

Tallahassee Land Development Regulations

Downtown Zoning Districts

RO Targeted Retail/Office Growth Area

Sec. 10-196. Generally

(a) The purpose of the Downtown Zoning Districts is to implement The Downtown Plan as approved on April 22, 1992. The Downtown area has been divided into three (3) zoning districts as follows:

- (1) RO Targeted Retail/Office Growth Area
- (2) DI Institutional/Cultural/University Transition Areas
- (3) SCD Special Character District

(b) These districts are provided in the Zoning Atlas Downtown Area Map Series. The intent and development standards for each zoning district are described within each classification. In order to further implement The Downtown Plan, three (3) overlay maps have been developed. The following overlay maps are hereby established to be used in conjunction with the zoning districts and are adopted by reference:

- (1) Floor Area Ratio Overlay Map DT-1
- (2) Height Overlay Map DT-2
- (3) Setback and Coverage Overlay Maps DT-3

(c) Additionally, properties within The RO and DI zoning districts and the Capitol Center Office Governmental (O-G) district within the Capital Center Planning District (CCPD) may be rezoned to an urban PUD pursuant to the requirements of section 10-200.

Sec. 10-197. Targeted Retail/Office Growth Area

(a) *Purpose and intent.*

- (1) The Targeted Retail/Office Growth Area (RO) Zoning District is established to identify the office/retail growth area, which is critical to the functioning of the downtown core as identified in the Downtown Plan. The district encourages various mixes and intensity of office uses with a mix of support uses consistent with the scale and character of downtown. As identified in the Downtown Plan, retail use is necessary in the downtown compact retail core. The district is intended to (i) create the critical mass of activity and avoid geographically separate retail areas which compete with each other; (ii) provide active street level commercial uses; and (iii) provide for consistency of new buildings within the architectural context of Tallahassee as further defined under the "specific

guideline criteria." Residential density shall not exceed 150 dwelling units per gross acre except under the following conditions:

- a. A density bonus above 150 dwelling units per acre for the purpose of encouraging infill development and redevelopment subject to two additional design standards identified in subsection (d)(1)m, bonus credit for residential density and intensity. These design standards are in addition to such standards required by other sections of this code.
 - b. A density bonus of 25 percent above 150 dwelling units per acre for the purpose of providing affordable housing units selling at a price no greater than the maximum sales price limits for new single-family residences in the county established by the Florida Housing Finance Corporation single-family revenue bond program, published annually, subject to two design standards identified in subsection (d)(1)m, bonus credit for residential density and intensity. These design standards are in addition to such standards required by other sections of this Code.
- (2) The area designated under this district is generally located north and south of the Special Character District, south of Carolina Street, west of Meridian Street, east of M. L. King, Jr. Boulevard, and north of the Capitol Center Planning District (see Downtown Area Zoning Atlas Map Series).
- (3) There are two (2) Floor Area Ratio (FAR) areas included in this zoning district, one (1) with a base of 2.0 and one (1) with a base of 3.0. The area bounded by College Avenue on the south, Meridian Street on the east, Tennessee Street on the north, and M.L. King, Jr. Boulevard on the west is not subject to a floor area ratio. The 3.0 area may have up to twenty-five (25) per cent bonus for providing mixed use, active commercial (i.e. retail, business services/personal services), creative parking alternatives (i.e., shared parking, flex hours), public open spaces, plazas, and/or public art. Small parcels aggregated up to a fifteen thousand (15,000) square foot maximum are eligible for a waiver of the FAR and aggregation of parcels in excess of fifteen thousand (15,000) are eligible for the FAR waiver upon resolution of the city commission (see Floor Area Ratio Overlay, Map DT-1

(b) *List of permitted uses.* The activity or use in the targeted retail/office growth area (RO) zoning district may be classified as permitted (P) or not allowed (X). If the activity or use is not classified, then it is not permitted. All new development in the targeted retail/office growth area (RO) zoning district is subject to Type A Site Plan Review. Chapter 9, article III of this Code sets forth the development approval process required for Type A Site Plan Review by the Department of Growth Management.

Residential:

Dwelling, one-family (P).

