



December 14, 2023

Mr. Ray Eubanks
Plan Processing Administrator
State Land Planning Agency - Department of Economic Opportunity
Caldwell Building
107 East Madison Street - MSC 160
Tallahassee, Florida 32399-4120

Dear Mr. Eubanks:

The Tallahassee-Leon County Planning Department hereby submits the out-of-cycle adopted small-scale map amendment to amend the joint Tallahassee-Leon County 2030 Comprehensive Plan. This amendment is submitted pursuant to the December 13, 2023 City Commission adoption public hearing. The out-of-cycle amendment was initiated by the City Commission at their August 23, 2023 regular meeting.

The adopted amendment package includes one (1) amendment, TMA2023 012 Up Campus Small-Scale Map Amendment. Enclosed are the following ordinances adopting the comprehensive plan map amendment:

- City of Tallahassee Ordinance 23-O-37

The appropriate state agencies have been copied on this letter and provided with a complete amendment package and supporting data and analysis in Portable Document Format (PDF).

If you have any questions concerning the proposed amendment, please contact Mindy Mohrman at (850) 891-6415; 300 South Adams Street, Tallahassee, FL 32301; e-mail Melinda.Mohrman@talgov.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Mindy Mohrman".

Mindy Mohrman
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 Pepin (w/o attachments)

Lou Norvell (w/o attachments)

ATTACHMENT #1
SUMMARY CHART

**TALLAHASSEE-LEON COUNTY
MATRIX FOR 2023 OUT-OF-CYCLE COMPREHENSIVE PLAN 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>City Commission Position</i>	<i>Status</i>
TMA 2023 012 Up Campus	LAND USE ELEMENT, Future Land Use Map	SMALL-SCALE MAP AMENDMENT	Consistent	A	A	Adopted Adoption Hearing December 13, 2023

ATTACHMENT #2
EXECUTED ORDINANCES
ADOPTING
SMALL-SCALE PLAN
AMENDMENT

ORDINANCE NO. 23-O-37

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 UNIVERSITY TRANSITION LAND USE CATEGORY TO THE CENTRAL CORE CATEGORY AT SOUTHEAST CORNER OF DEWEY STREET AND WEST 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 several 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, and 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 TMA2023012 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.

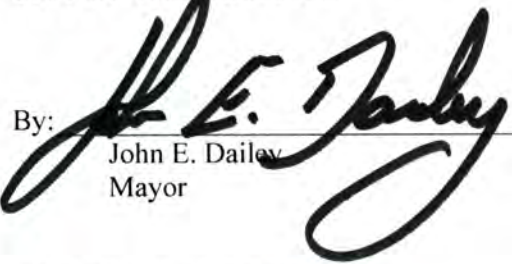
The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto.

INTRODUCED in the City Commission on the 8th day of November, 2023.

PASSED by the City Commission on the 13th day of December, 2023.





CITY OF TALLAHASSEE

By: 
John E. Dailey
Mayor

ATTEST:

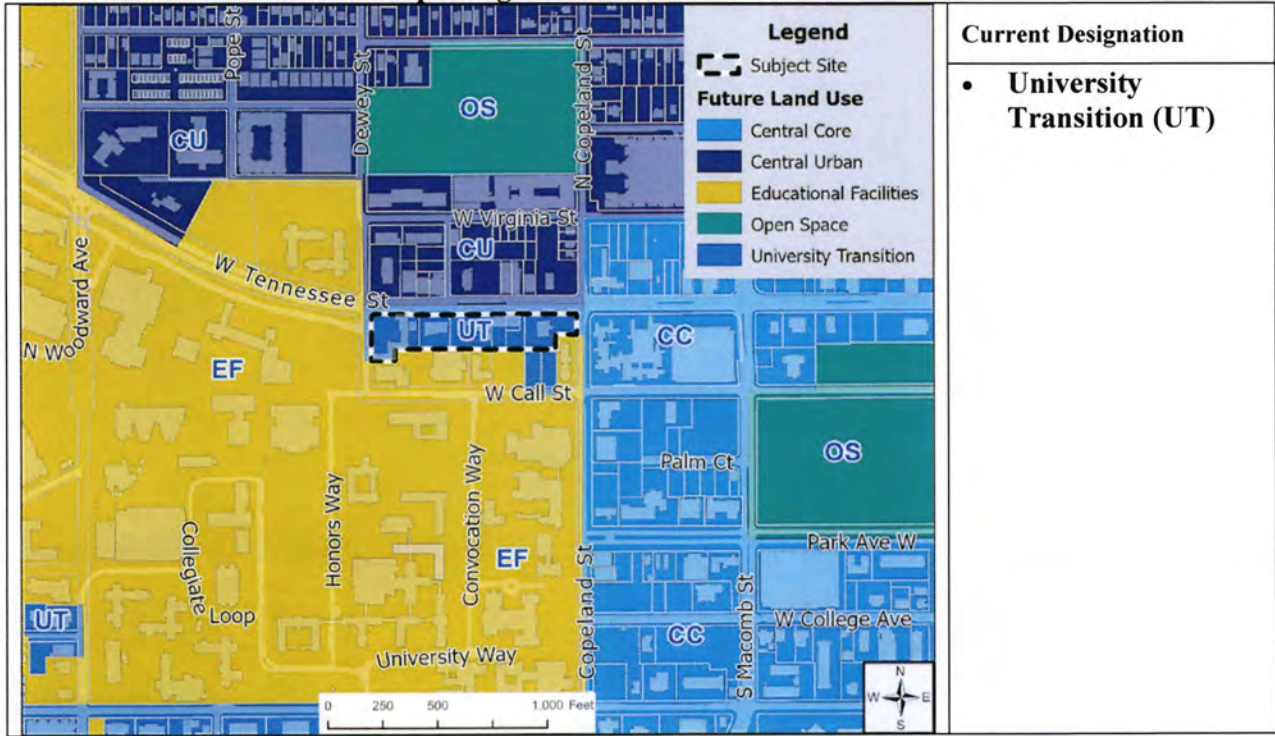
APPROVED AS TO FORM:

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

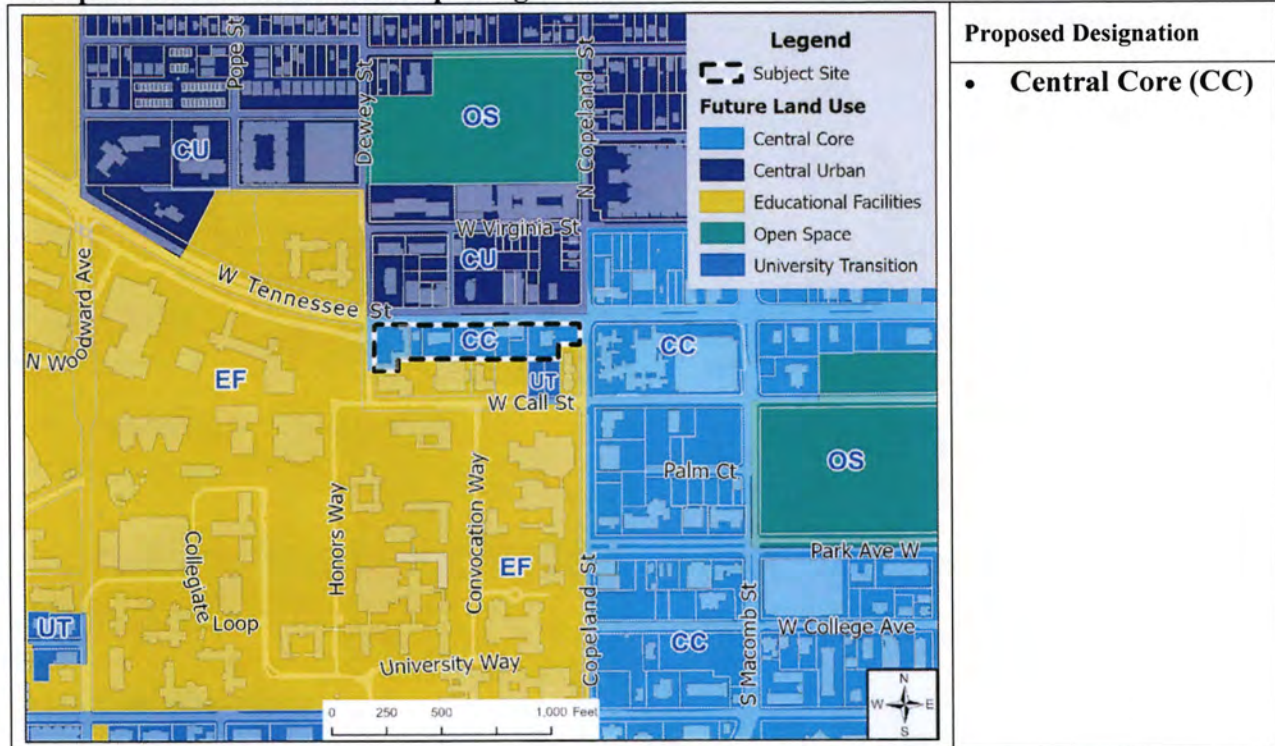
By: 
Amy M. Toman
Interim City Attorney

Ordinance No. 23-O-37
Exhibit A.

