

ORDINANCE NO. 15-0-23AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER 10, ZONING, OF THE TALLAHASSEE LAND DEVELOPMENT CODE; AMENDING SECTION 10-247, R-4 URBAN RESIDENTIAL DISTRICT, RELATED TO STREET VEHICULAR ACCESS RESTRICTIONS, AMENDING SECTION 10-280.7, INCENTIVES, TO ALLOW FOR A DENSITY BONUS WITHIN THE ENTIRE MULTIMODAL TRANSPORTATION DISTRICT, AND TO PROVIDE ADDITIONAL ELIGIBILITY CRITERIA FOR A DENSITY BONUS; 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. Footnote 11 to the Development Standards in Section 10-247, R-4 Urban Residential District, of Chapter 10, Zoning, of the Tallahassee Land Development Code, shall be amended as follows:

...

11. Street Vehicular Access Restrictions: Properties in the R-4 zoning district may have vehicular access to a local street if the density is eight or less dwelling units per acre. If the density is more than eight dwelling units per acre and 10 or less dwelling units per acre, the site must have vehicular access to a collector or arterial street. Passive recreational uses may front on any classification of street. Active recreation, community facilities (except elementary schools), nursing homes and other residential care facilities are required to have access to a collector or arterial street.

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SECTION 2. Subsection (c), Section 10-280.7, Incentives, of Chapter 10, Zoning, of the Tallahassee Land Development Code, shall be amended as follows:

...

1 (c) *Density Bonuses.*

2 (1) Bonus density or intensity is available in all zoning districts located within the ~~Downtown~~
3 ~~Overlay of the~~ MMTD, with the exception of the Residential Preservation, R-1 Single-Family
4 Detached Residential, R-2 Single-Family Detached Residential, University Village, and all All
5 Saints Neighborhood districts. In order to receive a bonus credit the development plan shall
6 clearly address provision of the qualifying project enhancement, and the enhancement shall be
7 constructed before issuance of the certificate of occupancy for the principal use. The total land
8 area shall be used in calculation of bonus eligibility.

9 (2) Each of the following enhancements is worth a five percent increase in density or intensity,
10 up to a maximum of 35 percent in a U-PUD or 25 percent in other eligible districts within the
11 ~~Downtown Overlay~~ MMTD:

12 a. Mixture of uses – ~~Provision of mixed use; a mixture of at~~ Design project to include at
13 least two of the following:

14 i. Medium- or high-density residential;

15 ii. Retail trade; or

16 iii. Office activities.

17 b. Parking - ~~Provision of~~ Provide creative parking alternatives, such as shared parking,
18 flex hours, and/or car pool or shared-use vehicle parking spaces.

19 c. Public Art - ~~Provision of~~ Provide fountains, sculptures or other public art works located
20 external to the building and visible from public right-of-way.

21 d. Sidewalk Coverings - ~~Provision of~~ Provide continuous sidewalk coverings in the form
22 of awnings, canopies, arcades, colonnades, or verandahs.

23 e. Balconies - ~~Provision of~~ Provide functional balconies on the second through fourth
24 floors of a building.

1 f. Windows - ~~Provision of~~ Provide bay windows on the second through fourth floors of a
2 building.

3 g. Pedestrian Amenities - ~~Provision of~~ Provide pedestrian friendly public outdoor space
4 beyond the requirements for the minimum required green space.; ~~e.g.,~~ These may include
5 interval walkways, plazas, pocket parks, or similar facilities. ~~beyond the requirements for~~
6 ~~the minimum required green space.~~

7 h. Semipublic Outdoor Space - ~~Provision of~~ Provide semipublic outdoor space in the form
8 of; ~~e.g.,~~ courtyards, forecourts, or gardens accessible to the public for uses such as dining,
9 including open building facades, at street level.

10 i. Atriums - ~~Provision of~~ Provide atriums accessible to the public.

11 j. Streetscapes - ~~Provision of~~ Provide an integrated streetscape design, including trees and
12 seating, throughout the project site; These improvements shall be coordinated with and
13 inclusive of any existing and planned streetscape(s) projects by the City, including those
14 along collector and arterial streets.

