January 13, 2006

MEMORANDUM

TO: District Board of Trustees

FROM: William D. Law, Jr., President

RE: City of Midway – PTLEA Incorporation

At the December, 2005 meeting of the District Board of Trustees, we distributed a Draft Ordinance allowing for the incorporation of the Pat Thomas Law Enforcement Academy property within the City of Midway’s boundaries.

The only change recommended by the Board at the meeting was to expand the “Principle Uses” of the property to include all activities that would be “…consistent with the mission of Tallahassee Community College and the Pat Thomas Law Enforcement Academy…” (Section C, Item 22).

Accordingly, I recommend that the College submit a formal letter to the Midway City Council requesting that the attached Draft Ordinance allowing for the annexation of the Pat Thomas Law Enforcement Academy property be considered for adoption.

Staff Resource: Kurt Salsburg & Jim Murdaugh

RECOMMENDED ACTION:

Authorize the President to request the annexation of the Pat Thomas Law Enforcement Academy by the City Council of Midway, Florida, as outlined in the attached Draft Ordinance dated January 5, 2006.
DRAFT 1/05/06

ORDINANCE NUMBER 200_ - 0_

AN ORDINANCE OF THE CITY OF MIDWAY, FLORIDA, AMENDING ARTICLE II OF THE CITY OF MIDWAY, FLORIDA LAND DEVELOPMENT REGULATIONS BY CREATION OF A NEW ZONING CATEGORY FOR THE TALLAHASSEE COMMUNITY COLLEGE/PAT THOMAS LAW ENFORCEMENT ACADEMY WHICH SHALL BE KNOWN AS “TCC/INSTITUTIONAL”; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR USES; PROVIDING FOR LAND USES NOT ALLOWED; PROVIDING FOR RENUMBERING CURRENT SECTIONS; AND PROVIDING FOR AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Midway, Florida, as follows:

Section 1. The City of Midway Land Development Regulations are hereby amended by the creation of a new zoning district to be defined as follows:

Section 2.10 TALLAHASSEE COMMUNITY COLLEGE/PAT THOMAS LAW ENFORCEMENT ACADEMY - “TCC/INSTITUTIONAL”.

A. Purpose of Creation of Zoning District.
   The purpose of the creation of the Tallahassee Community College/Pat Thomas Law Enforcement Academy (TCC/Institutional) Zoning District is to implement a new zoning category which will be consistent with amendments to the City of Midway, Florida, Comprehensive Plan Update and the Land Use Element of the Comprehensive Plan.

B. District Intent.
   The intent of the District is to provide a realistic zoning category which will allow for the creation of a master plan for Tallahassee Community College and the Pat Thomas Law Enforcement Academy to develop in an orderly fashion at the location on US 90 in Midway.
   The TCC/Institutional Zoning District is intended to promote academic excellence and economic opportunities which are supported by an economic and student base larger than Midway, Leon County and Gadsden County in which a mixture of classrooms, dormitories, administrative offices, training areas, storage and recreational areas are permitted.
   The district is not intended to accommodate heavy industrial operations nor to accommodate residential development, other than dormitories, which would limit the ability of the district to attain its economic potential. Operations considered “heavy industry” shall not be permitted. Operations within the district may have minor daytime offsite impacts that will have little effect on neighboring sites.
   The District establishes minimum and maximum development criteria and design criteria which are intended to prevent underachievement of economic development objectives and to assure high quality development.

C. Principal Uses.
   1. Educational facilities.
   2. Office and Administrative uses.
   3. Institutional uses.
   5. Communications and utilities.
   6. Community services, including libraries, vocational schools and police/fire stations. Elementary, middle, or high schools are prohibited, unless they are made part of the master plan or fall under
Section 2.10 C 22. Other community services may be allowed.
7. Services or operations provided by a community college, college or university.
8. Laboratories, research and development activities.
10. Shooting ranges.
11. Homeland defense operations.
12. Water and land rescue operations and facilities.
13. Cafeteria operations in connection with the academy operations.
14. Dormitories in connection with the academy operations.
15. Emergency management, fire and/or rescue services.
16. Training facilities, including classroom and outdoor training facilities.
17. Other uses which are of a similar and compatible nature to those uses described above, however, no use which may be construed under either SIC or NAICS codes as “heavy industry” shall be allowed under any condition.
18. Telecommunications Towers in accordance with City of Midway Code of Ordinances.
19. Commercial and retail uses along corridor roads and highways specifically limited to US 90 and Interstate 10 should an Interstate interchange be constructed at a later date. Such commercial and retail uses would be subject to approval by the Tallahassee Community College Board of Trustees and the State of Florida Internal Improvement Trust Fund Board.
20. Public facilities and infrastructure, including a water tower, as necessary, for the operation of the Academy.
21. Recreational facilities for use by Pat Thomas Law Enforcement Academy faculty and students.
22. Any other training and educational uses proposed by TCC/PTLEA consistent with the mission of Tallahassee Community College and the Pat Thomas Law Enforcement Academy shall be considered on a case by case basis with the City.