Low- (other than one (1) single-family detached dwelling per lot), medium- and high-density residential are permitted only as part of a multi-use development

which includes ground floor leasable space for other permitted uses designed to meet one of the following design objectives:

- (1) Mandatory storefront design; appropriate fenestration and minimum first story height to encourage retail use of ground floor; or
- (2) Provision of public spaces within ground floor.

Determination of compliance with these provisions shall be made by the Director of the Planning Department. Decisions of the Director on these provisions may be appealed to the Planning Commission by filing a written request within five (5) days of the decision.

Retail Allowed Uses:

- 523 Paint, glass and wallpaper (P)
- 531 Department stores (P)
- 533 Variety stores (P)
- 539 Miscellaneous general merchandise (P)
- 541, 542, 543, 544, 545, 549 Food stores (P)
- 546 Retail bakeries (P)
- 553 Auto and home supply (P)
- 554 Gasoline service stations (P)
- 561, 562, 563, 564, 565, 566, 569 Apparel, shoes and accessories (P)
- 571 Home furniture and furnishings (P), except floor covering stores (P)
- 572 Household appliances (P)
- 573 Radio, television consumer electronics (including computers and software) and music stores (P)
- 581 Eating and drinking places (P)
- 591 Drug stores (P)
- 592 Liquor stores (P)
- 593 Used merchandise stores (P)
- 594 Miscellaneous retail including sporting goods, books, stationery, jewelry, toys, cameras, gifts, luggage, needlework, piece goods (P)
- 596 Nonstore retailers (including catalog sales) (P)
- 599 Other retail stores (florists, newsstand, tobacco, optical goods, art) (P), except gravestones, tombstones, swimming pools, hot tubs (X)

Retail Prohibited Uses:

- 521 Lumber, other building materials dealers (X)
- 525 Hardware stores (X)
- 526 Retail nurseries, lawn and garden supply stores (X)
- 527 Mobile home dealers (X)
- 551, 552 Motor vehicles dealers (X)
- 555 Boat dealers (X)
- 556 Recreational vehicle dealers (X)

- 557 Motorcycle dealers (X)
- 559 Other automotive dealers (go-carts, trailers) (X)
- 571 Floor coverings stores (X)
- 598 Fuel oil dealers (X)

Finance, Insurance, and Real Estate Allowed Uses:

- 601, 602, 603, 606, 608, and 609 Depository institutions including banks, savings institutions, credit unions and related functions (P)
- 611, 614, 615, and 616 Nondepository credit institutions including personal credit institutions and mortgage brokers (P)
- 621, 622, 623, 628 Security and commodity brokers, dealers, exchanges and services (P)
- 631, 632, 633, 636, 637, and 639 Insurance carriers (P)
- 641 Insurance agents, brokers, and service (P)
- 651, 653, 654, 655 Real estate and title abstract offices (P)
- 671, 672, 673, 679 Holding and other investment offices (P)

Services Allowed Uses:

- 701 Hotels and motels (P)
- 702 Rooming and boarding houses (P)
- 721, 722, 723, 724, 725, 726, 729 Personal services, such as laundry and cleaning services, beauty shops, barbershops, shoe repair, funeral services (P), except commercial laundries, linen supply, drycleaning plants, carpet and upholstery cleaning (X)
- 731, 732, 733, 734, 736, 737, 738 Business services (P)
- 735 Equipment rental and leasing (P), except heavy construction equipment, airplanes, oil drilling and toilets (X)
- 751 Automotive rental (P), except trailers and RV's (X)
- 752 Automobile parking (lots and structures) (P)
- 753 Automotive repair (P)
- 754 Automotive services, except repair (P)
- 762 Electrical repair (P)
- 763 Watch, clock, and jewelry (P)
- 764 Reupholstery and furniture repair (P)
- 769 Miscellaneous repair (P), except welding, septic tank cleaning, farm machinery (X)
- 781 Motion picture production (P)
- 782 Motion picture distribution (P)
- 783 Motion picture theaters (P)
- 784 Video tape rental (P)
- 791 Dance studios (P)
- 792 Theatrical productions (P)
- 793 Bowling centers (P)

