



# MEMORANDUM

Office of the City Attorney

Registrar No. 000230

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commission

**DATE:** October 9, 2000  
FIRST READING

**FROM:** City Attorney

**SUBJECT:** Ordinance No. 0-00-114; Petition No. 119TCH-00PB

An ordinance of the City of Gainesville, Florida; related to the Traditional City Special Area Plan and overlay district; amending the Special Area Plan for Traditional City; providing minimum lot widths; regulating drive-throughs; applying build-to line standard along side streets of buildings; regulating the placement of stormwater basins; requiring screening walls along parking lots; prohibiting certain types of fencing; requiring bicycle parking spaces; clarifying grandfathering of surface parking lots; disallowing convenience stores with gasoline pumps; requiring windows on the sides of buildings; revising standards for parking structures; providing that there is no maximum building coverage; revising the building orientation standard; amending section 30-332 to require bicycle parking; amending section 30-341 to allow the AASHTO standard to apply to vision triangles; removing College Park and University Heights from the Traditional City Special Area Plan; adopting a revised map of the Traditional City Special Area; adopting a map of "A" Streets as defined and regulated in the Special Area Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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Recommendation: The City Commission (1) approve Petition 119TCH-00 PB, and (2) adopt the proposed ordinance.

## STAFF REPORT

Over the past year, as a part of implementing the ordinances, staff has discovered corrections that should be made to the language to clarify and correct the intent and requirements of the ordinances and suggests a few other changes to the ordinances. The most significant changes involve minimum lot widths, drive-through businesses, stormwater basins, prohibition of convenience stores with gasoline pumps, and glazing requirement for the sides of buildings.

The Plan Board reviewed the petition and asked staff to review issues related to the build-to line and scenic features and to clarify with the Building official the glazing requirements for buildings located close to property lines. The Plan Board recommended approval of the petition.

Public notice was published in the Gainesville Sun on August 1, 2000. The Plan Board held a public hearing August 17, 2000. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 119TCH-00 PB. Plan Board vote 4-1.

Fiscal Note  
None

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If the Commission adopts the ordinance on first reading, the second and final reading will be held on October 23, 2000.

Prepared by:



Patricia M. Carter  
Sr. Assistant City Attorney

Approved and  
Submitted by:



Marion J. Radson  
City Attorney

MJR:PMC:sw

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ORDINANCE NO. \_\_\_\_\_  
0-00-114

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**An ordinance of the City of Gainesville, Florida; related to the Traditional City Special Area Plan and overlay district; amending the Special Area Plan for Traditional City; providing minimum lot widths; regulating drive-throughs; applying build-to line standard along side streets of buildings; regulating the placement of stormwater basins; requiring screening walls along parking lots; prohibiting certain types of fencing; requiring bicycle parking spaces; clarifying grandfathering of surface parking lots; amending requirements for solid waste, recycling, yard trash and grease containers; disallowing convenience stores with gasoline pumps; requiring windows on the sides of buildings; revising standards for parking structures; providing that there is no maximum building coverage; revising the building orientation standard; amending section 30-332 to require bicycle parking; amending section 30-341 to allow the AASHTO standard to apply to vision triangles; removing College Park and University Heights from the Traditional City Special Area Plan; adopting a revised map of the Traditional City Special Area; adopting a map of "A" Streets as defined and regulated in the Special Area Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the Land Development Code of the City of Gainesville, Florida, be amended; and

**WHEREAS**, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on August 17, 2000; and

**WHEREAS**, notice was given and publication made of a Public Hearing which was then held by the City Commission on October 9, 2000; and

**WHEREAS**, pursuant to law, an advertisement no less than 2 columns by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the Auditorium of City Hall in the City of Gainesville at least 7 days after the day the advertisement was published; and

**WHEREAS**, a second advertisement no less than 2 columns by 10 inches long was

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1 placed in the same newspaper notifying the public of this proposed ordinance and of a Public  
2 Hearing to be held at the adoption stage in the Auditorium of City Hall in the City of Gainesville  
3 at least 5 days after the day the advertisement was published; and

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

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

9 **Section 1.** Section (f) of Exhibit B of section 4 of Appendix A of the Land Development Code,  
10 titled "Special Area Plan for the Traditional City Area Minimum Development Standards" is  
11 amended as follows:

12 (f) *Definitions.*

13 "A" Street. A street that is designed with, or otherwise characterized by or planned to  
14 include, features that promote the safety, comfort, and convenience of pedestrians, and  
15 that does so in a relatively exceptional way, as determined by the city manager or  
16 designee. Such streets typically feature sidewalks at least 5 feet wide, narrow streets,  
17 buildings pulled up close to the street, no front yard off-street parking, pedestrian-scaled  
18 lighting, on-street parking, landscaped medians, articulated building walls, aligned  
19 building facades, a building entrance on the street, modest turning radii, trash receptacles  
20 remote from the sidewalk, and outdoor mechanical equipment on the side, rear or roof of  
21 buildings.

1 **Section 2.** The first paragraph of section (i)(2) of Exhibit B of section 4 of Appendix A of the  
2 Land Development Code, titled “Special Area Plan for the Traditional City Area Minimum  
3 Development Standards” is amended as follows. The remainder of section (i)(2) remains  
4 unchanged.

5 (i) *Build-to line.*

6 (2) *Standard.* The *build-to line* (see Figure 9) shall be that which achieves the above-  
7 stated intent, as determined by the appropriate reviewing board, city manager or designee,  
8 and shall apply even if the *façade* faces a street outside of the overlay affected area.