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



**NOTICE OF CHANGE OF LAND USE
COMPREHENSIVE PLAN AMENDMENT AND REZONING
PUBLIC HEARING**

City Commission Adoption
Public Hearing and Implementing
Ordinance and Rezoning Public Hearing
Wednesday, December 13, 2023, At 6 PM
City of Tallahassee Commission Chambers –
300 S. Adams St.
Tallahassee, FL 32301

MAP AMENDMENT ADOPTION

At the above public hearing the City Commission will take public comments on and consider adoption of the following Ordinance, which adopts the map amendments in this advertisement:

ORDINANCE NO. 23-O-37

**AN ORDINANCE OF THE CITY OF TALLAHASSEE ADOPTING A
SMALL SCALE MAP AMENDMENT TO THE 2030
TALLAHASSEE/LEON COUNTY COMPREHENSIVE PLAN TO
CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM THE
UNIVERSITY TRANSITION LAND USE CATEGORY TO THE
CENTRAL CORE LAND USE CATEGORY AT SOUTHEAST CORNER
OF DEWEY STREET AND WEST TENNESSEE STREET; PROVIDING
FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN
EFFECTIVE DATE.**

Requested Map Amendment: Up Campus Student Living, LLC

Reference Number: TMA2023012

Applicant: Up Campus Student Living, LLC

Small Scale Map Amendment: This is a request to change the Future Land Use Map (FLUM) designation from University Transition (UT) to Central Core (CC) on eight parcels totaling approximately 3.39 acres. The parcels are located on the southeast corner of Dewey St. and W. Tennessee St.

Rezoning Application: A rezoning application will be processed concurrently with this amendment. A zoning change from University Transition (UT) to Central Core (CC) is requested on the four western to implement the proposed amendment to the Future Land Use Map.

REZONINGS

ORDINANCE NO. 23-Z-38

**AN ORDINANCE OF THE CITY OF TALLAHASSEE DESIGNATING
LAND AS CENTRAL CORE (CC) ON THE OFFICIAL ZONING MAP
FROM UNIVERSITY TRANSITION (UT) AT SOUTHWEST CORNER
FO WEST TENNESSEE STREET AND NORTH COPELAND STREET;
PROVIDING FOR SEVERABILITY AND CONFLICTS AND
PROVIDING AN EFFECTIVE DATE.**

This proposed rezoning implements Comprehensive Plan map amendment TMA2023012, which is proposed for adoption on December 13, 2023. The rezoning requests a change to the Official Zoning Map from University Transition (UT) to Central Core (CC) 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. 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 Street, Tallahassee, Florida or by calling (850) 891-8130

ATTACHMENT #3
ADOPTED AMENDMENT

Small-Scale Map Amendment

TMA 2023 012

Up Campus

3.39 Acres

From: University Transition

To: Central Core

Staff Analysis for Consistency with Comprehensive Plan:

Consistent

Local Planning Agency Recommendation:

Approval

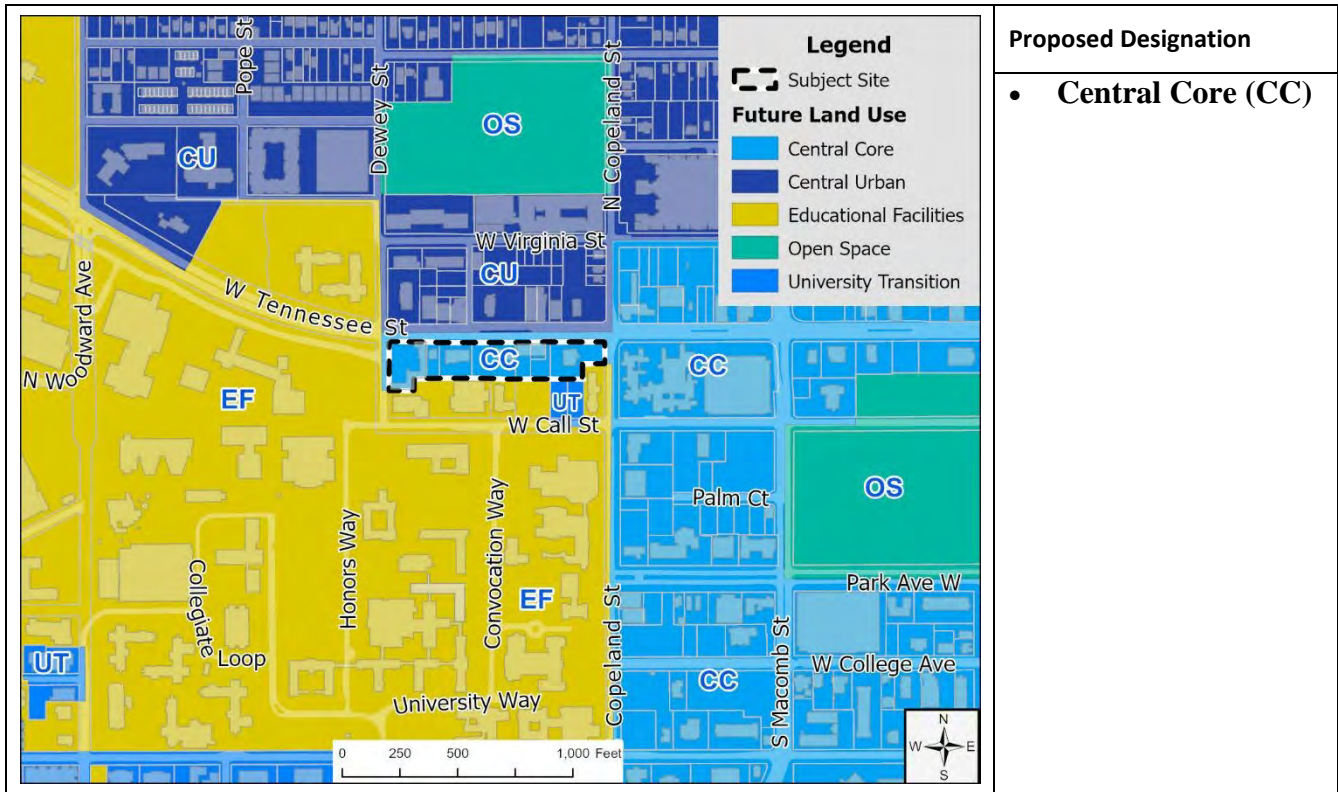
City Commission:

Adopted

Current Future Land Use Map Designation



Proposed Future Land Use Map Designation



ATTACHMENT #4
OTHER SUPPORTING
INFORMATION



SUMMARY

Property Owners:	Property Location:	Amendment Type:
Multiple	South of W. Tennessee Street, east of Dewey Street and west of N. Copeland Street	City Small Scale Map Amendment
Applicant: Up Campus Student Living LLC		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Oluwaseyi Akinrinde	<u>Future Land Use:</u> University Transition <u>Zoning:</u> University Transition	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
oluwaseyi.akinrinde@talgov.com 850 891 6412	<u>Future Land Use:</u> Central Core <u>Zoning:</u> Central Core	Consistent
Date: 8/28/2023	Updated: 12/14/2023	

A. EXECUTIVE SUMMARY

The proposed small-scale map amendment is to change the future land use map designation for eight parcels on W. Tennessee St. between Dewey St. and N. Copeland St. from University Transition future land use to the Central Core future land use. The eight parcels, totaling approximately 3.39 acres, are bounded by Central Urban future land use to the north, Central Core future land use to the east, and Educational Facilities to the south and west. The eight parcels are also located within the Urban Services Area and the Downtown Overlay District with frontage on W. Tennessee St., a principal arterial owned and maintained by FDOT.

If approved, this map amendment would increase the allowable density and expand the allowable uses for 3.39 acres from high-density residential and ancillary university uses to higher-density residential, mixed-use, and commercial uses. The subject parcels are identified in the FSU Campus Master Plan Future Land Use Zones Map as “future mixed use,” and are identified on the land acquisition zones map. The subject parcels are not owned by FSU, but the proposed small-scale map amendment does not preclude any future acquisition of the property.

Staff recommendation is to approve the future land use change from University Transition to Central Core for the subject parcels to meet the Comprehensive Plan Land Use Policy 2.2.10 for Central Core, to support 18-hour urban activity and alternative transportation modes like walking, cycling, and transit that are compatible with higher-density residential development with access to existing bus and bicycle routes on the internal circulation routes for the FSU campus. Approval is also recommended based on consistency with the Multimodal Transportation District and the Downtown Overlay Land Development Regulations, and consistency with the adopted FSU Campus Master Plan for future mixed-use development on this site.

Initiation

The proposed small-scale map amendment was initiated by a request from the property owner of the four parcels located nearest Dewey St. totaling 2.12 acres. The subject parcels owned by the applicant, Up Campus Student Living, LLC, are identified by the following parcel identification numbers: 2135500576870, 2136500576830, 2136500576825, and 2136500576820. Staff is recommending expanding the small-scale map amendment area to include four additional parcels totaling 1.27 acres located directly to the east. These parcels, identified as 2136500576815, 2136500576810, 2136500576796, 2136500576795 are currently in the University Transition future land use category and are located contiguous to the Central Core future land use category to the east.

Including the four additional parcels to the proposed map amendment creates a continuous land use of Central Core for the southern frontage of W. Tennessee St. from Dewey St. east, and generally mirrors the boundary used to define the properties included in the Downtown Overlay District for that area. In addition, the inclusion of the four additional parcels in the expansion area is required to meet the contiguity requirements for amending the future land use to Central Core for the subject parcels in the small-scale map amendment application.

Concurrent Rezoning

A concurrent rezoning application is being processed with this proposed amendment to implement the future land use map (FLUM) change, if approved. For the four parcels owned by the applicant and located nearest Dewey St., an Urban Planned Unit Development (U-PUD) is being proposed by the applicant [parcels 2135500576870, 2136500576830, 2136500576825, and 2136500576820]. The applicant will be required to meet the submittal requirements of the Tallahassee Land Development Code and Urban Review requirements.

The four additional parcels in the expansion area are being proposed as a rezoning from University Transition (UT) to Central Core (CC) [parcels 2136500576815, 2136500576810, 2136500576796, 2136500576795]. The current UT zoning allows up to 50 units per acre. The proposed CC zoning allows for a maximum of 150 units per acre.

Staff Analysis

The subject sites are contiguous to the existing Central Core future land use category, within the Downtown Overlay District, and appropriate for uses consistent with Central Core. The proposed small-scale map amendment is consistent with the Central Core future land use category and 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. The proposed amendment also supports the Central Core intent of expanding into a vibrant 18-hour urban activity center with quality development.

