

Ordinance No. 21-O-__

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA; AMENDING CHAPTERS 1 AND 10 OF THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 1-2 of the Tallahassee Land Development Code is hereby amended to read as follows:

Frontage, principal. The term "principal frontage" means the ~~private~~ frontage that is defined by the front yard and that is designated based on the measure of minimum lot width. Principal frontage generally shall not be a frontage which consists wholly of an entrance drive or is significantly smaller, by 20 percent or more, in linear feet, than that of another street frontage for the same parcel.

Frontage, secondary. The term "secondary frontage" means the ~~private~~ frontage that is defined by the corner yard is not the principal frontage. As it affects the public realm, its first layer is regulated. For properties in the MMTD, See see section 10-285, table 12.

~~*Public Art.* The term "public art" means all original works of the visual arts which meet the following criteria: 1.) Shall be permanent; 2.) Shall be publicly accessible; 3.) Shall be visible from publicly accessible space; 4.) Shall result in a physical art asset; 5.) Shall be created in a lasting media with the intention of being staged in publicly accessible space; 6.) Shall be valued at not less than one-half (1/2) of one (1) percent of the capital cost of the structure at which the art is installed; 7.) The valuation shall include the physical art asset plus physical enhancements made to the immediate area for the principal purpose of display, security, and/or viewing the art; 8.) Shall be part of a cohesive design integrated with the site and/or building instead of a stand-alone disparate feature; 9.) Shall be maintained by the property owner or owners of the subject development; and 10.) May be either static or interactive.~~

Public Notice (1,000 feet). In relation to providing public notice for applications for comprehensive plan amendments, zoning amendments, site plans, subdivisions, variances, deviations, or right-of-way abandonments, the 1,000 foot public notice area is measured from the perimeter of the parcel at which the proposed project is located.

~~*Publicly Accessible Space.* For principal and secondary frontages, the term "publicly accessible space" means the area between the back of the curb and the face of the building. For all other frontages on public roads, the term "publicly accessible space" is at least the first 12 feet from the back of the curb.~~

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45 Rear Property Line. The term “rear property line” means the property line opposite the front
46 property line, or principal frontage. For irregularly shaped lots which are not rectangular, the
47 rear property line shall be determined by the Land Use Administrator and shall be that boundary
48 that forms the rear yard in relation to the proposed building. For properties in the MMTD, see
49 section 10-285, table 12.

51 Setback, building. The term "building setback" means the extreme overall dimensions of a
52 building as staked on the ground, including all areas covered by any vertical projections to the
53 ground or overhang of walls, roof, or any other part of a structure, whichever is nearest to the
54 property line, will be considered as building; provided, however, that the roof overhang not
55 exceeding two feet shall not be included in the determination of the building line. Where
56 explicitly permitted certain structural elements may encroach upon the setback. Canopies over
57 gas station pumps in the MMTD shall not count towards meeting maximum front or corner yard
58 setback requirements.

60 ~~Section 2. Section 10-161.1 of the Tallahassee Land Development Code is hereby created~~
61 ~~to read as follows:~~

63 ~~Sec. 10-161.1. — Compensating Enhancements.~~

65 ~~The Neighborhood Compatibility Ordinance (No. 21-O-15), is codified at Sec. 7-72, Sec. 10-~~
66 ~~177(g), Sec. 10-411(b), Sec. 10-412(6), Sec. 10-427(e)(3), and Sec. 10-429. The Neighborhood~~
67 ~~Compatibility Ordinance will control in the event of any conflict with the standards listed below.~~

69 ~~(a) Publicly Accessible Space (Outside MMTD)~~

71 ~~(1) Setback — For changes to the front yard setback up to a maximum of 6 feet, a 6-foot~~
72 ~~planting strip shall be provided at that portion of the lot which is closest to the street,~~
73 ~~provided all other development standards are met. Street trees shall be at least 3-inch~~
74 ~~caliper at planting and shall be planted consistent with the planting standards in the tree~~
75 ~~matrix maintained by the Planning Department’s Urban Forester across the entire front~~
76 ~~yard.~~

78 ~~(b) Publicly Accessible Space (Inside MMTD)~~

80 ~~(1) Setback — For each 1-foot increase of the front yard setback up to a maximum of 5 feet,~~
81 ~~provide 1 of the compensating enhancements identified at Section 10-161.1(b)(5)(a).~~

83 ~~(2) Sidewalk width — For each one foot decrease of the sidewalk width up to a maximum of~~
84 ~~two feet, provide an equal increase to the width of the planter strip plus one of the~~
85 ~~compensating enhancements identified at Section 10-161.1(b)(5). The tree species~~
86 ~~should be chosen so that the tree canopy at maturity is at least equal to the width of the~~
87 ~~planting strip.~~

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- 89 ~~(3) Street trees — If the Land Use Administrator concurs that street trees cannot be planted~~
90 ~~between the back of curb and the sidewalk, provide three of the compensating~~
91 ~~enhancements identified at Section 10-161.1(b)(5).~~
92
- 93 ~~(4) Transparency — For each 10% reduction in the transparency requirement up to a~~
94 ~~maximum reduction of 30%, provide 1 of the compensating enhancements identified at~~
95 ~~Section 10-161.1(b)(5)a.1 to 5, or Section 10-161.1(b)(5)b.1.~~
96
- 97 ~~(5) Compensating enhancement — Each allowable change identified in Sec. 10-161.1(b)(1)~~
98 ~~through (b)(4) requires compensating enhancements as listed below. If any compensating~~
99 ~~enhancement is being used to satisfy any other development standard from the City's~~
100 ~~Land Development Code, it cannot be double counted for the purposes of this section.~~
101
- 102 ~~a. Site and Architecture~~
- 103
- 104 ~~1. Provide publicly accessible space equal to at least 500 square feet with a~~
105 ~~minimum depth of 6 feet such as landscaped outdoor seating, courtyards, or~~
106 ~~gardens accessible to the public.~~
107
- 108 ~~2. Provide raised planters with a minimum size of 4 cubic feet, spaced a minimum of~~
109 ~~every 20 feet along the building frontage.~~
110
- 111 ~~3. Provide façade articulation so that no street facing façade shall exceed 35 feet in~~
112 ~~length without at least a minimum 2 foot change in the depth of the wall plane.~~
113
- 114 ~~4. Utilize at least 3 materials and 2 colors in the front façade, with each material~~
115 ~~covering at least 30% of the façade.~~
116
- 117 ~~5. Create entrances with functional porches with a minimum depth of six feet.~~
118
- 119 ~~6. Provide a minimum height step back of 10 feet for each floor above two stories;~~
120
- 121 ~~7. Roofs and parapets that exceed 50 feet in length along a frontage shall include a~~
122 ~~minimum two foot change in horizontal variation at least every 25 feet.~~
123
- 124 ~~8. Provide at least two functional balconies or terraces with a minimum depth of five~~
125 ~~feet and a minimum width of five feet accessible through operable full-height~~
126 ~~doors for each 50 feet of building frontage.~~
127
- 128 ~~9. Create sidewalk coverings, (awnings, canopies, arcades, colonnades, or~~
129 ~~verandahs) for at least 75% of building frontage.~~
130
- 131 ~~10. Highlight building corners visible from a frontage with architectural treatments,~~
132 ~~color, material, recesses, projections, or active ground floor uses.~~

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~~11. Provide an additional two to three foot wide landscape strip with tall native grasses and/or groundcover. Within a visibility triangle for public right of ways, the maximum height is three feet.~~

~~b. Public Art~~

~~1. Wall mounted — Wall mounted public art shall meet the following criteria: 1.) Shall be either a mural, mosaic, bas relief, or stained glass; 2.) Shall not include commercial advertisements; 3.) Shall be located on the façade for which the transparency reduction is requested; and 4.) Shall be equal to at least 50% of the area of the transparency reduction.~~

~~2. Stand alone — Stand alone public art shall meet the following criteria: 1.) Shall be either a sculpture, statue, or fountain; 2.) Shall not include commercial advertisements; and 3.) Shall be located in publicly accessible space.~~

Section 2. Section 10-161.1 of the Tallahassee Land Development Code is hereby created to read as follows:

Sec. 10-161.1 – Tree Preservation Incentives

(a) Transfer of Development Rights (TDR) and Urban Trees. Intensity (square feet) may be transferred from one site to another to encourage the preservation of urban trees, subject to the following:

(1) Other Tree Preservation Standards. All other tree preservation and planting standards must be met. The TDR provisions for urban trees in this section are in addition to, not in lieu of, other tree standards.

(2) Calculation of Transfer of Development Rights. A tree qualifies for TDR if the criteria listed below are met.

- a. The tree’s trunk is fully within the property boundaries.
- b. The tree’s critical protection zone is preserved as defined herein.
- c. Any portion of the tree’s critical protection zone is either located in a parcel’s buildable footprint (as defined by setbacks) or is fully incorporated into and preserved by the design of the parking lot. Such trees may also be counted towards the site’s calculation of tree credits pursuant to Chapter 5, TLDC.
- d. If a site has multiple trees with overlapping critical protection zones that are eligible for TDRs, the overlapping portion of the critical protection zone can only be counted once.
- e. The TDR intensity is calculated by multiplying the area of the eligible critical protection zone(s) by the maximum allowable height of the parcel’s zoning district.

