

SUMMARY		
Applicant:	Proposed Change	TLCDP Recommendation:
Tallahassee-Leon County Planning Department	Adoption of new <i>Research and Innovation</i> and <i>Industry and Mining</i> Land Use categories	Approve
TLCDP Staff:	Comprehensive Plan Element	LPA Recommendation:
Artie White	Land Use Element	Approve
Contact Information:	Policy Number(s)	
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Date: November 13, 2017	Updated: March 2, 2018	

A. SUMMARY:

The proposed amendment would update the Land Use Element of the Tallahassee-Leon County Comprehensive Plan to include a *Research and Innovation* Land Use category and an *Industry and Mining* Land Use category. The proposed *Research and Innovation* land use category addresses research and development uses and innovation districts. The proposed *Industry and Mining* Land Use category addresses light industrial uses, mining uses, and heavy industrial uses. The proposed land use categories set guidelines for the development of implementing zoning districts.

B. STAFF RECOMMENDATION:

Approve.

C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:

Find the proposed text amendment consistent with the adopted Goals, Objectives, and Policies in the Comprehensive Plan and recommend approval.

D. PROPOSED POLICY CHANGE:

See Attachment #1 (Proposed Land Uses) and Attachment #2 (proposed text amendments for internal consistency).

E. APPLICANT'S REASON FOR THE AMENDMENT:

The proposed amendment is intended to acknowledge changes and technological advances in the fields of research and development, advanced manufacturing, and industrial and light industrial operations. The proposed amendment also provides guidance for the development of land development regulations that address the compatibility of these uses with other uses in the community.

F. STAFF ANALYSIS

History and Background

The preliminary concept for the proposed land use categories arose through the effort to update the Land Use Element of the Comprehensive Plan. During the public outreach for this effort, themes that were discussed included the need for high paying jobs, the need for economic diversification, and the need to address compatibility of different uses more effectively.

During this time, the Office of Economic Vitality prepared Manufacturing Development Program ordinances for consideration by the City Commission and Board of County Commissioners. The Planning Department and Office of Economic Vitality began discussing how manufacturing can be promoted and encouraged in appropriate locations.

Additionally, the Leon County Development Support and Environmental Services Department requested assistance from the Planning Department on how to address legal, non-conforming mines permitted in unincorporated Leon County. Because of this request, the proposed amendment was initiated in advance of other Land Use Element Update amendments.

If approved, the Planning Department will work closely with the City of Tallahassee Growth Management Department and the Leon County Development Support and Environmental Services Department on updates to the Land Development Regulations to implement the new land use categories.

Previous Commission Consideration

The initiation of the proposed amendment is consistent with the direction from the City Commission and Board of County Commissioners to align the land use and development plan with established community priorities, beginning with a comprehensive assessment and revision of the Land Use Element. This direction is included in Leon County's FY2017-2021 Strategic Plan as a Quality of Life Strategic Initiative: Complete a comprehensive review and revision to the Land Use Element of the Comprehensive Plan, including a review of inclusionary housing. (2016-25)

STAFF REPORT UPDATE

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

	Cycle 2018 Meetings	Dates	Time and Locations
X	Local Planning Agency Workshop	November 7, 2017	3:00 PM, Second Floor, Frenchtown Renaissance Center
X	Local Planning Agency Public Hearing	February 6, 2018	6:00 PM, Second Floor, Frenchtown Renaissance Center
X	Joint City-County Commission Workshop	January 23, 2018	1:00 PM, Fifth Floor, Leon County Courthouse
X	Joint City-County Transmittal Public Hearing	February 27, 2018	6:00 PM, Fifth Floor, Leon County Courthouse
	Joint City-County Adoption Public Hearing	April 10, 2018	6:00 PM, Fifth Floor, Leon County Courthouse

Public Open House – November 16, 2017: 14 citizens attended the first open house to discuss the 2018 Cycle amendments. Of the 14 attendees, none were present to discuss this amendment. There were no questions or comments on this proposed amendment.

Science Advisory Committee – December 1, 2017: Staff presented the proposed Research and Industry Land Use Category to the Science Advisory Committee and requested input and feedback. The Committee discussed the amendment and was generally in support of the proposed amendment, but took no formal vote on the item.

Water Resources Committee – December 4, 2017: Staff presented the proposed Research and Industry Land Use Category to the Water Resources Committee and answered questions regarding the proposed amendment.

