

ORDINANCE NO. 10-O-49AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER 7, SIGN CODE, CHAPTER 9, SUBDIVISIONS AND SITE PLANS, AND CHAPTER 10, ZONING, OF THE TALLAHASSEE LAND DEVELOPMENT CODE TO IMPLEMENT THE MAHAN GATEWAY NODE FUTURE LAND USE MAP POLICIES OF THE TALLAHASSEE-LEON COUNTY COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Now, THEREFORE, BE IT ENACTED by the People of Tallahassee, Florida, as follows:

SECTION 1: This Ordinance shall be known as the “Implementing the Mahan Gateway Node Future Land Use Map Category” Ordinance.

SECTION 2. Chapter 7, Article III, Division 1, Section 7-69, is amended as follows:

Sec. 7-69. Signage in the Mahan ~~Residential~~ Corridor Ring and Mahan ~~Residential~~ Corridor Node zoning districts.

All signage within the Mahan ~~Residential~~–Corridor Ring (M~~RCR~~) and Mahan ~~Residential~~ Corridor Node (M~~RCN~~) zoning districts, as established by this Code and shown on the official zoning map, shall meet the following requirements. Where conflict between the requirements of this subsection and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the M~~RCR~~ and M~~RCN~~ district shall conform to the following minimum guidelines:

- (1) One wall-mounted sign per building fronting each collector or arterial street frontage shall be allowed. Multiple tenant buildings are allowed wall signs for each individual establishment not to exceed one square foot of area for each foot of building frontage with a maximum of 20 square feet per sign.
- (2) One free standing ground sign per building fronting each collector and arterial street shall be allowed. The maximum sign area permitted is 36 square feet per sign with a maximum sign height of ten feet. All free-standing ground signs shall be constructed with a base full width to the sign face.
- (3) All illuminated signs shall be internally illuminated.
- (4) Mansard signs, marquee signs, canopy signs, projecting signs, and roof signs are prohibited.

SECTION 3. Chapter 9, Article III, Division 2, Section 9-154, is amended as follows:

Sec. 9-154. Type A Site Plan Review

Except for site plans for the establishment of new public or private schools, which are subject to section 9-156 (Type C review), Type A review is applied to those types of site plans listed in subsections (1) through (10) of this section. For the purpose of this section, nonresidential site plans include, but are not limited to, commercial, office, institutional, and industrial development.

- (1) *Properties in the residential preservation, lake protection, OS, RA, R-1, R-2, R-3, R-4 and R-5 zoning districts.*
 - a. *Residential site plans.* Proposed residential site plans containing ten or less residential dwelling units.
 - b. *Expansion of existing schools and expansion or new construction of churches, or institutional facilities.* Proposed site plans for the expansion of existing churches, schools or institutional facilities or the construction of new churches, or institutional facilities containing 5,000 or less gross building square footage. Proposed site plans for the establishment of new public or private schools are subject to 9-156 (Type C review).
 - c. *Other nonresidential uses exceeding 1,000 but not exceeding 5,000 gross building square footage.*
- (2) *Properties in the OR-1, OR-2, C-1, urban fringe, or rural zoning districts.*
 - a. *Residential site plans.* Proposed residential site plans containing 20 or less residential dwelling units.
 - b. *Nonresidential site plans.* Proposed nonresidential site plans containing 10,000 or less gross building square footage.
- (3) *Properties in the OR-3, OA-1, CM, MR, MR-1, C-2, undeveloped sites in CP (redevelopment sites in CP are addressed in subsection (6) of this section), UP-1, UP-2, IC, M-1, DRI, and PUD zoning districts:*
 - a. *Residential site plans.* Proposed residential site plans containing 200 or less residential dwelling units.
 - b. *Nonresidential site plans.* Proposed nonresidential site plans containing 40,000 or less gross building square footage.
- (4) *Properties in the university transition, special character district (SCD), provided no height variances are requested, or central urban zoning districts.*
 - a. *Residential site plans.* Proposed residential site plans containing 300 or less residential dwelling units.
 - b. *Nonresidential site plans.* Proposed nonresidential site plans containing 60,000 or less gross building square footage.

- (5) *Properties in the activity center, industrial zoning districts.*
- Residential site plans.* Proposed residential site plans containing 400 or less residential dwelling units.
 - Nonresidential site plans.* Proposed nonresidential site plans containing 100,000 or less gross building square footage.
- (6) *CP zoning district.* Redevelopment of sites notwithstanding the building square footage.
- (7) *MH zoning district.* Expansion of an existing manufactured home park.
- (8) *Properties in the RO (targeted retail/office growth area), DI (institutional/cultural/university transitional areas), zoning districts, blocks 1, 2, 14, 15, 16, 17, 18, 28, 29, 30, 31, 43, 44, 45, 46, 54, and 55, of the capitol center planning district.* All new development.
- (9) *Properties in the design review districts:* All new development provided a deviation to development and design standards is not proposed and the proposed use is not listed as a special exception use.
- (10) *Mahan ~~Residential~~ Corridor ~~Ring~~ (M~~RCR~~) and ~~Residential~~ Corridor Node (M~~RCN~~) zoning districts.* Residential site and development plans: Proposed residential site and development plans containing 20 or less residential dwelling units developed as a single use.
- (11) *Review requirements.*
- Preapplication.* The applicant shall obtain a land use compliance certificate prior to filing a Type A site plan application. A preapplication meeting with staff may be scheduled at the option of the applicant.
 - Application.* The applicant shall submit the required site plan to the city director of growth management.
 - Determination of completeness.* Within five working days after receipt of an application for site plan approval, the appropriate official shall determine whether the application contains all required information at the required level of detail.

In the event that the appropriate official determines that the application is not complete, the appropriate official shall advise the applicant of the areas of insufficiency and shall specify the additional information and level of detail required in order to declare the application complete.

In the event that an applicant fails to submit the required additional information within 30 calendar days of notification of insufficiency, the appropriate official shall consider the application

to be withdrawn. The appropriate official may grant extensions at the request of the applicant.

Upon determination of completeness, the appropriate official may refer the application to the development review committee. The development review committee shall make a recommendation within ten working days of the referral of an application. The referral of an application to the development review committee shall stay the period for the appropriate official's decision.

