



Bradfordville Sector Plan

*Chapter 1.0:
Background*

1.0 Background

1.1 Purpose and History

Leon County has faced continued conflict during the past ten years over development of the northeast section of the County, in the area referred to as Bradfordville. This conflict has resulted in the issuance of a court injunction on December 3, 1998, with a written order on December 15, 1998, which was later modified on January 13, 1999 and January 25, 1999.

After the court issuance of the injunction, the judge issued a mediation order, which resulted in an Interim Settlement Agreement (ISA) between Leon County and the plaintiffs. In order to fully implement the provisions of the Comprehensive Plan relating to the Bradfordville study area (BSA), the County entered into agreements with the consultants Freilich, Leitner, and Carlisle and Wallace Roberts & Todd, LLC, to assist County staff in preparing a Bradfordville Sector Plan. ***The purpose of the Sector Plan is to achieve long-range planning for the BSA in a manner which demonstrates compliance with the goals, objectives, and policies of the Comprehensive Plan.*** This requires, among other things, defining appropriate types and levels of development, establishing timing and sequencing policies for development, defining and prioritizing necessary capital improvements, providing for effective stormwater and water quality management, and preserving the rural qualities of the BSA.

To fully recognize the importance of achieving these objectives, it is important to understand the complexity of the circumstances and events that have led to this planning process. The following is a brief chronology of the major events surrounding development strategies and actions, Comprehensive Plan consistency issues, and litigation related to the Bradfordville Study Area:

- **August 8, 1989:** The Board of County Commissioners appoints the Bradfordville Citizen Task Force.

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- **March 27, 1990:** The Task Force presents its Final Report to the Board, with recommendations in the form of a sector-specific goal and related objectives and policies. The Board approves the Task Force recommendations, which are subsequently submitted as part of the Comprehensive Plan amendment cycle 94-1.
- **December, 1995:** The Bradfordville Study Area Comprehensive Plan amendments are adopted by the Board of County Commissioners.
- **August 25, 1997:** The Board votes to maintain Mixed Use A designation for approximately 200 acres at the intersections of Bannerman Road, Bradfordville Road and Thomasville Road. At the November 11, 1997 Commission meeting, the Board gives direction to the Planning Department to (1) develop design standards for that portion of property located in the area known as Bradfordville and zoned Mixed Use A; (2) develop a proposal for a roadway network which provides an alternative to concentrating traffic at the Thomasville Road/Bannerman Road intersection; and (3) initiate a Comprehensive Plan Amendment in the 98-2 cycle which will bring the adopted level of service standards for Thomasville Road into compliance with the Florida Intrastate Highway LOS standards.
- **April 21, 1998:** The Board approves four development patterns; directs staff to set maximum impervious coverage at 40% in all zoning districts; approves the proposed road classification and configuration; and provides direction on development standards.
- **July 14, 1998:** The Board directs staff to amend the development standards to include provisions addressing only setback and access management standards, and a maximum impervious surface area standard of 60%. At this meeting, the Board adjusts the proposed zoning map, and schedules the first public hearing for July 28, 1998 and the second and final public hearing for August 25, 1998.
- **July 28, 1998:** At the first public hearing, the Commission votes to amend the Mixed Use A zoning district development standards; adopts the four zoning districts (BC-1, BC-2, BCS and

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BOR) implementing the Bradfordville Mixed Use A Overlay District; and schedules the final adoption hearing for the proposed amendments to the official zoning map for Bradfordville Mixed Use A Overlay District to be held on September 15, 1998.

- **September 15, 1998:** At the second public hearing, the Commission repeals the Mixed Use A zoning district and all sections of the Land Development code pertaining to the Mixed Use A district; adopts map amendment series III, Map A, rezoning the Bradfordville Mixed Use A Overlay District; directs staff to re-advertise changes to the Bradfordville Mixed Use A Overlay District development standards that include provisions for 60 percent impervious surface area coverage and a reduction of allowable building area to 8,000 square feet per acre at the northeast and southeast intersection of the realigned Bradfordville, Bannerman and Thomasville roads. In addition, the Board directs staff to re-advertise for the rezoning of the east portion of the Serpico property to the Bradfordville Commercial Services (BCS) zoning district.

- **September 22, 1998:** The Board directs staff to include mini-warehouses as a permissible land use within the Bradfordville Office residential (BOR) district. At a public hearing held on October 27, 1998 on this item, the Board directs staff to separate the impervious surface issue and the inclusion of the mini-warehouse use as a permissible land use within the Bradfordville Office residential (BOR) district. The Board also schedules a second and final public hearing for November 10, 1998.

