



CITY OF
TALLAHASSEE



Zoning Spotlight

Neighborhood Compatibility

Growth Management Department
January 2025



Introduction

Our home is so much more than just the space inside our residence. Home extends to transitional spaces, like front and back porches and patios, as well as the backyard. Home also includes the wider neighborhood around our residence. We have an innate connection to the outdoors. We're drawn to the outside to rest, play, garden, jog, walk, cycle, socialize, and so much more. That's why it's crucial to think of our homes in the wider context of our community.

A vibrant city isn't built from a single land use. A city wouldn't work if it only had single family homes or if it was a continual sea of shopping centers. A healthy mix of land uses is essential for a sustainable city. Of course, some land uses are fundamentally not compatible. For example, no one would want to live in a residential home that was adjacent to an industrial factory. However, the list of land uses that can be a successful neighbor to residential is longer than those uses that aren't compatible. All neighborhoods have an edge where the residential uses stop and the non-residential uses begin. The question is, "What's on the other side of that edge?" This edge is illustrated by the two photos at the right.



If common sense development standards are applied, good neighbors to residential could include offices, retail stores, restaurants, and a variety of other land uses. Development standards can protect neighborhood compatibility if they answer the following questions:

- What's the right size and the best way to provide lighting for non-residential signs?
- How can tall non-residential buildings be buffered from residential?
- What's the best way to buffer trash enclosures and loading zones from residences?
- How can speakers, order boards, order windows, and stacking lanes at drive throughs most effectively be buffered from residential?
- What's the maximum height of light fixtures and how should they be shielded to prevent glare and light trespass?
- How should multi-family residential adjacent to single family residential be designed and oriented?





Before we go further, it's important to emphasize what this issue of Zoning Spotlight does and doesn't do. Think of the edge mentioned above between existing residential neighborhoods and adjacent, new non-residential uses. The development standards discussed in the following pages only apply to the non-residential side of that edge. They ensure that new non-residential development fits in with the existing context of the residential uses. They make absolutely no changes to the land or the development on the residential side of the edge.



The City Commission adopted the Neighborhood Compatibility Ordinance in June 2021. It added a toolbox of new design standards to the Zoning Code that addressed the above questions. It was built on a two-year process of community meetings with both neighborhood groups and the business community. The project also included a nationwide assessment of how other cities use their zoning codes to support neighborhood compatibility.

The neighborhood compatibility development standards recognized that the edge between existing residential uses and adjacent, new non-residential uses is a unique place. This issue of Zoning Spotlight explains how Tallahassee's neighborhood compatibility development standards ensure that non-residential uses are good neighbors to existing residences.

There are two threshold questions that need to be answered before we go further.

1. The first question is, "What type of residential uses are protected under the Neighborhood Compatibility Ordinance?" The Ordinance applies the new

development standards to new development that is adjacent to a "Protected Residential" use, which in most cases is defined as follows:

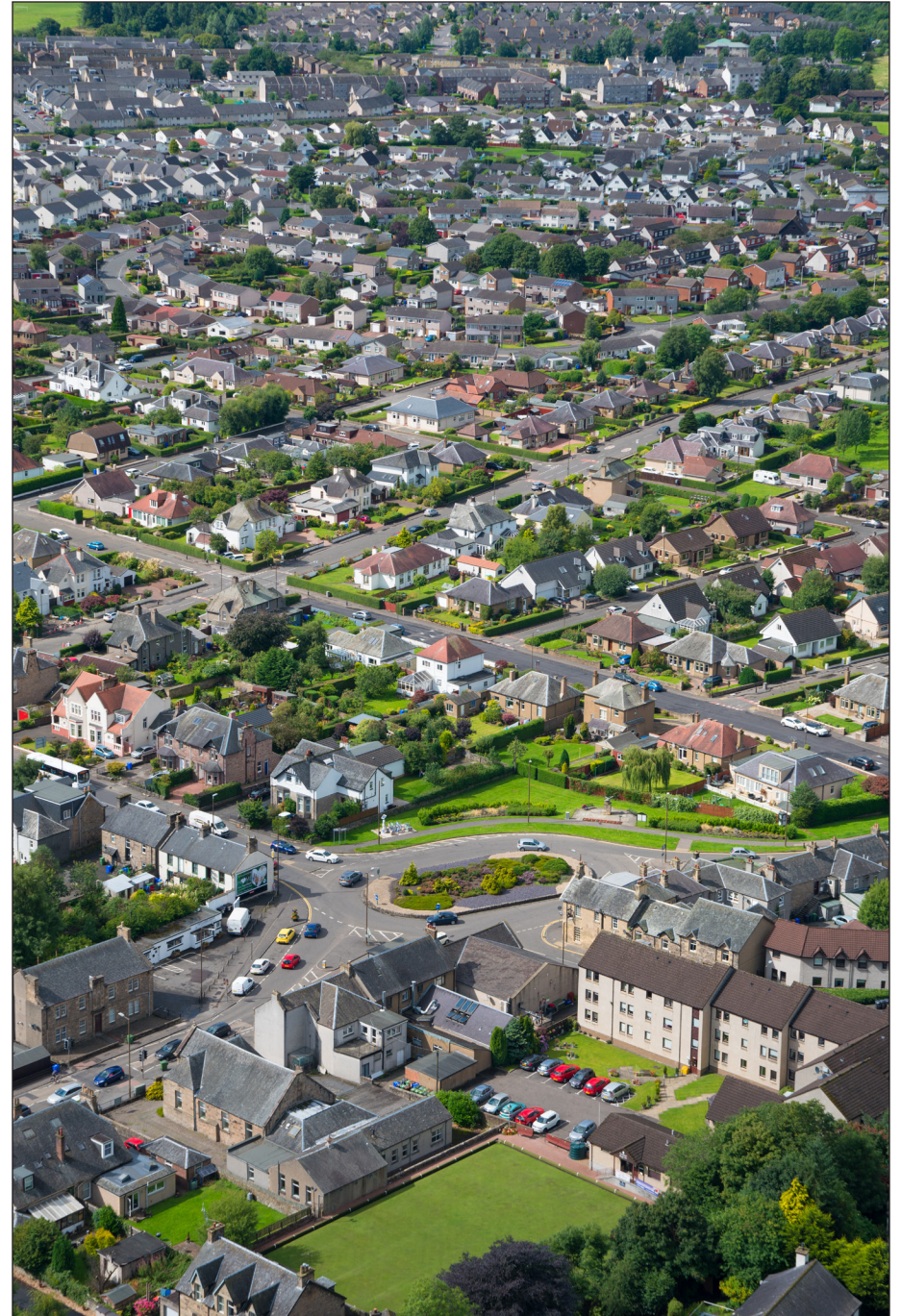
"Protected Residential means any property developed with a single family residence, duplex, or triplex to a density of less than or equal to 8 units per acre, and any vacant property that is zoned either RP-1, RP-2, RP-MH, RP-R, RP-UF, R-1, R-2, R-3, R-5, UF, LP, MH, or RA."

Note that there are two distinct ideas in that definition. The first half of the definition applies to land that is already developed. Regardless of the zoning district, protected residential includes any land developed with a single family residence, a duplex, or a triplex at a density of less than or equal to 8 units per acre. The second half of the definition indicates that any vacant land in specific zoning districts is protected residential.

2. The second question is, "Are there any types of development that are exempt from the Neighborhood Compatibility Ordinance?" The exemptions vary slightly between standards but generally include the following:



- The neighborhood compatibility standards don't apply to new non-residential development that is sited adjacent or across the street from properties that meet the definition of Protected Residential but are currently developed and occupied by a legally existing non-conforming use. A land use is sometimes legally established under the rules of an older version of the Zoning Code. For example, the 1984 version of the Zoning Code might have allowed offices on a particular property. However, the 2024 version of the Code may only allow single family residences. If the office was legally established under the 1984 version of the Code, it would be a legal non-conformity today. This exemption exists because it wouldn't make sense to apply the neighborhood compatibility standards to new development that's adjacent to a non-conformity.
- The neighborhood compatibility standards don't apply to new non-residential development that is adjacent to or across the street from isolated properties which are Protected Residential comprised of less than 3 units on less than 3 contiguous lots. The term "isolated" means one or two residential units, which are surrounded by non-residential zoning or uses. This is a common sense exemption. If there are only one or two residential units and they're surrounded by non-residential zoning or uses, there isn't an established neighborhood in need of protection.
- The neighborhood compatibility standards don't apply to a change of use at an existing non-residential development, provided the change of use does not result in a more intense use. For





Sign on arterial road



Sign on collector road



Sign on local road

example, a change of use from a shoe store to a mattress store is not an increase in intensity. Both uses are general retail. However, a change of use from office to restaurant is an increase in intensity, and such a change would be required to meet the development standards in the Neighborhood Compatibility Ordinance.

