

LEGISLATIVE #
200730A

1 **ORDINANCE NO. 200730**

2 **An ordinance of the City of Gainesville, Florida, amending the Land Development Code**
3 **(Chapter 30 of the City of Gainesville Code of Ordinances) Section 30-2.1 *Definitions*,**
4 **Section 30-4.13 *Building Form Standards*, and Section 30-4.14 *Building Design***
5 ***Standards* to modify building frontages, building entrance, building materials, and**
6 **ground floor tenant space requirements for properties in transect zones; providing**
7 **directions to the codifier; providing a severability clause; providing a repealing clause;**
8 **and providing an immediate effective date.**
9

10 **WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for
11 municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida
12 Constitution, including the exercise of any power for municipal purposes not expressly prohibited by
13 law; and

14 **WHEREAS**, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of Gainesville to
15 maintain a Comprehensive Plan to guide the future development and growth of the city by providing the
16 principles, guidelines, standards, and strategies for the orderly and balanced future economic, social,
17 physical, environmental, and fiscal development of the city; and

18 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or amend
19 and enforce land development regulations that are consistent with and implement the Comprehensive
20 Plan, and that are combined and compiled into a single land development code for the city (the City of
21 Gainesville's Land Development Code is Chapter 30 of the Code of Ordinances); and

22 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the text of the Land
23 Development Code as described herein; and

24 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the
25 Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section
26 163.3174, Florida Statutes, held a public hearing on August 26, 2021, and voted to recommend the City
27 Commission approve this text change to the Land Development Code; and

1 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
2 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall
3 Auditorium located on the first floor of City Hall in the City of Gainesville; and

4 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings the
5 parties in interest and all others had an opportunity to be and were, in fact, heard; and

6 **WHEREAS**, the City Commission finds that the Land Development Code text amendment described
7 herein is consistent with the City of Gainesville Comprehensive Plan.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
9 **FLORIDA:**

10 **SECTION 1.** Section 30-2.1 of the Land Development Code is amended as follows. Except as amended
11 herein, the remainder of Section 30-2.1 remains in full force and effect.

12 **Sec. 30-2.1. Definitions.**

13 **Glazing** means the design and placement of windows and entrances with clear glass in a building
14 facade. Glazing percentages are calculated by measuring the area of glazing between three feet and
15 eight feet above grade, and dividing it by the total area of the building facade between three feet and
16 eight feet above grade. Required glazing ~~shall be at least 80 percent transparent and shall~~ may not
17 utilize painted glass, reflective glass or other similarly treated windows. Glazed areas on entrances
18 may be counted towards meeting the minimum glazing requirements.

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21 **SECTION 2.** Subsection B of Section 30-4.13 of the Land Development Code is amended as follows.
22 Except as amended herein, the remainder of Section 30-4.13 remains in full force and effect.

23 **Sec. 30-4.13. Building Form Standards.**

24 B. **Building frontage.** Building frontage requirements ~~shall create a~~ are intended to help frame the
25 public realm by creating continuous building presence along streets.
26 1. The building frontage standards are a proportion of the building length relative to the width of
27 the development site measured at the site frontage line, (see Figure V-3). Building frontage
28 standards do not apply to new single-family dwelling construction.

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30 2. *Frontage hierarchy.*

Figure V-3: Building Frontage

- a. Where a development has frontage along multiple street types that do not include a thoroughfare, the urban street (storefront or principal, in that order of hierarchy) shall be considered the primary street for the front face of the building.
- b. Where a development has frontage on a thoroughfare and any other street type, the thoroughfare shall be considered the primary street.
- c. Where a development has frontage on two streets of equal type, then the city manager or designee shall make a determination as to which street frontage shall be considered primary.