- **October 26, 1998:** The Board executes a contract with Environmental Research and Design (ERD) to conduct the Bradfordville Stormwater Study. The contract specifies a completion date of October 31, 1999. The scope of work for the Bradfordville Stormwater Study was prepared by a citizen group of seven scientist and professionals appointed by the Board.

- **November 10, 1998:** At the second and final public hearing regarding impervious surface standards, the Board chooses not to approve the proposed text amendment that would allow an increase of impervious surface area to 60% at the intersection of Bradfordville, Bannerman and Thomasville roads, but approves

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the inclusion of mini-warehouses as a land use within the BOR zoning district, with the provision that the proposed use be developed in accordance to the BCS zoning district standards and the proposed use be 100% screened from adjacent land uses.

- **December 3, 1998:** Judge Kevin Davey imposes an injunction on Leon County, prohibiting the county from issuing development permits within the Bradfordville Study Area. On January 12, 1999, the Board votes to support an Interim Settlement Agreement (ISA) which includes an agreement to jointly request the Court to release certain residential properties and a limited amount of other specific development from the injunction. Judge Davey signs an order modifying the scope of the injunction as agreed upon by the parties on January 13, 1999 and January 25, 1999.

The injunction did not apply to construction activity on permits already issued by the County, or vested development. As modified by the Court on January 13, 1999, the ISA exempted from the injunction single family home permits within the BSA that are on lots of record or in vested or exempt subdivisions which have their planned infrastructure, including management of stormwater, best management practices, and all roads and utilities in place as of December 3, 1998. Additional requirements applied if the single family construction lot is located on a lake being sampled in the Bradfordville Stormwater Study. The following lakes were included in the Bradfordville Stormwater Study; Pine Hill Lake, Lake Arrowhead, Horseshoe Plantation Lake, Lake Anna, Lake Carolyn, Lake Warner, Gilbert Pond, Lake Jeff, Rabbit Pond (Lake Jamie) Lake Mary Ann, Lake Charles, Lake Bess, Lake Faye, Lake Tom John, and Lake McBride.

- **December 31, 1998:** Judge Davey appoints Mr. Arden Siegendorff, Certified Court Mediator, to serve as the mediator in the Bradfordville Injunction case. The County Administrator, County Attorney and other County staff participate in the mediation sessions with approximately six members of the plaintiff Bradfordville Homeowner's Association. As a result of this mediation, on January 6, 1999 the Board approves the Interim Settlement Agreement.

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The December 15, 1998, January 13, 1999 and January 25, 1999, Orders issued by Judge Davey enjoined the County from issuing certain development permits until the County comes into compliance with specific sections of the Comprehensive Plan: sections 8.1, 8.3, 8.3.1 and 8.5.2.

The ISA provisions mandated the creation of a strategic plan with a focus on seven items. The following working groups were created to study many of these items: Stormwater Peer Review Working Group, Commercial Computations Working Group, Lake McBride Protection Working Group. In addition, two other working groups were created to study other issues in the BSA: Historic Preservation Working Group, and (Environmental) Conservation and Preservation Working Group. Although each group was assigned a different topic of study, some of the topics overlapped. Representatives of the Homeowners' Associations and County staff served as members of the working groups.

- **November, 1999:** The Board adopts the Interim Development Ordinance for the Bradfordville Study Area (IDO). The IDO established a temporary moratorium for development in the Bradfordville study area in order to allow the County time to study the appropriate levels of development for the BSA, review the Bradfordville Stormwater Study, and draft changes to the Land Development Regulations for the BSA which conform with the Comprehensive Plan. The Board establishes a deadline date of July 15, 2000 to complete a Bradfordville Sector Plan.
- **March 2000:** A complete, final draft report of the Bradfordville Stormwater Study is presented to the County. The Bradfordville Peer Review Working Group determines, after completing its evaluation, that ERD has complied with the scope of work.

A detailed description about the Sector Plan process is contained in the following section. The process and outcome of the studies conducted by the Working Groups are summarized and discussed in Chapter 3.0. *Appendix 1*, in particular, contains the final report by the Bradfordville Stormwater Study Peer Review Working Group.