Development Process

This step of the land development process determines consistency with the Goals, Objectives, and Policies in the Tallahassee-Leon County Comprehensive Plan. In reviewing this request, a determination must be made as to whether the present future 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) the area meets the criteria for designation as University Transition; or 2) the area better meets the criteria for Central Core.

If the Land Use change and concurrent rezoning are approved, the next step in the development process is approval of the U-PUD for applicant’s parcel, followed by site plan review and permitting. The site plan stage of development evaluates a proposed development plan for consistency with City 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. The Central Core land use category is also subject to design guideline criteria.

There is no proposed development or change in existing use to the four additional parcels in the expansion area at this time.

B. APPLICANT'S REASON FOR THE REQUESTED CHANGE

The applicant, Up Campus Student Living, LLC, stated that they seek this land use change to allow the existing dilapidated properties to be redeveloped to their highest potential; provide mixed-use retail, residential, and hotel uses; improve pedestrian conditions on West Tennessee St.; and integrate courtyards and plazas into the proposed development.

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.

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. Policy 2.2.10 [L] states that 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 Central Core FLUM for the proposed development).

Policy 2.2.10 further states that the intent of the Central Core land use category is 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.

2. Objective 9.1 [L] states that the intent of the Downtown Overlay District is to promote revitalization, reinvestment and redevelopment characterized by site design which is pedestrian friendly and contains a mix of land uses which are designed to achieve compatibility.
3. Policy 9.1.2: [L] states that those parcels within the Downtown Overlay (except Gaines Street Corridor Study Area) are eligible to be added to the Central Core FLUM 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 Central Core FLUM for the proposed development).

The subject property is located within the Downtown Overlay District, it is contiguous to existing Central Core future land use (FLU), and all the infrastructure is available. The proposed development supports the intent to expand an 18-hour urban activity center with quality development by providing a mixed-use project that includes retail, residential, and hotel uses with courtyards and plazas. The Central Core FLU category has established Design Guidelines to ensure quality development, and the U-PUD will further the mutual goal of having the best design for this location.

The proposed redevelopment is slated to improve pedestrian safety conditions along W. Tennessee St., a six-lane principal arterial roadway, by providing an improved sidewalk, tree plantings, and overall façade improvement to the building. The proposed redevelopment will also help to bring

the building frontage and pedestrian zone to code to meet the Downtown Overlay District criteria, which includes the elimination of parking between the building and the street, and an overall reduction in the number of driveways that currently exist on W. Tennessee St. and create conditions for vehicle-pedestrian conflicts. The expansion area will be required to meet the same code requirements if redevelopment occurs.

Staff finds that no other parcel within the Central Core FLU can accommodate the proposed development. There are three vacant parcels within the Central Core FLUM with above 2.12 acreage, but the parcels are currently proposed for redevelopment. Other vacant parcels within the Central Core FLUM are less than 1.97 and cannot accommodate the proposed development. The proposed development could catalyze other improvements on Tennessee Street and promote infill development.

F. SUMMARY OF FINDINGS

Staff presents the following findings of fact:

History and Background

The subject site is approximately 3.39 acres in size and is currently used for retail and hotel. The 2.12-acre project site is intended for a mixed-use development consisting of high-density residential, retail, and hotel uses. The proposed development includes four parcels, which are the current location for several businesses, including the University Inn Suites Hotel, Donut Kingdom/MoCookies, Tropical Smoothie Café, Take 5 Oil Change, and Previous Target Copy/Cannabis dispensary. If the amendment is adopted, the property owner will move forward with a U-PUD, as this approach would ensure the mutual goal of having the best design for this location and give assurances to the City that redevelopment will be in line with the expected design for the Downtown Overlay District.

The 1.27-acre expansion area is not part of the proposed redevelopment, and no change is expected on these parcels in the immediate future. These parcels contain restaurant and commercial uses and would be consistent with the Central Core FLU category.

The site is located within the following locally designated areas:

- Urban Services Area
- The Multimodal Transportation District (MMTD)
- Downtown Overlay District

Current and Proposed Future Land Use Categories

The Subject Area is currently designated **University Transition** 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, and a comparison of permitted uses is provided in **Section G**. The complete comprehensive plan policies for **University Transition (Policy 2.2.17: [L])** and **Central Core (Policy 2.2.10: [L])** are included as Appendix #1.

University Transition (Current)

The University Transition land use category is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away

from the campuses from student housing encroachment. Residential development is permitted up to 50 units per acre. Retail commercial limited to smaller scale classification to provide essential services to immediate residents and ancillary needs of universities may be permitted.

The University Transition land use category may only be applied through amendment to the Future Land Use Map to lands located generally within the rectangle created by the Florida State University main campus and Florida A & M University, Tallahassee Community College/Lively Technical Institute campuses and Innovation Park. The category is not intended to be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods.

Central Core (Proposed)

The proposed Central Core category 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 Central Core area is within the Downtown Overlay. The City of Tallahassee intends to promote a 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.

Determination for Future Land Use Map Amendment

1) Does the area meet the criteria for designation as the current land use designation of Urban Transition (UT)?

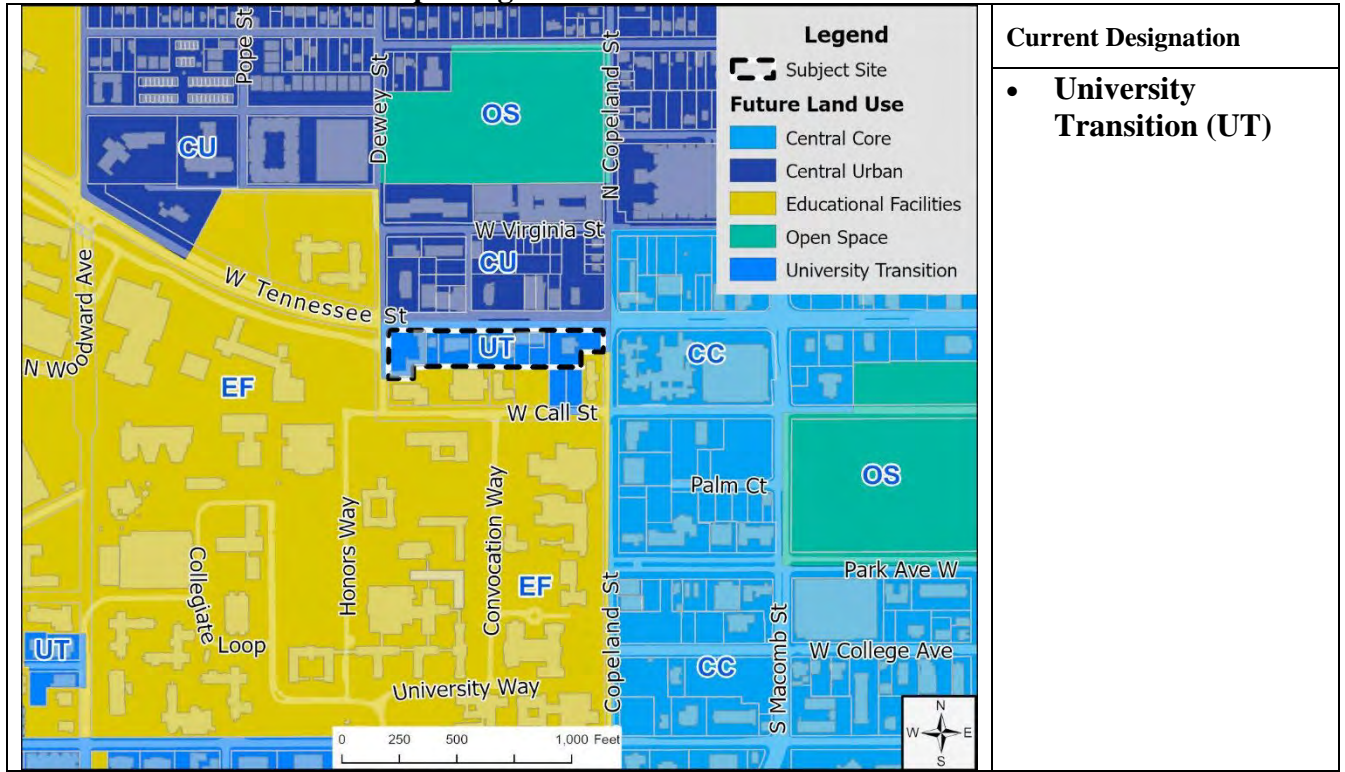
No. While it is within the area generally defined as the allowable area for the University Transition FLU, the area currently does not provide student housing or ancillary uses to the universities, and it does not serve to protect existing viable residential neighborhoods.

2) Does the area better meet the criteria for the proposed land use designation of Central Core (CC)?