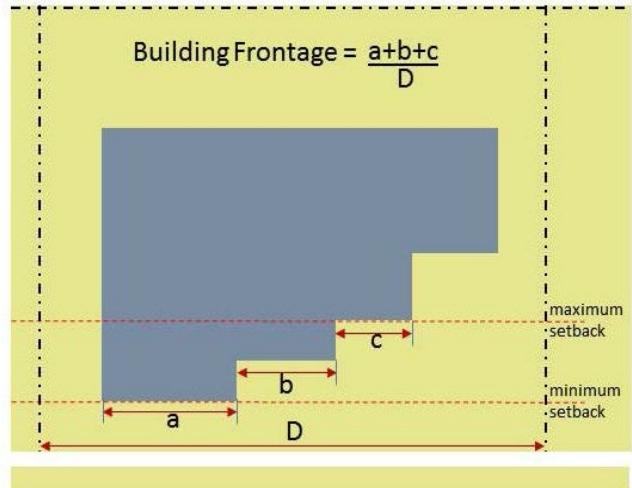


Figure V-4: Example of Gateway



Floor above gateway not required

~~3. In the case where the required building frontage cannot be met due to the need to provide vehicular access from the primary frontage, a gateway, arch or similar feature may be provided to preserve the block continuity and may be counted toward meeting the building frontage requirement, (see Figure V-4).~~

3. Outdoor seating areas, when located within the min/max street setback, may be counted towards meeting (up to 30%) the required building frontage requirements. Outdoor seating must be located behind a 3-4-foot screening wall that is integral and aligned with the front building façade. The wall must be architecturally consistent with the materials of the adjoining façade.

4. The appropriate reviewing board may consider alternative proposals for meeting building frontage requirements, including public art installations, innovative and unique landscape/hardscape improvements, or similar methods, which enhance the public realm and create a consistent urban form along the street.

4.5. A preserved high quality heritage tree canopy within the street setback range may count towards meeting the building frontage requirement.

5.6. The ground floor along the street frontages shall ~~must~~ contain active uses oriented to the street. Active uses may include, but are not limited to, display or floor areas for retail uses, waiting and seating areas for restaurants, atriums or lobbies for offices, lobbies or dining areas for hotels or multi-family residential buildings, and hotel rooms or multi-family residential units with street facing entrances. Active uses may include, but are not limited to, display or floor areas for retail uses; waiting and seating areas for restaurants; atriums, lobbies, amenity areas, or dining areas

1 for hotels or multi-family residential buildings; or ground floor offices. Active uses must be
2 concentrated along storefront and principal designated streets. In the event that all of the
3 abutting roadways are local streets, active ground floor uses must be concentrated along the
4 most primary local street as determined by existing or anticipated pedestrian traffic.

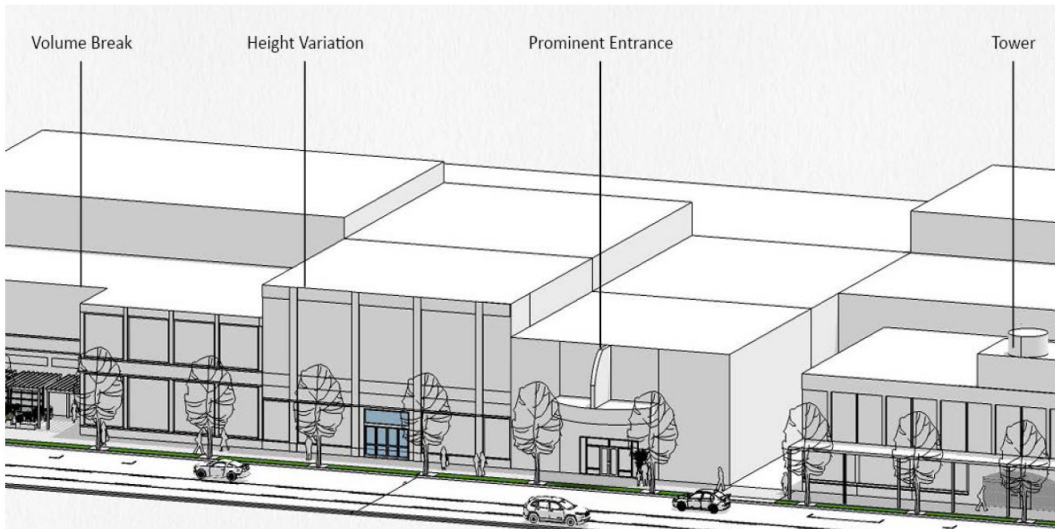
5 7. In order to make ground floor commercial spaces viable and ready for operation, the
6 owner/developer shall complete, prior to the issuance of any Certificate of Occupancy for the
7 associated building or development, the installation of all mechanical, electrical, plumbing, and
8 fire protection infrastructure necessary for general tenant operability. The owner/developer
9 shall also provide exhaust ventilation and grease interceptors during construction of the initial
10 building shell. Grease interceptor size will be determined by GRU during the grease
11 trap/interceptor permitting process and must provide adequate capacity to serve all prospective
12 ground floor tenant spaces.

