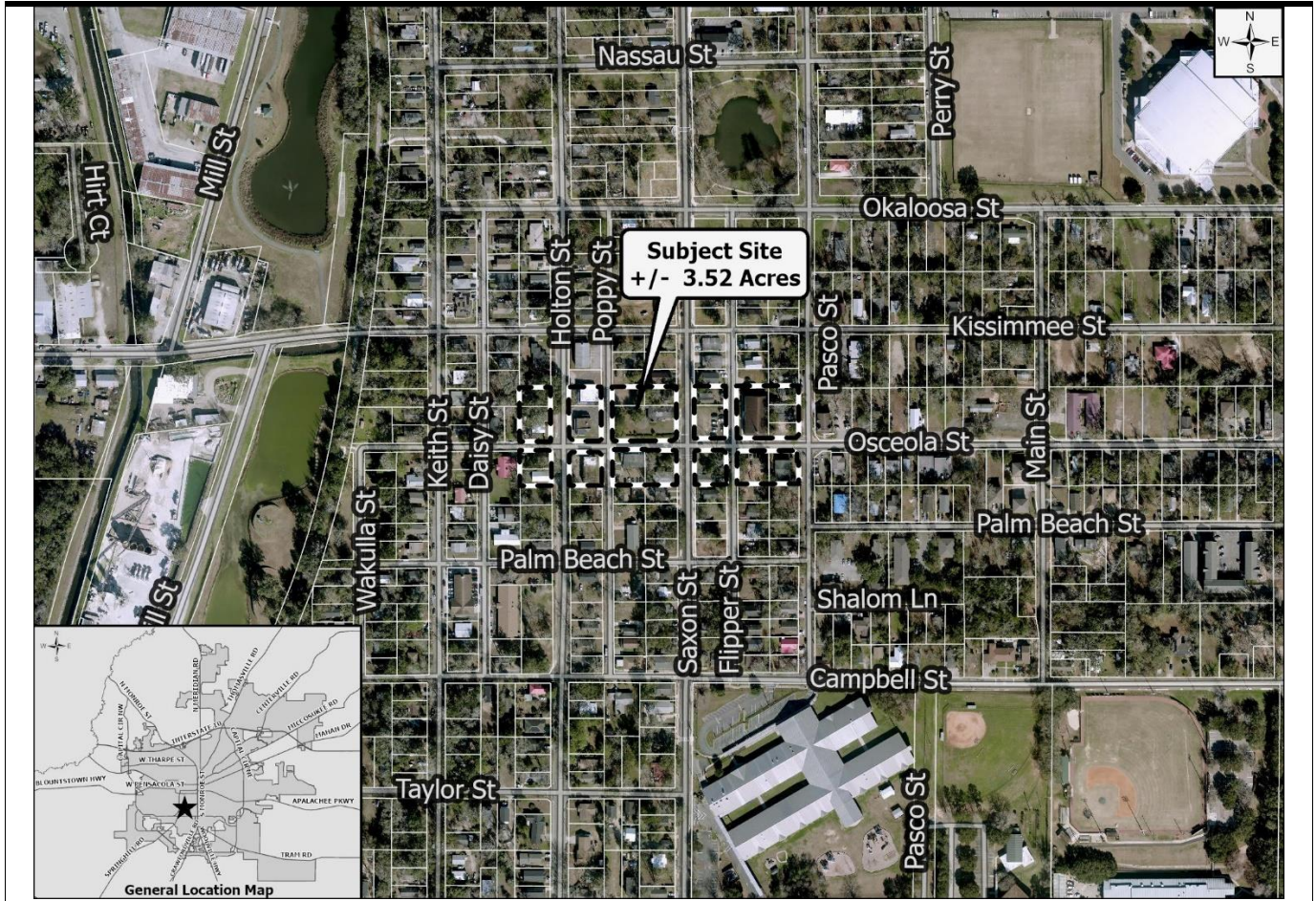




2024 Comprehensive Plan Amendment Cycle
TMA 2024 005
Osceola Street



SUMMARY

Property Owners:	Property Location:	Amendment Type:
Various	Osceola Street from Pasco Street to Holton Street, see maps	City Small-Scale Map Amendment
Applicant: Tallahassee-Leon County Planning Dept.		
TLCPD Staff:	Current Future Land Use & Zoning:	LPA Recommendation:
Stephen Hodges	Future Land Use: Residential Preservation Zoning: Residential Preservation 2	Approve
Contact Information:	Proposed Future Land Use & Zoning:	Staff Analysis:
Stephen.Hodges@talgov.com	Future Land Use: Neighborhood Boundary Zoning: 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-

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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?

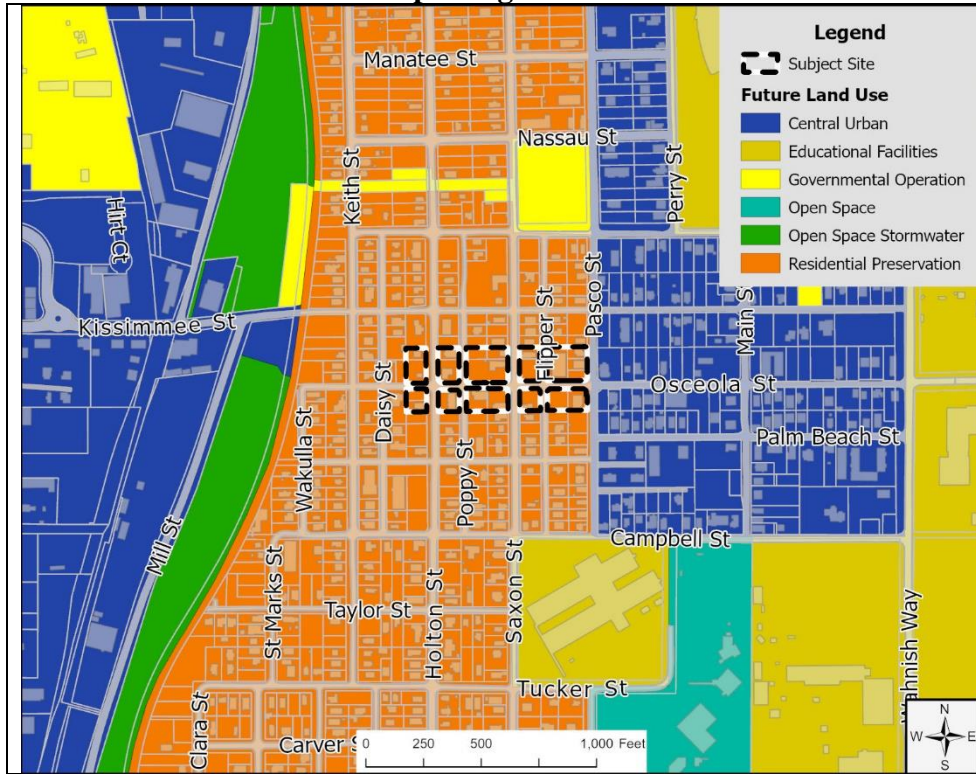
No. The Residential Preservation future land use category prohibits commercial land uses. Several properties in the subject area are currently commercial uses and have been for many years. This designation is not appropriate for these properties in light of neighborhood requests for increased commercial 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.

