



## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



November 13, 2024

Ms. Donna Harris  
Plan Processing Administrator  
State Land Planning Agency – Florida Department of Commerce  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

Re: Adopted Comprehensive Plan Small-Scale Map Amendments TMA 2024 014 and TMA 2024 015

Dear Ms. Harris:

The Tallahassee-Leon County Planning Department hereby submits two adopted small-scale map amendments, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the City Commission adoption public hearing on November 6, 2024.

These adopted amendments are being submitted as small-scale amendments under section 163.3187(1), Florida Statutes.

<u>Amendment</u>	<u>Acres</u>
TMA 2024 014 – Dewey Street	1.86
TMA 2024 015 – 1104 Old Bainbridge Road	.27

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 14.07 acres. The adopted amendments are not within an area of critical state concern and do not involve a site within a rural area of opportunity.

Enclosed are the following City ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 24-O-34AA adopted November 6, 2024
- City of Tallahassee Ordinance 24-O-36 adopted on November 6, 2024

The appropriate review agencies are copied on this letter and provided with a complete adopted amendments package in Portable Document Format (PDF).



**TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT**



If you have any questions concerning the adopted amendments, please contact Susan Poplin at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail [Susan.Poplin@talgov.com](mailto:Susan.Poplin@talgov.com).

Sincerely,

A handwritten signature in cursive script that reads "Susan E. Poplin".

Susan Poplin, MSP, AICP  
Administrator of Comprehensive Planning  
Tallahassee-Leon County Planning Department

cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)  
Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Emily Bouza (w/o attachments)  
Lou Norvell (w/o attachments)



**ATTACHMENT #1**  
**SUMMARY CHART**

TALLAHASSEE-LEON COUNTY  
MATRIX FOR OCTOBER SMALL-SCALE MAP AMENDMENT

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Analysis</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
<b>TMA 2024 014 Dewey Street</b>	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Central Urban <b>To:</b> Central Core  Approximately 1.86 acres	<b>Consistent</b>	<b>A</b>	<b>A</b>	<b>Adopted</b> with modification Adoption Hearing November 6, 2024
<b>TMA 2024 015 1104 Old Bainbridge Road</b>	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Central Urban  Approximately .27 acres	<b>Consistent</b>	<b>A</b>	<b>A</b>	<b>Adopted</b> Adoption Hearing November 6, 2024

**ATTACHMENT #2**  
**EXECUTED ORDINANCES**  
**ADOPTING**  
**SMALL-SCALE MAP**  
**AMENDMENTS**

# Small-Scale Map Amendment

TMA 2024 014

Dewey Street

1.86 Acres

From: Central Urban

To: Central Core

**Staff Analysis for Consistency with the Comprehensive  
Plan:** *Consistent*

**Local Planning Agency Recommendation:**  
*Approval*

**City Commission:**  
*Adopted. Revised at adoption to reduce the size of the  
amendment from 7.17 acres to 1.86 acres as identified on  
the amendment application.*

**ORDINANCE NO. 24-O-34AA**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN LAND USE CATEGORY TO THE CENTRAL CORE LAND USE CATEGORY FOR 1.86 ACRES AT THE NE CORNER OF DEWEY STREET AND W TENNESSEE STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Tallahassee to prepare and enforce comprehensive plans for the development of the City; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has determined it necessary and desirable to adopt this amendment to the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with

future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Tallahassee, Florida, as follows, that:

**Section 1. Purpose and Intent.**

This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

**Section 2. Map Amendment.**

The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment TMA2024014 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

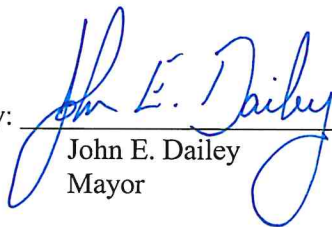
The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

**INTRODUCED** in the City Commission on the 16<sup>th</sup> day of October, 2024.

**PASSED** by the City Commission on the 6<sup>th</sup> day of November, 2024.

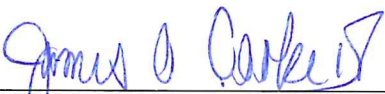


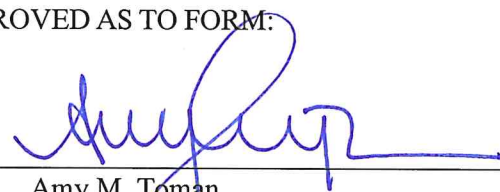
CITY OF TALLAHASSEE

By:   
John E. Dailey  
Mayor

ATTEST:

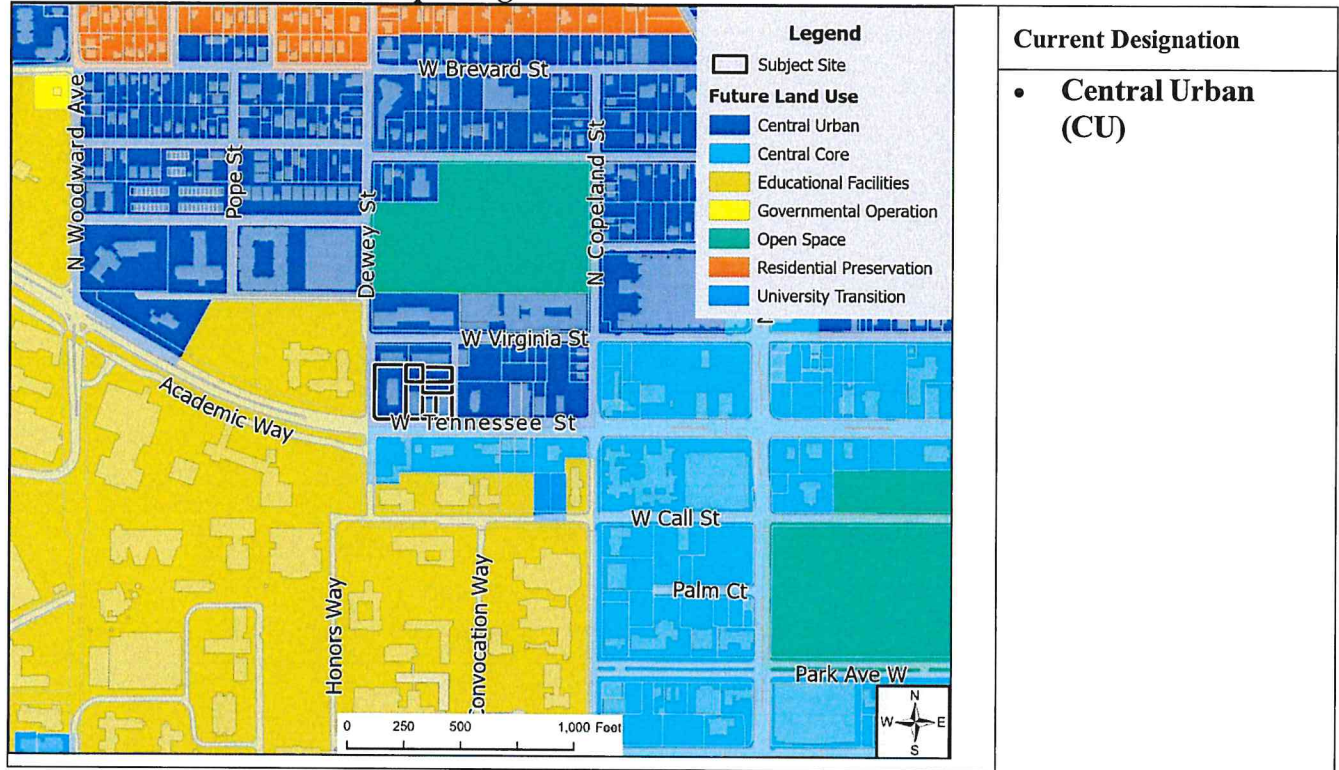
APPROVED AS TO FORM:

By:   
James O. Cooke, IV  
City Treasurer-Clerk

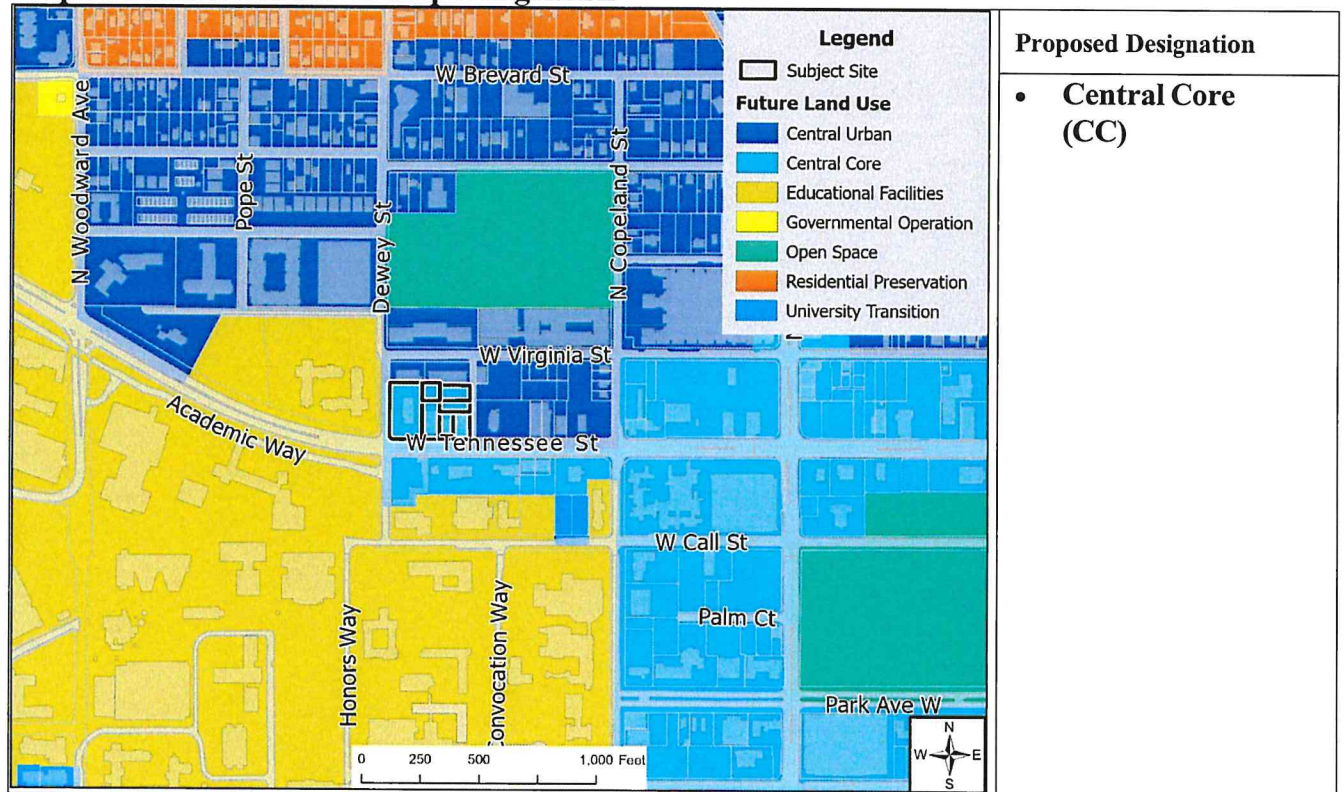
By:   
Amy M. Toman  
City Attorney

## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation





**AFFIDAVIT OF PUBLICATION**

Sherri Calhoun  
Tallahassee Leon County Planning Dept  
300 S Adams ST  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

09/10/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/10/2024

Legal Clerk

  
Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost:	\$1566.00	
Tax Amount:	\$0.00	
Payment Cost:	\$1566.00	
Order No:	10552996	# of Copies:
Customer No:	1124354	1
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	LPA100124	

**THIS IS NOT AN INVOICE!**

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**NANCY HEYRMAN**  
Notary Public  
State of Wisconsin

## **NOTICE OF PUBLIC HEARINGS**

The following public hearings will be held to consider two small-scale future land use map amendments to the Tallahassee-Leon County Comprehensive Plan and concurrent rezoning amendments to the Official Zoning Map.

1. Tallahassee-Leon County Local Planning Agency Meeting on October 1, 2024, at 6:00 PM, 2<sup>nd</sup> Floor Conference Room, 435 North Macomb Street
2. City Commission Meeting on November 6, 2024, at 6:00 PM, City Commission Chambers, 2<sup>nd</sup> Floor, City Hall, 300 South Adams Street

### **MAP AMENDMENTS**

#### **ORDINANCE NO. 24-O-34**

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN LAND USE CATEGORY TO THE CENTRAL CORE LAND USE CATEGORY FOR 7.17 ACRES AT THE NE CORNER OF DEWEY STREET AND W TENNESSEE STREET BETWEEN W VIRGINIA ST, N COPELAND ST, W TENNESSEE STREET AND DEWEY STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Dewey Street Amendment

**Reference Number:** TMA2024014

**Applicant:** Tennessee Square Partners, Ltd.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Central Urban (CU) to Central Core (CC) totaling approximately 7.17 acres. The subject area is located between W. Virginia St., N. Copeland W. Tennessee St., and Dewey St.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Central Urban – 45 (CU-45) to Central Core (CC) is requested to implement the proposed amendment to the Future Land Use Map.

#### **ORDINANCE NO. 24-O-36**

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE CENTRAL URBAN LAND USE CATEGORY FOR .27 ACRES AT 1104 OLD BAINBRIDGE ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Old Bainbridge and 4<sup>th</sup> Avenue

**Reference Number:** TMA2024015

**Applicant:** Brevard St. Properties, Inc.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Central Urban (CU) totaling approximately .27 acres. The subject area is located at 1104 Old Bainbridge Road.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation – 2 (RP-2) to Central Urban – 18 (CU-18) is requested to implement the proposed amendment to the Future Land Use Map.

### **REZONINGS**

#### **ORDINANCE NO. 24-Z-35**

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL CORE (CC) ON THE OFFICIAL ZONING MAP FROM CENTRAL URBAN 45 (CU-45) ON 7.17 ACRES AT THE NE CORNER OF DEWEY STREET AND W TENNESSEE STREET BETWEEN W VIRGINIA ST, N COPELAND ST, W TENNESSEE STREET AND DEWEY STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024014, which is proposed for adoption on November 6, 2024. The rezoning requests a change to the Official Zoning Map from Central Urban – 45 (CU-45) to Central Core (CC) Zoning District.

#### **ORDINANCE NO. 24-Z-37**

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL URBAN 18 (CU-18) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION 2 (RP-2) ON .27 ACRES AT 1104 OLD BAINBRIDGE ROAD; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024015, which is proposed for adoption on November 6, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation – 2 (RP-2) to Central Urban – 18 (CU-18) Zoning District.

There will be two options for sharing public comment at the public hearing.

1. In-person at the meetings; or
2. Written via online submission at [sherri.calhoun@talgov.com](mailto:sherri.calhoun@talgov.com). Public comment can be submitted online until 9 p.m. on Monday, September 30. Comments submitted after this time (up to the time of the public hearings) will be accepted and included in the official record of the meetings; or

The Local Planning Agency and City Commission will review these applications at the respective public hearings listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days (or 30 days for a decision on a Type C application) from the date the decisions were rendered (City); or within fifteen (15) calendar days of the date of publication of notice of the Planning Commission Public Hearing on the application in the Tallahassee Democrat (County); in accordance with the Bylaws of the Planning Commission and the City of Tallahassee and Leon County Land Development Codes. Copies of the Bylaws and/or further information are available from the Planning Department at the Planning Department, 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

**NOTICE:** You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made by the Commissions or take exception to any findings of fact with respect to any matter considered at the hearings referenced to above, you may need to ensure that verbatim record of the proceedings is made. Such a record shall include the testimony and evidence upon which the appeal is based. Local Planning Agency will review these applications at the public hearing listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days from the date the decisions is rendered in accordance with the Bylaws of the Planning Commission and the City of Tallahassee Land Development Code. Copies of the Bylaws and/or further information are available from the Planning Department located at 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

Copies of said ordinances may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams Street, Tallahassee, Florida or by calling (850) 891-8130.

**For more information on these projects please go to [www.talgov.com/place/pln-cp-small](http://www.talgov.com/place/pln-cp-small).**

# Small-Scale Map Amendment

TMA 2024 015

1104 Old Bainbridge Road

.27 Acres

From: Residential Preservation

To: Central Urban

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*

**ORDINANCE NO. 24-O-36**

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WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

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**INTRODUCED** in the City Commission on the 16<sup>th</sup> day of October, 2024.

**PASSED** by the City Commission on the 6<sup>th</sup> day of November, 2024.



ATTEST:

By: \_\_\_\_\_

*James O. Cooke, IV*  
James O. Cooke, IV  
City Treasurer-Clerk

CITY OF TALLAHASSEE

By: \_\_\_\_\_

*John E. Dalley*  
John E. Dalley  
Mayor

APPROVED AS TO FORM:

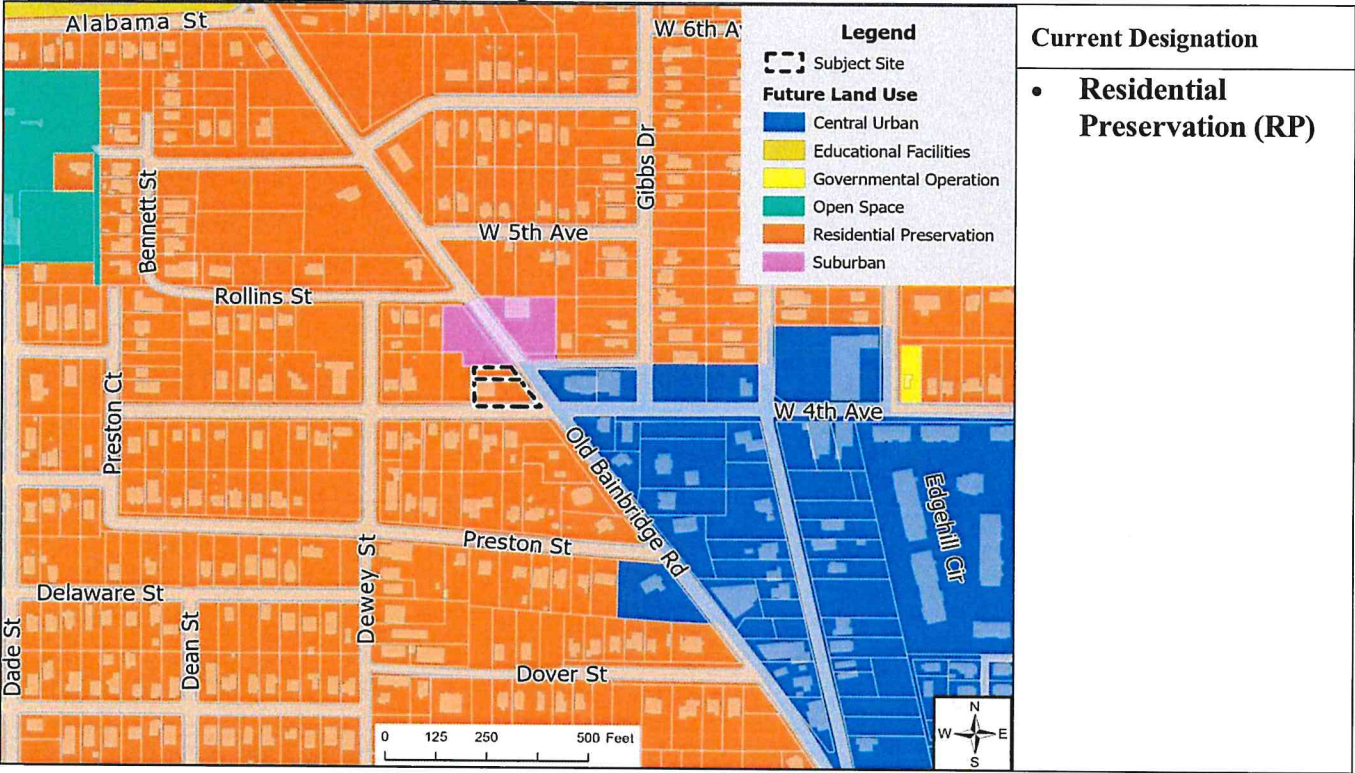
By: \_\_\_\_\_

*Amy M. Toman*  
Amy M. Toman  
City Attorney

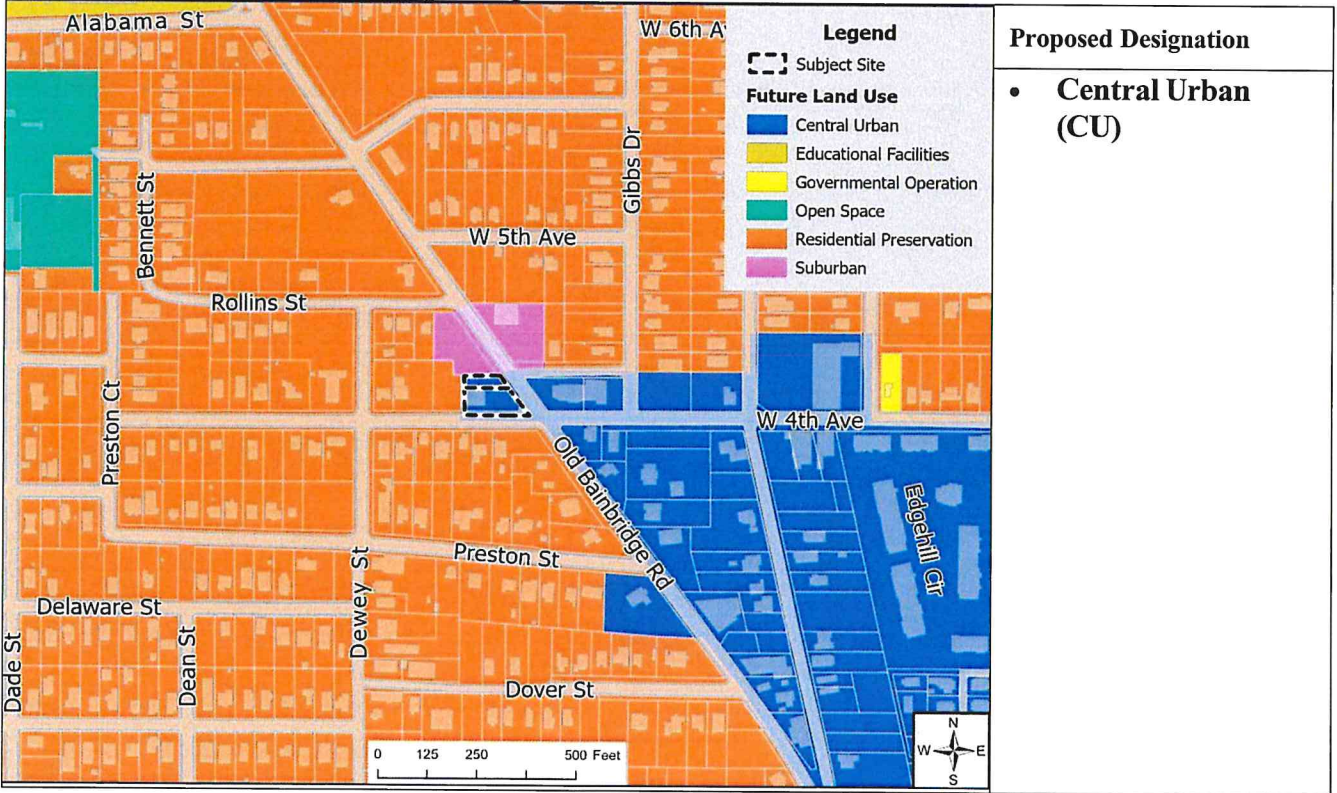


EXHIBIT A

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



**AFFIDAVIT OF PUBLICATION**

Sherri Calhoun  
Tallahassee Leon County Planning Dept  
300 S Adams ST  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

09/10/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/10/2024

Legal Clerk

  
Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost:	\$1566.00	
Tax Amount:	\$0.00	
Payment Cost:	\$1566.00	
Order No:	10552996	# of Copies:
Customer No:	1124354	1
PO #:	LPA Ad for Tallahassee Democrat -	
	LPA100124	

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**NANCY HEYRMAN**  
Notary Public  
State of Wisconsin



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There will be two options for sharing public comment at the public hearing.

1. In-person at the meetings; or
2. Written via online submission at [sherri.calhoun@talgov.com](mailto:sherri.calhoun@talgov.com). Public comment can be submitted online until 9 p.m. on Monday, September 30. Comments submitted after this time (up to the time of the public hearings) will be accepted and included in the official record of the meetings; or

The Local Planning Agency and City Commission will review these applications at the respective public hearings listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days (or 30 days for a decision on a Type C application) from the date the decisions were rendered (City); or within fifteen (15) calendar days of the date of publication of notice of the Planning Commission Public Hearing on the application in the Tallahassee Democrat (County); in accordance with the Bylaws of the Planning Commission and the City of Tallahassee and Leon County Land Development Codes. Copies of the Bylaws and/or further information are available from the Planning Department at the Planning Department, 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

**NOTICE:** You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made by the Commissions or take exception to any findings of fact with respect to any matter considered at the hearings referenced to above, you may need to ensure that verbatim record of the proceedings is made. Such a record shall include the testimony and evidence upon which the appeal is based. Local Planning Agency will review these applications at the public hearing listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days from the date the decisions is rendered in accordance with the Bylaws of the Planning Commission and the City of Tallahassee Land Development Code. Copies of the Bylaws and/or further information are available from the Planning Department located at 435 North Macomb Street, Tallahassee, FL, (850) 891-6400.

Copies of said ordinances may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams Street, Tallahassee, Florida or by calling (850) 891-8130.

**For more information on these projects please go to [www.talgov.com/place/pln-cp-small](http://www.talgov.com/place/pln-cp-small).**

**ATTACHMENT #3**

**OTHER SUPPORTING  
INFORMATION**

<b>Amendment Type:</b>	City Small-Scale Map Amendment
<b>Amendment Number:</b>	TMA2024014
<b>Property Location:</b>	City Block bound by Dewey St, W Virginia St, Copeland St, and W Tennessee St
<b>Applicant (Property Owner):</b>	Tennessee Square Partners, Ltd.
<b>Agent for the Applicant:</b>	Moore Bass Consulting, Inc.
<b>Current Future Land Use:</b>	Central Urban (CU)
<b>Proposed Future Land Use:</b>	Central Core (CC)
<b>Current Zoning:</b>	Central Urban-45 (CU-45)
<b>Proposed Zoning:</b>	Central Core (CC)
<b>TLC Planning Department Staff:</b>	Jacob Fortunas
<b>Staff Email:</b>	Jacob.Fortunas@talgov.com
<b>Staff Phone Number:</b>	850-891-6418
<b>Staff Analysis:</b>	Consistent
<b>LPA Recommendation:</b>	Adopt



## **A. EXECUTIVE SUMMARY**

### **Requested Change**

If approved, this Future Land Use Map (FLUM) amendment and concurrent rezoning would change the allowable land use on approximately 7.17 acres consisting of the city block bound by Dewey Street, W Virginia Street, N Copeland Street, and W Tennessee Street. The FLUM amendment would change the land use designation from Central Urban (CU) to Central Core (CC). The concurrent rezoning, which implements the underlying FLUM designation, would change the zoning designation from Central Urban 45 (CU-45) to Central Core (CC). If approved, the Central Core land use and zoning would increase the allowable development potential for the block.

### **Subject Site**

The applicant representing the 1.86 acre “Subject Site” initiated the FLUM amendment and concurrent rezoning. The parcels that constitute this Subject Site include:

- 2136500566710 – Drive Thru Restaurant w/ Parking Structure
- 2136500566715 – Strip Retail/Commercial/Club/Lounge
- 2136500566720 – Strip Retail/Commercial/Club/Lounge
- 2136500566725 – Strip Retail/Commercial/Club/Lounge
- 2136500566750 – Parking Lot
- 2136500566735 – Parking Lot
- 2136500566730 – Parking Lot

### **Expansion Area**

Concurrent with the applicant’s amendment, the Tallahassee-Leon County Planning Department is seeking to change the remainder of the city block into the same proposed FLUM and zoning designations. This “Expansion Area” includes 5.17 acres of privately owned parcels. An additional 0.14 acres of publicly owned right-of-way within the city block (Raven Street) are included in this proposed amendment. The parcels that constitute the Expansion Area include:

- 2136500566745 – Strip Retail/Commercial
- 2136500566740 – Multi-Family Apartments
- 2136500566695 – Vacant Commercial
- 2136600000100 – Vacant Residential
- 2136600000110 – Parking Lots, Commercial
- 2136600000080 – Parking Lots, Commercial
- 2136600000081 – Vacant Residential
- 2136600000070 – Vacant/Driveway
- 2136600000140 – Vacant/Driveway
- 2136500566775 – Drive Thru Restaurant
- 2136600000040 – Office
- 2136600000030 – Office
- 2136600000020 – Single Family Detached Home
- 2136600000010 – Restaurant
- 2136500566765 – Retail/Commercial/Club/Bar
- 2136500566760 – Retail/Commercial
- 2136500566770 – Retail/Commercial
- 2136500566755 – Retail/Commercial

The applicant is requesting the change to achieve an increase residential density and commercial intensity in Tallahassee’s Urban Core. The application is not accompanied by a specific proposal for development at this time. Staff recommends the supplemental land to the requested amendment in order to establish a cohesive land use in the downtown area that will facilitate redevelopment near the urban

core with vibrant downtown mixed uses including housing, commercial, and office ; and to promote use of multi-modal forms of transportation. Additionally, the application of Central Core will complement existing uses, including higher density residential housing, and direct higher intensity uses to downtown rather than areas with established lower density and intensity uses. The proposed land use matches that existing to the east and to the south.

## **B. STAFF ANALYSIS**

Based on the findings and other information contained in this staff report, staff finds that the proposed future land use map amendment and proposed rezoning are **consistent** with the Tallahassee-Leon County Comprehensive Plan.

## **C. LOCAL PLANNING AGENCY RECOMMENDATION**

The Local Planning Agency (LPA) provides a recommendation to the City Commission on proposed amendments to the comprehensive plan (and concurrent rezonings).

The LPA held a noticed public hearing on October 1, 2024 to discuss the subject amendment and concurrent rezoning. Six (6) citizens spoke in opposition to the proposed changes citing several concerns largely focused around student housing and its compatibility with the existing Frenchtown neighborhood. The LPA discussed established neighborhoods like Frenchtown and asked staff if the Frenchtown Neighborhood First plan was part of the comprehensive plan, including any “protections” for the neighborhood. Staff responded that the neighborhood plan was not part of the comprehensive plan. The LPA discussed having staff bring back an agenda item that examines “historic” or established neighborhoods and requested the staff report reflect the LPA’s discussion and direction.

Following a passed motion by the LPA for staff to bring back an agenda item with information and materials on “historic” neighborhoods along with potential comprehensive plan strategies and/or recommendations regarding protecting historical neighborhood character (of areas including the Greater Frenchtown, Greater Bond, Allen Subdivision, among others), the LPA unanimously passed the recommendation to find the amendment and concurrent rezoning consistent with the comprehensive plan and to recommend that the City Commission **adopt** the comprehensive plan amendment and concurrent rezoning.

## **D. SUMMARY OF FINDINGS**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. Staff presents the following findings of facts:

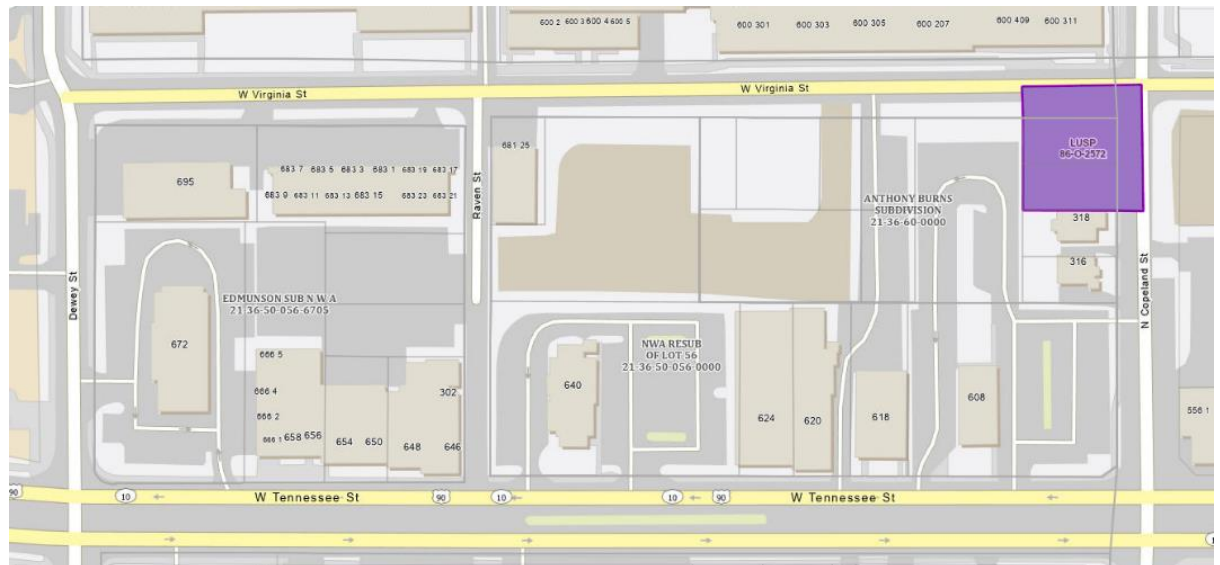
### **History And Background**

1. Historic aerial imagery dating back as far 1937 shows that the city block was primarily developed as single-family homes in the 30s, 40s, and 50s. However, the historic zoning was intended for high intensity commercial (C-4) that allowed 48 types of commercial and retail uses including automotive uses with no limitation on intensity, and residential (RM-3) of any type up to 43.6 dwelling units per acre, kindergartens and preschools, churches and

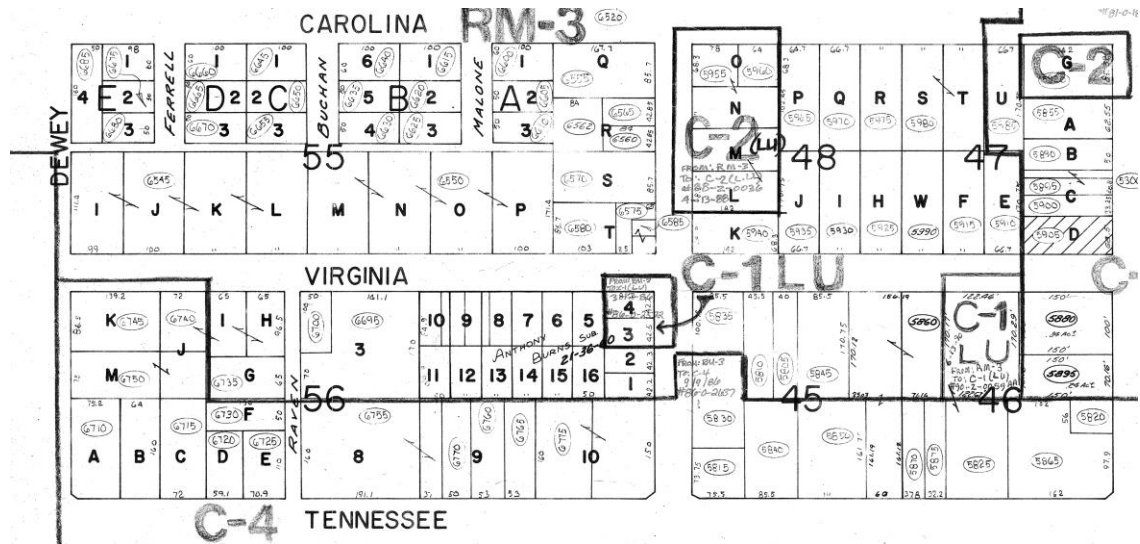


schools, and studios. Other related restricted uses included commercial convenience and services, fraternities and sororities, and universities.

2. Following a nation-wide trend, many structures appear to have redeveloped in a suburban and parkway development style featuring drive-thru restaurants and businesses fronting arterial roadways through the 60s, 70s, and 80s.
3. Since the 80s, the block's development pattern has remained largely unchanged while redevelopment has grown out to meet the city block from all sides, primarily spurred by Tallahassee's downtown and Florida State University.
4. A limited use site plan (LUSP) was established on one of the subject parcels at the corner of N Copeland Street and W Virginia Street in 1986. The LUSP was adopted by Ordinance 86-O-2572. The LUSP is obsolete and may create confusion in the application of development standards. The proposed rezoning will address the LUSP as part of the proposed amendment to the Official Zoning Map. If the proposed rezoning is approved, the LUSP will be repealed.

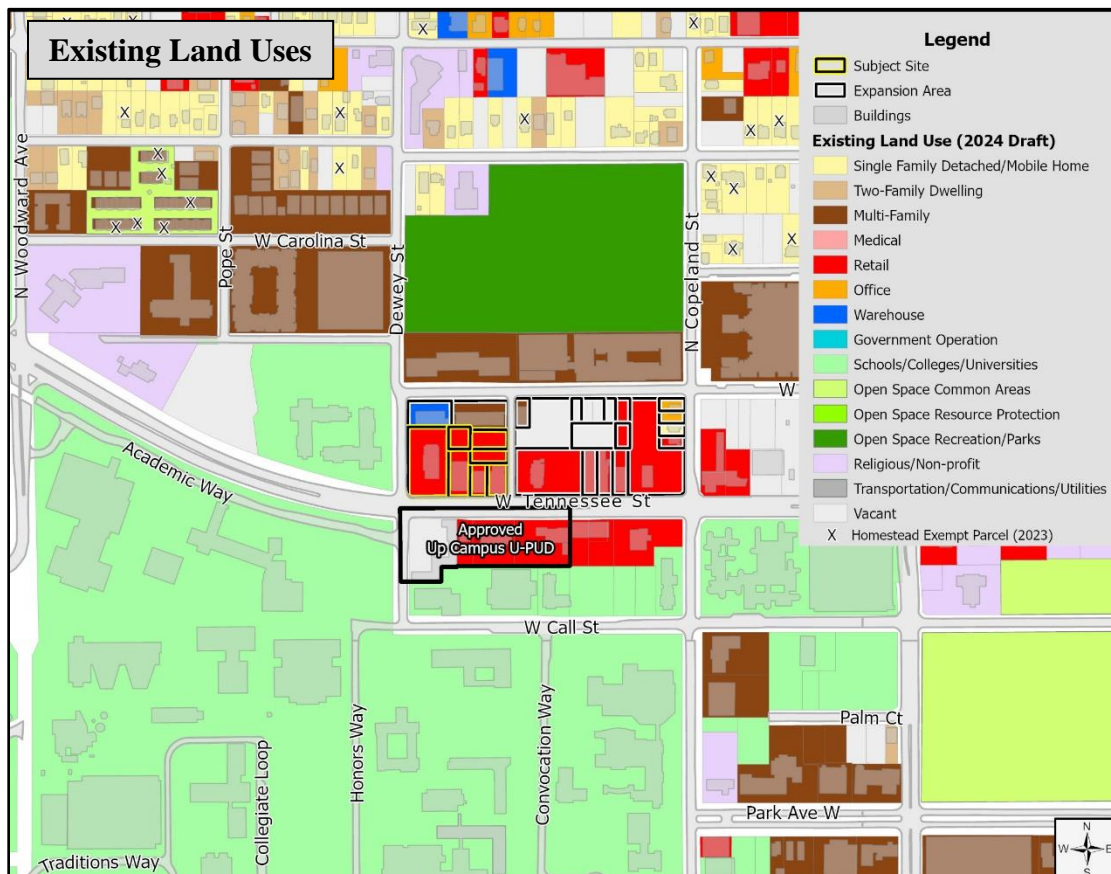


The LUSP established commercial at the corner, specifically C-1 commercial uses which include a variety of commercial such as banks, restaurants and daycare centers, retail uses such as drug stores, bakeries, food and groceries, and any type of residential up to 18 dwelling units per acre. The previous zoning was RM-3 which allowed residential any type up to 43.6 dwelling units, kindergartens and preschools, churches and schools, and studios. Other related restricted uses included commercial convenience and services, fraternities and sororities, and universities.



### Adjacent Existing Uses and Site Analysis

The proposed Central Core land use district and zoning is compatible with adjacent land uses. The proposed land use district is intended to complement a high-activity 18hr downtown, of which it is directly adjacent to the south and east. Additionally, the proposed land use district has the ability to complement Florida State University directly to the south and west, allowing for high density residential and multi-use buildings that promote pedestrian, bicycle, and transit use.



### ***Water/Sewer Infrastructure***

City of Tallahassee water and sewer services are available to be provided to the subject site. Specific water and sewer capacity will be determined once a project has been submitted for the development review process.

### ***Schools Impact***

The Subject Area is zoned for Riley Elementary School, Griffin Middle School, and Leon High School. A School Impact Analysis (SIA) form was completed, and Leon County School District staff identified the need for future coordination at the time of development review. The Leon County School District is approved the SIA at its September 24, 2024 meeting. Any future redevelopment would follow the development review process, which includes additional review of a school impact analysis.

### ***Multi-Modal Transportation Network***

The subject site and expansion area are accessible to the south by Mahan Drive (US Hwy 90; State Road 10), Dewey Street to the west, W Virginia Street to the north, and N Copeland Street to the east.

One of the reasons that the Planning Department is seeking an amendment to Central Core for the entirety of the city block is to ensure a cohesive and high-quality pedestrian frontage along W Tennessee Street. W Tennessee Street is owned and maintained by FDOT. This amendment will support a higher FDOT Context Classification along the city block which supports enhanced pedestrian facilities.

Consistent with City of Tallahassee development procedure, transportation traffic impacts and concurrency calculations will be conducted when a site plan for proposed development is submitted. The traffic impacts and concurrency review will be calculated at the time of site plan review.

The site in question is located within the [Multimodal Transportation District \(MMTD\)](#) as well as the [Downtown Overlay](#), each of which requires enhanced pedestrian consideration when development or redevelopment is considered.

The subject site is fronted by back of curb sidewalks (no planting buffer) on all frontages except W Virginia Street (north frontage). The block does not provide direct access to specific bicycle facilities, though students, faculty, and visitors have access Florida State University's largely vehicle free facilities to the southeast.

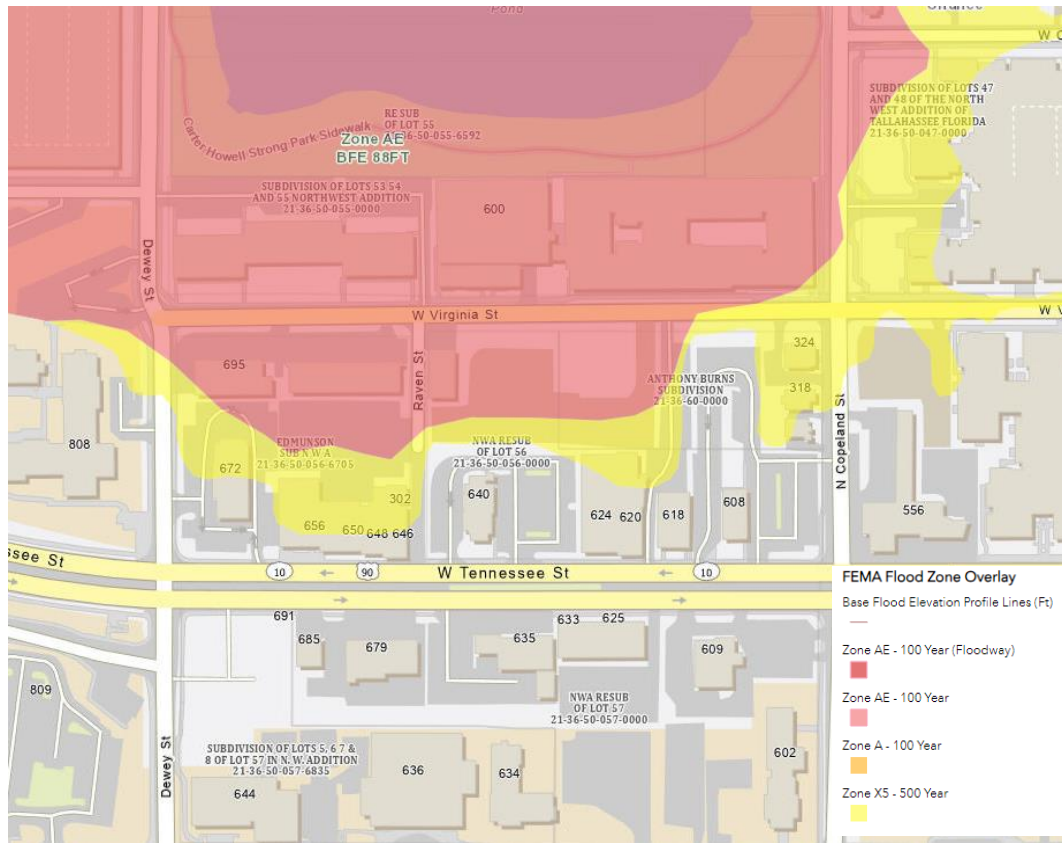
Star Metro's Azalea route directly services the site via W Tennessee Street. The Moss and Forest routes are also within 3 blocks of the subject city block.

### ***Environmental Analysis***

Redevelopment of the subject sites is not expected to have significant impact to environmental resources. A portion of the site is located within the 100 year and 500-year floodplain as shown in the map below. Any future redevelopment would follow the development review process, which includes environmental review and permitting as required by the City.



## FEMA Flood Zones



### ***Greater Frenchtown/Southside CRA***

The amendment area is located within both the Frenchtown Neighborhood Boundary as well as the [Frenchtown/Southside Community Redevelopment Area](#) (CRA). The 2021 *Greater Frenchtown Southside Redevelopment Plan* identifies Tennessee Street as a corridor with redevelopment opportunities. This plan also identifies parking as an issue associated with higher intensity development impacting roadways north of Tennessee Street. The plan identifies student housing as an encroaching threat on the character of the Frenchtown Neighborhood.

### ***Frenchtown Neighborhood First Plan***

The Frenchtown Neighborhood First Plan (Plan) was presented in 2020. The Plan identified the neighborhood boundary as being generally between Tennessee Street to the south, Woodward Avenue to the west, 7th Avenue to the north and Adams Street to the east. These boundaries are slightly different than in other Frenchtown neighborhood planning processes. The differences noted in some of the community demographics and geographic attributes when compared to previous planning work can be attributed, in part, to these boundaries. Frenchtown is also within the Greater Frenchtown/Southside CRA District.

The adopted Future Land Use Map for Tallahassee-Leon County shows several future land use categories for Frenchtown: Central Urban (154.4 acres), Residential Preservation (205.9 acres), Government Operation (7.1 acres), Central Core (26.1 acres), Open Space (58.4 acres) and Educational Facilities (17.7 acres). These land use categories are implemented by the following zoning districts: Central Urban-18, Central Urban-26, Central Urban-45, Residential Preservation-2, Government

Operation, Central Core, and Open Space. *The areas in Frenchtown that are zoned for higher intensity mixed use are generally located between Tennessee Street and Brevard Street, along Old Bainbridge Road, and along 4th Avenue west of Old Bainbridge Road.* Areas zoned for low density single-family residential development abut these higher density zones. Historically, Frenchtown was developed with a mixture of housing and commercial uses. Even prior to the comprehensive plan approval of the 1990 land development code that changed the majority of the zoning in Frenchtown to Central Urban, the previous zonings in place allowed commercial and multifamily in the areas that became Central Urban.

The Plan recognizes that designated higher intensity areas, including W Tennessee Street north to Brevard Street, exist within the area and these spaces currently allow residential development, including student housing. The Plan does not identify issues with the currently assigned land uses or zoning districts including those areas that are high density and intensity.

However, the Plan calls out development regulations. Recent development in the higher intensity zoning districts is perceived as creating building scale (building massing and size) that is incompatible with adjacent low-density residential areas due to land development regulations that do not regulate the massing and block structure of developments in a way that reflects the neighborhood's character and future vision. A secondary issue is that areas that are zoned exclusively residential have densities and lot size standards that make infill housing and redevelopment opportunities unattractive to investors or financially difficult to achieve.

The Plan includes a section on land use and transportation, with much of it focusing on land development regulations. One recommendation states the intent to limit and/or prohibit the expansion of high intensity future land use categories and zoning districts into the low-density residential areas of the neighborhood, and explore options to allow neighborhood-scale commercial uses at appropriate intersections within the neighborhood. The use of Neighborhood Boundary land use and zoning as a strategy is mentioned and significant focus is placed on neighborhood scaled development on Brevard, Macomb and 4<sup>th</sup> Streets through development review. A specific area is called out on Macomb Street especially the corner of Macomb and Georgia Streets. The recommendations include coordination on high-intensity developments abutting or adjacent to low-density residential.

The Plan also includes a recommendation to form a working group to work with the Tallahassee-Leon County Planning Department and the CRA to develop a gateway design concept for Macomb Street between Tennessee Street and Brevard Street.

In analyzing the details of the Neighborhood First Plan, staff notes the proposed amendment does not create inconsistencies with the existing Plan. The Plan acknowledges high intensity areas, including W Tennessee Street, and prescribes limitations or prohibitions of expansions into the low-density residential areas of the neighborhood. The subject block is not proposing extension into low-density areas of the neighborhood and is not abutting or adjacent to low-density areas, including Residential Preservation areas. Displacement of residents will also be avoided due to the fact that the block is primarily non-residential development. Regardless of the Plan, the current land use and zoning allow high density residential development which would allow a variety of housing types. Staff also notes that the "gateway" planning area does not include the subject block because it is focused and prescribed for Macomb Street. The proposed amendment would not affect either of the above Plan provisions, and would not preclude any of the Plan prescriptions for future coordination and review of proposed development and redevelopment projects in the Frenchtown Neighborhood area.

Comparison of Current and Proposed Land Use and Zoning

Land Use and Zoning					
	Current Use	Proposed Use		Current Zoning	Proposed Zoning
Land Uses	Central Urban	Central Core	Zoning Uses	Central Urban - 45	Central Core*
Residential	45 units/acre	150 units/acre	Residential Any Type	45 units/acre	150 units/acre
Single-Family Detached	X	X	Community facilities related to office/residential including libraries and high schools	X**	X
Single-Family Attached	X	X	Active and Passive Recreation	X	X
Two-Family Dwellings	X	X	Offices: medical & non-medical	X	X
Multi-Family	X	X	Automotive Rental/Repair. CU allows parts retail and excludes car washes	X	X
Commercial	X	X	Commercial: Camera and Photographic Stores, Rental of Tools/Small Equipment/Party Supplies, and Tailoring	X	
Office	X	X	Commercial: Commercial Sports, Funeral Parlors/Mortuaries		X
			Social, Fraternal and recreational clubs and lodges	X***	X
			Indoor Theaters/Amphitheaters	X	
			Retail: Motor Vehicle Fuel Sales	X	X
			Museums and Art Galleries		X
			Nursing Homes and other residential care facilities	X	X
			Post-Secondary Educational Facilities		X
			Restaurants without Drive-Thrus	X	X
			Retail: Various uses. CU limits drugstores with drive-thrus to W. Tennessee St.	X	X
			Rooming and Boarding Houses		X
			Structured Parking	X	X
			Veterinary Services	X	
			Commercial: Banks and other financial institutions, Cocktail Lounges and Bars, Daycare, Hotel/Motel/BedBreakfast/Inns, Indoor Amusements, Laundromats w/o drive in CU, Mailing Services, Personal Services, Photocopying Duplicating Services, Repair Services Non-Automotive, Studios for Photo/Film/Music/ Art/ Dance	X	X

\*Prohibits land use of equipment rental and outdoor Storage

\*\*CU prohibits Vocational Schools

\*\*\*CU prohibits fraternities and sororities

### **Current and Proposed Future Land Use Categories**

The Subject Area is currently designated Central Urban on the FLUM. The proposed amendment would change the FLUM designation of the area to Central Core. A summary of the current and proposed FLU categories is below. The complete comprehensive plan policies for **Central Urban (Policy 2.2.10: [L])** and **Central Core (Policy 2.2.24 [L])** are included as Appendix #1.

#### ***Central Urban (Current)***

The Comprehensive Plan addresses the Central Urban future land use category in Policy 2.2.8, which states that it is “Intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities.”

#### ***Central Core (Proposed)***

The Central Core FLUM category allows for residential uses up to a density of 150 units per acre. Policy 2.2.10 [L] states “The Central Core of Tallahassee is intended to expand into a vibrant 18-hour urban activity center with quality development. The emphasis in this area is intended to shift from cars to pedestrian, bike and transit modes of transportation. The development regulations within the Central Core area have to be amended to allow for a more urban kind of development where the primary emphasis is on pedestrian, bike and transit modes of transportation.”

### **Determination for Future Land Use Map Amendment per Policy 2.2.10 [L]**

The Central Core land use has three criteria to consider for expansion of the land use. These criteria are analyzed below.

#### ***1) Is the site contiguous with the existing Central Core land use district?***

Yes, the applicant’s “Subject Site” as well as the Planning Department’s “Expansion Area” are contiguous with the Central Core land use district to the south and east.

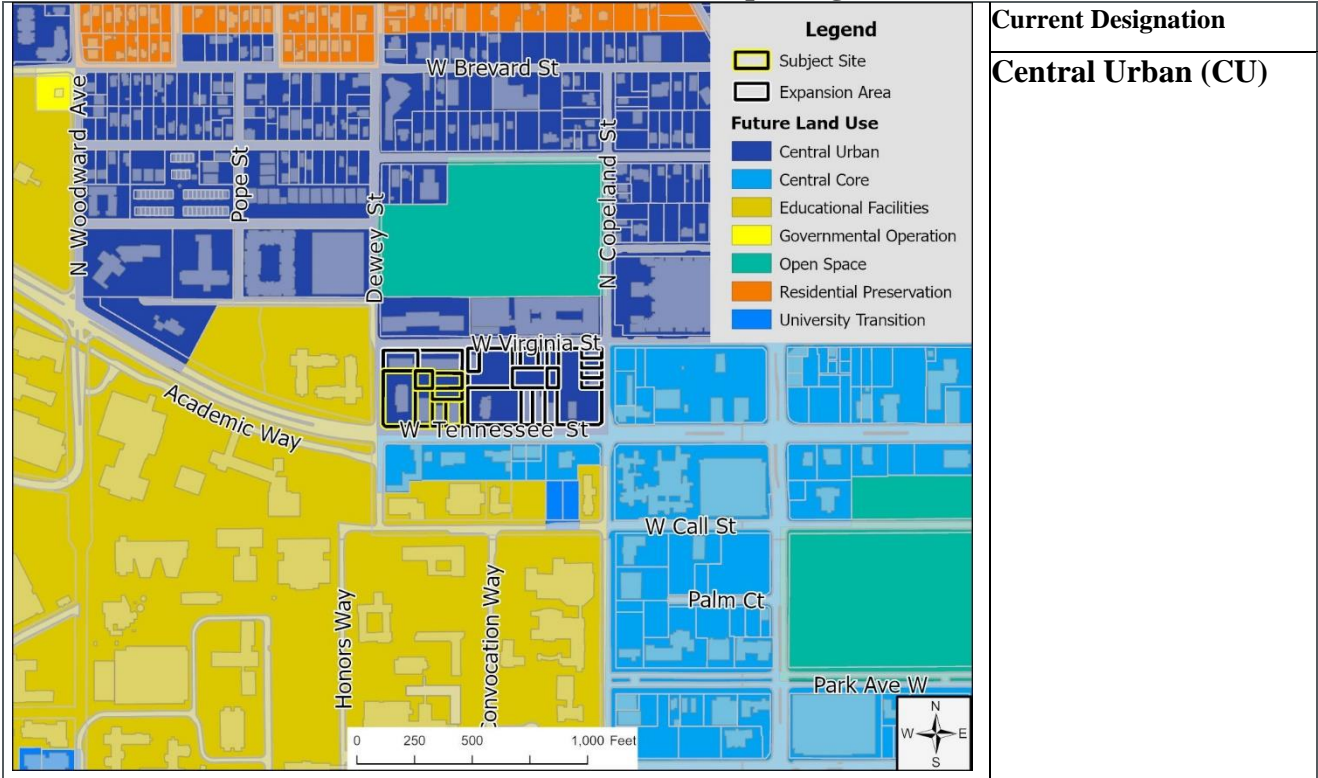
#### ***2) Does the site have the available infrastructure?***

Yes, the subject site is located within the urban services area and has direct access to state and local roads, as well as available sewer and water services.

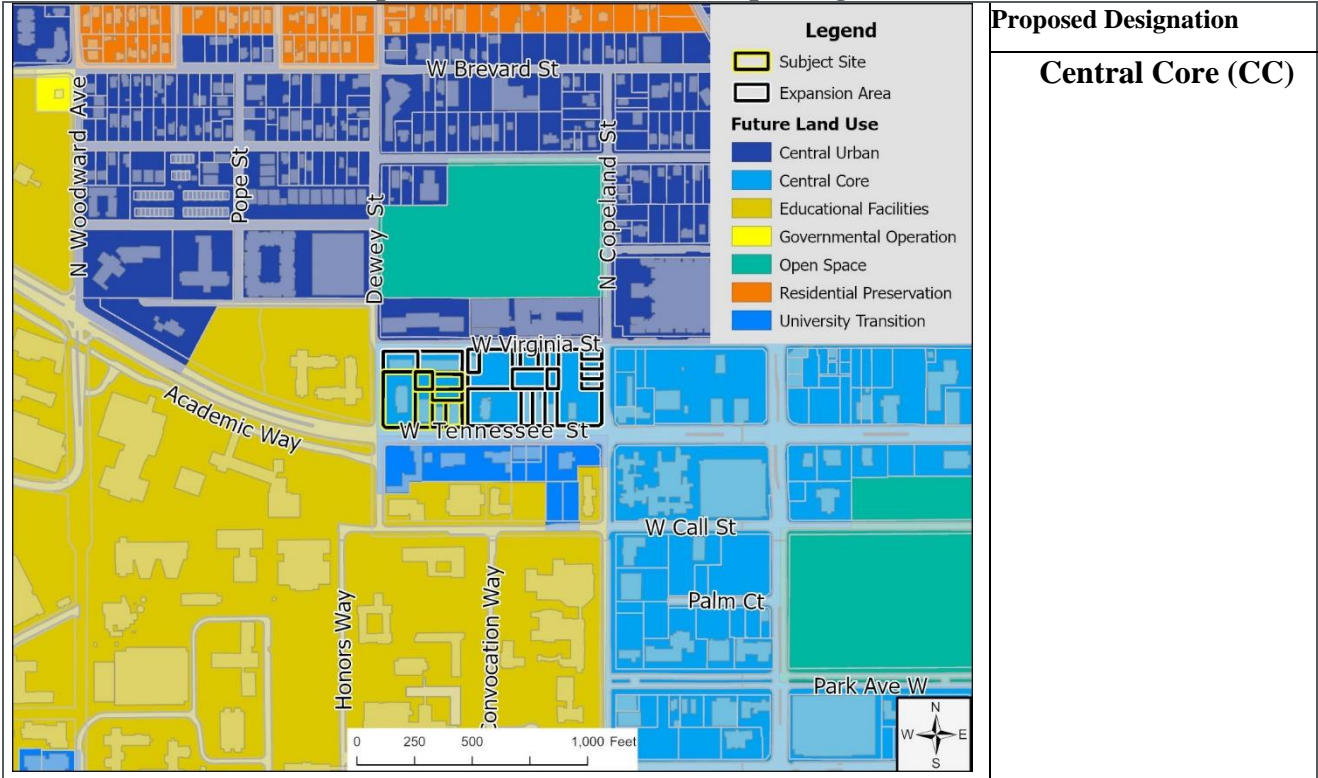
#### ***3) Does the proposed parcel exhibit a need for the development?***

There is no specific development plan accompanying the proposed amendment. Staff notes that acquisition and aggregation of parcels in the existing Central Core land use district is logistically and financially difficult to facilitate quality development and redevelopment. There appears to be a lack of sizable parcels within the existing Central Core district. A 2023 analysis of the Central Core district found that while there were several vacant parcels present, there were only three parcels of the same approximate size (or larger) to the Subject Site (~ 2 acres). Of these three sites, one has been developed, while the other two are used as parking. Future redevelopment could catalyze other improvements on Tennessee Street and promote infill development.

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



### **Current and Proposed Zoning**

A concurrent rezoning is proposed for the subject area that includes a recommended expansion area. The subject city block is currently zoned Central Urban 45 (CU-45). The proposed rezoning would change the zoning designation to Central Core (CC) to implement the proposed underlying Central Core land use category. A summary of the current and proposed zoning districts is below. The Land Development Code sections for Central Urban 45 (sec. 10-239.4) and Central Core (sec. 10-197) zoning are included as Appendix #2.

#### ***Central Urban – 45 (CU-45) (Current)***

The current zoning for the subject site, CU-45, is intended to promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and universities. The district provides for medium and high density residential, office and commercial district. CU-45 provides for up to 45 dwelling units per acre and 200,000 sf of nonresidential per parcel.

#### ***Central Core (CC) (Proposed)***

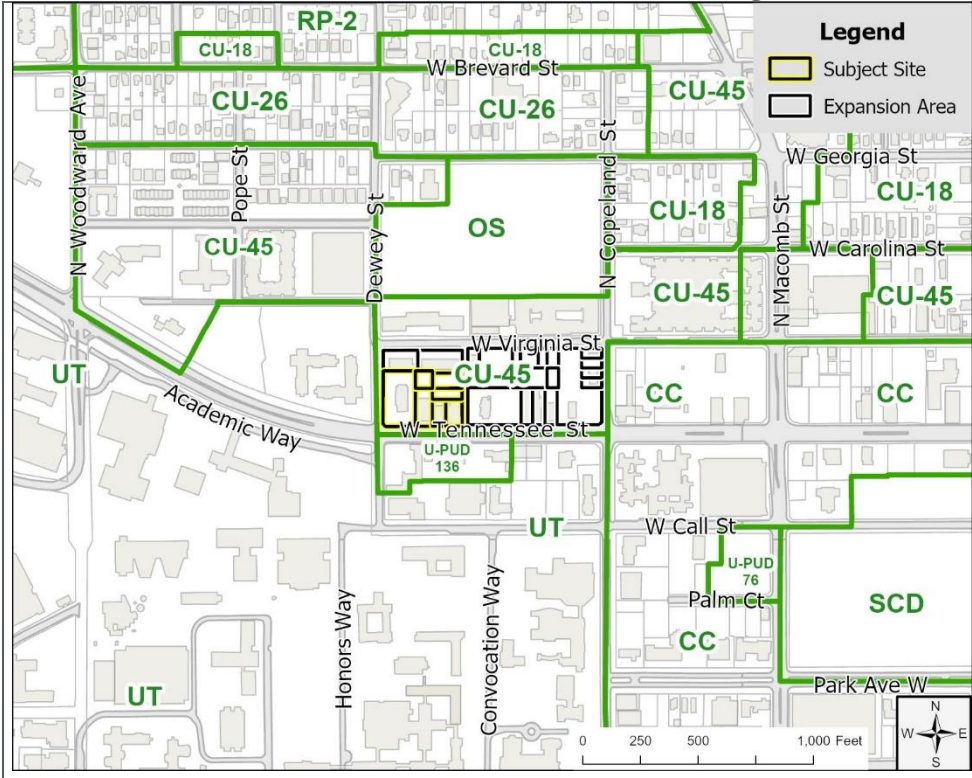
The CC zoning district is intended to promote infill and redevelopment of existing residential urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Capital, employment centers, and universities, promote compatibility between adjacent residential and non-residential uses through high quality design, and promote pedestrian and bicycle mobility. The CC zoning district allows residential density up to 150 dwelling units per acre.

### **Determination for Concurrent Rezoning**

Provided the requested Future Land Use Map amendment is approved, the proposed Central Core zoning district implements the Central Core land use category and conforms to the land development requirements of the CC zoning district. The subject properties are located contiguous to the Central Core zoning district, are within the Downtown Overlay District, and have sufficient supporting infrastructure with proximity to the Capital, employment centers, and universities.

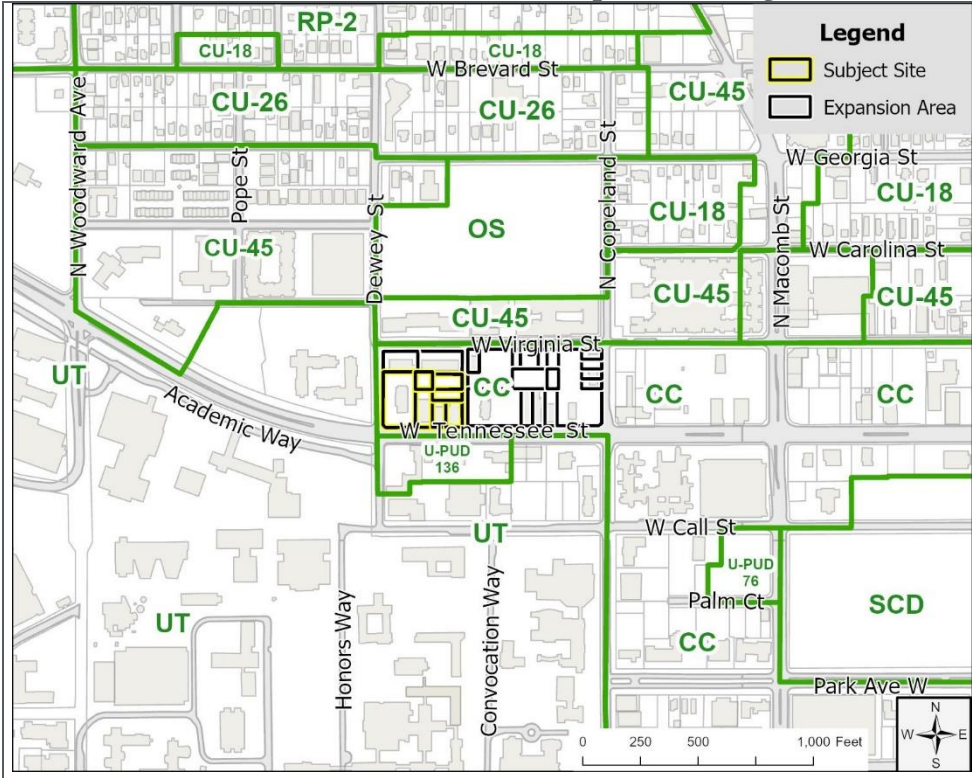


Current Zoning



Current District  
**Central Urban 45 (CU-45)**

Proposed Zoning



Proposed District  
**Central Core (CC)**

## E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

- Policy 2.2.10 [L] states that the Central Core land use district is intended to support an 18-hour downtown. *Increasing the allowable residential density from 45 dwelling units/acre to 150 dwelling units/acre on the subject site and expansion area could help achieve this goal given the amendment area is directly adjacent to downtown, with existing Central Core zoning existing directly to the south, as well as to the east.*
- Policy 2.2.10 [L] states that the Central Core land use is intended to emphasize a shift from automobile centered transportation to a pedestrian, bicycle, and transit. *Given the amendment area's immediate proximity to both downtown and Florida State University, alternative transportation modes are likely to be more attractive compared to driving alone.*
- Policy 2.2.10 [L] requires that the Central Core land use be confined to the Downtown Overlay. *The site in question meets this requirement.*
- Policy 2.2.10 [L] limits expansion of the Central Core land use district to:
  1. Parcels that are contiguous with the existing Central Core district. *The subject parcels are adjacent to Central Core district to the east and to the south.*
  2. Parcels must have available infrastructure. *The subject area has available central services, roadways and transit service.*
  3. Parcels must exhibit a need for the expansion (e.g.: parcel of sufficient size not available in the Central Core FLUM for the proposed development). *Staff analysis provided in the "Determination" section above looks at availability of parcels within the Central Core to accommodate development and/or redevelopment of a similar nature. As mentioned above, there are few parcels in the existing Central Core land use that could accommodate development/redevelopment for Central Core uses. The proposed amendment meets the development expansion criteria for the land use.*

The application including the staff recommended area appears to meet each of these requirements.



## F. PUBLIC NOTIFICATION

An initial mailing was sent to 752 property owners and residents within 1,000 feet of subject property.

Public Notification		Date Completed
X	Applications posted to Planning Department website	September 3, 2024
X	Notices mailed to addresses within 1000 feet of the property	September 7, 2024
X	Comprehensive plan and rezoning signs posted onsite (Appendix 4)	September 10, 2024
X	Legal ads published	September 10, 2024
X	Meeting with nearby Residents	October 10, 2024
X	Business Impact Statement	October 24, 2024

Public Comments were received on the proposed amendment. The Planning Department received two (2) inquiries via phone and e-mail, and three (3) e-mail/written comments in opposition to the amendment (See Appendix 4). At the Local Planning Agency (LPA) meeting on October 1, 2024, six (6) citizens spoke in opposition to the proposed changes citing several concerns largely focused around student housing and its compatibility with the existing Frenchtown neighborhood. For the inquiries received, staff provided information on the amendment and provided website and contact information.

At the LPA meeting, objections were raised to student housing that included impacts from traffic, noise, debris (trash), and parking. Staff communicated that there is no specific proposal for student housing at this time and the amendment does not relieve a developer from the required development or redevelopment processes. If a development or redevelopment is proposed, it would be required to go through the development review process that includes detailed assessments of traffic, stormwater, buffers, school impacts, water, sewer, and open space as well as compatibility with adjacent uses. Subsequently, staff met with nearby residents to discuss concerns and answer questions.

On October 10<sup>th</sup>, Planning staff met with representatives of the Frenchtown Neighborhood First Community Action Team (CAT), two representatives from City Neighborhood Affairs and one staff member from City Growth Management. Attendees inquired if there were specific development plans for the property. Staff explained that currently there are no expressed development plans, including those for student housing, in process or proposed. The group reiterated its concern with the potential for additional student housing on the subject block of W Tennessee Street, and objected to any additional student housing in the Frenchtown Neighborhood context area which extends from West Tennessee Street north to 7<sup>th</sup> Avenue.

Staff explained that all housing types, including Student Housing, are permitted in the existing Central Urban – 45 zoning district, as well as the proposed zoning. The proposed land use category/zoning district would increase the allowable residential density from 45 dwelling units/acre to 150 dwelling units/acre.

The CAT's concerns relate to recently approved student housing projects, including the Standard and Peerless. These projects, as described by the CAT, did not take into account the neighborhood by placing frontages away from the neighborhood, having development that did not provide the promised ground-floor retail to serve the community, contributing to parking issues, and having impacts to the area from

debris, noise and traffic from students. Additionally, the CAT expressed general concerns about neighborhood encroachment, sidewalk facilities, and greenspace impacts.

Appendix 4 includes the public comments as of the date of this staff report.

## **APPENDICES**

Appendix 1 – Comprehensive Plan Policies

Appendix 2 – Tallahassee Land Development Code Sections

Appendix 3 – Sign Posting Pictures

Appendix 4 – Citizen Comments

## Comprehensive Plan Policies

### ***Policy 2.2.8: [L]***

#### **CENTRAL URBAN**

(REV. EFF. 6/07/01; REV. EFF. 7/26/06;  
RENUMBERED 3/14/07; REV. EFF. 6/6/08)

Characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities. Intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Actual siting of land uses within the category are dependent on implementing zoning districts. Roadway access standards are determined by application of land development regulations. Land use intensity is intended to be higher (up to 20,000 sq. ft. for minor commercial uses; up to 100,000 sq. ft. for neighborhood commercial uses; and up to 200,000 sq. ft. for community commercial uses) due to the presence of requisite capital infrastructure and location of employment and activity centers.

### ***Policy 2.2.10: [L]***

#### **CENTRAL CORE**

(EFF. 1/19/02; REV. EFF. 7/26/06; RENUMBERED  
3/14/07; REV. EFF. 1/7/10; REV. EFF. 7/19/13)

The current Central Core of Tallahassee has a strong government presence. However, the character of this area has changed since 2002 to a more mixed use center with new office, commercial, retail and residential uses. The Central Core of Tallahassee is intended to expand into a vibrant 18-hour urban activity center with quality development. The emphasis in this area is intended to shift from cars to pedestrian, bike and transit modes of transportation. The development regulations within the Central Core area have to be amended to allow for a more urban kind of development where the primary emphasis is on pedestrian, bike and transit modes of transportation. The Central Core area is within the Downtown Overlay. The City of Tallahassee intends to promote mix of uses and higher densities and intensities within its Central core, while promoting multiple modes of transportation. The City shall establish Design Guidelines for this area in order to allow for more mixed use, pedestrian, bike and transit oriented development. Residential development may be permitted up to 150 units per acre.

Any development with density of more than 10 dwelling units per acre shall be consistent with the design standards identified in

Policy 1.1.10 [M] subject to further clarification in the Land Development Code.

The future expansion of the Central Core FLUM will be limited to only those parcels within the Downtown Overlay District when:

- The proposed parcels are contiguous to existing central core FLUM area;
- The proposed parcel has all the infrastructure available;
- The proposed parcel has to exhibit a need for the expansion (e.g.: parcel of sufficient size not available in the Central Core FLUM for the proposed development).