794 Commercial sports (P), except track operations (X)
799 Miscellaneous amusement and recreation services (P), except golf courses
and amusements parks (X)
801, 802, 803, 804, 805, 807, 808, 809 Health care services (P)
811 Legal services (P)
821 Kindergarten, elementary, and secondary schools (P)
822 Colleges, universities, professional schools (P)
823 Libraries (P)
824 Vocational schools (P)
829 Miscellaneous educational services (P)
832 Individual and family social services (P)
833 Job training (P)
835 Child day care services (P)
836 Residential care (P)
839 Miscellaneous social services (P)
841 Museums and art galleries (P)
842 Botanical and zoological gardens (P)
861, 862, 863, 864, 865, 866, 869 Membership organizations including business,
civic, political and religious (P)
871, 872, 873, 874 Engineering, accounting, research, management and related
services (P)
899 Miscellaneous services (P)

Services Prohibited Uses:

703 Camps and recreational vehicle parks (X)
704 Organization lodging houses including fraternity and sorority houses (X)
806 Hospital (X)

Public Administration Allowed Uses:

911, 912, 913, 919 Executive, legislative, and general government, except
finance (P)
921, 922 Justice, public order, and safety (P)
931 Public finance, taxation, and monetary policy (P)
941, 943, 944, 945 Administration of human resource programs (P)
951, 953 Administration of environmental quality and housing programs (P)
961, 962, 963, 964, 965, 966 Administration of economic programs (P)
971, 972 National security and international affairs (P)

Transportation, Communications, Electric, Gas, and Sanitary Services Allowed Uses:

412 Taxicabs (P)
417 Terminal and service facilities for motor vehicle passenger

- transportation (P)
- 431 United States Postal Service (P)
- 472 Travel agents and tour operators (P)
- 481, 482, 483, 484, 489 Communications (P), except transmission towers (X)

Transportation, Communications, Electric, Gas, and Sanitary Services Prohibited Uses:

- 401 Railroad transportation (X)
- 411 Local and suburban passenger transportation (X)
- 413 Intercity and rural bus transportation (X)
- 414 Bus charter service (X)
- 415 School buses (X)
- 441, 442, 443, 444, 448, 449 Water transportation (X)
- 451, 452, 453 Transportation by air (X)
- 461 Pipelines, except natural gas (X)
- 473 Arrangement of transportation of freight (X)
- 474 Rental of railroad cars (X)
- 478 Miscellaneous transportation services (X), except horse-drawn cabs and carriages (P)
- 491, 492, 493, 494, 495, 496, 497 Electric, gas, water and sanitary services (X)

(c) *Development standards.* All uses in the targeted retail/office growth area (RO) zoning district are exempt from the on-site parking ratios listed in the schedule in section 10-358. No buffer requirements apply within the targeted retail/office growth area (RO) zoning district except between boundaries shared with any of the Residential Preservation zoning districts. In the case of a boundary shared with a Residential Preservation zoning district, a Type C Buffer is required. Special Regulatory Overlays exist for the Downtown with regard to Floor Area Ratio, Height, Setback and Coverage.

(d) *Specific guidelines.* Specific guidelines in the targeted retail/office growth area (RO) zoning district shall be as follows:

(1) *General standards.*

- a. *Orientation.* At least one (1) public entrance of each principal structure shall be oriented toward the front lot line or street side lot line. Pedestrian access from the public sidewalk, street right-of-way or driveway to the public entrance shall be provided via an improved surface. Developments are encouraged to provide as many pedestrian connections to the street as possible.
- b. *Blank walls.* Front lot and street side exterior walls on the ground floor shall contain a minimum of seventy (70) per cent transparent or translucent

material. Those floors above the ground floor are required to contain a minimum of fifteen (15) per cent transparent or translucent material.

