

TICPD

Tallahassee-Leon County
Planning Department

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Date: 10/10/02

Re: UPLEON PUD

Comments:

CC: _____

ORDINANCE NO. 02-O-43AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA AMENDING CHAPTER 27 OF TITLE TALLAHASSEE CODE (THE ZONING, SITE PLAN AND SUBDIVISION REGULATIONS) SECTION 10.3.0 BY CREATING AN URBAN PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE,

FLORIDA, AS FOLLOWS:

SECTION 1. Title.

This ordinance shall be known as the "Urban PUD Ordinance"

SECTION 2. Section 10.3.0, Downtown Zoning Districts, of Chapter 27 of the City of Tallahassee Code of Ordinances, is amended as follows:

O. Downtown Zoning Districts: The purpose of the Downtown Zoning Districts is to implement The Downtown Plan as approved by the City Commission on April 22, 1992. The Downtown area has been divided into three (3) zoning districts as follows:

- RO Targeted Retail/Office Growth Area
- DI Institutional/Cultural/University Transition Areas
- SCD Special Character District

These districts are provided in the Zoning Atlas Downtown Area Map Series. The intent and development standards for each zoning district are described within each classification. In order to further implement The Downtown Plan, three (3) overlay maps have been developed. The following overlay maps are hereby established to be used in conjunction with the zoning districts and are adopted by reference:

- Floor Area Ratio Overlay Map DT-1
- Height Overlay Map DT-2
- Setback and Coverage Overlay Maps DT-3

Additionally, properties within The RO and DI zoning districts and the Capitol Center Office Institutional District (O-I) and Capital Center Office Governmental District (O-G) within the Capital Center Planning District (CCPD) may be rezoned to an urban PUD pursuant to the requirements of Subsection 4.

SECTION 3. Section 10.3.0 of Chapter 27 of the City of Tallahassee Code of Ordinances is amending by adding Subsection 10.3.0.4 , Urban Planned Unit Developments, as follows:

4. *Urban Planned Unit Development (PUD) Zoning District Requirements and Procedures:*

- A. *Purpose and Intent of District.* An urban PUD zoning district is intended to provide a method by which proposals for high quality urban developments, which are not provided for or allowed in the zoning districts otherwise established by this chapter, may be evaluated.

The standards and procedures of this district are intended to promote flexibility of design and to permit planned diversification and integration of uses and structures, while at the same time retaining in the City Commission the authority to establish such limitations and regulations necessary to protect the public health, safety, and general welfare, and promote the goals and objectives of the Downtown Plan.

In so doing, the urban PUD district is intended to:

1. Encourage infill and rehabilitation of existing urban areas with readily available services and infrastructure.
2. Promote more efficient and economic uses of land, while respecting historic context and landscape features.
3. Encourage uses of land that reduce transportation needs and that conserve energy and natural resources to the maximum extent possible.
4. Encourage a pedestrian environment. Emphasis is placed on street level commercial and/or cultural activity.
5. Encourage institutional, cultural, office, residential and retail uses, and their combination in mixed-use development, to support eighteen-hour activity in a lively urban setting. Emphasis is placed on the allowance of such complementary activities as high density residential, neighborhood commercial, and entertainment. The location of such uses in close proximity of each other maximizes opportunities for pedestrian, transit, and bicycle traffic, reducing the need for automobile dependency and the demand for parking.
6. Preserve to the greatest extent possible, and utilize in a harmonious fashion, mature trees on the site.

7. In addition to the above, adjacent to Special Character Districts (SCD) or adjacent to properties listed on the National and/or the Local Register of Historic Places, protect the existing scale and architectural character of historic buildings and streets, while maintaining in new, compatible buildings the scale and architectural context of the district and/or surrounding historic properties. A list of properties on the National and Local Registers of Historic Places can be obtained from the Tallahassee Trust for Historic Preservation. Also, consideration of existing scale and architectural context shall be given to additional properties determined eligible for listing on the National and/or Local Register of Historic Places by the Tallahassee-Leon County Architectural Review Board.