## Tallahassee Land Development Code Section

### Sec. 10-239.4. CU-45 Central Urban District.

See the following chart for district intent, permitted uses, dimensional requirements, and notes for the CU-45 Central Urban District:

CU-45 Central Urban District			
	PERMITTED USES*		
1. District Intent	2. Principal Uses		3. Accessory Uses
<p>The CU-45 district is intended to:</p> <ul style="list-style-type: none"> <li>•Provide for medium and high density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre;</li> <li>•Provide for office development (up to 60,000 square feet per acre);</li> <li>•Provide access to major shopping and businesses opportunities (up to 60,000 square feet per acre);</li> <li>•Promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities;</li> <li>•Promote compatibility with adjacent land uses through limitations on development intensity and use of development and design standards;</li> <li>•Allow residential development at the densities necessary to support the use of public transit; and</li> <li>•Promote pedestrian and bicycle mobility through design requirements.</li> </ul> <p>The CU-45 district may only be utilized in the Central Urban Comprehensive Plan Category. The CU-45 zoning district is not subject to the Tallahassee Land Use Development Matrix found in Section I-16 of the Tallahassee/Leon County Comprehensive Plan. Minimum density requirements do not apply to mixed-use projects.</p>	<p>1. Active and passive recreational activities.</p> <p>2. Antique shops.</p> <p>3. Automotive rental (limited to passenger vehicles).</p> <p>4. Automotive service and repair, excluding automated car wash.</p> <p>5. Automotive: retail parts, accessories, tires, etc.</p> <p>6. Bait and tackle shops.</p> <p>7. Banks and other financial institutions without drive through facilities.</p> <p>8. Banks and other financial institutions with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>9. Bed and breakfast inns; as governed by Section 10-412.</p> <p>10. Camera and photographic stores.</p> <p>11. Cocktail lounges and bars.</p> <p>12. Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and elementary, middle, high, and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</p> <p>13. Day care centers.</p> <p>14. Gift, novelty, and souvenir shops.</p> <p>15. Government offices and</p>	<p>20. Laundromats, laundry and dry cleaning pick-up stations with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>21. Live-work units.</p> <p>22. Medical and dental offices, services, laboratories, and clinics.</p> <p>23. Mortuaries.</p> <p>24. Motor vehicle fuel sales.</p> <p>25. Non-medical offices and services, including business Non-store retailers.</p> <p>26. Nursing homes and other residential care facilities.</p> <p>27. Personal Services.</p> <p>28. Pet day care.</p> <p>29. Photocopying and duplicating services.</p> <p>30. Rental of tools, small equipment, or party supplies.</p> <p>31. Repair services, non-automotive.</p> <p>32. Residential - any unit type.</p> <p>33. Restaurants, without drive through facilities.</p> <p>34. Restaurants with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting on South Monroe Street between Orange Avenue and 125 feet south of its intersection with East</p>	<p>(1) Use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p><i>4. Special Exception Use</i></p> <p>Off-street parking facilities (applicable to properties in the Downtown Overlay).</p>

	<p>services.</p> <p>16. Hotels, motels, inns, SRO hotels, boarding houses.</p> <p>17. Indoor amusements (bowling, billiards, skating, etc.).</p> <p>18. Indoor theaters (including amphitheaters).</p> <p>19. Laundromats, laundry and dry cleaning pick-up stations without drive through facilities.</p>	<p>Magnolia Drive).</p> <p>35. Retail bakeries.</p> <p>36. Retail computer, video, record, and other electronics.</p>	
<p>The provisions of this district are intended to facilitate co-location of residential, office, and commercial land uses within the same development or close proximity, with an emphasis on compatible scale and design. This district is not intended to be located adjacent to areas designated Residential Preservation on the Future Land Use Map except at rear lot lines in the Providence Neighborhood Overlay.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Downtown Overlay, a 25 percent density bonus is available subject to the provisions of Sec. 10-280.7 of the Code. A 35 percent bonus is available with an Urban Planned Unit Development as found in Sec. 10-200.</p> <p><b>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</b></p>	<p>37. Retail department, apparel, and accessory stores.</p> <p>38. Retail drug store without drive-through facilities.</p> <p>39. Retail drug store with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>40. Retail florist.</p> <p>41. Retail food and grocery.</p> <p>42. Retail furniture, home appliances, accessories.</p> <p>43. Retail home/garden supply, hardware and nurseries.</p> <p>44. Retail jewelry store.</p> <p>45. Retail needlework shops and instruction.</p> <p>46. Retail newsstand, books, greeting cards.</p> <p>47. Retail office supplies.</p> <p>48. Retail optical and medical supplies.</p> <p>49. Retail package liquors.</p> <p>50. Retail pet stores.</p> <p>51. Retail picture framing.</p> <p>52. Retail sporting goods, toys.</p>	<p>53. Retail trophy store.</p> <p>54. Social, fraternal, and recreational clubs and lodges, including assembly halls (fraternity and sorority houses are prohibited).</p> <p>55. Structured parking, when combined with a principal use.</p> <p>56. Studios for photography, music, art, dance, and voice.</p> <p>57. Tailoring.</p> <p>58. Veterinary services, including veterinary hospitals.</p> <p>59. Warehouses, mini-warehouses, and self-storage; legally established and in existence on 11-25-2008.</p> <p>60. Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>* NOTE: Additional requirements for properties in Lake Bradford Road &amp; Providence Neighborhood Overlays (See Section 10-168)</p>	

(Ord. No. 06-O-04AA, § 4, 2-22-2006; Ord. No. 08-O-19AA, § 3, 7-9-2008; Ord. No. 08-O-42AA, § 1(Exh. C), 11-25-2008; Ord. No. 09-O-18, § 4, 5-27-2009; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 13-O-03, § 13, 8-28-2013; Ord. No. 14-O-46AA, § 1, 1-28-2015; Ord. No. 15-O-17AA, § 8(Exh. C), 8-26-2015; Ord. No. 16-O-05, § 2(Exh. A), 5-18-2016; Ord. No. 16-O-26, § 2(Exh. A), 10-26-2016; Ord. No. 18-O-25, § 1, 1-30-2019; Ord. No. 23-O-41, § 1, 12-13-2023)



**Sec. 10-197. Central Core District.**

See the following chart for district intent, permitted uses, and notes for the Central Core Zoning District:

PERMITTED USES*			
1. District Intent	2. Principal Uses	3. Prohibited Uses	4. Special Exception and Accessory Uses
<p>The Central Core district is intended to:</p> <p>1) Create a critical mass of activity in the central core of the City;</p> <p>2) Allow residential density of up to 150 dwelling units per acre;</p> <p>3) Promote infill and redevelopment of existing residential urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Capitol, employment centers, and universities;</p> <p>4) Provide access to convenient shopping and service businesses;</p> <p>5) Promote compatibility between adjacent residential and non-residential uses through high quality design; and</p> <p>6) Promote pedestrian and bicycle mobility.</p> <p>The Central Core zoning district may</p>	<p>1. Active and passive recreational facilities.</p> <p>2. Automotive rental.</p> <p>3. Automotive repair.</p> <p>4. Banks and other financial institutions.</p> <p>5. Community facilities, including libraries, religious facilities, police/fire stations, and elementary, middle, high and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</p> <p>6. Cocktail lounges and bars.</p> <p>7. Commercial sports.</p> <p>8. Day care centers.</p> <p>9. Equipment rental, outdoor storage prohibited.</p> <p>10. Fraternity and sorority houses (only allowed on parcels located west of South Bronough Street).</p> <p>11. Funeral parlor, mortuary.</p> <p>12. Hotel, motel, and Bed and breakfast inns (see Sec. 10-412).</p> <p>13. Indoor amusements.</p> <p>14. Laundromats, laundry and dry cleaning pick-up stations.</p> <p>15. Mailing services.</p> <p>16. Medical and dental offices and services, laboratories, and clinics.</p> <p>17. Motor vehicles fuel sales.</p> <p>18. Museums and art galleries.</p> <p>19. Non-medical offices and services, including business and government offices and services.</p> <p>20. Nursing homes and other residential care facilities.</p> <p>21. Personal services (barber shops, fitness clubs, tailoring, etc.).</p> <p>22. Photocopying and duplicating services.</p> <p>23. Post-secondary educational facilities.</p> <p>24. Repair services, non-automotive; outdoor storage prohibited.</p> <p>25. Residential—any dwelling unit type, except mobile homes.</p> <p>26. Restaurants, without drive-in facilities.</p>	<p>i. Motor vehicles, RV, and boat dealers.</p> <p>ii. Fuel oil dealers.</p> <p>iii. Camps and recreational vehicle parks.</p> <p>iv. Hospital.</p> <p>v. Factories and industrial uses</p>	<p>(1) Special Exception Use:</p> <p>a. Off-Street Parking Facilities</p> <p>(2) Accessory Uses:</p> <p>a. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>b. Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

<p>only be utilized in the Central Core Future Land Use Category. The Central Core district is not subject to the Tallahassee Land Use Development Matrix.</p> <p><b>Development Standards for this zoning district are established within the Downtown Overlay Regulating Plan map series and applicable sections of Division 4.</b></p>	<p>27. Retail, miscellaneous—bakeries, electronics, florists, liquor stores, used merchandise, newsstand, books, greeting cards, toys, luggage, clothing, shoes, department store, furniture, grocers, etc.</p>		
	<p>28. Rooming and boarding houses, including dormitories.</p> <p>29. Social, fraternal, and recreational clubs and lodges; assembly halls.</p> <p>30. Structured parking.</p> <p>31. Studios for photography, film, music, art, dance, drama, and voice.</p> <p>32. Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p>		

(Ord. No. 10-O-14AA, § 5, 2-23-2011; Ord. No. 16-O-05, § 2(Exh. A), 5-18-2016; Ord. No. 23-O-41, § 1, 12-13-2023)

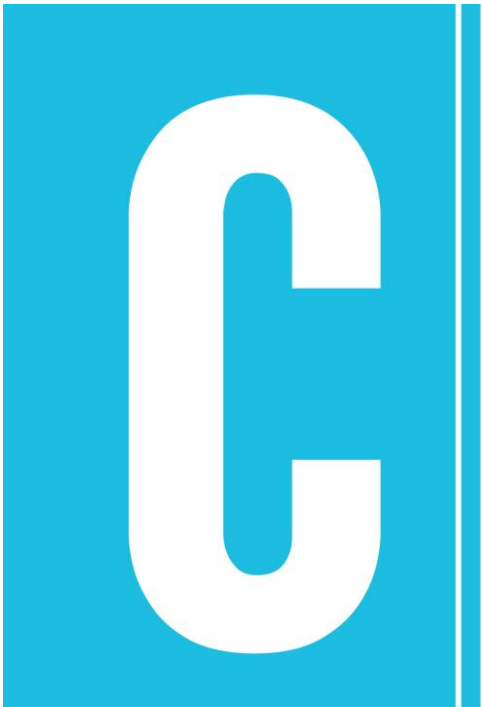
Editor's note(s)—Ord. No. 10-O-14AA, § 5, adopted February 23, 2011, amended section 10-197 in its entirety to read as herein set out. Formerly, section 10-197 pertained to the RO targeted retail/office growth area, and derived from the Code of 1984, ch. 27, § 10.3(O)(1); Ord. No. 95-O-0025AA, adopted September 13, 1995; Ord. No. 03-O-10AA, § 4, adopted February 26, 2003, and Ord. No. 05-O-57, § 7, adopted October 26, 2005.

## Sign Posting Pictures









## Comprehensive Plan

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** October 1, 2024  
Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St.

**Name:** Dewey Street - TMA2024 014  
Map Amendment

**Description:** From: Central Urban  
To: Central Core  
on 7.17 acres

Scan the QR code or visit  
[Talgov.com/NewProjects](http://Talgov.com/NewProjects)  
for more details.



## Rezoning

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** October 1, 2024  
Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St.

**Name:** Dewey Street  
TRZ240010

**Description:** From: Central Urban 45 (CU-45)  
To: Central Core (CC)  
on 7.17 acres

Scan the QR code or visit  
[Talgov.com/NewProjects](http://Talgov.com/NewProjects)  
for more details.



CITIZEN COMMENT(S)

Lisa M. Roberts  
512 W. Carolina Street  
Tallahassee, FL 32301-1010

September 22, 2024

Mr. Jacob Fortunas  
Tallahassee-Leon County Planning Department  
Comprehensive Planning Division  
300 South Adams Street  
Tallahassee, FL 32301

Dear Mr. Fortunas:

Each time an area of Frenchtown has been rezoned, it has been another nail in the community's coffin. Rezoning has always been presented as something beneficial to the neighborhood; however, it has only benefited people who do not live in the neighborhood. They do not care about the people who suffer because of their actions. The previous rezoning changes helped people outside the neighborhood make huge amounts of money, to the detriment of the residents. The most recent changes financially benefit corporations outside of the state. Their only vested interest is to attract more students to the area. Instead of enhancing the community, they bring noise, trash, and traffic issues. The neighborhood cannot handle more students, vice, or traffic!

This proposed change will ultimately lead to more bars/clubs, noisy trash removal, late-night traffic, party-buses, trespassing while walking dogs, loud music, incorrect food deliveries at all hours of the day and night, and even more parking dilemmas. All of these issues have been exacerbated by the deleterious influx of students. Frenchtown residents should be able to sleep undisturbed at night, as I'm sure you are able to do. Just getting out of my driveway should not be a traumatic experience.

My family has lived in the neighborhood since it was relegated to formerly enslaved people. When I was growing up in the 70s, it was becoming undesirable, due to illegal activities being brought into the area by outsiders. As FSU sprawls out around the center of town, now, all of a sudden, my neighborhood is deemed desirable. Well yes, it is desirable, to the people who have generational ties to the area. It's centrally located, which makes it easy to get to work and most parts of town. Sure, it needs a lot of work, but the solution is not to ignore the residents and bring in more transients.

I implore you, please do not approve this application. As a resident of Frenchtown, I can tell you with the utmost certainty that this is not a good thing for our neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Lisa M. Roberts". The signature is fluid and extends across the width of the page.

Lisa M. Roberts



**From:** [Na'im Akbar](#)  
**To:** [Fortunas, Jacob](#)  
**Cc:** [Mutagee Akbar](#)  
**Subject:** Re-zoning Dewey /West Tennessee  
**Date:** Wednesday, October 16, 2024 2:34:48 PM

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**\*\*\*EXTERNAL EMAIL\*\*\***

Please report any suspicious attachments, links, or requests for sensitive information.

Mr. Fortunas,

I am a property owner at 324 N. Copeland St.. Unfortunately, I was unable to attend the community hearing on this re-zoning application that was held last week. My family's interests were represented by my son (Attorney Mutagee Akbar), who was present at that meeting.

I have fundamental concerns about the reasonableness of over-building in the name of development while creating an unlivable and unmanageable environment with complete erasure of the entire concept of community. This concern has already succumbed to the successful creation of several megalopolis housing projects targeting transient student populations who by definition are temporary residents with no interest in building community. I have endured the construction of the two existing 5 story densely populated structures in the 500 & 600 blocks of Virginia, adjacent to the plot for which this application is being considered. My current office and 5<sup>th</sup> generation family residence is currently almost a part of the construction site of the newest monstrosity under construction at Macomb and W. Tennessee. The structures themselves are architecturally impressive, and definitely superior to the fallow land of many years.

However, they are like Cinderella's gawky stepsisters trying to fit into a petite, elegant glass slipper. The infrastructure was not considered in the planning for this considerable increase in foot and motor traffic. Despite the minimally accommodating parking structures within each of the buildings, no consideration was given to the overrun leading to traffic congestion and very dangerous mobility once you exit the parking garage. This proposal will obviously only increase this problem exponentially, with no place to grow. The tragic traffic deaths that have occurred on the 6 lane, W. Tennessee border of this proposal will be multiplied on the small narrow side streets of Virginia, Dewey and Copeland. With the increased demand for parking the construction that garbled up every inch of land seeking to fit its oversized "foot" into the glass slipper of this community will undoubtedly create an expanded killing field for distracted residents to meet a ghastly fate with unsafe sidewalks, too narrow streets and unplanned traffic and pedestrian management.

If progressive development means community erasure, then even without the expansion of this proposed re-zoning you already have a rather abominable illustration of the downside of poorly planned density concentration that can only get worse. This project would be much more acceptable if it could be inclusive of the surrounding community that preserves the spirit of an historical and socially significant model environment for the development of human life at its best. The anchor of a community interspersed with the fluidity of a transient population whose very presence is legitimized by the absence of any long-term development and pre-ordained obsolescence. Why should one have to move to the distant wooded suburbs to find family-friendly homes and opportunities to grow? There would be benefit in having anchored community dwellers to preserve a spirit of permanence to the transients with no loyalty or commitment to the space.

I have no doubt that my philosophical, ethical, pragmatic and emotional concerns hold little sway in a pecuniary arena where profit is God, but I'm obligated to speak for my voiceless Ancestors and unborn seeds.

Respectfully, Na'im Akbar

*Na'im Akbar, Ph.D.*

*Mind Productions & Associates 324 N.  
Copeland Street Tallahassee, FL 32304*

*Phone: 850-222-1764*

**From:** [Steve Spurlin](#)  
**To:** [Fortunas, Jacob](#)  
**Subject:** opposed to TMA 2024 014 rezoning  
**Date:** Friday, October 11, 2024 7:20:38 PM

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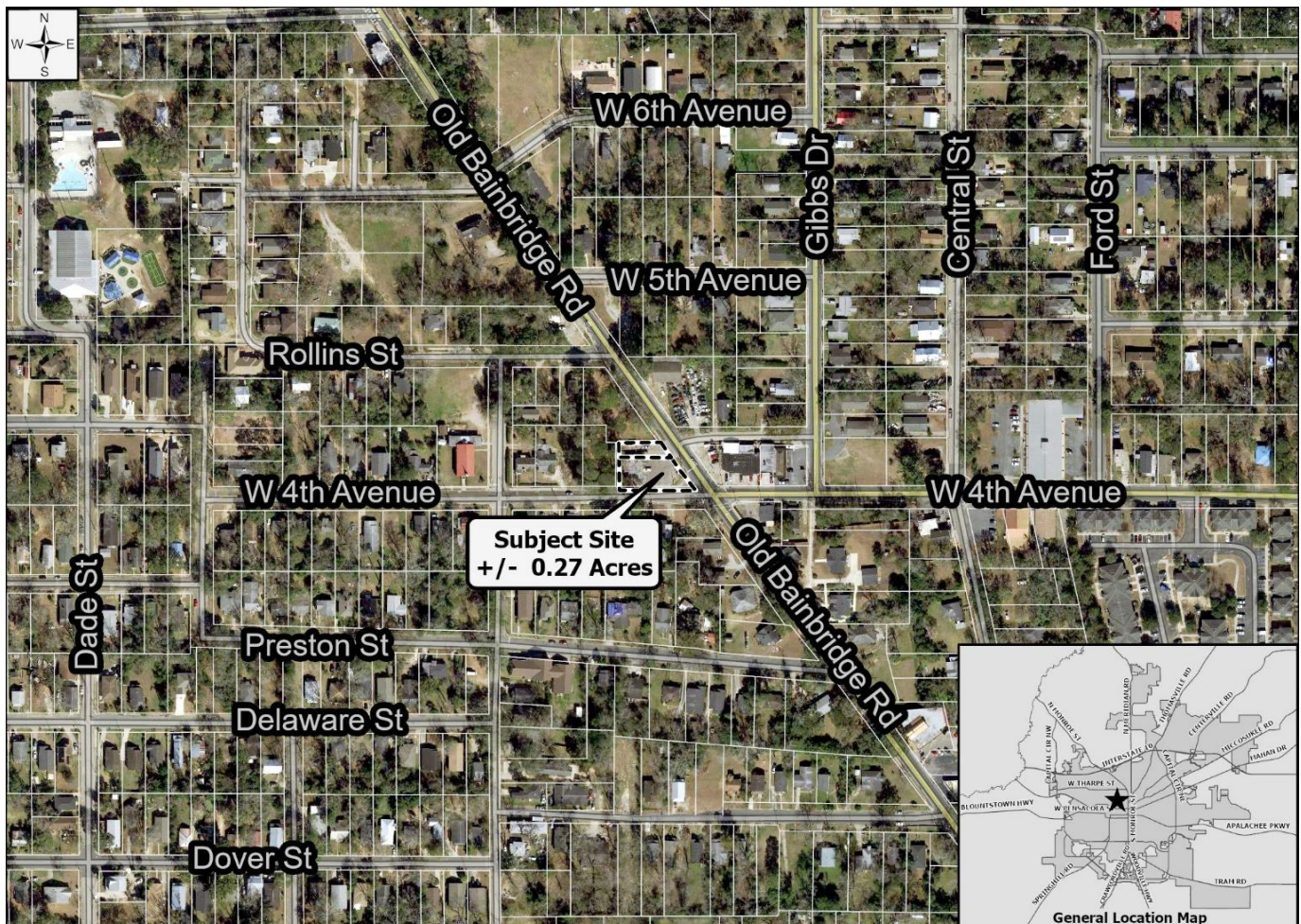
**\*\*\*EXTERNAL EMAIL\*\*\***

Please report any suspicious attachments, links, or requests for sensitive information.

Both motor and foot traffic in that area is already extremely high. The proposed change will exacerbate what's already a dangerous situation.

Declaring this postage stamp of land is ludicrous. It's no where the city Central Core and surrounded Urban Core. This could only make sense to a rapacious Developer.

<b>Amendment Type:</b>	City Small-Scale Map Amendment
<b>Amendment Number:</b>	TMA2024015
<b>Property Location:</b>	1104 Old Bainbridge Road
<b>Applicant (Property Owner):</b>	Brevard Street Properties, Inc.
<b>Agent for the Applicant:</b>	Walid Abulaban, President
<b>Current Future Land Use:</b>	Residential Preservation
<b>Proposed Future Land Use:</b>	Central Urban
<b>Current Zoning:</b>	Residential Preservation-2
<b>Proposed Zoning:</b>	Central Urban – 18 (CU-18)
<b>TLC Planning Department Staff:</b>	Oluwaseyi Akinrinde
<b>Staff Email:</b>	<a href="mailto:Oluwaseyi.Akinrinde@talgov.com">Oluwaseyi.Akinrinde@talgov.com</a>
<b>Staff Phone Number:</b>	850-891-6412
<b>Staff Analysis:</b>	Consistent
<b>LPA Recommendation:</b>	Adopt





## A. EXECUTIVE SUMMARY

If approved, this map amendment would change the future land use category for two parcels currently in the Residential Preservation (RP) category to Central Urban (CU). The zoning, which is currently Residential Preservation-2 (RP-2), would also be changed to Central Urban (CU-18). The map amendment would revise the land use to allow the existing convenience store, which is currently considered a nonconforming use.

The subject parcels are located at 1104 Old Bainbridge Road on the northwest corner of Old Bainbridge Road and W. 4<sup>th</sup> Avenue. Parcels 212534 B0070 and 212534 B0071 are approximately .27 acres in size.

A rezoning application will be processed concurrently with this amendment. To implement the proposed amendment to the Future Land Use Map, a zoning change from Residential Preservation (RP-2) to Central Urban 18 (CU-18) has been requested. The proposed zoning allows retail food and grocery stores and other non-residential uses up to 20,000 sf per acre and a maximum density of 18 dwelling units per acre.

This step of the land development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density of development on the site. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following: 1) does the area meet the criteria for designation as Residential Preservation, and 2) does the area better meet the criteria for Central Urban?

If the Land Use and Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with Tallahassee Land Development Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This includes neighborhood compatibility standards and other buffering and screening standards intended to protect and promote compatibility with the existing Residential Preservation neighborhood west of the subject site.

## B. STAFF ANALYSIS

Based on the findings of this report, staff finds that the proposed future land use map amendment and proposed rezoning are **consistent** with the Tallahassee-Leon County Comprehensive Plan.

## C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

The Local Planning agency held a public hearing on October 1, 2024 to consider the proposed future land use map amendment and concurrent rezoning. The LPA finds that the proposed future land use map amendment and proposed rezoning are consistent with the Tallahassee-Leon County Comprehensive Plan. The LPA recommends adoption of the proposed future land use amendment and proposed rezoning.

## D. SUMMARY OF FINDINGS

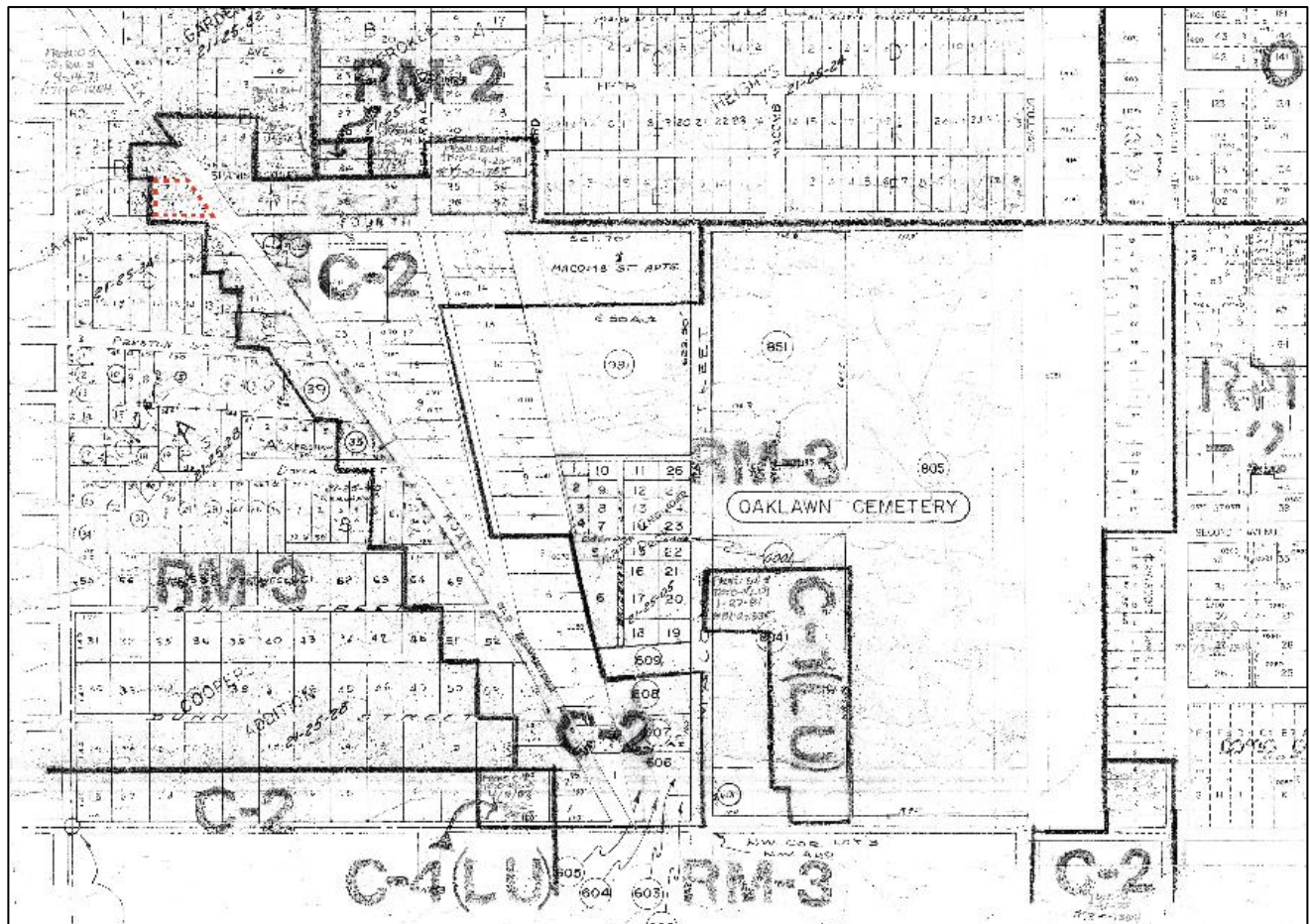
The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. Staff presents the following findings of fact:

### History and Background

The parcels proposed for this land use amendment include a convenience store located at 1104 Old Bainbridge Road (Parcel No. 212534 B0070) and a vacant parcel immediately to the north of this address (Parcel No. 212534 B0071). The parcels are part of the Harlem Subdivision, which was established in 1943.

The majority of the buildings in the immediate vicinity were built in the 1940s, 50s, and 60s, although some were constructed much earlier (1916) and others more recently (2004). Several buildings in the immediate vicinity are used for commercial purposes, and according to the applicant, the area has historically been a commercial hub for the surrounding neighborhoods.

Before the current Tallahassee-Leon County Comprehensive Plan, Parcel Nos. 212534 B0070 and 212534 B0071 were zoned Commercial-2 (C-2). A historic zoning atlas is included below.



With the Tallahassee-Leon County Comprehensive Plan and FLUM, these areas were designated Residential Preservation, creating the nonconformities this amendment seeks to correct. Since plan adoption, the Residential Preservation land use and zoning have been maintained for the subject property.

Another planning effort for the Frenchtown neighborhood resulted in a plan adopted in 2020 with six (6) goals for neighborhood improvement. The plan is not part of the comprehensive plan. The adopted plan on-line is referred to as the [Frenchtown Neighborhood First Plan](#) that has been citizen-led by a local Community Action Team and facilitated by the City's Neighborhood Affairs Division. Two of the six goals include Economic Investment and Community Reinvestment, and Placemaking and Neighborhood Image. Staff reviewed the goals of the neighborhood plan and coordinated with Neighborhood Affairs staff, and concluded the proposed change does not create any inconsistencies with the 2020 plan.

### Adjacent Existing Uses and Site Analysis

The subject site is two parcels, approximately 0.27 acres in size, and the parcel to the south is used as retail while the parcel to the north is vacant. The subject site is located directly adjacent to warehouse uses to the east and single-family detached residential uses to the south. The parcels east of the subject site are currently designated in the proposed land use category. To the west and north of the site are vacant parcels with RP-2 and OR-2 zoning designations, respectively. The subject site is along a minor arterial roadway with employment, shopping, and recreational opportunities. Within the subject site's vicinity are duplexes, multifamily residential, retail, warehouse, vacant, and religious/non-profits.





### ***Residential Preservation Analysis***

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation Land Use category. The subject site has limited characteristics that are consistent with Residential Preservation, and it has numerous characteristics that are not consistent with the intent and description of Residential Preservation as laid out in Policy 2.2.3 [L].

The uses to the west of the subject property are predominantly single-family residential. However, existing uses to the north and east are a mixture of commercial, vacant commercial and industrial warehouse as well as a variety of residential types. While neighborhoods to the east and west of the subject parcels are predominantly residential, the immediate vicinity of the subject parcels is a mixture of residential, nonresidential, and vacant uses that do not fully meet the criteria for Residential Preservation.

- A) Existing land use within the area is predominantly residential.

**Analysis:** While neighborhoods to the east and west of the subject parcels are predominantly residential, the immediate vicinity of the subject parcels is a mixture of residential, nonresidential, and vacant uses.

- B) Majority of traffic is local in nature.

- i) Predominance of residential uses front on local streets.

**Analysis:** The subject properties are north and west of the intersection of Old Bainbridge Road (a minor arterial) and W 4th Ave (a major collector to the east of Old Bainbridge and minor collector to the west). Old Bainbridge and W 4th Ave are fronted by both residential and non-residential uses. The subject property is not residential and fronts the arterial roadway.

- ii) Relatively safe internal mobility.

**Analysis:** The subject site is located primarily along Old Bainbridge Road, a minor arterial with pedestrian facilities only on the west side of the road. Old Bainbridge Road sees a moderately high volume of commuter traffic (adjusted volume of approx. 18,000 vehicles as of 2017) and is rated low comfort by the Bike Tallahassee Network. W 4th Avenue, to the south of the subject site, is a minor collector west of Old Bainbridge Road, has pedestrian facilities on the north side of the road, and is rated High Comfort by the Bike Tallahassee Network. The mobility near the subject site is not as safe as expected from a homogenously residential neighborhood primarily situated on local streets.

- C) Densities within the area generally are six (6) units per acre or less.

**Analysis:** The average density of the residential land uses within the Harlem subdivision is 6.97 DU/AC. Across Old Bainbridge Road in the ACME Gardens subdivision, the average density of the residential properties is 5.69 DU/AC. Immediately to the east of the ACME Gardens subdivision is the Cherokee subdivision; the average density of the residential properties in this subdivision is 8.48 DU/AC. The densities in the area surrounding the subject site are generally slightly higher than 6 DU/AC.

- D) Existing residential type and density exhibit relatively homogeneous patterns.

**Analysis:** The subject site has an existing land use classified as retail and vacant. Immediately adjacent to the subject parcels are land uses of warehouse, retail, and single-family residential. Within the vicinity (2-4 blocks) of the subject site are duplexes, multifamily residential, retail, warehouse, vacant, and religious/non-profit. The densities of properties within 2-4 blocks range from 1 DU/AC to 36 DU/AC. While the majority of land use is single-family residential, the nearby densities and land uses are not homogenous.

E) Assessment of stability of the residential area, including but not limited to:

i) Degree of home ownership.

**Analysis:** Of the 151 residential properties in the Harlem, ACME Gardens, Cherokee, and Gibbs Trace subdivisions surrounding the subject site, only 51 (~34%) have homestead exemptions.

ii) Existence of neighborhood organizations.

**Analysis:** The Frenchtown Working Group/Neighborhood Association has created a Frenchtown Placemaking Plan and Neighborhood First Plan. The Griffin Heights Neighborhood (west of Old Bainbridge Road) has a Neighborhood Association that has created a Neighborhood First Plan. To the east of the subject site is the Levy Park Neighborhood Association.

### ***Water and Sewer Infrastructure***

The City of Tallahassee is the provider for water and sewer to serve the subject property. Water and sewer facilities are available to the site. The City of Tallahassee owns and maintains the systems within the surrounding area. Specific water and sewer capacity will be determined once a project has been submitted for the development review process.

### ***Schools Impact***

The Subject Area is zoned for Riley Elementary School, Griffin Middle School, and Leon High School. A School Impact Analysis (SIA) form was completed, and the Leon County School District staff did not identify issues requiring further coordination. The district approved the SIA at its September 24, 2024, meeting. Any future redevelopment of the area would follow the site plan review process, which includes a school concurrency impact analysis.

### ***Multi-Modal Transportation Network***

The subject site is accessible by Old Bainbridge Road, a minor arterial, and W 4th Avenue, a major collector east of Old Bainbridge and a minor collector to the west. The subject site is located within the Multimodal Transportation Network (MMTD), which aims to facilitate the use of multiple modes of transportation, reducing automobile use and vehicle miles traveled. The subject site is served by the Moss StarMetro Route on weekdays, with stops at Old Bainbridge Road and W 4th Avenue. A bus stop is southeast of the subject site. The site is accessible by sidewalks to the east and south. Sidewalks run west of Old Bainbridge Road and north of W 4th Avenue. No bike lanes are in the immediate area; Old Bainbridge Road is rated Low Comfort on the Bike Tallahassee Network, while W 4th Avenue is rated High Comfort. Consistent with the development review process, transportation traffic impacts and concurrency calculations will be conducted if a site plan for a proposed development is submitted.

### ***Environmental Analysis***

The subject site is located in the Urban Services Area and the Multimodal Transportation District. The parcel to the south is currently in use, while the one to the north is vacant. The parcel to the north is identified as a Low-Priority Planting Area. The subject site is within the Lake Munson Drainage Basin. Consistent with the development process, additional environmental assessments are required when a site plan for proposed development is submitted.

Comparison of Current and Proposed Land Use and Zoning

Land Use and Zoning					
	Current Use	Proposed Use		Current Zoning	Proposed Zoning
Land Uses	RP	Central Urban	Zoning Uses	RP-2	Central Urban 18
Residential	6 units/acre	45 units/acre	Residential	6 units/acre	18 units/acre
Single-Family Detached	X	X	Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Attached	X	X	Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X	Two-Family Dwellings	X	X
Multi-Family		X	Multi-Family, Rooming Houses, Live-Work Units		X
Commercial		X	Community facilities related to residential uses including religious facilities, police/fire states, and elementary and middle schools as of 2015	X	X
Office		X	Community facilities related to office/residential including libraries and high schools. Vocational schools prohibited		X
			Passive recreational facilities	X	X
			Active recreational facilities		X
			Commercial: Bed & Breakfasts, Day Care, Laundromats, Services, Pet Daycare, Tailoring		X
			Nursing Homes		X
			Offices: medical & non-medical		X
			Public Parks with playgrounds/active rec limited to daytime hours		X
			Retail: bakers, food and grocery and florists		X
			Studios for broadcasting music/photography		X
			Veterinary services		X

### Current and Proposed Future Land Use Categories

The Subject Area is currently designated **Residential Preservation** on the FLUM. The proposed amendment would change the FLUM designation to Central Urban. Below is a summary of the current and proposed FLU categories. The complete comprehensive plan policies for **Residential Preservation (Policy 2.2.3: [L])** and **Central Urban (Policy 2.2.8: [L])** are included as Appendix #1.

#### ***Current: Residential Preservation***

The Residential Preservation Future Land Use Category (FLUC) is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Commercial land uses are prohibited. For many years, several of the subject parcels have operated for commercial use, which was previously allowed. Along Old Bainbridge Road (which the subject parcels front) and in the surrounding area, there is a mixture of single-family residential, multi-family residential, retail, warehouse, nonprofit, religious, and vacant uses, with the predominant use in the neighborhood to the east and west of Old Bainbridge Road being single family residential.

#### ***Proposed: Central Urban***

The Central Urban FLUC is characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities. Central Urban is intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), and office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged.

### Determination for Future Land Use Map Amendment

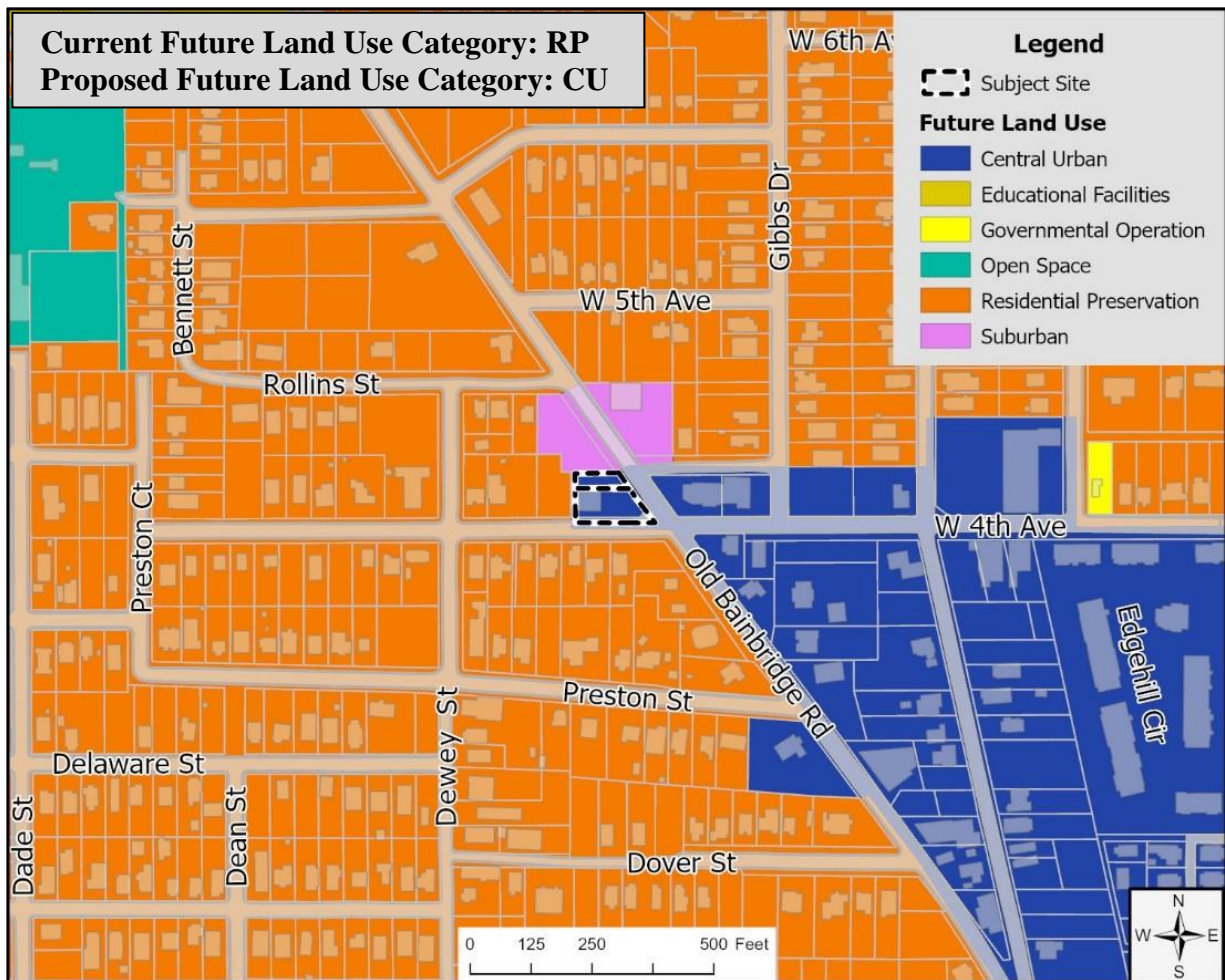
#### ***1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation?***

No. The Residential Preservation future land use category prohibits commercial land uses, and this property has been used as a convenience store for over 50 years. The property is located along Old Bainbridge Road, a minor arterial roadway, and the traffic is not predominantly local. This amendment would correct the nonconformity created by the Residential Preservation designation on the parcels.

#### ***2) Does the area better meet the criteria for the proposed land use designation of Central Urban?***

Yes. The subject property is currently located near a commercial parcel used as a warehouse and provides convenient access to employment opportunities. The surrounding properties create a mixture of office, commercial, and residential uses within walking distance of nearby residential areas.

The following map illustrates the current and proposed FLUM designations for the Subject Area.



### Current and Proposed Zoning

The Subject Area is currently zoned **Residential Preservation-2 (RP-2)**. The proposed rezoning would change the zoning designation to **Central Urban-18 (CU-18)** to implement the proposed underlying land use category. Below is a summary of the current and proposed zoning districts. The Land Development Code sections for **Residential Preservation-2 (Sec. 10-170)** and **Central Urban-18 (Sec. 10-239.2)** zoning districts are included as Appendix #2.

**Current: Residential Preservation-2 (RP-2):** The residential preservation district is characterized by existing homogeneous residential areas predominantly accessed by local streets. The RP-2 district is intended to preserve low-density residential character, protect from incompatible land uses, and prohibit densities in excess of 6 units per acre. Commercial, retail, office, and industrial activities are prohibited in the residential preservation district.

Section 10-170 of the Tallahassee Land Development Code, the RP-2 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low-density residential character of single-family, two-unit townhouse, and duplex residential development, protecting from incompatible land uses, and prohibiting densities

in excess of six (6.0) dwelling units per acre. The subject site consists of non-residential uses and is located in an area with retail and other non-residential uses. As such, the subject site is inconsistent with the intent of Section 10-170.

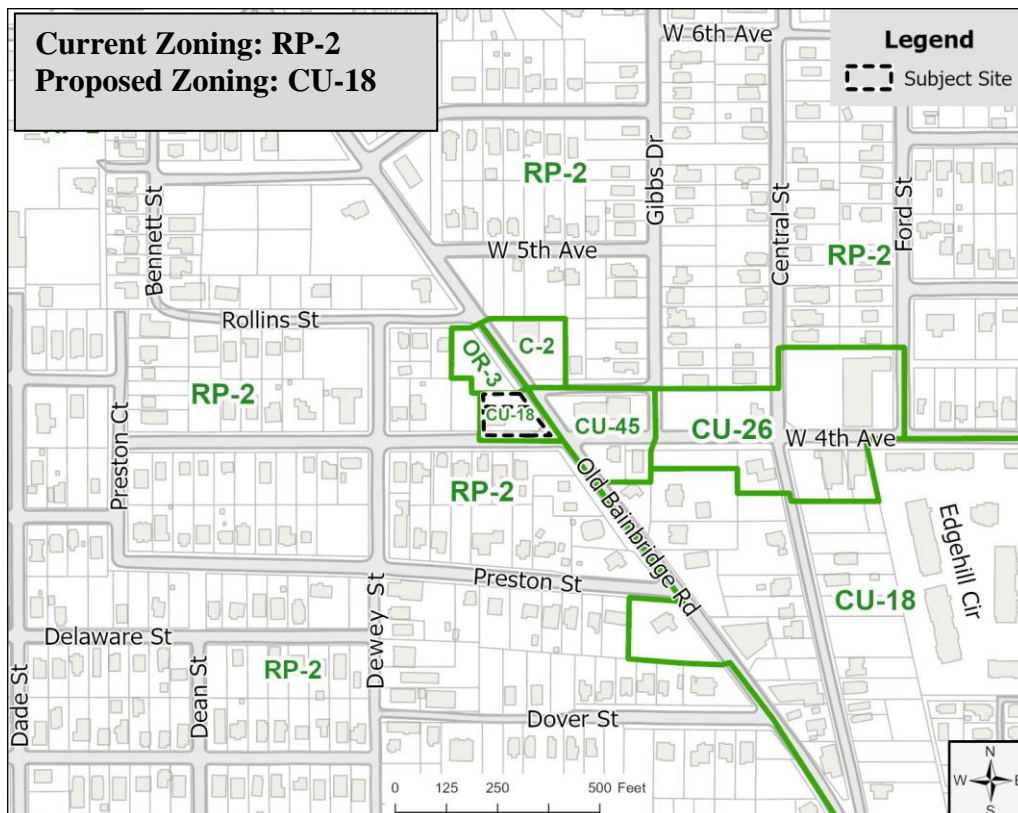
***Proposed: Central Urban-18 (CU-18)***

The CU-18 zoning district is intended to promote compatibility between adjacent residential uses by establishing development and design standards. This district is intended to provide access to convenience shopping and service businesses for area residents up to 20,000 square feet per acre. At a local street intersection, the maximum allowable is up to 10,000 square feet per acre. The CU-18 district provides a variety of densities ranging from a minimum of 4 dwelling units per acre to a maximum of 18 dwelling units per acre.

**Determination for Concurrent Rezoning**

Provided the requested Future Land Use Map amendment is approved, the proposed CU-18 zoning district is intended to be located in areas designated as Central Urban on the Future Land Use Map of the Tallahassee-Leon County Comprehensive Plan. The CU-18 zoning district allows a variety of uses, including retail food and grocery stores and other non-residential uses, up to 20,000 sf per acre and a maximum density of 18 dwelling units per acre.

Section 10-177 of the Tallahassee Land Development Code outlines buffering and screening requirements determined by the existing uses adjacent to proposed uses. Section 10-429 also describes requirements for buffering and neighborhood compatibility for dense residential uses next to protected residential properties.





## E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria for considering a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee Land Development Code, land use compatibility, changed site conditions, and other relevant and appropriate matters.

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

- Policy 2.1.6[L]: requires that land development regulations require provision of non-residential land uses such as parks, school sites and potential walk-to minor commercial and office opportunities within residential developments. *With the proposed change, the subject parcels represent walk-to commercial adjacent to residential areas.*
- Policy 2.1.11: [L]: Requires criteria for approval of Central Urban development be established in the Land Development Regulations. *The proposed amendment and rezoning do not create inconsistencies with this provision, and development is guided by the comprehensive plan required land development regulations. The land development code establishes specific development regulations for the Central Urban – 18 development.*
- Policy 2.2.3 [L] Residential Preservation land use.
  - 1) Prohibits commercial land uses within the Residential Preservation land use category. *The subject parcels, along with several other nearby parcels currently designated as RP, are “non-conforming” commercial land uses that have existed since before the current iteration of the Comprehensive Plan.*
  - 2) Is characterized by existing homogenous residential areas within the community, which are predominantly accessible by local streets. *The subject site is in an area that is not homogeneously residential and is primarily served by a minor arterial and a major/minor collector. Similar to the above, this policy’s intent does not match what is on the ground at the subject site; therefore, keeping the site designated as Residential Preservation would be generally inconsistent with the intent of the policy.*
- Policy 2.2.8 [L] Central Urban land use.
  - 1) States that the Central Urban land use category is intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. *As illustrated in the existing land use map in Section C of this report, the subject site contains several non-residential uses within close walking distance of low- and medium-density residential land uses. These uses would be brought into conformity and made options for investment or reinvestment to create further employment and commercial opportunities.*
  - 2) Is characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities. *The subject site has been used as retail since 1968 and is near the urban core.*

## F. PUBLIC NOTIFICATION

An initial mailing was sent to 518 property owners and residents within 1,000 feet of subject property.

Public Notification		Date Completed
X	Applications posted to Planning Department website	September 3, 2024
X	Notices mailed to addresses within 1000 feet of the property	September 7, 2024
X	Comprehensive plan and rezoning signs posted onsite (Appendix 3)	September 10, 2024
X	Legal ads published	September 10, 2024

One written comment was received in support of the amendment and is included as Appendix 4 of the staff report.

## G. APPENDICES

Appendix 1 – Comprehensive Plan Policies  
Appendix 2 – Tallahassee Land Development Code Sections  
Appendix 3 – Sign Posting Pictures  
Appendix 4 – Public Comment

## Comprehensive Plan Policies

### **Policy 2.1.6: [L]**

(EFF. 7/16/90)

Criteria shall be established within local development regulations which require within residential developments the provision of non-residential land uses such as parks, school sites and potential walk-to minor commercial and office opportunities.

### **Policy 2.1.11: [L]** (EFF. 1/19/02; REV. EFF. 6/6/08)

Criteria for approval of Central Urban development shall be established in the Land Development Regulations.

### **Policy 2.2.3: [L]**

#### RESIDENTIAL PRESERVATION

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
  - a) Predominance of residential uses front on local street
  - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
  - a) Degree of home ownership
  - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density

in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

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

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 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 expanding or redeveloping light industrial uses and 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 uses shall 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.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

***Policy 2.2.8: [L]***

**CENTRAL URBAN** (REV. EFF. 6/07/01; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 6/6/08)

Characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities. Intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Actual siting of land uses within the category are dependent on implementing zoning districts. Roadway access standards are determined by application of land development regulations. Land use intensity is intended to be higher (up to 20,000 sq. ft. for minor commercial uses; up to 100,000 sq. ft. for neighborhood commercial uses; and up to 200,000 sq. ft. for community commercial uses) due to the presence of requisite capital infrastructure and location of employment and activity centers.

## Tallahassee Land Development Code Sections Zoning Districts

### Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential activities may be permitted as home occupations—see article VII of this chapter, supplementary regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. No development in the residential preservation district shall be permitted which violates the provisions of policy 2.1.1 of the future land use element of the 2010 Comprehensive Plan.
- (2) For residential preservation areas outside the urban service area the density of the nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five zoning districts based upon existing development patterns and service provision:
  - a. RP-1;
  - b. RP-2;
  - c. RP-MH;
  - d. RP-UF; and
  - e. RPR.
- (3) The intent of the districts listed in subsections (2)a. through e. of this section are as follows:
  - a. The RP-1 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of 3.6 dwelling units per acre.
  - b. The RP-2 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of single-family, two-unit townhouse and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six dwelling units per acre.
  - c. The RP-MH district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six dwelling units per acre.
  - d. The RP-UF district is intended to apply to residential development in areas designated as both "urban fringe" and "residential preservation" on the future land use map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions,



one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three acres, for all other developments.

- e. The RP-R district is intended to apply to residential development in areas designated as both "rural" and "residential preservation" on the future land use map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses.
  - (1) Low density residential.
  - (2) Passive recreation.
  - (3) Active recreation.
  - (4) Community services.
  - (5) Light infrastructure.
- (c) *List of permitted uses.* See schedules of permitted uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the standard industrial code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and special exception uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.
- (d) *Development standards.* All proposed development shall meet the land use development criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the land development standards schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).

(Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002)

## Sec. 10-241. Residential preservation district.

The following applies to the Residential Preservation District:

- (1) Allowable uses; appropriate permit level and applicable development and locational standards.

P	PERMITTED USE
R	RESTRICTED USE
S	SPECIAL EXCEPTION

		LEGEND
LR	=	LOW DENSITY RESIDENTIAL
PR	=	PASSIVE RECREATION
AR	=	ACTIVE RECREATION
CS	=	COMMUNITY SERVICES
LI	=	LIGHT INFRASTRUCTURE

### Residential Preservation - 2

RESIDENTIAL PRESERVATION-2		LAND USE TYPE				
SIC CODE	NAME OF USE	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	P				
	(Roominghouses are prohibited)					
	Dwelling, two-unit townhouses	P				
	SERVICES					
821	Elementary and secondary schools (middle and high) that are established and in existence on July 1, 2015 including expansions to existing facilities				S	
866	Religious organizations				S	
	RECREATION					
	Hiking and nature trails		P			
	Picnicking		P			
	Canoe trails		P			
	Bicycle trails		P			
	Horseback riding trails		P			
	Tot lots			P		
	Court sports			R		
	Field sports			R		
	PUBLIC ADMINISTRATION					
	Police protection				S	
	Fire protection				S	
	Public order and safety				S	

- (2) Minimum development standards. (Development standards for properties located within the MMTD are established within division 4 of this Code.)

DEVELOPMENT TYPE					
		SINGLE FAMILY AND TWO-UNIT TOWNHOUSE RESIDENTIAL UNITS NONCLUSTERED	SINGLE- FAMILY RESIDENTIAL UNITS CLUSTERED	DUPLEX RESIDENTIAL UNIT NONCLUSTERED	COMM. SERVICES; ACTIVE REC.; PUBLIC, PRIMARY AND SECONDARY SCHOOLS
MINIMUM SETBACKS (FEET)					
Front Yard			Perimeter Setback		
	Building	15	25	20	25
	Parking	-	-	-	20
Corner Yard			Perimeter Setback		
	Building	15	25	20	25
	Parking	-	-	-	20
Interior Side Yard			Perimeter Setback		
	Building*	7.5	15	7.5	20
	Parking	-	-	-	20
Rear Yard			Perimeter Setback		
	Building	25	25	25	25
	Parking	-	-	-	10
MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA		40	40 (of net area)	40	40
MAX. HEIGHT FEET		35	35	35	35
MIN. LOT AREA (ACRES)		7,260 square feet average of all lots created with a minimum lot size of no less than 6,000 square feet	The net density of the project site (clustered) development and required open space) may be no greater than 6 Units per acre	14,520 square feet average of all lots created with a minimum lot size of no less than 7,500 square feet	½ acre
MINIMUM LOT FRONTAGE (FEET)		15	15	15	-

\* Zero-lot line construction permitted along common wall of townhouse dwelling units.

\*Subsequent redevelopment, not vested per chapter 2, article IV, and Leon County Ordinance 90-31 or not addressed by policy 2.1.9 of the future land use element of the comprehensive plan shall conform to the provisions for unplatted lots. (Code 1984, ch. 27, §§ 10.6.X, 10.6.Y; Ord. No. 00-O-54, § 4, 9-27-2000; Ord. No. 02-O-88AA, §§ 3, 4, 10-23-2002; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 15-O-17AA, § 9, 8-26-2015)

**Sec. 10-239.2. - CU-18 Central Urban District.**

See the following chart for district intent, permitted uses, dimensional requirements, and notes for the CU-18 Central Urban District:

**CU-18 Central Urban District**

	<b>PERMITTED USES</b>	
<b>1. District Intent</b>	<b>2. Principal Uses</b>	<b>3. Accessory Uses</b>
<p>The CU-18 district is intended to:</p> <ul style="list-style-type: none"> <li>•Provide a variety of medium density housing types with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 18 dwelling units per acre;</li> <li>•Provide for office uses up to 22,000 square feet per acre;</li> <li>•Provide access to convenience shopping and service businesses for area residents up to 20,000 square feet per acre. At a local street intersection the maximum allowable is up to 10,000 square feet per acre;</li> <li>•Promote infill and redevelopment of existing residential urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities;</li> <li>•Promote compatibility between adjacent residential and non-residential uses by establishing development and design standards; and</li> <li>•Promote pedestrian and bicycle mobility.</li> </ul> <p>The CU-18 district may only be utilized in the Central Urban Comprehensive Plan Land Use Category. The CU-18 district is not subject to the Tallahassee Land Use Development Matrix found in Section I-16 of the Tallahassee/Leon County Comprehensive Plan. Minimum density requirements do not apply to mixed-use projects.</p>	<ol style="list-style-type: none"> <li>1. Active and passive recreational facilities.</li> <li>2. Bed and breakfast inns; as governed by <a href="#">Section 10-412</a>.</li> <li>3. Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary, middle, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with <a href="#">section 10-413</a> of these regulations.</li> <li>4. Day care centers.</li> <li>5. Live-work units.</li> <li>6. Laundromats, laundry and dry cleaning pick-up stations.</li> <li>7. Mailing services.</li> <li>8. Medical and dental offices and services, laboratories, and clinics.</li> <li>9. Non-medical offices and services, including business and government offices and services.</li> <li>10. Nursing homes and other residential care facilities.</li> <li>11. Personal services (barber shops, fitness clubs, etc.).</li> <li>12. Pet daycare.</li> <li>13. Public park, with playgrounds and/or active recreation, limited to daytime hours.</li> <li>14. Repair services, non-automotive; outdoor storage prohibited.</li> <li>15. Residential - any dwelling unit type.</li> </ol>	<p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

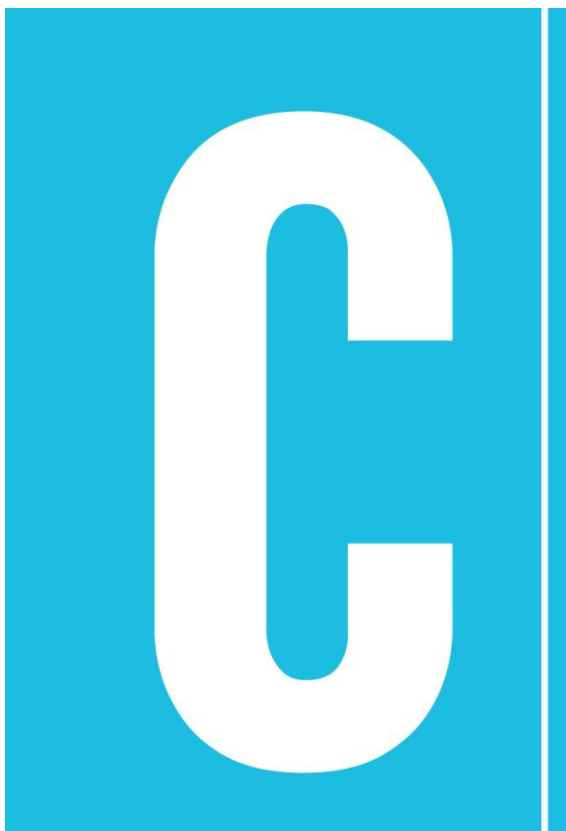
	PERMITTED USES	
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Downtown Overlay, a 25% density bonus is available subject to the provisions of <a href="#">Sec. 10-280.7</a> of this code. A 35% bonus is available with an Urban Planned Unit Development as found in <a href="#">Sec. 10-200</a>.</p> <p><b>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</b></p>	<p>16. Restaurants, without drive-in facilities.</p> <p>17. Retail bakeries.</p> <p>18. Retail food and grocery.</p> <p>19. Retail florists.</p> <p>20. Retail newsstand, books, greeting cards.</p> <p>21. Studios for photography, music, art, dance, drama, and voice.</p> <p>22. Tailoring.</p> <p>23. Veterinary services, including veterinary hospitals.</p> <p>24. Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>* NOTE: Additional requirements for properties in Lake Bradford Road &amp; Providence Neighborhood Overlays (See <a href="#">Section 10-168</a>)</p>	

(Ord. No. 06-O-04AA, § 4, 2-22-2006; Ord. No. 08-O-19AA, § 3, 7-9-2008; Ord. No. 08-O-42AA, § 1(Exh. A), 11-25-2008; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 13-O-03, § 13, 8-28-2013; Ord. No. 15-O-09, § 2(Exh. A), 4-22-2015; Ord. No. 15-O-17AA, § 6(Exh. A), 8-26-2015)



Sign Posting Pictures





## Comprehensive Plan

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** October 1, 2024  
Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St.

**Name:** Old Bainbridge & 4th Avenue  
TMA2024 015 Map Amendment

**Description:** From: Residential Preservation  
To: Central Urban  
on .27 acres

Scan the QR code or visit  
***Talgov.com/NewProjects***  
for more details.



## Rezoning

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** October 1, 2024  
Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St.

**Name:** Old Bainbridge and 4th Avenue  
TRZ240009

**Description:** From: Residential Preservation 2 (RP-2)  
To: Central Urban 18 (CU-18)  
on .27 acres

Scan the QR code or visit  
***Talgov.com/NewProjects***  
for more details.



9/17/24, 2:03 PM

Mail - Akinrinde, Oluwaseyi - Outlook

**From:** zon zonrealty.com <zon@zonrealty.com>

**Sent:** Tuesday, September 17, 2024 12:58 PM

**To:** Akinrinde, Oluwaseyi <Oluwaseyi.Akinrinde@talgov.com>

**Subject:** Rezoning Application for 1104 Old Bainbridge Road - Comprehensive Plan Future Land Use Map Amendment

**\*\*\*EXTERNAL EMAIL\*\*\***

Please report any suspicious attachments, links, or requests for sensitive information.

Zon Reed

732 Preston St

Zon@Zonrealty.com

561-212-6737

September 17, 2024

Tallahassee, FL 32304

Tallahassee-Leon County Planning Department

300 S Adams St,

Tallahassee, FL 32301

Subject: Rezoning Application for 1104 Old Bainbridge Road - Comprehensive Plan Future Land Use Map Amendment

Dear Planning Department,

I am writing in response to the notice regarding the requested amendment to the comprehensive plan future land use map for the property located at 1104 Old Bainbridge Road. After reviewing the details, I would like to express my conditional support for this rezoning application.

The area in question has long been a blighted and neglected part of the Frenchtown Neighborhood, with significant concerns regarding cleanliness, safety, and vagrancy. It has become one of the most unattractive areas along Old Bainbridge Road, and it stands in stark contrast to the well-maintained, appealing landscaping and lighting in front of the Utility Department, just down the same road.

I would be in favor of granting the rezoning request if the applicant commits to cleaning up the property and making significant improvements to the landscaping, lighting, and overall aesthetics of the area. Moreover, addressing the ongoing issues with vagrants and ensuring the property remains clean and well-maintained would be critical in garnering my full support.

It is my belief that these changes would benefit both the community and the applicant, contributing to a safer, more attractive environment that aligns with the overall vision for the future of Frenchtown.

Thank you for considering my input, and I look forward to seeing improvements in this area.

Sincerely,

Zon Reed

Mailing Address: 1151 SW 16<sup>th</sup> ST, Boca Raton, FL 33486



9/17/24, 2:03 PM

Mail - Akinrinde, Oluwaseyi - Outlook

**Re: Rezoning Application for 1104 Old Bainbridge Road - Comprehensive Plan Future Land Use Map Amendment**

Akinrinde, Oluwaseyi <Oluwaseyi.Akinrinde@talgov.com>

Tue 9/17/2024 2:03 PM

To: zonzonrealty.com <zonzonrealty.com>

Bcc: Poplin, Susan <Susan.Poplin@talgov.com>

Zon,

Thank you for your comments on the proposed 1104 Old Bainbridge Road Amendment. Your comment will be saved and provided to the Local Planning Agency and City Commissioners for consideration at the upcoming public hearings. The dates for those meetings are provided at the link provided below.

To address your concern, the property's current use aligns differently from the permitted uses in the current Residential Preservation land use and zoning district. However, the proposed amendment aims to change this, allowing for the use of a convenience store. If approved, this amendment could bring potential benefits such as improved landscaping and safety measures. If they choose to redevelop the property, the applicant will proceed through the site planning and permit review process with the City of Tallahassee Growth Management Department. At this time, they will be required to meet design standards, which include buffer and transparency requirements, provide a traffic study, and meet all environmental management requirements.

The Growth Management department will conduct a thorough review of the site plan and permit, which will come later in the process if the commission approves this amendment. This comprehensive review process is designed to ensure that all aspects of the proposed development are carefully considered.

Once again, we appreciate your participation in this process. Your questions and feedback are important to us. If you have any further questions or need additional information, please do not hesitate to let us know.

[Planning | Comprehensive Plan | Small-Scale Future Land Use Map Amendments | PLACE \(talgov.com\)](#)

**Oluwaseyi Akinrinde**

Senior Planner | Comprehensive Planning

Tallahassee-Leon County Planning Dept.

Comprehensive Planning Division

850.891.6412 • [oluwaseyi.akinrinde@talgov.com](mailto:oluwaseyi.akinrinde@talgov.com)





## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



October 29, 2024

Ms. Donna Harris  
Plan Processing Administrator  
State Land Planning Agency – Florida Department of Commerce  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

Re: Adopted Comprehensive Plan Small-Scale Map Amendment TMA 2024 013

Dear Ms. Harris:

The Tallahassee-Leon County Planning Department hereby submits an adopted small-scale map amendment, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. This amendment is submitted pursuant to the City Commission adoption public hearing on October 23, 2024.

This adopted amendment is being submitted as a small-scale amendment under section 163.3187(1), Florida Statutes.

<u>Amendment</u>	<u>Acres</u>
TMA 2024 013 – 1932 Miccosukee Road	.93

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 11.94 acres. The adopted amendment is not within an area of critical state concern and does not involve a site within a rural area of opportunity.

Enclosed are the following City ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 24-O-33 adopted October 23, 2024

The appropriate review agencies are copied on this letter and provided with a complete adopted amendments package in Portable Document Format (PDF).





## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



If you have any questions concerning the adopted amendments, please contact Susan Poplin at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail [Susan.Poplin@talgov.com](mailto:Susan.Poplin@talgov.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Poplin".

Susan Poplin, MSP, AICP  
Administrator of Comprehensive Planning  
Tallahassee-Leon County Planning Department

cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)  
Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Emily Bouza (w/o attachments)  
Lou Norvell (w/o attachments)

**ATTACHMENT #1**  
**SUMMARY CHART**

TALLAHASSEE-LEON COUNTY  
MATRIX FOR OCTOBER SMALL-SCALE MAP AMENDMENT

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Analysis</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
TMA 2024 013 1932 Miccosukee Rd	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Suburban  Approximately .93 acres	<b>Consistent</b>	<b>A</b>	<b>A</b>	<b>Adopted</b> Adoption Hearing October 23, 2024

**ATTACHMENT #2**  
**EXECUTED ORDINANCE**  
**ADOPTING**  
**SMALL-SCALE MAP**  
**AMENDMENT**

# Small-Scale Map Amendment

TMA 2024 013

1932 Miccosukee Road

.93 Acres

From: Residential Preservation

To: Suburban

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*



**ORDINANCE NO. 24-O-33**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY FOR 0.93 ACRES AT 1932 MICCOSUKEE ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Tallahassee to prepare and enforce comprehensive plans for the development of the City; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has determined it necessary and desirable to adopt this amendment to the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with

future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Tallahassee, Florida, as follows, that:

**Section 1. Purpose and Intent.**

This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

**Section 2. Map Amendment.**

The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment TMA2024013 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 16<sup>th</sup> day of October, 2024.

PASSED by the City Commission on the 23<sup>rd</sup> day of October, 2024.

CITY OF TALLAHASSEE

By: \_\_\_\_\_

John E. Dailey  
Mayor

ATTEST:

APPROVED AS TO FORM: \_\_\_\_\_

By: \_\_\_\_\_

James O. Cooke, IV  
City Treasurer-Clerk

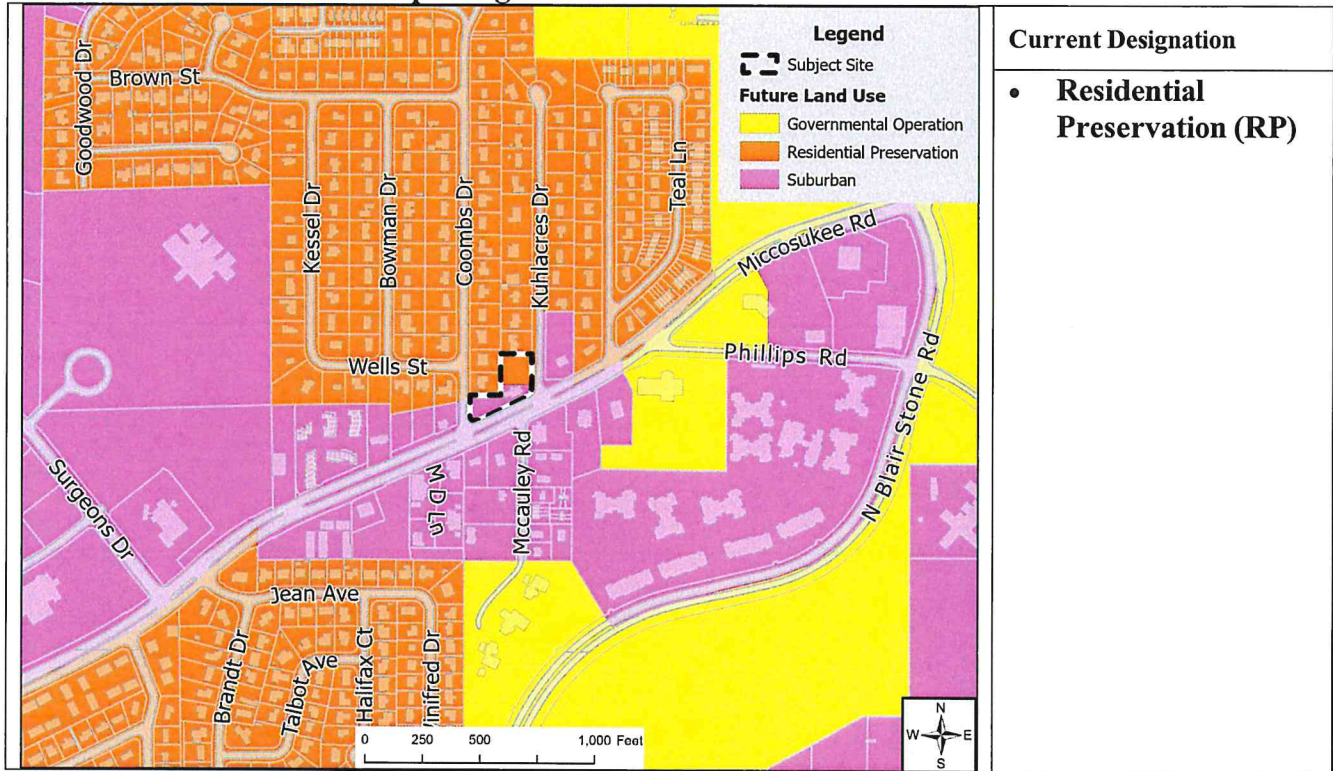
By: \_\_\_\_\_

Amy M. Toman  
City Attorney

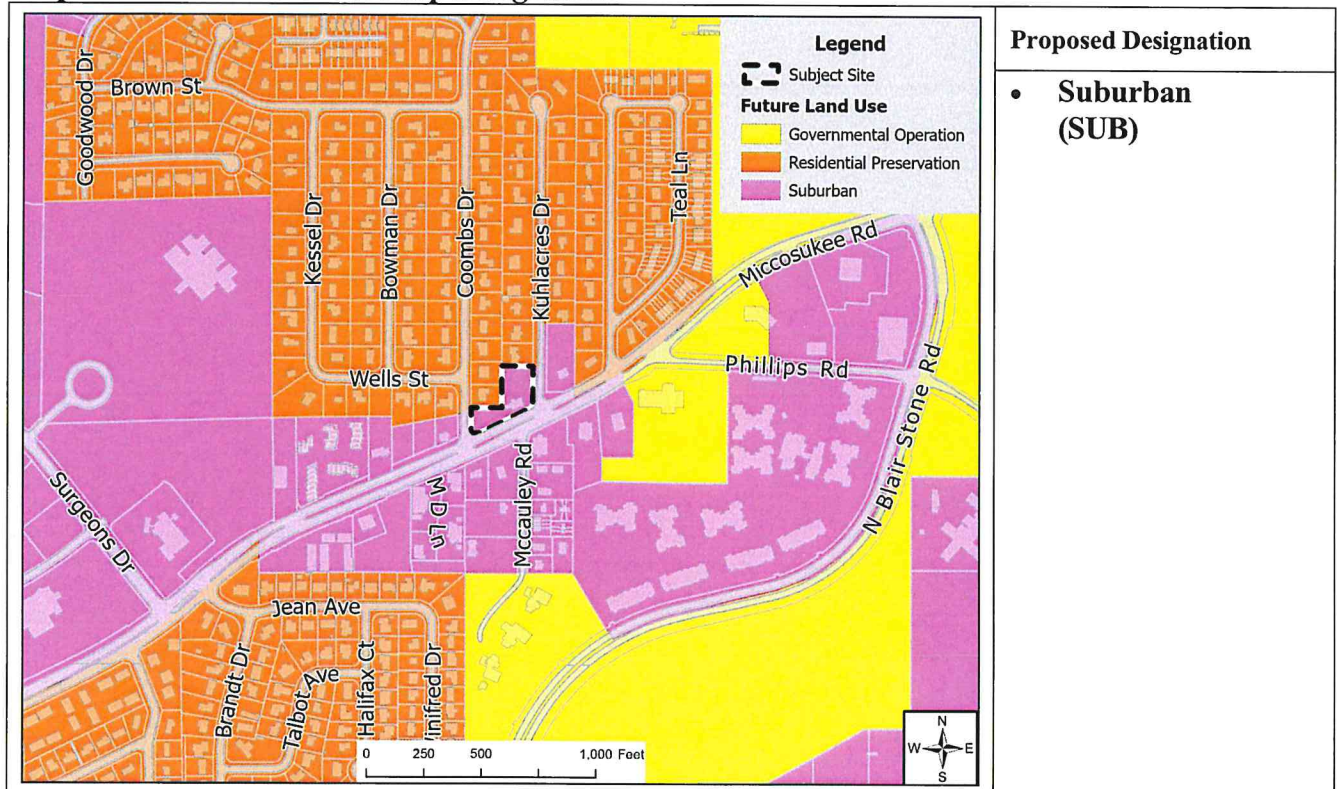


## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation





**AFFIDAVIT OF PUBLICATION**

Beth Perrine  
Tallahassee Leon County Planning Dept  
300 S Adams ST  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

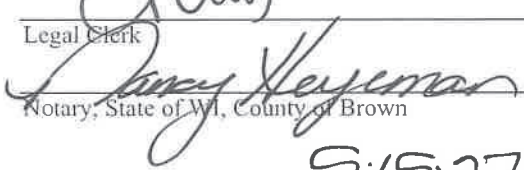
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

08/13/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/13/2024

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

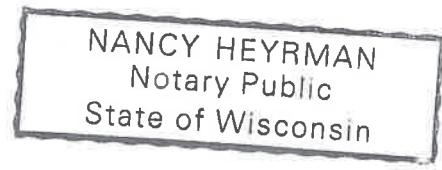
5.15.27

My commission expires

Publication Cost:	\$784.00	
Tax Amount:	\$0.00	
Payment Cost:	\$784.00	
Order No:	10466863	# of Copies:
Customer No:	1124354	1
PO #:		

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

  
NANCY HEYRMAN  
Notary Public  
State of Wisconsin



## **NOTICE OF PUBLIC HEARINGS**

The proposed ordinance listed below will be considered at the following public meeting:

1. Tallahassee-Leon County Planning Commission Meeting on September 3, 2024, at 6:00 PM, 2<sup>nd</sup> Floor Conference Room, 435 North Macomb Street
2. City Commission Meeting on October 23, 2024, at 6:00 PM, City Commission Chambers, 2nd Floor, City Hall, 300 South Adams Street

### **1715 CAPITAL CIRCLE NE ORDINANCE NO. 24-7-31**

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING AND INCLUDING ADDITIONAL TERRITORY LOCATED ON 1.30 ACRES LOCATED AT 1715 CAPITAL CIRCLE NE AS AND IN CITY OF TALLAHASSEE COMMERCIAL PARKWAY CP FROM OFFICE RESIDENTIAL OR-3 ON THE OFFICIAL ZONING MAP OF THE CITY OF TALLAHASSEE ADOPTED AND ESTABLISHED BY THE CITY COMMISSION PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Notice is hereby given that Leon County will consider at the public hearing set forth below enactment of the proposed ordinances as follows:

1. Tallahassee-Leon County Planning Commission Meeting on September 3, 2024, at 6:00 PM, 2nd Floor Conference Room, 435 N. Macomb Street

### **LEON COUNTY ORDINANCE NO. 24-\_\_\_\_\_**

AN ORDINANCE AMENDING LEON COUNTY ORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM THE BRADFORDVILLE OFFICE RESIDENTIAL (HOR) ZONING DISTRICT TO THE BRADFORDVILLE COMMERCIAL-1 (BC-1) ZONING DISTRICT FOR 0.93 ACRES LOCATED AT 6785 THOMASVILLE ROAD IN LEON COUNTY, FLORIDA, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

### **LEON COUNTY ORDINANCE NO. 24-\_\_\_\_\_**

AN ORDINANCE AMENDING LEON COUNTY ORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM THE LIGHT INDUSTRIAL (M-1) ZONING DISTRICT TO THE SINGLE FAMILY DETACHED, ATTACHED AND TWO-FAMILY RESIDENTIAL (R-3) ZONING DISTRICT FOR 18.51 ACRES LOCATED AT 4767 CAPITAL CIRCLE SE IN LEON COUNTY, FLORIDA, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Notice is hereby given that the following public hearings will be held to consider a small-scale future land use map amendment to the Tallahassee-Leon County Comprehensive Plan and concurrent rezoning amendment to the Official Zoning Map.

