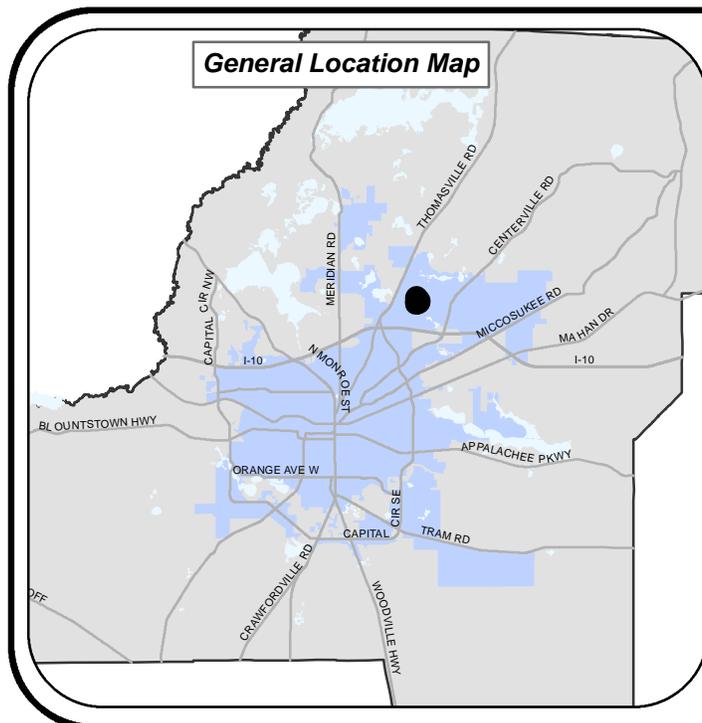


PCM150107-A



Subject Parcels

Aerial date: 2014



**Kilkierane Enclave
PCM150107-A
(Out of Cycle Amendment)**

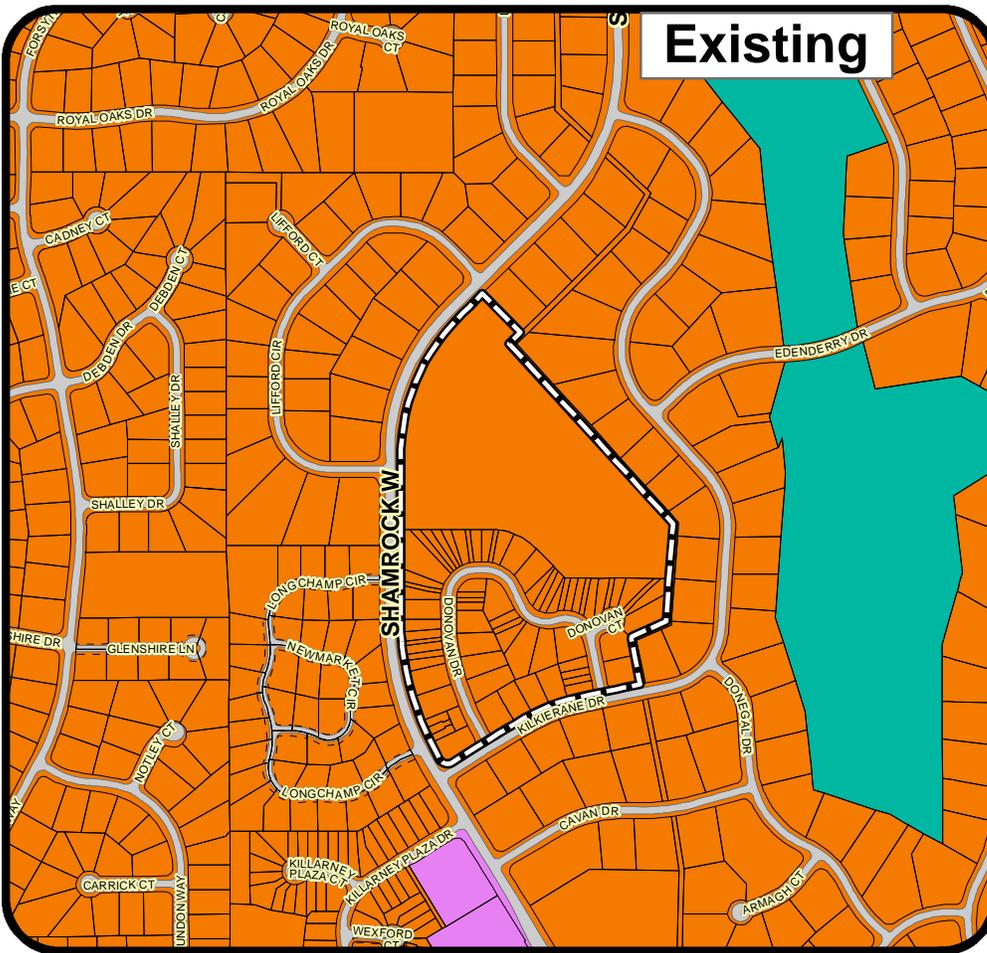
*Killearn Estates
Non-conforming Residential*

**SITE TAX ID:
See attachment #1**

ACRES: 27 ±



Existing



Future Land Use

Legend

-  RP
-  UR-2
-  SUB
-  Open Space



Subject Parcel

**Kilkerane Enclave
PCM150107-A
(Out of Cycle Amendment)**

*Killearn Estates
Non-conforming Residential*

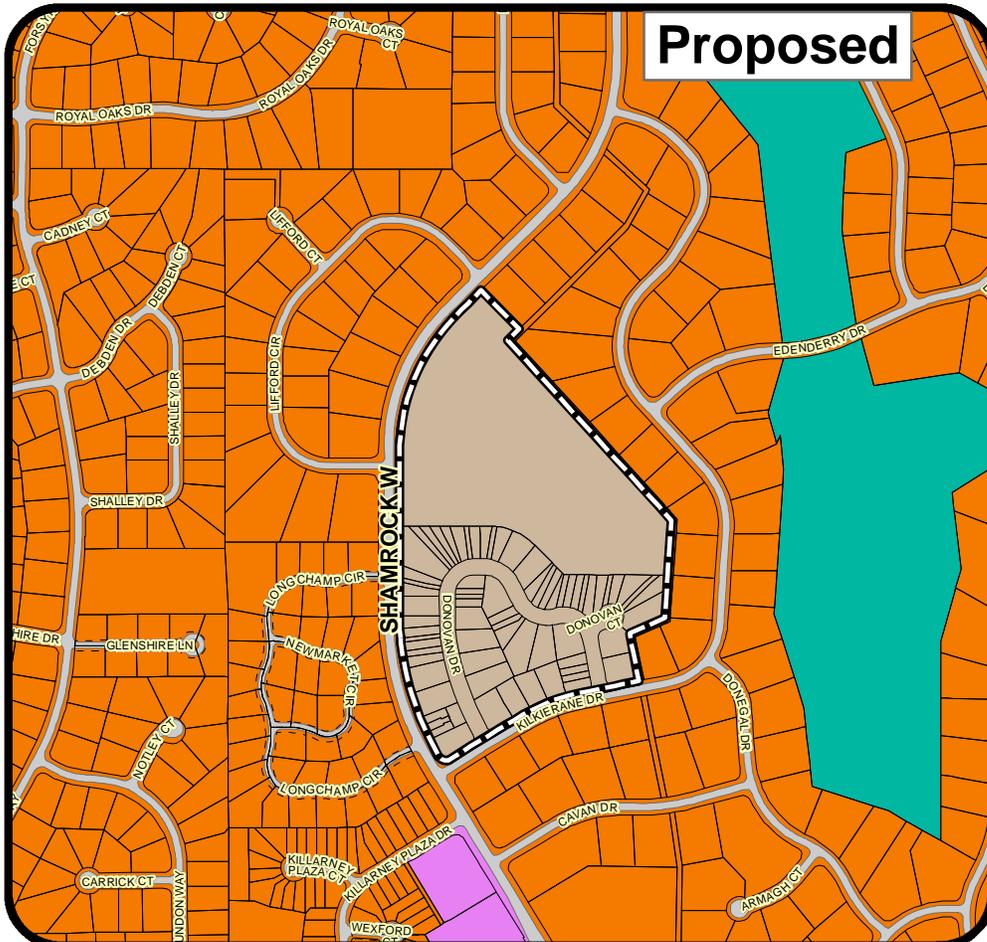
**Existing
Residential Preservation**

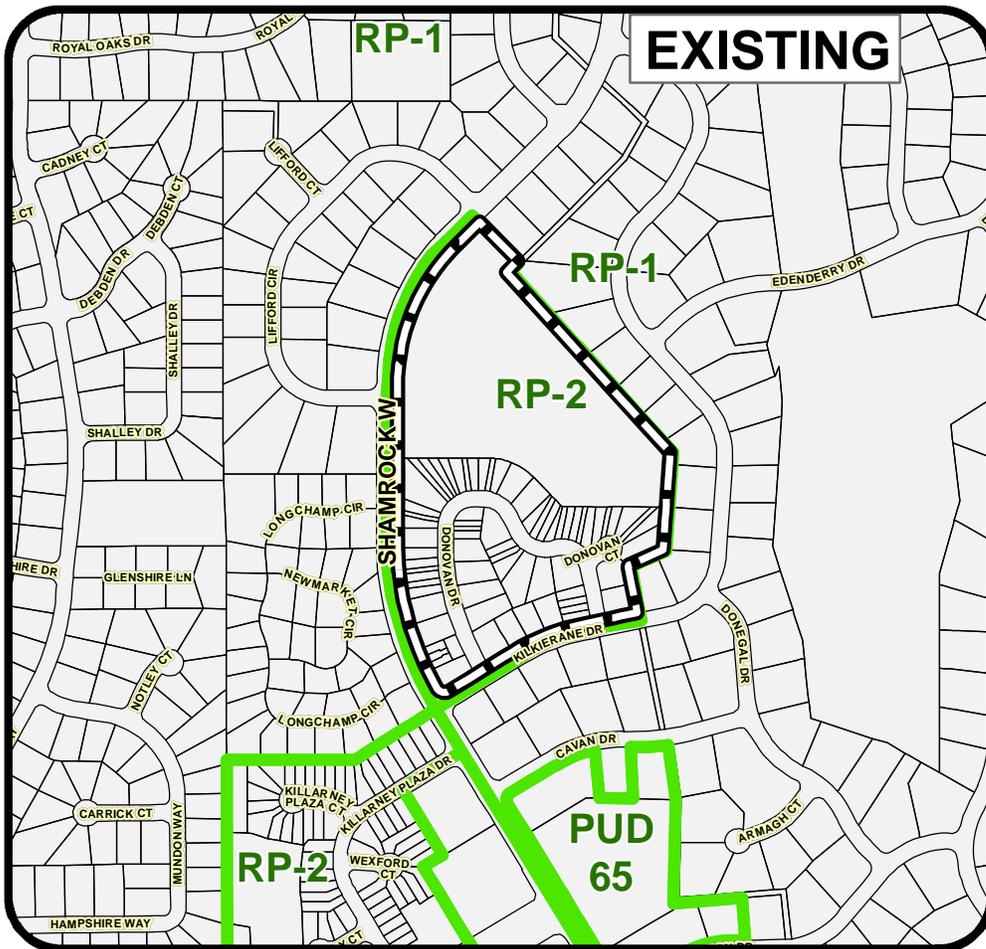
**Proposed
Urban Residential 2**

**SITE TAX ID:
See attachment #1**

ACRES: 27 ±

Proposed





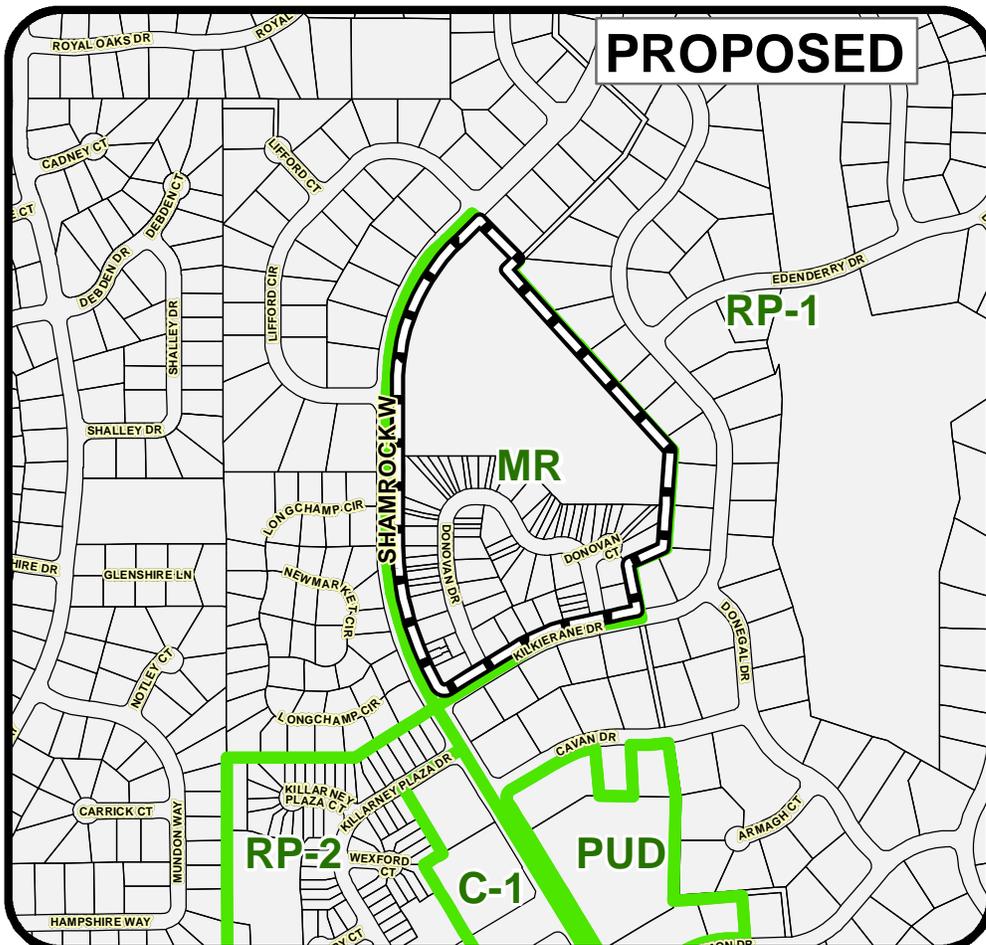
ZONING

Legend

-  Subject Parcel
-  zoning

**Kilkierane Enclave
PCM150107-A
(Out of Cycle Amendment)**

*Killearn Estates
Non-conforming Residential*



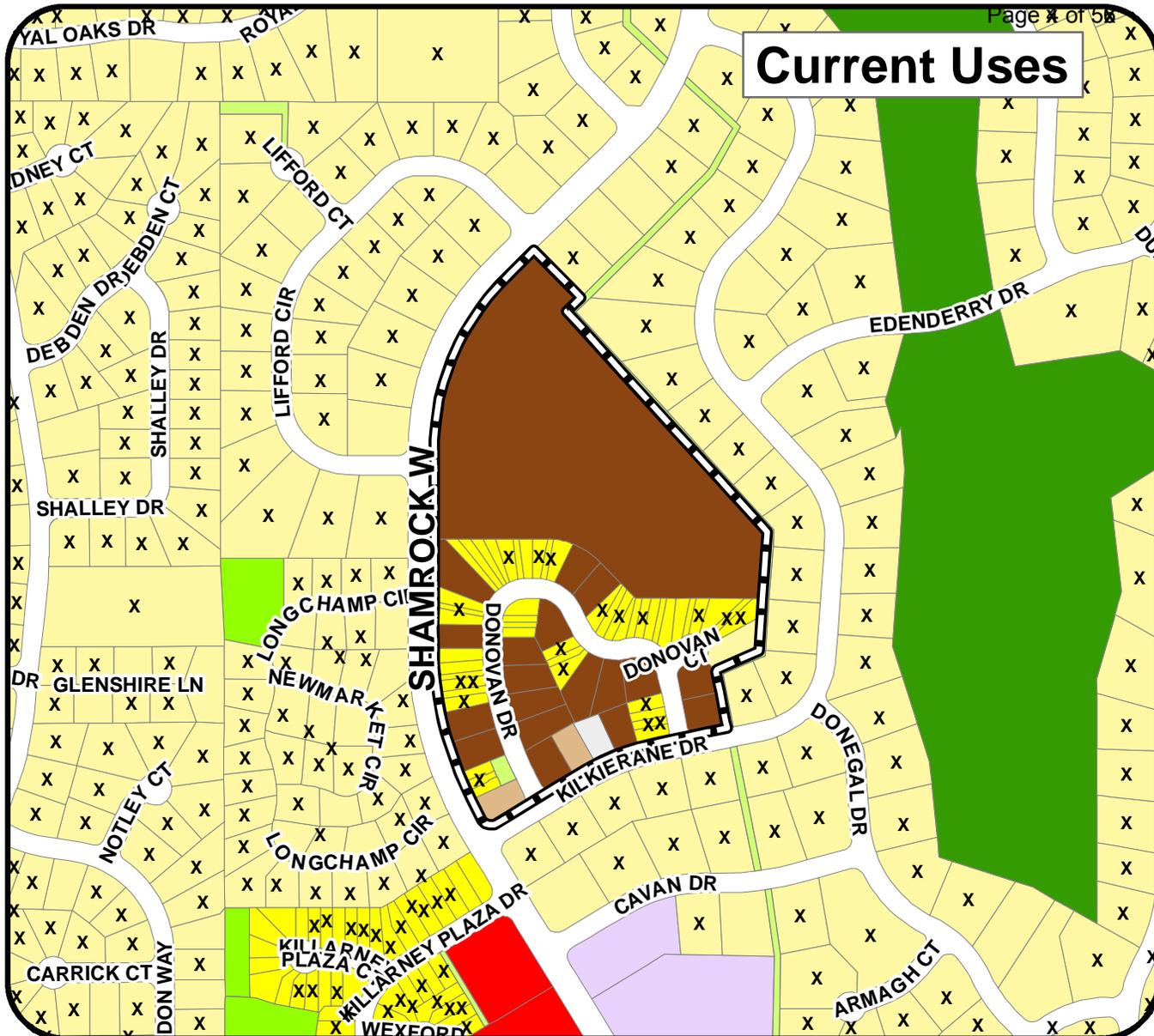
**Existing
Residential Preservation 2**

**Proposed
Medium Residential**

**SITE TAX ID:
See attachment #1**

ACRES: 27 ±





Current Uses

Legend



Subject Parcel

X Homestead Exemption Parcels

Current Uses (Oct. 2014)

- Single Family Detached/Mobile Home
- Open Space Common Areas
- Single Family Attached
- Open Space Resource Protection
- Two-Family Dwelling
- Open Space Recreation/Parks
- Multi-Family
- Religious/Non-profit
- Retail
- Vacant

