

Public Notice

City of Gulf Breeze

Will hold a Workshop

**Regarding Concepts Related to
Amendments to the City's Zoning and**

Land Use Code and Land

Development Code (LDC)

Wednesday * March 11, 2015

At 6:00 p.m.

Gulf Breeze City Hall

1070 Shoreline Drive

**For additional information, please
contact City Clerks at (850) 934-5115**

City of Gulf Breeze

Memorandum

To: Mayor and City Council Edwin A. Eddy, City Manager

From: Curt Carver, Deputy City Manager

Date: 3/5/2015

Subject: Zoning and LDC Amendments

As part of the recent amendment to the Comprehensive Plan, the Steering Committee has been working on amendments to the Zoning and Land Use Code and Land Development Code. These amendments relate to the creation of the Mixed Use Zoning District (MXD-1) and targeted height zones. Both of these concepts are significant elements in the recently approved Comprehensive Plan.

Enclosed is a memorandum from Curt Ostradka of VHB outlining the process to date and the recommendations from the Steering Committee. These recommendations will require significant changes to the City Code. Because of the nature of these amendments, we believe that the City Council should hold a workshop to discuss these matters and provide some direction on the final drafting of the ordinance. Representative from VHB could be in attendance to assist with this discussion.

In consultation with the Mayor, a work shop has been scheduled for 6:00 PM on March 11, 2015 for this purpose. Should you have any questions or need anything in the interim, please do not hesitate to contact me.

Enclosure



To: Edwin "Buz" Eddy

Date: February 10, 2015

Memorandum

Project #: 61691.01

From: Curt Ostrodka, AICP, LEED AP

Re: Draft Land Development Code Amendments

Buz,

VHB has carefully reviewed the comments provided by the Master Plan Steering Committee, stakeholders, and the public with regards to potential Land Development Code (LDC) amendments to provide for a new Mixed Use Zoning District (MXD-1) and to allow for increased height within specific Target Zones, as shown on **Attachment B**.

This memo describes the steps taken to prepare the draft LDC amendments and contains the complete documentation necessary to make a recommendation to City Council.

Mixed Use Zoning District:

- On September 30, 2014 and October 8, 2014, Steering Committee members discussed a new Mixed Use Zoning District. The intent of this district is to be consistent with the Mixed Use Future Land Use in the Comprehensive Plan amendments, adopted by City Council on November 17, 2014.
- No changes are proposed to the City's existing Zoning Map. The new district is being provided for consistency with the Comprehensive Plan amendments, but it will still be the responsibility of an individual landowner to apply for a rezoning to the new district. If there is no rezoning, the current zoning district regulations continue to apply.
- **Attachment A** includes the final draft text for the new zoning district proposed for the City's Land Development Code.

Increased Height:

- On December 16, 2014, Steering Committee members affirmed that the 1.25:1 slope (run over rise) is the recommended methodology for measuring additional building setback required in return for consideration of additional building height over the maximum permitted by right.
- We have updated the Target Zone map (**Attachment B**) to reflect additional maximum permitted height by special exception at the "Town Center" target zone and the "Harbortown" target zone, as directed by the Steering Committee on December 16, 2014.
- We have added increased landscape requirements within the setbacks where increased heights are requested. In consultation with our registered landscape architect, the minimum canopy tree spec has been increased from 30 gallons to 65 gallons. This draft LDC language can be found in **Attachment C**
- **Attachment D** depicts a visual study that demonstrates that the roofline of a building with increased height and corresponding increased setbacks is perceived as roughly equivalent to a 35-foot tall building allowed by right. This exhibit was presented and accepted by the Steering Committee on December 16, 2014



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Memorandum

- **Attachment E** describes the role of the Architecture Review Board during the increased height special exception process, as directed by the Steering Committee on December 16, 2014.

Summary

We believe that we have addressed all of the Steering Committee concerns and recommendations, and believe that these draft amendments are ready to be presented to City Council.

