

**LEGISLATIVE #**

**100697E**

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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.

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

2 1. Promoting infill development and redevelopment that supports a safe,  
3 comfortable, and attractive pedestrian environment with convenient interconnections to  
4 transit and bicycle facilities;

5 2. Promoting street interconnectivity, a gridded street network, and connections  
6 among uses;

7 3. Providing a complementary mix of land uses with appropriate densities and  
8 intensities that support transit usage, future bus rapid transit opportunities, and other  
9 multimodal opportunities;

10 4. Over time, attaining a high quality level of service for sidewalks, bicycle  
11 facilities, and transit facilities;

12 5. Promoting the local innovation economy by providing locations for employment  
13 opportunities in close proximity to the University of Florida campus within a mixed-use  
14 setting;

15 6. Promoting quality urban design that requires articulated front facades and places  
16 buildings and front entrances close to the sidewalk; and,

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1 7. Promoting an attractive streetscape with appropriate street trees to provide  
2 shading and landscape interest and street furniture with a unified design appearance for  
3 the area.

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

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

1        2. To establish transit-supportive densities, new development and redevelopment  
2        with a mix of residential and non-residential uses shall develop at a minimum residential  
3        density of 10 units per acre. To be considered mixed-use, a residential development shall  
4        include a minimum of 10,000 square feet of non-residential uses. To be considered  
5        mixed-use, a non-residential development shall contain a minimum of 3 residential units.  
6        New single-use, residential development shall develop at a minimum density of 20 units  
7        per acre. New development that expands an existing single-use residential development  
8        on the existing site shall not be required to meet the 20 units per acre density  
9        requirement. The minimum density requirements do not apply to parcels smaller than 0.5  
10       acre that existed prior to 12:01am on June 1, 2009 (the effective date of Ordinance No.  
11       080137, that annexed the Urban Village into the City of Gainesville), as documented by  
12       the City's records of that date.

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

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- 1 4. New development and redevelopment shall include pedestrian scaled blocks that establish  
2 a pedestrian scaled street network throughout the Urban Village so that the transportation  
3 system in this neighborhood functions well for automobile drivers, transit riders,  
4 bicyclists and pedestrians. Pedestrian scale blocks vary in size but are generally no larger  
5 than 1,600 feet in perimeter. ~~maximum perimeter block size of 3,200 feet, with the~~  
6 preferred perimeter block size being 2,000 feet. Land development regulations shall  
7 specify further block size requirements. Where a pedestrian scaled street network is not  
8 feasible, streets are not feasible to form the block perimeter the City may allow block  
9 sizes up to 3,200 feet in perimeter and may allow sidewalk and bicycle connections or  
10 multi-use paths to form the block perimeter. Land development regulations shall specify  
11 circumstances in which these exemptions from the maximum perimeter block size are  
12 appropriate. These circumstances, ~~which~~ may include, but are not limited to, locations  
13 where: the size or shape of the planning parcel makes inclusion of some streets  
14 infeasible, public stormwater or park facilities create impediments; there are regulated  
15 natural or archeological resources or regulated wetlands that would be negatively  
16 impacted; access management rules prohibit connections; utility constraints make the  
17 block size infeasible; there are contamination sites; and the proposed block is inconsistent  
18 with City plans for a future street network in the area.
- 19 5. New development and redevelopment shall incorporate quality urban form that  
20 includes, but is not limited to: build-to lines, façade articulation and glazing, minimum

1 and maximum height, and building relationship to the street. Land development  
2 regulations shall specify further requirements for quality urban form.

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

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

10 d. Structured parking is encouraged in the Urban Village, and any multi-family development  
11 using only structured parking (except for handicapped accessible surface parking spaces)  
12 and/or on-street parking is allowed to develop at 125 units/acre residential density and/or up to  
13 a height of 8 stories without obtaining a special use permit. Non-residential development  
14 utilizing only structured parking (except for loading spaces and handicapped accessible  
15 surface parking spaces) and/or on-street parking is allowed a height of up to 8 stories without  
16 obtaining a special use permit. These allowances of additional density and height are specific  
17 to the Urban Village and are intended to supersede and take precedence over any contrary  
18 provisions in the City's Comprehensive Plan or Land Development Code



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

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

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

17           **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
18 such conflict hereby repealed.

19           **Section 7.** ~~This ordinance shall become effective immediately upon passage on second~~  
20 ~~reading; however, the effective date of this plan amendment shall be the date a final order is issued~~

ALTERNATIVE VERSION

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

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13 PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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20 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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\_\_\_\_\_  
CRAIG LOWE  
MAYOR

ALTERNATIVE VERSION

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\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

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

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

7 This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.