

1 **WHEREAS**, notice was given and publication made as required by law and a
2 public hearing was then held by the City Commission on March 17, 2011; and

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

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

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

15 **WHEREAS**, the City Commission finds that the text change and rezoning to
16 implement the new UMU-2 regulations and amend the Special Area Plan for University
17 Heights are consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

18 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY**

19 **COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:**

20 **Section 1.** Section 30-23(c) of the Land Development Code of the City of
21 Gainesville, is hereby amended to add the following new definitions. All existing
22 definitions remain in full force and effect:

23 **Sec. 30-23. Definitions**

1 (c) Throughout this chapter, the following words and phrases shall have the
2 meanings indicated unless the text of the article or section in which used clearly indicates
3 otherwise:
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5 Awning means an architectural projection roofed with material supported entirely
6 from the exterior wall of a building.

7 Colonnade or Arcade means a covered, open-air walkway at standard sidewalk level
8 attached to or integral with the building frontage; the structure overhead is supported
9 architecturally by columns or arches along the sidewalk.

10 Glazing means the design and placement of windows and entrances with clear glass
11 in a building facade. Glazing percentages are calculated by measuring the area of
12 glazing between 3 feet and 8 feet above grade, and dividing it by the total area of the
13 building façade between 3 feet and 8 feet above grade. Required glazing must be at
14 least 80% transparent and shall not utilize painted glass, reflective glass or other
15 similarly treated windows. Glazed areas on entrances may be counted towards
16 meeting the minimum glazing requirements.

17 Heritage trees mean native trees that are larger than 20 inches in diameter at 4.5 feet
18 above ground level, except for Water Oaks (quercus nigra), Laurel Oaks (quercus
19 hemispherica), Sweetgums (Liquidambar styraciflua) and Loblolly Pine (pinus taeda),
20 which become Heritage trees only when they are larger than 30 inches in diameter
21 when measured at 4.5 feet above ground level.
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23 Research and Development in the Physical, Engineering and Life Sciences means
24 establishments primarily engaged in conducting research and experimental
25 development in the physical, engineering, or life sciences, such as agriculture,
26 electronics, environmental, biology, botany, biotechnology, computers, chemistry,
27 food, fisheries, forest, geology, health, mathematics, medicine, oceanography,
28 pharmacy, physics, veterinary, and other allied subjects (NAICS 1997-541710)

29 Stoop means a small platform, entrance stairway at a house door, or both, covered by
30 a secondary roof or awning. The stoop projects from the primary building plane.
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32 Tree root plate means the below-ground area adjacent to the trunk where the major
33 buttress roots and support roots occur, generally a circular area with a radius of four
34 (4) times the diameter of the tree trunk at ground level. For example, a 2 foot
35 diameter trunk has a root plate radius of 8 feet outside the trunk on all sides.
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37 **Section 2.** The existing regulations for the UMU-2 zoning district in Section 30-
38 65.2 of the Land Development Code of the City of Gainesville, are hereby deleted in their
39 entirety and new regulations for the UMU-2 zoning district are adopted as follows:

1 **Sec. 30-65.2. - Urban mixed-use district 2 (UMU-2).**

2 ~~(a) Purpose.~~ The UMU-2 district is created to promote and encourage redevelopment
 3 of urban corridors and neighborhoods in the core of the city and to reflect the character
 4 and scale of the existing developments in the neighborhoods. The UMU-2 district is
 5 intended to encourage pedestrian access and the combining of trips and is established to
 6 allow uses compatible with each other and with surrounding residential areas which are
 7 consistent with the land use policies of the comprehensive plan. This district will also
 8 allow for establishments engaged in conducting research and experimental development
 9 in the physical, engineering or life sciences, in order to facilitate technology transfer from
 10 institutions of higher learning to the market place.

11
 12 ~~(b) Objectives.~~ The objectives of this district are to:

- 13 ~~(1) Provide a mixture of residential, commercial and office/research uses that are~~
 14 ~~complementary to the residential and mixed-use character of the district;~~
- 15 ~~(2) Encourage the renovation of existing structures;~~
- 16 ~~(3) Promote the integration of pedestrian traffic and vehicular traffic;~~
- 17 ~~(4) Promote retail and office uses that serve the surrounding neighborhoods; and~~
- 18 ~~(5) Promote office/research uses that serve the needs of the University and the~~
 19 ~~community.~~

20 ~~(c) Permitted uses.~~

21 ~~(1) Uses by right are as follows:~~

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Site	Uses	Conditions
	Single-family dwellings	
	Row houses	
	Multi-family dwellings (up to 100 units per acre).	
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.	
	Dormitory	Must not abut property designated single-family on the future land use map
	Rooming houses and boarding houses	In accordance with article VI

	Consolidated apartment management offices	In accordance with article II
	Bed and breakfast establishment	In accordance with article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single family or multi-family residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Adult day care homes	In accordance with article VI
	Family day care homes	In accordance with article VI
	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Public service vehicles	In accordance with article VI
	Outdoor cafes	As defined in article II and in accordance with article VI
	Eating places	
	Repair services for household needs	As defined in article II
	Specialty T-shirt production	As defined in article II
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Research and Development in the Physical, Engineering and Life Sciences	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 1997-541710).
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
GN-078	Landscape and horticultural services	

MG-43	U.S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with no operation of passenger tours on site.
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission, and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services.
GN-523	Paint, glass, and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply.	
MG-53	General merchandise stores	
MG-54	Food stores	
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishing, and equipment stores	
MG-59	Miscellaneous retail	Excluding GN598 Fuel Dealers
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developer (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-701	Hotels and motels	
GN-752	Automobile parking	Structured parking only, and not within 100 feet of property designated for single family use

MG-78	Motion picture	
MG-79	Amusement and recreation service	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports
MG-80	Health services	
MG-81	Legal services	
MG-82	Educational services	
MG-83	Social services	
MG-84	Museums, art galleries, and botanical and zoological gardens	
MG-86	Membership organization	
MG-87	Engineering, accounting, research, management, and related services	

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—(2) Use by special use permit: Alcoholic beverage establishments in accordance with article VI.

(d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

—(1) Nonresidential and vertically mixed use buildings:

Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right of way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single-family or

	residential low density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated single-family or residential low density on the future land use map.
Maximum lot coverage	N/A

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2 ~~(2) Single-family dwellings.~~ These structures shall be located on lots meeting the
3 minimum dimensions as shown below. This section is specifically designed to
4 allow for zero lot line housing and other unique single-family designs, as well as
5 conventional single-family housing. It allows for smaller, relatively narrow lots, as
6 compared to other districts permitting single-family use, and provides for
7 flexibility in design concepts, which are compatible with existing uses in the area.

8 a. ~~Minimum lot area: 3,600 square feet.~~

9 b. ~~Minimum lot depth: 90 feet.~~

10 c. ~~Minimum yard setbacks~~

11 1. ~~Side: 5 feet (except that, where adjoining lots are developed at the same~~
12 ~~time under single ownership, one side of each lot may have no yard~~
13 ~~setback if the setback for the adjoining yard is at least ten feet).~~

14 2. ~~Rear: 20 feet.~~

15 d. ~~Minimum yard setbacks for accessory structures: 5 feet for rear; same as~~
16 ~~principal building for sides.~~

17 ~~(3) Two-family dwellings and rowhouses.~~

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	Rowhouses	Two-Family Dwellings
1. Minimum lot depth	90 ft.	90 ft.
2. Minimum lot area	1,800 sq. ft. per unit	3,150 sq. ft.
3. Minimum yard setbacks:		
-i. Side	10 ft. on ends of row	
-ii. Rear	15 ft.	20 ft.
4. Minimum yard setbacks for accessory structures	5 ft. for rear; same as principal building for sides	5 ft. for rear; same as principal building for sides

19 ~~(4) Multi-family dwellings.~~

Allowable density	Up to 100 units per acre; an additional 25 units per acre may be added by special use permit
Maximum density by right	100 du/acre; an additional 25 units may be added by special use permit.

Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated single family or residential low density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated single family or residential low density on the future land use map.
Maximum lot coverage	80%
Building height	Minimum: 2 stories. Maximum: 6 stories; up to 8 stories by special use permit.

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Accessory Structures

Minimum setbacks (excluding walls and fences):	
Front	Same requirement as for principal structure
Side (interior)	5 ft., or 25 ft. when abutting property designated single-family or residential low density on the future land use map.
Side (street)	5 ft.
Rear	5 ft., or 25 ft. when abutting property designated single-family or residential low density on the future land use map.
Maximum building height	35 ft.

- 2 —(5) *Building height.* A minimum of two stories. A maximum of eight stories; however,
3 the height of buildings located within 50 feet of property designated single family
4 or residential low density on the future land use map shall not exceed six stories. A
5 special use permit is required for any height over six stories. In addition to the

1 criteria listed at section 30-233, a special use permit for buildings over six stories
2 shall meet the following criteria:

- 3 a. ~~No more than 150 feet of horizontal first story facade will be allowed without an~~
4 ~~entrance, which is defined to be an operable door;~~
- 5 b. ~~Sidewalks along the street edge shall be at least ten feet wide;~~
- 6 c. ~~There is at least 80 percent building lot frontage;~~
- 7 d. ~~The first story is at least ten feet in floor to ceiling height; and~~
- 8 e. ~~The first story contains only retail, service, and/or restaurant uses when the first~~
9 ~~story fronts an "A" street or other primary street or streets as determined by the~~
10 ~~city manager or designee or appropriate reviewing board.~~

11 ~~(e) Additional requirements:~~

- 12 ~~(1) General conditions. All structures and uses within this district shall also comply~~
13 ~~with the applicable requirements and conditions of section 30-67 and article IX.~~
- 14 ~~(2) When the development is located in a special area plan overlay district. If the~~
15 ~~provisions of the special area plan conflict with the underlying zoning, the~~
16 ~~provisions of the special area plan shall govern and prevail. The effect of the~~
17 ~~classification is that the special area plan is the applicable set of regulations. The~~
18 ~~underlying zoning and provisions of the land development code shall apply when~~
19 ~~the special area plan does not address a requirement.~~
- 20 ~~(3) Projections over right-of-way. Projections may project over any public right-of-~~
21 ~~way used for sidewalks or other pedestrian walkways when in conformance with~~
22 ~~the Florida Building Code and, when permitted by the public entity responsible~~
23 ~~for the right-of-way by the granting of an easement or other appropriate property~~
24 ~~right.~~