List of Attachments

Attachment A: Draft Land Development Code sections for Mixed Use Zoning District (in underline/strikethrough format)

Attachment B: Overlay District Map depicting Target Height Zones

Attachment C: Draft Land Development Code sections for Target Height Zones (in underline/strikethrough format)

Attachment D: Increased Height and Setbacks Exhibits

Attachment E: Draft Land Development Code sections for Proposed Architecture Review Board duties (in underline/strikethrough format)

**Attachment A: Draft Land Development Code sections for Mixed
Use Zoning District (in underline/strikethrough format)**

DIVISION 15 MXD-1 MIXED USE DISTRICT

Sec. 21-246. – Intent.

The MXD-1 district is intended to implement the City's *Most Livable City Plan* and Comprehensive Plan 2035, by providing for medium to high-density development with a mix of uses within an appropriate area. These uses will be mixed throughout the district, as well as in individual developments. Residential, retail and office uses may be mixed either vertically or horizontally in a building within the MXD-1 district.

Sec. 21-247 – Permitted, prohibited uses.

(a) *Permitted Uses.* Land and buildings within the MXD-1 mixed use district shall be used only for the following purposes:

- (1) Restaurants, cafes, and other food and beverage providers.
- (2) Business and professional offices, and any other uses allowed in the C-2 district.
- (3) Hotels, motels and other lodging facilities.
- (4) Educational uses.
- (5) Medical clinics (including nursing homes as defined in section 21-191)
- (6) Churches, religious institutions, private or parochial schools and fraternal organizations.
- (7) Municipal, county, state, federal and public buildings.
- (8) Retail shops.
- (9) Multi-family residential, including townhouses, condominiums and apartments, and accessory uses.

(b) *Prohibited Uses.* Any use that is prohibited in the CDB Overlay district, section 21-243(b), shall be prohibited in any MXD-1 district.

(c) *Uses allowed as a special exception.* A single use development on a parcel of 2 ½ or fewer acres shall require a special exception, as described in sections 21-41 through 21-146 of this code.

Sec. 21-248. - Height of buildings.

In the MXD-1 district building height shall not exceed a total height of 35 feet, unless provided for in section 21-274 – Target height zones.

Sec. 21-249. - Setback requirements.

(a) In the MXD-1 zoning district, no building or any portion thereof shall be erected further than two and one-half feet (2 ½') from any street right-of-way.

(b) A building may be located a maximum of 20 feet (for no more than 50 percent of the building frontage) if pedestrian courtyards, plazas, cafes, fountains or other public gathering places are provided within the setback.

(c) The maximum side and rear yard setbacks within the MXD-1 district shall be ten feet (10'). In

no instance, shall a proposed building be located less than 10 feet (10') from an existing building.

(d) When abutting land is zoned R-ES, R-1, R-1-A, R-1-AA, P, M or TH:

- (1) The building setbacks shall be no less than 30 feet.
- (2) A landscaped buffer of not less than ten feet in width shall be established along the entire length of and contiguous to the property line.

(e) For additional setback requirements in the CRA and CBD areas, see respective Design Guidelines.

Sec. 21-250. – Service roads.

All roads serving developments in the MXD-1 district shall have a minimum pavement width of 24 feet and a minimum right-of-way of 40 feet, and shall never be accepted by the city unless the streets and buildings meet the subdivision, zoning, and all applicable land development code requirements, and are constructed to standards approved by the city for public roads.

Sec. 21-251. – Parking.

The total required parking for a mixed-use development shall be the total of the required parking for each separate use in such a development, according to the requirements in Chapter 24, division 3 of this Code, unless the developer provides a shared parking study during the development review process.

Sec. 21-252. - Density.

- (a) The minimum density for residential uses in the MXD-1 district shall be 11 dwelling units per acre. The maximum density for residential uses in the MXD-1 district shall be 40 dwelling units per acre.
- (b) The minimum intensity for non-residential uses in the MXD-1 district shall be 0.25 F.A.R. The maximum intensity for non-residential uses in the MXD-1 district shall be 3.0 F.A.R.