1. Tallahassee-Leon County Local Planning Agency Meeting on September 3, 2024, at 6:00 PM, 2nd Floor Conference Room, 435 North Macomb Street
2. City Commission Meeting on October 23, 2024, at 6:00 PM, City Commission Chambers, 2nd Floor, City Hall, 300 South Adams Street

### **MAP AMENDMENT ORDINANCE NO. 24-0-33**

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY FOR 0.93 ACRES LOCATED AT 1932 MICCOSUKEE ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Requested Map Amendment: 1932 Miccosukee Road  
Reference Number: TMA2024013

**Applicant:** Small Scale Map Amendment: This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Suburban (SUB) totaling approximately 0.93 acres. The parcel is located at 1932 Miccosukee Road.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Office Residential 2 (OR-2) is requested to implement the proposed amendment to the Future Land Use Map.

### **REZONING ORDINANCE NO. 24-7-32**

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS OFFICE RESIDENTIAL 2 (OR-2) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION - 2 (RP-2) FOR 0.93 ACRES LOCATED AT 1932 MICCOSUKEE ROAD; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024013, which is proposed for adoption on October 23, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Office Residential 2 (OR-2) Zoning District.

There will be two options for sharing public comment at the public hearing:

1. In-person at the meetings, or
2. Written via online submission at both [per@talgov.com](mailto:per@talgov.com). Public comment can be submitted online until 9 p.m. on Monday, September 2. Comments submitted after this time (up to the time of the public hearings) will be accepted and included in the official record of the meetings, or

The Planning Commission/Local Planning Agency will review these applications at the public hearings listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days (or 30 days for a decision on a Type C application) from the date the decisions were rendered (City), or within fifteen (15) calendar days of the date of publication of notice of the Planning Commission Public Hearing on the application in the Tallahassee Democrat (County); in accordance with the Bylaws of the Planning Commission and the City of Tallahassee and Leon County Land Development Codes. Copies of the Bylaws and/or further information are available from the Planning Department at the Planning Department, 435 North Macomb Street, Tallahassee, FL (850) 891-6400.

**NOTICE:** You are hereby notified in accordance with Chapter 286.0105, Florida Statutes, should you decide to appeal any decision made by the Commissions or take exception to any findings of fact with respect to any matter considered at the hearings referenced to above, you may need to ensure that verbatim record of the proceedings is made. Such a record shall include the testimony and evidence upon which the appeal is based. Planning Commission will review these applications at the public hearing listed above. Persons with standing may file a petition for quasi-judicial proceedings within 15 days from the date the decisions is rendered in accordance with the Bylaws of the Planning Commission and the City of Tallahassee Land Development Code. Copies of the Bylaws and/or further information are available from the Planning Department located at 435 North Macomb Street, Tallahassee, FL (850) 891-6400.

For more information on these projects please go to [www.talgov.com/planning](http://www.talgov.com/planning) (see public notices tab).

PC090324

**ATTACHMENT #3**

**OTHER SUPPORTING  
INFORMATION**

<b>Amendment Type &amp; Number:</b>	City Small-Scale Map Amendment – TMA2024013
<b>Property Location:</b>	1932 Miccosukee Road
<b>Applicant (Property Owner):</b>	Fontana Investments of Tallahassee, Inc.
<b>Agent for the Applicant:</b>	Steven Allen, Coldwell Banker Hartung
<b>Requested Future Land Use:</b>	From Residential Preservation to Suburban
<b>Requested Zoning:</b>	From Residential Preservation-2 to Office Residential-2
<b>Planning Department Contact:</b>	<a href="mailto:Tyler.Maldonado@talgov.com">Tyler.Maldonado@talgov.com</a> (850) 891-6415
<b>Staff Analysis:</b>	FLUM amendment & rezoning are consistent with Comp Plan
<b>LPA Recommendation:</b>	Recommend adoption of the FLUM amendment & rezoning



## A. EXECUTIVE SUMMARY

If approved, this map amendment would unify the future land use category for a single parcel that is currently split by the Suburban and Residential Preservation categories. The zoning, which is currently split by Office Residential-2 and Residential Preservation-2, would also be unified. This future land use map amendment and concurrent rezoning is only for the portion of the property that is in the Residential Preservation category. The map amendment would increase the allowable density and change the allowable use from low density residential to medium density residential and office.

The subject property is located on Miccosukee Road between Coombs Drive on the west and Kuhlacres Drive on the east. The property is approximately 0.93 acres, and the parcel ID is 1120500000250.

The applicant is requesting an amendment of the Future Land Use Map (FLUM) from Residential Preservation (RP) to Suburban (SUB). The site is within the Urban Services Area and infrastructure is available to support the increased allowable density.

A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation-2 (RP-2) to Office Residential-2 (OR-2) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning allows for a maximum residential density of 16 units per acre and commercial intensity of 20,000 square feet per acre.

This step of the land development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. The concurrent rezoning determines the allowed uses and the density of development on the site. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following: 1) does the area meet the criteria for designation as Residential Preservation and 2) does the area better meet the criteria for Suburban.

If the future land use and zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with Tallahassee Land Development Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. These include neighborhood compatibility, buffering, and screening standards intended to protect and promote compatibility with the existing Residential Preservation neighborhood to the north of the subject property.

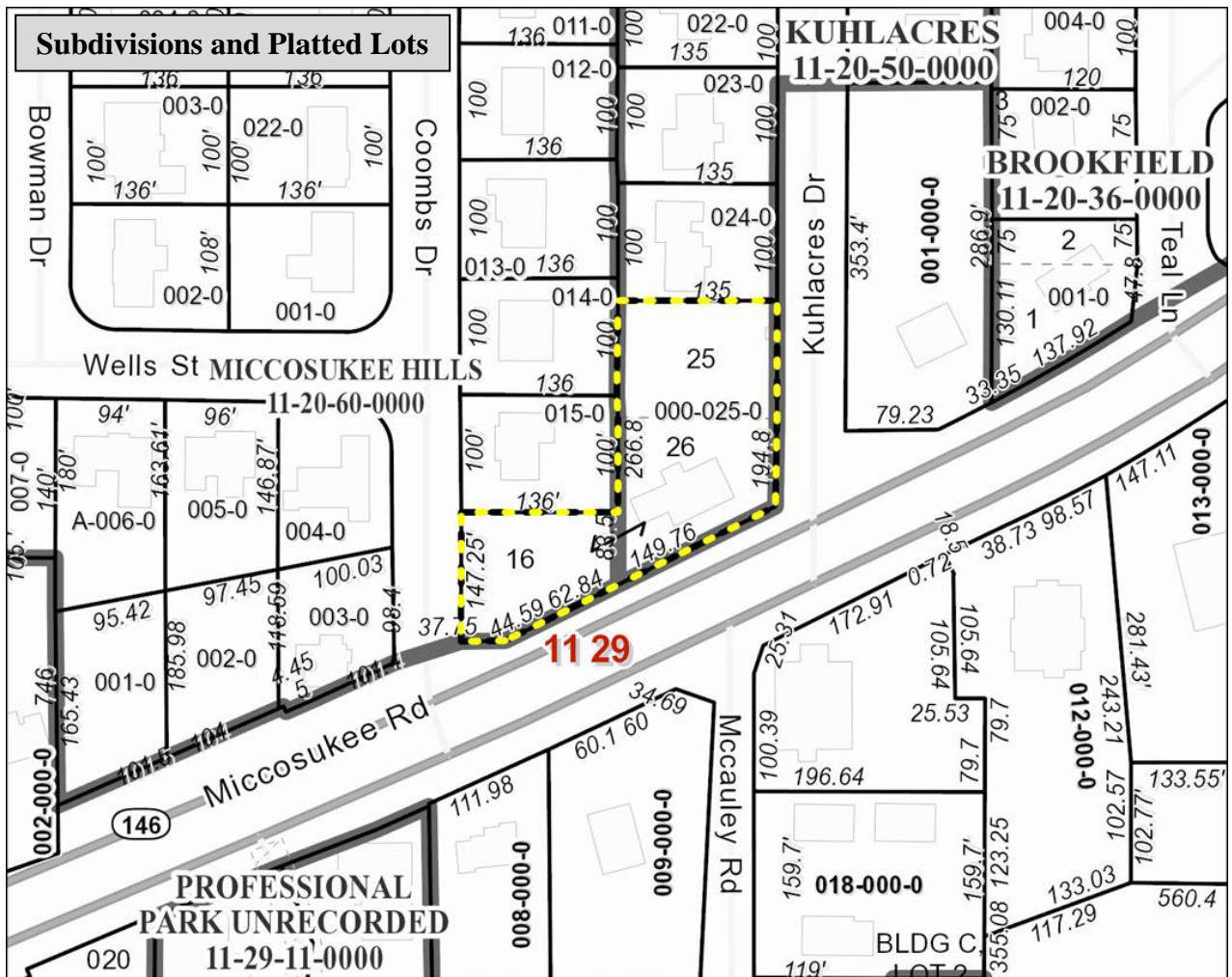
## B. STAFF ANALYSIS

Based on the findings and other information in this report, staff finds that the proposed future land use map amendment and proposed rezoning are **consistent** with the Tallahassee-Leon County Comprehensive Plan.

## C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

The Local Planning agency held a public hearing on September 3, 2024 to consider the proposed future land use map amendment and concurrent rezoning. The LPA finds that the proposed future land use map amendment and proposed rezoning are **consistent** with the Tallahassee-Leon County Comprehensive Plan. The LPA recommends **adoption** of the proposed future land use amendment and proposed rezoning.



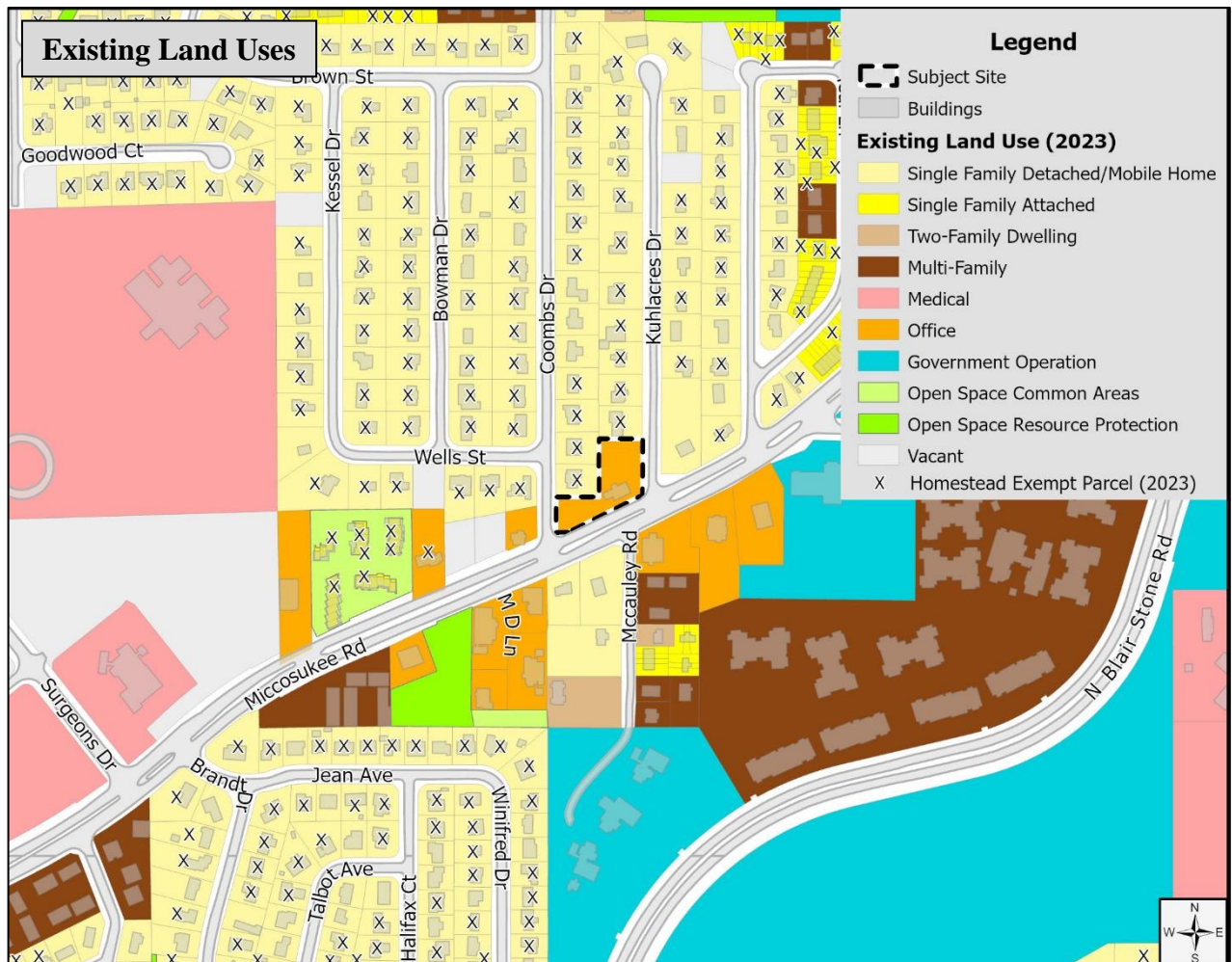


## History and Background cont.

The subject property is covered by two Limited Use Site Plans (LUSPs). The first LUSP was enacted in 1984 through Ordinance 84-O-2382. This ordinance rezoned lot 26 from RM-2 (Single and Multiple Residence) to Office-Residential. The second LUSP was enacted in March of 1990 through Ordinance 90-Z-0025AA. This ordinance rezoned lot 25 from A-2 (Agriculture) to RM-1. When the Tallahassee-Leon County Comprehensive Plan was adopted in July of 1990, lots 16 and 26 were covered under the Suburban future land use category that allows Office Residential zoning, and lot 25 became the residential-only category of Residential Preservation. If approved, the accompanying rezoning will rescind the LUSPs.

## Adjacent Existing Uses and Site Analysis

The subject property is approximately 0.93 acres, and the existing land use is office. The use of the property has most recently been as a publishing office. The parcels directly adjacent to the northern boundary of the property are single family detached homes and are homestead exempted, which indicates that they are owner-occupied residences. The property along Miccosukee Road to the west of Coombs Drive is also classified as an office use, and the Leon County Property Appraiser shows the owner as Florida Assisted Living Affiliation Inc. The property along Miccosukee Road to the east of Kuhlacres Drive is classified as single-family detached. However, the single-family home has been demolished and an assisted living facility is currently under construction. The mixture of existing land uses in the general vicinity is classified as office, medical, and residential.





Adjacent Existing Uses and Site Analysis cont.

***Residential Preservation Analysis***

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation land use category. Policy 2.2.3 [L] sets the following criteria:

- a) Existing land use within the area is predominantly residential.
- b) Majority of traffic is local in nature.
- c) Densities within the area are generally 6 units per acre or less.
- d) Existing residential type and density exhibits relatively homogeneous patterns.
- e) Assessment of stability of the residential area.

The uses to the north of the subject property are predominantly single-family residential. However, existing uses to the east, west, and south are a mixture of office, medical, and a variety of residential types. The uses directly adjacent to Miccosukee Road are predominantly office and medical with some multi-family. While Coombs Drive and Kuhlacres Drive are local roads, Miccosukee Road is a minor arterial roadway with high traffic volume. The subject property is adjacent to residential preservation areas but does not meet the criteria for residential preservation.

***Water and Sewer Infrastructure***

The City of Tallahassee is the provider for water and sewer to serve the subject property. Water and sewer facilities are available to the site. The City of Tallahassee owns and maintains the systems within the surrounding area. Specific water and sewer capacity will be determined once a project has been submitted for the development review process.

***Schools Impact***

The subject property is zoned for Kate Sullivan Elementary School, Cobb Middle School, and Leon High School. A School Impact Analysis (SIA) form was completed, and Leon County School District staff did not identify issues requiring further coordination. The Leon County School District approved the SIA at its September 10, 2024 meeting. Any future redevelopment would follow the development review process, which includes assessing school impacts from proposed development.

***Multi-Modal Transportation Network***

The subject property is accessible to the south by Miccosukee Road, which has a roadway functional classification of Minor Arterial. Sidewalks are currently constructed along Miccosukee Road, but Coombs Drive and Kuhlacres Drive do not have sidewalks. StarMetro bus stops for the Gulf route are on the north and south side of Miccosukee Road, approximately 100 feet from the property. Consistent with the development review process, transportation traffic impacts and concurrency calculations will be conducted when a site plan for proposed development is submitted.

***Environmental Analysis***

Protected tree species may be found onsite, and environmental permits may be required if redevelopment of the property is pursued. The stated intent from the applicant is a change of use to utilize the existing structure for a veterinarian office.

Comparison of Current and Proposed Land Use and Zoning

Land Use and Zoning					
	Current Use	Proposed Use		Current Zoning	Proposed Zoning
Land Uses	RP	SUB	Zoning Uses	RP-2	OR-2
Residential	6 units/acre	20 units/acre	Residential	6 units/acre	16 units/acre
Single-Family Detached	X	X	Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Attached	X	X	Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X	Two-Family Dwellings	X	X
Multi-Family		X	Multi-Family and Rooming Houses		X
Community and Recreational Facilities	X	X	Community facilities related to residential uses including religious facilities, police/fire stations, and elementary and middle schools as of 2015	X	X
Office		X	Community facilities related to office/residential including libraries and high schools. Vocational schools prohibited		X
Commercial 1 <sup>st</sup> floor		X	Passive recreational facilities	X	X
			Active recreational facilities including golf courses		X
			Commercial: Banks, Day Care, Hotels/Motels		X
			Nursing Homes		X
			Offices: medical & non-medical		X
			Social/Fraternal Halls		X
			Studios for broadcasting music/photography		X
			Veterinary services		X

### Current and Proposed Future Land Use Categories

The subject property is currently designated Residential Preservation (RP) on the FLUM. The proposed amendment would change the FLUM designation of the area to Suburban (SUB). A summary of the current and proposed future land use categories is below. The complete comprehensive plan policies for RP and SUB are included as Appendix 1.

#### ***Current: Residential Preservation (RP)***

The Residential Preservation category is characterized by single-use, non-commercial residential areas which are predominantly accessed by local streets. The primary function is to protect existing residential areas from incompatible land use intensities and density intrusions. Future development will primarily consist of infill due to the built-out nature of existing residential neighborhoods. Single family, two-family, townhouse, and cluster housing may be permitted within a range of up to 6 units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

#### ***Proposed: Suburban (SUB)***

The proposed Suburban category allows a mixture of office and commercial uses with residential densities up to 20 units per acre. The Suburban land use category is intended to create an environment for economic investment or redevelopment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. The intent of this district is to provide convenient goods and services to residential areas and employment areas.

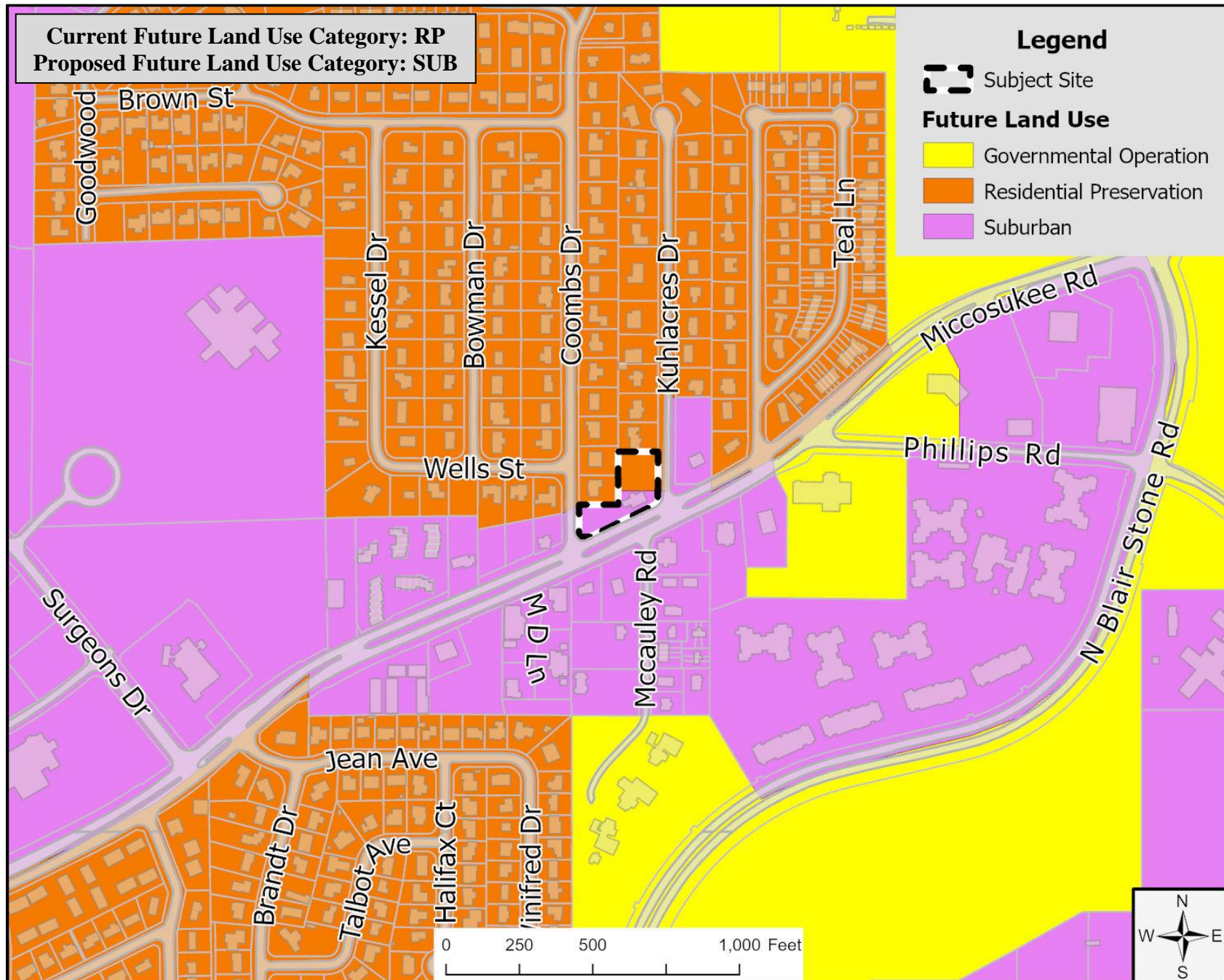
### Determination for Future Land Use Map Amendment

#### ***1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation?***

No. The Residential Preservation future land use category prohibits commercial land uses, and this property has been used as an office for at least 20 years. The property is located along Miccosukee Road, which is a minor arterial roadway, and the traffic is not predominately local in nature. Most of the parcel is currently in the Suburban future land use designation. This map amendment would remedy an issue caused when the two Limited Use Site Plans were enacted in 1984 and 1990. These LUSPs are obsolete and may create confusion in the application of development standards. The proposed rezoning will address the LUSPs as part of the proposed amendment to the Official Zoning Map.

#### ***2) Does the area better meet the criteria for the proposed land use designation of Suburban?***

Yes. The subject property is currently located near low-to-medium density residential land uses and provides convenient access for employment opportunities. The southern portion of the property is currently designated Suburban and includes an existing office structure. The surrounding properties create a mixture of office, commercial, and residential uses that is within walking distance of nearby residential. The proposed zoning district implements a medium-density office residential density that is similar to nearby uses and serves as a transition to other medium and low-density residential.



### Current and Proposed Zoning

The subject property is currently zoned Residential Preservation-2 (RP-2). The proposed rezoning would change the zoning designation to Office Residential-2 (OR-2) to implement the proposed underlying land use category. A summary of the current and proposed zoning categories is below. The Land Development Code sections for RP-2 and OR-2 are included as Appendix 2.

#### ***Current: Residential Preservation-2 (RP-2)***

The residential preservation district is characterized by existing homogeneous residential areas which are predominantly accessed by local streets. The RP-2 district is intended to preserve low density residential character, protect from incompatible land uses, and prohibit densities in excess of 6 units per acre. Commercial, retail, office, and industrial activities are prohibited in the residential preservation district.

#### ***Proposed: Office Residential-2 (OR-2)***

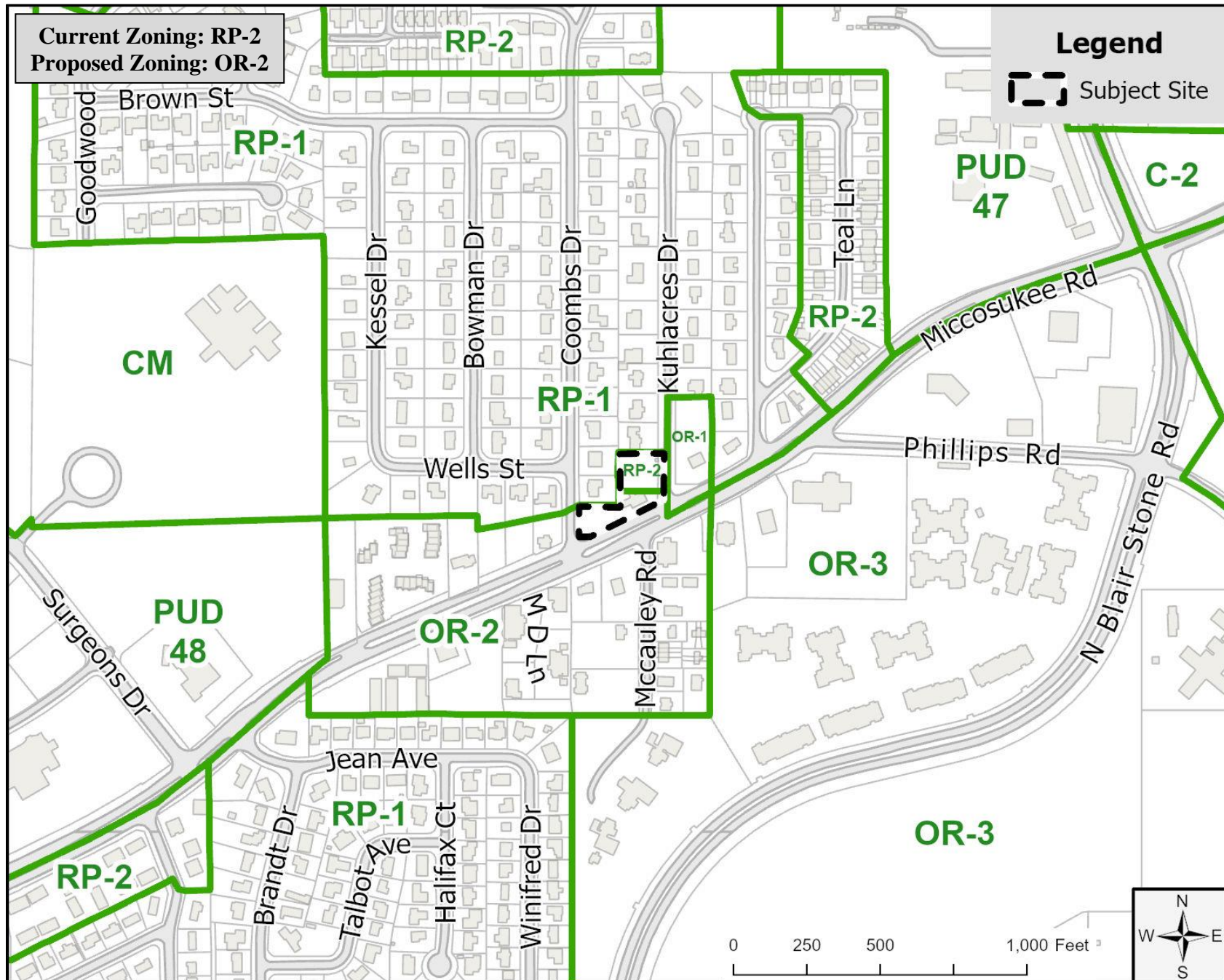
The OR-2 district is intended to be located within areas designated Suburban on the future land use map where employment and residential uses are encouraged to locate in close proximity to each other. This district is intended to promote urban density and intensity of residential and office uses, and a mixture of permitted uses is promoted to encourage the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-2 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. The maximum gross density allowed for new residential development in the OR-2 district is 16 units per acre, while the minimum gross density allowed is 8 units per acre.

### Determination for Concurrent Rezoning

Provided the requested map amendment is approved, the proposed OR-2 district is an implementing zoning category for areas designated as Suburban on the future land use map of the Tallahassee-Leon County Comprehensive plan. The OR-2 zoning district implements the medium density residential office land use pattern of the Suburban future land use map category. The zoning district allows a variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor of multi-story buildings), and certain community and recreational facilities related to office or residential uses. The maximum height of any potential use is three stories. A list of uses allowed in the OR-2 zoning district can be found in Appendix 2.

Section 10-177 of the Tallahassee Land Development Code outlines buffering and screening requirements determined by the existing uses that are adjacent to proposed uses. Section 10-429 also describes requirements for buffering and neighborhood compatibility for dense residential uses next to protected residential properties. Applicable development standards may include height step-back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment, and trash enclosures, no active recreation within 200 feet of single-family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance.







## E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. The proposed amendment, including the proposed Ordinance in Appendix 3, is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

***Policy 2.1.6 [L]: Criteria shall be established within local development regulations which require within residential developments the provision of non-residential land uses such as parks, school sites and potential walk-to minor commercial and office opportunities.***

The residential land use objective of the comprehensive plan seeks to ensure that neighborhoods are protected from density and intensity intrusions while also creating areas that promote walkability by being well-connected to minor commercial and office opportunities.

***Policy 2.2.5 [L] indicates that employment opportunities should be located near residential areas, and the Suburban category is most suitable for areas outside of the Central Core. The most prevalent development pattern will be a compatibly integrated mix of single-use developments that include low-to-medium density residential, office, and commercial.***

The subject property is a potential employment location outside of the Central Core that has been operating as an office for many years. The current development pattern represents a compatible integrated mix of low-to-medium density residential and office land uses. The proposed zoning district implements the medium density office residential land use pattern of the future land use map category. This land use pattern reflects the existing uses and serves as a transition to nearby medium and low-density residential uses.

## F. PUBLIC NOTIFICATION & PUBLIC COMMENT

An initial mailing was sent on August 16, 2024 to 517 property owners and residents within 1,000 feet of the subject property, and signs were posted onsite (Appendix 4). A legal ad was published on August 13, 2024, and the application was posted on the Planning Department website for review.

The Planning Department received three general inquires for more information about the application. In addition to these three inquires, comments were received from three residents in opposition to the application. The comments were concerned with the potential for additional traffic that could be generated as a result of increased development at the corner of Miccosukee Road and Kulhacre Drive. The comments received are included in Appendix 5.

## G. APPENDICES

- Appendix 1 – Comprehensive Plan Policies
- Appendix 2 – Tallahassee Land Development Code Sections
- Appendix 3 – Proposed Ordinances
- Appendix 4 – Sign Posting Pictures
- Appendix 5 – LPA Meeting Minutes and Public Comment

## Comprehensive Plan Policies

### **Policy 2.1.6: [L]**

(EFF. 7/16/90)

Criteria shall be established within local development regulations which require within residential developments the provision of non-residential land uses such as parks, school sites and potential walk-to minor commercial and office opportunities.

### **Policy 2.2.3: [L]**

#### RESIDENTIAL PRESERVATION

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
  - a) Predominance of residential uses front on local street
  - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
  - a) Degree of home ownership
  - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.  
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 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 expanding or redeveloping light industrial uses and 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 uses shall 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.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods  
A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing

residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

**Existing land use character of the subdivision**

Homogenous, very low density single family detached units (City Only)  
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)

**Gross residential density**

0-3.6 dwelling units per acre (generally consistent with density of the subdivision)  
0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

**Policy 2.2.5: [L]**  
**SUBURBAN** (EFF. 3/14/07)

To create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible within walking distance. This category recognizes the manner in which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and

appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

#### Suburban Intensity Guidelines

(EFF. 3/14/07; REV. EFF. 7/14/14;

REV. EFF. 5/31/18)

Table 1: Suburban Intensity Guidelines

Development Patterns	Allowed Land Uses	Gross Residential Density	Non-Res Intensity	Percent-age Mix of Uses
Low Density Residential	Residential, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ ACRE <sup>(4)</sup>	10,000 SQ FT/ACRE	65-80%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ ACRE <sup>(4)</sup>	10,000 SQ FT/ACRE <sup>(5)</sup>	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 UNITS/ ACRE	20,000 SQ FT/ACRE	
Medium Density Residential Office	Residential, Office, Ancillary 1 <sup>st</sup> Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools	8 to 20 UNITS/ ACRE	20,000 SQ FT/ACRE <sup>(6)</sup>	
Village Center	Residential, Office, Commercial up to 50,000 SQ FT, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 SQ FT of floor area.	8 to 16 UNITS/ ACRE	12,500 SQ FT/ACRE per parcel for center 20 acres or less <sup>(7)</sup>	
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 UNITS/ ACRE <sup>(3)</sup>	Up to 20,000 SQ FT/ACRE <sup>(3)</sup>	35-50%
Suburban Corridor	Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service	Up to 16 UNITS/ ACRE	Up to 25,000 SQ FT/ACRE <sup>(8)</sup>	
Medical Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 20 UNITS/ ACRE <sup>(1)</sup>	80,000 SQ FT/ACRE <sup>(2)</sup>	
Business Park	Office, Residential and Commercial	Up to 16 UNITS/ ACRE	20,000 SQ FT/ ACRE	5-10%

#### Notes:

(1) 8 units/acre minimum for exclusively residential;

(2) Hospitals up 176,000 sq ft/acre;

(3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.

- (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.
- (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.
- (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C
- (7) 250,000 SF of total development permitted on 20 to 30 acre centers.
- (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.

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 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.



## Tallahassee Land Development Code Sections Zoning Districts

### Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential activities may be permitted as home occupations—see article VII of this chapter, supplementary regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. No development in the residential preservation district shall be permitted which violates the provisions of policy 2.1.1 of the future land use element of the 2010 Comprehensive Plan.
- (2) For residential preservation areas outside the urban service area the density of the nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five zoning districts based upon existing development patterns and service provision:
  - a. RP-1;
  - b. RP-2;
  - c. RP-MH;
  - d. RP-UF; and
  - e. RPR.
- (3) The intent of the districts listed in subsections (2)a. through e. of this section are as follows:
  - a. The RP-1 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of 3.6 dwelling units per acre.
  - b. The RP-2 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of single-family, two-unit townhouse and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six dwelling units per acre.
  - c. The RP-MH district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six dwelling units per acre.
  - d. The RP-UF district is intended to apply to residential development in areas designated as both "urban fringe" and "residential preservation" on the future land use map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions,

one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three acres, for all other developments.

- e. The RP-R district is intended to apply to residential development in areas designated as both "rural" and "residential preservation" on the future land use map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses.
  - (1) Low density residential.
  - (2) Passive recreation.
  - (3) Active recreation.
  - (4) Community services.
  - (5) Light infrastructure.
- (c) *List of permitted uses.* See schedules of permitted uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the standard industrial code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and special exception uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.
- (d) *Development standards.* All proposed development shall meet the land use development criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the land development standards schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).

(Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002)

## Sec. 10-241. Residential preservation district.

The following applies to the Residential Preservation District:

- (1) Allowable uses; appropriate permit level and applicable development and locational standards.

P	PERMITTED USE
R	RESTRICTED USE
S	SPECIAL EXCEPTION

		LEGEND
LR	=	LOW DENSITY RESIDENTIAL
PR	=	PASSIVE RECREATION
AR	=	ACTIVE RECREATION
CS	=	COMMUNITY SERVICES
LI	=	LIGHT INFRASTRUCTURE

### Residential Preservation - 2

RESIDENTIAL PRESERVATION-2		LAND USE TYPE				
SIC CODE	NAME OF USE	LR	PR	AR	CS	LI
	RESIDENTIAL					
	Dwelling, one-family	P				
	Dwelling, two-family	P				
	(Roominghouses are prohibited)					
	Dwelling, two-unit townhouses	P				
	SERVICES					
821	Elementary and secondary schools (middle and high) that are established and in existence on July 1, 2015 including expansions to existing facilities				S	
866	Religious organizations				S	
	RECREATION					
	Hiking and nature trails		P			
	Picnicking		P			
	Canoe trails		P			
	Bicycle trails		P			
	Horseback riding trails		P			
	Tot lots			P		
	Court sports			R		
	Field sports			R		
	PUBLIC ADMINISTRATION					
	Police protection				S	
	Fire protection				S	
	Public order and safety				S	

- (2) Minimum development standards. (Development standards for properties located within the MMTD are established within division 4 of this Code.)

DEVELOPMENT TYPE					
		SINGLE FAMILY AND TWO-UNIT TOWNHOUSE RESIDENTIAL UNITS NONCLUSTERED	SINGLE- FAMILY RESIDENTIAL UNITS CLUSTERED	DUPLEX RESIDENTIAL UNIT NONCLUSTERED	COMM. SERVICES; ACTIVE REC.; PUBLIC, PRIMARY AND SECONDARY SCHOOLS
MINIMUM SETBACKS (FEET)					
Front Yard			Perimeter Setback		
	Building	15	25	20	25
	Parking	-	-	-	20
Corner Yard			Perimeter Setback		
	Building	15	25	20	25
	Parking	-	-	-	20
Interior Side Yard			Perimeter Setback		
	Building*	7.5	15	7.5	20
	Parking	-	-	-	20
Rear Yard			Perimeter Setback		
	Building	25	25	25	25
	Parking	-	-	-	10
MAXIMUM PERCENT OF IMPERVIOUS SURFACE AREA		40	40 (of net area)	40	40
MAX. HEIGHT FEET		35	35	35	35
MIN. LOT AREA (ACRES)		7,260 square feet average of all lots created with a minimum lot size of no less than 6,000 square feet	The net density of the project site (clustered) development and required open space) may be no greater than 6 Units per acre	14,520 square feet average of all lots created with a minimum lot size of no less than 7,500 square feet	½ acre
MINIMUM LOT FRONTAGE (FEET)		15	15	15	-

\* Zero-lot line construction permitted along common wall of townhouse dwelling units.

\*Subsequent redevelopment, not vested per chapter 2, article IV, and Leon County Ordinance 90-31 or not addressed by policy 2.1.9 of the future land use element of the comprehensive plan shall conform to the provisions for unplatted lots. (Code 1984, ch. 27, §§ 10.6.X, 10.6.Y; Ord. No. 00-O-54, § 4, 9-27-2000; Ord. No. 02-O-88AA, §§ 3, 4, 10-23-2002; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 15-O-17AA, § 9, 8-26-2015)

## Sec. 10-252. OR-2 Office Residential District.

The following applies to the OR-2 Office Residential District:

### OR-2 Office Residential District

PERMITTED USES			
1. District Intent	2. Principal Uses		3. Accessory Uses
<p>The OR-2 district is intended to be located within areas designated suburban on the future land use map of the comprehensive plan in areas where employment and residential uses are encouraged to locate in close proximity to each other. The provisions of this district are intended to promote urban density and intensity of residential and office uses and the mixing of permitted uses to promote the use of public transit and the efficient use of public infrastructure. Off-street parking facilities in the OR-2 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. A variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential uses are permitted in the OR-2 district. The maximum gross density allowed for new residential development in the OR-2 district is 16 dwelling units per acre, while the minimum gross density allowed is eight dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p> <p>In order to implement the business park development pattern, a minimum of 10 acres is required with at least three types of uses which shall include office and commercial.</p> <p><b>Development standards for properties located within the MMTD are established within Division 4 of this Code.</b></p>	<ol style="list-style-type: none"> <li>1. Banks and other financial institutions.</li> <li>2. Broadcasting studios.</li> <li>3. Community facilities related to office or residential facilities, including libraries, religious facilities, police/fire stations, and elementary, middle, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-413 of these regulations.</li> <li>4. Day care centers.</li> <li>5. Golf courses.</li> <li>6. Hotels and motels, including bed and breakfast inns.</li> <li>7. Medical and dental offices and services, laboratories, and clinics.</li> <li>8. Multiple-family dwellings.</li> <li>9. Non-medical offices and services, including business and government offices and services.</li> <li>10. Nursing homes and other residential care facilities.</li> <li>11. Off-street parking facilities.</li> <li>12. Passive and active recreational facilities.</li> <li>13. Personal services.</li> <li>14. Retail drug store without drive thrus (only allowed in a business park development).</li> <li>15. Retail food and grocery (only allowed in a business park development).</li> <li>16. Rooming houses.</li> <li>17. Single-family attached dwellings.</li> <li>18. Single-family detached dwellings.</li> <li>19. Social, fraternal, and recreational clubs and lodges, including assembly halls (fraternity and sorority houses are prohibited).</li> <li>20. Stand alone restaurants without drive thrus (only allowed in a business park development).</li> <li>21. Studios for photography, music, art, dance, drama, and voice.</li> <li>22. Two-family dwellings.</li> <li>23. Veterinary services, including veterinary hospitals.</li> <li>24. Zero-lot line single-family detached dwellings.</li> <li>25. Any use permitted in the C-1 district (and is not listed in uses 1—21 above), provided that the use is on the first floor of a multi-story building containing office and/or residential uses on any of the floors above the first floor.</li> </ol>		<p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the land use administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	Seven and one-half feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than five feet	15 feet	25 feet	not applicable	Three stories
Two-Family Dwellings	8,500 square feet	70 feet	100 feet	15 feet	same as single-family above	15 feet	25 feet	not applicable	Three stories
Single-Family Attached Dwellings	1,600 s.f. min.; avg. of 2,000 square feet	16 feet	none	15 feet	none	15 feet	25 feet	not applicable	Three stories
Rooming Houses	5,000 square feet	50 feet	100 feet	15 feet	Seven and one-half feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than five feet	15 feet	25 feet	not applicable	Three stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	25 feet	Ten feet	not applicable	Three stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	Zero feet one side; five feet other side	15 feet	25 feet	not applicable	Three stories
Any Permitted Principal Non-Residential Use	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	Ten feet	20,000 square feet of gross building floor area per acre	Three stories
Commercial Uses (Only)	12,000 square feet	60 feet	100 feet	15 feet	15 feet on each side	25 feet	10 feet	20,000 square feet	3 stories



Allowed in Business Park Development)								of gross building floor area per acre; Individual buildings may not exceed 15,000 gross square feet	
7. Additional Criteria and Restrictions for Business Park Development: Commercial uses shall not exceed 25 percent of the total square feet of the development.									

General Notes:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and 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. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to section 10-426.

(Code 1984, ch. 27, § 10.6.LL; Ord. No. 00-O-54AA, § 3, 9-27-2000; Ord. No. 01-O-28AA, § 19, 10-24-2001; Ord. No. 09-O-06, § 4, 3-25-2009; Ord. No. 09-O-11A, § 4, 10-28-2009; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 15-O-17AA, § 16(Exh. J), 8-26-2015; Ord. No. 23-O-41, § 1, 12-13-2023)

## **Proposed Ordinances**

### **ORDINANCE NO. 24-O-33**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY FOR 0.93 ACRES AT 1932 MICCOSUKEE ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Tallahassee to prepare and enforce comprehensive plans for the development of the City; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has determined it necessary and desirable to adopt this amendment to the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with

future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Tallahassee, Florida, as follows, that:

**Section 1. Purpose and Intent.**

This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

**Section 2. Map Amendment.**

The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment TMA2024013 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 9<sup>th</sup> day of October, 2024.

PASSED by the City Commission on the 23<sup>rd</sup> day of October, 2024.

CITY OF TALLAHASSEE

By: \_\_\_\_\_ John E.  
Dailey  
Mayor

ATTEST:

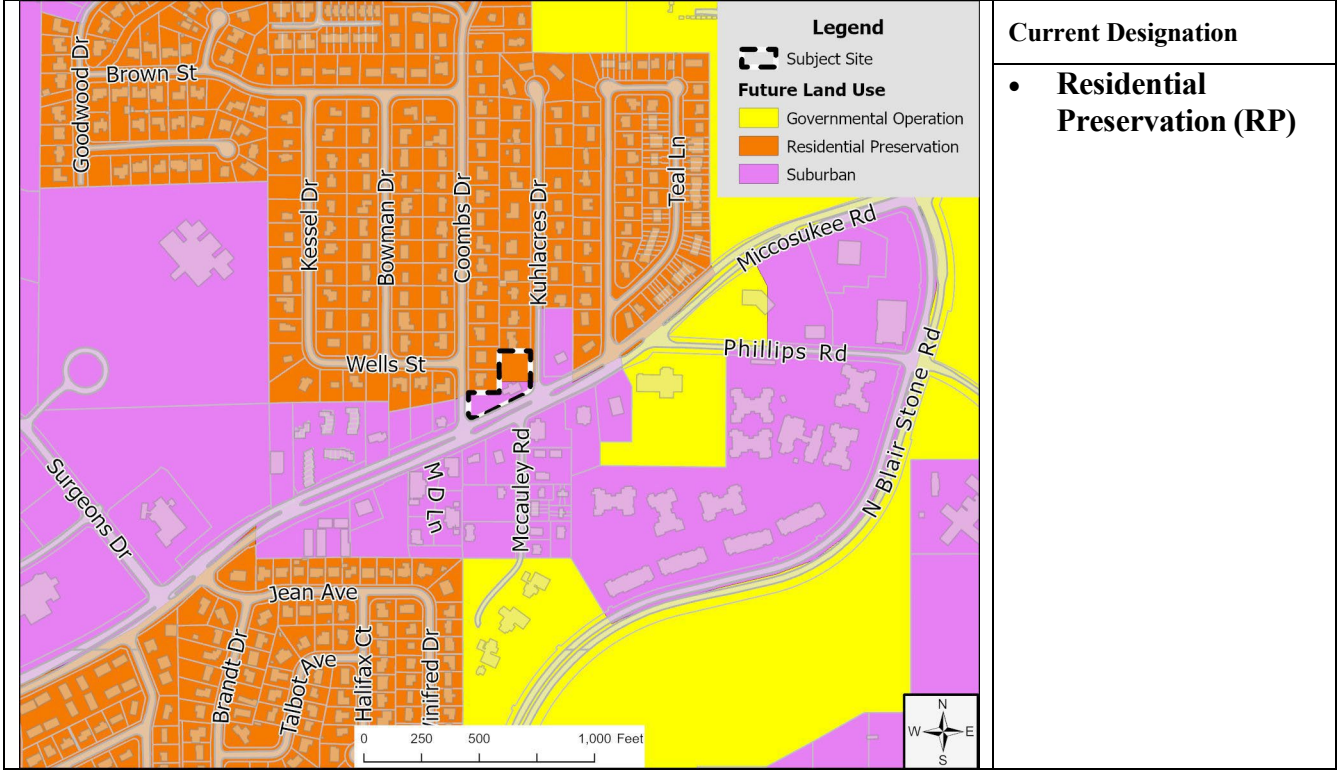
APPROVED AS TO FORM:

By: \_\_\_\_\_  
Cooke, IV  
City Treasurer-Clerk

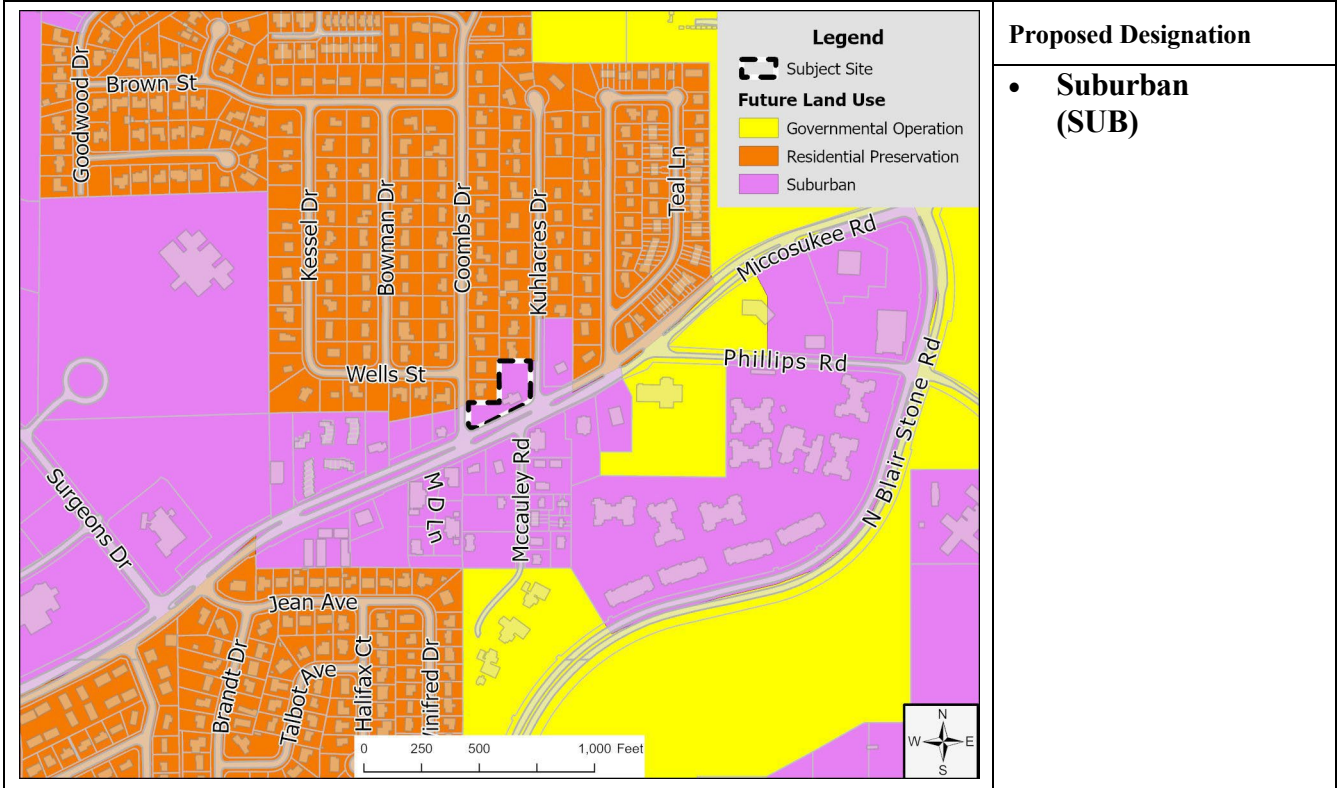
By: \_\_\_\_\_ James O.  
Amy M. Toman  
City Attorney

EXHIBIT A

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



**ORDINANCE NO. 24-Z-32**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS OFFICE RESIDENTIAL 2 (OR-2) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION – 2 (RP-2) ON 0.93 ACRES AT 1932 MICCOSUKEE ROAD PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

**SECTION 1.** On October 23, 2024, the City Commission approved an Ordinance which adopted Comprehensive Amendment #TMA2024013. To implement plan

amendment

#TMA2024013, the property, which is the subject of that amendment, and is shown and described in Exhibit A, attached hereto, must be rezoned. Accordingly, the property shown and described on Exhibit A is hereby changed from Residential Preservation – 2 (RP-2) and hereby designated and established as Office Residential 2 (OR-2) on the official zoning map of the City of Tallahassee adopted and established by the City Commission.

TRZ240008: From Residential Preservation – 2 (RP-2) to Office Residential 2 (OR-2)

The property shown as Office Residential 2 (OR-2) on the map attached hereto as Exhibit A.

**SECTION 2.** A The Limited Use Site Plans (Ord. No. 89-Z-0105AA and 84-O-2382), and all other Limited Use Site Plan ordinances concerning this property, if any, are hereby repealed and superseded.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 4.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.



**SECTION 5 .** The effective date of this ordinance shall be the effective date of comprehensive plan amendment TMA2024013.

**INTRODUCED** in the City Commission on the 9<sup>th</sup> day of October, 2024.

**PASSED** by the City Commission on the 23<sup>rd</sup> day of October, 2024.

CITY OF TALLAHASSEE

By: \_\_\_\_\_ John  
E. Dailey  
Mayor

ATTEST:

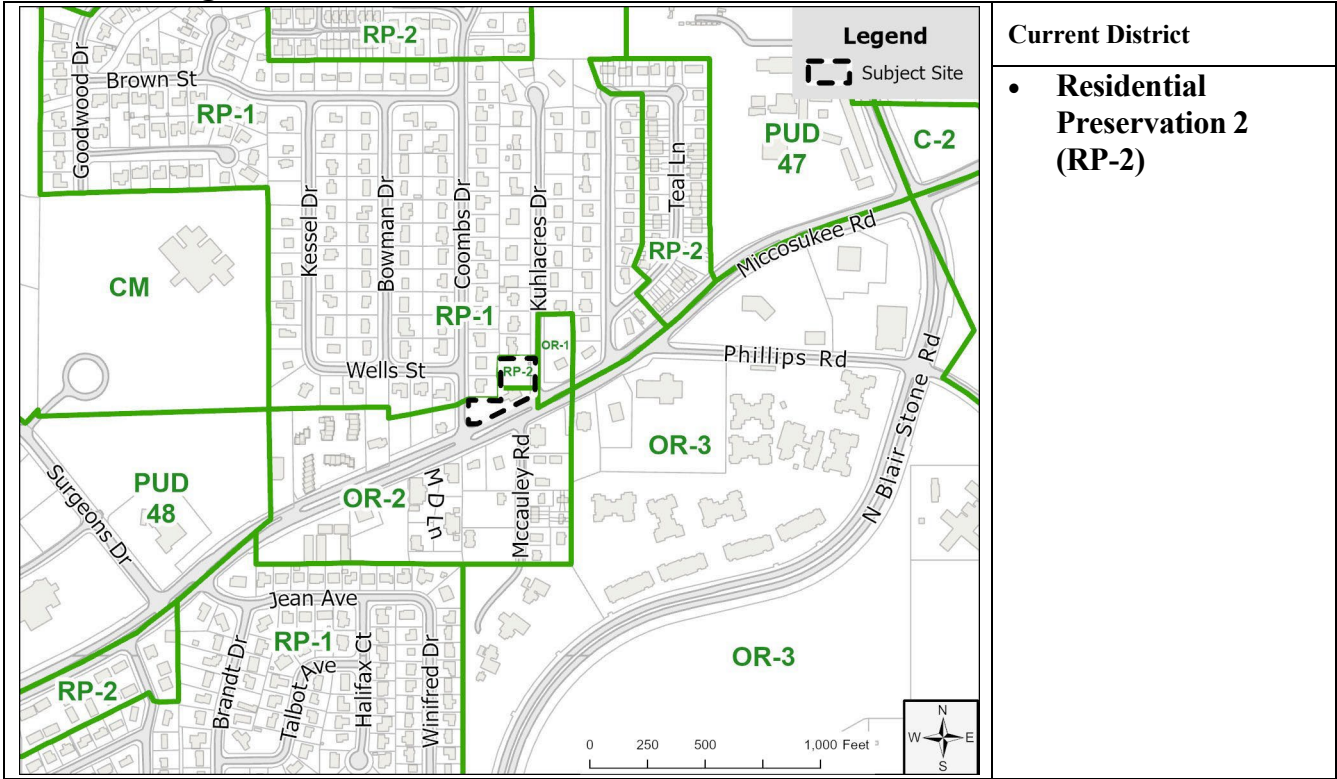
APPROVED AS TO FORM:

By: \_\_\_\_\_  
O Cooke, IV  
City Treasurer-Clerk

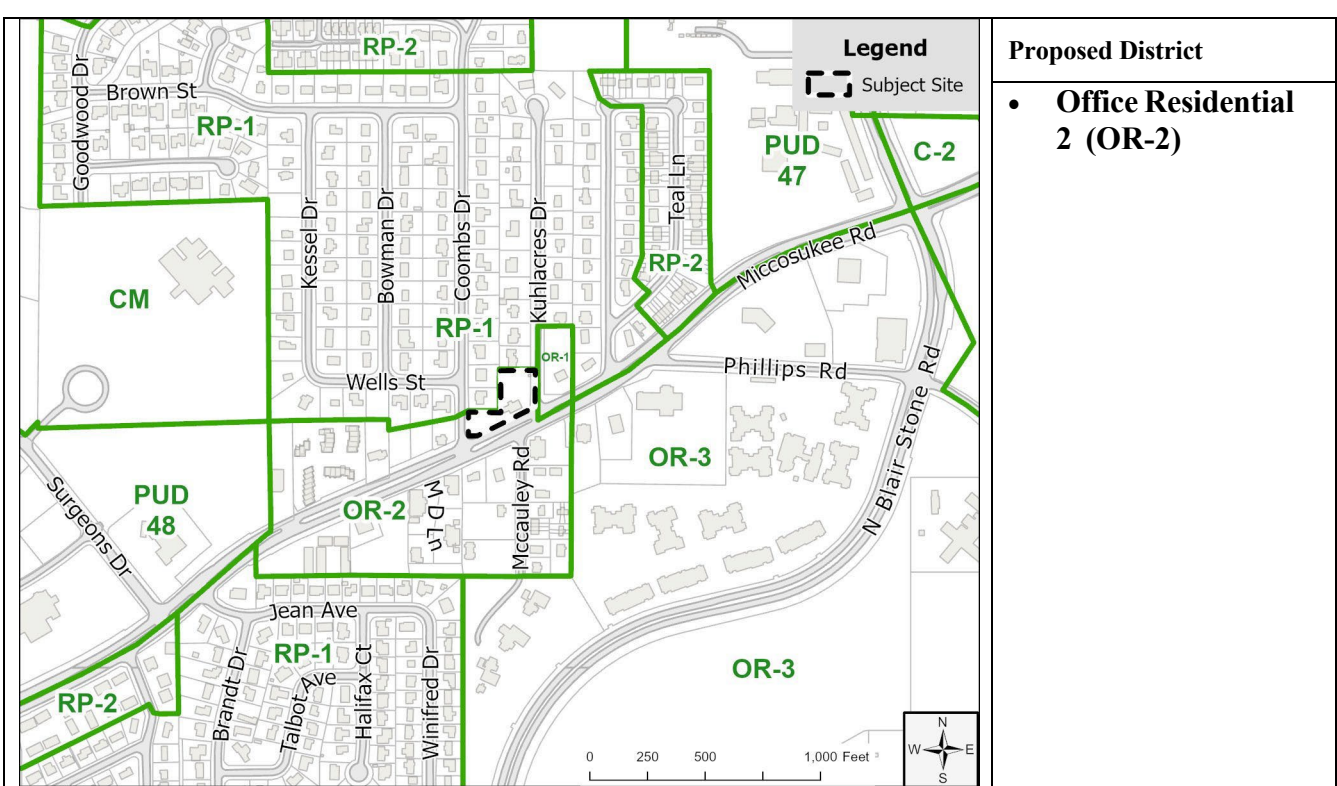
By: \_\_\_\_\_ James  
Amy M. Toman  
City Attorney

EXHIBIT A

Current Zoning



Proposed Zoning





Sign Posting Pictures







## Comprehensive Plan

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** September 3, 2004 6:00 pm  
Tallahassee-Leon Co. Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St., Tallahassee, FL 32301

**Name:** 1932 Miccosukee Road - TMA2024013  
Map Amendment

**Description:** From: Residential Preservation  
To: Suburban  
on 0.93 acres

Visit <https://www.talgov.com/place/pln-cp>  
for more details.



## Rezoning

**Contact:** City/County Planning Department  
850-891-6400

**Hearing:** September 3, 2024 6:00 PM  
Tallahassee-Leon Co. Local Planning Agency

**Location:** Frenchtown Renaissance Center  
2nd Floor Conference Room  
435 N. Macomb St., Tallahassee, FL 32301

**Name:** 1932 Miccosukee Road-  
TRZ240008

**Description:** From: Residential Preservation-2  
To: Office Residential-2  
on .93 acres

Visit <https://www.talgov.com/place/pln-cp>  
for more details.

## **LPA Meeting Minutes and Public Comment**

### **TALLAHASSEE– LEON COUNTY LOCAL PLANNING AGENCY MINUTES**

**SEPTEMBER 3, 2024, 6:00 PM**

**2nd Floor Conference Room, 435 North Macomb Street**

**PLANNING COMMISSIONERS PRESENT:** William Shepherd, Blake Renfro, Christian Minor, George Reynolds, LaRoderick McQueen, and Rebecca O’Hara.

**PLANNING COMMISSIONERS ABSENT:** NONE

**STAFF PRESENT:** Susan Poplin, Administrator of Comprehensive Planning; Tyler Maldonado, Principal Planner, Silvia Alderman, Attorney for the Local Planning Agency; Lou Norvell, City of Tallahassee Attorney; and Sherri Calhoun, Recording Secretary.

- A. Agenda Modifications-** *There were no agenda modifications.*
- B. Public Comments -** *There were no public speakers on unagendaed items.*
- C. Consent -** Minutes from the August 6, 2024, Local Planning Agency Meeting. *Commissioner O’Hara motioned to approve minutes with no changes. The motion passed with a vote of 6-0*
- D. Local Planning Agency Public Hearing on Amendment TMA2024013- 1932 Miccosukee Road.**

*Tyler Maldonado, Principal Planner, introduced the amendment by presenting information from the staff report, and explained the review and approval process.*

*Chairperson Commissioner O’Hara began commission discussion by asking staff questions about the land use pattern in the area. The Commissioner asked about the staff assessment of the existing residential prevalence and density in the area. Specifically, the chairperson wanted to know how the Residential Preservation criteria are applied, per site or per surrounding area. Staff responded that the analysis considers both, and that the northern portion is adjacent to Residential Preservation uses. Staff acknowledged concerns of residents to the north of the subject site but pointed out that the required application of zoning development regulations with requirements for stormwater, buffers, setbacks, and stepbacks next to residential areas would significantly impact the allowed intensity and ensure compatibility with adjacent residential areas.*

*Another Commissioner inquired if the current infrastructure would remain the same. Staff confirmed the intent to keep the current use and infrastructure, but also pointed out that the zoning change would theoretically allow other uses as redevelopment. At the time of redevelopment, any applicant would be required to contend with development regulation requirements for stormwater, parking, etc.*

*The Chairperson asked why the recommendation for site went directly to OR-2 instead of considering a lesser zoning district, specifically OR-1. The Commissioner expressed concerns about the extensive list of allowed uses in OR-2 compared to OR-1. Staff responded that there is OR-1 to the east being developed as an assisted living facility but a portion of the subject property is OR-2. OR-2 zoning district is what exists on the southern remainder of the parcel and that staff's recommendation is meant to unify the zoning and make implementation of use and development regulation standards clear across the site.*

*There was one speaker, Kirsten Olsen-Doolan, who stated that she is representing 2 others that live in Kuhl Acres. She expressed concerns about traffic from commercial development on Kuhl Acres Dr, and also additional traffic from other uses nearby from WaWa, the hospital and the FSU facility. Additional traffic would impact those areas that do not have sidewalks. The commenter stated that they are not concerned about the veterinary use but other uses that may come later.*

*The Chairperson expressed concern regarding going to OR-2 zoning due to the list of additional uses and consistency with Policy 2.2.3; but could also identify consistencies with it as well. Commissioner Shepherd indicated he shared the same sentiments but supported staff recommendation because of its current condition, location on an arterial, and instituted regulations, including setbacks and parking, etc., that would regulate development if an applicant were to later pursue a more intense use on the property.*

*Commissioner Shepherd motioned to approve staff recommendation for the future land use map to be changed from Residential Preservation (RP) to Suburban (SUB) and Commissioner McQueen seconded. Motion passed with a vote of 6-0.*

*Commissioner Shepherd motioned to approve staff recommendation for the rezoning from Residential Preservation-2 (RP-2) to Office Residential-2 (OR-2) and Commissioner Christian Minor seconded. Motion passed with a vote of 5-1.*

**E. Adjournment- 7:00 PM**



**From:** [deanaanne@comcast.net](mailto:deanaanne@comcast.net)  
**To:** [Calhoun, Sherri](#)  
**Cc:** [Perrine, Beth](#)  
**Subject:** Citizen Comments Submission for Tallahassee-Leon County Planning Commission  
**Date:** Monday, August 26, 2024 11:23:17 AM

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**Citizen Comments Submission from Talgov.com for Tallahassee-Leon Local Planning Agency**

**Name:** Deana A Bray

**Address:** 1523 COOMBS DR

**City:** Tallahassee

**State:** FL

**Zip:** 32308

**Email Address:** [deanaanne@comcast.net](mailto:deanaanne@comcast.net)

**Comments:** re; notice of requested amendment to the comprehensive plan future land use map for 1932 Miccosukee Rd ; I ask that this NOT be changed; we already have more commercial use in this area (just recently the addition of Wawa" gas station/store) on Miccosukee Rd than our neighborhood needs. This will bring even more pedestrian and automobile traffic to a residential area. Coombs Drive already has a lot of cross-thru traffic from Centerville Rd to Miccosukee Rd, which is already taking the "quiet" out of our neighborhood! To add even more commercial use (or anything other than residential use) will lead to our neighborhood being desirable causing our homes to lose value. Please, no more commercial use so close to these neighborhoods!!

**Tallahassee-Leon County Planning Department**  
**ATTN: Comprehensive Planning Division**  
**300 South Adams Street**  
**Tallahassee, Florida 32301**  
**Telephone: (850) 891-6400 Fax: (850) 891-6404**

**Amendment TMA 2024 013**

I/We as owner(s) of property at this address: 1509 Bowman Dr. Hills Miccosukee wish the information below to be considered by the Local Planning Agency and the City Commission:

We live about 1 block away from the proposed corner development. Our neighborhood is beautiful, quiet, and friendly. We are strongly opposed to the construction of the corner lot at Coombs and Miccosukee. It would mean an increase in traffic and noise and a decrease in property values. Please maintain our beautiful neighborhood as it is. Thank you.

SIGNED:

Jannine and Brette Sanford

**From:** [Perrine, Beth](#)  
**To:** [Maldonado, Tyler](#); [Poplin, Susan](#); [Calhoun, Sherri](#)  
**Subject:** Fwd: Concerns about re-zoning and land use changes on Miccosukee and Kuhlacre Drive  
**Date:** Monday, September 2, 2024 8:21:08 PM

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Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

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**From:** Erin S <esolo4691@gmail.com>  
**Sent:** Monday, September 2, 2024 8:20:06 PM  
**To:** Perrine, Beth <Mary.Perrine@talgov.com>  
**Subject:** Concerns about re-zoning and land use changes on Miccosukee and Kuhlacre Drive

**\*\*\*EXTERNAL EMAIL\*\*\***

Please report any suspicious attachments, links, or requests for sensitive information.

Ms. Perrine,

I'm concerned about the rezoning proposed for the corner of Miccosukee Rd. and Kuhlacre Drive.

There is a driveway on Kuhlacre Drive, which means people will be entering and exiting there and backing up traffic at the stop sign, making it difficult for those of us who've lived here for years to get out. Traffic on Miccosukee has increased significantly in the past five years, and it's already difficult making a left onto it from Kuhlacre Drive. The planned Wawa on Miccosukee and Blair Stone is likely to increase traffic on Miccosukee even further, making it even harder and more dangerous to leave our street.

A suburban land use designation would permit over a dozen housing units (condos, apartments?) on that small piece of land. If there were even one car per unit, that's a significant increase in congestion on Kuhlacre Drive, a quiet residential street. This is compounded by the new 7 unit memory care facility across the street from that, which also has an entrance onto Miccosukee.

Any businesses there should be required to have patrons enter and exit from Miccosukee Rd and not Kuhlacre Drive.

We moved to this street because it is quiet and conveniently located. The increased traffic likely to result from this proposed change would negatively impact both of these and therefore, our quality of life.

I'm originally from Miami though, I've made Tallahassee my home for the past 35 years. I've seen first hand how these incremental changes to the character of neighborhoods increase traffic and make life more difficult and the landscape less attractive.

I urge the planning department to decline changing the zoning and land use of this property.

Respectfully,

Erin Sologaitoa 1616 Kuhlacre Drive.



## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



April 16, 2024

Ms. Donna Harris  
Plan Processing Administrator  
State Land Planning Agency – Florida Department of Commerce  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

Re: Adopted Comprehensive Plan Small-Scale Map Amendments

Dear Ms. Harris:

The Tallahassee-Leon County Planning Department hereby submits adopted small-scale map amendments as part of the 2024 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. These amendments are submitted pursuant to the City Commission adoption public hearing on April 10, 2024.

These adopted amendments are being submitted as small-scale amendments under section 163.3187(1), Florida Statutes.

<u>Amendment</u>	<u>Acres</u>
TMA 2024 005 – Osceola	3.52
TMA 2024 007 – 2600 Plant Street	2.30
TMA 2024 008 – 1726 and 1728 Mahan Drive	1.51
TMA 2024 010 – Magnolia and Gadsden	1.78

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 11.01 acres. None of the adopted amendments are within an area of critical state concern. None of the adopted amendments involve a site within a rural area of opportunity.

Enclosed are the following City ordinances adopting the comprehensive plan amendments:

- City of Tallahassee Ordinance 24-O-08 adopted April 10, 2024
- City of Tallahassee Ordinance 24-O-10 adopted April 10, 2024
- City of Tallahassee Ordinance 24-O-11 adopted April 10, 2024
- City of Tallahassee Ordinance 24-O-13 adopted April 10, 2024

The appropriate review agencies are copied on this letter and provided with a complete adopted amendments package in Portable Document Format (PDF).



## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



If you have any questions concerning the adopted amendments, please contact Susan Poplin at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail [Susan.Poplin@talgov.com](mailto:Susan.Poplin@talgov.com).

Sincerely,

Susan Poplin  
Acting Administrator of Comprehensive Planning  
Tallahassee-Leon County Planning Department

cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)  
Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Emily Bouza (w/o attachments)  
Lou Norvell (w/o attachments)

**ATTACHMENT #1**  
**SUMMARY CHART**

TALLAHASSEE-LEON COUNTY  
MATRIX FOR 2024 CYCLE COMPREHENSIVE PLAN AMENDMENTS

A = Approve  
D = Denial  
AM = Approve as Modified

Item #	Amendment To:	Nature of Proposed Amendment	Planning Staff Analysis	LPA Recommendation	Board/Commission Position	Status
LMA 2401 2225 Orange Avenue	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Urban Residential 2 and Activity Center <b>To:</b> Activity Center Approximately 1.90 Acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 9, 2024
TMA 2024 005 Osceola Street	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Neighborhood Boundary Approximately 3.52 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 007 2600 Plant Street	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Government Operational <b>To:</b> Suburban Approximately 2.30 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 008 1726 & 1728 Mahan Drive	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Urban Residential 2 Approximately 1.51 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 010 Magnolia and Gadsden	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Central Urban and Residential Preservation <b>To:</b> Central Urban Approximately 1.78 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing March 22, 2032



**ATTACHMENT #2**  
**EXECUTED ORDINANCES**  
**ADOPTING**  
**SMALL-SCALE PLAN**  
**AMENDMENTS**

# Small-Scale Map Amendment

TMA 2024 005

Osceola Street

3.52 Acres

From: Residential Preservation

To: Neighborhood Boundary

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*

**ORDINANCE NO. 24-O-08**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE NEIGHBORHOOD BOUNDARY LAND USE CATEGORY ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTON STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Tallahassee to prepare and enforce comprehensive plans for the development of the City; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has determined it necessary and desirable to adopt this amendment to the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with

future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Tallahassee, Florida, as follows, that:

**Section 1. Purpose and Intent.**

This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

**Section 2. Map Amendment.**

The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment TMA2024005 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 27<sup>th</sup> day of March, 2024.

