

LEGISLATIVE #

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ORDINANCE NO. 100697

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element by adding a new Policy 4.3.7 to regulate the Urban Village as mapped in the Future Land Use Element Map Series; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, publication of notice of a public hearing was given that the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan be amended, as more specifically described in this ordinance; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on February 2, 2011 (continued from January 27, 2011); and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Commission on March 3, 2011; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

WHEREAS, pursuant to law, after the public hearing at the transmittal stage, the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

1 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long
2 was placed in the aforesaid newspaper notifying the public of the second public hearing to be
3 held at the adoption stage at least five (5) days after the day the second advertisement was
4 published; and

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

8 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered the
9 written comments, if any, of the State Land Planning Agency and other State reviewing agencies
10 in accordance with the new state growth management law, House Bill 7207, which became
11 effective on June 2, 2011.

12 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
13 **CITY OF GAINESVILLE, FLORIDA:**

14 **Section 1.** The Future Land Use Element of the City of Gainesville 2000-2010
15 Comprehensive Plan is amended by adding Policy 4.3.7 as stated below.

16 **Policy 4.3.7**

17 The City establishes the Urban Village, as mapped in the Future Land Use Element Map Series,
18 to support and implement a long-term vision for redevelopment and development in an area
19 proximate to the University of Florida campus.

20 a. The long-term vision for redevelopment and development includes:

- 1 1. Promoting infill development and redevelopment that supports a safe,
2 comfortable, and attractive pedestrian environment with convenient interconnections to
3 transit and bicycle facilities;
- 4 2. Promoting street interconnectivity, a gridded street network, and connections
5 among uses;
- 6 3. Providing a complementary mix of land uses with appropriate densities and
7 intensities that support transit usage, future bus rapid transit opportunities, and other
8 multimodal opportunities;
- 9 4. Over time, attaining a high quality level of service for sidewalks, bicycle
10 facilities, and transit facilities;
- 11 5. Promoting the local innovation economy by providing locations for employment
12 opportunities in close proximity to the University of Florida campus within a mixed-use
13 setting;
- 14 6. Promoting quality urban design that requires articulated front facades and places
15 buildings and front entrances close to the sidewalk; and,
- 16 7. Promoting an attractive streetscape with appropriate street trees to provide
17 shading and landscape interest and street furniture with a unified design appearance for
18 the area.

1 b. In order to achieve the long-term vision, new development of vacant properties and
2 redevelopment of existing developed properties within the Urban Village shall be
3 evaluated (taking into account the scale, size, nature, density and intensity of the
4 proposed development or redevelopment) to determine which of the following
5 requirements shall apply:

6 1. New development and redevelopment shall be transit-supportive, which includes,
7 but is not be limited to: development at appropriate densities and intensities to support
8 transit use (including bus rapid transit); provision of bus shelters with adequate lighting
9 and bicycle storage facilities in appropriate and safe locations; provision of land for bus
10 turnout facilities in appropriate locations; provision of land for smart bus bays in
11 appropriate locations; and sidewalk and bicycle connections to transit stops. The
12 appraised value of land dedicated for: dedicated transit lanes; construction of bus turnout
13 facilities; construction of smart bus bays and other significant transit-supportive capital
14 improvements shall count toward meeting TCEA Zone M requirements, or other
15 transportation mitigation program in effect at the time of development review.

16 2. To establish transit-supportive densities, new development and redevelopment
17 with a mix of residential and non-residential uses shall develop at a minimum residential
18 density of 10 units per acre. To be considered mixed-use, a residential development shall
19 include a minimum of 10,000 square feet of non-residential uses. To be considered
20 mixed-use, a non-residential development shall contain a minimum of 3 residential units.
21 New single-use, residential development shall develop at a minimum density of 20 units

1 per acre. New development that expands an existing single-use residential development
2 on the existing site shall not be required to meet the 20 units per acre density
3 requirement. The minimum density requirements do not apply to parcels smaller than 0.5
4 acre that existed prior to 12:01am on June 1, 2009 (the effective date of Ordinance No.
5 080137, that annexed the Urban Village into the City of Gainesville), as documented by
6 the City's records of that date.

7 3. In order to serve the development/redevelopment and establish a gridded roadway
8 system in the Urban Village, new development and redevelopment shall dedicate land for
9 right-of-way or construct streets. The appraised value of such land dedication and/or
10 street construction shall count toward meeting TCEA Zone M requirements, or other
11 transportation mitigation program in effect at the time of development review. Stub-outs
12 shall be provided for future interconnectivity where connections cannot be implemented
13 at the time of development, due to off-site constraints.