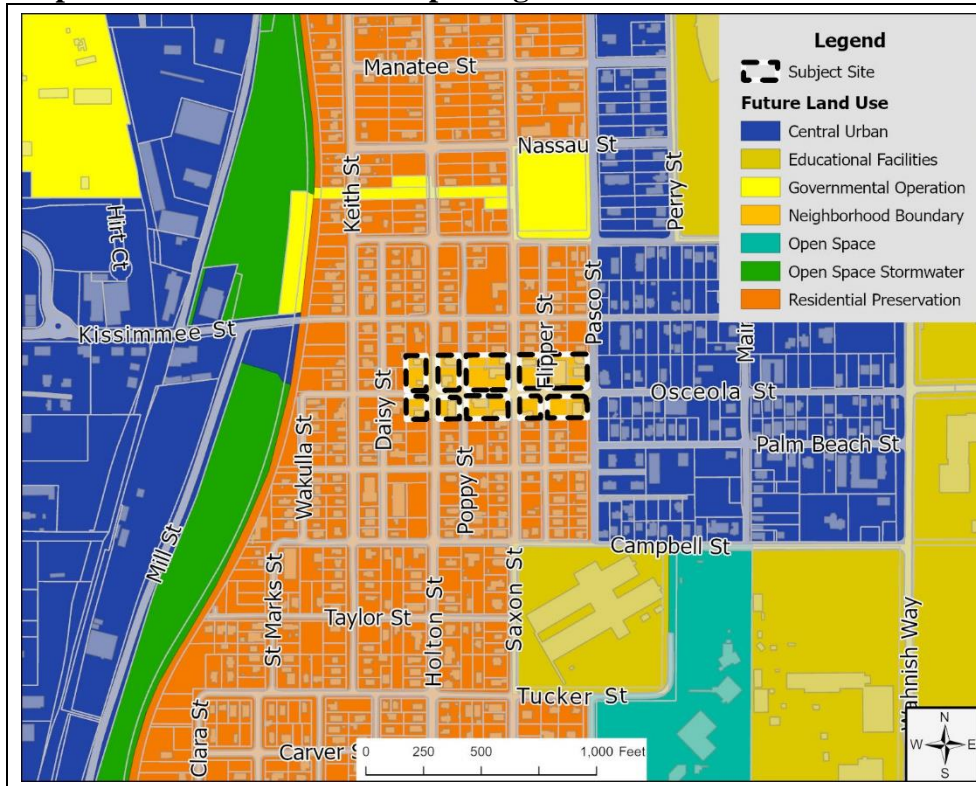
Current Future Land Use Map Designation



Current Designation

- **Residential Preservation (RP)**

Proposed Future Land Use Map Designation



Proposed Designation

- **Neighborhood Boundary (NB)**

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)

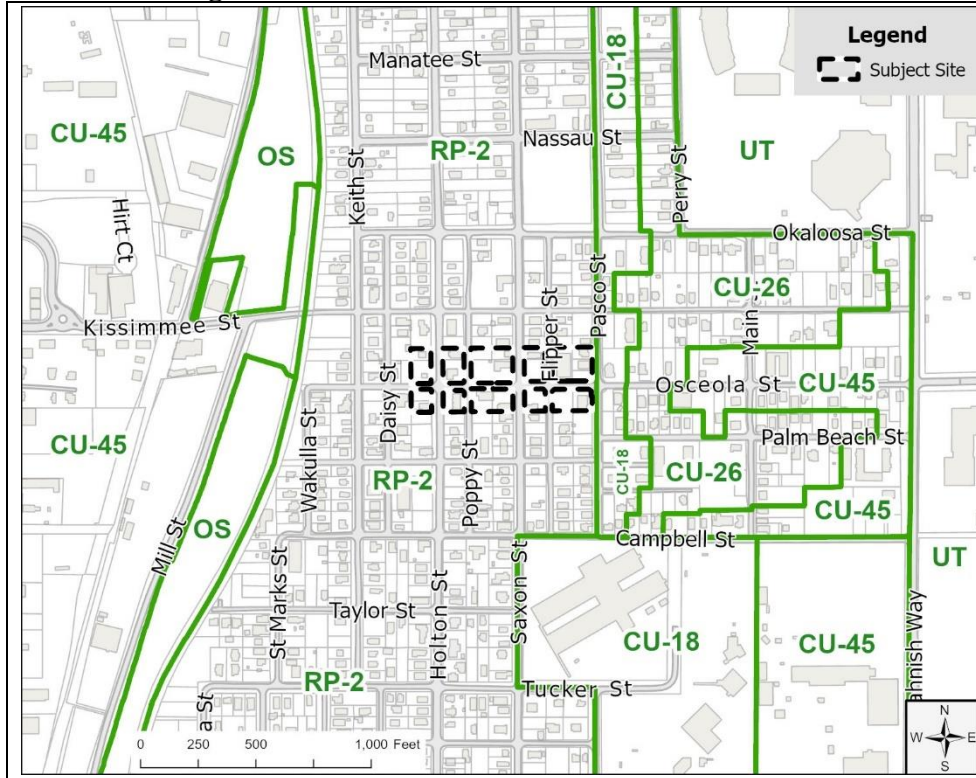
The proposed zoning is intended to be located in areas designated as Neighborhood Boundary on the FLUM and within the Multi-Modal Transportation District. The NB-1 district is designed to allow low- and medium-density residential, and non-residential development scaled to serve the surrounding neighborhood 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.