PASSED by the City Commission on the 10<sup>th</sup> day of April, 2024.



ATTEST:

By: James O. Cooke, IV  
James O. Cooke, IV  
City Treasurer-Clerk

CITY OF TALLAHASSEE

By: John E. Dailey  
John E. Dailey  
Mayor

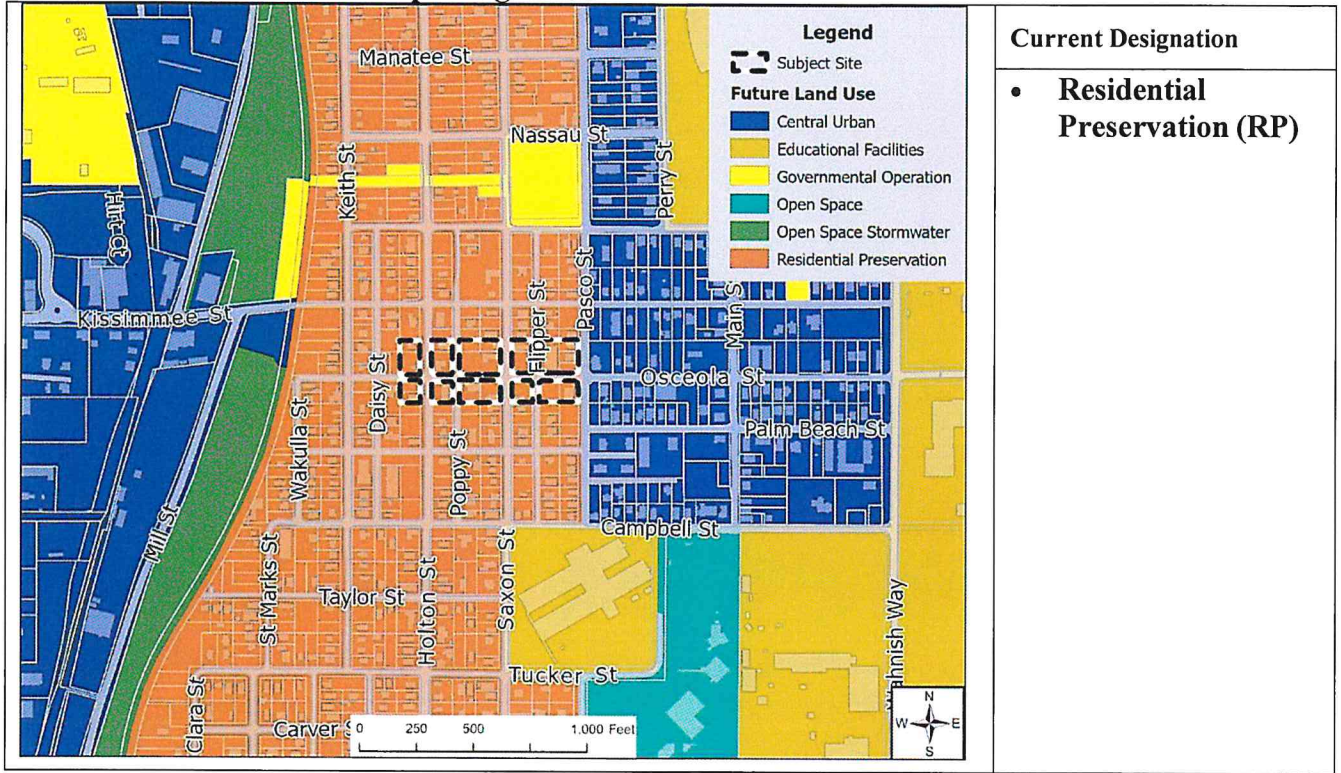
APPROVED AS TO FORM:

By: Amy M. Toman  
Amy M. Toman  
City Attorney

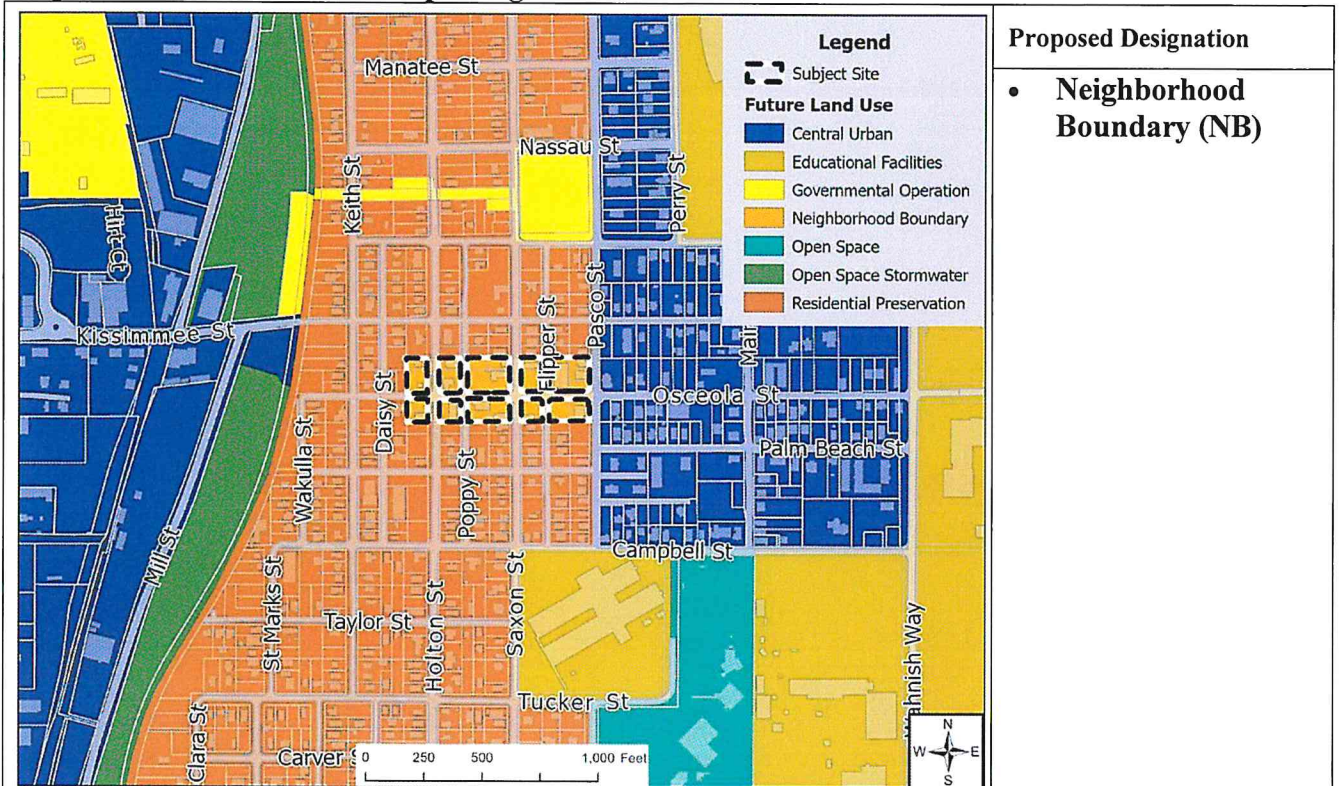


## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation





**PROOF OF PUBLICATION**

Attn Matt Lutz, Box A-31  
City Tallahassee - Treasury  
300 S Adams St  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

03/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/29/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$692.00

Order No: 9995957

# of Copies:

Customer No: 1124347

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NANCY HEYRMAN  
Notary Public  
State of Wisconsin

# NOTICE OF COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

City Commission  
Transmittal Public Hearing  
Wednesday, April 10, 2024, At 6 PM  
City of Tallahassee Commission Chambers –  
300 S. Adams St., Tallahassee, Florida 32301

## CAPITAL IMPROVEMENTS SCHEDULE UPDATE

NOTICE IS HEREBY GIVEN that the Tallahassee City Commission will conduct public hearings and the public may be heard on April 10, 2024, at 6:00 p.m. at the City of Tallahassee Commission Chambers, 300 S. Adams St., to consider adoption of the following ordinances entitled:

### ORDINANCE NO. 24-O-01

AN ORDINANCE OF THE CITY OF TALLAHASSEE UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

## MAP AMENDMENT ADOPTION

### ORDINANCE NO. 24-O-08

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE NEIGHBORHOOD BOUNDARY LAND USE CATEGORY ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Osceola Street from Pasco Street to Holton Street  
**Reference Number:** TMA2024005

**Applicant:** Tallahassee Leon County Planning Department

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Neighborhood Boundary (NB) totaling approximately 3.52 acres. The parcels are located along Osceola Street in the Bond Neighborhood.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Neighborhood Boundary 1 (NB-1) is requested to implement the proposed amendment to the Future Land Use Map.

### ORDINANCE NO. 24-O-10

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE GOVERNMENT OPERATIONAL LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY AT 2600 PLANT STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 2600 Plant Street

**Reference Number:** TMA2024007

**Applicant:** Bannerman Opp Fund, LLC

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Government Operational (GO) to Suburban (SUB) on approximately 2.3 acres. The parcel is located at 2600 Plant Street.

### ORDINANCE NO. 24-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE URBAN RESIDENTIAL 2 LAND USE CATEGORY AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 1726 and 1728 Mahan Drive

**Reference Number:** TMA2024008

**Applicant:** Anchor School, Inc.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Urban Residential 2 on approximately 1.51 acres. The parcel is located at 1726 and 1728 Mahan Drive.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential District (MR) is requested to implement the proposed amendment to the Future Land Use Map.

### ORDINANCE NO. 24-O-13

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN AND RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE CENTRAL URBAN LAND USE CATEGORY AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Magnolia and Gadsden

**Reference Number:** TMA2024010

**Applicant:** Linda G. Paramore

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Central Urban (CU) and Residential Preservation (RP) to Central Urban (CU) on 1.78 acres. The parcel is located at the northwest corner of E Magnolia Drive and S Gadsden Street.

**Rezoning Application:** A zoning change from Central Urban – 45 (CU-45) and Residential Preservation – 2 (RP-2) to Central Urban – 45 (CU-45) is requested to implement the proposed amendment to the Future Land Use Map.

## REZONINGS

### ORDINANCE NO. 24-Z-09

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS NEIGHBORHOOD BOUNDARY 1 (NB-1) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION – 2 (RP-2) ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024005, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Neighborhood Boundary-1 (NB-1) Zoning District.

### ORDINANCE NO. 24-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS MEDIUM DENSITY RESIDENTIAL (MR) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION-2 (RP-2) AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024008, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Medium Density Residential (MR) Zoning District.

### ORDINANCE NO. 24-Z-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL URBAN (CU-45) ON THE OFFICIAL ZONING MAP FROM CENTRAL URBAN (CU-45) AND RESIDENTIAL PRESERVATION – 2 (RP-2) AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024010, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Central Urban-45 (CU-45) and Residential Preservation-2 (RP-2) to Central Urban-45 (CU-45) Zoning District.

Persons who do not wish to attend the meeting in person may offer “live” comments during the meeting via a weblink or telephone dial-in connection. To register for the weblink or dial-in access, visit [www.talgov.com/citizeninput](http://www.talgov.com/citizeninput). Registration must be received by 9pm the day prior to the meeting.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting, they will need a record of the proceedings and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Copies of said ordinance(s) may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams St, Tallahassee, Florida or by calling (850)891-8130

# Small-Scale Map Amendment

TMA 2024 007

2600 Plant Street

2.30 Acres

From: Government Operational

To: Suburban

**Staff Analysis for Consistency with the Comprehensive**

**Plan:** *Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*

**ORDINANCE NO. 24-O-10**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE GOVERNMENT OPERATIONAL LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY AT 2600 PLANT STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

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future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

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Map Amendment TMA2024007 which relates to the Future Land Use Map.

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**Section 6. Effective Date.**

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INTRODUCED in the City Commission on the 27<sup>th</sup> day of March, 2024.

PASSED by the City Commission on the 10<sup>th</sup> day of April, 2024.



ATTEST:

By: James O. Cooke, IV  
James O. Cooke, IV  
City Treasurer-Clerk

CITY OF TALLAHASSEE

By: John E. Dailey  
John E. Dailey  
Mayor

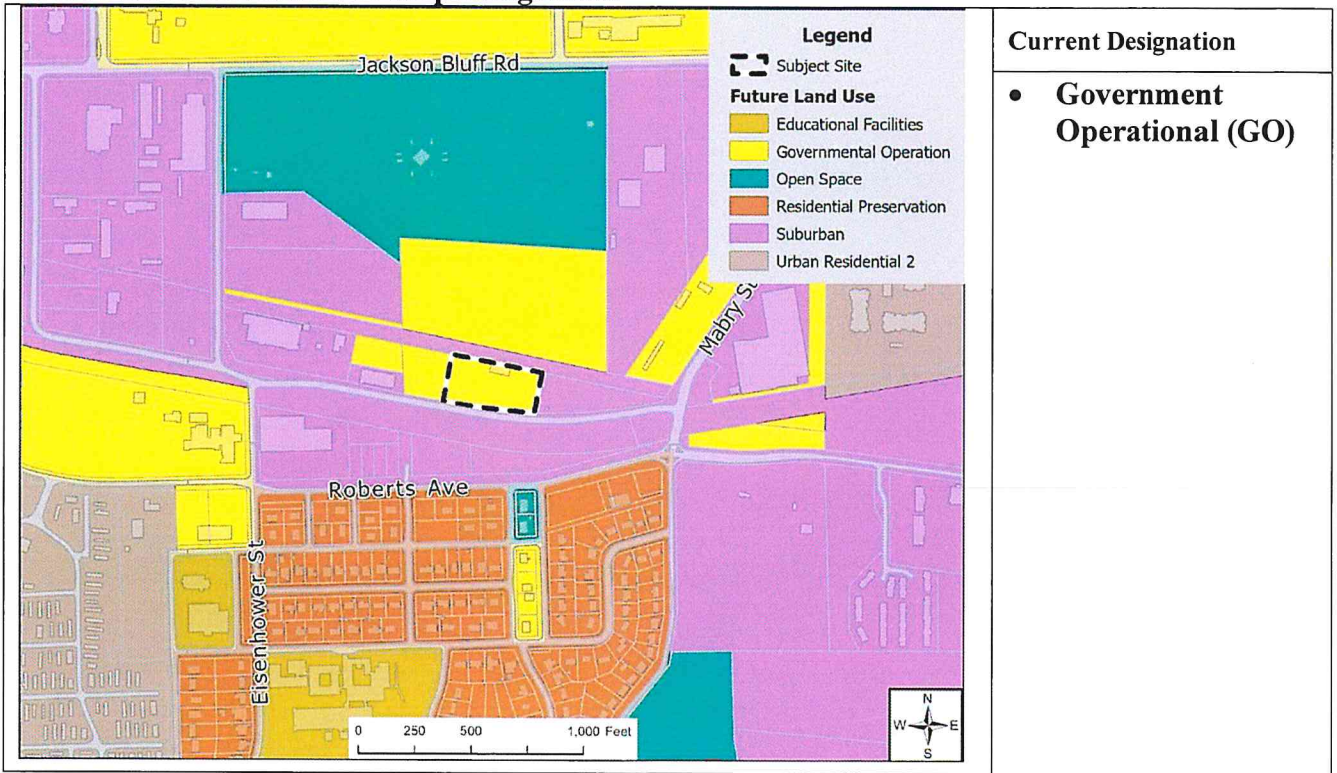
APPROVED AS TO FORM:

By: Amy M. Toman  
Amy M. Toman  
City Attorney

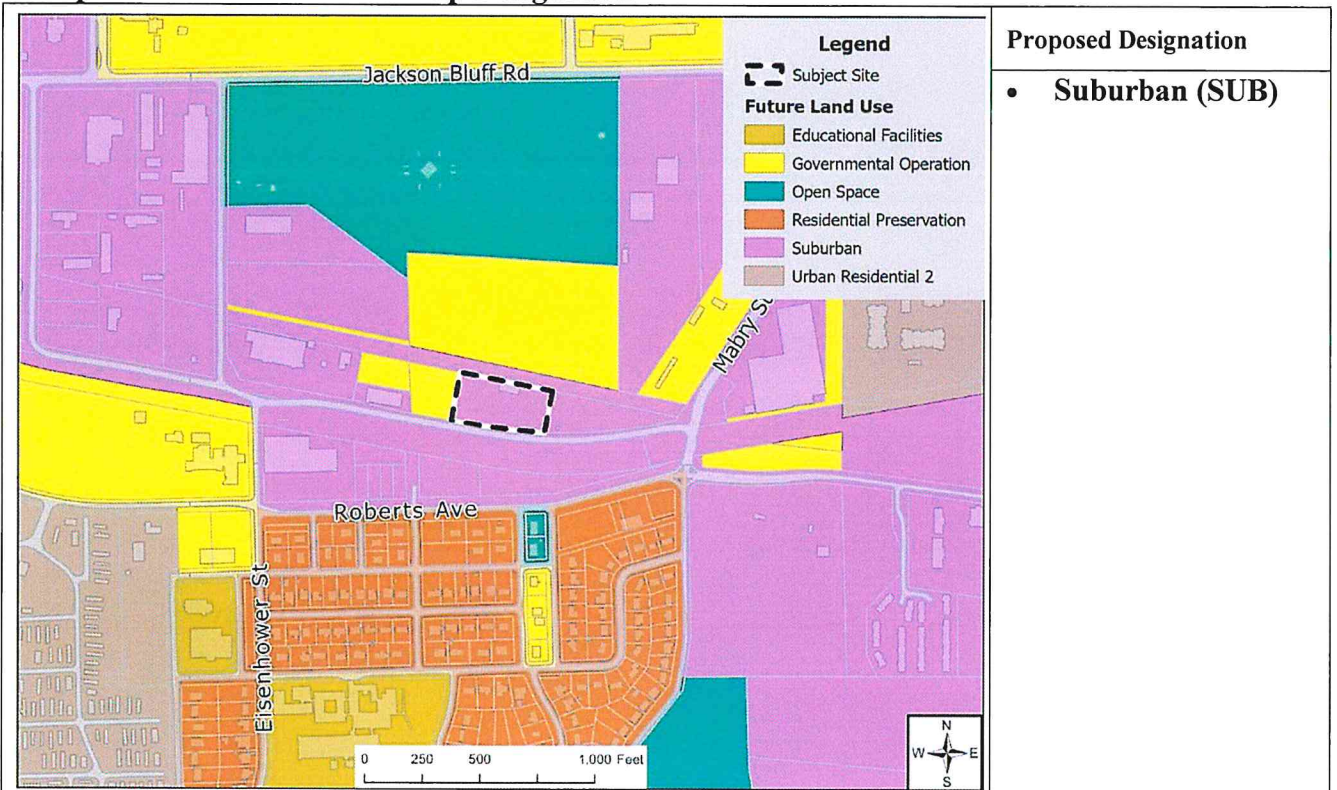


## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation



**PROOF OF PUBLICATION**

Attn Matt Lutz, Box A-31  
City Tallahassee - Treasury  
300 S Adams St  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

03/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/29/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$692.00

Order No: 9995957

# of Copies:

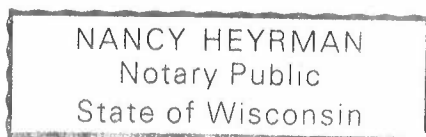
Customer No: 1124347

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PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*



# NOTICE OF COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

City Commission  
Transmittal Public Hearing  
Wednesday, April 10, 2024, At 6 PM  
City of Tallahassee Commission Chambers –  
300 S. Adams St., Tallahassee, Florida 32301

## CAPITAL IMPROVEMENTS SCHEDULE UPDATE

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## MAP AMENDMENT ADOPTION

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**Requested Map Amendment:** Osceola Street from Pasco Street to Holton Street  
**Reference Number:** TMA2024005

**Applicant:** Tallahassee Leon County Planning Department

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**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Neighborhood Boundary 1 (NB-1) is requested to implement the proposed amendment to the Future Land Use Map.

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**Requested Map Amendment:** 2600 Plant Street

**Reference Number:** TMA2024007

**Applicant:** Bannerman Opp Fund, LLC

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Government Operational (GO) to Suburban (SUB) on approximately 2.3 acres. The parcel is located at 2600 Plant Street.

### ORDINANCE NO. 24-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE URBAN RESIDENTIAL 2 LAND USE CATEGORY AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 1726 and 1728 Mahan Drive

**Reference Number:** TMA2024008

**Applicant:** Anchor School, Inc.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Urban Residential 2 on approximately 1.51 acres. The parcel is located at 1726 and 1728 Mahan Drive.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential District (MR) is requested to implement the proposed amendment to the Future Land Use Map.

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AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN AND RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE CENTRAL URBAN LAND USE CATEGORY AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Magnolia and Gadsden

**Reference Number:** TMA2024010

**Applicant:** Linda G. Paramore

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Central Urban (CU) and Residential Preservation (RP) to Central Urban (CU) on 1.78 acres. The parcel is located at the northwest corner of E Magnolia Drive and S Gadsden Street.

**Rezoning Application:** A zoning change from Central Urban – 45 (CU-45) and Residential Preservation – 2 (RP-2) to Central Urban – 45 (CU-45) is requested to implement the proposed amendment to the Future Land Use Map.

## REZONINGS

### ORDINANCE NO. 24-Z-09

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS NEIGHBORHOOD BOUNDARY 1 (NB-1) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION – 2 (RP-2) ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTON STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024005, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Neighborhood Boundary-1 (NB-1) Zoning District.

### ORDINANCE NO. 24-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS MEDIUM DENSITY RESIDENTIAL (MR) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION-2 (RP-2) AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024008, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Medium Density Residential (MR) Zoning District.

### ORDINANCE NO. 24-Z-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL URBAN (CU-45) ON THE OFFICIAL ZONING MAP FROM CENTRAL URBAN (CU-45) AND RESIDENTIAL PRESERVATION – 2 (RP-2) AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024010, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Central Urban-45 (CU-45) and Residential Preservation-2 (RP-2) to Central Urban-45 (CU-45) Zoning District.

Persons who do not wish to attend the meeting in person may offer “live” comments during the meeting via a weblink or telephone dial-in connection. To register for the weblink or dial-in access, visit [www.talgov.com/citizeninput](http://www.talgov.com/citizeninput). Registration must be received by 9pm the day prior to the meeting.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting, they will need a record of the proceedings and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Copies of said ordinance(s) may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams St, Tallahassee, Florida or by calling (850)891-8130

# Small-Scale Map Amendment

TMA 2024 008

1726 & 1728 Mahan Drive

1.51 Acres

From: Residential Preservation

To: Urban Residential 2

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*

**ORDINANCE NO. 24-O-11**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE URBAN RESIDENTIAL 2 LAND USE CATEGORY AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapters 163 and 166, Florida Statutes, empower the City Commission of the City of Tallahassee to prepare and enforce comprehensive plans for the development of the City; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

WHEREAS, in exercise of its authority, the City Commission of the City of Tallahassee has determined it necessary and desirable to adopt this amendment to the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with

future problems that may result from the use and development of land within the City of Tallahassee, and to meet all requirements of law.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Tallahassee, Florida, as follows, that:

**Section 1. Purpose and Intent.**

This ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act.

**Section 2. Map Amendment.**

The ordinance does hereby adopt the following portion of the text attached hereto as Exhibit "A," and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend "The Tallahassee-Leon County 2030 Comprehensive Plan," as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment TMA2024008 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Ordinances of the City of Tallahassee, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon



2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 27<sup>th</sup> day of March, 2024.

PASSED by the City Commission on the 10<sup>th</sup> day of April, 2024.



CITY OF TALLAHASSEE

By: \_\_\_\_\_

*John E. Dailey*  
John E. Dailey  
Mayor

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_

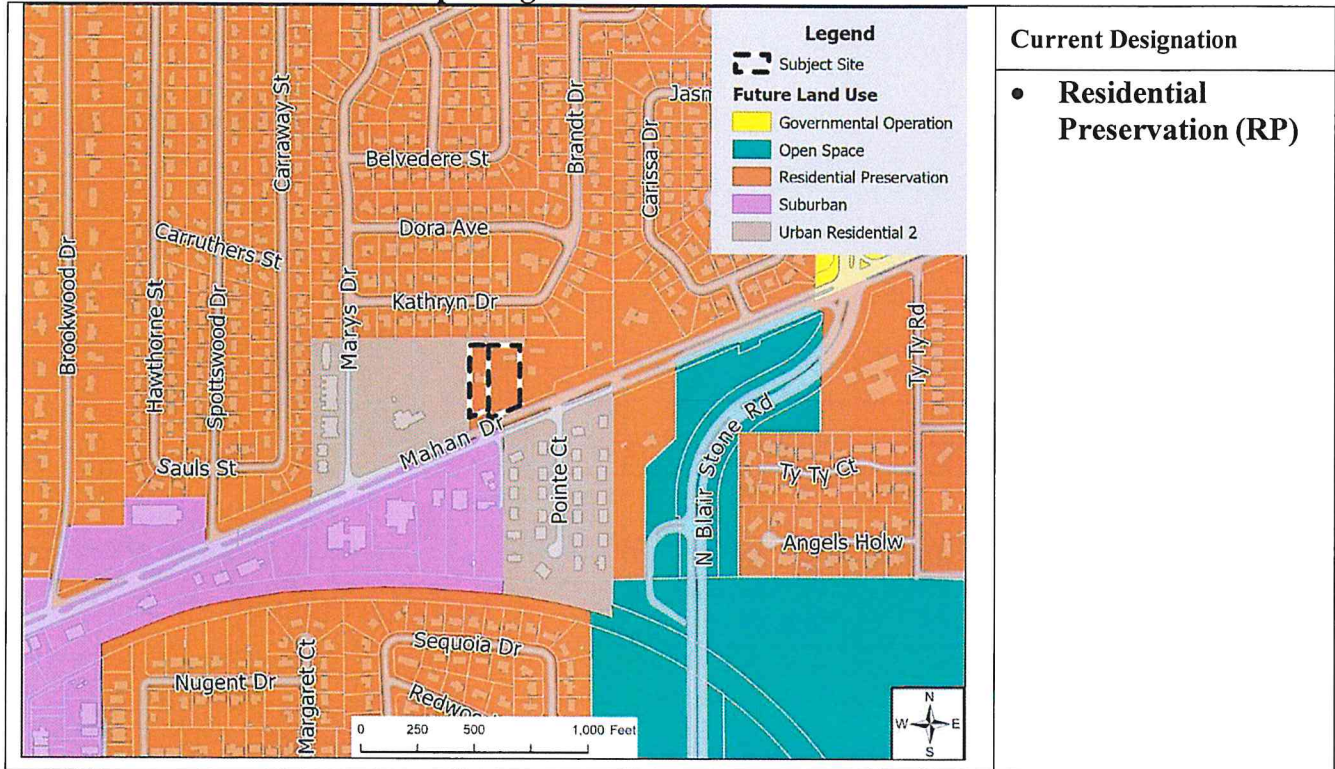
*James O. Cooke, IV*  
James O. Cooke, IV  
City Treasurer-Clerk

By: \_\_\_\_\_

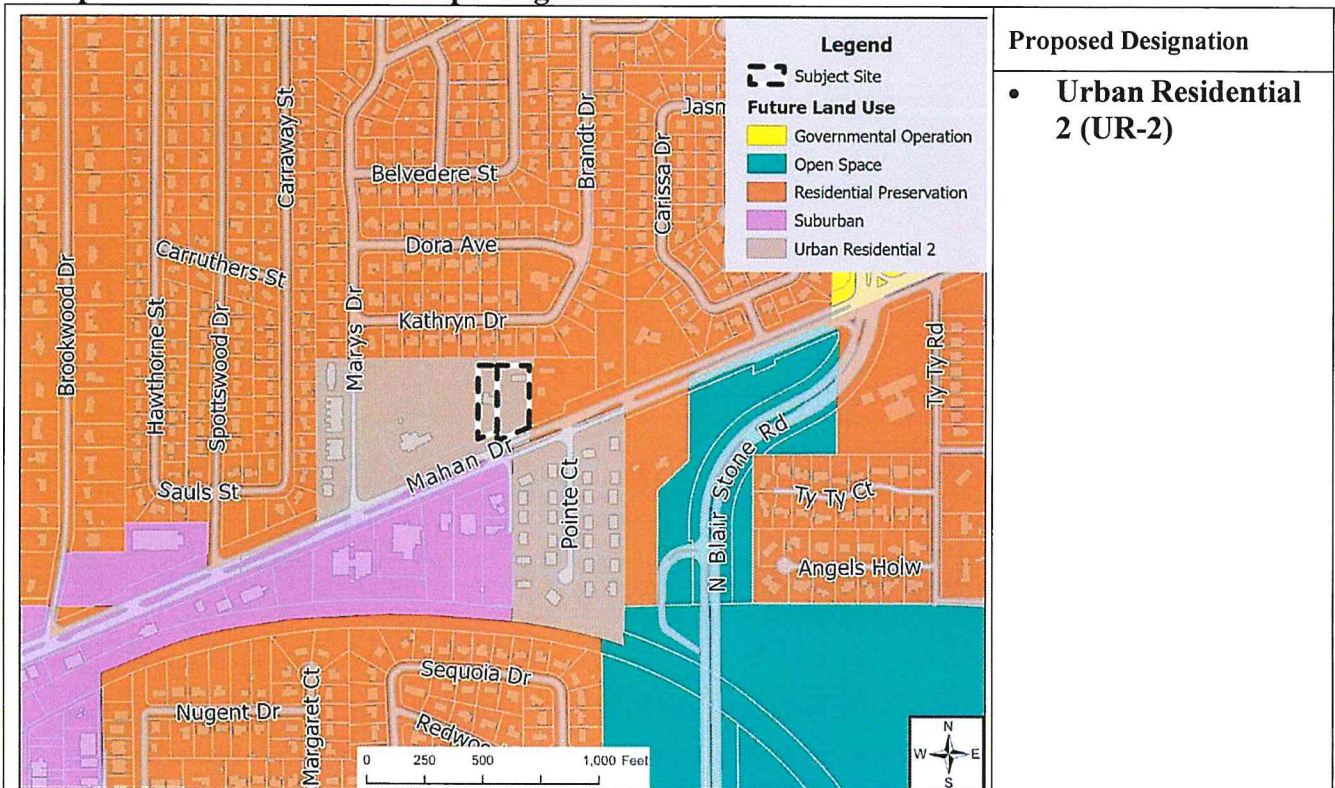
*Amy M. Toman*  
Amy M. Toman  
City Attorney

## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation



**PROOF OF PUBLICATION**

Attn Matt Lutz, Box A-31  
City Tallahassee - Treasury  
300 S Adams St  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

03/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/29/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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NANCY HEYRMAN  
Notary Public  
State of Wisconsin



# NOTICE OF COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

City Commission  
Transmittal Public Hearing  
Wednesday, April 10, 2024, At 6 PM  
City of Tallahassee Commission Chambers –  
300 S. Adams St., Tallahassee, Florida 32301

## CAPITAL IMPROVEMENTS SCHEDULE UPDATE

NOTICE IS HEREBY GIVEN that the Tallahassee City Commission will conduct public hearings and the public may be heard on April 10, 2024, at 6:00 p.m. at the City of Tallahassee Commission Chambers, 300 S. Adams St., to consider adoption of the following ordinances entitled:

### ORDINANCE NO. 24-O-01

AN ORDINANCE OF THE CITY OF TALLAHASSEE UPDATING THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

## MAP AMENDMENT ADOPTION

### ORDINANCE NO. 24-O-08

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE NEIGHBORHOOD BOUNDARY LAND USE CATEGORY ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Osceola Street from Pasco Street to Holton Street  
**Reference Number:** TMA2024005

**Applicant:** Tallahassee Leon County Planning Department

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Neighborhood Boundary (NB) totaling approximately 3.52 acres. The parcels are located along Osceola Street in the Bond Neighborhood.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Neighborhood Boundary 1 (NB-1) is requested to implement the proposed amendment to the Future Land Use Map.

### ORDINANCE NO. 24-O-10

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE GOVERNMENT OPERATIONAL LAND USE CATEGORY TO THE SUBURBAN LAND USE CATEGORY AT 2600 PLANT STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 2600 Plant Street

**Reference Number:** TMA2024007

**Applicant:** Bannerman Opp Fund, LLC

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Government Operational (GO) to Suburban (SUB) on approximately 2.3 acres. The parcel is located at 2600 Plant Street.

### ORDINANCE NO. 24-O-11

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE URBAN RESIDENTIAL 2 LAND USE CATEGORY AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 1726 and 1728 Mahan Drive

**Reference Number:** TMA2024008

**Applicant:** Anchor School, Inc.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Urban Residential 2 on approximately 1.51 acres. The parcel is located at 1726 and 1728 Mahan Drive.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential District (MR) is requested to implement the proposed amendment to the Future Land Use Map.

### ORDINANCE NO. 24-O-13

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN AND RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE CENTRAL URBAN LAND USE CATEGORY AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Magnolia and Gadsden

**Reference Number:** TMA2024010

**Applicant:** Linda G. Paramore

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Central Urban (CU) and Residential Preservation (RP) to Central Urban (CU) on 1.78 acres. The parcel is located at the northwest corner of E Magnolia Drive and S Gadsden Street.

**Rezoning Application:** A zoning change from Central Urban – 45 (CU-45) and Residential Preservation – 2 (RP-2) to Central Urban – 45 (CU-45) is requested to implement the proposed amendment to the Future Land Use Map.

## REZONINGS

### ORDINANCE NO. 24-Z-09

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS NEIGHBORHOOD BOUNDARY 1 (NB-1) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION – 2 (RP-2) ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024005, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Neighborhood Boundary-1 (NB-1) Zoning District.

### ORDINANCE NO. 24-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS MEDIUM DENSITY RESIDENTIAL (MR) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION-2 (RP-2) AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024008, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Medium Density Residential (MR) Zoning District.

### ORDINANCE NO. 24-Z-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL URBAN (CU-45) ON THE OFFICIAL ZONING MAP FROM CENTRAL URBAN (CU-45) AND RESIDENTIAL PRESERVATION – 2 (RP-2) AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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# Small-Scale Map Amendment

TMA 2024 010

Magnolia and Gadsden

1.78 Acres

From: Central Urban and Residential Preservation

To: Central Urban

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**City Commission:**

*Adopted*

**ORDINANCE NO. 24-O-13**

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE CENTRAL URBAN AND RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE CENTRAL URBAN LAND USE CATEGORY AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empower and require the City Commission of the City of Tallahassee to (a) plan for the City's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

WHEREAS, pursuant to Section 163.3187, Florida Statutes, the City Commission of the City of Tallahassee has held public work sessions, public meetings and several public hearings with due public notice having been provided, on this amendment to the Comprehensive Plan; and,

WHEREAS, the City Commission of the City of Tallahassee considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency/Planning Commission; and,

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Map Amendment TMA2024010 which relates to the Future Land Use Map.

**Section 3. Conflict With Other Ordinances and Codes.**

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**Section 4. Severability.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon

2030 Comprehensive Plan and this amendment thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 6. Effective Date.**

The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 27<sup>th</sup> day of March, 2024.

PASSED by the City Commission on the 10<sup>th</sup> day of April, 2024.



ATTEST:

By: James O. Cooke, IV  
James O. Cooke, IV  
City Treasurer-Clerk

CITY OF TALLAHASSEE

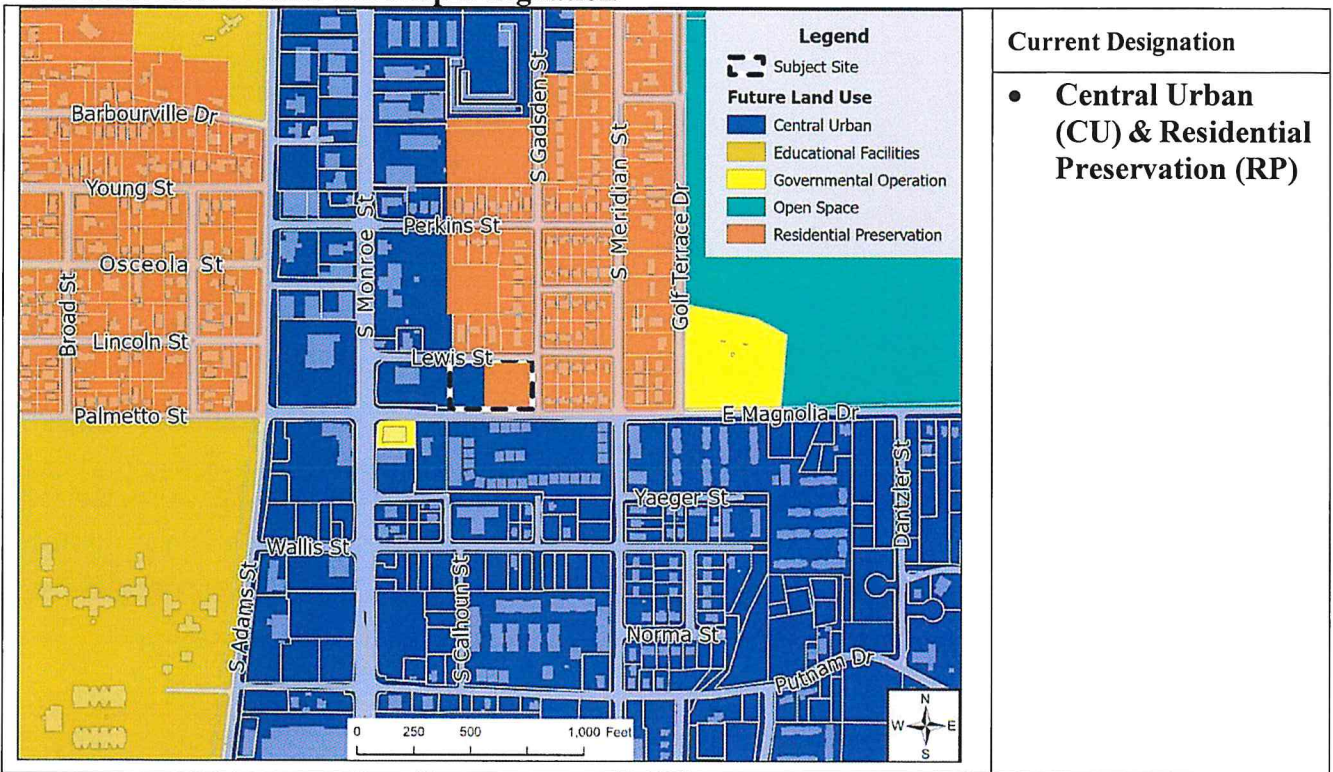
By: John E. Dailey  
John E. Dailey  
Mayor

APPROVED AS TO FORM:

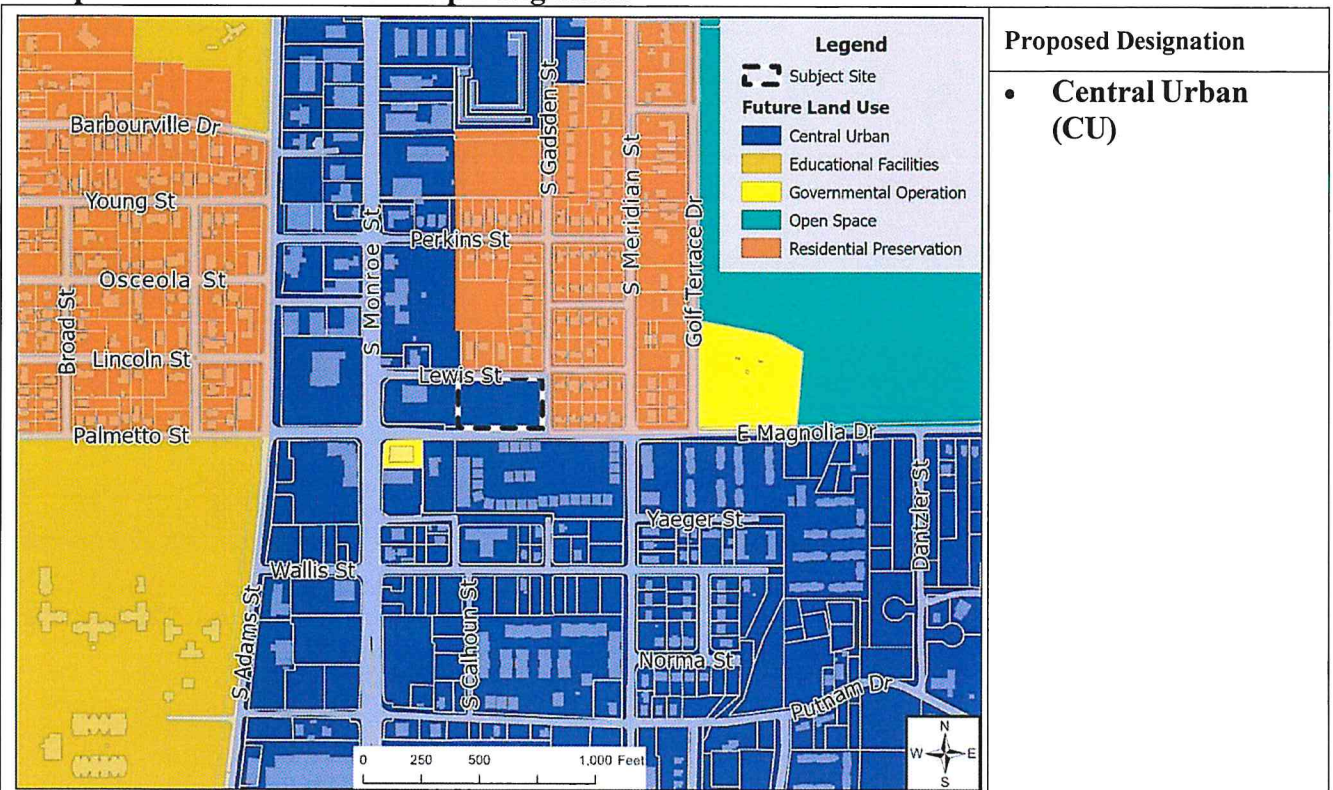
By: Amy M. Toman  
Amy M. Toman  
City Attorney

## EXHIBIT A

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation



**PROOF OF PUBLICATION**

Attn Matt Lutz, Box A-31  
City Tallahassee - Treasury  
300 S Adams St  
Tallahassee FL 32301-1721

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

03/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/29/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$692.00

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NANCY HEYRMAN  
Notary Public  
State of Wisconsin



# NOTICE OF COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING

City Commission  
Transmittal Public Hearing  
Wednesday, April 10, 2024, At 6 PM  
City of Tallahassee Commission Chambers –  
300 S. Adams St., Tallahassee, Florida 32301

## CAPITAL IMPROVEMENTS SCHEDULE UPDATE

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## MAP AMENDMENT ADOPTION

### ORDINANCE NO. 24-O-08

AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE NEIGHBORHOOD BOUNDARY LAND USE CATEGORY ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** Osceola Street from Pasco Street to Holton Street  
**Reference Number:** TMA2024005

**Applicant:** Tallahassee Leon County Planning Department

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Neighborhood Boundary (NB) totaling approximately 3.52 acres. The parcels are located along Osceola Street in the Bond Neighborhood.

**Rezoning Application:** A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Neighborhood Boundary 1 (NB-1) is requested to implement the proposed amendment to the Future Land Use Map.

### ORDINANCE NO. 24-O-10

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**Requested Map Amendment:** 2600 Plant Street

**Reference Number:** TMA2024007

**Applicant:** Bannerman Opp Fund, LLC

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Government Operational (GO) to Suburban (SUB) on approximately 2.3 acres. The parcel is located at 2600 Plant Street.

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AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A SMALL-SCALE AMENDMENT TO THE 2030 TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE RESIDENTIAL PRESERVATION LAND USE CATEGORY TO THE URBAN RESIDENTIAL 2 LAND USE CATEGORY AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Requested Map Amendment:** 1726 and 1728 Mahan Drive

**Reference Number:** TMA2024008

**Applicant:** Anchor School, Inc.

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Residential Preservation (RP) to Urban Residential 2 on approximately 1.51 acres. The parcel is located at 1726 and 1728 Mahan Drive.

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**Requested Map Amendment:** Magnolia and Gadsden

**Reference Number:** TMA2024010

**Applicant:** Linda G. Paramore

**Small Scale Map Amendment:** This is a request to change the Future Land Use Map (FLUM) designation from Central Urban (CU) and Residential Preservation (RP) to Central Urban (CU) on 1.78 acres. The parcel is located at the northwest corner of E Magnolia Drive and S Gadsden Street.

**Rezoning Application:** A zoning change from Central Urban – 45 (CU-45) and Residential Preservation – 2 (RP-2) to Central Urban – 45 (CU-45) is requested to implement the proposed amendment to the Future Land Use Map.

## REZONINGS

### ORDINANCE NO. 24-Z-09

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS NEIGHBORHOOD BOUNDARY 1 (NB-1) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION – 2 (RP-2) ALONG OSCEOLA STREET FROM PASCO STREET TO HOLTEN STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024005, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Neighborhood Boundary-1 (NB-1) Zoning District.

### ORDINANCE NO. 24-Z-12

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS MEDIUM DENSITY RESIDENTIAL (MR) ON THE OFFICIAL ZONING MAP FROM RESIDENTIAL PRESERVATION-2 (RP-2) AT 1726 AND 1728 MAHAN DRIVE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024008, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Residential Preservation-2 (RP-2) to Medium Density Residential (MR) Zoning District.

### ORDINANCE NO. 24-Z-14

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA DESIGNATING LAND AS CENTRAL URBAN (CU-45) ON THE OFFICIAL ZONING MAP FROM CENTRAL URBAN (CU-45) AND RESIDENTIAL PRESERVATION – 2 (RP-2) AT INTERSECTION OF EAST MAGNOLIA DRIVE, SOUTH GADSDEN STREET AND LEWIS STREET; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This proposed rezoning implements Comprehensive Plan map amendment TMA2024010, which is proposed for adoption on April 10, 2024. The rezoning requests a change to the Official Zoning Map from Central Urban-45 (CU-45) and Residential Preservation-2 (RP-2) to Central Urban-45 (CU-45) Zoning District.

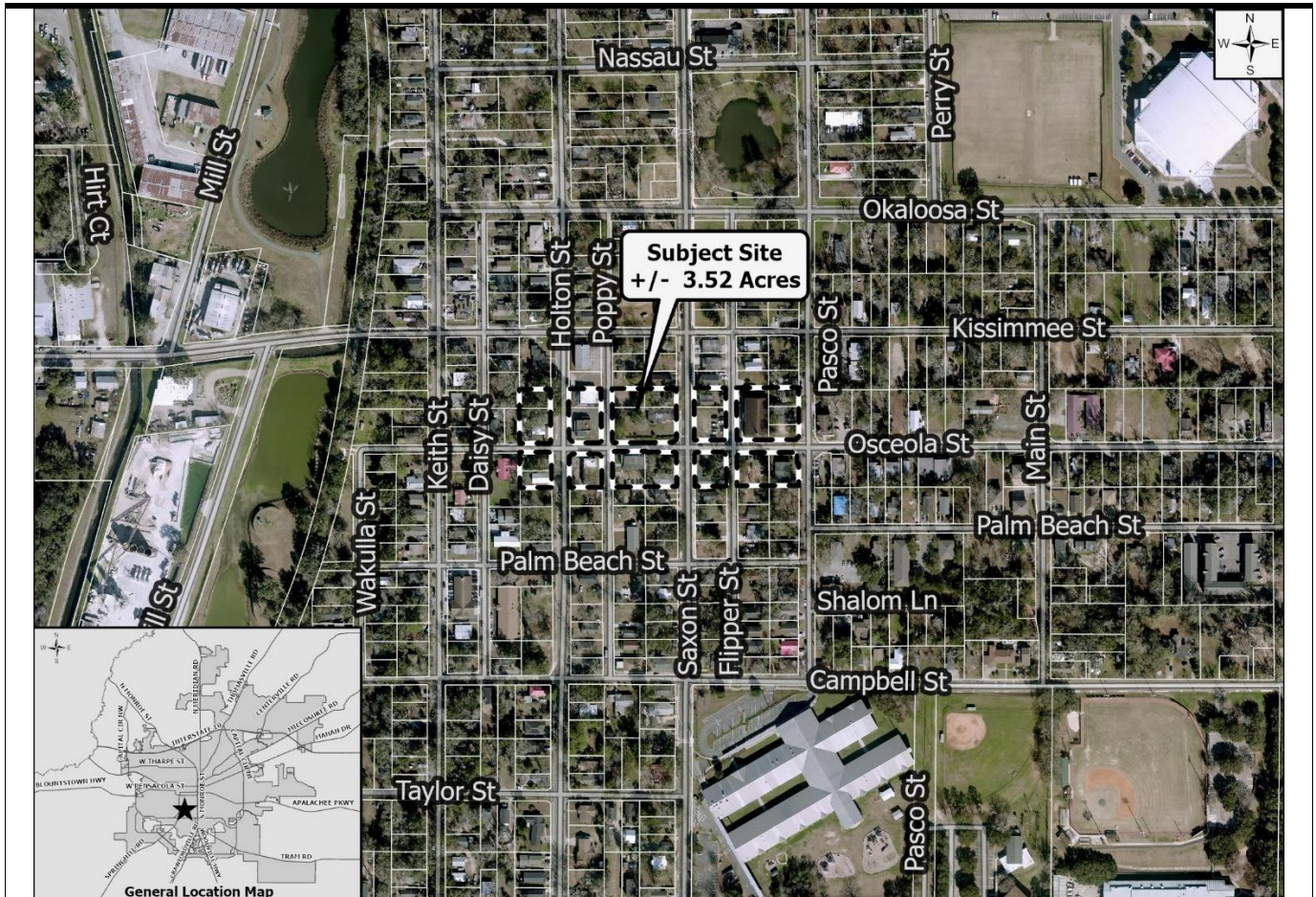
Persons who do not wish to attend the meeting in person may offer “live” comments during the meeting via a weblink or telephone dial-in connection. To register for the weblink or dial-in access, visit [www.tal.gov.com/citizeninput](http://www.tal.gov.com/citizeninput). Registration must be received by 9pm the day prior to the meeting.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting, they will need a record of the proceedings and should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Copies of said ordinance(s) may be inspected in the Office of the City Treasurer-Clerk, City Hall, 300 South Adams St, Tallahassee, Florida or by calling (850)891-8130

**ATTACHMENT #3**

**OTHER SUPPORTING  
INFORMATION**





### SUMMARY

Property Owners:	Property Location:	Amendment Type:
Various	Osceola Street from Pasco Street to Holton Street, see maps	City Small-Scale Map Amendment
<b>Applicant:</b> Tallahassee-Leon County Planning Dept.		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Stephen Hodges	<u>Future Land Use:</u> Residential Preservation <u>Zoning:</u> Residential Preservation 2	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
Stephen.Hodges@talgov.com	<u>Future Land Use:</u> Neighborhood Boundary <u>Zoning:</u> Neighborhood Boundary 1	Consistent
Date:	Updated: 2/27/24	

## **A. EXECUTIVE SUMMARY**

If approved, this map amendment would change the allowable land uses for a 3.52-acre area from low-density single family residential to low- and medium-density residential and non-residential development. The subject area is within the Multi-Modal Transportation District and the Urban Services Area. The current Future Land Use designation for this area is Residential Preservation. The proposed Neighborhood Boundary Future Land Use category is intended to create a transition area between residential development and more intensive development with neighborhood scale residential and non-residential development. The allowable density would increase from the current six (6) units per acre to 18 units per acre and 20,000 square feet of gross building floor per acre. This amendment is intended to implement recommendations from the Greater Bond Neighborhood First Plan to pursue zoning adjustments that allow for residential, commercial, and light industrial uses while preserving the character of the neighborhood in select areas, including Osceola Street.

A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Neighborhood Boundary 1 (NB-1) will implement the proposed amendment to the Future Land Use Map (FLUM).

Part of the review process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan and is detailed in Section E and F of this report. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following: 1) does the area meet the criteria for designation as Residential Preservation, 2) does the area better meet the criteria for Neighborhood Boundary. Based on staff analysis, the proposed amendment would bring several non-conforming properties into conformity with the comprehensive plan and the land development code. The proposed amendment is consistent with the Comprehensive Plan and would allow this area to become a mixed-use corridor with neighborhood scale, non-residential uses and a variety of residential uses, and would implement recommendations in the Greater Bond Neighborhood First Plan.

The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. The proposed rezoning results in a maximum gross density allowed of eighteen (18) dwelling units per acre and a maximum gross intensity 20,000 square feet per acre. Staff analysis of the proposed rezoning is that the proposed NB-1 district implements the Neighborhood Boundary FLU category and conforms to the NB-1 zoning district.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This includes neighborhood compatibility standards and other buffering and screening standards intended to protect and promote compatibility with the existing RP neighborhood.

## **B. APPLICANT'S REASON FOR THE REQUESTED CHANGE**

The proposed change implements recommendations in the Greater Bond Neighborhood First Plan and related planning efforts by the Greater Bond Community Action Team. This would allow the subject area, as identified by the Action Team, to become a mixed-use corridor with neighborhood-scale, non-

residential uses and a variety of residential uses. This change of land use and its associated zoning will bring several non-conforming properties into conformity, and those properties that currently conform to the existing land use and zoning designations would also conform under the proposed land use and zoning designations.

### **C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

### **D. STAFF ANALYSIS**

Staff finds that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

Staff finds that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

### **E. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

- Policy 2.2.3 [L] prohibits commercial land uses within the Residential Preservation land use category. A number of properties along Osceola Street are currently commercial uses and have been for many years. This designation is not appropriate for these properties in light of the neighborhood requests for increased commercial opportunities, and their historic land use and zoning regulations.
- Policy 2.2.21 [L] indicates that the Neighborhood Boundary FLU category is intended to create a transition area between residential development and more intensive development, such as higher intensity multi-family and higher intensity non-residential development. The subject area would create a section of NB adjacent to an area of the neighborhood that is designated Central Urban with CU-18 zoning, which allows a minimum of 4 and a maximum of 18 dwelling units per acre and similarly intense non-residential development. Applying the NB FLU category on the subject area would allow for a transition from CU to RP and would require additional development standards that promote compatibility with the surrounding neighborhood.
- Policy 2.2.21 [L] allows low-density residential uses including duplexes, townhomes, triplexes, and quadplexes. There are currently a number of properties in the subject areas that are considered non-conforming under Residential Preservation. These uses are consistent with the allowable uses under Policy 2.2.21 [L].

- Policy 2.2.21 [L] allows limited retail uses, among other non-residential uses. There are a number of properties in the subject area that are neighborhood-scale retail uses that are currently non-conforming uses under Residential Preservation. These uses would be consistent with Policy 2.2.21 [L].

## **F. SUMMARY OF FINDINGS**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. Staff presents the following findings of fact:

### History and Background

This map amendment would apply the Neighborhood Boundary FLU category on the Osceola Street corridor in the Greater Bond Neighborhood (Bond) to implement action items in the Greater Bond Neighborhood First Plan.

The Greater Bond Neighborhood traces its roots back to the late 1920s with the donation of a significant portion of what is now the Bond neighborhood to Benjamin J. Bond and Letitia J. Bond. Over the years this land was subdivided and sold to African American community members and the neighborhood was developed to include a mixture of residential and non-residential uses. Historically, along Osceola Street there were a number of commercial businesses including grocery stores, office uses, and warehouses. Today, several of these properties continue to have commercial uses.

With the adoption of the Tallahassee-Leon County Comprehensive Plan in the early 1990s, the zoning and land use of the properties fronting Osceola Street changed substantially. Properties that were previously zoned for Residential Mixed Use, Commercial, and Industrial uses throughout much of Bond were redesignated and rezoned to Residential Preservation, creating many non-conformities throughout the neighborhood and, especially, along Osceola Street. This application of Residential Preservation also prevented any new neighborhood-scale commercial opportunities from being developed in the majority of the Bond neighborhood.

On September 24, 2018, the Greater Bond Neighborhood Association (GBNA), after working with the City of Tallahassee Neighborhood Public Safety Initiative, adopted a Neighborhood First Plan. The plan addresses four priority areas: Community Beautification, Economic Development and Residential Empowerment, Land Use, and Neighborhood Safety and Crime Prevention. The plan identifies zoning adjustments to allow for residential, commercial, and light industrial uses while preserving the character of the neighborhood, including retaining some historic uses, as one desired outcome. The plan also indicates the neighborhood's desire to have commercial corridors, and specifically identifies Osceola Street as a street appropriate for such a corridor. This plan was adopted by the Greater Frenchtown/Southside Community Redevelopment Agency on December 13, 2018.

### Current and Proposed Future Land Use Categories

The Subject Area is currently designated Residential Preservation on the FLUM. The proposed amendment would change the FLUM designation of the area to Neighborhood Boundary. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for Residential Preservation (Policy 2.2.3 [L]) and Neighborhood Boundary (Policy 2.2.21 [L]) are included as Appendix #1.

#### ***Residential Preservation (RP) (Current)***

The Residential Preservation category is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Commercial and nearly all other non-residential land uses are prohibited.

#### ***Neighborhood Boundary (NB) (Proposed)***

The proposed Neighborhood Boundary category is intended to create a transition area between residential development and more intensive development such as higher density multi-family and higher intensity non-residential development with neighborhood-scale, mixed-use corridors including non-residential uses and a variety of residential uses where identified in a City or County coordinated placemaking, sense of place, neighborhood, or sector plan.

### **Determination for Future Land Use Map Amendment**

- 1) Does the area meet the criteria for designation as the current future land use designation of Residential Preservation?

No. The Residential Preservation future land use category prohibits commercial land uses. Several properties in the subject area are currently commercial uses and have been for many years. This designation is not appropriate for these properties in light of neighborhood requests for increased commercial opportunities and their historic land use and zoning regulations.

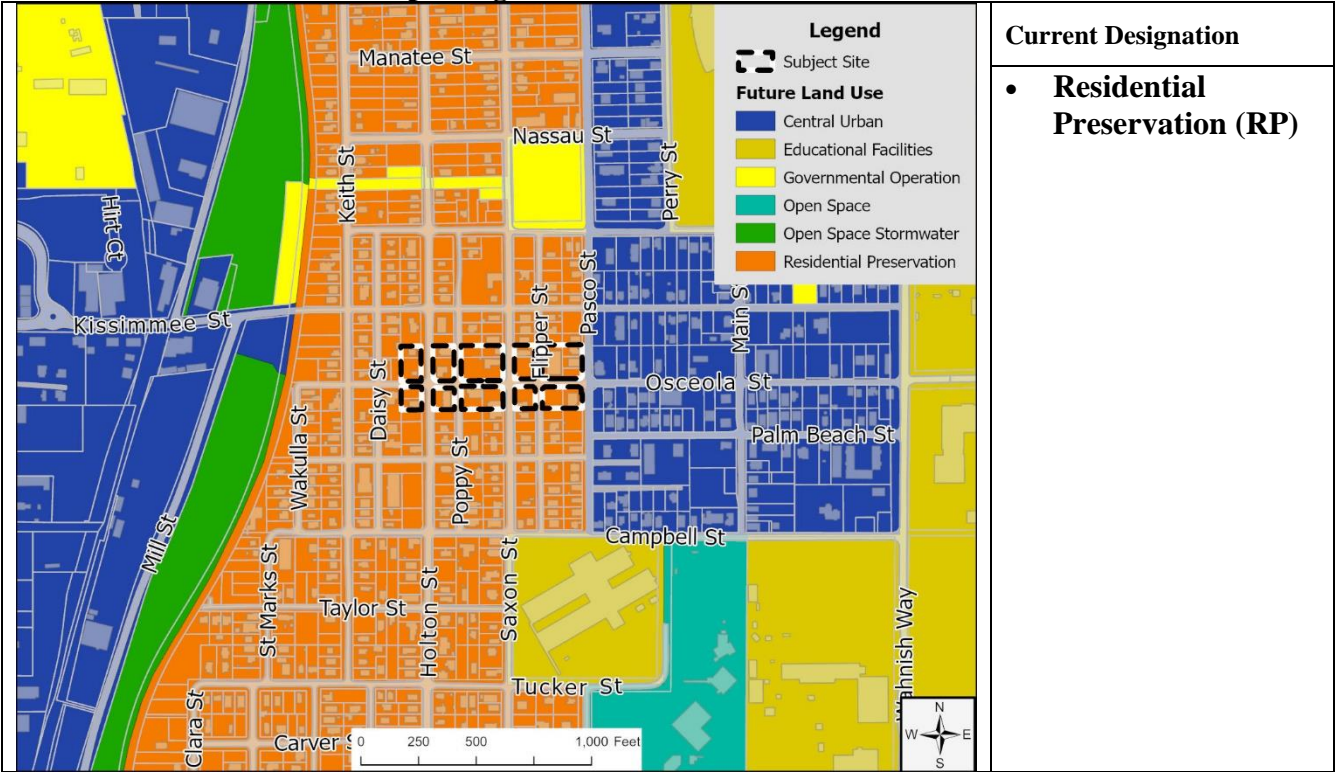
- 2) Does the area better meet the criteria for the proposed land use designation of Neighborhood Boundary?

Yes. The subject property is currently located adjacent to higher-density residential and non-residential development to the east. Several properties that are currently operating as commercial land uses would become consistent with the Comprehensive Plan and would implement recommendations in the Greater Bond Neighborhood Action Plan.

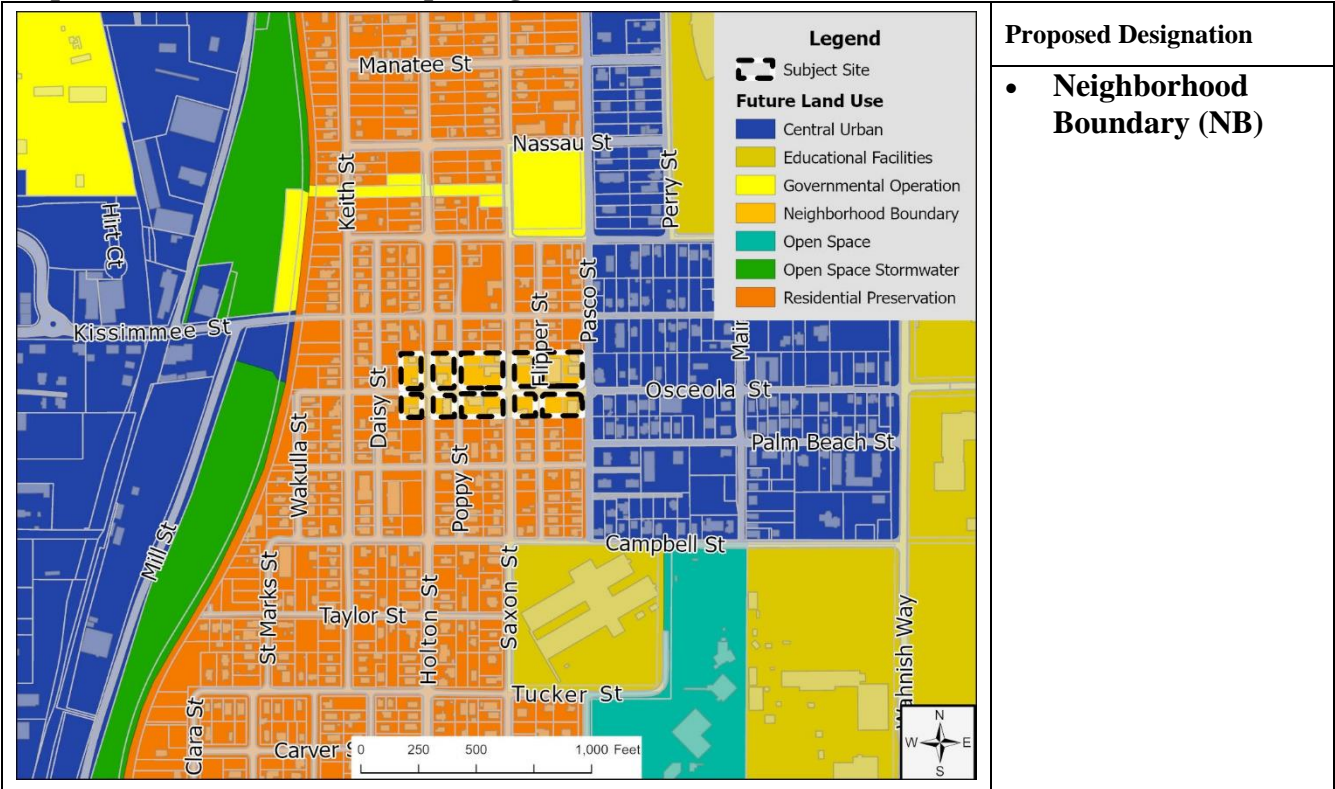
The following maps illustrate the current and proposed FLUM designations for the Subject Area.



Current Future Land Use Map Designation



Proposed Future Land Use Map Designation





### Current and Proposed Zoning

The Subject Area is currently zoned Residential Preservation 2 (RP-2). The proposed rezoning would change the zoning designation to Neighborhood Boundary 1 (NB-1) to implement the proposed underlying land use category. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for Residential Preservation 2 (RP-2) and Neighborhood Boundary 1 (NB-1) are included as Appendix #2.

#### ***Residential Preservation 2 (RP-2) (Current)***

The current zoning for the subject site, Residential Preservation 2, is intended to apply to residential development in areas designated "residential preservation" on the Future Land Use Map, preserving the low-density residential character of single-family, two-unit townhouse, and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of 6 dwelling units per acre.

#### ***Neighborhood Boundary 1 (NB-1) (Proposed)***

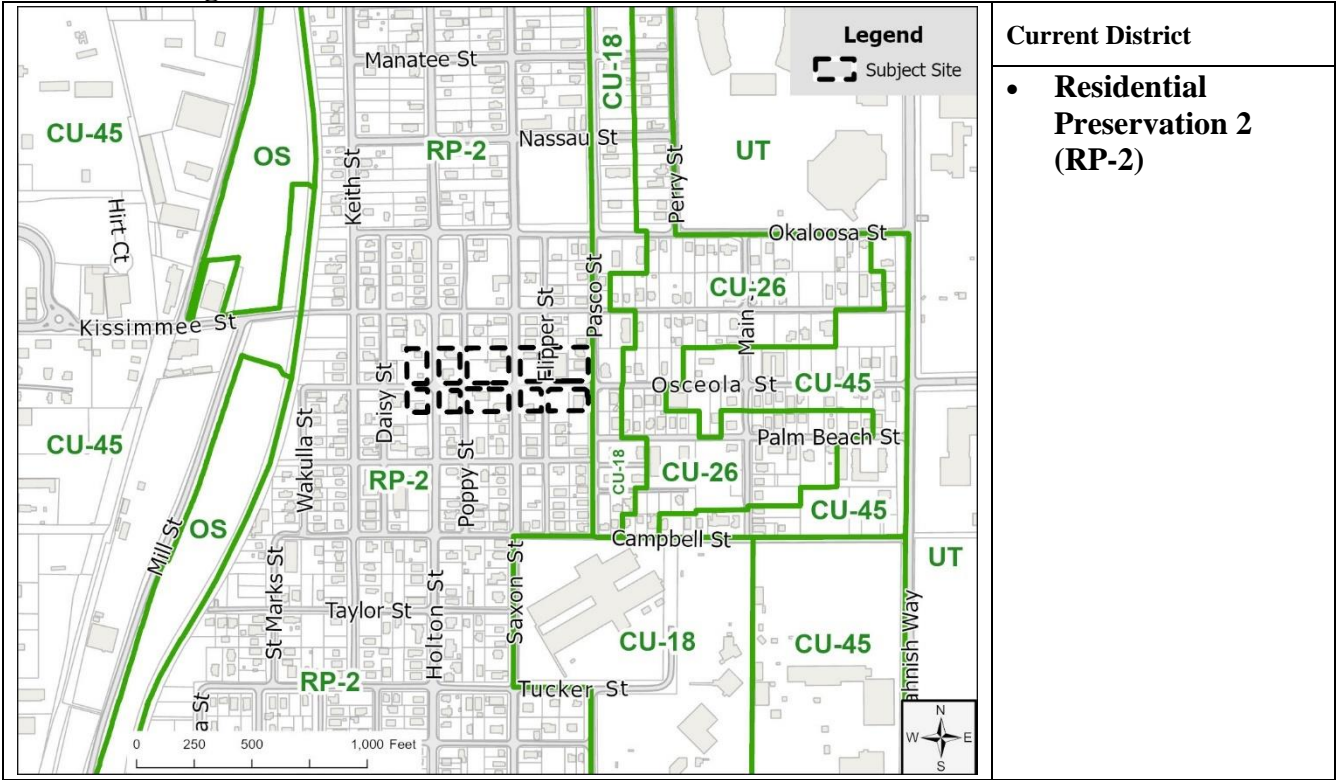
The proposed zoning is intended to be located in areas designated as Neighborhood Boundary on the FLUM and within the Multi-Modal Transportation District. The NB-1 district is designed to allow low- and medium-density residential, and non-residential development scaled to serve the surrounding neighborhood such as limited retail, office, and community services. To prevent negative impacts from increased vehicular traffic, auto-oriented uses, such as gas stations or drive-through facilities are prohibited. The maximum gross density allowed for new residential development in the NB-1 district is eighteen (18) dwelling units per acre. The maximum gross intensity allowed for new non-residential development is 20,000 square feet per acre.

### **Determination for Concurrent Rezoning**

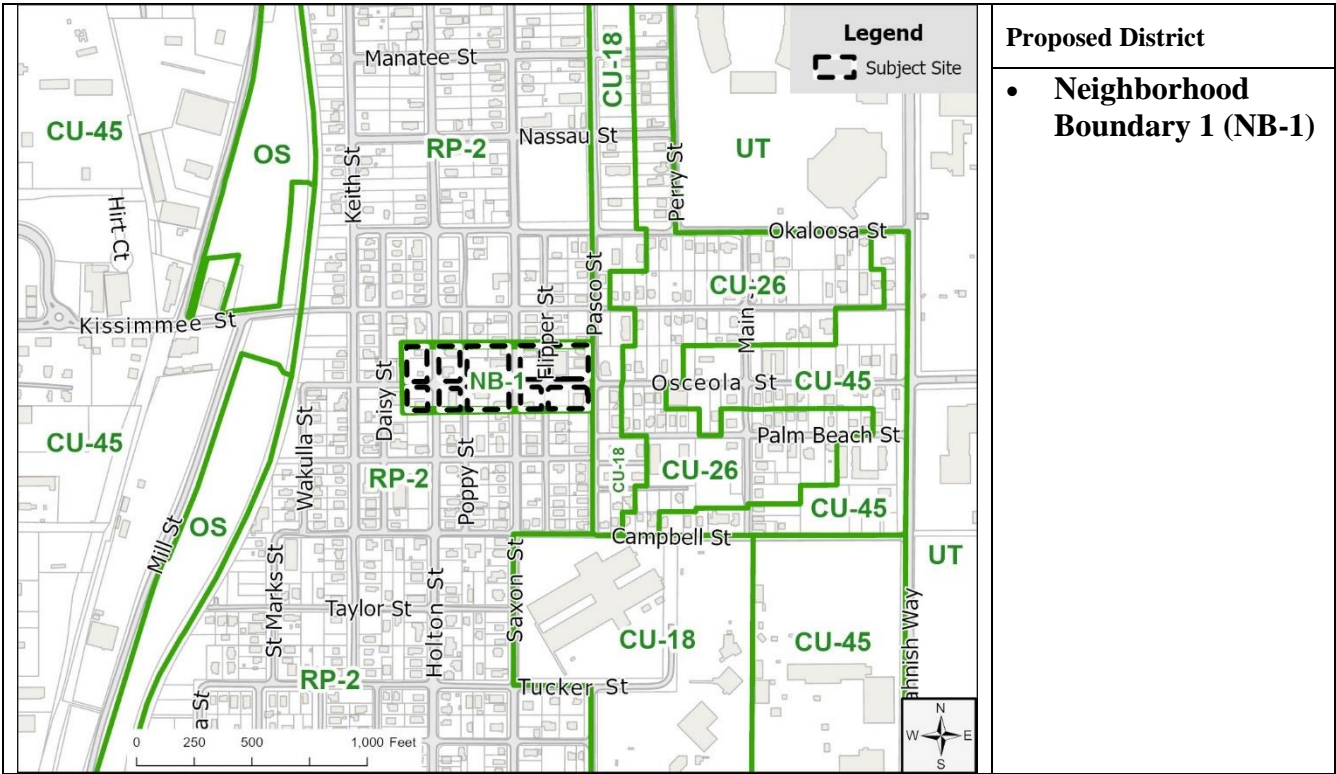
Provided the requested Future Land Use Map amendment is approved, the proposed NB-1 district implements the Neighborhood Boundary FLU category and conforms to the NB-1 zoning district. The NB-1 zoning will establish mixed-use corridors or nodes with neighborhood scale, non-residential uses and a variety of residential uses where identified in a City coordinated Placement, Sense of Place, Neighborhood, or Sector Plan.

The following maps illustrate the current and proposed zoning for the Subject Site.