9 Building walls along a street that are not within the overlay affected area that are entirely  
10 more than 250 feet from the Traditional City shall be exempt from the *build-to line*  
11 standard. If a portion of the wall along a street is within 250 feet, all of the wall is  
12 affected by the standard. In most cases, the *build-to line* shall be 20 feet from the curb or  
13 edge of pavement for at least 70 percent of the building *façade*. The *build-to line* shall  
14 apply to the building *façade* even along street sides (except rear) not facing the more  
15 primary street. Factors to be considered for variations to this *build-to line* shall be as  
16 follows:

17 **Section 3.** Section (j)(2) of Exhibit B of section 4 of Appendix A of the Land Development  
18 Code, titled “Special Area Plan for the Traditional City Area Minimum Development Standards”  
19 is amended as follows:

20 (j) *Parking.*

21 (2) *Standard.*

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1 a. No motor vehicle parking is required. All motor vehicle parking, except  
2 for single-family dwellings, shall be located in the rear or interior side of the  
3 building, or both (see figures 11, 11A, 11B and 14). No parking for motor  
4 vehicles is allowed between the *build-to line* and the front property line, ~~except~~  
5 ~~that structured parking may be allowed in front if retail or office uses are provided~~  
6 ~~on the first floor abutting all public streets and sidewalks. (see Figure 12)~~  
7 However, driveway entrances and exits to parking areas for motor vehicles shall  
8 be allowed on the front side of the building. No parking lot areas shall extend for  
9 a width of more than 70 feet along any street *frontage*, without a building, outdoor  
10 café, or other vertically prominent and articulated *pedestrian scale* amenities  
11 interrupting the parking streetscape. Parking areas for motor vehicles shall not  
12 abut the more primary street intersection (see Figure 13) or occupy lots which  
13 terminate a street vista. Structured parking may be allowed in front if retail, office  
14 or residential uses are provided on the first floor abutting all public streets and  
15 sidewalks. (see Figure 12). Parking for motor vehicles shall not be incorporated  
16 into the first floor *façade* so that the first floor building space facing the *frontage*  
17 consists of parking. In addition, stormwater basins shall not abut the more primary  
18 street intersection.

19 b. When a parking area for motor vehicles is adjacent to a street, it shall be  
20 buffered with a *screening wall* 3 feet to 4 feet in height in order to enclose the  
21 portion of the parking exposed at the front yard. (see Figure 15) Alternatively,  
22 landscaping 3 to 4 feet high may be used if it adequately defines the street corridor  
23 and screens the parking area with a least 75 percent opacity. However, such walls

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1 or landscaping must be broken up at intervals no greater than 50 feet to allow  
2 pedestrian access. ~~Chain link fences are not permitted along a parking area or~~  
3 ~~between buildings.~~

4 c. No parking area shall be larger than 1.5 acres in first floor area unless  
5 divided by a street or building. In no case shall parking areas use more than 50  
6 percent of the site. The minimum number of motor vehicle parking spaces  
7 required by section 30-332 is the maximum number allowed. However, there  
8 shall be no limit on the number of parking spaces in *parking structures*.

9 d. The Central City District Parking Exempt Area shall not apply to bicycle  
10 parking in the Traditional City. Instead, bicycle parking spaces shall be installed  
11 as called for by section 30-332(a) - (d). Such parking may encroach into the  
12 public right-of-way or beyond the *build-to line* as long as at least 5 feet of  
13 unobstructed sidewalk width and any required tree strip is retained. Bicycle  
14 parking requirements may be waived if public bicycle parking exists to serve the  
15 use. There is no maximum number of bicycle parking spaces that may be  
16 provided.

17 **Section 4.** Section (k) of Exhibit B of section 4 of Appendix A of the Land Development Code,  
18 titled "Special Area Plan for the Traditional City Area Minimum Development Standards" is  
19 amended as follows:

20 (k) *Trash and recycling receptacles, and loading docks.*

21 (1) *Intent.* Trash and recycling receptacles, grease containers, and loading docks  
22 typically provide an unsightly appearance and odor problem. Improperly located and  
23 screened receptacles and docks can cause noise problems for nearby land uses when

1 receptacles and packages are being loaded or unloaded. Therefore, they should be located  
2 as far from public sidewalks as possible and screened from view.

3 (2) *Standard.* If stored outside of the building, and if the building is not residential  
4 only, all solid waste, recycling, and yard trash containers (except litter containers), and  
5 grease containers, and loading docks shall be placed at the side or the rear of the building  
6 and attached to that building with a enclosing wall, so that it is not visible from the street.  
7 The enclosing wall shall not exceed 7 feet in height, and shall be finished or painted with  
8 the same material as is used on the building. The enclosing wall shall be fitted with an  
9 opaque sliding or hinged door and working latch. Loading docks shall be placed at the  
10 side or rear of the building, and shall be screened from the street. If the building is  
11 residential only, such containers shall be located in parking areas or in a location remote  
12 from the streetside sidewalk. When in a parking area, solid waste, recycling, and yard  
13 trash containers (except litter containers), and grease containers, and loading docks shall  
14 be located in that portion of the parking area furthest from the streetside sidewalk, or at  
15 least 20 feet from a streetside sidewalk. (see figures 16 & 16A) Such containers Solid  
16 waste, recycling, and yard trash containers (except litter containers), grease containers,  
17 and loading docks shall be screened to minimize sound to and visibility from abutting  
18 streets or residences. "Trash Shacks," a sealed and cooled self-compacting container,  
19 may be used.

20 **Section 5.** Section (m)(2) of Exhibit B of section 4 of Appendix A of the Land Development  
21 Code, titled "Special Area Plan for the Traditional City Area Minimum Development Standards"  
22 is amended as follows:

23 (m) *Building orientation.*



1 (2) *Standard.* The *main entrance* of buildings shall be on the first floor on the more  
 2 primary street, even if the more primary street is outside of the overlay affected area. If  
 3 there is a prominent, publicly-accessible, scenic feature that is or will eventually be  
 4 regularly used by the public, as determined by the city manager or designee, on the side  
 5 opposite the street that the building must face, the building shall also face this feature  
 6 with a *main entrance*. The Building Orientation standard applies if a portion of the wall  
 7 along the more primary street outside of the overlay affected area is within 250 feet of the  
 8 overlay affected area. The *main entrance* shall not be oriented toward a parking lot.  
 9 Direct access to the building shall be provided from the street (see Figure 17). Buildings  
 10 on a corner lot or a lot fronting on two streets shall place the *main entrance* on the more  
 11 primary street, even if the more primary street is outside of the overlay affected area  
 12 (either street if they are similar) or at the corner of the intersection. This standard does  
 13 not preclude additional rear or side entrances facing parking areas.

14 **Section 6.** Section (n)(2)c. of Exhibit B of section 4 of Appendix A of the Land Development  
 15 Code, titled "Special Area Plan for the Traditional City Area Minimum Development Standards"  
 16 is amended as follows:

17 (n) *Building wall articulation.*

18 (2) *Standard.*

19 c. Front and side ~~b~~Building walls facing the more primary street shall have  
 20 non-reflective, transparent windows or *glazed area* ~~covering at least 30 percent of~~  
 21 ~~the surface~~ at pedestrian level (between 3 feet above grade and 8 feet above grade)  
 22 on the first floor, even if the wall faces a street outside of the overlay affected  
 23 area. For front building walls, windows shall cover at least 30 percent of this

1 area. For side walls, windows shall cover at least 10 percent of this area.

