

DRAFT

6-3-05

1 service report produced by the North Central Florida Regional Planning Council. These design
2 standards requirements shall not override ~~previously existing~~ design standards adopted as part of
3 a Special Area Plan, Overlay District, or Planned Development ~~approved prior to the adoption of~~
4 ~~the TCEA.~~

5 Policy 1.3.2

6 New development of automotive-oriented uses located within the TCEA, such as retail petroleum
7 sales (gasoline service stations), car washes, automotive repair, and limited automotive services
8 (as defined in the Land Development Code), shall be designed to locate service bays and fueling
9 (gas) pumps to the rear of buildings located on the site. These design standards shall not apply in
10 industrial zoning districts. The number of fueling positions shall be regulated by TCEA policies.

11 Objective 1.4

12 Automobile-oriented developments/uses including drive-through facilities, surface parking lots
13 as a principal use, parking garages, car washes, and gasoline service stations shall be regulated as
14 follows within the TCEA.

15 Policy 1.4.1

16 The City may establish pedestrian-, transit-, and bicycle-oriented areas, through a special area
17 plan overlay zone adopted within the Land Development Code, which prohibit or further regulate
18 automobile-oriented developments/uses beyond the standards set by the TCEA.

19 Policy 1.4.2

20 Special Area Plan overlay district regulations (such as the College Park Special Area Plan and
21 the Traditional City) that prohibit and regulate automobile-oriented development/uses, as
22 described in Objective 1.4, shall not be modified by provisions or policies of the TCEA.

1 Policy 1.4.3

2 New development of surface parking lots as a principal use shall be required to obtain a Special
3 Use Permit. In addition to the review criteria set in the Land Development Code for Special Use
4 Permits, the approval of the Special Use Permit shall be based on consideration of the size/scale
5 of the proposed surface parking lot and the inclusion of design and access features which
6 maintain pedestrian, bicycle and transit safety and do not discourage pedestrian, bicycle and
7 transit use in the area.

8 Policy 1.4.4

9 Drive-through facilities shall be defined to include banking facilities, payment windows,
10 restaurant, food and or/beverage sales, dry cleaning, express mail services and other services that
11 are extended mechanically or personally to customers who do not exit their vehicles. The
12 following uses shall not be considered drive-throughs: auto fuel pumps and depositories which
13 involve no immediate exchange or dispersal to the customer, such as mail boxes, library book
14 depositories, and recycling facilities.

15 In addition to the review criteria set in the Land Development Code for Special Use Permits, the
16 following review standards for drive-through facilities shall be included:

- 17 a. maximization of pedestrian and bicycle safety and convenience;
- 18 b. adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent
19 roadways;
- 20 c. provision of a by-pass lane or sufficient driveway area around the drive-through lanes to
21 assist internal vehicular circulation;
- 22 d. minimization of the visual impacts of the drive-through lanes on street frontage areas;
- 23 e. minimization of the total number of drive-through lanes based on site conditions and the
24 operating conditions of the impacted roadway segments;

- 1 f. minimization of the number of access points to roadways;
- 2 g. design of access points and ingress/egress directional flows to minimize impacts on the
- 3 roadway and non-motorized traffic;
- 4 h. design of internal pedestrian access and safety as related to the position of the drive-through
- 5 lane(s); and,
- 6 i. meeting any additional design criteria established in the Land Development Code.

7 Policy 1.4.5

8 Unless otherwise prohibited or regulated by a Special Area Plan, the development of new free-

9 standing drive-through facilities or expansion of existing free-standing drive-through facilities,

10 not meeting the provisions of Policy 1.4.6, shall be required to obtain a Special Use Permit.

11 These drive-through facilities shall meet the Special Use Permit criteria shown in the Land

12 Development Code and review criteria shown in Policy 1.4.4. In addition, drive-through

13 facilities not developed under the provisions of Policy 1.4.6 or 1.4.7 shall also meet the following

14 standards:

- 15 a. There shall be a minimum distance of 400 feet between the driveways of sites with free-
- 16 standing drive-through facilities on roadways operating at 85 percent or more of capacity.