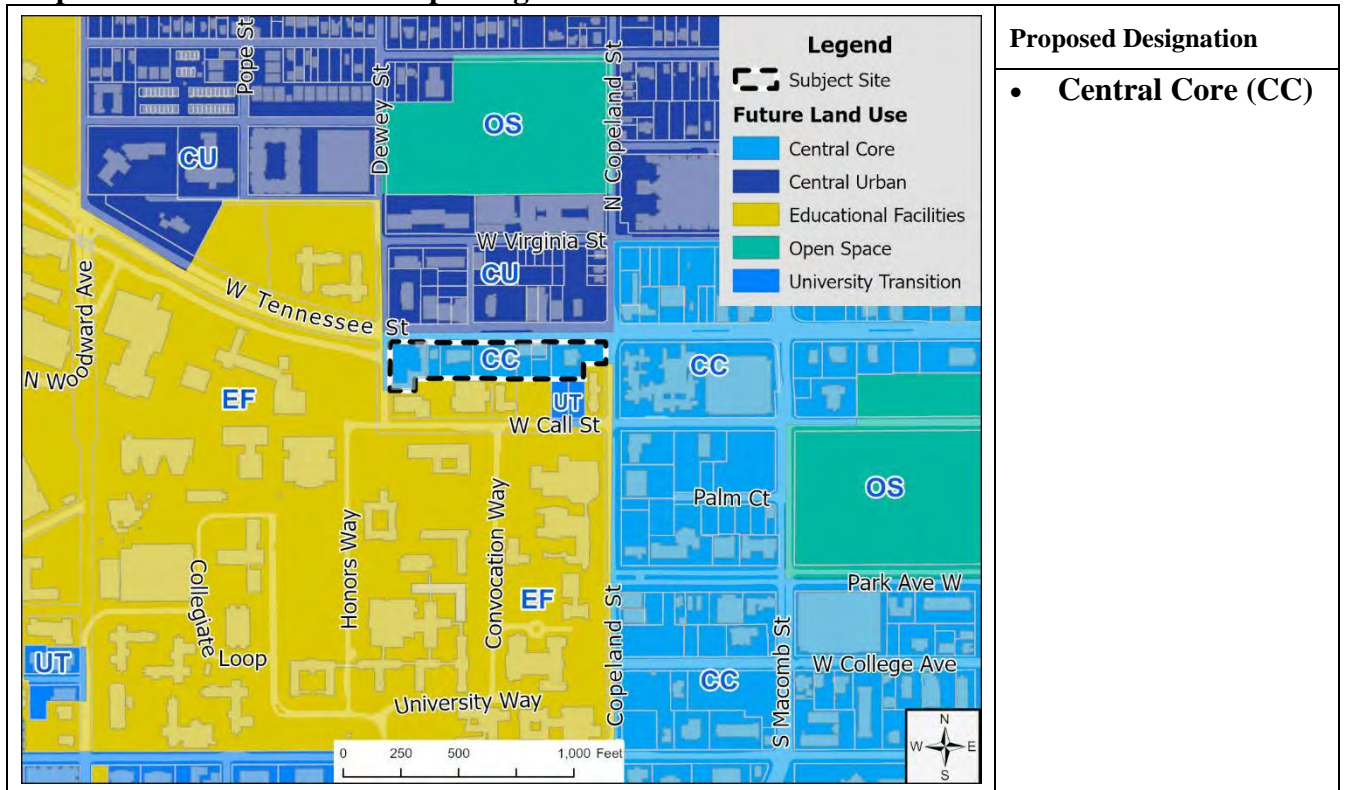
Yes. The subject site more closely resembles the description of the Central Core land use category. The subject site is within the Downtown Overlay District, contiguous to existing Central Core Future Land Use Map and proposed parcels exhibit a need for the expansion. The proposed amendment is also consistent with the emphasis and encouragement of infill development reflected in multiple Land Use Element policies and consistent with the intent of the Multimodal Transportation District, Downtown Overlay District and the encouragement of redevelopment and infill development reflected in Mobility 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



Zoning

A concurrent rezoning will be processed for the four parcels in the expansion area of this site. The subject site and expansion area are currently zoned University Transition (UT). The proposed rezoning would change the zoning designation for the expansion area only to Central Core (CC) to implement the proposed underlying Central Core future land use category. For the applicant owned parcels, the applicant will be pursuing a U-PUD, as this approach ensures the mutual goal of having the best design for this location. A summary of the current and proposed zoning categories for the expansion area is below, and a comparison of permitted uses is provided in **Section G**. The Land Development Code sections for University Transition (sec. 10-242) and Central Core (sec. 10-197) zoning are included as Appendix #2.

University Transition (UT) (Current)

The current zoning for the subject site, University Transition, is intended to be a compact district that provides higher density residential opportunities and student-oriented services near the campuses; protect existing residential neighborhoods located away from the campuses from student housing encroachment; and transition industrial and lower density residential uses to vibrant urban areas. UT zoning provides for higher density residential development of up to 50 dwelling units per acre, as well as smaller scale retail and commercial that provides essential services to immediate residents and ancillary needs of universities.

Central Core (CC) (Proposed)

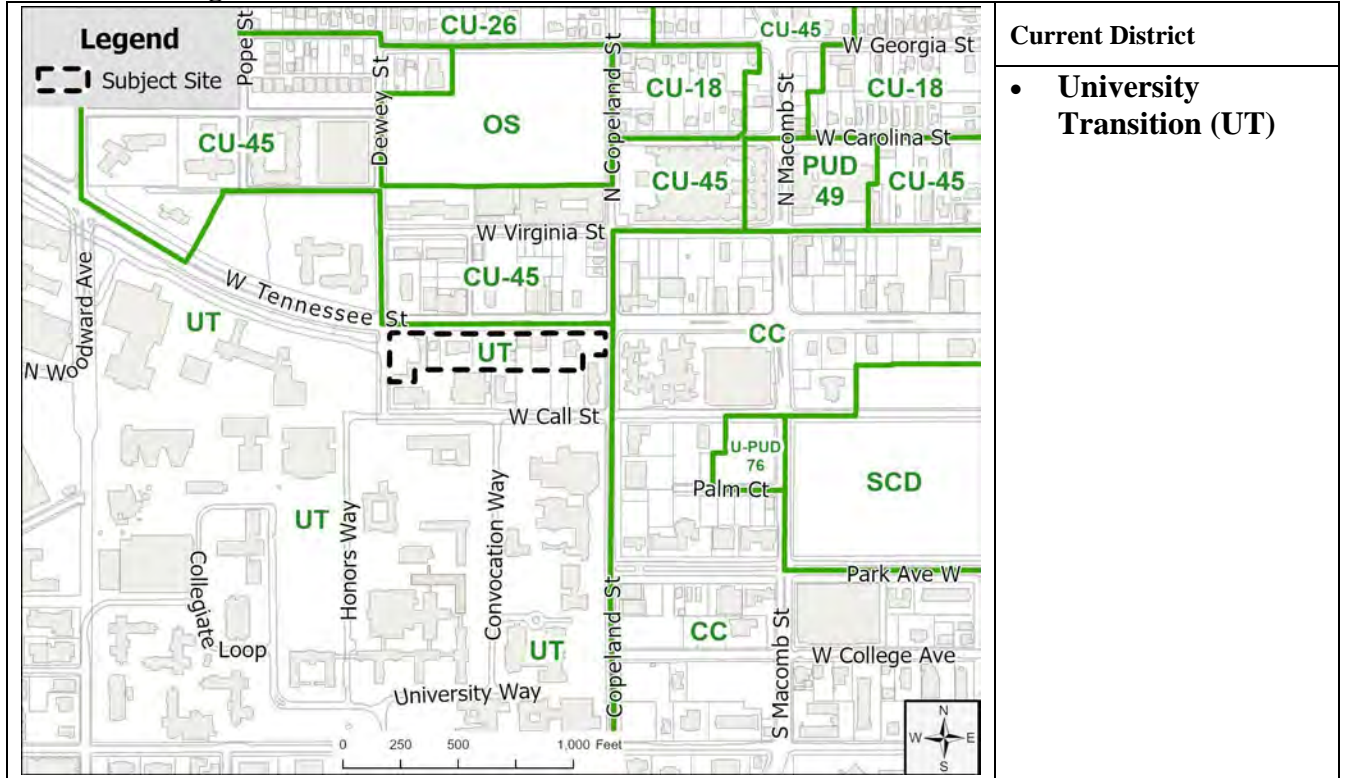
The CC zoning district is intended to promote infill and redevelopment of existing residential urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Capital, employment centers, and universities, promote compatibility between adjacent residential and non-residential 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

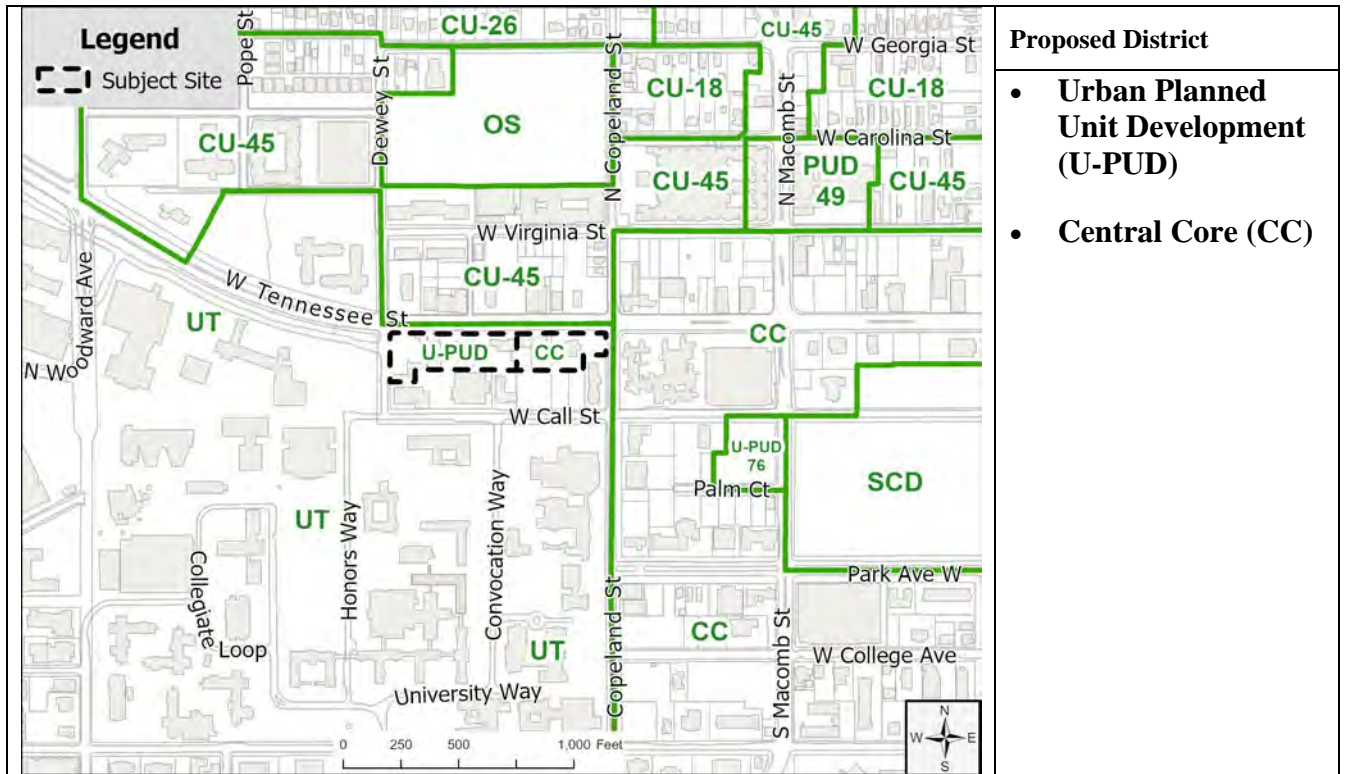
Provided the requested Future Land Use Map amendment is approved, the proposed Central Core zoning district implements the Central Core land use category and conforms to the land development requirements of the CC zoning district. The subject properties are located contiguous to the Central Core zoning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

The following maps illustrate the current and proposed zoning for the Subject Site.

