



Expanded “Public Use” of Eminent Domain Proceedings in Tallahassee, Florida

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Research Question

What are the legal standards and historical precedents for following eminent domain practices that result in the displacement of neighborhoods in Tallahassee, Florida?

Background

Local and state governments engage in the right of eminent domain to acquire private property for “public use,” such as economic infrastructure and redevelopment projects.¹

Supreme Court Rulings & Public Policy

The Supreme Court’s expansion of “public use” through *Berman v. Parker* and *Kelo v. City of New London* for private economic development provided way to a public policy debate on:

- (1) whether eminent domain should be used as a substitute for real estate market transactions
- (2) whether fundamental private property rights should be modified to protect private interests.²

Research Design & Methods

Case Study: Tallahassee, Florida (highly economically-segregated city)

Black residents are approximately 35% of the population, yet are disproportionately concentrated in high poverty areas.³

Governments are required to follow legal provisions to protect private property rights of displaced persons.⁴

- Rulings from national cases serve as guidelines to assess three local residential displacements:
 - 1) Smokey Hollow
 - 2) Orange Avenue Apartments
 - 3) Boynton-Stills

Results



Figure 1: Smokey Hollow (1960s)⁴



Figure 2: Orange Avenue (2022)⁵

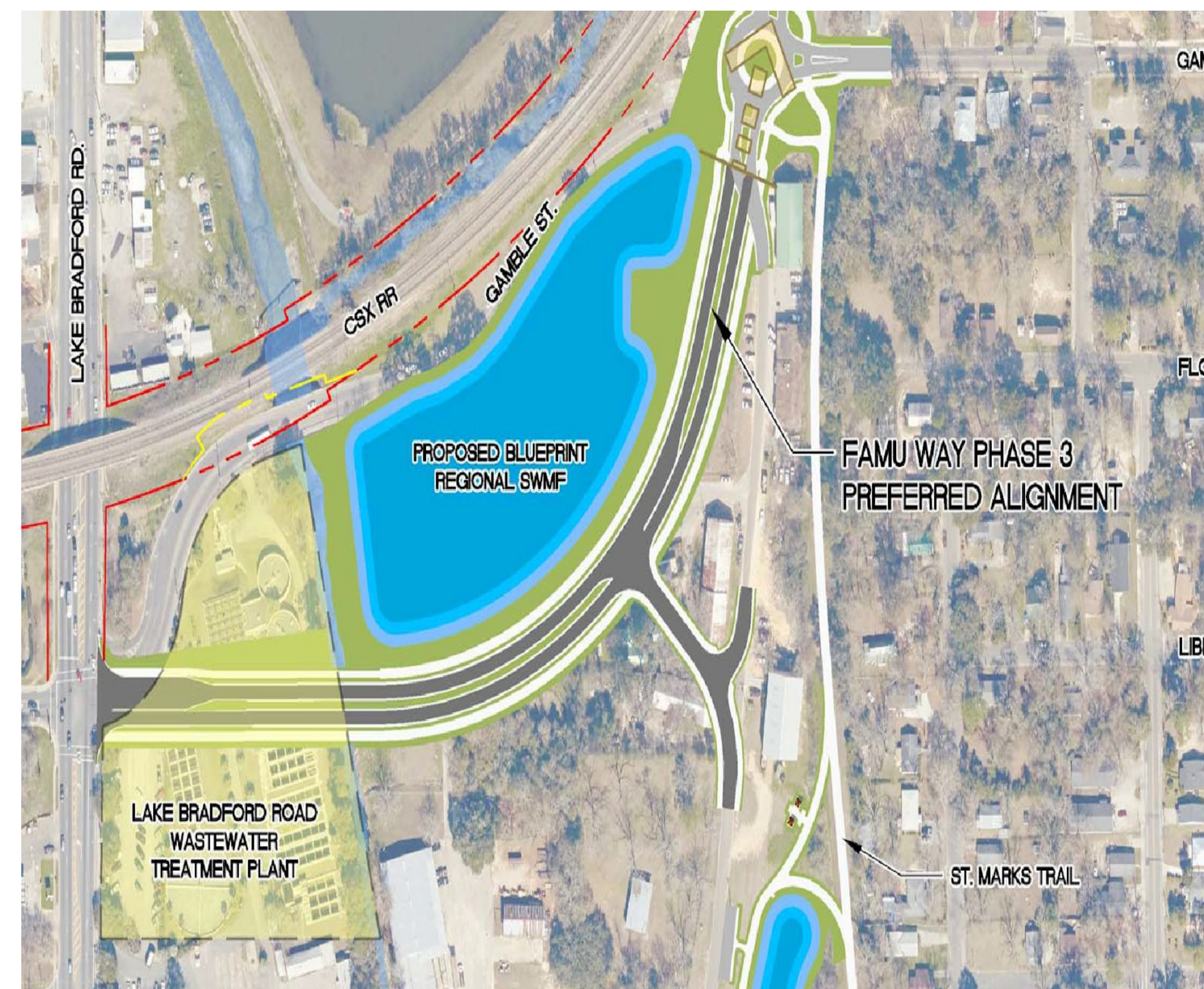


Figure 3: Boynton-Stills (2023)⁶

“Public Use”	Legal Significance	Public Policy
The State of Florida constructed the Capital of Florida, Apalachee Parkway, and the Florida Department of Transportation, and in doing so, displaced Smokey Hollow. ⁷	As a working-class, tight-knit Black community during racial segregation, displaced renters did not receive compensation. ⁸	<ul style="list-style-type: none"> • Dispute Resolution Agreement • Social Impact Assessment • Objective Measures of Fair Market Value • Public Transparency
An assessment revealed an affordable housing complex, Orange Avenue Apartments, governed by the City of Tallahassee, needed to be demolished and rebuilt to be in compliance with building codes. ⁹	After litigation, a legal settlement agreed upon by the parties obligated Tallahassee Housing Authority to meet specific provisions brought by displaced residents. ¹⁰	<ul style="list-style-type: none"> • Social Impact Assessment • Legislative Protections Against Private Use • Public Transparency
The City of Tallahassee constructed Capital Cascades Trail, a four-segment public infrastructure project. A realignment of Segment 3-DB displaced Boynton-Stills. ¹¹	Renters in Group I received an average of \$1,500, while Group II received an average of \$5,000 for monthly rent & utilities. ¹²	<ul style="list-style-type: none"> • Dispute Resolution Agreement • Public Transparency • Objective Measures of Fair Market Value

Conclusion, Policy Recommendations, & References

- Residential displacement can lead to the demolition of working-class neighborhoods, disproportionately undermining social and cultural fabrics of minority communities.¹³
- More government transparency, accountability, and oversight is needed to protect displaced individuals and communities.¹⁴

