



Department of Doing
Planning Division
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TO: City Plan Board

Item Number: 3.

FROM: Department of Doing

DATE: October 26, 2017

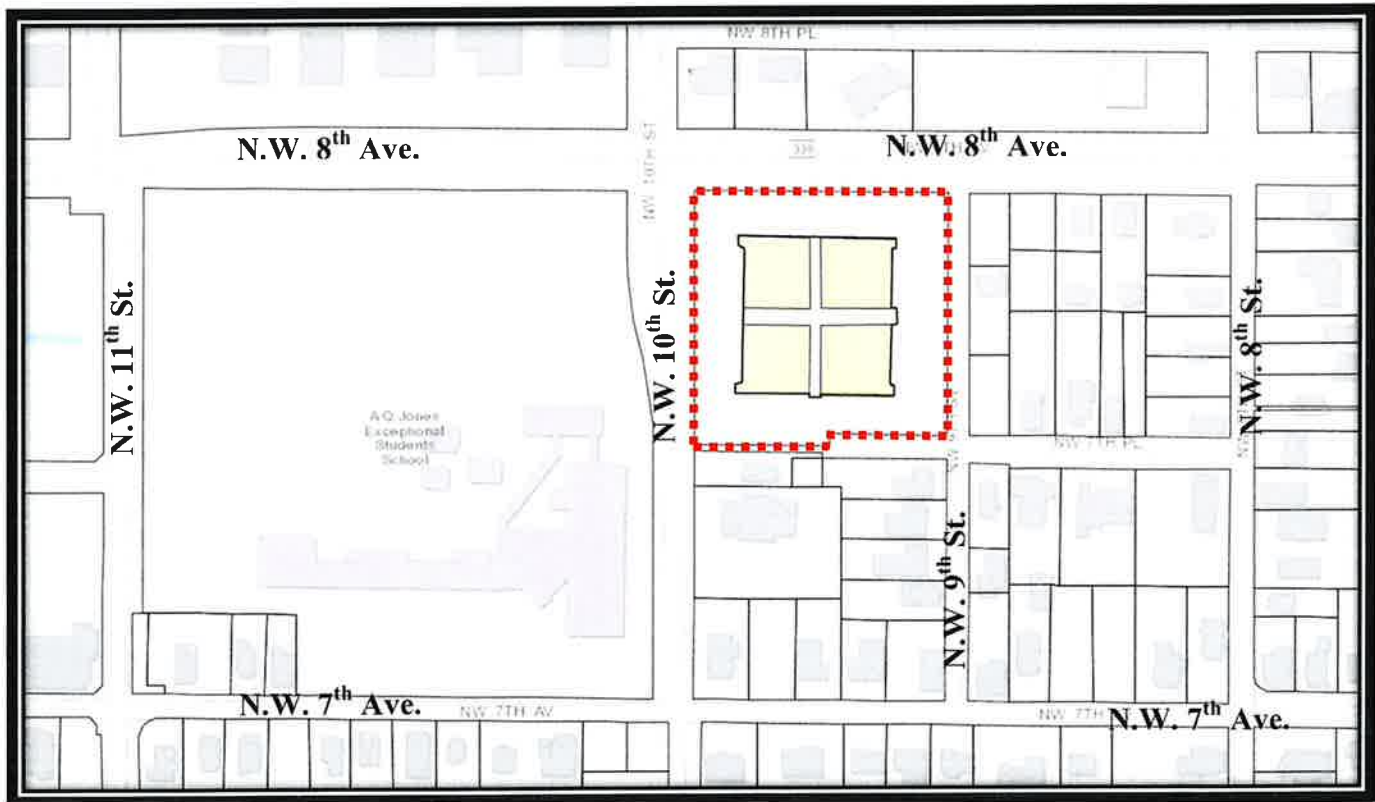
Submitted by: Wendy Thomas
Wendy Thomas
Director, Department of Doing

Prepared by: Lawrence Calderon
Lawrence Calderon
Lead Planner

SUBJECT: Petition PB-17-111 SUP: Saul Silber Properties, LLC, owner. Requesting a Special Use Permit, without a development plan, to allow up to fifty percent (50%) of the floor area of an existing development to be used for Personal Services. Zoned: U4 (Urban 4 Transect). Located at 901 NW 8th Avenue.

Recommendation: Staff recommends approval of Petition PB-17-111 SUP with conditions included in the staff report and the TRC comments.

Map 1 General Location Map of the Existing Office Building



Description

This petition is a request to grant a Special Use Permit at the above referenced site to allow up to 50% of the total floor area of an existing office complex to be occupied for personal service uses. Per Section 30-4.12 of the new Land Development Code, personal service uses must obtain a Special Use Permit subject to the criteria listed in Sec. 30-3.24 and must meet a specific set of conditions with final approval by the City Plan Board.

The code defines “Personal services” as follows:

Personal service means a service use primarily engaged in providing services involving the care of a person, his or her apparel, pets, or small appliances. Some examples include barbershops, beauty shops, exercise studios, funeral homes, pet grooming, appliance repair/service, laundromats, health and fitness clubs, parcel delivery offices, etc.

The property is located at 901 NW 8th Avenue and has a zoning of U4 Transect. The development site fronts NW 8th Avenue and comprises approximately 92,589 square feet (2.1 acres). The site occupies an entire street block surrounded by 8th Avenue to the north, NW 9th Street to the east, NW 10th Street to the west and a partially improved right-of-way to the south. The site is surrounded by office uses to the north, education to the west and residential to the east and south. The existing building is made up of four sections totaling approximately 25,600 square feet of floor area. The current occupancies include office, medical use, civic use and service uses including an existing 800 square-foot suite operating a beauty salon (personal services). The development is equipped with required operational infrastructure, and is in compliance with general development standards. Off-street parking surrounds the building and is easily accessible to the adjacent street network along NW 8th Avenue and NW 10th Street. The development is adjacent to residential but is well buffered by a masonry wall and landscaping which establishes compatibility with surrounding developments. The existing development received development plan approval and was permitted under the OF zoning district which allowed personal services as a use by right; the new U4 zoning requires a Special Use Permit. The owner wishes to lease an additional occupancy of approximately 1,000 square feet as a beauty salon and is requesting a Special Use Permit in accordance with the U4 Transect standards.

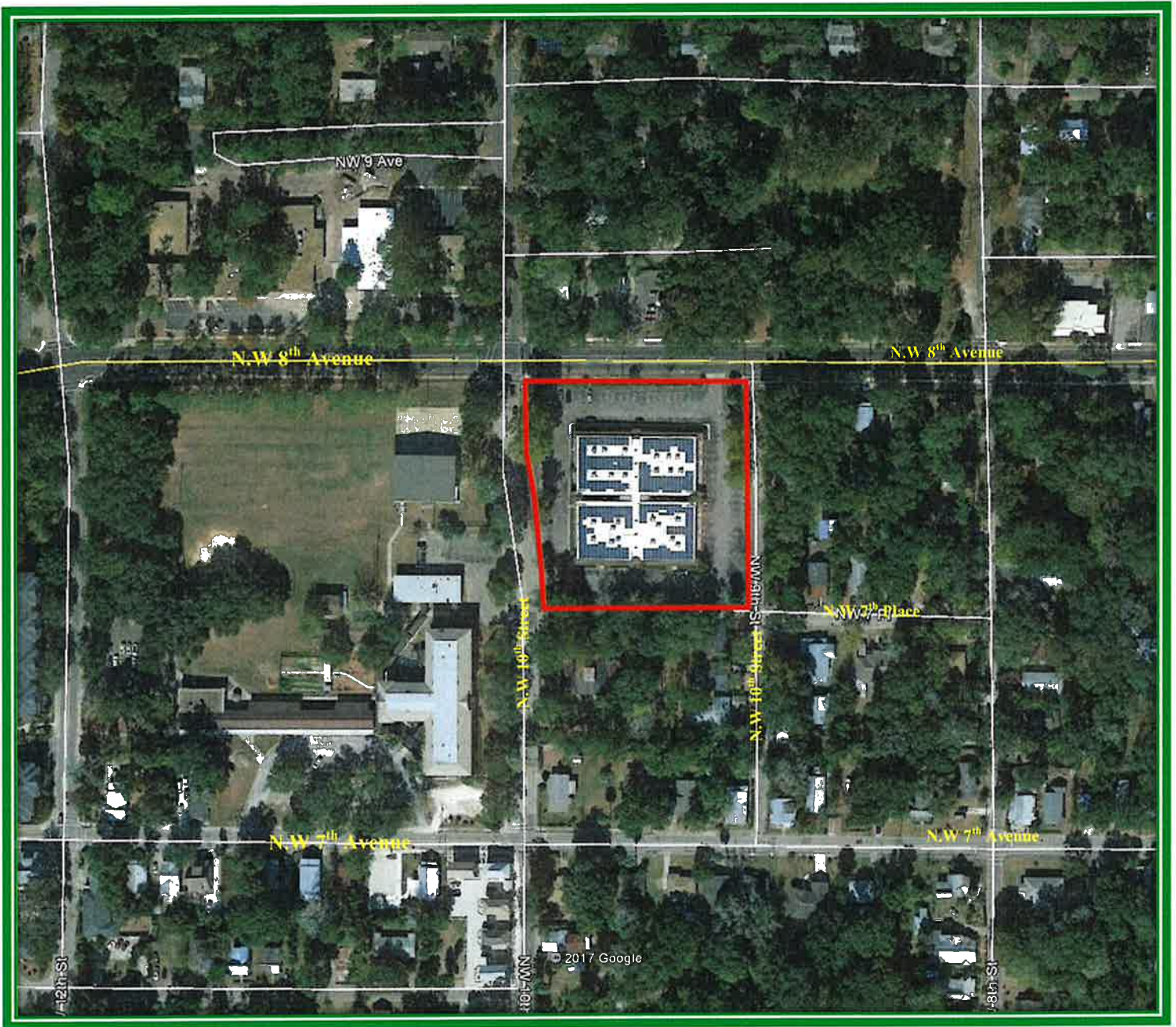
The project is seeking a general Special Use Permit which typically requires a preliminary development plan. However, because the site is fully developed with required facilities and infrastructure, the applicant is not requesting development plan review and has not submitted a development plan for consideration.

Key Issues

The issues pertaining to this development and its request for a Special Use Permit are as follows:

1. The development was previously zoned OF which allowed personal services as a use by right; no Special Use Permit was required.
2. The development currently has a suite which operates a beauty salon permitted by the City.
3. The current U-4 Transect zoning was recently designated on the property; that zoning allows personal services only after approval of a Special Use Permit.
4. The site is fully developed with all required infrastructure.
5. The site is adjacent to residential developments but is separated by a masonry wall and a 50-foot wide right-of-way.
6. The existing beauty salon is regulated by Alachua County Environmental Protection Department and any new use will also be regulated for use of potentially hazardous materials.
7. The applicant intends to offer personal service uses during regular business hours and not 24 hours a day.

Map 2 Aerial View of Subject Property and Surrounding Developments



Basis for Recommendation

Staff's review and recommendations are based on the criteria for issuing a Special Use Permit as stated in the Land Development Code Sec. 30-3.24 and the relevant development standards of the Land Development Code.

Special Use Permit Criteria

In accordance Section 30-3.24, no Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use:

A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.

The development has a zoning designation of U4 Transect which is one of the zoning districts allowed under the land use classification of Mixed-Use Office/Residential designated to the property. It is therefore consistent with the Land Use element of the Comprehensive Plan. The Comprehensive Plan also encourages compact, infill development and the delivery of services in a safe, efficient and environmentally sensitive manner. The objective of the development is to establish a healthy environment with appropriate resources to foster expansion of existing services and cater to the growth and demand for personal services within the neighborhood. That development objective is a demonstration of consistency with several of the goals, objectives and policies of the Comprehensive Plan.

The project can be considered as an infill development which is supported by Policy 2.1.1 of the Future Land Use Element of the Comprehensive Plan. The development can be described as a compact development which is supported by Objectives 1.5 and 2.1 of the comprehensive plan. It is also developed within close proximity to the urban core thus discouraging urban sprawl and promoting transportation choices. The development has the potential of stimulating additional development and enhancing economic opportunities within the neighborhood; this is consistent with Policy 2.1.1 which seeks to encourage neighborhood enhancement and stabilization. Care has been taken to ensure that the development maintains compliance with the Alachua County Hazardous Material Code thus supporting the quality of life criteria of the Comprehensive Plan

The proposed use is allowed in the U4 Transect by Special Use Permit which evaluates the need for designs and controls that would ensure compatibility and consistency with the Land Development Regulations. This review process seeks to evaluate the proposed use in the context of the Special Use Permit criteria. The development has been subject to development plan review which established compliance with the standards of the Land Development Code. The propose offering of personal services to the area is allowed under the current zoning and is analyzed by applying the criteria for granting a Special Use Permit to the existing development. This report includes a set of standards, recommendations and conditions that must be implemented with each application to establish a personal service use within the building. Those recommendations and conditions will ensure full compliance with the required standards of the Land Development Regulations.