**Kilkiearane Enclave
PCM150107-A
(Out of Cycle Amendment)**

***Killearn Estates
Non-conforming Residential***

**SITE TAX ID:
See Attachment #1**

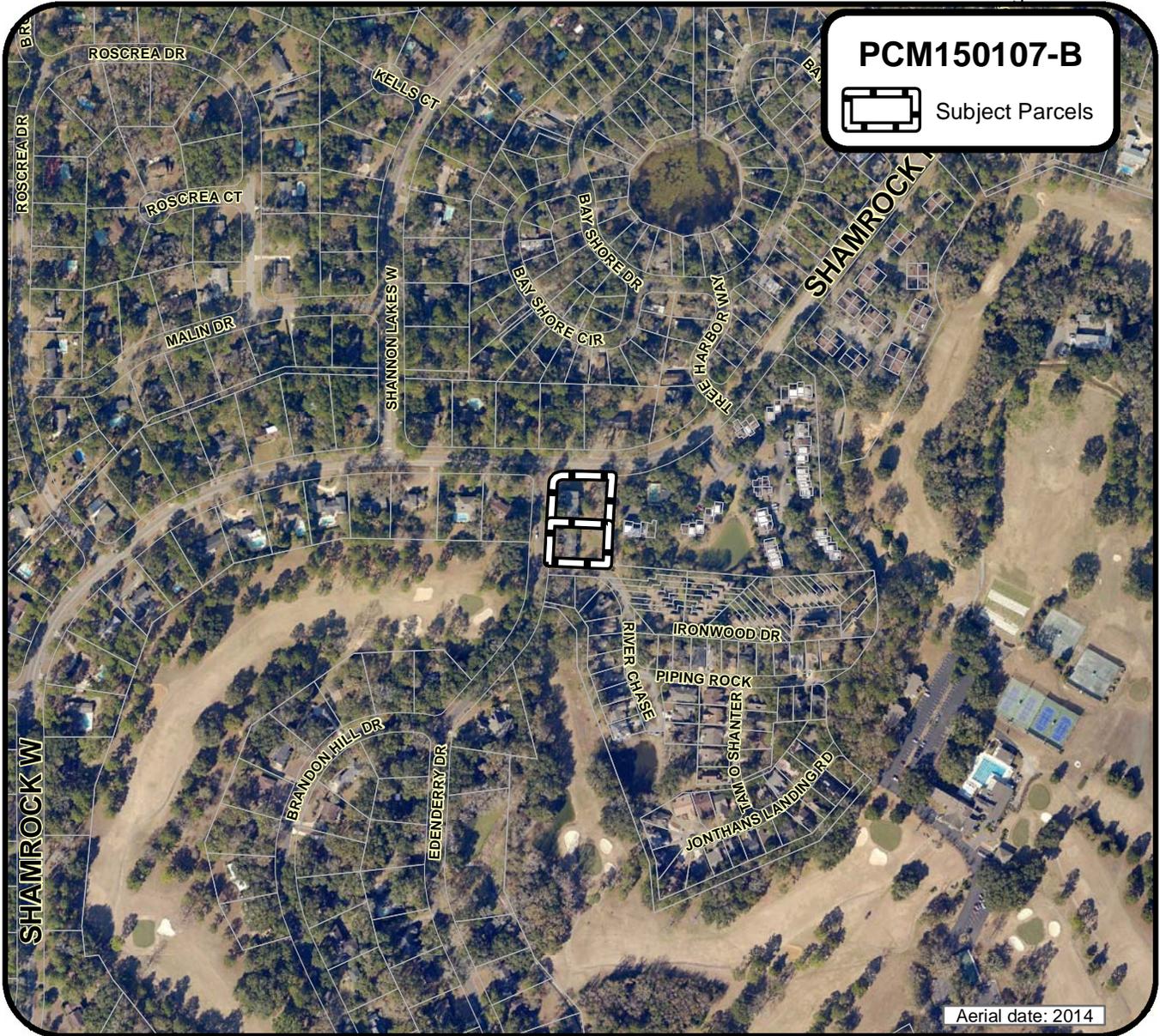
ACRES: 27 ±



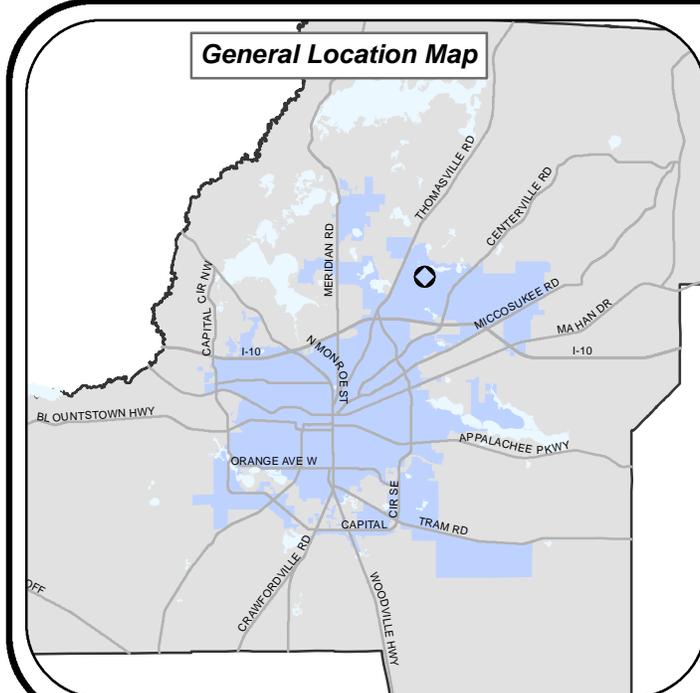
PCM150107-B



Subject Parcels



General Location Map



**Edenderry Drive
PCM150107-B
(Out of Cycle Amendment)**

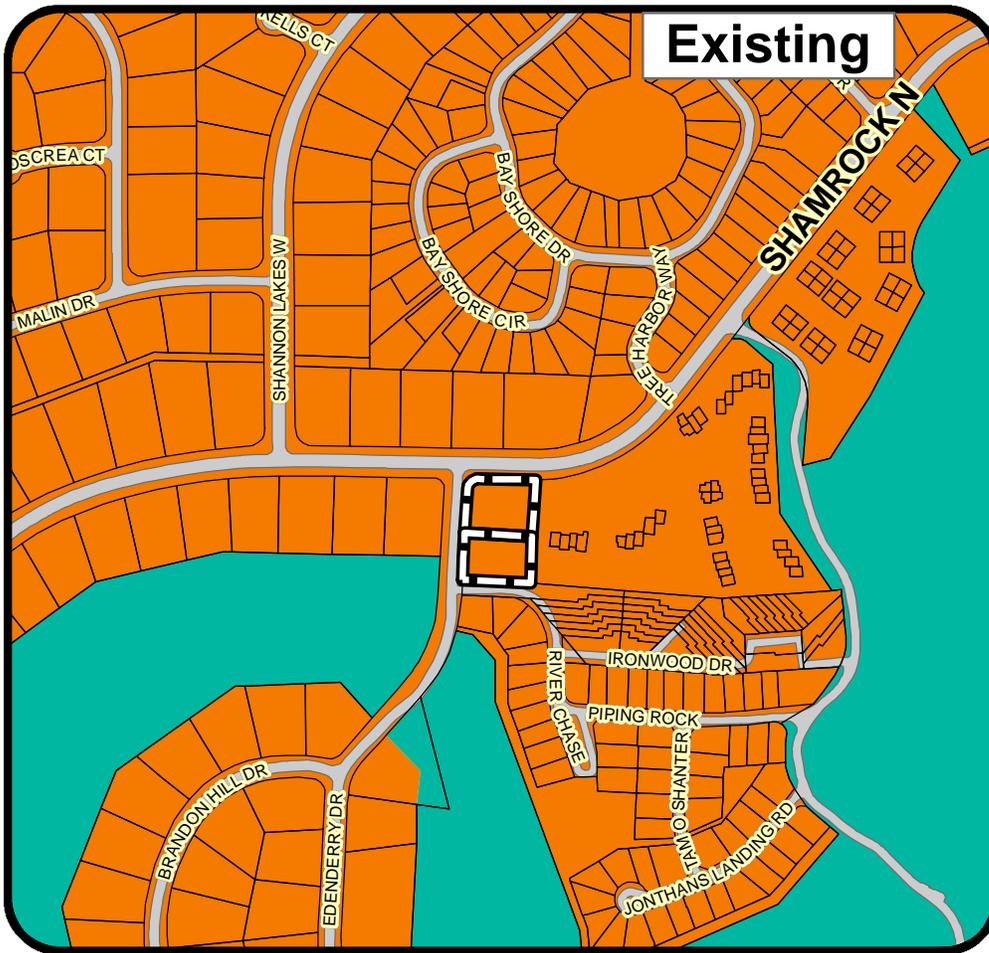
*Killearn Estates
Non-conforming Residential*

SITE TAX ID:
11-02-50- AM-0010
11-02-50- AM-0020

ACRES: 1.09 ±



Existing



Future Land Use

Legend

-  RP
-  UR
-  Open Space



**Edenderry Drive
PCM150107-B
(Out of Cycle Amendment)**

*Kilearn Estates
Non-conforming Residential*

**Existing
Residential Preservation**

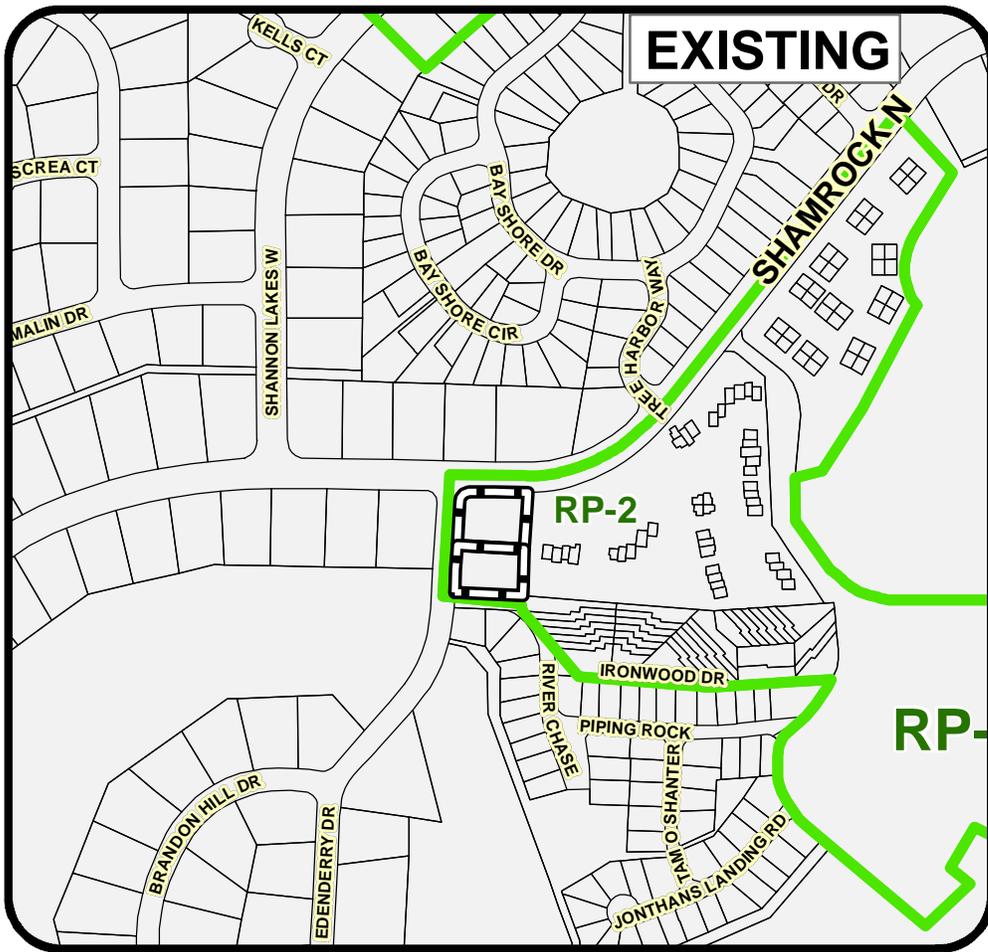
**Proposed
Urban Residential**

**SITE TAX ID:
11-02-50- AM-0010
11-02-50- AM-0020**

ACRES: 1.09 ±

Proposed





ZONING

Legend



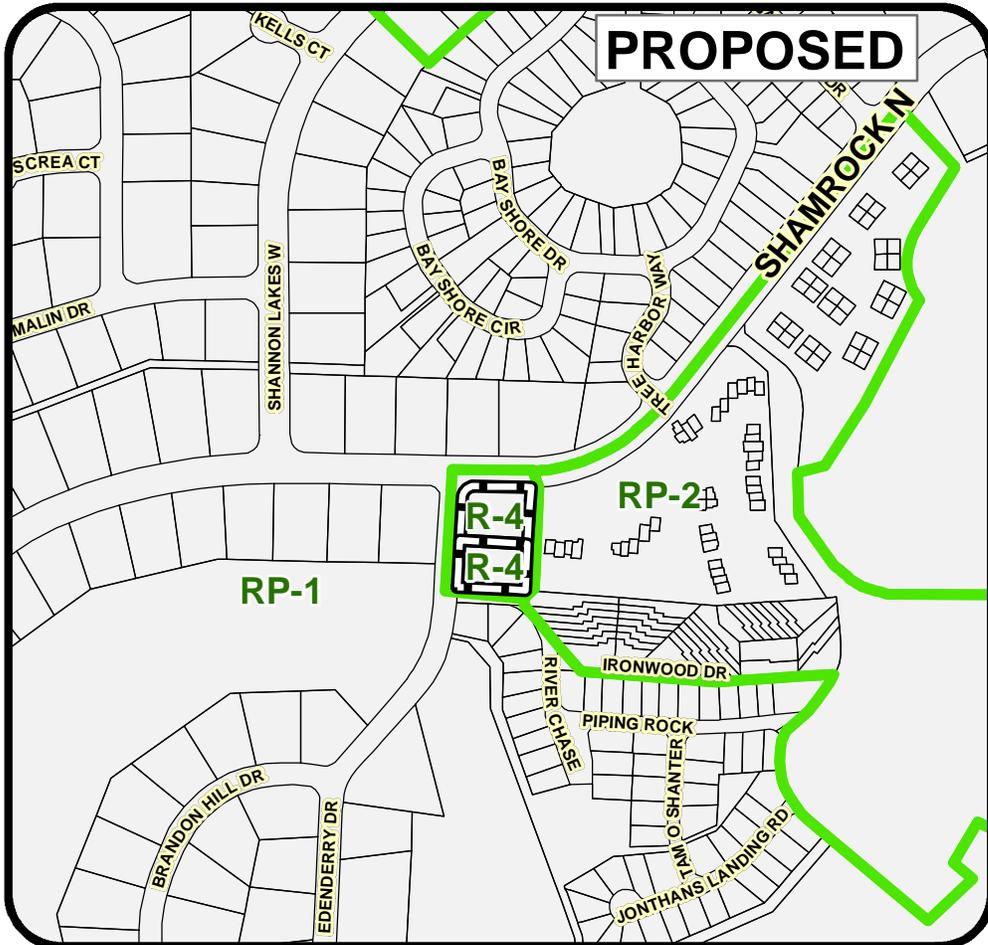
Subject Parcel



zoning

Edenderry Drive
PCM150107-B
(Out of Cycle Amendment)

*Kilearn Estates
Non-conforming Residential*



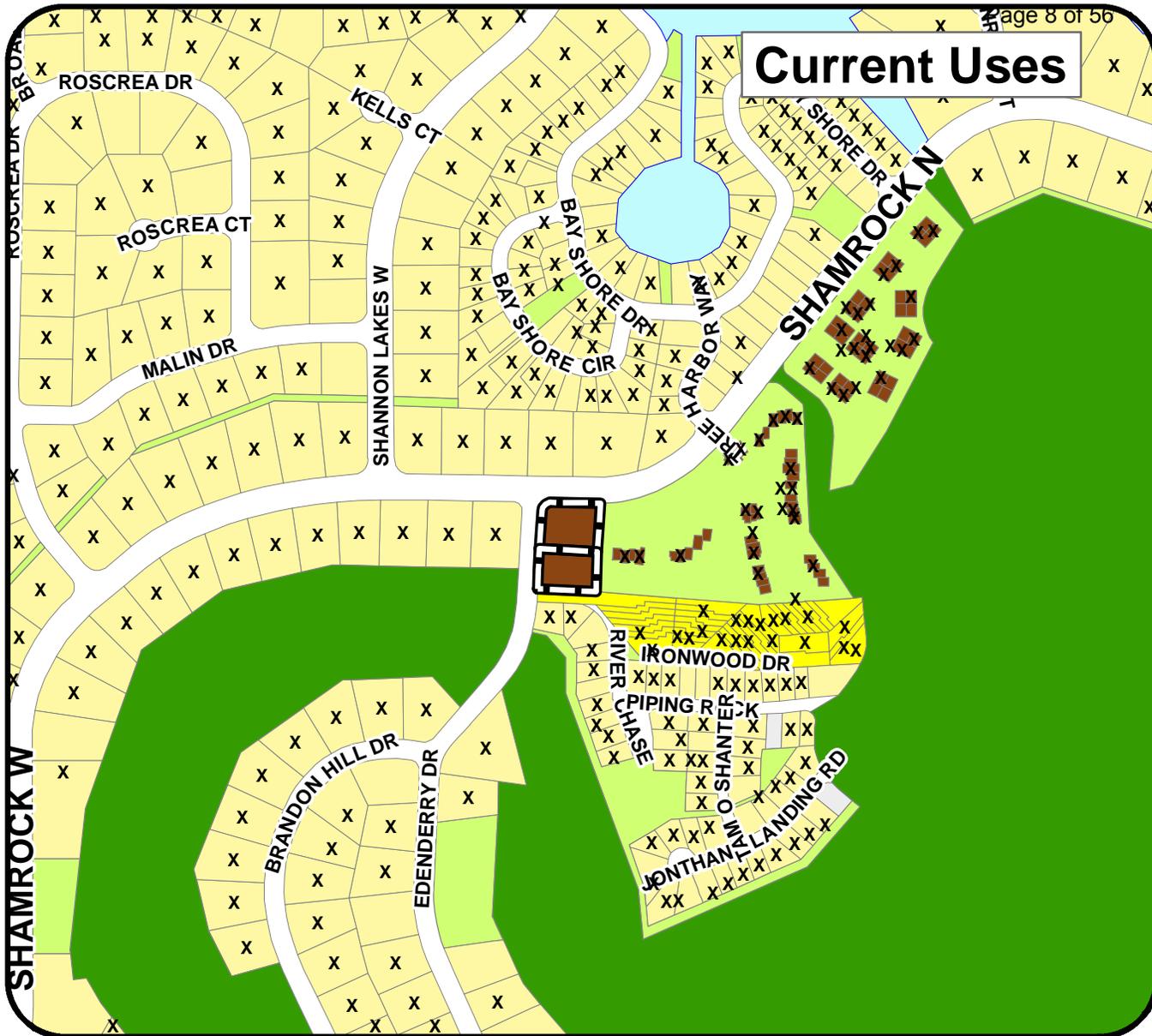
Existing
Residential Preservation 2

Proposed
R-4 Urban Residential

SITE TAX ID:
11-02-50- AM-0010
11-02-50- AM-0020

ACRES: 1.09 ±





Current Uses

Legend



Subject Parcel

X Homestead Exemption Parcels

Current Uses (Oct. 2014)

- Single Family Detached/Mobile Home
- Open Space Common Areas
- Single Family Attached
- Open Space Recreation/Parks
- Multi-Family