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- 177 The critical protection zone is defined by the area of the conservation easement
178 identified by Sec. 10-161.1(a)(8)c.1.
179
- 180 (3) Permissible Land Uses with Transfer of Development Rights. TDRs are issued based on
181 the allowable uses within each sending site’s zoning district. They may only be used at
182 the receiving site for uses of equal or lessor intensity, as defined by the sending site’s
183 zoning district.
184
- 185 (4) Sending site. Intensity may be transferred from a site where a dogwood tree of 4 inches
186 DBH or greater, or a hardwood tree or long leaf pine tree of 12 inches DBH or greater, or
187 any other non-invasive tree of 18 inches DBH or greater are preserved. The maximum
188 amount of intensity that can be transferred may not exceed the total amount of unused
189 intensity on the site. This transfer provision does not apply to dead, dying, dangerous, or
190 nuisance trees. To qualify for this transfer, a report is required from the City Forester or a
191 certified arborist documenting that the trees to be preserved are not nuisance trees and are
192 not dead, dying, or dangerous. A sending site may be either a previously developed site
193 or a site proposed for new development. The criteria in Sec. 10-161.1(a)(2) apply to all
194 sites. Furthermore, any tree preserved to fulfill a development standard is not eligible for
195 TDR. If the public record does not expressly document otherwise, the presumption is
196 that preservation of trees at currently developed sites occurred to fullfill development
197 standards.
198
- 199 (5) Receiving site. The transfer must be to a receiving site zoned AC, C-1, C-2, CM, CC, CP,
200 CU-26, CU-45, I, IC, M-1, UP-1, UP-2, UT, or UV. However, such sites located
201 adjacent to or across the street from Protected Residential properties are not eligible to
202 serve as a receiving site. The term “Protected Residential” means any property
203 developed with a single family residence, duplex, or triplex to a density of less than or
204 equal to 8 units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-
205 MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA.
206
- 207 (6) Maximum increase in Intensity. An increase in intensity on the receiving site is limited to
208 the equivalent of the building’s developable footprint of the site, the size of which would
209 be determined by the development standards for the receiving site. That additional
210 square footage may be either built up vertically or out horizontally, subject to the
211 receiving site’s development standards and subject to the Comprehensive Plan’s intensity
212 limitations.
213
- 214 (7) Future Rezoning. A sending site will continue to be constrained by the sale of TDRs in
215 the event it is rezoned in the future.
216
- 217 (8) Responsibilities of the Owner of the Sending Site. As a condition of earning transfer of
218 development rights for intensity that is not utilized due to the preservation of trees, the
219 property owner of the sending site must do the following:
220

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- 221 a. Provide an arborist’s written opinion that the tree is healthy and will be viable; and
222 b. Provide an arborist’s management plan for the long-term health of the tree which
223 shall be recorded with the conservation easement. Failure to adhere to the arborist’s
224 management plan shall be a violation of this Code; and
225 c. Record a permanent conservation easement with the deed of the sending site which
226 does the following:
227
228 1. Includes either: i.) An area containing the critical protection zone of the protected
229 tree as it existed at the time of development; or ii.) An area containing up to 120%
230 of the critical protection zone of the protected tree if determined by the City’s
231 Urban Forester to be necessary to ensure the long-term viability and health of the
232 tree;
233 2. Lists the City of Tallahassee as the grantee. A subsequent release of such
234 conservation easement requires the approval of the Environmental Management
235 Board;
236 3. Identifies the reduction of intensity, based on the area of the tree’s critical
237 protection zone and the maximum permissible height for the property’s zoning
238 district;
239 4. Prohibits new impervious surface within the critical protection zone of the tree,
240 except for incidental, minor pervious surfaces designed for public use per the
241 direction of an arborist to protect the long term health of the tree; and
242 5. Requires replacement of the preserved tree (if it dies or must be removed) with
243 the same species or suitable substitute that has the potential to achieve mature
244 canopy coverage equivalent to the previously preserved tree. The minimum
245 planting size of replacement trees is a 4 inch caliper.
246
247 (9) Responsibilities of Owner of the Receiving Site. The owner of the receiving site shall
248 provide a notarized original of the Urban Tree TDR Form with their application for a site
249 plan review. The Urban Tree TDR Form provides for the formal transfer of development
250 rights from the sending site to the receiving site. It must be signed and notarized by both
251 the owners of the sending and the receiving sites. It must also be recorded with the deed
252 of the property for the receiving site to document the increase of intensity through
253 transfer of development rights.
254
255 (b) Parking Ratios. Outside of the Multi-Modal Transportation District, the required number of
256 parking spaces may be reduced by up to 25% in return for the preservation of a dogwood tree
257 of 4 inches DBH or greater, or a hardwood tree or long leaf pine tree of 12 inches DBH or
258 greater, or any other non-invasive tree of 18 inches DBH or greater, provided the tree’s trunk
259 is fully within the property boundaries. Trees preserved pursuant to this option shall also
260 meet the standards at Sec. 10-161.2(a)(5), TLDC. Reduction of parking spaces shall be equal
261 to an equivalent area of preserved critical protection zones, up to 25%.
262
263 (c) Building Height. ~~Two additional stories may be allowed for preserved trees.~~ This section
264 does not apply to that area highlighted by Figure 1. The intent of this section is to allow for

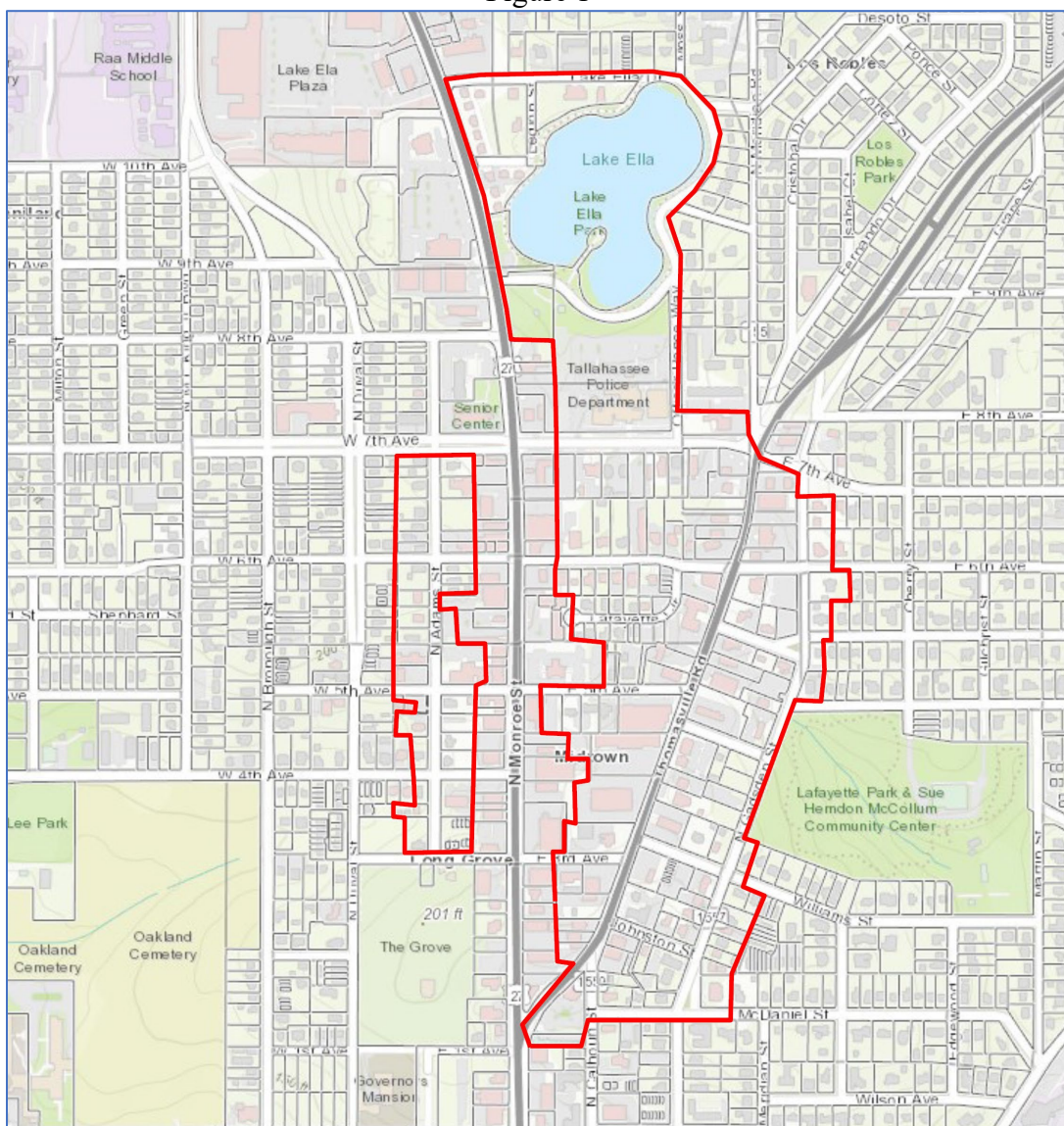
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265 potential increases to density or intensity to encourage tree preservation. The number of
266 allowable additional stories, up to a maximum of two, shall be calculated by multiplying
267 using either of two options. Option 1 allows 1 additional story for each preserved non-
268 invasive tree with a minimum 36-inch DBH that is located within the buildable envelope of a
269 site (after all development standards are met). Option 2 multiplies the square footage of the
270 critical protection zone of trees that will be preserved by the maximum building height
271 allowed by the zoning district. Eligible trees for Option 2 include dogwood trees of 4 inches
272 DBH or greater, or hardwood trees or long leaf pine trees of 12 inches DBH or greater, or
273 any other non-invasive tree of 18 inches DBH or greater, provided the tree's trunk is fully
274 within the property boundaries. A tree is eligible if any portion of its critical protection zone
275 is located in a parcel's buildable footprint (as defined by setbacks). Such trees shall be
276 located within the buildable area of the site that remains after all development standards are
277 met. If the resulting eligible square footage divided by the proposed building footprint is
278 greater than or equal to 0.5 but less than 1.5, then 1 additional floor is allowed. If that ratio is
279 greater than 1.5, then two additional floors are allowed. Trees preserved through options 1 or
280 2 must also meet all conditions listed at Sec. 10-161.2(a)(5), TLDC.