D. Accessory Uses.

1. Bulk storage of petroleum products for operation of vehicles and equipment owned or operated by Tallahassee Community College/Pat Thomas Law Enforcement Academy or an air ambulance service.

<table>
<thead>
<tr>
<th>DEVELOPMENT STANDARDS FOR TCC/INSTITUTIONAL ZONING DISTRICT</th>
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<tr>
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<tr>
<td>Permitted Non-Industrial or Office principal uses</td>
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<tr>
<td>All Other Principal Uses</td>
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General Notes:
1. If central sanitary sewer is not available, 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.
2. Refer to other parts of the code and comprehensive plan for information pertaining to the regulation of environmental features, stormwater retention areas may be placed within the setback areas. Refer to other parts of the code and comprehensive plan for information pertaining to the regulation of environmental features and storm water management requirements.
3. Setbacks shall be measured from the property line to the vertical wall of the building and only Front setbacks may be necessary once the master plan is approved.
5. * For purposes of “No Height Limits”, the structure must be an inhabited structure (i.e., dormitory, office building, classroom building) or a structure used for training or practice such as a fire tower or similar structure.

**Urban Design Criteria** - Development within the TCC/Institutional District shall be consistent with design criteria of the Administration and District Board of Trustees of Tallahassee Community College, with the following additions:

a. All building elevations which may be viewed from a public street shall be finished in brick, stucco, glass curtain wall, architectural concrete, textured block, textured block, or other appropriate siding. All building elevations which may be viewed from a public street shall have a uniform appearance consistent with the front building elevation.

b. All buildings shall screen utility connections, roof top equipment and meter locations with materials found on the building exterior or with evergreen landscaping.

c. All buildings shall screen trash collection/storage areas with materials found on the exterior of the building.

d. All delivery truck docks shall provide a screen of sufficient height and length to screen loading and unloading areas.

e. A delivery truck door located in the front of the building shall be designed in such a fashion so as to aesthetically compliment the remaining elevation of the building.

**Signage** - Signage in the TCC/Institutional Zoning District shall meet the following criteria:

a. Each development within the District shall establish a uniform sign design for all signs.

b. All wall signs shall be of uniform design.

c. No roof signs are permitted.

d. One free standing sign per public street frontage per site is permitted. Free standing signs shall be constructed with a base using material found on the principal structure or other aesthetically pleasing material. Free standing signs shall not exceed 400 square feet in area per sign face nor have more than two faces nor exceed 50 feet in height.

e. Billboards in conformance with DOT regulations shall be permitted. The approach side of the billboard must advertise a business within the City of Midway.

F. Temporary signs, not to exceed 30 days of display per calendar year are permitted, except for “for sale” and “for lease” signs which are not subject to this limitation.

E. Land Uses Not Allowed.

No heavy industrial uses as defined by SIC or NAICS codes shall be allowed in the TCC/Institutional Zoning District.

F. **Streets and Roads.** All internal streets and roads shall be built according to Florida DOT specifications with a minimum of 50 feet of right-of-way, if the roads will be dedicated City rights-of-way. One year after completion of the project and provided that the roads are built according to Florida DOT specifications, the property owner may petition the City Council to take over responsibility for maintenance and upkeep of the roads by dedication as public rights-of-way.

G. **Parking and Parking Spaces.** Parking and the number of parking spaces shall be in accordance with the applicable building code.

H. **Florida Uniform Building Code.** All development and buildings are subject, at a minimum, to the Florida Uniform Building Codes for Public Educational Facilities Construction.

I. **Public Dedication of Land.** Although Section 3.03.15 of the City of Midway Land Use Regulations requires the dedication of a minimum of ten percent of the gross area of gross land area to the City to be dedicated for public use for conservation or passive recreational use, the provisions do not apply in this instance, however, in the event an arrangement is agreed upon between the City and Tallahassee Community College for the construction of a fire station, Tallahassee Community College shall provide sufficient land or a building to house a fire station.

J. **Zoning Map to Be Amended.** The City’s Zoning Atlas and Zoning Map shall be amended to include the areas to be included in the TCC/Institutional Zoning Category. The specific areas shall be contained in the following legal descriptions, which may, from time to time, be amended if Tallahassee Community College obtains additional property which they desire to have zoned with this designation.