15 ~~k. Provision of a front porch or stoop of no less than eight-foot depth along the entryway~~
16 ~~exterior wall of residential buildings.~~

17 ~~k. 1. Transit Stops~~ - ~~Provide~~ ~~W~~ weather protected, and lighted mass transit stops, the design
18 of which shall be approved by StarMetro staff.

19 ~~lm. Energy Efficiency~~ - ~~Demonstrate~~ ~~ion~~ that existing or planned on-site structure(s) meet
20 certification for Leadership in Energy and Environmental Design (LEED), Florida Green
21 Building Coalition (FGBC), or similar nationally recognized "green" building standard.

22 m. Bicycle Parking – Provide sheltered bicycle parking with weather protection and lighting
23 for all bicycle parking not already required to be secure, enclosed, and covered.

24 n. Cyclist Facilities - ~~Provision of~~ Provide a minimum of two showers (one for each
25 gender) and ten locker facilities for employees in non-residential uses to support bicycle and
26 pedestrian commuters.

27 o. Shared Drives - Provide shared driveways between lots to reduce the total number of
28 drive cuts.
29

30 p. Front Porches – For residential buildings, provide porches with a minimum useable, clear
31 depth of 8' and minimum width along front of structure of 10'. Porches can encroach into
32 building setback up to, but not beyond any easement boundaries such as drainage, utilities,
33

etc., subject to permitting review and approvable. Porches may be screened, but not enclosed as part of conditioned square footage. Any necessary steps shall meet grade outside R.O.W.

q. Garages – For residential buildings, recess garages such that the main exterior wall of the garages is recessed a minimum of 12' behind the first conditioned wall of the main residence. Garage recess distance may be reduced to 5' from first conditioned wall if a minimum distance of 20' between face of garage to R.O.W. is maintained. Garages placed in the rear of main structure may be located in zero lot line configurations and / or attached to neighboring garages.

r. Alleys - For residential subdivisions, provide alley(s) to serve lots so that there are no driveway cuts along the ROW. On street parking is to be constructed on all streets with adequate ROW per Sec.10-284.5 (b1).

s. Walkability - Locate and/or design the project such that at least 50% of dwelling units are within a ¼ mile walk distance of a retail center containing at least four (4) diverse uses.

t. Recreation - Locate and/or design the project such that a publicly accessible outdoor recreation facility at least one (1) acre in area, or a publicly accessible indoor recreational facility of at least 25,000 square feet, lies within a ½ mile walk distance of 90% of new and existing dwelling units and nonresidential building entrances.

u. Community Gardens - Dedicate permanent and viable community garden space and/or related facilities (such as greenhouses), no less than 1/8 acre in area in size, within the project. Solar access, fencing, watering systems, garden bed enhancements (such as raised beds), secure storage space for tools, and pedestrian access must be provided. Community garden space and/or related facilities must be owned and managed by an entity that includes occupants of the project in its decision making, such as a community group, homeowners' association, or public body.

v. Schools - Locate and/or design the project such that 50% of dwelling units are within a ½ mile walk distance of an existing or planned public elementary or middle school or within a 1-mile walk distance of an existing or planned public high school.

w. Historic Preservation - On sites with at least one historic building, preserve all historic structures or resources through renovation, adaptive re-use, and/or incorporation into new development.

SECTION 3. Conflict with Other Ordinances and Codes. 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

1 the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail
2 over any parts of this ordinance which are inconsistent, either in whole or in part, with the said
3 Comprehensive Plan.

4 **SECTION 4. Severability.** If any word, phrase, clause, section or portion of this
5 ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such
6 portion or words shall be deemed as a separate, distinct and independent provision and such
7 holding shall not affect the validity of the remaining portion of the ordinance.

8 **SECTION 5. Effective Date.** This ordinance shall become effective immediately upon
9 adoption.

10 INTRODUCED in the City Commission on the 17th day of June, 2015.

11 PASSED by the City Commission on the 26th day of August, 2015.

12
13 CITY OF TALLAHASSEE

14
15 By: _____
16 Andrew D. Gillum
17 Mayor
18

19 ATTEST:

APPROVED AS TO FORM:

20
21 By: _____
22 James O. Cooke, IV
23 City Treasurer-Clerk
24

By: _____
Lewis E. Shelley
City Attorney