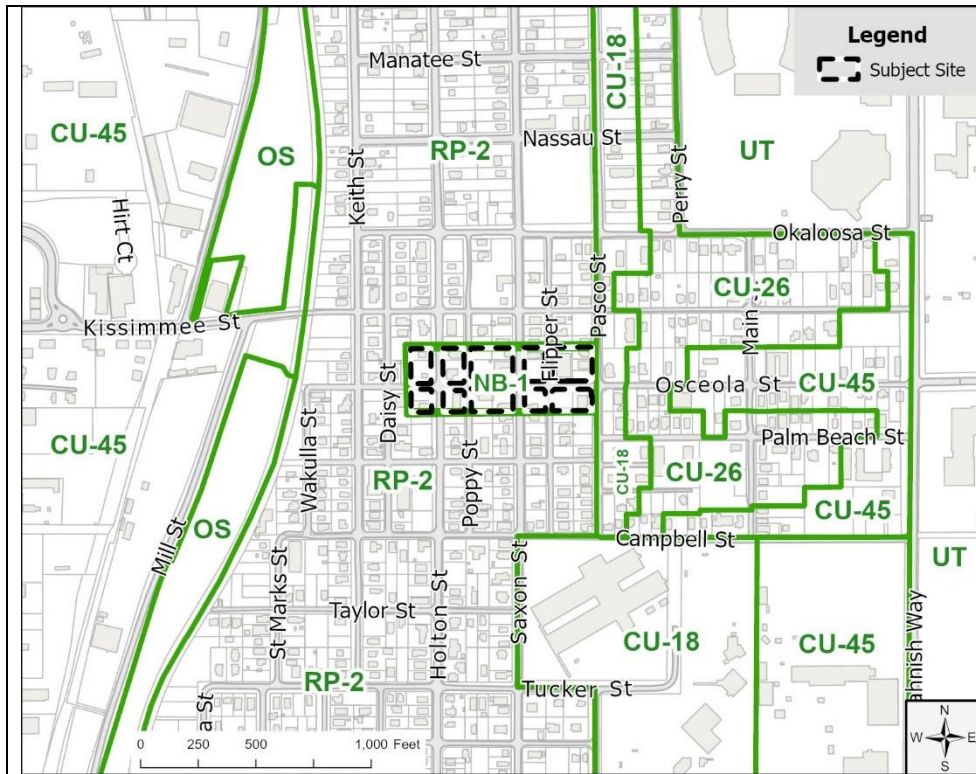
Current Zoning



Current District

- **Residential Preservation 2 (RP-2)**

Proposed Zoning



Proposed District