PARCEL 1 - District Board of Trustees of Tallahassee Community College  
Gadsden County Parcel Number: 3-26-2N-3W-0000-00400-0000
OR 567, Page 1,429; OR 324, Page 44, 833 acres more or less as described in OR 567, page 1,429,
further described as follows: Begin at the NWC of Section 36-2N-3W, run North 88° 37' 49" East 2,640.94
feet to the NEC of NW 1/4 of said Section 36; South 00° 40' 14" East along the approximate EQST line of
the W ¼ of said Section 36 4,902.05 feet to the North Right-of-Way of I-10; North 58° 42' 35", West 54
54.07 feet; North 54° 39' 41", West 701.80 feet; North 58° 43' 34" West 2,623.06 feet; North 52° 47'
49" West 390.86 feet; North 62° 41' 13" West 309.98 feet; North 78° 35' 02" West 317.33 feet; North
69° 24' 35" west 920.05 feet; North 66° 59' 00" west 361.71 feet; North 81° 29' 56" west 361.65 feet;
North 80° 40' 06" west 716.77 feet; North 73° 23' 18 west 314.36 feet; North 87° 43' 58" west 619.34
feet; South 80° 39' 13" west 359.25 feet; South 87° 25' 38" west 654.32 feet; South 82° 37' 04" west
300.76 feet; South 87° 22' 10" west 588.92 feet to the east bank of the Little River; thence along said
east bank North 21° 55' 39" east 5,001.14 feet to the approximate line of the SW 1/4 of Section 26,
South 89° 52' 34" East 1,562.10 feet to the NEC of SW 1/4 of Section 26-2N-3W; South 00° 04' 17" east
131.96 feet; North 89° 45' 08" east 2,688.14 feet to the East line of Section 26; South 80° 39' 13" east
2,509.86 feet to POINT OF BEGINNING, containing 833 acres more or less.

PARCEL 2 - District Board of Trustees of Tallahassee Community College
Gadsden County Parcel Number: 3-25-2N-3W-0000-00130-0000
OR 546, Page 1,819 DB 105, Page 283-DB 117, page 26, W ½ of NE 1/4 lying South of US 90, less to
SRD per DB GGG, Page 410 in Section 25-2N-3W containing 56 acres more or less.

PARCEL 3 - State of Florida Trustees of the Internal Improvement Trust Fund
Gadsden County Parcel Number: 3-24-2N-3W-0000-00333-0100
OR 159 P 357-West ½ of Section 24 lying South and West of US 90; Also: the NW ½ of Section 25-2-3.
Also: the NE 1/4 of Section 26-2-3 and the North 132 feet of the SE 1/4. OR 159 Page 357, OR 192,
Page 596 in Section 24-2N-3W containing 375 acres more or less.

K. Implementation. Since the intent of the TCC/Institutional Zoning District is to provide a realistic zoning
category that will allow for the creation of a master plan for Tallahassee Community College and the Pat
Thomas Law Enforcement Academy to develop in an orderly fashion at the location on US 90 in Midway,
the City will develop an orderly process to streamline the permitting process for developments in
accordance with the master plan. To that end, the master site plan for the Tallahassee Community
College/Pat Thomas Law Enforcement Academy will be reviewed as a whole by the Planning and Zoning
Board and the City Council in one comprehensive review. To achieve the goal of providing a streamlined
process, no individual conceptual review or site plan review will be required. All construction must, at
a minimum, meet the standards as set forth in the Florida Uniform Building Codes for Public Educational
Facilities Construction.

L. Development Regulations. The City of Midway Developmental Regulations shall apply, however, they
shall be modified to meet the intent of the Zoning District in the event there are any conflicts. To the
extent the City must adopt either and/or both the Gadsden County Comprehensive Plan Land Uses or the
Gadsden County Land Development Regulations upon annexation of any land, those land uses and
regulations shall apply until such time as the City has adopted an amendment to the City Comprehensive
Plan, Land Use Map, and Land Development Regulations.

M. Other Permitting Requirements. This ordinance relates to zoning and procedures for the City of
Midway, Florida, and is not intended to abrogate the authority any other governmental agency requiring
permits.

N. Platting and Replatting of Lands. Any platting or replatting of lands by the property owners shall be in
accordance with Florida Statutes, Chapter 177."
Section 2. Section 2.10 of the City of Midway Land Development Regulations shall be renumbered as Section 2.11; Section 2.11 of the City of Midway Land Development Regulations shall be renumbered as Section 2.12; and Section 2.12 of the City of Midway Land Development Regulations shall be renumbered as Section 2.13.