Sec. 21-253. – Areas of dwelling units.

The minimum floor area of any individual dwelling unit in the MXD-1 district shall be 500 square feet. The overall average floor area for a dwelling unit, for an entire development, shall not be less than 750 square feet.

Sec. 21-254. – Design review process.

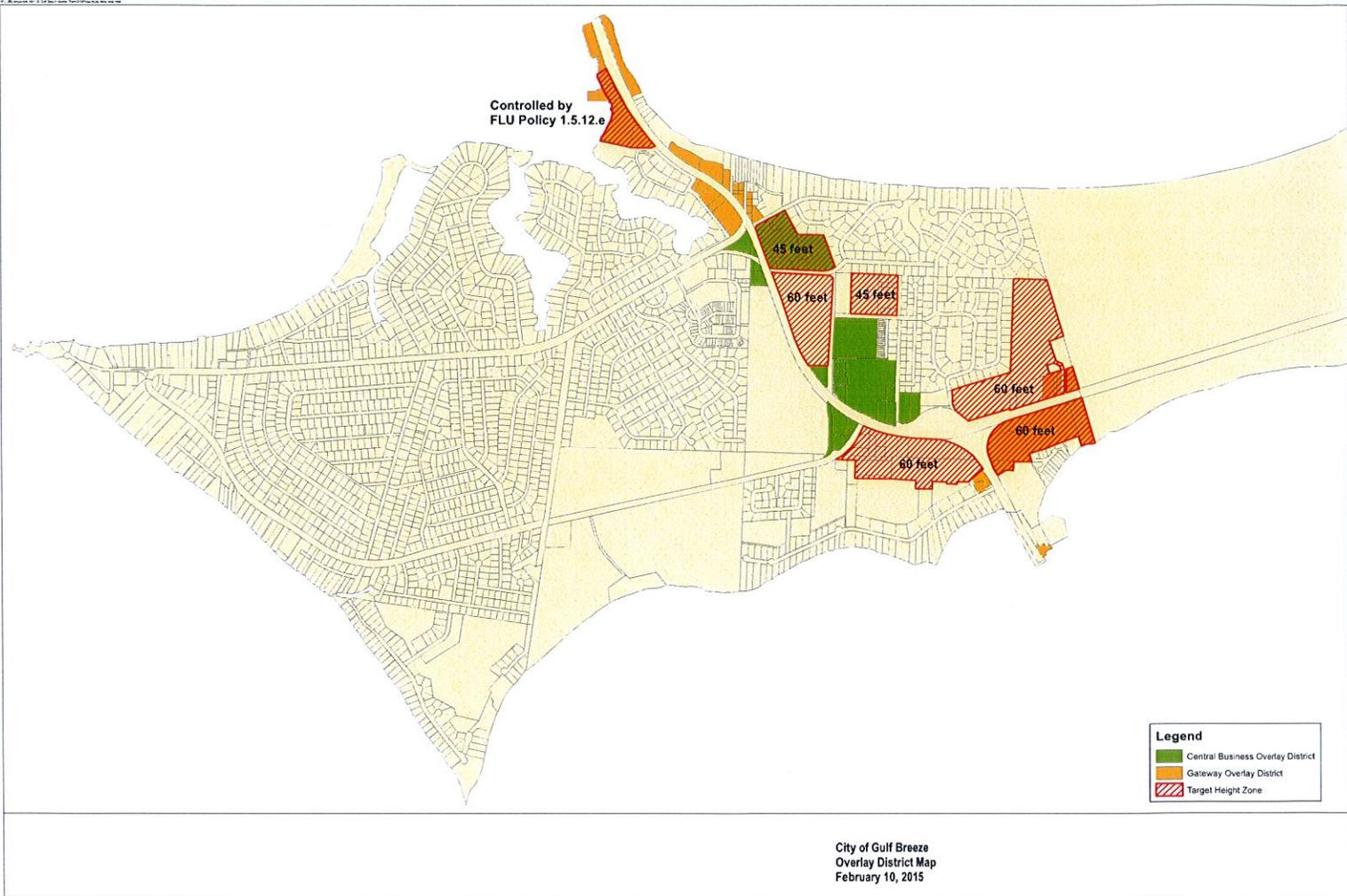
Developments in the MXD-1 district shall adhere to the review process specified in section 21-244 of this Code.