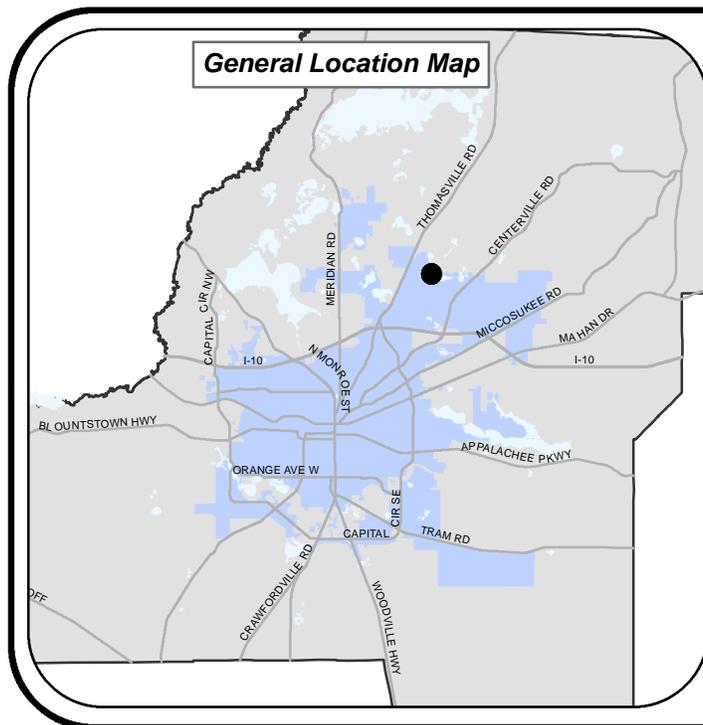
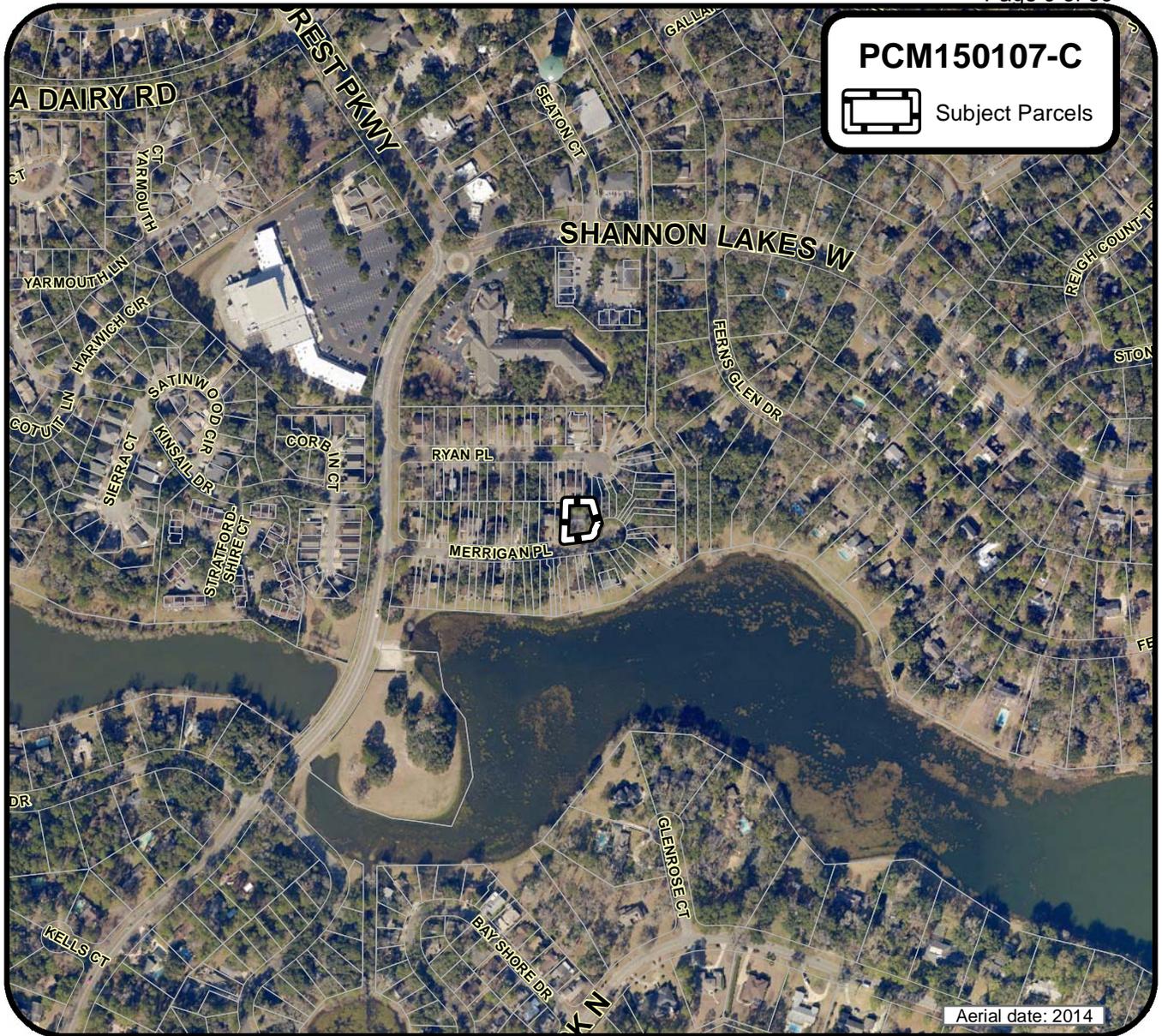
**Edenderry Drive
PCM150107-B
(Out of Cycle Amendment)**

***Killearn Estates
Non-conforming Residential***

**SITE TAX ID:
11-02-50- AM-0010
11-02-50- AM-0020**

ACRES: 1.09 ±





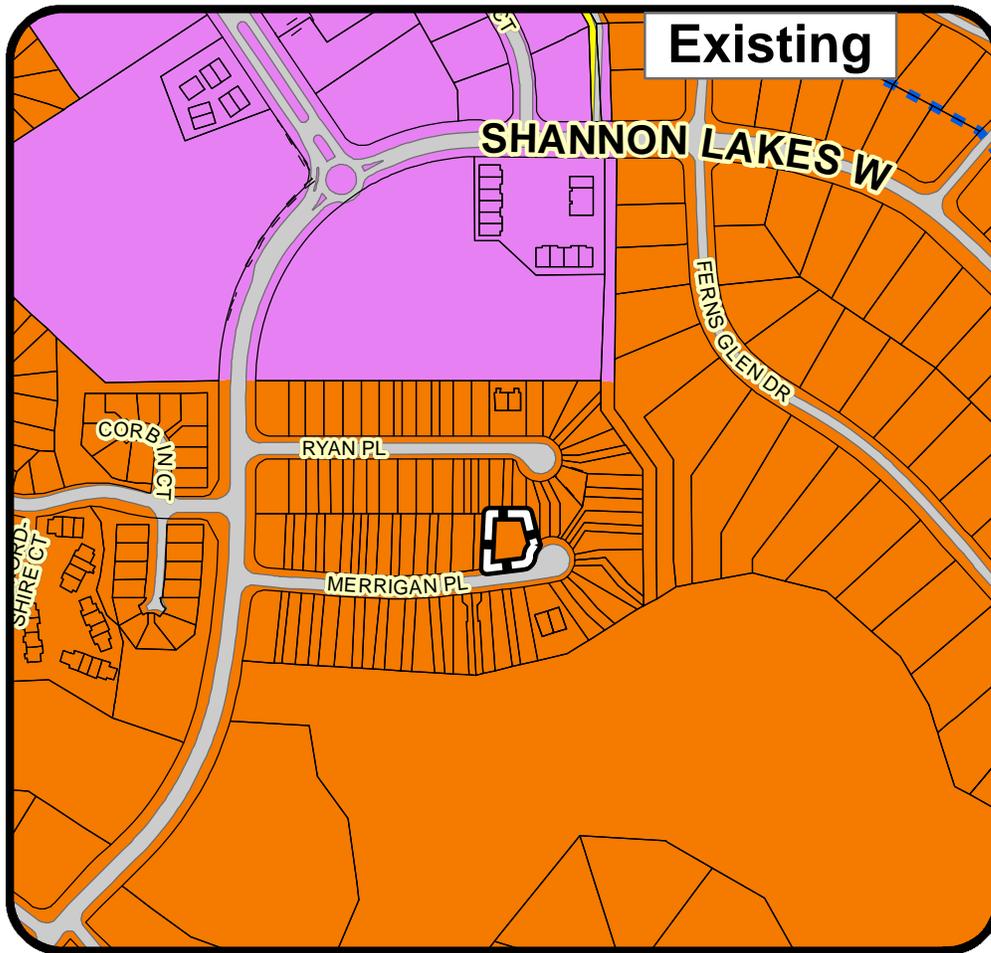
Merrigan Place PCM150107-C (Out of Cycle Amendment)

*Killearn Estates
Non-conforming Residential*

**SITE TAX ID:
11-02-50- CT-0130**

ACRES: 0.24 ±





Future Land Use

Legend

- RP
- UR-2
- SUB
- Open Space



**Merrigan Place
PCM150107-C
(Out of Cycle Amendment)**

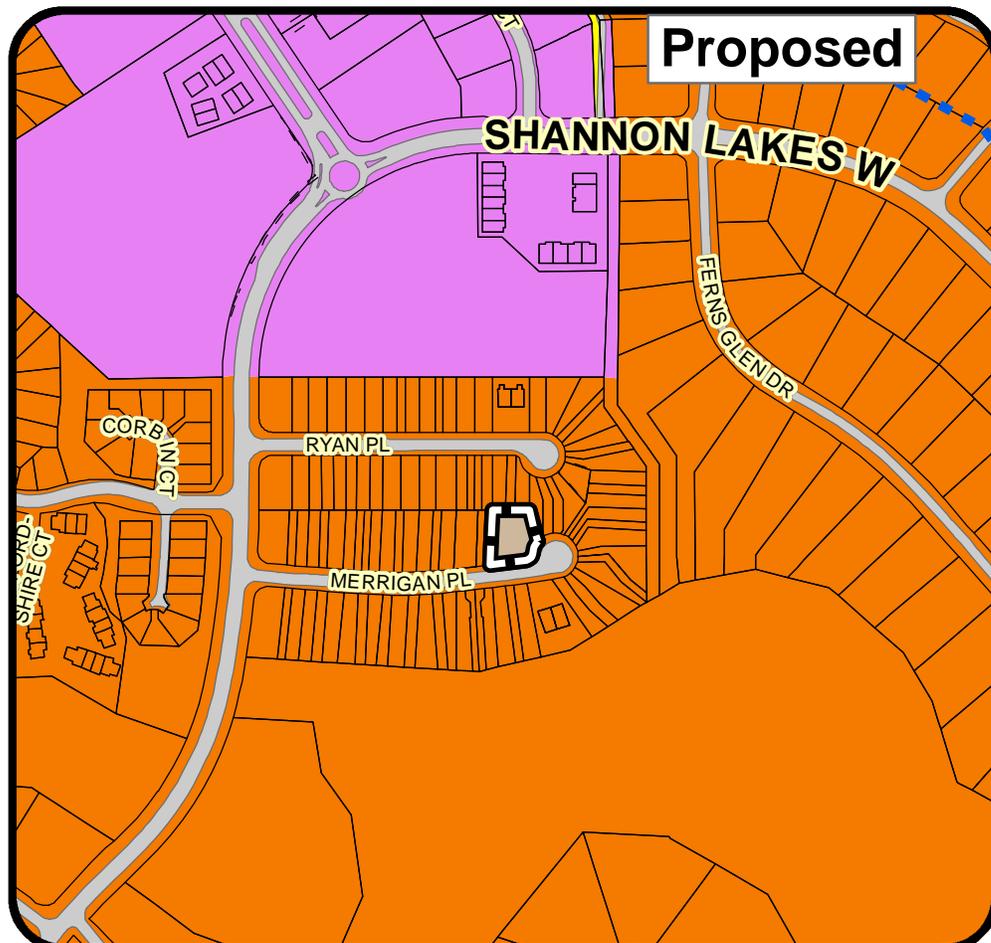
*Kilearn Estates
Non-conforming Residential*

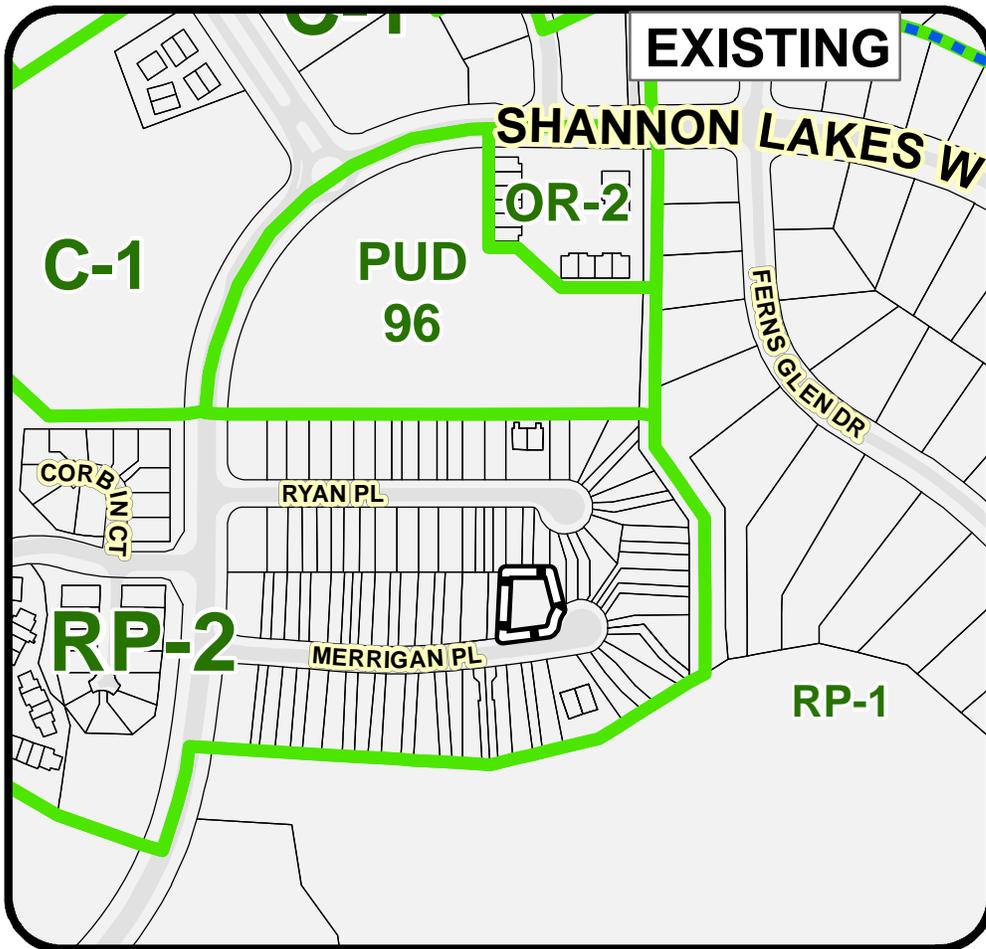
**Existing
Residential Preservation**

**Proposed
Urban Residential 2**

**SITE TAX ID:
11-02-50- CT-0130**

ACRES: 0.24 ±





ZONING

Legend



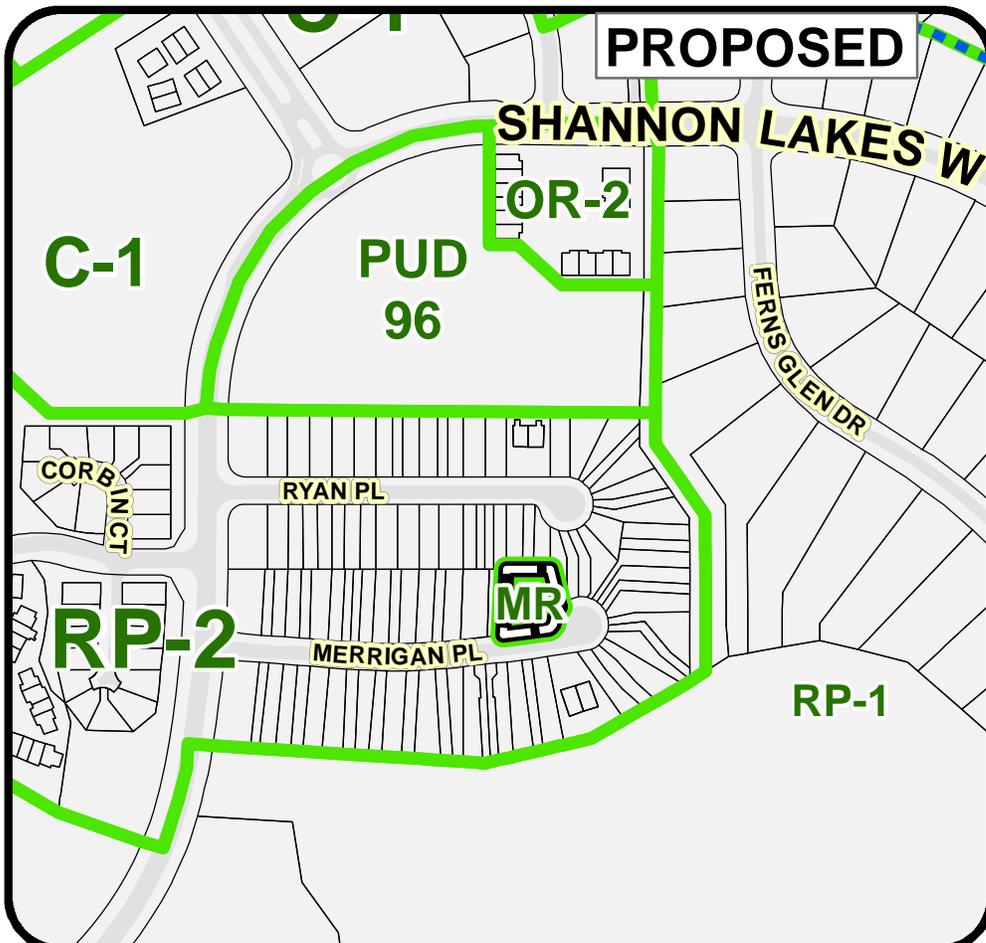
Subject Parcel



zoning

**Merrigan Place
PCM150107-C
(Out of Cycle Amendment)**

*Kilearn Estates
Non-conforming Residential*



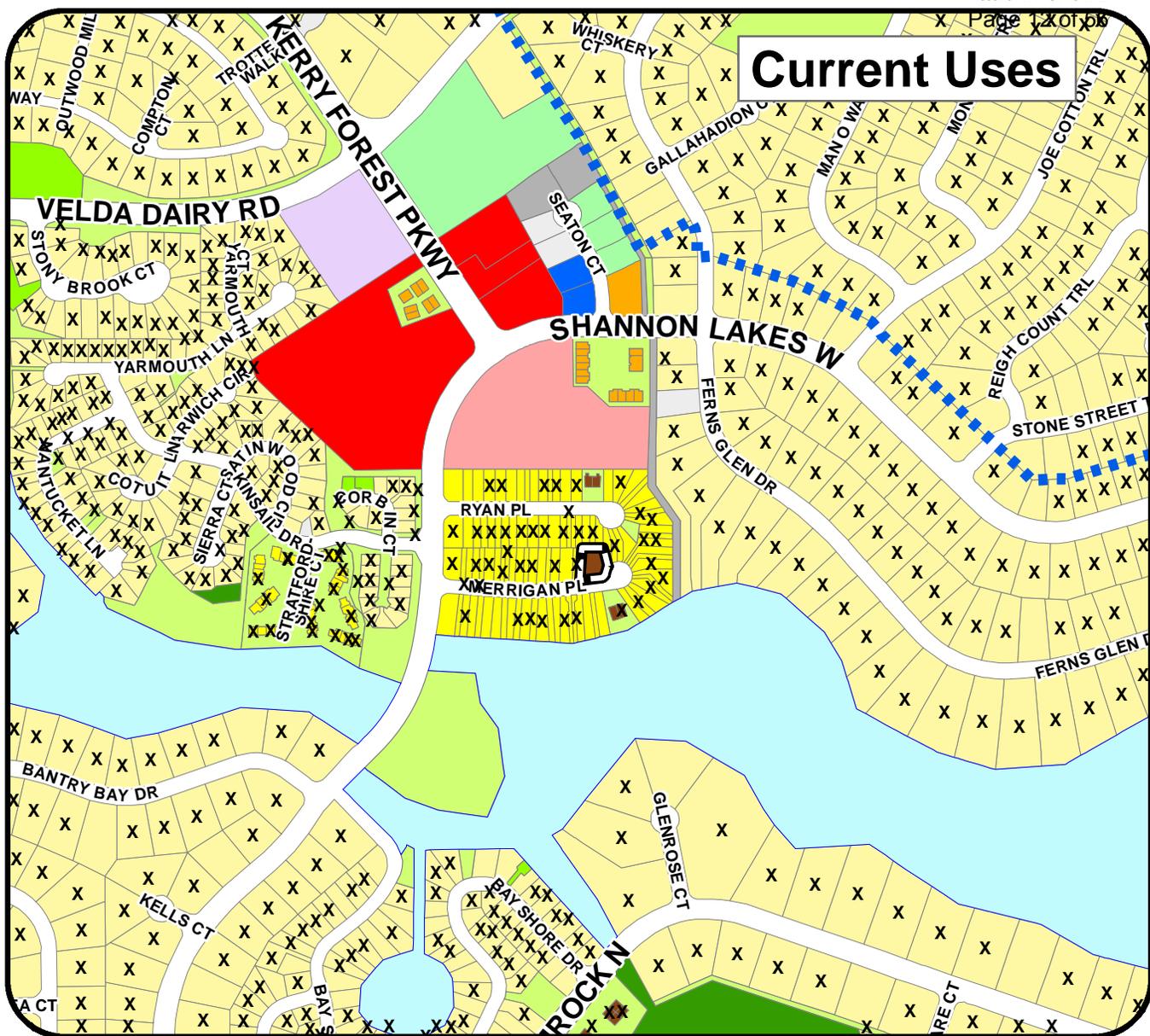
**Existing
Residential Preservation 2**

**Proposed
Medium Residential**

**SITE TAX ID:
11-02-50- CT-0130**

ACRES: 0.24 ±





Current Uses

Legend

-  Subject Parcel
- X Homestead Exemption Parcels

Current Uses (Oct. 2014)

- | | |
|--|--|
|  Single Family Detached/Mobile Home |  Office |
|  Single Family Attached |  Warehouse |
|  Two-Family Dwelling |  Open Space Common Areas |
|  Multi-Family |  Open Space Resource Protection |
|  Motel/Hospital/Clinic |  Open Space Recreation/Parks |
|  Retail |  Religious/Non-profit |
|  School |  Vacant |

**Merrigan Place
PCM150107-C
(Out of Cycle Amendment)**

***Killearn Estates
Non-conforming Residential***

**SITE TAX ID:
11-02-50- CT-0130**

ACRES: 0.24 ±



MAP AMENDMENT #: PCM150107 (Out of Cycle Amendment)

APPLICANT: Tallahassee City Commission

TAX I.D. # s: Multiple Parcels (28.25 acres) See Attachment # 2

CITY X **COUNTY**

CURRENT DESIGNATION: Residential Preservation (RP)

REQUESTED DESIGNATION: Site A - Urban Residential- 2; Site B – Urban Residential;
Site C – Urban Residential- 2

DATE: September 17, 2015

Preliminary Staff Recommendation: Approve Amendment PCM150107

A. SUMMARY:

This amendment has been initiated by the Tallahassee City Commission to address legal non-conforming residential uses and densities in Killearn Estates (Attachment # 1). The proposed Future Land Use Map (FLUM) amendments will reestablish certain properties as legal conforming uses (see Attachment #2). Provided below is the current and proposed future land use and zoning for the subject sites.