The following sections explain how signs, building height, trash enclosures, loading zones, drive throughs, lighting, and multi-family residential uses are regulated to ensure they're compatible with their residential neighbors.

Signs

Imagine that you're out for an evening walk. There's an office at the end of your street with a sign in the front yard. The sign totals 200 square feet and is 18 feet high. It's lighted internally, so it glows brightly, dominates the horizon, and isn't compatible with the residential character of your neighborhood. That would have been allowed

prior to the adoption of the Neighborhood Compatibility Ordinance. The new standards do the following:

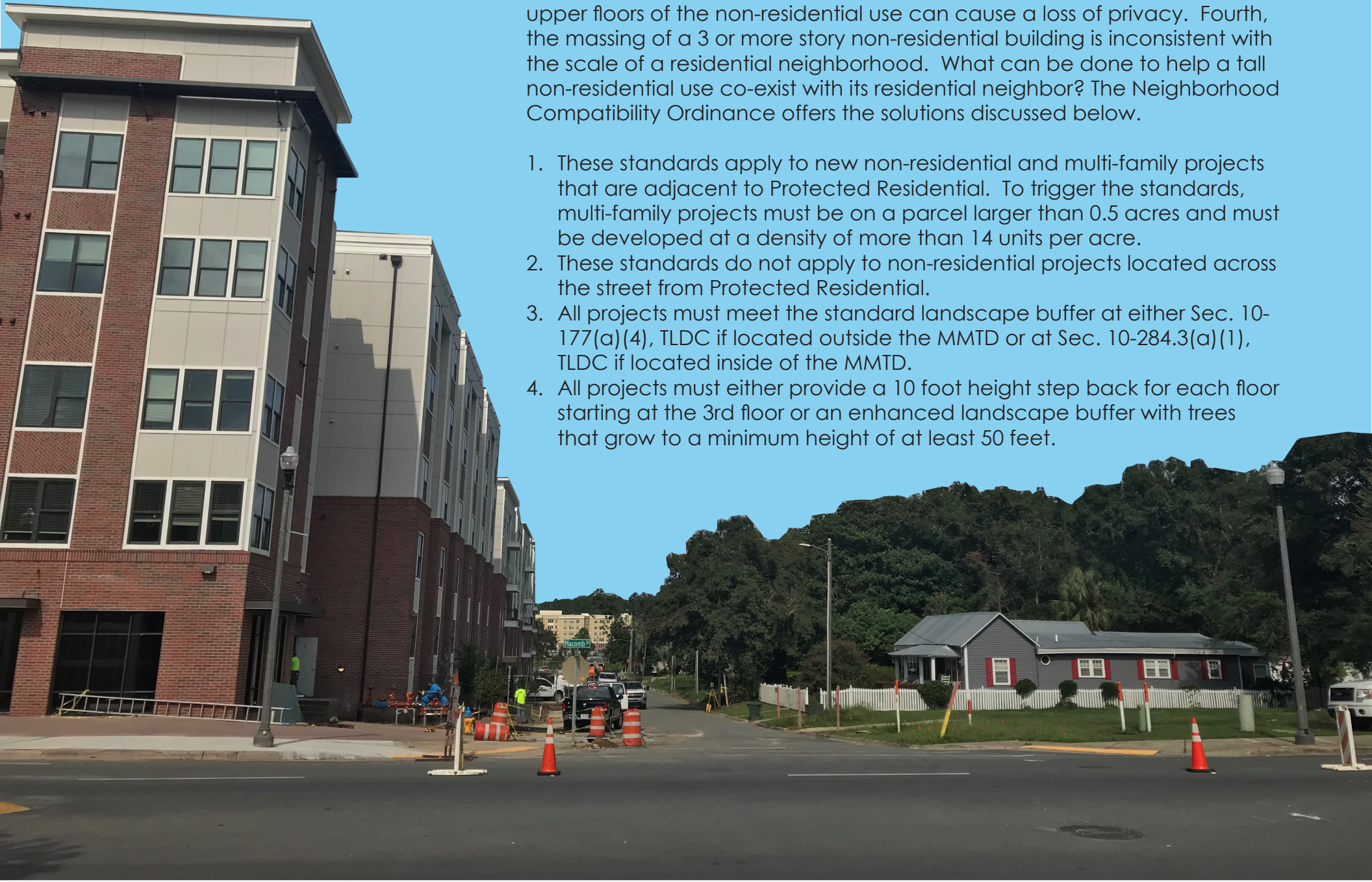
1. They apply if a non-residential use fronts a road classified as a local road and is either adjacent to or across the street from Protected Residential.
2. They reduce the maximum sign size to 100 square feet for buildings with 1 or 2 tenants and 120 square feet for buildings with 3 or more tenants.
3. They create an option to move signs off the local road to nearby collector or arterial roads.
4. They limit the height of monument signs to 6 feet.
5. They prohibit signs that are internally illuminated. They must be externally illuminated with shielded fixtures.
6. They prohibit roof signs, billboard signs, pole signs, and flashing signs.