281
282 Figure 2 provides an example of how this option 2 would be implemented. The area within
283 the red dashed line is the buildable portion of the lot that remains after all development
284 standards are met. The proposed building footprint in Figure 2 totals 25,000 square feet.
285 Because tree numbers 1, 2, and 3 are within that buildable area, they count as eligible square
286 footage if they are protected. Tree number 4 would be removed, and tree numbers 5, 6, and 7
287 are outside the buildable area. The combined critical protection zones of tree numbers 1, 2,
288 and 3 is 5,000 square feet. The zoning at this site allows 4 stories. Therefore, the critical
289 protection zone area multiplied by the allowable height results in 20,000 eligible square feet.
290 Finally, 20,000 eligible square feet divided by 25,000 square feet from the building footprint
291 equals 0.8, so one additional floor would be allowed.
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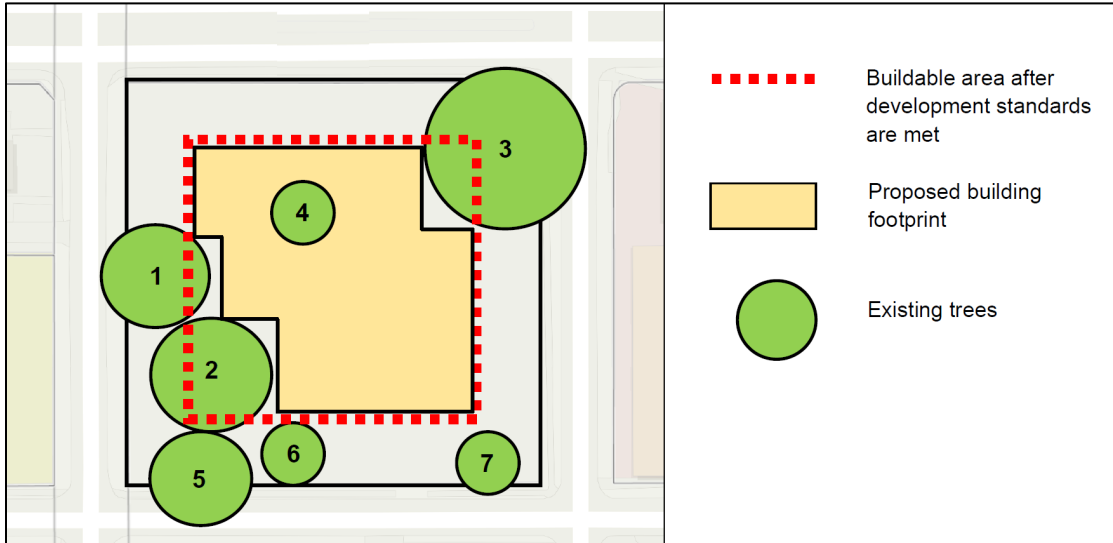
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Figure 1



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Figure 2



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Section 3. Section 10-161.2 of the Tallahassee Land Development Code is hereby created to read as follows:

Sec. 10-161.2. – Modified Development Standards for Special Circumstances.

The figures provided in this section are intended to serve as illustrative examples. In the event of a conflict between a figure and the text, the text controls.

(a) Modified Standards to Encourage Tree Preservation

(1) Sidewalks

The intent of this section is to prioritize the preservation of existing trees over sidewalk width. For the purposes of this section, a protected tree is a dogwood tree of 4 inches DBH or greater, or a hardwood tree or long leaf pine tree of 12 inches DBH or greater, or any other non-invasive tree of 18 inches DBH or greater.

a. Existing sidewalk with protected trees on less than 50% of frontage – If the width of the critical protection zone of all protected trees along a frontage is less than 50% of the linear distance of that frontage, then the existing sidewalk width fulfills the sidewalk requirement within the critical protection zone of the protected trees (see Figure 3, scenario A). However, if the City Engineer determines that the existing sidewalk within the critical protection zone is unsafe or damaged, it shall be replaced with a flexible, permeable surface (such as flexi-pave). The sidewalk width outside of the critical protection zones must meet the Zoning Code’s width standard.

b. Existing sidewalk with protected trees on more than 50% of frontage – If the combined width of the critical protection zone of all protected trees along a frontage

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323 is equal to or greater than 50% of the linear distance of that frontage, then the existing
324 sidewalk width fulfills the sidewalk requirement for the entire frontage (see Figure 3,
325 scenario B). However, if the City Engineer determines that the existing sidewalk
326 within the critical protection zone is unsafe or damaged, it shall be replaced with a
327 flexible, permeable surface (such as flexi-pave).

329 c. Sites with no existing sidewalks but with trees in the intended sidewalk path – If the
330 site of a proposed project currently has no sidewalks but does have a protected tree in
331 the intended sidewalk path, then a 5-foot wide off on grade sidewalk within the
332 critical protection zone of preserved trees is required, or the sidewalk shall be
333 detoured around the protected critical protection zone (see Figure 3, scenario C).

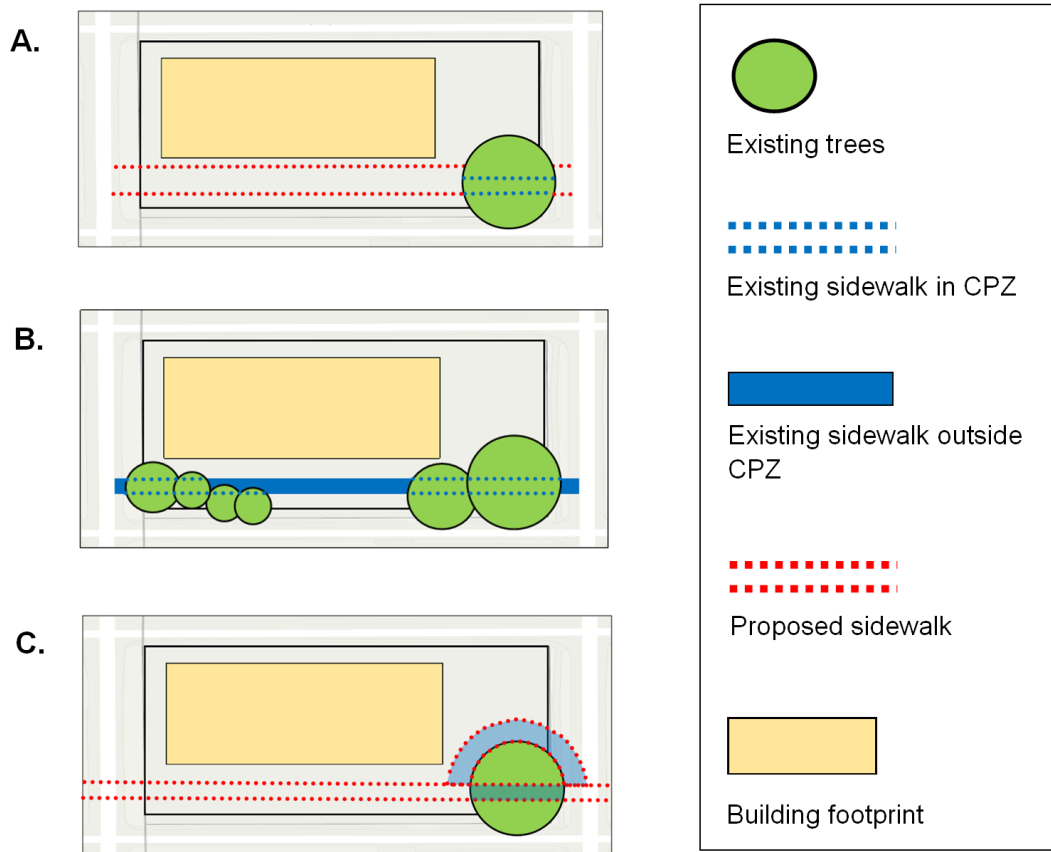
335 d. Existing sidewalks with adjacent trees – If a site currently has existing sidewalks with
336 an adjacent dogwood tree of 4 inches DBH or greater, or a hardwood tree or long leaf
337 pine tree of 12 inches DBH or greater, or any other non-invasive tree of 18 inches
338 DBH or greater, then that existing sidewalk satisfies the project’s sidewalk
339 requirement. The preservation of existing trees is prioritized over the widening of the
340 sidewalk. However, if the width of the critical protection zone of all protected trees
341 along a frontage is less than 50% of the linear distance of that frontage, then the
342 existing sidewalk width only fulfills the sidewalk requirement within the critical
343 protection zone of the protected trees (see Figure 3, scenario A). Furthermore, if the
344 combined width of the critical protection zone is greater than or equal to 50%, then
345 the existing sidewalk width fulfills the sidewalk requirement for the entire frontage
346 (see Figure 3, scenario B).

348 e. ~~Sites with no existing sidewalks but with trees in the intended sidewalk path – If the~~
349 ~~site of a proposed project currently has no sidewalks but does have a dogwood tree of~~
350 ~~4 inches DBH or greater, or a hardwood tree or long leaf pine tree of 12 inches DBH~~
351 ~~or greater, or any other non-invasive tree of 18 inches DBH or greater, then a 5-foot~~
352 ~~wide on grade sidewalk within the critical protection zone of preserved trees is~~
353 ~~required, or the sidewalk shall be detoured around the protected critical protection~~
354 ~~zone (see Figure 3, scenario C).~~

356 In order to utilize this option, all of the conditions listed at Sec. 10-161.2(a)(5), TLDC must
357 be met.

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Figure 3



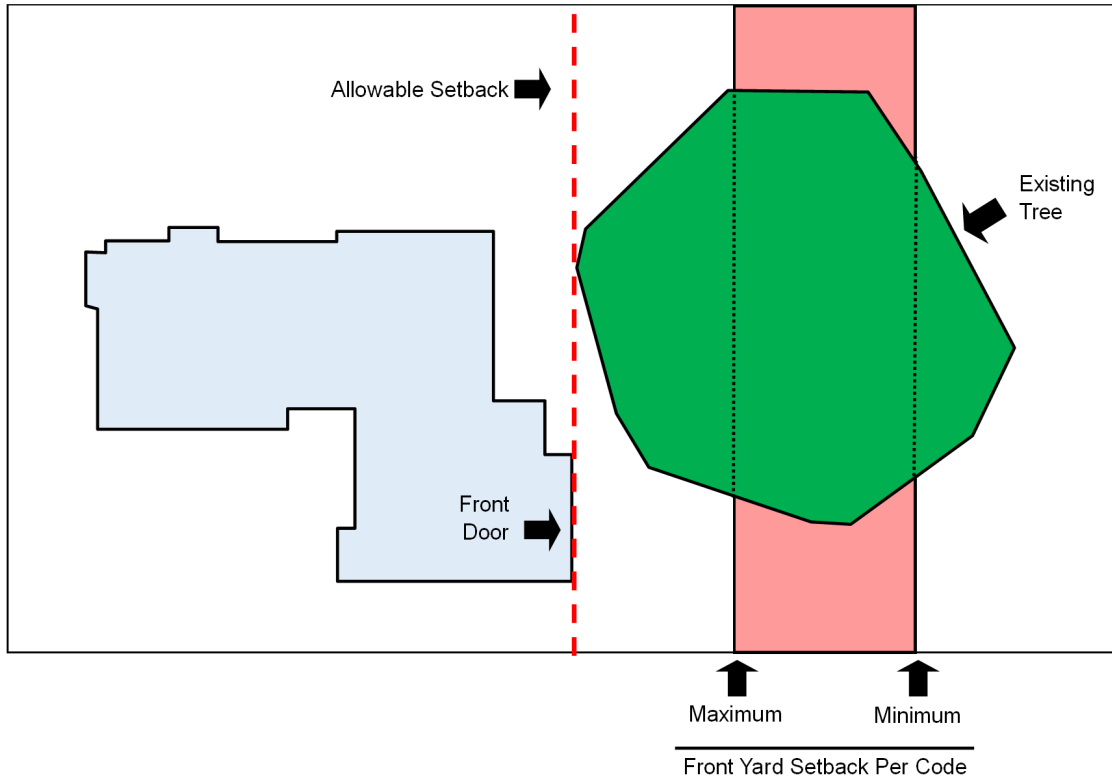
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(2) Setbacks

A setback may be increased or reduced to the degree necessary to avoid a tree’s critical protection zone. Eligible trees include dogwood trees of 4 inches DBH or greater, or hardwood trees or long leaf pine trees of 12 inches DBH or greater, or any other non-invasive tree of 18 inches DBH or greater. Such trees shall be located within the buildable envelope of a site (after all development standards are met). In order to utilize an adjusted setback, all of the conditions listed at Sec. 10-161.2(a)(5), TLDC must be met. The property in the example below has a minimum and maximum allowable setback. If the building had been sited within that range, the tree’s critical protection zone would have been adversely impacted, and the tree would have been removed. In this case, the building was located with a larger front yard setback, thereby saving the tree.