Condition 1.

The development shall comply with all the conditions and recommendations of the Special Use Permit as approved by the board. Prior to operating any personal service use within the building, the applicant must obtain approval of a Zoning Verification Letter for each use proposed.

Condition 2.

The use shall be subject to review by the Alachua County Environmental Protection Department to establish compliance with the appropriate environmental standards.

B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.

The property has a land use designation of Mixed-use Office/Residential which includes the U-4 Transect as one of the allowable zoning district under its umbrella of compatible zoning districts. Land use compatibility has also been established under criteria "A" listed above. The use of the site for personal services will not alter the character of the site or the building. Implementation of the use will therefore not impact scale, height, mass and bulk, design, intensity and character of current activities on the site.

Given the recommendations and conditions included in the report, staff has determined that the development will have general compatibility and coexist harmoniously with the uses and structures on adjacent and nearby properties

C. The proposed use will not adversely affect the health, safety, and welfare of the public

The proposed use will not negatively impact the health, safety and welfare of the general public. Facilities are in place to accommodate the proposed use and the establishment of each use shall be reviewed and monitored through the Zoning Verification Letter process. Environmental review shall be regulated by Alachua County Environmental Permitting Department (ACEPD).

D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.

Ingress and egress to the site will be maintained through two existing access points, one off NW 8th Avenue and the other off NW 10th Street. None of those access points open to the adjacent residential districts. It is not anticipated that additional vehicular access points will be needed or created. The development is fully equipped with off-street parking based on the floor area designated to specific uses. The current zoning allows uses such as medical, exercise studios, multi-family and places of religious assembly. Those uses require a large number of parking spaces, generate high trip volumes and have the ability to create greater impacts on surrounding developments. On the other hand, personal service uses, such as beauty salons, barbershops and pet grooming services required fewer parking spaces, generate lower traffic volumes, focuses on individual service and are more inclined to co-exist harmoniously with surrounding uses, especially residential. The ability to have additional square footage devoted to personal service uses is not expected to create additional automobile, bicycle, and pedestrian trips that would warrant significant modifications to the site and the operation of the development. The need for additional parking and other facilities will be evaluated during the Zoning Verification Letter review process.

E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.

The operation of personal service uses on the site is not expected to generate a need for additional parking and loading spaces. However, the need for additional parking is evaluated during the Zoning Verification Letter review process requiring the applicant to meet required parking based on the type of use. The facility is adjacent to residential development along the east and south boundaries but both

boundaries are secured and buffered by landscaping and a masonry wall. The addition of personal services uses will not negatively impact the adjacent residential areas.

F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.

The facility has operated for many years as an office building and maintains a compatible relationship with the adjacent residential development. The facility is expected to incorporate the delivery of personal services and to maintain its typical operating procedures. The intended personal service use, beauty salon, will not require external modifications to the site; addition of the use will not affect glare and exterior lighting. While there are limited opportunities for noise and odor impacts; the history of the existing beauty salon demonstrates that a beauty salon can operate without generating negative impacts to the performance standards of the development. Some of the other personal service uses, such as, exercise studios, funeral homes, pet grooming, appliance repair/service, laundromats, health and fitness clubs, and parcel delivery may have the potential to impact noise and odor. Staff has determined that such impacts can be mitigated through the Zoning Verification Letter review which is required prior to implementing any use within the facility. Uses with the potential for performance impacts are generally associated with outdoor activity which is specifically regulated through a condition of this Special Use Permit.

Condition 3.

Personal service uses with the potential of impacting the general performance criteria shall be evaluated for noise, glare and odor effects during review of the Zoning Verification Letter process.

- G.** There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.

Addition of the new use will not negatively impact solid waste and service loading facilities on the site.

H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.

The site is currently served with electric, gas, water and sanitary sewer. Adequate capacity is available to serve the proposed personal service uses. Each occupancy for personal service shall be adequately equipped to safely handle materials used in the operation of the use.

I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties

The Special Use Permit is for personal services; however, the applicant's specific request is to operate a beauty salon which will be conducted within the existing buildings. Other personal service uses are limited to operate completely within the enclosed building; those uses which include outdoor activities are specifically not allowed through this Special Use Permit. The site is bounded by residential development on the east and south sides which contain a masonry wall and street landscaping as buffers. North of the site is a major east west arterial separating the site from existing offices. A recreational area and an educational institution lies to the west of the site but separated by a 50-foot wide roadway. Staff has determined that no additional screening or buffering is required.

Condition 4.

Personal service uses allowed under this permit are limited to indoor uses only. Any personal service use that includes the use of outside activities shall be considered as a modification of the Special Use Permit and evaluated by the City Plan Board, based on the type of outdoor activity and the criteria of the Special Use Permit.

J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.

The applicant is not requesting 24-hour operation of the facility. It is expected to operate during typical business hours between 7:00am to 6:00pm. Night time operations where the public is invited shall require compliance with the lighting ordinance.

K. Any special requirements set forth in the Land Development Code for the particular use involved are met.

Each application for the use of personal services shall be evaluated through the Zoning Verification Letter process. If the activity involves the use of hazardous materials, based on the Alachua County Hazardous Material Code, it shall be reviewed by the ACEPD.

Summary

The applicant's request is to operate a beauty salon similar to one existing within the building. The operating history of the existing use is evidence that such a use can operate compatibly and harmoniously with surrounding developments. However, in considering a collection of uses classified as "personal services" it is important to consider the likelihood of uses which may have the potential of exerting negative impacts on the surrounding neighborhoods. Staff has determined that uses most likely to impact surrounding developments are those typically operating outside of completely enclosed buildings. In the absence of a specifically requested, use, and in the interest of balancing the need of the applicant and the need to protect surrounding developments, the review criteria shall be based on the specific request. While the potential impact of some uses may be negligible, the evaluation of more complex and involve uses, may require the need for public participation and a more thorough review and reconsideration of pertinent factors. In analyzing this Special Use Permit request, staff has determined that the Special Use Permit can be granted for indoor personal uses subject to review and approval of a typical Zoning Verification Letter. Personal service uses which include outside activities shall be considered as a modification of the Special Use Permit and shall be considered by the City Plan Board.

Based on the above analysis, staff has determined that the information provided is sufficient to justify compliance with the criteria for issuing general Special Use Permit for the development.

Special Use Permit Conditions

Condition 1.

The development shall comply with all the conditions and recommendations of the Special Use Permit as approved by the board. Prior to operating any personal service use within the building, the applicant must obtain approval of a Zoning Verification Letter for each use proposed.

Condition 2.

The use shall be subject to review by the Alachua County Environmental Protection Department to establish compliance with the appropriate environmental standards.

Condition 3.

Personal service uses with the potential of impacting the general performance criteria shall be evaluated for noise, glare and odor effects during review of the Zoning Verification Letter process.

Condition 4.

Personal service uses allowed under this permit are limited to indoor uses only. Any personal service use that includes the use of outside activities shall be considered as a modification of the Special Use Permit and evaluated by the City Plan Board, based on the type of outdoor activity and the criteria of the Special Use Permit.

List of Attachments:

Attachment A: Technical Review Committee Comments

Attachment B: Comprehensive Plan and Land Development Code References

Attachment C: Application and Neighborhood Workshop Information

Attachment D: General Maps

ATTACHMENT "A"

TECHNICAL REVIEW COMMITTEE COMMENTS



Department Review Status Report

Project Name: PB-17-00111 Saul Silber SUP

Workflow Started: 10/02/2017 12:59 PM

Report Generated: 10/12/2017 03:36 PM

Cycle	Department	Reviewer	Email	Status	Reviewer Comments
1	Gainesville Fire Rescue Department	Tom Burgett	burgettta@cityofgainesville.org	Approved	Approvable
	GRU New Services Department	Wendy Mercer	MercerWL@gru.com	No Review Required	
	Planners	Lawrence Calderon	calderonld@cityofgainesville.org	Approved for Board Review	This request is ready for City Plan Board review.
	Transportation Mobility	Jason Simmons	simmonsja@cityofgainesville.org	No Review Required	

ATTACHMENT "B"
Comprehensive Plan and Land Development Code References

- 1 5. Minor changes in the walkway and bikeway systems.
- 2 6. The addition of accessory structures or utility buildings of less than 1,000 square feet where
- 3 there are no major changes to the perimeter features of the development.
- 4 7. The addition of up to 10 new parking spaces.
- 5 8. Any expansion of gross floor area or enlargement of the building envelope that does not require
- 6 the addition of required parking spaces or alter standards of the PD ordinance.
- 7 9. Modifications that do not entail amendments to specific language included within the PD
- 8 ordinance.

9

10 **DIVISION 5. SPECIAL USE PERMITS**

11 **Section 30-3.22. Purpose.**

12 It is the intent of this division to recognize and permit certain uses and developments that require
13 special review, and to provide the standards by which the applications for permits for uses and
14 development shall be evaluated. It is further intended that Special Use Permits be required for
15 developments that, because of their inherent nature, extent, and external effects, require special care in
16 the control of their location, design, and methods of operation in order to ensure conformance with the
17 Comprehensive Plan and this chapter.

18 **Section 30-3.23. Required.**

19 The applicable uses listed in Article IV may be established in that zoning district only after issuance and
20 recordation of a Special Use Permit by the City Plan Board.

21 **Section 30-3.24. Review Criteria.**

22 No Special Use Permit shall be approved by the City Plan Board unless the following findings are made
23 concerning the proposed special use. The burden of proof on the issue of whether the development, if
24 completed as proposed, will comply with the requirements of this chapter remains at all times on the
25 applicant.

- 26 A. The proposed use or development is consistent with the Comprehensive Plan and the Land
- 27 Development Code.
- 28 B. The proposed use or development is compatible with the existing land use pattern and future uses
- 29 designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or
- 30 development shall be reviewed include scale, height, mass and bulk, design, intensity, and character
- 31 of activity.
- 32 C. The proposed use will not adversely affect the health, safety, and welfare of the public.
- 33 D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is
- 34 provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site
- 35 and surrounding properties.
- 36 E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent
- 37 properties zoned for single-family residential use.
- 38 F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.

- 1 G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed
2 for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor
3 storage or display areas, if included, will not adversely impact surrounding properties and shall be
4 reviewed for screening and location on the site.
- 5 H. Necessary public utilities are available to the proposed site and have adequate capacity to service
6 the proposed use or development.
- 7 I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility
8 and harmony of the proposed use and structure with the uses and structures of adjacent and nearby
9 properties.
- 10 J. The hours of operation will not adversely impact adjacent properties zoned for single-family
11 residential use.
- 12 K. Any special requirements set forth in the Land Development Code for the particular use involved are
13 met.

14 **Section 30-3.25. Review Procedures.**

- 15 A. *Pre-application meeting.* A pre-application meeting is not required; however, the applicant is
16 encouraged to attend a meeting with staff to review applicable procedural and regulatory
17 requirements.
- 18 B. *Applications.* Each application shall be filed with the City Manager or designee on the form
19 prescribed. Any incomplete applications will be returned to the applicant. The application shall
20 include proof of having met the requirements of a neighborhood workshop as provided in this
21 article.
- 22 C. *Staff meeting.* The applicant for a Special Use Permit shall meet with city staff to discuss the
23 procedures and requirements and to consider the elements of the proposed use and site and the
24 proposed site layout.
- 25 D. *Staff report.* The City Manager or designee shall submit to the City Plan Board a written report that
26 includes analysis of the application and a recommendation based on the review criteria provided in
27 this division.
- 28 E. *City Plan Board hearing.*
- 29 1. The City Plan Board shall consider the evidence presented in the public hearing and the written
30 report submitted by the City Manager or designee and shall act on the application based on the
31 review criteria provided in this division.
- 32 2. Action on the application shall be one of the following:
- 33 a. Approval;
- 34 b. Approval subject to conditions; or
- 35 c. Denial, with a statement of the reasons for denial.
- 36 F. *Effect of denial or withdrawal.* No application for a Special Use Permit may be submitted within two
37 years after the date of denial or withdrawal of a request for the same use for the same property.
38 The City Plan Board may waive this time limitation by the affirmative vote of five members, provided
39 30 calendar days have elapsed and provided the City Plan Board deems such action necessary to
40 prevent an injustice.