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15 **SECTION 3.** Section 30-4.14 of the Land Development Code is amended as follows.

16 **Sec. 30-4.14. Building Design Standards.**

17 A. *Building massing.* Large building volumes must ~~shall~~ be divided to appear as smaller volumes
18 grouped together. Volume breaks may be achieved by volume projections and recesses, and varying
19 heights and roof lines. Therefore, building facades must ~~shall~~ not exceed 60 feet along a street
20 frontage without providing a substantial volume break such as a volume projection or recess, a
21 tower or bay, or an architecturally prominent public entrance. The recesses and projections must
22 ~~shall~~ have a minimum depth and width of ten feet.

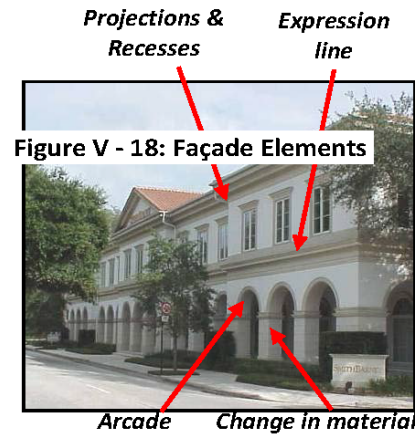
23 **Figure V-16: Building Massing**



25 B. *Facade articulation.* The standards contained in this section apply to multi-family, nonresidential,
26 and mixed-use buildings. Building facades along streets must ~~shall~~ maintain a pedestrian scale by
27 integrating the following architectural elements:

1. Façades ~~may shall~~ not exceed 20 horizontal feet without including at least one of the following elements:

- a. A window or door.
- b. Awning, canopy or marquee.
- c. An offset, column, reveal, void, projecting rib, band, cornice, or similar element with a minimum depth of six inches.
- d. Arcade, gallery or stoop.
- e. Complementary changes in façade materials or texture.



- 2. An expression line ~~must shall~~ be provided between the first and second stories delineating the transition between ground and upper floors.
- 3. Architectural treatments on the façade, such as cornices or expression lines, ~~must shall~~ be continued around the sides of the building visible from a street.
- 4. All building elevations (including secondary/interior side façades) ~~must shall~~ use similar materials and appearance as the front/street façade.

C. Exterior building materials. The following exterior material standards are required for each elevation of each building in any project that: (a) is multi-family residential or mixed-use projects that include both residential and nonresidential uses; (b) meets the threshold of either intermediate or major development plan review; or (c) is greater than two stories and is located on a storefront street, principal street, or thoroughfare street.

- 1. Exterior materials must be durable and weather-resistant and must be applied and maintained in accordance with the manufacturer’s specifications or installation instructions.
- 2. Because the overall palette of materials should not be overly complex, each elevation must be limited to no more than three materials. The material for trim, fascia, mechanical penetrations, and other similar features may be excluded from this material limitation.
- 3. Exterior material classifications on each elevation must meet the percentages in Table X: Exterior Building Material Percentages. Interior elevations that do not face a public street or sidewalk are exempt from the requirements of Table X. Material percentage calculations are based on the elevation area for each individual elevation excluding window glazing or door areas.
 - a. Class I: brick masonry; stone masonry; cast stone masonry; precast concrete – architectural finish; concrete – architectural finish; glass wall system; metal panel.
 - b. Class III: concrete masonry unit – architectural finish; concrete masonry unit – unfinished; precast concrete – unfinished; concrete – unfinished; wood composite lap siding; EIFS (Exterior Insulation Finishing Systems); synthetic stucco.
 - c. Class III: concrete masonry unit – architectural finish; concrete masonry unit – unfinished; precast concrete – unfinished; concrete – unfinished; wood composite lap siding; EIFS (Exterior Insulation Finishing Systems); synthetic stucco.

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Table X: Exterior Building Material Percentages

<u>Development threshold</u>	<u>Class I %</u>	<u>Class II & III*%</u>
<u>Intermediate project</u>	<u>30 (min) - 100 (max)</u>	<u>0 (min) - 70 (max)</u>
<u>Major project</u>	<u>60 (min) -100 (max)</u>	<u>0 (min) – 40 (max)</u>

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3 d. Class III materials may not constitute more than 30 percent of any building elevation.
 4 Unfinished concrete, precast concrete, or concrete masonry units may not be used on any
 5 building elevation facing a public street or sidewalk. Exterior Insulation and Finish System
 6 (EIFS) may only be located at least 12-feet above ground level, measured from the base of
 7 the subject elevation

8 4. The appropriate reviewing authority may allow modifications of exterior building material
 9 standards, including allowing the use of alternative materials not listed in Table X, considering
 10 the degree that the proposed substitute material is substantially similar in durability and
 11 longevity.