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Figure 4



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(3) Monument Signs

If a lot is narrow and a two-sided monument sign cannot be located more than 30 feet from the trunk of a non-invasive street tree with a diameter at breast height of at least 18 inches, then the two-sided monument sign may be developed as two externally illuminated one-sided signs located on either side of the tree. In order to utilize this option, all of the conditions listed at Sec. 10-161.2(a)(5), TLDC must be met. In the example below from Mid-Town, a mature street tree would block the view of one side of a two-sided monument sign. By allowing two 1-sided monument signs (see red dashed circles), the property owner is allowed signage comparable to their neighbors in a manner that preserves the tree.

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Figure 5



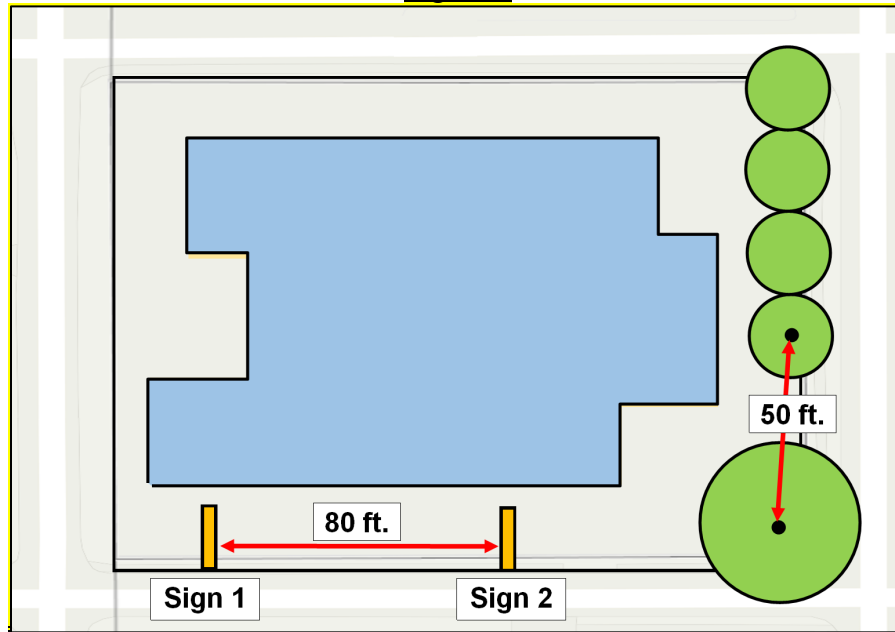
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(4) Multiple Frontages

If a parcel has two frontages, and if a monument sign on one of the frontages cannot be located more than 30 feet from the trunk of a non-invasive street tree with a diameter at breast height of at least 18 inches, then the monument sign may be moved to the second frontage. In order to utilize this option, all of the conditions listed at Sec. 10-161.2(a)(5), TLDC must be met. Also, the two monument signs on the single frontage must be separated by at least 50 feet. Figure 6 illustrates this provision.

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Figure 6



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(5) Conditions for Tree Preservation

The following conditions apply to Sec. 10-161.2(a)(1) through (a)(4):

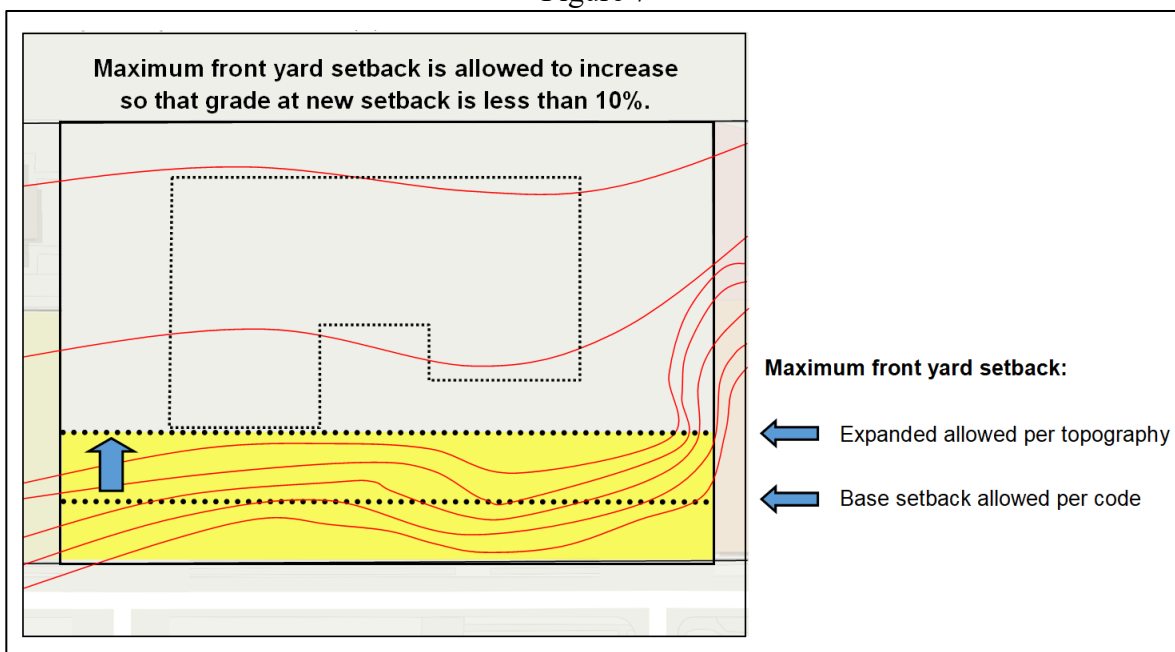
- a. Such trees will be preserved so that no new impervious surface is created within the critical protection zone of the tree, except for incidental, minor pervious surfaces designed for public use per the direction of an arborist to protect the long term health of the tree; and
- b. An area containing the critical protection zone as it existed at the time of development is placed in a permanent conservation easement with the City of Tallahassee as the grantee. A subsequent release of such conservation easement requires the approval of the Environmental Management Board; and
- c. If the tree dies or must be removed, it must be replaced with a 4-inch caliper specimen of the same species or suitable substitute that has the potential to achieve mature canopy coverage equivalent to the previously preserved tree; and
- d. An arborist determines that the tree is healthy and will be viable with the proposed development. The arborist shall also create a management plan for the long-term health of the tree which shall be recorded with the conservation easement. Failure to adhere to the arborist's management plan shall be a violation of this Code; and
- e. The parcel is not adjacent or across the street from Protected Residential. The term "Protected Residential" means any property developed with a single family residence, duplex, or triplex to a density of less than or equal to 8 units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA.

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420 (b) Setbacks - Topography
421 Sec. 5-87, TLDC, defines “significant grade” as a 10% to 20% slope. If the natural grade at
422 any setback is greater than or equal to 10%, the setback may shift to a point on the property
423 further away from the front, side corner, or side property lines at which the natural grade is
424 less than 10%, provided all other development standards are met. See Figure 7.
425

426 (c) Setbacks – Stormwater Management Facility
427 If the siting of a stormwater management facility or a flood plain management feature at the
428 front of a parcel causes a setback to not be met, then that setback may be changed to
429 accommodate the stormwater facility or flood plain management feature. If fencing is
430 required, it may not be chain link. If fencing is not required, then some form of hardscape
431 improvement must be provided, such as a paved walking path, seating, or gazebo.
432 Landscaping of the stormwater facility is required at a planting density of 2.4 canopy trees
433 per 100 feet, .8 understory trees per 100 feet, and 8 shrubs per 100 feet. The property in the
434 example below has an elevation change of 26 feet from north to south. The maximum front
435 yard setback per the Zoning Code is 20 feet. However, the actual front yard setback was 80
436 feet due to the need to place the stormwater facility at the front of the site.
437

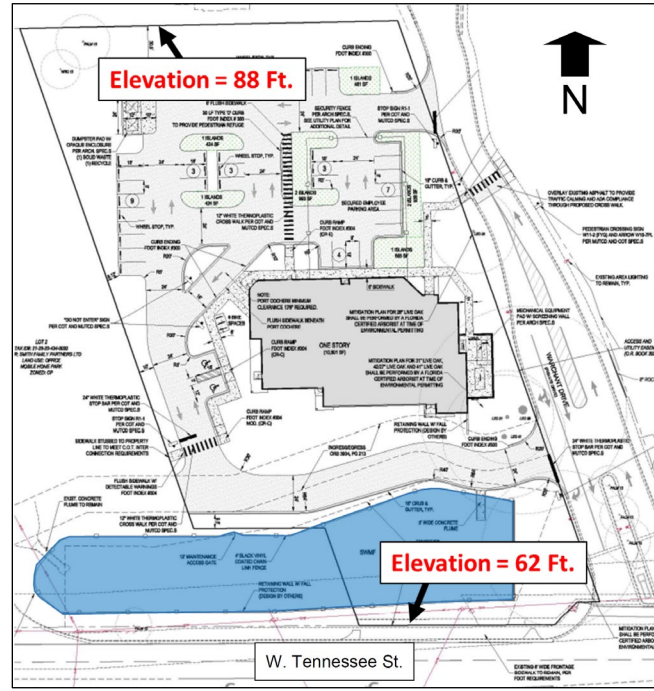
Figure 7



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CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

Figure 8



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(d) **Setbacks – Infill**

Front yard setbacks for infill residential lots shall be within a range established by the front yard setbacks at adjacent lots. (For corner lots, one of the adjacent lots would be across the street.) The applicant’s site plan shall show the location of both the proposed structure and the adjacent structures, as confirmed by field inspection, aerial photography, historic building permit records, or similar resources. This principle is illustrated in Figure 9.