2 However, side wall glazing is only required if the building is set back at least 3

3 feet from the side property line. Operable entrance doors shall be excluded from

4 the calculation of total *façade* surface area. Windows or *glazed areas* facing a

5 sidewalk on the first story of a commercial building shall use glass which is at least

6 80 percent transparent. Building walls along a street that is not within the overlay

7 affected area and that are entirely more than 250 feet from the Traditional City

8 shall be exempt from the Building Wall Articulation standard. If a portion of the

9 wall along a street is within 250 feet, all of the wall is affected by the standard.

10 **Section 7.** Section (p)(2)c. is created and added to Exhibit B of section 4 of Appendix A of the

11 Land Development Code, titled “Special Area Plan for the Traditional City Area Minimum

12 Development Standards” to read as follows:

13 (p) *Landscaping.*

14 (2) *Standard.*

15 c. Chain link fences, barbed wire, line-voltage electrified wire, and razor

16 wire fences are prohibited. The city manager or designee may waive the

17 prohibition on barbed wire or electrified fences due to public safety concerns.

18 **Section 8.** Section (r)(2) of Exhibit B of section 4 of Appendix A of the Land Development

19 Code, titled “Special Area Plan for the Traditional City Area Minimum Development Standards”

20 is amended as follows:

21 (r) *Prohibited uses.*

22 (2) *Standard.* The following uses are prohibited:

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- 1 • Auto Dealers, Auto Service and Limited Auto Service (IN-5511, MG-753)
- 2 • Carwashes (IN-7542)
- 3 • Gas Service Stations (IN-5441)
- 4 • Parking Lots as the principal use, other than structured parking (IN-7521).
- 5     Any existing surface parking lot, whether currently a principal or accessory
- 6     use, may continue, and any existing accessory surface parking lot may be
- 7     converted to principal use.
- 8 • Outdoor Storage as the ~~principle~~ principal use
- 9 • *Freestanding retail* greater than 30,000 square feet in first floor area
- 10 • Gasoline pumps when accessory to a Food Store (MG-54)

11 **Section 9.** Section (s) is created and added to Exhibit B of section 4 of Appendix A of the Land  
12 Development Code, titled “Special Area Plan for the Traditional City Area Minimum  
13 Development Standards” to read as follows:

14 (s) *Specially regulated uses.*

15 (1) *Intent.* Certain uses decrease sidewalk vitality, and are so exclusively oriented  
16 toward or designed to attract motor vehicles, that they tend to contribute to visual blight  
17 and a lack of human scale for a traditional area. Such uses require special review within  
18 the Traditional City area.

19 (2) *Standard.* The following uses are allowed by special use permit.

- 20 • Drive-throughs. In addition to conforming to the provisions of the  
21 Transportation Concurrency Exception Area, drive-throughs  
22 a. shall not have an entrance or exit onto an “A” street;

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1 b. shall have only one drive-through lane; and

2 c. shall be located at the rear or side of the building.

3 **Section 10.** Section (t) is created and added to Exhibit B of section 4 of Appendix A of the Land  
4 Development Code, titled “Special Area Plan for the Traditional City Area Minimum  
5 Development Standards” to read as follows:

6 (t) *Minimum lot width.*

7 (1) *Intent.* Relatively narrow lots enhance the comfort and convenience of  
8 pedestrians by reducing walking distance and increasing interest and activity along the  
9 sidewalk.

10 (2) *Standard.* The minimum lot width at the *build-to line* shall be

11 18 feet for lots with alley access;

12 36 feet for lots without alley access; and

13 24 feet for lots with a shared driveway.

14 **Section 11.** Section (u) is created and added to Exhibit B of section 4 of Appendix A of the Land  
15 Development Code, titled “Special Area Plan for the Traditional City Area Minimum  
16 Development Standards” to read as follows:

17 (u) *Building coverage.*

18 (1) *Intent.* Without a minimum parking requirement, a maximum building coverage  
19 creates an incentive for informal, undesirable and unsanctioned off-street parking.

20 Landscape, stormwater and setback rules already provide sufficient limitations on

21 building coverage. In addition, the lack of a minimum parking requirement provides an

1 added incentive and opportunity to construct more building square footage, which is  
2 beneficial for transit and walking.

3 (2) Standard. There shall be no maximum building coverage in the Traditional City.

4 **Section 12.** Section 30-332(e)(3) of the Land Development Code is amended to read as follows:

5 **Sec. 30-332. Required number of parking spaces.**

6 (e) *Central City District (CCD):*

	<i>Use</i>	<i>Number of vehicle spaces</i>	<i>Number of bicycle spaces</i>
7			
8	(3) Exempt area: See map		<u>10 percent of number</u>
9	included as Appendix C		<u>of vehicle parking</u>
10	of this Chapter. <del>Development</del>		<u>spaces. Requirement</u>
11	<del>of property within this area</del>		<u>waived if city manager</u>
12	<del>shall be undertaken so as not</del>		<u>or designee determines</u>
13	<del>to reduce the number of</del>		<u>there is insufficient</u>
14	<del>existing parking spaces.</del>		<u>sidewalk or lot space to</u>
15			<u>install bicycle parking.</u>
16			<u>There is no maximum</u>
17			<u>number of bicycle spaces.</u>

18 **Section 13.** The initial paragraph of section 30-341(a) of the Land Development Code is amended to  
19 read as follows. The remainder of section 30-341(a) remains unchanged.

20 **Sec. 30-341. Vision triangle.**

21 (a) In all zoning districts, with the exception of the Traditional City where the AASHTO standard is  
22 acceptable, it shall be unlawful to construct, erect, place, grow, maintain, or allow to be constructed,  
23 erected, placed, grown or maintained any building, structure, fence, wall, sign, canopy, vegetation or  
24 obstruction of any kind within the vision triangle on any property which is located at the corner of  
25 intersecting roadways, which is described as follows:

26 **Section 14.** The Special Area Plan for Traditional City overlay district is removed from certain property  
27 commonly known as College Park and University Heights. The map attached as Exhibit A is adopted as  
28 the map of the Traditional City Area.

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1 **Section 15.** The map attached as Exhibit B is adopted to show the streets designated as "A" Streets, as  
2 defined and regulated by the Special Area Plan of the Traditional City.