Sec. 21-255. – Design guidelines.

Developments in the MXD-1 district shall adhere to the design guidelines specified in section 21-245 of this Code.

Sec. 21-256 – Sec. 21-260. Reserved.

**Attachment B: Overlay District Map depicting Target Height
Zones**



**Attachment C: Draft Land Development Code sections for Target
Height Zones (in underline/strikethrough format)**

Sec. 21-274. – Height restrictions Target height zones.

The maximum height limit within the City of Gulf Breeze shall be 35 feet, **unless provided for herein.** Such height shall be measured from grade.

(a) Purpose and Intent.

The purpose of target height zones is to allow increased height in designated areas of the City of Gulf Breeze in order to offer promote redevelopment and revitalization in the CRA.

This section is intended to provide design criteria and standards for the review and approval process to address impacts of increased building heights.

(b) Applicability.

The provisions of this section apply only where a building height of greater than 35 feet is proposed upon a parcel.

Target height zones are depicted on the City's Overlay District Map. The City's Overlay District Map, indicates the maximum building height for each of the aforementioned target height zones. Target height zone standards establish a process and standards by which additional building heights may be considered by special exception in established target height zones. The underlying zoning district standards shall continue to apply, unless provided for in this section.

(c) Application Review and Approval Procedure.

Any proposed development where a building height of greater than 35 is requested shall be considered a special exception, and a level three development, and shall adhere to the level three development process described in sections 20-41 through 20-80 of this code, with the additional review and approval procedures described herein.

- (1) Pre-Application Meeting. No application for a special exception for buildings greater than 35 feet shall be determined to be complete by the city manager or designee, as indicated in section 20-43, until the applicant has attended a pre-application meeting, described in section 20-167 of this code.
 - a. The purpose of the pre-application meeting is for the applicant to meet with city staff to review the proposed special exception and discuss potential issues, concerns and questions to be addressed by the applicant.
 - b. Upon application/request for a pre-application meeting, the city manager, or designee, shall schedule a pre-application meeting with the applicant and appropriate city staff.
- (2) Neighborhood Meeting. Prior to a city council hearing for a special exception for a building height of greater than 35 feet is requested a neighborhood meeting shall be held.
 - a. The purpose of a neighborhood meeting is for the applicant to meet with neighboring property owners and residents to discuss strategies and design techniques to be used to provide screening and mitigative measures to maintain compatibility and

reduce the visual impact of the proposed development.

- b. Property owners within 150 feet of the outside boundary of the subject property shall be notified and a notice of the neighborhood meeting shall be posted on the parcel which is the subject of the requested special exception. These notices shall be provided at least ten days before the neighborhood meeting is scheduled.
- c. The applicant is responsible for the planning and all costs associated with holding the neighborhood meeting, notifying the neighboring property owners, and providing a written summary of the neighborhood meeting to city staff.

(d) Setback requirements.

For any building greater than 35 in height, in a target height zone, that abuts residential property, the following setback standards apply.

- (1) Any section of a building that is greater than 35 feet must provide additional setback from any residential property outside the target height zone, in the amount of one and one-quarter (1¼') feet of setback for every one (1') foot of total building height.
 - a. The additional setback required by section 21-274(d)(1) may contain landscaping, parking, stormwater retention areas or buildings or sections of buildings that do not exceed 35 feet in height.
- (2) Buildings in target height zones that do not abut residential property, are not required to provide the additional setback described in section 21-274(d)(1), and shall adhere to the underlying zoning district requirements.
- (3) Buildings, or sections of buildings, that are 35 feet in height or less, shall provide setbacks as required by the underlying zoning district.
- (4) Buildings in the Harbourtown Target Heights Zone shall not be required to adhere to the additional setbacks for adjacent residential property.