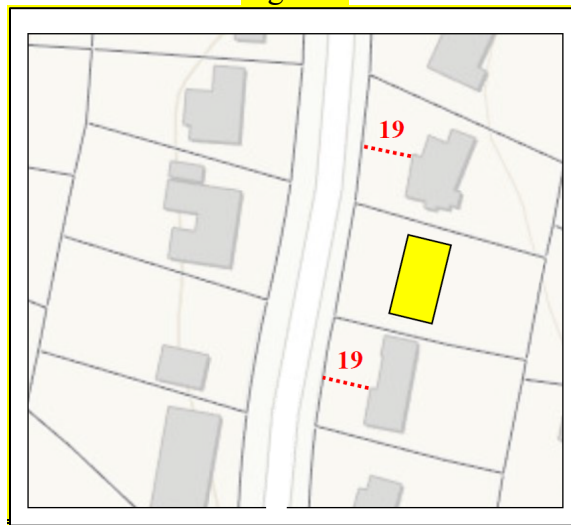
Figure 9



CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

447 ~~If a lot is vacant and if the actual setback at the two adjacent lots on each side are non-~~
448 ~~conforming, then the corresponding setback at the vacant lot may vary by up to 20% of the~~
449 ~~standard. The new setback may not be less than the setbacks at the two adjacent lots. The~~
450 ~~determination of whether the adjacent setbacks are nonconforming shall be based on field~~
451 ~~inspection, aerial photography, historic building permit records, or similar resources. The~~
452 ~~final determination of whether an existing setback is non-conforming shall be made by the~~
453 ~~Land Use Administrator. This principle is illustrated in Figure 8. The example~~
454 ~~neighborhood in Figure 8 is zoned RP-1 and has a front setback of 25 feet. However, the~~
455 ~~adjacent front setbacks are 19 feet. The non-conformity is greater than 20% of the standard.~~
456 ~~The new house would be allowed a front yard setback of 20 feet (20% of the RP-1 standard),~~
457 ~~thereby maintaining the existing development pattern.~~
458

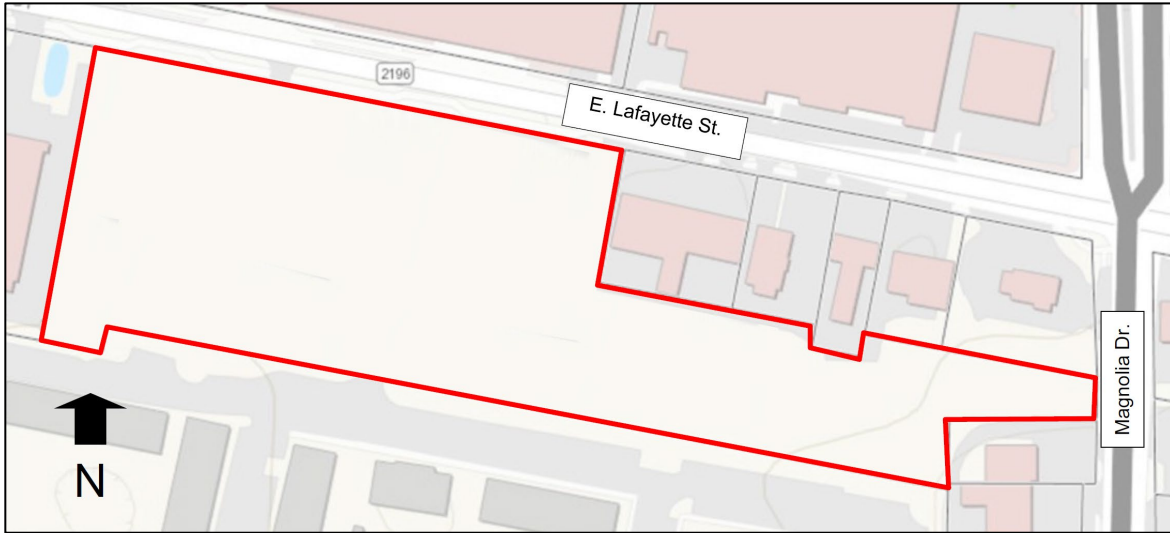
Figure 8



459
460 (e) Setbacks – Unusual Shape
461 This section shall not apply to zoning districts that allow a maximum gross density of eight
462 dwelling units per acre or less. If one or more setbacks cannot be met due to a parcel's
463 unusual shape, then an alternate setback may be used to accommodate a pattern of
464 development comparable to other parcels in the same zoning district. The Land Use
465 Administrator shall determine whether a parcel has an unusual shape, as determined by the
466 ratio of its width to its depth, by the number of sides, by whether it is rectangular or non-
467 rectangular, and similar factors. This principle is illustrated in Figure 10. In the example
468 below, the parcel has an extremely narrow frontage on Magnolia Drive, and the setbacks on
469 that frontage cannot be met. The far eastern portion of the parcel is too narrow to develop.
470

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Figure 10

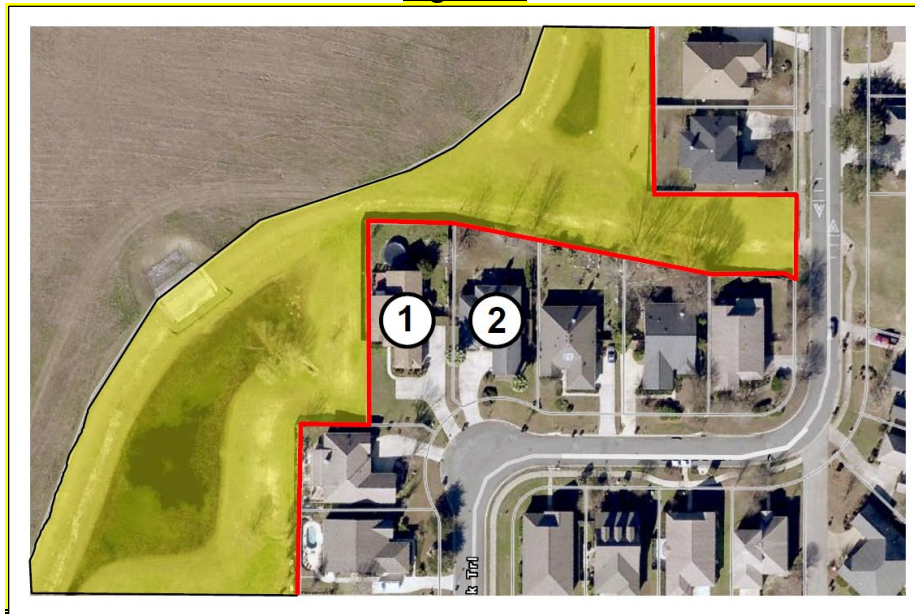


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~~(f) Setbacks — Easement or Site Feature~~

~~If a parcel is adjacent to an easement that results in open space and the grantee of the easement is either the City of Tallahassee or the homeowner's association or if a parcel is adjacent to a site feature that is required by a development standard, then the side or rear yard setback may be reduced by up to 20% of the adopted setback. In the example below, the neighborhood is adjacent to a large drainage easement (yellow highlight) with the homeowner's association listed as the grantee. The red line indicates those yards that are eligible for a 20% setback encroachment. For example, lot #1 could encroach 20% into the west side yard and the rear yard, but lot #2 could only encroach 20% into the rear yard.~~

Figure 10



CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

481 (g) Setbacks – Generators
482 Sec. 10-411(b)(3) requires generators to be located at least 10 feet from any property line or
483 200 feet from any property line adjoining a low-density residential zoning district. If an
484 existing medical facility, a retirement home, an assisted living facility, a gas station, or a
485 grocery store, or any other land use that is critical to the community’s recovery from a local
486 emergency, as determined by the Land Use Administrator, does not have sufficient space to
487 site a generator as defined by Sec. 10-411(b)(3), then the setback for the generator may be
488 reduced to 100 ~~50~~ feet for such uses, provided the following criteria are met: 1.) The
489 generator is enclosed on all sides by a masonry wall with an opaque gate which is either 6
490 feet tall or equal to the mounted height of the generator (whichever is higher), with the gate
491 facing away from the low density residential uses; 2.) The masonry enclosure is surrounded
492 by a minimum 4-foot wide landscape strip, with at least one understory tree per side and a
493 minimum total of one understory tree for each 10 linear feet measured around the perimeter
494 of the enclosure; and 3.) The generator is used only during emergencies and for periodic
495 testing consistent with the manufacturer’s recommendation.

497 ~~(h) Signs – Two Wall Signs on One Frontage~~
498 ~~Up to two wall signs shall be allowed on one frontage if the total square footage of both wall~~
499 ~~signs is not more than 80% of what would otherwise be allowed for a single wall sign under~~
500 ~~Chapter 7 of the Tallahassee Land Development Code.~~

502 ~~(i) Signs – Rear Wall~~
503 ~~Outside of the Multi-Modal Transportation District, a wall sign may be located on a rear wall~~
504 ~~facing a parking lot behind a building if: a.) The total square footage of all wall signs is not~~
505 ~~more than 80% of what would otherwise be allowed for a single wall sign under Chapter 7 of~~
506 ~~the Tallahassee Land Development Code; and b.) The rear facing wall does not abut a~~
507 ~~Protected Residential use, defined as any property developed with a single family residence,~~
508 ~~duplex, or triplex to a density of less than or equal to 8 units per acre, and any vacant~~
509 ~~property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF,~~
510 ~~LP, MH, or RA.~~

512 (j) Accessory Uses – In Front Yard
513 If a lot’s configuration is such that the front yard (as defined by the Tallahassee Land
514 Development Code) functions as a side or rear yard based on the lot configuration and
515 building orientation relative to the public right-of-way, then an accessory structure may be
516 located in the front yard. In the example below, the relationship of this residential lot to the
517 street is such that the front yard as defined by the Zoning Code actually functions as a side
518 yard. Accordingly, an accessory shed was allowed in the front yard (as it is defined by the
519 Zoning Code), but which functions in Figure 11 as a side yard based on the building’s
520 orientation relative to the public right-of-way.