3 **Section 16.** It is the intention of the City Commission that the provisions of Sections 1 through  
4 13 and the maps adopted in sections 14 and 15 of this ordinance shall become and be made a part  
5 of the Code of Ordinances of the City of Gainesville, Florida, and that the Sections and  
6 Paragraphs of this ordinance may be renumbered or relettered in order to accomplish such  
7 intentions.

8 **Section 17.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or  
9 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect  
10 the validity of the remaining portions of this ordinance.

11 **Section 18.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
12 conflict hereby repealed.

13 **Section 19.** This ordinance shall become effective immediately upon final adoption.

14 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2000.  
15  
16

17 \_\_\_\_\_  
18 PAULA M. DeLANEY  
19 MAYOR

20 ATTEST: Approved as to form and legality  
21  
22

23 \_\_\_\_\_  
24 KURT M. LANNON  
25 CLERK OF THE COMMISSION

\_\_\_\_\_   
MARION J. RADSON  
CITY ATTORNEY

26 This Ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

27 This Ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2000.  
28

29 carter:ordinances:119TCH-00PB







NW 8 Ave

NW 13 St

NW 6 St

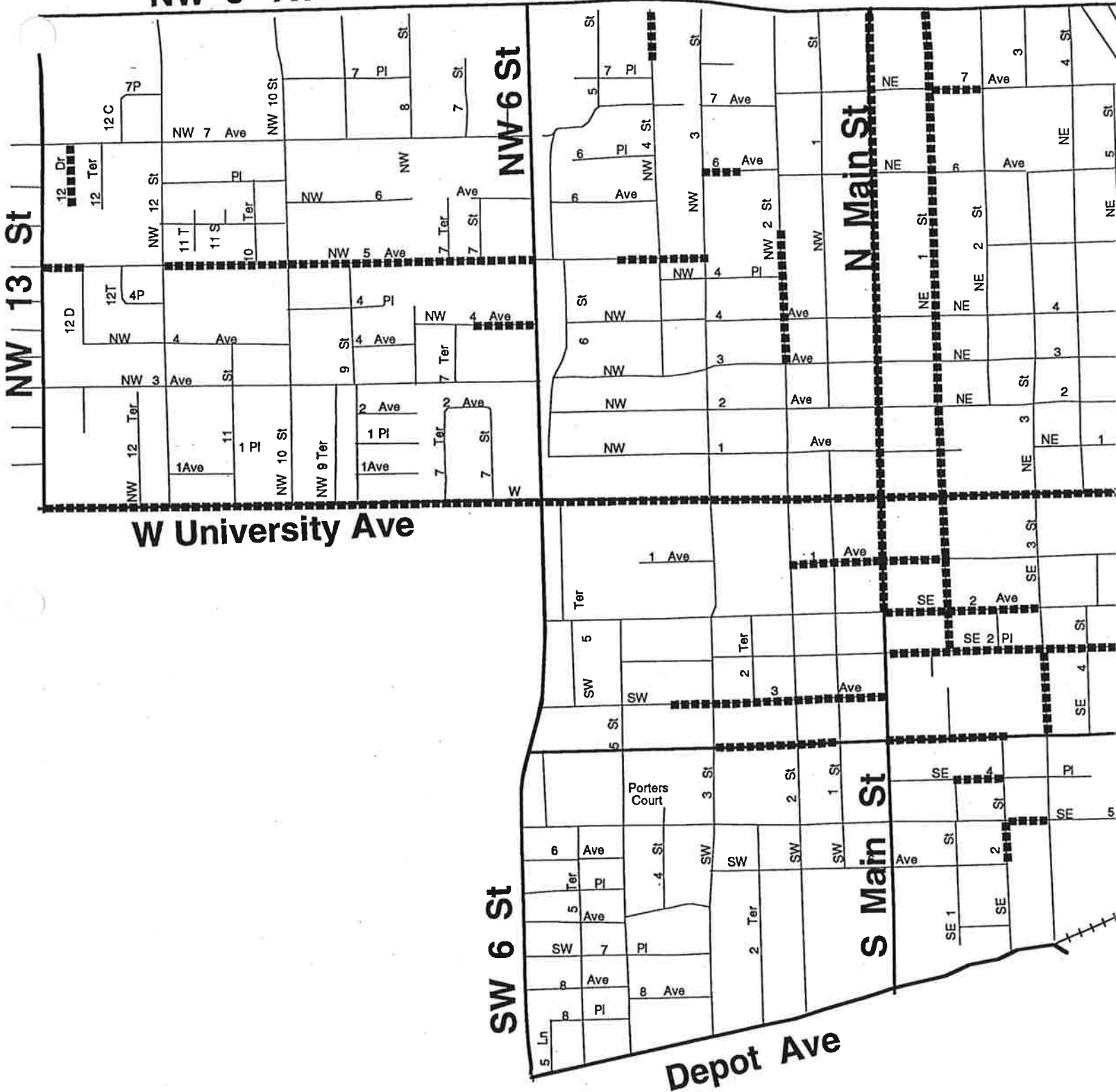
N Main St

W University Ave

SW 6 St

S Main St

Depot Ave





Item No. 5

To: City Plan Board

Date: August 17, 2000

From: Planning Division Staff

Subject: Petition 119TCH-00PB, City of Gainesville. Amend the Traditional City and Central Corridors sections of the City of Gainesville Land Development Code to implement proposed changes as identified through the required annual evaluation of the ordinances.

**Recommendation**

Planning Division staff recommends approval of Petition 119TCH-00PB.

**Explanation**

Appendix A, Section 4 & 5, Subsection (c), Traditional City and Central Corridors, of the Gainesville Land Development Code requires that the City Plan Board conduct an annual evaluation of the standards of these two ordinances on an annual basis. This staff report is the second annual evaluation of the two ordinances, which were adopted June 22, 1998.

**Recommended Text Amendments.** Over the past year, as a part of implementing the ordinances, staff has discovered corrections that should be made to the language to clarify and correct the intent and requirements of the ordinances. Nearly all of these recommended amendments were presented to the Plan Board at their January 20, 2000 meeting. Unlike that first-year evaluation, this report will only address recommended amendments to Traditional City, as the Transportation Concurrency Exception Area adopted in 1999 applies the Central Corridor standards throughout most of the city. This change to Central Corridors means that the evaluation of the ordinance should become part of the regular process of updating the overall land development code.