17 Roadway capacity shall be measured using the latest version of Art-Plan or a method deemed

18 acceptable by the Technical Advisory Committee Subcommittee of the Metropolitan

19 Transportation Planning Organization. Available capacity shall include consideration of

20 reserved trips for previously approved developments and the impacts of the proposed

21 development. The 400-foot distance requirement shall not apply if any of the following

22 criteria are met:

- 23 1. Joint driveway access or common access is provided between the sites with free-
- 24 standing drive-through facilities.

- 1 2. Cross access is provided with an adjoining property.
- 2 3. A public or private road intervenes between the two sites.
- 3 4. The development provides a functional design of such high quality that the
- 4 pedestrian/sidewalk system and on-site/off-site vehicular circulation are not
- 5 compromised by the drive-through facility. This determination shall be made as part of
- 6 the Special Use Permit and development plan review process and shall be based on staff
- 7 and/or board review and approval.

8 b. There shall be no credit for pass-by trips in association with the drive-through facility.

9 Standards which must be met under Policy 1.1.6 shall be based on total trip generation for

10 the use and shall not include any net reduction for pass-by trips.

11 Policy 1.4.6

12 Unless otherwise prohibited or regulated by a Special Area Plan, new development or expansion

13 of free-standing drive-through facilities shall be permitted, by right, only within shopping centers

14 or mixed-use centers. No direct access connections from the street to the drive-through shall be

15 allowed. Access to the drive-through shall be through the shopping center or mixed-use center

16 parking area. Mixed-use centers shall be defined as developments regulated by a unified

17 development plan consisting of three or more acres, having a minimum of 25,000 square feet of

18 gross floor area, and providing centralized motorized vehicle access and a mix of at least three

19 uses which may include residential or non-residential uses in any combination. Mixed-use

20 centers may include Planned Developments which meet the criteria listed in this policy.

21 Development plan approval for the drive-through facility shall be based on the inclusion of

22 appropriate pedestrian, bicycle and transit features which facilitate and encourage convenience,

23 safety, and non-motorized use of the site; design of safe internal pedestrian access as related to

24 the position of the drive-through lane(s); and meeting design criteria established in the Land

1 Development Code. Drive-through facilities meeting the criteria shown in this policy shall also
2 receive an internal capture trip credit and credit for pass-by trips.

3 Policy 1.4.7

4 New development of drive-through facilities shall be permitted, by Special Use Permit, when
5 part of a single, mixed-use building, having more than one business or use at the site, where the
6 minimum square footage of the mixed-use building is 25,000 square feet. Only one drive-
7 through use at such sites shall be allowed. In addition to the review criteria set in the Land
8 Development Code for Special Use Permits, the approval of the Special Use Permit shall be
9 based on the inclusion of pedestrian, bicycle and transit features which facilitate and encourage
10 convenience, safety and non-motorized use of the site; design of safe internal pedestrian access
11 as related to the position of the drive-through lane(s); and meeting design criteria established in
12 the Land Development Code. Drive-through facilities meeting the criteria shown in this policy
13 shall also receive an internal capture trip credit and credit for pass-by trips.

14 Policy 1.4.8

15 ~~By February 2000, the City shall adopt Land Development Regulations which specify minimum-~~
16 ~~design criteria for drive-through uses in the TCEA.~~

17 ~~Policy 1.4.9~~

18 On the road segment of NW 13th Street from University Avenue to NW 29th Road, drive-through
19 facilities shall only be located within shopping centers, mixed use centers, or mixed use
20 buildings, as defined in this element. Drive-through facilities on this road segment shall meet the
21 requirements of Policies 1.4.6 and 1.4.7.

22 ~~Policy 1.4.10~~ 1.4.9

23 Within the TCEA, retail petroleum sales at service stations and/or car washes, either separately,
24 or in combination with the sale of food or with eating places, shall be required to obtain a Special

1 Use Permit. In addition to the review criteria set in the Land Development Code for Special Use
2 Permits, the following review standards shall be included:

3 a. Site design shall enhance pedestrian/bicycle access to any retail or restaurant facilities on
4 site. Sidewalk connections or marked pedestrian crosswalks shall be shown on the site plan.

5 b. The number and width of driveways shall be minimized.