25 ~~(f) General requirements. All structures and uses within this district shall also comply~~
26 ~~with the applicable requirements and conditions of section 30-67 and article IX.~~
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29 (a) Intent. The UMU-2 Zoning District is created to promote and encourage
30 redevelopment of the existing urban commercial areas and neighborhoods near the
31 University of Florida. The district is intended to encourage multimodal mobility and
32 to allow uses and development compatible with each other and with surrounding
33 residential areas and which are consistent with the land use policies of the
34 comprehensive plan. Furthermore, this district is intended to allow for establishments
35 engaged in conducting research and experimental development in the physical,
36 engineering or life sciences, in order to facilitate technology transfer from institutions
37 of higher learning to the market place. The objectives of this district are to:

- 38 (1) Provide a mixture of residential, commercial and office/research uses that are
39 complementary to the residential and mixed-use character of the district;
- 40 (2) Encourage quality redevelopment and the renovation of existing structures;

1 (3) Promote multimodal transportation and create high-quality urban streetscapes by
2 using buildings, sidewalks, and street trees to form a pleasant, convenient and safe
3 environment designed for pedestrians, bicyclists, public transit, and automobiles;

4 (4) Promote retail and office uses that serve the surrounding neighborhoods and
5 enhance the viability of existing commercial areas by focusing new development
6 in appropriate locations; and

7 (5) Promote office/research uses that serve the needs of the University and the
8 community and enhance the development of the local innovation economy.

9
10 (b) Administration.

11 (1) Required compliance. All development shall comply with these zoning district
12 regulations except as otherwise provided by variance of the board of adjustment
13 or by board modification, or administrative modification, as described below.

14 (2) Modifications.

15 a. Board modification. The appropriate reviewing board shall have the authority
16 to grant modifications limited to the build-to line, building frontage, building
17 relationship to the street, building articulation and design, and streets/blocks
18 standards as are set forth in this Section, where the board finds by substantial
19 competent evidence that:

20 1. The proposed development offers unique/alternative compliance
21 that meets the intent of the UMU-2 zoning district; the requested
22 modification is the minimum necessary to allow reasonable
23 development of the site; and the requested modification is not
24 injurious to the public health, safety and welfare; or

25 2. An undue hardship, owing to conditions peculiar to the land or
26 structure and not the result of the action of the applicant, would
27 result from strict adherence to the standard.

28 b. Administrative modification. The city manager or designee shall have the
29 authority to grant limited modifications, as set forth below, where the city
30 manager or designee determines that the proposed development meets the
31 intent of the UMU-2 zoning district, the requested modification is the
32 minimum necessary to allow reasonable development of the site and the
33 requested modification is not injurious to the public health, safety and welfare.
34 Administrative modifications are limited to the following:

35 1. Build-to lines: modification not to exceed 3 feet beyond the
36 required build-to line.

37 2. Glazing: Reduction of no more than 10 percent of the required
38 glazing.

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- 3. First floor height: Reduction of no more than 4 feet of the required minimum height.
- 4. Sidewalk zones: Reduction of no more than 2 feet from the required width, provided that a minimum 5 feet of unobstructed width is maintained.
- 5. Landscape zones: Reduction of no more than 1 foot from the required width, provided that the required root space is allocated for street trees.

- c. In granting a modification, the reviewing board or administrator may impose any reasonable additional conditions, restrictions or limitations deemed necessary or desirable by the board or administrator to preserve and promote the intent of the UMU-2 Zoning District.
- d. All requests for modifications shall be submitted in writing with the application for development review on forms provided by the City. The request shall be approved or denied during development plan review and, if granted, shall be noted on the final development plan. If denied, there is no further administrative appeals process.

(3) Effect of Regulations. Where this section specifically addresses a requirement and it is in conflict with other provisions of this Land Development Code, the requirement of this section shall govern. Where this section does not specifically address a requirement, the applicable provisions of the Land Development Code shall apply.

(c) Uses.

(1) Permitted Uses by right are as follows:

<u>Sic</u>	<u>Uses</u>	<u>Conditions</u>
	<u>Compound uses</u>	
	<u>Single-family dwellings</u>	
	<u>Rowhouses</u>	
	<u>Multi-family dwellings (up to 100 units per acre)</u>	
	<u>Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.</u>	

	<u>Dormitory</u>	<u>Must not abut property designated single-family on the future land use map</u>
	<u>Rooming houses and boarding houses</u>	<u>In accordance with article VI</u>
	<u>Consolidated apartment management offices</u>	
	<u>Bed and breakfast establishment</u>	<u>In accordance with article VI</u>
	<u>Community residential homes with 14 or fewer residents</u>	<u>When part of a permitted single-family or multi-family residential development and in accordance with article VI</u>
	<u>Community residential homes with more than 14 residents</u>	<u>In accordance with article VI</u>
	<u>Adult day care homes</u>	<u>In accordance with article VI</u>
	<u>Family day care homes</u>	<u>In accordance with article VI</u>
	<u>Day care center</u>	<u>In accordance with article VI</u>
	<u>Places of religious assembly</u>	<u>In accordance with article VI</u>
	<u>Public service vehicles</u>	<u>In accordance with article VI</u>
	<u>Outdoor cafes</u>	<u>In accordance with article VI</u>
	<u>Eating places</u>	
	<u>Repair services for household needs</u>	
	<u>Specialty T-shirt production</u>	
	<u>Rehabilitation centers</u>	<u>In accordance with article VI</u>
	<u>Research and Development in the Physical, Engineering and Life Sciences</u>	
	<u>Light assembly, packaging, and manufacturing associated with Research and Development in the Physical, Engineering</u>	

	<u>and Life Sciences</u>	
	<u>Chilled water and steam plants, electric generation, and other energy storage, distribution, and conversion facilities</u>	
<u>GN-074</u>	<u>Veterinary services</u>	<u>Only within enclosed buildings and in accordance with article VI</u>
<u>GN-078</u>	<u>Landscape and horticultural services</u>	
<u>MG-43</u>	<u>U.S. Postal Service</u>	
<u>GN-471</u>	<u>Arrangement of passenger transportation</u>	<u>Offices only, with no operation of passenger tours on site</u>
<u>GN-483</u>	<u>Radio and television broadcasting stations</u>	<u>Accessory transmission, retransmission, and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services</u>
<u>GN-523</u>	<u>Paint, glass, and wallpaper stores</u>	
<u>GN-525</u>	<u>Hardware stores</u>	
<u>GN-526</u>	<u>Retail nurseries, lawn and garden supply.</u>	
<u>MG-53</u>	<u>General merchandise stores</u>	
<u>MG-54</u>	<u>Food stores</u>	<u>Excluding gasoline pumps</u>
<u>MG-56</u>	<u>Apparel and accessory stores</u>	
<u>MG-57</u>	<u>Home furniture, furnishing, and equipment stores</u>	
<u>MG-59</u>	<u>Miscellaneous retail</u>	<u>Excluding GN-598 Fuel Dealers</u>
<u>Div. H</u>	<u>Finance, insurance and real estate</u>	<u>Excluding cemetery subdividers and developer (IN-6553)</u>
<u>MG-72</u>	<u>Personal services</u>	<u>Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)</u>

<u>MG-73</u>	<u>Business services</u>	<u>Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359)</u>
<u>GN-701</u>	<u>Hotels and motels</u>	
<u>GN-752</u>	<u>Automobile parking</u>	<u>Structured parking only, and not within 100 feet of property designated for single-family use on the future land use map</u>
<u>MG-78</u>	<u>Motion picture</u>	
<u>MG-79</u>	<u>Amusement and recreation service</u>	<u>Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports</u>
<u>MG-80</u>	<u>Health services</u>	
<u>MG-81</u>	<u>Legal services</u>	
<u>MG-82</u>	<u>Educational services</u>	
<u>MG-83</u>	<u>Social services</u>	
<u>MG-84</u>	<u>Museums, art galleries, and botanical and zoological gardens</u>	
<u>MG-86</u>	<u>Membership organization</u>	
<u>MG-87</u>	<u>Engineering, accounting, research, management, and related services</u>	

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(2) Permitted Uses by Special Use Permit: Alcoholic beverage establishments, in accordance with Article VI.

(d) Site Development Requirements.

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(1) All structures shall be located and constructed in accordance with the Dimensional Requirements Table. Accessory structures shall meet all regulations pertaining to principal structures within this district.

<u>DIMENSIONAL REQUIREMENTS TABLE</u>	<u>Nonresidential and vertically mixed use buildings</u>	<u>Single-family dwellings</u>	<u>Multi-family dwellings, Two-family dwellings and rowhouses</u>
<u>Lot depth (minimum)</u>	<u>90 feet</u>	<u>90 feet</u>	<u>90 feet</u>
<u>Interior Side (minimum)</u>	<u>0 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map</u>	<u>5 feet except that, where adjoining lots are developed at the same time under single ownership, one side of each lot may have no yard setback if the setback for the adjoining yard is at least 10 feet</u>	<u>7.5 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map</u>
<u>Rear (minimum)</u>	<u>0 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map.</u>	<u>10 feet</u>	<u>5 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map.</u>
<u>Lot coverage (maximum)</u>	<u>N/A</u>	<u>N/A</u>	<u>80%</u>
<u>Building frontage</u>	<u>70% minimum</u>	<u>N/A</u>	<u>70% minimum</u>
<u>Density (maximum)</u>	<u>100 du/acre, or up to 125 du/acre by special use permit</u>	<u>N/A</u>	<u>100 du/acre, or up to 125 du/acre by special use permit</u>

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(2) Additional dimensional standards.

- 1 a. Non-single-family buildings shall have a minimum height of 24 feet.
- 2 b. A maximum of six stories is permitted by right and a maximum of eight
3 stories is permitted by special use permit.
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- 5 c. As depicted in Figure 3.0 - Height Limits –University Heights, there shall be a
6 maximum of 3 or 4 stories for a distance of 50 feet as measured from the
7 property line of properties located adjacent to the University Heights Historic
8 Districts.

9 (3) Building relationship to the street.

