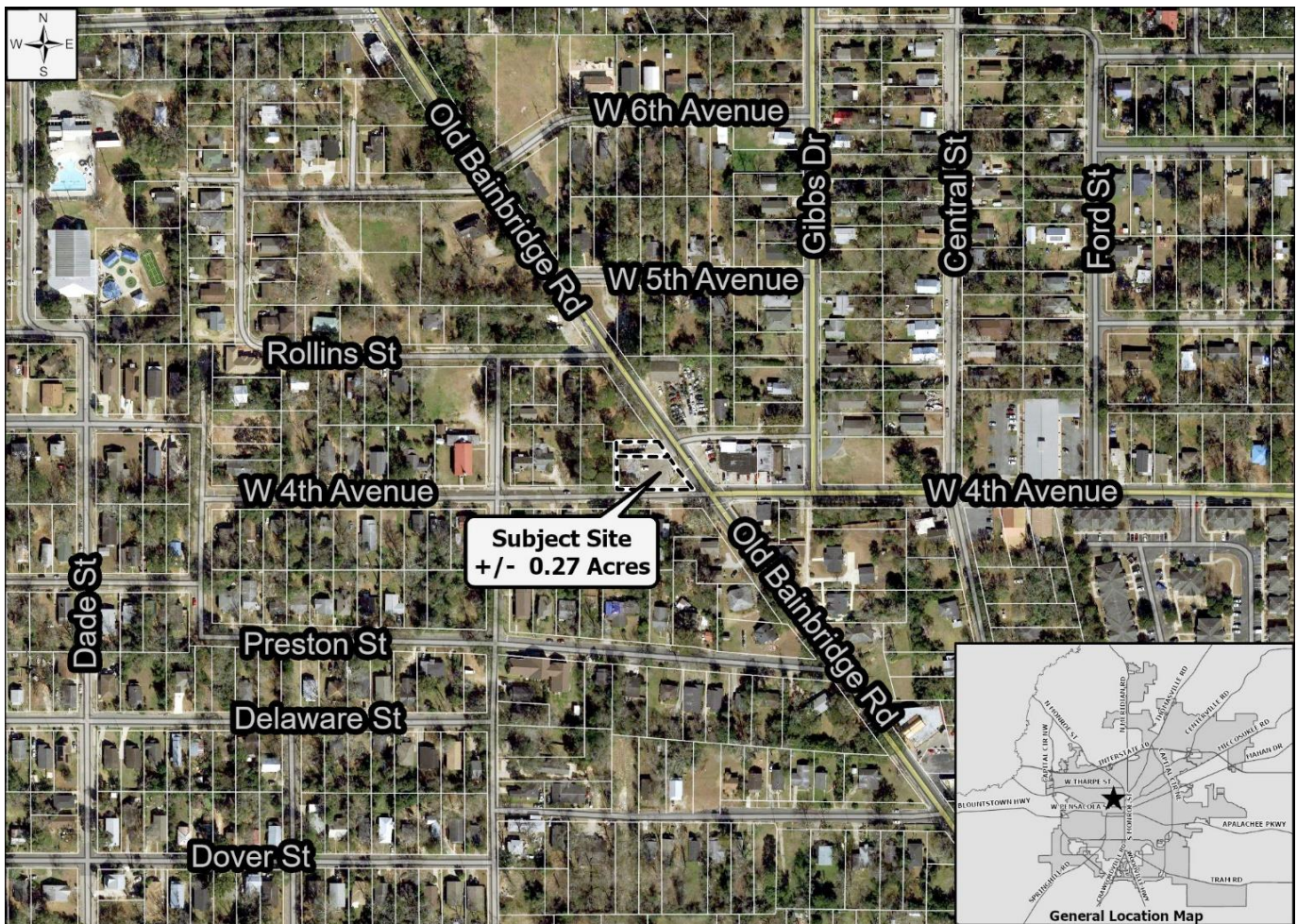


Amendment Type:	City Small-Scale Map Amendment
Amendment Number:	TMA2024015
Property Location:	1104 Old Bainbridge Road
Applicant (Property Owner):	Brevard Street Properties, Inc.
Agent for the Applicant:	Walid Abulaban, President
Current Future Land Use:	Residential Preservation
Proposed Future Land Use:	Central Urban
Current Zoning:	Residential Preservation-2
Proposed Zoning:	Central Urban – 18 (CU-18)
TLC Planning Department Staff:	Oluwaseyi Akinrinde
Staff Email:	Oluwaseyi.Akinrinde@talgov.com
Staff Phone Number:	850-891-6412
Staff Analysis:	FLUM amendment and rezoning consistent with Comp Plan
LPA Recommendation:	



A. EXECUTIVE SUMMARY

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

The subject parcels are located on Old Bainbridge Road and W 4th Avenue. They are approximately 0.27 acres and have parcel numbers 212534 B0070 and 212534 B0071.