- c. *Massing.* The design of a new structure or a substantial enlargement or substantial improvement of an existing structure fronting roadways in this area which exceeds fifty (50) linear feet along any street frontage shall be similar to the width of the principal structures on the block face and the block face across the street.
- d. *Dumpster location.* Garbage dumpsters shall be adequately set back from property lines and screened from public view.
- e. *Parking.* Parking structures shall consist of leasable commercial office, service, or retail use for that portion of the building fronting the street at ground level. No parking shall be permitted between the principal building and the street or within the required front yard or street side yard setbacks on properties within this district south of the Special Character District.
- f. *Rear facades abutting the special character district.* For buildings over 35 feet in height on properties abutting the special character district, elevations facing Park Avenue must have minimum 15 percent transparency and include windows, balconies, residential terraces, or other forms of articulation above the ground floor.
- g. *Exception to general standard.* New construction, addition or alteration that is not visible from the public right-of-way, the special character district, or the Chain of Parks shall not require compliance with the orientation, blank wall and massing standards.
- h. *Design features for new buildings.*
New buildings are required to provide a minimum of three of the following features:
 - 1. Continuous sidewalk coverings in the form of awnings, canopies, galleries, or verandahs (for properties outside the downtown core).
 - 2. Functional balconies on the second through fourth floors of a building.
 - 3. Bay windows on the second through fourth floors of a building.
 - 4. Public outdoor space, e.g., plazas, miniparks, lawns.
 - 5. Water features.
 - 6. Public art, freestanding or integrated into the exterior of a building.
 - 7. Semipublic outdoor space, e.g., courtyards, forecourts, or gardens accessible to the public for uses such as dining.
 - 8. Publicly accessible ground-floor interior or exterior passage-ways through blocks, connecting opposite streets or two street at corner locations.

9. Residential terraces in building setbacks.
 10. Atriums accessible to the public.
 11. An integrated streetscape design, including trees and seating.
- i. *Bonus credit for floor area ratio.* In order to receive the bonus credit, construction of the bonus item shall be concurrent with the construction of the principal use. The total land area shall be used in calculation of bonus eligibility. The following specific activities shall be part of the plan of development in order for the project to be eligible for up to a twenty-five (25) per cent bonus for floor area ratio:
1. Mixed use (a mixture of at least two (2) of the following - medium- or high-density residential; retail trade; or office activities.)
 2. Creative parking alternatives, such as shared parking, flex hours.
 3. Pedestrian walks, plazas.
 4. Fountains, sculptures or other public art works.

Only those properties with an FAR of 3.0 are eligible for the bonus credit. Bonuses may be granted by the City Commission through resolution upon a demonstration of consistency with the Downtown Plan and Comprehensive Plan.

- j. *Minimum building height.* A minimum building height of 35 feet is established for properties in the following geographic area: lying east of M.L. King Boulevard, south of W. Tennessee Street, west of Meridian Street and north of College Avenue.
- k. *Stepback height.* For properties abutting the special character district, buildings shall step back from the special character district at 60 feet when such buildings are constructed on the property line, or at 75 feet after a 15-foot setback from the property line at the special character district boundary. The stepback follows a 45 degree angle to maximum allowable building height. **See Illustration.**

For other properties not abutting the Special Character District and in the geographic area lying east of M.L. King Boulevard, south of W. Tennessee Street, west of Meridian Street and north of College Avenue, 75-foot or higher buildings shall step back at the street front either 35 feet or 50 feet. **See Illustration.**

1. A stepback is required at 35 feet for RO zoned properties in the following geographic areas:
 - i. The east side of M.L. King, Jr. Boulevard between College Avenue and Call Street.

- ii. The east and west sides of Bronough Street, Duval Street, Monroe Street, and Calhoun Street between College Avenue and Call Street.
 - iii. The east and west sides of Adams Street between Call Street and Park Avenue.
 - iv. The north side of Call Street between Calhoun and Gadsden Streets.
 - v. The east and west sides of Gadsden Street between College Avenue and Park Avenue and Tennessee and Call Streets.
 - vi. The west side of Meridian Street between College Avenue and Park Avenue and Call and Tennessee Streets.
- 2. A setback is required at 50 feet for all other RO zoned properties in the above described geographic area.
- 1. *Design standards applicable to buildings over 75 feet in height.* The design of buildings over 75 feet high shall employ on those floors above the 75-foot line devices such as terraces, notches, projections, crests, and other modeling devices, habitable penthouses, sculpture, and variations in openings, color, and materials, to vary the downtown skyline.
- m. *Bonus credit for residential density and intensity.* Design features eligible for a residential density bonus include the following:
 - 1. Continuous sidewalk coverings in the form of awnings, canopies, galleries, or verandahs (for properties outside the downtown core).
 - 2. Functional balconies on the second through fourth floors of a building.
 - 3. Bay windows on the second through fourth floors of a building.
 - 4. Public outdoor space, e.g., plazas, miniparks, lawns.
 - 5. Water features.
 - 6. Public art, freestanding or integrated into the exterior of a building.
 - 7. Semipublic outdoor space, e.g., courtyards, forecourts, or gardens accessible to the public for uses such as dining.
 - 8. Publicly accessible ground-floor interior or exterior passage-ways through blocks, connecting opposite streets or two streets at corner locations.
 - 9. Residential terraces in building setbacks.
 - 10. Atriums accessible to the public.
 - 11. An integrated streetscape design, including trees and seating.
 - 12. Innovative parking strategies including shared parking or flex hours.
 - 13. An integrated mix of land uses.
- n. *Functional balconies.* Balconies must be useable and accessible through operable, full height doors.
- o. *Minimum ceiling heights.* First floors in new building shall have a ten-foot minimum ceiling height on the following streets, Calhoun Street, Monroe Street, Adams Street, and Bronough Street between Tennessee Street and College Avenue;