- d. *Director of growth management review.* The director of growth management shall review the site plan and, if necessary, receive input from appropriate agencies and conduct a Type A meeting held for the purpose of reviewing the Type A site plan. The director of growth management or the director's designee shall notify the applicant in writing of the decision to deny, approve, continue the review to date and time certain, or approve the application with conditions within ten working days of receipt of a complete application for those application on properties described in subsection (1) through (9) of this section. An exception is provided for those applications on properties located in the RO targeted retail office growth area and SC special character zoning districts lying east of M. L. King, Jr. Boulevard, south of W. Tennessee Street, west of Meridian Street and north of College Avenue, properties located on blocks 1, 2, 14, 15, 17, 18, 28, 29, 30, 31, 43, 44, 45, 46, 54, and 55 of the capitol center planning district, and properties in the design review districts. For properties in these geographic areas, the director of growth management or the director's designee shall notify the application in writing of the decision to deny, approve, continue the review to a date and time certain, or approve the application with conditions within 20 working days of receipt of a complete application.
- e. *Site plan revisions.* The applicant shall have 90 days from the date of the site plan meeting when final action is taken to submit a revised site plan to include any conditions of approval for the site plan imposed by the director of growth management. Any such changes shall be reviewed for acceptance by the director of growth management within ten days of receipt and shall bear the signature of the director of growth management or designee before the site plan can be accepted as the approved site plan. Upon written request from the applicant, one 90-day extension may be granted to the applicant by the land use administrator for submittal of the revised site plan. Failure by the applicant to submit a revised site plan within the time frames specified in this subsection shall deem the site plan null and void.
- f. *Formal proceedings.* The decision of the director of growth management or the director's designee shall become final 30 calendar days after it is rendered unless a person who qualifies as a party under chapter 2, article III, division 2, subdivision II, of this Code pays the filing fee, files the petition for formal proceedings in accordance with chapter 2, article III, division 2, subdivision II, of this Code and the bylaws of the planning commission. Failure to file the notice of intent, to pay the filing fee, and/or to file the petition as required in

this section is jurisdictional and shall result in the waiver of the right to petition for formal proceedings.

SECTION 4. Chapter 10, Article III, Section 10-131, is amended as follows:

Sec. 10-131. Establishment of zoning districts.

- (a) *Purpose.* The purpose of this section is to establish the zoning districts which directly implement the 2010 Comprehensive Plan. Based on the policy and purposes of this chapter, the following districts are consistent with the land use element of the 2010 Comprehensive Plan, as amended.
- (b) *List of zoning districts.* For the purpose of this chapter, the city is hereby divided into districts designated as follows:

1.	OA-1	Airport Vicinity District
2.	AC	Activity Center
3.	CU-12	Central Urban-12
4.	CU-18	Central Urban-18
5.	CU-26	Central Urban-26
6.	CU-45	Central Urban-45
7.	CP	Commercial Parkway District
8.	DRI	Development of Regional Impact District
9.	C-2	General Commercial District
10.	I	Industrial
11.	DI	Institutional/Cultural/University Transition
12.	IC	Interchange Commercial
13.	LP	Lake Protection
14.	M-1	Light Industrial District
15.	R-5	Manufactured Home and Single-Family Detached District
16.	MH	Manufactured Home Park District
17.	CM	Medical Arts Commercial District
18.	MR	Medium Density Residential District
19.	MR-1	Medium Density Residential District
20.	NBO	Neighborhood Boundary Office
21.	C-1	Neighborhood Commercial District
22.	OR-1	Office Residential District-1
23.	OR-2	Office Residential District-2
24.	OR-3	Office Residential District-3
25.	OS	Open Space District

26.	PD	Planned Development
27.	PUD	Planned Unit Development District
28.	RA	Residential Acre
29.	RP-MH	Residential-Manufactured Home
30.	RP-1	Residential Preservation-1
31.	RP-2	Residential Preservation-2
32.	RP-R	Residential-Rural
33.	RP-UF	Residential-Urban Fringe
34.	R	Rural
35.	R-1	Single-Family Detached Residential District
36.	R-2	Single-Family Detached Residential District
37.	R-3	Single and Two-Family Residential District
38.	SCD	Special Character District
39.	RO	Targeted Retail/Office Growth Area
40.	UT	University Transition
41.	UF	Urban Fringe
42.	UP-1	Urban Pedestrian District-1
43.	UP-2	Urban Pedestrian District -2
44.	R-4	Urban Residential District
45.	MR CR	Mahan Residential Corridor Ring
46.	MR CR N	Mahan Residential Corridor Node
<i>Design Review Districts:</i>		
47.	ASN-A	All Saints Neighborhood Infill/Low Intensity
48.	ASN-B	All Saints Neighborhood Infill/Moderate Intensity
49.	ASN-C	All Saints Neighborhood Corridor Mixed Use District
50.	ASN-D	All Saints Neighborhood Civic Center Corridor Mixed Use District
51.	UV	University Urban Village
52.	UPUD	Urban Planned Unit Development District

(c) *Standards and regulations.* The districts are defined, along with implementing standards and development regulations in article IV.

SECTION 5. Chapter 10, Article IV, Division 1, Section 10-179, is amended as follows:

Sec. 10-179. Mahan ~~Residential Corridor~~ Ring District and Mahan ~~Residential Corridor~~ Node District.

(a) *Purpose and intent.* The Land Use Element of the Tallahassee-Leon County Comprehensive Plan establishes the Mahan ~~Residential Corridor and Mahan Residential Corridor~~ Gateway Node future land use map categories on the future land use map. The following zoning districts are permitted and are applicable within the Mahan Drive Corridor Study Area (as defined within the Tallahassee Leon County Comprehensive Plan) and also within the Mahan ~~Residential Corridor and Mahan Residential Corridor~~ Gateway Node Comprehensive Plan Future Land Use Map categories:

(1) Mahan ~~Residential Corridor~~ Gateway Node future land use map category:

- a. Mahan ~~Residential Corridor~~ Ring District (MRCR);
- b. Mahan Corridor Node (MCN) ~~Residential Preservation District (RP1 and RP2);~~
- c. ~~Residential Acre District (RA);~~
- d. ~~Single and Two Family Residential District (R-3).~~

(2) ~~Mahan Residential Corridor Node future land use map category:~~

- a. ~~Mahan Residential Corridor Node (MRCN) Zoning District;~~
- b. ~~Residential Preservation (RP1 and RP2) Zoning District.~~

The Residential Acre (RA), Residential Preservation (RP1 and RP2) and Single-and Two-Family Residential (R-3) zoning districts do not implement the Mahan ~~Residential Corridor and Mahan Residential Corridor~~ Gateway Node future land use map categories and may not be expanded within the future land use map categories. Expansion of these zoning districts shall require a comprehensive plan future land use map amendment. The intent of the Mahan ~~Residential Corridor~~ Ring and the Mahan ~~Residential Corridor~~ Node zoning districts is further established in sections 10-268 and 10-269.

(b) *List of permitted uses.* See schedules of permitted uses in sections 10-268 and 10-269 subsections 2 and 3. Proposed activities and uses are indicated in these schedules found in subsections 10-268 and 10-269. Chapter 9, article III sets forth the development approval process required for allowable uses.

(c) *Development standards.* All proposed development shall meet the land use development criteria specified in subsections 10-268 and 10-269; 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); parking and loading requirements (article VI of this chapter); and site lighting requirements (section 10-427).

(d) *Specific restrictions.* If uses are restricted according to the schedule of permitted uses, they must follow the general development guidelines for restricted uses as provided in articles IV and V of this chapter.