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

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

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

B. STAFF ANALYSIS

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

C. SUMMARY OF FINDINGS

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

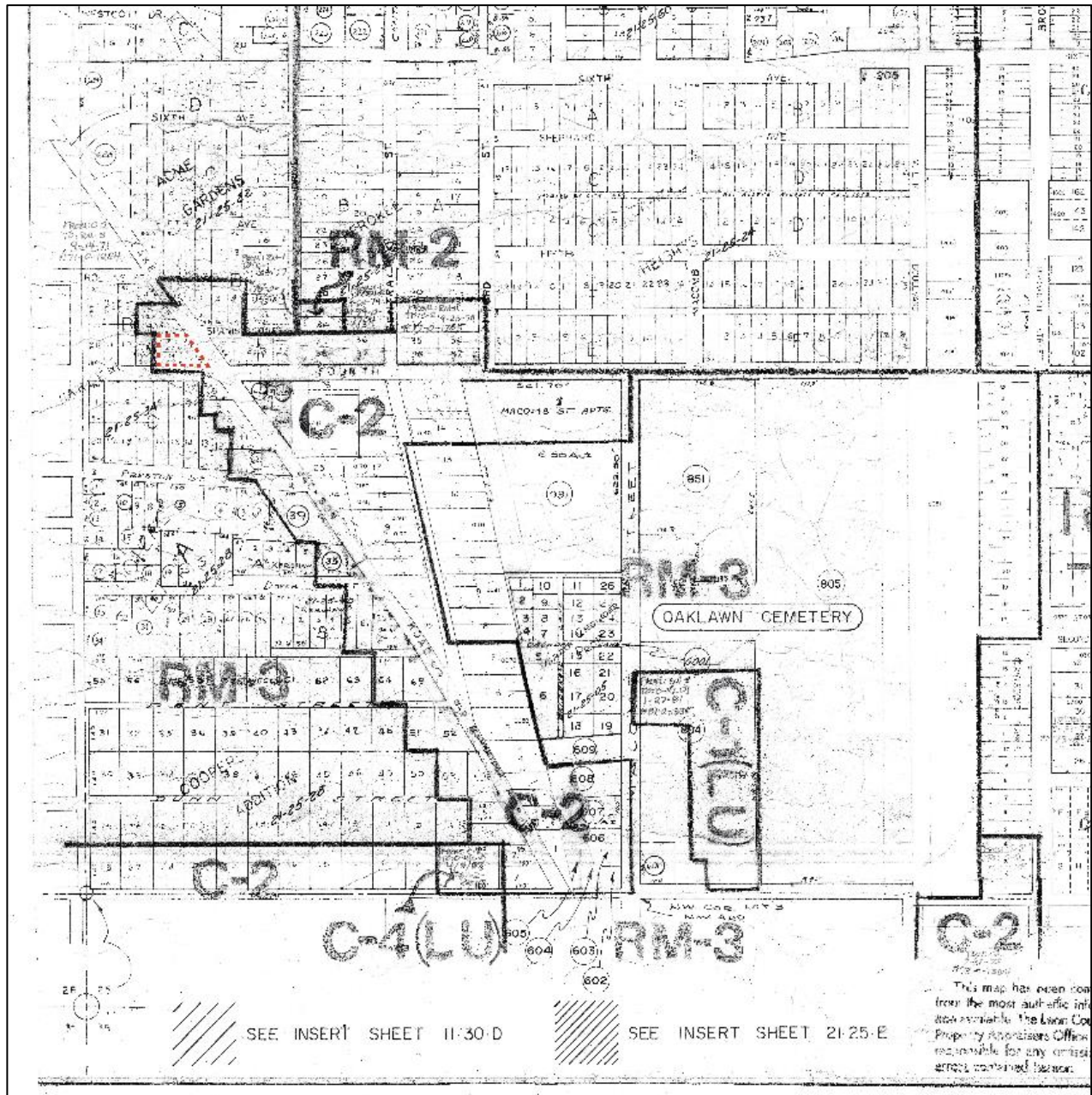
History and Background

The parcels proposed for this land use amendment include a convenience store located at 1104 Old Bainbridge Road (Parcel No. 212534 B0070) and a vacant parcel immediately to the north of this

address (Parcel No. 212534 B0071). The parcels are part of the Harlem Subdivision, which was established in 1943.