1 G. *Amended application.* Amendment of an application may be allowed at any time prior to or during
2 the public hearing, provided that no such amendment shall be such as to make the case different
3 from its description in the notice of public hearing. If the amendment is requested by the applicant
4 after notice of the hearing has been given and such amendment is at variance with the information
5 set forth in the notice, then the applicant shall pay an additional fee in the same amount as the
6 original fee for amended public notice. If the amended notice can be mailed at least 10 calendar
7 days prior to the hearing originally scheduled, the hearing on the amended petition may be held on
8 that date; otherwise, the chairperson shall announce at the public hearing that the hearing will be
9 continued to a future meeting with proper public notice.

10 **Section 30-3.26. Effect and Limitations.**

- 11 A. *Effect.* Special Use Permits, including any permit conditions, shall run with the land and shall be
12 binding on the original applicant as well as any successors or assigns.
- 13 B. *Modifications.* After approval and issuance of a Special Use Permit, the following situations are
14 allowed only with the review and issuance of a new Special Use Permit:
- 15 1. A change in the boundaries of the approved site.
 - 16 2. A change from the approved use.
 - 17 3. Either an increase of 10% or more or incremental increases that total 10% or more in the floor
18 area or number of parking spaces as approved.
 - 19 4. Substantial changes in the approved location of principal or accessory structures.
 - 20 5. Structural alterations significantly affecting the basic size, form, style, ornamentation, and
21 appearance of principal or accessory structures as shown on the approved plans.
 - 22 6. Substantial changes in approved pedestrian or vehicular access or circulation.
 - 23 7. Substantial change in the approved amount or location of landscape screens or buffers.
- 24 C. *Expiration.* Special Use Permits shall expire 12 months after the date of approval unless, at that
25 time, the authorized use has commenced or development at the site is continuing in good faith with
26 an active building permit. At the request of the applicant and for good cause shown, the City Plan
27 Board may extend the time of the permit's expiration for good cause shown and if not in conflict
28 with any other provision of this chapter.
- 29 D. *Abandonment.* On request of the permit holder, the City Manager or designee may approve the
30 abandonment of a Special Use Permit provided no construction has begun. In addition, if the use
31 allowed by a Special Use Permit has been abandoned for a continuous period of 12 months, the
32 permit shall be void. The process to determine whether a use has been abandoned shall be the
33 same as that provided for nonconforming uses in Article X.
- 34 E. *Revocation.* If any conditions of an issued Special Use Permit are violated, the City Plan Board may,
35 after giving proper notice to the permit holder, revoke the permit at a public hearing. The permit
36 may be reinstated by the City Manager or designee if the circumstances leading to the revocation
37 are corrected.

38

Goals, Objectives & Policies



Future Land Use Element

GOAL 1 **IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.**

Objective 1.1 **Adopt urban design principles that adhere to timeless (proven successful), traditional principles.**

Policy 1.1.1 To the extent possible, all planning shall be in the form of complete and integrated communities containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the residents.

Policy 1.1.2 To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.

Policy 1.1.3 Neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.

Policy 1.1.4 The City and its neighborhoods, to the extent possible, shall have a center focus that combines commercial, civic, cultural, and recreational uses.

Policy 1.1.5 The City, to the extent possible, should contain an ample supply of squares,

greens, and parks with frequent use encouraged through placement, definition and design.



Policy 1.1.6 The City shall encourage community-serving facilities, such as government offices, farmers markets, and convention centers to be centrally located, instead of in dispersed, remote, peripheral locations. Public, community-serving facilities should be developed primarily in the City’s central core and, as appropriate, in neighborhood centers. Private, community-serving facilities should be discouraged from locating in peripheral locations.

Objective 1.2 Protect and promote viable transportation choices (including transit, walking and bicycling, and calmed car traffic).

Policy 1.2.1 The City may vacate street right-of-way only if it does not prevent reasonable connection for existing and future public transit, pedestrian, and non-motorized and motorized vehicle trips.

Policy 1.2.2 The City should use design standards in the Land Development Code to ensure that higher densities are livable.

Policy 1.2.3 The City should encourage mixed-use development, where appropriate.

Policy 1.2.4 The City should reduce or eliminate minimum parking requirements, where appropriate.

Policy 1.2.5 The City should encourage creation of short-cuts for pedestrians and bicyclists with additional connections and cross access in order to create walking and bicycling connections between neighborhoods and neighborhood (activity) centers.

Policy 1.2.6 The City should encourage or require buildings to put “eyes on the street” with front facade windows and doors.

Policy 1.2.7 The City should strive, incrementally, and when the opportunity arises street by street to form an interconnected network of neighborhood streets and sidewalks supportive of car, bicycle, pedestrian, and transit routes within a neighborhood and between neighborhoods knitting neighborhoods together and not forming barriers between them. Dead ends and cul-de-sacs should be avoided or minimized. Multiple streets and sidewalks should connect into and out of a neighborhood.

Policy 1.2.8 Gated residential developments shall be prohibited to keep all parts of the community accessible by all citizens, and to promote transportation choice.

Policy 1.2.9 The City shall require, on long block faces (480 or more feet), the provision of intermediate connections in the pedestrian network. For example, direct walkway and bicycle routes to schools should be provided.



Policy 1.2.10 The City should amend the Land Development Code to require that multiple-family developments be designed to include orientation of the front door to a neighborhood sidewalk and street.

Policy 1.2.11 The City should allow home occupations in all residential areas provided they do not generate excessive traffic and parking. Home occupations should be regulated through the Land Development Code.

Objective 1.3 Adopt land development regulations that guide the transformation of conventional shopping centers into walkable, mixed-use neighborhood (activity) centers.

Policy 1.3.1 When feasible, neighborhood centers should be designed to include a gridded, interconnected street network lined with street-facing buildings and buildings at least 2 stories in height.

Policy 1.3.2 Centers should be pleasant, safe, and convenient for pedestrians and bicyclists and contain a strong connection to transit service.

Policy 1.3.3 Centers should, to the extent feasible, contain a range of mixed land use types preferably within a one-quarter mile area including such uses as neighborhood-scaled retail, office, recreation, civic, school, day care, places of assembly, and medical uses. The uses should be compact and vertically and horizontally mixed. Multiple connections to and from surrounding areas should be provided along the edges of a mixed-use area.

Policy 1.3.4 Centers should be designed so that densities and building heights cascade from higher densities at the core of mixed-use districts to lower densities at the edges.

Policy 1.3.5 Parking lots and garages should be subordinated and limited in size.

Objective 1.4 Adopt land development regulations that promote mixed-use development.

Policy 1.4.1 Office complexes at least 10 acres in size shall, when feasible, include retail, service, and residences. Any retail or service uses should primarily or exclusively serve those employed within the complex.

Policy 1.4.2 The City should require strategies such as traffic calming and transportation demand management to reduce traffic impacts experienced by residences in mixed-use areas.

Policy 1.4.3 Mixed-use developments should emphasize transit design and compatible scale, especially when facing each other on a street.



Policy 1.4.4 In mixed-use zoning districts, the City should prohibit or restrict land uses that discourage pedestrian activity and residential use, including car washes, motels (hotels are acceptable), storage facilities, auto dealerships, drive-throughs, warehouses, plasma centers, and street-level parking lots.

Policy 1.4.5 When considering the acquisition and establishment of public facilities such as parks, libraries, and neighborhood centers, the City should, to the extent appropriate, select a location and/or design the facility in such a way that collocation of the facility with a public school is either achieved with an existing school, or can be retrofitted for such a collocation.

Objective 1.5 Discourage the proliferation of urban sprawl.

Policy 1.5.1 The City shall continue robust code enforcement and law enforcement to discourage flight from the city due to excessive noise, excessive lighting, blight, illegal parking of cars, ill-kept properties, and illegal signage.

Policy 1.5.2 The City should collaborate with the School Board of Alachua County to enhance schools within city limits, particularly to make the schools more accessible to students without a car.

Policy 1.5.3 The City should create more well-defined squares and parks within walking distance of residences, offices and shops.

Policy 1.5.4 The City should prioritize core areas to receive the first enhancements when the City has planned citywide public improvements such as sidewalks, street re-paving, undergrounding utilities, street lights, and public parks.

Policy 1.5.5 The City recognizes Alachua County’s use of the Urban Cluster, as adopted on their Future Land Use Map, as an urban growth boundary.

Policy 1.5.6 The City certifies that the entire area within current city limits meets the definition in Chapter 163, F.S., of an urban service area, as supported by the Data and Analysis Report.

Policy 1.5.7 The Future Land Use Map should designate appropriate areas for multi-family residential development in close proximity to neighborhood centers and important transit routes. When appropriate and in a way not detrimental to single-family neighborhoods, the City should encourage the establishment of residential, retail, office, and civic uses within 1/4 mile of the center of neighborhood centers as an effective way to reduce car trips and promote transit, walking, and bicycling.

GOAL 2 REDEVELOP AREAS WITHIN THE CITY, AS NEEDED, IN A MANNER THAT PROMOTES QUALITY OF LIFE,



TRANSPORTATION CHOICE, A HEALTHY ECONOMY, AND DISCOURAGES SPRAWL.

Objective 2.1 **Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.**

Policy 2.1.1 The City shall develop recommendations for areas designated as redevelopment areas, neighborhood centers and residential neighborhoods in need of neighborhood enhancement and stabilization.

- a. The City should consider the unique function and image of the area through design standards and design review procedures as appropriate for each redevelopment area;
- b. The City should include in its redevelopment plans recommendations regarding economic development strategies, urban design schemes, land use changes, traffic calming, and infrastructure improvements;
- c. The City should identify potential infill and redevelopment sites; provide an inventory of these sites; identify characteristics of each parcel, including land development regulations, infrastructure availability, major site limitations, and available public assistance; and develop a strategy for reuse of these sites;
- d. The City should encourage retail and office development to be placed close to the streetside sidewalk.

Policy 2.1.2 The City's Future Land Use Map should strive to accommodate increases in student enrollment at the University of Florida and the location of students, faculty, and staff in areas designated for multi-family residential development and/or appropriate mixed-use development within 1/2 mile of the University of Florida campus and the Innovation Square area (rather than at the urban fringe), but outside of single-family neighborhoods.

Policy 2.1.3 The City should concentrate CDBG, HOME, and SHIP funding efforts primarily in a limited number of neighborhoods annually.

Policy 2.1.4 The City shall strive to implement certain land use-related elements of Plan East Gainesville, including but not limited to:

- a. Establishing a three-tiered land use transect for east Gainesville to transition land development regulations from urban to suburban to rural; and



- b. Coordinating with Alachua County in its strategy to develop the Alachua County fairgrounds as a mixed-use employment center.

Objective 2.2 **The City shall collaborate with community partners such as the University of Florida, Santa Fe College, the Gainesville Area Chamber of Commerce, Alachua County, and the School Board of Alachua County to develop the Innovation Economy within the nonresidential areas of the Gainesville Innovation Zone (The Innovation Zone Map is part of the Future Land Use Map Series). For purposes of this objective, Innovation Economy means those technology firms and/or entities that bring a new process or technique to the production process and that are often, but not exclusively, related in some manner to University of Florida-driven research, and are generally represented by sectors such as Agritechology, Aviation and Aerospace, Information Technology, Life Sciences and Medical Technology.**

Policy 2.2.1 The City shall use the City's Strategic/Action Plan for Economic Development and shall collaborate with its community partners on the Economic Development University Community Committee (EDUCC) to encourage development of the Gainesville Innovation Zone.

Policy 2.2.2 The City shall review the Comprehensive Plan and the Land Development Code on a bi-annual basis with respect to the appropriate development of the Gainesville Innovation Zone. Should such review conclude that any amendments to the Comprehensive Plan or Land Development Code pertaining to the Gainesville Innovation Zone are needed; the City shall draft such amendments and present them to the City Plan Board.

Policy 2.2.3 The City shall work to ensure that adequate public infrastructure is in place for development of the Gainesville Innovation Zone.

Policy 2.2.4 The City shall work to ensure that pertinent local, state, and federal incentive programs are made available to those seeking Innovation Economy development opportunities.

Policy 2.2.5 The City shall work to ensure that negative impacts resulting from Innovation Economy development within the Gainesville Innovation Zone are minimized, particularly with respect to adjacent residential areas.

Objective 2.3 **The City shall collaborate with the Community Redevelopment Agency (CRA) to designate Community Redevelopment Areas that encourage reinvestment in the form of capital projects, infill redevelopment, and economic development programs designed to eradicate slum and blight and enhance urban form.**



- Policy 2.3.1 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Downtown Community Redevelopment Area.
- Policy 2.3.2 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Eastside Community Redevelopment Area.
- Policy 2.3.3 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the Fifth Avenue/Pleasant Street Community Redevelopment Area.
- Policy 2.3.4 The City shall assist with the implementation, as appropriate, of the Community Redevelopment Plan for the College Park/University Heights Community Redevelopment Area.