Staff recommends the following text changes to the Traditional City ordinance:

1. The **minimum lot width** requirements, in Article IV of the Code, should be based on a sliding scale within the Traditional City that allows more narrow widths, in certain cases, than widths allowed by the underlying zoning regulations. Since relatively narrow lots create a much more walkable environment, they are more appropriate to a pedestrian-oriented downtown setting. This flexibility should be added to the Traditional City ordinances.
2. Staff remains concerned that **drive-throughs** are not compatible with the intent of the Traditional City, and recommends that drive-throughs be allowed only by special use permit in the Traditional City.
3. The **Build-To** standard should apply to building facades facing streets other than alleys, even along sides not facing the more primary street, in the Traditional City.
4. To meet the Intent of the Traditional City, **stormwater basins** should not be allowed at the corner of a lot at the more primary street intersection in the Traditional City. Basins at the corner of an intersection significantly reduce pedestrian convenience by significantly increasing walking distance.

In addition, a basin does not create the desired “walls” of an “outdoor room,” and the corner of an intersection is a critically important place to install a vertical feature to provide such.

5. **Screening walls**, landscaping, or both should be required for surface parking along any adjacent street other than alleys, and not just along the street the building faces in the Traditional City.
6. **Chain link fences, barbed wire, electric fences, and razor wire** should not be allowed within the Traditional City. Note that the proposed University Heights Special Area Plan does not allow chain link, barbed wire, or plain wire mesh fences in the front yard. In the College Park Special Area Plan, only pickets, lattice or boards are allowed as fences.
7. Sec. 30-332(e)(3), Required Number of **Parking** Spaces, in the Land Development Code, conflicts with the bicycle parking requirement in the Traditional City ordinance. 30-332(e)(3) exempts bicycle parking in the CCD, whereas Traditional City requires bicycle parking. Since the CCD is entirely within the Traditional City, staff recommends that 30-332(e)(3) be amended to require bicycle parking. Similarly, Traditional City and 30-332(e)(3) should clarify that there is no maximum amount of bicycle parking. Finally, 30-332(e)(3) should be amended to remove the provision that “development of property within this area shall be undertaken so as not to reduce the number of existing [car] parking spaces,” since this conflicts with the provisions and intent of Traditional City.
8. The provision that allows **continuation of existing surface car parking** should be clarified so that it is clear that this exception applies to existing parking whether it is principal or accessory parking in the Traditional City.
9. The regulations should **prohibit convenience stores with gasoline pumps** in the Traditional City, since it is inconsistent to disallow gas stations, yet allow a business that essentially functions as a gas station. Such businesses are now allowed in the Traditional City because the Gainesville Land Development Code does not classify convenience stores with gasoline pumps as gas stations.
10. The Traditional City map should be revised to **exclude College Park and University Heights**, since these neighborhoods will be adequately regulated by the soon-to-be-adopted Special Area Plans.
11. In the Traditional City, **windows (glazing)** should be **required on the sides (not just the front) of all buildings** that are set back at least 3 feet from the side property line. At least 10 percent of the sides of buildings should consist of glazing. This change provides more compatibility with neighbor buildings, and eliminates a massive blank wall appearance.
12. The **vision triangle** requirements in the Land Development Code should be revised so that, when applied in Traditional City, the AASHTO standard is considered an acceptable way to create adequate sight lines.
13. The **parking structure** standard in the Traditional City should be revised to clarify the intent and standard so that it is more clear what is required for the front façade of a building.
14. For consistency with the College Park and University Heights Special Area Plans, remove the **building coverage maximum** in the Traditional City. Landscape, stormwater, and setback rules already provide sufficient limitations on building coverage. In addition, the lack of a minimum parking requirement in the Traditional City means that the developer will have added incentive and opportunity to construct more building square footage, which is beneficial for transit and walking, whereas the existing 35 percent coverage cap incentivizes informal, undesirable, and unsanctioned off-street parking.
15. There are instances in which a building is sandwiched between a street and a scenic feature such as a water body or natural resource. Quality design requires that the building face the street with at least one entrance. In addition, better design often requires that the **building also face the scenic feature**. Since the Traditional City ordinance only requires orientation to the street, it should be revised to also call for orientation to the scenic feature.

Recommended code changes are in the attached appendix.

City Plan Board  
Petition 119TCH-00PB  
August 17, 2000

**Impact on Affected Development Projects.** Over the past year, on average, approximately two projects every week that went through the City First Step Program with a development proposal was affected by the Traditional City ordinance (see attached map for locations of affected projects in the past year). In general, proposals from developers have not indicated significant difficulties in complying with the ordinance. Mostly, projects submitted were not required to fully comply because their change would not trigger the "80 percent of value of the property" rule. The Traditional City ordinance contains this provision to avoid discouraging redevelopment. Such projects must only "avoid making things worse" in terms of the Traditional City standards, in order to comply when below the 80 percent threshold.

Respectfully submitted,



Ralph Hilliard,  
Planning Manager

Attachments

RH:DN



## Appendix

### Code Changes:

#### 1. Minimum Lot Width

##### Traditional City

###### (t) Minimum lot width.

(1) Intent. Relatively narrow lots enhance the comfort and convenience of pedestrians because they reduce walking distance and increase interest and activity along the sidewalk.

(2) Standard. The minimum lot width at the build-to line shall be:

18 feet	Lots with alley access
36 feet	Lots without alley access
24 feet	Lots with a shared driveway

#### 2. Drive-throughs

##### Traditional City

###### (f) Definitions.

"A" Street. A street which is designed with, or otherwise characterized by, or planned to include features that promote the safety, comfort, and convenience of pedestrians, and does so in a relatively exceptional way, as determined by the city manager or designee. Such streets typically feature sidewalks at least 5 feet wide, narrow streets, buildings pulled up close to the street, no front yard off-street parking, pedestrian-scaled lighting, on-street parking, landscaped medians, articulated building walls, aligned building facades, a building entrance on the street, modest turning radii, trash receptacles remote from the sidewalk, and outdoor mechanical equipment on the side, rear or roof of buildings.

(see attached map of recommended "A" streets)

(s) Specially regulated uses.

(1) Intent. Certain uses decrease sidewalk vitality, and are so exclusively oriented toward or designed to attract motor vehicles, that they tend to contribute to visual blight, and a lack of human scale for a traditional area. Such uses require special review within the Traditional City area.

(2) Standard. The following uses are allowed by special use permit

- Drive-throughs

Drive-throughs, in addition to conforming to the provisions of the TCEA:

- (a) Shall not have an entrance or exit onto an "A" Street;
- (b) Shall have no more than one drive-through lane;
- (c) Shall be located at the rear or side of the building.