Current Zoning



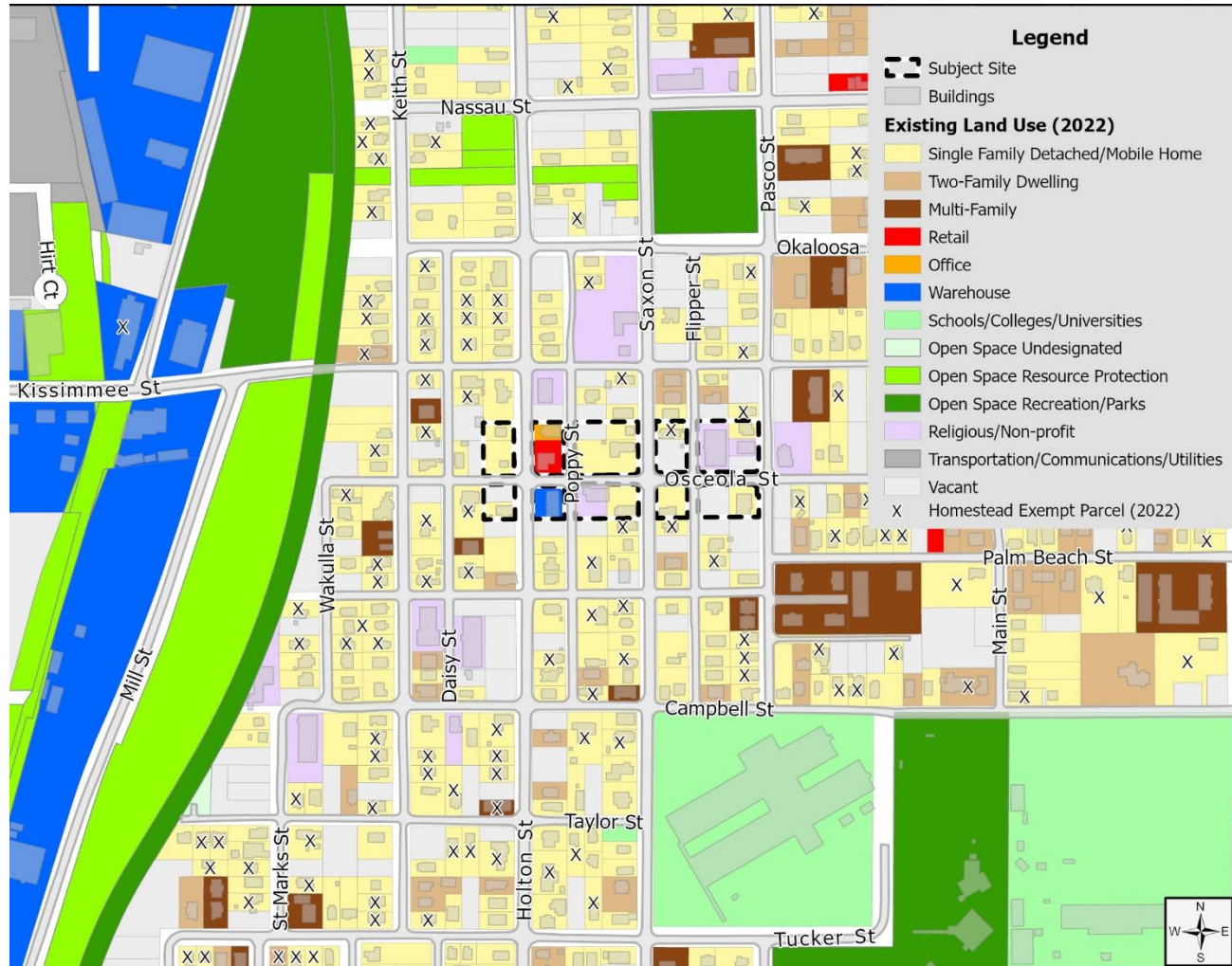
Proposed Zoning



### Compatibility with Adjacent and Surrounding Uses

As indicated in the following map, the existing land uses on the 21 parcels comprising approximately 3.52 acres in the Bond Neighborhood are varied. Ten parcels are residential, three (3) are commercial, three (3) are religious/non-profit, and five (5) parcels are vacant.

### **Existing Land Use Map**



Residential Preservation Analysis

Policy 2.2.3 of the Land Use Element includes a set of criteria that properties should generally meet to be included in the Residential Preservation Land Use Category.

A) Existing land use within the area is predominantly residential.

**Analysis:** The land use within the subject area is predominantly residential, with 10 of 21 parcels identified with residential uses. Only one parcel is identified as owner occupied. There are a number of non-residential properties as well as vacant properties within the subject area. To the east of the subject area, allowed density increases from 18 DU/acre to 26 DU/acre, to 45 DU/acre.

B) Majority of traffic is local in nature.

i) Predominance of residential uses front on local streets.

**Analysis:** The subject area contains residential uses that front on Osceola Street, a minor collector, as well as local streets. The majority of residential uses front on local streets. Non-residential uses front on minor collectors.

ii) Relatively safe internal mobility.

**Analysis:** Osceola Street has a back of curb sidewalk on the north side of the street in the subject area. The local streets are mixed, some with segments of sidewalk and some without. Painted crosswalks exist at some intersections. Several segments of other streets in the Some facilities exist, but safety improvements are needed.

C) Densities within the area generally are six (6) units per acre or less.

**Analysis:** The average density for the ten residential properties in the subject area is 5.81 units per acre.

D) Existing residential type and density exhibits relatively homogeneous patterns.

**Analysis:** The residential properties in subject area are within the allowable density, but the area does not exhibit relatively homogenous patterns. Of the 21 parcels included in the subject area, 10 are residential uses, while the other 11 are commercial, warehouse, religion/non-profit, or vacant.

E) Assessment of stability of the residential area, including but not limited to:

I) Degree of home ownership.

**Analysis:** Homestead exemptions are a strong indicator of home ownership. There are 21 parcels in the subject area, and ten parcels are currently in residential land use. Only one of those parcels is identified as homestead exempt.

ii) Existence of neighborhood organizations.

**Analysis:** The Bond neighborhood has an active neighborhood association which has undertaken neighborhood planning efforts. This amendment would implement the planning efforts by this neighborhood associations.

**Conclusion:** The subject area is adjacent to residential preservation areas but does not meet the criteria for residential preservation themselves.

### Infrastructure Analysis

#### *Water/Sewer*

The subject area is served by City of Tallahassee potable water and sewer.

#### *Schools*

The Subject Area is zoned for Bond Elementary School, R. Frank Nims Middle School, and Leon High School. School capacity issues were not identified for the proposed land use map amendment and concurrent rezoning. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

#### *Roadway Network*

The subject area is served by Wahnish Way and Orange Ave, both major collectors, and Osceola, Holton, and Saxon Streets, all minor collectors. Transportation system issues were not identified for the proposed land use map and concurrent rezoning.

Consistent with the requirements in the Leon County and/or City of Tallahassee Land Development Code, final transportation concurrency calculations will be conducted when a site plan for proposed development is submitted. The actual traffic impacts and concurrency will be calculated at the time of site plan review.

#### *Pedestrian and Bicycle Network*

The majority of the street segments in the subject area in Bond do not have sidewalks. Osceola Street has sidewalk facilities on the north side of the road. Several segments of other streets in the subject area have sidewalks, but many do not. Holton Street, Saxon Street, and Osceola Street are rated “Medium Comfort” by the Bike Tallahassee Network. No other streets in the subject area are rated.

*Transit Network*

The subject area is served by the Moss StarMetro Route during the week and on Saturdays. The route runs every 30 minutes during the week during peak times, and every 60 minutes during off-peak times and on Saturdays and Sundays. There are numerous stops throughout the subject area.

Environmental Analysis

The subject area is located within the Lake Munson Basin. There are no sensitive environmental features in the subject area. Any future redevelopment of the area would follow the site plan review process. This process includes an analysis of environmental features and cultural resources.

**G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES**

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

<b>Permitted Uses- Future Land Use</b>	<b>Current Residential Preservation</b>	<b>Proposed Neighborhood Boundary</b>
Residential	6 units/acre	18 units/acre
Single-Family Detached	X	X
Single-Family Attached	X	X
Two-Family Dwellings	X	X
Multi-Family Dwellings		X
Community and Recreational Facilities	X	X
Commercial Goods and Services		X
Mixed-Use Development		X
Office		X

<b>Permitted Uses- Zoning</b> (See Zoning Charts in Appendix #2 for detailed uses)	<b>Current Residential Preservation 2 (RP-2)</b>	<b>Proposed Neighborhood Boundary 1 (NB-1)</b>
Residential	6 units/acre	18 units/acre
Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X
Multi-Family Dwellings		X



<b>Permitted Uses- Zoning</b> (See Zoning Charts in Appendix #2 for detailed uses)	<b>Current Residential Preservation 2 (RP-2)</b>	<b>Proposed Neighborhood Boundary 1 (NB-1)</b>
Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools	X	X
Daycare Centers		X
Passive and Active recreational facilities	X	X
Limited Retail and Service		X
Banks and other financial institutions- drive through facilities prohibited		X
Offices, with some restrictions		X

## H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 640 property owners within 1,000 feet of Subject Site.

<b>Public Outreach</b>		<b>Date Completed</b>
X	Applications posted to Planning Website	November 1, 2023
X	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	November 10, 2023
X	Signs providing details of proposed land use posted on subject site	November 16, 2023
X	Public Open House	December 7, 2023
X	Staff Reports Available Online ( <a href="#">hyperlink</a> )	February 1, 2024
X	Email Subscription Notice sent to all users of service	4/7/23 8/29/23 10/27/23
X	Legal Ads posted	December 29, 2023 January 16, 2024

**Public Open House** – A public open house for the 2024 Comprehensive Plan Amendment Cycle was held on December 7, 2023 from 5:30 p.m. to 7:00 p.m. in the 2<sup>nd</sup> Floor Conference Room at the Renaissance Center. There were several citizens who had questions for staff on this amendment. Their major concerns included the genesis of the amendment, the potential impacts of the proposed

amendment on existing land uses in the subject area, and the potential for investors and developers to change these land uses if the amendment is adopted.

I. 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 Meetings		Date Completed
X	Local Planning Agency Workshop	January 17, 2024
X	Local Planning Agency Public Hearing	2/6/24
	City Commission Adoption and Transmittal Hearing	4/10/24

**Local Planning Agency Workshop** – A Local Planning Agency workshop for the 2024 Comprehensive Plan Amendment Cycle was held on January 17, 2024 from 9:00 a.m. to 10:00 a.m. in the 1st Floor Growth Management Conference Room at the Renaissance Center. The Local Planning Agency discussed the effect of the change on existing uses such as churches and the masonic lodge, non-conforming uses, potential for multi-family development, potential for affordable housing, and the potential for community uses, like a Bond neighborhood resource center, that support nearby residents. Staff indicated that the amendment would not impact churches or the masonic lodge and would not render any uses non-conforming. Housing types allowed would include single-family attached and detached, two-family dwellings, triplexes, and quadraplexes. Future uses that are allowed, such as multi-family residential and community uses, would require further consideration through the City’s development review process in Growth Management.

**Local Planning Agency Public Hearing** – A Local Planning Agency public hearing for the 2024 Comprehensive Plan Amendment Cycle was held on February 6, 2024 from 6:00 p.m. to 8:00 p.m. in the 2nd Floor Development Support and Environmental Management Conference Room at the Renaissance Center. Three citizens spoke to the Commission concerning this agenda item. They expressed questions about the allowable uses if the amendment and rezoning are approved, and when department would review any development plans and issue permits.

J. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning
- Appendix #3: Photos of signs providing details of proposed land use and zoning changes posted on subject site

## **APPENDIX 1 - Comprehensive Plan policies relevant to the proposed amendment**

### ***Policy 2.2.3: [L]***

RESIDENTIAL PRESERVATION (EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
  - a) Predominance of residential uses front on local street
  - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
  - a) Degree of home ownership
  - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of

transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas.

The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

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

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 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 expanding or redeveloping light industrial uses and 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 uses shall 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.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential

development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single-family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single-family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

<b><u>Existing land use character of the subdivision</u></b>	<b><u>Gross residential density</u></b>
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to <u>townhomes and duplexes</u> )	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

***Policy 2.2.21: [L]***

**NEIGHBORHOOD BOUNDARY** (EFF. 7/25/03; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 11/26/20)

*Intent:* This future land use category is intended to create a transition area between residential development and more intensive development such as higher density multi-family and higher intensity non-residential development while still preserving roadway capacity through access management practices. Where identified in a City or County coordinated placemaking, sense of place, neighborhood, or sector plan, this future land use category may also be used to establish mixed-use corridors, or nodes, with neighborhood-scale, non-residential uses and a variety of residential uses.

*Allowable Uses:* Low-density residential including duplexes, townhomes, triplexes, and quadplexes; and non-residential development scaled to serve the surrounding neighborhood such as limited retail, offices, bed and breakfast inns and community services. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. The use must not cause excessive traffic, noise, light, odor, or dust impacts. Auto-oriented uses, such as gas stations or any other use having driven-through facilities, are not allowed in order to protect neighborhoods from any negative impacts associated with increased vehicular traffic.

*Intensity/Density:* Density and intensity standards for residential and non-residential development shall be established within the implementing zoning district's development standards. In no case shall the maximum density established exceed eighteen (18) dwelling units per acre. Non-residential structures are permitted up to a maximum of 20,000 square feet of gross building floor area per acre.

*Design Standards:* The land development regulations shall establish design standards to promote compatibility with adjacent residential development.

*Location and Orientation:* The location of this land use category shall either serve as a buffer between residential development and more intensive development or to establish mixed-use corridors, or nodes, with neighborhood-scale, non-residential uses and a variety of residential uses where identified in a City or County coordinated placemaking, sense of place, neighborhood, or sector plan. Those properties currently within the Lake Protection land use category may not be amended to the Neighborhood Boundary land use category.

*Access Management:* The land development regulations shall specify specific vehicular access management requirements that will serve to mitigate possible negative impacts to roadways associated with the implementation of this category



**APPENDIX 2 - Land Development Code sections relevant to the proposed amendment and/or rezoning**

***Tallahassee Land Development Regulations***

**Sec. 10-170. Residential Preservation District**

- (a) *Purpose and Intent.*
  - (1) The district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited (Certain non-residential activities may be permitted as home occupations--See article VII of this chapter, Supplementary Regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted within a range of zero (0) to six (6) units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. No development in the residential preservation district shall be permitted which violates the provisions of Policy 2.1.1 of the Future Land Use Element of the 2010 Comprehensive Plan.
  - (2) For Residential Preservation areas outside the Urban Service Area the density of the non-vested development in residential preservation area shall be consistent with the underlying land use category: no more than one (1) unit per ten (10) acres in the Rural category; no more than one (1) dwelling unit per acre (clustered) or one (1) dwelling unit per three (3) acres (not clustered) in the Urban Fringe category. The Residential Preservation land use category is divided into five (5) zoning districts based upon existing development patterns and service provision:
    - a. RP-1;
    - b. RP-2;
    - c. RP-MH;
    - d. RP-UF; and
    - e. RPR.
  - (3) The intent of the districts listed in subsections (2) a. through e. of this section are as follows:
    - a. The RP-1 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre.
    - b. The RP-2 District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of single-family, two-unit townhouse, and

duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six (6.0) dwelling units per acre.

- c. The RP-MH District is intended to apply to residential development in areas designated "Residential Preservation" on the Future Land Use Map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six (6.0) dwelling units per acre.
  - d. The RP-UF District is intended to apply to residential development in areas designated as both "Urban Fringe" and "Residential Preservation" on the Future Land Use Map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, one (1.0) dwelling unit per acre (net) for clustered developments on unplatted lots, or one (1.0) unit per three (3) acres, for all other developments.
  - e. The RP-R District is intended to apply to residential development in areas designated as both "Rural" and "Residential Preservation" on the Future Land Use Map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of three and six-tenths (3.6) dwelling units per acre in platted subdivisions, or one (1.0) dwelling unit per ten (10) acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable Uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the Land Use Development Standards of this chapter, the Comprehensive Plan and Schedules of Permitted Uses.
- (1) Low Density Residential
  - (2) Passive Recreation
  - (3) Active Recreation
  - (4) Community Services
  - (5) Light Infrastructure
- (c) *List of Permitted Uses.* See Schedules of Permitted Uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the Standard Industrial

Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and Special Exception Uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.

- (d) *Development Standards.* All proposed development shall meet the Land Use Development Criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the Land Development Standards Schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).

SECTION 10-241 RESIDENTIAL PRESERVATION

ALLOWABLE USES: APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL STANDARDS

P PERMITTED USE

S SPECIAL EXCEPTION

R RESTRICTED USE

SIC CODE	RESIDENTIAL PRESERVATION - 2 NAME OF USE	LAND USE TYPE				
		LR	PR	AR	CS	LI
	<b>RESIDENTIAL</b>					
	Dwelling, One-Family	P				
	Dwelling, Two-Family	P				
	(Rooming Houses are prohibited)					
	Dwelling, 2-Unit Townhouses	P				
	<b>SERVICES</b>					
821	Elementary and secondary schools				S	
866	Religious Organizations				S	
	<b>RECREATION</b>					
	Hiking and Nature Trails		P			
	Picnicking		P			
	Canoe Trails		P			
	Bicycle Trails		P			
	Horseback Riding Trails		P			
	Tot Lots			P		
	Court Sports			R		
	Field Sports			R		
	<b>PUBLIC ADMINISTRATION</b>					
	Police Protection				S	
	Fire Protection				S	
	Public Order and Safety				S	

LEGEND

LR = LOW DENSITY RESIDENTIAL

PR = PASSIVE RECREATION

AR = ACTIVE RECREATION

CS = COMMUNITY SERVICES

LI = LIGHT INFRASTRUCTURE

DEVELOPMENT TYPE				
RESIDENTIAL PRESERVATION-2	SINGLE FAMILY & 2 UNIT-TOWNHOUSE RESIDENTIAL UNITS NON-CLUSTERED	SINGLE FAMILY RESIDENTIAL UNITS CLUSTERED	DUPLEX RESIDENTIAL UNIT NON-CLUSTERED	COMM. SERVICES; ACTIVE REC.; PUBLIC, PRIMARY & SECONDARY SCHOOLS
MINIMUM SETBACKS (FT)				
Front Yard		Perimeter Setback		
Building	15	25	20	25
Parking	—	—	—	20
Corner Yard		Perimeter Setback		
Building	15	25	20	25
Parking	—	—	—	20
Interior Side Yard		Perimeter Setback		
Building*	7.5	15	7.5	20
Parking	—	—	—	20
Rear Yard		Perimeter Setback		
Building	25	25	25	25
Parking	—	—	—	10
MAXIMUM % OF IMPERVIOUS SURFACE AREA	40	40 (of net area)	40	40
MAX. HEIGHT FEET	35	35	35	35
	7,260 SQ. FT. AVG OF ALL LOTS CREATED WITH A MINIMUM LOT SIZE OF NO LESS THAN 6,000 SQ. FT.	THE NET DENSITY OF THE PROJECT SITE (CLUSTERED) DEVELOPMENT AND REQUIRED OPEN SPACE) MAY BE NO GREATER THAN 3.6 UNITS PER ACRE	14,520 SQ. FT AVG OF ALL LOTS CREATED WITH A MINIMUM LOT SIZE OF NO LESS THAN 7,500 SQ. FT.	1/2 ACRE
MIN. LOT AREA (ACRES)				
MINIMUM LOT FRONTAGE (FEET)	15	15	15	—

\* Zero-lot line construction permitted along common wall of townhouse dwelling units.

## NB-1 Neighborhood Boundary 1

1. District Intent	PERMITTED AND PROHIBITED USES		
	2. Principal Uses	3. Prohibited Uses	4. Accessory Uses
<p>The Neighborhood Boundary 1 (NB-1) district is intended to be located in areas designated as Neighborhood Boundary on the Future Land Use Map of the Comprehensive Plan and only within the Multi-Modal Transportation District. NB-1 districts shall either serve as a buffer between residential development and more intensive development, or be used to establish mixed-use corridors, or nodes, with neighborhood-scale, non-residential uses and a variety of residential uses where identified in a City coordinated Placemaking, Sense of Place, Neighborhood, or Sector Plan.</p> <p>The NB-1 district is designed to allow low- and medium-density residential, and non-residential development scaled to serve the surrounding neighborhood such as limited retail, office, and community services. To prevent negative impacts from increased vehicular traffic, auto-oriented uses, such as gas stations or drive-through facilities are prohibited.</p> <p>The maximum gross density allowed for new residential development in the NB-1 district is eighteen (18) dwelling units per acre. The maximum gross intensity allowed for new non-residential development is 20,000 square feet per acre. Building footprints for non-residential uses shall be limited to 5,000 gross square feet.</p> <p><b>Development within the NB-1 zoning district shall comply with all standards applicable to Transect 3 (T3) of the MMTD Code and the additional Development Standards contained in note 5 herein.</b></p>	<ol style="list-style-type: none"> <li>Offices, except those expressly prohibited.</li> <li>Limited retail and service – the below uses are permitted: <ol style="list-style-type: none"> <li>Antique shops</li> <li>Laundromats, laundry and dry-cleaning pick-up stations</li> <li>Mailing services</li> <li>Personal services (barber shops, fitness clubs, etc.)</li> <li>Repair services, non-automotive</li> <li>Restaurants without drive-through facilities</li> <li>Retail bakeries, drug stores, florists, food and grocery, home/garden supply/hardware without outdoor storage, newsstand/books/greeting cards</li> <li>Studios for photography, music, art, drama, and voice</li> <li>Tailoring</li> </ol> </li> <li>Banks and other financial institutions, without drive-through facilities</li> <li>Community facilities related to the permitted principal uses including libraries, religious facilities, and police/fire stations. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</li> <li>Residential: <ol style="list-style-type: none"> <li>Single-family attached dwellings, not to exceed four attached units</li> <li>Single-family detached dwellings</li> <li>Two-family dwellings</li> <li>Triplexes</li> <li>Fourplexes</li> <li>Live-work</li> </ol> </li> <li>Daycare centers</li> <li>Recreational clubs and lodges, including assembly halls</li> <li>Passive and active recreation facilities</li> <li>Other uses which, in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district. Noise and lighting impacts shall be considered when determining the eligibility of additional land uses.</li> </ol>	<p>The following uses are prohibited in this zoning district:</p> <ol style="list-style-type: none"> <li>Cocktail lounges, night/dance clubs, and bars</li> <li>Retail package liquor</li> <li>Bail bond agencies/offices</li> <li>Warehouses, mini-warehouses, and self-storage</li> <li>Heavy industrial and light industrial uses</li> <li>Crematoriums</li> <li>Commercial dog kennels</li> <li>Pawn shops</li> <li>Firing ranges</li> <li>Drive-through facilities</li> <li>Rooming houses</li> <li>Motor vehicle fuel sales</li> <li>Pet daycare centers</li> <li>Veterinary services</li> <li>Payday loan offices</li> <li>Automotive repair</li> <li>Car wash</li> <li>Privately owned off-street parking as the sole use</li> <li>Outdoor storage</li> </ol>	<p>(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>
<b>5. Development Standards in addition to the MMTD</b>			
<ol style="list-style-type: none"> <li><i>Setback and Alternate Non-residential Setback:</i> <ol style="list-style-type: none"> <li>The default front setback in T3 is a minimum of 15 feet from the property line. If the criteria listed below are met, an alternate front setback of 15 feet from the back of the curb is allowed for new non-</li> </ol> </li> </ol>			



residential development (see Figures a and b):

1. The space between the back of the landscape strip and the face of the building is a continuously paved area with a consistent sidewalk pattern that includes two components. First, it has a minimum 6, 8, or 10-foot sidewalk between the landscape strip and the property line, depending on whether the adjoining road is functionally classified as a local, a collector, or an arterial road, respectively. Second, it has an adjacent 3-foot paved area between the property line and the face of the building.
- b. Sites with multiple frontages do not require a front setback deviation for additional frontages if the primary frontage meets the required front setback. This exemption does not apply to corner lots.

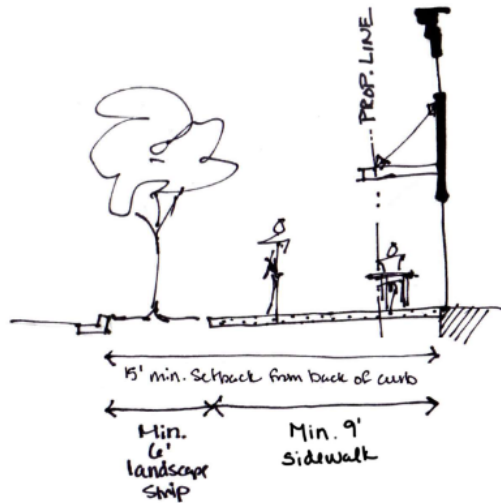


Figure a.

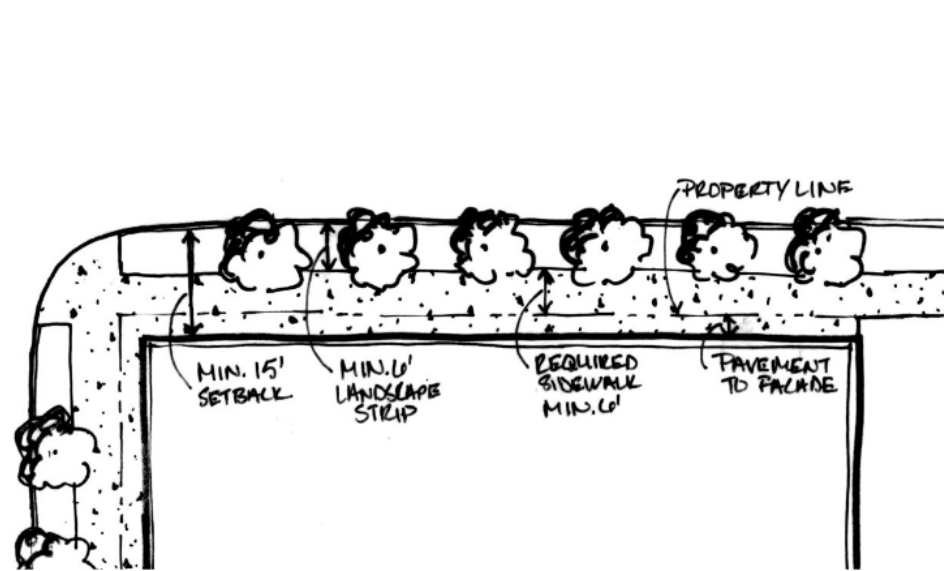


Figure b.

2. Entryways:

- a. At least one entryway shall be located on the front façade, parallel to the street. Street-facing entries for dwelling units in a duplex, triplex, or fourplex shall be clustered or shared (see Figure C). A dedicated and direct pedestrian path shall be provided from the front entrance to the public sidewalk or street where there is no sidewalk (see Figure d). Driveways do not qualify as a direct pedestrian connection.

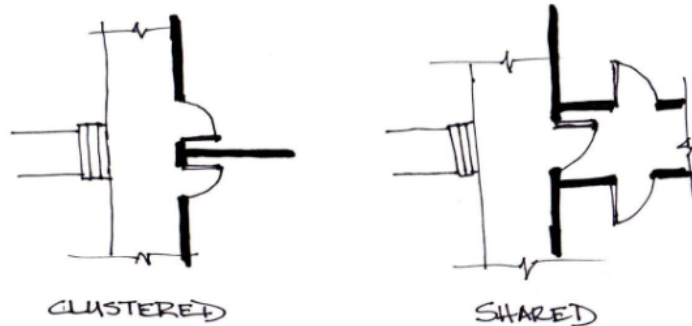


Figure c.

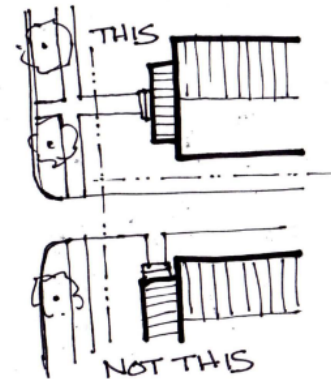


Figure d.

### 3. Lighting Criteria:

Exterior lighting shall include any light source outside a building whether freestanding or on its own pole, attached to a structure, or underneath a roof of an open-sided building and shall meet the following criteria:

- a. For natural quality, lighting elements shall provide full spectrum light to prevent color distortion.
- b. Light overspill onto adjacent properties shall be minimized by a combination of placement of light fixtures, mounting height, natural or artificial barriers on the fixture owner's property, shielding of the light source to direct light onto the surface to receive illumination, and other fixture design features. When abutting existing residential uses, lighting shall not exceed zero point five (0.5) footcandles as measured at the property line six (6) feet above grade.
- c. Motion detector activated lights are permitted and are required to cycle off after five (5) minutes.
- d. Fixtures shall provide evenly zero point five (0.5) foot-candles at street level and at walkways, bike paths and parks. The light level at parking lots shall be no less than zero point four (0.4) foot-candles and no greater than one (1) foot-candle.
- e. Light fixtures in parking lots shall be a maximum of 18 feet in height. Light fixtures along pedestrian walkways shall be a maximum of 12 feet in height.
- f. The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.
- g. The use of internally illuminated awnings or canopies, and wall and roof mounted floodlights or spot-lights used for general grounds illumination, is prohibited.
- h. Up lighting is prohibited except when used to accent landscaping.
- i. All exterior lighting shall be full cutoff type (i.e., directed downward and capped), shall be recessed and shielded to conceal the light source, and shall be either LED or metal halide lamps.
- j. Emergency lighting and traffic control lighting are exempt from these standards.
- k. Applications for non-residential and multi-family developments shall be accompanied by a photometric plan and manufacturer's cut sheets to demonstrate compliance with these standards.

### 4. Access Management and Parking Location:

- a. For non-residential properties on corner lots or with multiple frontages, vehicular access shall be limited to the secondary frontage unless the vehicular access along the primary frontage is shared by multiple properties.
- b. New development of multiple lots shall require shared driveway access and provide access easements to adjacent properties. If there is an existing access easement with the adjacent property, the development shall utilize the easement.
- c. Driveways serving single-family homes and duplexes shall not exceed ten (10) feet in width (not including the driveway apron – see Figure e).
- d. Walls of residential garages and carports shall be setback from the principal façade at least four (4) feet. Porches do not qualify as the principal façade (see Figure e).
- e. Residential front-loading garages and carports shall be setback a minimum of 20 feet from the front property line (see Figure e).

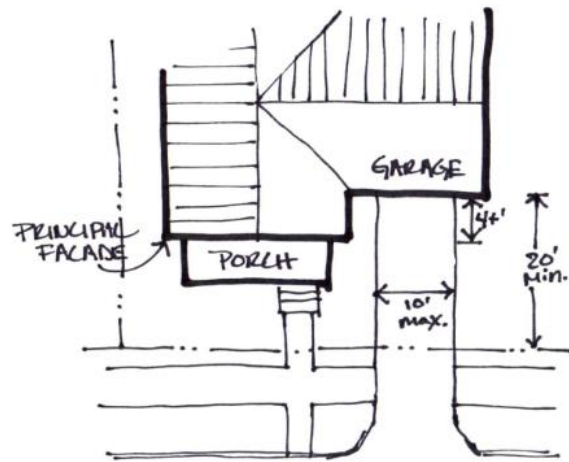


Figure e.

5. *Fencing and Perimeter Walls, Buffering and Screening Requirements:*

- a. Prohibitions. Barbed wire, razor wire, and electric fencing are prohibited. Chain link fencing is not permitted for non-residential uses within view of the public right-of-way.
- b. Height. Fences and perimeter walls shall not exceed six (6) feet in height. Fences within the first layer shall not exceed four (4) feet in height.
- c. Required Screening. Non-residential uses shall provide an opaque six (6)-foot fence at the property line shared with any residential use, except that the fence shall not be located any closer than 15 feet to the front or street side property line. The finished side of the fence shall face the residential property.

6. *Solid Waste Restrictions:*

For new non-residential uses, roll out solid waste containers are required and shall not be placed within the first or second layer or within 30 feet of an adjoining existing residential use. Roll out solid waste containers shall be screened from view from any adjacent right-of-way. Dumpsters shall be prohibited.

7. *Neighborhood Character and Architectural Design*

- a. All roofs for principal structures in residential development shall be hipped or gabled (see Figure f).

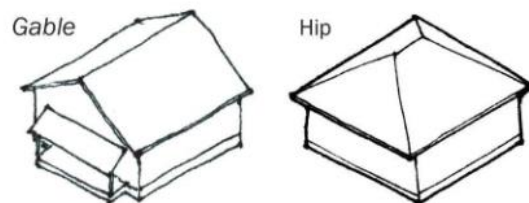


Figure f.



**APPENDIX 3 - Photos of signs providing details of proposed land use and zoning changes posted on subject site**





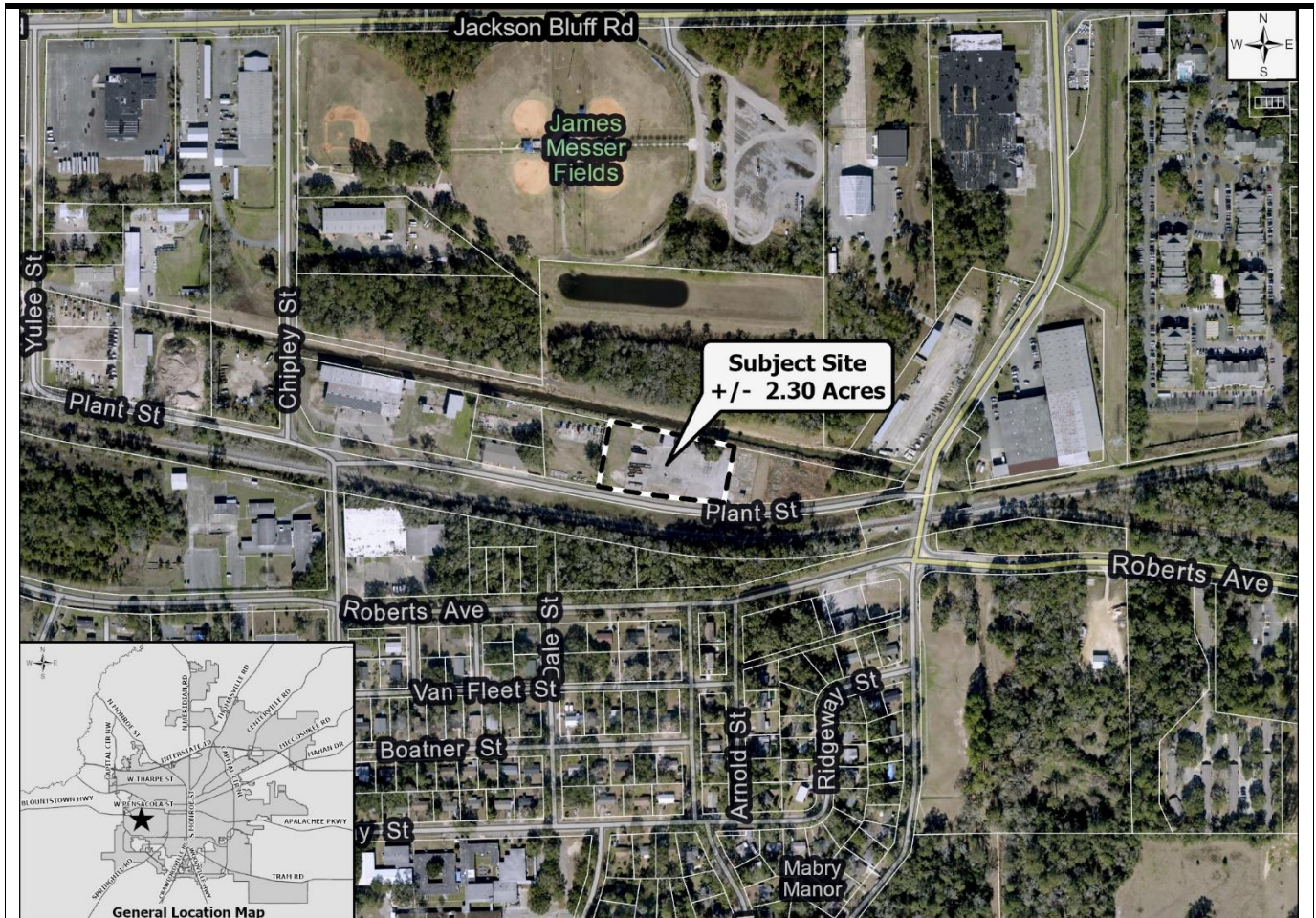












### SUMMARY

Property Owners:	Property Location:	Amendment Type:
BANNERMAN OPP FUND, LLC	2600 Plant Street	City Small Scale Map Amendment
Applicant:		
BANNERMAN OPP FUND, LLC		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Jacob Fortunas	Future Land Use: Government Operational Zoning: Light Industrial (M-1)	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
Jacob.Fortunas@talgov.com 850-891-6418	Future Land Use: Suburban Zoning: Light Industrial (M-1) (no change)	Consistent
Date: 11/30/2023	Updated: 02/27/2024	

## **A. EXECUTIVE SUMMARY**

If approved, this map amendment would change the allowable land uses for a parcel of land totaling 2.3 acres at 2600 Plant Street. The existing Future Land Use Map (FLUM) designation of this parcel is Government Operational. The proposed amendment would change the FLUM designation to Suburban (SUB)

Part of the review process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. Reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested.

Included in this consideration are the following:

- 1) Does the area meet the criteria for designation as Government Operational?
- 2) Does the area better meet the criteria for Suburban?

If the Land Use changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This includes neighborhood compatibility standards and other buffering and screening standards.

## **B. APPLICANT’S REASON FOR THE REQUESTED CHANGE**

The applicant states that they seek this land use change to implement uses consistent with surrounding light industrial uses, as allowed by the current zoning, but disallowed by the existing FLUM designation. This amendment follows the applicant’s August 2022 acquisition of the property from the Leon County School Board resulting in publicly owned property becoming privately owned.

## **C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

## **D. STAFF ANALYSIS**

Staff finds that the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

## **E. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

1. The Suburban Land Use Category defined by Policy 2.2.5 [L] can be implemented through the existing zoning category of Light Industrial (M-1). This zoning category is congruent with existing adjacent land uses.
2. Policy 2.2.16 [L] states that the Government Operational category contains facilities which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure and Post-Secondary, that provide for the operation of and provision of services of properties owned by local, state and federal government.

Local, state, and federal governments do not own or operate the property; therefore, the current land use does not meet the intended application to public lands as prescribed in Policy 2.2.16 [L].

## **F. SUMMARY OF FINDINGS**

Staff presents the following findings of fact:

### History and Background

1. The subject property was acquired by the applicant in August 2022 from the Leon County School Board.
2. Historic imagery shows that the subject site was first developed between 1937 and 1941. Imagery shows that the subject site appeared to be actively utilized for warehousing and stockpiling up until approximately 2019, when the majority of the site's structures appeared to have been removed.
3. The applicant states that the subject property was part of the former Dale Mabry Field military base that was transitioned to a combination of warehouse, light industrial, and governmental facilities.

Current and Proposed Future Land Use Categories

The Subject Area is currently designated Government Operational on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the subject parcels to Suburban. A summary of the current and proposed FLUE categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for Government Operational (Policy 2.2.16: [L]) and Suburban (Policy 2.2.5 [L]) are included as Appendix #1.

***Government Operational (Current)***

The Comprehensive Plan addresses the Government Operational future land use category in Policy 2.2.16, which states that the designation is intended for community services, light infrastructure, heavy infrastructure, and post-secondary, that provide for the operation of and provision of services on property owned or operated by local, state and federal government.

***Suburban (Proposed)***

The Suburban FLUM category allows for a variety of low-medium density residential, commercial, and mixed uses. The intent of this district is to provide convenient goods and services to residential areas and employment areas.

**Determination for Future Land Use Map Amendment**

- 1) *Does the area meet the criteria for designation as the current land use designation of Government Operational (GO)?*

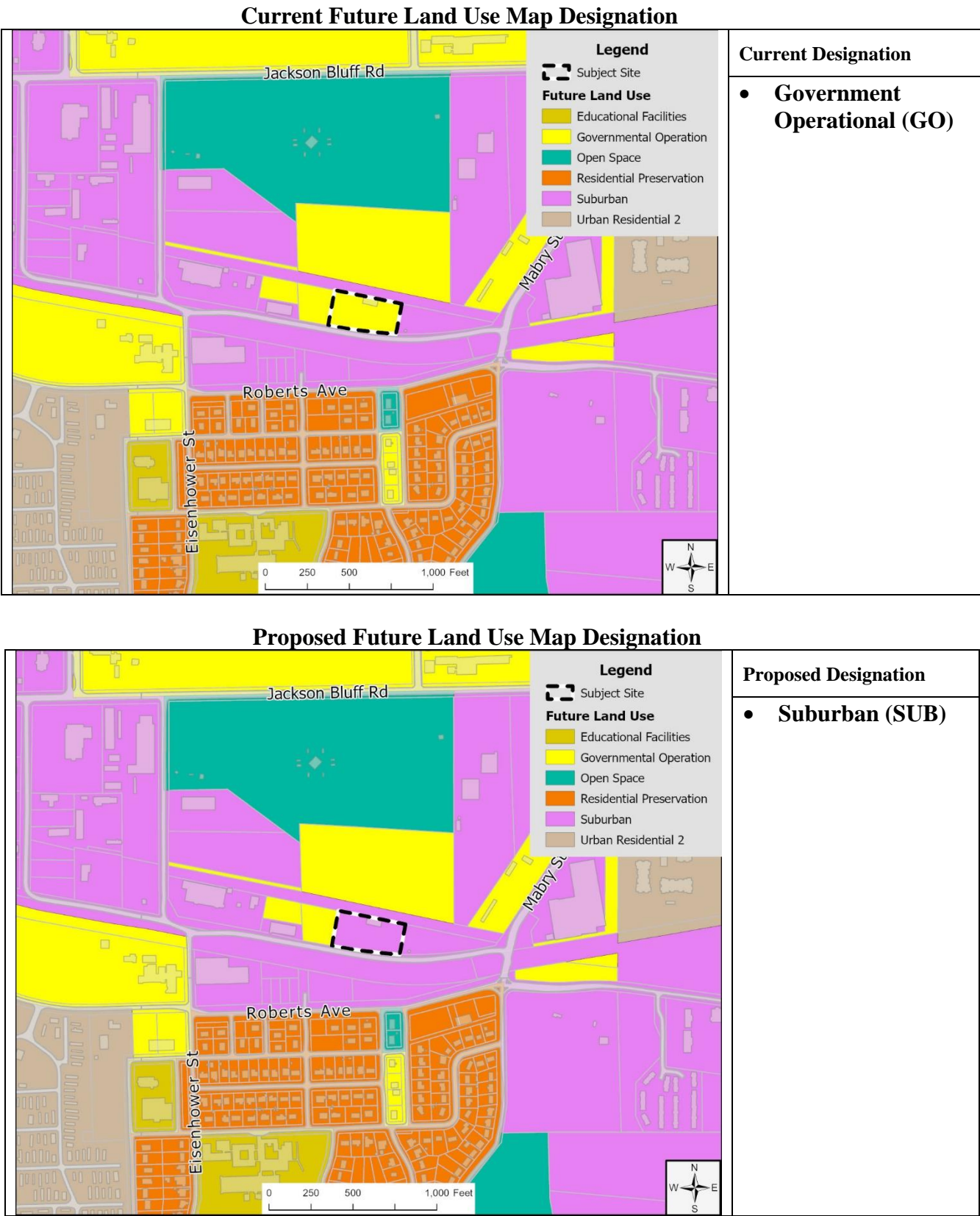
No. Government Operational is intended to be implemented on local, state, and federal government lands.

- 2) *Does the area better meet the criteria for the proposed land use designation of Suburban (SUB)?*

Yes. The now privately owned parcel may retain its current zoning (Light Industrial; M-1), which complements adjacent M-1 land uses while being situated between municipal complexes to the north and residential areas to the south. The parcel in question is bordered by parcels with the designated Suburban (see map below).



The following maps illustrate the current and proposed FLUM designations for the subject area:



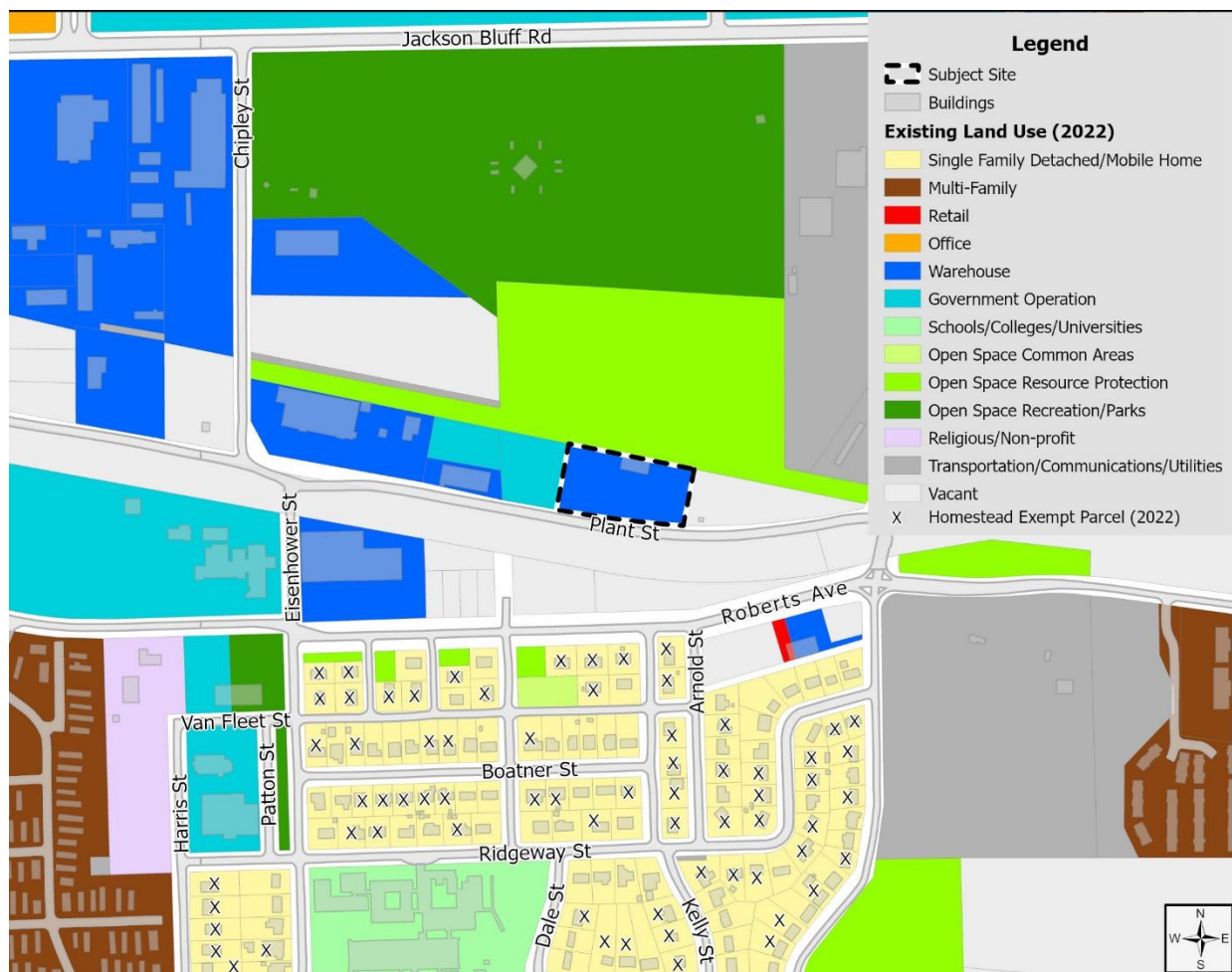


### Compatibility with Adjacent and Surrounding Uses

The proposed Suburban FLUM complements surrounding land uses as seen in the map above. As intended by Policy 2.2.5 [L], this area is located in close proximity to residential areas to the south and east, as well as established employment centers to the north, northwest, and southwest. The parcel is surrounded by other Suburban land uses.

The Land Development Code describes requirements for buffering and neighborhood compatibility. Applicable development standards may include height step back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment and trash enclosures, no active recreation within 200 feet of single family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance.

### **Existing Land Use Map**



### Infrastructure Analysis

#### *Water/Sewer*

City of Tallahassee water and sewer services are available to be provided to the subject site.

#### *Schools*

The Subject Area is zoned for Kate Sullivan Elementary School, Cobb Middle School, and Leon High School. As of November 2023, the present capacity of these schools are as follows:

1. Sabal Palm Elementary School: 322 students
2. Nims Middle School: 526 students
3. Rickards High School: 456 students

Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

#### *Roadway Network*

The subject site is accessible to the south by Plant Street, an unclassified, or local, roadway. Plant Street is accessible from the east by Mabry Street and to the west by Eisenhower Street/Chipley Street.

Consistent with City of Tallahassee development procedure, transportation traffic impacts and concurrency calculations will be conducted when a site plan for proposed development is submitted. The traffic impacts and concurrency review will be calculated at the time of site plan review.

#### *Pedestrian and Bicycle Network*

The subject site is not served by sidewalks nor bike lanes. Sidewalks and bike lanes are present approximately 1000ft to the east of the subject site along Mabry Street.

#### *Transit Network*

StarMetro's Live Oak Route is accessible within a quarter mile of the subject site. Star Metro's Forest route is accessible within approximately half a mile of the subject site.

### Environmental Analysis

The site plan phase of development would require any redevelopment to meet the environmental regulations in the Land development Code, including the applicable requirements for a natural features inventory. The subject site is located within the FEMA 100-year floodway. The subject site is bordered by the Munson Slough on its northern boundary.

Comparison of Existing and Proposed Allowed Uses

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning district implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

<b>Permitted Uses- Future Land Use</b>	<b>Current: Government Operational</b>	<b>Proposed: Suburban</b>
Residential	0 units/acre	0 to 20 units/acre
Single-Family Detached		X
Single-Family Attached		X
Two-Family Dwellings		X
Community and Recreational Facilities	X	X
Day care centers		X
Commercial Goods and Services		X
Mixed-Use Development		X
Office	X	X
Medical Facilities	X	X
Post-Secondary Schools		X
Cemeteries		X
Light Industrial/Manufacturing	X	X
Heavy Industrial/Mining	X	
Sanitary Facilities	X	
Warehouse	X	X

**G. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to 122 property owners within 1,000 feet of Subject Site.

<b>Public Outreach</b>		<b>Date Completed</b>
<b>X</b>	Applications posted to Planning Website	10/27/23
<b>X</b>	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	11/3/23
<b>X</b>	Signs providing details of proposed land use posted on subject site	11/16/23
<b>X</b>	Public Open House	12/7/23
	Staff Reports Available Online	Feb 2024
<b>X</b>	Email Subscription Notice sent to all users of service	4/7/23 8/29/23 10/27/23 1/5/24
	Legal Ads posted	12/29/23 01/16/2024

**H. 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:

<b>Cycle Meetings</b>		<b>Date Completed</b>
<b>X</b>	Local Planning Agency Workshop	1/17/24
<b>X</b>	Local Planning Agency Public Hearing	2/06/24
	City Adoption Public Hearing	4/10/24

**Local Planning Agency Workshop** – A workshop was held on January 17, 2024, at the Renaissance Building. Staff provided an overview of the application received and the amendment being requested. There were no questions from the LPA that resulted in updates to this staff report.

**Local Planning Agency Public Hearing** – The public hearing was held on February 6, 2024, to vote on the proposed amendment. Staff provided overview of the application received and the amendment being requested. The LPA found the proposed future land use map amendment consistent with the Tallahassee Leon-County Comprehensive Plan, based on the findings, and other information contained in this staff report, and recommended adoption of the proposed amendment. There were no public comments on the proposed amendment.

## **I. APPENDICES**

- |              |   |
|--------------|---|
| Appendix #1: | Comprehensive Plan policies relevant to the proposed amendment                                  |
| Appendix #2: | Land Development Code sections relevant to the proposed amendment and/or rezoning               |
| Appendix #3: | Photo of signs providing details of proposed land use and zoning changes posted on subject site |

APPENDIX 1  
Comprehensive Plan Sections

I. Land Use

Policy 2.2.16: [L]

GOVERNMENT OPERATIONAL (EFF. 8/17/92; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 12/24/10)

Contains facilities, which include those defined on the Land Use Development Matrix as Community Services, Light Infrastructure, Heavy Infrastructure, and Post-Secondary, that provide for the operation of and provision of services on property owned or operated by local, state and federal government. The government facilities may include services and uses provided by private entities operating on property owned by the local, state, or federal government. These facilities shall include, but are not limited to:

- |                                |                                  |
|--------------------------------|----------------------------------|
| Airports*                      | Offices                          |
| Correctional Facilities        | Outdoor Storage Facilities       |
| Courts                         | Police/Fire Stations             |
| Electric Generating Facilities | Sanitary Sewer Percolation Ponds |
| Electric Sub-Stations          | Sanitary Sewer Pump Stations     |
| Health Clinics                 | Sanitary Sewer Sprayfields       |
| Libraries                      | Vehicle Maintenance Facilities   |
| Incinerators                   | Waste to Energy                  |
| Materials Recovery Facilities  | Water Tanks                      |
| Museums                        | Water Treatment Plants           |
| Postal Facilities              | Water Wells                      |

\*Includes services and uses provided by private entities that are commonly located at commercial service airports.



I. Land Use

which much of Tallahassee-Leon County has developed since the 1940s. The category predominantly consists of single-use projects that are interconnected whenever feasible. Mixed-use projects and the principles of traditional neighborhood developments are encouraged, though not required. The Suburban category is most suitable for those areas outside of the Central Core. However, additional areas inside the Central Core may be designated as appropriate based on existing land use pattern.

To complement the residential aspects of this development pattern, recreational opportunities, cultural activities, commercial goods and services should be located nearby. To reduce automobile dependency of residents and employers alike, mass transit stops should be located at large commercial centers and appropriate street and pedestrian connections established between commercial and residential areas. Except within mixed use centers, larger scale commercial development should be buffered from adjacent residential neighborhoods.

Development shall comply with the Suburban Intensity Guidelines. Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community.

**Policy 2.2.5: [L]**

**SUBURBAN**

(EFF. 3/14/07)

To create an environment for economic investment or reinvestment through the mutually advantageous placement of employment and shopping opportunities with convenient access to low to medium density residential land uses. Employment opportunities should be located near residential areas, if possible within walking distance. This category recognizes the manner in

## I. Land Use

Suburban Intensity Guidelines (Eff. 3/14/07; REV. EFF. 7/14/14;  
REV. EFF. 5/31/18)

Table 4: Suburban Intensity Guidelines

Development Patterns	Allowed Land Uses	Gross Residential Density UNITS/ ACRE <sup>(4)</sup>	Non-Res Intensity SQ. FT./ACRE	Percent- age Mix of Uses
Low Density Residential	Residential, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ ACRE <sup>(4)</sup>	10,000 SQ. FT./ACRE	65-80%
Low Density Residential Office	Residential, Office, Recreation, Light Infrastructure & Community Service	0 to 8 UNITS/ ACRE <sup>(4)</sup>	10,000 SQ. FT./ACRE <sup>(5)</sup>	
Medium Density Residential	Residential, Recreation, Light Infrastructure & Community Service	8 to 16 UNITS/ ACRE	20,000 SQ. FT./ACRE	
Medium Density Residential Office	Residential, Office, Ancillary 1 <sup>st</sup> Floor Commercial, Recreation, Light Infrastructure, Community Service & Post-Secondary Schools	8 to 20 UNITS/ ACRE	20,000 SQ. FT./ACRE <sup>(6)</sup>	
Village Center	Residential, Office, Commercial up to 50,000 sq ft, maximum business size. Centers shall not be located closer than ¼ mile to another village center or commercial development including more than 20,000 sq. ft. of floor area.	8 to 16 UNITS/ ACRE	12,500 SQ. FT./ACRE per parcel for center	35-50%
Urban Pedestrian Center	Residential, Office, Commercial, Recreation, Light Infrastructure & Community Service	6 to 16 UNITS/ ACRE <sup>(3)</sup>	Up to 20,000 sq FT./ACRE <sup>(3)</sup>	
Suburban Corridor	Residential, Office, Commercial, Recreation, Light & Heavy Infrastructure & Community Service	Up to 16 UNITS/ ACRE	Up to 25,000 sq FT./ACRE <sup>(3)</sup>	

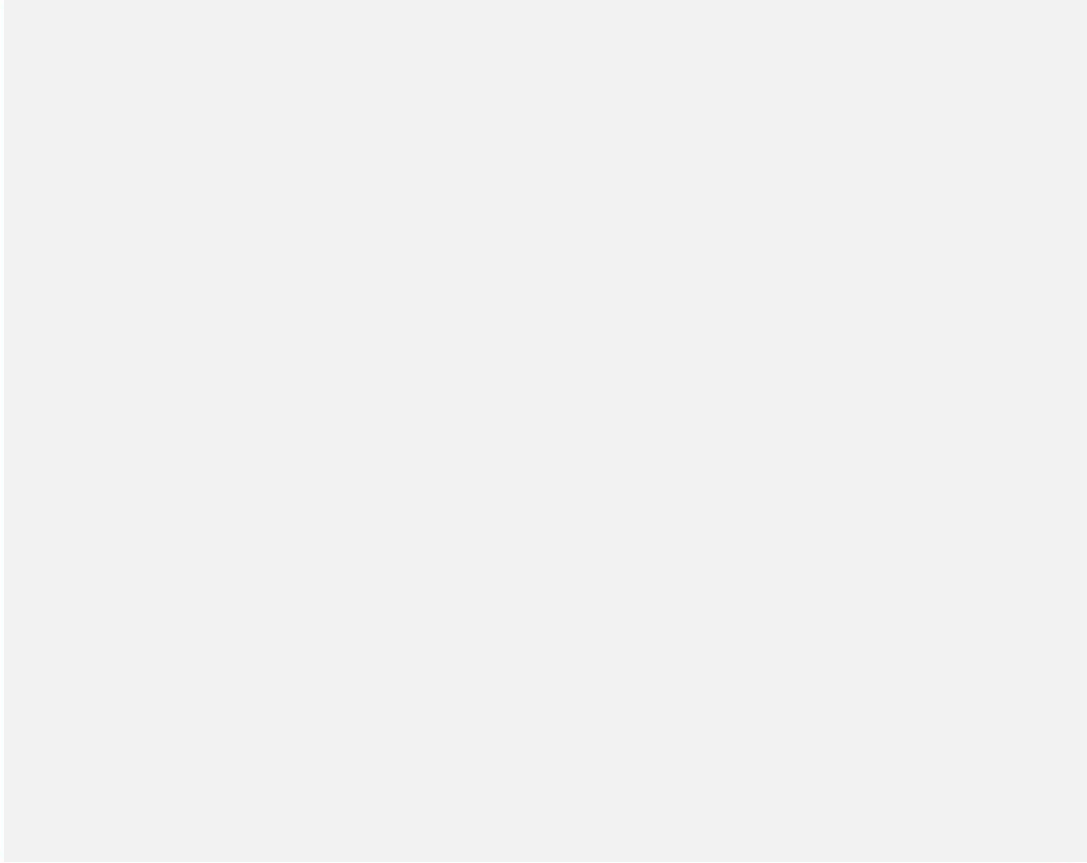
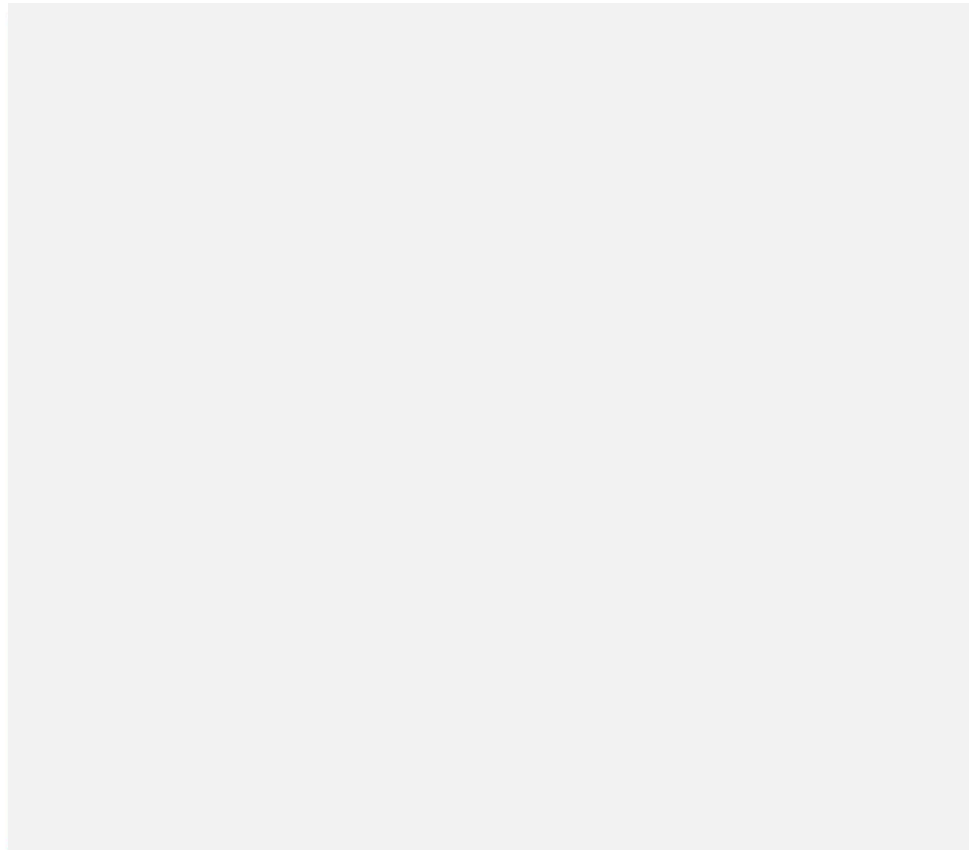
## Notes:

- (1) 8 units/acre minimum for exclusively residential;  
 (2) Hospitals up 176,000 sq ft/acre;  
 (3) 20 units/acre and 40,000 sq ft/acre for multiple use development; Combined residential and non-residential development may have up to 40,000 SF and up to a six story building. Residential use, office use and commercial use is allowed.  
 (4) Low Density Residential and Residential Office development patterns can have a minimum of 1 unit per acre if water and sewer are not available.  
 (5) The maximum square footage is increased to 12,500 SF if the project is a mixed-use development.  
 (6) The maximum square footage increases to 40,000 SF per acre and maximum height increases to six stories if 50% of parking is structured. This provision only applies to areas previously designated as Mixed Use C  
 (7) 250,000 SF of total development permitted on 20 to 30 acre centers.  
 (8) Storage areas may be 50,000 SF per acre. Office and Retail is allowed.

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 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

**I. Land Use**

of zoning to a more intensive district shall consider, among other criteria, the availability of the requisite infrastructure.



## Section 10-260 M-1 Light Industrial

PERMITTED USES										
1. District Intent		2. Principal Uses			3. Accessory Uses					
The M-1 district is intended to be located in areas designated Suburban on the Future Land Use Map of the Comprehensive Plan and shall apply to urban areas with convenient access to transportation facilities, where light manufacturing, processing, storage, community and recreational facilities and other activities compatible with light industrial operations are permitted. The district is not intended to accommodate heavy industrial operations or to accommodate commercial or residential development which would restrict the principal light industrial operations.		(1) Armored truck services. (2) Assembly of apparel and accessories. (3) Automotive service and repair, including car wash. (4) Bottling plants. (5) Broadcasting studios. (6) Building contractors and related services. (7) Cemeteries. (8) Communications and utilities. (9) Vocational schools and police/fire stations. (10) Crematoriums. (11) Distribution facilities. (12) Dry cleaning plants. (13) Food processing, excluding slaughter. (14) Golf courses. (15) Gun firing ranges (indoor). (16) Heavy infrastructure (maintenance yards, motor pools, airports, land fills, sewage treatment plants, etc.). (17) Laboratories; research and development activities. (18) Lawn and tree removal services. (19) Manufacturing (consistent with the definition of light industrial).			(20) Non-medical offices and services, including business and government offices and services. (21) Off-street parking facilities. (22) Passive and active recreational activities. (23) Pest control services. (24) Pet Day Care Centers (25) Printing and publishing. (26) Repair services, non-automotive. (27) Towing, wrecking, and recovery services. (28) Transportation and freight handling activities. (29) Warehouses, mini-warehouses, or self-storage facilities. (30) Waste tires and disposal (31) Welding and machine shops. (32) Wholesale activities. (33) Wholesale building supplies. (34) Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.			(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator. The 33 percent limitation does not apply to outdoor storage that is accessory to a permitted principal use. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator. (3) Residential use (intended for watchman or guard not to exceed 1 dwelling unit per industrial use). (4) Outdoor storage (without the 33 percent limitation), provided it complies with Section 7 below.		
		DEVELOPMENT STANDARDS (continued on page 2 of 2)								
		4. Minimum Lot or Site Size		5. Minimum Building Setbacks			6. Maximum Building Restrictions			
		Use Category	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)
Permitted Principal Commercial Uses Numbers (3), (21), (25)	none	none	none	25 feet	none	25 feet	10 feet	10,000 square feet of gross building floor area per parcel	3 stories	
All Other Permitted Principal Non-Residential Uses	none	none	none	25 feet	none	25 feet	10 feet	20,000 square feet of gross building floor area per acre. 50,000 square feet of gross building floor area per acre for storage areas within buildings or warehouse as a principal use.	3 stories	

DEVELOPMENT STANDARDS (continued from page 1 of 2)	
7. Criteria for Outdoor Storage:	Outdoor storage is permitted as an accessory use to a permitted principal use (without the 33 percent limitation) if the outdoor storage area is screened with an opaque material (an opaque material may include vegetation). The opacity requirements are as follows: 100 percent along any property line that adjoins an existing residential use; 80 percent along any property line that adjoins any other type of use other than residential (commercial, office, etc.) or a street right-of-way. The determination of the adequacy of the opaque material will be evaluated at the time of permitting.
9. Street Vehicular Access Restrictions:	Properties in the M-1 zoning district may have vehicular access to any type of street. However, in order to protect residential areas and neighborhoods from non-residential traffic, vehicular access to a local street is prohibited if one of the following zoning districts is located on the other side of the local street: R-A, R-1, R-2, R-3, R-4, R-5, MH, MR-1, RP-1, RP-2, RP-MH, RP-UF, and RP-R.
10. Additional Criteria and Restrictions for Pet Day Centers:	Outside boarding and unsupervised outside activity are prohibited. In the event that a pet day care center abuts a residential property, the center shall not exceed an L10 noise level of 60 as measured on the property line abutting the Center. Hours of operation for Pet Day Care Centers shall be 6:00 A.M. to 9:00 P.M. Indoor overnight boarding of pets is permitted.

GENERAL NOTES:

- 1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and 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. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
- 2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
- 3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
- 4. For cluster development standards, refer to Section 10-426.



### **APPENDIX 3**

#### **Sign posted on site**







### SUMMARY

Property Owners:	Property Location:	Amendment Type:
G.W.C. LEE LLC; Diane Roberts	1726 Mahan Drive 1728 Mahan Drive	City Small Scale Map Amendment
Applicant:		
Anchor School Inc.		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Jacob Fortunas	Future Land Use: Residential Preservation Zoning: Residential Preservation 2	Adopt
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
Jacob.Fortunas@talgov.com 850-891-6418	Future Land Use: Urban Residential 2 Zoning: Medium Density Residential	Consistent with Comprehensive Plan
Date: 11/30/2023	Updated: 03/087/2024	

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## A. EXECUTIVE SUMMARY

If approved, this map amendment would change the allowable land uses for two adjacent parcels of land totaling 1.51-acres fronting Mahan Drive east of Marys Drive. The existing Future Land Use Map (FLUM) designation of these parcels is Residential Preservation (RP). The proposed amendment would change the FLUM designation to Urban Residential 2 (UR-2). The UR-2 category allows for multiple residential options including townhouses, single-family detached, two-family and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses.

A rezoning application will be processed concurrently with this amendment. A zoning change from Residential Preservation 2 (RP-2) to Medium Density Residential (MR) will be processed to implement the proposed FLUM. The proposed zoning allows residential density at a minimum of 6 units per acre and a maximum of 16 units per acre.

Part of the review process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan and is detailed in Sections E and F of this report. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested.

Included this consideration are the following:

- 1) Does the area meet the criteria for designation as Residential Preservation?
- 2) Does the area better meet the criteria for Urban Residential 2?

Based on staff analysis, the subject properties do not align with the intent of the Residential Preservation FLUM district. The subject properties front Mahan Drive, a principal arterial road, and the traffic is not predominantly local in nature. Building types within the subject area are not homogeneous (nor residential) with surrounding lots, and the subject area is not part of a neighborhood organization.

The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. The staff analysis of the rezoning is that the subject site serves as an appropriate transition to residential uses; is located between existing homogenous Residential Preservation districts and a major roadway; is adjacent to public transit stops; and provides for efficient use of public infrastructure, supporting the intents of the land use and zoning district.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City or County Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This review includes neighborhood compatibility standards and other buffering and screening standards intended to protect and promote compatibility with the existing nearby RP neighborhood to the north of the subject site.

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The City of Tallahassee Land Development Code defines buffers between parcels of differing land uses based upon compatibility. Applicable development standards may include height step back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment and trash enclosures, no active recreation within 200 feet of single family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance. These buffer requirements may be found in *Appendix 4* of this staff report or in the City of Tallahassee Land Development Code Sec. 10-177: Buffer Zones.

## **B. APPLICANT’S REASON FOR THE REQUESTED CHANGE**

The applicant states that they seek this land use change for the establishment of a private K-12 educational facility. The existing FLUM designation and zoning do not allow for the applicant’s intended use. *This analysis does not determine suitability of intended uses, but rather consistency of requested FLUM designation and zoning with the Comprehensive Plan.*

## **C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Based on a 4-1 decision by the LPA on March 5, 2024, the LPA recommends that the City Commission find that the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and approve the proposed amendment.

Additionally, on March 5, 2024, in a 4-1 decision, the LPA recommends that the City Commission find that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and approve the proposed rezoning.

The Local Planning Agency discussed the amendment at its February 6, 2024 meeting. The LPA voted to continue the item to March 5, 2025 and directed staff to bring back information on the applicant’s intent for the property including whether or not the amendment would be pursued.

Staff ascertained that the applicant intends to continue with the requested future land use map change (and rezoning). The applicant’s intent is to establish a K-12 school at the site.

According to the application, the Anchor Academy is currently operating as a private preschool, daycare facility. The current Residential Preservation land use and zoning allow the existing daycare. The application states the daycare has been at 1726 Mahan Drive for over 20 years. It has operated in the community having preschool, private tutoring, and summer camp services. Due to land use and land development code requirements, the preschool daycare is not able to expand or to become a K-12 facility.

The intent is to establish a private Kindergarten - Twelfth grade school providing educational opportunities to children who benefit from smaller classrooms, small group instruction, and differentiated learning curriculums. The application request states that it will increase the availability of jobs, vocational training, and robust educational opportunities for children, young adults, and families. The applicant indicates that the number of students at the campus

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has not yet been determined, and would follow after the successful completion of the future land use map change and the accompanying rezoning. The approval of the future land use map amendment and rezoning would not preclude the applicant from meeting all applicable land development code requirements, including those for a school, during any development review process.

#### **D. STAFF ANALYSIS**

Staff finds that the proposed future land use map amendment is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

Staff finds that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

#### **E. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

1. Policy 2.2.3 [L] of the Comprehensive Plan define criteria for Residential Preservation including that the “majority of traffic is local in nature.” Given the parcel(s) in question front a principal arterial (Mahan Drive), which primarily carries through traffic, the existing Future Land Use designation is incongruent with the fronting roadways at this location.
2. Policy 2.2.24 [L] states that the land use category (Urban Residential 2) is to be applied within the Urban Services Area (USA). The subject parcels are within the Urban Services Area.
3. Policy 2.2.24 [L] states that the intent of the land use category (Urban Residential 2) is to reduce urban sprawl and maximize the efficiency of infrastructure. Establishment of the land use category should aid in mitigating sprawl by allowing for land uses that can reduce vehicle miles traveled. This reduction may be attributed to decreasing overall distances between residences and services.
4. Policy 2.2.24 [L] states that land use category (Urban Residential 2) may serve as a transition category between lower density residential categories and more intensive development, including major roadways. The subject parcel(s) are located between the established Brandt Hills neighborhood and the principal arterial of Mahan Drive. Additionally, the policy states that this category should be applied where alternative modes of transportation are available. The subject

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parcel(s) are within a quarter mile of three separate bus stops (although one of these bus stops is across Mahan Drive with no crosswalks within 1200ft of the subject parcel(s)).

5. Policy 2.2.3 [L] defines criteria for the Residential Preservation land use that should be applied. Section F of this report concludes that the subject parcel(s) are inconsistent with these criteria.

## **F. SUMMARY OF FINDINGS**

Staff presents the following findings of fact:

The subject site includes parcels 1129206030000 and 1129206040000 fronting westbound Mahan Drive between Marys Drive and Blair Stone Road.

### History and Background

1. Historic imagery dating back as far as 1937 show that the subject site was once used as pasture or agriculture with the presence of some structures.
2. The development of the Capital Hills subdivision to the west of the subject area occurred around 1956 while the development of the Brandt Hills subdivision directly to the north of the subject site occurred around 1963. Construction of Marys Drive occurred concurrently with development of Brandt Hills based on historical imagery.
3. Mahan Drive was widened from two lanes to four lanes between 1970 and 1983.

### Previous Commission Consideration

1. 1999 Map Amendment (99-1-M-005): The application requested a change from the FLUM designation of Residential Preservation to Mixed Use B and a concurrent rezoning to Medium Density Residential Office Development Pattern. This request was denied following recommendation from the TLCPD. Staff analysis at the time found that the existing neighborhood was still viable as a low-density residential area. Additionally, the amendment was opposed by the public living in the adjacent Residential Preservation neighborhood(s) due to concerns of higher intensity development adjacent to their homes.
2. 2005 Map Amendment (2005-2-M-009): This application requested a FLUM change from Residential Preservation to Neighborhood Boundary and a concurrent rezoning from Residential Preservation 2 (RP-2) to Neighborhood Boundary Office (NBO). This application included the parcel to the west of the subject site and two parcels to the east of the subject site. Of these, only one parcel (1129206030000) requested the change with redevelopment intentions (office) while the other three parcels did not apply with intention of redevelopment. Staff analysis found the proposed amendment consistent with the Comprehensive Plan and recommended adoption. This application was denied on October 6, 2005 at the Joint City-County



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Commission Comprehensive Plan Public Hearings on the Adoption of 2005-2  
Cycle Amendments and Implementing Rezoning Ordinances.