Table 1. Summary of Proposed Land Use and Zoning Changes

Subject Site	Current Land Use	Proposed Land Use	Current Zoning	Proposed Zoning
Site A (Kilkierane Enclave)	Residential Preservation (6 units per acre)	Urban Residential -2 (20 units per acre)	Residential Preservation-2 (6 units per acre)	Medium Residential (MR)* (12 units per acre)
Site B (Edenderry Drive)	Residential Preservation (6 units per acre)	Urban Residential (10 units per acre)	Residential Preservation-2 (6 units per acre)	R-4 Urban Residential (10 units per acre)
Site C (Merrigan Place)	Residential Preservation (6 units per acre)	Urban Residential- 2 (20 units per acre)	Residential Preservation-2 (6 units per acre)	Medium Residential (MR)* (12 units per acre)

*Staff will process at a later date a text amendment to the Land Development Code to increase the maximum density of the MR zoning district to 16 dwelling units per acre.

It should be noted that prior to the adoption of the Comprehensive Plan in 1990, the subject sites and surrounding areas were zoned RM-2, which allowed for single-family, two-, three-, and four-family dwellings, multiple-family dwellings, townhomes, and cluster development at a density of up to 29.4 dwelling units/acre (see Attachment # 3).

B. REASONS FOR RECOMMENDATIONS TO APPROVE:

1. The subject sites' adopted future land use designation of Residential Preservation does not recognize existing development patterns, resulting in a significant number of nonconformities. The multi-family use would be an allowable use in the proposed Urban Residential and Urban Residential -2 categories.
2. The subject sites are currently comprised of a variety of housing types, including single-family attached, single family detached, and multi-family units, and present a development pattern consistent with the intent and standards of the proposed Urban Residential and Urban Residential-2 future land use designations.
3. The proposed amendment is consistent with action taken by the City Commission to address existing legal non-conforming uses within Killearn Estates through a Comprehensive Plan Map Amendment and rezoning.
4. The current provision of medium-density single-family, townhome, and multi-family housing in the subject areas reduces urban sprawl, and ensures the efficient provision of infrastructure within the Urban Service Area (USA).

C. APPLICANT'S REASON FOR THE AMENDMENT:

This amendment was initiated by the Tallahassee City Commission to address existing legal non-conforming residential uses and densities within Killearn Estates neighborhood.

D. STAFF ANALYSIS:

The complete text of the Comprehensive Plan Objectives, Policies and Future Land Use Categories referenced in this report are provided in Attachment # 4.

Historical Context of the Existing Uses

Established in the mid-1960s, Killearn was the first planned community in the City of Tallahassee and today contains several of the county's largest subdivisions - Killearn Estates, Killearn Acres and Killearn Lakes. Consisting of approximately 3,800 acres, the land was originally owned by the Coble family and known as Velda Farms. It was unusual and unique for its time, in that it had underground utilities, preserving a natural appearance. Throughout the years, various neighborhoods have been developed within Killearn so that people would have choices in the way they live – large yards for the gardeners, no yards for those that don't want the upkeep, condos, apartments, townhomes, on the lakes, on the golf course, or not. Thus, Killearn Estate's original design included distinctive neighborhoods that would appeal to a variety of homeowners such as first-time home buyers, empty-nesters, and retirees. (*Source: Killearn HA website*).

Planning Issues

Background

This amendment was initiated by the City Commission to address existing legal, nonconforming residential uses and densities within the Killearn Estates neighborhood. This issue was brought to the City's attention when a property owner inquired about building a multi-unit residential structure on a lot in Killearn Estates. While the site was located in an enclave comprised primarily of attached single family and multi-family units (see Attachment # 5), the owner was limited to the construction of a detached single home due to subsequent changes to the areas future land use and zoning over the previous 20 years. These changes not only impacted the ability to develop this previously undeveloped lot, it had also made much of the existing development within the area nonconforming (see Attachment # 6). It is important to note that, while legal, nonconforming residential uses are allowed to remain in their current state, if more than 50% of the structure is damaged (fire, weather, etc.), the Land Development Code prohibits rebuilding the structure.

Prior to the adoption of the Comprehensive Plan in 1990, the subject sites were zoned "RM-2, which allowed single-family, two-, three-, and four-family dwellings, multiple-family dwellings, townhomes, cluster development and a density of 29.4 dwelling units/acre. The City of Tallahassee rezoned the subject parcel and surrounding parcels from RM-2 to Residential Preservation-2 (RP-2) pursuant to the adoption of the revised Tallahassee-Leon County Comprehensive Plan. The RP-2 zoning district allows single-family, two-family dwellings, and community facilities.

The proposed amendment would bring the three (3) subject areas into conformity. It would also provide relief for the property owners seeking to build a multi-family unit on the only remaining vacant lot in the subject area.

Subject Sites

Site A: Kilkierane Enclave (71 Parcels)

To address the legal, nonconforming residential uses and densities in the Kilkierane Enclave, staff is proposing to change the subject area from the Residential Preservation future land use category to the Urban Residential-2 category with Medium Residential (MR) zoning. This recommendation will bring the legal nonconforming uses and densities in the enclave into conformity, while having the least amount of impact on the surrounding neighborhood. This proposed solution requires an amendment to the UR-2 FLUM category and a subsequent rezoning of the enclave to the MR.

Text defining the UR-2 FLUM category states that is not to be applied within the interior of an existing neighborhood. The enclave is located within an existing neighborhood (Killearn

Estates); therefore a text amendment to the FLUM category is required to modify this language. The proposed modified language is as follows; “The category is not to be applied within the interior of an existing neighborhood, unless to correct existing legal non-conforming uses and/or densities (see companion Text Amendment PCT150108).”

The current MR zoning district allows a density of 12 dwelling units/acre and also allows two- and three-unit structures on the subject parcel; however, 6 lots in the enclave would still exceed the allowable density. Therefore, in order to accommodate the existing density of the parcels in the enclave, the MR zoning district would require a text amendment to the Land Development Code (LDC) to increase the maximum density from 12 to 16 dwelling units/acre. Because the MR-1 zoning district’s current maximum density is 16 dwelling units/acre, in order to differentiate the MR and the MR-1 districts, an amendment to the MR-1 zoning district is also recommended to increase its maximum density to 20 dwelling units/acre.

The MR zoning district requires access to a collector or arterial. The streets within and surrounding the enclave are classified as local; therefore an amendment to allow access to a local street is required. Staff does not anticipate any significant impacts from removing this restriction from MR, since the denser MR-1 zoning district currently allows access to local streets (proposed density for MR is 16 dwelling units/acre, the same as the current MR-1).

Site B: Edenderry Drive (2 Parcels) & Site C: Merrigan Place (1 Parcel)

In addition to the Kilkierane Enclave, there are two other small areas, totaling 3 parcels, in the Killearn Estates neighborhood that contain legal non-conforming uses and densities. Two of the parcels (“Site B”) are located on Edenderry Drive and contain quadrplexes with development at a density of 8 dwelling units per acre.

The remaining parcel (“Site C”) is located on Merrigan Place and contains a triplex with a density of 12.5 dwelling units per acre. To bring Sites B and C into conformity, staff recommends a UR FLUM designation and R-4 zoning for Site B, and a the UR-2 FLUM designation and MR zoning for Site C.

Text Amendment PCT150108

As noted previously, the UR and UR-2 FLUM categories state that the designations are not to be applied within the interior of an existing neighborhood. To provide a remedy for the subject sites and other legal, nonconforming sites that may exist in other areas of the City/County, a text amendment (PCT150108) to modify the UR and UR-2 future land use categories to provide an exception to the UR and UR-2 location prohibition is being proposed. This exception would allow the placement of UR and UR-2 internal to neighborhoods where past development regulations and practices have resulted in existing legal non-conforming uses and/or densities.

The proposed text amendment is consistent with Land Use Objective 2.1 and corresponding Policy 2.1.8 which seek to maintain a viable mix of available residential densities to accommodate a variety of housing types and choices.

E. ENVIRONMENTAL FEATURES & IMPACT ON INFRASTRUCTURE:

Environmental Features

The parcels included in this amendment, with the exception of one 1/4 acre parcel, are previously developed. They are all located within the Lake Lafayette drainage basin. County environmentally sensitive features indicate a potential karst area surrounding a waterbody (currently used as a stormwater facility) on Parcel #1103202010000, and there are significant and severe grades (possibly manmade) surrounding this waterbody. There are no other known protected environmentally sensitive features on the subject sites.

Water/Sewer

City water and sewer are available to subject areas.

Transportation

Roadways: The subject areas are presently developed with the exception of 1/4 acre parcel, and it is not anticipated that the proposed FLUM change and rezoning will result in significant impacts to the roadway system. If the subject areas were to redevelop in the future, they would be subject to transportation concurrency regulations.

Transit Availability: The closest available transit service is StarMetro's Dogwood bus route which runs along Thomasville Road from Kerry Forest Parkway to Southwood.

Bicycle/Pedestrian Facilities Availability: There are sidewalks presently along the major roadways, Shamrock and Shannon Lakes. There are presently no bicycle lanes along the roadways in the vicinity of the subject areas.

Schools

The subject areas are zoned for Gilchrist Elementary, Montford Middle School, and Lincoln High School. Since the subject areas are already developed with the exception of 1/4 acre parcel, it is not anticipated that the proposed amendments would have a significant impacts on school capacity. The School Board has been consulted regarding the proposed amendment and has stated that there is no significant impact to Leon County Schools.

F. PUBLIC OUTREACH AND NOTIFICATION:

Since initiation of the proposed amendment by the City Commission, staff has met twice (2) with constituents of Killearn Estates neighborhood. The first meeting was held July 7, 2015 with Killearn Homes Association (KHA) Board. At that meeting, staff provided information on the proposed amendment and the reason it had been initiated by the City Commission. Staff left the meeting with verbal support from the Board for the proposed amendments.

On July 28, 2015, an Open House event was held to provide an opportunity for wider public input regarding the proposed amendments. Approximately 814 notices were mailed to residents within 1,000 feet of the subject sites. Eleven (11) residents attended the Open House. While there were some concerns at the meeting for the increases in density in the subject areas, overall, the residents were generally receptive of the proposed changes.

G. STAFF REPORT UPDATE

Below is a summary of actions that have taken place subsequent to the publication of the original staff report.

Local Planning Agency Public Hearing - September 8, 2015

The Local Planning Agency voted unanimously to approve staff's recommendation.

H. CONCLUSION:

Based on the above data and analysis, staff concludes the following:

1. The subject sites' adopted future land use designation of Residential Preservation does not recognize existing development patterns, resulting in a significant number of nonconformities. The multi-family use would be an allowable use in the proposed Urban Residential and Urban Residential -2 categories.
2. The subject sites are currently comprised of a variety of housing types, including single-family attached, single family detached, and multi-family units, and present a development pattern consistent with the intent and standards of the proposed Urban Residential and Urban Residential-2 future land use designations.
3. The proposed amendment is consistent with action taken by the City Commission to address existing legal non-conforming uses within Killearn Estates through a Comprehensive Plan Map Amendment and rezoning.
4. The current provision of medium-density single-family, townhome, and multi-family housing in the subject areas reduces urban sprawl and ensures the efficient provision of infrastructure within the Urban Service Area (USA).

I. ATTACHMENTS:

- Attachment # 1 Killearn Estates Agenda Item - May 27, 2015 Tallahassee City Commission Short Range Target Issue Committee.
- Attachment # 2 Parcels Identification Numbers for Subject Sites
- Attachment # 3 Map of the Pre-Comprehensive Plan 1990 Zoning of the Subject Sites.
- Attachment # 4 Complete Text of the following Comprehensive Plan Policies and Objectives from the Land Use Element referenced in report:
Land Use Policy 2.2.23 Urban Residential (Future Land Use Category)
Land Use Policy 2.2.24 Urban Residential 2 (Future Land Use Category)
Land Use Policy 2.2.3 Residential Preservation (Future Land Use Category)
Land Use Objective 2.1 (Provision for future mixed residential areas that provide a wide choice of housing types)
Land Use Policy 2.1.8 (Maintain a viable mix of available residential densities to accommodate a variety of housing types).
- Attachment # 5 Map of Building Types in Site A (Enclave off Kilkierane Drive).
- Attachment # 6 Density Map for Site A (Enclave off Kilkierane Drive).

CITY OF TALLAHASSEE	
<u>Short Range Community Based Planning</u>	
<u>TARGET ISSUE AGENDA ITEM</u>	
ACTION REQUESTED ON:	May 27, 2015
SUBJECT/TITLE:	Kilkierane Zoning Issues
TARGET ISSUE:	Short Range Community Based Planning

STATEMENT OF ISSUE

This agenda item requests the Short Range Community Based Planning Target Issue Committee (SRTI) to provide direction on how to address legal non-conforming uses and densities that currently exist in a residential enclave located in Killlearn Estates.

RECOMMENDED ACTIONS

1.
 - a. Comprehensive Plan FLUM Amendment from RP to UR-2.
 - b. Comprehensive Plan Text Amendment to the UR-2 FLUM category to modify language that states UR-2 FLUM not to be applied within the interior of an existing neighborhood.
 - c. Text Amendment to the MR Zoning District to increase the maximum density from 12 to 16 dwelling units/acre.
 - d. Text Amendment to the MR Zoning District to remove street access restriction to collector or arterial.
 - e. Text Amendment to the MR-1 Zoning District to increase the maximum density from 16 to 20 dwelling units/acre.

FISCAL IMPACT

N/A

For information, please contact: Russell Snyder/Mary Jean Yarbrough, 891- 6400.

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 2 of 7

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

BACKGROUND

The property owner of 2814 Kilkierane Drive contacted the City to inquire about constructing a multi-unit residential structure in late 2014. Staff informed him that he was only allowed to construct a single family (1-unit) structure because more than one dwelling unit would exceed the density allowed in the RP-2 district. The subject lot is the only unbuild lot located in an enclave (Unit 22 of Killearn Estates, 71 lots) of residential structures. Further analysis revealed that a large number of the lots contain legal non-conforming residential structures (triplex, quadruplex, and multi-family), and also exceed the allowed density of the RP-2 zoning district. The zoning has changed since these structures were built and the zoning history is provided below:

Original Zoning: Prior to adoption of the City of Tallahassee Zoning, Site Plan and Subdivision Regulations in 1992, the subject parcel and surrounding parcels in the enclave were zoned RM-2, which allowed single-family, two-, three-, and four-family dwellings, multiple-family dwellings, townhomes, cluster development and a density of 29.4 dwelling units/acre.

1992: The City of Tallahassee rezoned the subject parcel and surrounding parcels from RM-2 to Residential Preservation-2 (RP-2) pursuant to the adoption of the revised Tallahassee-Leon County Comprehensive Plan in 1990. The RP-2 zoning district allows single-family, two-family dwellings, community facilities and a density of 6 dwelling units/acre.

2003: The City Commission terminated the vested rights review ordinance and vesting rights for the subject parcel expired on October 1, 2003 unless a request was submitted and approved for an extension of vested rights. An extension was also granted if a building or site development permit had been submitted. The subject property owner did not submit any of the required documentation and therefore, was not granted an extension.

2015: Currently, the subject parcel and surrounding parcels are zoned RP-2 and the future land use designation is Residential Preservation (RP). See Attachments 1 and 2.

ANALYSIS

Legal Non-Conforming Uses

As previously mentioned, after a property owner inquired about building a multi-unit residential structure on a lot in Killearn Estates, staff discovered that it was located in an enclave comprised of several lots containing residential structures that are legal non-conforming uses (triplex, quadruplex, and multi-family) as shown on Attachment 3. The RP-2 zoning district allows only single-family, two-family dwellings, and community facilities.

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 3 of

Legal non-conforming residential uses are allowed to remain in this situation, but if more than 50% of the structure is damaged (fire, weather, etc.), the Land Development Code prohibits rebuilding the structure.

Density

The RP-2 zoning district allows a maximum density of 6 dwelling units/acre. Several of the lots (19 of 71 lots) within the enclave exceed the maximum allowed density (see Attachment 4). The Land Development Code allows a property owner to construct one single-family dwelling unit on a lot; therefore the lots that reflect the number 1 are conforming to uses because one unit is allowed regardless of the lot size (see Attachment 4).

The Land Development Code defines density as the number of dwelling units per gross acre being developed and the allowable density is determined by the zoning designation. In a new subdivision the density is based on the number of dwelling units per acre of land developed when subdivided; typically one dwelling unit per parcel, unless further specified, such as a duplex subdivision. For instance, 30 dwelling units on 30 acres yields a density of 1 dwelling unit per acre. On individual properties developed for more than one dwelling unit, the density is based on the number of dwelling units and the acreage of the property and may not exceed the density allowed in the zoning district. In this scenario, 2 dwelling units on one-half acre yields 4 dwelling units per acre.

Potential Solutions

Staff further investigated potential solutions to allow the subject property owner to construct more than a single family dwelling unit on the parcel and to bring the other enclave parcels into a legal conforming status with regards to use and density. The minimum requirement would be a future land use map (FLUM) change and a rezoning; however, each potential solution would require other action(s) as reflected in Attachment 5 and explained below.

The proposed solutions discussed below are summarized in the following table, which also reflects staff's recommendation in order of priority:

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 4 of 7

Staff Recommendation	Zoning District	Implementing FLUM	Recommended Comprehensive Plan Text Amendment	Recommended Zoning District Text Amendment(s)	Remaining Non-Conformities	Maximum density for 2814 Kilkierane
1	MR (6-12 du/ac)	Urban Residential-2	Modify* language that states UR-2 FLUM not to be applied within the interior of an existing neighborhood.	<ol style="list-style-type: none"> Increase the maximum density from 12 to 16 dwelling units/acre. Remove street access restriction to only a collector or arterial. 	6 lots would exceed allowable density (unless density increased to 16 du/acre via code amendment) All lots exceed minimum density.	2 units @ .24 acre; 3 units @ .25 acre
2	MR-1 (8-16 du/ac)	Urban Residential-2	Modify* language that states UR-2 FLUM not to be applied within the interior of an existing neighborhood.	<ol style="list-style-type: none"> Increase the maximum density from 16 to 20 dwelling units/acre. Decrease the minimum density from 8 to 6 dwelling units/acre. 	1 lot would not meet minimum density	3 units @ .24 acre; 4 units @ .25 acre
3	R-4 (4-8 du/ac, local road); (4-10 du/ac, collector or arterial)	Urban Residential	Modify* language that states UR FLUM not to be applied within the interior of an existing development.	<ol style="list-style-type: none"> Modify language that states R-4 not to be applied within the interior of an existing neighborhood. Remove language that prohibits vehicular access to a local road if 10 du/ac. 	19 lots would exceed allowable density All lots exceed minimum density.	1 unit @ .24 acre; 2 units @ .25 acre

* The new language would be as follows: “The category is not to be applied within the interior of an existing neighborhood, unless to correct existing legal non-conforming uses and/or densities.”

Staff’s first recommendation will bring the legal non-conforming uses and densities in the enclave to a conforming status, while having the least amount of impact on the surrounding neighborhood. This proposed solution requires an amendment to the UR-2 FLUM category (see Attachment 6) and a rezoning of the enclave to the MR zoning district (See Attachment 7). The UR-2 FLUM category stipulates that it is not to be applied within the interior of an existing neighborhood. The enclave is located within an existing neighborhood (Killearn Estates); therefore a text amendment to the FLUM category is required to modify this language. The proposed modified language is as follows; “The category is not to be applied within the interior

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 5 of 7

of an existing neighborhood, unless to correct existing legal non-conforming uses and/or densities.”