Local Planning Agency Public Hearing – December 5, 2017: Due to a Blueprint Intergovernmental Agency (IA) meeting being scheduled for the same afternoon, the members of the Local Planning Agency voted to continue the Public Hearing to the January 2, 2018 Local Planning Agency meeting.

Local Planning Agency Public Hearing – January 2, 2018: Local Planning Agency voted to continue the Public Hearing to the February 6, 2018 Local Planning Agency meeting to provide staff additional time to further refine the density and intensity standards for the proposed land use category.

Joint City-County Commission Workshop – January 23, 2018: During the workshop, the Board of County Commissioners and the City Commission provided feedback on the proposed Research and Innovation Land Use category that separating the research and

innovation uses from the industrial and mining uses may be more appropriate than including them under one land use category. Feedback was also given to ensure that the proposed amendment maintain consistency with local ordinances that ban hydraulic fracturing (fracking). Based on this direction, the Research and Innovation Land Use category was separated into two proposed land use categories: Research and Innovation and Industry and Mining.

Local Planning Agency Public Hearing – January 2, 2018: The Local Planning Agency supported staff's recommendation of approval based upon consistency with the Comprehensive Plan and findings of fact outlined in this staff report.

Joint City-County Commission Transmittal Hearing – February 27, 2018: The City Commission and Board of County Commissioners voted to approve the proposed text amendment.

F. CONCLUSION:

Based on the above analysis, Planning Department staff recommends approval of the amendment request for the following reasons:

- Consistency Comprehensive Plan policies
- Consistency with previous City or County Commission actions
- Consistency with Planning Department projects, initiatives, etc.

H. ATTACHMENTS:

Attachment #1: Proposed land use categories

Attachment #2: Proposed text amendments to provide internal consistency with the proposed land use categories

Attachment #1: Proposed Land Uses

Research and Innovation Land Use

INTENT

Districts that support research and innovation are key components of an economic development strategy for the City of Tallahassee and Leon County. Maintaining lands used for research and innovation and expanding these uses in appropriate areas are necessary for job creation, flexibility to adapt to changing economic trends, and economic diversification essential for the community's future.

The intent of the Research and Innovation Land Use category is to recognize the variety of uses that occur in these districts and to facilitate the location of jobs relative to the homes of people who can provide critical talent in skilled trades.

Research and Innovation uses should be encouraged in areas with access to transit, bicycle, and pedestrian facilities. Because of the need for infrastructure and public services, the Research and Innovation Land Use shall only apply to areas located within the Urban Services Area.

ALLOWABLE USES, DENSITIES, AND INTENSITIES

The Research and Innovation Land Use category accommodates a variety of uses that may have similar demands on public infrastructure. Research and Development and Innovation District uses are allowable in the Research and Innovation Land Use.

1. Research and Development – Research and Development uses shall be permitted at a maximum intensity of 45,000 square feet of gross building floor area per acre. Mixed use Research and Development projects may include commercial, office (other than the research and development uses), and residential uses. These ancillary uses may not exceed 40% of the total gross square footage of a Research and Development project.

2. Innovation District – Innovation Districts may include up to 45,000 square feet of gross building floor area per acre. The mixture of uses shall emphasize the technological and collaborative nature of these districts by including in the buildable square footage up to

80% in Innovation District, Research and Development, or compatible Light Industrial uses, up to 40% residential uses, and up to 40% in other non-residential support uses. Design standards detailed in the land development code shall provide for the protection of adjacent non-research and innovation properties by arranging the residential uses and non-research and innovation uses as a buffer or transition to adjacent properties.

SPECIAL CONDITIONS

The following special conditions shall apply to the Research and Innovation Future Land Use category:

1. Administrative offices that support and are functionally related to onsite activities are allowed in any of the implementing zoning districts for the Research and Innovation Land Use.
2. Site plans must demonstrate the protection of adjacent non-research and innovation properties through development standards outlined in the land development codes.
3. A plan for vehicular access to and from the site addressing delivery trucks and specialized equipment must be submitted with site plans and must demonstrate compatibility with adjacent land uses.

Industry and Mining Land Use

INTENT

Advanced manufacturing, industrial uses, and mining are important parts of the economy in the City of Tallahassee and Leon County. Dramatic shifts in the technologies used by these sectors are resulting in operations that are often cleaner, quieter, and less noxious to neighboring uses than traditional industrial uses. Industry and mining uses in appropriate locations provide necessary jobs and the raw materials needed to support growth and development in the community.

