

1 plan and the environmental regulations of applicable jurisdiction will be considered
2 permitted, lawfully established conforming uses. Stormwater generated by any
3 development must be either retained on-site or filtered through an approved regional
4 stormwater management facility.

5 (b) ~~Allowable uses. For the purpose of this chapter, the following land use~~
6 ~~types are allowable in the lake protection district and are controlled by the land use~~
7 ~~development standards of this chapter, the comprehensive plan and schedules of~~
8 ~~permitted uses.~~

9 (1) ~~Low density residential.~~

10 (2) ~~Passive recreation.~~

11 (3) ~~Active recreation.~~

12 (4) ~~Community services.~~

13 (c) ~~List of permitted uses. See schedules of permitted uses, subsection 10-~~
14 ~~240(a). Commercial, office and industrial uses are not permitted in the lake protection~~
15 ~~district. Other nonresidential uses on these schedules are itemized according to the~~
16 ~~Standard Industrial Code (SIC). Proposed activities and uses are indicated in the~~
17 ~~schedules. The activity or use may be classified as permitted, restricted or permitted~~
18 ~~through special exception, or not allowed. Restricted and special exception uses must~~
19 ~~meet the criteria in article VII of this chapter. Chapter 9, article III of this Code sets forth~~
20 ~~the development approval process required for allowable uses.~~

21 (d) ~~Development standards. All proposed development shall meet the land use~~
22 ~~development criteria specified in subsection 10-240(b); commercial site location~~

1 ~~standards (section 10-174); buffer zone standards (section 10-177); criteria of the land~~
2 ~~development standards schedule (article IV, division 4 of this chapter); and parking and~~
3 ~~loading requirements (article VI of this chapter).~~

4 ~~(e) — Specific restrictions. If uses are restricted according to the schedule of permitted~~
5 ~~uses, they must follow the general development guidelines for restricted uses as provided in~~
6 ~~article VII of this chapter. Specific restricted uses are addressed in article VII of this chapter.~~

7 **SECTION 2.** Section 10-240 Lake Protection District, of Chapter 10, Zoning, of the
8 Tallahassee Land Development Code, is hereby amended as shown in Exhibit A, attached hereto
9 and made a part hereof as though fully incorporated herein.

10 **SECTION 3.** Section 10-426, Cluster Development, of Chapter 10, Zoning, of the
11 Tallahassee Land Development Code, is hereby amended as follows:

- 12 (a) Purpose and intent. The purpose and intent of the cluster development is to encourage
13 creative and efficient design through a concentration of residential, commercial, and
14 office uses. Specifically, the purpose and intent of residential clustering is to encourage
15 creative, efficient neighborhood design, reducing infrastructure construction and
16 maintenance costs; minimizing the disturbance of environmental resources; reducing
17 automotive energy use through opportunities for safe pedestrian and bicycle circulation;
18 enhancing housing affordability through reduction of residential lot street frontages and
19 residential lot sizes; providing neighborhood open spaces and/or recreation spaces
20 convenient to residents; and preserving future transportation corridors. Individual lots
21 are not restricted to minimum size, provided the cluster development does not exceed
22 the maximum allowed gross density of the underlying zoning district and all other
23 applicable cluster development standards are met. Building setbacks, other than
24 perimeter setbacks, shall be established by the cluster plan.
- 25 (b) Allowable land uses and density. The uses permitted in a cluster development are
26 limited to the uses in the underlying zoning district. The overall density of development
27 permitted in a cluster development is that permitted by the underlying zoning district.
- 28 (c) Development standards.
- 29 (1) Cluster development shall be subject to type B review as indicated in section 9-155.
- 30 (2) Minimum lot size, lot width, and setbacks do not apply to cluster development,
31 unless a zoning district specifically sets forth development standards for cluster
32 development. The cluster development plan shall establish lot widths, lot sizes, and
33 setbacks internal to the development.