The current MR zoning district allows a density of 12 dwelling units/acre and also allows two- and three-unit structures on the subject parcel; however, 6 lots in the enclave would still exceed the allowable density. Therefore, in order to accommodate the existing density of the parcels in the enclave, the MR zoning district would require a text amendment to increase the maximum density from 12 to 16 dwelling units/acre. Because the MR-1 zoning district’s current maximum density is 16 dwelling units/acre, in order to differentiate the MR and the MR-1 districts, an amendment to the MR-1 zoning district is also recommended to increase its maximum density to 20 dwelling units/acre (See Attachment 8). An amendment to the minimum density is not required, as all the lots in the enclave meet the minimum density of 6 dwelling units/acre.

Regarding the implications of these proposed changes, there is only one MR zoning district. It was established in 2005 to correct a legal non-conformity on an 8.2-acre site in the Belmont Trace area located on Belmont Road (see Attachment 9). The area was comprised of duplexes, triplexes, and quadraplexes at a density of 10 dwelling units/acre, and was non-conforming under its previous zoning of R-4. However, a text amendment to the R-4 zoning district in 2006, which established a minimum density of 4 dwelling units/acre and increased the maximum density to 10 dwelling units/acre, would now make the non-conforming area conforming under R-4. If the maximum density of MR was increased to 16 dwelling units/acre, in conjunction with increasing the MR-1 density to 20 as discussed above, this subdivision could potentially be rezoned back to the R-4 zoning to avoid making the Belmont Trace area too dense.

The MR zoning district requires access to a collector or arterial. The streets within and surrounding the enclave are classified as local; therefore an amendment to allow access to a local street is required. Staff does not anticipate any significant impacts from removing this restriction from MR, since the denser MR-1 zoning district currently allows access to local streets (proposed density for MR is 16 dwelling units/acre, the same as the current MR-1).

Staff’s second recommendation (a text amendment to the UR-2 FLUM with a rezoning of the enclave to the MR-1 zoning district) would allow the greatest amount of density without a land development regulation amendment (16 dwelling units/acre), as well as three- or four-unit structures on the subject parcel. However, one lot in the enclave would still not meet the minimum density of 8 dwelling units/acre required by MR-1 zoning. The FLUM text amendment is the same as what is required for the MR zoning district, which is modifying the language prohibiting the UR-2 FLUM from being applied within the interior of an existing neighborhood. As previously mentioned, one lot does not meet the minimum density standard and staff recommends a text amendment to the MR-1 zoning district that would reduce the minimum density standard from 8 to 6 dwelling units/acre. Since reducing the minimum density could potentially result in less density overall within the enclave, no significant impacts are identified by staff.

Staff’s third recommendation requires an amendment to the UR FLUM (see Attachment 6) with a rezoning of the enclave to the R-4 zoning district (see Attachment 10). Again, the FLUM text

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 6 of 7

amendment is the same as what is required for the MR and MR-1 zoning district options as discussed above. While this zoning district will allow a single-family or two- unit structures on the subject parcel, 19 of the 71 lots would still be non-conforming because they would exceed the maximum density of 10 dwelling units/acre (after the text amendment concerning access discussed immediately below). Additionally, two amendments to the zoning district are required. The first is to modify language that states R-4 is not to be applied within the interior of an existing development. The proposed modified language is as follows; “The district is not intended to be applied within the interior of an existing development, unless to correct currently existing legal non-conforming uses and/or densities.” The second amendment is to remove language that prohibits vehicular access to a local road if the development is between 8 and 10 dwelling units/acre. Since the existing development that comprises the enclave already has access to local streets, staff does not anticipate any impacts from removing this prohibition.

Potential Impacts of Proposed Comprehensive Plan and Code Amendments in Other Areas

The proposed modification to the UR and UR-2 FLUM categories could potentially allow higher densities within existing neighborhoods. However, the proposed text amendment to the FLUM categories would only allow them to be applied within the interior of a neighborhood where past development regulations and practices have resulted in existing legal non-conforming uses and/or densities. If a property owner(s) approached staff regarding an area of legal non-conforming uses and/or densities, staff would conduct an analysis to confirm its eligibility before recommending a map amendment changing the FLUM to UR or UR-2.

The text amendment to increase the MR and MR-1 zoning district’s maximum density to 16 and 20 dwelling units/acre, respectively, could potentially allow properties that currently have MR and MR-1 zoning to redevelop at greater densities that may have impacts on nearby neighborhoods. Attachment 11 is comprised of four quadrant maps which reflect the current location of all MR and MR-1 zoning districts and their location in relationship to nearby neighborhoods. If a proposed redevelopment application was submitted to staff, applicable buffering requirements would be applied per the Land Development Code.

The second text amendment to the MR-1 zoning district is to reduce the minimum density from 8 to 6 dwelling units/acre. Since the amendment would be reducing the minimum density required resulting in potentially less dense developments, staff does not foresee any impacts with this revision.

Revising the R-4 zoning district intent language to only allow it to be applied within the interior of a neighborhood could also potentially allow higher densities within existing neighborhoods. However, similarly to the text amendments to the UR and UR-2 FLUM categories, the proposed text amendment only allows it to be applied if it is correcting existing legal non-conforming uses and densities as a result of past development regulations and practices. As part of staff’s analysis, potential impacts resulting from an increase of density would be reviewed and considered for any proposed rezoning to the R-4 zoning district category.

Item Title: Kilkierane Zoning Issues.

May 27, 2015

Page 7 of 7

The second text amendment to the R-4 zoning district proposes to remove language that prohibits vehicular access to a local road if the development is between 8 and 10 dwelling units/acre. Removing this language will allow developments with a density of 10 dwelling units/acre to access any type of streets, including local streets. This amendment will not affect the properties that are currently zoned R-4, as all but one R-4 property has access to a collector or an arterial and the one property that does access a local street has a density of 8 dwelling units/acre, which meets the current access standards.

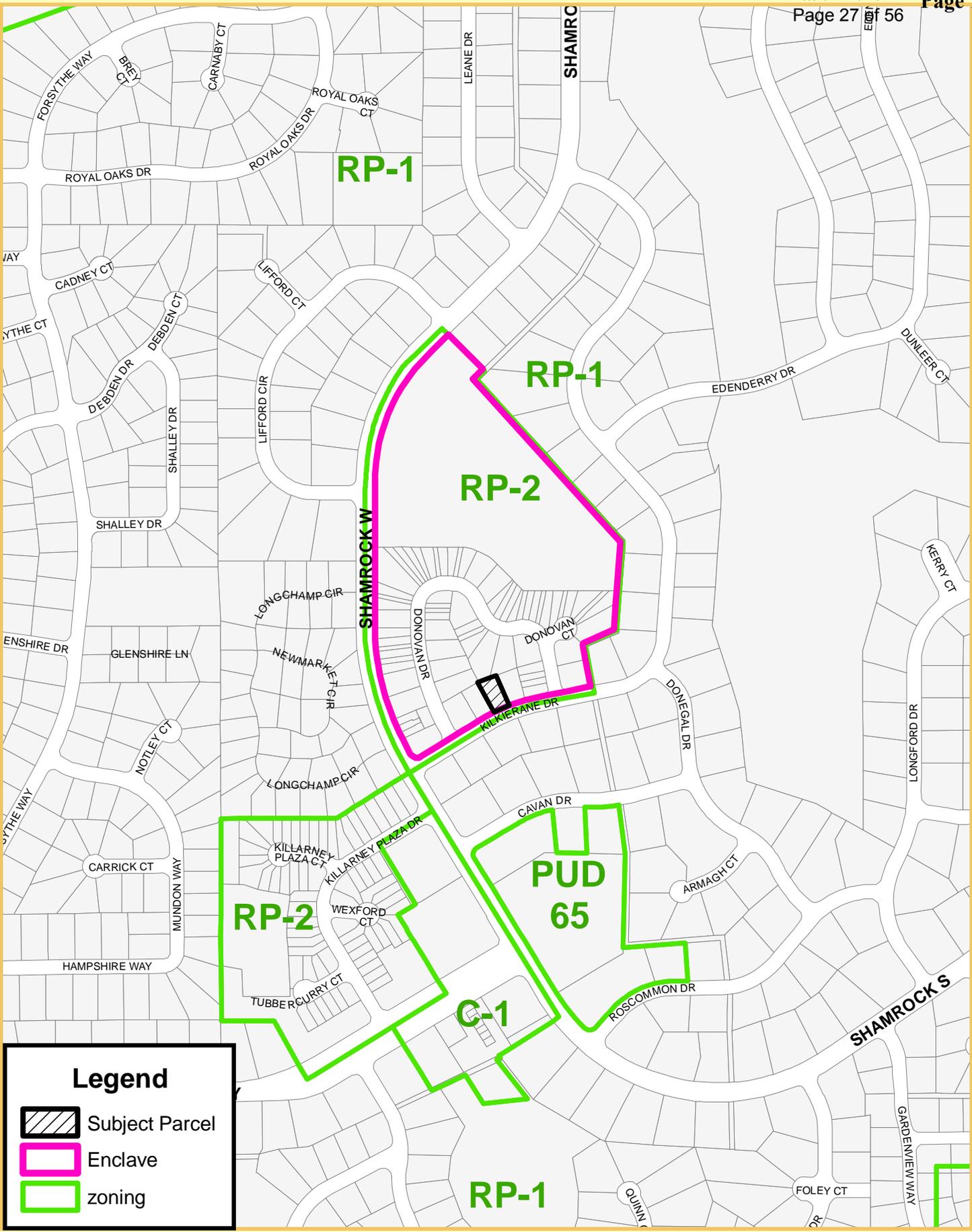
It should be noted that staff is proposing a text amendment to the R-4 zoning district in conjunction with a proposed FLUM map amendment that is part of the current Comprehensive Plan amendment cycle. The revision would be similar to the second text amendment discussed above except it would only exempt properties that are located in the MMTD from meeting the access requirements for a local street (8 or less dwelling units/acre) and collector street or above (8 to 10 dwelling units/acre).

Legal Non-Conforming Uses and Densities Elsewhere in Killearn Estates

There are two other small areas, totaling 3 parcels, in the Killearn Estates neighborhood that contain non-conforming uses and densities as shown on Attachment 12. Two of the parcels contain quadraplexes with densities under 10 dwelling units/acre. The other parcel contains a triplex with a density of 12.5 dwelling units/acre. If it is the desire of the commission to bring these properties into conforming status, staff recommends the UR FLUM category with the proposed text amendment and the R-4 zoning district with the proposed text amendments for the first two parcels, and the UR-2 FLUM category with the proposed text amendment and the MR zoning district with the proposed text amendments for the third parcel (see Table above).

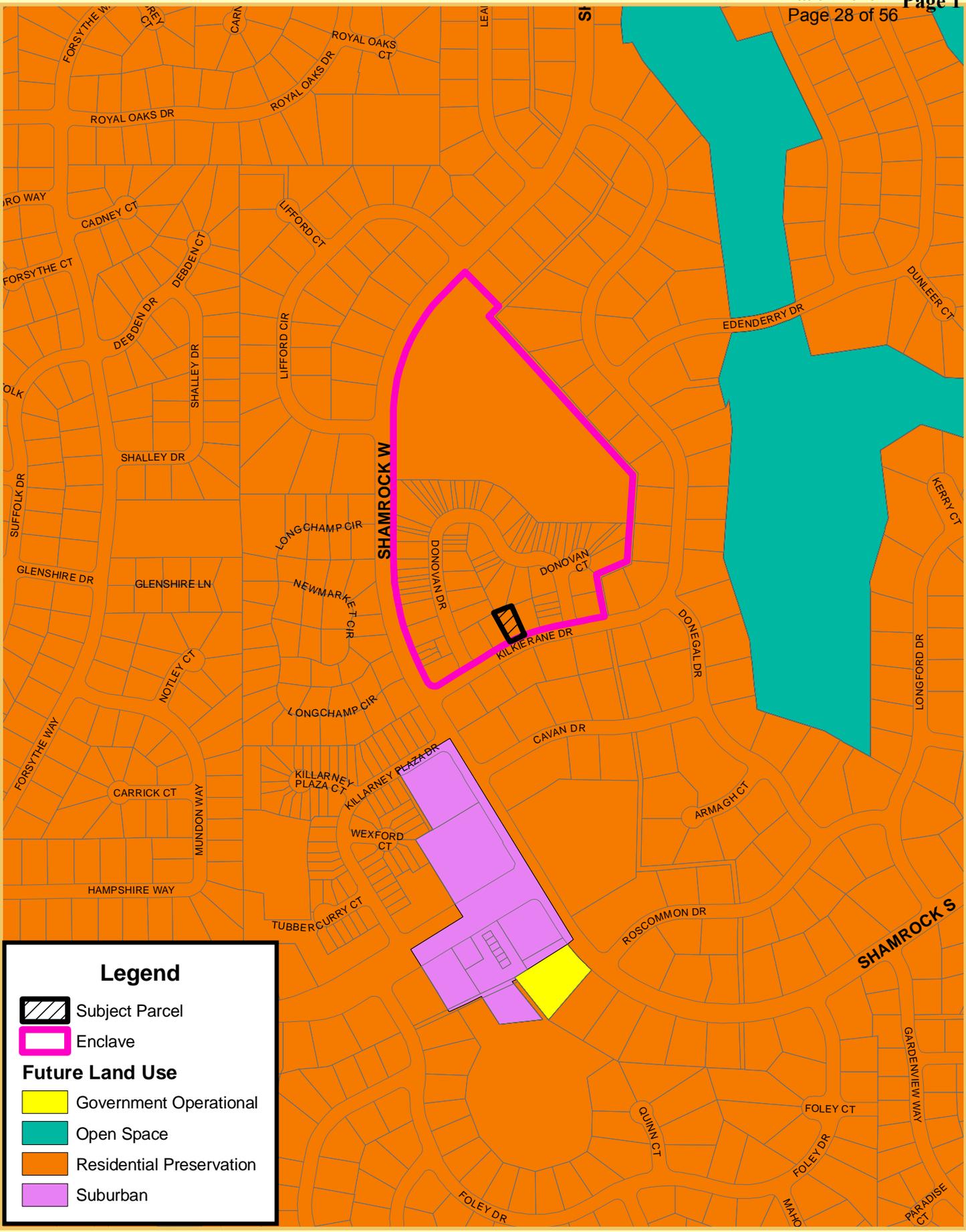
Attachments/References

1. Zoning Map.
2. Future Land Use Map.
3. Building Type Map.
4. Parcel Density Map.
5. 2814 Kilkierane Zoning and Future Land Use Category Options.
6. Policies 2.2.3 and 2.2.24 of the Land Use Element, *Tallahassee-Leon County Comprehensive Plan*: Urban Residential and Urban Residential-2 Future Land Use Category Descriptions.
7. MR Zoning District.
8. MR-1 Zoning District.
9. Belmont Trace Area and MR Zoning Map.
10. R-4 Zoning District.
11. MR and MR-1 Zoning & Future Land Use Quadrant Maps.
12. Killearn Area Parcel Density Map.



Zoning





Legend

-  Subject Parcel
-  Enclave

Future Land Use

-  Government Operational
-  Open Space
-  Residential Preservation
-  Suburban

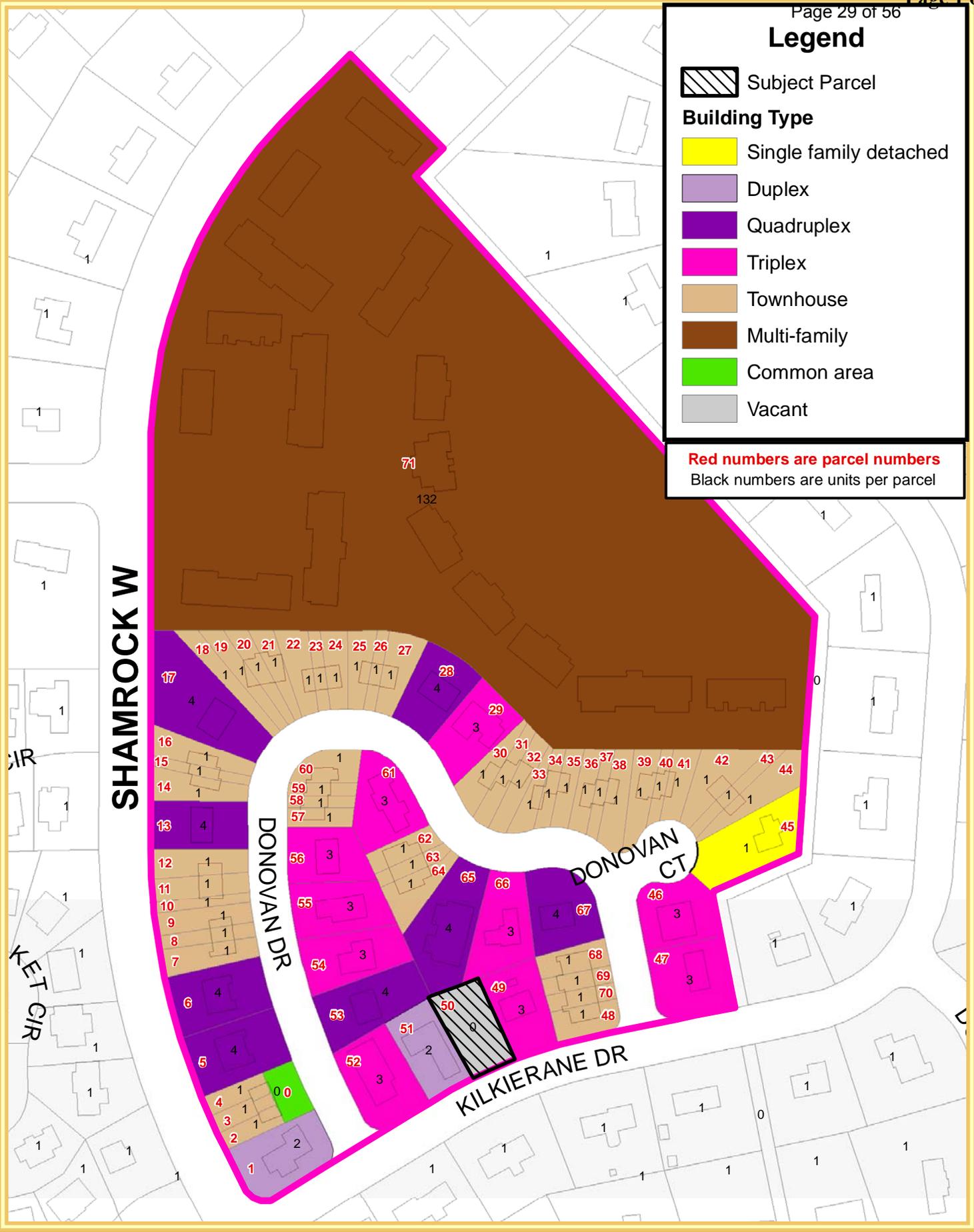
Future Land Use



Legend

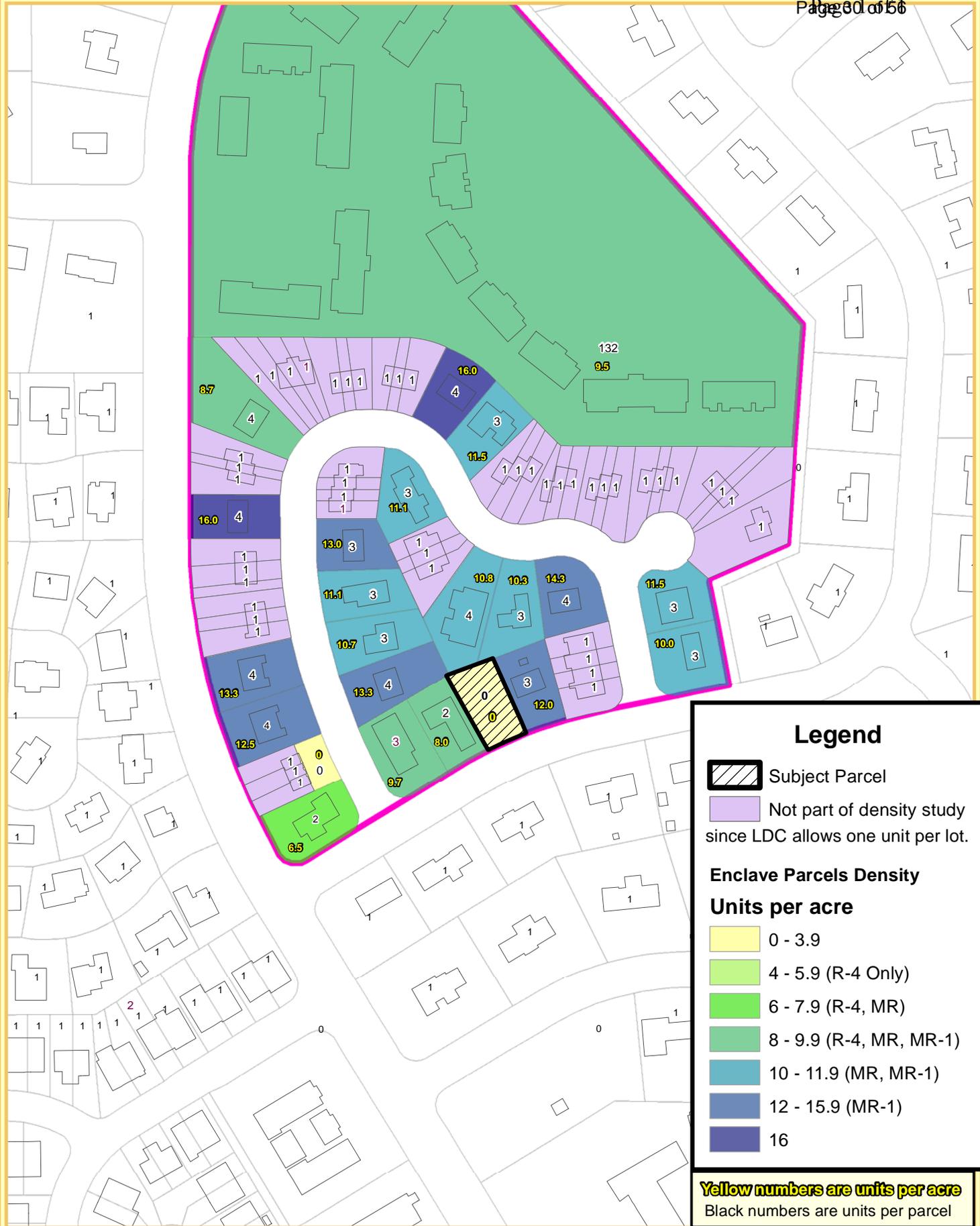
-  Subject Parcel
- Building Type**
-  Single family detached
-  Duplex
-  Quadruplex
-  Triplex
-  Townhouse
-  Multi-family
-  Common area
-  Vacant