- 10 a. All non-residential buildings are required to have a main entrance facing the
11 street. A main entrance shall be indicated on building floor plans by the
12 placement of atriums, lobbies, or other entry rooms at the entrance and
13 through the inclusion of architectural entry features such as, but not limited to,
14 awnings, arcades, columns or archways, and by providing a level of
15 architectural detailing that is comparable to or exceeds other entrances to the
16 building.
- 17 b. Residential units on the first story shall have a functional entrance on the
18 street.
- 19 c. The length of street-fronting facade without an intervening entrance shall not
20 exceed 150 feet.
- 21 d. Sidewalk connections to the public sidewalk must be provided from all
22 building entrances that face the street. These connections shall provide at
23 least 5 feet of unobstructed width.
- 24 e. Front porches for multi-family uses.
- 25 1. Residential units on the first floor along a street shall have individual front
26 porches.
- 27 2. Front porches shall have a minimum surface area of 25 square feet with a
28 minimum depth of 5 feet and a minimum width of 5 feet.
- 29 3. Front porches shall be open and not air conditioned.
- 30 4. Front porches may only be screened where they are located behind the
31 build-to line.
- 32 f. Except for a driveway to reach the side yard or rear yard or on-site parking,
33 neither driveways nor surface parking lots are permitted between the sidewalk
34 and a building. Driveways shall be perpendicular to any adjacent street.

35 (4) Building articulation and design.

1 a. Glazing (Figure 5.0).

2 1. For multi-family residential uses, the minimum glazing percentage
3 shall be 30% for the first story and 20% for upper stories, on all street
4 frontages.

5 2. For non-residential uses, minimum glazing percentage shall be 50%
6 for the first story on local street and urban throughway street frontages
7 and 65% for the first story on storefront street and principal street
8 frontages.

9 b. Delineation of stories. The area between the first and second stories along all
10 street frontages shall include architectural detailing, such as, but not limited
11 to, variations in materials or horizontal expression lines, to visually delineate
12 the first and second stories.

13 c. First floor height. All multi-story buildings on storefront streets shall have a
14 minimum first story floor-to-floor height of 15 feet.

15 d. First floor uses. On principal and storefront streets, buildings shall be
16 designed so that the area of the first floor along the street frontage contains
17 active uses that are oriented to the street. Active uses may include, but are not
18 limited to, display or floor areas for retail uses, waiting and seating areas for
19 restaurants, atriums or lobbies for offices, and lobbies or dining areas for
20 hotels or multifamily residential. Residential units may be located directly on
21 the first floor street frontage of buildings on principal streets, but not on
22 storefront streets.

23 (e) Public Realm Requirements.

24 (1) Existing Streets. The street types referred to throughout this section (local street,
25 principal street, storefront street and urban throughway) are identified and depicted in
26 Figure 2.0 - Street Types – University Heights and Figure 2.2- Street Types- Archer
27 Triangle.

28 (2) New Streets/Blocks.

29 a. Within the University Heights area (Figure 1.0 – District Boundary Map-
30 University Heights), subdivisions, minor subdivisions, lot splits, and
31 development that requires development plan review shall be required to
32 include any of the proposed local streets depicted in Figure 2.1 that are located
33 within the boundaries of the subdivision, minor subdivision, lot split or
34 development. These new local streets shall be constructed at the expense of
35 the owner/developer as part of the subdivision, minor subdivision, lot split or
36 development, to serve the subdivision, minor subdivision, lot split or
37 development, and shall be located so that the resulting block(s) will not
38 exceed a maximum block perimeter of 1800 feet.

1 b. Within the Archer Triangle area (Figure 1.1-District Boundary Map- Archer
2 Triangle), subdivisions, minor subdivisions, lot splits, and development on
3 sites greater than two acres which propose new development on more than
4 50% of the site shall be required to include new local streets within the
5 subdivision, minor subdivision, lot split or development so that the resulting
6 block(s) will not exceed a maximum block perimeter of 2600 feet. These new
7 local streets shall be constructed at the expense of the owner/developer as part
8 of the subdivision, minor subdivision, lot split or development, to serve the
9 subdivision, minor subdivision, lot split or development.

10 c. The required local streets shall be constructed according to the appropriate
11 City standards as determined through the development review, subdivision,
12 minor subdivision or lot split process, but may be sited and configured in a
13 manner so that they provide the most appropriate access to the development,
14 subdivision, minor subdivision or lot split. Where a street is planned to
15 continue beyond the extent of a development, subdivision, minor subdivision
16 or lot split, the development shall provide for the continuation of the street by
17 stubbing out the improvements as close as is practicable to edge of the
18 property boundary.

19 d. The required local streets may be dedicated for public right-of-way after
20 construction, if the City desires to accept same for maintenance, or may be
21 privately owned streets provided the streets remain open for public ingress
22 and egress.

23 e. Board modifications may be granted in accordance with Section 30-65.2
24 (b)(2)a., with specific consideration given to situations where the construction
25 of a street is limited by access management standards or is impeded by the
26 presence of regulated environmental features or by existing public stormwater
27 facilities, parks, or schools. Where it is determined that it is not possible to
28 construct the streets that would be required to meet block perimeter standards,
29 the block perimeter shall be completed with the provision of sidewalk and
30 bicycle connections or multi-use paths.

31 (3) Sidewalk zone.

32 a. The minimum sidewalk dimensions set forth in the Streetscape Dimensions
33 Table shall apply to all streets in this district.

34 b. The sidewalk zone shall be immediately contiguous to the landscape zone and
35 shall be continuous and entirely hardscaped by the owner/developer.

36 c. Outdoor seating may encroach into the sidewalk zone provided that a
37 minimum unobstructed width of 5 feet is maintained.

38 d. Balconies, marquees, projecting signs, and awnings may encroach into the
39 sidewalk zone up to a distance of half the required sidewalk dimension,
40 provided that they are at least 9 feet above the grade of the sidewalk.

1 e. The owner/developer shall construct new sidewalks to align with existing
2 sidewalks on abutting properties.

3 (4) Landscape zone.

4 a. There shall be a continuous landscape zone adjacent to the curb which shall
5 meet the dimensions set forth in the Streetscape Dimensions Table. This zone
6 is intended for the placement of street trees, street furniture and light poles,
7 fire hydrants, traffic signs, bus shelters, bicycle racks, litter receptacles,
8 benches and similar items.

9 b. The owner/developer shall install street trees to meet the spacing requirements
10 set forth in the Streetscape Dimensions Table. All street trees shall be
11 provided a minimum of 140 square feet of root room to a depth of 3 feet, and
12 shall be planted no closer than 10 feet from any building or wall foundation.

13 c. The area of the landscape zone between trees shall be hardscape on storefront
14 streets, principal streets, and all other streets with on-street parking. Street
15 trees shall be planted within a landscaping or grass strip on local streets and
16 urban throughway streets. Surface openings for trees within tree wells shall be
17 at least 18 square feet. Landscaping utilized between street trees should not
18 exceed 30 inches at mature height.

19 d. Where heritage trees are located within the public right-of-way they should be
20 preserved and no new construction placed within the tree root plate. New
21 buildings should be designed so that no more than 25 percent of the crown of
22 these preserved trees is removed. The removal, relocation or replacement of
23 heritage trees shall be in accordance with Sec. 30-258 of the Land
24 Development Code.

25 e. Street trees shall meet Florida Department of Transportation clear zone
26 requirements, adopted pursuant to Chapter 316, Florida Statutes, and adopted
27 by reference in Chapter 26 of the City Code of Ordinances. A visual example
28 is provided in Figure 4.3 - Streetscape with 4' Clear Zone.

29 (5) Build-to line.

30 a. The build-to line shall be measured from the back of curb.

31 b. The build-to-line shall be measured as the sum of the required landscape zone,
32 sidewalk zone and required setback from the sidewalk zone.

33 c. The build-to line standards of this section shall not result in structures being
34 built in the public right-of-way. If the build-to line dimensions result in a
35 build-to line within the public right-of-way, the actual build-to line shall be
36 established at the property line adjacent to the public right-of-way.

1 (6) Transit facilities. Transit stop facilities shall be within the landscape zone or
 2 sidewalk zone and located in accordance with the most current “Regional Transit
 3 System Bus Stop Improvement Plan” on file in the RTS Planning Office.

4

<u>STREETSCAPE DIMENSIONS TABLE</u>	<u>Urban Throughway</u>	<u>Storefront streets</u>	<u>Principal streets</u>	<u>Local streets or private streets</u>
<u>Landscape zone (minimum)</u>	8 feet	5 feet	5 feet	8 feet
<u>Street tree spacing</u>	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center
<u>Sidewalk zone (minimum)</u>	8 feet	10 feet	10 feet	10 feet
<u>Build-to-line (non-residential uses)</u>	25-80 feet setback from the back of curb	20 feet setback from the back of curb	20 feet setback from the back of curb	18 feet setback from the back of curb
<u>Build-to line (residential uses)</u>	30-80 feet setback from the back of curb	20 feet setback from the back of curb	25 feet setback from the back of curb	23 feet setback from the back of curb

5 Note to Table: Examples of the landscape zone and streetscape zone and streetscape
 6 scenarios are depicted in Figure 4.0 – Public Realm Requirements and Figure 4.2 –
 7 Streetscape Scenarios.

8 (f) Additional requirements.

9 (1) Drive-through facilities. Drive-through facilities are prohibited in this district.
 10 Drive-through facilities are defined as facilities that provide services
 11 mechanically or personally to customers who do not exit their vehicles, examples
 12 include, but are not limited to, banking facilities, payment windows, restaurant,
 13 food and/or beverage sales, dry cleaning and express mail services. The
 14 following are not considered drive-through facilities: auto fuel pumps and
 15 depositories which involve no immediate exchange or dispersal to the customer,
 16 such as mail boxes, library book depositories, and recycling facilities.

17 (2) Landscape buffers. All development in this district is exempt from the general
 18 landscape buffer requirements in Article VIII of the Land Development Code.

19 (3) Parking.

20 a. Vehicular surface parking.

- 1 1. Other than as required by the Americans with Disabilities Act (ADA) and
2 Florida Accessibility Code (FAC) or other state or federal requirements,
3 there shall be no minimum vehicular parking requirement. There shall be a
4 maximum vehicular surface parking allowance of 1 parking space per 400
5 square feet of gross floor area. However, there shall be no limit on the
6 number of parking spaces provided in the form of structured parking.
- 7 2. Surface parking lots shall be located in the rear or interior side of the
8 building.
- 9 3. Surface parking lots adjacent to streets shall meet the standards depicted in
10 Figure 4.1 - Parking Exhibit.
- 11 4. Surface parking lots shall comply with the landscaping requirements in
12 Article VIII of the Land Development Code.