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Figure 11



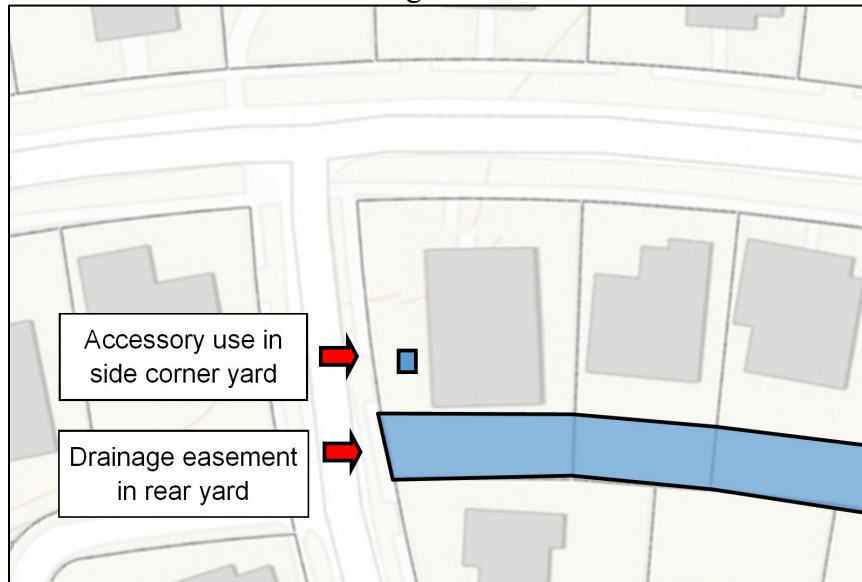
522

523 (k) Accessory Uses – Side Corner Yard

524 If an easement for a public utility is located in a rear yard, if that easement prohibits
525 construction within its boundaries, and if the presence of the easement makes it not possible
526 to site an accessory building in the rear yard, such accessory building may be located in the
527 side corner yard but is limited to no more than 100 square feet. As depicted in Figure 12, a
528 public utility easement occupies the entire rear yard.

529

Figure 12



CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

530 Section 4. Chapter 10, Article IV, Division 4 of the Tallahassee Land Development Code
531 (the Multi-Modal Transportation District) is hereby amended to read as follows:

532

533 Sec. 10-280.2(c) – Applicability.

534 (c) Notwithstanding the provisions of Chapter 1, Section 1-2, Definitions and Rules of
535 Construction, the provisions of this Division shall take precedence over those of
536 development regulations found in Chapters 9 and 10 of the land development code,
537 regardless of whether more or less restrictive, except the local health and safety codes. In
538 the event the MMTD does not provide a standard, then the applicable general standard
539 shall take precedence. Despite the foregoing, Sections 7-72 (relating to signs on local
540 roads), 10-161.1 (relating to tree preservation incentives compensating enhancements),
541 10-161.2 (relating to modified development standards for special circumstances) 10-
542 177(g) (relating to buffer zones), 10-411(b)(3) (relating to accessory structures), 10-
543 412(6) (relating to drive-thru facilities), 10-427(c)(3) (relating to site lighting standards),
544 and 10-429 (relating to Dense Residential uses next to properties which are Protected
545 Residential) will also apply in the MMTD.

546

547 Sec. 10-280.2(h) – Applicability.

548 (h) Notwithstanding any other provision of the Multi-Modal Transportation District, an
549 applicant may utilize the flexibility permitted by Sec. 10-161.1 and Sec. 10-161.2, TLDC.

550

551 Sec. 10-281(f)(1)

552 (1) Parking lots shall be masked from the public right-of-way by a liner building or
553 streetscreen. The streetscreen shall include vegetative or structural elements, such as
554 shade trees, shrubs or groundcover, knee walls, decorative fencing, or the preserved walls
555 of former buildings consistent with Section 5-85, and shall include one tree (min. 2-3
556 inch caliper shade tree), not to conflict with overhead utilities or sight distance triangle,
557 for each 20 linear feet of parking lot, loading area, or drive aisles along the frontage.
558 Along the public right-of-way, the streetscreen shall maintain a minimum of 50 percent
559 transparency, thereby preserving natural surveillance. ~~Shrubs or groundcover~~ shall be
560 spaced between 3 and 6 feet on center. Consistent with Sec. 5-12, groundcover shall be
561 installed to form a continuous cover over the ground.

562

563 Sec. 10-282.3(c)(1)

564 (1) Retail and office building walls along sidewalks shall have non-reflective, transparent
565 areas covering at least seventy-five 75 percent of the first floor facade surface area at
566 pedestrian eye level (between three feet and eight feet above finished floor elevation
567 ~~grade~~). For each linear foot of finished floor elevation more than three feet above grade,
568 one or more of the following shall be provided:

569

570 (a) A three foot wide planting strip with shrubs, tall grasses, and similar plantings to
571 cover at least 75% of the vertical distance between grade and finished floor at
572 maturity.

CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

- 573 (b) Publicly accessible space equal to at least 500 square feet and a minimum depth of 6
574 feet, such as hardscaped outdoor seating, courtyards, or gardens accessible to the
575 public.
576 (c) Raised planters with a minimum size of 4 cubic feet, spaced a minimum of every 20
577 feet along the building frontage.
578 (d) Façade articulation so that no street-facing façade shall exceed 35 feet in length
579 without at least a minimum 2 foot change in the depth of the wall plane.
580 (e) Utilize at least 3 materials and 2 colors in the front façade, with each material
581 covering at least 30% of the façade.
582

583 All glazing shall be of a type that permits view of human activities and spaces within.
584 Enclosed security areas, if any, shall be of the mesh type that pedestrians can see through
585 and shall be located behind storefront displays. The area of operable entrance doors and
586 each facade shall be calculated separately.
587

588 Sec. 10-283.3(a)(2)

589 (2) Street trees shall be provided along all public road right-of-way in accordance with the
590 requirements of Section 10-285, Tables 3, 4, 10A, 10B and 12, and shall be located with
591 the priority listed below. In order to locate trees based on the second, third, fourth, or
592 fifth priority, a 2-foot wide green space shall be provided immediately adjacent to the
593 curb. The Land Use Administrator shall make the final determination of the appropriate
594 planting location where conflicts are present, such as right-of-way constraints, utilities,
595 topography, or site distance triangle.
596

- 597 a. First priority shall be between the back of the curb and the sidewalk. Trees placed
598 within the right-of-way may be subject to maintenance agreements as determined by
599 the Underground Utilities and Public Infrastructure Department public works. If trees
600 are planted at one of the alternate locations identified below, then Sec. 10-161.1(b),
601 TLDC, requires compensating enhancement.
602 b. Second priority shall be between the sidewalk and façade (in the first layer) if right-
603 of-way constraints or utility conflicts prohibit placement of trees between the back of
604 the curb and the sidewalk.
605 c. Third priority shall be elsewhere on the project site. To ensure the long term viability
606 of such trees, an alternate on-site location must be approved in advance.
607 d. Fourth priority shall be at an off-site location. To ensure the long term viability of
608 such trees, an off-site location must be approved in advance.
609 e. Fifth priority shall be the payment of a fee in lieu equivalent to the number of debits
610 for the trees that would otherwise be required.
611

612 ~~Where right-of-way constraints or utility conflicts prohibit placement of trees, they shall~~
613 ~~be placed, if possible, between the sidewalk and façade (in the first layer) or off-site as~~
614 ~~approved by the City.~~
615

616 Sec. 10-283.4(b)(1)

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617 (b) Bicycle Circulation: General to Zones T3, T4, T5 and Downtown Overlay.

618 (1) Bicycle and pedestrian routes shall be preserved, maintained, or provided adjacent to
619 or through sites as identified in the adopted ~~Prioritization System for Planned Multimodal~~
620 Projects list Capital Region Transportation Planning Agency’s Bicycle and Pedestrian
621 Master Plan and Greenways Master Plan.

622
623 Sec. 10-284.1(a)(6)

624 (6) Front, side, side-corner, and rear setbacks for principal and accessory structures shall be
625 as shown in Section 10-285, Tables 10A, 10B, and 10C. Setbacks may be adjusted by
626 deviation with the following exceptions:

- 627 a. Properties within the Canopy Road Protection Zone having no viable alternative
- 628 access to a road other than a canopy road shall not be subject to a deviation for the
- 629 front setback along the canopy road.
- 630 b. An addition of up to 10 feet to the ~~principal frontage~~ setback along any public
- 631 roadway shall be allowed, as necessary, for public safety to accommodate existing
- 632 utility lines or for other right-of-way constraints.
- 633
- 634

635 The ~~front frontage~~ setbacks shall apply to ~~the all principal and double~~ frontage. Side-

636 corner setbacks shall apply to the Secondary Frontage. Rear setbacks shall apply to the

637 parcel boundary opposite the principal frontage.

638
639 Sec. 10-284.1(a)(9)

640 The application of development standards to sites with multiple frontages shall be as follows:

641

<u>Roadway Frontage</u>	<u>Setbacks</u>	<u>Other Standards</u>
<ul style="list-style-type: none"> ▪ <u>Principal (front)</u> ▪ <u>Secondary (side corner) ¹</u> ▪ <u>Rear (with multiple buildings)</u> 	<u>See front yard setbacks at Section 10-285, Tables 10A, 10B, and 10C.</u>	<u>MMTD front yard standards (i.e. transparency, landscaping, street scaping, sidewalks, etc.)</u>
<u>Rear, with single building</u>	<u>The rear setback applies to the rear frontage of a single building on a double frontage lot.</u>	<ul style="list-style-type: none"> ▪ <u>MMTD front yard standards apply for landscaping, street scaping, and sidewalks.</u> ▪ <u>MMTD transparency standards do not apply.</u> ▪ <u>Parking lots and trash containment devices may be located between the building and the rear frontage if all streetscreen requirements are met.</u>

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Notes:

¹ A full block development would have two side corner yards, and the front yard standards would be applicable to both side corners.

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Sec. 10-284.2(a)(2)

(2) All buildings shall have at least one entrance facing the principal frontage, which shall be connected to the right-of-way by a direct pedestrian connection which does not cross a vehicle use area. All outdoor seating areas shall also be connected to the primary entrance by a direct pedestrian connection which does not cross a vehicle use area. The rear property line of a double frontage lot also requires a direct pedestrian connection between the entrance and the public right-of-way which may cross vehicle use areas. ~~A direct pedestrian connection shall be provided from the front façade to the public right-of-way.~~

Sec. 10-284.2(a)(3)

(3) Building heights and stepbacks shall adhere to Section 10-285, Table 6, Tables 10A, 10B, 10C, and 10D, and Table 11 if applicable. However, the requirement for a first floor commercial function with a height of 12 to 25 feet from finished floor to finished ceiling does not apply to mini-storage, laundry services, funeral services, medical services, or religious facilities, or similar uses as may be determined by the Land Use Administrator.