...

SECTION 6. Chapter 10, Article IV, Division 3, Sections 10-268 and 10-269, are amended by striking them entirely and substituting new Section 10-268 and 10-269, as follows:

[The rest of this page is intentionally blank]

Section 10-268 MRC Mahan Residential Corridor District.

Formatted: Centered

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>The Mahan Residential Corridor (MRC) district is intended to be located in areas designated as Residential Corridor on the Future Land Use Map of the Comprehensive Plan and shall apply only to areas located within the Mahan Drive Corridor Study area. This district is intended to be located on the edges of existing or planned single-family attached, two-family and detached residential neighborhoods and along Mahan Drive. The Mahan Residential Corridor (MRC) district is intended to provide for higher residential densities within the Urban Services Area (USA) boundary in order to better provide for the efficient use of infrastructure including transit. Additional landscape standards are also included in order to promote compatibility with adjacent neighborhoods and the preservation or perpetuation of trees along the Mahan Drive Corridor to the greatest extent possible. The MRC district is intended to provide for residential land uses while providing a transition between lower density residential development and more intensive non-residential or medium density development. This zoning district shall not be applied to the interior of an existing single-family detached dwelling neighborhood. The provisions of this district are intended to allow higher density residential development that is compatible in scale and design with adjoining low-density residential neighborhoods. The MRC district is not intended to accommodate large-scale multiple-family development. Small-scale mixed-use developments combining the Mahan Residential Corridor (MRC) and Mahan Residential Corridor Node (MRCN) zoning districts are encouraged. The maximum gross density allowed for new residential development in the MRC district is six (6) dwelling units per acre. Residential land uses may also be developed at a maximum density of eight (8) dwelling units per acre when innovative design is utilized including but not limited to mixed-use developments incorporating the Mahan Residential Node District, centralized stormwater facilities, or condominium developments that adhere to the design standards in this Section.</p> <p>Increases in land zoned MRC shall demonstrate the need for additional residential densities within the Mahan Drive Corridor Study area. Expansions of the MRC zoning district are prohibited into existing viable single-family residential</p>	<p>1. Single-family detached dwellings; 2. Zero-lot line single-family detached dwellings; 3. Single-family attached dwellings; 4. Two-family dwellings; and 5. Community facilities related to residential uses including religious facilities, police/fire stations, elementary and middle schools. Libraries, vocational schools and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 6. 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 and which comply with standards for noise and lighting set out herein.</p>	<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 principle use or structure, as determined by the Land Use Administrator. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

Formatted: Bullets and Numbering

DEVELOPMENT STANDARDS										
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 5)				6. Building Restrictions		
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side—Interior Lot	c. Side-Corner Lot	d. Rear	a. Maximum Building Size (excluding gross building floor area used for parking)	b. Maximum Building Height (including stories used for parking)	
Single-Family Detached Dwellings	5,000-square feet	50 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	Not applicable	2 stories and 35 feet	
Single-Family Attached Dwellings	3,750-square feet end-unit; 2,400-square feet interior lot	37.5 feet end-unit; 25 feet interior lot	80 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise none	50 feet when adjoining property-zoned RP; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise 25 feet	Maximum length; a block of 4 residential units with a 10-foot minimum spacing between unit blocks	2 and 35 feet	
Two-Family Dwellings	8,500-square feet	70 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	50 feet when adjoining property-zoned RP; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise 25 feet	A) Two-Family Dwelling structures adjacent to existing single-family detached dwellings structures may not be less than 50% smaller than the smallest adjacent principal single-family detached dwelling structure; and B) All other two-family residential has no size limitations.	2 and 35 feet	
Any Permitted Non-Residential Use	12,000 square feet	60 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise 25 feet	50 feet when adjoining property-zoned RP; otherwise 10 feet	15,000-square feet of gross building floor area per acre	2 and 35 feet	

<p>7. Fencing, Buffering and Screening Requirements:</p> <p>a.Chain link fencing is prohibited.</p> <p>b.Buffering shall be in accordance with the provisions of section 10-177 except in cases where the proposed RC use is attached single-family dwellings, two-family dwellings or any permitted non-residential use and such proposed use abuts property zoned Residential Preservation-1. In these cases a Type-D buffer is required at a minimum. Notwithstanding any existing trees and vegetation that are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of section 10-177. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of section 10-177 or this section, then new plantings shall be required.</p> <p>c.The off-site visual impacts associated with outdoor service functions or areas such as loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary façade of the primary building and/or evergreen landscape plant material.</p> <p>d.Notwithstanding section 8 below, on-site parking adjoining roadways other than Mahan Drive shall be screened from view from public roadways by planted landscape hedge with a minimum height of three feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.</p> <p>Landscaping should be used to define onsite pedestrian corridors, building design elements, public areas, and viewscales.</p>	<p>← --</p>
<p>8. Landscape Standards: Development within the RC district shall be subject to the landscape requirements of this Section in addition to those requirements found in Chapter 5. Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per Section 481 of the Florida Statutes. All properties fronting Mahan Drive shall provide and maintain a fifty (50) foot wide landscape area immediately adjoining the roadway. All vegetation within the fifty (50) foot wide landscaped area of good condition four (4) inches in height or larger shall be preserved. This landscape area shall be planted with canopy trees with at least one (1) tree for each 100 square feet of landscaped area. Creative design and spacing is encouraged. The landscaped area may be crossed with permitted driveways but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscaped area. Sidewalks are not permitted inside the landscaped area except for connections to the sidewalk fronting Mahan Drive, if applicable. Signs in accordance with Section 7-62 may be located within the landscaped area, but shall not reduce the tree planting requirements. Existing healthy trees within the landscaped area may be counted as prescribed in Section 5-85 toward meeting the tree planting requirements. Management of the existing trees within the landscaped area shall include pruning of dead and hazardous tree limbs less than 25% of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.</p>	
<p>9. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. However, such facilities shall be screened with a material consistent with the principle structure. The use of solid waste facilities greater than 90 gallons is prohibited within in the MRC district.</p>	

Formatted: Bullets and Numbering

Section 10-269 MRCN Mahan Residential Corridor Node District.