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

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



With the Tallahassee-Leon County Comprehensive Plan and FLUM, these areas were designated Residential Preservation, creating the nonconformities this amendment seeks to correct. Since plan

adoption, the Residential Preservation land use and zoning have been maintained for the subject property.

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

Adjacent Existing Uses and Site Analysis

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



Residential Preservation Analysis

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

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

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

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

B) Majority of traffic is local in nature.

i) Predominance of residential uses front on local streets.

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

ii) Relatively safe internal mobility.

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

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

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

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

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

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

i) Degree of home ownership.

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

ii) Existence of neighborhood organizations.

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

Water and Sewer Infrastructure

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

Schools Impact

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

Multi-Modal Transportation Network

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

Environmental Analysis

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

Comparison of Current and Proposed Land Use and Zoning

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

Current and Proposed Future Land Use Categories

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

Current: Residential Preservation

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

Proposed: Central Urban

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

Determination for Future Land Use Map Amendment

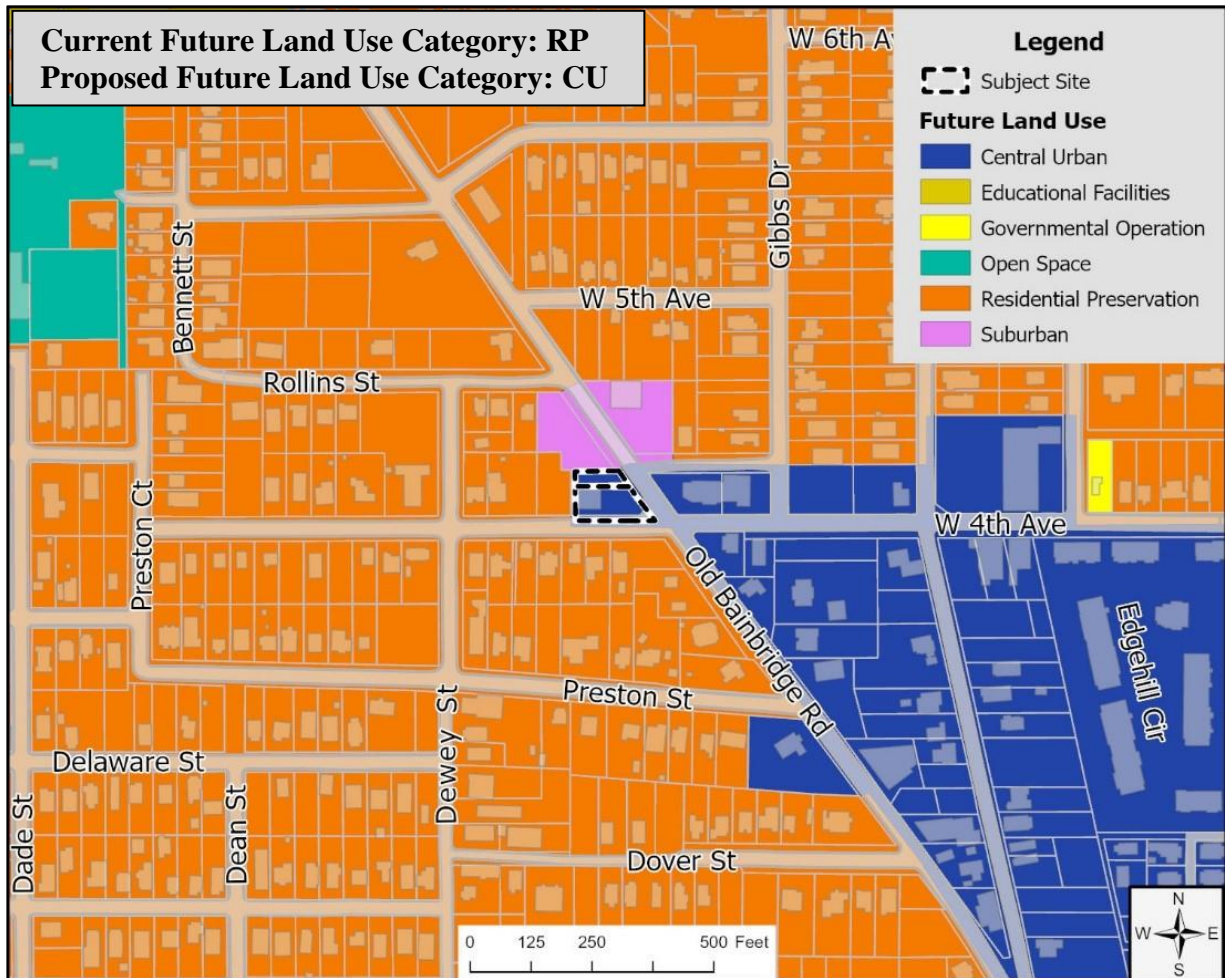
1) Does the area meet the criteria for designation as the current land use designation of Residential Preservation?