Current and Proposed Future Land Use Categories

The Subject Area is currently designated Residential Preservation on the Future Land Use Map (FLUM). The proposed amendment would change the FLUM designation of the subject parcels to Urban Residential 2. A summary of the current and proposed FLUM categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for Residential Preservation (Policy 2.2.3: [L]) and Urban Residential 2 (Policy 2.2.24 [L]) are included as Appendix #1.

***Residential Preservation (Current)***

The Comprehensive Plan addresses the Residential Preservation future land use category in Policy 2.2.3, which states, “the primary function [of the Residential Land Use category] is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions.” Residential Preservation areas are characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The Residential Preservation FLUM designation allows for single-family houses, townhomes, and duplexes at a maximum density of six (6) units per acre.

***Urban Residential 2 (Proposed)***

The Urban Residential 2 FLUM category allows for residential uses up to a density of 20 units per acre (the proposed zoning of Medium Density Residential will limit this density to 16 units per acre). The intent of this district is to encourage a range of house types available, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of readily available infrastructure such as utilities, transit, and sidewalks. Urban Residential 2 may serve as a transitional area between lower density residential areas and more intensive land uses and roadways. Community facilities such as schools are allowable uses.

**Determination for Future Land Use Map Amendment**

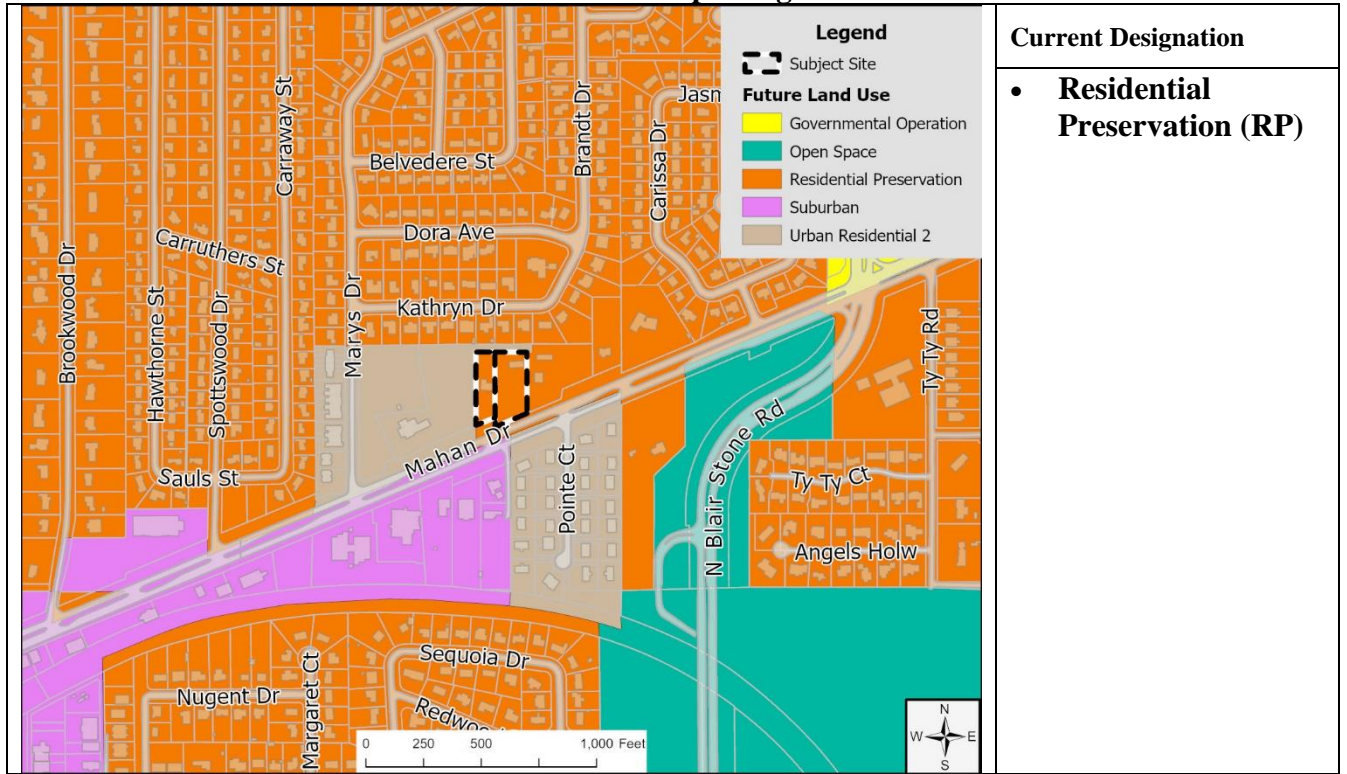
- 1) *Does the area meet the criteria for designation as the current land use designation of Residential Preservation (RP)?*

No. The subject site is located along Mahan Drive, a principal arterial road, and the traffic is not predominantly local in nature, as is expected in the Residential Preservation FLUM categories. Additionally, building types within the subject area are not homogeneous (nor residential) with surrounding lots, and the subject area is not part of a neighborhood organization.

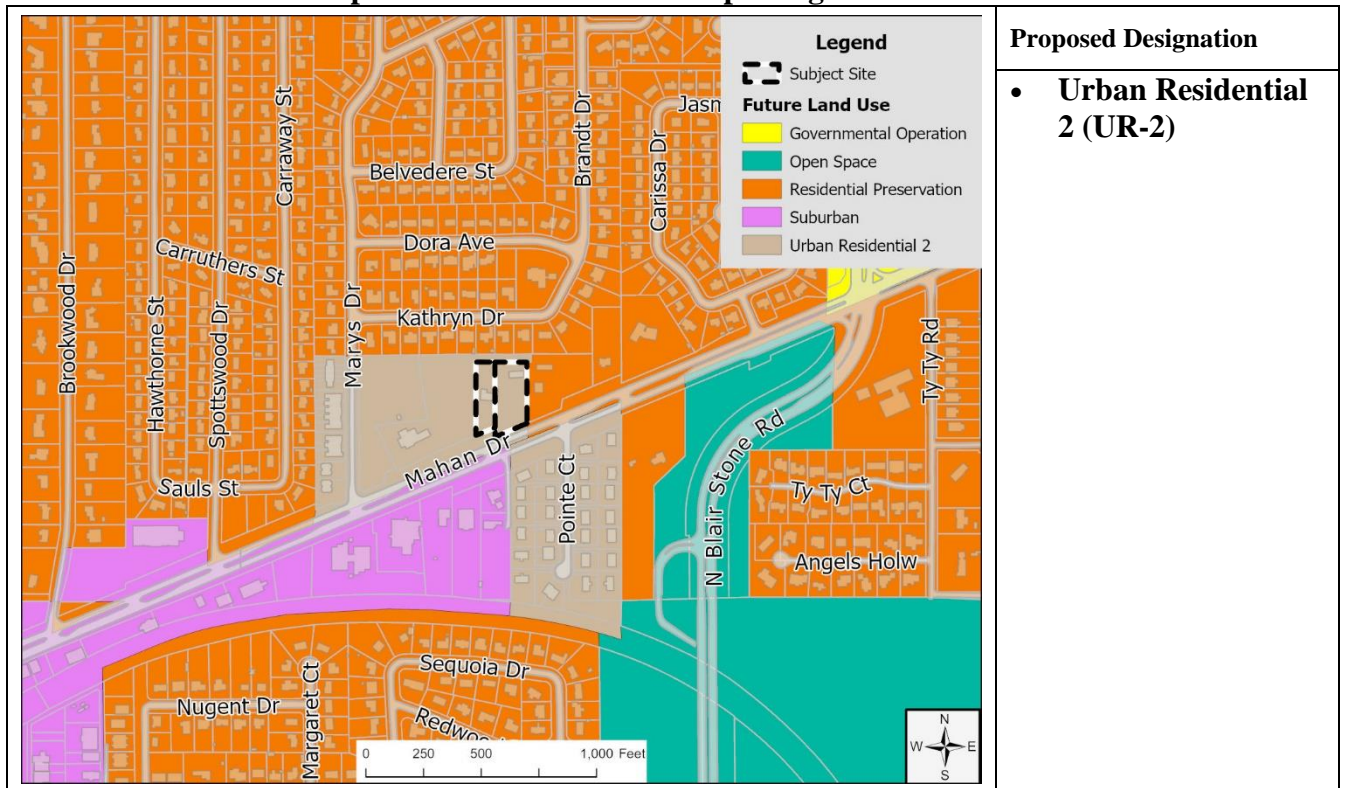
- 
- 2) *Does the area better meet the criteria for the proposed land use designation of Urban Residential 2 (UR-2)?*

Yes. The applicant's parcels are situated between the principal arterial roadway of Mahan Drive and the established single-family detached subdivision of Brandt Hills. Per Policy 2.2.24: [L] Urban Residential 2 areas are appropriate to "serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or *major roadways...*"

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation



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### Current and Proposed Zoning

The Subject Area is currently zoned Residential Preservation 2 (RP-2). The proposed rezoning would change the zoning designation to Medium Density Residential (MR). A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for Residential Preservation (sec. 10-241) and Medium Density Residential (sec. 10-250) zoning are included as Appendix #2.

#### ***Residential Preservation 2 (RP-2) (Current)***

The current zoning for the subject site, Residential Preservation 2, is intended to apply to residential development in areas designated "residential preservation" on the Future Land Use Map, preserving the low-density residential character of single-family, two-unit townhouse, and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of 6 dwelling units per acre.

#### ***Medium Density Residential District (MR) (Proposed)***

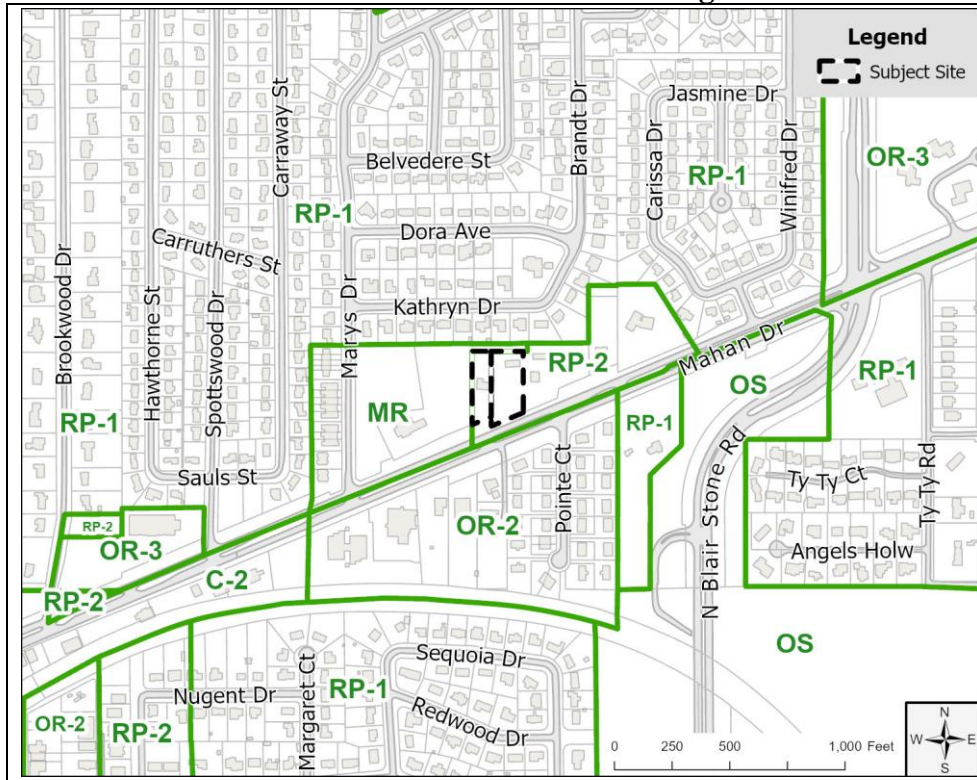
The MR zoning district is intended to be located in areas designated Urban Residential or Suburban on the FLUM, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residential compatible public facilities such as schools, parks, higher intensity roadways, and public transit. The MR district is intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. The proposed zoning allows for a maximum gross density of 16 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre. Certain community and recreational facilities related to residential uses are also permitted.

#### **Determination for Concurrent Rezoning**

Provided the requested Future Land Use Map amendment is approved, the proposed Medium Density Residential District zoning district implements the Urban Residential 2 land use category and conforms to the land development requirements of the MR zoning district. The subject properties are located between existing homogenous Residential Preservation districts and major roadways, are adjacent to public transit stops, and provide for efficient use of public infrastructure.



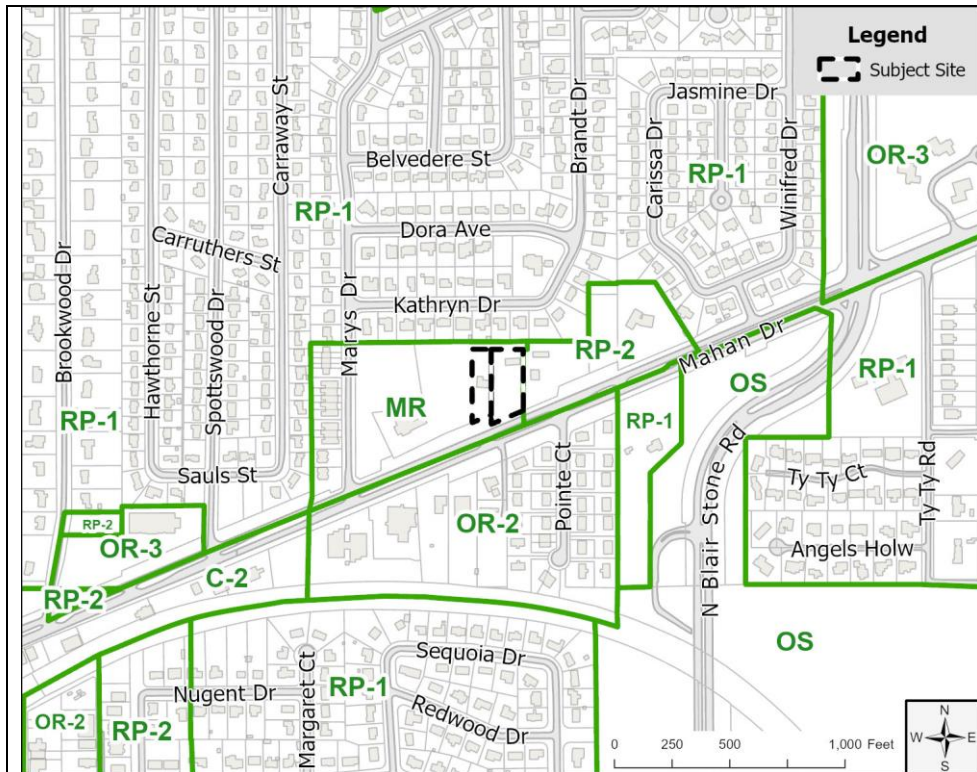
## Current Zoning



### Current District

- **Residential Preservation 2 (RP-2)**

## Proposed Zoning



### Proposed District

- **Medium Density Residential (MR)**



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### Compatibility with Adjacent and Surrounding Uses

The proposed Urban Residential 2 FLUM designation is intended to create an environment for a range of medium density residential housing types and supporting facilities. The UR-2 category is also identified as a suitable transition category between RP categories and major roadways. The proposed MR zoning district is intended to be located in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The subject site is bordered by residential land uses on the north side of Mahan Drive, with primarily office and multi-family uses south of Mahan Drive. Retail, medical, and commercial uses are in close proximity directly to the west of the subject area along Mahan Drive. The subject area is located in close proximity to the Blair Stone Road multi-use trail as well as Governors Park to the east and southeast.

The Land Development Code describes requirements for buffering and neighborhood compatibility. Applicable development standards may include height step back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment and trash enclosures, no active recreation within 200 feet of single family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance. Buffer information is found in Appendix 4.

**Existing Land Use Map**



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### Residential Preservation Analysis

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation land use category. Policy 2.2.3 [L] sets the following criteria:

1. Existing land use within the area is predominantly residential.  
**Analysis:** The present land usage within the subject area is a day care, not residential.
2. Majority of traffic is local in nature.
  - a. Predominance of residential uses front on local streets.  
**Analysis:** Neither of the parcels of the subject area front streets designated as “local”. Mahan Drive is designated as a principal arterial.
  - b. Relatively safe internal mobility.  
**Analysis:** Safety and intermobility of the subject area would subjectively be rated as substandard due to its presence along a principal arterial (Mahan Drive) as well as a lack of interconnects to the surrounding neighborhood(s). The subject area does not provide for a safe crossing of Mahan Drive for pedestrians. The nearest crosswalks are over 2000’ to the east and west at Blair Stone Road and Magnolia Drive respectively.
3. Densities within the area generally are six (6) units per acre or less.  
**Analysis:** This criterion is non-applicable given the existing land use is non-residential.
4. Existing residential type and density exhibits relatively homogeneous patterns.  
**Analysis:** Building types within the subject area are not homogeneous (nor residential) with surrounding lots. Lot sizes, building types, and lot layouts are inconsistent with surrounding RP areas.
5. Assessment of stability of the residential area, including but not limited to:
  - a. Degree of home ownership.  
**Analysis:** As a proxy for home ownership, homestead exemption status was reviewed. As of the 2022 tax year, the west parcel of the applicant is non-homestead exempt while the east parcel (duplex) is homestead exempt. Homes within Brandt Hills are largely homestead exempt, though no other adjacent parcels fronting Mahan Drive are homestead exempt.
  - b. Existence of neighborhood organizations.  
**Analysis:** The subject area is not part of a neighborhood organization. The Greater Brant Hills Neighborhood Association and Capital Hills Neighborhood Association are located directly to the north and west of the subject area respectively.

**Conclusion:** The subject site is adjacent to residential preservation areas but do not meet the criteria for residential preservation.

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## Infrastructure Analysis

### *Water/Sewer*

City of Tallahassee water and sewer services are available to be provided to the site.

### *Schools*

The Subject Area is zoned for Kate Sullivan Elementary School, Cobb Middle School, and Leon High School. As of November 2023, the present capacity of these schools are as follows:

1. Kate Sullivan Elementary School: 405 students
2. Cobb Middle School: 719 students
3. Leon High School: 274 students

Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

### *Roadway Network*

The subject site is accessible to the south by Mahan Drive (US Hwy 90; State Road 10). Mahan Drive is functionally classified as a principal arterial.

There is available capacity on Mahan Drive between Magnolia Drive and Blair Stone Road. It is not anticipated that capacity will be exceeded on either roadway in the short term through redevelopment associated with this Comprehensive Plan amendment and concurrent rezoning.

Consistent with City of Tallahassee development procedure, transportation traffic impacts and concurrency calculations will be conducted when a site plan for proposed development is submitted. The traffic impacts and concurrency review will be calculated at the time of site plan review.

### *Pedestrian and Bicycle Network*

The subject site is fronted by sidewalks on Mahan Drive. Sidewalks on Marys Drive can provide further access to the bike lanes and sidewalks of Miccosukee Road. The Goose Pond Trail along Blair Stone Road is approximately 2000ft to the east of the subject site.

### *Transit Network*

Star Metro's Azalea bus route directly services the subject site via a bus stop located at the northeast corner of Mahan Drive and Marys Drive. The Azalea line runs along US90 between the Commonwealth Business Centre at Capital Circle NW and the Fallschase Shopping Center at Buck Lake Road. Monday through Friday services is available between 6am and 7:30pm at 30 minute intervals (60min off-peak for the route's east side) and Saturdays between 6:45am and 7:30pm at 60 minute intervals.

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### Environmental Analysis

The site plan phase of development would require any redevelopment to meet the environmental regulations in the Land development code, including the applicable requirements for a natural features inventory. Redevelopment of the subject sites is not expected to have significant impact to environmental resources. Significant and severe slopes are present on the south and southwest portions of the subject site, but these features are not regulated within the Urban Services Area. No wetlands are present, and the subject site and expansion area are outside of the 500-year floodplain. Based on historical aerial imagery, the subject site and expansion area were clear-cut dating back to 1937.

### Comparison of Existing and Proposed Allowed Uses

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

<b>Permitted Uses- Future Land Use</b>	<b>Current: Residential Preservation</b>	<b>Proposed: Urban Residential 2</b>
Residential	6 units/acre	20 units/acre
Single-Family Detached	X	X
Single-Family Attached	X	X
Two-Family Dwellings		X
Community and Recreational Facilities	*	X
Day care centers		
Commercial Goods and Services		
Mixed-Use Development		
Office		

*\*Only allowed by special exception*

<b>Permitted Uses- Zoning</b> (See Zoning Charts in Appendix #2 for detailed uses)	<b>Current: Residential Preservation 2</b>	<b>Proposed: Medium Density Residential</b>
Residential	6 units/acre	6-16 units/acre
Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X

<b>Permitted Uses- Zoning</b> (See Zoning Charts in Appendix #2 for detailed uses)	<b>Current: Residential Preservation 2</b>	<b>Proposed: Medium Density Residential</b>
Multiple-Family Dwellings		X
Community facilities related to residential uses, including religious facilities, police/fire stations, and elementary, middle, and high schools. Libraries or vocational schools are prohibited. Other community facilities may be allowed in accordance with section 10-413 of these regulations.		X
Nursing homes and other residential care facilities		X
Day care centers		X
Golf Courses		X
Passive recreational facilities	X	X
Active recreational facilities	X	X

## **G. PUBLIC OUTREACH AND NOTIFICATION**

An initial mailing was sent to 322 property owners within 1,000 feet of Subject Site.

<b>Public Outreach</b>		<b>Date Completed</b>
<b>X</b>	Applications posted to Planning Website	10/27/23
<b>X</b>	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	11/3/23
<b>X</b>	Signs providing details of proposed land use posted on subject site	11/27/2023
<b>X</b>	Public Open House	12/7/23
<b>X</b>	Staff Reports Available Online	Feb 2024
<b>X</b>	Email Subscription Notice sent to all users of service	4/7/23 8/29/23 10/27/23 1/5/24
	Legal Ads posted	12/29/23 01/16/24



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## H. 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 Meetings		Date Completed
X	Local Planning Agency Workshop	1/17/24
X	Local Planning Agency Public Hearing	2/06/24
X	Local Planning Agency Public Hearing	3/05/24
	<b>Adoption Public Hearing</b>	<b>4/10/24</b>

**Local Planning Agency Workshop** – A workshop was held on January 17, 2024, at the Renaissance Building. Staff provided overview of the application received and the amendment being requested. There were no questions from the LPA that resulted in updates to this staff report.

**Local Planning Agency Public Hearing** – A public hearing was held on February 6, 2024, to vote on the proposed amendment. Staff provided overview of the application received and the amendment and rezoning being requested. Four citizens spoke in opposition to the amendment based on impacts of traffic on Mahan Drive and based on potential compatibility issues from noise as well as the existing code compliance issue. The Local Planning Agency continued the item to its 03/05/2024 meeting with direction to staff to bring information on the applicant's intent for development of the property.

A second public hearing was held on March 5, 2024, where staff presented requested information pertaining to applicant intent for the parcel(s). No citizens spoke at this meeting. In a 4-1 decision, the LPA voted to recommend approval of the FLUM and zoning change to the City Commission at the Adoption Public Hearing on April 10, 2024.

**City Small-Scale Map Amendment Adoption Public Hearing** – To be held on April 10, 2024.

## I. APPENDICES

- Appendix #1: Comprehensive Plan policies relevant to the proposed amendment
- Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning
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Appendix #3:	Photo of signs providing details of proposed land use and zoning changes posted on subject site
Appendix #4:	City of Tallahassee Land Development Code Sec. 10-177: Buffer Zones

## APPENDIX 1

### *Policy 2.2.3: [L]*

#### RESIDENTIAL PRESERVATION

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
  6. Predominance of residential uses front on local street
  7. Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
  1. Degree of home ownership
  2. Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

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Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

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

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 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 expanding or redeveloping light industrial uses and 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 uses shall 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.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in

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conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single-family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

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There may be two distinct density patterns in the Residential Preservation land use category as shown below:

<b><u>Existing land use character of the subdivision</u></b>	<b><u>Gross residential density</u></b>
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

***Policy 2.2.5: [L]***

**URBAN RESIDENTIAL 2**

(REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 1/22/16)

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential 2 category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area, unless to correct, legal non-conforming uses and/or densities. The maximum residential density within the Urban Residential 2 category is 20 units per acre.



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## APPENDIX 2

### Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential activities may be permitted as home occupations—see article VII of this chapter, supplementary regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of development approval and in the determination of the permissible density. No development in the residential preservation district shall be permitted which violates the provisions of policy 2.1.1 of the future land use element of the 2010 Comprehensive Plan.
  - (2) For residential preservation areas outside the urban service area the density of the nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five zoning districts based upon existing development patterns and service provision:
    - a. RP-1;
    - b. RP-2;
    - c. RP-MH;
    - d. RP-UF; and
    - e. RPR.
  - (3) The intent of the districts listed in subsections (2)a. through e. of this section are as follows:
    - a. The RP-1 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of 3.6 dwelling units per acre.
    - b. The RP-2 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of single-family, two-unit townhouse and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six dwelling units per acre.
    - c. The RP-MH district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six dwelling units per acre.
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- d. The RP-UF district is intended to apply to residential development in areas designated as both "urban fringe" and "residential preservation" on the future land use map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three acres, for all other developments.
- e. The RP-R district is intended to apply to residential development in areas designated as both "rural" and "residential preservation" on the future land use map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses.
- (1) Low density residential.
  - (2) Passive recreation.
  - (3) Active recreation.
  - (4) Community services.
  - (5) Light infrastructure.
- (c) *List of permitted uses.* See schedules of permitted uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the standard industrial code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and special exception uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.
- (d) *Development standards.* All proposed development shall meet the land use development criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the land development standards schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).
- (Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002

## Sec. 10-267. MR Medium Density Residential District.

### MR Medium Density Residential District

	PERMITTED USES	
1. District Intent	2. Principal Uses	3. Accessory Uses
The MR district is intended to be located in areas designated	(1) Community facilities related to residential uses, including religious facilities, libraries, police/fire stations, and elementary,	(1) A use or structure on the same lot with, and of a nature

<p>Urban Residential or Suburban on the Future Land Use Map of the Comprehensive Plan, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The MR district is intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. Off-street parking facilities in the MR district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. The MR district shall provide for a wide range of residential housing types. The maximum gross density allowed for new residential development in the MR district is 16 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses and day care centers are also permitted.</p> <p><b>Development standards for properties located within the MMTD are established within Division 4 of this Code.</b></p>	<p>middle, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with Section 18.1 of these regulations.</p> <p>(2) Day care centers.  (3) Golf courses.  (4) Multiple-family dwellings.  (5) Nursing homes and other residential care facilities.  (6) Passive and active recreational facilities.  (7) Rooming Houses.  (8) Single-family attached dwellings.  (9) Single-family detached dwellings.  (10) Two-family dwellings.  (11) Zero-lot line single-family detached dwellings.</p>	<p>customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the land use administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.</p>
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum or Maximum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15	15 feet	25 feet	not applicable	3 stories

					feet, provided that no such setback shall be less than 5 feet				
Zero-Lot Line Single- Family Detached Dwellings	3,750 square feet	30 feet interior lot: 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	7,000 square feet	70 feet	100 feet	15 feet	Same as single-family dwellings above	15 feet	25 feet	not applicable	3 stories
Single- Family Attached Dwellings	1,600 square feet minimum; average of 2,000 square feet	16 feet	none	20 feet	none	15 feet	25 feet	maximum length: 8 units	3 stories
Rooming Houses	5,000 square feet	50 feet	100 feet	15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories
Multiple- Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non- Residential Use	12,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	20,000 square feet of gross building floor area per acre	3 stories

**General Notes:**

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and 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. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to section 10-426.

(Ord. No. 05-O-40AA, § 7, 7-13-2005; Ord. No. 15-O-32, § 1, 11-24-2015)

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## APPENDIX 3



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## APPENDIX 4

### City of Tallahassee Land Development Code Sec. 10-177: Buffer Zones

- (a) *Standards.* The following buffering standards are intended to implement the provisions of the adopted land use development matrix and applicable policies of the comprehensive plan. Should there be a conflict between the provisions of this chapter and those of the comprehensive plan and chapter 5 of this Code, the most restrictive or that imposing the higher standard shall govern.
- (1) A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts, provides an attractive boundary of the parcel or use, or as both a buffer and attractive boundary. This shall not be interpreted to mean that parcels within a planned mixed use development must meet these requirements.
  - (2) The width and degree of vegetation required depends on the nature of the adjoining uses. The standards specified below prescribe the required width and landscaping of all buffer zones.
  - (3) The standards for buffer zones are set out in the following illustrations that specify the number of plants required per 100 linear feet. To determine the total number of plants required, the length of each side of the property requiring a buffer shall be divided by 100 and multiplied by the number of plants shown in the illustration. The plants shall be spread reasonably evenly along the length of the buffer.
  - (4) The standards of subsections (a)(1) through (a)(3) of this section shall be applied between abutting parcels as follows:



**BUFFERING AND SCREENING REQUIREMENTS**

EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number NONURBAN			RESIDENTIAL						COMMERCIAL					OFFICE				HEAVY COMMERCIAL/ INDUSTRIAL				
L/U Code Number	Land Use Activity	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	NONURBAN LAND USES																							
1	Agriculture	NR	NR	NR	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
3	Mining	NR	NR	NR	D*	D*	D*	D*	D*	D*	B	B	B	B	B	C*	C*	C*	C*	B	B	C*	NR	B
	RESIDENTIAL LAND USES																							
4	One-family	NR	NR	D*	NR	NR	D*	NR	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*
5	Two-family	NR	NR	D*	NR	NR	B	NR	B	B	B	C*	C*	D*	B	A	B	A	A	C	C*	D*	D*	D*
6	Townhouse	NR	NR	D*	B	B	NR	B	B	C*	B	C*	C*	D*	B	A	B	A	A	C*	C*	D*	D*	D*
7	Two-unit townhouse	NR	NR	D*	NR	NR	B	NR	B	B	C*	C*	C*	D	B	A	B	A	A	C*	C*	D*	D*	D*
8	Multi-family	NR	NR	D*	B	B	B	B	NR	C*	B	B	C*	C*	B	A	B	A	A	C*	C*	D*	D*	D*
9	Mobile Home Park	NR	NR	D*	B	B	B	B	C*	NR	B	B	C*	C*	B	A	B	A	B	C*	C*	D*	D*	D*
	COMMERCIAL LAND USES Shopping Centers																							
10	<20,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	B	C*	B
11	20,000-100,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C	B
12	100,000-200,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C*	B
13	200,000-1,000,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	C*	NR	NR	B	B	B	C*	B
14	Highway Commercial	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C*	B
	OFFICE LAND USES																							
15	Minor offices	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	B	C*	B
16	Office park/office buildings	NR	NR	B	B	B	B	B	B	B	A	B	B	C*	B	NR	NR	NR	NR	B	B	B	C*	B
17	Minor	NR	NR	B	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	A	A	C*	A
18	Major	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	A	B	C*	B
	HEAVY COMMERCIAL/INDUSTRIAL LAND USES																							
19	Warehousing/distribution	NR	NR	B	D*	D*	B	D*	D*	D*	B	B	B	B	B	B	B	A	A	NR	NR	A	C*	A
20	Retail w/outside storage	NR	NR	B	D*	D*	B	D*	D*	D*	B	B	B	B	B	B	B	A	A	NR	NR	A	C*	A
21	Light manufacturing	NR	NE	C*	D*	D*	D*	D*	D*	D*	B	B	B	B	B	B	B	A	B	A	A	NR	C*	A

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22	Heavy manufacturing	NR	NR	NR	D*	D*	D*	D*	D*	D*	C*	C*	C*	C*	C*	D*	D*	B	C*	B	B	C*	NR	B
23	Transportation/utilities	NR	NR	B	D*	D*	D*	D*	D*	D*	B	B	B	B	B	B	B	A	B	A	A	C*	B	NR
	COMMUNITY SERVICES																							
24	All elementary and/or secondary schools subject to Type "C" site plan (middle or high)	NR	NR	NR	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**

### KEY:

A, B, C, and D indicate accompanying landscape standards that must be used.

NR indicates that no buffering is required.

### NOTES: To determine the required buffer:

- (1) Locate/Existing adjacent use on left side of table;
- (2) Locate "Land Use Code Number" of proposed use at top of table;
- (3) Read Down in row of Existing Adjacent Use in final buffer requirements.
- (4) \* A buffer fence shall be provided when a Type C buffer or a 30-foot Type D buffer is required.
- (5) \*\* A Type 2 Urban Buffer as specified in §10-285, Table 11 may be substituted for a Type D Buffer.

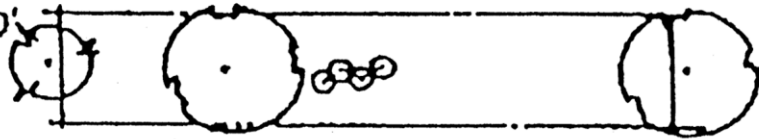
# Landscape Standard "A"

PLANT MATERIAL / 100'

1.2 CANOPY  
.4 UNDERSTORY  
4 SHRUBS

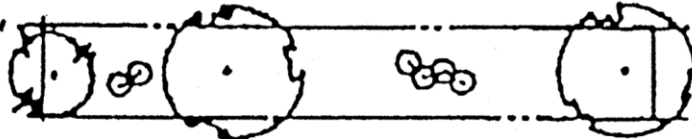
WIDTH

20'



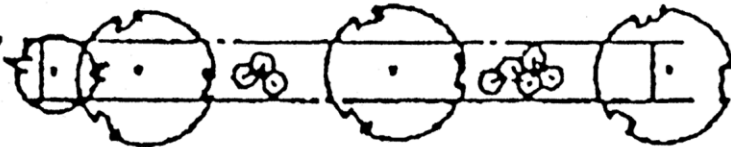
1.8 CANOPY  
.6 UNDERSTORY  
6 SHRUBS

15'



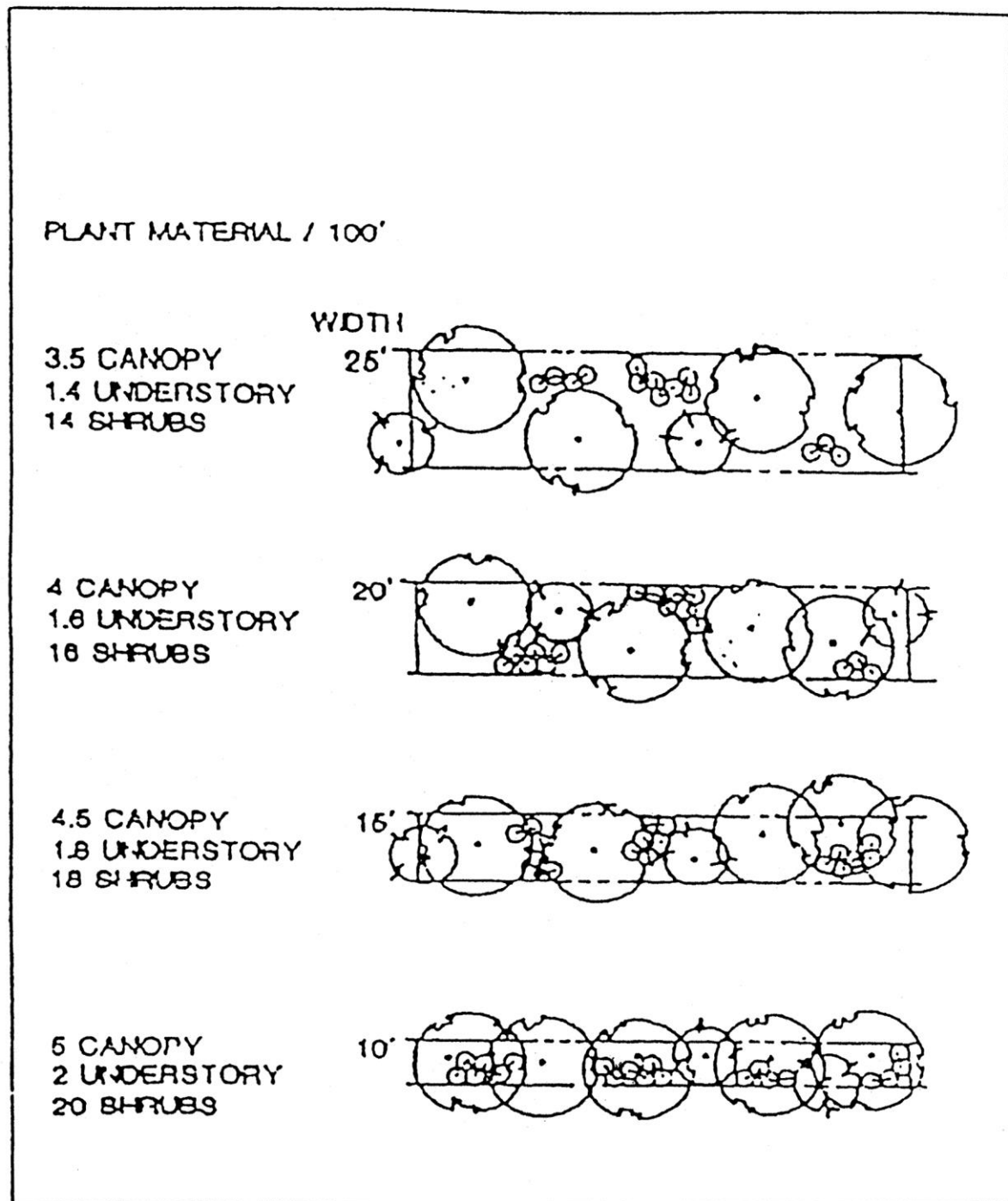
2.4 CANOPY  
.8 UNDERSTORY  
8 SHRUBS

10'



Landscape Standard "A"

Landscape Standard "B"



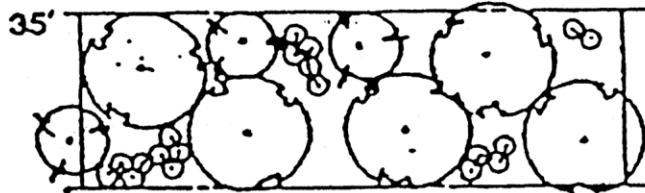
Landscape Standard "B"

Landscape Standard "C"

PLANT MATERIAL / 100'

WIDTH

4.8 CANOPY  
2.4 UNDERSTORY  
18 SHRUBS



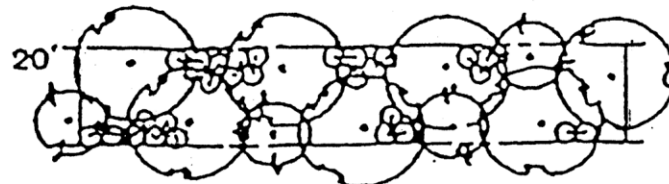
5.4 CANOPY  
2.7 UNDERSTORY  
22 SHRUBS



6 CANOPY  
3 UNDERSTORY  
24 SHRUBS

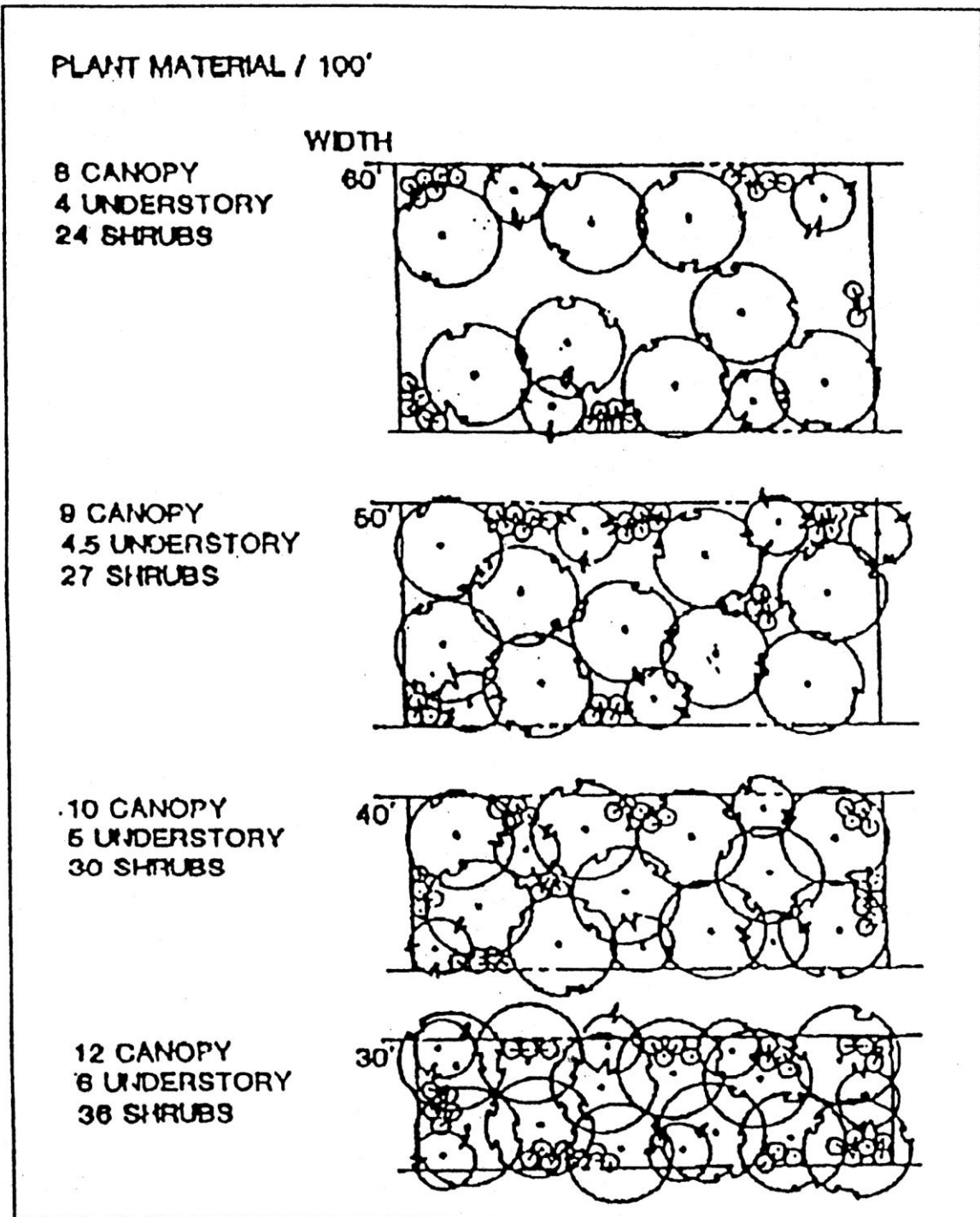


6.6 CANOPY  
3.3 UNDERSTORY  
28 SHRUBS



Landscape Standard "C"

Landscape Standard "D"



Landscape Standard "D"

- (5) Buffering for mixed use developments shall be based on the more intense use in the building or cluster of buildings.



- (6) The use of existing native vegetation in buffer zones is preferred. If a developer proposes to landscape a buffer zone with existing native vegetation, the staff forester may recommend, and the development review committee may allow, a waiver from the strict planting requirements of this section if:
  - a. The waiver is necessary to prevent harm to the existing native vegetation; and
  - b. The buffering and/or aesthetic purposes of the buffer zone are substantially fulfilled despite the waiver.
- (7) The desired width of a buffer zone between two parcels is the sum of the required buffer zones of the parcels. Where a new use is proposed next to an existing use that has less than the required buffer zone for that use, the lower standards will be tolerated until the nonconforming parcel is redeveloped and brought into conformity with the buffer zone requirements of this chapter. The developer of the new adjoining use is encouraged, however, to take into account the inadequacy of the adjoining buffer zone in designing the site layout of the new development.
- (8) Buffer alternative for conversions of existing structures and additions to existing structures. As an alternative to providing the landscape buffers required in subsection (a)(4) of this section, proposed conversions of existing structures (with no additions) and proposed additions to existing structures (up to a maximum of 50 percent increase from the size of the existing structure) may choose to install an opaque fence that is a minimum of six feet in height along the entire length of the property line adjoining the affected land use only if the affected adjoining site is in the same or a more intensive zoning district than the subject property. The fence shall be of a finished masonry, wood or natural plant material. For the purposes of this subsection, the relative intensity of zoning districts shall be based on the number and type of permitted uses and the maximum density/intensity allowed in a zoning district. If a question arises as to the relative intensity of zoning districts, the land use administrator shall make the final decision. If the owner of the affected adjoining site and the applicant both agree that a fence is not a desirable alternative, then a fence shall not be provided and the landscape buffer that must be provided is to the greatest extent possible that is reasonable and feasible. In order to enact this provision, written confirmation from both the owner of the adjoining site and the applicant shall be provided to the land use administrator in a form that is acceptable to the city attorney.
- (b) *Use of buffer areas.* No accessory structures, garbage or trash collection points or receptacles, parking or any other functional use contrary to the intent and purpose of this chapter shall be permitted in a required buffer area. This does not prohibit the combining of compatible functions such as landscaping, drainage facilities, passive recreation areas and preservation areas into an effective and beneficial multiple use of the subject land resource.
- (c) *Use of native plants.* Forty percent of the total number of individual plants selected from each of the categories of the list of approved species (canopy, understory, shrub, groundcover) and used to satisfy the requirements of this chapter shall be selected from the list of native species in the category.
- (d) *Environmental management ordinance.* All development must be consistent with chapter 5 of this Code.
- (e) *Determination.* Determination of applicable buffering standards shall be made at the time of final disposition of the application by the entity with authority to approve the plan of development as specified in chapter 9, article IV of this Code.
- (f) *Buffer fence standards.* The following standards shall apply:
  - (1) Whenever a buffer fence is required it shall be a minimum of eight feet in height, unless the applicant can demonstrate that the intent of this chapter will be met by a fence of lesser height under the particular circumstances.
  - (2) The buffer fence installation shall be incorporated as early as possible in the sequence of construction.

- (3) The buffer fence shall be solid opaque, constructed of durable materials consistent with the materials of surrounding neighborhoods and shall include provisions for access to all landscape material.
- (4) The side of a fence facing the less intensive use shall have a finished appearance.
- (5) When residential uses buffer against other uses, the planting materials shall be located on the outside of the fence. When non-residential uses buffer against residential uses, the planting materials shall be located on the inside of the fence.
- (6) Fencing shall be maintained in perpetuity.
- (g) *Additional standards for non-residential or dense residential projects adjacent to existing properties which are protected residential.* For the purposes of subsection (g), the terms listed below are defined as follows:

*Dense residential* means a residential building on a parcel larger than one-half acre developed at a density of greater than 14 units per acre.

*Protected residential* means any property developed with a single-family residence, duplex, or triplex to a density of less than or equal to eight units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA.

These additional buffer standards do not apply to non-residential or dense residential projects located across the street from properties which are protected residential.

- (1) Non-residential or dense residential uses (greater than two stories) adjacent to properties which are protected residential. Subsection (g)(1), applies to a non-residential or dense residential project which is required to obtain site plan review pursuant to sections 9-154—9-157, which is adjacent to three or more contiguous lots which are protected residential, and which is greater than two stories. The adjacency requirement is met if the proposed non-residential or dense residential use shares a common property boundary with any portion of one of the three or more contiguous lots. Such projects must meet two buffer requirements, as listed below. The planting density and planting types shall otherwise be consistent with section 10-177, (if located outside of the MMTD) or in subsection 10-284.3(a)(1) (if located inside of the MMTD).

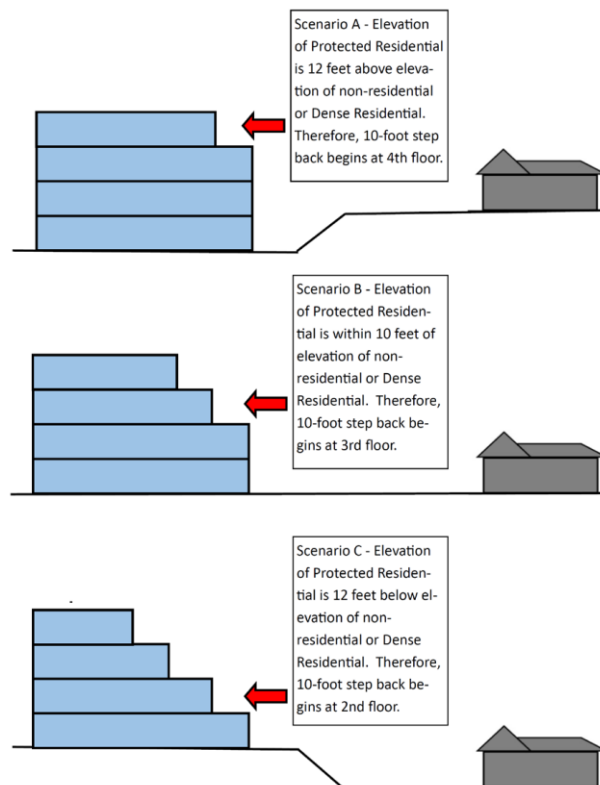
Any project subject to the regulations contained in this paragraph shall provide the following:

- a. The buffer identified in subsection 10-177(a)(4), if located outside of the MMTD or in subsection 10-284.3(a)(1) if located inside of the MMTD; and
- b. One of the following:
  - (i.) *Height step back.* A height step back is required and shall vary based on the first floor elevation of the non-residential or dense residential use in relation to the first floor elevation of the protected residential use as follows:

1 <sup>st</sup> Floor Elevation of Protected Residential versus Non-Residential or Dense Residential Use		Height Step Back Begins At
A.	Protected Residential > 10 ft. above	3 <sup>rd</sup> floor plus 1 additional floor per 10 ft. of elevation difference
B.	Protected Residential < or equal to 10 ft. above or below	3 <sup>rd</sup> floor
C.	Protected Residential > 10 ft. below	3 <sup>rd</sup> floor less 1 additional floor per 10 ft. of elevation difference

The floors identified in the table above, and each successive floor, must be each stepped back a minimum of ten feet from the floor below it where adjacent to a property which is protected residential. If other building elevations face non-residential uses, one additional floor is permitted along the non-residential uses to compensate for the density and/or intensity not permitted due to the building step back along the protected residential elevation. This standard is visually represented by the illustration titled "Height Step Back".

**Height Step Back**



- (ii.) *Tall tree buffer.* The project must provide an enhanced landscape buffer with trees chosen from the list in the table below (in lieu of trees otherwise required) that commonly grow to a minimum height

of at least 50 feet and are known to succeed in an urban landscape. The trees from the list below comprise the shade tree portion of the buffer that is otherwise defined by subsection (a)(4) (if located outside of the MMTD) or in subsection 10-284.3(a)(1) (if located inside of the MMTD). Understory trees and shrubs are also required by the noted citations.

To be eligible for the tall tree buffer option, projects must provide a minimum 15-foot separation at the time of planting between the tall tree and all buildings and a minimum soil volume of 2,400 cubic feet per tree. The maximum allowable depth for calculating soil volume is three feet. The landscape plan submitted with the site plan must show the planned location of each tall tree, the 15-foot separation, and the undeveloped area committed to the soil volume requirement.

If a property owner opts to satisfy this buffer requirement by utilizing one or more of the tall trees listed in this Section, they shall maintain the tall trees so they do not present an imminent risk to human health or property. Projects that are not able to provide the minimum distance between trees and buildings and the minimum soil volume shall instead provide the height step back identified in subsection (g)(1)b.i.

Trees with Mature Minimum Height of at Least 50 Feet<sup>1</sup>

Scientific Name	Common Name	Mature Height (feet)
<i>Carya illinoensis</i>	Pecan	70—100
<i>Carya tomentosa</i>	Mockernut Hickory	60—80
<i>Fagus grandiflora</i>	American Beech	50—75
<i>Fraxinus Americana</i>	White Ash	50—80
<i>Fraxinus pennsylvanica</i>	Green Ash	60—70
<i>Liriodendron tulipifera</i>	Tulip Poplar	80—100
<i>Magnolia grandiflora</i>	Southern Magnolia	60—80
<i>Nyssa sylvatica</i>	Black Tupelo	65—75
<i>Pinus elliotii</i>	Slash Pine	75—100
<i>Pinus serotina</i>	Pond Pine	70
<i>Pinus taeda</i>	Loblolly Pine	50—80
<i>Pinus palustris</i>	Longleaf Pine	60—80
<i>Platanus occidentalis</i>	American Sycamore	75—90
<i>Quercus alba</i>	White Oak	60—100
<i>Quercus bicolor</i>	Swamp White Oak	50—70
<i>Quercus coccinea</i>	Scarlet Oak	60—75
<i>Quercus falcata</i>	Southern Red Oak	60—80
<i>Quercus nuttallii</i>	Nuttall Oak	60—80
<i>Quercus phellos</i>	Willow Oak	60—75
<i>Quercus shumardii</i>	Shumard Oak	55—80
<i>Quercus virginiana</i>	Live Oak	60—80
<i>Taxodium distichum</i>	Bald Cypress	60—80
<i>Ulmus Americana</i>	American Elm	70—90
<i>Washingtonia Robusta</i>	Washington Palm	70—100

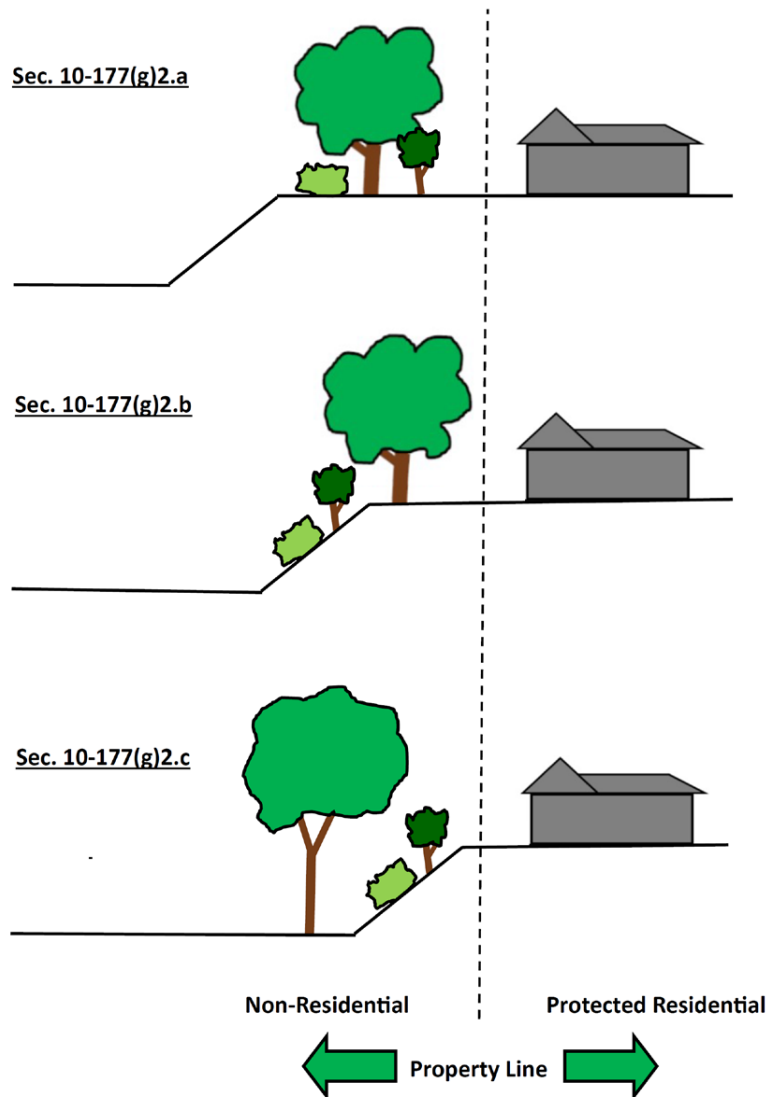
<sup>1</sup> The minimum planting size is a two-inch caliper tree, measured six inches above the soil line.

- (2) Site grading. If a non-residential or a dense residential site is graded to reduce the elevation of the developed portion of site below an adjacent property which is protected residential, the perimeter landscaping shall be located as follows:
- a. The perimeter landscape buffer may be provided at the higher, pre-grading elevation;
  - b. If an arborist certifies in writing that the degree of the slope, the type of soil, and the drainage patterns do not cause this option to adversely impact the viability of the buffer, the perimeter landscape buffer may start at top of the slope, with all shade trees planted at the higher, pre-grading elevation and understory trees and shrubs planted on the slope; or
  - c. The perimeter landscape buffer may be provided at the lower, post-grading elevation, provided it is a tall tree buffer as defined by subsection (g)(1)b.(ii.).

This standard is visually represented by the illustration titled "Perimeter Landscaping at Graded Sites".

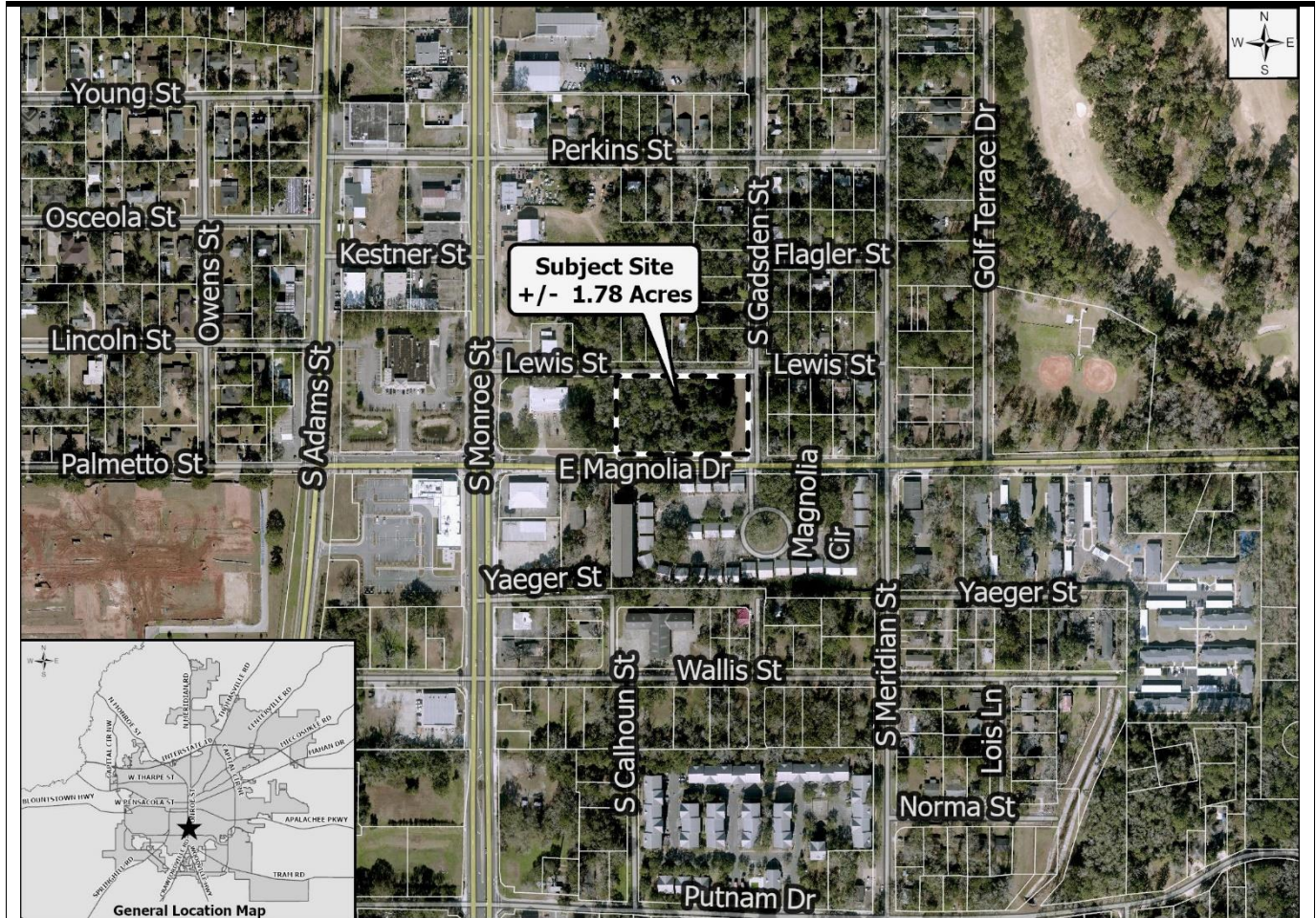
- (3) Subsection (g) does not apply to the following:
- a. Proposed non-residential or dense residential developments adjacent to properties which are protected residential that are currently developed and occupied by a legally existing non-conforming use; or
  - b. Proposed non-residential or dense residential developments adjacent to isolated properties which are protected residential comprised of less than three units on less than three contiguous lots. For purposes of this section, "isolated" shall mean one or two residential units, which are surrounded by non-residential zoning or uses.
  - c. A change of use at an existing non-residential or dense residential development, provided the change of use does not result in a more intense use that is otherwise regulated by subsection (g).

Perimeter Landscaping at Graded Sites



(Code 1984, ch. 27, §§ 13.1—13.5; Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 99-O-0058AA, § 5, 1-26-2000; Ord. No. 02-O-88AA, § 5, 10-23-2002; Ord. No. 06-O-43, § 5, 7-12-2006; Ord. No. 15-O-17AA, § 3, 8-26-2015; Ord. No. 21-O-15, § 2, 6-16-2021)





### SUMMARY

Property Owners:	Property Location:	Amendment Type:
Linda G. Paramore	Northwest corner of East Magnolia Drive and South Gadsden Street	<b>City Small Scale Map Amendment</b>
Applicant:		
Linda G. Paramore		
TLCDP Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Oluwaseyi Akinrinde	<u>Future Land Use:</u> Central Urban & Residential Preservation <u>Zoning:</u> CU-45 & RP-2	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
<a href="mailto:oluwaseyi.akinrinde@gmail.com">oluwaseyi.akinrinde@gmail.com</a> 850-891-6412	<u>Future Land Use:</u> Central Urban <u>Zoning:</u> Central Urban – 45 (CU-45)	Consistent
Date: 10/17/2023	Updated: 02/27/2024	

## **A. EXECUTIVE SUMMARY**

If approved, this map amendment would merge a split future land use designation into one, thereby increasing the allowable density and expanding the allowable use on a 1.78-acre parcel from low-density residential to medium and high-density residential, mixed-use, and commercial uses. The proposed change would increase the allowable density and uses of approximately 58% of the subject site from zero (0) to six (6) dwelling units per acre to four (4) to forty-five (45) dwelling units per acre.

The subject site includes parcel 4101204740000 at the northwest corner of the intersection of East Magnolia Drive and South Gadsden Street. The applicant, Linda G. Paramore, is requesting a change of Land Use from the split designation of Central Urban and Residential Preservation to Central Urban. The site is within the Urban Services Area and Multimodal Transportation District, and infrastructure is available to support the increased allowable density.

A rezoning application will be processed concurrently with this amendment. A zoning change from Central Urban – 45 (CU-45) and Residential Preservation – 2 (RP-2) to Central Urban – 45 (CU-45) has been requested to implement the proposed amendment to the Future Land Use Map. The proposed zoning provides for medium and high-density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre.

Part of the review process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan and is further detailed in Sections E and F of this report. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. This consideration includes the following: 1) Does the area meet the criteria for designation as Central Urban and Residential Preservation? 2) Does the area better meet the criteria for Central Urban?

The concurrent rezoning determines the allowed uses and the density of up to 45 dwelling units per acre of development on the site. Based on staff analysis, the subject site is in close proximity to the urban core and major universities, and the proposed uses are consistent with the requested zoning of Central Urban-45. Further details are found in Section F of this report. The proposed rezoning is consistent with the emphasis and encouragement of infill development reflected in multiple policies contained in the Land Use and Mobility Elements of the Comprehensive Plan and supporting the Central Urban intent of promoting infill and redevelopment of urban areas with supporting infrastructure, accessibility to services, and proximity to Downtown and Universities.

If the Land Use and Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City Code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards. This includes neighborhood compatibility standards and other buffering and screening standards intended to protect and promote compatibility with the existing RP neighborhood to the north and east of the subject site.

The City of Tallahassee Land Development Code defines buffers between parcels of differing land uses based upon compatibility. Applicable development standards may include height step back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment and trash enclosures, no active recreation within 200 feet of single family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance. These buffer requirements may be found in *Appendix 3* of this staff report or in the City of Tallahassee Land Development Code Sec. 10-177: Buffer Zones.

## **B. APPLICANT’S REASON FOR THE REQUESTED CHANGE**

The applicant, Linda G. Paramore, stated that they seek this land use change to provide one unified land use and zoning category on the property and to ensure compatibility with the adjacent properties of the subject site.

## **C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION**

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

## **D. STAFF ANALYSIS**

Staff finds that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

## **E. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Land Development Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

- Policy 2.2.8 [L] states that the Central Urban land use category is characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities.

The subject site is in close proximity to Florida A&M University, and a portion of the subject site is within the Downtown Overlay district.

- Policy 2.2.8 [L] states that infill and potential redevelopment and/or rehabilitation activity should be encouraged.

The proposed amendment will encourage infill and potential redevelopment and/or rehabilitation activity on the subject site.

- Objective 11.2 [L] – Investment: Direct collaborative efforts of both the public and private sectors towards an increase of homeownership, diverse development and redevelopment types, business variety, and infrastructure in the Southside Community.

The proposed land use change will activate the currently vacant subject site, allow for a variety of development types more consistent with surrounding uses, and provide economic and housing opportunities to the Southside Community, aligning with the goals of the Southside Action Plan.

## **F. SUMMARY OF FINDINGS**

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate.

Staff presents the following findings of fact:

### **History and Background**

The area around East Magnolia Drive between South Monroe Street and South Meridian Street is characterized by retail, warehouse, and office uses to the west and multi-family, two-family, and single-family residential uses to the east.

The subject site is approximately 1.78 acres in size and is currently vacant. An auto parts retail store is located directly to the west of the subject site. The north and east of the subject site comprise low-density residential developments. There is medium-density residential directly to the south of the subject site with Central Urban FLU and Central Urban – 45 zoning, which is the same land use and zoning requested for the subject site.

### ***FLUM History:***

- The subject parcel has been designated Central Urban and Residential Preservation since the adoption of the Comprehensive Plan.

### ***Zoning History:***

- ***Previous Zoning:*** The western portion of the subject site was zoned CU (Central Urban) prior to 2008. The CU designation allowed a variety of uses, including high-density residential, employment, office, and commercial activities.

- **Existing Zoning (2008):** The western portion of the subject site was zoned CU – 45 (Central Urban - 45) in 2008, while the eastern portion maintained a Residential Preservation (RP-2) zoning designation.

The site is located within the following locally designated areas:

- Urban Services Area
- Multimodal Transportation District (MMTD)
- Southside Action Plan
- South Monroe Sector
- Downtown Overlay District

#### Current and Proposed Future Land Use Categories

The Subject Area is currently designated **Central Urban** and **Residential Preservation** on the FLUM. The proposed amendment would change the FLUM designation of the area to **Central Urban**. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for **Residential Preservation (Policy 2.2.3 [L])** and **Central Urban (Policy 2.2.8 [L])** are included as Appendix #1.

#### ***Central Urban and Residential Preservation (Current)***

The subject site is currently designated as Central Urban and Residential Preservation on the Tallahassee-Leon County Future Land Use Map (FLUM). For that portion of the subject site that is Residential Preservation, the intent of the land use category which prohibits commercial, office and industrial uses, is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built-out nature of the areas. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval. The portion of the site that is Central Urban has the same uses and intent as described below.

#### ***Central Urban (Proposed)***

The intent of the Central Urban land use category is to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Actual siting of land uses within the category are dependent on implementing zoning districts. Roadway access standards are determined by application of land development regulations. Land use intensity is intended to be higher (up to 20,000 sq. ft. for minor commercial uses; up to 100,000 sq. ft. for neighborhood commercial uses; and up to 200,000 sq. ft. for community commercial uses) due to the presence of requisite capital infrastructure and location of employment and activity centers.

**Determination for Future Land Use Map Amendment**

*1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation (RP)?*

No. The western portion of the subject parcel is designated as Central Urban on the Future Land Use Map, which is intended for uses prohibited in the Residential Preservation category. Additionally, the subject site is located along East Magnolia Drive, a major collector roadway, and the traffic volume is not predominantly low in nature, as is expected in the Residential Preservation FLUM category.

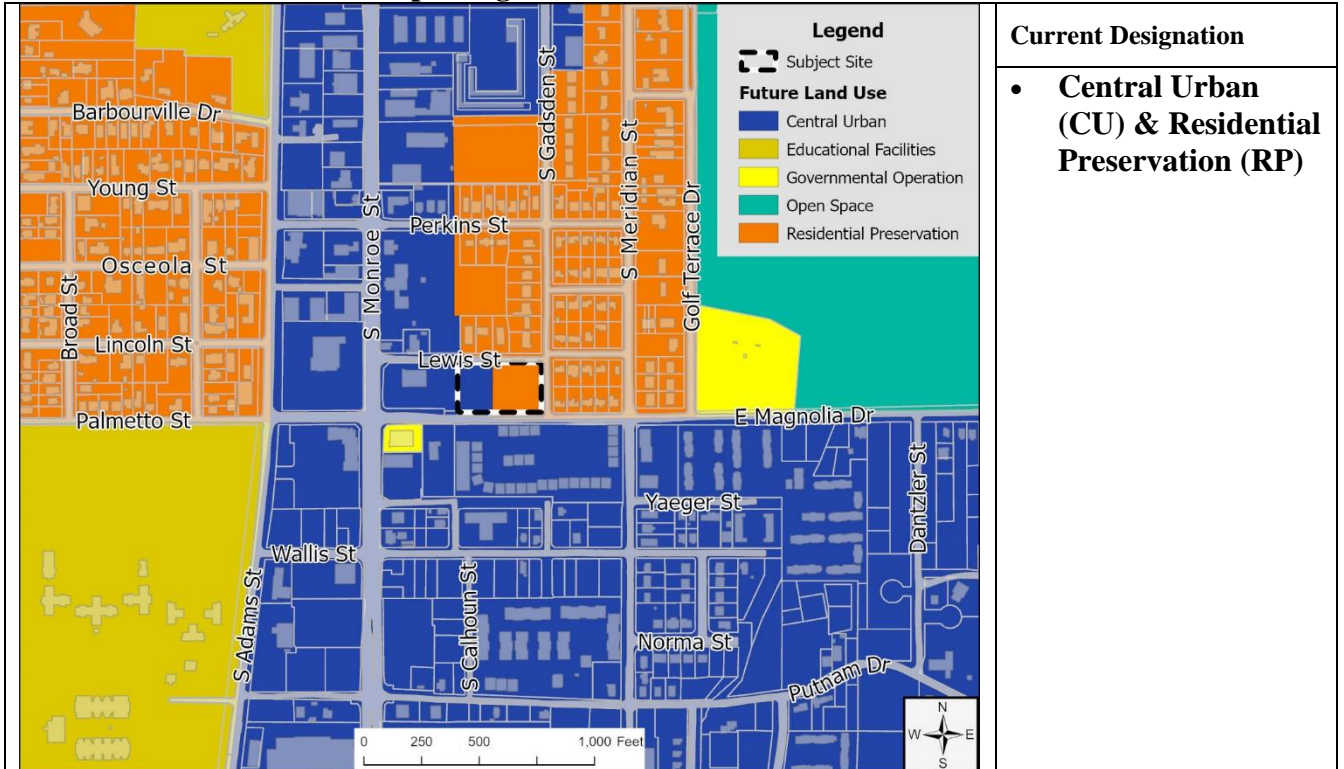
*2) Does the area better meet the criteria for the proposed land use designation of Central Urban (CU)?*

Yes. The subject site more closely resembles the description of the Central Urban land use category. The subject site is within the Downtown Overlay District, and the western portion of the site is currently designated Central Urban Future Land Use. The proposed amendment is consistent with the emphasis and encouragement of infill development reflected in the Central Urban land use policy and other Land Use Element policies.

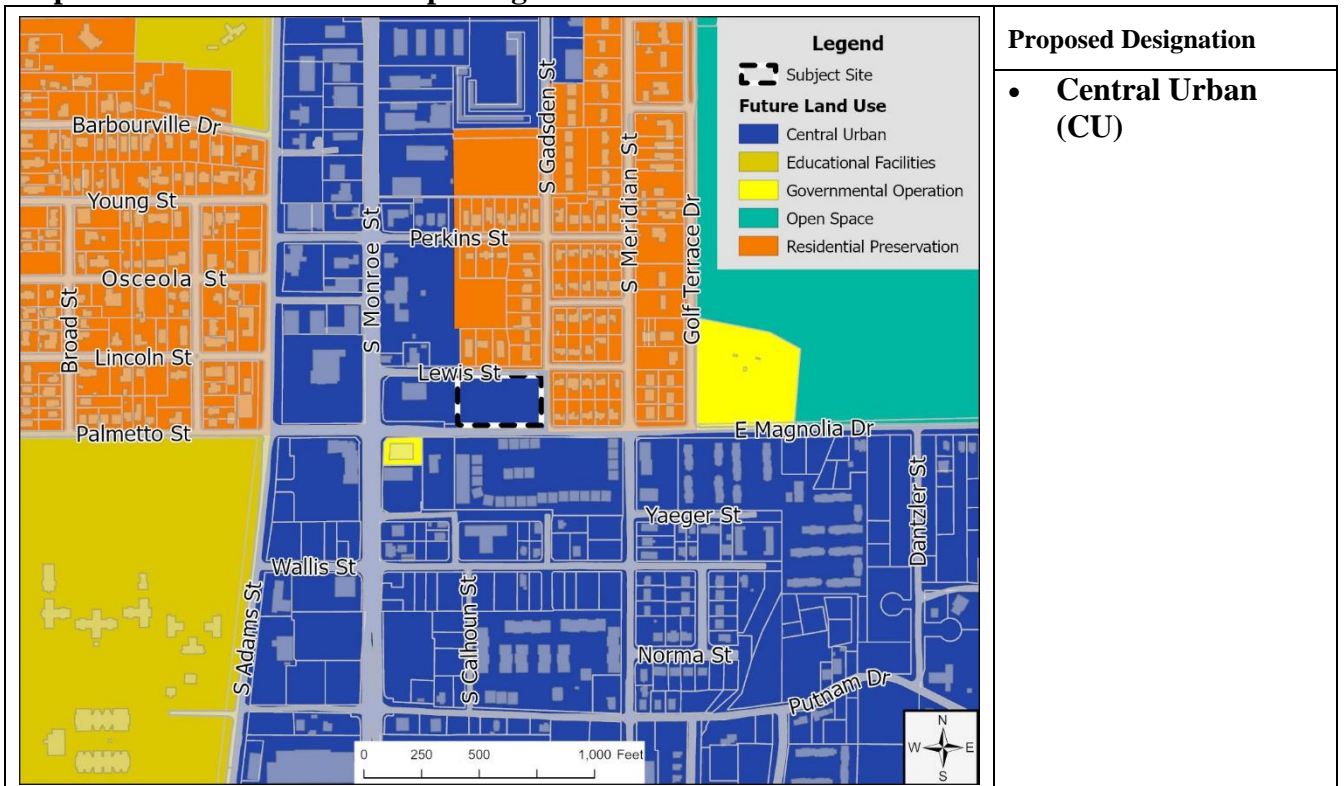


The following maps illustrate the current and proposed FLUM designations for the Subject Area.