PERMITTED USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
<p>The Mahan Residential Corridor Node (MRCN) district is intended to be located in areas designated as Residential Corridor Node on the Future Land Use Map of the Comprehensive Plan and shall apply only to areas located within the Mahan Drive Corridor Study area. The Mahan Residential Corridor Node (MRCN) district is intended to provide medium-density residential, minor commercial and minor office development within the Urban Services Area (USA) boundary in order to better provide for the efficient use of infrastructure including transit. The interconnection standards set forth in the MRCN are intended to minimize the use of the arterial roadway for short vehicular trips and to promote smooth and safe traffic flow of the general traveling public. Additional landscape and building design standards are also included in order to promote compatibility with adjacent neighborhoods and the preservation or perpetuation of trees along the Mahan Drive Corridor to the greatest extent possible. The MRCN district is not intended to accommodate large-scale apartment development as a single use. Small scale mixed-use developments within the MRCN district or combining the Mahan Residential Corridor (MRC) and Residential Corridor Node (MRCN) zoning districts are encouraged. The maximum gross density allowed for new residential development in the MRCN district is sixteen (16) dwelling units per acre.</p> <p>Increases in land zoned MRCN shall demonstrate the need for greater residential densities within the Mahan Drive Corridor Study area. Expansion of the MRCN zoning district is prohibited in existing viable single-family residential subdivisions. The MRCN zoning district shall be located in a nodal fashion along the Mahan Drive corridor consistent with the recommendations of the Mahan Drive Corridor Study. Expansion of the zoning district in a strip or linear fashion shall be inconsistent with the Tallahassee-Leon County Comprehensive Plan and is therefore prohibited.</p>	<p>1. Single family — detached dwellings; 2. Single family attached dwellings; 3. Two-family dwellings; 4. Multi-family dwellings (any type except dormitories, fraternities and sororities) only when developed as part of a mixed use development under a common plan of development; 5. Nursing homes and residential care facilities; 6. Daycare centers; 7. Medical and dental offices and services, laboratories and clinics; 8. Non-medical offices and services, including business and government offices and services; 9. Banks and other financial institutions; 10. Restaurants without drive-in facilities; 11. Retail bakeries; 12. Retail candy, nut and confectionery stores; 13. Meat and fish markets; 14. Fruit and vegetable markets 15. Retail drug stores; 16. Retail florists; 17. Retail food and grocery; 18. Retail home / garden supply, hardware and nurseries without outside storage or display; 19. Retail newsstand, books, greeting cards; 20. Retail department, apparel and accessory stores;</p>	<p>21. Retail picture framing; 22. Retail sporting goods, bicycle shops and bicycle parts dealer, except motorized; 23. Retail jewelry stores; 24. Retail hobby, toy and game shops 25. Camera and photographic supply stores; 26. Retail sewing, needlework and piece goods stores; 27. Optical goods stores; 28. Coin-operated laundries and dry cleaning; 29. Museums and art galleries; 30. Retail computer, video, record and other electronics; 31. Personal services excluding tattoo and massage parlors; 32. Bed and breakfast inns up to a maximum of five rooms; 33. Antique shops; 34. Mailing services; 35. Gift, novelty and souvenir stores; 36. Photocopying and duplicating services; 37. Studios for photography, art, drama, music and video; 38. Tailoring; 39. Veterinary services including animal hospitals without outside kennel services; and 40. 1. 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 and which comply with standards for noise and lighting set out herein.</p>

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

DEVELOPMENT STANDARDS										
		4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 5)				6. Building Restrictions	
Use Category		d. Lot or Site Area	e. Lot Width	f. Lot Depth	e. Front	f. Side—Interior Lot	g. Side—Corner Lot	h. Rear	c. Maximum Building Size (excluding gross building floor area used for parking)	d. Maximum Building Height (including stories used for parking)
Single-Family Detached Dwellings		5,000-square feet	50 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet; provided that no such setback shall be less than 5 feet	15 feet	25 feet	Not applicable	2 stories and 35 feet
Single-Family Attached Dwellings Developed as a Single Use		1,600-square feet minimum; average of 2,000-square feet	16 feet	None	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise none	50 feet on any side when adjoining property-zoned RP; otherwise none	50 feet when adjoining property-zoned RP; otherwise 25 feet	Maximum length; a block of 4 residential units with a 10-foot minimum spacing between unit blocks	2 stories and 35 feet
Two-Family Dwellings Developed as a Single Use		8,500-square feet	70 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet; provided that no such setback shall be less than 5 feet or 50 feet when adjoining property-zoned RP	50 feet when adjoining property-zoned RP; otherwise 15 feet	50 feet when adjoining property-zoned RP; otherwise 25 feet	B) Two-Family Dwelling structures adjacent to existing single-family detached dwellings structures may not be less than 50% smaller than the smallest adjacent principal single-family detached dwelling structure; and B) All other two-family residential has no size limitations.	2 stories and 35 feet

DEVELOPMENT STANDARDS										
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 5)				6. Building Restrictions		
Multiple Family Dwellings Developed as a Single Use	10,000 square feet	80 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property zoned RP; otherwise 15 feet on each side	50 feet when adjoining property zoned RP; otherwise 25 feet on each side	50 feet when adjoining property zoned RP; otherwise 10 feet	None		2 stories and 35 feet
Any Permitted Non-Residential Principal Use Developed as a Single Use	10,000 square feet	80 feet	100 feet	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property zoned RP; otherwise 15 feet on each side	50 feet when adjoining property zoned RP; otherwise 25 feet on each side	50 feet when adjoining property zoned RP; otherwise 10 feet	A) Non-residential structures adjacent to existing residential single-family detached structures may not exceed 2 times that of the largest adjacent principal residential structure; and B) All other non-residential structures shall not exceed 4,000 square feet of non-residential gross building floor area per parcel and 8,500 square feet per acre.		2 stories and 35 feet
Any Permitted Non-Residential Principal Use Developed as Part of a Mixed-use Development Under Common Plan of Development	None	None	None	50 feet when abutting Mahan Drive; otherwise 15 feet	50 feet when adjoining property zoned RP; otherwise none	50 feet when adjoining property zoned RP; otherwise none	50 feet when adjoining property zoned RP; otherwise none	All non-residential structures; shall not exceed 10,000 square feet of non-residential gross building floor area per parcel and 20,000 square feet per acre except when located on the ground floor of a structure also containing residential uses in which case there is no size limitation on non-residential uses.		3 stories and 50 feet
Multiple-Family Dwellings Developed as Part of a Mixed-use Development Under Common Plan of Development	None	None	None	50 feet when abutting Mahan Drive; otherwise none	50 feet when adjoining property zoned RP; otherwise none	50 feet when adjoining property zoned RP; otherwise none	50 feet when adjoining property zoned RP; otherwise none	None		3 stories and 50 feet or 2 stories and 35 feet when located within 100 feet of property zoned RP