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

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

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

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



Current and Proposed Zoning

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

Current: Residential Preservation-2 (RP-2)

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

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

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

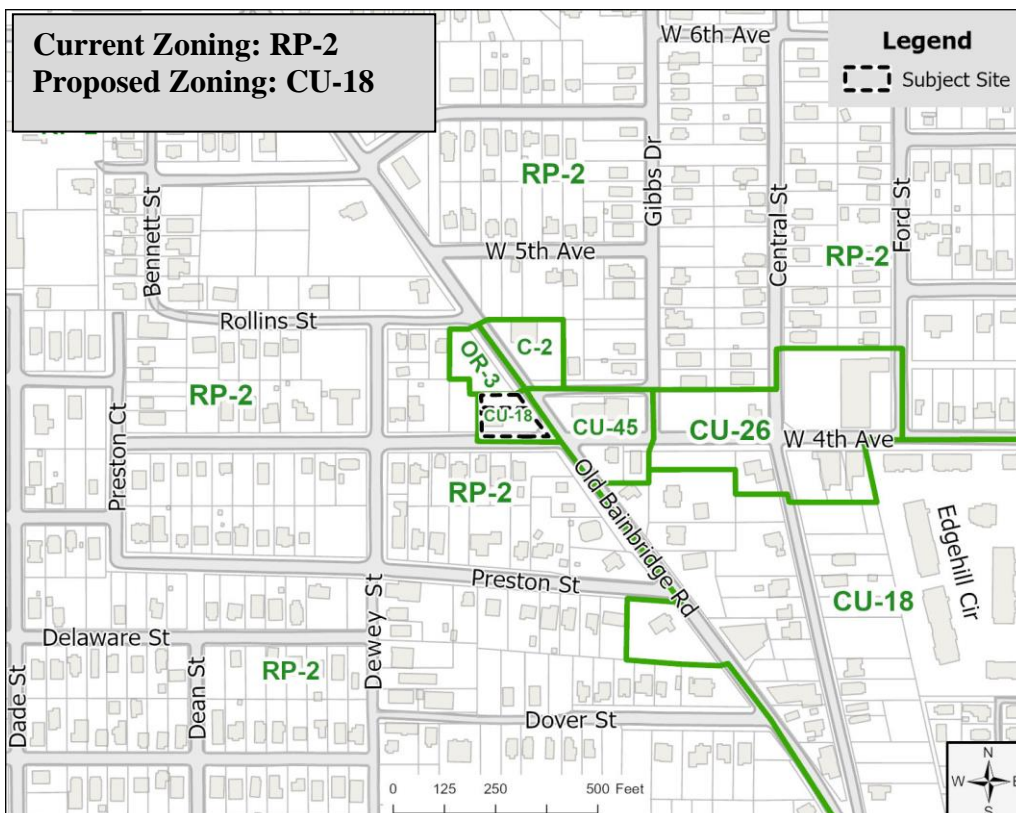
Proposed: Central Urban-18 (CU-18)

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

Determination for Concurrent Rezoning

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

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



D. CONSISTENCY WITH THE COMPREHENSIVE PLAN

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

The proposed amendment, including the proposed ordinance in Appendix 3, is consistent with the following goals, objectives, and policies of the Tallahassee-Leon County Comprehensive Plan:

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

E. PUBLIC NOTIFICATION

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

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

F. APPENDICES

- Appendix 1 – Comprehensive Plan Policies
- Appendix 2 – Tallahassee Land Development Code Sections
- Appendix 3 – Proposed Ordinances
- Appendix 4 – Sign Posting Pictures

Comprehensive Plan Policies

Policy 2.1.6: [L]

(EFF. 7/16/90)

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

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

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

Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION

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

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

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

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

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

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

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

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

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

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

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

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

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

Expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts and provide screening, buffering, or a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of expanding or redeveloping light industrial uses and adjoining residential preservation areas shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial uses shall prevent or mitigate off-site impacts in accordance with the Research and Innovation Land Use category or the Industry and Mining Land Use category and applicable Land Development Regulations.

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

e) Land use compatibility with low density residential preservation neighborhoods

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

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

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

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

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

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

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

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

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

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

Policy 2.2.8: [L]

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

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

Tallahassee Land Development Code Sections Zoning Districts

Sec. 10-170. Residential preservation district.