Tennessee Street, and College Avenue between Meridian Street and Martin Luther King, Jr. Boulevard.

- p. *Variable Setbacks as shown on setback coverage overlay map DT-3.* For those properties shown on setback coverage overlay map DT-3 as setback varies from build-to to 15 feet, the approving site plan authority shall consider the following flexible criteria in determining the setback within the prescribed range:
1. Sufficient width of sidewalk for pedestrian movement.
 2. Preservation of existing tree canopy.
 3. Planting of street trees or enhancement of existing tree canopy.
 4. Space for outdoor dining.
 5. Space for certain required or optional design elements such as miniplazas, courtyards, etc.
- q. *Design and materials strongly encouraged.* The following design features and materials are strongly encouraged:
1. All features listed under design features for new buildings.
 2. Masonry and stone.
 3. Operable shutters.
 4. Bay windows, including storefront bay windows.
 5. Double-hung and other operable window types at upper levels.
 6. Upper level windows with a vertical emphasis, preferably with a 0.618 to 1 ratio of width to height, or similar.
- r. *Prohibited design and materials.* The following design features and materials are prohibited:
1. EIS (external insulation system) cladding below the third floor.
 2. Fixed shutters.
 3. Internally illuminated awnings.
 4. Reflective glass.
 5. Tinted glass at the first and second floor with less than 70 percent light transmission
 6. Blank rear walls on buildings above the first floor located on properties adjoining the special character district.
- s. *Driveway cuts.* Cuts for individual parcels are prohibited; provisions for shared driveway access are required on a block-by-block basis.
- t. *Specific limitations:*
- 581 *Eating and drinking places.* No drive-in or drive-thru facilities are permitted within this district except on those sites having frontage on Tennessee Street. The Land Use Administrator may require up to a twenty-foot yard setback to accommodate outdoor eating area in front yard.

601, 602, 603, 606, 608, 609 *Depository institutions*. Drive-thru windows are permitted as an accessory to a facility located on the same site. Drive-thru windows are not allowed as a principal use.

721 *Laundry, cleaning, and garment services*. Does not include dry cleaning plant operations. Pick-up stations only.

726 *Funeral services and crematoriums*. This use requires one hundred (100) per cent opacity surrounding perimeter with exception of access point.

(2) *Heigh*. Heights are permissible up to (60) feet, 100 feet, or 115 feet in this district on those properties adjacent to a special character district as indicated on the height overlay map DT-2. Other properties in this district shall be subject to heights of 60 feet, 100 feet, or 150 feet as indicated on the Height Overlay Map DT-2. A minimum building height of 35 feet is established for properties in the following geographic area: lying east of M.L. King, Jr. Boulevard, south of W. Tennessee Street, west of Meridian Street and north of College Avenue. The City Commission shall have authority to grant modifications by resolution to the 60-foot standard up to the maximum height as indicated in the Downtown Plan upon a demonstration of consistency with the Downtown Plan and Comprehensive Plan.

(3) *Setback and coverage*. Some properties in this district are subject to forty (40) percent coverage controls. The setback and coverage controls for this district are shown on setback and coverage overlay map DT-3.

(4) *Floor area ratio (FAR)*. The maximum FAR in this zoning district is 3.0 (see Floor Area Ratio Overlay Map DT-1) which is located along both sides of Monroe Street, between Tennessee and Virginia Streets, the east side of Adams Street between Tennessee and Virginia Streets and the west side of Calhoun Street north of Tennessee Street. The remainder of the area has a 1.0 or 2.0 FAR with the exception of that area bounded by Tennessee Street on the north, Meridian Street on the east, College Avenue on the south, and M.L. King, Jr. Boulevard on the west, which is not subject to a FAR.