GOAL 3 **ACHIEVE THE HIGHEST LONG-TERM QUALITY OF LIFE FOR ALL GAINESVILLE RESIDENTS CONSISTENT WITH SOUND SOCIAL, ECONOMIC, AND ENVIRONMENTAL PRINCIPLES THROUGH LAND DEVELOPMENT PRACTICES THAT MINIMIZE DETRIMENTAL IMPACTS TO THE LAND, NATURAL RESOURCES, AND URBAN INFRASTRUCTURE.**

Objective 3.1 **The City shall protect environmentally sensitive land, conserve natural resources, and maintain open spaces identified in the Future Land Use Map Series through the Development Review Process and land acquisition programs.**

- Policy 3.1.1 Standards and guidelines established in Conservation, Open Space, and Groundwater Recharge Element Objective 1.1 and its Policies shall be used to protect identified environmentally sensitive resources.
- Policy 3.1.2 The City shall regulate development in Floridan aquifer high recharge areas with requirements that, at a minimum, meet the standards and guidelines of the St. Johns River or Suwannee River Water Management Districts, as applicable, and Policies 2.3.6 and 2.3.7 of the Conservation, Open Space and Groundwater Recharge Element.
- Policy 3.1.3 The City shall coordinate with the Florida Department of Environmental Protection and other agencies with regulatory authority over hazardous materials management in the review of any development proposal involving the use or generation of hazardous materials.



Policy 3.1.4 The City shall protect floodplain and flood channel areas consistent with Policy 2.4.9 of the Conservation, Open Space & Groundwater Recharge Element.

Policy 3.1.5 Floodplains and flood channels shall be delineated by the most recent Flood Insurance Rate Map (FIRM) of the Federal Emergency Management Agency (FEMA) or a localized study that uses FEMA-approved analyses and that is reviewed and approved by the City of Gainesville Public Works Department.

Objective 3.2 The City shall protect historic architectural and archaeological resources.

Policy 3.2.1 All development and redevelopment within designated Historic Preservation/Conservation Overlays shall be consistent with the goals, objectives, and policies of the Historic Preservation Element. The Historic Preservation/Conservation Overlays are mapped in the Future Land Use Map Series and in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department website.

Policy 3.2.2 The City shall identify, designate, and protect historical resources through land development regulations consistent with the Historic Preservation Element.

Policy 3.2.3 The City shall include in its geographic information system the location of archaeological and historic sites that are on file with the Florida Master Site File Office.

Policy 3.2.4 The City shall include protection of archaeological resources in its land development regulations.

Objective 3.3 Provide adequate land for utility facilities.

Policy 3.3.1 The City shall coordinate with public and private utilities to ensure that adequate land is available for utility facilities.

Policy 3.3.2 the development review process shall include a review of the availability of on-site and off-site utilities and the availability of adequate land to site the utility facilities needed to serve new development.

Objective 3.4 The City shall ensure that services and facilities needed to meet and maintain the Level of Service (LOS) standards adopted in this Plan are provided.

Policy 3.4.1 The City shall determine and monitor whether facilities and services that will serve proposed development meet adopted LOS standards. The Concurrency Management System shall be used to maintain adopted LOS standards.




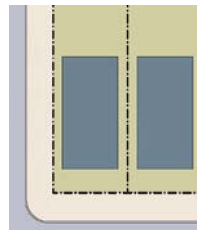
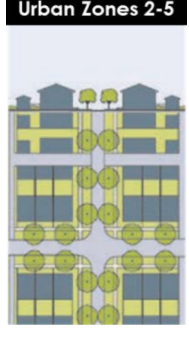
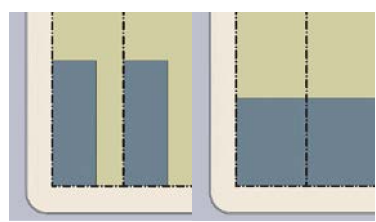
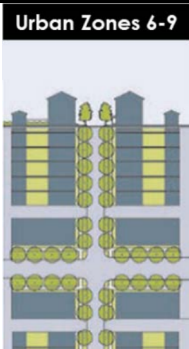
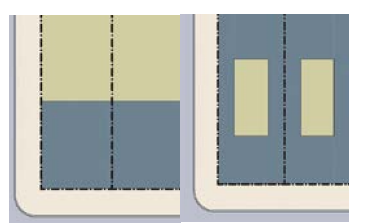
Transportation Mobility LOS is excluded from the Concurrency Management System.

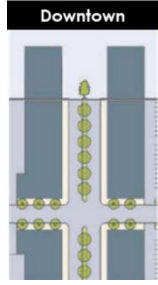
- Policy 3.4.2 A concurrency analysis shall be conducted prior to the approval of any application for a development order or permit, and no final development order or permit shall be issued unless: 1) existing facilities and services meet the City's adopted LOS standards as included in the Concurrency Management System, or 2) the final development order or permit is conditioned on such facilities and services being available at the time the impact of the development will occur. Concurrency requirements shall be met consistent with Objective 1.2 and associated policies in the Capital Improvements Element.
- Policy 3.4.3 The City shall use the 5-Year Schedule of Capital Improvements to ensure the availability of adequate public facilities and services.
- Policy 3.4.4 notwithstanding the state law exemption from the state development-of-regional-impact (DRI) review process for dense urban land areas as provided in Section 380.06, F.S., large developments that trip the DRI threshold shall be required to address their regional impacts, consistent with the City's coordination policies in the Intergovernmental Coordination Element.
- Policy 3.4.5 The City's Comprehensive Plan contained a Concurrency Management Element and Transportation Concurrency Exception Area (TCEA) that was first adopted in 1999. The City relied upon the provisions of the Concurrency Management Element and TCEA for the issuance of final development orders that include Planned Development ordinances that are still valid. The City recognizes that it is important, for both the development community and the City, to provide for a transition from the TCEA and Concurrency Management Element to a new Transportation Mobility Program (as adopted in the Transportation Mobility Element). Therefore, notwithstanding the repeal of the Concurrency Management Element and TCEA in 2013 as part of the Evaluation and Appraisal update of the Comprehensive Plan, the City recognizes that agreements and conditions related to the Concurrency Management Element and the TCEA shall remain valid for those active final development orders approved while the Concurrency Management Element was in effect. Copies of the last adopted version of the Concurrency Management Element shall remain on file with the City's Planning and Development Services Department for the limited purpose of administering those active final development orders as though the program were still in full effect. Amendments to final development orders previously approved under the Concurrency Management Element provisions shall be subject to the transportation mobility requirements in effect at the time of application if the amendment alters the development's trip generation calculations. Developers may choose to opt into the new Transportation Mobility Program subject to

1 **DIVISION 2. TRANSECTS**

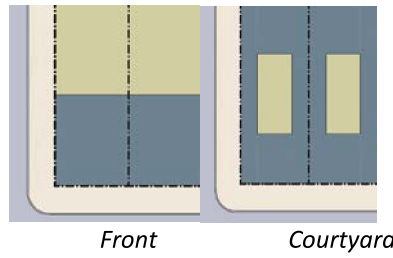
2 **Section 30-4.11. Generally.**

- 3 A. *Intent.* The intent of this division is to establish development standards that will encourage a more
 4 efficient and sustainable urban form by allowing a range of housing, employment, shopping and
 5 recreation choices and opportunities in a compact, pedestrian-friendly environment.
- 6 B. *Transects.* A transect is a geographical cross-section of a region that reveals a sequence of
 7 environments that ranges from rural to urban. Using the transect to regulate development ensures
 8 that a community offers a full diversity of development types, and that each has appropriate
 9 characteristics for its location. There are typically six transects organizing the components of place-
 10 making: Natural Zone, Rural Zone, Urban Neighborhood Zone, General Urban Zone, Urban Center
 11 Zone, and Urban Core. This code assigns transects that are tailored to the unique character of the
 12 City of Gainesville. The allowable uses, dimensional standards, and development requirements for
 13 these zones are described within this division.

	ZONE DESCRIPTION	INTENDED SITE LAYOUT	
 <p>Urban Zone 1</p>	<p>Urban Zone 1 Consists of predominantly low to medium density residential areas, adjacent to higher intensity zones where neighborhood services and mixed use are permitted.</p>	 <p style="text-align: center;"><i>Edge</i></p>	<p>Buildings typically occupy the center of the lot with setbacks on all sides. The front yard is intended to be visually continuous with the yards of adjacent buildings.</p>
 <p>Urban Zones 2-5</p>	<p>Urban Zones 2 - 5 Consists of a wide range of residential building types. Higher number zones provide for the integration of offices and neighborhood services within an increasingly urban fabric. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	 <p style="text-align: center;"><i>Side</i> <i>Front</i></p>	<p>Buildings typically occupy one side of the lot leaving a setback to the other side to allow for access or privacy. In many instances, the building occupies the entire lot frontage. A shallow frontage setback defines a more urban condition.</p>
 <p>Urban Zones 6-9</p>	<p>Urban Zones 6 - 9 Consists of higher density mixed use buildings that accommodate retail, offices, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.</p>	 <p style="text-align: center;"><i>Front</i> <i>Courtyard</i></p>	<p>The building typically occupies the full frontage, leaving the rear of the lot as the sole yard. The continuous facade steadily defines the public street. In its residential form, this type is the attached dwelling. The rear yard can accommodate substantial parking.</p>



Downtown
 Consists of the highest density and height development, with the greatest variety of uses, and civic buildings of regional importance. Streets have steady street tree planting and buildings are set close to wide sidewalks.



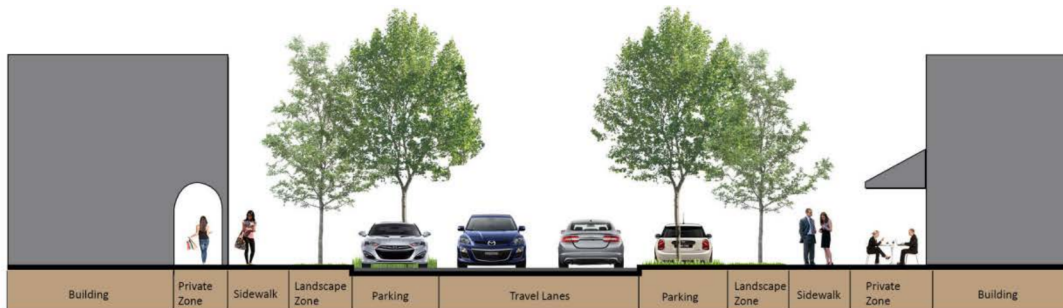
The building occupies the boundaries of its lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public street.

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- C. *Streets*. Within the transects, new developments shall connect to the existing street network. Where the existing street network is deficient with respect to gridded connectivity, the development shall provide new street connections to meet the block perimeter requirements.

The zoning map identifies a hierarchy of street types that determine the relationship of buildings to the street and the standards for the design of street landscaping and sidewalks. Street types include: Storefront, Principal, Thoroughfare, and Local Streets. All undesignated existing streets are assumed to be Local Streets. Below is a detailed description of the general function, character, and elements of each street type. Final street design for new development shall be in accordance with this article and the Design Manual, subject to review and approval by the City Manager or designee in the development review process. In the event of a conflict between the standards in this article and the Design Manual, the Design Manual shall govern.

- a. *Storefront*. Storefront streets are designed to encourage a high level of pedestrian activity. Higher intensity and density uses front this street type. Due to the level of pedestrian activity on this street type, first floor residential development requires a 1.5 foot elevation above grade (3 feet recommended) for the privacy and comfort of residents. Building front entrances shall be oriented to this street type when there are multiple street frontages for the property.



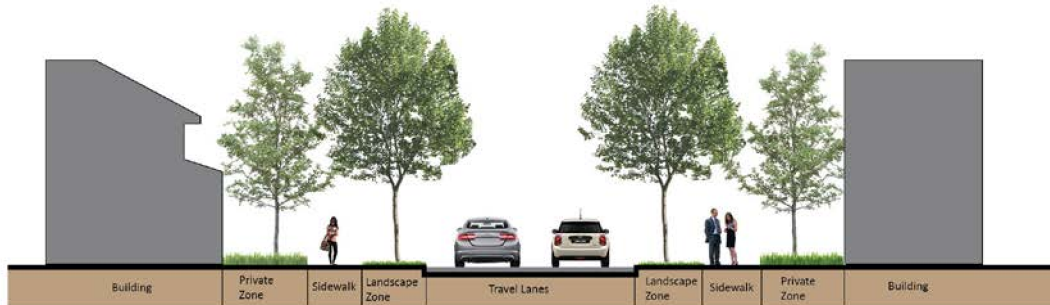
- b. *Principal*. Principal streets include lower levels of pedestrian activity compared to storefront streets. This street type is located in mixed-use areas where the traffic volume is anticipated to be higher than on local streets. This street type allows for some auto-oriented uses with a special use permit.