<p>7. Landscape Standards: Development within the RC district shall be subject to the landscape requirements of this Section in addition to those requirements found in Chapter 5. Where standards conflict, the stricter of the two shall apply. All landscape plans shall be prepared by a registered landscape architect as per Section 481 of the Florida Statutes. All properties fronting Mahan Drive shall provide and maintain a fifty (50) foot wide landscape area immediately adjoining the roadway. All vegetation within the fifty (50) foot wide landscaped area of good condition four (4) inches in height or larger shall be preserved. This landscape area shall be planted with canopy trees with at least one (1) tree for each 100 square feet of landscaped area. Creative design and spacing is encouraged. The landscaped area may be crossed with permitted driveways but compensatory area shall be added, equal to the area of the driveway, adjacent to the required landscaped area. Sidewalks are not permitted inside the landscaped area except for connections to the sidewalk fronting Mahan Drive, if applicable. Signs in accordance with Section 7-62 may be located within the landscaped area, but shall not reduce the tree planting requirements. Existing healthy trees within the landscaped area may be counted as prescribed in Section 5-85 toward meeting the tree planting requirements. Management of the existing trees within the landscaped area shall include pruning of dead and hazardous tree limbs less than 25% of the green mass of the tree, fertilization, pest control, and control of invasive vegetation. Mechanical methods which compact the earth or root systems shall not be allowed.</p>	
<p>8. Fencing, Buffering and Screening Requirements:</p> <p>a.Chain link fencing is prohibited.</p> <p>b.Buffering shall be in accordance with the provisions of section 10-177 except where the proposed RCN use is a multiple family dwelling, attached single family dwelling, two family dwelling or any permitted non-residential use and such proposed use abuts property zoned Residential Preservation 1 or Residential Preservation 2. In these cases a Type D buffer is required at a minimum; notwithstanding any existing trees and vegetation that are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of section 10-177. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of section 10-177, new plantings shall be required.</p> <p>c.The off-site visual impacts associated with outdoor service functions including but not limited to loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary façade of the primary building and/or evergreen landscape plant material.</p> <p>d.Notwithstanding section 7 above, on-site parking adjoining roadways other than Mahan Drive shall be screened from view from public roadways by a planted landscape hedge with a minimum height of three feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.</p> <p>Landscaping should be used to define onsite pedestrian corridors, building design elements, public areas, and viewscaes.</p>	<p>Formatted: Width: 11", Height: 8.5", Different first page header</p> <p>Formatted: Bullets and Numbering</p>
<p>9. Noise Source Restrictions: In the event that a property zoned RCN abuts property zoned Residential Preservation, the noise source on the RCN zoned property shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 A.M. to 7:00 P.M.) and an L10 noise level of 50 dBA in the night time (7 P.M. to 7:00 A.M.) as measured on the property line abutting the source.</p>	
<p>10. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. Such facilities shall be screened with a material consistent with the principle structure. The use of solid waste containers greater than 90 gallons is discouraged within in the RCN district.</p>	
<p>11. Additional Criteria for the Construction of all New Non-Residential Buildings and Additions: The overall goals of this district are to provide a unified sense of place or common plan of development, a pedestrian scale, and design that reflects the general character and scale of typical residential structures in adjacent neighborhoods. No particular architectural style or materials are mandated. Variety within these design criteria is encouraged. However, buildings shall be designed to reduce the mass, scale, and monolithic appearance of large structures. Flat roofs are prohibited. Roofs shall be designed with a minimum pitch of 4 in 12 (four feet of rise per twelve feet of run). The horizontal footprint of a single roof plane may not exceed one thousand (1,000) square feet. Doors and windows shall be placed to reflect the predominant character and scale of adjacent residential structures, and to provide natural surveillance opportunities to discourage criminal activities. Exterior walls shall be designed with doors or windows spaced horizontally no more than fourteen (14) feet from each other. For purposes of this requirement, doors and windows shall be defined as having a horizontal dimension of no less than three (3) feet and no more than ten (10) feet. Development and redevelopment applications shall provide sufficient documentation, including but not limited to, architectural elevations (at time of site plan submittal) demonstrating that the proposed development is consistent with the following features of the adjoining neighborhood:</p> <p>a.Building facades including building material, architectural style, and colors.</p> <p>b.Roof forms</p>	<p>Formatted: Bullets and Numbering</p> <p>Formatted: No bullets or numbering</p>

Sec. 10-268 MCR Mahan Corridor Ring District

ALLOWABLE USES		
1. District Intent	2. Principal Uses	3. Accessory Uses
The Mahan Corridor Ring (MCR) zoning district is intended to be located in areas designated Mahan Gateway Node on the Future Land Use Map (FLUM) of the Comprehensive Plan. The purpose of the MCR district is to facilitate compact residential development and community facilities immediately surrounding the Mahan Corridor Node district. The MCR district is anticipated to provide convenient access to goods and services, opportunities for increased choice of transportation modes, and a safe, convenient, and comfortable pedestrian environment. In addition, the MCR district, when located adjacent to RP FLUM areas, is intended to serve as a transition area between the higher intensity/density uses of the Mahan Corridor Node zoning district. Development standards are included which are intended to facilitate compatible scale and design with adjoining RP FLUM areas. The MCR district is anticipated to contain a wide range of housing types and community facilities related to residential uses. Residential development in the MCR district is permissible in the range of four (4) to ten (10) dwelling units per acre.	(1) Single-family detached dwellings; (2) Zero-lot line, single-family detached dwellings (3) Single-family attached dwellings; (4) Two-Family dwellings; (5) Multi-family dwellings; (6) Passive Recreation; and (7) Community facilities and services related to residential uses including: religious facilities, police/fire stations, and elementary and middle schools. Libraries, vocational schools and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. (2) Light infrastructure and/or utility services and facilities necessary to serve allowable uses, as determined by the County Administrator or designee.

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Normal

Formatted: No bullets or numbering

Formatted: No underline

Formatted: Normal

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
<i>Use Category</i>	<i>a. Lot Area</i>	<i>b. Lot Width</i>	<i>c. Lot Depth</i>	<i>a. Front</i>	<i>c. Side-Interior Lot</i>	<i>d. Side-Corner Lot</i>	<i>e. Rear (Alley Setback)</i>	<i>a. Building Size</i>	<i>b. Building Height (See # 8)</i>
<u>Single-Family Detached Dwellings</u>	<u>NA</u>	<u>40 feet</u>	<u>70 feet</u>	<u>15 feet</u>	<u>5 feet</u>	<u>15 feet</u>	<u>20 feet</u> <u>(5 feet from alley)</u>	<u>N/A</u>	<u>35 feet</u>
<u>Zero-Lot Line, Single-Family Detached Dwellings</u>	<u>NA</u>	<u>30 feet interior lot; 40 feet corner lot</u>	<u>70 feet</u>	<u>15 feet</u>	<u>0 feet one side; 6 feet other side</u>	<u>15 feet</u>	<u>20 feet</u> <u>(5 feet from alley)</u>	<u>N/A</u>	<u>35 feet</u>
<u>Single-Family Attached</u>	<u>NA</u>	<u>16 feet</u>	<u>70 feet</u>	<u>15 feet</u>	<u>N/A</u>	<u>15 feet</u>	<u>20 feet</u> <u>(5 feet from alley)</u>	<u>Maximum length: 8 units</u>	<u>35 feet</u>
<u>Two-Family Dwellings</u>	<u>NA</u>	<u>40 feet</u>	<u>70 feet</u>	<u>15 feet</u>	<u>5 feet</u>	<u>15 feet</u>	<u>20 feet</u> <u>(5 feet from alley)</u>	<u>N/A</u>	<u>35 feet</u>
<u>Multi-family Dwellings</u>	<u>NA</u>	<u>50 feet</u>	<u>80 feet</u>	<u>15 feet</u>	<u>15 feet</u>	<u>15 feet</u>	<u>25 feet</u>	<u>Maximum 12,000 square ft building footprint</u>	<u>35 feet</u>
<u>Community Facilities and Service Uses</u>	<u>NA</u>	<u>50 feet</u>	<u>80 feet</u>	<u>N/A</u>	<u>15 feet</u>	<u>15 feet</u>	<u>50 feet</u> <u>(25 feet from alley)</u>	<u>8,500 square feet of gross building floor area per acre</u>	<u>35 feet</u>