(5) *Corridor design standard*.

a. *Purpose and intent*. Design corridors in the downtown are established in order to enable pedestrians to move within the downtown with greater safety and comfort and to promote their access to goods and services within the downtown. Comfort and safety are promoted by ensuring that future development allows for the adequate provision of sidewalks, seating, lighting, covered walkways, and climate-moderating landscaping. Pedestrians are oriented to their surroundings and have convenient access to goods and services by protecting the scale and character of downtown. The scale and

character are defined by the buildings and greenspace, and their relationship to each other.

- b. *Basis for determination of design corridors.* The design features to be retained were visually evaluated from a pedestrian's perception, since the Downtown Plan's focus is on the creation of a pedestrian-friendly downtown community.
- c. *Street corridors with special scale and character.* Certain downtown street corridors are characterized by special scale and character, worthy of regulatory and design review protection. These corridors are of community benefit and help establish a sense of place and feeling of identity common to downtown. The design standards in this subsection are established to preserve, protect and enhance these assets.
- d. *Designated corridors.* The Corridor Design Standards for the RO zoning district includes portions of the following street segments:

- 1. *Adams Street--College Avenue to Carolina Street:*

- i. *Physical characteristics:* Adams Street from College Avenue north to Park Avenue is characterized by pedestrian scale buildings which are built to the property line. Landscaping and seating are provided within the right-of-way.

The portion of Adams Street from Park Avenue north to Carolina Street is characterized by the large spreading tree canopy and green right-of-way. The canopy is incomplete along some portions of this corridor at the current time. In areas where no canopy exist, future private and public sector building and landscape plans should accommodate the expansion of the tree canopy along these portions of Adams Street.

- ii. *Design standards:* Development within the block between Park and College Avenues should be constructed at the edge of the sidewalk immediately adjacent to the property line and designed for visual and physical ground level retail pedestrian access. Development in the block from Park Avenue to Carolina Street should be setback from the right-of-way to preserve the tree canopy, maintain the green right-of-way, and allow for the future provision of wider sidewalks.

- 2. *College Avenue--Monroe Street to Copeland Street:*

- i. *Physical characteristics.* The north side of College Avenue from Monroe Street to Adams Street is characterized by buildings constructed at the edge of the right-of-way for pedestrian retail access.

College Avenue from Adams Street to Duval Street is characterized by a generous setback, which provides a view of the Hospitality Building Clock Tower in the foreground, and opens to the vista to Florida State University, which is comfortable walking distance of downtown.

College Avenue from Duval Street to Copeland Street is characterized by the vista of Florida State University's Westcott Building and by generous setbacks and landscaping in the right-of-way.

- ii. *Design standards.* The north section of College Avenue from Adams Street to Duval Street shall be retained with a setback which will protect the location orienting view west toward the Florida Hotel Motel Association's Clock Tower.

The remaining portions on the south and north sides of College Avenue from Duval Street to Copeland Street shall retain a setback to protect the green space right-of-way and tree canopy and to preserve the westerly gateway entrance of the Westcott Building.

3. *Monroe Street--College Avenue to Tennessee Street:*

- i. *Physical characteristics.* The section of Monroe Street from Tennessee Street to College Avenue is characterized by wide sidewalks and rights-of-way that give the corridor a feel of a boulevard. The impact of the relatively tall, shear buildings is mitigated by the relative width of Monroe Street. Some landscaping has begun to mature and provide some sense of canopy which provides a further sense of pedestrian scale and comfort.

- ii. *Design standards.* Development along Monroe Street from Tennessee to College Avenue should be constructed at the edge of the sidewalk immediately adjacent to the property line and be designed for visual and physical ground level retail pedestrian access.

- e. *Photographic record.* The Corridor Design Standards photographic record was taken between the dates of May 6--June 4, 1993, and are on file at the Tallahassee-Leon County Planning Department and Leon County Library. Upon acknowledgment through a resolution by the City Commission, the Corridor Design Standards slides shall be updated no less than every two (2) years. This record is established to demonstrate

existing desired and undesired conditions and shall serve as a performance standard for design review.