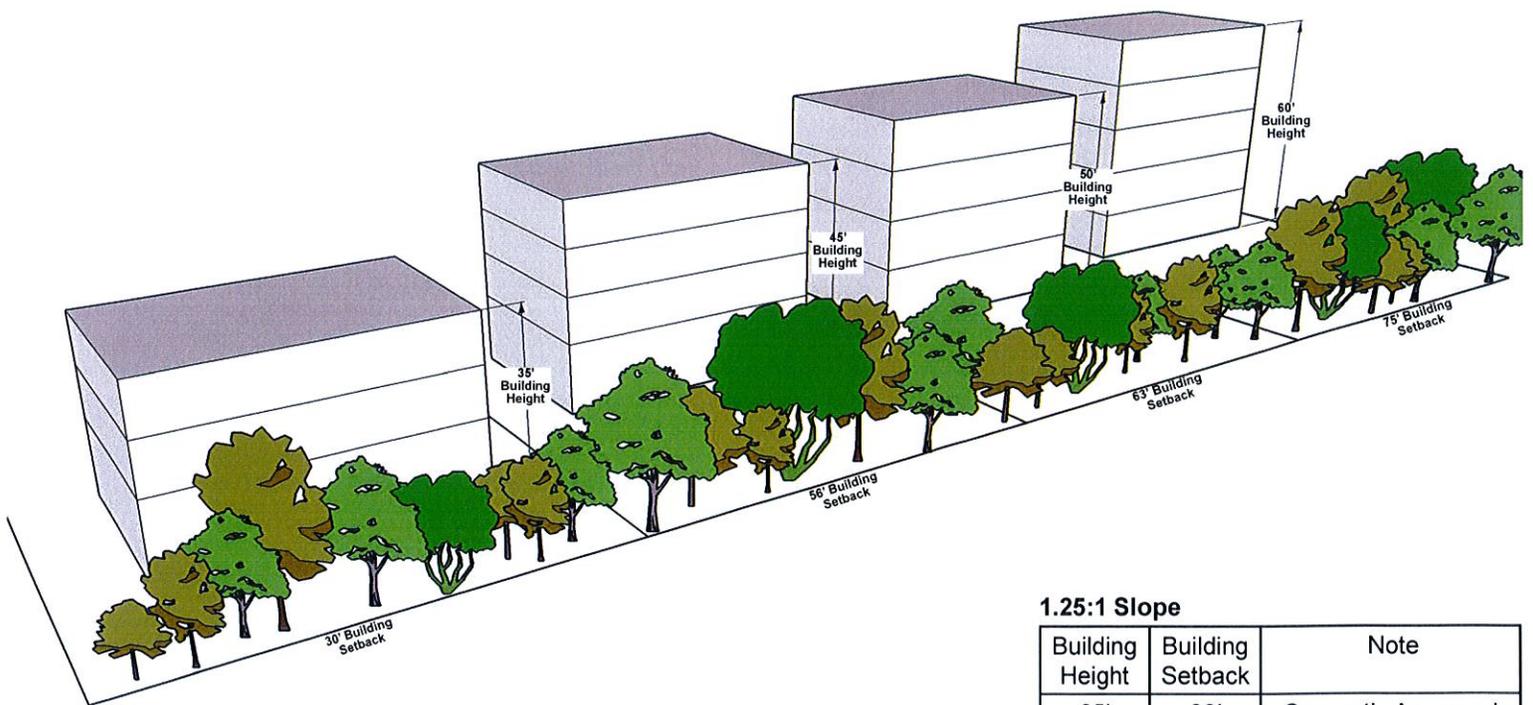
(e) Design criteria.