(a) *Purpose and intent.*

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

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

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

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

Sec. 10-241. Residential preservation district.

The following applies to the Residential Preservation District:

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

P	PERMITTED USE
R	RESTRICTED USE
S	SPECIAL EXCEPTION

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

Residential Preservation - 2

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

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

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

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

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

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

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

CU-18 Central Urban District

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

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

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

Proposed Ordinances

ORDINANCE NO. 24-O-36

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

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

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

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

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

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

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

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

Section 1. Purpose and Intent.

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

Section 2. Map Amendment.

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

Map Amendment TMA2024015 which relates to the Future Land Use Map.

Section 3. Conflict With Other Ordinances and Codes.

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

Section 4. Severability.

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

Section 5. Copy on File.

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

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

Section 6. Effective Date.

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

INTRODUCED in the City Commission on the 9th day of October, 2024.

PASSED by the City Commission on the 6th day of November, 2024.

CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

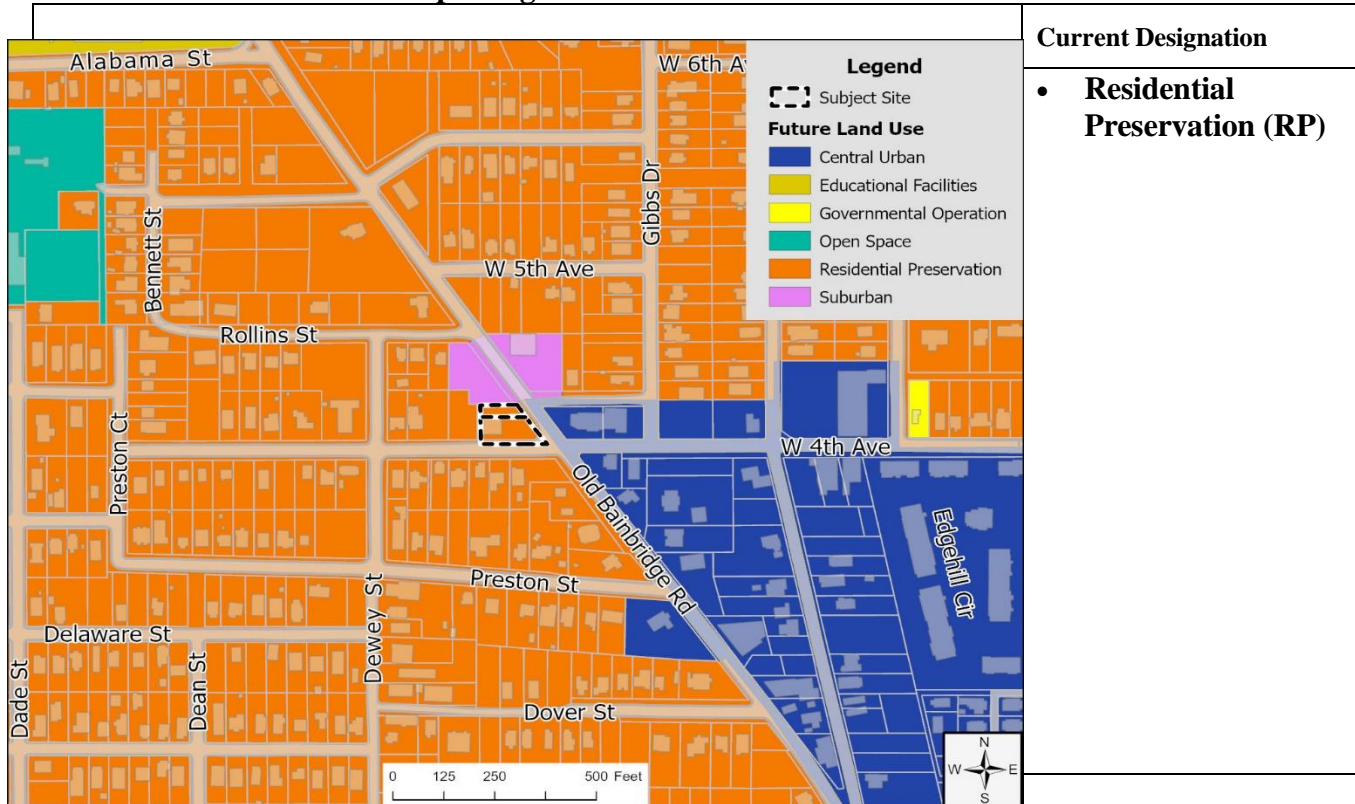
APPROVED AS TO FORM:

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

By: _____
Amy M. Toman
City Attorney

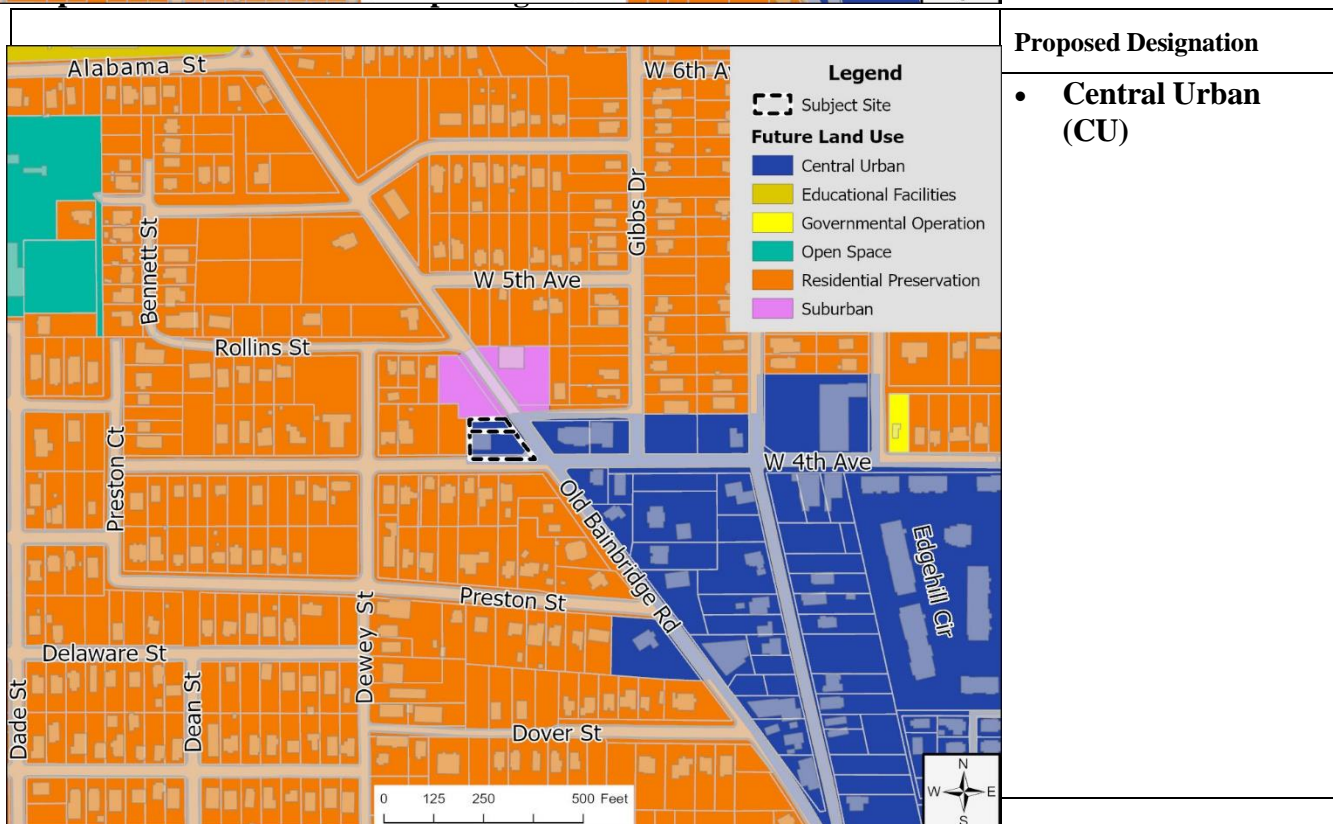
EXHIBIT A

Current Future Land Use Map Designation



Current Designation

- **Residential Preservation (RP)**



Proposed Designation

- **Central Urban (CU)**

ORDINANCE NO. 24-Z-37

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

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

SECTION 1. On November 6, 2024, the City Commission approved an Ordinance which adopted Comprehensive Amendment #TMA2024015. To implement plan amendment #TMA2024015, the property, which is the subject of that amendment, and is shown and described in Exhibit A, attached hereto, must be rezoned. Accordingly, the property shown and described on Exhibit A is hereby changed from Residential Preservation – 2 (RP-1) and hereby designated and established as Central Urban – 18 (CU-18) on the official zoning map of the City of Tallahassee adopted and established by the City Commission.

TRZ240009: From Residential Preservation – 2 (RP-2) to Central Urban-18 (CU-18)

The property shown as Central Urban – 18 (CU-18) on the map attached hereto as Exhibit A.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. 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 4. The effective date of this ordinance shall be the effective date of comprehensive plan amendment TMA2024015.