**3. Build-To standard**

Traditional City

(k) Build-to line.

(2) Standard. The build-to line (see Figure 9) shall be that which achieves the above-stated intent, as determined by the appropriate reviewing board, city manager or designee, and shall apply even if the facade faces a street outside of the overlay affected area. Building walls along a street that are not within the overlay affected area that are entirely more than 250 feet from the Traditional City shall be exempt from the Build-to Line standard. If a portion of the wall along a street is within 250 feet, all of the wall is affected by the standard. In most instances, the build-to line shall be 20 feet from the curb or edge of pavement for at least 70 percent of the building facade. The build-to line shall apply to the building facade even along street sides (except rear) not facing the more primary street.



#### 4. Stormwater basins

Traditional City

##### (j) *Parking*

##### (2) Standard.

a. No motor vehicle parking is required. All motor vehicle parking, except for single-family residential dwellings, shall be located in the rear or interior side of the building, or both. (see figures 11, 11A, 11B, & 14). No parking is allowed between the *build-to line* and the front property line, except that structured parking may be allowed in front if retail or office uses are provided on the first floor abutting all public streets and sidewalks. (see Figure 12) However, driveway entrances and exits to parking areas shall be allowed on the front side of the building. No parking lot areas shall extend for a width of more than 70 feet along any street *frontage*, without a building, outdoor cafe, or other *pedestrian scale* amenities interrupting the parking streetscape. Parking areas shall not abut the more primary street intersection (see Figure 13), or occupy lots which terminate a street vista. In addition, stormwater basins shall not abut the more primary street intersection.

#### 5. Screening walls

Traditional City

##### (j) *Parking*

##### (2) Standard.

b. When a parking area for motor vehicles is adjacent to a street, it shall be buffered with a *screening wall* 3 feet to 4 feet in height in order to enclose the portion of the parking exposed to any adjacent street other than alleys ~~at the front yard~~. (see Figure 15) However, Sec. 30-252 shall continue to apply for other forms of parking lot landscaping. Alternatively, landscaping 3 to 4 feet high may be used if it adequately defines the street corridor and screens the parking area with at least 75 percent opacity. However, such walls or landscaping must be broken up at intervals no greater than 50 feet to allow pedestrian access. ~~Chain-link fences are not permitted along a parking area or between buildings.~~

#### 6. Prohibit chain link fences, barbed wire, razor wire, and electric fences within the Traditional City

Traditional City

##### (j) Parking.

(2) Standard.

b. When a parking area is adjacent to a street, it shall be buffered with a *screening wall* 3 feet to 4 feet in height in order to enclose the portion of the parking exposed at the front yard. (see Figure 15) Alternatively, landscaping 3 to 4 feet high may be used if it adequately defines the street corridor and screens the parking area with at least 75 percent opacity. However, such walls or landscaping must be broken up at intervals no greater than 50 feet to allow pedestrian access. ~~Chain link fences are not permitted along a parking area or between buildings.~~

(p) *Landscaping*

(2) *Standard.*

c. Chain link fences, barbed wire, line-voltage electrified wire, and razor wire fences are prohibited. The City Manager or designee may waive the prohibition on barbed wire or electrified fences due to public safety concerns.

**7. Required bicycle parking**

Sec. 30-332(c)(3)

(3) Exempt area: See map included as Appendix C of this chapter. ~~Development of property within this area shall be undertaken so as not to reduce the number of existing parking spaces.~~

*Number of Vehicle Spaces*

*Number of Bicycle Spaces*

10 percent of number of vehicle parking spaces. Requirement waived if city manager or designee determines there is insufficient sidewalk or lot space to install bicycle parking. There is no maximum number of bicycle spaces.

Traditional City

(j) *Parking*

(2) *Standard*

d. The Central City District Parking Exempt Area shall not apply to bicycle parking in the Traditional City. Instead, bicycle parking spaces shall be installed as called for by section 30-332 (a)-(d). Such parking may encroach into the public right-of-way or beyond the *build-to line* as long as at least 5 feet of unobstructed sidewalk width and any required tree strip is retained. Bicycle parking requirements may be waived if public bicycle parking exists to serve the use. There is no maximum number of bicycle parking spaces that may be provided.

**8. Continuation of existing surface car parking**

Traditional City

(r) *Prohibited uses.*

(2) *Standard.* The following uses are prohibited:

- Auto Dealers, Auto Service and Limited Auto Services (IN-5511, MG-753)
- Carwashes (IN-7542)
- Gas Service Stations (IN-5541)
- Parking Lots as the principal use, other than structured parking (IN-7521). Any existing surface parking lot, whether currently a principal or accessory use, may continue, and any existing accessory surface parking lot may be converted to principal use.
- Outdoor Storage as the principle use
- *Freestanding Retail* greater than 30,000 square feet in first floor area.

## 9. Disallow Convenience Stores with Gasoline Pumps

Traditional City

(r) *Prohibited Uses.*

(2) Standard. The following uses are prohibited:

- Auto Dealers, Auto Service and Limited Auto Services (IN-5511, MG-753)
- Carwashes (IN-7542)
- Gas Service Stations (IN-5541)
- Parking Lots as the principal use, other than structured parking (IN-7521). Any existing surface parking lot may continue, and any existing accessory surface parking lot may be converted to principal use.
- Outdoor Storage as the principle use
- *Freestanding Retail* greater than 30,000 square feet in first floor area.
- Gasoline pumps when accessory to a Food Store (MG-54).

## 10. Revise the Traditional City map to exclude College Park and University Heights

Traditional City

[Revise Exhibit A] (see attached)

## 11. Require windows on the sides of buildings

Traditional City

(n) Building wall articulation.

(2) Standard.

- c. Front and side building walls facing the more primary street shall have non-reflective, transparent windows or glazed area covering at least 30 percent of the surface at pedestrian level (between 3 feet above grade and 8 feet above grade) on the first floor, even if the wall faces a street outside of the overlay affected area. For front building walls, windows shall cover at least 30 percent of this area. For side walls, windows shall cover at least 10 percent of this area. However, side wall glazing is only required if the building is set back at least 3 feet from the side property line. Operable entrance doors shall be excluded from the calculation of total *facade* surface area. Windows or *glazed areas* facing a sidewalk on the first story of a commercial building shall use glass which is at least 80 percent transparent. Building walls along a street that is not within the overlay affected area and that are entirely more than 250 feet from the Traditional City shall be exempt from the Building Wall Articulation standard. If a portion of the wall along a street is within 250 feet, all of the wall is affected by the standard.