- (1) Proposed development located within a target height zone where a building height of greater than 35 is requested shall adhere to the city's adopted Community Redevelopment Plan and urban design guidelines described in chapter 26 of this code.
- (2) For all proposed development where a building of greater than 35 feet in building height is requested, city staff, the architectural review board and city council shall require mitigative strategies and design techniques to reduce the visual impact. These strategies and technique can include, but are not limited to:
 - a. Enhanced landscape buffering.
 - b. Variable buffers, combining land and landscaping to achieve adequate separation of uses, appropriate open space, reduction of potential noise, light and glare, and screening of physical features of a proposed development.
 - c. Variable setbacks, based upon degree of difference in proposed scale, mass or

height.

- d. Effective transitions of building scale, massing or height.
 - e. Other innovative site design features that strive to achieve compatibility and mitigate potential negative impacts.
- (f) City staff, the architectural review board, and/or city council may request that the applicant provide visual studies, elevations, renderings, other studies deemed appropriate, or otherwise demonstrate the proposed methods of mitigation described in this section.
- (g) Buffering. For proposed development where a building height of greater than 35 is requested, the following buffering standards shall apply in addition to the landscaping and buffering standards in the CRA district standards, section 26-13. Where there is a conflict between the two sections, the more restrictive standards shall apply.
- (1) Location of Buffer: The buffer shall be located at the perimeter of the zoning lot where required. Buffer shall extend to the zoning lot line or the right-of-way line, except where easements, covenants, or natural features may require the buffer to be set back from the property line.
 - (2) Required Buffer: A 10' vegetated buffer shall be provided for proposed mixed use multi-story development adjacent to existing single family residential development. Vegetation shall consist of a minimum 33 shrubs/100 linear feet planted within the first five (5) feet of the required buffer, and three (3) canopy trees/100 linear feet planted within the second 5 (5) feet of the required buffer.
 - (3) Plant Sizes at installation
 - i. Canopy Trees: 3.5" caliper, 14' overall height with 8' spread, 65 gallon container.
 - ii. Shrub Screen: 24" minimum at installation to create 36" – 42" high by 36" wide hedge or continuous screen with 90 percent opacity with one year of planting. 3 gallon container.

Attachment D: Increased Height and Setbacks Exhibits



Note:
Graphic shows a typical landscaping buffer of 20' tall canopy trees planted along rear property line.