Industry and mining uses intended for the distribution of manufactured goods should be encouraged in areas with access to the Tallahassee International Airport or the Florida Department of Transportation's (FDOT) Strategic Intermodal System (SIS) facilities. Because of the need for infrastructure and public services, the Industry and Mining Land Use shall only apply to areas located within the Urban Services Area.

Because industrial uses vary in their operations and potential for offsite impacts, performance and locational criteria shall be established in the City and County land development codes for the implementing zoning districts. Whenever possible, noise, vibrations, smoke, dust and particulate matter, odor, and lighting resulting from industry and mining uses shall be prevented. In cases where the impacts cannot be prevented, they shall be mitigated to avoid negative impacts on properties in the vicinity of these uses.

ALLOWABLE USES, DENSITIES, AND INTENSITIES

The Industry and Mining Land Use category accommodates a variety of uses that may have similar demands on public infrastructure. Light industrial, mining, and heavy industrial uses are allowable in the Industry and Mining Land Use.

1. Light Industrial – Light Industrial uses shall be permitted at a maximum intensity of 30,000 square feet of gross building floor area per acre. Ancillary residential uses (intended for caretaking, maintenance, the temporary lodging of employees, or security) may not exceed two units per acre.

2. Mining – Mining uses shall be permitted subject to applicable landscaping and natural area requirements and the dimensional standards included in land development regulations. A land reclamation plan shall be submitted demonstrating that upon termination of the activity, the land shall be returned to a condition that will allow an effective reuse compatible with surrounding properties. All mining uses are subject to fencing requirements as identified in the land development regulations. Mining uses may be subject to an

Environmental Resource Permit (ERP) pursuant to Chapter 373, F.S., and Rule 62-330, Florida Administrative Code (F.A.C.) and mandatory reclamation requirements pursuant to Chapter 378, F.S., and Rule 62C-39, F.A.C.

3. Heavy Industrial – Heavy Industrial uses shall be permitted at a maximum intensity of 30,000 square feet of gross building floor area per acre. All applicable development must comply with Title 14 Code of Federal Regulations Part 77.9 Construction or alteration requiring notice. Those industries that have the potential to result in any other pollution of the air or ground shall adhere to existing local, state and federal operational or industry standards, and avoid or mitigate these potential impacts. These areas shall have stringent locational criteria and require extensive buffering and/or relative distance from other land uses. These uses may require employment of techniques to prevent substantial impacts off-site or require mitigation and/or minimization techniques for impacts. Ancillary commercial uses designed to serve adjacent workers may be permitted.

SPECIAL CONDITIONS

The following special conditions shall apply to the Industry and Mining Land Use category:

1. Administrative offices that support and are functionally related to onsite activities are allowed in any of the implementing zoning districts for the Industry and Mining Land Use.
2. Site plans must demonstrate the protection of adjacent non-science and industry properties through development standards outlined in the land development codes.
3. A plan for vehicular access to and from the site addressing heavy trucks and equipment must be submitted with site plans and must demonstrate compatibility with adjacent land uses.
4. Hydraulic fracturing, commonly referred to as fracking, is not a permitted use in the Industry and Mining Land Use.

GLOSSARY

Research and Development: Research and Development uses shall have minimal offsite impacts and include facilities for developing technologies related to the physical and life sciences. Facilities may include laboratories, wet laboratories, classrooms, commercialization centers, coworking spaces, makerspaces, craftsman studios, proof of concept centers, and related facilities. Active and passive recreation, open space, hotels, restaurants, and limited retail and residential are allowed as ancillary uses to support the collaborative nature of research and development centers.

Light Industrial: Light Industrial uses typically constrain potentially offensive impacts onsite, either through complete enclosure or a combination of enclosure and screening. Light Industrial uses shall include the finishing of products composed of previously manufactured component parts (such as the assembly of apparel or food processing excluding slaughter); and any manufacturing, storage, or distribution of products unlikely to cause any of the following impacts to be detected off-site: odor, noise, fumes or dispersion of waste, or radiation. Ancillary commercial uses designed to serve adjacent workers may be permitted. Light Industrial uses are not dependent upon direct access to rail facilities for off-loading and on-loading. Mixed Use Industrial sites allow light industrial uses supported by training facilities, offices, restaurants, small scale commercial storefronts, factory tours, retail, ancillary residential and/or open space uses.