The above photos illustrate 3 signs from the same business on a major arterial road, a mid size collector road, and a local road. They show the importance of sizing signs so they're consistent with their surroundings.

Buildings Higher than Two Stories

Non-residential buildings with 3 or more stories create unique impacts to their residential neighbors. First, access to the sun is lost for part of the day. Second, views of the sky are permanently reduced. Third, windows on the upper floors of the non-residential use can cause a loss of privacy. Fourth, the massing of a 3 or more story non-residential building is inconsistent with the scale of a residential neighborhood. What can be done to help a tall non-residential use co-exist with its residential neighbor? The Neighborhood Compatibility Ordinance offers the solutions discussed below.

1. These standards apply to new non-residential and multi-family projects that are adjacent to Protected Residential. To trigger the standards, multi-family projects must be on a parcel larger than 0.5 acres and must be developed at a density of more than 14 units per acre.
2. These standards do not apply to non-residential projects located across the street from Protected Residential.
3. All projects must meet the standard landscape buffer at either Sec. 10-177(a)(4), TLDC if located outside the MMTD or at Sec. 10-284.3(a)(1), TLDC if located inside of the MMTD.
4. All projects must either provide a 10 foot height step back for each floor starting at the 3rd floor or an enhanced landscape buffer with trees that grow to a minimum height of at least 50 feet.



Site Grading Resulting in Lower Elevation

This is the reverse of the challenge created by a tall building next to residential. Project sites are sometimes graded so that the elevation of the new non-residential or multi-family project is below an adjacent property which has existing Protected Residential development. When that occurs, the Protected Residential development is left with a view looking down on the roof tops of the new development with the associated HVAC and mechanical equipment. The new standards do the following:

1. Requires a landscape buffer at the higher, pre-grading elevation; or
2. Subject to the approval of an arborist, requires a landscape buffer at the top of the slope, with all shade trees planted at the higher, pre-grading elevation and understory trees and shrubs planted on the slope; or
3. Requires a landscape buffer at the lower, post-grading elevation, provided trees grow to a minimum of 50 feet.



Trash Enclosures and Loading Zones

Originally, the Zoning Code simply required trash enclosures and loading zones to be at least 10 feet from any property line and at least 200 feet from any low density residential zoning district. The problem with the original text is that it isn't uncommon for commercial properties to have rear yards less than 200 feet in depth. Developments with shallow rear yards would typically file for a deviation from the Code since it was impossible for their property to meet the standard. However, deviations can't be conditional. In other words, a wider landscape buffer can't be required in return for reducing the setback from low density residential from 200 to 100 feet. An applicant either is or isn't entitled to a deviation. The new standards provide for the following:

1. If the distance between the back of a building and the rear property line is less than 220 feet, then the loading zone may be located to within 50 feet of the



boundary of the adjoining property which is Protected Residential if it is buffered with a minimum of a 10 foot wide landscape strip along its full length between the loading zone and the nearest Protected Residential. The landscape strip must include at least two trees.