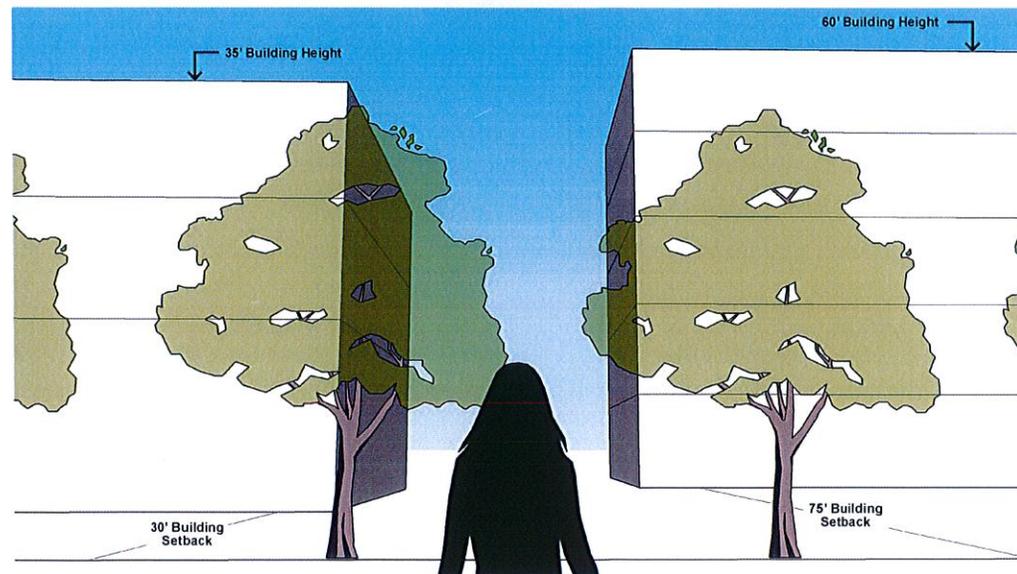
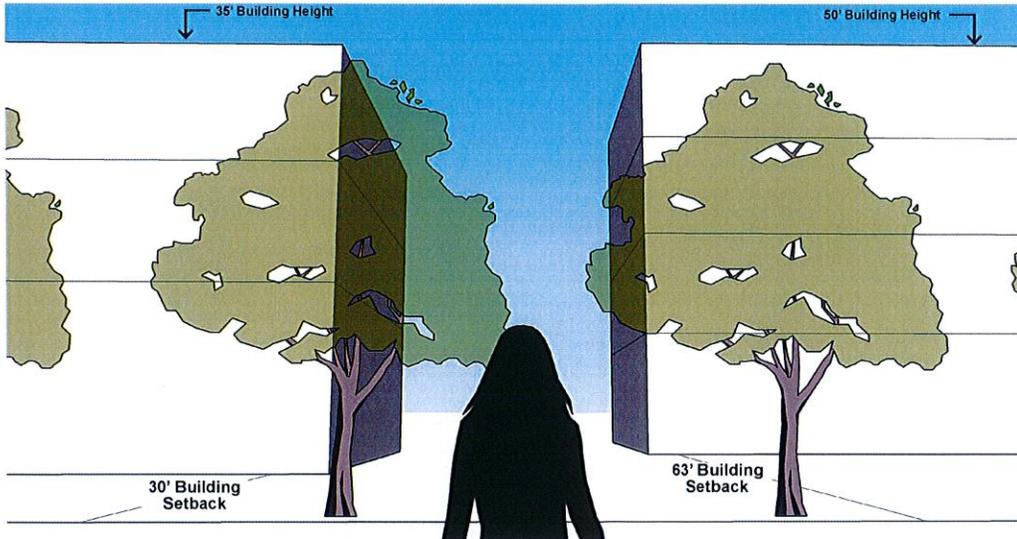
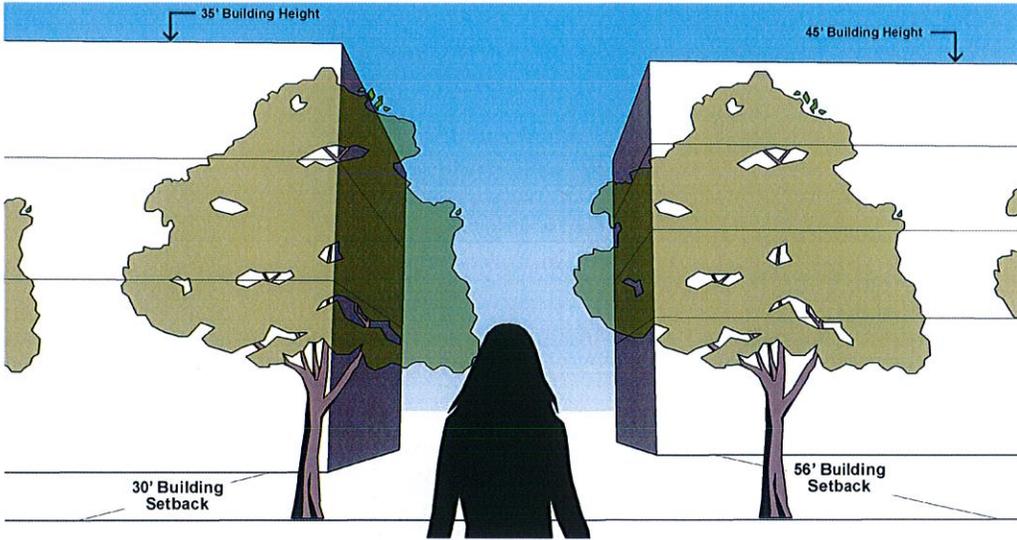
1.25:1 Slope

Building Height	Building Setback	Note
35'	30'	Currently Approved
45'	56'	Proposed
50'	63'	Proposed
60'	75'	Proposed

1.25:1 Slope

Building Height	Building Setback	Note
35'	30'	Currently Approved
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Note:
Graphic shows a typical landscaping buffer of 20' tall canopy trees planted along rear property line.