1.2 Sector Plan Process

Overview

The sector plan was intended to primarily focus on the key elements of the Interim Settlement Agreement, including the areas covered by the Working Groups. Nevertheless, the sector plan needed to ensure that the final results of the Working Groups could be incorporated into a comprehensive planning framework for the Bradfordville Study Area. In addition, broad public participation in the process needed to be encouraged and accommodated, in spite of a relatively short timeframe for completion of the project. This section outlines the process by which these goals were met.

Project Team

The County selected two consulting groups to assist in implementation of the Interim Development Ordinance. Freilich Leitner and Carlisle, from Kansas City, Missouri, were chosen to assist with the legal aspects of implementation, including drafting of Land Development Regulations and other implementing ordinances. Wallace Roberts & Todd, out of Coral Gables, Florida, were selected as the lead consultants for developing the sector plan. Staff assistance was provided primarily through the Growth Management Department, and the Tallahassee-Leon County Planning Department.

Stakeholder Interviews

During the very early data collection phase of the project, the consultants and staff met with small groups of property owners and their representatives, as well as with representatives of nearby homeowners associations, plaintiffs from the homeowners groups, and their attorney. These interviews were intended to identify the needs and concerns of each stakeholder group, and to assess the areas of common ground and of divergence. At this time, the consultants also received information from the Working Groups regarding their progress and findings to date. The outcome of these meetings was reported in the *Needs, Issues, and Opportunities Report/Summary of Stakeholder Interviews (Appendix 2)*.

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Development of Alternative Scenarios

Subsequent to the stakeholder interviews, staff and the consultants met to develop a series of alternative scenarios. Five alternatives were developed for the commercial node at the intersection of Bradfordville, Bannerman and Thomasville Roads. These scenarios accommodated varying amounts of commercial square footage, ranging from a minimal amount (approximately 38,000 square feet) of additional commercial, up to the 645,000 square feet of additional projected development under current zoning. Two alternatives were prepared for the non-commercial areas, including an interpretation of existing policies, and an alternative proposal for rural policies and concepts. Staff and the consultant prepared preliminary analyses of the impacts of the alternatives, and presented these at a community meeting held on March 10, 2000.

Selection of Preferred Scenario

The five scenarios, with one additional variation, were then presented to the Planning Commission and the Board of County Commissioners on March 29 and March 30, respectively. These bodies were asked to select a preferred alternative for development of the sector plan. The Planning Commission declined selecting a preferred alternative. The Board of County Commissioners directed staff and the consultants to base the sector plan on the existing zoning alternative, but to develop standards and proposals that would allow that alternative to meet Comprehensive Plan consistency requirements.

On May 11, the consultants and staff held a workshop to review progress on the development concept, and to receive additional direction from the Board. The consultants proposed the Comprehensive Plan requirements be met through a cap of 300,000 square feet on commercial development, and a timing and phasing schedule, while maintaining the underlying zoning classifications. At a May 16 public hearing, the Board reiterated the need to avoid downzoning, and rejected the cap on commercial square footage, as well as the timing and phasing mechanism.

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Design Charette

On May 11, the consultants and staff met with the community to present progress on the plan and to receive input on the design elements for the commercial area. The results of this meeting, which was done through small group discussion and facilitation, was a remarkable degree of consensus on the vision for this commercial area and the particular design standards for achieving this vision. The input from this meeting was used by the consultants in drafting the design proposals and Land Development Regulations pertaining to design.

Development of Preferred Scenario

Based on the result of the Board's May 16 meeting, the consultant and staff eliminated the phasing element as it was presented in the original development concept, and made further refinements and modifications for presentation to the Board at a May 30 public hearing. At that time, the Board voted to direct staff and the consultants to develop a draft version of the sector plan for presentation to the Board on June 13 based on the proposed concept. While the Board accepted the fundamental principles of this concept, as meant to achieve compliance with the policies of the Comprehensive Plan, the motion acknowledged the Board's concern that additional supporting analysis needed to be presented in the draft plan as to the amount of commercial development that is commensurate with population growth by the year 2010, in the context of the proposed development framework. On May 30, the Board revised its previous direction and approved the consultant's proposal for a 10-year cap on commercial development within a defined commercial core. The Board also directed staff to meet with the various stakeholder parties prior to the presentation of the draft plan, to ensure that every attempt was made to reach agreement.

Preparation of Draft and Final Sector Plan

The consultants and staff used the results of the May 11 Design Charette and the May 30 BCC decision to develop a draft Sector Plan document, which, after undergoing several rounds of refinements, is contained in final form in the following sections.