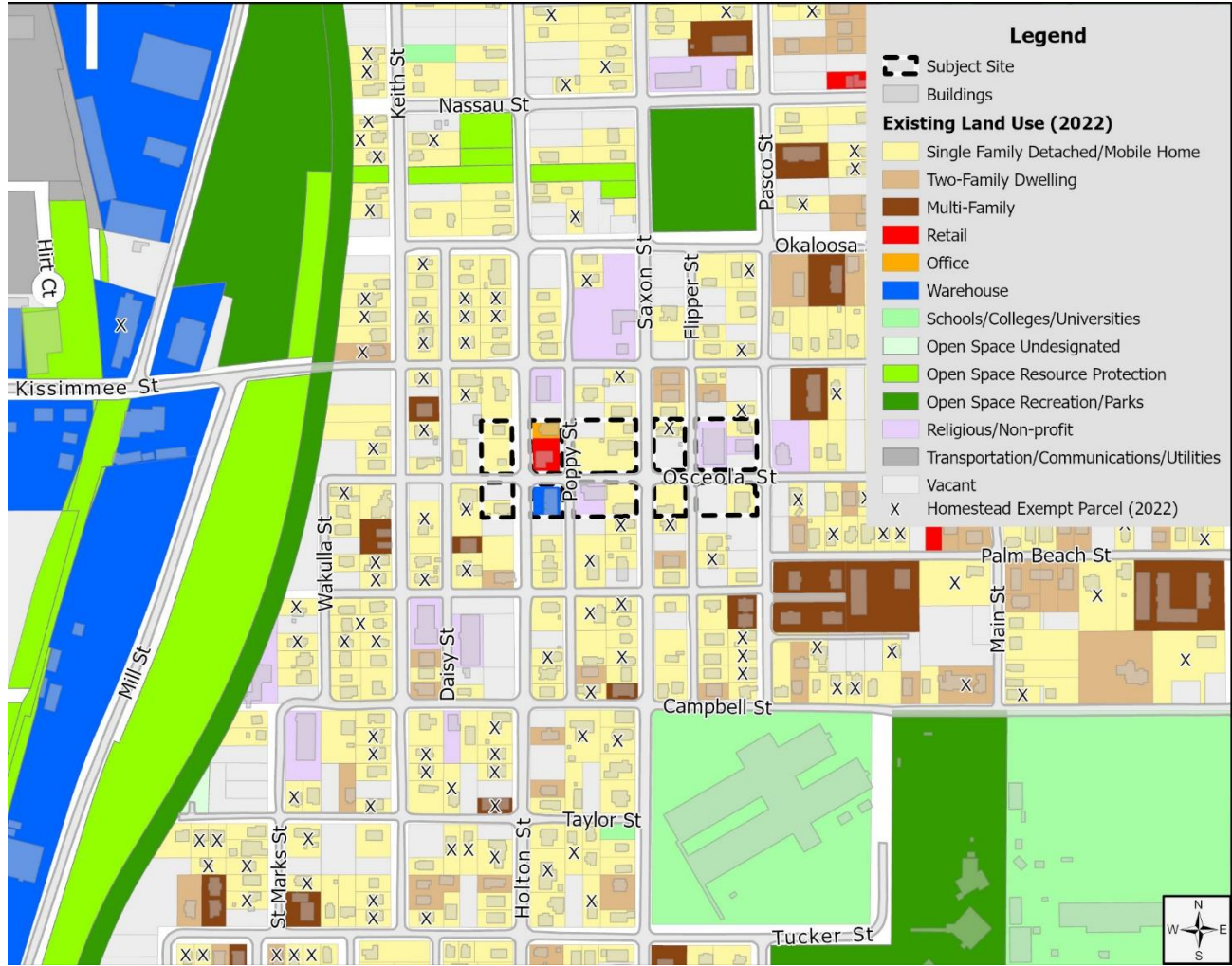
- **Neighborhood Boundary 1 (NB-1)**

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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.