14 4. New development and redevelopment shall establish a maximum perimeter block
15 size of 3,200 feet, with the preferred perimeter block size being 2,000 feet. Land
16 development regulations shall specify further block size requirements. Where streets are
17 not feasible to form the block perimeter, the City may allow sidewalk and bicycle
18 connections or multi-use paths to form the block perimeter. Land development
19 regulations shall specify exemptions from the maximum perimeter block size, which may
20 include, but are not limited to, locations where: public stormwater or park facilities
21 create impediments; there are regulated natural or archeological resources or regulated

1 wetlands that would be negatively impacted; access management rules prohibit
2 connections; utility constraints make the block size infeasible; there are contamination
3 sites; and the proposed block is inconsistent with City plans for a future street network in
4 the area.

5 5. New development and redevelopment shall incorporate quality urban form that
6 includes, but is not limited to: build-to lines, façade articulation and glazing, minimum
7 and maximum height, and building relationship to the street. Land development
8 regulations shall specify further requirements for quality urban form.

9 6. New development and redevelopment shall utilize street types and street sections
10 that are consistent with the Urban Mixed Use-2 zoning district requirements. Land
11 development regulations shall specify further requirements for street types and street
12 sections.

13 c. The following uses are prohibited in the Urban Village: Single-story, large-scale retail
14 (defined as a single retail use with a ground floor footprint exceeding 100,000 square feet) and
15 surface parking as a principal use.

16 d. Structured parking is encouraged in the Urban Village, and any multi-family development
17 using only structured parking (except for handicapped accessible surface parking spaces)
18 and/or on-street parking is allowed to develop at 125 units/acre residential density and/or up to
19 a height of 8 stories without obtaining a special use permit. Non-residential development
20 utilizing only structured parking (except for loading spaces and handicapped accessible

1 surface parking spaces) and/or on-street parking is allowed a height of up to 8 stories without
2 obtaining a special use permit. These allowances of additional density and height are specific
3 to the Urban Village and are intended to supersede and take precedence over any contrary
4 provisions in the City's Comprehensive Plan or Land Development Code

5 **Section 2.** The City Manager is authorized and directed to make the necessary changes
6 in the text, maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or
7 element, or portion thereof in order to fully implement this ordinance. In addition, within 10
8 days of the adoption (second) hearing, the City Manager is authorized and directed to transmit a
9 comprehensive plan amendment package, including this ordinance, to the State Land Planning
10 Agency and to any other State Reviewing Agency, local government unit or State agency that
11 filed written comments with the City.

12 **Section 3.** It is the intent of the City Commission that the provisions of Section 1 shall
13 become and be made a part of the City of Gainesville 2000-2010 Comprehensive Plan and that
14 the sections and paragraphs of this ordinance may be renumbered in order to accomplish such
15 intentions.

16 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
17 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
18 finding shall not affect the other provisions or applications of the ordinance which can be given
19 effect without the invalid or unconstitutional provisions or application, and to this end the
20 provisions of this ordinance are declared severable.

21 **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of

1 such conflict hereby repealed.

2 **Section 7.** ~~This ordinance shall become effective immediately upon passage on second~~
3 ~~reading; however, the effective date of this plan amendment shall be the date a final order is issued~~
4 ~~by the Department of Community Affairs finding the amendment to be in compliance in accordance~~
5 ~~with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission~~
6 ~~finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.~~ This
7 ordinance shall become effective immediately upon passage on second reading; however, the
8 effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days
9 after the State Land Planning Agency notifies the City that the plan amendment package is complete
10 in accordance with Chapter 163.3184, F.S. If timely challenged, this amendment shall become
11 effective on the date the State Land Planning Agency or the Administration Commission enters a
12 final order determining this adopted amendment to be in compliance in accordance with Chapter
13 163.3184, F.S. No development orders, development permits, or land uses dependent on this
14 amendment may be issued or commenced before this plan amendment has become effective.

15

16 **PASSED AND ADOPTED** this _____ day of _____, 2011.

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CRAIG LOWE
MAYOR

1 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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5 _____
6 KURT M. LANNON
7 CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

7

8 This Ordinance passed on first reading on this 5th day of May, 2011.

9 This Ordinance passed on second reading this ____ day of _____, 2011.