Mining: Mining uses have the potential for substantial offsite impacts and alterations to the land structure on and around the mining site. Mining uses shall include the mining and quarrying of sand, gravel, clay, limestone, ceramic, and refractory minerals. Mining uses do not include hydraulic fracturing. Mining uses typically depend on a transportation system that can support large and heavy trucks.

Hydraulic Fracturing: The process by which fractures are created by pumping fluids at high pressure into target rock formations to stimulate the flow of natural gas or oil, increasing the volumes that can be recovered.

Heavy Industrial: Heavy industrial uses have or may have substantial offsite impacts, such as noise, vibrations, smoke, dust and particulate matter, and noxious or odorous gases. Heavy industrial uses typically depend on access to Strategic Intermodal System (SIS) facilities, rail facilities, or airport facilities.

Commercialization Centers: Facilities designed to further develop technologies through research partnerships, assistance with patents, and support for delivering products to the market through licensing and the creation of companies.

Coworking Spaces: Shared workplaces or offices that facilitate the social gathering of a group of people who are still working independently. Unlike in a typical office, those utilizing coworking spaces are usually not employed by the same organization. Coworking spaces are often attractive to work-at-home professionals, independent contractors, or people who travel frequently.

Makerspaces: Collaborative work spaces with tools available for the purposes of enabling people to design, prototype and create manufactured works that typically would not be possible to create with the resources available to individuals working alone. Makerspaces are intended to provide access to equipment, community, and education. Makerspaces often have a variety of equipment, such as 3D printers, laser cutters, CNC (Computer Numerical Control) machines, soldering irons, or sewing machines.

Proof of Concept Centers: Facilities designed to provide services related to financial capital, business support, and university research to promote the adoption and further development of programs that aid technologies through phases between patenting and the creation of marketable products.

Wet Laboratories: Laboratories where chemicals, drugs, or other materials are handled in liquid solutions or volatile phases, requiring direct ventilation and specialized piped utilities (typically water and various gases).

Innovation Districts: Geographic areas that are physically compact, walkable, and transit-accessible where educational institutions, university-affiliated research and development facilities, and/or technology-focused companies cluster and connect with startup companies, business incubators, and business accelerators. Innovation Districts are mixed-use areas that provide housing, office, and retail in addition to the educational and business uses.

Startup Company: An entrepreneurial venture that is typically a newly emerged, fast-growing business that aims to meet a marketplace need by developing a viable business model around an innovative product, service, process or a platform.

Business Incubator: Organizations that helps new and startup companies develop by providing services such as management training or office space, and are often a good path to capital from investors.

Business Accelerator: An organization that offers a range of support services and funding opportunities for startup businesses, including capital and investment, mentorship, office space and supply chain resources.

Compatibility: A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Attachment #2

Additional Text Amendments for Internal Consistency

Policy 1.4.15: [L] (EFF. 8/17/92)

Waive access standards for heavy industrial land uses within the Heavy Industrial Future Land Use category and Industry and Mining Future Land Use category. This will be done in conjunction with adopting a policy which waives local and minor collector access standards for all planned industrial and commercial development.

Policy 2.1.1: [L] (REV. EFF. 6/28/95; REV. EFF. 7/26/06)

Protect existing residential areas from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. Comprehensive Plan provisions and Land Development Regulations to accomplish this shall include, but are not limited to:

e) ~~Preclusion of future heavy industrial adjoining any residential area~~ Prevention or mitigation of off-site impacts from Industry and Mining uses.

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09)

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

~~New, Expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts and provide screening, buffering, or by providing a transitional development area between the light industrial uses and the low and medium density residential uses.~~

The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of ~~adjoining~~ expanding or redeveloping light industrial uses adjoining residential preservation areas shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall ~~not be designated next to a residential preservation area~~ prevent or mitigate off-site impacts in accordance with the Research and Innovation Land Use category or the Industry and Mining Land Use category and applicable Land Development Regulations.

Policy 2.2.5: [L]

SUBURBAN (EFF. 3/14/07)

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

Table 4: Suburban Intensity Guidelines

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/

DEVELOP

MENT

20,000-SQ

FT/ ACRE (9)

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, and retail and light industrial development. Allowed land uses within the Suburban Future Land Use Category shall be regulated by zoning districts which implement the intent of this category, and which recognize the unique land use patterns, character, and availability of infrastructure in the different areas within the Suburban Future Land Use Category. In those areas lacking the necessary infrastructure, the Land Development Regulations may designate a low intensity interim use. Any evaluation of a proposed change of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.