## 12. Vision Triangle

Traditional City

Sec. 30-341. Vision triangle.

(a) In all zoning districts, with the exception of the Traditional City, where the AASHTO standard is acceptable, it shall be unlawful to construct, erect, place, grow, maintain, or allow to be constructed, erected, placed, grown or maintained any building, structure, fence, wall, sign, canopy, vegetation or obstruction of any kind within the vision triangle on any property which is located at the corner of intersecting roadways, which is described as follows:

## 13. Revise Parking Structure Standard

Traditional City

(j) Parking.

(2) Standard.

a. No motor vehicle parking is required. All motor vehicle parking, except for single-family residential dwellings, shall be located in the rear or interior side of the building, or both. (see figures 11, 11A, 11B, & 14). No parking for motor vehicles is allowed between the *build-to line* and the front property line. However, driveway entrances and exits to parking areas for motor vehicles shall be allowed on the front side of the building. No parking lot areas shall extend for a width of more than 70 feet along any street *frontage*, without a building, outdoor cafe, or other vertically prominent and articulated pedestrian scale amenities interrupting the parking streetscape. Parking areas for motor vehicles shall not abut the more primary street intersection (see Figure 13), or occupy lots which terminate a street vista. Structured parking may be allowed in front if retail, ~~or~~ office or residential uses are provided on the first floor abutting all public streets and sidewalks. (see Figure 12) Parking for motor vehicles shall not be incorporated into the first floor facade so that the first floor building space facing the frontage consists of parking.

## 14. Building Coverage Maximum

Traditional City

(u) Building Coverage.

(1) Intent. Without a minimum parking requirement, a maximum building coverage incentivizes informal, undesirable, and unsanctioned off-street parking. Landscape, stormwater, and setback rules already provide sufficient limitations on building coverage. In addition, the lack of a minimum parking requirement provides an added incentive and opportunity to construct more building square footage, which is beneficial for transit and walking.

(2) Standard. There shall be no maximum building coverage in the Traditional City.

## 15. Building Orientation

### Traditional City

#### (n) *Building Orientation.*

(2) Standard. The *main entrance* of buildings shall be on the first floor on the more primary street, even if the more primary street is outside of the overlay affected area. If there is a prominent, publicly-accessible, scenic feature on the side opposite the street the building must face, the building shall also face this feature with a *main entrance*. The Building Orientation standard applies if a portion of the wall along the more primary street outside of the overlay affected area is within 250 feet of the overlay affected area. The *main entrance* shall not be oriented toward a parking lot. Direct access to the building shall be provided from the street (see Figure 17). Buildings on a corner lot or a lot fronting on two streets shall place the *main entrance* on the more primary street, even if the more primary street is outside of the overlay affected area (either street if they are similar) or at the corner of the intersection. This standard does not preclude additional rear or side entrances facing parking areas.

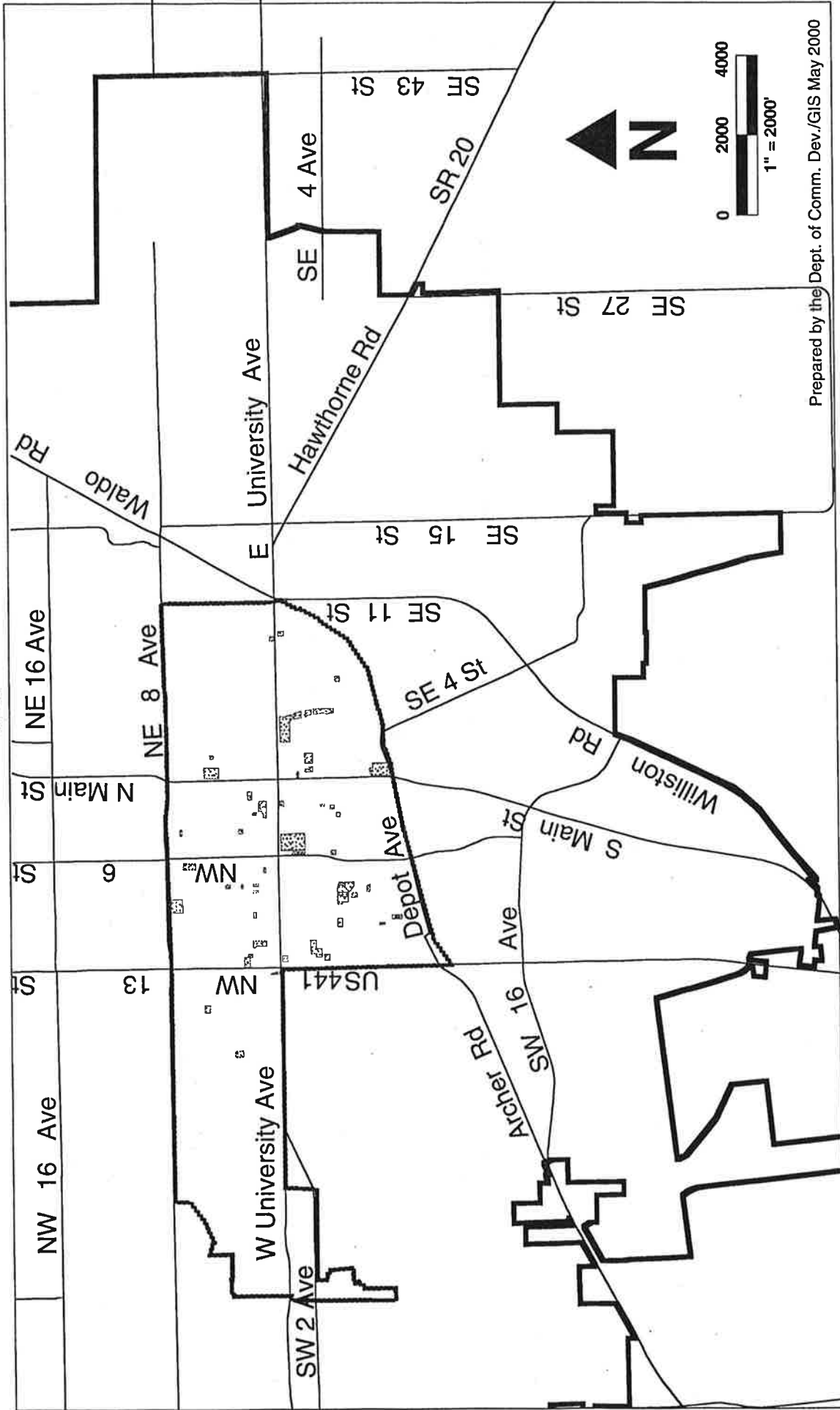
# Traditional City Sites by First Step Appointments June 1999 to May 2000

TOTAL FOR YEAR = 50

Traditional City Site

Traditional City Boundary

City Limits















5. **Petition 119TCH-00 PB** City of Gainesville. Amend the Traditional City and Central Corridors sections of the City of Gainesville Land Development Code to implement proposed changes as identified through the required annual evaluation of the ordinances.