Current Zoning



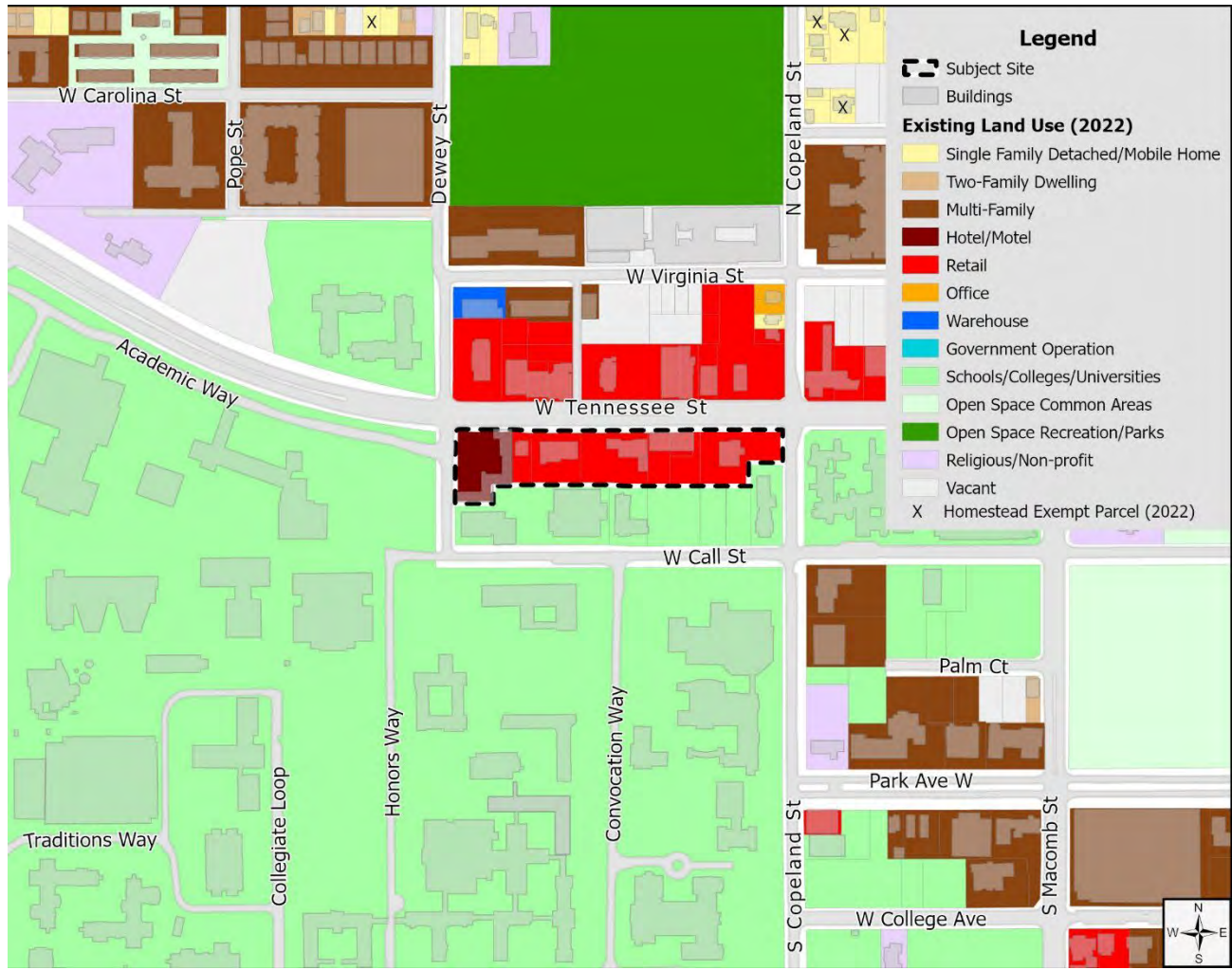
Proposed Zoning



Compatibility with Adjacent and Surrounding Uses

The subject site includes eight contiguous parcels, approximately 3.39 acres in size, and are currently used for retail and hotel, with some properties vacant. The 2.12-acre project site is intended for a mixed-use development consisting of high-density residential, retail, and hotel uses. The proposed development includes four parcels, which are the current location for several businesses, including the University Inn Suites Hotel (currently vacant), Donut Kingdom/MoCookies, Tropical Smoothie Café, Take 5 Oil Change, and Previous Target Copy/Cannabis dispensary. The expansion area is approximately 1.27 acres and currently has mostly retail uses with a vacant parcel at the southeast corner. The subject site is located directly adjacent to predominantly retail uses to the north and northeast, while there are educational uses to the west, south, and east. The subject site is located on a principal arterial with employment, shopping, and recreational opportunities.

Existing Land Use Map



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 **Riley** Elementary School, **Raa** Middle School, and **Leon** High School.

All attendance zones in which the property is located have the capacity for this project. Currently, Riley Elementary has a capacity of 73, with post development capacity of 5. Raa Middle School has a capacity of 581, with post development capacity of 555. Leon High School has a capacity of 257, with post development capacity of 232.

Roadway Network

The subject site is located along West Tennessee St., which is classified as a principal arterial and maintained by the State of Florida. West Tennessee St. is a six-lane roadway, with three travel lanes in each direction. The subject site is accessible on the west by Dewey S. and North Copeland St. on the east. The two roadways are classified as major collectors and maintained by the City of Tallahassee. Dewey St. and North Copeland St. are two-lane roadways, with one travel lane in each direction.

In 2011, the Florida Department of Transportation (FDOT) performed a Road Safety Audit (RSA) for West Tennessee St. in this area, which resulted in the identification of a number of safety improvements for the corridor. These included the installation of the mid-block crossing on West Tennessee St. between Dewey St. and Copeland St. that provides a signalized pedestrian crossing at the subject site; placement of pedestrian warning signs on West Tennessee St. for eastbound vehicles approaching the intersection with Dewey St. adjacent to the subject site, and the addition of the decorative fencing within the medians of West Tennessee St. west of the subject site.

The West Tennessee St. roadway in the vicinity of Dewey St. has a Preliminary Context Classification assigned by FDOT of C4: Urban General, based on development conditions in 2019. The context classification is used to characterize the design controls of speed, lane width, sidewalk widths. The design speed for C4 roadways is a range of 30-45mph, and the lane width ranges between 10-12ft. The sidewalk width standard in C4 is 6ft; however, the subject site is located in the Multimodal Transportation District and the Downtown Overlay, which has distinct development standards for sidewalk widths that are greater and based on roadway functional classification.

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. For the roadways adjoining the subject parcel, the following sidewalk widths are required:

- West Tennessee St. - Principal Arterial; 10ft sidewalk
- Dewey St. - Major Collector; 8ft sidewalk
- North Copeland St. - Major Collector; 8ft sidewalk

The proposed development may require capacity improvements to the transportation network to accommodate added traffic demand and access on Tennessee St. The actual traffic impacts and concurrency will be calculated during the site plan review. The project is proposed to improve

pedestrian conditions along West Tennessee St. by replacing the sidewalk and overall façade improvement to the building.

Consistent with the requirements in the 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 subject site is accessible via the sidewalk on West Tennessee St., Dewey St., and North Copeland St. The subject site is accessible via on-street bike lane on West Tennessee St. The west part of the site is along the Tom Brown City bike route, providing a connection from Downtown to Tom Brown Park via Park Avenue.

Transit Network

The Night Nole Route of the FSU Seminole Express Routes directly serves the site. The site is within 3 minutes' walk from stops 254, 118, 005, and 004, served by the StarMetro Azelia (A) Route and Night Route 1.

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.

Additional Information Requested by Local Planning Agency

At their October 3, 2023 public hearing, the Local Planning Agency voted to continue this item and requested an analysis of consistency with the Property Rights Element and the Intergovernmental Element, specifically Objective 1.6, of the Comprehensive Plan.

Property Rights Element

Policy 1.1.1 [PR] intends to ensure that private property rights are considered in local decision making, and that the following rights shall be considered:

- 1) The right of a property owner to physically possess and control their interests in the property, including easements, leases, or mineral rights, subject to state law and local ordinances.
- 2) The right of a property owner to use, maintain, develop, and improve their property for personal use or for the use of any other person, subject to state law and local ordinances.
- 3) The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property, subject to state law and local ordinances.
- 4) The right of a property owner to dispose of their property through sale or gift, subject to state law and local ordinance.