Permitted Uses- Future Land Use	Current Residential Preservation	Proposed Neighborhood Boundary
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

Permitted Uses- Zoning (See Zoning Charts in Appendix #2 for detailed uses)	Current Residential Preservation 2 (RP-2)	Proposed Neighborhood Boundary 1 (NB-1)
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

Permitted Uses- Zoning (See Zoning Charts in Appendix #2 for detailed uses)	Current Residential Preservation 2 (RP-2)	Proposed Neighborhood Boundary 1 (NB-1)
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.

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 16, 2023
X	Public Open House	December 7, 2023
X	Staff Reports Available Online (hyperlink)	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 2nd 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:

<u>Existing land use character of the subdivision</u>	<u>Gross residential density</u>
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 2.2.21: [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
	RESIDENTIAL					
	Dwelling, One-Family	P				
	Dwelling, Two-Family (Rooming Houses are prohibited)	P				
	Dwelling, 2-UnitTownhouses	P				
	SERVICES					
821	Elementary and secondary schools				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	

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

RESIDENTIAL PRESERVATION-2	DEVELOPMENT TYPE			
	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>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.</p>	<ol style="list-style-type: none"> 1. Offices, except those expressly prohibited. 2. Limited retail and service – the below uses are permitted: <ol style="list-style-type: none"> a. Antique shops b. Laundromats, laundry and dry-cleaning pick-up stations c. Mailing services d. Personal services (barber shops, fitness clubs, etc.) e. Repair services, non-automotive f. Restaurants without drive-through facilities g. Retail bakeries, drug stores, florists, food and grocery, home/garden supply/hardware without outdoor storage, newsstand/books/greeting cards h. Studios for photography, music, art, drama, and voice i. Tailoring 3. Banks and other financial institutions, without drive-through facilities 4. 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. 5. Residential: <ol style="list-style-type: none"> a. Single-family attached dwellings, not to exceed four attached units b. Single-family detached dwellings c. Two-family dwellings d. Triplexes e. Fourplexes f. Live-work 6. Daycare centers 7. Recreational clubs and lodges, including assembly halls 8. Passive and active recreation facilities 9. 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. 	<p>The following uses are prohibited in this zoning district:</p> <ol style="list-style-type: none"> 1. Cocktail lounges, night/dance clubs, and bars 2. Retail package liquor 3. Bail bond agencies/offices 4. Warehouses, mini-warehouses, and self-storage 5. Heavy industrial and light industrial uses 6. Crematoriums 7. Commercial dog kennels 8. Pawn shops 9. Firing ranges 10. Drive-through facilities 11. Rooming houses 12. Motor vehicle fuel sales 13. Pet daycare centers 14. Veterinary services 15. Payday loan offices 16. Automotive repair 17. Car wash 18. Privately owned off-street parking as the sole use 19. Outdoor storage 	<ol style="list-style-type: none"> (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 principle 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.
<p>5. Development Standards in addition to the MMTD</p> <ol style="list-style-type: none"> 1. <i>Setback and Alternate Non-residential Setback:</i> <ol style="list-style-type: none"> a. 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- 			

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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.

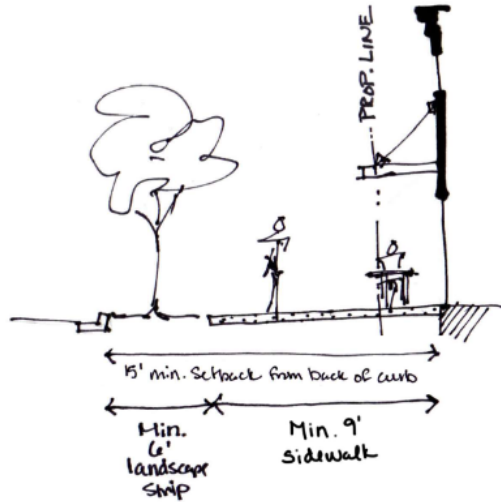


Figure a.