Policy 2.2.7: [L]

HEAVY INDUSTRIAL (EFF. 12/10/91; REV. EFF. 7/26/06;

RENUMBERED 3/14/07)

Contains industrial uses which have or may have substantial offsite impacts. These areas have locational criteria more stringent than residential or commercial. Off-site impacts require extensive buffering and/or relative distance from other land uses. Ancillary commercial uses designed to serve adjacent workers may be permitted. Other commercial and residential land uses are prohibited due to the encroachment factor. No additional property shall be designated with the Heavy Industrial Land Use category. Amendments to the Future Land Use Map adopted for the purposes of developing heavy industrial uses shall be designated with the Industry and Mining Land Use category.

Policy 2.2.26: [L]

Land Use Development Matrix

(Note: The Land Use Development Matrix does not apply to Bradfordville Mixed Use, Suburban, Research and Innovation, Industry and Mining, Urban Residential 2, Village Mixed Use, Planned Development, Central Core, Central Urban, University Transition, and Woodville Rural Community.)

Policy 4.1.3: [L] (REV. EFF. 12/23/96; REV. EFF. 3/14/07)

~~The following limitations shall apply to industrial development.~~

Industrial development shall be located in such a manner as to prohibit industrial traffic through predominantly residential areas. Land Development Regulations shall address access standards for Industry and Mining uses to protect predominantly residential areas from traffic impacts traffic generated by industrial development. ~~At a minimum, the following limitations shall apply:~~

- ~~a) No future heavy industrial uses shall be allowed to adjoin existing low density and medium density residential uses.~~
- ~~b) Future light and heavy industrial uses will be prohibited on local and minor collector streets providing primary access to residential development.~~

Policy 4.1.4: [L] (EFF. 7/16/90)

Environmental impacts, infrastructure availability, transportation and land use compatibility criteria, as pictorially depicted on the matrix, shall be major factors in reviewing and approving ~~heavy industrial land use and intensity~~ Industry and Mining Land Uses.

Policy 5.2.2: [L] (EFF. 12/7/99)

~~By 2001,~~ Land development regulations shall establish the maximum allowable dimension of water distribution pipelines necessary to support urban intensity development. Water distribution pipelines that do not exceed this dimension shall be considered public facilities, necessary to support urban development, and allowed within all land use categories. New water distribution pipelines in excess of the established dimension limit for public facilities shall be considered as industrial uses and shall be required to be located within the industrial future Government Operational or Industry and Mining land use category.

Glossary

~~HEAVY INDUSTRIAL: (EFF. 7/16/90) The use of land for the manufacture of material or products from extracted or raw material; the extraction of mineral resources, except water; processing of wood to lumber or wood pulp, or wood pulp to paper; any refinement or distillation of petroleum resources, and conversion or smelting of ores to metals. Also, Heavy Industrial Use shall include any manufacturing, distribution, wholesaling or storage of any raw material or product—finished or unfinished— which is characterized by one or more of the following: 1) Producing impacts detectable off-site from smoke, dust, dispersion of particulate matter, noxious or odorous gases, or any other pollution of the air; 2) Producing water pollution detectable off-site, including thermal pollution; 3) The storage, manufacture, processing or distribution of any radioactive waste, explosive, or flammable materials; 4) The creation of noise or vibration not compatible with residential, agricultural, or commercial activities. 5) Any use generating or storing over 1000 KG/MO hazardous waste.~~

~~Heavy Industrial Uses have considerable impacts upon infrastructure and utilities. Heavy Industrial Uses require access and facilities for truck and/or rail delivery and pickup. Loading and off loading is frequently accomplished by truck or rail, seldom by automobile. Demand for water and electricity is typically heavy.~~

~~**LIGHT INDUSTRIAL:** (EFF. 7/16/90) The use of land for the finishing of products composed of previously manufactured component parts; and any manufacturing, storage, or distribution of products unlikely to cause any of the following objectionable impacts to be detected off site: odor, noise, fumes or dispersion of waste, or radiation. Light Industrial uses are not dependent upon direct access to rail facilities for off loading and on-loading. Light Industrial uses typically contain potentially offensive impacts onsite either through complete enclosure or a combination of enclosure and screening. **MINOR:** One activity on a less than 10 acre site. **PARK:** One activity on a greater than 10 acre site or 2 or more activities on one site.~~