The proposed FLUM change increases the entitlements on the property, allowing a greater variety of uses and higher development potential. If approved, the allowed density will increase from 50 dwelling units per acre to 150 dwelling units per acre. The allowable typical building height will increase from 3-to-5-story to 4-plus stories. The current use on the properties in the expansion area will remain

conforming. The property owners’ rights to physically possess, maintain, develop, and improve, exclude others from property, or to dispose of the property will not be affected.

Intergovernmental Coordination Element

Objective 1.6 [I] states that the City of Tallahassee will coordinate their land use, transportation, hazard mitigation, and utility planning with these institutions to assure that overall community needs are addressed and conflicts between the adopted Master Plans are minimized.

The subject parcels are identified in the FSU Campus Master Plan Future Land Use Zones Map as “future mixed use,” and are identified on the land acquisition zones map. The subject parcels are not owned by FSU, but the proposed small-scale map amendment does not preclude any future acquisition of the property. The subject parcels were previously included in the Florida State University Development Agreement Coverage Area; however, they were removed by FSU in the Development Agreement Coverage Area update in 2022. The private ownership and development of the subject parcels does not conflict with FSU’s adopted Campus Master Plan or other planning efforts.

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 future 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.

Permitted Uses- Future Land Use	Current University Transition	Proposed Central Core
Residential	50 units/acres	150 units/acre
Community and Recreational Facilities	X	X
Facilities Operating in publicly owned property	X	X
Cultural Activities	X	X
Retail Commercial Goods and Services	X	X
Mixed-Use Development	X	X
Office	X	X

Permitted Uses- Zoning (See Zoning Charts in Appendix #2 for detailed uses)	Current University Transition (UT)	Proposed Central Core (CC)
Allowed Maximum Residential Density	50 units/acre	150 units/acre
Community Services, Passive and Active Recreation, Light Infrastructure	X	X
Community and Recreational Facilities, Educational Facilities, Day care	X	X
Cultural Activities, art studio, museum	X	X
Retail Commercial Goods and Services	X	X
Restaurants	X	X
Office, Medical	X	X
Structured Parking	X	X
Hotel	X	X
Typical Building Height	3-to-5	4-plus

H. PUBLIC OUTREACH AND NOTIFICATION

Mailings for both the proposed map amendment and separate concurrent rezoning were sent to 438 property owners within 1,000 feet of Subject Site.

	Public Outreach	Date Completed
X	Applications posted to Planning Website	8/29/23
X	Notices Mailed to Property Owners, Renters, and Homeowners Associations within 1000 feet	9/12/23
X	Signs providing details of proposed land use posted on subject site	9/22/23
X	Public Open House	09/27/2023
X	Staff Reports Available Online Here	9/20/23
X	Legal Ads posted	10/20/27 12/1/23

Public Open House – The Public Open House was held on September 27, 2023, at the Renaissance Building. There were 8 people in attendance. Staff provided an overview of the application received and the amendment being requested. There were questions and concerns raised by Florida State University (FSU) representatives and a property owner within the expansion area on this amendment. Both parties stated their objection to the proposed amendment. Staff and representatives of the applicant provided answers to some of the questions by the property owners and FSU representatives.

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 Public Hearing	10/03/2023
X	Local Planning Agency Public Hearing (continuance)	11/07/2023
X	Adoption Public Hearing	12/13/2023

Local Planning Agency Hearing – The public hearing was held on October 3, 2023, to vote on the proposed 2023 Out of Cycle Amendment. There were three public speakers on this amendment. One speaker representing FSU spoke against the amendment. Present was a representative of the applicant who spoke in favor of the amendment. The final speaker was a representative of a property owner within the expansion area who requested additional time for the LPA to process the amendment so that the property owners can completely comprehend its implications. The LPA voted for the amendment to be continued to the next scheduled public hearing on November 7, 2023 with additional information to include an analysis of consistency with the Property Rights Element and the Intergovernmental Element of the Comprehensive Plan.

Local Planning Agency Hearing, November 7, 2023 (Continuance) – There were three public speakers on this amendment. The first speaker represented the applicant and was available for questions. The second speaker spoke in favor of the amendment. The third speaker was also an applicant representative and spoke in favor of the amendment. The LPA voted 5-0 to approve staff recommendation and recommend approval of the amendment to the City Commission.

City Commission Adoption Public Hearing, December 13, 2023 – The City Commission voted 5-0 to adopt the amendment to the Comprehensive Plan and concurrent rezoning.

J. APPENDICES

- Appendix #1: Comprehensive Plan Policies for University Transition (2.2.17 [L]) and Central Core (2.2.10 [L]) Land Use categories
- 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

I. Land Use

Policy 2.2.17: [L]

UNIVERSITY TRANSITION (REV. EFF. 12/14/04; REV. EFF. 7/26/06; RENUMBERED 3/14/07; REV. EFF. 1/7/10)

The University Transition land use category may only be applied through amendment to the Future Land Use Map to lands located generally within the rectangle created by the Florida State University main campus and Florida A & M University, Tallahassee Community College/Lively Technical Institute campuses and Innovation Park. Specifically, lands lying west of South Adams Street, South of West Tennessee Street, north of Orange Avenue and adjoining Innovation Park and Tallahassee Community College to the east. It is intended to be a compact land use category that provides higher density residential opportunities near the campuses, serving both to provide opportunities for student housing near the universities and to protect existing residential neighborhoods located away from the campuses from student housing encroachment. However, it is not intended that this category be applied in a manner that would encourage or facilitate the premature conversion of existing viable single-family residential neighborhoods. The category is intended to transition from present industrial and lower density residential uses to those more compatible with vibrant urban areas and shall remain within a compact area located in close proximity land owned by the universities and existing areas designated as University Transition.

Higher density residential redevelopment of up to 50 DU/AC is allowed to provide housing for students and close in housing opportunities to the downtown for professionals. Retail commercial limited to a smaller scale classification to provide essential services to immediate residents and ancillary needs of universities such as book stores and photo copying establishments may be permitted. State and private offices properly designed and scaled to surrounding uses may be

permitted as well as central parking facilities, artistic studios and

workshops. Restaurants, movie theaters, lounges and other entertainment commercial uses shall be permitted as commercial. Development regulations which allow flexibility in their design and operation to permit such uses as outdoor cafe and gardens shall be incorporated into zoning code. Pedestrian pathways and access systems shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to cut down on dependence of automobile travel. Design controls shall be employed to provide land use compatibility by offsetting potential negative impacts.

The areas within the Gaines Street Revitalization Plan Study Area will have up to 100 DU/AC.

I. Land Use

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).

APPENDIX 2

Land Development Code sections

Sec. 10-200. Urban planned unit development zoning district.

- (a) *Purpose and intent of district.* An urban planned unit development (U-PUD) zoning district is intended to provide a method by which proposals for high-quality urban developments, which are not provided for or allowed in the zoning districts may be evaluated. The procedures of this district retain the city commission's authority to establish appropriate limitations and regulations to protect the public health, safety, and general welfare, and promote the goals and objectives of the downtown plan and central core. The U-PUD district is intended to:
- (1) Encourage infill and rehabilitation of existing urban areas with readily available services and infrastructure.
 - (2) Promote more efficient and economic uses of land, while respecting historic context and landscape features.
 - (3) Encourage land uses that reduce transportation needs and that conserve energy and natural resources to the maximum extent possible. Emphasis shall be placed on the integration of mass-transit with new projects.
 - (4) Encourage a pedestrian-friendly environment. Emphasis is placed on street level commercial and/or cultural activity along streets where there is heavy pedestrian activity or such activity can be created through appropriate urban design, land use mixture, and transportation facility design. To emphasize the pedestrian oriented character of the district, project entrances will open on to public streets and public walkways.
 - (5) Encourage institutional, cultural, office, residential and retail uses in mixed-use development, capable of supporting 18-hour activity in a lively urban setting. Emphasis is placed on the allowance of such complementary activities as high-density residential, neighborhood commercial, and entertainment. The location of such uses in close proximity of each other maximizes opportunities for pedestrian, transit, and bicycle traffic, reducing the need for automobile dependency and the demand for parking.
 - (6) Preserve to the greatest extent possible, and utilize in a harmonious fashion, mature trees on the site.
 - (7) In addition to the above, adjacent to special character districts (SCD) or properties listed on the national register of historic places, protect the existing scale and architectural character of historic buildings and streets, maintaining in new, compatible buildings, the scale and architectural context of the district and/or surrounding historic properties. A list of properties on the national and local registers of historic places can be obtained from the Tallahassee Trust for Historic Preservation. Consideration of existing scale and architectural context shall be given to properties determined eligible for listing on the national and/or local register of historic places by the Tallahassee-Leon County Architectural Review Board.
- (b) *Review criteria.* In addition to the above, projects proposed for U-PUD, zoning shall be evaluated by the following criteria. The application narrative shall describe how the concept plan addresses these six criteria:
- (1) Building design shall contribute to making and perceiving downtown and surrounding central core areas as a pattern of spaces and structures rather than a series of unrelated buildings and streets. Projects shall continue an appropriate urban pattern where one is in place; where a pattern is not apparent or inappropriate to an urban setting, projects shall establish high-quality precedent and urban context for future development to follow.

