

ORDINANCE NO. 16-O-05

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER 10, ZONING, OF THE TALLAHASSEE LAND DEVELOPMENT CODE; ADDING OFF-STREET PARKING FACILITIES AS A SPECIAL EXCEPTION USE IN THE CC CENTRAL CORE, CU-45 CENTRAL URBAN AND UT UNIVERSITY TRANSITION DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. Title. This ordinance shall be known as the “Downtown Overlay Parking Ordinance.”

SECTION 2. Section 10-197, CC Central Core District, Section 10-205, Section 10-239.4 CU-45 Central Urban District, and Section 10-242 UT University Transition District, of Chapter 10, Zoning, of the Tallahassee Land Development Code, shall be amended as shown in Exhibit A, attached hereto and made a part hereof as though fully incorporated herein.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, as of the effective date of this ordinance, except to the extent of any conflicts with the Tallahassee-Leon County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 4. Severability. If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such

1 portion or words shall be deemed as a separate, distinct and independent provision and such
2 holding shall not affect the validity of the remaining portion of the ordinance.

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

6 INTRODUCED to the City Commission on the ___ of _____ 2016.

7 PASSED by the City Commission on the _____ of _____ 2016.

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9 CITY OF TALLAHASSEE

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11 By: _____
12 Andrew D. Gillum
13 Mayor
14

15 ATTEST: APPROVED AS TO FORM

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17 By: _____
18 James O. Cooke IV
19 City Treasurer-Clerk

By: _____
Lewis E. Shelley
City Attorney

Exhibit A

Sec. 10-197. Central Core district

See the following chart for district intent, permitted uses, and notes for the Central Core Zoning District:

PERMITTED USES			
1. District Intent	2. Principal Uses	3. Prohibited Uses	4. Special Exception and Accessory Uses
<p>The Central Core district is intended to:</p> <ol style="list-style-type: none"> 1) Create a critical mass of activity in the central core of the City; 2) Allow residential density of up to 150 dwelling units per acre; 3) Promote infill and redevelopment of existing residential urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Capitol, employment centers, and universities; 4) Provide access to convenient shopping and service businesses; 5) Promote compatibility between adjacent residential and non-residential uses through high quality design; and 6) Promote pedestrian and bicycle mobility. <p>The Central Core zoning district may only be utilized in the Central Core Future Land Use Category. The Central Core district is not subject to the Tallahassee Land Use Development Matrix.</p> <p>Development Standards for this zoning district are established within the Downtown Overlay Regulating Plan map series and applicable sections of Division 4.</p>	<ol style="list-style-type: none"> 1. Active and passive recreational facilities. 2. Automotive rental. 3. Automotive repair. 4. Banks and other financial institutions. 5. Community facilities, including libraries, religious facilities, police/fire stations, and elementary, middle, high and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 6. Cocktail lounges and bars. 7. Commercial sports. 8. Day care centers. 9. Equipment rental, outdoor storage prohibited. 10. Funeral parlor, mortuary. 11. Hotel, motel, and Bed and breakfast inns (see Sec. 10-412). 12. Indoor amusements. 13. Laundromats, laundry and dry cleaning pick-up stations. 14. Mailing services. 15. Medical and dental offices and services, laboratories, and clinics. 16. Motor vehicles fuel sales. 17. Museums and art galleries. 18. Non-medical offices and services, including business and government offices and services. 19. Nursing homes and other residential care facilities. 20. Personal services (barber shops, fitness clubs, tailoring, etc.). 21. Photocopying and duplicating services. 22. Post-secondary educational facilities. 23. Repair services, non-automotive; outdoor storage prohibited. 24. Residential – any dwelling unit type, except 	<ol style="list-style-type: none"> i. Motor vehicles, RV, and boat dealers. ii. Fuel oil dealers. iii. Camps and recreational vehicle parks. iv. Hospital. v. Factories and industrial uses. 	<p>(1) Special Exception Use: <u>a. Off-Street Parking Facilities</u></p> <p>(2) Accessory Uses: (+a.) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(-b.) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p>

Exhibit A

	<p>mobile homes.</p> <ol style="list-style-type: none">25. Restaurants, without drive-in facilities.26. Retail, miscellaneous – bakeries, electronics, florists, liquor stores, used merchandise, newsstand, books, greeting cards, toys, luggage, clothing, shoes, department store, furniture, grocers, etc.27. Rooming and boarding houses, including dormitories.28. Social, fraternal, and recreational clubs and lodges; assembly halls.29. Structured parking.30. Studios for photography, film, music, art, dance, drama, and voice.31. 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.		
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Exhibit A