Formatted: No bullets or numbering

7. Building Height: When located immediately adjacent to RP Future Land Use areas, the maximum building height shall be 25 feet.
8. Roof Types:
a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for non-residential buildings.
b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.
9. Encroachments: Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50% of the front setbacks. Encroachments – permanent and temporary – shall not result in a constrained pedestrian passageway of less than five feet in width.
10. Access Management:
a. Direct access to Mahan Drive shall be limited and provided via public right-of-way.
b. There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.
c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.
11. Blocks, Frontage, & Sidewalks: Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.
a. Block Length: Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.
b. Mid-block Pedestrian Crossings: A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
c. Sidewalk width and placement: All sidewalks shall be no less than five feet in width.

Formatted: Normal

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 7 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 7 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

Formatted: Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 0" + Tab after: 0.25" + Indent at: 0.25"

12. Off-Street Parking: a. All off-street residential parking shall be either side-entry, rear-loaded (accessed by alley) or recessed as noted in b). b. Recessed garages shall be setback, at minimum, an additional ten (10) feet from the street than the front façade of the principal structure. c. All off-street parking associated with community facilities shall be located to the side or rear of the principal structure and shall meet the screening requirements set forth in Section 14, below. d. The use of shared driveways is encouraged, where there is the ability to reduce impervious surface area and stormwater runoff.
13. Buffering, Fencing, and Screening: a. Buffer Zone Standards: Buffering is not required between uses within the MCR zoning district. Where development abuts a <i>residential zoning district</i> , the landscape buffer standards of Section 10-177 shall apply. b. Fencing: Only black or green chain link fencing is allowed if visible from public right-of-way or public property.
14. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk. a. Street trees shall be planted between 20–40 feet on center, except when a greater distance may be required to avoid conflict with driveways, street lamps, other utilities, or visibility or safety issues would be compromised with the required location. b. A minimum planting strip of six (6) feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate. c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.
15. Lighting for Community Facilities and Non-Residential Uses: Lighting shall be directed away from the perimeter of the site.
16. Signage for Community Facilities and Non-Residential Uses: All signs within this district shall meet the sign standards set forth in this section in addition to current locally adopted sign code regulations. A uniform sign design for the parcels included within the district shall conform to the following standards: a. Wall-mounted Signs: One wall-mounted sign is allowed per tenant per street frontage. In no case shall any wall-mounted sign exceed an area of 24 square feet. b. Prohibited Signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district. Ground Signs: One ground sign is allowed per street frontage. Ground signs shall be shared when a building contains multiple tenants or when there are multiple tenants located on the premise. The maximum surface area or display area for a ground sign within this district is 35 square feet per side with no more than two sides. Ground signs, including the sign structure itself, are limited to a maximum height of six feet from grade. Ground signs shall be constructed with a base full width to the sign face or pedestal-mounted with materials that are consistent and compatible with those utilized on the principal building(s).

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Ordinance (EMO) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Formatted: Outline numbered + Level: 1 +
Numbering Style: 1, 2, 3, ... + Start at: 9 +
Alignment: Left + Aligned at: 0" + Tab after:
0.25" + Indent at: 0.25"

Formatted: Normal

Formatted: Indent: Left: 0.25"

Formatted: No underline

Formatted: Normal

Formatted: Left, No bullets or numbering

Sec. 10-269 MCN Mahan Corridor Node District

1. Purpose and Intent	2. Allowable District Location
<p>The Mahan Corridor Node (MCN) zoning district is intended to implement the Mahan Gateway Node Future Land Use Map (FLUM) category of the Comprehensive Plan. The MCN zoning district allows residential development, within a range of 6-12 dwelling units per acre; or, up to 16 dwelling units per acre when incentives are used. The MCN zoning district allows non-residential development of up to 8,000 sq. ft. floor area per acre; or, up to 12,000 sq. ft. floor area per acre when incentives are used. Incentives for greater development density or intensity are provided for mixed-use development. Gross development intensities may be reduced in those instances where environmental limitations affect the amount of area that may be developed in any particular location. Non-residential development allowed within this district is limited to office, non-automotive related retail, services, and community facilities.</p> <p>The district is intended to accomplish the following:</p> <ul style="list-style-type: none">• Preserve the attractive Mahan Drive gateway corridor;• Preserve the through-traffic mobility function and limit congestion of Mahan Drive by limiting direct access and promoting an interconnected local street network;• Accommodate compact mixed-use development at major intersections to provide convenience for area residents by providing access to common goods, services, and recreation within a short distance of home;• Provide a development pattern that is transit supportive, based on a high degree of interconnected streets, and a compact layout of use that addresses streets and sidewalks;• Create a development pattern that maximizes infrastructure and environmental efficiency by concentrating non-residential uses around major intersections;• Protect community health and safety by minimizing automobile dependency and reducing vehicle miles traveled through design supporting a variety of travel modes;• Create a community where travel by foot and bicycle is safe, convenient, and comfortable;• Minimize stormwater runoff by limiting surface area devoted to parking; and,• Facilitate compatibility with nearby neighborhoods through buffers, transitioning building mass and scale, and through careful site design.	<p>a. The district may only be located within areas designated Mahan Gateway Node on the Future Land Use Map.</p> <p>b. The district location is further limited to specific locations within the FLUM category, as follows:</p> <ol style="list-style-type: none">The MCN zoning district shall be located at those areas immediately surrounding the intersection of Mahan Drive and Dempsey Mayo Road, Edenfield Road/Highland Drive, and Thornton Road.The MCN zoning district shall not extend more than 800 feet in either direction from the intersection of Mahan Drive and the perpendicular cross streets referenced in (i), nor shall it extend away from Mahan Drive more than 1,200 feet.Future applications of the MCN zoning district shall not be approved if abutting parcels are designated Residential Preservation on the FLUM.Regardless of the provisions in i.-iii., the MCN zoning district is applicable in all areas designated Mahan Residential Corridor Node on the FLUM as of January 30, 2009; <p>c. Within the areas described in (b), the location of the district may be further limited to facilitate compatibility with existing, adjoining Residential Preservation FLUM areas, minimize potential adverse environmental impacts, to correspond district boundaries with lot lines, or in recognition of physiographic features.</p>