Sec. 10-284.2(a)(8)

(8) Transparency. Except as specified in Section 10-282.3, for University Village District, all building elevations adjacent to public right-of-way or required pedestrian ways (except for detached single-family dwellings) shall provide transparency at eye level — between three (3) and eight (8) feet above finished floor elevation ~~grade~~ — in accordance with the following minimum percentages.

- a. Non-Residential or Mixed-Use.
 - 1. Frontage: 60%
 - 2. Corner side elevations: 30%.
- b. Residential (Single-family detached units exempt.)
 - 1. Frontage: 30%
 - 2. Corner side elevations: 15%.
- c. In all structures, a minimum of 15 percent transparency shall be provided above the first story of facades adjacent to the public right of way.
- d. Reflective glass is prohibited.
- e. Solid rear walls above the first story are prohibited when properties adjoin the Special Character District.

The above non-residential and mixed use transparency standards may be reduced to 30% per frontage if one of the following features is added for each 10% reduction in transparency:

- 682 a. Publicly accessible space equal to at least 500 square feet with a minimum depth of 6
683 feet such as hardscaped outdoor seating, courtyards, or gardens accessible to the
684 public.
685 b. Raised planters with a minimum size of 4 cubic feet, spaced a minimum of every 20
686 feet along the building frontage.
687 c. Sidewalk coverings, (awnings, canopies, arcades, colonnades, or verandahs) for at
688 least 75% of the length of the building frontage and 75% of the width of the sidewalk.
689

690 Sec. 10-284.2(a)(10)
691

- 692 (10) For each linear foot of finished floor elevation more than three feet above grade, one or
693 more of the following shall be provided:
694
695 (a) A three foot wide planting strip with shrubs, tall grasses, and similar plantings to
696 cover at least 75% of the vertical distance between grade and finished floor at
697 maturity.
698 (b) Publicly accessible space equal to at least 500 square feet and a minimum depth of 6
699 feet, such as hardscaped outdoor seating, courtyards, or gardens accessible to the
700 public.
701 (c) Raised planters with a minimum size of 4 cubic feet, spaced a minimum of every 20
702 feet along the building frontage.
703 (d) Façade articulation so that no street-facing façade shall exceed 35 feet in length
704 without at least a minimum 2 foot change in the depth of the wall plane.
705 (e) Utilize at least 3 materials and 2 colors in the front façade, with each material
706 covering at least 30% of the façade.
707

708 Sec. 10-284.3(a)(3)b.

- 709 (3)b. All mechanical equipment and trash containment devices, including compactors and
710 dumpsters, shall be screened from public right of way and placed in the second (2nd) or
711 third (3rd) layer from the principal frontage and secondary (side-corner) frontage.
712 Mechanical equipment and trash containment devices can be located between the
713 building and the rear (property line opposite the principal frontage) but must be screened
714 from the right-of-way to meet 100% opacity standards and must meet buffering
715 requirements if adjacent to Protected Residential uses, which includes any property
716 developed with a single family residence, duplex, or triplex to a density of less than or
717 equal to 8 units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-
718 MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA. Screening can be
719 vegetative or structural.
720

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721 Sec. 10-284.4(a)(2)

722

723 Outside the Central Core, parking shall be provided within the ranges listed below. Requests to
724 vary from the stated requirements, excluding the 25% potential increase for redevelopment
725 projects, must be submitted to the Parking Standards Committee, as per Sec. 10-332.

726

727 a. Downtown Overlay (except Central Core): ~~and~~ Developments shall provide parking at a
728 rate of between 100 and 50 percent of that required by Section 10-285, Table 8A.

729 b. Transect 5: Developments shall provide parking at a rate of between 100 and 65 percent
730 of that required by Section 10-285, Table 8A.

731 c. Transect 4: Developments in Transect 4 shall provide parking at a rate of between 100
732 and 75 percent of that required by Section 10-285, Table 8A.

733 d. Transect 3: Developments in Transect 3 shall provide parking at a rate of between 100
734 and 85 percent of that required by Section 10-285, Table 8A.

735 e. Redevelopment shall have the right to provide parking at a rate of 25 percent less or 25
736 percent more of the required parking from Section 10-285, Table 8A if all of the parking
737 is provided within a parking structure ~~than that required in Section 10-285, Table 8A;~~ for
738 those categories with parking ratio ranges, the calculations will presume reduction or
739 increase from the number of existing spaces on the site. Requests to vary from the stated
740 requirements must be submitted to the Parking Standards Committee, as per Section 10-
741 332.

742

743 Sec. 10-284.5(a)(2)

744 (a)(2) Parking lots shall be located in the third layer (or interior/internal to the site) from the
745 principal frontage and secondary (side-corner) frontage, and shall not be located between
746 the building facade and the principal or secondary frontages ~~all public street frontage.~~
747 Parking lots may be located between the building and the rear (property line opposite the
748 principal frontage), but shall provide screening as defined by Sec. 10-281(f). See also
749 Sec. 10-285, Tables 10A, 10B, 10C, and 10D.

750

751 Sec. 10-284.5(c)(1)

752 (c)(1) Liner Buildings. When located along public right-of-ways or public open space, parking
753 garages shall provide at least one of the features listed below.

754

755 a. A ~~a~~ minimum of 50 percent of the ground level of parking garages shall be wrapped
756 by retail, office, or other active uses.

757 b. Raised planters with a minimum size of 4 cubic feet, spaced a minimum of every 20
758 feet along the entire building frontage, plus one of the following:

759

760 1. Publicly accessible space equal to at least 1,000 square feet with a minimum
761 depth of ~~12~~ 6 feet, such as hardscaped outdoor seating, courtyards, or gardens
762 accessible to the public.

763 2. At least 3 materials and 2 colors in the façade facing the public right-of-way or
764 public open space, with each material covering at least 30% of the façade.

CODING: Words in ~~struck through~~ type are deletions from existing language; words underlined are additions.

- 765 3. A mural covering at least 50% of the façade facing the public right-of-way or
766 public open space.
767 4. Façade articulation so that no street-facing façade shall exceed 35 feet in length
768 without at least a minimum 2 foot change in the depth of the wall plane.
769

770 Sec. 10-284.5(c)(3)a.

771 (3)a. Pedestrian entries shall be clearly visible and provide at least one entrance facing the
772 principal direct connection to the public frontages, except for underground levels, for
773 which entries and exits may be directly into a building.
774

775 ~~Sec. 10-284.9~~

776 ~~Multi-Building Developments~~

777 ~~A multi-building development totaling at least 90,000 square feet and at least six buildings~~
778 ~~located in the Multi-Modal Transportation District outside of the Downtown Overlay may~~
779 ~~develop utilizing a pedestrian corridor instead of a public right-of-way as the principle frontage.~~
780 ~~At a minimum, this pattern of development must provide at least two intersecting pedestrian~~
781 ~~corridors, and buildings must be separated by either open pedestrian alleys or by enclosed~~
782 ~~pedestrian passageways. Pedestrian passageways must provide a 12-foot height clearance and~~
783 ~~upper floors above it. An example project developed with a focus on an internal pedestrian~~
784 ~~corridor is provided below. All internal pedestrian circulation corridors shall remain open to the~~
785 ~~public in perpetuity with an access easement. As shown in the example below, this pattern of~~
786 ~~development results in parking located between the buildings and the public right-of-way, and~~
787 ~~the buildings front an internal pedestrian network. This pattern shall be encouraged in the Multi-~~
788 ~~Modal Transportation District outside of the Downtown Overlay.~~
789

790 Sec. 10-284.9. Multi-Building Developments on Arterial Roads

791
792 (a) Applicability
793

794 The development pattern defined by Sec. 10-284.9 is optional. It allows a project to utilize
795 an internal road or an internal pedestrian promenade instead of a public right-of-way as the
796 principle frontage. However, applicants choosing to utilize this option must meet all of the
797 development standards listed in this section. If a standard is not explicitly stated in Sec. 10-
798 284.9, then the other MMTD standards shall apply. To be eligible for this option, a project
799 must be located in the Multi-Modal Transportation District outside of the Downtown
800 Overlay, must include at least 90,000 square feet and at least six buildings, and must have
801 frontage on an arterial roadway. The development pattern detailed in this section is
802 illustrated by the figure below. Each feature is referenced to the corresponding citation in
803 this section.
804

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Illustration of Development Pattern from Sec. 10-284.9, TLDC
(Legend with citations to be added.)



805

(b) Pre-Submittal

806

807

808

Applicants who opt to utilize this option are required to apply for a pre-submittal review. The development pattern permitted by this option allows commercial development to abut either an internal road, as defined in Sec. 10-284.9(c), and/or an internal pedestrian promenade, as defined in Sec. 10-284.9(d), instead of the adjacent arterial roadway.

809

810

811

812

(c) Internal Road

813

814

(1) Street width – The distance measured between building facades may vary between 52 and 68 feet. The street width shall include two 10-foot drive lanes and shall also include the following minimum components:

815

816

817

a. One 8-foot wide parallel parking lane for 75% of the internal road, on either side of the internal road.

818

819

b. Two 6-foot street tree and furnishing zones located between curb and sidewalk.

820

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- 821 c. Two 10-foot sidewalks adjacent to the buildings.
822
823 (2) Parking
824 a. Parallel parking shall be the only orientation of parking allowed along the length of
825 the internal road.
826
827 (3) Traffic calming
828 a. Internal circulation shall be designed to inhibit cut-through vehicular traffic across the
829 project such that no direct vehicular route can be taken through the site from one
830 public right-of-way to another public right-of-way without at least one full stop and at
831 least one horizontal deflection that results in at least a 30 degree change of direction
832 to the internal road.
833 b. Provide all-way stops at each intersection of an internal road.
834 c. Provide pedestrian crossings which are spaced at least every 180 feet. Mid-block
835 crossings shall be raised and located at curb bump-outs.
836
837 (d) Internal Pedestrian Promenade
838
839 (1) A pedestrian promenade cannot be adjacent to vehicle parking and shall have buildings
840 adjacent to 75% of its distance.
841
842 (2) Each end of the pedestrian promenade shall provide connection to the site's overall
843 pedestrian network and shall not result in dead ends.
844
845 (3) The primary entrances of adjacent buildings must front on the pedestrian promenade.
846
847 (4) The pedestrian promenade counts toward the required public space referenced in Sec. 10-
848 284.9(i)(2).
849
850 (5) The dimensions of the pedestrian promenade are a minimum length of at least 3 times the
851 width, and a minimum width of 42 feet between buildings. The minimum width of the
852 sidewalk within the promenade is 10 feet.
853
854 (6) All internal pedestrian promenades shall remain open to the public with an access
855 easement which will remain in effect in perpetuity unless all adjacent buildings are
856 redeveloped.
857
858 (e) Both Internal Road and Internal Pedestrian Promenade
859
860 (1) Projects must provide at least two intersecting pedestrian corridors.
861
862 (2) Minimum total contiguous length of the internal road(s) and pedestrian promenade(s)
863 shall equal or exceed the total length of the site's public right-of-way frontage. The
864 length of pedestrian promenades may be double counted.