6 c. Except where more stringently regulated by a Special Area Plan or overlay district, the
7 maximum number of fueling positions shall be set as follows:

8 1. No limitation on fueling positions in the Industrial zoning categories;

9 2. Six fueling positions in the Mixed Use Low land use category or Mixed Use 1 zoning
10 district;

11 3. Until adoption, in the Land Development Code, of specific architectural and design
12 standards, six fueling positions in all other zoning categories where gasoline service
13 stations (retail petroleum sales) or food stores with accessory gasoline and alternative
14 fuel pumps are allowed. In the interim period before the adoption of architectural and
15 design standards, additional fueling positions, up to a maximum of twelve, may be
16 allowed as part of a Planned Development rezoning or Special Use Permit process, with
17 the final approval of the City Commission, based on meeting all of the following
18 conditions:

19 a. The size of the site can safely accommodate the additional fueling positions while
20 meeting all required landscaping, buffering, and other Land Development Code
21 requirements;

22 b. Site access and traffic safety conditions on adjacent roadways and intersections are
23 not compromised by the additional trips generated by the additional fueling
24 positions;

- 1 c. Pedestrian/bicycle safety and comfort in the area are not compromised by the
2 additional trips generated by the additional fueling positions;
- 3 d. The architectural and site design are of such high quality that they enhance the site
4 area and promote the City's multi-modal and design goals. As part of a Planned
5 Development rezoning or Special Use Permit review process, the developer shall
6 provide a development plan, elevations and architectural renderings of the proposed
7 site including details such as, but not limited to, façade treatment, colors, lighting,
8 roof detail, signage, landscaping, building location relative to the street, and location
9 of access points.
- 10 e. Cross-access or joint driveway usage is provided to other adjacent developments.
- 11 f. Retail convenience goods sales or a restaurant are included in the development and
12 designed such that pedestrian or bicycle use of the site is encouraged. The retail
13 convenience goods sales or restaurant building and development shall meet all of the
14 following requirements:
- 15 1. Building(s) shall be placed close to the public sidewalk for a substantial length
16 of the site's linear frontage;
- 17 2. A minimum of 30 percent window area or glazing at pedestrian level (between 3
18 feet above grade and 8 feet above grade) on all first-floor building sides with
19 street frontage. Windows or glazing shall be at least 80 percent transparent;
- 20 3. A pedestrian entry is provided from the public sidewalk on the property frontage;
21 or, near a building corner when the building is on a corner lot;
- 22 4. Off-street parking shall be located to the side or rear of the building;
- 23 5. The building height and façade elevation are appropriate for the site and
24 surrounding zoned properties.

- 1 4. Until adoption in the Land Development Code of specific architectural and design
2 standards, ten fueling positions within ¼ mile of an I-75 interchange. In the interim
3 period before the adoption of architectural and design standards, additional fueling
4 positions, to a maximum of twelve, may be allowed as part of a Planned Development
5 rezoning or Special Use Permit process, with the final approval of the City Commission,
6 based on meeting all of the conditions shown in 3 a-f above.

7 Policy ~~1.4.11~~1.4.10

- 8 Within the TCEA, ~~the City shall adopt Land Development Regulations~~ development plans for the
9 placement of new parking garages as a principal or accessory use ~~that~~ shall address:
- 10 a. minimizing conflict with pedestrian and bicycle travel routes;
 - 11 b. providing parking for residents, employees, or customers in order to reduce the need for on-
12 site surface parking;
 - 13 c. being located and designed to discourage vehicle access through residential streets;
 - 14 d. designing facilities for compatibility with neighborhoods by including ground floor retail,
15 office, or residential use/development (as appropriate for the zoning district) when located on
16 a public street. The facility shall also have window and facade design that is scaled to relate
17 to the surrounding area.

18 Objective 1.5

- 19 In order to enhance the visual characteristics of roadways and create an appealing environment
20 which supports multi-modal transportation opportunities, the City shall adopt streetscaping and
21 landscaping standards for regulated roadways within the TCEA.

22 Policy 1.5.1

1 The November 1998 Gateway Corridor Design Concept Plan shall be used as the basis for all
2 landscape plans to be prepared for the rights-of-way and medians of all regulated roadways
3 within the TCEA.