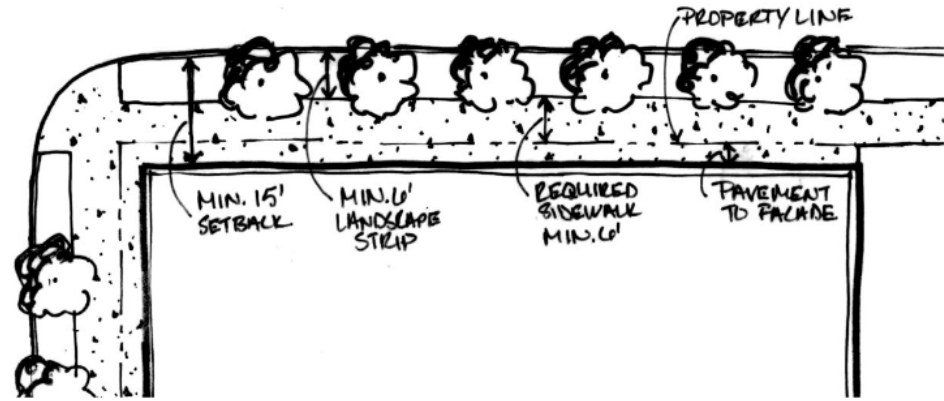


Figure b.

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.

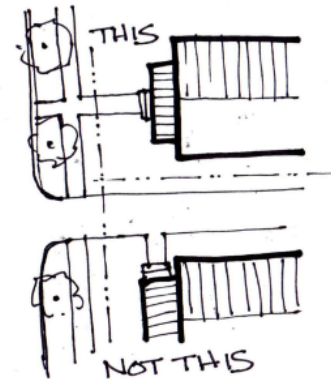
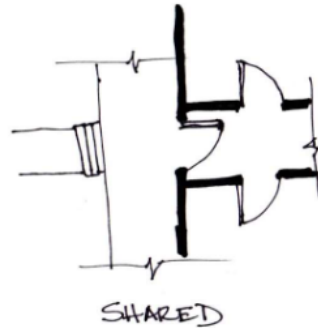
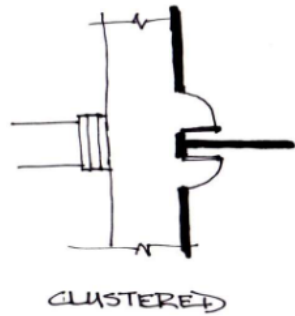


Figure c.

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).

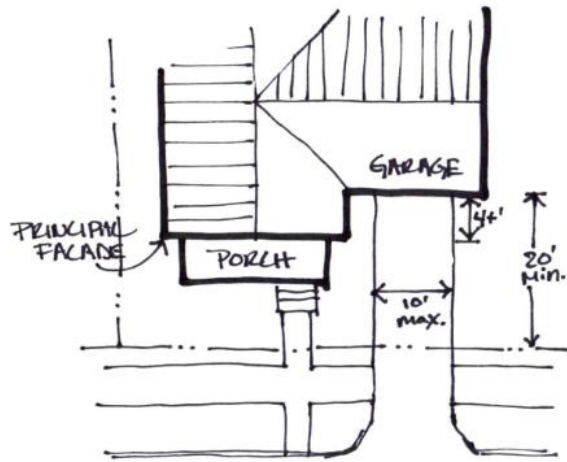


Figure e.

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).

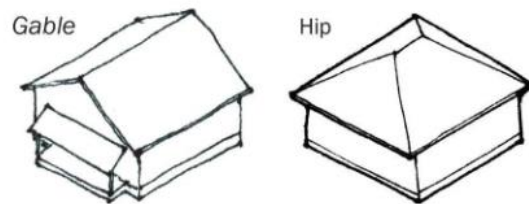


Figure f.

APPENDIX 3 - Photos of signs providing details of proposed land use and zoning changes posted on subject site