1.3 Adopted Comprehensive Plan Goals, Objectives & Policies

Because the primary purpose of the Sector Plan is to plan for the Bradfordville study area in a manner that demonstrates compliance with the Comprehensive Plan, it was important throughout the planning process to keep in mind the adopted objectives and policies of Land Use Goal 8, which pertain to the Bradfordville study area and with which the Sector Plan seeks to comply. These objectives and policies are excerpted below. Subsequent sections describe existing conditions and trends observed in the various areas encompassed by the policies

"Land Use Goal 8

Due to the increasing urbanization of the Bradfordville area, potential problems caused by future development must be addressed before they can occur. Future growth for this area... must occur in a timely manner that is compatible with natural resources and existing development, and is supported by appropriate facilities and services. Consistent with Policies 1.4.3 and 1.4.4 of the Land Use Element, the following objectives and policies are adopted pursuant to the advisory recommendations of the Report of the Bradfordville Citizens Task Force (the "Report"). These objectives and policies are considered supplemental to all other objectives and policies within the Comprehensive Plan which apply to this area.

Environment

Objective LU 8.1

Develop and implement a comprehensive stormwater management plan for the Bradfordville area by December, 1995, to eliminate the potential for damage and harm from flooding resulting as a result of urbanization.

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Policy LU 8.1.1

The County will identify strategies to address potential stormwater problems in this area. Existing policies and LDRs will be reviewed to determine whether they are sufficient to address problems.

Policy LU 8.1.2

As an interim standard prior to the completion of the comprehensive stormwater management plan, no development activity in the Bradfordville area shall be permitted to increase the frequency, duration or extend [sic] of flooding off-site.

Objective LU 8.2

In addition to stormwater quantity and flooding concerns, the comprehensive stormwater management plan for the Bradfordville area will also address the protection and enhancement of natural surface water bodies.

Policy LU. 8.2.1

As an interim standard prior to the completion of the stormwater management plan, land development activities in the Bradfordville study area shall serve to maintain or improve the water quality in all affected watersheds.

Objective LU 8.3

The County will adopt policies by December, 1994, to protect environmentally sensitive areas from incompatible development.

Policy LU 8.3.1

The local government shall expand the land development code to include conservation and preservation districts within the Bradfordville study area which have more stringent requirements for development within or adjacent to these districts.

Land Use, Design and Historic Preservation

Objective LU 8.4

The County will use the following policies with implementing LDRs to discourage urban sprawl, preserve the rural character, and provide an adequate supply of facilities and services for the Bradfordville area.

Policy LU 8.4.1

The County shall maintain the availability of commercial services commensurate with population growth within the traffic analysis zones bordering Thomasville Road north of Interstate 10 (I-10).

Policy 8.4.2

Through specific requirements in the LDRs, the County will encourage the development of a single Bradfordville center to meet the 2010 commercial and public service needs of the immediate Bradfordville area through the year 2010.

Policy 8.4.3

To serve additional local residential demands, enhance the livability of existing and future neighborhoods and prevent an undue burden on external infrastructure and major transportation connectors, new residential developments shall be encouraged to incorporate small commercial centers.

Policy 8.4.4

Adequate transportation facilities to support the land development in the Bradfordville area will be provided through the enforcement of the Concurrency Management System, as well as additional policies and LDRs, if necessary, pertaining to transportation facilities requirements.

Objective LU 8.5

Preserve the rural character and historic legacy of the Bradfordville study area through the proper location of land uses, as well as the adoption of design standards for development review.

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Policy 8.5.1

The County will adopt additional LDRs, if needed, to minimize potential land use incompatibilities and provide design standards to provide an aesthetically pleasing environment that respects the character of the community.

Policy LU 8.5.2

The County shall identify, preserve, and enhance those historic resources designated significant by the Board of County Commissioners upon the recommendation of the Historic Tallahassee Preservation Board.

Transportation

Objective LU 8.6

The County will adopt additional LDRs, if necessary, by December, 1994, to provide an efficient and effective transportation system for the Bradfordville area based on the criteria to be approved by the Board of County Commissioners.

Policy LU 8.6.1

The County will adopt LDRs by December 1994 to establish criteria limiting the number of critical movements necessary for ingress to or egress from development, as well as standards for the design of access points in the area.

Objective 8.7

Future transportation improvements in the Bradfordville area will be reviewed based on the criteria provided in the following policies.

Policy LU 8.7.1

Transportation plans and improvements will be consistent with the rural character of Bradfordville.

Policy LU 8.7.2

The County shall identify right-of-way and development plans for the realignment of Bradfordville and Bannerman Roads by 1995."