4 Policy 1.5.2

5 The City Arborist shall approve final landscaping proposals required in Policy 1.5.1.

6 Policy 1.5.3

7 The priority for landscaping of roadway rights-of-way and/or medians shall be within Zone A of
8 the TCEA. First priority shall be given to major arterials within Zone A. Funding for the
9 installation of landscape projects within Zone A shall be from the City, Community
10 Redevelopment Agency, state and federal government, and/or grants, as an incentive for
11 development within the area. Maintenance responsibility shall be provided by the City,
12 Community Redevelopment Agency, or grant funds.

13 Policy 1.5.4

14 The City shall include right-of-way and median landscaping as part of any major roadway
15 modification program.

16 Policy 1.5.5

17 New development within Zone B or Zone C shall be required to plant ~~an~~ minimum ~~45~~ 65-gallon-
18 sized trees, ~~12~~ 18-feet tall and ~~2.5~~ 3.5 inches in trunk caliper, or their equivalent in winter-dug
19 and hardened-off balled and burlapped trees for the required landscaping along roadways within
20 Zone B as listed in the annual level of service report produced by the North Central Florida
21 Regional Planning Council, selected from the Tree List in the Land Development Code. Within
22 Zone C, the 65-gallon tree landscaping requirement shall apply to all public or private streets. If
23 ~~45-65-~~ gallon or equivalent trees are not available, the number of required shade trees can be
24 appropriately increased with the approval of the City Arborist or designee. All new development

1 sites within Zone B and Zone C shall also be required to install an automated irrigation system to
2 preserve new landscaping. Redevelopment sites shall be required to meet this landscaping policy
3 at a 50 percent rate. Redevelopment sites where 40 percent or more of the developed area (as
4 defined in the Land Development Code) of the site is being altered shall also be required to meet
5 the automated irrigation system requirement. Trees shall be planted on private property within
6 buffer areas or on right-of-way, if approved by the City. Land Development Code regulations
7 shall specify the type, size, and other standards for trees planted to meet TCEA requirements.
8 Developments within areas designated in the Land Development Code as landscape exempt,
9 areas within Special Area Plans with pedestrian-oriented build-to line provisions, area within the
10 approach and clear zone areas as specified on the Gainesville Regional Airport master plan, and
11 developments meeting the criteria for Rapid Review as shown in the Land Development Code
12 shall be excluded from these requirements.

13 Objective 1.6

14 The City shall adopt the following policies to regulate parking within the TCEA.

15 Policy 1.6.1

16 Within the TCEA, parking in excess of the minimum required by the Land Development Code
17 shall not be allowed.

18 Policy 1.6.2

19 Within the TCEA, developments may apply for a parking reduction based on criteria in the Land
20 Development Code.

21 Objective 1.7

22 The City shall coordinate with the Metropolitan Transportation Planning Organization (MTPO)
23 to balance the need for and design of roadway modifications with the City's needs for urban
24 redevelopment, infill and quality urban design.

1 Policy 1.7.1

2 In cooperation with the MTPO, the City shall encourage that all designs for new roadways and
3 redesigns of existing roadways include consideration of features to improve multi-modal
4 transportation, as appropriate. These considerations shall include construction of bus turn-out
5 facilities, bicycle lanes, sidewalks, enhanced pedestrian crosswalks, pedestrian scale lighting,
6 landscaping of medians and rights-of-way, and traffic calming mechanisms.

7 Policy 1.7.2

8 As part of the ongoing coordination with the MTPO and the Florida Department of
9 Transportation, the City shall designate corridors where road widening is not feasible or
10 desirable. These roadway corridors shall then be designated as "Policy Constrained" or
11 "Physically Constrained" facilities where alternatives to road widening are the primary strategy
12 for roadway congestion.