13 b. Structured parking facilities.

- 14 1. Structured parking shall provide architectural detailing on the first and
15 second stories, such as, but not limited to, variations in materials, framing
16 of wall openings, vertical or horizontal expression lines, pilasters, arches,
17 or railings.
- 18 2. Automobiles shall be screened from street view by wall, fence or
19 vegetative matter .
- 20 3. Structured parking adjacent to streets shall meet the standards depicted in
21 Figure 4.1 - Parking Exhibit.

22 c. Bicycle parking.

- 23 1. The owner/developer shall provide a minimum of 1 space per 1,000 square
24 feet of gross building square feet for non-residential uses and 1 space per
25 two bedrooms for residential uses for bicycle parking.
- 26 2. A minimum of 20 percent of the provided bicycle parking shall be located
27 within the landscape zone or sidewalk zone. The remainder shall be
28 located a maximum distance of 100 feet from a building entrance and shall
29 be covered from inclement weather or located within an accessory parking
30 structure.

31 d. Vehicular access. Developments may have one curb cut located on each street
32 frontage, except that curb cuts shall not be permitted on storefront or principal
33 streets when access may be provided from a local street or alley.

34 (4) Loading areas and dumpsters.

- 35 a. Loading docks shall be prohibited along storefront streets and principal
36 streets.

1 b. Loading dock entrances along the street shall be screened with automatic
2 doors so that the dock and related activities are not visible from the adjacent
3 sidewalk.

4 c. Dumpsters shall be placed at the side or the rear of the building so that they
5 are not visible from the street.

6 d. Dumpsters shall be surrounded by an enclosing wall that is attached to a
7 building. The enclosing wall shall not exceed 8 feet in height, and shall be
8 finished or painted with the same material or color as the building. The
9 enclosing wall shall be fitted with an opaque sliding or hinged door and
10 working latch.

11 (5). Walls and Fences.

12 a. Fences made of chain-link (wholly or in part) are prohibited.

13 b. The maximum height of fences or walls shall be 40 inches when located
14 within a front or side yard and 72 inches when located within a rear yard.

15 (6) Mechanical Equipment.

16 a. Mechanical equipment shall not be permitted between any building and
17 storefront or principal streets.

18 b. Screening (by wall, fence or vegetative matter) that exceeds the height of the
19 equipment shall be required if the equipment is visible from the street or
20 adjacent properties. Certain equipment, such as but not limited to, rain barrels
21 or cisterns, shall not require screening provided they are designed to blend
22 with the building and are constructed with the same materials and colors.

23 c. Chiller plants and similar utility structures.

24 1. Chiller plants and similar utility structures shall not be permitted between
25 any building and storefront street or principal street.

26 2. Chiller plants and similar utility structures shall provide a minimum 15
27 foot landscape strip planted with shrubs and trees between the structure
28 and the street or abutting properties.

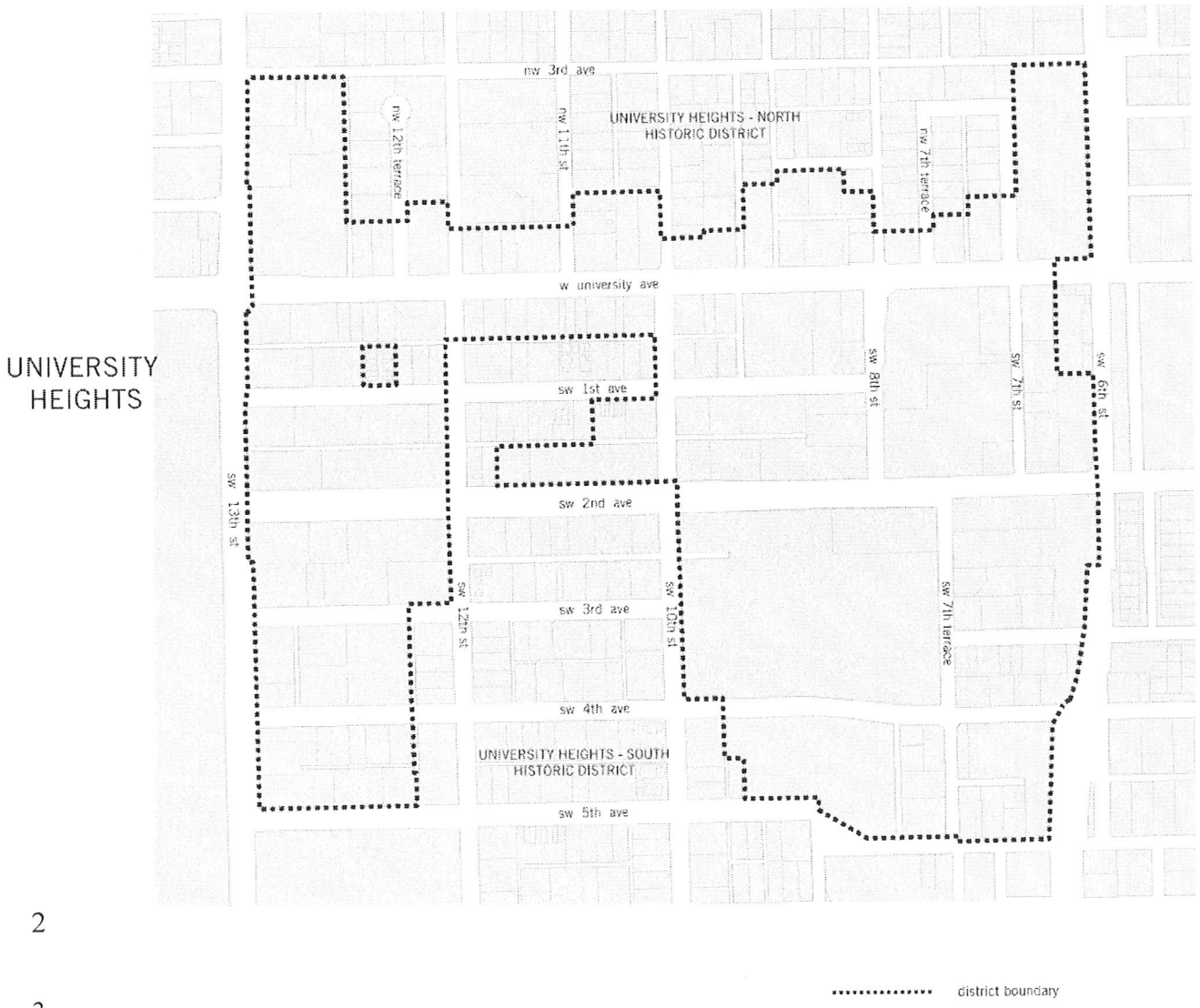
29 3. Opaque walls a minimum of 6 feet in height shall be provided between the
30 structure and the public street.

31 (7) Signage.

32 a. Signs shall be externally lit. Individual letters and symbols may be
33 internally lit or back-lit.

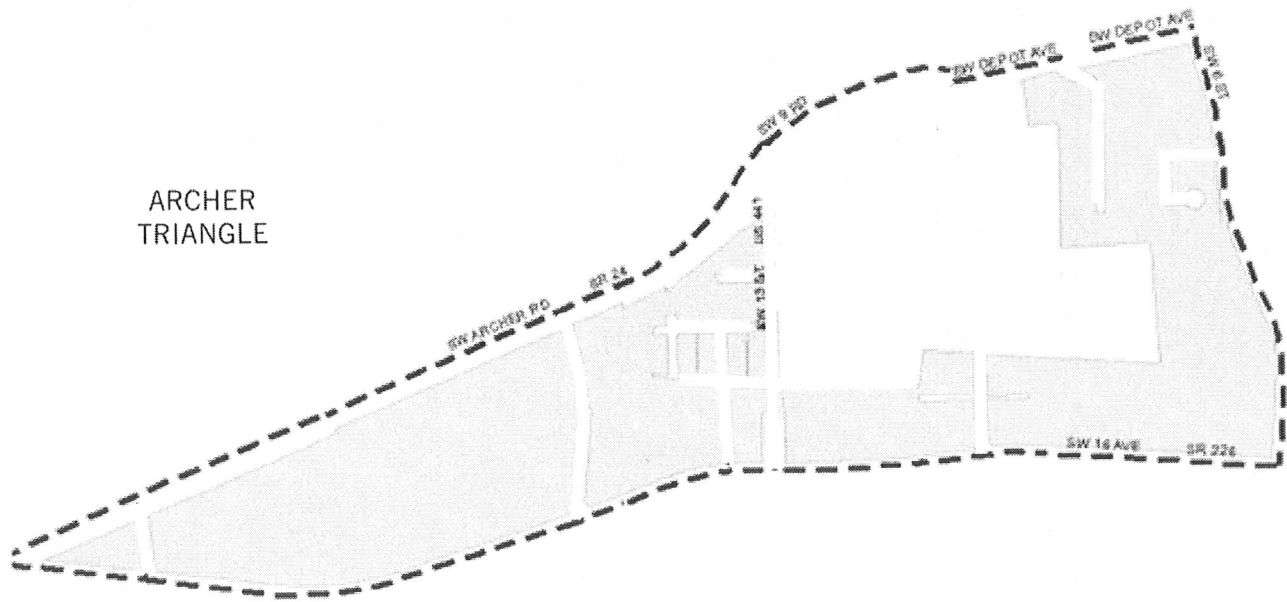
34 b. Finish materials shall consist of one or more of the following:

- 1 1. Wood (painted or unpainted); or
- 2 2. Metal (painted or unpainted); or
- 3 3. Painted or rubberized canvas; or
- 4 4. Strip lighting with the appearance of neon (including individual
5 channel letter signs that are internally illuminated and may have
6 plastic faces); or
- 7 5. Engraving directly on the façade surface; or
- 8 6. Wood-like materials; or
- 9 7. Lettering on transparent windows or doors; or
- 10 8. Vinyl lettering with a painted appearance.
- 11