2. If the distance between the back of a building and the rear property line is less than 220 feet, then the trash enclosure may be sited within 50 feet of the adjoining property which is Protected Residential if it is buffered by a 6 foot opaque wall of finished masonry or wood on three sides, with a gated door accessible to service vehicles. A 10 foot wide landscape strip with one tree must be adjacent to the wall of the trash enclosure which is nearest to the Protected Residential.

Drive Through Restaurants

We've all used a drive through for coffee, lunch, banking, or other errands. Drive throughs are occasionally sited on land that is zoned commercial but is adjacent to existing residential uses. They present challenges to residential neighborhoods from noise at the pickup window, order board speaker, and vehicle stacking lane. On a busy day with lots of cars, the exhaust from idling vehicles can also be a challenge. The new standards require drive throughs to meet one of the following:

Option 1

Businesses with drive through facilities must provide a landscape buffer and fence per the Code. Drive through

speakers, order boards, and windows must be located at least 100 feet from any property which is Protected Residential. Finally, that portion of the drive through lane between the order board and the point 75 feet before the order board must be located at least 50 feet from the boundary of any Protected Residential property.

Option 2

Businesses with drive throughs must provide a landscape buffer as follows: 1.) The 60-foot Type D planting standard at Sec. 10-177, TLDC; 2.) All canopy trees and understory trees within the buffer are 4 inch caliper at the time of planting; 3.) All trees are evergreen species to provide year round screening; and 4.) A 6-foot wood stockade fence with no spacing between the pickets is built adjacent to all Protected Residential property lines.



Lighting

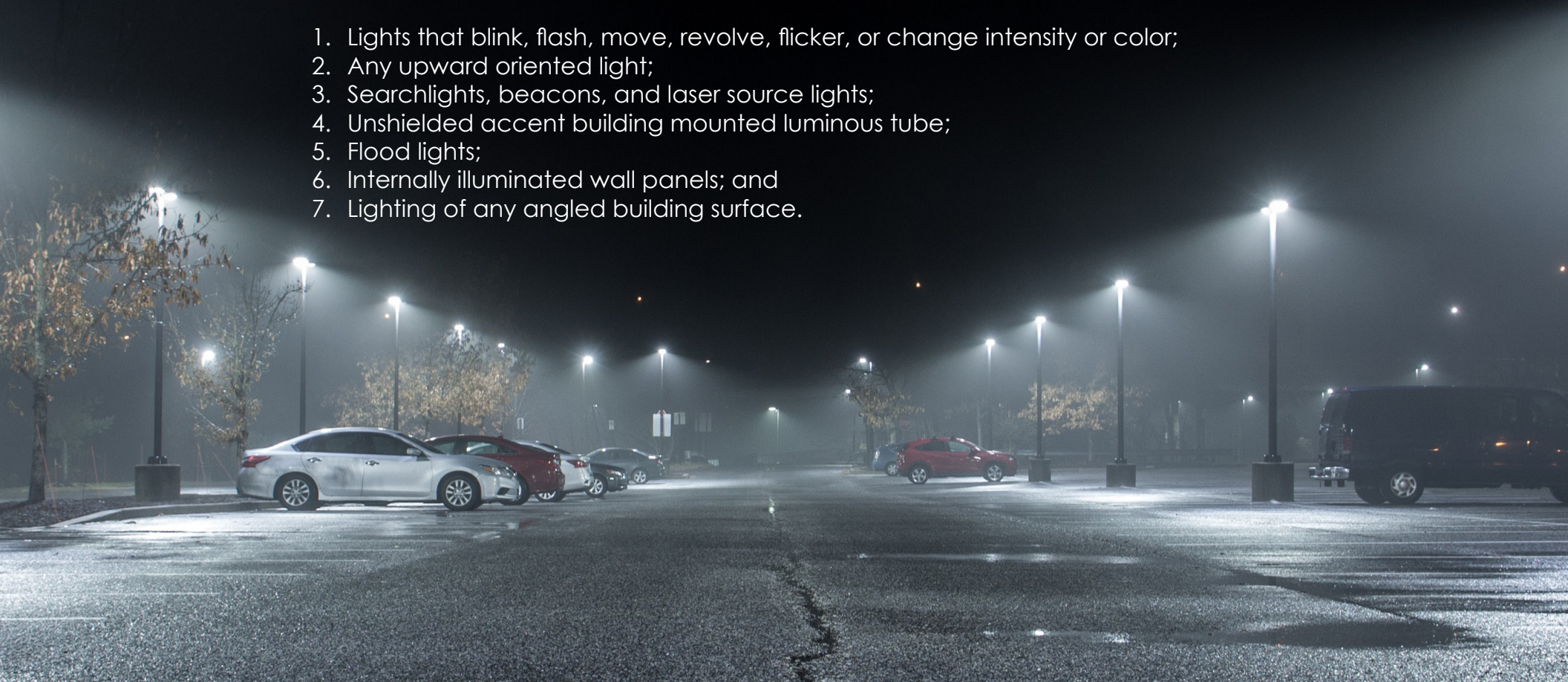
The lighting standards in the Neighborhood Compatibility Ordinance vary based on whether a project is adjacent to or across the street from Protected Residential.