B. *Review Criteria.* In addition to the above, projects proposed for urban PUD zoning shall be evaluated by the following criteria. The application narrative shall describe how the Concept Plan addresses these 6 criteria:

1. Building design shall contribute to making and perceiving downtown as a pattern of spaces and structures rather than a series of unrelated buildings and streets. Projects shall continue an appropriate urban pattern where one is in place; where a pattern is not apparent or inappropriate to an urban setting, projects shall establish high-quality precedent and urban context for future development to follow.
2. Height shall be evaluated on a parcel by parcel basis, considering the context of the surrounding development and plans and studies for the downtown that have been approved by the City Commission.
3. Buildings shall replicate the setbacks of existing buildings to create a consistently developed edge, to reinforce downtown's pattern of development, and to enhance pedestrians' orientation. Where existing setbacks coincide with the right-of-way line, active ground-level uses shall open into the pedestrian zone.
4. Minimize on-site parking for non-residential uses. Use of joint parking facilities for residential and non-residential uses is encouraged. Screening of ground floor parking with commercial, residential, cultural, and/or office uses is also encouraged. On-site parking, loading areas, and utilities shall not impair the overall character of the downtown streetscape; and shall meet the design and architectural standards of this ordinance. Stand alone parking facilities may be considered under this provision if it is determined that the overall character of the downtown streetscape is not impaired by such a use and if the facility meets the design and architectural standards of this subsection.
5. Vehicular access shall not impede pedestrian safety or comfort. Use of alleys and joint drives is encouraged. Projects requiring new street access shall

demonstrate why existing access is insufficient and shall also demonstrate how the new access will ensure pedestrian safety and comfort.

6. Project design shall contribute to the downtown public realm by fostering continuity of downtown's visual context in a manner that is consistent with the Downtown Plan. Character elements and amenities that shall be considered in determining whether the project design contributes to the public realm include the following:

- a. High quality materials, authenticity, and craftsmanship;
- b. Similarities to the existing context in building materials and color; in the massing of building forms; in spaces between buildings; and positive relationships in the location and proportions of façade openings;
- c. Building massing broken into increments that correspond to the scale and massing of existing buildings through the use of step-backs and variable roof heights;
- d. Building massing that steps down with the elevation of streets, enlivening the sidewalk environment and avoiding the use of retaining walls (except where historic retaining walls currently exist);
- e. Sculpting and lighting the tops of towers to reduce the effect of a row of flat-topped high rises on the skyline;
- f. Organization of facades into clearly defined base and upper stories, with strong horizontal elements separating the two;
- g. Ground floor transparency appropriate to use. All ground floor uses shall open to the pedestrian zone in ways appropriate to use. Blank walls facing the street are not allowed;
- h. Sidewalk covering in the form of awnings, canopies, galleries, or other similar treatments;
- i. Through-block connections via exterior or interior pedestrian walkways, lobbies, and atria; and
- j. Streetscape, including a regular pattern of street trees and grates, patterned paving, lighting, fountains, sculpture, and seating. The highest quality street furniture and streetscape reasonably affordable shall be used.

C. *Eligibility.* The urban PUD district is designed to allow an applicant to submit a proposal for consideration, for any uses or any mixture of uses that are consistent with the Comprehensive Plan and Section E below, and to allow the City Commission to approve any proposal which it determines to be in the best interest of the public health, safety, and welfare, and which meets the intent of this subsection, along with any conditions or requirements or limitations thereon necessary to meet the intent of the Comprehensive and Downtown Plan. The approval of urban PUD rezoning requests rests with the City Commission. However, no rezoning to an urban PUD zoning district shall be eligible for approval unless the following minimum conditions are met:

1. An urban PUD may only be approved within the Downtown Institutional (DI), Retail/Office (RO) zoning districts and Capital Center Office Institutional District (O-I) and Capital Center Office Governmental District (O-G) within the Capital Center Planning District (CCPD). An urban PUD shall not be allowed within the Gaines Street Revitalization Area. A map of the urban PUD eligible areas is available in the Planning Department.
 2. Configuration of the urban PUD Zoning District. The tract(s) of land which may be rezoned to a single urban PUD zoning district shall be contiguous, and shall have sufficient width and depth to accommodate the proposed use.
 3. Unified Control/Ownership. All land included for the purpose of development within an urban PUD district shall be owned by or be under the complete control of the applicant for such zoning designation, whether the applicant be an individual, partnership, corporation, other entity, group, or agency. The applicant shall provide the City all of the necessary documents and information necessary to assure the City that the development project may be lawfully completed according to the plans sought to be approved. No application shall be considered until the requirements of Section 10.3.0.4 have been fully met.
 4. There are no minimum size requirements for an urban PUD district.
- D. *Review Process and Submittal Requirements.* An application for an urban PUD shall follow the review process and submittal requirements set forth in Section 10.3.E.3-4 of this chapter.
- E. *Permitted Uses.* For the purposes of establishing an urban PUD district the below uses are permitted. If the use or activity is not listed below, then it is not permitted.

RESIDENTIAL

All types of residential shall be allowed except for dormitories, fraternity, and sorority houses.

AGRICULTURE, FORESTRY, AND FISHING

- 074 Veterinary services
- 0781 Landscape counseling and planning

MANUFACTURING (permitted only as an accessory use for a permitted commercial use)

- 25 Furniture and fixtures
- 27 Printing and publishing
- 283 Drugs
- 342 Cutlery, handtools, and hardware
- 365 Household audio & video equipment
- 381 Search & navigation equipment
- 382 Measuring & controlling devices
- 384 Medical instruments & supplies

GENERAL OFFICE LAND USES, INCLUDING BANKS/CREDIT UNIONS (WITHOUT DRIVE THRU'S), DOCTORS/DENTISTS OFFICES, AND GOVERNMENTAL OFFICES SHALL BE ALLOWED.

SERVICES

- 701 Hotels and motels
- 721 Laundry, cleaning, & garment services (except cleaning and repair plants, which are industrial land uses)
- 722 Photographic studios, portrait
- 723 Beauty shops
- 724 Barber shops
- 725 Shoe repair and shoeshine parlors
- 729 Miscellaneous personal services
- 731 Advertising
- 733 Mailing, reproduction and commercial art
- 734 Services to dwellings and other buildings
- 736 Personnel supply services
- 737 Computer and data processing services
- 738 Miscellaneous business services
- 752 Automobile parking (lots and structures) (which comply with the intent of the DPUD language)
- 762 Electrical repair
- 763 Watch, clock, and jewelry
- 764 Reupholstery and furniture repair
- 769 Miscellaneous repair, except welding, septic tank cleaning, farm machinery
- 781 Motion picture production
- 782 Motion picture distribution
- 783 Motion picture theaters
- 784 Video tape rental
- 791 Dance studios
- 792 Theatrical productions
- 793 Bowling centers
- 794 Commercial sports, except track operations
- 799 Miscellaneous amusement and recreation services, except golf courses and outdoor amusements.
- 805 Nursing and personal care facilities
- 808 Home health care services
- 809 Miscellaneous health and allied services
- 832 Individual and family social services
- 833 Job training
- 835 Child day care services
- 836 Residential care
- 839 Miscellaneous social services
- 841 Museums and art galleries

- 842 Botanical and zoological gardens
- 864 Civic, social, and fraternal associations
- 873 Research and testing services
- 874 Management and public relations

F. *Prohibited Uses.* For the purposes of establishing an urban PUD, billboards, communication towers, and drive-thrus shall not be allowed within an urban PUD.

G. *Accessory Uses and Structures.* Accessory Uses and Structures shall be governed by Article XVII of this Chapter.

SECTION 4. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect. To the extent the provisions herein may conflict with Chapter 60F-3 of the Florida Administrative Code, regulating zoning within the Capitol Center Planning District, the provisions herein shall control.

SECTION 6. This ordinance shall become effective immediately upon its passage.

INTRODUCED in the City Commission on the 22nd day of May, A.D., 2002.

PASSED the City Commission on the 10th day of July, A.D., 2002.

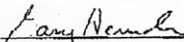
CITY OF TALLAHASSEE, FLORIDA



Scott Maddox, Mayor

ATTEST:

APPROVED AS TO FORM:



Gary Heddon, Treasurer-Clerk



James R. English, City Attorney