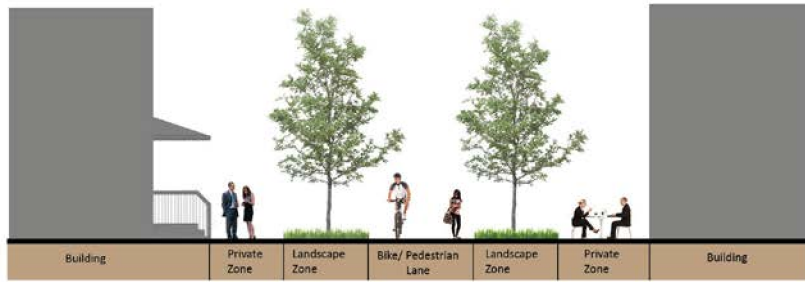
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- c. *Thoroughfares*. Thoroughfares are streets that carry high volumes of through traffic at higher speeds with less pedestrian activity and higher vehicular speeds than other street types. These streets are often fronted by larger scale commercial development and are usually 4-lane or 6-lane streets.



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- d. *Local*. Local Streets are intended to have slow speeds and provide for connections within neighborhoods and between residential areas and commercial areas. Local Streets are not identified on the zoning map, but make up the vast majority of the street types within the transects. Any street that is not identified as a Storefront, Principal, or Thoroughfare street should be assumed to be a Local Street.



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- e. *Urban Walkways*. Urban Walkways are pedestrian/bicycle pathways that serve to improve pedestrian/bicycle connectivity, delineate blocks and provide for expanded pedestrian space. These may be established as alternatives to new streets in some locations.



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- f. *Alleys*. Alleys are narrower streets that are primarily used for service access to developments, or vehicular access to rear parking areas. Alleys are encouraged to be preserved, improved, or established in conjunction with development.



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Section 30-4.12. Permitted Uses.

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The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

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Table V - 1: Permitted Uses within Transects.

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	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
RESIDENTIAL											
Single-family house		P	P	P	P	P	P	P	P	P	P
Attached dwellings (up to 6 attached units)		-	P	P	P	P	P	P	P	P	P
Multi-family, small-scale (2-4 units per building)		-	P	P	P	P	P	P	P	P	P
Multi-family dwelling		-	-	P	P	P	P	P	P	P	P
Accessory dwelling unit	30-5.33	-	P	P	P	P	P	P	P	-	-
Adult day care home	30-5.2	P	P	P	P	P	P	P	P	P	P
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	P	P	P	P	-	-
Community residential homes (more than 6 residents)	30-5.6	-	-	P	P	P	P	P	P	P	-
Dormitory (small)	30-5.8	-	P	P	P	P	P	P	P	P	P

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
Dormitory (large)	30-5.8	-	-	P	P	P	P	P	P	P	P
Family child care home	30-5.10	P	P	P	P	P	P	P	P	P	-
NONRESIDENTIAL											
Alcoholic beverage establishment	30-5.3	-	-	-	-	-	-	P	P	P	P
Assisted living facility		-	-	-	P	-	P	P	P	P	P
Bed & Breakfast establishments	30-5.4	-	S	P	P	P	P	P	P	P	P
Business services		-	-	-	P	-	P	P	P	P	P
Car wash facilities	30-5.5	-	-	-	-	-	-	P	P	-	-
Civic, social & fraternal organizations		S	P	P	P	P	P	P	P	P	P
Day care center	30-5.7	-	S	S	P	P	P	P	P	P	P
Drive-through facility	30-5.9	-	-	-	-	-	P	P	P	P	P
Emergency shelter		-	-	-	-	P	P	P	P	P	P
Equipment rental and leasing, light		-	-	-	-	-	-	P	P	P	P
Exercise studios		-	-	-	P	-	P	P	P	P	P
Farmers market	30-5.11	-	-	-	-	-	P	P	P	P	P
Food distribution for the needy	30-5.12	-	-	-	-	-	-	-	S	S	S
Food truck	30-5.35	-	-	-	A	-	P	P	P	P	P
Funeral homes and crematories		-	-	-	-	-	P	P	P	P	P
Gasoline/alternative fuel station	30-5.13	-	-	-	-	-	S ¹	P	P	-	-
Hotel		-	-	-	-	-	-	P	P	P	P
Laboratory, medical & dental		-	-	-	P	-	P	P	P	P	P
Library		-	-	-	-	S	P	P	P	P	P
Light assembly, fabrication and processing	30-5.16	-	-	-	-	-	P	P	P	P	P
Medical marijuana dispensaries		-	-	-	-	-	-	-	P	P	P
Microbrewery Microwinery Microdistillery ²	30-5.17	-	-	-	-	-	S	P	P	P	P
Mini-warehouse/self-storage	30-5.18	-	-	-	-	-	-	-	P	P	-
Museums and art galleries		-	-	-	P	S	P	P	P	P	P
Office		-	-	-	P	P ³ / S ⁴	P	P	P	P	P
Office- medical, dental, & other health related services		-	-	-	P	-	P	P	P	P	P

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
Parking, surface (principal use)	30-5.20	-	-	-	-	-	-	-	-	S	S
Parking, structured (principal use)		-	-	-	-	-	-	P	P	P	P
Passenger transit station		-	-	-	-	-	-	-	P	P	P
Personal services		-	-	-	S	-	P	P	P	P	P
Places of religious assembly	30-5.21	S	P	P	P	P	P	P	P	P	P
Professional school		-	-	-	P	P	P	P	P	P	P
Public administration buildings		-	-	-	S	S	S	P	P	P	P
Public parks		P	P	P	P	P	P	P	P	P	P
Recreation, indoor ²		-	-	-	-	-	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	-	P	P	P	-
Research development & testing facilities		-	-	-	-	-	-	P	P	P	P
Residences for destitute people	30-5.22	-	-	-	-	-	-	-	S	S	S
Restaurant		-	-	-	S	-	P	P	P	P	P
Retail sales		-	-	-	-	-	P	P	P	P	P
School, elementary, middle & high (public & private)		S	S	S	P	P	P	P	P	P	P
Scooter and electric golf cart sales		-	-	-	-	-	-	P	P	P	-
Simulated gambling establishments		-	-	-	-	-	-	-	-	-	-
Social service facilities	30-5.25	-	-	-	-	-	-	-	P	P	P
Skilled nursing facility		-	-	-	P	-	P	P	P	P	P
Vehicle sales and rental (no outdoor display)		-	-	-	-	-	-	P	P	P	P
Vehicle services	30-5.28	-	-	-	-	-	-	P	P	-	-
Vehicle repair	30-5.28	-	-	-	-	-	-	P	-	-	-
Veterinary services	30-5.29	-	-	-	P	-	P	P	P	P	P
Vocational/Trade school		-	-	-	-	-	S	P	P	P	P
Wireless communication services	See 30-5.30										

1 **LEGEND:**

2 P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

3 1 = When located along a Principal Street.

4 2 = Prohibited where adjacent to single-family zoned property.

5 3 = Office uses as a home occupation.

6 4 = Office uses up to 20% of the building square footage and shall be secondary to a principal residential
7 use. No outdoor storage allowed.

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Section 30-4.13. Building Form Standards.

This section contains the building form standards that determine the location, scale and massing of all buildings within the transects.

Table V - 2: Building Form Standards within Transects.

TRANSECT	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
A. BLOCK STANDARDS										
Block perimeter (max feet)	2,600'								2,000'	1,600'
B. LOT CONFIGURATION										
Lot width (min feet)	34'	18'						18'	18'	
C. DEVELOPMENT INTENSITY										
Nonresidential building coverage (max)	60%	80%						90%	100%	
Residential density by right/with SUP ¹ (max units per acre)	8	15	20	20	75	50/60	50/60	60/80	100/125	150/175
D. BUILDING FRONTAGE										
Primary frontage (min)	50%	60%						70%	80%	
Secondary frontage (min)	30%	40%						50%	60%	
E. BUILDING PLACEMENT										
min-max from curb										
min landscape/min sidewalk/min building frontage										
Storefront Street	15'-20' 5'/5'/5'	15'-20' 5'/5'/5'						16'-21' 5'/6'/5'	15'-20' 4'/6'/5'	
Principal Street	17'-37' 6'/6'/5'	17'-27' 6'/6'/5'						17'-27' 6'/6'/5'	17'-27' 6'/6'/5'	
Thoroughfare Street	19'-100' 6'/6'/5'	19'-100' 8'/6'/5'						19'-100' 8'/6'/5'	19'-100' 8'/6'/5'	
Local Street	15'-35' 5'/5'/5'	15'-20' 5'/5'/5'						16'-21' 5'/6'/5'	15'-20' 4'/6'/5'	
F. BUILDING SETBACKS										
Side interior setback (min)	5'	5'	5'	5'	5'	5'	5'	0'	0'	0'

Rear setback (min)	15'	3' (alley) 10' (no alley)	3' (alley) 5' (no alley)	3' (alley) 0' (no alley)
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- 1 **LEGEND:**
2 1 = See Section 30-4.8 for development compatibility standards.
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TRANSECT	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
G. BUILDING HEIGHT										
Min feet	NA	NA	NA	NA	NA	NA	18	18	18	18
Max stories (by right ¹ /with bonus ²)	3	3	3	3	4	4/5	4/6	5/6	6/8	12/14
Max feet (by right/with bonus ²)	36	36	36	42	60	60/74	60/88	74/88	88/116	172/200
H. FLOOR HEIGHT										
Min first floor height (residential / nonresidential)	NA/10'	NA/12'	NA/12'	NA/12'	NA/12'	NA/12'	12'/12'	12'/15'	12'/15'	12'/15'
Min first floor elevation (residential only)	-	-	-	-	1.5 ft.	1.5 ft.	1.5 ft.	1.5 ft.	1.5 ft.	1.5 ft.
I. GLAZING										
Min first floor - nonresiden	-	30%			50%			65%		

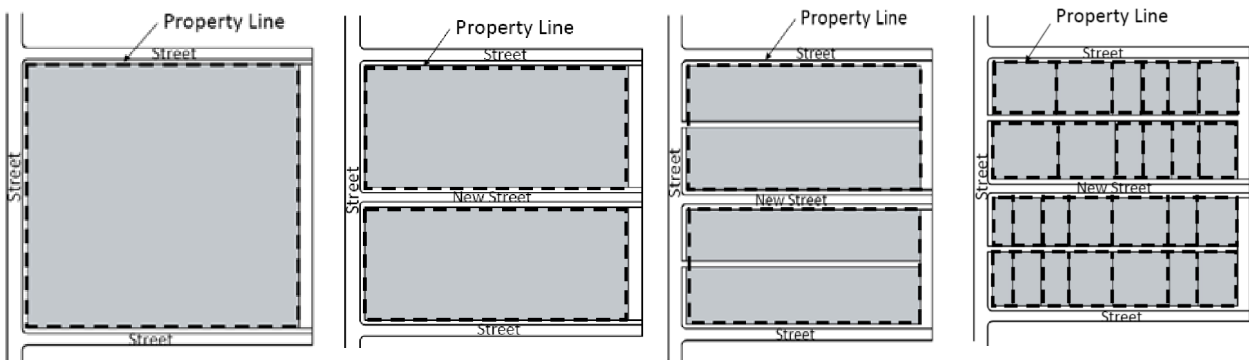
tial				
Min first floor - multi-family	-		30%	
Min upper floors - nonresidential and multi-family	-		15%	

- 1 **LEGEND:**
- 2 1 = See development compatibility standards in Section 30-4.8.
- 3 2 = See bonus system requirements in Section 30-4.9.

1 A. *Block standards.*

- 2 1. *Maximum block perimeter.* Maximum block perimeters are defined Table V-2 for each transect.
3 When development cumulatively includes 50% or more of the total project area, it shall be
4 required to include new local streets or urban walkways and the resulting block(s) shall not
5 exceed the prescribed maximum block perimeter. Figure V-1 below depicts a recommended
6 approach to breaking down large blocks to provide a new street grid on a large site.