Sec. 10-239.4. CU-45 Central Urban District

See the following chart for district intent, permitted uses, dimensional requirements, and notes for the CU-45 Central Urban District:

1. District Intent	PERMITTED USES*		3. Accessory Uses
	2. Principal Uses		
<p>The CU-45 district is intended to:</p> <ul style="list-style-type: none"> ▪ Provide for medium and high density residential development with densities ranging from a minimum of 4 dwelling units per acre to a maximum of 45 dwelling units per acre; ▪ Provide for office development (up to 60,000 square feet per acre); ▪ Provide access to major shopping and businesses opportunities (up to 60,000 square feet per acre); ▪ Promote infill and redevelopment of urban areas with sufficient supporting infrastructure, accessibility to services, and proximity to the Downtown and Universities; ▪ Promote compatibility with adjacent land uses through limitations on development intensity and use of development and design standards; ▪ Allow residential development at the densities necessary to support the use of public transit and ▪ Promote pedestrian and bicycle mobility through design requirements. <p>The CU-45 district may only be utilized in the Central Urban Comprehensive Plan Category. The CU-45 zoning district is not subject to the Tallahassee Land Use Development Matrix found in Section I-16 of the Tallahassee/Leon County Comprehensive Plan. Minimum density requirements do not apply to mixed-use projects. The provisions of this district are intended to facilitate co-location of residential, office, and commercial land uses within the same development or close proximity, with an</p>	<ol style="list-style-type: none"> 1) Active and passive recreational activities. 2) Antique shops. 3) Automotive service and repair, including car wash. 4) Automotive: retail parts, accessories, tires, etc. 5) Bait and tackle shops. 6) Banks and other financial institutions. 7) Bed and breakfast inns; as governed by Section 10-412. 8) Camera and photographic stores. 9) Cocktail lounges and bars. 10) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and elementary, middle, high, and vocational schools. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. 11) Day care centers. 12) Gift, novelty, and souvenir shops. 13) Government offices and services. 14) Hotels, motels, inns, SRO hotels, boarding houses. 15) Indoor amusements (bowling, billiards, skating, etc.). 16) Indoor theaters (including amphitheaters). 17) Laundromats, laundry and dry cleaning pick-up stations. 18) Live-work units. 19) Medical and dental offices, services, laboratories, and clinics. 20) Mortuaries. 21) Motor vehicle fuel sales. 22) Non-medical offices and services, including business Non-store retailers. 23) Nursing homes and other residential care facilities. 24) Personal Services. 25) Pet day care. 26) Photocopying and duplicating services. 27) Rental of tools, small equipment, or party supplies. 28) Repair services, non-automotive. 29) Residential – any unit type 30) Restaurants, without drive-in facilities. 31) Retail bakeries 32) Retail computer, video, record, and other electronics. 	<ol style="list-style-type: none"> 33) Retail department, apparel, and accessory stores. 34) Retail drug store. 35) Retail florist. 36) Retail food and grocery. 37) Retail furniture, home appliances, accessories. 38) Retail home/garden supply, hardware and nurseries. 39) Retail jewelry store. 40) Retail newsstand, books, greeting cards. 41) Retail newsstand, books, greeting cards. 42) Retail office supplies. 43) Retail optical and medical supplies. 44) Retail package liquors. 45) Retail pet stores. 46) Retail picture framing. 47) Retail sporting goods, toys. 48) Retail trophy store. 49) Social, fraternal and recreational clubs and lodges, including assembly halls. 50) Structured parking, when combined with a principal use. 51) Studios for photography, music, art, dance, and voice. 52) Tailoring. 53) Veterinary services, including veterinary hospitals. 54) Warehouses, mini-warehouses, and self-storage; legally established and in existence on 11-25-2008. 55) Other uses, which in the opinion of the Land Use Administrator, are of a similar and compatible nature to those uses described in this district. <p>* NOTE: Additional requirements for properties in Providence Neighborhood Overlay (See Section 10-168 (c))</p>	<p>(1) Use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the Land Use Administrator.</p> <p>(2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p><u>4. Special Exception Use</u></p> <p><u>Off-street parking facilities (applicable to properties in the Downtown Overlay).</u></p>

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<p>emphasis on compatible scale and design. This district is not intended to be located adjacent to areas designated Residential Preservation on the Future Land Use Map except at rear lot lines in the Providence Neighborhood Overlay.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core, a 25 percent density bonus is available subject to the provisions of Sec. 10-289 of the Code. A 35 percent bonus is available with an Urban Planned Unit Development as found in Sec. 10-200.</p> <p>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</p>			
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Exhibit A

Section 10-242 UT University Transition District.