4 Figure 1.0 District Boundary Map – University Heights

1



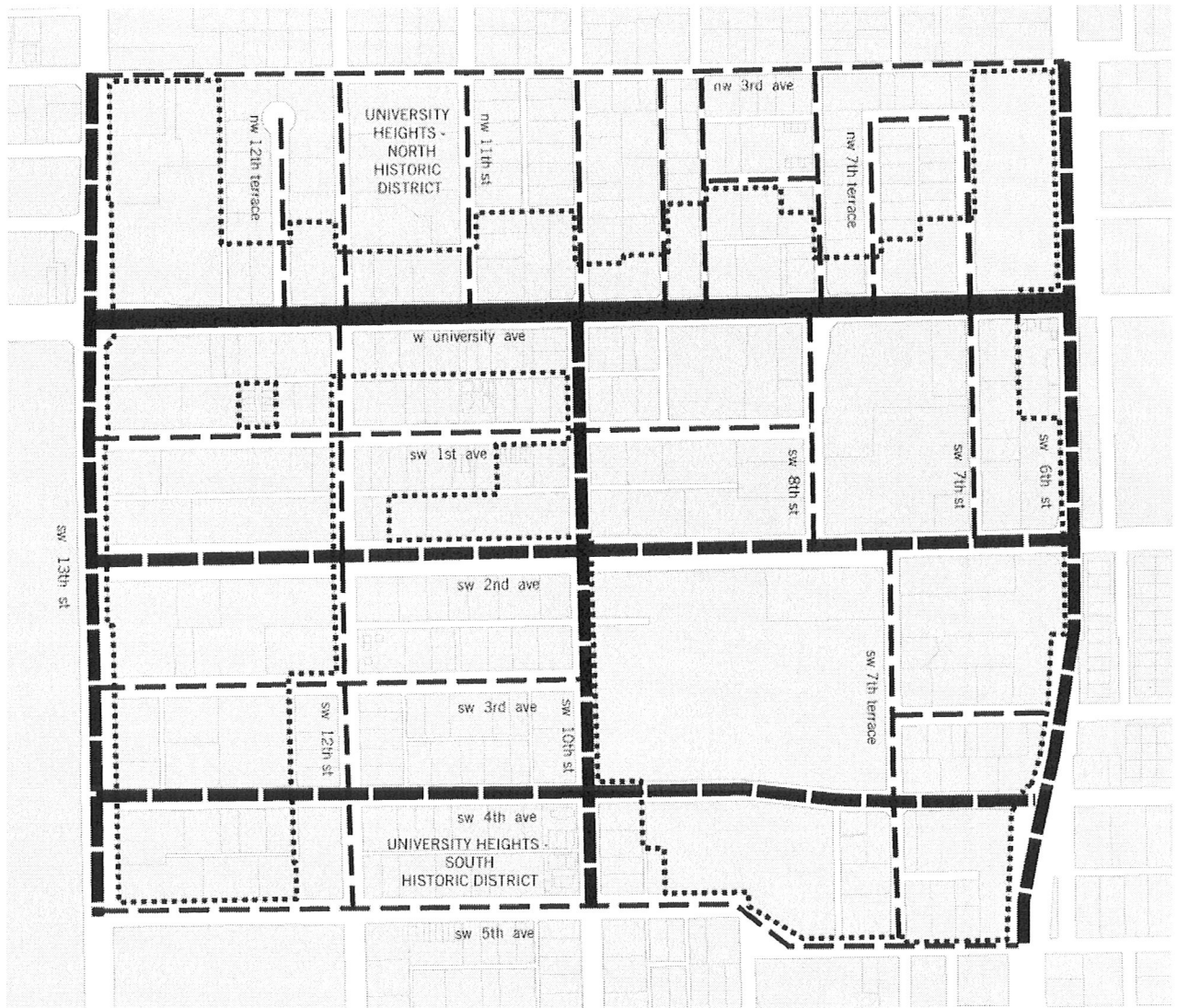
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4 Figure 1.1 District Boundary Map – Archer Triangle

5

..... district boundary



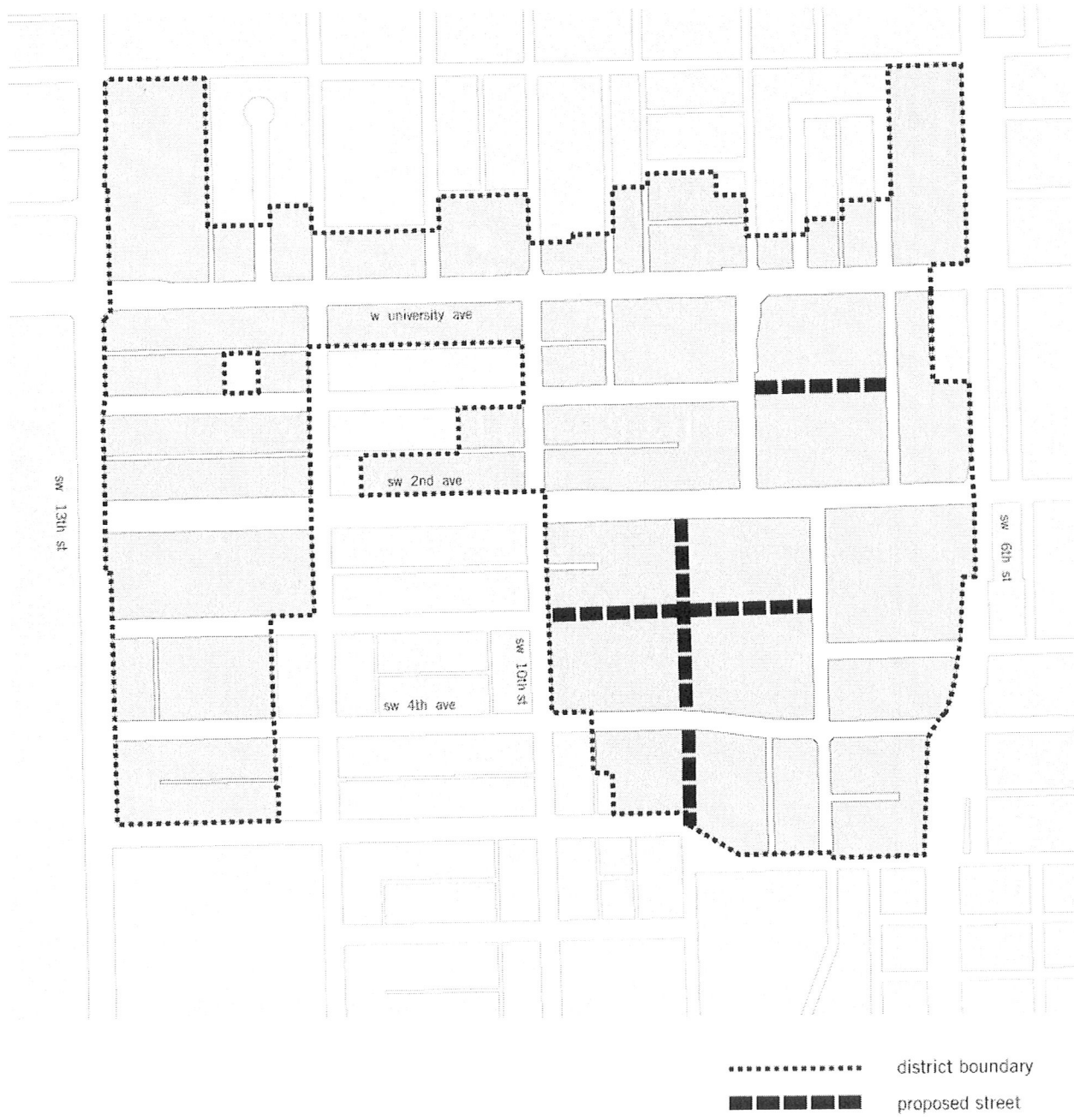
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- district boundary
- storefront street
- principal street
- - - - - local street

3

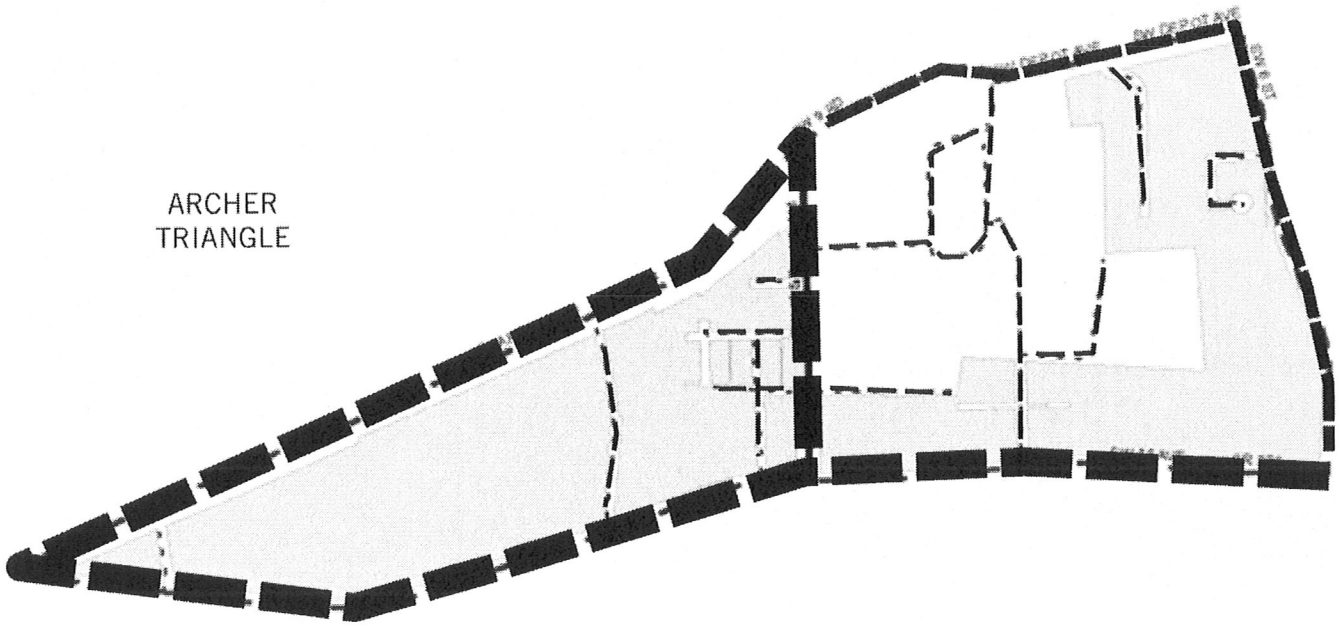
4 Figure 2.0 - Street Types – University Heights