Red numbers are parcel numbers
Black numbers are units per parcel



Building type





Parcel Density



2814 Kilkierane Zoning and Future Land Use Category Options

Zoning District	Allowable Density	Implementing FLUMs	FLUM Densities	Remaining Non-Conformities	Other Restrictions	Maximum density for 2814 Kilkierane
R-4	4-8 du/ac (local road); 4-10 du/ac (collector or arterial)	Urban Residential; Urban Residential-2; Suburban (Low Density Residential Development Pattern)	UR: 4-10 du/ac; UR-2: 4-20 du/ac; Suburban: 0-8 du/ac	19 lots would exceed allowable density	UR and UR-2 FLUMs not to be applied within the interior of an existing neighborhood	1 unit @ .24 acre; 2 units @ .25 acre
MR	6-12 du/ac	Urban Residential-2; Suburban (Medium Density Residential Development Pattern)	UR-2: 4-20 du/ac; Suburban: 8-16 du/ac	6 lots would exceed allowable density	Zoning District only allowed on collector or arterial; UR-2 FLUM not to be applied within the interior of an existing neighborhood	2 units @ .24 acre; 3 units @ .25 acre
MR-1	8-16 du/ac	Urban Residential-2; Suburban (Medium Density Residential Development Pattern)	UR-2: 4-20 du/ac; Suburban: 8-16 du/ac	1 lot would not meet minimum density	UR-2 FLUM not to be applied within the interior of an existing neighborhood	3 units @ .24 acre; 4 units @ .25 acre

Allowable FLUM Uses

Urban Residential: Townhouses, single-family detached, two-family and multiple-family dwelling units, and community facilities related to residential uses.

Urban Residential-2: Townhouses, single-family detached, two-family and multiple-family dwelling units, open space/recreation, and community facilities related to residential uses.

Suburban (Low and Medium Density Residential Development Patterns): Residential, recreation, light infrastructure and community service.

under a common plan of development are permitted up to 10,000 square feet of non-residential gross building floor area per parcel and 20,000 square feet per acre except when located only on the ground floor of a structure also containing residential uses in which case there is no size limitation on non-residential uses.

Policy 2.2.23: [L]

URBAN RESIDENTIAL *(Effective 7/20/05; Revision Effective 7/26/06; Renumbered 3/14/07)*

The primary intent of the Urban Residential land use category, which is to be applied only within the Urban Services Area, is to encourage medium density (4-10 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing neighborhood. The maximum residential density within the Urban Residential is 10 du/ac and the minimum is 4 du/ac.

Policy 2.2.24: [L] *(Revision Effective 7/26/06; Revision Effective 3/14/07)*

URBAN RESIDENTIAL 2

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (4-20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area. The maximum residential density within the Urban Residential 2 category is 20 units per acre.

Section 10-267. MR Medium Density Residential District.

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
The MR district is intended to be located in areas designated Mixed Use-A, B, or C on the Future Land Use Map of the Comprehensive Plan, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The MR district is intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. Off-street parking facilities in the MR district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. The MR district shall provide for a wide range of residential housing types. The maximum gross density allowed for new residential development in the MR district is 12 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses and day care centers are also permitted.	<ol style="list-style-type: none"> (1) Community facilities related to residential uses, including religious facilities, libraries, police/fire stations, and elementary, middle, and high schools. Vocational schools are prohibited. Other community facilities may be allowed in accordance with Section 18.1 of these regulations. (2) Day care centers. (3) Golf courses. (4) Multiple-family dwellings. (5) Nursing homes and other residential care facilities. (6) Passive and active recreational facilities. (7) Rooming Houses. (8) Single-family attached dwellings. (9) Single-family detached dwellings. (10) Two-family dwellings. (11) Zero-lot line single-family detached dwellings. 	<ol style="list-style-type: none"> (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. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.

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)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	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	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	7,000 square feet	70 feet	100 feet	15 feet	Same as single-family dwellings above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum; average of 2,000 square feet	16 feet	none	20 feet	none	15 feet	25 feet	maximum length: 8 units	3 stories
Rooming Houses	5,000 square feet	50 feet	100 feet	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	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	20,000 square feet of gross building floor area per acre	3 stories

1. Access Criteria: The MR district shall have access to an arterial or collector roadway.

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 Policies 3.1.6. and 3.1.7. of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to Section 10-426.

Section 10-250. MR-1 Medium Density Residential District.

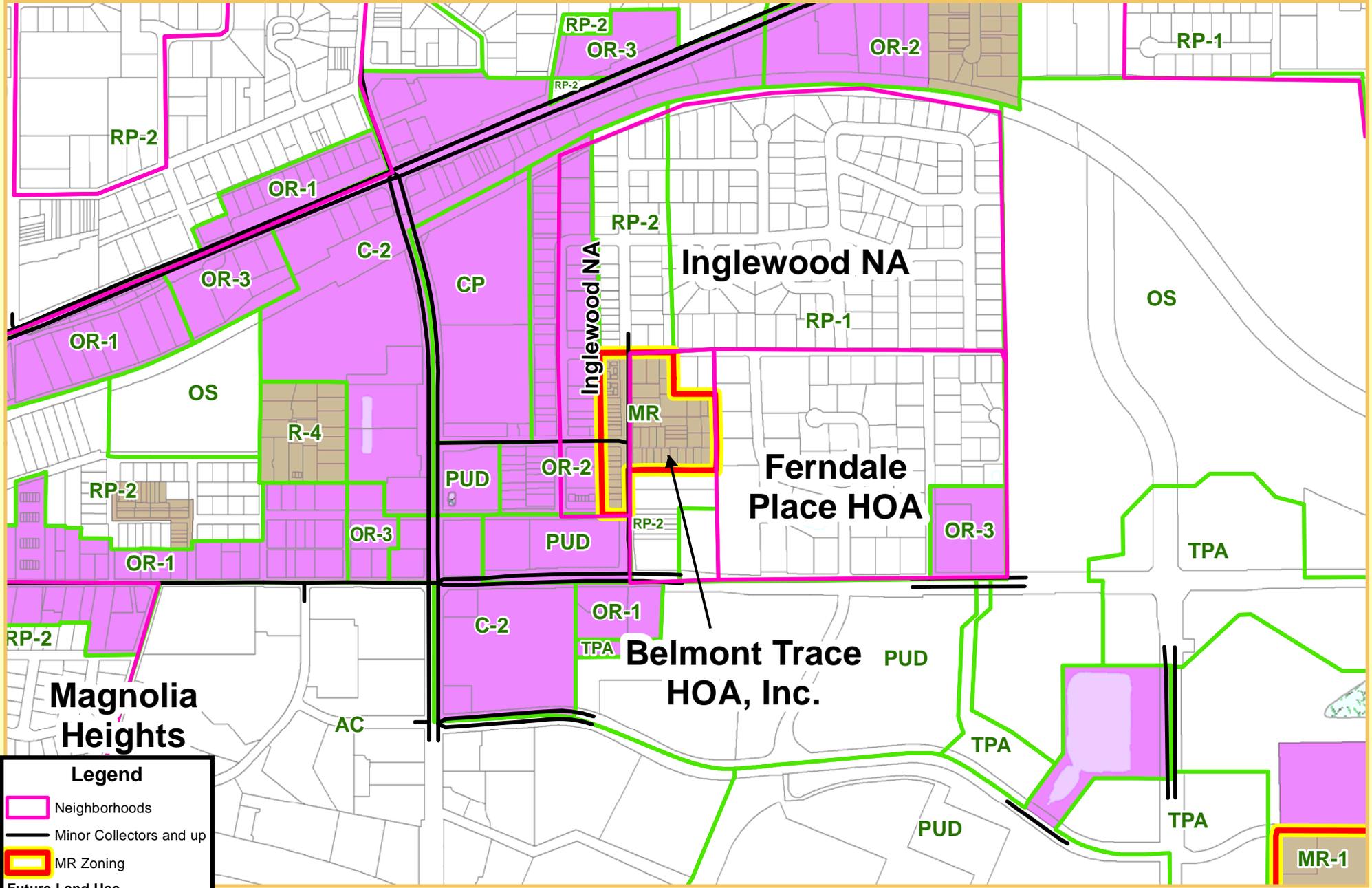
The following applies to the MR-1 Medium Density Residential District:

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p>The MR-1 district is intended to be located in areas designated Urban Residential 2 or Suburban on the Future Land Use Map of the Comprehensive Plan, in close proximity to more intensive non-residential uses, including commercial and office uses; and to residentially compatible public facilities such as schools, parks, and transit facilities. The MR-1 district is intended to achieve densities consistent with urban development, use of public transit, and efficient use of public infrastructure. Off-street parking facilities in the MR-1 district shall be located and designed to promote convenient access to pedestrian and mass transit facilities. The MR-1 district shall provide for a wide range of residential housing types. The maximum gross density allowed for new residential development in the MR-1 district is 16 dwelling units per acre, while the minimum gross density allowed is 8 dwelling units per acre, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities. Certain community and recreational facilities related to residential uses and day care centers are also permitted.</p> <p>Development standards for properties located within the MMTD are established within Division 4 of this Code.</p>	<ol style="list-style-type: none"> (1) Community facilities related to residential uses, including religious facilities, police/fire stations, and elementary, middle, and high schools. Libraries or vocational schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413 of these regulations. (2) Day care centers. (3) Golf courses. (4) Multiple-family dwellings. (5) Nursing homes and other residential care facilities. (6) Passive and active recreational facilities. (7) Rooming Houses. (8) Single-family attached dwellings. (9) Single-family detached dwellings. (10) Two-family dwellings. (11) Zero-lot line single-family detached dwellings. 	<ol style="list-style-type: none"> (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. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.

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)
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	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	3 stories
Zero-Lot Line Single-Family Detached Dwellings	3,750 square feet	30 feet interior lot; 40 feet corner lot	100 feet	20 feet	0 feet one side; 5 feet other side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	7,000 square feet	70 feet	100 feet	15 feet	Same as single-family dwellings above	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	1,600 square feet minimum; average of 2,000 square feet	16 feet	none	20 feet	none	15 feet	25 feet	maximum length: 8 units	3 stories
Rooming Houses	5,000 square feet	50 feet	100 feet	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	3 stories
Multiple-Family Dwellings	10,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	80 feet	100 feet	15 feet	15 feet on each side	15 feet	25 feet	20,000 square feet of gross building floor area per acre	3 stories

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



Legend

- Neighborhoods (pink outline)
- Minor Collectors and up (black line)
- MR Zoning (yellow and red outline)
- Future Land Use**
- Suburban (purple fill)
- Urban Residential (brown fill)
- Urban Residential 2 (tan fill)

Belmont Trace Area and MR Zoning

(61 Parcels)



Section 10-247. R-4 Urban Residential District.

The following applies to the R-4 Urban Residential District:

1. District Intent	PERMITTED USES	
	2. Principal Uses	3. Accessory Uses
<p>The R-4 district is intended to be located in areas designated Urban Residential, Urban Residential 2 or Suburban on the Future Land Use Map of the Comprehensive Plan which contain or are anticipated to contain a wide range of single-family, two-family, and multi-family housing types. The maximum gross density allowed for new residential development in the R-4 district is 10 dwelling units per acre, with a minimum gross density of 4 dwelling units per acre when applied to the urban residential future land use category, unless constraints of concurrency or preservation and/or conservation features preclude the attainment of the minimum densities.</p> <p>R-4 districts are intended to achieve densities consistent with urban development and to promote infill development. Certain community and recreational facilities related to residential uses are also permitted. This district may serve as a transition between low density residential and higher density residential, office development, collector and arterial streets. The district is not intended to be applied within the interior of an existing development. Non-residential uses shall be compatible in scale and design with adjoining residential neighborhoods.</p> <p>Development standards for properties located within the MMTD are established within the Division 4 of this Code.</p>	<ol style="list-style-type: none"> (1) Community facilities related to residential uses including religious facilities, police/fire stations, and elementary and middle schools. Libraries, vocational, and high schools are prohibited. Other community facilities may be allowed in accordance with Section 10-413. (2) Golf courses. (3) Multiple-family dwellings. (4) Nursing homes and other residential care facilities. (5) Passive and active recreational facilities. (6) Rooming houses. (7) Single-family attached dwellings. (8) Single-family detached dwellings. (9) Two-family dwellings. (10) Zero-lot line single-family detached dwellings. 	<ol style="list-style-type: none"> (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. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the Land Use Administrator.

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)
Single-Family Detached Dwellings	* (Flag lots are prohibited)		(Minimum building area of 35 ft. between front and rear setbacks.)	15 feet	3 feet each side and 6-foot separation between buildings	15 feet	25 feet	not applicable	3 stories
Single-Family Attached Dwellings	* (Flag lots are prohibited)		(Minimum building area of 35 ft. between front and rear setbacks.)	20 feet	not applicable	15 feet	25 feet	maximum length: 8 units	3 stories
Rooming Houses	5,000 square feet	50 feet	100 feet	20 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	3 stories
Zero-Lot Line Single-Family Detached Dwellings	* (Flag lots are prohibited)		(Minimum building area of 35 ft. between front and rear setbacks.)	15 feet	0 feet one side; 5 feet perimeter side	15 feet	25 feet	not applicable	3 stories
Two-Family Dwellings	* (Flag lots are prohibited)		(Minimum building area of 35 ft. between front and rear setbacks.)	Maximum: 20 feet Minimum: 0 feet	same as for single-family detached dwellings	15 feet	25 feet	not applicable	3 stories

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
Multiple-Family Dwellings	10,890 square feet	70 feet	100 feet	Maximum: 20 feet Minimum: 0 feet	15 feet on each side	20 feet	25 feet	not applicable	3 stories
Any Permitted Principal Non-Residential Use	12,000 square feet	80 feet	100 feet	Minimum: 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	10,000 square feet of gross building floor area per acre	3 stories
<p>7. Off-Street Parking Requirements: To further promote the compatibility among permitted residential uses in the R-4 district, off-street parking facilities associated with the construction of new multiple-family dwellings or nursing homes or other residential care facilities shall not be located on the perimeter of the site between a street right-of-way and the proposed buildings. Instead, the off-street parking facilities shall be located on the interior of the site.</p>									
<p>8. Reserved</p>									
<p>9. Lighting Criteria for Non-Residential Uses: Lighting shall be directed toward the interior of the site and away from adjacent properties.</p>									
<p>10. Criteria for Non-Residential Buildings:</p> <ul style="list-style-type: none"> a. Roofs shall be designed with a minimum pitch of four in 12 (four feet rise per 12 feet of run). Flat roofs are prohibited. b. Non-residential buildings shall be in character with surrounding area. c. All exterior walls of new non-residential buildings shall be furnished with the same material. d. Exterior walls at street frontages shall be 50 percent transparent with clear or lightly tinted glass, or stained glass. Reflective glass is prohibited. e. Exterior window shading devices such as awnings or canopies are required. f. Solid waste facilities and mechanical equipment serving non-residential facilities shall be screened with a material consistent with the principle structure. 									
<p>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.</p>									

GENERAL NOTES:

* Cannot exceed the maximum density of 10 units per acre.

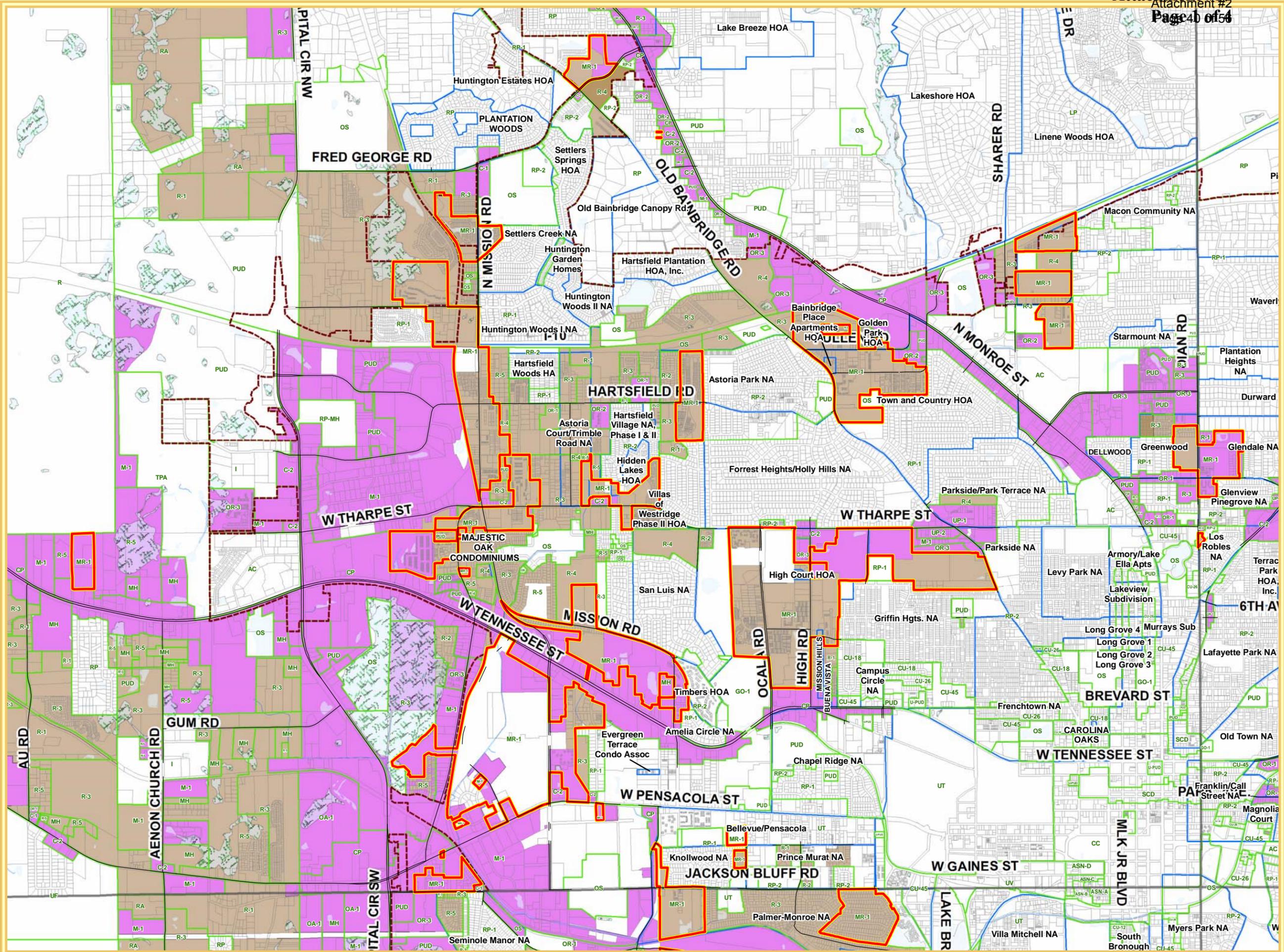
1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Refer to chapter 5, environmental management for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to chapter 4, concurrency management for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).
4. For cluster development standards, refer to Section 10-426.