Formatted: Font: Not Bold

Formatted: No underline

Formatted: Normal

Formatted: Font: 12 pt, No underline

Formatted: Left, No bullets or numbering

Formatted: Normal

Formatted: Font: Bold

Formatted: Font: Not Bold

Formatted: Normal

PERMITTED, PROHIBITED, AND CONDITIONAL USES		
3. Principal Uses		4. Accessory Uses
<ol style="list-style-type: none"> 1. Single family-attached dwellings; 2. Two-family dwellings. 3. Multi-family dwellings (any type except dormitories, fraternities and sororities) only when developed as part of a mixed use development under a common plan of development; 4. Nursing homes and residential care facilities; 5. Daycare centers; 6. Medical and dental offices and services, laboratories and clinics; 7. Non-medical offices and services, including business and government offices and services; 8. Banks and other financial institutions; 9. Restaurants without drive-in facilities; 10. Retail bakeries; 11. Retail candy, nut and confectionery stores; 12. Meat and fish markets; 13. Fruit and vegetable markets 14. Retail drugstores; 15. Retail florists; 16. Retail food and grocery; 17. Retail home / garden supply, hardware and nurseries without outside storage or display; 18. Retail newsstand, books, greeting cards; 19. Retail department, apparel and accessory stores; 	<ol style="list-style-type: none"> 20. Retail picture framing; 21. Retail sporting goods, bicycle shops and bicycle parts dealer, except motorized; 22. Retail jewelry stores; 23. Retail hobby, toy and game shops 24. Camera and photographic supply stores; 25. Retail sewing, needlework and piece goods stores; 26. Optical goods stores; 27. Coin operated laundries and dry cleaning; 28. Museums and art galleries; 29. Retail computer, video, record and other electronics; 30. Personal services excluding tattoo and massage parlors; 31. Bed and breakfast inns up to a maximum of five rooms; 32. Antique shops; 33. Mailing services; 34. Gift, novelty and souvenir stores; 35. Photocopying and duplicating services; 36. Studios for photography, art, drama, music and video; 37. Tailoring; 38. Veterinary services including animal hospitals without outside kennel services; and 39. 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 and which comply with standards for noise and lighting set out herein. 	<ol style="list-style-type: none"> (1) Any use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure, which comprises no more than 33 percent of the floor area or cubic volume of the principle use or structure, as determined by the Land Use Administrator (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.

Formatted: No bullets or numbering

Formatted: Font: Not Bold

Formatted: Numbered + Level: 1 +
Numbering Style: 1, 2, 3, ... + Start at: 1 +
Alignment: Left + Aligned at: 0.28" + Tab
after: 0.53" + Indent at: 0.53", Tab stops:
Not at 0.5"

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.25", Numbered +
Level: 1 + Numbering Style: 1, 2, 3, ... + Start
at: 1 + Alignment: Left + Aligned at: 0.28" +
Tab after: 0.53" + Indent at: 0.53"Formatted: Indent: Left: 0.28", Hanging:
0.26", Numbered + Level: 1 + Numbering
Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left
+ Aligned at: 0.28" + Tab after: 0.53" +
Indent at: 0.53"

Formatted: Font: Not Bold, Strikethrough

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.28", Hanging:
0.26", Numbered + Level: 1 + Numbering
Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left
+ Aligned at: 0.28" + Tab after: 0.53" +
Indent at: 0.53"Formatted: Indent: Left: 0.28", Hanging:
0.26", Numbered + Level: 1 + Numbering
Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left
+ Aligned at: 0.28" + Tab after: 0.53" +
Indent at: 0.53"

Formatted: Normal

DEVELOPMENT STANDARDS										
	5. Density, Intensity and Building Restrictions			6. Lot or Site Area Restrictions			7. Building Setbacks			
Use Category	<i>a. Allowable Densities (dwelling units/ acre)</i>	<i>b. Allowable Intensities (square feet/ acre)</i>	<i>c. Maximum Building Height</i>	<i>a. Minimum Lot Area</i>	<i>b. Lot Width</i>	<i>c. Minim- um Lot Depth</i>	<i>a. Front</i>	<i>b. Side Interior</i>	<i>c. Side Corner</i>	<i>d. Rear</i>
SINGLE USE DEVELOPMENT										
Single-Family Attached Residential	Min: 6 Max:10 With master planning bonus: 16 [See #10.]	N/A	35 feet	N/A	N/A	N/A	Min: 10 feet Max: 15 feet	Min: 0 feet Max: 10 feet Adjoins RP Future Land Use Category: 25 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
Multi-Family Residential	Min: 6 Max:10 With master planning bonus: 16 [See #10.]	N/A	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.
Non- Residential and Community Facilities	N/A	8,000 sf/ac; 10,000 sf/ac with master planning bonus [See #10]	35 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: Zero Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.

DEVELOPMENT STANDARDS										
	5. Density and Intensity Restrictions			6. Lot or Site Area Restrictions			7. Building Setbacks			
<i>Use Category</i>	<i>a. Allowable Density (dwelling units/ acre)</i>	<i>b. Allowable Intensities (square feet/ acre)</i>	<i>c. Building Height</i>	<i>a. Lot Area</i>	<i>b. Lot Width</i>	<i>c. Lot Depth</i>	<i>a. Front</i>	<i>b. Side Interior</i>	<i>c. Side Corner</i>	<i>d. Rear</i>
MIXED-USE DEVELOPMENT										
Mixed-Use Development	Min: 6 Max:12 With master planning bonus: 16 [See #9 and #10.]	10,000 sf/ac; 12,000 sf/ac with master planning bonus. [See #9 and #10.]	45 feet	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins RP Future Land Use Category: 40 feet min.

Formatted: Normal

8. Building Size Standards		
<i>Use Category</i>	<i>a. Maximum Building Footprint</i>	<i>b. Maximum building floor area per structure</i>
Single-Family Attached Residential	N/A	N/A
Multi-Family Residential	15,000 sq. ft.	N/A
Non-Residential and Community Facilities	Standard: 8,000 sq ft. With master planning bonus: 10,000 sq. ft.	Standard: 14,000 sq ft. With master planning bonus: 20,000 sq. ft.
Mixed-Use Development	Standard: 10,000 sq ft. With master planning bonus: 15,000 sq. ft.	Standard: 30,000 sq ft. With master planning bonus: 40,000 sq. ft.