5



1 Figure 2.1 – Proposed Local Streets – University Heights
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ARCHER
TRIANGLE



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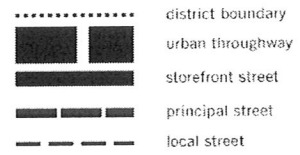
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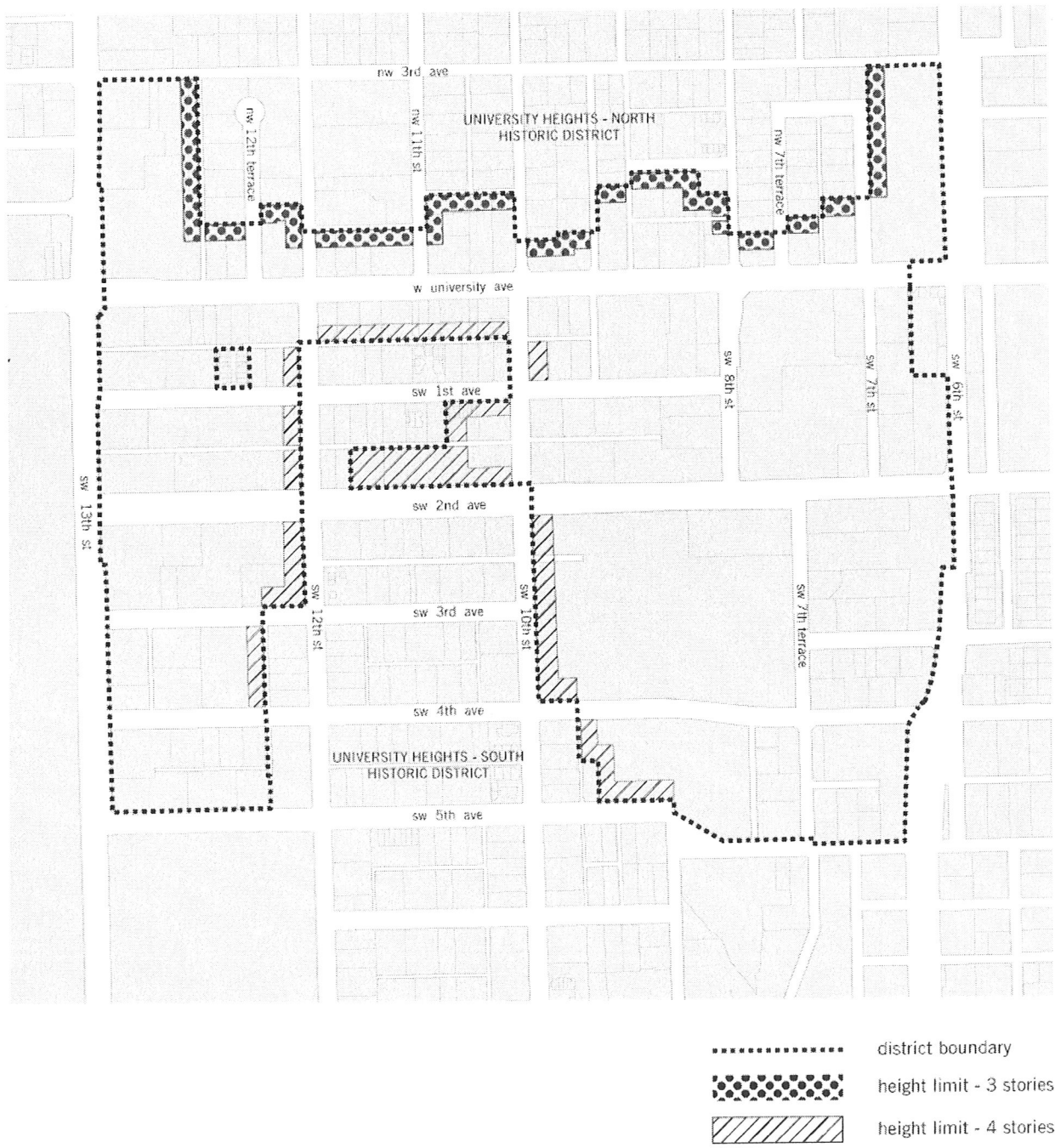
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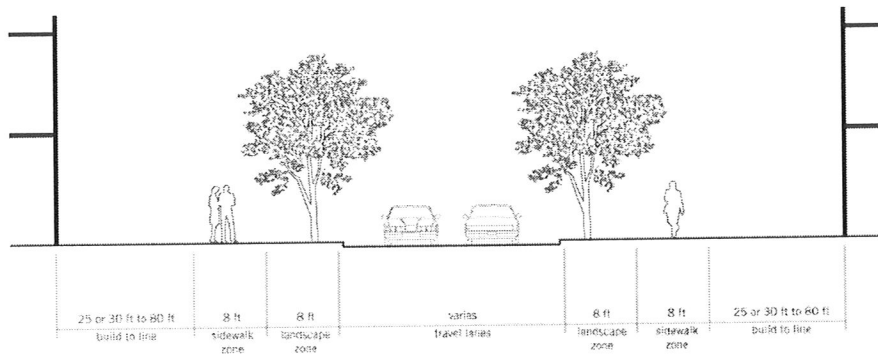
Figure 2.2 - Street Types – Archer Triangle



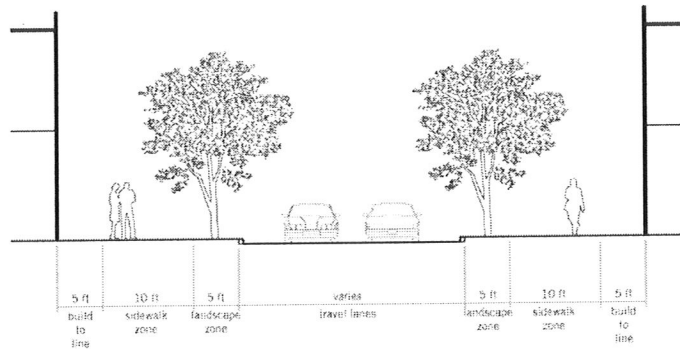
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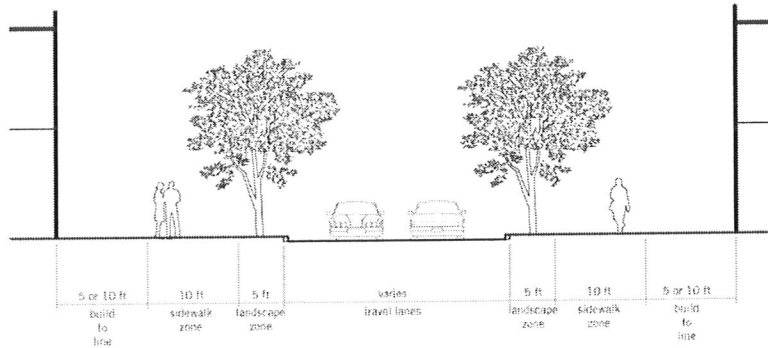
3 Figure 3.0 - Height Limits – University Heights
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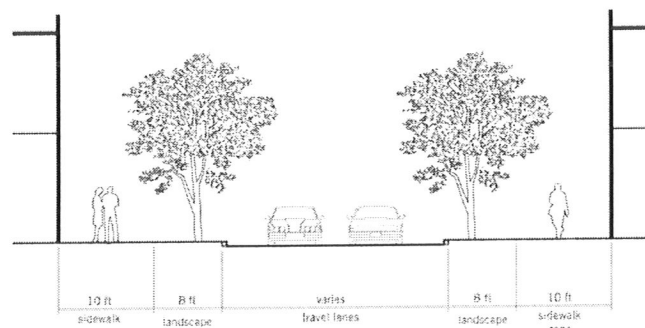
street type: urban throughway



street type: storefront



street type: principal

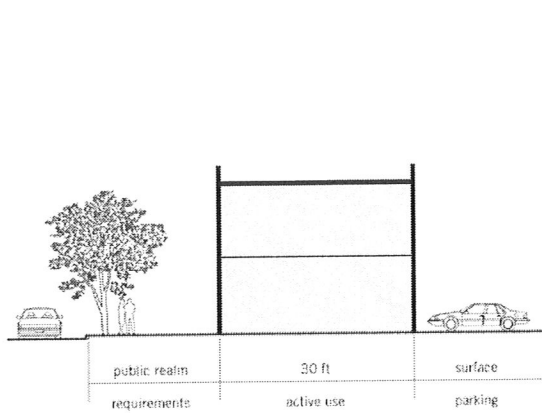


street type: local

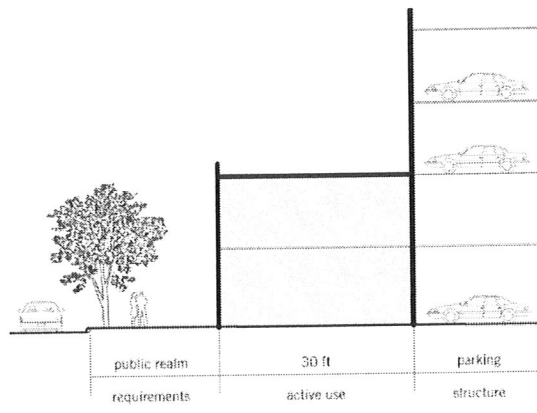
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2 Figure 4.0 - Public Realm Requirements

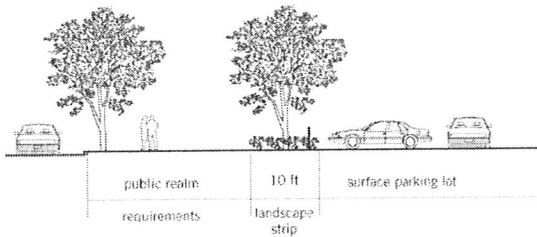
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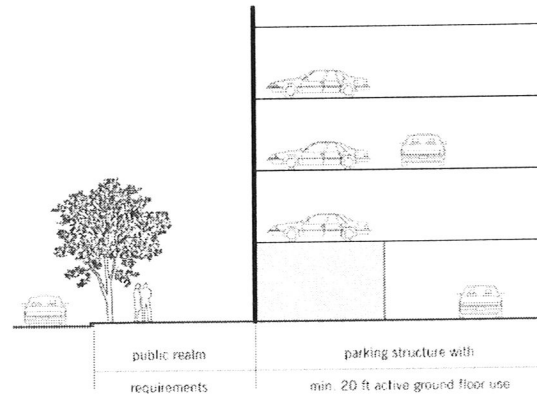
surface parking
street type: storefront