NW Quadrant

MR and MR-1 Zoning with Future Land Use

Legend

- Minor Collectors and up
- MR and MR-1 Zoning
- ZONING**
- MR
- MR-1
- Neighborhoods
- Future Land Use**
- Suburban
- Urban Residential
- Urban Residential 2

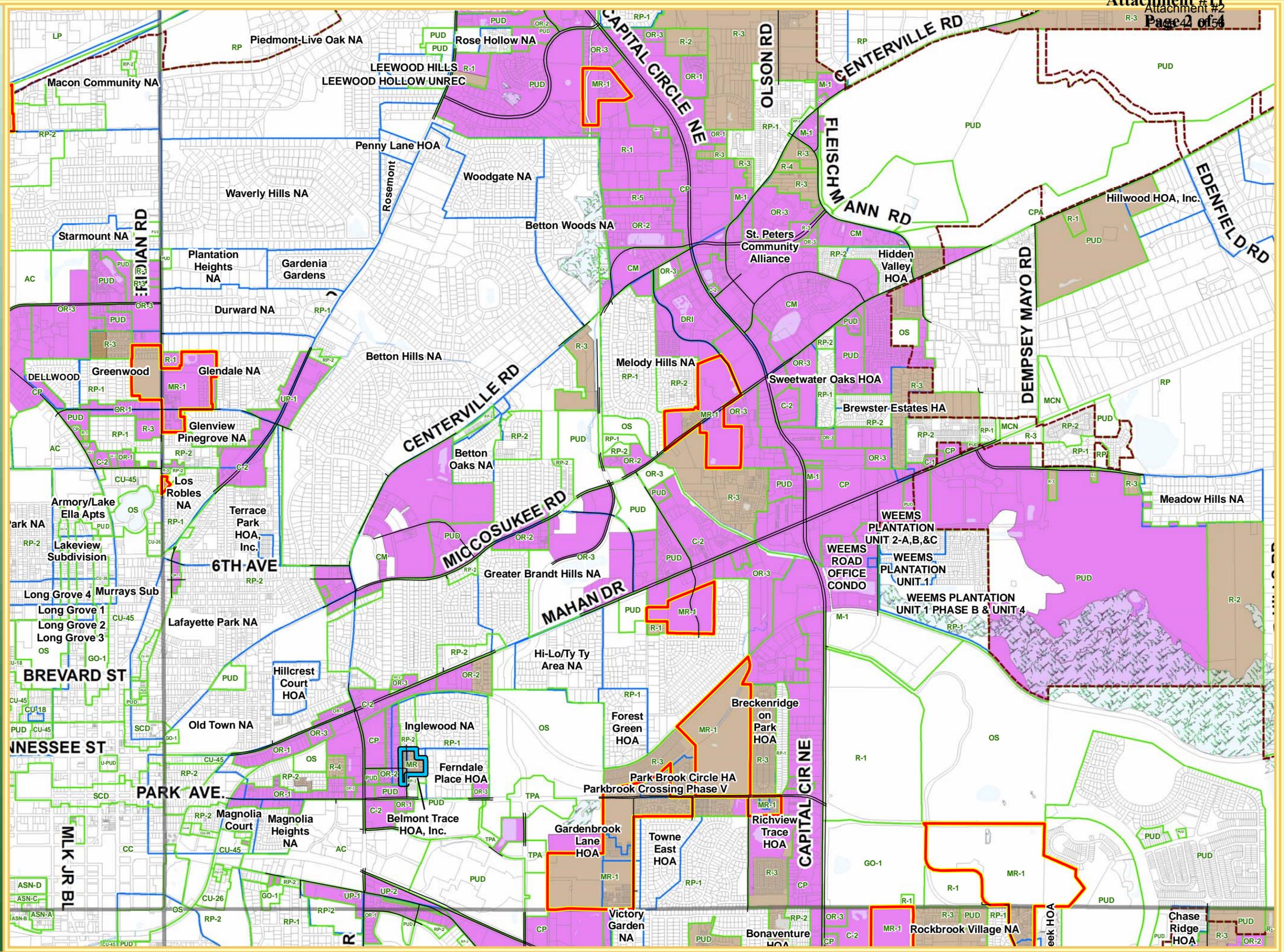


NE Quadrant

MR and MR-1 Zoning with Future Land Use

Legend

- Minor Collectors and up
- MR and MR-1 Zoning**
- ZONING**
- MR
- MR-1
- Neighborhoods
- Future Land Use**
- Suburban
- Urban Residential
- Urban Residential 2

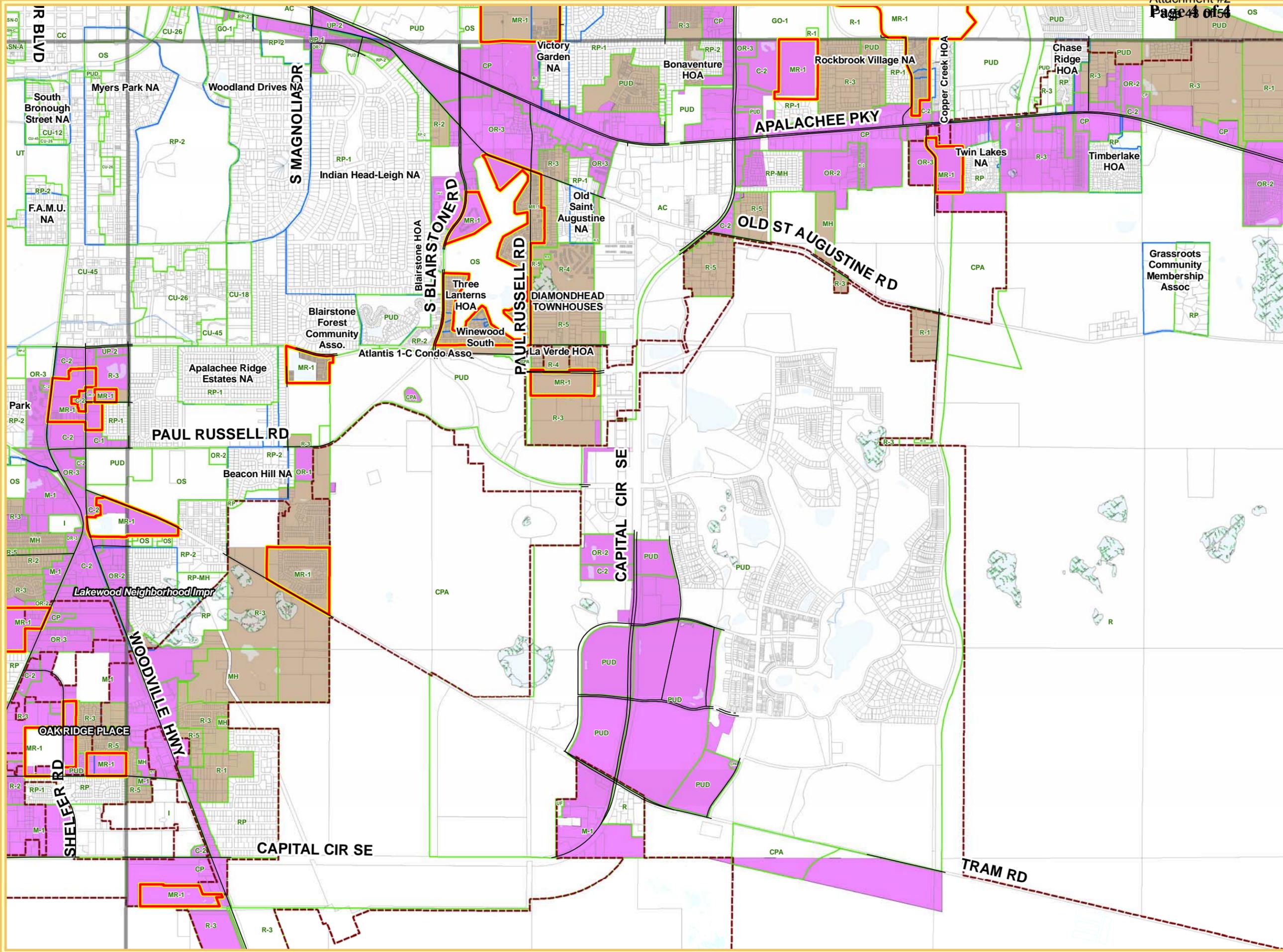


SE Quadrant

MR and MR-1 Zoning with Future Land Use

Legend

- Minor Collectors and up
- MR and MR-1 Zoning**
- ZONING**
-  MR
-  MR-1
-  Neighborhoods
- Future Land Use**
-  Suburban
-  Urban Residential
-  Urban Residential 2



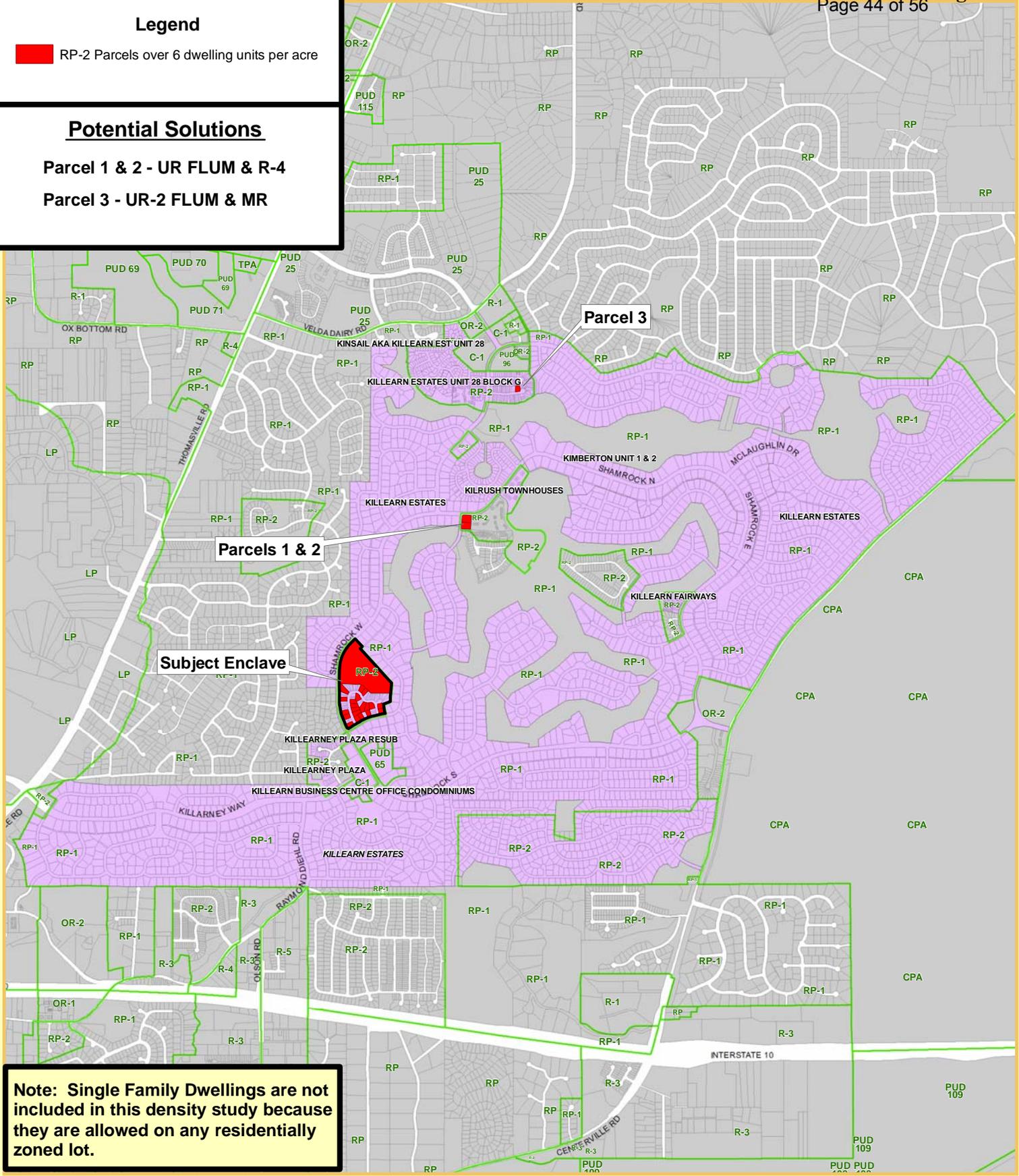
Legend

 RP-2 Parcels over 6 dwelling units per acre

Potential Solutions

Parcel 1 & 2 - UR FLUM & R-4

Parcel 3 - UR-2 FLUM & MR



Note: Single Family Dwellings are not included in this density study because they are allowed on any residentially zoned lot.

Killearn Area Parcel Density



**Map Amendment PCM150107 (Out of Cycle)
Addressing
Killearn Estates Legal Non-conforming Residential Uses**

Site A (KilKierane Dr./Donovan Dr. Area) 71 Parcels; 26.92 acres

110250 AD0423
110250 CA0081
110250 CA0060
110250 AD0351
110250 CA0070
110250 AD0310
110250 AD0370
110250 CA0030
110250 AD0320
110250 AD0330
110250 AD0362
110250 CA0061
110250 AD0402
110250 CA0050
110250 AD0372
110250 AD0401
110250 AD0342
110250 CA0020
110250 AD0361
110250 CA0040
110250 AD0412
110250 AD0300
110250 AD0332
110250 AD0360
110250 AD0341
110250 AD0422
110250 CA0080
110250 AD0480
110250 CA0150
110250 AD0460
110250 AD0430
110250 AD0441
110250 AD0461
110250 AD0462
110250 AD0490
110250 CA0140
110250 AD0411
110250 AD0410

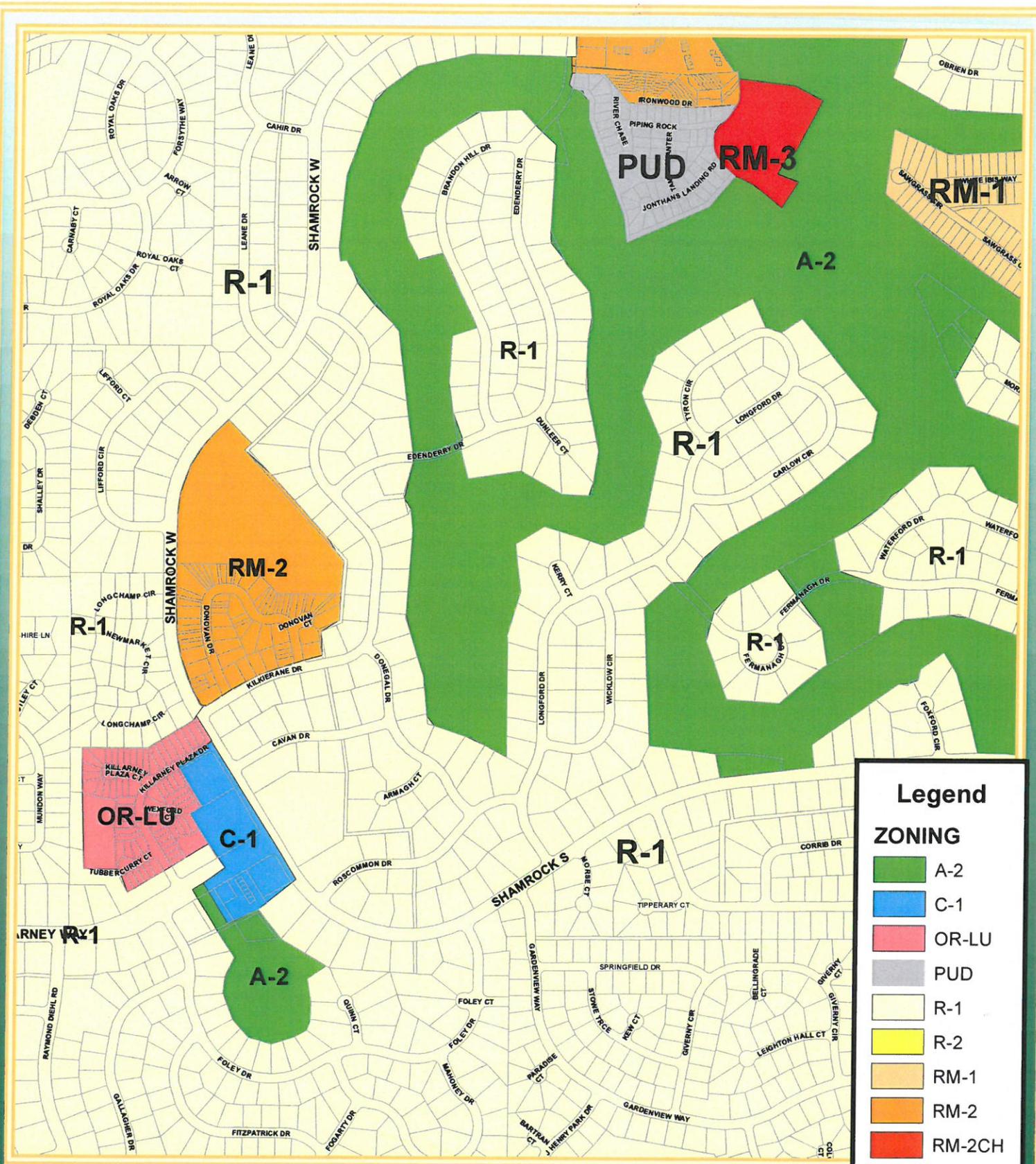
110250 AD0340
110250 AD0350
110250 CA0122
110250 CA0090
110250 CA0110
110250 CA0100
110250 CA0120
110250 CA0130
110250 AD0380
110250 CA0121
110250 AD0390
110250 AD0352
110250 AD0400
110250 AD0371
110250 AD0420
110250 AD0331
110250 CA0082
110250 AD0510
110250 AD0421
110250 AD0470
110250 CA0010
110250 AD0471
110250 AD0472
110250 AD0450
1103202010000
110250 AD0440
110250 AD0442
110350 0001
(Front Common
Area)
11035000000C0
11035000000A0
11035000000B0
110250 CA0063
110250 CA0062
110250 CA0123

Site B (Edenderry Dr./River Chase Area) 2 parcels; 1.09 acres

110250 AM0010
110250 AM0020

Site C (Merrigan Place/Shannon Lake West) 1parcel; .24 acres

110250 CT0130



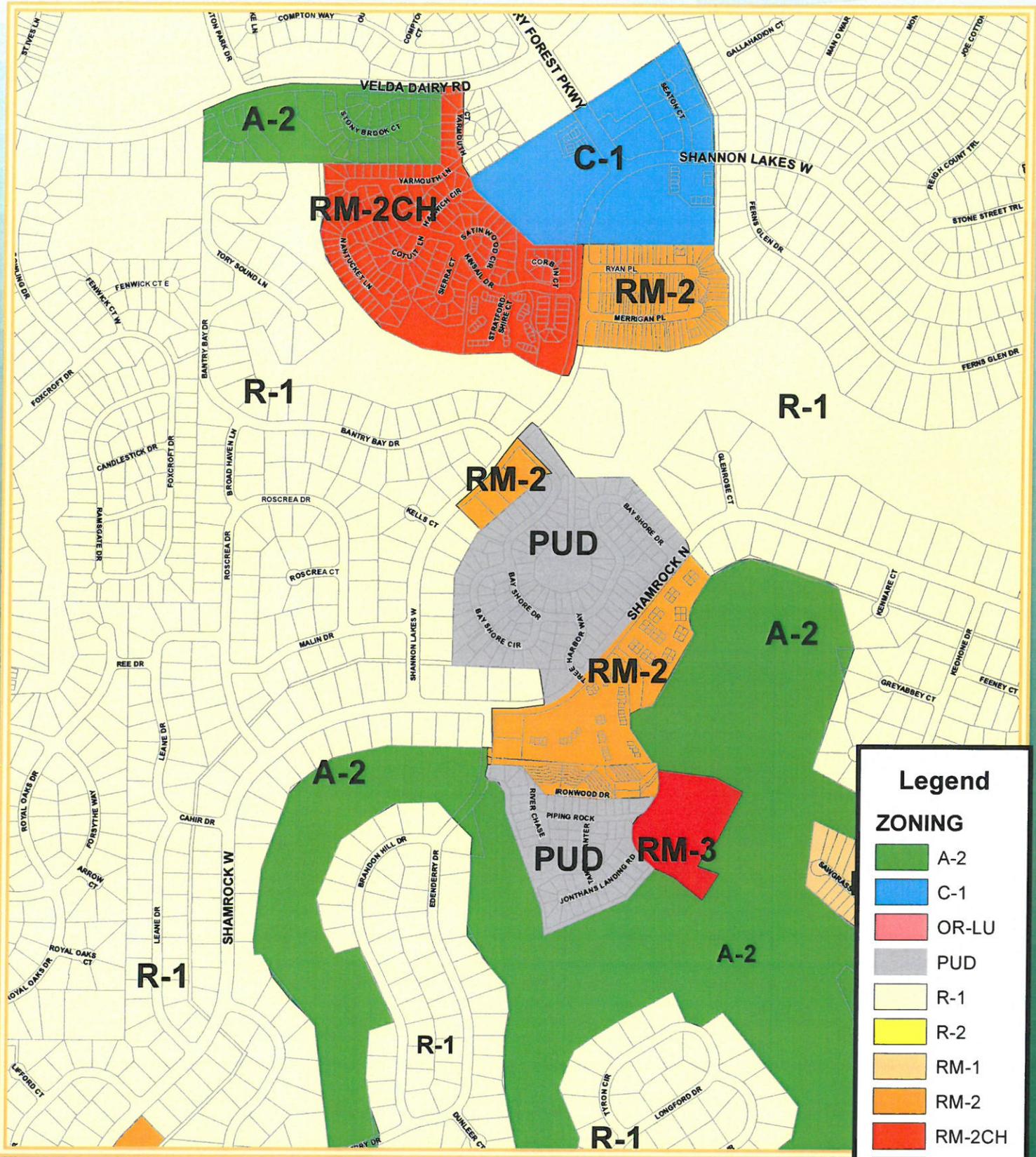
Legend

ZONING

- A-2
- C-1
- OR-LU
- PUD
- R-1
- R-2
- RM-1
- RM-2
- RM-2CH
- RM-3

1990 Zoning Current Parcels.





Legend

ZONING

- A-2
- C-1
- OR-LU
- PUD
- R-1
- R-2
- RM-1
- RM-2
- RM-2CH
- RM-3

1990 Zoning Current Parcels.



Complete Text of Comprehensive Plan Policies
Referenced in Report

Land Use Policy 2.2.23: [L]

URBAN RESIDENTIAL (*Effective 7/20/05; Revision Effective 7/26/06; Renumbered 3/14/07*)

The primary intent of the Urban Residential land use category, which is to be applied only within the Urban Services Area, is to encourage medium density (4-10 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing neighborhood. The maximum residential density within the Urban Residential is 10 du/ac and the minimum is 4 du/ac.