**Current Future Land Use Map Designation**



**Proposed Future Land Use Map Designation**



### Current and Proposed Zoning

The Subject Area is currently zoned **Central Urban - 45** and **Residential Preservation - 2**. The proposed rezoning would change the zoning designation to **Central Urban - 45** to implement the proposed underlying land use category. A summary of the current and proposed zoning categories is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for *Residential Preservation - 2* (sec. 10-170) and *Central Urban - 45* (sec. 10-239.4) are included as Appendix #2.

#### ***Residential Preservation – 2 (RP-2) (Current)***

The Residential Preservation – 2 (RP-2) zoning district is intended to apply to residential development in areas designated “Residential Preservation” on the Future Land Use Map, preserving the low density residential character of single-family, two-unit townhouse, and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six (6.0) dwelling units per acre.

#### ***Central Urban - 45 (CU-45) (Current and Proposed)***

The current and proposed zoning for the subject site, Central Urban - 45, is intended to:

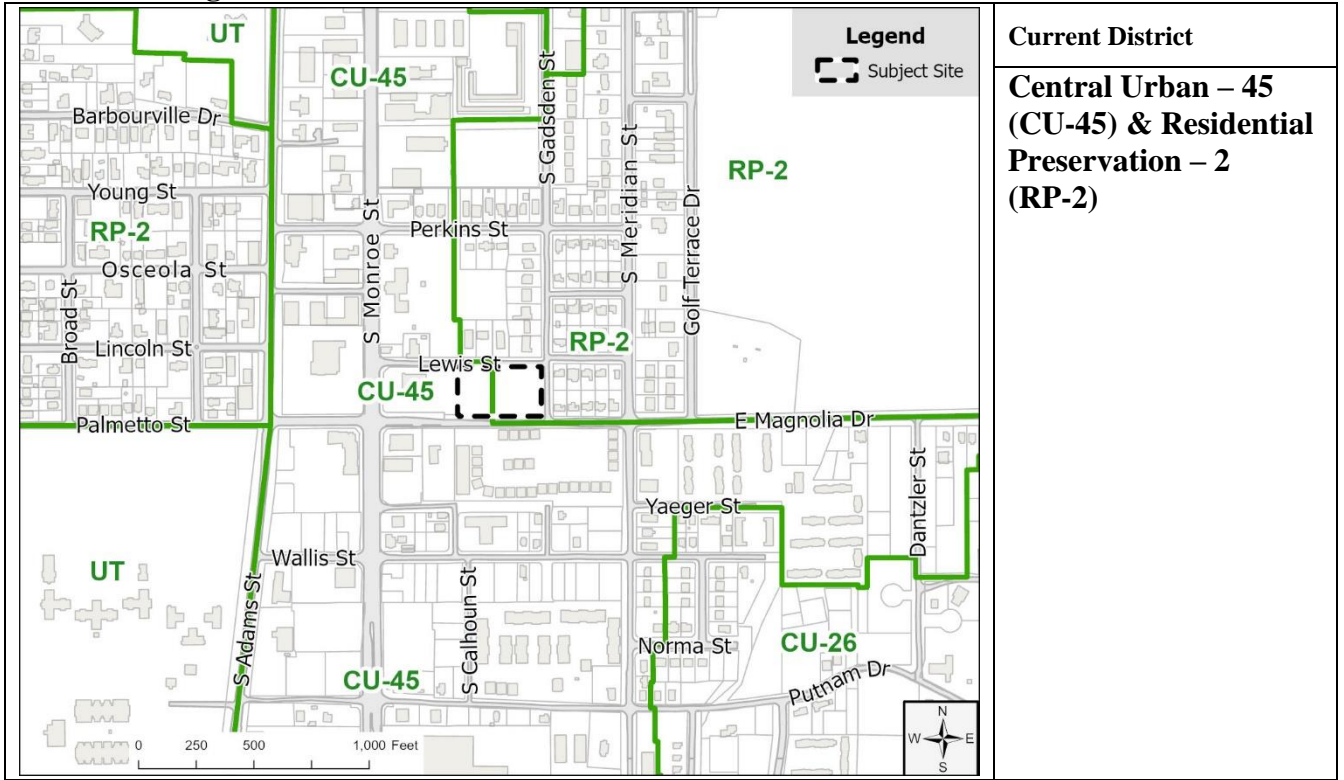
- provide for medium and high density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre;
- Provide for office development (up to 60,000 square feet per acre);
- Provide access to major shopping and businesses opportunities (up to 60,000 square feet per acre);
- Promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities;
- Promote compatibility with adjacent land uses through limitations on development intensity and use of development and design standards;
- Allow residential development at the densities necessary to support the use of public transit and
- Promote pedestrian and bicycle mobility through design requirements.

### **Determination for Concurrent Rezoning**

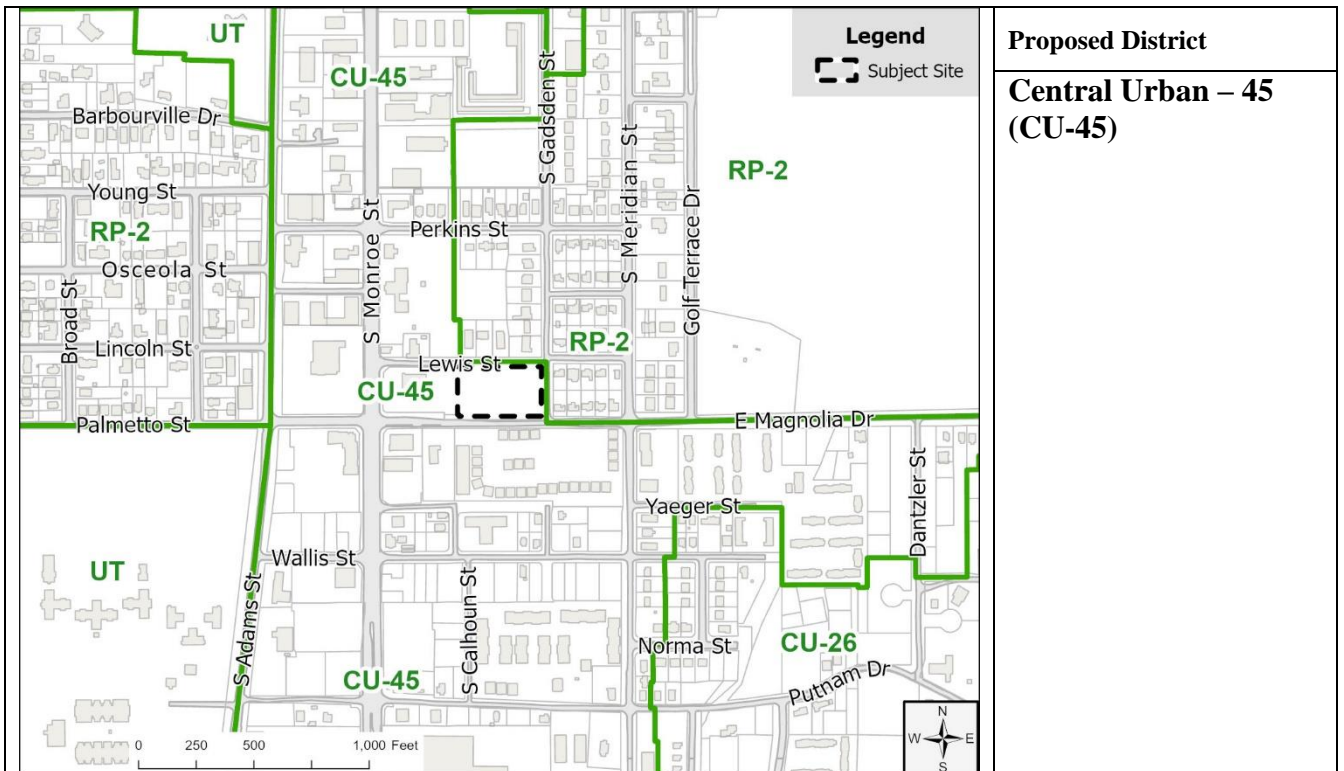
Provided the requested Future Land Use Map amendment is approved, the proposed CU-45 zoning district is intended to be located in areas designated as Central Urban on the Future Land Use Map of the comprehensive plan, which contain or are anticipated to contain a wide range of residential uses.

The following maps illustrate the current and proposed zoning for the Subject Site.

**Current Zoning**



**Proposed Zoning**



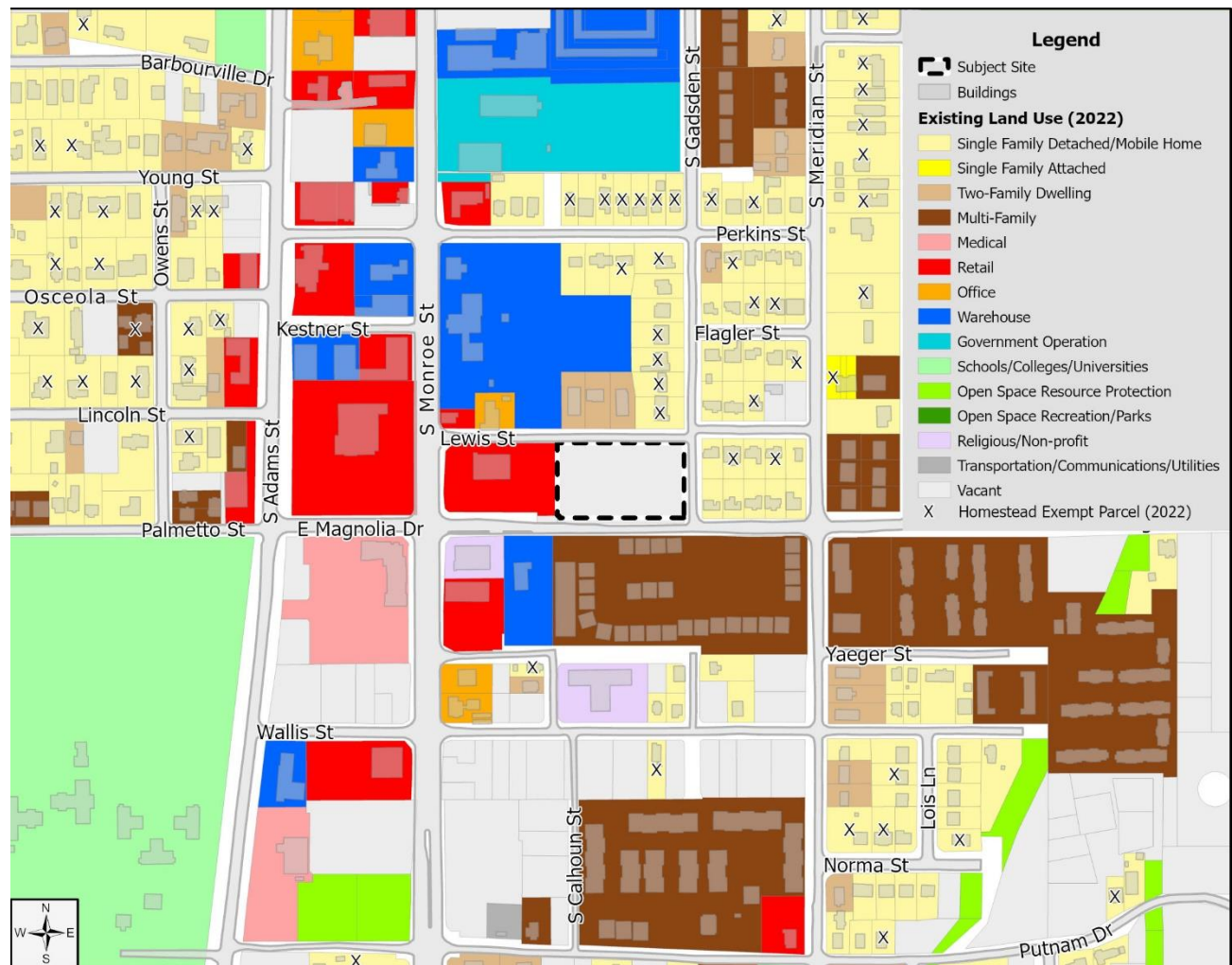


### Compatibility with Adjacent and Surrounding Uses

The subject site is a parcel of approximately 1.78 acres and is currently vacant. The western portion of the subject site is currently designated in the proposed land use and zoning category. An auto parts retail store is located directly to the west of the subject site. The north and east of the subject site comprise low-density residential developments. There is medium-density residential directly to the south of the subject site with Central Urban FLU and Central Urban – 45, which is the same land use and zoning requested for the subject site. The subject site is located near a principal arterial roadway with employment, educational, and retail opportunities.

The Land Development Code (Sec. 10-429) describes requirements for buffering and neighborhood compatibility for dense residential uses next to protected residential properties. Applicable development standards may include height step-back requirements or tall tree buffers, restrictions on locations of parking lots, loading zones, equipment, and trash enclosures, no active recreation within 200 feet of single-family residential, additional transparency and façade requirements, and distance requirements for earthwork disturbance.

### Existing Land Use Map



Residential Preservation Analysis

The following analysis evaluates whether the subject site is consistent with the characteristics of the Residential Preservation land use category. While some characteristics of the subject site are consistent with Residential Preservation, there are multiple characteristics where the subject site is not consistent with the description of Residential Preservation included in Policy 2.2.3 [L].

- (1) Existing land use within the area is predominantly residential.  
**Analysis:** The present land usage within the subject site is vacant. Approximately 58 percent is designated for residential use, while the rest of the site is designated for a variety of uses.
- (2) Majority of traffic is local in nature.
  - i. Predominance of residential uses front on local streets.  
**Analysis:** The subject parcel fronts two streets designated local to the east and north. Lewis Street and South Gadsden Street are designated as local street. However, East Magnolia Drive to the south of the subject site is classified as a major collector roadway.
  - ii. Relatively safe internal mobility.  
**Analysis:** Safety and intermobility of the subject area would be rated standard due to the balance of its presence along two local streets and a major collector. The streets are well interconnected to the surrounding neighborhood(s). The subject area provides a safe crossing of East Magnolia Drive and Lewis Street. There is a presence of a sidewalk on East Magnolia Drive and Gadsden Street.
- (3) Densities within the area generally are six (6) units per acre or less.  
**Analysis:** The allowable density for the applicant's parcel is currently six units per acre to the east and forty-five units per acre to the west, although the site is vacant.
- (4) Existing residential type and density exhibits relatively homogeneous patterns.  
**Analysis:** Residential types within the subject area are not homogeneous given the presence of town homes and multi-family developments on East Magnolia Drive. Lot sizes, building types, and lot layouts are inconsistent with surrounding RP areas.
- (5) Assessment of stability of the residential area, including but not limited to:
  - i. Degree of home ownership.  
**Analysis:** As a proxy for home ownership, homestead exemption status was reviewed. As of the 2022 tax year, none of the residential developments on East Magnolia Drive between South Monroe and South Meridian had a homestead exemption. The multi-family to the south of the subject site did not (as expected). Four of the twelve residential developments on Lewis Street have a homestead exemption. The applicant's site is not homestead exempt.
  - ii. Existence of neighborhood organizations.  
**Analysis:** The site is part of the Myers Park Neighborhood Association.

**Conclusion:** The subject site is adjacent to residential preservation areas but does not meet the criteria for residential preservation itself.

### Infrastructure Analysis

#### *Water/Sewer*

The City of Tallahassee owns and maintains the water and sewer serving the subject site.

#### *Schools*

The Subject Area is zoned for **Hartsfield** Elementary School, **Cobb** Middle School, and **Rickards** High School.

All attendance zones in which the property is located have the capacity for this project. Currently, Hartsfield Elementary has a capacity of 440, with post development capacity of 431. Cobb Middle School has a capacity of 717, with post development capacity of 713. Rickards High School has a capacity of 456, with post development capacity of 453.

#### *Roadway Network*

The subject site is located along three roadways: East Magnolia Drive to the south, Lewis Street to the north, and South Gadsden Street to the east of the subject site. East Magnolia Drive is classified as a major collector roadway and is maintained by Leon County. East Magnolia Drive is a two-lane roadway with one travel lane in each direction. Lewis Street and South Gadsden Street are classified as local streets and maintained by the City of Tallahassee. The two roadways are shared-lane roadways, with one travel lane for both directions.

The subject site is located within the Multimodal Transportation District (MMTD). The goal of the MMTD is to facilitate the use of multiple modes of transportation, leading to a reduction in automobile use and vehicle miles traveled.

The proposed land use amendment and rezoning do not create identified transportation service issues. Proposed development may require capacity improvements to the transportation network to accommodate added traffic demand and access on East Magnolia Drive. The actual traffic impacts and concurrency will be calculated during the site plan review.

Consistent with the requirements in the Leon County and/or City of Tallahassee Land Development Code, final transportation concurrency calculations will be conducted when a site plan for proposed development is submitted. The actual traffic impacts and concurrency will be calculated at the time of site plan review.

#### *Pedestrian and Bicycle Network*

The site is accessible via sidewalk on South Gadsden Street. There is a multi-use trail on East Magnolia Drive.

#### *Transit Network*

The subject site is a 2-minute walk from Stop 797 at S Meridian Street and E Magnolia Drive and a 4-minute walk from Stop 2549 at S Monroe Street and E Magnolia Drive. StarMetro's Big Bend route and night bus route 2 serve both locations.



Environmental Analysis

The subject site is in the Urban Services Area and the Multimodal Transportation District. Any future redevelopment of the area would follow the site plan review process. This process includes an analysis of environmental features and cultural resources.

The site is not in a flood zone.

**G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES**

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning district implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

<b>Permitted Uses- Future Land Use</b>	<b>Current Residential Preservation</b>	<b>Proposed Central Urban</b>
Residential	6 units/acres	45 units/acre
Single-Family Detached	X	X
Single-Family Attached	X	X
Two-Family Dwellings	X	X
Community and Recreational Facilities	X	X
Cultural Activities		X
Commercial Goods and Services		X
Mixed-Use Development		X
Office		X

<b>Permitted Uses- Zoning</b> (See Zoning Charts in Appendix #2 for detailed uses)	<b>Current (RP-2)</b>	<b>Proposed CU-45</b>
Residential	6 units/acres	45 units/acre
Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X
Community facilities related to residential uses including religious facilities, police/fire states, and elementary, middle, vocational, and exceptional student education schools	X	X
Community facilities including libraries and high schools		X
Passive recreational facilities	X	X
Active recreational facilities		X
Commercial		X
Retail		X
Office		X

## H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to **372** property owners within 1,000 feet of Subject Site.

<b>Public Outreach</b>		<b>Date Completed</b>
<b>X</b>	Applications posted to Planning Website	11/02/2023
<b>X</b>	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	11/10/2023
<b>X</b>	Signs providing details of proposed land use posted on subject site	11/15/2023
<b>X</b>	Public Open House	12/07/2023
<b>X</b>	Staff Reports Available Online ( <a href="#">hyperlink</a> )	01/16/2024
	Email Subscription Notice sent to all users of service	(all dates to be listed)
<b>X</b>	Legal Ads posted	01/16/2024

**Public Open House** –The public open house was held on December 7, 2023, at the Renaissance Building. There were 14 people in attendance. Staff provided overview of the application received and the amendment being requested. There were questions and concerns raised by the neighbors and property owner around the subject site. Staff provided answers to some of the questions by the property owners.

## **I. 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:

<b>Cycle Meetings</b>		<b>Date Completed</b>
<b>X</b>	Local Planning Agency Workshop	01/17/2024
<b>X</b>	Local Planning Agency Public Hearing	02/06/2024
	Adoption Public Hearing	04/10/2024

**Local Planning Agency Workshop** – A workshop was held on January 17, 2024, at the Renaissance Building. Staff provided overview of the application received and the amendment being requested. There were no questions from the LPA that resulted in updates to this staff report.

**Local Planning Agency Public Hearing** – The public hearing was held on February 6, 2024, to vote on the proposed amendment. Staff provided overview of the application received and the amendment being requested. The LPA found the proposed future land use map amendment consistent with the Tallahassee Leon-County Comprehensive Plan, based on the findings, and other information contained in this staff report, and recommended adoption of the proposed amendment. They also found that the proposed rezoning is consistent with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and recommend approval of the proposed rezoning. There was a public comment on the application with concerns about traffic and commercial encroachment. Staff provided information about traffic impact analysis which is a requirement at the site plan stage.

**J. APPENDICES**

- Appendix #1: Comprehensive Plan Policies for Central Urban (2.2.8: [L]) and Residential Preservation (2.2.3: [L])
- Appendix #2: Land Development Codes for Central Urban (Sec. 10-239.4), Residential Preservation (Sec. 10-170), Development Standards for Dense Residential Uses next to Properties which are Protected Residential (Sec. 10-429) and Buffer Zones (Sec. 10-177).
- Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site.

**APPENDIX 1**

Comprehensive Plan policies

***Policy 2.2.8: [L]***

**CENTRAL URBAN**

(REV. EFF. 6/07/01; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 6/6/08)

Characterized by older developed portions of the community that are primarily located adjacent to or in close proximity to the urban core and major universities. Intended to provide a variety of residential types (up to 45 DU/AC), employment (includes light manufacturing), office and commercial activities. Infill and potential redevelopment and/or rehabilitation activity should be encouraged. Actual siting of land uses within the category are dependent on implementing zoning districts. Roadway access standards are determined by application of land development regulations. Land use intensity is intended to be higher (up to 20,000 sq. ft. for minor commercial uses; up to 100,000 sq. ft. for neighborhood commercial uses; and up to 200,000 sq. ft. for community commercial uses) due to the presence of requisite capital infrastructure and location of employment and activity centers.

***Policy 2.2.3: [L]***

**RESIDENTIAL PRESERVATION**

(EFF. 7/16/90; REV. EFF. 7/26/06; REV. EFF. 4/10/09; REV. EFF. 5/31/18)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
  - a) Predominance of residential uses front on local street
  - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
  - a) Degree of home ownership
  - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments.

Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area.

Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

- b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design

and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

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

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 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 expanding or redeveloping light industrial uses and 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 uses shall 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.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods.

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels



abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

1. Guidance on the resubdivision of lots in recorded and unrecorded single-family subdivisions shall be provided in the Land Development Code.
2. Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

<b><u>Existing land use character of the subdivision</u></b>	<b><u>Gross residential density</u></b>
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

**APPENDIX 2**

## Land Development Code sections

**Sec. 10-239.4. CU-45 Central Urban District.**

See the following chart for district intent, permitted uses, dimensional requirements, and notes for the CU-45 Central Urban District:

CU-45 Central Urban District

	PERMITTED USES*		
1. District Intent	2. Principal Uses		3. Accessory Uses
<p>The CU-45 district is intended to:</p> <ul style="list-style-type: none"> <li>•Provide for medium and high density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre;</li> <li>•Provide for office development (up to 60,000 square feet per acre);</li> <li>•Provide access to major shopping and businesses opportunities (up to 60,000 square feet per acre);</li> <li>•Promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities;</li> <li>•Promote compatibility with adjacent land uses through limitations on development intensity and use of development and design standards;</li> <li>•Allow residential development at the densities necessary to support the use of public transit; and</li> <li>•Promote pedestrian and bicycle mobility</li> </ul>	<p>1. Active and passive recreational activities.</p> <p>2. Antique shops.</p> <p>3. Automotive rental (limited to passenger vehicles).</p> <p>4. Automotive service and repair, excluding automated car wash.</p> <p>5. Automotive: retail parts, accessories, tires, etc.</p> <p>6. Bait and tackle shops.</p> <p>7. Banks and other financial institutions without drive through facilities.</p> <p>8. Banks and other financial institutions with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>9. Bed and breakfast inns; as governed by Section 10-412.</p> <p>10. Camera and photographic stores.</p> <p>11. Cocktail lounges</p>	<p>20. Laundromats, laundry and dry cleaning pick-up stations with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>21. Live-work units.</p> <p>22. Medical and dental offices, services, laboratories, and clinics.</p> <p>23. Mortuaries.</p> <p>24. Motor vehicle fuel sales.</p> <p>25. Non-medical offices and services, including business Non-store retailers.</p> <p>26. Nursing homes and other residential care facilities.</p> <p>27. Personal Services.</p> <p>28. Pet day care.</p> <p>29. Photocopying and duplicating services.</p> <p>30. Rental of tools, small equipment, or party supplies.</p>	<p>(1) Use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p><i>4. Special Exception Use</i></p> <p>Off-street parking facilities (applicable to properties in the Downtown Overlay).</p>

<p>through design requirements.</p> <p>The CU-45 district may only be utilized in the Central Urban Comprehensive Plan Category. The CU-45 zoning district is not subject to the Tallahassee Land Use Development Matrix found in Section I-16 of the Tallahassee/Leon County Comprehensive Plan. Minimum density requirements do not apply to mixed-use projects.</p>	<p>and bars.</p> <p>12. Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and elementary, middle, high, and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations.</p> <p>13. Day care centers.</p> <p>14. Gift, novelty, and souvenir shops.</p> <p>15. Government offices and services.</p> <p>16. Hotels, motels, inns, SRO hotels, boarding houses.</p> <p>17. Indoor amusements (bowling, billiards, skating, etc.).</p> <p>18. Indoor theaters (including amphitheaters).</p> <p>19. Laundromats, laundry and dry cleaning pick-up stations without drive through facilities.</p>	<p>31. Repair services, non-automotive.</p> <p>32. Residential - any unit type.</p> <p>33. Restaurants, without drive through facilities.</p> <p>34. Restaurants with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting on South Monroe Street between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>35. Retail bakeries.</p> <p>36. Retail computer, video, record, and other electronics.</p>	
<p>The provisions of this district are intended to facilitate co-location of residential, office, and commercial land uses within the same development or close proximity, with an emphasis on compatible scale and design. This district is not intended to be located adjacent to areas designated Residential Preservation on the Future Land Use Map except at rear lot lines in the Providence</p>	<p>37. Retail department, apparel, and accessory stores.</p> <p>38. Retail drug store without drive-through facilities.</p> <p>39. Retail drug store with drive-through facilities (only allowed on parcels fronting West Tennessee Street between Buena Vista Drive and 166 feet east of its intersection with Wadsworth Street and on parcels fronting South Monroe Street</p>	<p>53. Retail trophy store.</p> <p>54. Social, fraternal and recreational clubs and lodges, including assembly halls.</p> <p>55. Structured parking, when combined with a principal use.</p> <p>56. Studios for photography, music, art, dance, and voice.</p> <p>57. Tailoring.</p> <p>58. Veterinary services, including veterinary hospitals.</p> <p>59. Warehouses, mini-warehouses, and self-</p>	

<p>Neighborhood Overlay. To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Downtown Overlay, a 25 percent density bonus is available subject to the provisions of Sec. 10-280.7 of the Code. A 35 percent bonus is available with an Urban Planned Unit Development as found in Sec. 10-200.</p> <p><b>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</b></p>	<p>between Orange Avenue and 125 feet south of its intersection with East Magnolia Drive).</p> <p>40. Retail florist. 41. Retail food and grocery. 42. Retail furniture, home appliances, accessories. 43. Retail home/garden supply, hardware and nurseries. 44. Retail jewelry store. 45. Retail needlework shops and instruction. 46. Retail newsstand, books, greeting cards. 47. Retail office supplies. 48. Retail optical and medical supplies. 49. Retail package liquors. 50. Retail pet stores. 51. Retail picture framing. 52. Retail sporting goods, toys.</p>	<p>storage; legally established and in existence on 11-25-2008.</p> <p>60. Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district.</p> <p>* NOTE: Additional requirements for properties in Lake Bradford Road &amp; Providence Neighborhood Overlays (See Section 10-168)</p>	
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(Ord. No. 06-O-04AA, § 4, 2-22-2006; Ord. No. 08-O-19AA, § 3, 7-9-2008; Ord. No. 08-O-42AA, § 1(Exh. C), 11-25-2008; Ord. No. 09-O-18, § 4, 5-27-2009; Ord. No. 10-O-14AA, § 6, 2-23-2011; Ord. No. 13-O-03, § 13, 8-28-2013; Ord. No. 14-O-46AA, § 1, 1-28-2015; Ord. No. 15-O-17AA, § 8(Exh. C), 8-26-2015; Ord. No. 16-O-05, § 2(Exh. A), 5-18-2016; Ord. No. 16-O-26, § 2(Exh. A), 10-26-2016; Ord. No. 18-O-25, § 1, 1-30-2019)

## **Sec. 10-170. Residential preservation district.**

### **(a) Purpose and intent.**

- (1) The residential preservation district is characterized by existing homogeneous residential areas within the community which are predominantly accessible predominantly by local streets. The primary function of the residential preservation district is to protect existing stable and viable residential areas from incompatible land uses and density intrusions. Commercial, retail, office and industrial activities are prohibited in the residential preservation district (certain nonresidential activities may be permitted as home occupations—see article VII of this chapter, supplementary regulations). Single-family, duplex residences, mobile home and cluster housing may be permitted in the residential preservation district within a range of zero to six units per acre. Compatibility with surrounding residential type and density shall be a major factor in the authorization of

development approval and in the determination of the permissible density. No development in the residential preservation district shall be permitted which violates the provisions of policy 2.1.1 of the future land use element of the 2010 Comprehensive Plan.

- (2) For residential preservation areas outside the urban service area the density of the nonvested development in residential preservation area shall be consistent with the underlying land use category: no more than one unit per ten acres in the rural category; no more than one dwelling unit per acre (clustered) or one dwelling unit per three acres (not clustered) in the urban fringe category. The residential preservation land use category is divided into five zoning districts based upon existing development patterns and service provision:
  - a. RP-1;
  - b. RP-2;
  - c. RP-MH;
  - d. RP-UF; and
  - e. RPR.
- (3) The intent of the districts listed in subsections (2)a. through e. of this section are as follows:
  - a. The RP-1 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving single-family residential character, protecting from incompatible land uses, and prohibiting densities in excess of 3.6 dwelling units per acre.
  - b. The RP-2 district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of single-family, two-unit townhouse and duplex residential development, protecting from incompatible land uses, and prohibiting densities in excess of six dwelling units per acre.
  - c. The RP-MH district is intended to apply to residential development in areas designated "residential preservation" on the future land use map, preserving the low density residential character of manufactured home, mobile home, and conventional single-family and duplex residential development, providing protection from incompatible land uses and intensities, and prohibiting densities in excess of six dwelling units per acre.
  - d. The RP-UF district is intended to apply to residential development in areas designated as both "urban fringe" and "residential preservation" on the future land use map, preserving the low intensity residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing the premature development of land at intensities not supportable by existing infrastructure or services, and prohibiting densities in excess of 3.6 dwelling units per acre in platted subdivisions, one dwelling unit per acre (net) for clustered developments on unplatted lots, or one unit per three acres, for all other developments.
  - e. The RP-R district is intended to apply to residential development in areas designated as both "rural" and "residential preservation" on the future land use map, preserving the very low density rural residential character of conventional single-family residential and manufactured home, mobile home, development, protecting from incompatible land uses and intensities, preventing inefficient development patterns, and prohibiting

- densities in excess of 3.6 dwelling units per acre in platted subdivisions, or one dwelling unit per ten acres on unplatted lots.
- (4) Applications for rezoning to any and all of the residential preservation districts shall include review to ensure compatibility with existing and surrounding residential type and density.
- (b) *Allowable uses.* For the purpose of this chapter, the following land use types are allowable in the RP-1, RP-2, RP-MH, RP-UF and RP-R zoning districts and are controlled by the land use development standards of this chapter, the comprehensive plan and schedules of permitted uses.
- (1) Low density residential.
  - (2) Passive recreation.
  - (3) Active recreation.
  - (4) Community services.
  - (5) Light infrastructure.
- (c) *List of permitted uses.* See schedules of permitted uses, subsections 10-241(a) and (b). Some of the uses on these schedules are itemized according to the standard industrial code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed. Restricted and special exception uses must meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth the development approval process required for allowable uses.
- (d) *Development standards.* All proposed development shall meet the land use development criteria specified in subsection 10-241(b); commercial site location standards (section 10-174); buffer zone standards (section 10-177); criteria of the land development standards schedule (article IV, division 4 of this chapter); and parking and loading requirements (article VI of this chapter).
- (Code 1984, ch. 27, § 10.3(J); Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 96-O-0033AA, § 7, 12-11-1996; Ord. No. 97-O-0027AA, §§ 6—12, 7-8-1997; Ord. No. 02-O-88AA, § 2, 10-23-2002)

**Sec. 10-429. Development Standards for Dense Residential Uses next to Properties which are Protected Residential.**

- (a) *Applicability.* For the purposes of section 10-429, the terms listed below are defined as follows:
- (1) *Protected residential* means any property developed with a single-family residence, duplex, or triplex to a density of less than or equal to eight units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA.
  - (2) *Dense residential* means a residential building on a parcel larger than one-half acre developed at a density of greater than 14 units per acre.
- (b) *Standards.* All new dense residential projects which require a Type A or Type B site plan review pursuant to section 9-154 or section 9-155, which are adjacent to or across the street from a property which is protected residential shall meet the following regulations:
- (1) *Transparency.* Reflective glass (which provides for less than 70 percent light transmission) is prohibited. Transparency must be provided as indicated in the table below titled "Transparency Standard for Dense Residential". Properties in the MMTD design review districts are subject to a separate transparency standard in article IV, division 4 of this



chapter (Downtown overlay regulating plan and multi-modal transportation district standards).

Transparency Standard for Dense Residential

		Dense Residential Units in:	
		Single Use Buildings Citywide	Mixed Use Buildings Citywide
1	Elevations with frontage on a public roadway	30% at eye level <sup>1</sup>	60% at eye level <sup>1</sup>
2	Elevations at an angle to a public roadway	15% at eye level <sup>1</sup>	30% at eye level <sup>1</sup>
3	Each floor above the first floor in rows 1 and 2 above	15%	15%
<sup>1</sup> Eye level is between 3 and 8 feet above the finished grade.			

(2) *Facade articulation.* No street-facing facade shall exceed 50 feet in length without at least a minimum two-foot change in the depth of the wall plane.

(3) *Roofs.* Street-facing roofs that exceed 50 feet in length shall meet the following standards:

- a. Sloped roofs shall provide one or more of the following:
  1. A minimum two-foot horizontal variation in the roofline, or
  2. A roof element, that includes one of the following: dormer, cupola, gable, hip detail, or roof projections.
- b. Flat roofs shall provide either a cornice or other decorative band to serve as a building cap for the entire roof. If building equipment or utilities are located on a flat roof, a parapet wall is required to shield the equipment or utilities.

(4) *Parking.* Parking shall be provided as follows:

- a. In the multi-modal transportation district, parking lots shall meet the development standards listed in article IV, division 4, Downtown overlay regulating plan and multi-modal transportation district (MMTD) standards.
- b. Outside of the multi-modal transportation district, parking lots shall meet the following standards:
  1. Parking shall be provided to the side or rear and not closer to the street than the street-facing facade of the structure.
  2. Parking lots with more than four spaces shall be screened when adjacent to a property which is protected residential. Screening shall include a Type A landscape buffer consistent with section 10-177.

(5) *Orientation.* The front of the structure shall be oriented to face the primary access street.

(6) *Height step back.* This standard applies to any dense residential building elevation which meets any of the following criteria:

- a. Abuts a property which is protected residential; or
- b. Is located across a local street from a property which is protected residential; or
- c. Is located across any collector or arterial roadway (which include three or fewer travel lanes) from a property which is protected residential. Striped on-street parking, middle merge lanes, and middle turn lanes shall count as one lane.

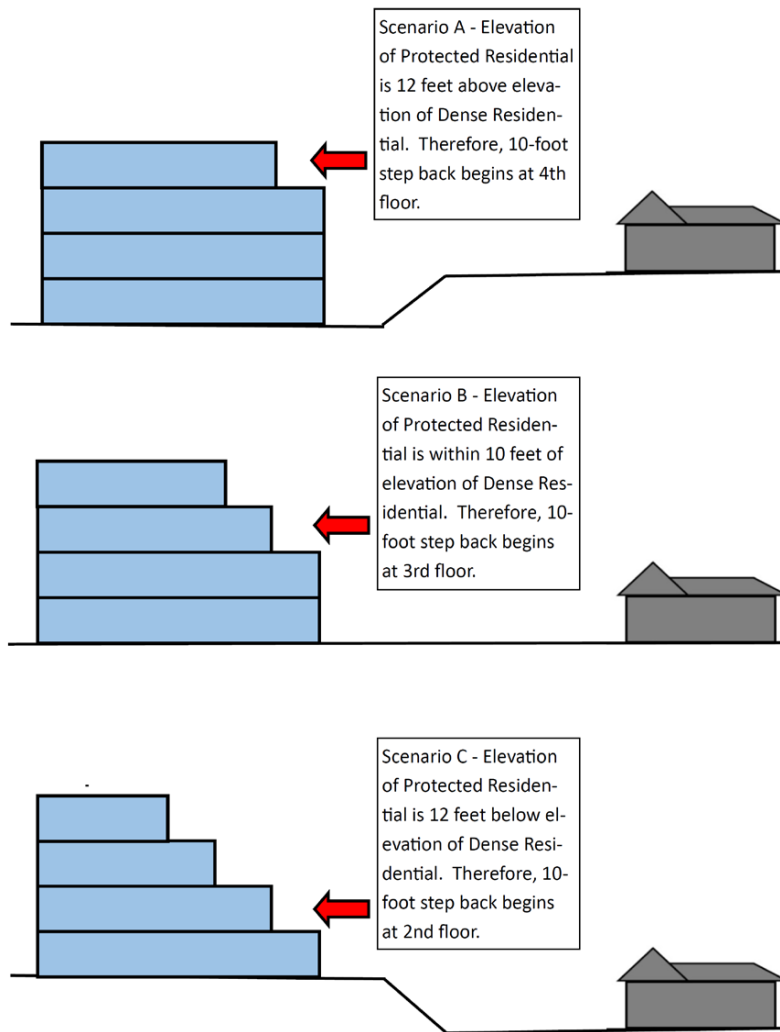
If any of the above location criteria are met, a height step back is required and shall vary based on the first floor elevation of the dense residential use in relation to the first floor elevation of the protected residential use as follows:

1 <sup>st</sup> Floor Elevation of Protected Residential versus Dense Residential Use		Height Step Back Begins At
A.	Protected Residential > 10 ft. above	3 <sup>rd</sup> floor plus 1 additional floor per 10 ft. of elevation difference
B.	Protected Residential < or equal to 10 ft. above or below	3 <sup>rd</sup> floor
C.	Protected Residential > 10 ft. below	3 <sup>rd</sup> floor less 1 additional floor per 10 ft. of elevation difference

The floors identified in the table above, and each successive floor, must be each stepped back a minimum of ten feet from the floor below it where adjacent to or across the street from a property which is protected residential. If other building elevations face non-residential uses, one additional floor is permitted along the non-residential uses to compensate for the density not permitted due to the building step back along the protected residential elevation. This standard is visually represented by the illustration titled "Height Step Back".

- (7) *Outdoor uses.* There shall be no active recreation uses allowed within 200 feet of any property which is protected residential.
- (8) *Access.* If a dense residential driveway exit is located on a local street across from a property which is protected residential, it shall be sited across from the shared property boundary of the individual protected residential lots to minimize the extent to which automobile headlights shine into the windows of residences.
- (c) Section 10-429 does not apply to the following:
- (1) Proposed dense residential developments adjacent to or across the street from properties which are protected residential that are currently developed and occupied by a legally existing non-conforming use; or
  - (2) Proposed dense residential developments adjacent to or across the street from isolated properties which are protected residential comprised of less than three units on less than three contiguous lots. For purposes of this section, "isolated" shall mean one or two residential units, which are surrounded by non-residential zoning or uses.
  - (3) A change of use at an existing dense residential development, provided the change of use does not result in a more intense use that is otherwise regulated by section 10-429.

Height Step Back



(Ord. No. 21-O-15 , § 7, 6-16-2021)

Editor's note(s)—Prior to the reenactment of section 10-429 by Ord. No. 21-O-15 , § 7, adopted June 16, 2021, Ord. No. 15-O-04, § 13, adopted May 27, 2005, repealed the former section 10-429 in its entirety, which pertained to interim development and redevelopment standards and review process for the Capitol Center and Cascades Greenway Districts within the Gaines Street Urban Infill and Redevelopment Area, and derived from Ord. No. 05-O-55AA, § 1, adopted November 22, 2005.

## **Sec. 10-177. Buffer zones.**

- (a) *Standards.* The following buffering standards are intended to implement the provisions of the adopted land use development matrix and applicable policies of the comprehensive plan. Should there be a conflict between the provisions of this chapter and those of the comprehensive plan and chapter 5 of this Code, the most restrictive or that imposing the higher standard shall govern.
  - (1) A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts, provides an attractive boundary of the parcel or use, or as both a buffer and attractive boundary. This shall not be interpreted

to mean that parcels within a planned mixed use development must meet these requirements.

- (2) The width and degree of vegetation required depends on the nature of the adjoining uses. The standards specified below prescribe the required width and landscaping of all buffer zones.
- (3) The standards for buffer zones are set out in the following illustrations that specify the number of plants required per 100 linear feet. To determine the total number of plants required, the length of each side of the property requiring a buffer shall be divided by 100 and multiplied by the number of plants shown in the illustration. The plants shall be spread reasonably evenly along the length of the buffer.
- (4) The standards of subsections (a)(1) through (a)(3) of this section shall be applied between abutting parcels as follows:

# BUFFERING AND SCREENING REQUIREMENTS

EXISTING DEVELOPMENT		PROPOSED DEVELOPMENT Land Use Code Number NONURBAN			RESIDENTIAL						COMMERCIAL					OFFICE				HEAVY COMMERCIAL/ INDUSTRIAL				
L/U Code Number	Land Use Activity	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	NONURBAN LAND USES																							
1	Agriculture	NR	NR	NR	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
2	Commercial forestry	NR	NR	NR	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
3	Mining	NR	NR	NR	D*	D*	D*	D*	D*	D*	B	B	B	B	B	C*	C*	C*	C*	B	B	C*	NR	B
	RESIDENTIAL LAND USES																							
4	One-family	NR	NR	D*	NR	NR	D*	NR	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*	D*
5	Two-family	NR	NR	D*	NR	NR	B	NR	B	B	B	C*	C*	D*	B	A	B	A	A	C	C*	D*	D*	D*
6	Townhouse	NR	NR	D*	B	B	NR	B	B	C*	B	C*	C*	D*	B	A	B	A	A	C*	C*	D*	D*	D*
7	Two-unit townhouse	NR	NR	D*	NR	NR	B	NR	B	B	B	C*	C*	D	B	A	B	A	A	C*	C*	D*	D*	D*
8	Multi-family	NR	NR	D*	B	B	B	B	NR	C*	B	B	C*	C*	B	A	B	A	A	C*	C*	D*	D*	D*
9	Mobile Home Park	NR	NR	D*	B	B	B	B	C*	NR	B	B	C*	C*	B	A	B	A	B	C*	C*	D*	D*	D*
	COMMERCIAL LAND USES Shopping Centers																							
10	<20,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	A	NR	NR	B	B	B	C*	B
11	20,000-100,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C	B
12	100,000-200,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C*	B
13	200,000-1,000,000 sf	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	C*	NR	NR	B	B	B	C*	B
14	Highway Commercial	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	B	NR	NR	B	B	B	C*	B
	OFFICE LAND USES																							
15	Minor offices	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	B	B	B	C*	B
16	Office park/office buildings	NR	NR	B	B	B	B	B	B	B	A	B	B	C*	B	NR	NR	NR	NR	B	B	B	C*	B
17	Minor	NR	NR	B	A	A	A	A	A	A	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	A	A	C*	A
18	Major	NR	NR	B	B	B	B	B	B	B	NR	NR	NR	NR	NR	NR	NR	NR	NR	A	A	B	C*	B
	HEAVY COMMERCIAL/INDUSTRIAL LAND USES																							
19	Warehousing/distribution	NR	NR	B	D*	D*	B	D*	D*	D*	B	B	B	B	B	B	B	A	A	NR	NR	A	C*	A
20	Retail w/outside storage	NR	NR	B	D*	D*	B	D*	D*	D*	B	B	B	B	B	B	B	A	A	NR	NR	A	C*	A
21	Light manufacturing	NR	NE	C*	D*	D*	D*	D*	D*	D*	B	B	B	B	B	B	B	A	B	A	A	NR	C*	A
22	Heavy manufacturing	NR	NR	NR	D*	D*	D*	D*	D*	D*	C*	C*	C*	C*	C*	D*	D*	B	C*	B	B	C*	NR	B
23	Transportation/utilities	NR	NR	B	D*	D*	D*	D*	D*	D*	B	B	B	B	B	B	B	A	B	A	A	C*	B	NR

	COMMUNITY SERVICES																							
24	All elementary and/or secondary schools subject to Type "C" site plan (middle or high)	NR	NR	NR	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**	D**

**KEY:**

A, B, C, and D indicate accompanying landscape standards that must be used.

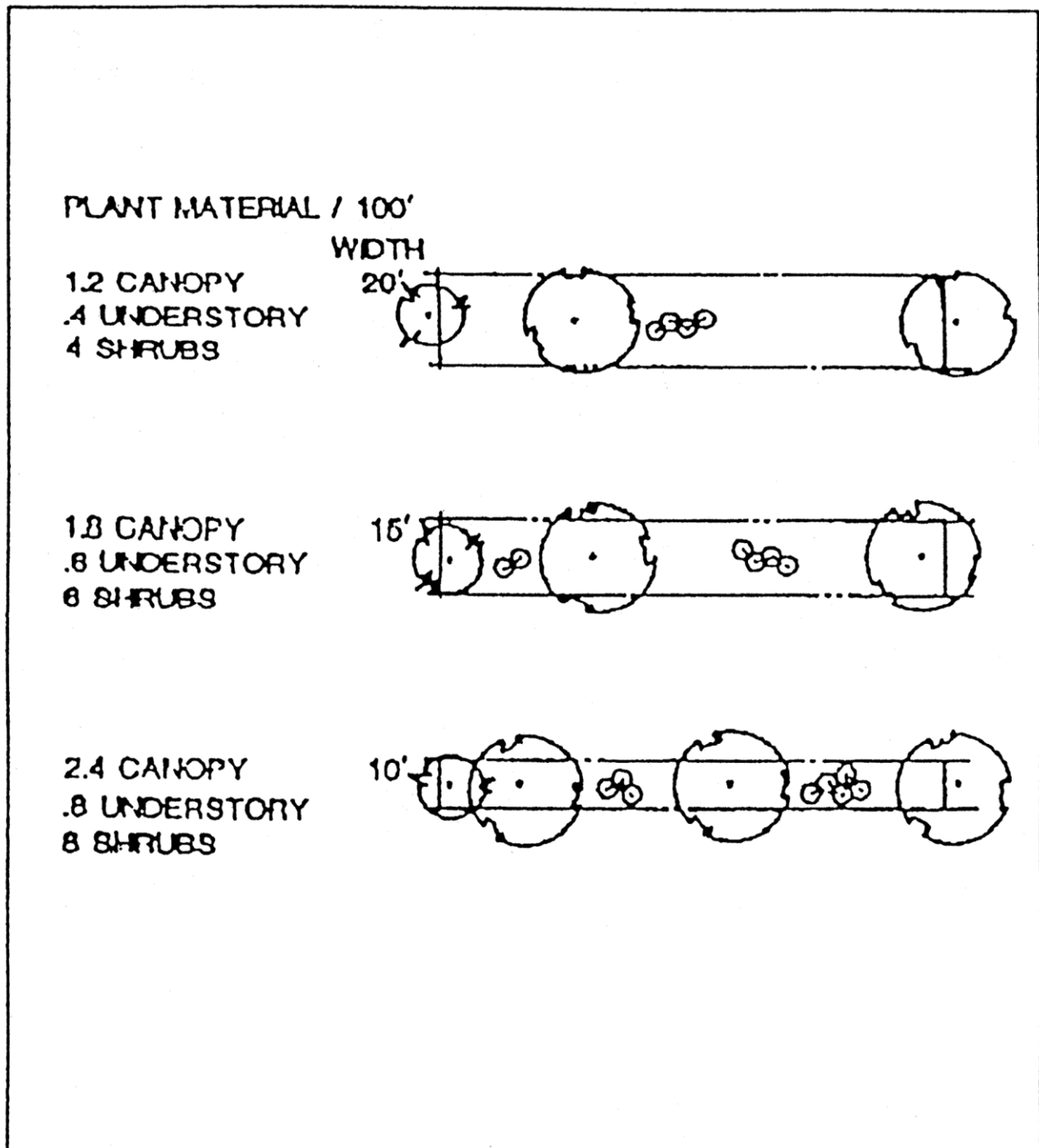
NR indicates that no buffering is required.

**NOTES: To determine the required buffer:**

- (1) Locate/Existing adjacent use on left side of table;
- (2) Locate "Land Use Code Number" of proposed use at top of table;
- (3) Read Down in row of Existing Adjacent Use in final buffer requirements.
- (4) \* A buffer fence shall be provided when a Type C buffer or a 30-foot Type D buffer is required.
- (5) \*\* A Type 2 Urban Buffer as specified in §10-285, Table 11 may be substituted for a Type D Buffer.

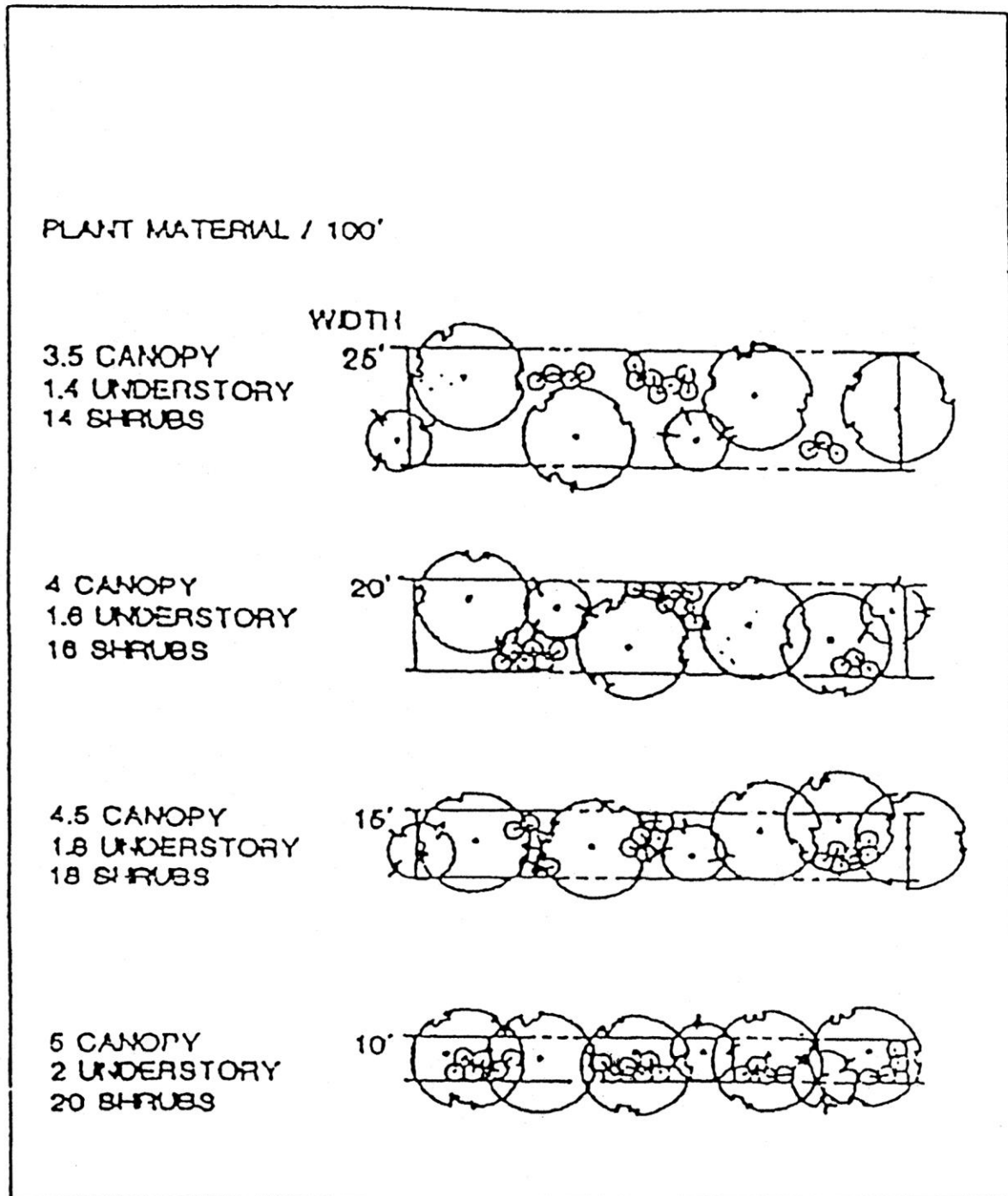


Landscape Standard "A"



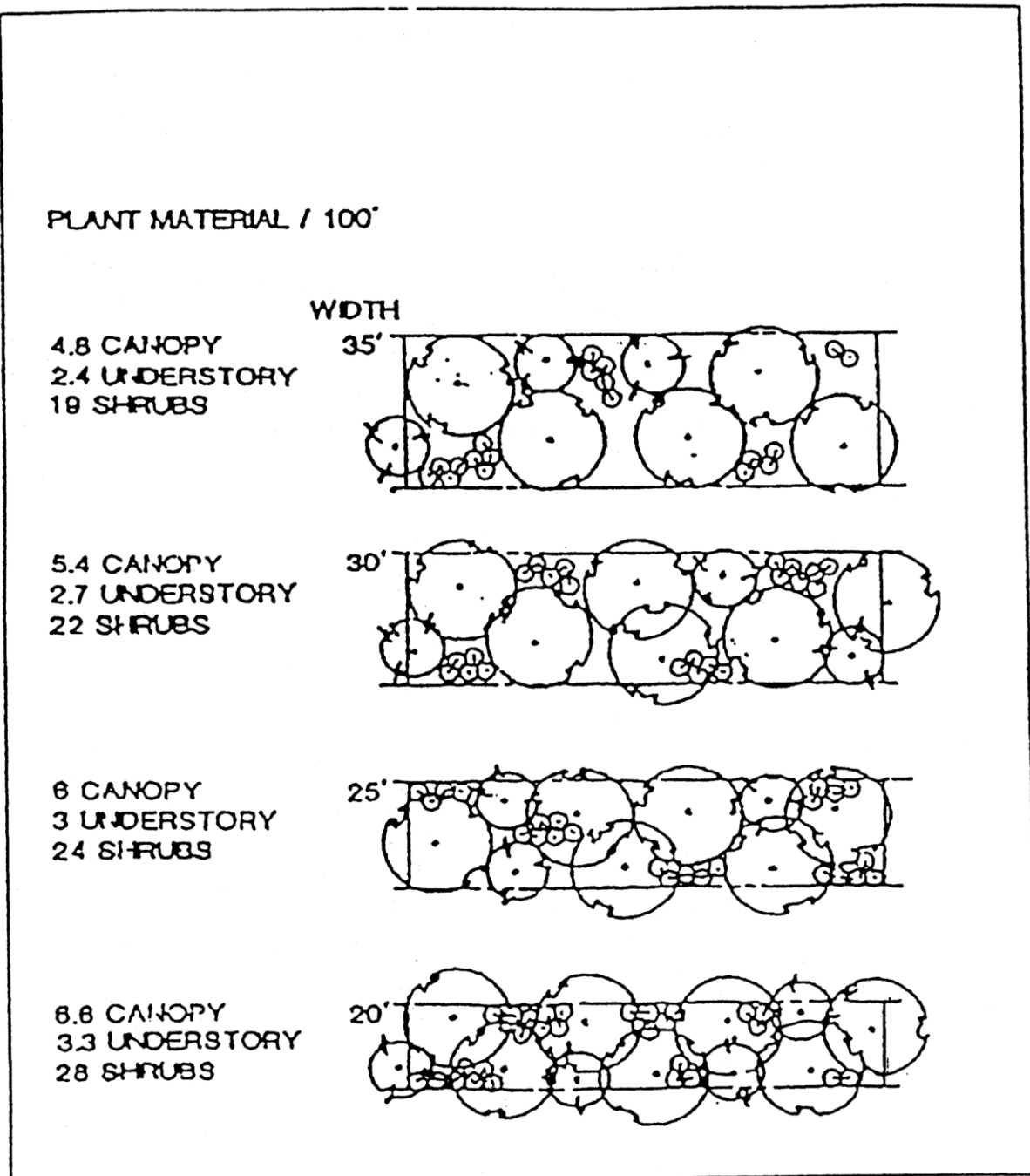
Landscape Standard "A"

Landscape Standard "B"



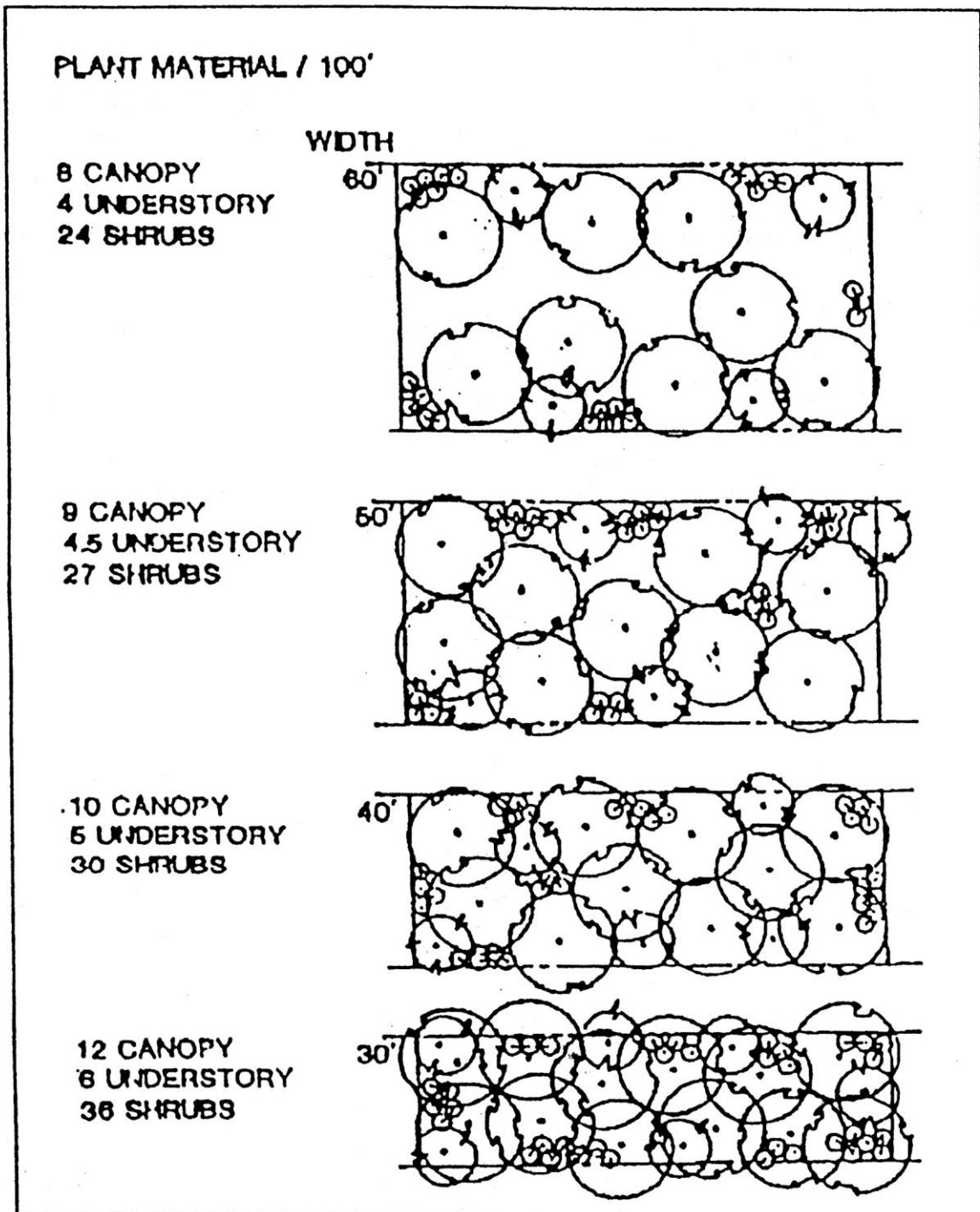
Landscape Standard "B"

Landscape Standard "C"



Landscape Standard "C"

Landscape Standard "D"



Landscape Standard "D"

- (5) Buffering for mixed use developments shall be based on the more intense use in the building or cluster of buildings.

- (6) The use of existing native vegetation in buffer zones is preferred. If a developer proposes to landscape a buffer zone with existing native vegetation, the staff forester may recommend, and the development review committee may allow, a waiver from the strict planting requirements of this section if:
  - a. The waiver is necessary to prevent harm to the existing native vegetation; and
  - b. The buffering and/or aesthetic purposes of the buffer zone are substantially fulfilled despite the waiver.
- (7) The desired width of a buffer zone between two parcels is the sum of the required buffer zones of the parcels. Where a new use is proposed next to an existing use that has less than the required buffer zone for that use, the lower standards will be tolerated until the nonconforming parcel is redeveloped and brought into conformity with the buffer zone requirements of this chapter. The developer of the new adjoining use is encouraged, however, to take into account the inadequacy of the adjoining buffer zone in designing the site layout of the new development.
- (8) Buffer alternative for conversions of existing structures and additions to existing structures. As an alternative to providing the landscape buffers required in subsection (a)(4) of this section, proposed conversions of existing structures (with no additions) and proposed additions to existing structures (up to a maximum of 50 percent increase from the size of the existing structure) may choose to install an opaque fence that is a minimum of six feet in height along the entire length of the property line adjoining the affected land use only if the affected adjoining site is in the same or a more intensive zoning district than the subject property. The fence shall be of a finished masonry, wood or natural plant material. For the purposes of this subsection, the relative intensity of zoning districts shall be based on the number and type of permitted uses and the maximum density/intensity allowed in a zoning district. If a question arises as to the relative intensity of zoning districts, the land use administrator shall make the final decision. If the owner of the affected adjoining site and the applicant both agree that a fence is not a desirable alternative, then a fence shall not be provided and the landscape buffer that must be provided is to the greatest extent possible that is reasonable and feasible. In order to enact this provision, written confirmation from both the owner of the adjoining site and the applicant shall be provided to the land use administrator in a form that is acceptable to the city attorney.
- (b) *Use of buffer areas.* No accessory structures, garbage or trash collection points or receptacles, parking or any other functional use contrary to the intent and purpose of this chapter shall be permitted in a required buffer area. This does not prohibit the combining of compatible functions such as landscaping, drainage facilities, passive recreation areas and preservation areas into an effective and beneficial multiple use of the subject land resource.
- (c) *Use of native plants.* Forty percent of the total number of individual plants selected from each of the categories of the list of approved species (canopy, understory, shrub, groundcover) and used to satisfy the requirements of this chapter shall be selected from the list of native species in the category.
- (d) *Environmental management ordinance.* All development must be consistent with chapter 5 of this Code.
- (e) *Determination.* Determination of applicable buffering standards shall be made at the time of final disposition of the application by the entity with authority to approve the plan of development as specified in chapter 9, article IV of this Code.
- (f) *Buffer fence standards.* The following standards shall apply:

- (1) Whenever a buffer fence is required it shall be a minimum of eight feet in height, unless the applicant can demonstrate that the intent of this chapter will be met by a fence of lesser height under the particular circumstances.
- (2) The buffer fence installation shall be incorporated as early as possible in the sequence of construction.
- (3) The buffer fence shall be solid opaque, constructed of durable materials consistent with the materials of surrounding neighborhoods and shall include provisions for access to all landscape material.
- (4) The side of a fence facing the less intensive use shall have a finished appearance.
- (5) When residential uses buffer against other uses, the planting materials shall be located on the outside of the fence. When non-residential uses buffer against residential uses, the planting materials shall be located on the inside of the fence.
- (6) Fencing shall be maintained in perpetuity.

- (g) *Additional standards for non-residential or dense residential projects adjacent to existing properties which are protected residential.* For the purposes of subsection (g), the terms listed below are defined as follows:

*Dense residential* means a residential building on a parcel larger than one-half acre developed at a density of greater than 14 units per acre.

*Protected residential* means any property developed with a single-family residence, duplex, or triplex to a density of less than or equal to eight units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA.

These additional buffer standards do not apply to non-residential or dense residential projects located across the street from properties which are protected residential.

- (1) Non-residential or dense residential uses (greater than two stories) adjacent to properties which are protected residential. Subsection (g)(1), applies to a non-residential or dense residential project which is required to obtain site plan review pursuant to sections 9-154—9-157, which is adjacent to three or more contiguous lots which are protected residential, and which is greater than two stories. The adjacency requirement is met if the proposed non-residential or dense residential use shares a common property boundary with any portion of one of the three or more contiguous lots. Such projects must meet two buffer requirements, as listed below. The planting density and planting types shall otherwise be consistent with section 10-177, (if located outside of the MMTD) or in subsection 10-284.3(a)(1) (if located inside of the MMTD).

Any project subject to the regulations contained in this paragraph shall provide the following:

- a. The buffer identified in subsection 10-177(a)(4), if located outside of the MMTD or in subsection 10-284.3(a)(1) if located inside of the MMTD; and
- b. One of the following:
  - (i.) *Height step back.* A height step back is required and shall vary based on the first floor elevation of the non-residential or dense residential use in relation to the first floor elevation of the protected residential use as follows:

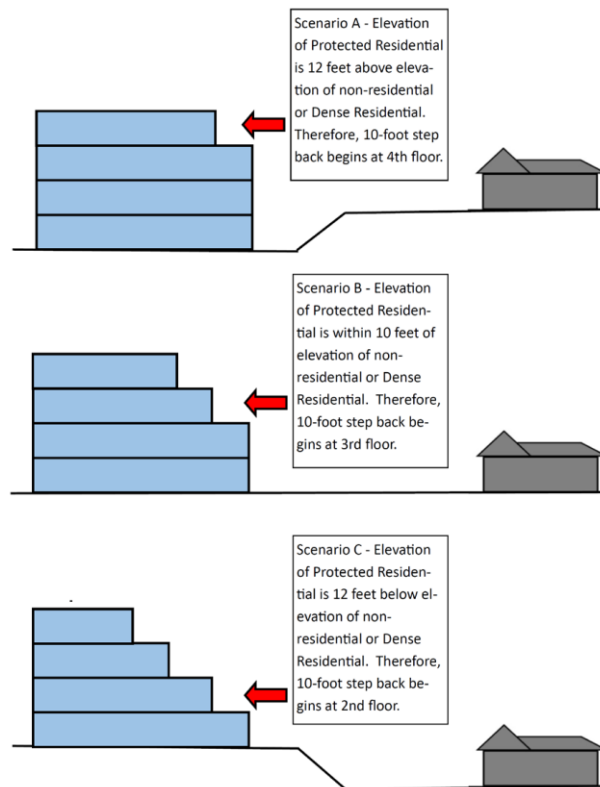
1 <sup>st</sup> Floor Elevation of Protected Residential versus Non-Residential or Dense Residential Use	Height Step Back Begins At



A.	Protected Residential > 10 ft. above	3 <sup>rd</sup> floor plus 1 additional floor per 10 ft. of elevation difference
B.	Protected Residential < or equal to 10 ft. above or below	3 <sup>rd</sup> floor
C.	Protected Residential > 10 ft. below	3 <sup>rd</sup> floor less 1 additional floor per 10 ft. of elevation difference

The floors identified in the table above, and each successive floor, must be each stepped back a minimum of ten feet from the floor below it where adjacent to a property which is protected residential. If other building elevations face non-residential uses, one additional floor is permitted along the non-residential uses to compensate for the density and/or intensity not permitted due to the building step back along the protected residential elevation. This standard is visually represented by the illustration titled "Height Step Back".

Height Step Back



(ii.) *Tall tree buffer.* The project must provide an enhanced landscape buffer with trees chosen from the list in the table below (in lieu of trees otherwise required) that commonly grow to a minimum height of at least 50 feet and are known to succeed in an urban landscape. The trees from the list below comprise the shade tree portion of the buffer that is otherwise defined by subsection (a)(4) (if located outside of the MMTD) or in subsection 10-284.3(a)(1) (if located inside of the MMTD). Understory trees and shrubs are also required by the noted citations.

To be eligible for the tall tree buffer option, projects must provide a minimum 15-foot separation at the time of planting between the tall tree and all buildings and a minimum soil volume of 2,400 cubic feet per tree. The maximum allowable depth for calculating soil volume is three feet. The landscape plan submitted with the site plan must show the planned location of each tall tree, the 15-foot separation, and the undeveloped area committed to the soil volume requirement.

If a property owner opts to satisfy this buffer requirement by utilizing one or more of the tall trees listed in this Section, they shall maintain the tall trees so they do not present an imminent risk to human health or property. Projects that are not able to provide the minimum distance between trees and buildings and the minimum soil volume shall instead provide the height step back identified in subsection (g)(1)b.i.

Trees with Mature Minimum Height of at Least 50 Feet<sup>1</sup>

Scientific Name	Common Name	Mature Height (feet)
<i>Carya illinoensis</i>	Pecan	70—100
<i>Carya tomentosa</i>	Mockernut Hickory	60—80
<i>Fagus grandiflora</i>	American Beech	50—75
<i>Fraxinus Americana</i>	White Ash	50—80
<i>Fraxinus pennsylvanica</i>	Green Ash	60—70
<i>Liriodendron tulipifera</i>	Tulip Poplar	80—100
<i>Magnolia grandiflora</i>	Southern Magnolia	60—80
<i>Nyssa sylvatica</i>	Black Tupelo	65—75
<i>Pinus elliottii</i>	Slash Pine	75—100
<i>Pinus serotina</i>	Pond Pine	70
<i>Pinus taeda</i>	Loblolly Pine	50—80
<i>Pinus palustris</i>	Longleaf Pine	60—80
<i>Platanus occidentalis</i>	American Sycamore	75—90
<i>Quercus alba</i>	White Oak	60—100
<i>Quercus bicolor</i>	Swamp White Oak	50—70
<i>Quercus coccinea</i>	Scarlet Oak	60—75
<i>Quercus falcata</i>	Southern Red Oak	60—80
<i>Quercus nuttallii</i>	Nuttal Oak	60—80
<i>Quercus phellos</i>	Willow Oak	60—75
<i>Quercus shumardii</i>	Shumard Oak	55—80
<i>Quercus virginiana</i>	Live Oak	60—80
<i>Taxodium distichum</i>	Bald Cypress	60—80
<i>Ulmus Americana</i>	American Elm	70—90
<i>Washingtonia Robusta</i>	Washington Palm	70—100

<sup>1</sup> The minimum planting size is a two-inch caliper tree, measured six inches above the soil line.

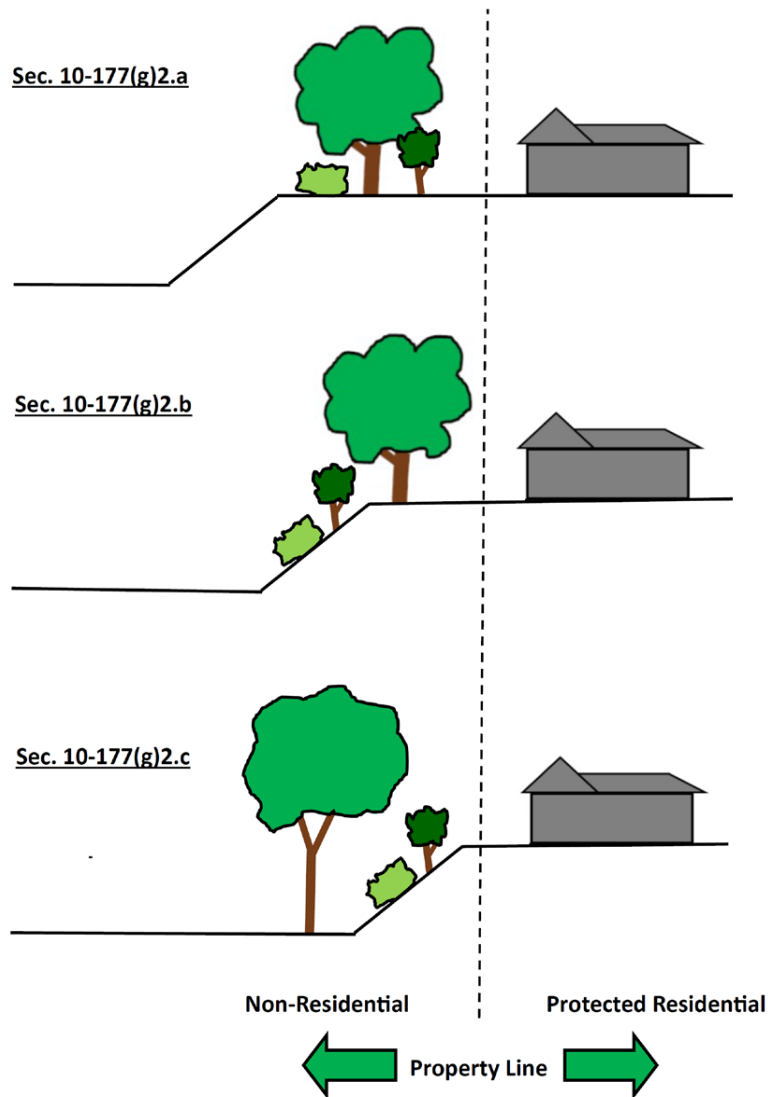
- (2) Site grading. If a non-residential or a dense residential site is graded to reduce the elevation of the developed portion of site below an adjacent property which is protected residential, the perimeter landscaping shall be located as follows:
- a. The perimeter landscape buffer may be provided at the higher, pre-grading elevation;
  - b. If an arborist certifies in writing that the degree of the slope, the type of soil, and the drainage patterns do not cause this option to adversely impact the viability of the buffer, the perimeter landscape buffer may start at top of the slope, with all shade trees planted at the higher, pre-grading elevation and understory trees and shrubs planted on the slope; or
  - c. The perimeter landscape buffer may be provided at the lower, post-grading elevation, provided it is a tall tree buffer as defined by subsection (g)(1)b.(ii.).