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(3) Trees

- a. Trees shall be planted on all internal roadways and pedestrian promenades consistent with Sec. 10-283.3, TLDC and shall be chosen consistent with the planting standards in the tree matrix maintained by the Planning Department’s Urban Forester.
- b. Project boundaries shall be landscaped consistent with Sec. 10-281(f), TLDC.

(4) Sidewalks

- a. Provide alternate paving materials on 15% of every 100 linear feet of sidewalk on each side of the street or pedestrian promenade to provide aesthetic accent and/or to delineate areas that may be used for other functions, like outdoor seating.
- b. Provide sidewalk furniture at a ratio of at least 5 linear feet of seating for every 50 linear feet on each side of street or pedestrian promenade.
- c. Provide 3 raised planters with a minimum size of 4 cubic feet for every 100 linear feet on each side of the street or pedestrian promenade.
- d. Provide bicycle parking racks dispersed throughout the project consistent with Sec. 10-285, Table 8C.
- e. The sidewalk network shall be fully connected within the development and to the adjacent public sidewalks.

(f) Lighting

- (1) Lighting on internal roads, pedestrian promenades, and sidewalks shall be installed in between trees and shall utilize decorative fixtures.
- (2) Site and building lighting shall be full cut off fixtures.
- (3) Maximum lighting fixture height is 18 feet.

(g) Signage

- (1) Tenants facing internal road
 - a. Signage is permitted based on 0.5 square feet per 1 linear foot of frontage.
 - b. One 3 square foot sign is also permitted mounted perpendicular to the tenant space with a clearance of at least 8 feet above the sidewalk and dimensions of 1 foot high by 3 feet wide.
- (2) Project monument signs
 - a. One monument sign per project entry totaling a maximum area of 120 square feet and a maximum height of 12 feet. A maximum of 1 monument sign is allowed per frontage.

(h) Buildings

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(1) Prohibited uses

- a. Auto related
- b. Any use greater than 25,000 square feet except grocery stores
- c. Drive throughs
- d. Car wash
- e. Public or private K-12 schools
- f. Day cares
- g. Laundromats
- h. Pawn shops
- i. Repair services
- j. Residential units at ground level
- k. Outdoor storage, except for outdoor display during business hours

(2) Setback between Back of Building and Street

- a. The minimum setback from the back of the building to the public right-of-way shall be 80 feet to accommodate parking, landscaping, and sidewalks.

(3) Height

- a. Buildings fronting internal roadways and pedestrian promenades shall not exceed a ratio of 1.5:1 for building separation to building height as measured perpendicular to the roadway or promenade.

(4) Design

- a. A minimum of 2 materials, one of which must be a natural or natural-looking material that adds texture, pattern, and color, such as wood, brick, stone, ceramic, or unpainted metal, and 3 colors shall be utilized and applied to all exterior walls in a consistent manner.
- b. The use of functional and decorative weather protection features, such as colonnades, arcades, and canopies, shall be utilized along at least 75% of the building's frontage and at least 75% of the sidewalk's depth.
- c. Continuous building facades, except for grocery stores, shall not exceed 180 feet of frontage on the street or pedestrian promenade.
- d. A pedestrian alley that connects the internal street or pedestrian promenade to the parking fields must be provided between buildings at least every 180 feet. Such pedestrian alleys must be a minimum of 8 feet wide and 12 feet high.
- e. Buildings shall be placed at the back of sidewalk to maintain the street wall. However, to allow for courtyards, outdoor dining, and similar spaces that activate the public realm, buildings may setback up to 25 feet from back of sidewalk for a distance along the internal road or promenade of no more than 1.5 times the height of the building.
- f. Facades greater than 50 feet in length must be broken down into distinct modules defined by architectural features and massing that vary the horizontal and vertical planes. No single module shall exceed 36 feet in length. Each module shall be defined by a change in depth of at least 1 inch for every 2-foot-length of the module.

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- 953 g. Rooflines greater than 50 feet in length shall be articulated with changes in roof forms
954 consistent with the building's modulation as expressed in Sec. 10-284.9(h)(4)f.
955 Changes in height, cornice detailing, roof angle, or other architectural feature must
956 provide a vertical change of at least 1 inch for every foot of building height.
957 h. Articulation shall also be expressed through at least 2 of the following features:
958 window casings, eaves, cornices, lighting fixtures, railings, foundation walls, shutters,
959 downspouts, facias, gables, textural materials, gutters, or similar features that provide
960 variety and distinction between buildings within the development.
961 i. Screen equipment and solid waste collection from public view at the street or
962 pedestrian promenade.

963
964 (i) Open Space

965
966 (1) Building landscaping

- 967 a. Except for breaks to access loading doors and equipment, provide a continuous 6-
968 foot-wide landscape buffer on rear building elevations that face public roadways.

969
970 (2) Public space

- 971 a. Provide a minimum of one public space integrated into the project which serves as a
972 focal point for pedestrian and social activity and totals a minimum of 3% of the
973 project's gross leaseable area. No qualifying public space shall be less than 2,500
974 square feet.
975 b. Include sidewalk furniture, fencing, lighting, shade structures, seating areas,
976 decorative paving, and similar.

977
978 (j) Loading Zones

- 979
980 (1) All loading must occur during non-business hours, except for grocery stores which may
981 conduct loading during business hours.

- 982
983 (2) Loading areas facing public right-of-ways shall be limited to double doors not exceeding
984 a total width of 8 feet in width and 8 feet in height.

- 985
986 (3) Grocery stores, which may exceed the 25,000 square foot limit, may be loaded at rear
987 bays but must meet the following criteria: 1.) Be located at one end of the internal access
988 road or pedestrian promenade; 2.) Be oriented to minimize the view of the loading bay
989 from any public right-of-way; and 3.) Screen loading bays with a 10-foot wide Urban
990 Buffer 2, as defined by Sec. 10-285, Table 11.

991
992 Sec. 10-285 (Each table will be amended as described below and included in the draft.)

- 993 ■ Table 2A: Delete footnote #4.

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- 994 ▪ Table 3: The provision of trees, planters, or street furniture shall ~~not~~ result in a pedestrian
- 995 clear zone of at least less than six (6) 5-feet in width.
- 996 ▪ Table 8A (at T5 column and the restaurant–dine in row): 6/1000 3/1000 s.f.
- 997 ▪ Table 8C (at Downtown Overlay & Transect 5 column and Non-Residential row): 20%
- 998 ~~320%~~ of required automobile spaces
- 999 ▪ Table 10A: The title should be amended to add the recently created NB-1 district to the list of
- 1000 districts to which T3 standards apply.
- 1001 ▪ Tables 10B and 10C: The footnotes will be amended as follows:
- 1002 ~~“The maximum setback may be exceeded where it is unachievable due to parcel~~
- 1003 ~~configuration or due to required infrastructure or other setbacks, that affect its application.”~~
- 1004 ▪ Table 10E (at the Density column and the CU-45 row): 4-45 du/acre. Also, Transect T4,
- 1005 zoning district MR-1 lists 8-16 for the density, but the code text at Sec. 10-250 for MR-1
- 1006 indicates 8-20 units per acre. Several other zones in this table also list 8-16 for density.
- 1007 Need to confirm accuracy.
- 1008 ▪ Table 12: Delete note at bottom as follows:
- 1009 ~~Double Frontage parcels shall apply those standards for Principal Frontage including but not~~
- 1010 ~~limited to setbacks, transparency, landscaping and streetscaping, and sidewalks.~~

1011
 1012 Section 5. Section 10-429(b)(1) of the Tallahassee Land Development Code is hereby

1013 amended to read as follows:

1014
 1015 Section 10-429(b)(1)

- 1016
 1017 (1) Transparency. Reflective glass (which provides for less than 70 percent light transmission) is
- 1018 prohibited. Transparency must be provided as indicated in the table below titled
- 1019 “Transparency Standard for Dense Residential”. Properties in the MMTD design review
- 1020 districts are subject to a separate transparency standard in Division 4 of the Tallahassee Land
- 1021 Development Code (Downtown Overlay Regulating Plan and Multi-Modal Transportation
- 1022 District Standards).

1023
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Transparency Standard for Dense Residential			
		Dense Residential Units in:	
		Single Use Buildings Citywide	Mixed Use Buildings Citywide
1	Elevations with frontage on a public roadway	30% at eye level ¹	60% at eye level ¹
2	Elevations at an angle to a public roadway	15% at eye level ¹	30% at eye level ¹
3	Each floor above the first floor in rows 1 and 2 above	15%	15%

¹Eye level is between 3 and 8 feet above the finished ~~floor elevation~~ grade. For each linear foot of finished floor elevation more than three feet above grade, one or more of the following shall be provided:

- (a) A three foot wide planting strip with shrubs, tall grasses, and similar plantings to cover at least 75% of the vertical distance between grade and finished floor at maturity.
- (b) Publicly accessible space equal to at least 500 square feet and a minimum depth of 6 feet, such as hardscaped outdoor seating, courtyards, or gardens accessible to the public.
- (c) Raised planters with a minimum size of 4 cubic feet, spaced a minimum of every 20 feet along the building frontage.
- (d) Façade articulation so that no street-facing façade shall exceed 35 feet in length without at least a minimum 2 foot change in the depth of the wall plane.
- (e) Utilize at least 3 materials and 2 colors in the front façade, with each material covering at least 30% of the façade.

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Section 6. Conflicts. All ordinances and parts of ordinances of the City of Tallahassee Code in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7. 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 8. Effective Date. This ordinance shall become effective on the date it is adopted by the City Commission.

INTRODUCED in the City Commission on the _____ day of _____, 2021.

PASSED by the City Commission on the _____ day of _____, 2021.

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CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

APPROVED AS TO FORM:

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

By: _____
Cassandra K. Jackson
City Attorney

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