7 **Figure V - 1: Creating Blocks**



8

9 Step 1-original site; Step 2-introduce streets; Step 3-introduce alleys; Step 4-introduce lots.
10

11 2. *Construction of new streets.*

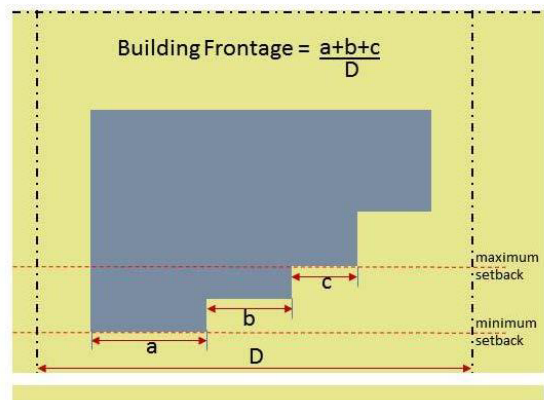
- 12 a. The required local streets or urban walkways shall be constructed at the expense of the
13 owner/developer as part of the development review process and shall be constructed
14 according to the appropriate city standards, but may be sited and configured in a manner so
15 that they provide the most appropriate access to the development. Where a street is
16 planned to continue beyond the extent of a development, the development shall provide for
17 the continuation of the street by stubbing out the improvements as close as is practicable to
18 edge of the property boundary.
- 19 b. The required local streets, multi-use paths or urban walkways shall provide for public access
20 and may be dedicated for public right-of-way after construction, if the city desires to accept
21 same for maintenance.
- 22 c. Notwithstanding any other provision in this chapter, a development may receive final
23 approval prior to construction of the required local streets or urban walkways if the city,
24 upon approval of the City Commission, has executed a binding agreement with the
25 owner/developer that:
- 26 i. Requires the city and/or the Community Redevelopment Agency to construct the
27 required local streets as public streets within two years of final approval; and
- 28 ii. Provides for the conveyance or dedication of the associated right-of-way from the
29 property owner to the city, at no cost to the city.

30 The city may enter into such an agreement only when the city determines that doing so
31 would be in the public interest and when the city and/or the Community Redevelopment
32 Agency has budgeted legally available funds for the construction of the required local

- 1 streets. The form and content of the agreement shall be provided by and acceptable to the
 2 city in its sole discretion.
- 3 d. Board modifications from the requirement to construct new streets may be granted in
 4 accordance with the procedures and criteria for a variance, with specific consideration given
 5 to situations where the construction of a street is limited by: access management standards,
 6 regulated environmental features, regulated natural or archeological resources, public
 7 stormwater facilities, existing utility facilities, contamination sites, inconsistencies with plans
 8 for a future city street network, parks, or schools. Where a variance from these
 9 requirements is approved, the block perimeter shall be completed with the provision of
 10 sidewalk and bicycle connections, and multi-use paths or urban walkways, subject to
 11 approval by the city.
- 12 3. *Urban walkways.* When required new streets or urban walkways are constructed as part of a
 13 subdivision or development, their design and construction shall conform to the following
 14 standards and applicable design manual standards:
- 15 a. New streets or urban walkways shall connect to existing streets on abutting properties, or
 16 be constructed in alignment with planned public streets on abutting properties.
- 17 b. Where a portion of a new street or urban walkway is newly constructed, it shall be designed
 18 to be extended to abutting property. Stub-outs shall extend to the property line.
- 19 c. Urban walkways shall be a minimum of 26 feet wide and may be designed with a single or
 20 divided paved pathway. The pathway(s) shall be at least 10 feet wide in total width and shall
 21 provide for both bicycles and pedestrians. An urban walkway shall be landscaped with
 22 shade trees on minimum 50-foot centers on both sides of the paved path. Unpaved areas
 23 may also contain stormwater facilities. Urban walkways may contain benches, fountains,
 24 outdoor cafes or other outdoor uses as long as a minimum sidewalk width as specified
 25 above is maintained.
- 26 B. *Building frontage.* Building frontage requirements shall create a continuous building presence along
 27 streets.

- 28 1. The building frontage standards are a proportion
 29 of the building length relative to the width of
 30 the development site measured at the site
 31 frontage line, (see Figure V - 3).
- 32 2. *Frontage hierarchy.*
- 33 a. Where a development has frontage along
 34 multiple street types that do not include a
 35 thoroughfare, the urban street (Storefront
 36 or Principal, in that order of hierarchy) shall
 37 be considered the primary street for the
 38 front face of the building.
- 39 b. Where a development has frontage on a
 40 thoroughfare and any other street type, the thoroughfare shall be considered the primary
 41 street.

Figure V - 3: Building Frontage



1 c. Where a development has frontage on two streets of equal type, then the City Manager or
2 designee shall make a determination as to which street frontage shall be considered
3 primary.

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

Figure V - 4: Example of Gateway



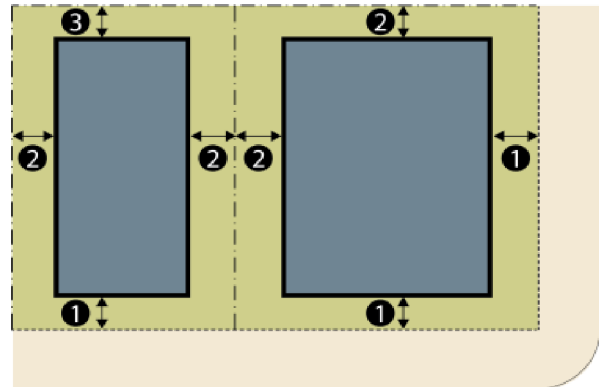
Floor above gateway not required

9 4. The ground floor along the street frontages shall contain active
10 uses oriented to the street. Active uses may include, but are not
11 limited to, display or floor areas for retail uses, waiting and
12 seating areas for restaurants, atriums or lobbies for offices,
13 lobbies or dining areas for hotels or multi-family residential
14 buildings, and hotel rooms or multi-family residential units with
15 street facing entrances.

16 C. *Building placement and setbacks.* The placement of a building on a site is critical to creating a vital
17 and coherent public realm. The building placement and setback standards shall shape the public
18 realm and strengthen the physical and functional character of the area. Figure V-5 depicts the types
19 of setbacks.

20 1. Building placement requirements shall be
21 measured from the back of curb instead of the
22 front property line, with the following
23 exceptions:

Figure V - 5: Building Setbacks

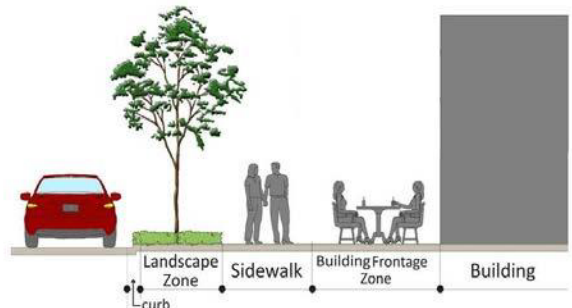


- ① Street Setback
- ② Side Setback
- ③ Rear Setback

- a. In the absence of curbs, shall be measured from the edge of pavement.
- b. Where the required building placement falls within a public right-of-way, it shall be shifted to the property line instead.

29 2. Building placement requirements shall be
30 comprised of a landscape zone, a public
31 sidewalk zone and a building frontage zone.
32 Figure V-6 depicts the required configuration of these zones in relation
33 to the street curb and building. The required minimum widths for the
34 landscape and sidewalks zones are listed within Table V - 2. The
35 building frontage zone shall be a minimum of 5
36 feet in all locations. Section 30-4.13 D contains
37 additional standards for the design of the
38 building frontage zone.

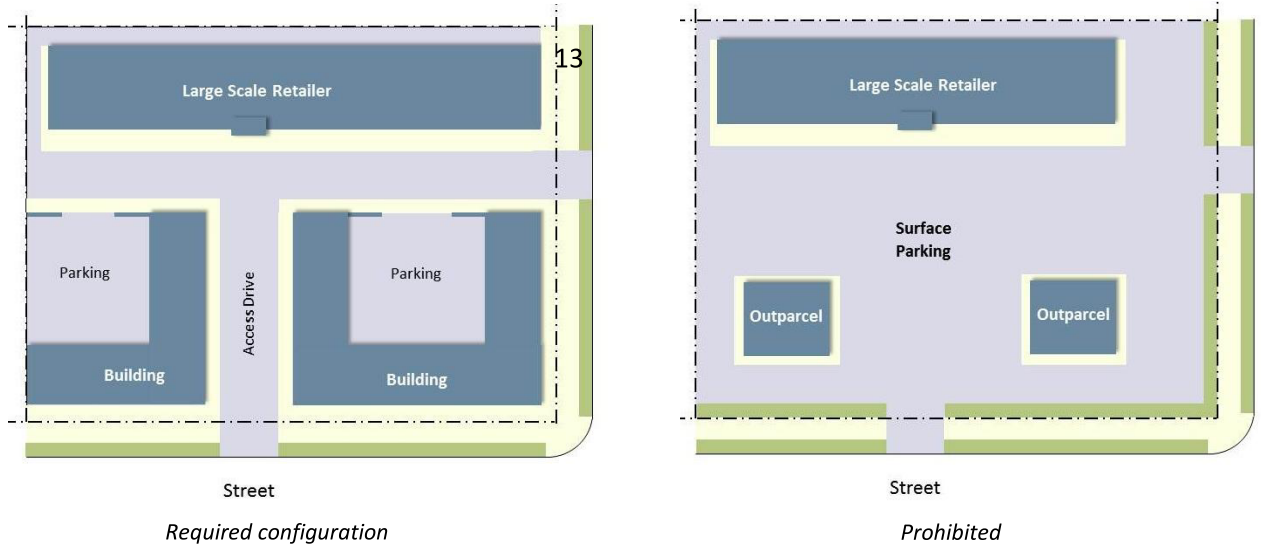
Figure V - 6: Public Realm Zones



39 3. Side and rear setbacks are minimums and shall
40 be measured from shared property lines.

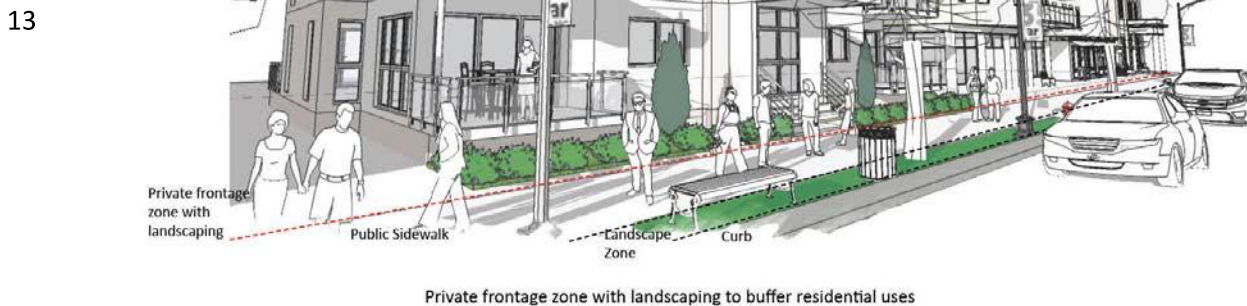
- 1 4. Street furniture such as benches, trash receptacles and bicycle racks shall not be located within
 2 the public sidewalk zone.
- 3 5. Where multiple buildings are proposed within a development, the placement of buildings at the
 4 rear of a site is allowed as long as one or more buildings are placed along the front of the site
 5 meeting the building placement and setback and building frontage requirements of this division.
 6 Figure V-7 depicts the required configuration of multiple buildings on a site, such as within a
 7 shopping center. Streets or access drives shall be incorporated into the site to break it down into
 8 smaller lots/blocks (platting will not be required). The primary access drive shall be centered on
 9 the anchor building and shall be lined with buildings, which shall meet the required frontage
 10 standards along the street and access drive.

11 **Figure V - 7: Multiple Buildings on a Site**



1 D. *Building frontage zone requirements.* All development shall provide a minimum 5-foot wide building
2 frontage zone behind the public sidewalk, and buildings shall have at least one type of building
3 frontage incorporated into its design. Table V-3 contains the dimensional requirements for the
4 various types of building frontages allowed. The intent of the building frontage zone is to provide a
5 transition between the public street/sidewalk and the building. The type of activity conducted in the
6 private frontage zone depends on the nature of the proposed use (Figure V-8). For a commercial
7 building, the intent of the private frontage zone is to attract customers into the business. For a
8 residential site, the intent of the private frontage zone is to provide for a private outdoor space and
9 establish a separation from the public sidewalk for the ground floor rooms.

