TLCPD

Tallahassee-Leon County Planning Department

MEMORANDUM

To: **Members of the Tallahassee / Leon County Planning Commission**
From: **Enid Ehrbar, Senior Planner** ERE
Date: **February 6, 2003**
Subject: **Consistency Review: Provide for Additional Level of Review**

The Planning Department staff has been asked to review the proposed revisions to Chapter 10; Section 1479.1 of the Leon County Code of Laws entitled Type C Review for consistency with the Comprehensive Plan. This ordinance change allows for a type C review (reviewed by the County Commission) for residential or non-residential uses based on the unique location characteristics arising from the existing proximity to low density development or other unique site specific characteristics. Staff has reviewed the proposed changes in relation to the Comprehensive Plan policies and finds the proposed ordinance consistent with the Plan based on the limited policy language contained in the Plan. The direction from the Planning Commission Attorney has been to find an item consistent with the Comprehensive Plan if the Plan does not address the issue. The Comprehensive Plan does not directly address levels of site plan review.

This ordinance change would allow the County Administrator or his designee to "bump up" a site plan from type A or B levels, which are not reviewed by the County Commission, to a type C review that would require the County Commission to take final action on the site plan. In order for the "bump up" to occur, the site plan would be determined to have unique characteristics based on proximity to existing single-family residential uses or other unique characteristics including a proposed use that could result in extraordinary off site impacts. The proposed language allows the County Administrator or his designee to determine if the project meets the criteria in order to be moved to the type C review.

The only policy in the Plan that addresses site plan review is Conservation Policy 1.3.6, which states, "*A site plan review will be required for all projects which have 40% or more of their acreage located in the preservation or conservation overlay districts. The land development code shall include procedures for public notification and comment on such development plans*". This policy does not deal with any levels of review and is

intended to allow for public comment on development that contains environmentally sensitive features. Otherwise, the Plan is silent on the type of site plan review that will be required of different types of development. That is deferred to the Land Development Regulations (LDRs).

Cc: Val Hubbard
Jean Gregory