This standard is visually represented by the illustration titled "Perimeter Landscaping at Graded Sites".

- (3) Subsection (g) does not apply to the following:

- a. Proposed non-residential or dense residential developments adjacent to properties which are protected residential that are currently developed and occupied by a legally existing non-conforming use; or
- b. Proposed non-residential or dense residential developments adjacent to isolated properties which are protected residential comprised of less than three units on less than three contiguous lots. For purposes of this section, "isolated" shall mean one or two residential units, which are surrounded by non-residential zoning or uses.
- c. A change of use at an existing non-residential or dense residential development, provided the change of use does not result in a more intense use that is otherwise regulated by subsection (g).

Perimeter Landscaping at Graded Sites



(Code 1984, ch. 27, §§ 13.1—13.5; Ord. No. 95-O-0025AA, 9-13-1995; Ord. No. 99-O-0058AA, § 5, 1-26-2000; Ord. No. 02-O-88AA, § 5, 10-23-2002; Ord. No. 06-O-43, § 5, 7-12-2006; Ord. No. 15-O-17AA, § 3, 8-26-2015; Ord. No. 21-O-15, § 2, 6-16-2021)

## APPENDIX 3

Photos of public notice signage





# TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



April 15, 2024

Ms. Donna Harris  
Plan Processing Administrator  
State Land Planning Agency – Florida Department of Commerce  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

Re: Adopted Comprehensive Plan Small-Scale Map Amendment (24-1ESR)

Dear Ms. Harris:

The Tallahassee-Leon County Planning Department hereby submits the adopted small-scale map amendment as part of the 2024 Comprehensive Plan Amendment Cycle for the City of Tallahassee and Leon County, amending the joint Tallahassee-Leon County 2030 Comprehensive Plan. This amendment is submitted pursuant to the County Commission adoption public hearing on April 9, 2024.

This adopted amendment is being submitted as a small-scale amendment under section 163.3187(1), Florida Statutes.

<u>Amendment</u>	<u>Acres</u>
LMA 2401 – 2225 Orange Avenue	1.90

The cumulative total number of acres for small-scale amendments approved for the calendar year is approximately 11.01 acres. The adopted amendment is not within an area of critical state concern. The adopted amendment does not involve a site within a rural area of opportunity.

Enclosed is the following County Ordinance adopting the comprehensive plan amendment:

- Leon County Ordinance 24-04 adopted April 9, 2024

The appropriate review agencies are copied on this letter and provided with a complete adopted amendments package in Portable Document Format (PDF).

If you have any questions concerning the adopted amendment, please contact Susan Poplin at (850) 891-6400; 300 South Adams Street, Tallahassee, FL 32301; FAX: (850) 891-6404; e-mail Susan.Poplin@talgov.com.

Sincerely,

Susan Poplin  
Acting Administrator of Comprehensive Planning  
Tallahassee-Leon County Planning Department





## TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT



cc:

Department of Agriculture and Consumer Services (w/attachments)  
Department of Education (w/attachments)  
Department of Environmental Protection (w/attachments)  
Department of State (w/attachments)  
Florida Fish and Wildlife Conservation Commission (w/attachments)  
Department of Transportation, District Three (w/attachments)  
Apalachee Regional Planning Council (w/attachments)  
Northwest Florida Water Management District (w/attachments)

Emily Bouza (w/o attachments)  
Lou Norvell (w/o attachments)

**ATTACHMENT #1**  
**SUMMARY CHART**

TALLAHASSEE-LEON COUNTY  
MATRIX FOR 2024 CYCLE COMPREHENSIVE PLAN AMENDMENTS

A = Approve  
D = Denial  
AM = Approve as Modified

<i>Item #</i>	<i>Amendment To:</i>	<i>Nature of Proposed Amendment</i>	<i>Planning Staff Analysis</i>	<i>LPA Recommendation</i>	<i>Board/Commission Position</i>	<i>Status</i>
LMA 2401 2225 Orange Avenue	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Urban Residential 2 and Activity Center <b>To:</b> Activity Center Approximately 1.90 Acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 9, 2024
TMA 2024 005 Osceola Street	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Neighborhood Boundary Approximately 3.52 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 007 2600 Plant Street	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Government Operational <b>To:</b> Suburban Approximately 2.30 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 008 1726 & 1728 Mahan Drive	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Residential Preservation <b>To:</b> Urban Residential 2 Approximately 1.51 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing April 10, 2024
TMA 2024 010 Magnolia and Gadsden	SMALL SCALE FUTURE LAND USE MAP	<b>From:</b> Central Urban and Residential Preservation <b>To:</b> Central Urban Approximately 1.78 acres	Consistent	A	A	<b>Adopted</b> Adoption Hearing March 22, 2032

**ATTACHMENT #2**  
**EXECUTED ORDINANCE**  
**ADOPTING A**  
**SMALL-SCALE PLAN**  
**AMENDMENT**

# Small-Scale Map Amendment

LMA 2401

2225 Orange Avenue

1.90 Acres

From: Urban Residential 2 and Activity Center

To: Activity Center

**Staff Analysis for Consistency with the Comprehensive Plan:**

*Consistent*

**Local Planning Agency Recommendation:**

*Approval*

**County Commission:**

*Adopted*

**LEON COUNTY ORDINANCE NO. 2024- 04**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
LEON COUNTY, FLORIDA, AMENDING THE 2030 TALLAHASSEE-LEON  
COUNTY COMPREHENSIVE PLAN; ADOPTING AMENDMENTS TO THE  
FUTURE LAND USE MAP; PROVIDING FOR APPLICABILITY AND  
EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR A COPY TO BE ON FILE WITH THE  
TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

WHEREAS, Chapters 125 and 163, Florida Statutes, empowers the Board of County Commissioners of Leon County to prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and requires the Board of County Commissioners of Leon County to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, Ordinance 90-30 was enacted on July 16, 1990, to adopt the Tallahassee-Leon County 2010 Comprehensive Plan for the unincorporated area of Leon County. The City of Tallahassee also adopted a plan for its municipal area by separate ordinance; and

WHEREAS, the horizon year for the Tallahassee-Leon County Comprehensive Plan is now 2030 and the Comprehensive Plan is now known as the Tallahassee-Leon County 2030 Comprehensive Plan; and



1 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
2 Commissioners of Leon County has held several public work sessions, public meetings, and public  
3 hearings on the proposed amendment to the comprehensive plan, with due public notice having been  
4 provided, to obtain public comment, and has considered all written and oral comments received during  
5 said work sessions, public meetings and public hearings; and

6 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
7 Commissioners of Leon County transmitted copies of the proposed amendment to the comprehensive  
8 plan to the Department of Economic Opportunity as the State Land Planning Agency and other state  
9 and regional agencies for written comment; and

10 WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County  
11 Commissioners of Leon County held a public hearing with due public notice having been provided on  
12 the proposed amendment to the comprehensive plan; and

13 WHEREAS, the Board of County Commissioners of Leon County further considered all oral  
14 and written comments received during such public hearing, including the data collection and analyses  
15 packages, the recommendations of the Tallahassee-Leon County Local Planning Agency, and the  
16 Objections, Recommendations, and Comments Report of the Department of Economic Opportunity;  
17 and

18 WHEREAS, in exercise of its authority, the Board of County Commissioners of Leon County  
19 has determined it necessary and desirable to adopt the amendment to the comprehensive plan to  
20 preserve and enhance present advantages; encourage the most appropriate use of land, water and  
21 resources, consistent with the public interest; overcome present handicaps; and deal effectively with  
22 future problems that may result from the use and development of land within Leon County, and to meet  
23 all requirements of law;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

**Section 1. Purpose and Intent.**

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes, as amended.

**Section 2. Map Amendment.**

The Ordinance does hereby adopt the following portion of the text attached hereto as Exhibit “A,” and made a part hereof, as an amendment to the Tallahassee-Leon County 2030 Comprehensive Plan, as amended, and does hereby amend “The Tallahassee-Leon County 2030 Comprehensive Plan,” as amended, in accordance therewith, being an amendment to the following Plan element:

Map Amendment LMA 2401, which relates to the Future Land Use Map.

**Section 3. Applicability and Effect.**

The applicability and effect of this amendment to the 2030 Comprehensive Plan shall be as provided by the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance, and shall apply to all properties under the jurisdiction of Leon County.

**Section 4. Conflict with Other Ordinances and Codes.**

All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 5. Severability.**

If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 6. Copy on File.**

To make the Tallahassee-Leon County 2030 Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Tallahassee-Leon County 2030 Comprehensive Plan and these updates thereto, shall also be located in the Tallahassee-Leon County Planning Department. The Planning Director shall also make copies available to the public for a reasonable publication charge.

**Section 7. Effective Date.**

This plan amendment shall be effective 31 days from adoption or as otherwise provided in Section 163.3187, Florida Statutes.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida, this 9<sup>th</sup> day of April, 2024.

LEON COUNTY, FLORIDA

DocuSigned by:

*Carolyn D. Cummings*

By: 077B4B7E3ECA477...

Carolyn D. Cummings, Chair  
Board of County Commissioners

4/11/2024

Date: \_\_\_\_\_

APPROVED AS TO FORM:

Chasity H. O'Steen, County Attorney  
Leon County Attorney's Office

DocuSigned by:

By: *Chasity H. O'Steen*

BCE5E0EFD079484...

ATTEST:

Gwendolyn Marshall Knight, Clerk of the  
Court & Comptroller, Leon County, Florida

DocuSigned by:

By: *Gwendolyn Marshall Knight*

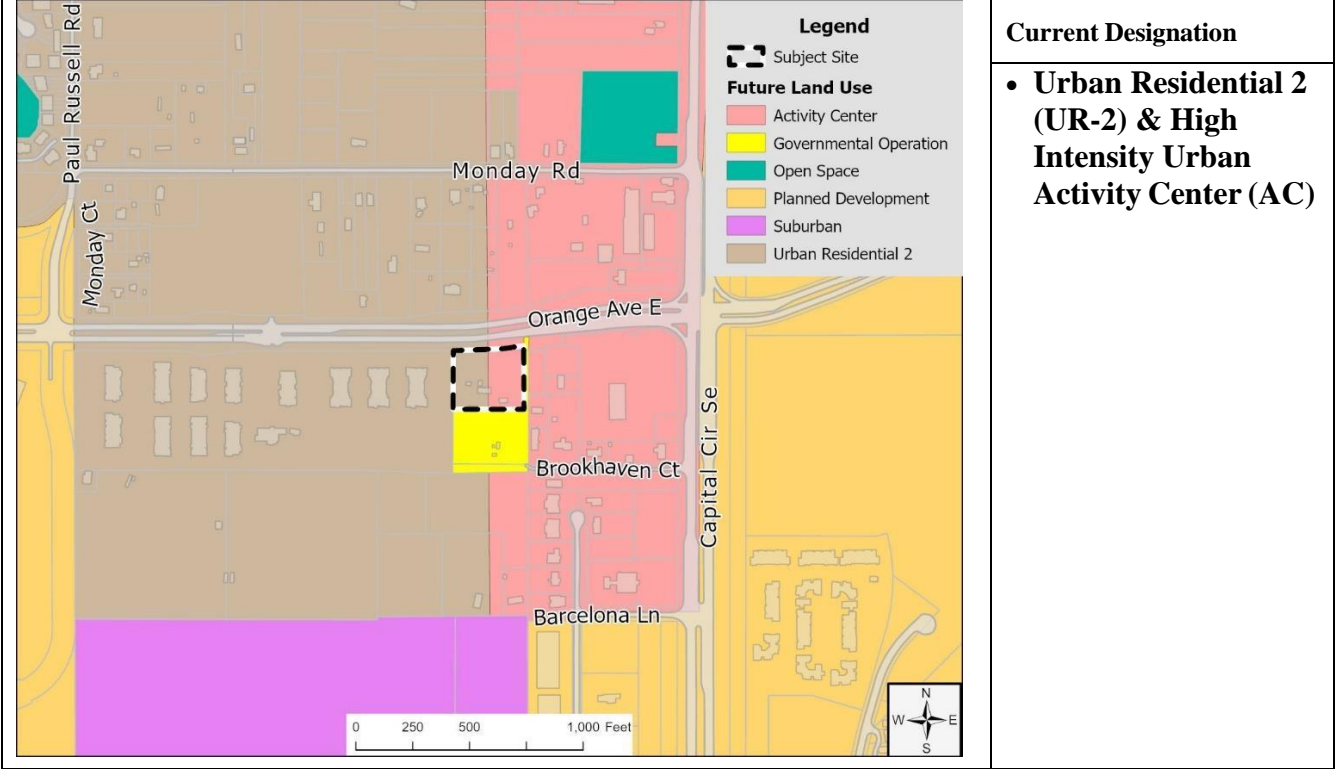
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DocuSigned by:

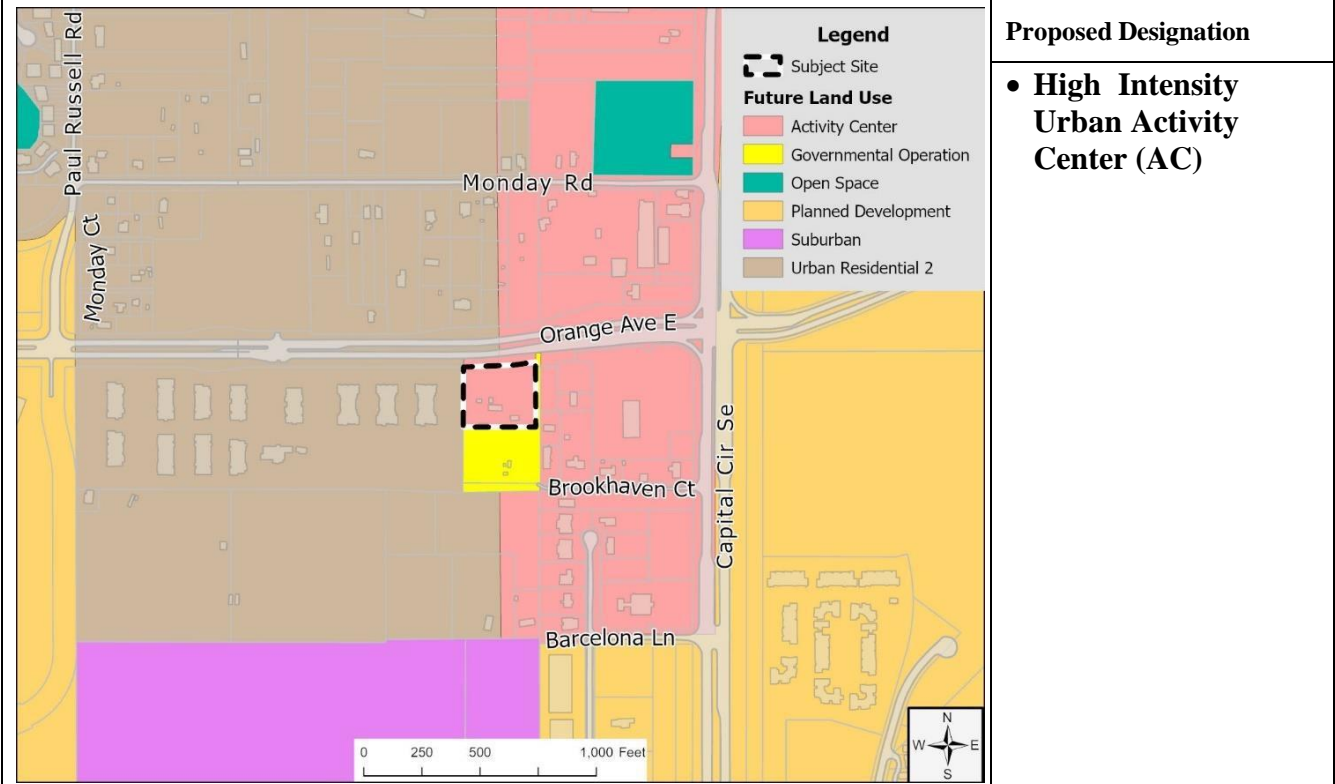


EXHIBIT A

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



**PROOF OF PUBLICATION**

Sherri Calhoun  
Tallahassee Leon County Planning Dept  
300 S Adams ST  
Tallahassee FL 32301-1721

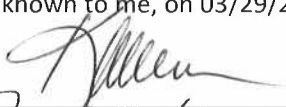
STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Tallahassee Democrat, a newspaper published in Tallahassee in Leon County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Main Legal CLEGL, was published on the publicly accessible website of Leon County, Florida, or in a newspaper by print in the issues of, on:

03/29/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/29/2024

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$784.00

Order No: 10001554

# of Copies:

Customer No: 1124354

1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

NANCY HEYRMAN  
Notary Public  
State of Wisconsin

# **NOTICE OF COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARINGS**

Notice is hereby given that the Board of County Commissioners of Leon County, Florida (the "County") will conduct a public hearing on Tuesday, April 9, 2024, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider adoption of ordinances entitled to wit and to consider transmittal of referenced text amendments:

## **CAPITAL IMPROVEMENTS SCHEDULE UPDATE**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, UPDATING THE CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030 TALLAHASSEE-LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A COPY TO BE ON FILE WITH THE TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

## **MAP AMENDMENT ADOPTION**

At the above public hearing the Board of County Commissioners will take public comments on and consider adoption of the following Ordinances, which adopt the map amendments in this advertisement. The Ordinance titles are below.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING THE 2030 TALLAHASSEE-LEON COUNTY COMPREHENSIVE PLAN; ADOPTING AMENDMENTS TO THE FUTURE LAND USE MAP; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A COPY TO BE ON FILE WITH THE TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

*Requested Map Amendment:* 2225 Orange Avenue

*Reference Number:* LMA2401

*Applicant:* Mortgage Investments of Tallahassee, LLC

*Small Scale Map Amendment:* This is a request to change the Future Land Use Map (FLUM) designation from Urban Residential 2 (UR-2) and High Intensity Urban Activity Center (AC) to High Intensity Urban Activity Center (AC) on 1.90 acres. The parcel is located on the south side of Orange Avenue, west of Capital Circle SE, near the intersection.

*Rezoning Application:* A rezoning application will be processed concurrently with this amendment. A zoning change from Single Family Detached, Attached Two-Family Residential (R-3) and Activity Center (AC) to Activity Center (AC) will be requested to implement the proposed amendment to the Future Land Use Map.

## **REZONING**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS ADOPTED IN LEON COUNTY ORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM THE SINGLE FAMILY DETACHED, ATTACHED TWO-FAMILY RESIDENTIAL (R-3) TO THE ACTIVITY CENTER (AC) ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

This proposed rezoning implements Comprehensive Plan map amendment LMA2401, above, which is proposed for adoption on April 9, 2024. The rezoning requests a change to the Official Zoning Map from the Single Family Detached, Attached Two-Family Residential (R-3) & Activity Center (AC) to Activity Center (AC) Zoning District.

## **TEXT AMENDMENTS TRANSMITTAL**

*Requested Text Amendment:* HB 1379

*Reference Number:* TTA2024003

*Applicant:* Tallahassee-Leon County Planning Department

This is a proposed text amendment to Utilities Element Sanitary Sewer Objective 1.3[SS] and Policy 2.1.6[SS] to implement the sanitary sewer planning requirements of HB 1379.

*Requested Text Amendment:* Solar Facilities

*Reference Number:* TTA2024004

*Applicant:* Tallahassee-Leon County Planning Department

The proposed amendment would update Policy 2.2.20[L] of the Future Land Use Element to reflect statutory requirements for Solar Facilities.

*Requested Text Amendment:* Small-scale Future Land Use Map Amendments

*Reference Number:* TTA2024012

*Applicant:* Tallahassee-Leon County Planning Department

This is a proposed text amendment to Intergovernmental Coordination Element Policy 1.8.1[f], Comprehensive Plan Amendment Process, to allow applications for small-scale map amendments to be accepted throughout the year.

Leon County will also broadcast the public hearing on Comcast channel 16, the Leon County Florida channel on Roku, and the County's Facebook page (<https://www.facebook.com/LeonCountyFL>), YouTube channel (<https://www.youtube.com/user/LeonCountyFL>), and web site ([www.LeonCountyFL.gov](http://www.LeonCountyFL.gov)).

All interested parties are invited to present their comments at the public hearing at the time and place set out above.

Interested parties may also provide virtual real-time public comments during the public hearing. After the Board of County Commissioner's agenda is posted online, interested parties wishing to provide virtual real-time public comments must complete and submit the registration form provided at <https://www2.leoncountyfl.gov/coadmin/agenda/> by 8:00 p.m. on Monday, April 8, 2024. Following submittal of the registration form, further instructions for participating in the meeting will be provided. Persons needing assistance with registering or providing real-time comments may contact County Administration via telephone at (850) 606-5300. Please note that Board of County Commissioners Policy 01-05, Article IX, Section E., entitled "Addressing the Board," and Article IX., Section F., entitled "Decorum," shall remain in full force and effect.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301 or [CMR@leoncountyfl.gov](mailto:CMR@leoncountyfl.gov), by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Copies of the Ordinance may be inspected as part of the agenda package on the County's website (<https://www2.leoncountyfl.gov/coadmin/agenda/>). To receive copies of the Ordinance by other means, such as email, mail, or facsimile transmittal, contact County Administration at (850) 606-5300.

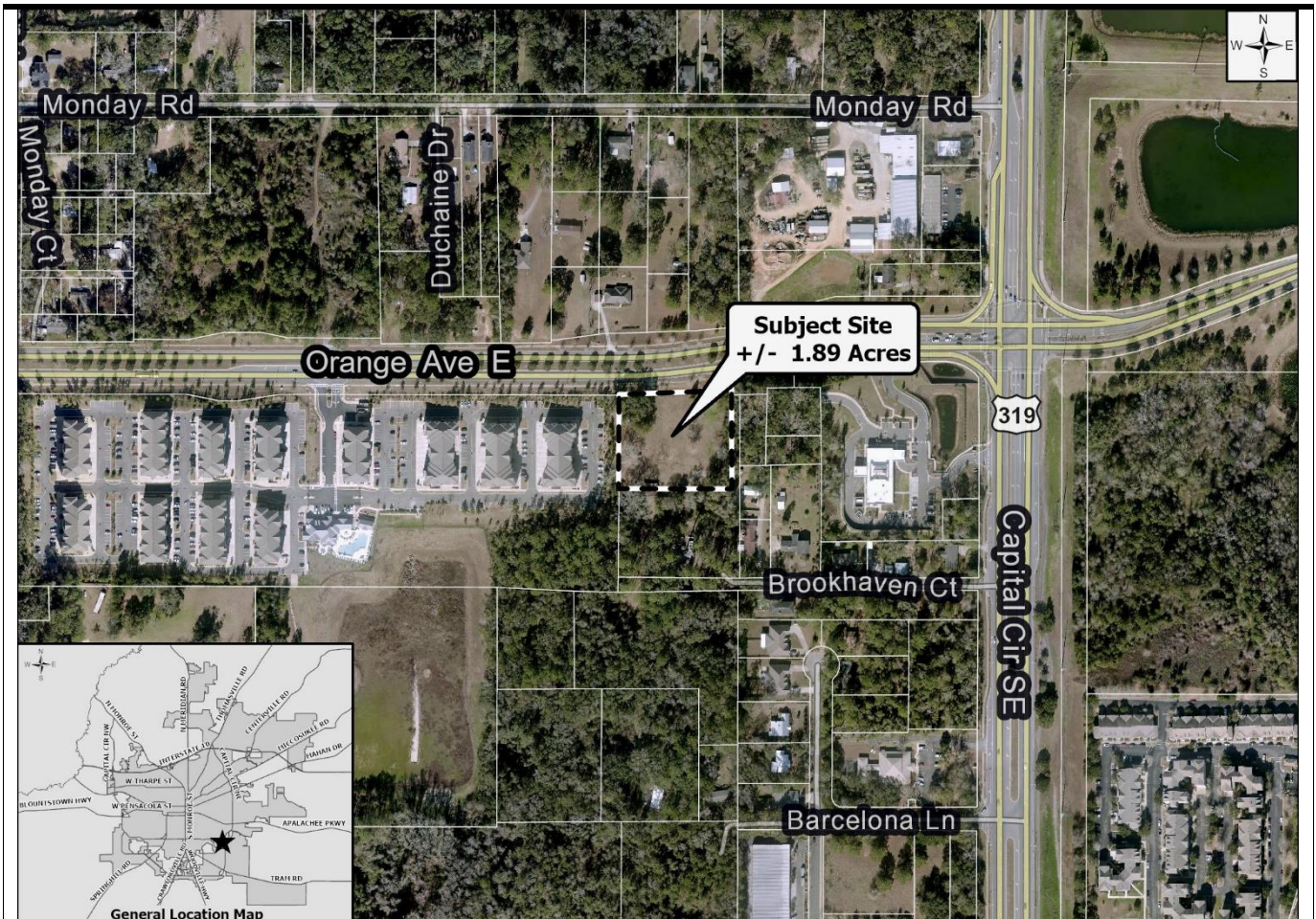
Advertise: March 29, 2024

12-1015424



**ATTACHMENT #3**

**OTHER SUPPORTING  
INFORMATION**



### SUMMARY

Property Owners:	Property Location:	Amendment Type:
Mortgage Investments of Tallahassee LLC	2225 Orange Avenue	County Small-Scale Map Amendment
<b>Applicant:</b> Mortgage Investments of Tallahassee LLC		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Stephen M. Hodges	<u>Future Land Use:</u> Urban Residential 2 & Activity Center <u>Zoning:</u> Single Family Detached, Attached Two-Family Residential (R-3) & Activity Center	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
<a href="mailto:Stephen.Hodges@talgov.com">Stephen.Hodges@talgov.com</a>	<u>Future Land Use:</u> Activity Center <u>Zoning:</u> Activity Center	Consistent
Date: 11/17/23	Updated: 2/13/24	

## A. EXECUTIVE SUMMARY

This vacant parcel approximately 1.9 acre in size has a split Future Land Use Map (FLUM) designation of Urban Residential 2 (UR-2) and High Intensity Urban Activity Center (AC). If approved, this map amendment would designate a single land use category (AC) for the entire parcel that would allow high density residential and non-residential development.

The proposed AC Future Land Use category located near the intersection of Orange Avenue and Capital Circle Southeast is intended to provide community-wide or regional commercial activities located in proximity to multi-family housing and office employment centers. The allowable density would increase from the current eight (8) units per acre to 45 units per acre.

A rezoning application will be processed concurrent with this amendment. A zoning change from R-3 Single- and Two-Family Residential District (R-3) to High Intensity Urban Activity Center (AC) on that portion of the subject site currently designated UR-2 on the FLUM will be processed to implement the proposed amendment to the FLUM. The subject area is within the Urban Services Area.

Based on staff analysis, the proposed amendment is consistent with the Comprehensive Plan, and would allow the subject site and the surrounding area to the east and west to continue its transition to a higher-density mixed-use corridor with a variety of non-residential and residential uses, located in close proximity to existing multi-family and employment.

Part of the review process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan and is further detailed in Sections E or F of this report. In reviewing this request, a determination must be made as to whether the present land use designation is appropriate or whether the Future Land Use Map should be amended to re-designate the area as requested. Included in this consideration are the following questions: (1) does the area meet the criteria for designation as Urban Residential 2, and (2) does the area better meet the criteria for High Intensity Urban Activity Center?

The concurrent rezoning determines the allowed uses and the density (number of dwelling units per acre) of development on the site. Based on the staff analysis of the rezoning, it would unify the zoning districts across the subject site and reflect the intent to locate AC near multi-family and employment centers.

If the Land Use and/or Zoning changes are approved, the next step in the development process is site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with County land development code requirements for stormwater treatment and attenuation, environmental protection, traffic impacts, concurrency, school impacts, buffers, open space requirements, and all other applicable development standards.

## B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

The proposed change will create a single designation for the subject site and will be compatible with the surrounding land uses that include multi-family and employment centers.

## C. LOCAL PLANNING AGENCY (LPA) RECOMMENDATION

Find that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **ADOPT** the proposed amendment.

Find that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report, and **APPROVE** the proposed rezoning.

#### D. STAFF ANALYSIS

Staff finds that the proposed future land use map amendment is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

Staff finds that the proposed rezoning is **consistent** with the Tallahassee-Leon County Comprehensive Plan, based on the findings and other information contained in this staff report.

#### E. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed amendment is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

- Policy 1.1.1: [L] requires new development to be concentrated in the urban service area in order to discourage urban sprawl. The subject area is within the urban service area.
- Policy 1.1.7 [L] requires higher density and mixed-use development and its ancillary activities shall be channeled into locations which have proper access to the existing transportation system; minimal environmental constraints; sufficient stormwater treatment capacity; compatible existing land use and readily available sewer and water infrastructure. The subject site meets these criteria.
- Policy 2.2.9 [L] provides for community-wide or regional commercial activities located in proximity to multi-family housing and office employment centers. The subject site is proximal to both.

#### F. SUMMARY OF FINDINGS

The criteria required for consideration of a proposed Future Land Use Map change include consistency with the Tallahassee-Leon County Comprehensive Plan, conformance with the Tallahassee or Leon County Zoning Code, land use compatibility, changed conditions on the site and other matters deemed relevant and appropriate. Staff presents the following findings of fact:

##### History and Background

The area surrounding the subject site was previously very low density residential. The subject site is currently vacant. Orange Avenue, which the subject site faces, was expanded from two lanes to four between 2007 and 2009.

A multifamily apartment complex exists to the west and the Capital Regional Medical Center at Southwood is located east of the subject site at the intersection of corner of Orange Avenue and Capital Circle Southeast. A radio tower currently owned by the State of Florida is located immediately south of the subject site. This tower is located on a flag lot that connects to Orange Avenue. Access to this tower site is from Orange Avenue and Brookhaven Court, which is a public road that connects to Capital Circle Southeast. The parcel containing the radio tower is currently designated Government

Operational (GO) on the Future Land Use Map and has a split zoning of R-3 and AC similar to the subject site.

#### Current and Proposed Future Land Use Categories

This parcel approximately 1.9 acre in size has a split FLUM designation of UR-2 and AC. If approved, this map amendment would designate a single land use category (AC) for the entire parcel that would allow high density residential and non-residential development. A summary of the current and proposed FLU categories is below, and a comparison of permitted uses is provided in **Section G**.

The complete comprehensive plan policies for Urban Residential 2 (Policy 2.2.24 [L]) and High Intensity Urban Activity Center (Policy 2.2.9 [L]) are included as Appendix #1.

#### ***Urban Residential 2 (UR-2) (Current)***

The primary intent of the UR-2 future land use category, which is to be applied only within the Urban Services Area, is to encourage a range of medium density residential use (maximum 20 dwelling units per acre), thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The UR-2 category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses.

#### ***High Intensity Urban Activity Center (AC) (Current & Proposed)***

The proposed High Intensity Urban Activity Center category is intended to primarily provide for community-wide or regional commercial activities located in proximity to multi-family housing and office employment centers. The category is also intended to provide large scale commercial activities to serve retail needs of large portions of the population. Residential development may be permitted up to 45 dwelling units per acre.

#### Determination for Future Land Use Map Amendment

##### *1. Does the area meet the criteria for its designation as UR-2 and AC?*

No. The site has a split land use designation, and Orange Avenue is a major artery. The area designated UR-2 is approximately ½ of the subject area, whereas the remaining half of the subject site is designated as AC. The property owner has requested a land use category and zoning designation for the entire parcel that allows non-residential uses in addition to residential uses. Having a single designation for the subject site allows for a more comprehensive and effective development potential, particularly given its location relative to Orange Avenue and Capital Circle Southeast.

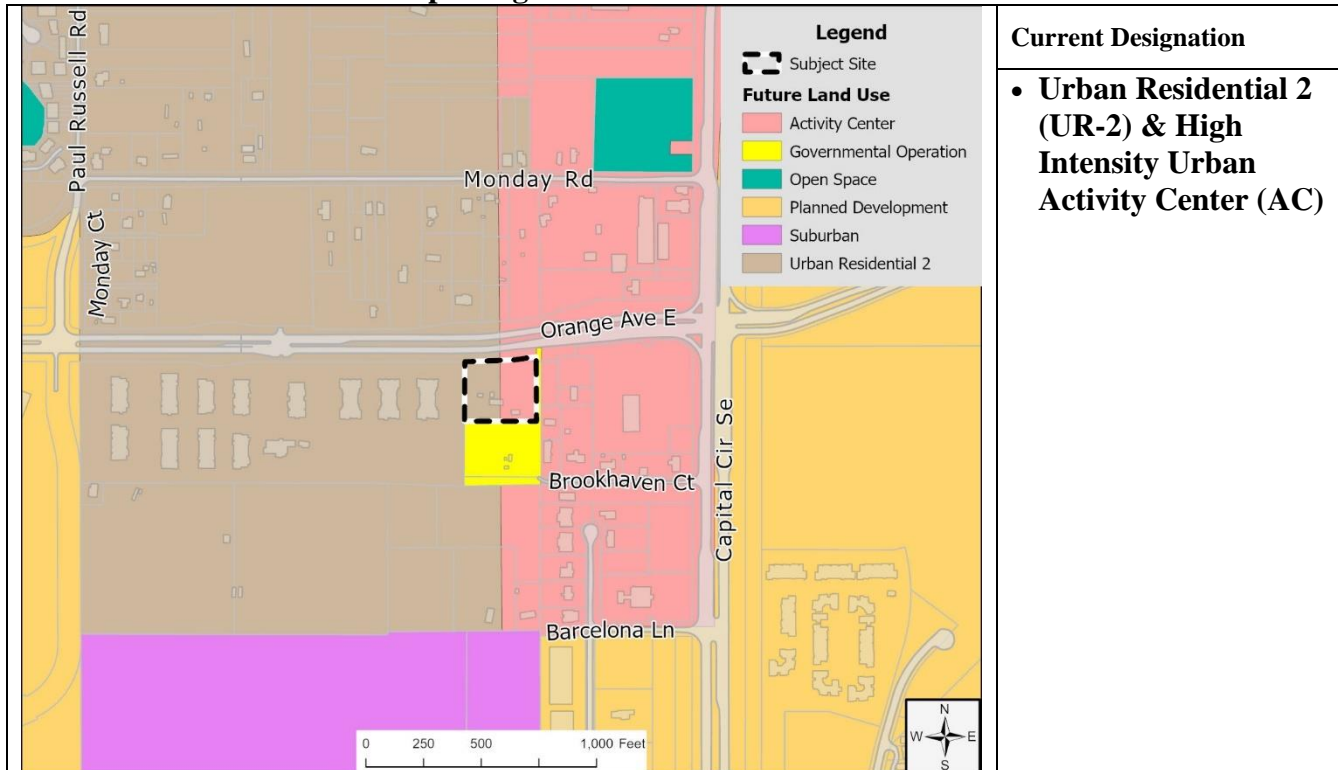
##### *2. Does the area better meet the criteria for the proposed land use designation of AC?*

Yes. The subject property is currently located adjacent to a new apartment complex on its west side, and except for a small area where a state government radio tower is located that is currently designated GO on the FLUM. Additionally, it is adjacent to an area currently designated AC that includes the Capital Regional Medical Center at Southwood. It is anticipated that this area will eventually be further developed around the intersection of Orange Avenue and Capital Circle Southeast based on the continued growth of this area of the community.

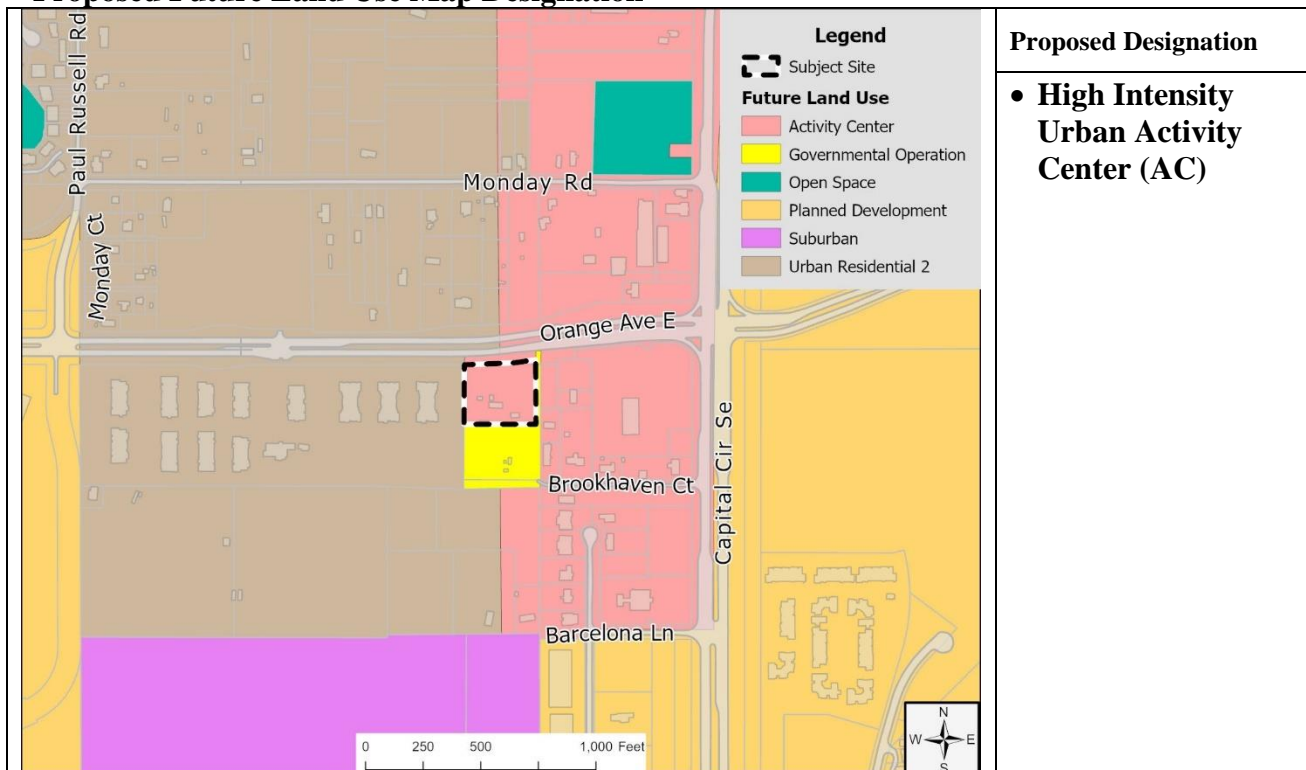


The following maps illustrate the current and proposed FLUM designations for the Subject Area.

### Current Future Land Use Map Designation



### Proposed Future Land Use Map Designation





### Current and Proposed Zoning

The subject site currently has a split zoning designation of Single- and Two-Family Residential District (R-3) and High Intensity Urban Activity Center (AC). The boundary for this zoning follows the split FLUM designation on the subject site. The proposed rezoning would change that portion designated R-3 to AC on that portion of the subject site to implement the proposed underlying future land use category and create a unified zoning. A summary of the current and proposed zoning categories is below, and the Land Development Code sections for Sec. 10-6.637 R-3 Single- and Two-Family Residential District and Sec. 10-6.614 High Intensity Urban Activity Center District are included as Appendix #2.

#### ***Single- and Two-Family Residential District (R-3) (Current)***

The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre; a minimum density of 4 dwelling units per acre is required when applied to the Urban Residential future land use category.

#### ***High Intensity Urban Activity Center (AC) (Proposed)***

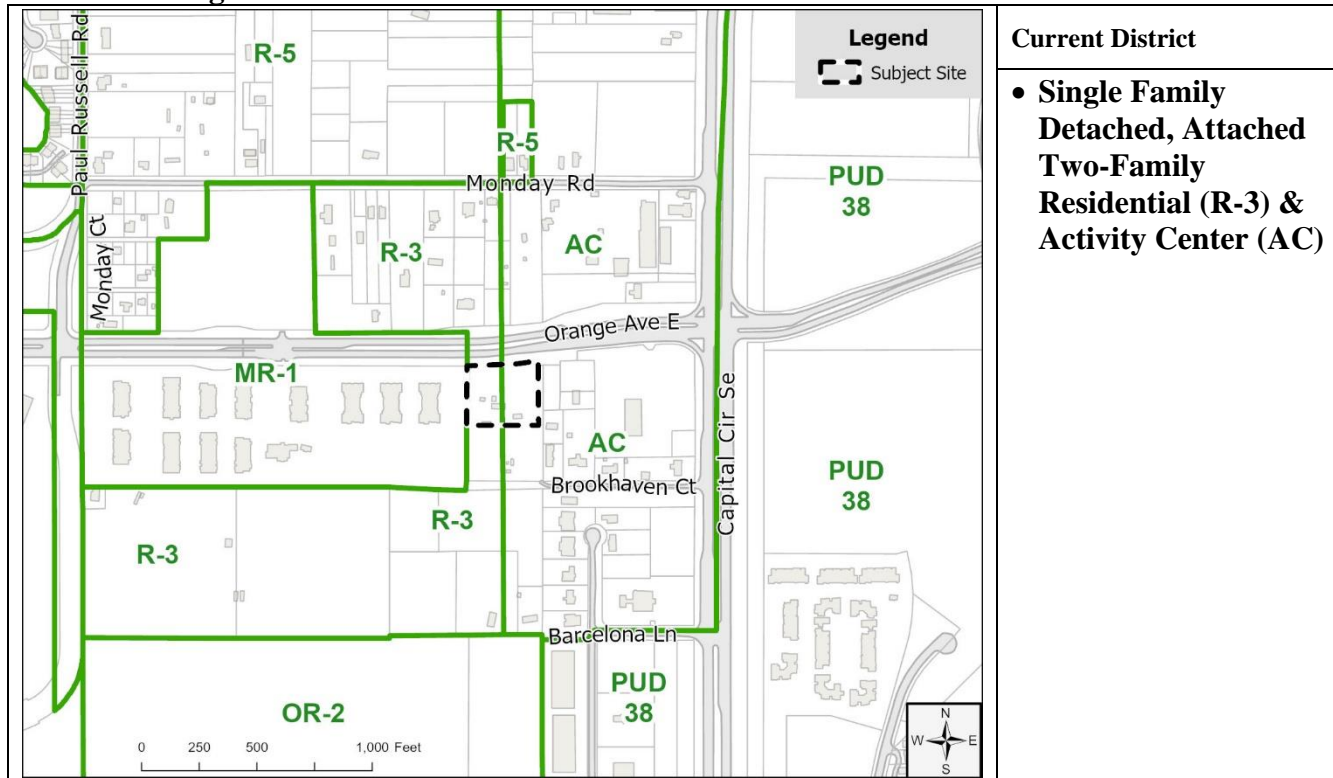
The purpose and intent of high-intensity urban activity center district is to establish an urban activity center providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. This district is intended to provide large-scale commercial activities to serve the retail market of region as well as the community. The intense commercial of this district promotes the efficiency of the transportation system through consolidation of trips and discouragement of the unabated sprawl of commercial activities. Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian and bicycle access system shall be provided to afford safe and accessible foot and bike travel between the land uses. The district is intended to facilitate efficient traffic flow by allowing only land uses developed with comprehensively planned access, egress, and internal circulation systems. The district will also allow residential development of complimentary intensity of sixteen (16) to forty-five (45) dwelling units per gross acre.

### **Determination for the Concurrent Rezoning**

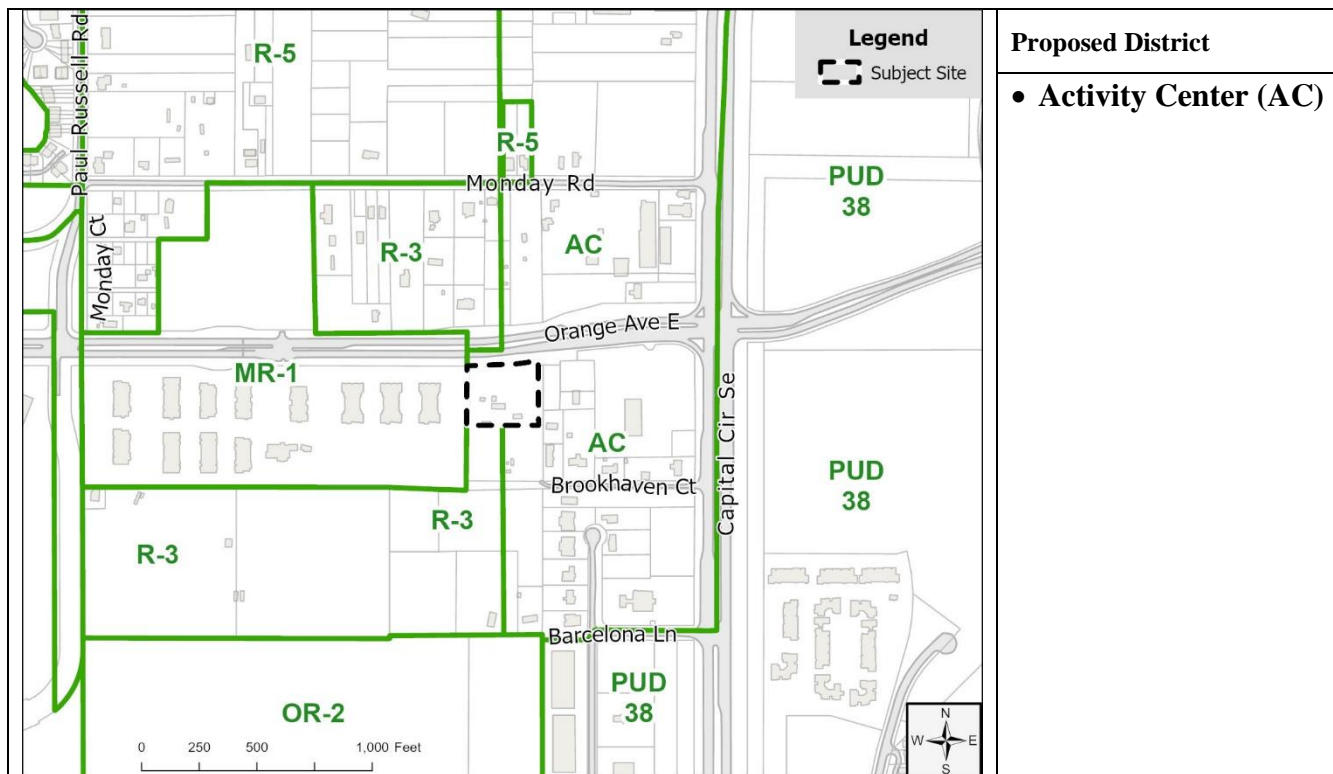
The proposed AC zoning district is intended to be located in proximity to multi-family housing and office employment centers and this rezoning would achieve these intents.

The following maps illustrate the current and proposed zoning for the Subject Site.

### Current Zoning

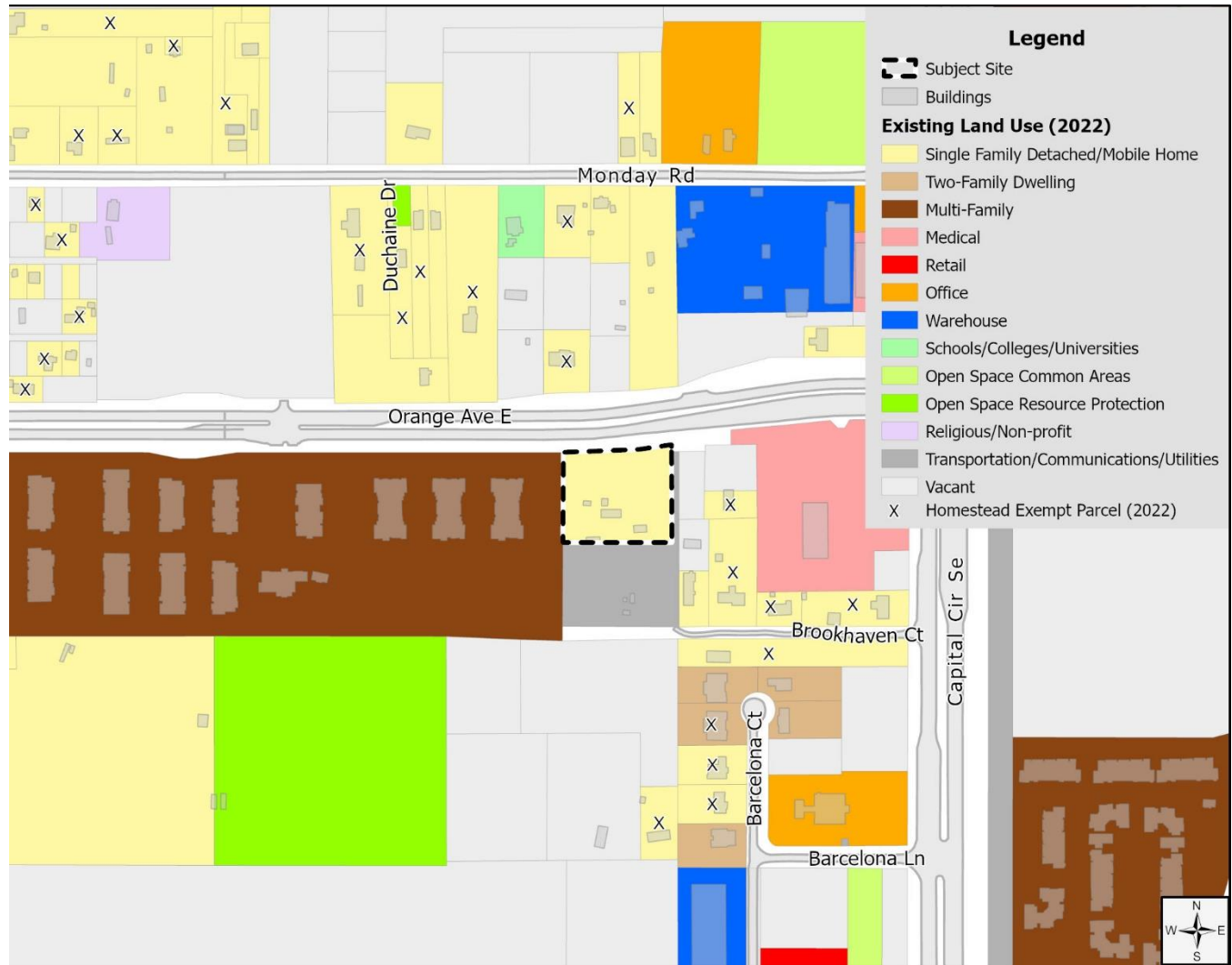


### Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

The existing land uses surrounding the subject site are varied and include multi-family, communications, medical, single family detached, vacant, and warehouse uses. The historical land uses were primarily residential, but with the expansion of Capital Circle Southeast, Orange Avenue, and the development of the Southwood subdivision and its associated uses, additional higher density housing and other non-residential uses have appeared along these two arterial roadways, and these development activities will continue into the future.

**Existing Land Use Map**

### Infrastructure Analysis

#### *Water/Sewer*

The subject site is served by City of Tallahassee potable water and sewer.

#### *Schools*

The subject site is zoned for Conley Elementary School, Fairview Middle School, and Rickards High School. Any future redevelopment of the area would follow the site plan review process. This process includes a school concurrency impact analysis.

#### *Roadway Network*

The subject site is served by Orange Avenue which is a minor arterial roadway.

Consistent with the requirements in the Leon County and/or City of Tallahassee Land Development Code, final transportation concurrency calculations will be conducted when a site plan for proposed development is submitted. The actual traffic impacts and concurrency will be calculated at the time of site plan review.

#### *Pedestrian and Bicycle Network*

Orange Avenue since its reconstruction has both sidewalks and bicycle lanes on both sides of the roadway. Orange Avenue is rated “Low Comfort” by the Bike Tallahassee Network.

#### *Transit Network*

The Southwood Route runs on Capital Circle Southeast during the week. The route runs every 40 minutes with two breaks in service from 9:40-11:25 a.m. and 2 - 3:35 p.m. The nearest regular stop is at the Southwood Village Shopping Center.

### Environmental Analysis

The subject area is located within the Woodville West Drainage Basin. There are no sensitive environmental features on the subject site. Any future redevelopment of the area would follow the site plan review process which includes an analysis of any existing environmental features and cultural resources.

## **G. COMPARISON OF EXISTING AND PROPOSED ALLOWED USES**

The Future Land Use Map provides a general pattern for the location, distribution, and character of land uses. The zoning category implements the underlying land use category and further regulates allowed and prohibited uses, building densities and intensity of uses, and site design specifics such as setbacks, parking requirements, infrastructure, and other land development issues.

<b>Permitted Uses- Future Land Use</b>	<b>Current Urban Residential - 2</b>	<b>Proposed Activity Center</b>
Residential	20 unit/acre	16-45 units/acre
Single-Family Detached	X	
Single-Family Attached	X	
Zero-lot Line Single-Family Detached Dwellings	X	
Townhouses	X	
Two-Family Dwellings	X	X
Multi-Family Dwellings	X	X
Medium Density Residential		X
High Density Residential		X
Community and Recreational Facilities	X	X
Commercial Goods and Services		X
Offices		X
Light Infrastructure		X
Post-secondary		X
Light Industrial – Minor		X

<b>Permitted Uses- Zoning</b>	<b>Current Single- and Two-Family Residential District 3 (R-3)</b>	<b>Proposed Activity Center (AC)</b>
Residential	4-8 units/acre	18 units/acre
Low Density Residential (single, two family, or manufactured home)	X	X
Single-Family Detached, Attached	X	X
Two-Family Dwellings	X	X
Multi-Family Dwellings		X
Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools	X	X
Daycare Centers		X
Golf Courses	X	
Passive and Active recreational facilities	X	X
Commercial Goods and Services		X
Offices		X
Light Infrastructure		X
Post-secondary		X
Light Industrial – Minor		X

## H. PUBLIC OUTREACH AND NOTIFICATION

An initial mailing was sent to 217 property owners within 1,000 feet of Subject Site.

Public Outreach		Date Completed
X	Applications posted to Planning Website	November 1, 2023
X	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	November 10, 2023
X	Signs providing details of proposed land use posted on subject site	November 17, 2023
X	Public Open House	December 7, 2023
X	Staff Reports Available Online <a href="https://www.talgov.com/place/pln-cp-2024">https://www.talgov.com/place/pln-cp-2024</a>	February 1, 2024
X	Email Subscription Notice sent to all users of service	4/7/23 8/29/23 10/27/23
X	Legal Ads posted	December 29, 2023 January 16, 2024

**Public Open House** – A public open house for the 2024 Comprehensive Plan Amendment Cycle was held on December 7, 2023 from 5:30 p.m. to 7:00 p.m. in the 2<sup>nd</sup> Floor Conference Room at the Renaissance Center. There were no questions for staff on this amendment.



## **I. 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:

<b>Cycle Meetings</b>		<b>Date Completed</b>
<b>X</b>	Public Open House	12/07/2023
<b>X</b>	Local Planning Agency Workshop	01/09/2024
<b>X</b>	Local Planning Agency Public Hearing	02/06/2024
	BOCC Adoption and Transmittal Hearing	04/9/2024

**Local Planning Agency Workshop** – A Local Planning Agency workshop for the 2024 Comprehensive Plan Amendment Cycle was held on January 17, 2024 from 9:00 a.m. to 10:00 a.m. in the 1st Floor Growth Management Conference Room at the Renaissance Center. There were no questions for staff on this amendment.

**Local Planning Agency Public Hearing** – A Local Planning Agency public hearing for the 2024 Comprehensive Plan Amendment Cycle was held on February 6, 2024 from 6:00 p.m. to 8:00 p.m. in the 2nd Floor Development Support and Environmental Management Conference Room at the Renaissance Center. There were no speakers on this item other than the applicant, who was present to answer any questions.

## **J. APPENDICES**

Appendix #1: Comprehensive Plan policies relevant to the proposed amendment

Appendix #2: Land Development Code sections relevant to the proposed amendment and/or rezoning

Appendix #3: Photo of signs providing details of proposed land use and zoning changes posted on subject site

**APPENDIX 1 - Comprehensive Plan policies relevant to the proposed amendment**

***Policy 2.2.9: [L]***

HIGH INTENSITY URBAN ACTIVITY CENTER (EFF. 7/16/90; REV. EFF. 7/26/06; RENUMBERED 3/14/07)

Designed to function as urban activity centers by primarily providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. Intended to provide large scale commercial activities to serve retail needs of large portions of the population. Promotes efficiency of the transportation system by consolidating trips and discouraging unabated sprawl of commercial activities.

Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian mobility system designed to provide safe and accessible foot and bike travel between the land uses shall be stressed in granting development approvals. Access and egress to Activity Centers as well as internal vehicle travel shall be planned in a comprehensive manner in order to facilitate traffic movement. Residential development shall be permitted up to 45 dwelling units per acre.

***Policy 2.2.24: [L]***

URBAN RESIDENTIAL 2 (REV. EFF. 7/26/06; REV. EFF. 3/14/07; REV. EFF. 1/22/16)

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential 2 category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area, unless to correct, legal non-conforming uses and/or

**APPENDIX 2 - Land Development Code sections relevant to the proposed amendment and/or rezoning**

**Sec. 10-6.614. High Intensity Urban Activity Center District**

(a) *Purpose and Intent.* The purpose and intent of high-intensity urban activity center district is to establish an urban activity center providing for community wide or regional commercial activities located in proximity to multi-family housing and office employment centers. This district is intended to provide large-scale commercial activities to serve the retail market of region as well as the community. The intense commercial of this district promotes the efficiency of the transportation system through consolidation of trips and discouragement of the unabated sprawl of commercial activities. Planned, integrated development is required to promote synergy between the different allowable land uses. An integrated pedestrian and bicycle access system shall be provided to afford safe and accessible foot and bike travel between the land uses. The district is intended to facilitate efficient traffic flow by allowing only land uses developed with comprehensively planned access, egress, and internal circulation systems. The district will also allow residential development of complimentary intensity of sixteen (16) to forty-five (45) dwelling units per gross acre.

(b) *Allowable Uses.* For the purpose of this article, the following land use types are allowable in this zoning district and are controlled by the Land Use Development Standards of this article, the Comprehensive Plan and Schedules of Permitted Uses.

- (1) Minor Commercial
- (2) Neighborhood Commercial
- (3) Community Commercial
- (4) Regional Commercial
- (5) Highway Commercial
- (6) Minor Office
- (7) Major Office
- (8) Office Park
- (9) Medium Density Residential
- (10) High Density Residential
- (11) Passive Recreation
- (12) Active Recreation
- (13) Community Services
- (14) Light Infrastructure
- (15) Postsecondary
- (16) Light Industrial--Minor

(c) *List of Permitted Uses.* See Schedules of Permitted Uses, section 10-1207(a). Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the

schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed.

(d) *Development Standards.* All proposed development shall meet the commercial site location standards (section 10-922); buffer zone standards (section 10-923); the parking and loading requirements (division 7); and the land use development criteria as specified in section 10-1207.

SECTION 10-6.614 HIGH INTENSITY URBAN ACTIVITY CENTERS DISTRICT  
ALLOWABLE USES; APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL  
STANDARDS

P PERMITTED USE  
R RESTRICTED USE  
S SPECIAL EXCEPTION

SIC CODE	NAME OF USE	DEVELOPMENT AND LOCATIONAL STANDARDS													
		MC	NC	CC	RC	HC	MO	MJO	OP	MR	HR	AR	CS	LI	MI
	RESIDENTIAL														
	Dwelling, Multiple-Family									P	P				
	RETAIL TRADE														
521	Lumber and other building materials	P	P	P	P	P									
523	Paint, glass, and wallpaper stores	P	P	P	P	P									
525	Hardware stores	P	P	P	P	P									
526	Retail nurseries and garden stores	P	P	P	P	P									
527	Mobile home dealers	P	P	P	P	P									
531	Department stores	P	P	P	P	P									
533	Variety stores	P	P	P	P	P									
539	Misc. general merchandise stores	P	P	P	P	P									
541	Grocery stores	P	P	P	P	P									
542	Meat and fish markets	P	P	P	P	P									
543	Fruit and vegetable markets	P	P	P	P	P									
544	Candy, nut and confectionery stores	P	P	P	P	P									
545	Dairy products stores	P	P	P	P	P									
546	Retail bakeries	P	P	P	P	P									
551	New and used car dealers	P	P	P	P	P									
553	Auto and home supply stores	P	P	P	P	P									
554	Gasoline service stations	P	P	P	P	P									
555	Boat dealers	P	P	P	P	P									
556	Recreational vehicle dealers	P	P	P	P	P									
557	Motorcycle dealers	P	P	P	P	P									
56	Apparel and accessory stores	P	P	P	P	P									
571	Furniture and home furnishings stores	P	P	P	P	P									
572	Household appliance stores	P	P	P	P	P									

LEGEND	
MC	= MINOR COMMERCIAL
NC	= NEIGHBORHOOD COMMERCIAL
CC	= COMMUNITY COMMERCIAL
RC	= REGIONAL COMMERCIAL
HC	= HIGHWAY COMMERCIAL
MO	= MINOR OFFICE
MJO	= MAJOR OFFICE
OP	= OFFICE PARK
MR	= MEDIUM DENSITY RESIDENTIAL
HR	= HIGH DENSITY RESIDENTIAL
AR	= ACTIVE RECREATION
CS	= COMMUNITY SERVICES
LI	= LIGHT INFRASTRUCTURE
MI	= MINOR LIGHT INDUSTRIAL

SECTION 10-6.614- HIGH INTENSITY URBAN ACTIVITY CENTERS DISTRICT  
ALLOWABLE USES; APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL  
STANDARDS

P PERMITTED USE

R RESTRICTED USE

S SPECIAL EXCEPTION

SIC CODE	NAME OF USE	DEVELOPMENT AND LOCATIONAL STANDARDS													
		MC	NC	CC	RC	HC	MO	MJO	OP	MR	HR	AR	CS	LI	MI
573	Radio, television, & computer stores	P	P	P	P	P									
5736	Musical instrument stores	P	P	P	P	P									
581	Eating and drinking places	P	P	P	P	P									
591	Drug stores and proprietary stores	P	P	P	P	P									
592	Liquor stores	P	P	P	P	P									
593	Used merchandise stores	P	P	P	P	P									
5941	Sporting goods and bicycle shops	P	P	P	P	P									
5942	Book stores	P	P	P	P	P									
5943	Stationery stores	P	P	P	P	P									
5944	Jewelry stores	P	P	P	P	P									
5945	Hobby, toy, and game shops	P	P	P	P	P									
5946	Camera & photographic supply stores	P	P	P	P	P									
5947	Gift, novelty, and souvenir shops	P	P	P	P	P									
5948	Luggage and leather goods stores	P	P	P	P	P									
5949	Sewing, needlework, and piece goods	P	P	P	P	P									
5961	Catalog and mail-order houses	P	P	P	P	P									
5992	Florists	P	P	P	P	P									
5993	Tobacco stores and stands	P	P	P	P	P									
5994	News dealers and newsstands	P	P	P	P	P									
5995	Optical goods stores	P	P	P	P	P									
5999	Miscellaneous retail stores, nec	P	P	P	P	P									
	FINANCE, INSURANCE,														
	AND REAL ESTATE														
601	Central reserve depositories	P	P	P	P	P	P	P	P						
602	Commercial banks	P	P	P	P	P	P	P	P						
603	Savings institutions	P	P	P	P	P	P	P	P						

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**SECTION 10-6.614 - HIGH INTENSITY URBAN ACTIVITY CENTERS DISTRICT**  
**ALLOWABLE USES; APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL**  
**STANDARDS**

P PERMITTED USE  
R RESTRICTED USE  
S SPECIAL EXCEPTION

SIC CODE	NAME OF USE	DEVELOPMENT AND LOCATIONAL STANDARDS													
		MC	NC	CC	RC	HC	MO	MJO	OP	MR	HR	AR	CS	LI	M
606	Credit unions	P	P	P	P	P	P	P	P						
611	Federal & federal sponsored credit	P	P	P	P	P	P	P	P						
614	Personal credit institutions	P	P	P	P	P	P	P	P						
616	Mortgage bankers and brokers	P	P	P	P	P	P	P	P						
62	Security and commodity brokers	P	P	P	P	P	P	P	P						
64	Insurance agents, brokers, & service	P	P	P	P	P	P	P	P						
65	Real estate	P	P	P	P	P	P	P	P						
654	Title abstract offices	P	P	P	P	P	P	P	P						
	SERVICES														
701	Hotels and motels	P	P	P	P	P			P						
702	Rooming and boarding houses; dorms	P	P	P	P	P									
721	Laundry, cleaning, & garment services	P	P	P	P	P									
7215	Coin-operated laundries and cleaning	P	P	P	P	P									
723	Beauty shops	P	P	P	P	P									
724	Barber shops	P	P	P	P	P									
725	Shoe repair and shoeshine parlors	P	P	P	P	P									
726	Funeral service and crematories	P	P	P	P	P									
7299	Miscellaneous personal services	P	P	P	P	P									
7311	Advertising agencies	P	P	P	P	P	P	P	P						
732	Credit reporting and collection	P	P	P	P	P	P	P	P						
7334	Photocopying & duplicating services	P	P	P	P	P	P	P	P						
7335	Commercial photography	P	P	P	P	P	P	P	P						
7336	Commercial art and graphic design	P	P	P	P	P	P	P	P						
7353	Heavy construction equipment rental	P	P	P	P	P	P	P	P						
7359	Equipment rental & leasing, nec	P	P	P	P	P	P	P	P						
7361	Employment agencies	P	P	P	P	P	P	P	P						
737	Computer and data processing services	P	P	P	P	P	P	P	P						

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SECTION 10-6.614 - HIGH INTENSITY URBAN ACTIVITY CENTERS DISTRICT  
ALLOWABLE USES; APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL  
STANDARDS

P PERMITTED USE  
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S SPECIAL EXCEPTION

SIC CODE	NAME OF USE	DEVELOPMENT AND LOCATIONAL STANDARDS													
		MC	NC	CC	RC	HC	MO	MJO	OP	MR	HR	AR	CS	LI	M
742	Veterinarians	P	P	P		P									
751	Automotive rentals, no drivers	P	P	P	P	P									
752	Automobile parking	P	P	P	P	P									
753	Automotive repair shops	P	P	P	P	P									
754	Automotive services, except repair	P	P	P	P	P									
762	Electrical repair shops	P	P	P	P	P									
763	Watch, clock, and jewelry repair	P	P	P	P	P									
764	Reupholstery and furniture repair	P	P	P	P	P									
783	Motion picture theaters	P	P	P	P	P									
784	Video tape rental	P	P	P	P	P									
791	Dance studios, schools, and halls	P	P	P	P	P									
793	Bowling centers	P	P	P	P	P									
794	Commercial sports	P	P	P	P	P									
7991	Physical fitness facilities	P	P	P	P	P									
7992	Public golf courses	P	P	P	P	P									
7993	Coin-operated amusement devices	P	P	P	P	P									
7996	Amusement parks	P	P	P	P	P									
7997	Membership sports & recreation clubs	P	P	P	P	P									
801	Offices & clinics of Medical doctors						P	P	P						
802	Offices and clinics of dentists						P	P	P						
804	Offices of other health practitioners						P	P	P						
805	Nursing and personal care facilities						P	P	P		P				
806	Hospitals						P	P	P				P		
807	Medical and dental laboratories						P	P	P				P		
808	Home health care services						P	P	P				P		
81	Legal services						P	P	P						
821	Elementary and secondary schools												S		
823	Libraries - Less than 7500 sq. ft.	P	P	P	P	P	P	P	P		P				

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SECTION 10-6.614 - HIGH INTENSITY URBAN ACTIVITY CENTERS DISTRICT ALLOWABLE USES;  
APPROPRIATE PERMIT LEVEL AND APPLICABLE DEVELOPMENT AND LOCATIONAL STANDARDS  
P PERMITTED USE  
R RESTRICTED USE  
S SPECIAL EXCEPTION

SIC CODE	NAME OF USE	DEVELOPMENT AND LOCATIONAL STANDARDS												
		MC	NC	CC	RC	HC	MO	MJO	OP	MR	HR	AR	CS	LI
823	Libraries												S	
824	Vocational schools												S	
835	Day care services	P	P	P	P				P					
836	Residential care	P	P	P	P				P					
841	Museums and art galleries			P	P							P		
842	Botanical and zoological gardens											P		
864	Civic and social associations			P	P									
866	Religious organizations	P	P	P	P	P	P	P	P					
871	Engineering & architectural services						P	P	P					
872	Accounting, auditing, & bookkeeping						P	P	P					
873	Research and testing services						P	P	P					
874	Management and public relations						P	P	P					
	PUBLIC ADMINISTRATION													
91	Executive, legislative, and general						P	P	P				P	
921	Courts						P	P	P				P	
922	Public order and safety												P	
9221	Police protection												P	
9224	Fire protection												P	
	RECREATION													
	Hiking & Nature Trails											P		
	Picnicking											P		
	Canoe Trails											P		
	Bicycle Trails											P		
	Horseback Riding Trails											P		
	Tot Lots											P		
	Court Sports											P		
	Field Sports											P		
	Boat Landings											P		
	Archaeological Historical Sites											S		

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HIGH INTENSITY URBAN ACTIVITY CENTER  
MAXIMUM ALLOWABLE FLOOR AREA  
SECTION 10-6.614

COMMERCIAL LAND USE TYPE	ACTIVITY CENTER
MINOR*	
Total Location	80,000
Single Site or Quadrant	20,000
Single Structure	20,000
NEIGHBORHOOD**	
Total Location	400,000
Single Site or Quadrant	400,000
Single Structure	400,000
COMMUNITY	
Total Location	800,000
Single Site or Quadrant	800,000
Single Structure	800,000
REGIONAL	
Total Location	4,000,000
Single Site or Quadrant	4,000,000
Single Structure	4,000,000

\*Maximum of 10,000 gross square feet, if located on a local street.

\*\*Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a major collector and arterial road. The maximum allowable commercial development permitted at the neighborhood commercial area located at the intersection of two major collectors is 50,000 sq. ft. g.s.l.a.

**SECTION 10.6.614**  
**MINIMUM DEVELOPMENT STANDARDS**  
**HIGH INTENSITY ACTIVITY CENTER**

	MEDIUM OR HIGH DENSITY RESIDENTIAL, COMMERCIAL, OFFICE	INDUSTRIAL LIGHT	COMMUNITY SERVICES; ACTIVE RECREATION; PUBLIC, PRIMARY AND SECONDARY SCHOOLS
MINIMUM SETBACKS			
Front Yard			
Building	20	20	20
Parking	20	20	20
Corner Yard			
Building	20	20	20
Parking	20	20	20
Side Yard			
Building	5	10	5
Parking	5	10	5
Rear Yard			
Building	20	20	20
Parking	10	10	10
Adjoining Lower Intensity			
Zoning District			
Building	50	50	--
Parking	20	20	--
MAXIMUM % IMPERVIOUS			
SURFACE AREA*	75	60	75
HEIGHTS			
Max. at Bldg. Envelope			
Perimeter	40	40	50
Addl. Height/Addl.			
Zoning Setback	4'/1'	2'/1'	4'/1'
Total Height	120	120	120

\*May utilize fee in lieu provision of EMA/EMO.

Section 10-6.637. R-3 Single- and Two-Family Residential District.

1. District Intent				PERMITTED USES							
The R-3 district is intended to be located in areas designated Bradfordville Mixed Use, Urban Residential, Urban Residential 2, or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family and two-family housing types. The maximum gross density allowed for new residential development in the R-3 district is 8 dwelling units per acre; a minimum density of 4 dwelling units per acre is required when applied to the Urban Residential future land use category. The minimum density is not applicable if constraints of public easements, concurrency, or preservation an/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses are also permitted.				2. Principal Uses					3. Accessory Uses		
				(1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary, middle, vocational, and exceptional student education schools. Libraries and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-6.806 of these regulations. (2) Golf courses. (3) Passive and active recreational facilities. (4) Single-family attached dwellings. (5) Single-family detached dwellings. (6) Two-Family dwellings. (7) Zero-lot line single-family detached dwellings.					(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.		
DEVELOPMENT STANDARDS											
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions			
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)		
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	not applicable	3 stories		
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	not applicable	15 feet	25 feet	maximum length: 8 units	3 stories		
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories		
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	same as for single-family detached dwellings	15 feet	25 feet	not applicable	3 stories		
Any Permitted Principal Non-Residential Use	12,000 square feet	60 feet	100 feet	25 feet	same as for single-family detached dwellings	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories		

**GENERAL NOTES:**

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and 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. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).