INTRODUCED in the City Commission on the 9th day of October, 2024.

PASSED by the City Commission on the 6th day of November, 2024.

CITY OF TALLAHASSEE

By: _____
John E. Dailey
Mayor

ATTEST:

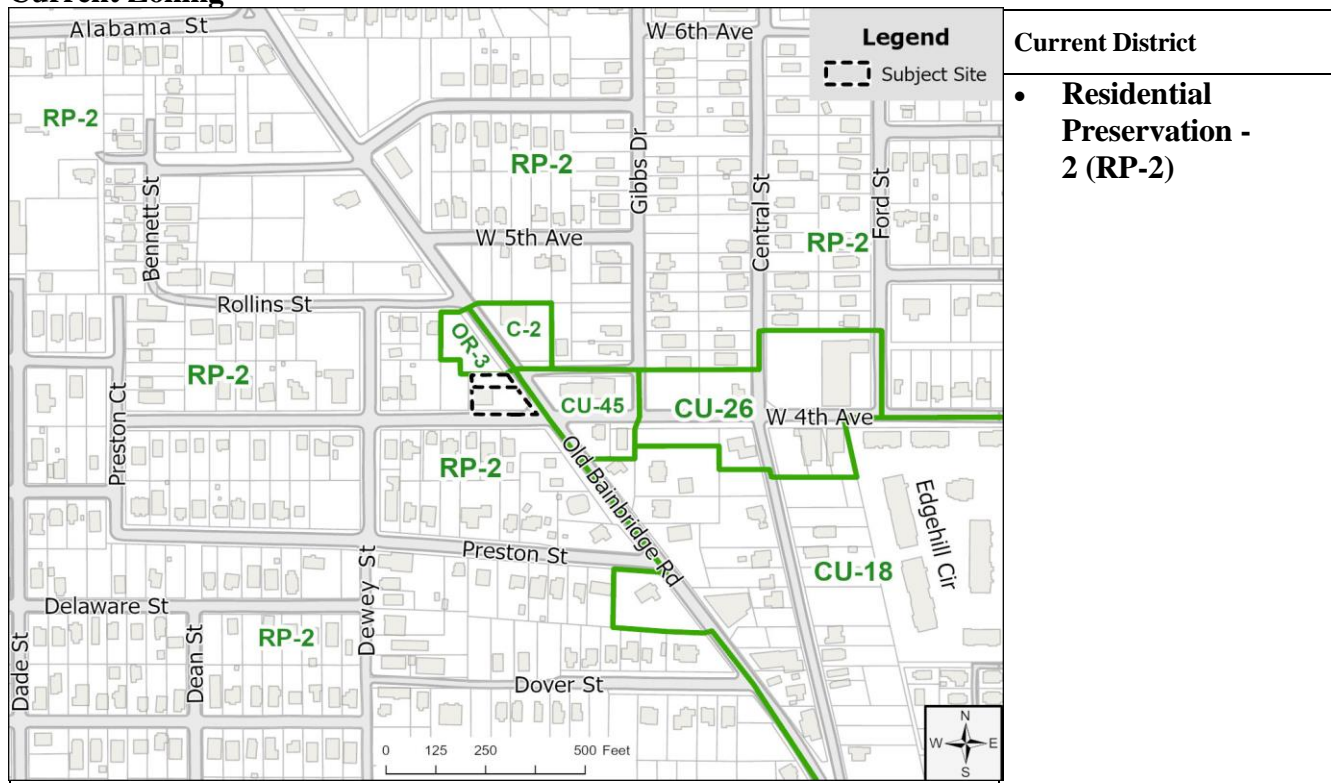
APPROVED AS TO FORM:

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

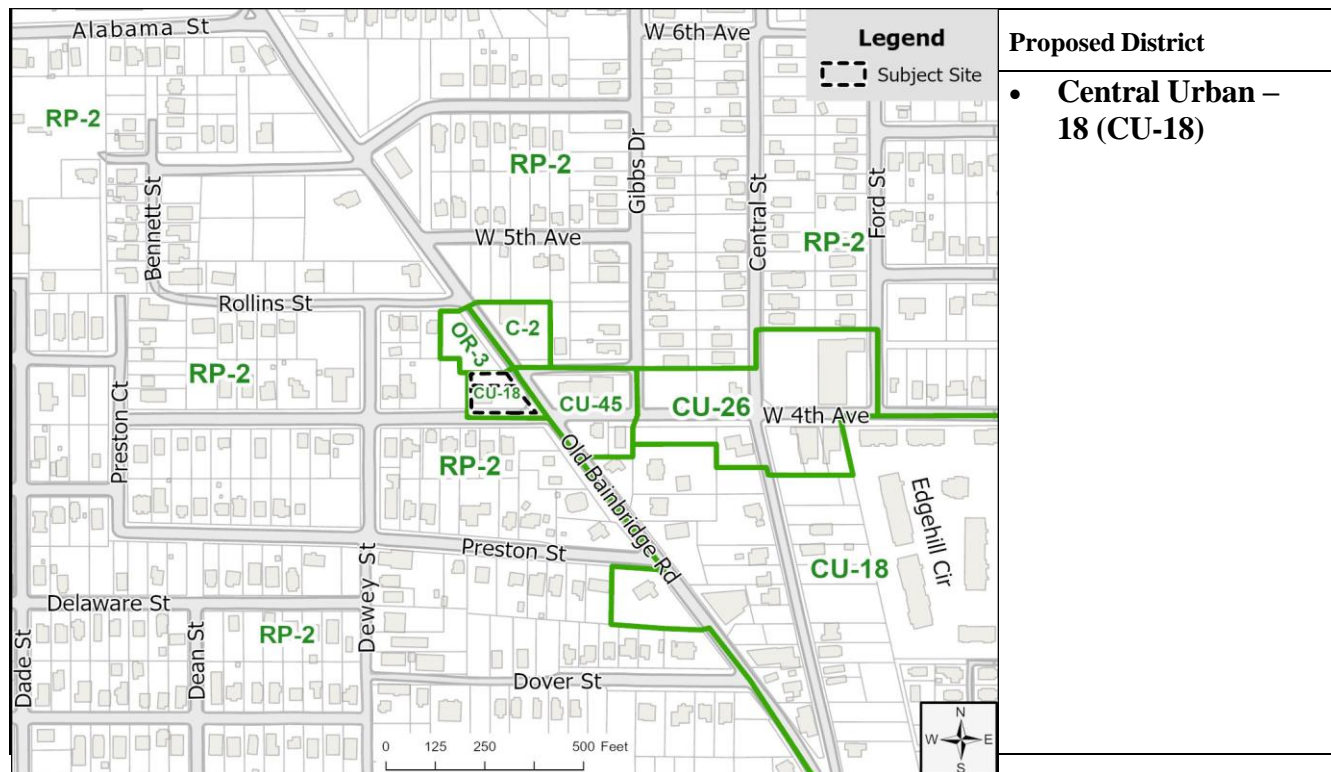
By: _____
Amy M. Toman
City Attorney

EXHIBIT A

Current Zoning

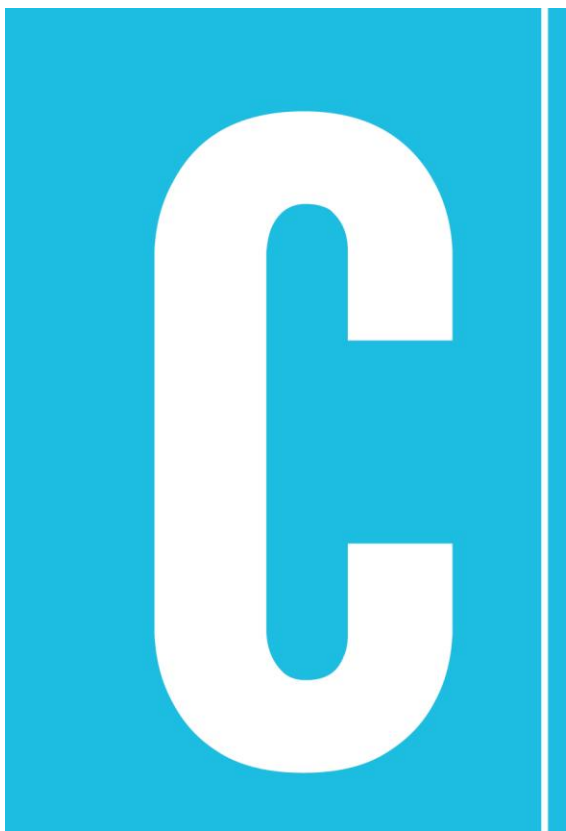


Proposed Zoning



Sign Posting Pictures





Comprehensive Plan

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

Hearing: October 1, 2024
Local Planning Agency

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

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

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

Scan the QR code or visit
Tal.gov.com/NewProjects
for more details.



Rezoning

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

Hearing: October 1, 2024
Local Planning Agency

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

Name: Old Bainbridge and 4th Avenue
TRZ240009

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

Scan the QR code or visit
Tal.gov.com/NewProjects
for more details.