- 1 (3) Areas designated conservation or preservation areas shall not be included as
 2 portions of residential lots. Open space shall be preserved through the placement
 3 within a conservation or agricultural easement, with provisions for ownership,
 4 maintenance, and control of open space areas, approved as to form and sufficiency
 5 by the city attorney's office. Lands included with agricultural easements in cluster
 6 site plans located outside the urban service area may be developed and subdivided
 7 only at such time as when the subject site is included within the urban service area.
- 8 (4) Active recreation areas shall be level and may include paved or irrigated turf
 9 surfaces. Active recreation areas shall be set back a minimum of 200 feet from
 10 residential preservation zoning districts not a part of the cluster development site
 11 plan.
- 12 (5) Streets shall be designed primarily to accommodate local traffic and to encourage
 13 convenient and safe access for motorists and pedestrians.
- 14 (6) Vehicular interconnections to adjoining properties shall be included when possible.
 15 However, interconnections should be designed to serve primarily local traffic
 16 unless otherwise approved as part of a master plan. Pedestrian and bicycle
 17 interconnections to adjoining properties shall be provided whenever possible.
- 18 (7) In order to slow the flow of traffic and aid in developing a protected pedestrian
 19 environment, visitor parking requirements may be met exclusively through the
 20 provision of on-street parking, in accordance with the provisions set forth in section
 21 10-358.
- 22 (8) Perimeter setbacks for cluster development shall comply with the following unless
 23 specific perimeter setbacks are included in the schedule of minimum development
 24 standards for the zoning district:

	Medium and High Density Residential;
Low-Density Residential:	Office and Commercial:
Front: 25 feet	Front: 20 feet
Corner: 15 feet	Corner: 25 feet
Side: 15 feet	Side: 20 feet
Rear: 25 feet	Rear: 30 feet

- 26
 27 (9) Cluster development standards shall apply only to approved cluster site plans.

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

1
2 (d) Lake Protection Cluster Development

3 1. Density and layout.

4 The maximum gross density allowed for new residential development in the LP district is
5 one dwelling unit per two gross acres. As an alternative to large-lot developments, a clustered
6 subdivision shall be permitted within the lake protection zoning district. Clustered subdivisions
7 shall:

8 (a) Contain a minimum of 60% open space as a reserve area, comprised of such
9 things as special development zones, preservation and conservation features, undeveloped
10 uplands, passive recreation areas, and stormwater facilities designed as a community amenity;

11 (b) Be developed at a maximum density of two dwelling units per gross acre;

12 (c) Be served by central water and sewer systems.

13 2. Reserve area.

14 The acreage of the reserve area shall comprise no less than 60 percent of the total parcel;
15 shall be permanently preserved through the creation of a perpetual easement; shall be continuous
16 and contiguous with other portions of the site; shall be contiguous with or proximal to existing or
17 planned public or private greenspace to the greatest extent practicable, and shall be of sufficient
18 size and buffered to ensure the protection of all critical on-site resources that are to be preserved
19 and to accommodate authorized uses.

20 (a) All preservation areas, special development zones, conservation areas,
21 archaeological sites and view-shed areas within designated protection zones for canopy roads
22 shall be incorporated into the reserve area even if total acreage exceeds the minimum
23 requirement of 60 percent of the total parcel; other open space areas shall be incorporated into
24 the reserve area to the greatest extent practicable.

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

1 **(b)** The reserve area shall adjoin any existing or planned adjacent areas of open space,
2 or natural areas that would be potential sites for inclusion as part of a future area of protected
3 open space as depicted in the Greenways Master Plan. In those instances where a clustered
4 subdivision will be located adjacent to another existing or planned clustered subdivision, each
5 clustered subdivision shall be designed so that reserve areas of each are adjacent to the greatest
6 extent practicable.

7 **(c)** Reserve area land shall be reserved permanently by easement for natural open
8 space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater
9 facilities, or other environmental conservation purposes.

10 **(d)** Stormwater management facilities which are otherwise permissible are allowed in the
11 reserve area provided that the facilities are located outside of preservation areas, canopy road
12 protection zones, naturally forested areas, special development zones, and meet either of the
13 applicable following two standards:

14 Retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and
15 plant species that visually integrates the stormwater facility into the overall reserve area. All such
16 facilities shall be designed as community amenities, with trails, observation decks, or platforms
17 where appropriate.

18 **(e)** All applicants for a clustered subdivision shall submit a management plan
19 describing how the reserve area land will be maintained in perpetuity, including provision of a
20 dedicated source of funds approved by the local government, to finance the timely and consistent
21 execution of the plan.

1 3. Development area.

2 The development area shall be the area not set aside as reserve area and shall comprise no
3 more than 40% of the total parcel. The development area shall be located on the least
4 environmentally sensitive or otherwise significant portions of the total clustered subdivision
5 parcel; be contiguous to the greatest extent practicable; and allow maximum open space to be
6 easily maintained in the reserve area. Design of the development area shall follow the procedural
7 steps set forth below.