Formatted: Normal

<p>9. Mixed Use Incentive qualifications: Developments incorporating both residential and non-residential uses within a single development application or those which retrofit an existing development to include both residential and non-residential uses, qualify for additional density and intensity provided for mixed-use development, pursuant to the following criteria:</p> <p>a. At the completion of all development phases, no less than 20% of the gross floor area within the development is devoted to either residential use or non-residential use;</p> <p>b. The development consists of a mixture of uses within a single building or within multiple adjacent buildings, wherein the different uses are located no further than 200 feet apart; and,</p> <p>c. The development application must provide a common plan for the development of all included parcels, including shared infrastructure.</p>
<p>10. Master planning bonus: The following shall be entitled to the master planning bonus:</p> <p>a. Any development site area of eight or more acres; or</p> <p>b. Development site area of five or more acres wherein at least 50% of associated off-street parking will be provided in a shared facility; and at least 50% of the surface area required for stormwater management facility area is located below grade, or in a shared facility.</p> <p>c. The development site area may be composed of multiple parcels; in those instances, the development application must provide a common plan for the development of all included parcels.</p>
<p>11. Access Management:</p> <p>a. Direct access to Mahan Drive shall be limited and provided via public right-of-way.</p> <p>b. There shall be no more than one public right-of-way connection to Mahan Drive and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining Mahan Drive and the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.</p> <p>c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.</p>
<p>12. Street Trees: All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.</p> <p>a. Street trees shall be planted between 20-30 feet on center, except when a greater distance may be required to avoid conflict with visibility, street lamps, utilities, or safety issues would be compromised with the required location.</p> <p>b. A minimum planting strip of six (6) feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.</p> <p>c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.</p>
<p>13. Parking: Parking shall not be located between the building facade and the right-of-way, and shall be located on-street, internal to the block, or to the rear of structures. Where site constraints necessitate, up to 25% of required parking may be permitted to the side of buildings.</p>
<p>14. Transparency: Adjacent to streets and access drive aisles, non-residential and mixed-use buildings shall provide a minimum facade transparency of 50% at pedestrian level – between 3 and 8 feet above finished grade – and residential buildings shall provide a minimum facade transparency of 25% at pedestrian level.</p>
<p>15. Building materials: The following materials are prohibited: corrugated metal, standing seam, or v-crimp metal sheeting exterior walls or wall coverings.</p>
<p>16. Roof types:</p> <p>a. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for buildings of two stories or less.</p> <p>b. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.</p>
<p>17. Buffering, fencing, and screening:</p> <p>a. Buffer Zone Standards: Buffering is not required between uses in the MCN zoning district. Where development abuts Residential Preservation future land use areas, the landscape buffer standards of Section 10-177 shall apply.</p> <p>b. Fencing: Only black or green chain link fencing is allowed if visible from public right-of-way or public property.</p>
<p>18. Lighting:</p> <p>a. Intensity limits. Lighting levels at the property line as measured at 6 feet above ground level shall not exceed 0.5 footcandles.</p> <p>b. Light fixture types and location: Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade and shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof-mounted floodlights or spotlights used as general grounds lighting are permitted. Security lighting is permitted. Lighted bollards are encouraged along pedestrian routes.</p>
<p>19. Signage: All signs shall comply with the City sign code and requirements set out in this section; where conflicts occur, the most restrictive standard applies.</p> <p>b. Prohibited Signs: Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district.</p> <p>c. Maximum height of monument signs shall not exceed six feet above grade for single tenant structures and shall not exceed 15 feet above grade for multiple tenant structures.</p> <p>d. Monument ground signs shall incorporate the same exterior materials as the principal structure, and should utilize exterior finish of metal, wood, or masonry materials.</p>

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank, also, refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Ordinance (EMO) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

Formatted: No underline

Formatted: Normal

SECTION 7: Chapter 10, Article VII, Section 10-427, is amended as follows:

Sec. 10-427. Site Lighting Standards.

- (a) *Application.* Site lighting standards shall apply to those zoning districts specifically listed in this section. Exterior lighting shall include any light source outside a building whether freestanding or on its own pole, attached to a structure, or underneath a roof of an open-sided building.
 - (b) *Exemptions.* Emergency lighting and traffic control lighting are exempt from these standards.
 - (c) *Specific guidelines.*
- (1) The following standards shall apply to land uses in the ASN-A urban infill/low intensity, ASN-B infill/moderate intensity, ASN-C corridor mixed use, ASN-D civic center corridor mixed use, the UV university urban village districts, UT university transition, and all CU central urban districts:
- a. For natural quality, lighting elements shall provide full spectrum light to prevent color distortion.
 - b. Light overspill onto adjacent properties shall be minimized by a combination of placement of light fixtures, mounting height, natural or artificial barriers on the fixture owner's property, shielding of the light source to direct light onto the surface to receive illumination, and other fixture design features.
 - c. All exterior lighting fixtures shall be total cutoff type with metal halide lamps or incandescent lamps.
 - d. Motion detector activated lights are permitted and are required to cycle off after five (5) minutes.
 - e. The light source of any fixture shall not be visible from adjacent properties.
 - f. Fixtures shall provide evenly zero point five (0.5) foot-candles at street level and at walkways, bike paths and parks. The light level at parking lots shall be no less than zero point four (0.4) foot-candles and no greater than one (1.0) foot-candle.
 - g. Light fixtures in parking lots shall be a maximum of eighteen (18) feet in height. Light fixtures along pedestrian walkways shall be a maximum of twelve (12) feet in height.
 - h. Prohibitions. The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.

(2) The following standards shall apply to land uses in the Mahan ~~Residential~~ Corridor ~~Ring~~(MRCR) and Mahan ~~Residential~~ Corridor Node (MRCN) zoning districts. Where conflict between the requirements of this subsection and other rules or regulations occur, the stricter of the two shall apply.

- a. For natural quality, lighting elements shall provide full spectrum light to prevent color distortion.
- b. Light overspill onto adjacent properties shall be minimized by a combination of placement of light fixtures, mounting height, natural or artificial barriers on the fixture owner's property, shielding of the light source to direct light onto the surface to receive illumination, and other fixture design features.
- c. All exterior lighting fixtures shall be total cutoff type with metal halide lamps or incandescent lamps.
- d. Motion detector activated lights are permitted and are required to cycle off after five minutes.
- e. The light source of any fixture shall not be visible from adjacent properties.
- f. All nighttime lighting including wall mounted security lighting, shall not exceed 0.5 vertical surface foot-candle measured at the property line six feet above grade.
- g. Light fixtures in parking lots shall not exceed ten feet in height and shall have recessed bulbs and filters which conceal the source of illumination.
- h. No wall or roof mounted flood or spotlights used as general grounds lighting are permitted. Wall mounted security lighting is permitted.
- i. Prohibitions. The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.

SECTION 8: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, as of the effective date of this ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

SECTION 9: If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of the ordinance.

SECTION 10: This ordinance shall become effective upon adoption.

INTRODUCED to the City Commission on the 10th day of November 2010.

PASSED by the City Commission on the 23rd day of February 2011.

CITY OF TALLAHASSEE

By: _____
John R. Marks, III, Mayor

ATTEST:

APPROVED AS TO FORM

By: _____
Gary Herndon
Treasurer-Clerk

By: _____
James R. English
City Attorney