendment language to be consistent with that Plan, which could be modified at the workshops.

County Commissioner Proctor expressed concern that the amendment language was not directed to the south side, and indicated he looked forward to additional information from the staff on this issue.

Amendment 2006-1-T-015

Dr. Pamela Hall, 5051 Quail Valley Road, appeared before the Joint Commission and opined that the purpose of Amendment 2006-1-T-015 was to encourage more affordable housing units. She urged consideration of limiting urban sprawl, promoting urban infill with its increased density impacting sewer and stormwater issues. Dr. Hall asked the Commissions to consider how to move this community to standards that would result in the same amount of the impervious surfaces with substantially higher densities, that would eliminate minimum lot sizes, and would require attached houses, i.e., duplexes and triplexes, to attain more affordable housing.

County Chairman Proctor clarified with Mr. Goodrow that the policy language would require at least 10% of the dwelling units within the development to be affordable housing units in order to apply the site design flexibility necessary to accommodate density bonuses (Land Use Policy 2.1.14.D.2).

County Commissioner Rackleff ascertained that this amendment provision to provide more affordable housing would be voluntary and was not related to the required inclusionary housing.

County Chairman Proctor determined from Mr. Tedder that the City's mandated policy established the affordable housing price range as slightly less than \$166,000, and he suggested the need to set a price range for the affordable housing density bonus provision. Mr. Tedder advised that the staff would bring back some language in that regard.

City Commissioner Mustian reported that the City Commission intended to provide some innovative affordable and mixed use housing with its Welaunee property.

City Commissioner Lightsey suggested that it might be desirable to also work on allowing infill development with some design density on vacant residential lots in the Residential Preservation districts.

County Chairman Proctor opined that there was a growing gap between housing that was affordable and housing that was available, and he stressed the need for housing that was realistically affordable. He pointed out a Housing Master Plan had not been prepared in this community since 2001 and expressed support for encouraging the development community to make available more affordable lots and homes.

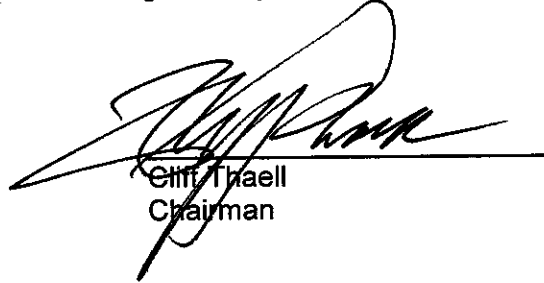
Amendment 2006-1-T-014

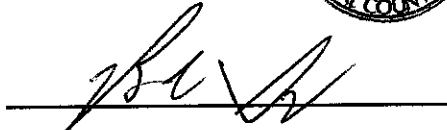
Mr. George E. Lewis, II, 203 N. Gadsden Street #6, appeared before the Joint Commission and urged the Commissions to direct the staff to be careful about having adopted amendments properly reflected in the Comprehensive Plan. He expressed concern that at some point it would be necessary to start a tracing process and suggested that the history of the amendments be incorporated into each section of the Comprehensive Plan, including the effective date, the cycle and amendment number, and how it was changed.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:25 p.m.




Cliff Thael
Chairman


Bob Inzer, Clerk of Circuit Court