**Attachment E: Draft Land Development Code sections for
Proposed Architecture Review Board duties
(in underline/strikethrough format)**

DIVISION 2.5. - ARCHITECTURAL REVIEW BOARD

Sec. 20-62. - Created; composition; appointment.

Sec. 20-63. - Terms of office; removal from office; vacancies.

Sec. 20-64. - Compensation; reimbursement for expenses.

Sec. 20-65. - Quorum; majority vote required.

Sec. 20-66. - Organization; rules of procedure.

Sec. 20-67. - Duties.

Secs. 20-68—20-75. - Reserved.

Sec. 20-62. - Created; composition; appointment.

A city architectural review board is hereby created which shall consist of one member of the city council who shall be appointed by the mayor and six other residents of the city appointed by the city council. All appointments shall be for two-year terms.

(Ord. No. 09-09, § 1, 6-15-09)

Sec. 20-63. - Terms of office; removal from office; vacancies.

The city councilmember of the architectural review board shall serve as a member thereof for a term of 12 months or until such time as the council member no longer holds the position as council person, whichever event shall first occur. If a councilmember's term to the architectural review board expires, and the member maintains the position of council person, the member shall continue to serve on the architectural review board until a successor is appointed. Other than the city councilmember, all future appointees to the architectural review board shall in all cases be appointed for a term of two years. Any council-made appointments required to fill vacancies shall be for the unexpired portion of the term. Members shall be residents of the city. After three absences from meetings of the board within one year, the city manager shall notify the board member in writing that a fourth absence shall be considered resignation from the board and will not require any action by city council.

(Ord. No. 09-09, § 1, 6-15-09)

Sec. 20-64. - Compensation; reimbursement for expenses.

All members of the architectural review board shall serve without compensation, but may be reimbursed for actual expenses incurred in connection with their official duties.

(Ord. No. 09-09, § 1, 6-15-09)

Sec. 20-65. - Quorum; majority vote required.

Four members of the architectural review board shall constitute a quorum for the transaction of business.

(Ord. No. 09-09, § 1, 6-15-09)

Sec. 20-66. - Organization; rules of procedure.

The architectural review board shall elect its chairman and vice-chairman from among its members. The term of the chairman shall be one year, and the chairman may be reelected for successive terms. The architectural review board shall make its own rules of procedure and

determine its time of meeting. All meetings of the architectural review board shall be open to the public, and all records of the board shall be public.

(Ord. No. 09-09, § 1, 6-15-09)

Sec. 20-67. - Duties.

The architectural review board for the city shall have the following duties related to application and administration of the applicable sections of the land development code and the design guidelines:

(1) Receive presentations by owners/developers and city staff of projects which meet the applicability requirements found in chapter 26 of the Municipal Code of Ordinances and the city's adopted design guidelines. Make recommendations regarding these projects to the development review board and the city council.

(2) Make recommendations to the city council regarding changes to the city's urban design guidelines as well as the Municipal Code of Ordinances which are deemed by the architectural review board to have an impact on or facilitate the review process for development or redevelopment projects in the community redevelopment area.

(3) The architectural review board may also make recommendations to the city council relative to public improvement projects within the community redevelopment area.

(4) The chair of the architectural review board will serve as a nonvoting ex officio member of the development review board for the purpose of presenting findings of the architectural review board to the development review board (DRB). The chair of the development review board shall also serve as nonvoting ex officio member of the architectural review board.

(5) Receive staff recommendations regarding approval or denial of applications for special exceptions for increased building height in target height zones.

(6) Review all proposed special exceptions for increased building height in target height zones.

(7) Refer special exceptions for increased building height in target height zones to the city council with recommendation for approval or denial.

(Ord. No. 09-09, § 1, 6-15-09)