8 (a) Delineate areas of the site to be reserved due to their significant features and value
9 to the area's continued natural character in accordance with subsection 2. above;

10 (b) Determine the number of allowable lots desired;

11 (c) Locate potential development sites on the area of the tract not delineated as
12 reserve area, with due consideration for topography, soil suitability for construction, and efficient
13 service by public or central water and sewerage systems;

14 (d) Align streets to serve residential sites, with due consideration for topography and
15 connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails
16 if planned; and

17 (e) Delineate boundaries of individual residential lots where lot sizes and shapes,
18 block sizes and shapes, and street networks and alignments shall be designed in accordance with
19 accepted planning practices to produce a rational and economical system without undue clearing
20 or grading. The lot arrangement, design and orientation shall be such that all lots will provide
21 satisfactory building sites that are properly related to topography and the character of
22 surrounding development.

1 INTRODUCTION in the City Commission on the 14th day of September, 2016.

2 PASSED by the City Commission on the 26th day of October, 2016.

3

4

CITY OF TALLAHASSEE

5

6

By: _____

7

Andrew D. Gillum

8

Mayor

9

10

11 ATTEST:

APPROVED AS TO FORM

12

13 By: _____

14 James O. Cooke, IV
15 City Treasurer-Clerk

By: _____

Lewis E. Shelley
City Attorney

**Exhibit A
Ordinance No. 16-O-17**

SECTION 2. Section 10-240 of Article IV of Chapter 10 of the Tallahassee Land Development Code, entitled “Lake Protection District,” is hereby amended to read as follows:

Sec. 10-240. - Lake Protection District.

The following applies to the Lake Protection District:

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

P	PERMITTED USE
R	RESTRICTED USE
S	SPECIAL EXCEPTION

		LEGEND
AG	=	AGRICULTURAL
LR	=	LOW DENSITY RESIDENTIAL
AR	=	ACTIVE RECREATION
CS	=	COMMUNITY SERVICES

~~Lake Protection District~~

**Exhibit A
Ordinance No. 16-O-17**

DEVELOPMENT AND LOCATIONAL STANDARDS					
SIC CODE	NAME OF USE	AG	LR	AR	CS
	RESIDENTIAL				
	Dwelling, one-family		P		
	Dwelling, two-family		P		
	Dwelling, townhouse		R		
			P		
	Mobile-home park		S		
	AGRICULTURE, FORESTRY, AND FISHING				
01	Agricultural production crops	R			
02	Agricultural production—livestock	R			
092	Fish hatcheries and preserves	S			
	TRANSPORTATION AND PUBLIC UTILITIES				
43	Postal Service				S
	SERVICES				

Exhibit A
Ordinance No. 16-O-17

703	Camps and recreational vehicle parks			R	
821	Elementary and secondary schools				S
823	Libraries less than 7500 square feet				R
823	Libraries 7500 square feet or more				S
841	Museums and art galleries			S	
842	Botanical and zoological gardens			S	
864	Civic and social associations				S
866	Religious organizations				S
	PUBLIC ADMINISTRATION				
91	Executive, legislative, and general				S
922	Public order and safety				S
9221	Police protection				S
9224	Fire protection				S
	RECREATION				
	Hiking and nature trails			P	

**Exhibit A
Ordinance No. 16-O-17**

	Picnicking			P	
	Canoe trails			P	
	Bicycle trails			P	
	Horseback riding trails			P	
	Tot lots			P	
	Court sports			R	
	Field sports			R	
	Boat landings			P	
	Archaeological historical sites			S	

(2) ~~Minimum development standards:~~

~~Lake Protection District~~

		LOW-DENSITY RESIDENTIAL	COMMUNITY SERVICES; ACTIVE RECREATION; PUBLIC; PRIMARY AND SECONDARY SCHOOLS
		NON- CLUSTER	CLUSTER*

**Exhibit A
Ordinance No. 16-O-17**

MINIMUM SETBACKS (FEET)				
	Front Yard			
	Building	25	25*	30
	Parking	—	—	40
	Corner Yard			
	Building	25	25*	30
	Parking	—	—	40
	Side Yard			
	Building	15	15*	40
	Parking	—	—	40
	Rear Yard			
	Building	25	25*	50
	Parking	—	—	40
	Adjoining Lower Intensity			
	Zoning District			

Exhibit A
Ordinance No. 16-O-17

	Building	—	—	—
	Parking	—	—	—
	MAXIMUM PERCENT IMPERVIOUS SURFACE AREA	30	25**	40
	MAX. HEIGHT AT BLDG. ENVELOPE PERIMETER	35	35	35
	MAX. ADDL. HEIGHT/ADDL. ZONING SETBACK	1'/1'	1'/1'	1'/1'
	MAX. TOTAL HEIGHT	45	45	45***
	MIN. LOT FRONTAGE	15	15	—
	MIN. LOT AREA	2.0	0.05	—

—* This number applies to the perimeter setback only.