13 Objective 1.8

14 The City shall coordinate on an ongoing basis with Alachua County concerning the TCEA.

15 Policy 1.8.1

16 For developments generating more than 100 net, new trips within 1/4 mile of a County-
17 maintained road or the unincorporated area, or for any projects within the TCEA that generate
18 more than 1,000 net, new trips, County staff will be forwarded any development plans and
19 associated traffic studies. County staff shall have the opportunity to comment on the proposed
20 development and its impacts on County-maintained roads or State-maintained roads and any
21 standards proposed/required to be met under Policy 1.1.6 or 1.1.7. County staff may raise the
22 trip threshold for review of plans at any time by informing the City of such change, in writing.

23 Policy 1.8.2

1 The City shall cooperate with Alachua County in the establishment of a joint TCEA for areas
2 bordering the City's TCEA as long as the policies within the County's portion of the TCEA are
3 the same or substantially similar to the City's.

4 Policy 1.8.3

5 After receipt of the annual update of the Level of Service Report produced by the North Central
6 Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of
7 approved development within the TCEA on County-maintained roads and share the information
8 with Alachua County.

9 Objective 1.9

10 The City shall coordinate on an ongoing basis with the Florida Department of Transportation
11 (FDOT) concerning the TCEA.

12 Policy 1.9.1

13 For all developments accessing State roads, FDOT staff shall have the opportunity to comment
14 on the proposed development and its impacts on State roads.

15 Policy 1.9.2

16 After receipt of the annual update of the Level of Service Report produced by the North Central
17 Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of
18 developments in the TCEA on the Florida Intrastate Highway System and share that information
19 with the Florida Department of Transportation.

20 Objective 1.10

21 The City shall continue to enforce transportation concurrency requirements for all developments
22 outside the adopted TCEA.

23 Policy 1.10.1

1 Outside the TCEA, transportation concurrency requirements (for roads and transit) shall be met
2 under any of the following standards:

3 a. The necessary facilities and services, at the adopted level of service standard, are in place or
4 under construction at the time a final development order is issued.

5 b. The necessary facilities and services to serve the new development, at the adopted level of
6 service standard, are scheduled to be in place or under actual construction not more than
7 three years after issuance of a certificate of occupancy as provided in the City's adopted
8 Five-Year Schedule of Capital Improvements. The Capital Improvements Element must
9 include the following information and/or policies:

10 1. The estimated date of commencement of actual construction and the estimated date of
11 project completion.

12 2. A provision that a plan amendment is required to eliminate, defer, or delay construction
13 of any road or transit facility or service which is needed to maintain the adopted level of
14 service standard and which is listed in the Five-Year Schedule of Capital Improvements.

15 c. The necessary facilities and services to serve the new development, at the adopted level of
16 service standard, are transportation projects included in the first three years of the applicable
17 adopted FDOT five-year work program.

18 d. At the time a final development order is issued, the necessary facilities and services are
19 guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida
20 ~~Statues~~ Statutes, or an agreement or development order issued pursuant to Chapter 380,
21 Florida Statutes, to be in place or under actual construction not more than three years after
22 issuance of a Certificate of Occupancy.

23 e. At the time a final development order is issued, the necessary facilities and services are
24 guaranteed in an enforceable development agreement, which guarantee is secured by a

1 completion bond, letter of credit, or other security acceptable to the City Attorney. The
2 agreement must guarantee that the necessary facilities and services will be in place or under
3 actual construction not more than three years after issuance of a Certificate of Occupancy.

4 The development may meet any of the requirements in Policy 1.10.1 by making a payment and
5 contracting with the City in an enforceable agreement for the provision of the facilities or
6 services.

7 Policy 1.10.2

8 Outside the TCEA, a proposed urban redevelopment project located within the City's existing
9 service area as shown on the Future Land Use Map series, shall be traffic concurrency exempt
10 for roadway level of service standards for up to 110 percent of the transportation impact
11 generated by the previously existing development. A previously existing development shall be
12 defined as the actual previous built use which was occupied and active within the last five years
13 prior to application for development plan review. The transportation concurrency exemptions
14 granted under this policy shall not relieve development from providing public sidewalks along all
15 street frontages, sidewalk connections from the building to the public sidewalk, and closure of
16 existing excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the
17 development site as defined in the Access Management portion of the Land Development Code.
18 Transportation modifications which are required due to traffic safety and/or operating conditions
19 unrelated to transportation concurrency shall be provided by the developer.