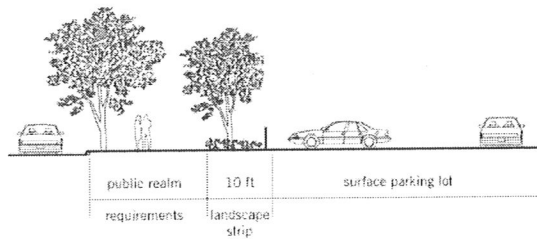
structured parking



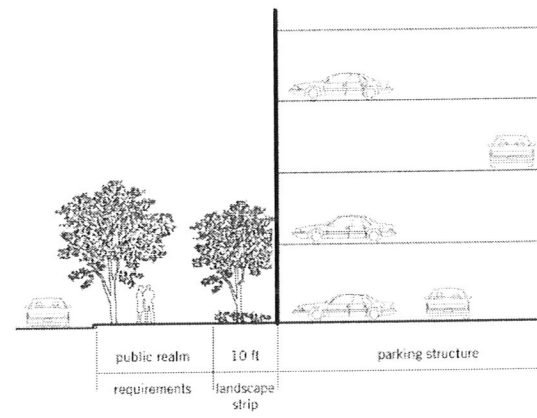
surface parking
street type: principal



structured parking



surface parking
street type: local & urban throughway

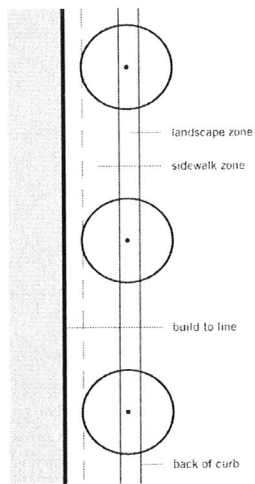


structured parking

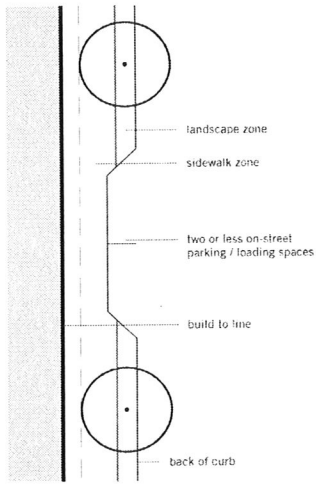
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Figure 4.1 - Parking Exhibit

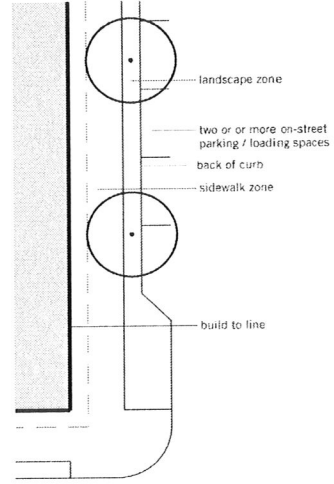
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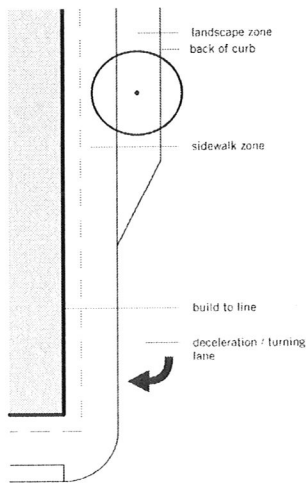
typical



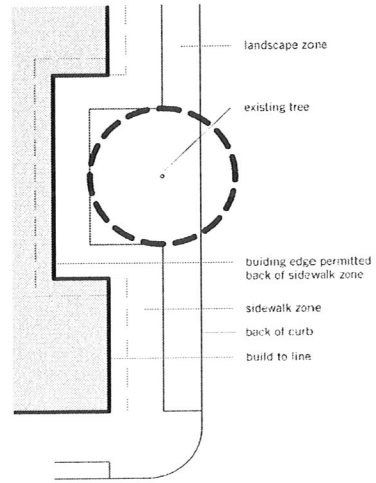
a-typical 1



a-typical 2



a-typical 3



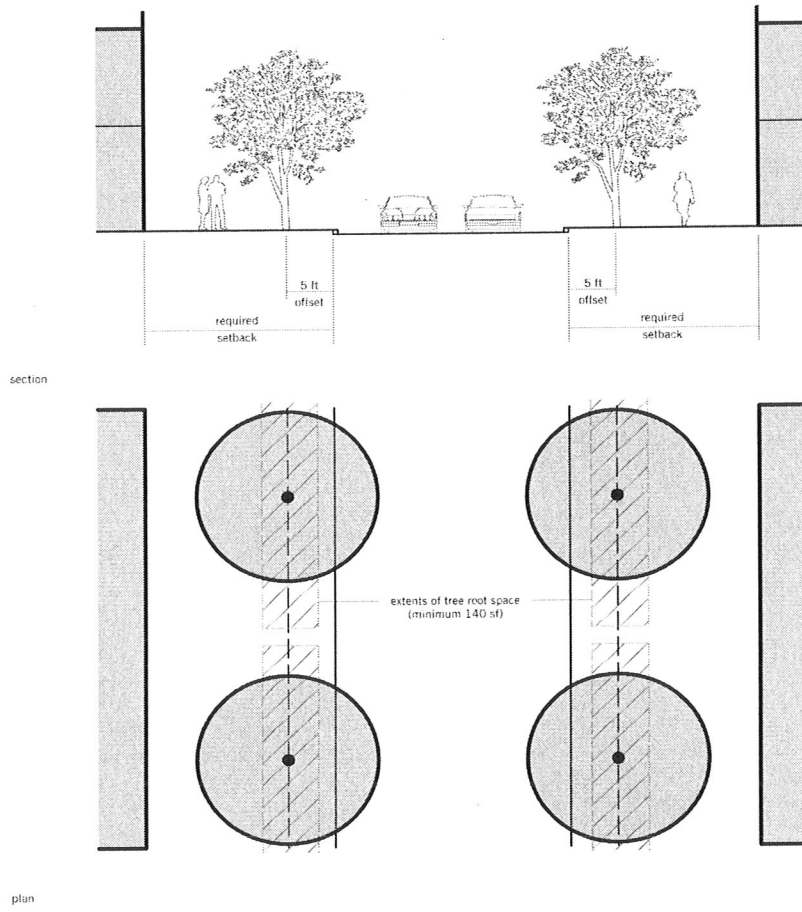
a-typical 4

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2 Figure 4.2 - Streetscape Scenarios

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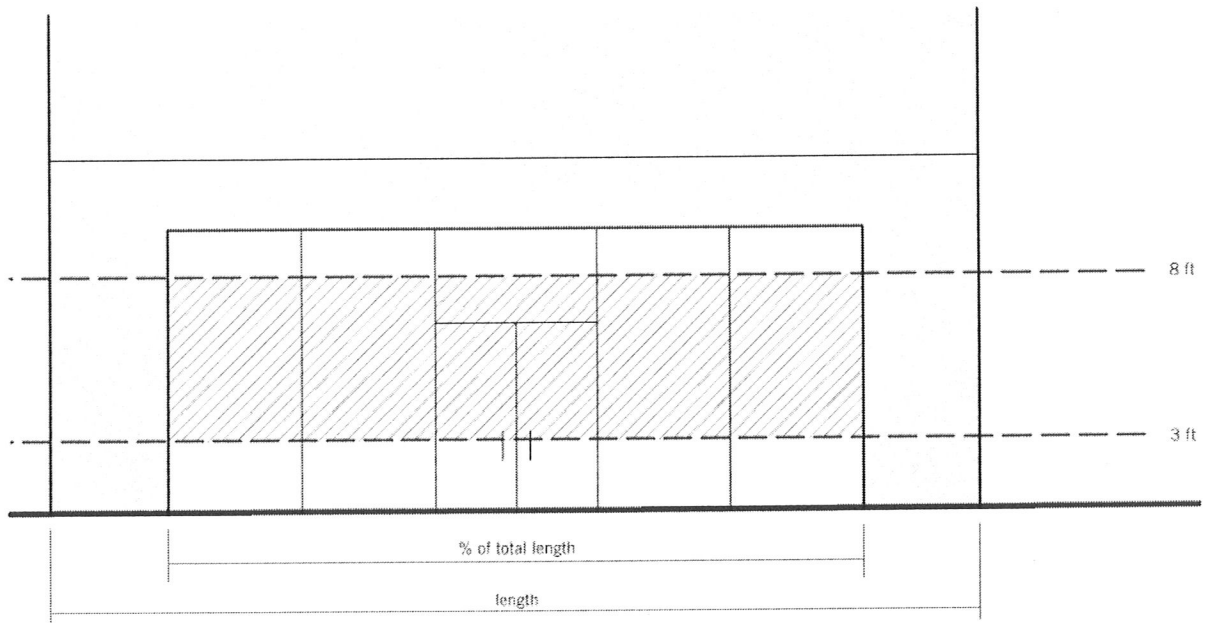
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Figure 4.3 – Streetscape with 4' Clear Zone

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Glazing percentages are calculated by measuring the area of glazing between 3 feet and 8 feet above grade, and dividing it by the total area of the building façade between 3 feet and 8 feet above grade. Required glazing must be at least 80% transparent and shall not utilize painted glass, reflective glass or other similarly treated windows. Glazed areas on entrances may be counted towards meeting the minimum glazing requirements.

Figure 5.0 - Glazing

1 **Section 3.** Appendix A, Section 6. Special Area Plan for University Heights is
2 amended by repealing the existing map of the Special Area Plan for University Heights
3 titled “Land Use and Building Type Matrix” attached as Exhibit “A” to this ordinance
4 and made a part hereof as if set forth in full and adopting a new map of the Special Area
5 Plan for University Heights titled “Land Use and Building Type Matrix attached as
6 Exhibit “B” to this ordinance and made a part hereof as if set forth in full.