- (2) Height shall be evaluated on a parcel-by-parcel basis, considering the context of the surrounding development and plans and studies for the downtown and central core that have been approved by the city commission.
- (3) Buildings shall replicate the setbacks of existing buildings to create a consistently developed edge, to reinforce the established pattern of development, and to enhance pedestrian orientation. Where existing setbacks coincide with the right-of-way line, active street-level uses shall open into the pedestrian zone.
- (4) On-site parking for nonresidential uses shall be minimized. Use of joint parking facilities for residential and nonresidential uses is encouraged. On-site parking, loading areas, and utilities shall not impair the overall character of the streetscape or pedestrian orientation; and shall meet the design and architectural standards of this chapter. Public parking facilities may be considered under this subsection if it is determined that the overall character of the streetscape is not impaired by such a use and if the facility meets the design and architectural standards of this subsection, including the requirement for active, non-residential street level uses.
- (5) Vehicular access shall not impede pedestrian safety or comfort. Use of alleys and joint drives is encouraged. Projects requiring new street access shall demonstrate why existing access is insufficient and shall also demonstrate how the new access will ensure pedestrian safety and comfort.
- (6) When located within areas designated downtown on the future land use map, project design shall contribute to the area's visual context in a manner that is consistent with the downtown plan. In areas designated Central Urban and University Transition, project design shall promote an attractive pedestrian-oriented urban center that facilitates development of a mixture of compatible medium and high density and intensity land uses.
- (7) Character elements and amenities that shall be considered in determining whether the project design contributes to the public realm include the following:
 - a. Use of high quality natural materials, authenticity, and craftsmanship.
 - b. Relation to the existing context in building materials, color, massing of building forms, spacing between buildings, and relative proportions of facade openings.
 - c. Creates building mass that relates to the scale of the street and steps down to the elevation of streets, enlivens the sidewalk environment and avoids the use of retaining walls (except where historic retaining walls currently exist).
 - d. Sculpts and light the tops of towers to reduce the effect of a row of flat-topped high-rises on the skyline. Fluorescent lighting is prohibited on building facades.
 - e. Organizes facades into clearly defined base and upper stories with strong horizontal elements separating the two.
 - f. Maintains ground floor transparency appropriate to use. All ground floor uses should open to the pedestrian zone in ways appropriate to use. Blank walls or rows of parking facing the street are not allowed.
 - g. Utilizes sidewalk coverings in the form of awnings, canopies, galleries, or other similar treatments.
 - h. Creates through-block connections via exterior or interior plazas, publicly accessible pedestrian walkways, lobbies, and atria.
 - i. Incorporates streetscape, including a regular pattern of street trees and grates, patterned paving, lighting, fountains, sculpture, and seating. The highest quality street furniture and streetscape reasonably affordable should be used.
 - j. Provides covered mass-transit stops may be required at the discretion of the Taltran director or their designee. The design of transit stops shall be reviewed with the proposed U-PUD.

- (c) *Eligibility.* The U-PUD district is designed to allow an applicant to submit a proposal for consideration, for any uses or any mixture of uses that are consistent with the comprehensive plan and subsection (d), and to allow the city commission to approve any proposal which it determines to be in the best interest of the public health, safety, and welfare, and which meets the intent of this section, along with any conditions or requirements or limitations thereon to meet the intent of the comprehensive and downtown plans. The approval of U-PUD rezoning requests rests with the city commission. However, no rezoning to a U-PUD zoning district shall be eligible for approval unless the following minimum conditions are met:
- (1) *Applicability.* A U-PUD may only be approved within areas within the Downtown Overlay, one of the Central Urban districts, University Transition (UT). A U-PUD shall not be allowed within the Gaines Street revitalization area, the Special Character District (SCD), or those blocks noted in section 10-196(e)1.
 - (2) *Configuration of the U-PUD zoning district.* The tract(s) of land that may be rezoned to U-PUD shall be contiguous, and shall have sufficient width and depth to accommodate the proposed use.
 - (3) *Unified control/ownership.* All land included for the purpose of development within a U-PUD district shall be owned by or be under the complete control of the applicant for such zoning designation, whether the applicant be an individual, partnership, corporation, other entity, group, or agency. The applicant shall provide the city all of the necessary documents and information that may be required by the city attorney to assure the city that the development project may be lawfully completed according to the plans sought to be approved. No application shall be considered until the requirements of this section have been fully met.
 - (4) *Minimum size.* There are no minimum size requirements for a U-PUD district.
- (d) *Permitted uses.* U-PUDs within the Central Core may allow any use that is consistent with the Future Land Use category and district intent, including, but not limited to:
- (1) Residential: All types of residential uses shall be allowed.
 - (2) Manufacturing (permitted only as an accessory use for a permitted commercial use):
 - 25 Furniture and fixtures
 - 27 Printing and publishing
 - 283 Drugs
 - 342 Cutlery, hand tools, and hardware
 - 365 Household audio and video equipment
 - 381 Search and navigation equipment
 - 382 Measuring and controlling devices
 - 384 Medical instruments and supplies
 - 385 Ophthalmic goods
 - 386 Photographic equipment and supplies
 - 387 Watches, clocks, watchcases and parts
 - 391 Jewelry, silverware, and plated ware
 - 393 Musical instruments
 - 394 Toys and sporting goods
 - 395 Pens, pencils, office and art supplies
 - 396 Costume jewelry and notions

(3) Community facilities related to residential uses, including religious facilities, police/fire stations, post offices, libraries and elementary, middle and high schools, are allowed. Other community facilities may be allowed in accordance with section 10-413.

(4) Retail uses:

523 Paint, glass and wallpaper

525 Hardware stores

526 Retail nurseries, lawn and garden supply stores

531 Department stores

533 Variety stores

539 Miscellaneous general merchandise

541 Grocery stores

542 Meat and fish markets

543 Fruit and vegetable markets

544 Candy, nut and confectionary stores

545 Dairy products stores

546 Retail bakeries

549 Miscellaneous food stores

553 Auto and home supply

56 Apparel and accessory stores

561-566, 569 Apparel, shoes and accessories

571 Home furniture and furnishings

572 Household appliances

573 Radio, television consumer electronics (including computers and software) and music stores

5736 Musical instrument stores

581 Eating and drinking places

591 Drug stores

592 Liquor stores

593 Used merchandise stores

594 Miscellaneous retail including sporting goods, books, stationery, jewelry, toys, cameras, gifts, luggage, needlework, piece goods

5961 Catalog and mail-order houses

599 Other retail stores (florists, newsstand, tobacco, optical goods, art, etc.), except gravestones, tombstones, swimming pools, hot tubs

(5) General office, including banks/credit unions (without drive thru), doctors/dentists offices, and governmental offices shall be allowed.

(6) Personal services:

701 Hotels and motels

721 Laundry, cleaning, and garment services (except cleaning and repair plants, which are industrial land uses)

- 722 Photographic studios, portrait
- 723 Beauty shops
- 724 Barber shops
- 725 Shoe repair and shoeshine parlors
- 729 Miscellaneous personal services
- 731 Advertising
- 733 Mailing, reproduction and commercial art
- 734 Services to dwellings and other buildings
- 736 Personnel supply services
- 737 Computer and data processing services
- 738 Miscellaneous business services
- 752 Automobile parking (lots and structures) (which comply with the intent of the DPUD language)
- 762 Electrical repair
- 763 Watch, clock, and jewelry
- 764 Reupholstery and furniture repair
- 769 Miscellaneous repair, except welding, septic tank cleaning, farm machinery
- 781 Motion picture production
- 782 Motion picture distribution
- 783 Motion picture theaters
- 784 Videotape rental
- 791 Dance studios
- 792 Theatrical productions
- 793 Bowling centers
- 794 Commercial sports, except track operations
- 799 Miscellaneous amusement and recreation services, except golf courses and amusements parks
- 805 Nursing and personal care facilities
- 808 Home health care services
- 809 Miscellaneous health and allied services
- 832 Individual and family social services
- 833 Job training
- 835 Child day care services
- 836 Residential care
- 839 Miscellaneous social services
- 841 Museums and art galleries
- 842 Botanical and zoological gardens
- 864 Civic, social, and fraternal associations

873 Research and testing services

874 Management and public relations

074 Veterinary services

0781 Landscape counseling and planning

- (e) *Prohibited uses.* Billboards, communication towers, and drive-thrus shall not be allowed within a U-PUD.
- (f) *Density and intensity bonus.* Up to 35 percent additional density/intensity may be permitted, subject to requirements of section 10-280.7.
- (g) *Accessory uses and structures.* Accessory uses and structures shall be governed by sections 10-411 and 10-412 of this Code.
- (h) *Landscaping and urban forest standards.* As part of a U-PUD application in the Central Core area, the applicant shall propose a set of landscaping and urban forest standards unique to the U-PUD. The planning commission shall review the specific amount of landscaping and urban forest proposed by the applicant on a case-by-case basis for consistency with the Comprehensive Plan. If the proposed landscape plan falls below the minimum landscaping and/or urban forest requirements as found in section 5-85, the applicant shall be required to pay a fee-in-lieu for the differential.
- (i) *Submittal requirements.* An application for an urban planned unit development (U-PUD) zoning district shall be the equivalent of a final planned unit development (PUD) plan. A U-PUD application shall include all information currently required for both Concept and Final PUD applications as found in section 10-165 and chapter 9, article III. Color site plans and elevations or renderings, accurately depicting the site design, scale, building design, massing, and project enhancements shall be submitted and reviewed with the application. Such drawings shall be adopted as a binding attachment to the U-PUD.
- (j) *Review process.* The U-PUD plan is subject to the review process outlined below:
 - (1) *Pre-application or post-application conference.* An optional application for a pre-application or post-application conference may be submitted to the city in accordance with established policies and procedures.
 - (2) *Design review.* Applications for a U-PUD, located in the downtown area, shall be submitted to the planning department for design review. Design review shall be limited to factors, criteria and requirements as found in this section. Following their review, the planning department shall forward a recommendation for approval, denial, or approval with conditions to the development review committee. U-PUD applications located outside the Downtown area are not subject to this requirement.
 - (3) *Development review committee.* All applications for U-PUD shall be submitted to the development review committee for review and comment. Please note that U-PUD applications for projects located in the downtown area must be reviewed by the planning department prior to submittal to the development review committee. The development review committee shall review all U-PUD applications at a regularly scheduled meeting to determine if the application complies with the comprehensive plan and other applicable land development regulations as adopted by the city. The development review committee shall prepare an itemized list of written findings of fact, which support a recommendation of approval, approval with conditions, or denial of the U-PUD plan. The written findings of the development review committee shall be forwarded to the planning commission. Meetings of the development review committee shall be conducted in accordance with established policies and procedures.
 - (4) *Public notification.* Public notice of the development review committee shall be given at least five calendar days in advance of the development review committee meeting by publication in a newspaper of regular and general circulation in the city and the county. In addition, written notice shall be mailed at least five calendar days in advance of the development review

committee meeting to the current address (based on records of the county property appraiser's office) of each property owner within 500 feet of the project and to registered neighborhood associations. Due notice shall be given of the planning commission public hearings consistent with this Code and with the planning commission bylaws, and due notice shall be given of the city commission public hearings consistent with F.S. § 166.041(3). In cases in which formal proceedings are conducted under chapter 2, article III, division 2, subdivision II, of this Code, the notice for the public hearing held by the planning commission shall apply only to the public hearing on the recommended order from the administrative law judge.