PERMITTED USES	
1. District Intent	2. Principal Uses
<p>University Transition is intended to;</p> <ul style="list-style-type: none"> be a compact land use category that provides higher density residential opportunities and student oriented services near the campuses; protect existing residential neighborhoods located away from the campuses from student housing encroachment; and transition industrial and lower density residential uses to vibrant urban areas. <p>Higher density residential development of up to 50 du/ac to provide housing opportunities for students and downtown professionals. Smaller scale retail commercial shall provide essential services to immediate residents and ancillary needs of universities. Pedestrian pathways, trails, and transit facilities shall be designed to connect universities, downtown, civic/arts center, and residential and commercial areas to reduce automobile dependence. Pedestrian oriented design controls shall be employed to provide land use compatibility. The University Transition zoning district is allowed in the UT Future Land Use Map area, located generally within the rectangle created by the Florida State Univ. main campus, Florida A&M Univ., Tallahassee Community College/Lively Technical Institute campuses, and Innovation Park. The Gaines Street Revitalization Plan study area is excluded from this area.</p> <p>To encourage pedestrian-oriented redevelopment, innovative parking strategies, mixed use development, and other urban design features within the Central Core (defined in Comprehensive Plan), a 25% density bonus is available subject to the provisions of Sec. 10-289 of this code.</p> <p>Development standards for this zoning district are established within Division 4 applicable to the MMTD.</p>	<ol style="list-style-type: none"> Advertising agencies. Antique shops Beauty & barber shops. Book & stationery stores. Banks, credit unions, financial institutions without drive through facilities. Banks, credit unions, financial institutions with drive-through facilities (only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). Camera & photographic supply stores. Civic & social associations. Colleges & universities – educational facilities, administrative offices, athletic & intramural fields and stadiums. Commercial art & graphic design. Community facilities related to residential uses, including religious facilities, police/fire stations, elementary and secondary schools, and libraries. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. Computer & data processing services. Dance studio, schools, halls. Day care centers. Employment agencies. Gift, novelty, souvenir shops. Hobby, toy, game stores. Hotels, motels, bed & breakfasts. Indoor amusements (bowling, billiards, arcades). Laundromats, laundry, & dry cleaning services without drive through facilities. Laundromats, laundry, & dry cleaning services with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). Live-work units. Mailing and postal services. Medical & dental offices, clinics, laboratories. Mortgage brokers. Movie theaters and amphitheaters. Museums & art galleries. Musical instrument stores. News dealers and newsstands. Non-medical offices & services, including business, insurance, real estate, and governmental. Non-store retail. Optical goods stores. Passive and active recreation. Personal services (barber, spa, etc.) Photocopying & duplicating services.
<ol style="list-style-type: none"> Photographic studios, portrait. Physical fitness, gyms. Public community center/meeting building (non-commercial use only). Radio and Television broadcasting. Rental and sales of home movies & games. Repair services, non-automotive. Residential – any type. Restaurants and drinking establishments without drive through facilities Restaurants with drive-through facilities (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). Retail establishments – bakeries, computer, clothing & accessories, video, records/compact discs, electronics, drug store without drive-through facilities, drug store with drive-through facilities, (Only allowed on parcels fronting West Pensacola St. between Cactus Drive and Lipona Road). florist, food & grocery, furniture, home appliances, home/garden supply, hardware, jewelry, needlework/knitting, newsstands, books, greeting cards, package liquor, picture framing, trophy stores, shoes, luggage, leather goods, used goods. Security & commodity brokers. Sewing & needlework goods. Shoe repair, shoe shine parlors. Sporting goods and bicycle shops. Social, fraternal, recreational clubs/assemblies. Structured parking, with active uses located along a minimum of 75 percent of all walls adjacent to public streets and pedestrian areas. Studios: photography, music, art, drama, voice. Tailoring. Travel agencies. Veterinary services. Vocational schools. Watch, clock, jewelry repair. Existing drive-through uses and existing motor vehicle fuel sales which were legally established and in existence on 11-20-2007. Other uses, which in the opinion of the Land Use Administrator, are of a similar or compatible nature to the uses and intent described in this district. 	<p>3. Accessory Uses</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 principal use or structure, as determined by the Land Use Administrator.</p> <p>2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.</p> <p>4. Special Exception Uses</p> <ol style="list-style-type: none"> Automotive rentals, parking, repairs, & service. Commercial sports. Off-street parking facilities (applicable to properties in the Downtown Overlay). Taxicab operations. <p>(Section 10-422 applies)</p>