10 **Figure V - 8: Examples of Building Frontage Zone Activity**
11



1 **Table V - 3: Building Frontage Dimensional Standards**

Storefront	Gallery	Arcade
<p>1. Width: 25% of façade width min. 2. Depth: 5' min. 3. Clear Height: 8' min.</p>	<p>1. Width: 75% of façade width min. 2. Depth: 8' min. 3. Clear Height: 12' min. (1st floor)</p>	<p>1. Width: 75% of façade width min. 2. Depth: 8' min. 3. Clear Height: 12' min. (1st floor)</p>
Courtyard	Stoop	Porch
<p>1. Width: 10' min to 50% of façade width max. 2. Depth: 10' min/20' max. 3. Elevation: 18" max above grade.</p>	<p>1. Width: 5' min to 16' max. 2. Depth: 5' to 8' 3. Clear Height: 8' 4. Elevation: 21" min above grade.</p>	<p>1. Width: 12' min. 2. Depth: 8' min. 3. Clear Height: 8' min. 4. Elevation: 21" min above grade.</p>

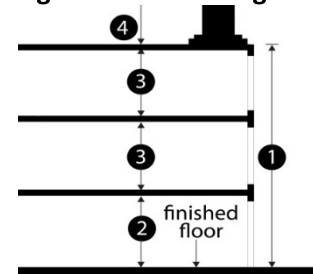
2 Note: See Article II for definitions of frontages.

- 1 1. *Building frontage standards, general.*
- 2 a. In addition to the encroachments shown in Table V-3, cantilevered balconies, bay windows
- 3 and roof overhangs are allowed to encroach into the building frontage zone.
- 4 b. Street furniture such as benches, trash receptacles, or bicycle racks may be installed within
- 5 the building frontage zone.
- 6 2. *Standards for storefronts, awnings and canopies.*
- 7 a. Storefront doors shall not be recessed more than 5 feet from the front façade. Recessed
- 8 doors shall have angled walls leading to the door to promote the visibility of the entrance.
- 9 b. Awnings and canopies shall not cover building architectural elements including but not
- 10 limited to cornices or ornamental features.
- 11 c. High gloss or plasticized fabrics and aluminum are not allowed for awnings.
- 12 d. Backlit awnings are not permitted.
- 13 e. Awning shall match the width of the window or door opening and shall enhance the
- 14 architectural features of the building.
- 15 3. *Standards for galleries and arcades.*
- 16 a. Along urban Storefront streets, gallery/arcade openings shall align with storefront
- 17 entrances.
- 18 b. Galleries may be one or two stories.
- 19 c. Arcades and galleries shall have consistent depth along a frontage.
- 20 4. *Standards for courtyards.*
- 21 a. Courtyards shall be paved and a minimum of 20% of the total courtyard area shall be
- 22 enhanced with either above-ground or in-ground landscaping.
- 23 5. *Standards for stoops and porches.*
- 24 a. Stoops shall align directly with the building entry.
- 25 b. Porches may be one or two stories.
- 26 c. Porches may encroach into the building frontage zone.

27 E. *Building height.*

- 28 1. The heights of parking structures shall be limited in accordance
- 29 with the maximum feet within each district, but shall not be
- 30 limited to the maximum number of stories.
- 31 2. Mezzanines that meet the definition and requirements of the
- 32 Florida Building Code shall not be counted as an additional
- 33 story.
- 34 3. The building height limitations contained in Table V - 2 do not
- 35 apply to spires, belfries, cupolas, antennas, water tanks,

Figure V - 9: Building Height



- ① Building height
- ② Floor height (ground floor)
- ③ Floor height (upper floors)
- ④ Exceptions to maximum height

- 1 ventilators, chimneys or other appurtenances required to be placed on the roof and not
- 2 intended for human occupancy. Other exceptions include:
- 3 a. Roof structures above eave line can vary in height up to a maximum of 15 feet above eave
- 4 line.
- 5 b. Trellises may extend above the maximum height up to 8 feet.

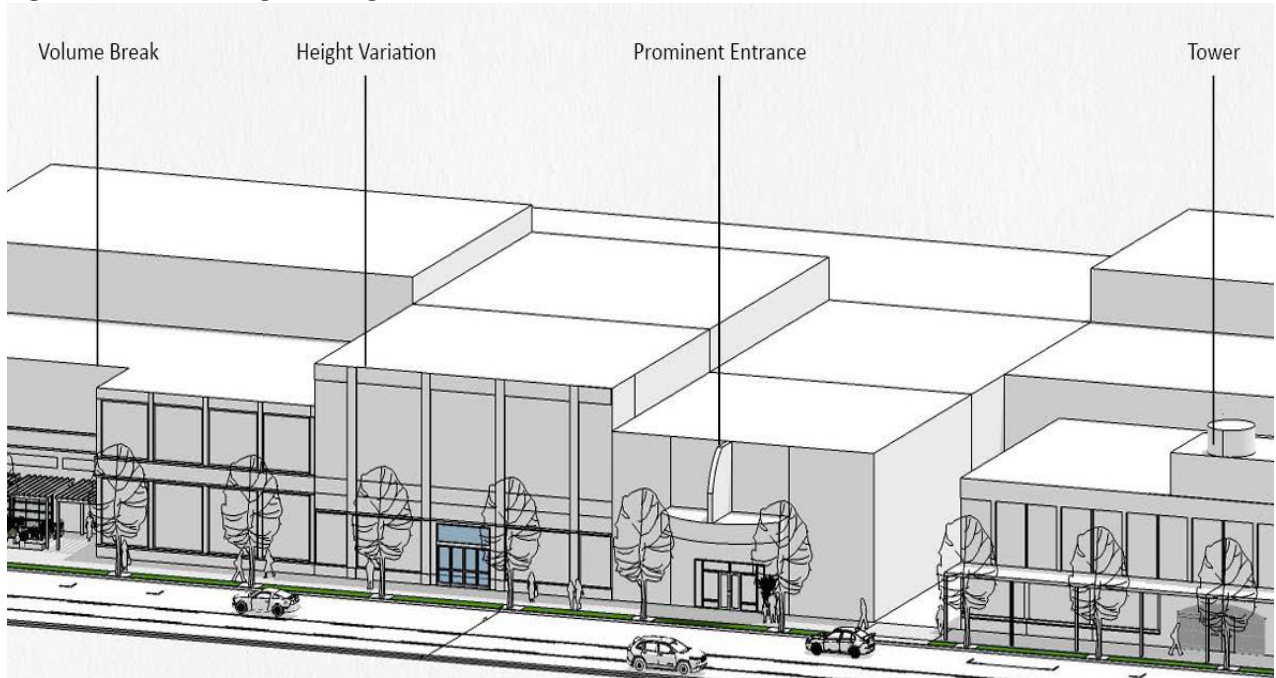
6 F. *Floor height.*

- 7 1. Floor height shall be measured as provided in the Florida Building Code.
- 8 2. Parking garages are exempt from the minimum floor height requirements.

9 **Section 30-4.14. Building Design Standards.**

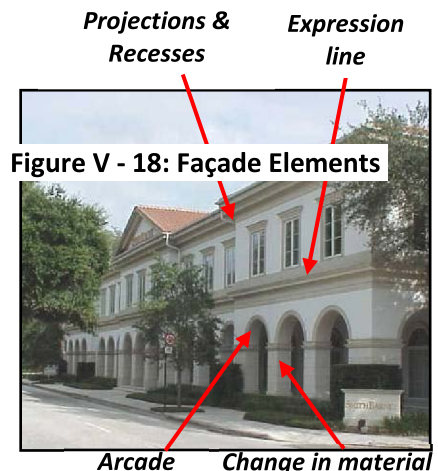
10 A. *Building massing.* Large building volumes shall be divided to appear as smaller volumes grouped
 11 together. Volume breaks may be achieved by volume projections and recesses, and varying heights
 12 and roof lines. Therefore, building facades shall not exceed 60 feet along a street frontage without
 13 providing a substantial volume break such as a volume projection or recess, a tower or bay, or an
 14 architecturally prominent public entrance. The recesses and projections shall have a minimum
 15 depth and width of 10 feet.

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



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

- 21 1. Façades shall not exceed 20 horizontal feet without including
 22 at least one of the following elements:
- 23 a. A window or door.
- 24



- 1 b. Awning, canopy or marquee.
- 2 c. An offset, column, reveal, void, projecting rib, band, cornice, or similar element with a
- 3 minimum depth of six inches.
- 4 d. Arcade, gallery or stoop.
- 5 e. Complementary changes in façade materials or texture.
- 6 2. An expression line shall be provided between the first and second stories delineating the
- 7 transition between ground and upper floors.
- 8 3. Architectural treatments on the façade, such as cornices or expression lines, shall be continued
- 9 around the sides of the building visible from a street.
- 10 4. All building elevations (including secondary/interior side façades) shall use similar materials and
- 11 appearance as the front/street facade.

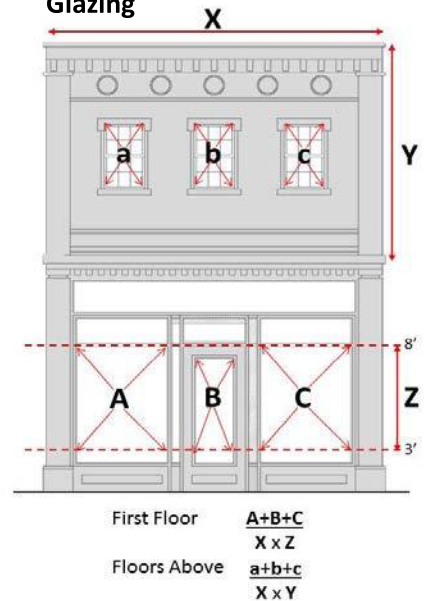
12 C. *Glazing requirements.*

- 13 1. Glazing percentages shall be calculated as follows:
 - 14 a. Nonresidential First Floor: The area of glass between 3
 - 15 feet and 8 feet above finished floor, divided by the area
 - 16 of the building façade also between 3 feet and 8 feet
 - 17 above finished floor.
 - 18 b. Nonresidential above First Floor: The combined area of
 - 19 glass on all floors above the first divided by the total area
 - 20 of the building façade for those floors.
 - 21 c. Residential: The area of glass divided by the area of the
 - 22 façade.
- 23 2. The approving authority may allow reduced glazing and/or
- 24 glass transmittance for places of religious assembly and
- 25 schools.
- 26 3. There is no maximum limit on how much glazing may be
- 27 provided. However, if glass walls are used, an architectural
- 28 feature, such as a canopy/marquee, overhang, or a horizontal
- 29 change in plane shall be provided between the first and
- 30 second floors to ensure pedestrian scale at the sidewalk level.
- 31 4. Windows and glass doors shall be glazed in clear glass with 80% minimum transmittance. The
- 32 use of reflective glass and reflective film is prohibited on the ground floor of all buildings.

33 D. *Building entrances.*

- 34 1. Each building shall provide a primary public entrance oriented toward the public right-of-way,
- 35 and may be located at the building corner facing the intersection of two streets. Additional
- 36 entrances may be provided on other sides of the building.
- 37 2. Primary public entrances shall be operable, clearly-defined and highly-visible. In order to
- 38 emphasize entrances they shall be accented by a change in materials around the door, recessed
- 39 into the façade (alcove), or accented by an overhang, awning, canopy, or marquee.
- 40 3. Building frontages along the street shall have functional entrances at least every 150 feet.

Figure V - 17: Non-Residential Glazing



Section 30-4.15. Parking Requirements.

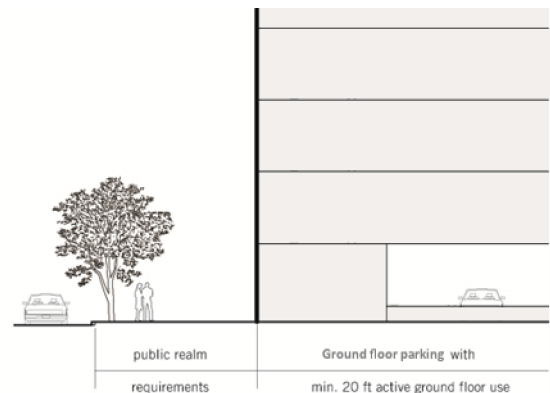
A. Parking amounts.