Section 3. This zoning classification shall supersede any other zoning classification assigned to any of the areas included in this category.

Section 4. This ordinance shall become effective in accordance with Florida State law.

INTRODUCED and read the First Time at a regularly scheduled City Council meeting on Thursday, __________, 2006.

READ THE SECOND TIME AND ADOPTED by the City Council of the City of Midway at a regularly scheduled City Council meeting on Thursday, __________ _________________, 2006.

ATTEST:  Delores Madison, Mayor

Francis Harrell
City Clerk
ordinance number 200__ - __

an ordinance of the city of midway, florida,
voluntarily annexing approximately 1,264 acres of land
comprised of three tracts of land, two of which are owned
by the district board of trustees of tallahassee community
college and one tract which is owned by the state of florida
trustees of the internal improvement trust fund; providing
for a legal description; providing for an effective date

whereas, the district board of trustees of tallahassee community college and the state of florida
trustees of the internal improvement trust fund have indicated a desire to voluntarily annex
approximately 1,264 acres of land located adjacent to the city of midway and has petitioned the city for a
voluntary annexation; and,

whereas, the city council of the city of midway, florida, has conducted two public hearings in
accordance with florida statutes, chapter 171, section 171.044 - voluntary annexation.

now, therefore, be it ordained by the city council of the city of midway, florida, as
follows:

section 1. the city of midway, florida, hereby voluntarily annexes the following properties owned by the
district board of trustees of tallahassee community college and the state of florida trustees of the
internal improvement trust fund, which drawings, parcel numbers and legal descriptions are attached
hereto and made a part of this ordinance, into the city of midway, florida, with the following legal
description:

parcel 1 - district board of trustees of tallahassee community college
gadsden county parcel number: 3-26-2n-3w-0000-00400-0000
or 567, page 1,429; or 324, page 44, 833 acres more or less as described in or 567, page 1,429,
further described as follows: begin at the nwc of section 36-2n-3w, run north 88° 37' 49" ease
2,640.94 feet to the nec of nw 1/4 of said section 36; south 00° 40' 14" east along the approximate
eqst line of the w ½ of said section 36 4,902.05 feet to the north right-of-way of i-10; north 58° 42' 35",
west 54 54.07 feet; north 54° 39' 41", west 701.80 feet; north 58° 43' 34" west 2,623.06 feet.
west 52° 47' 49" west 390.86 feet; north 62° 41' 13" west 309.98 feet; north 78° 35' 02" west 317.33
feet; north 69° 24' 35" west 920.05 feet; north 66° 59' 00" west 361.71 feet; north 81° 29' 56" west
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west 619.34 feet; south 80° 39' 13" west 359.25 feet; south 87° 22' 10" west 654.32 feet; south 82° 37'
04" west 300.76 feet; south 87° 22' 10" west 588.92 feet to the east bank of the little river; thence
along said east bank north 21° 55' 39" east 5,001.14 feet to the approximate line of the sw 1/4 of
section 26, south 89° 52' 34" east 1,562.10 feet to the nec of sw 1/4 of section 26-2n-3w; south 00°
04' 17" east 131.96 feet; north 89° 45' 08" east 2,688.14 feet to the east line of section 26; south 00°
23' 05" east 2,509.86 feet to point of beginning, containing 833 acres more or less.

parcel 2 - district board of trustees of tallahassee community college
gadsden county parcel number: 3-25-2n-3w-0000-00130-0000
or 546, page 1,819 db 105, page 283-db 117, page 26, w ½ of ne 1/4 lying south of us 90, less to
srdd per db ggg, page 410 in section 25-2n-3w containing 56 acres more or less.

parcel 3 - state of florida trustees of the internal improvement trust fund
gadsden county parcel number: 3-24-2n-3w-0000-00333-0100
or 159 p 357-west ½ of section 24 lying south and west of us 90; also: the nw ½ of section 25-2-3.
also: the ne 1/4 of section 26-2-3 and the north 132 feet of the se 1/4. or 159 page 357, or 192,
Section 2. A copy of this ordinance, upon adoption by the City Council, shall be filed with the Clerk of the Circuit Court, the Gadsden County Property Appraiser and the County Manager of Gadsden County and the Florida Department of State within seven days after adoption.

Section 3. This ordinance shall become effective in accordance with Florida State law.

INTRODUCED and read the First Time at a regularly scheduled City Council meeting on Thursday,

READ THE SECOND TIME AND ADOPTED by the City Council of the City of Midway at a regularly scheduled City Council meeting on Thursday, __________
___________________________, 2006.

___________________________
ATTEST: Delores Madison, Mayor

___________________________
Frances Harrell
City Clerk