7 **Section 4.** Appendix A. Section 6. Special Area Plan for University Heights
8 is amended by deleting obsolete references to the UMU-2 zoning district as contained in
9 Section V. Building Types, relating to maximum height for Main Street Shopfront
10 Building, Office Building, Rowhouse, Garden Apartment Building, Apartment Building,
11 House, and Outbuilding, as shown below. Except as amended herein, the remainder of
12 the Special Area Plan for University Heights remains in full force and effect:

13 **Main Street Shopfront Building**
14 Maximum Height 58 ft. above grade, ~~except in the UMU-2 zoning district, where~~
15 ~~Sec. 30-65.2 shall apply.~~
16

17 **Office Building**
18 Maximum Height 58 ft. above grade, ~~except in the UMU-2 zoning~~ district,
19 ~~where Sec. 30-65.2 shall apply.~~
20

21 **Rowhouse**
22 Maximum Height 48 ft above grade, ~~except in the UMU-2 zoning district, where Sec.~~
23 ~~30-65.2 shall apply.~~
24

25 **Garden Apartment Building**
26 Maximum Height 48 ft above grade, ~~except in the UMU-2 zoning district, where Sec.~~
27 ~~30-65.2 shall apply.~~
28

29 **Apartment Building**
30 Maximum Height 48 ft above grade, ~~except in the UMU-2 zoning district, where Sec.~~
31 ~~30-65.2 shall apply.~~
32

33 **House**

Petition No. PB-10-145
CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 Maximum Height 48 ft above grade, ~~except in the UMU-2 zoning district, where Sec.~~
2 ~~30-65.2 shall apply.~~
3

4 **Outbuilding**

5 Maximum Height 2 stories or 27 ft above grade, ~~except in the UMU-2 zoning district,~~
6 ~~where Sec. 30-65.2 shall apply.~~ Dormers are not considered
7 stories.
8
9

10 **Section 5.** The Zoning Map Atlas of the City of Gainesville is amended by
11 removing the Special Area Plan for University Heights (imposed by Section 1 of City of
12 Gainesville Ordinance No. 990733 adopted October 23, 2000) from all properties zoned
13 UMU-2 as shown on the map attached to this ordinance as Exhibit “C”, and made a part
14 hereof as if set forth in full. The Special Area Plan for University Heights shall remain in
15 full force and effect on all remaining properties as shown on the map titled “Land Use
16 and Building Type Matrix” attached to this ordinance as Exhibit “B” and made a part
17 hereof as if set forth in full.

18 **Section 6.** The City Manager is authorized and direct to make changes to the
19 zoning map in order to comply with Section 5 of this ordinance.

20 **Section 7.** It is the intention of the City Commission that the provisions of
21 Sections 1, 2, 3 and 4 of this ordinance shall become and be made a part of the Code of
22 Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of
23 this Ordinance may be renumbered or relettered in order to accomplish such intentions.

24 **Section 8.** If any word, phrase, clause, paragraph, section or provision of this
25 ordinance or the application hereof to any person or circumstance is held invalid or
26 unconstitutional, such finding shall not affect the other provisions or applications of the

1 ordinance which can be given effect without the invalid or unconstitutional provisions or
2 application, and to this end the provisions of this ordinance are declared severable.

3 **Section 9.** All ordinances or parts of ordinances, in conflict herewith are to the
4 extent of such conflict hereby repealed.


5 **Section 10.** Any person or entity that has an application for a development order
6 pending with the City prior to the effective date of this ordinance, shall be processed in
7 accordance with the ordinance and regulations in effect at the time of application and
8 shall not be required to comply with the new regulations created by this ordinance in
9 order to obtain approval of the pending development order.

10 **Section 12.** This ordinance shall become effective immediately upon final
11 adoption.


12 **PASSED AND ADOPTED** this 7th day of July, 2011.


13

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19


CRAIG LOWE
MAYOR

20
21
22
23
24
25

ATTEST:

KURT M. LANNON
CLERK OF THE COMMISSION

Approved as to form and legality

MARION J. RADSON
CITY ATTORNEY

JUL -7 2011

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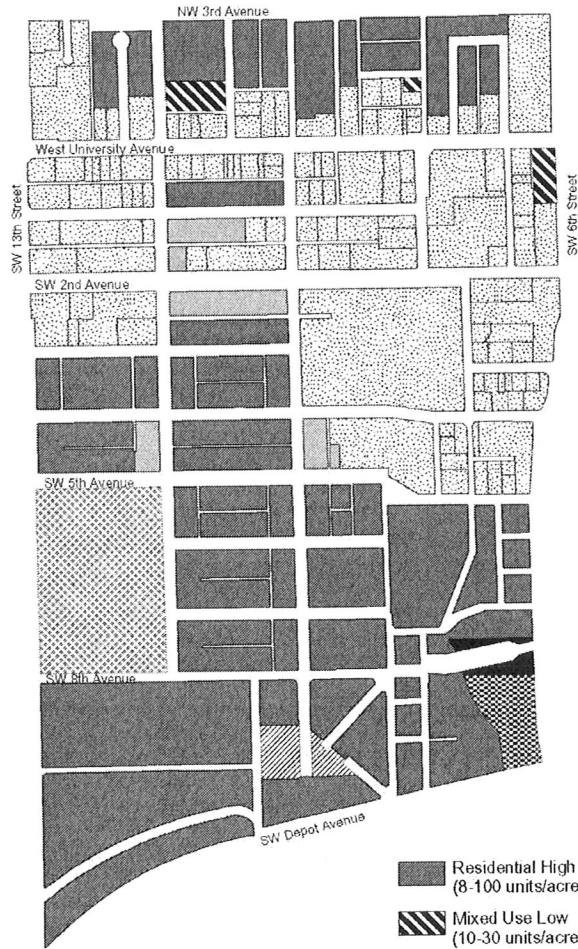
This Ordinance passed on first reading this 16th day of June, 2011.

This Ordinance passed on second reading this 7th day of July, 2011.

1
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Exhibit "A" to Ordinance No. 100721

Land Use and Building Type Matrix



- Residential High (8-100 units/acre)
- Mixed Use Low (10-30 units/acre)
- Office
- Commercial
- Education
- Public Facilities
- Planned Use
- Recreation
- Conservation
- Urban Mixed Use 2

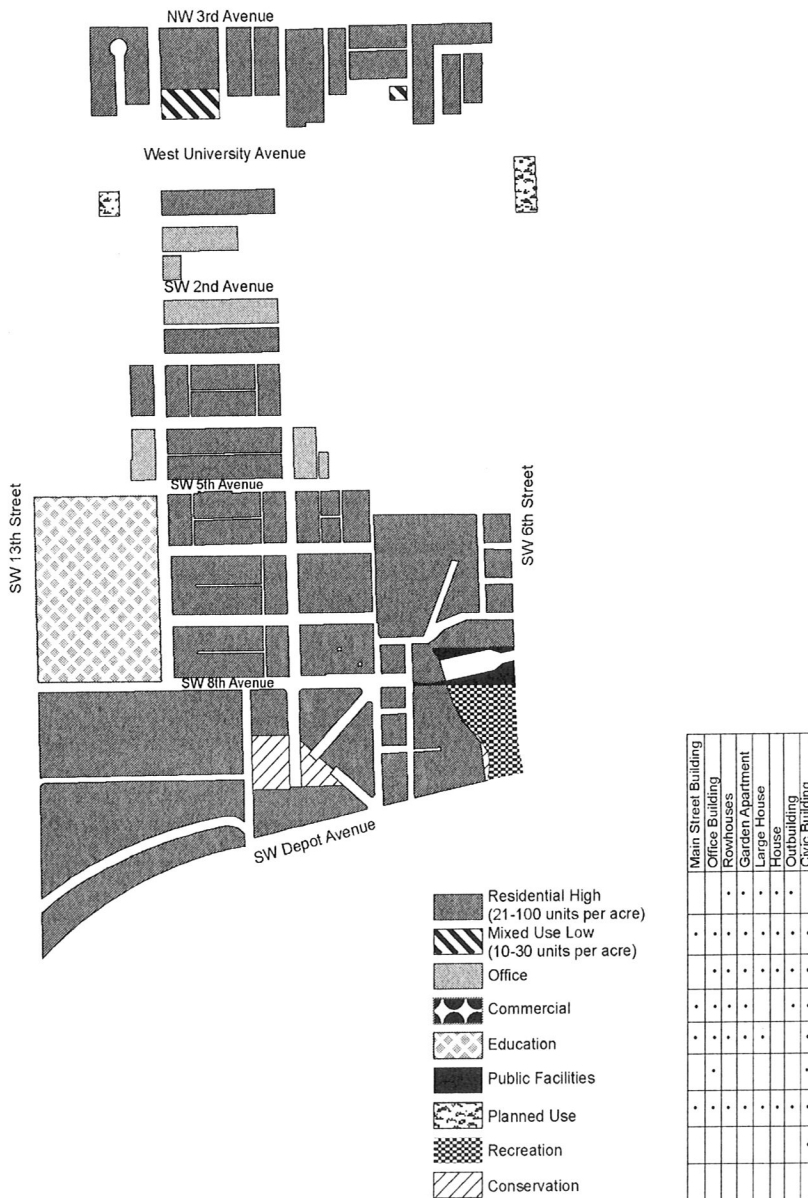
	Main Street Building	Office Building	Rowhouses	Garden Apartment	Large House	House	Outbuilding	Civic Building
Residential High (8-100 units/acre)			*	*	*	*	*	*
Mixed Use Low (10-30 units/acre)	*	*	*	*	*	*	*	*
Office		*	*	*	*	*	*	*
Commercial	*	*	*	*	*	*	*	*
Education	*	*	*	*	*	*	*	*
Public Facilities		*					*	*
Planned Use	*	*	*	*	*	*	*	*
Recreation							*	*
Conservation								
Urban Mixed Use 2	*	*	*	*	*	*	*	*

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Exhibit "B" to Ordinance No. 100721

Land Use and Building Type Matrix



3

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Exhibit "C" to Ordinance No. 100721



3