—** Maximum percent impervious area of developable portion of site.

*** This height applies to habitable portion of a structure.

(Code 1984, ch. 27, §§ 10.6.V, 10.6.W)

**Exhibit A
Ordinance No. 16-O-17**

Section 10-240. Lake Protection District

The following applies to the Lake Protection District:

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p><u>The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the urban service area. Intensely developed properties south of Interstate 10 (I-10) have been excluded from the boundary.</u></p> <p><u>The LP zoning district shall permit single-family residential development at one dwelling unit per two gross acres.</u></p> <p><u>A clustered subdivision option is available that allows two dwelling units per gross acre, consistent with environmental and infrastructure constraints. The clustered subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The cluster subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution. For cluster development standards, refer to Section 10-426.</u></p> <p><u>Certain community and recreational facilities related to residential uses are also permitted.</u></p>	<p><u>(1) Single-family detached dwellings</u> <u>(2) Single-family dwellings in cluster subdivisions</u> <u>(3) Passive and Active recreation facilities, including boat ramps</u> <u>(4) Community services related to residential uses including religious facilities, police/fire stations, and elementary, middle and high schools. Other community facilities may be allowed in accordance with Section 10-413 of the regulations.</u></p>	<p><u>(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.</u></p> <p><u>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.</u></p>

**Exhibit A
Ordinance No. 16-O-17**

<p><u>Commercial, office and other nonresidential uses are prohibited within the LP zoning district. All development is subject to Section 10-177, Buffer Zones and Section 10-178, Development Standards Schedule.</u></p> <p><u>Volume control based stormwater treatment standard shall be required for all development and redevelopment within the Lake Protection District. All developments shall meet all current water quality and stormwater management standards set forth in the Comprehensive Plan and the Land Development Regulations of the City. Lawfully established, nonresidential uses within the District that are compatible with surrounding uses and meet all water quality and standards set forth in the Comprehensive Plan and the Land Development Regulations of the City shall be considered permitted uses.</u></p>		
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DEVELOPMENT STANDARDS									
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum 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. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
<u>Single-Family Detached Dwellings (Conventional)</u>	<u>2 acres</u>	<u>80 feet</u>	<u>100 feet</u>	<u>25 feet</u>	<u>15 feet</u>	<u>25 feet</u>	<u>25 feet</u>	<u>Not applicable</u>	
<u>Single-Family Detached Dwellings(Clustered)</u>	<u>5,000 square feet</u>	<u>40 feet</u>	<u>100 feet</u>	<u>15 feet;</u> <u>10 feet w/alley loaded garage</u>	<u>7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such</u>	<u>15 feet</u>	<u>15 feet;</u> <u>10 feet w/alley loaded garage</u>	<u>Not applicable</u>	<u>3 Stories</u>

**Exhibit A
Ordinance No. 16-O-17**

					<u>setback shall be less than 5 feet</u>				
<u>Single-family attached dwellings (Clustered)</u>	<u>3,750 square feet end unit; 2,400 square feet</u>	<u>37.5 feet end unit; 25 feet interior lot</u>	<u>80 feet</u>	<u>15 feet; 10 feet w/alley loaded garage</u>	<u>None</u>	<u>15 feet</u>	<u>15 feet; 10 feet w/alley loaded garage</u>	<u>maximum length: 8 units</u>	<u>3 Stories</u>

<u>Any Permitted Principal Non-Residential Use</u>	<u>1 acre</u>	<u>80 feet</u>	<u>100 feet</u>	<u>30 feet</u>	<u>30 feet</u>	<u>40 feet</u>	<u>50 feet</u>	<u>10,000 square feet of gross building floor area per acre</u>	<u>3 Stories</u>
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GENERAL NOTES:

1. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
2. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
3. For cluster development standards, refer to Section 10-426.