Mr. Dom Nozzi was recognized. Mr. Nozzi indicated that the petition involved recommendations for text amendments to the Land Development Code. He noted that the purpose of the petition was an annual evaluation to correct errors and other problems with implementation of the Ordinance. He reviewed the text amendment recommendations in detail. Mr. Nozzi offered to answer questions from the board.

Dr. Fried stated that it was not clear how a narrow lot size created a more walkable environment. He pointed out that there would be multiple doors entering very narrow buildings. He suggested that, at some point narrow lots, no matter how costly, would become very difficult to use. He indicated that, while the new Build-To Standards would reduce the vision, he did not see that situation as safer. He suggested that vision triangles could become so restricted they would be unsafe. Dr. Fried indicated that he had concerns about both of the proposed changes to the Code.

Mr. Polshek pointed out that on Page 3 of the staff letter, "Impact on Affected Development Projects," it stated that such projects must "avoid making things worse." He cited a concern that "avoiding making things worse" suggested that it was the "lesser of two evils." He pointed out that the purpose of the ordinance was to improve redevelopment. Mr. Polshek indicated that he did not wish to see redevelopment that only avoided "making things worse." He suggested that staff should reconsider the recommendation.

Mr. Nozzi explained that the cost of redevelopment was a significant factor. He noted that the Ordinance contained some costly and onerous conformance rules for existing buildings.

Chair Guy asked why alleys were exempted from the requirement for screening walls.

Mr. Nozzi agreed that some communities required screening walls and others did not.

Chair Guy discussed the glazing requirements and noted that they might conflict with the Energy Code in an east or west exposure.

Mr. Nozzi agreed that it would be a legitimate concern. He suggested that a formula could be established for east west exposure.

Chair Guy, speaking to the issue of entrances and scenic features, asked if a building would be required to have two main entrances if the back of the building faced a scenic feature.

Mr. Nozzi discussed buildings with a back façade that looked, architecturally, like the front and faced a scenic feature.

Chair Guy cited a concern about the definition of "main entrance." He suggested that "not making things worse" might be acceptable with the area that was actually Traditional City.

Mr. Polshek noted that the term "Traditional City" was a New Urbanism definition and did not refer to a specific downtown at a specific date. He suggested that it promoted features and amenities that would create a more functionally vibrant area.

Mr. McGill agreed with the Chair's comments on the recommendation on scenic features and main entrances. He cited a concern that the term "Traditional City" would be applied in a very strict sense. Regarding the vision triangle, he indicated that he agreed with the proposed smaller vision triangle and believed it was reasonable and consistent with national standards. He thanked staff for including the board's comments from the previous meeting in the petition. Mr. McGill indicated that, over all, he approved of the changes.

Mr. Carter cited a concern about the prohibition on gas stations. He pointed out that gas stations provided an essential service and removing them would require more road trips to refuel. He discussed the requirements for glazing on the sides of buildings.

Chair Guy opened the floor to public comment.

Mr. Bruce DeLaney was recognized. Mr. DeLaney urged the board to be cautious about the requirements of the petition that would create disincentives for redevelopment. He discussed the requirements for windows on the side of a building and the Fire Department requirements for those same windows. He asked if there had been any coordination with the Fire and Building Departments on the recommendation.

Mr. Nozzi indicated that he did discuss the recommendation on windows with the Building Department and the Building Official agreed that it did meet the Building Codes. He noted that proposed language on side windows came from the University Heights Special Area Plan. He explained that the side glazing was only required if a building was set back at least three-feet from the side property line.

Mr. Mike Castine was recognized. Mr. Castine suggested that glazing should be required along street sides but not necessarily along the interior sides of buildings between lots. He discussed problems with requirements for screening around dumpsters in existing developments and requested that the board request staff to review the matter.

Chair Guy closed the floor to public comment.

Mr. Polshek asked if the disincentive Mr. DeLaney spoke of with regards to windows in redevelopment was economic or aesthetic.

Mr. DeLaney indicated that it was both economic and aesthetic.

Mr. McGill pointed out that, while it did not solve the Fire Code issue, glazing was not required if a building was closer than three feet to the property line. He suggested that a building further than three feet from a property line should have windows. Regarding the issue of the "prominent publicly accessible scenic feature" he suggested that language added such as "a prominent publicly accessible scenic feature that is likely to generate regular public use."

Mr. Polshek requested that staff address Mr. Castine's comments on screening of dumpsters.

Mr. Nozzi explained that it was not feasible on modest sized lots to provide room to set a dumpster back 20-feet or more as required by the Traditional City Ordinance. He discussed placing a dumpster closer to the sidewalk provided it was adequately screened. He indicated that he agreed with the proposal. He indicated that his recommendation to the board was to amend the College Park and University Heights plans which were ready for adoption rather than the petition before the board. Mr. Nozzi noted, however, that staff could amend the petition to add the language.

Mr. Polshek recommended that the provisions for dumpsters be added to the petition before the board.

Mr. McGill indicated that he supported glazing on the side of buildings more than three feet from the property line.

There was discussion of the requirements for screening of dumpsters.

Mr. Carter cited a concern about the requirements for windows. He pointed out that windows on buildings six feet apart would not be visible. He suggested that the required ten percent was significant.

There was discussion of the requirements for glazing.

<u>Motion By:</u> Mr. McGill	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve Petition 119TCH-00 PB with the recommendations that 1) the language on building orientation be clarified to indicate that it only spoke to accessible scenic features that enjoyed regular public use, 2) include language to address the dumpster location and screening issue, 3) suggest to the City Commission that, in the final adoption of the ordinance, there be a review of the glazing requirements with regards to conflicts with the Energy Efficiency Code.	<u>Upon Vote:</u> Motion Carried 4-1 Yeas: Fried, McGill, Polshek, Guy. Nay: Carter