- (5) *Planning commission review.* The planning commission shall review all U-PUD applications and the written findings of fact of the development review committee, and conduct a public hearing in order to formulate a recommendation to the city commission to approve, approve with conditions, or deny the development plan. The recommendation of the planning commission shall be supported by written findings of fact. Meetings of the planning commission shall be conducted in accordance with established policies and procedures. Formal proceedings before the planning commission may be requested in accordance with section 2-134.
- (6) *City commission review.* The city commission shall review all U-PUD applications, the recommendation and written findings of the development review committee and the planning commission, and conduct a public hearing. The city commission will then approve, approve with conditions, or deny the development plan. The decisions of the city commission shall be final and shall be supported by written findings. Meetings of the city commission shall be conducted in accordance with established policies and procedures. A U-PUD zoning district is established when the U-PUD plan is approved by the city commission.
- (k) *Revisions to urban planned unit developments.* The applicant shall have 90 days from the date of the city commission meeting when final action is taken to submit a revised U-PUD to include any conditions of approval for the development plan imposed by the city commission. Any such changes shall be reviewed for acceptance by the development review committee members or their designees within ten days of receipt and shall bear the signature of the development review committee members or their designees before the U-PUD can be accepted as the approved plan. Upon written request from the applicant, one 90-day extension may be granted by the planning department director for submittal of the revised plan. Failure by the applicant to submit a revised site plan within the time frames specified in this section shall deem the U-PUD null and void.
- (l) *Amendments to approved urban planned unit developments.*
 - (1) *Major and minor U-PUD amendments.* Any significant amendment to an approved U-PUD shall be reviewed as a new U-PUD. Notwithstanding this provision, the growth management director or their designee may approve minor amendments to the U-PUD if the growth management department determines that such amendments are substantially minor in nature and do not affect the overall character or intensity of the development. The criteria that the growth management department shall use to determine if the proposed changes affect the overall character of the U-PUD include, but are not limited to:
 - a. A five percent or greater increase in the overall number of residential dwelling units or nonresidential building square feet;
 - b. A five percent or greater decrease in the amount of acres devoted to common open space and/or natural area, or:
 - c. A substantial change in the general location of the proposed land uses, including the common open space and/or natural areas.
 - (2) *Design or architectural changes to an approved U-PUD located in the Downtown area.* All changes to approved U-PUDs located in the Downtown area shall be submitted to the planning department for review and comment. If such changes are deemed to differ significantly from the

site plans, the elevations or renderings approved with the original U-PUD application, then the proposed changes shall be forwarded to the urban design committee for review and approval. Significant changes may include, but are not limited to:

- a. Deletion, addition, or redesign of major architectural elements;
- b. Revisions to building style or exterior finishes;
- c. Relocation of major site or building features such as parking areas, building entrances, public plazas, etc.

Exemptions from design review are found in section 9-182.

(3) *Design or architectural changes to an approved U-PUD located outside the Downtown area.* All changes to approved U-PUDs located outside the Downtown area shall be reviewed and approved by the city commission.

(Code 1984, § 10.3(0)(3)4; Ord. No. 02-O-43AA, §§ 2, 3, 7-10-2002; Ord. No. 05-O-57, § 3, 10-26-2005; Ord. No. 09-O-18, § 3, 5-27-2009; Ord. No. 10-O-14AA, § 5, 2-23-2011; Ord. No. 13-O-03, § 12, 8-28-2013; Ord. No. 13-O-25, § 2, 10-23-2013; Ord. No. 15-O-04, § 11, 5-27-2015)

Sec. 10-242. UT University Transition District.

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
University Transition is intended to: <ul style="list-style-type: none"> •Be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses; •Protect existing residential neighborhoods located away from the campuses from student housing encroachment; and •Transition industrial and lower density residential uses to vibrant urban areas. Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&M Univ., Tallahassee Community College/	1. Advertising agencies. 2. Antique shops 3. Beauty & barber shops. 4. Book & stationary stores. 5. Banks, credit unions, financial institutions without drive through facilities. 6. Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 7. Camera & photographic supply stores. 8. Civic & social associations. 9. Colleges & universities - educational facilities, administrative offices, athletic & intramural fields and stadiums. 10. Commercial art & graphic design. 11. Community facilities related to residential uses, including religious facilities, police/fire stations, elementary and secondary schools, and, libraries. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 12. Computer & data processing services. 13. Dance studio, schools, halls. 14. Day care centers. 15. Employment agencies. 16. Gift, novelty, souvenir shops. 17. Hobby, toy, game stores. 18. Hotels, motels, bed &	34. Personal services (barber, spa, etc.) 35. Photocopying & duplicating services. 36. Photographic studios, portrait. 37. Physical fitness, gyms. 38. Public community center/meeting building (non-commercial use only). 39. Radio and Television broadcasting. 40. Rental and sales of home movies & games. 41. Repair services, non-automotive. 42. Residential - any type. 43. Restaurants and drinking establishments without drive through facilities 44. Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). 45. Retail establishments - bakeries, computer, clothing & accessories, video, records/compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road), florist, food & grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards,
	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. 2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.	4. Special Exception Uses 1. Automotive rentals, parking, repairs, & service. 2. Commercial sports. 3. Taxicab operations. 4. Off-street parking facilities (applicable to properties in the Downtown Overlay). (Section 10-422 applies)

<p>Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.</p> <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 Sec. 10-280.7 of this Code.</p> <p>Development Standards for this zoning district are established within Division 4 applicable to the MMTD.</p>	<p>breakfasts.</p> <p>19. Indoor amusements (bowling, billiards, arcades).</p> <p>20. Laundromats, laundry, & dry cleaning services without drive through facilities.</p> <p>21. Laundromats, laundry, & dry cleaning services with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road).</p> <p>22. Live-work units.</p> <p>23. Mailing and postal services.</p> <p>24. Medical & dental offices, clinics, laboratories.</p> <p>25. Mortgage brokers.</p> <p>26. Movie theaters and amphitheaters.</p> <p>27. Museums & art galleries.</p> <p>28. Musical instrument stores.</p> <p>29. News dealers and newsstands.</p> <p>30. Non-medical offices & services, including business, insurance, real estate, and governmental.</p> <p>31. Non-store retail.</p> <p>32. Optical goods stores.</p> <p>33. Passive and active recreation.</p>	<p>package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods.</p> <p>46. Security & commodity brokers.</p> <p>47. Sewing & needlework goods.</p> <p>48. Shoe repair, shoe shine parlors.</p> <p>49. Sporting goods and bicycle shops.</p> <p>50. Social, fraternal, recreational clubs/assemblies.</p> <p>51. Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas.</p> <p>52. Studios: photography, music, art, drama, voice.</p> <p>53. Tailoring.</p> <p>54. Travel agencies.</p> <p>55. Veterinary services.</p> <p>56. Vocational schools.</p> <p>57. Watch, clock, jewelry repair.</p> <p>58. Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007.</p> <p>59. Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district.</p>	
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(Code 1984, ch. 27, §§ 10.6.Z, 10.6.AA, 10.6.BB; Ord. No. 00-O-54, § 3, 9-27-2000; Ord. No. 01-O-28AA, § 15, 10-24-2001; Ord. No. 07-O-39, § 3, 11-20-2007; 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. 16-O-05, § 2(Exh. A), 5-18-2016)

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</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. Funeral parlor, mortuary.</p> <p>11. Hotel, motel, and Bed and breakfast inns (see Sec. 10-412).</p> <p>12. Indoor amusements.</p> <p>13. Laundromats, laundry and dry cleaning pick-up stations.</p> <p>14. Mailing services.</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</p>

<p>between adjacent residential and non-residential uses through high quality design; and 6) Promote pedestrian and bicycle mobility. The Central Core zoning district may 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. Development Standards for this zoning district are established within the Downtown Overlay Regulating Plan map series and applicable sections of Division 4.</p>	<p>15. Medical and dental offices and services, laboratories, and clinics. 16. Motor vehicles fuel sales. 17. Museums and art galleries. 18. Non-medical offices and services, including business and government offices and services. 19. Nursing homes and other residential care facilities. 20. Personal services (barber shops, fitness clubs, tailoring, etc.). 21. Photocopying and duplicating services. 22. Post-secondary educational facilities. 23. Repair services, non-automotive; outdoor storage prohibited. 24. Residential—any dwelling unit type, except mobile homes. 25. Restaurants, without drive-in facilities. 26. Retail, miscellaneous—bakeries, electronics, florists, liquor stores, used merchandise, newsstand, books, greeting cards, toys, luggage, clothing, shoes, department store, furniture, grocers, etc.</p>		<p>determined by the Land Use Administrator.</p>
	<p>27. Rooming and boarding houses, including dormitories. 28. Social, fraternal, and recreational clubs and lodges; assembly halls. 29. Structured parking. 30. Studios for photography, film, music, art, dance, drama, and voice. 31. 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)

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.

APPENDIX 3

Photos of public notice signage