20 Policy 1.10.3

21 Outside the TCEA, for the purpose of issuing a final development order, a proposed development
22 shall be defined as having a de minimis impact (as defined by ~~Chapter~~ section 163.3180, Florida
23 Statutes), and be exempt from transportation concurrency for roadway level of service standards
24 as follows:

- 1 a. The impact would not affect more than one percent of the maximum service volume at the
2 adopted level of service of the affected roadway segment.
- 3
- 4 b. No impact shall be de minimis if the sum of existing roadway volumes and the projected
5 volumes from approved projects on a roadway segment would exceed 110 percent of the
6 maximum volume at the adopted level of service of the roadway segment.
- 7 c. A single family dwelling on an existing lot of record (which existed prior to the adoption of
8 the 1991 Comprehensive Plan) shall constitute a de minimis impact on any affected roadway
9 segments regardless of the level of service standard deficiency of the roadway segments.
- 10 d. Exemptions from transportation concurrency granted under Policy 1.10.3 shall not relieve the
11 development from, where necessary, providing public sidewalks along all street frontages,
12 sidewalk connections from the building to the public sidewalk, and closure of existing
13 excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the
14 development site as defined in the Access Management portion of the Land Development
15 Code. Transportation modifications which are required due to traffic safety and/or operating
16 conditions unrelated to transportation concurrency shall be provided by the developer.

17 **Section 2.** Policy 1.5.6, Objective 1.5, Goal 1, of the Future Land Use Element
18 Goals, Policies and Objectives, City of Gainesville 2000-2010 Comprehensive Plan, is
19 hereby amended to read as follows:

20 The City certifies that the entire area within current city limits meets the Chapter
21 163.3164(29), Florida Statutes' definition of an existing urban service area as supported
22 by the Data and Analysis Report. The City hereby establishes city limits, ~~as of the~~

1 ~~effective date of this amendment~~, as an existing urban service area for the purposes of the
2 Transportation Concurrency Exception Area (TCEA).

3 **Section 3.** Policy 1.2.6, Objective 1.2, Goal 1 of the Capital Improvements
4 Element Goals, Objective and Policies, City of Gainesville 2000-2010 Comprehensive
5 Plan, is hereby amended to read as follows:

6 The City shall adopt the following LOS standards for public facilities within its jurisdiction as
7 indicated in the relevant Elements of its Comprehensive Plan:

8 Transportation Mobility: Policies 3.2.3, 7.1.6, 7.1.7, 7.1.8, ~~7.1.9~~, 7.1.11, ~~7.1.12~~, 7.1.13

9 ~~7.2.3~~

10 Stormwater: Policy 1.1.1

11 Potable Water: Policy 1.1.1

12 Wastewater: Policy 1.1.2

13 Recreation: Policy 1.1.1

14 Solid Waste: Policy 1.4.1

15 Concurrency Management: Policies 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6, 1.1.7, 1.1.9, 1.1.10

16 **Section 4.** The City Manager is authorized and directed to make the necessary
17 changes in maps and other data in the City of Gainesville 2000-2010 Comprehensive
18 Plan, or element, or portion thereof in order to fully implement this ordinance.

19 **Section 5.** It is the intent of the City Commission that these amended elements
20 will become part of the City of Gainesville 2000-2010 Comprehensive Plan.

21 **Section 6.** If any section, sentence, clause or phrase of this ordinance is held to be
22 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
23 in no way affect the validity of the remaining portions of this ordinance.

1 Section 7. All ordinances or parts of ordinances in conflict herewith are to the
2 extent of such conflict hereby repealed.

3 Section 8. This ordinance shall become effective immediately upon final
4 adoption; however, the effective date of this plan amendment shall be the date a final
5 order is issued by the Administration Commission finding the amendment to be in
6 compliance in accordance with Section 163.3184, F.S.

7 PASSED AND ADOPTED this ____ day of _____, 2005.

8

9

10

PEGEEN HANRAHAN, MAYOR

11

12

ATTEST:

Approved as to form and legality

13

14

15

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

16

17

This Ordinance passed on first reading this ____ day of _____, 2005.

18

This Ordinance passed on second reading this ____ day of _____, 2005.