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13 D. Glazing requirements.

14 1. Glazing percentages ~~shall~~ must be calculated as follows:

15 a. Nonresidential first floor: The area of glass between three feet and eight feet above finished
 16 floor, divided by the area of the building façade also between three feet and eight feet
 17 above finished floor.

18 b. Nonresidential above first floor: The combined area of
 19 glass on all floors above the first divided by the total
 20 area of the building façade for those floors.

21 c. Residential: The area of glass divided by the area of the
 22 façade.

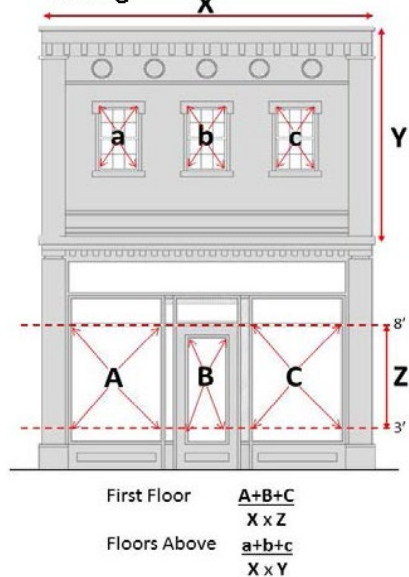
23 2. The approving authority may allow reduced glazing and/or
 24 glass transmittance for places of religious assembly and
 25 schools.

26 3. There is no maximum limit on how much glazing may be
 27 provided. However, if glass walls are used, an architectural
 28 feature, such as a canopy/marquee, overhang, or a
 29 horizontal change in plane ~~shall~~ must be provided between
 30 the first and second floors to ensure pedestrian scale at the
 31 sidewalk level.

32 4. Windows and glass doors ~~shall~~ must be glazed in clear glass
 33 with ~~80~~ 70 percent minimum transmittance. The use of
 34 reflective glass and reflective film is prohibited on the ground floor of all buildings.

35 D. E. Building entrances.

Figure V - 17: Non-Residential Glazing



- 1 1. Each building ~~shall provide~~ must include a primary public entrance oriented toward the public
2 right-of-way, and may be located at the building corner facing the intersection of two streets.
3 Additional entrances may be provided on other sides of the building.
- 4 2. Primary public entrances ~~shall~~ must be operable, clearly-defined, and highly-visible. In order to
5 emphasize entrances, they ~~shall~~ must be accented by a change in materials around the door,
6 recessed into the façade (alcove), or accented by an overhang, awning, canopy, or marquee.
7 Primary public entrances ~~shall~~ must provide direct access to building areas dedicated to ground
8 floor active uses specified in Sec. 30-4.13.B.5.
- 9 3. All multi-family residential units along street frontages shall contain street facing entrances.
10 Where a ground floor unit has an entrance from an interior hallway, a secondary entrance to the
11 unit shall be provided with access to the adjoining sidewalk.
- 12 ~~3~~ 4. Building frontages for non-residential uses along the street shall must have functional entrances
13 at least every 150 feet.

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16 **SECTION 4.** It is the intent of the City Commission that the provisions of Sections 1 through 3 of this
17 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and
18 that the sections and paragraphs of the Code of Ordinances may be renumbered or relettered in order
19 to accomplish such intent.

20 **SECTION 5.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
21 application hereof to any person or circumstance is held invalid or unconstitutional, such finding will not
22 affect the other provisions or applications of this ordinance that can be given effect without the invalid
23 or unconstitutional provision or application, and to this end the provisions of this ordinance are declared
24 severable.

25 **SECTION 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict
26 hereby repealed.

27 **SECTION 7.** This ordinance will become effective immediately upon adoption.

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29 **PASSED AND ADOPTED** this _____ day of _____, 2022.
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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINEY
CITY CLERK

DANIEL M. NEE
INTERIM CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2022.

This ordinance passed on second reading this _____ day of _____, 2022.