The following standards only apply to projects that are adjacent to Protected Residential: 1.) Demonstrate that light trespass doesn't exceed 0.5 footcandles (as measured 6 feet above ground level at the property line); 2.) Demonstrate that lights within 10 feet of a Protected Residential use are aimed away from the boundary and shielded on the side closest to the boundary; and 3.) Provide a photometric plan that documents that the light trespass standard is met.

In contrast, the following standards apply to both projects that are adjacent to Protected Residential and to projects that are across a public roadway from property which is Protected Residential: 1.) Provide a lighting plan; 2.) All outdoor fixtures must be full cutoff; 3.) Lighting fixtures must be installed and maintained parallel to the ground, without a tilted angle; 4.) The mounting height of outdoor lighting may not exceed 18 feet in parking lots and 12 feet along pedestrian walkways, except for select areas that have lower mounting height standards; 5.) If a project is at a higher elevation than a Protected Residential property, then lighting fixtures must be shielded, aimed, located, and mounted to minimize the impact caused by the change in elevation; and 6.) All ornamental and building lighting mounted on a structure must be located, aimed, and shielded so that direct illumination is focused exclusively on the building facade or the ground immediately below the fixture.

Also, for properties adjacent to or across the street from Protected Residential, a variety of outdoor lighting fixtures are prohibited, including the following:

1. Lights that blink, flash, move, revolve, flicker, or change intensity or color;
2. Any upward oriented light;
3. Searchlights, beacons, and laser source lights;
4. Unshielded accent building mounted luminous tube;
5. Flood lights;
6. Internally illuminated wall panels; and
7. Lighting of any angled building surface.



Multi-Family Residential

All new multi-family projects adjacent to or across the street from Protected Residential must meet the following:

Transparency - Reflective glass (with less than 70% transmission) is prohibited. Transparency standards vary from 15% to 60% based on the building elevation and whether the project is a single or mixed use.

Articulation - No street-facing facade may exceed 50 feet without a 2 foot change in the depth of the wall plane.

Roofs - Street-facing roofs more than 50 feet must meet the following: 1.) Sloped roofs must provide a minimum 2 foot horizontal variation, and/or a dormer, cupola, gable, hip detail, or projection; and 2.) Flat roofs must provide a cornice or decorative band as a building cap.

Parking - In the Multi-Modal Transportation District (MMTD), parking must meet the MMTD standards. Outside the MMTD, parking lots must do the following: 1.) Be located to the side or rear and not closer to the street than the street-facing facade; and 2.) Screen parking lots with more than 4 spaces if they are adjacent to Protected Residential.

Orientation - The front of the structure shall be oriented to face the primary access street.

Step Back - Provide a 10 foot height step back for each floor starting at the third if Protected Residential is adjacent, is across a local street, or is across a collector or arterial (with 3 or less travel lanes).

Outdoor Uses - No active recreation uses are allowed within 200 feet of Protected Residential.



Access - If a multi-family driveway exit is on a local street across from a property which is Protected Residential, it must be sited across from the shared property boundary of the Protected Residential lot to minimize headlights shining into the residential windows.

Conclusion

We hope you've found this issue of Zoning Spotlight helpful! Of course, the Zoning Spotlight series is intended to be an introduction to various land use issues and isn't meant to be a substitute for the Zoning Code. In the event of any conflict between this issue of Zoning Spotlight and the Zoning Code, the Code will control.

Please let us know if you have any suggestions or questions. You can reach a member of the Growth Management planning staff at (850) 891-7100, extension 4 or at zoning@talgov.com.