Land Use Policy 2.2.24: [L] (*Revision Effective 7/26/06; Revision Effective 3/14/07*)

URBAN RESIDENTIAL 2

The primary intent of the Urban Residential 2 land use category, which is to be applied only within the Urban Services Area, is to encourage a range of density (4-20 dwelling units per acre) housing, thereby promoting infill development, reducing urban sprawl, and maximizing the efficiency of infrastructure. The implementing zoning district(s) shall contain design standards as well as locational criteria in order to accomplish these goals. The Urban Residential category allows townhouses, single-family detached, two-family, and multiple-family dwelling units as well as open space/recreation and community facilities related to residential uses. The implementing zoning district(s) within the land development regulations shall further specify the allowable uses. Urban Residential 2 may serve as a transition category between lower density residential categories and more intensive development such as higher density residential and/or office land uses or major roadways where alternative modes of transportation are available to support the increased residential densities. The category is not intended to be applied within the interior of an existing designated residential preservation area. The maximum residential density within the Urban Residential 2 category is 20 units per acre.

Land Use Policy 2.2.3: [L]

RESIDENTIAL PRESERVATION (*Effective 7/16/90; Revision Effective 7/26/06; Revision Effective 4/10/09*)

Characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited. Future arterial and/or expressways should be planned to minimize impacts within this category. Single family, townhouse and cluster housing may be permitted within a range of up to six units per acre. Consistency with surrounding residential type and density shall be a major determinant in granting development approval.

For Residential Preservation areas outside the Urban Service area the density of the residential preservation area shall be consistent with the underlying land use category.

The Residential Preservation category shall be based on the following general criteria. For inclusion, a residential area should meet most, but not necessarily all of these criteria.

- 1) Existing land use within the area is predominantly residential
- 2) Majority of traffic is local in nature
 - a) Predominance of residential uses front on local street
 - b) Relatively safe internal pedestrian mobility
- 3) Densities within the area generally of six units per acre or less
- 4) Existing residential type and density exhibits relatively homogeneous patterns
- 5) Assessment of stability of the residential area, including but not limited to:
 - a) Degree of home ownership
 - b) Existence of neighborhood organizations

In order to preserve existing stable and viable residential neighborhoods within the Residential Preservation land use category, development and redevelopment activities in and adjoining Residential Preservation areas shall be guided by the following principles:

- a) The creation of transitional development area (TDA) for low density residential developments. Higher density residential developments proposed for areas adjoining an established neighborhood within the residential preservation land use category shall provide a transitional development area along the shared property line in the higher density residential development. The development density in the transitional development area shall be the maximum density allowed in the Residential Preservation land use category. Development within the transitional development area shall be designed, sized and scaled to be compatible with the adjoining residential preservation area. Transitional development areas shall be non-mapped areas and shall be approved at the time of site plan approval. The factors cited in paragraph (e) below shall be considered when determining the size of transitional development areas. The land development regulations shall specify development thresholds for the implementation of transitional development areas.

b) Limitation on future commercial intensities adjoining low density residential preservation neighborhoods.

New or redeveloped commercial uses adjoining residential preservation designated areas shall mitigate potential impacts by providing a transitional development area between the commercial uses and residential preservation uses and only those commercial activities which are compatible with low density residential development in terms of size and appearance shall be allowed. The factors cited in paragraph (e) below shall be used when determining the compatibility, design techniques and the size of transitional development areas. The design and layout of adjoining commercial uses shall be oriented to place the section of the development with the least potential negative impacts next to the residential preservation area.

c) Limitations on existing light industry adjoining residential preservation neighborhoods.

New, expanding or redeveloped light industrial uses adjoining low density residential areas within the residential preservation land use category shall mitigate potential negative impacts by providing a transitional development area between the light industrial uses and the low and medium density residential uses. The factors cited in paragraph (e) below shall be considered when determining compatibility, design techniques and the size of the transitional development area.

The design and layout of adjoining light industrial uses shall be oriented to place the section of the development with the least potential negative impacts in the area next to the existing and/or future low density residential area in the residential preservation land use category. New light industrial land uses shall not be designated next to a residential preservation area.

d) Additional development requirements for allowed community facilities when adjoining low density residential areas, except for cemeteries or religious facilities to be used solely for religious functions. Such development requirements will also apply to ancillary facilities when proposed in conjunction with religious facilities, and are to result in effective visual and sound buffering (either through vegetative buffering or other design techniques) between the community facilities and the adjoining residential preservation area.

e) Land use compatibility with low density residential preservation neighborhoods

A number of factors shall be considered when determining a land use compatible with the residential preservation land use category. At a minimum, the following factors shall be considered to determine whether a proposed development is compatible with existing or proposed low density residential uses and with the intensity, density, and scale of surrounding development within residential preservation areas: proposed use(s); intensity; density; scale; building size, mass, bulk, height and orientation; lot coverage; lot size/ configuration; architecture; screening; buffers, including vegetative buffers; setbacks; signage; lighting; traffic circulation patterns; loading area locations; operating hours; noise; and odor. These factors shall also be used to determine the size of transitional development areas.

f) Limitations on Planned Unit Developments in the Residential Preservation land use category.

Planned Unit Developments proposed within the interior of a Residential Preservation designated recorded or unrecorded subdivisions shall be generally consistent with the density of the existing residential development in the recorded or unrecorded subdivision. Parcels abutting arterial roadways and/or major collectors may be permitted to achieve six dwelling units per acre.

The existing predominant development density patterns in Residential Preservation are listed in paragraph (g) below. Within 18 months of adoption, the PUD regulations shall be amended to include provisions addressing the preservation of established residential preservation designated areas. Said provisions shall address any proposed increase in density and the factors cited in paragraph (e) above.

g) Limitations on resubdivision of lots within established Residential Preservation designated areas.

To protect established single family neighborhoods from density intrusions, consistency within the recorded or unrecorded subdivision shall be the primary factor in granting approval for development applications. Consistency for the purposes of this paragraph shall mean that parcels proposed for residential development shall develop consistent with the lot size and density of the recorded or unrecorded subdivision.

Guidance on the resubdivision of lots in recorded and unrecorded single family subdivisions shall be provided in the Land Development Code.

Parcels proposed for residential development shall develop at densities generally consistent with the density of existing residential development in the recorded or unrecorded subdivision with the exception of parcels abutting arterial and/or major collector roadways which may be permitted up to six dwelling units per acre.

There may be two distinct density patterns in the Residential Preservation land use category as shown below:

Existing land use character of the subdivision	Gross residential density
Homogenous, very low density single family detached units (City Only)	0-3.6 dwelling units per acre (generally consistent with density of the subdivision)
Low density single family detached and/or non-single family detached units (including but not limited to townhomes and duplexes)	0-6.0 dwelling units per acre (generally consistent with density of the subdivision)

This section shall not be construed as to restrict the development of building types allowed by the applicable zoning district.

Land Use Objective 2.1: [L] *(Revision Effective 7/20/05)*

Enhance the livability of existing neighborhoods and in new neighborhoods provide for future mixed residential areas which will accommodate growth and provide a wide choice of housing types, densities and prices as well as commercial opportunities based on performance criteria. In furtherance of this, maintain a system of land development regulations and ordinances which will facilitate the implementation of the policies adopted in relation to residential land use. These shall include but not be limited to:

- 1) Setback requirements from natural waterbodies and wetlands
- 2) Buffering requirements
- 3) Open space requirements
- 4) Landscape requirements
- 5) Tree protection
- 6) Stormwater management requirements

Land Use Policy 2.1.8: [L] (Revision Effective 7/26/06; Revision Effective 1/7/10)

Maintain a viable mix of available residential densities to accommodate a variety of housing types. Current residential densities are summarized below:

RESIDENTIAL DENSITIES RANGE (Revision Effective 12/15/11; Rev. Eff. 7/19/13)

Future Land Use Category	Maximum Gross Density - Dwelling Units (DU)/Acre (Ac)¹	Minimum Gross Density Dwelling Units (DU)/Acre (Ac)
Rural	1 DU/10 Ac	No minimum
Urban Fringe	1 DU/3 Ac (standard) or 1DU/3 Ac (Conservation subdivision)	No minimum
Urban Residential	10 DU/AC	4 DU/Ac
Urban Residential 2	20 DU/Ac ²	No minimum
Village Mixed Use	20 DU/Ac ²	No minimum
Suburban	20 DU/Ac ²	No minimum
Planned Development	20 DU/Ac ²	No minimum
Bradfordville Mixed Use ²	20 DU/Ac	No minimum
Central Urban ^{2,3}	45 DU/Ac	No minimum
Activity Center ^{2,3}	45 DU/Ac	No minimum
University Transition ^{2,3}	50 DU/Ac	No minimum
Central Core ^{2,3} (Eff.1/7/10)	150 DU/Ac (Eff. 1/19/02)	No minimum
Rural Community	4 DU/Ac	No minimum
Residential Preservation ²	6 DU/Ac	No minimum
Lake Talquin Recreation/Urban Fringe ⁴	1 DU/3 Ac (standard)	No minimum
Lake Protection ⁴	1 DU/2 Ac (standard)	No minimum

Notes:

¹ Maximum gross density is based on the gross acreage of the site and may not be achievable after addressing applicable land development regulations (e.g., parking, stormwater, and other regulations that may limit maximum development potential).

² Density ranges can be increased up to 25% above the maximum limits listed above for the purpose of providing affordable housing units, consistent with Policy 2.1.14 [LU].

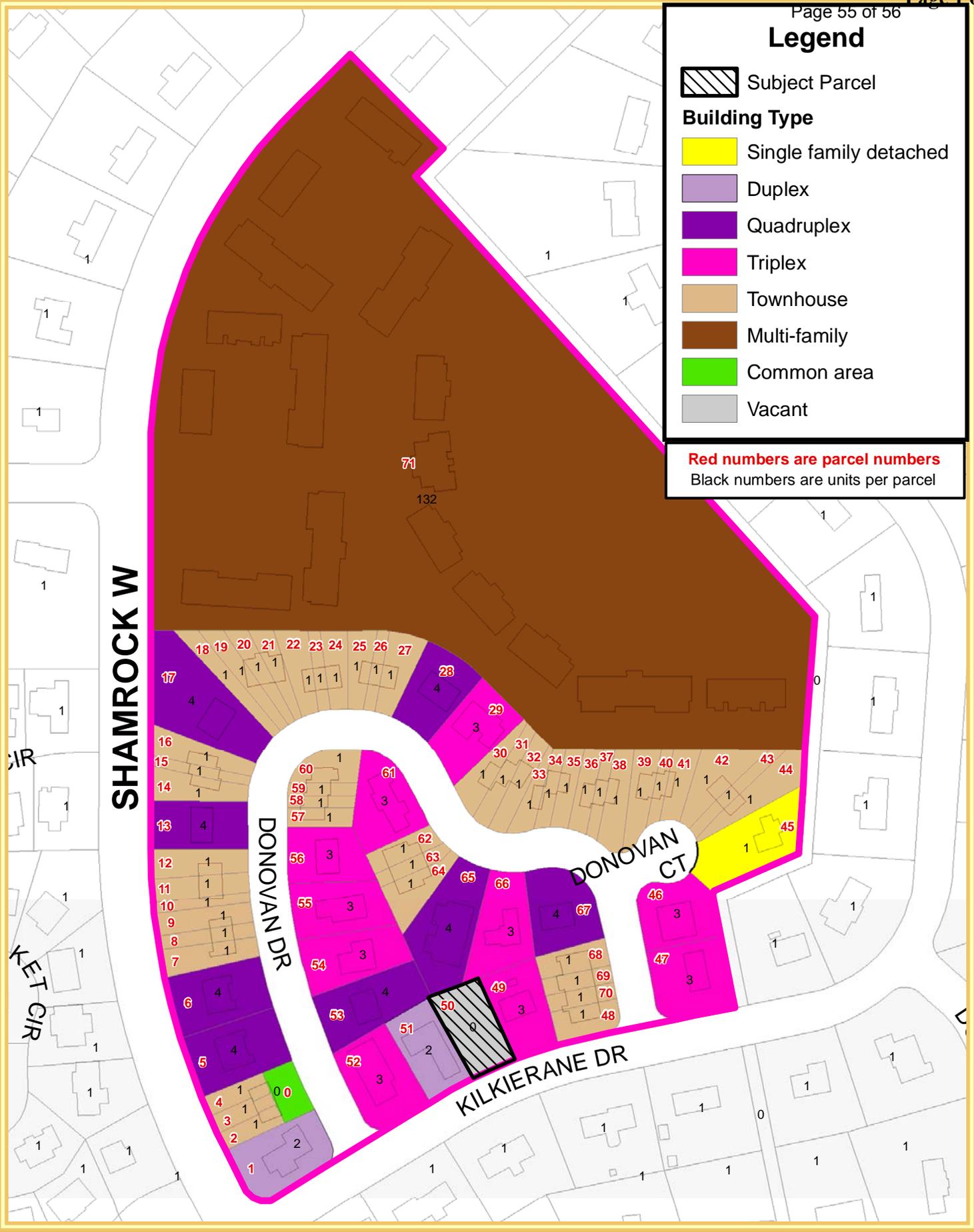
³ Density ranges can be increased up to 35% above the maximum limits listed above for the purpose of encouraging infill development and redevelopment, consistent with Mobility Element Policy 1.1.10 [M] (Effective 12/15/11).
(Revision Effective 7/19/13)

⁴ Clustering Option Available

Legend

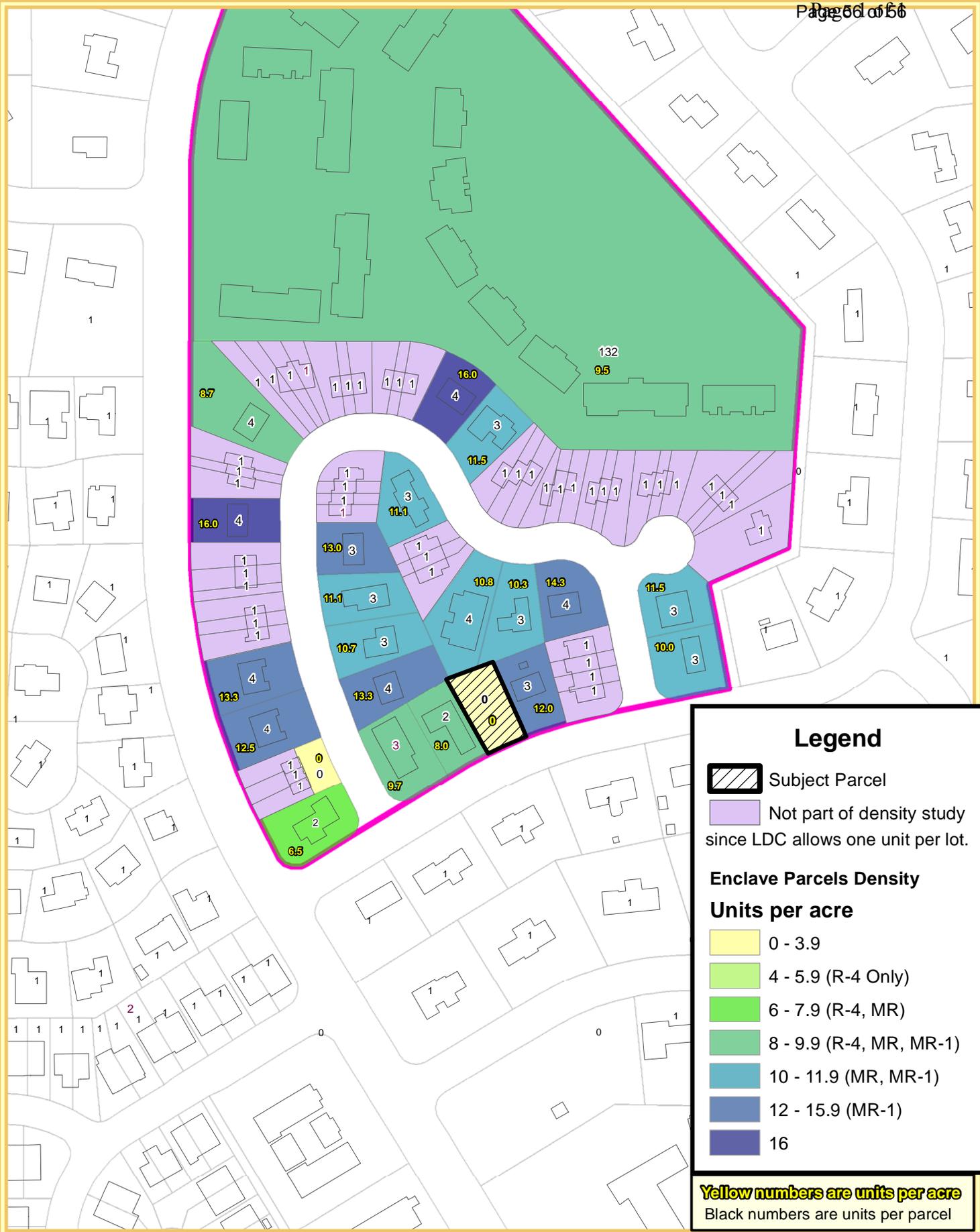
-  Subject Parcel
- Building Type**
-  Single family detached
-  Duplex
-  Quadruplex
-  Triplex
-  Townhouse
-  Multi-family
-  Common area
-  Vacant

Red numbers are parcel numbers
Black numbers are units per parcel



Building type





Legend

- Subject Parcel
- Not part of density study since LDC allows one unit per lot.

Enclave Parcels Density

Units per acre

- 0 - 3.9
- 4 - 5.9 (R-4 Only)
- 6 - 7.9 (R-4, MR)
- 8 - 9.9 (R-4, MR, MR-1)
- 10 - 11.9 (MR, MR-1)
- 12 - 15.9 (MR-1)
- 16

Yellow numbers are units per acre
Black numbers are units per parcel

Parcel Density