Transect	Min Vehicle Spaces		Min Bicycle Spaces		Min Scooter Spaces
	Nonresidential Use	Residential Use	Nonresidential Use	Residential Use	
DT	-	-	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U9	-	-	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U8	-	-	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U7	-	1 per 3 bedrooms	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U6	-	1 per 3 bedrooms	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U5	-	1 per 3 bedrooms	1 per 2000 sq.ft. of GFA	1 per 3 bedrooms	-
U4	Per parking code				
U3					
U2					
U1					

B. Location of parking facilities.

1. Surface parking lots shall be located to the rear or side of buildings, but no more than 50% of the total parking area may be located to the side of buildings.
2. Surface parking in the form of a single level of ground floor parking located within the building footprint (see Figure V-10) shall provide a minimum of 25 feet of active ground floor commercial, residential, or office uses along Storefront or Principal streets, and shall provide on all street frontages decorative screening walls, perimeter parking landscaping per Article VII, or a combination thereof.
3. Surface and structured parking areas shall be accessed from rear alleys or rear lanes where available (see Figure V-11), from an adjacent property (see Figure V-12), or from local streets, in that order of hierarchy. Vehicular access from other street types shall only be allowed in the absence of these options.
4. Within the DT district, any surface parking areas abutting a public street or urban walkway shall be screened from street view by a masonry garden wall with a height between 3 and 5 feet. In

Figure V - 10: Ground-Floor Parking under Building



1 the other T-zones, the parking lot may be screened in accordance with the perimeter parking
2 landscaping standards per Article VII.

3 5. A minimum of 10% of the provided bicycle parking shall be located between the building and
4 the street.

5
6

7 **Figure V - 11: Parking Access from Alley**

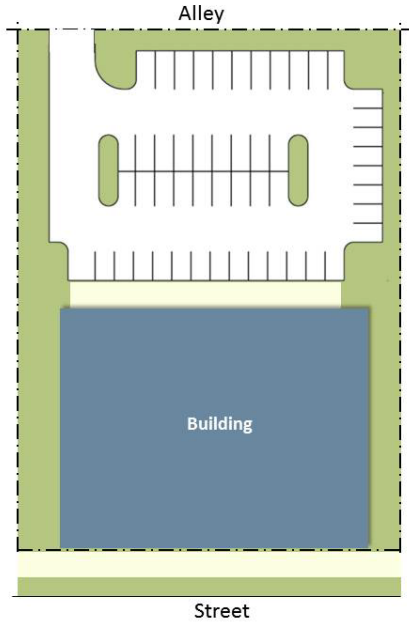
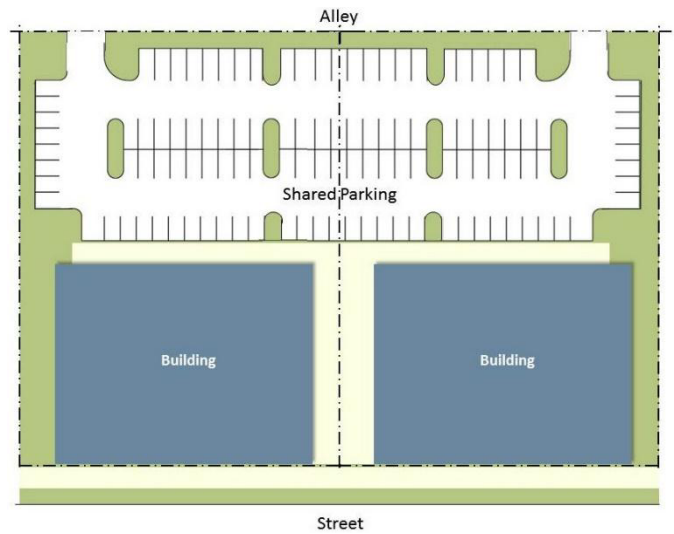


Figure V - 12: Parking Access from Adjacent Property



10 C. *Design of parking structures.*

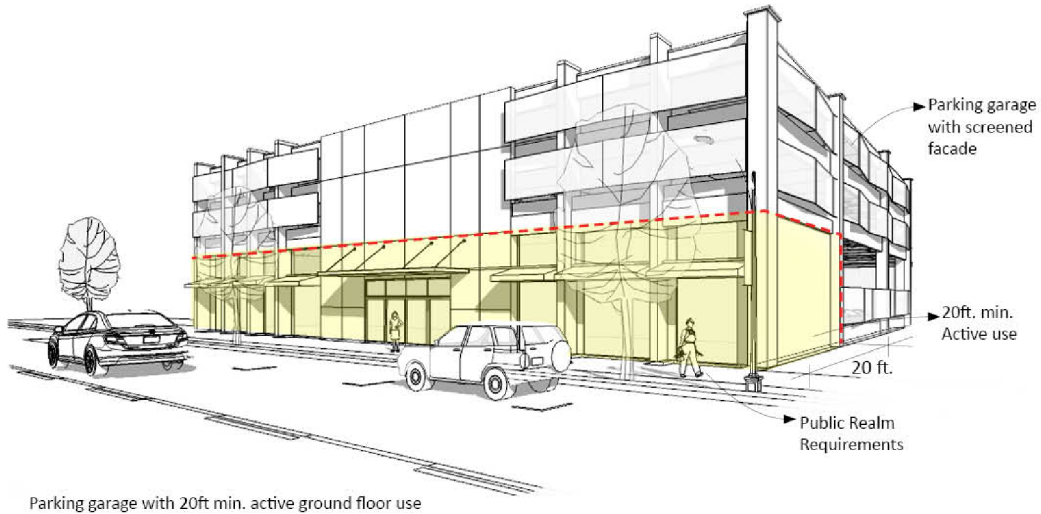
11 1. Parking structures located along Storefront streets shall be concealed by liner buildings, which
12 may be attached or detached from the parking structure (see 13). The liner building shall have a
13 minimum of two stories and a minimum height of 30 feet and a minimum depth of 25 feet along
14 the entire length of the parking structure.

15 **Figure V - 13: Parking Structures on Storefront Streets**
16



- 1 2. Parking structures located along Principal streets shall be required to provide ground floor
- 2 commercial or office space along the street frontage (see Figure V-14).

3 **Figure V - 14: Parking Structures on Principal Streets**



- 4
- 5 3. On all other streets, any structured parking that is not concealed behind a liner building or
- 6 ground floor commercial or office space shall have decorative screening walls, perimeter parking
- 7 landscaping per Article VII, or a combination thereof to screen ground floor parking (see Figure
- 8 V-15).

9 **Figure V - 15: Parking Structures on Other Streets**



- 10 4. Parking structures shall meet setback, height, and façade articulation standards applicable to
- 11 the transect, but are exempt from the minimum floor-to-ceiling height requirement and the
- 12 building frontage zone requirement.

Attachment C:

Application and Neighborhood Workshop Information

APPLICATION FOR SPECIAL USE PERMIT
Planning & Development Services

OFFICE USE ONLY	
Petition No. <u>PB-17-00111</u>	Fee: \$1,086.00
1 st Step Mtg Date: _____	EZ Fee: \$ <u>N/A</u>
Tax Map No. _____	Receipt No. <u>69027</u>
Account No. 001-660-6680-3401 []	
Account No. 001-660-6680-1124 (Enterprise Zone) []	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) []	

Application for a special use permit will be accepted for review only after a pre-application conference (First Step Meeting). Application to be completed by applicant. Application must include a preliminary development plan. Incomplete applications will be returned to the applicant.

Name of Owner(s) (please print)
Name: Saul Silber
Address: 3434 SW 24th Avenue, Suite A Gainesville, Florida 32607
Phone: 352/338-1000 Fax: 352-240-9016
Owner's Signature: _____
(If additional owners, please include on back)

Applicant(s)/Agent(s), if different
Name: _____
Address: _____
Phone: _____ Fax: _____

PROPERTY INFORMATION: (Information below applies to property for which a Special Use Permit is being requested.)
Street address: 901 NW 8th Avenue, Gainesville, Florida 32601
Tax parcel no(s): 13827-000-000
Legal description (use separate sheet, if needed): BROWN ADDN BK 8 PB A-64 N 330 FT OF BK 8 W OF NW 9TH ST AS PER OR 518/62 & 128 LESS S 15 FT OF E 137.5 FT OR 1218/371 - ALSO N1/2 OF NW 7TH PL BETWEEN NW 9TH ST & NW 10TH ST PARALLEL TO & ABUTTING THE S LINE OF ABOVE DESC PROPERTY) OR 2263/ - 0920

I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area for which the permit is being requested.

Signature of applicant:  Date: 10/02/2017

Certified Cashier's Receipt:

A Special Use Permit is requested pursuant to Section _____, Subsection _____, Paragraph _____, of the Land Development Code, City of Gainesville, to allow the following use:

A preliminary site plan is/is not required and is/is not attached.

Existing zoning classification: OF to U4 Existing land use designation: _____

Existing use of property: Commercial: Multiple Use

SURROUNDING PROPERTY INFORMATION: (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)

	Zoning	Land Use	Existing Use
North			
South			
East			
West			

TO THE APPLICANT: (Please sign the bottom of this application after you have read the following.)

- The City of Gainesville will notify owners of property within 400 feet of the subject property of this application.
- No application for a Special Use Permit shall be entertained within 2 years after the denial or withdrawal of a request for the same use for the same property.
- The City Plan Board's decision concerning a Special Use Permit may be appealed by the applicant to a hearing officer within 15 days of the date notification of the decision is sent by certified mail to the applicant.

Signature:  Date: 10/02/2017

Name of Owner (please print)	
Name:	Saul Silber
Address:	3434 SW 24th Avenue, Suite A Gainesville, Florida 32607
Phone:	352/338-1000
Fax:	352/240-9016
Owner's Signature:	
(If additional owners, please list on separate sheet)	

Name of Owner (please print)	
Name:	
Address:	
Phone:	
Fax:	
Owner's Signature:	

Reference: Chapter 30, Land Development Code
City Code of Ordinances, Article VII, Division 5

OCT 02 2017

Operator: Michael Hoge

Receipt no: 69027

Item	Description	Account No	Payment	Payment Reference	Paid
PB-17-00111 00901 NW 8TH AVE Saul Silber - Adding Personal Services to U4	Special Use Permit	001-660-6680-3401	CHECK	64100	\$1,086.00
Total:					\$1,086.00

Transaction Date: 10/02/2017

Time: 12:28:05 EDT



Property Posted for Neighborhood Meeting





CITY OF GAINESVILLE
NOTICE
OF PROPOSED
LAND USE ACTION

A PUBLIC HEARING IS SCHEDULED TO CONSIDER A REQUEST FOR:
PB-17-1116 UP
SAUL SILBER, OWNER. SPECIAL USE PERMIT,
WITHOUT A DEVELOPMENT PLAN, TO ALLOW UP TO
50% OF THE FLOOR AREA TO BE USED FOR PERSONAL
SERVICES. ZONED U-4 901 NW 8TH AVENUE
CITY HALL ADD. 200 E. UNIVERSITY AVENUE
WHEN: THURSDAY 6:30 PM, OCT. 26 WHERE: 200 E. UNIVERSITY AVENUE

FOR MORE INFORMATION CONTACT THE PLANNING DEPARTMENT AT 334-5023
Details will be posted on our website prior to the meeting.
www.cityofgainesville.org/planningdepartment



STATE OF FLORIDA
COUNTY OF ALACHUA

Published Daily and Sunday
Gainesville, Florida

Before the undersigned authority personally appeared Kim Kanemoto who on oath says that she is an Advertising Account Executive of THE GAINESVILLE SUN, a daily newspaper published in Gainesville in Alachua County, Florida (with circulation in Alachua, Bradford, Clay, Columbia, Gilchrist, Lafayette, Levy, Marion, Putnam, Suwannee, Taylor Counties), that the attached copy of advertisement, being a PUBLIC NOTICE OF NEIGHBORHOOD WORKSHOP relating to the matter of

PUBLIC NOTICE

This neighborhood workshop is about a special use permit to allow a maximum of 50% of the floor area of buildings at 901 NW 8th Avenue to be used for personal services; this is not a public hearing. The purpose of the meeting is to inform the neighboring property owners of the nature of the proposal and to seek input.

The meeting will be held Tuesday, October 24, 2017 at 6:30 p.m. at 901 NW 8th Avenue, Suite A2, Gainesville, Florida 32601.

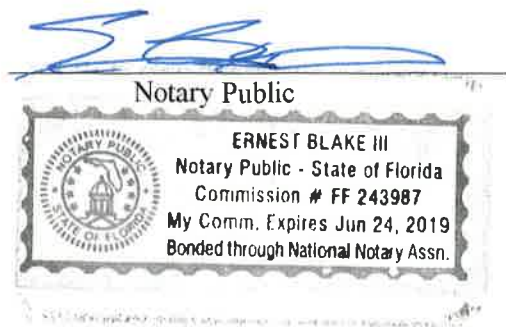
Contact person: Christy Bracken at (352) 338-1000

was published in said newspaper in the issues of Saturday, October 7, 2017.

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Kim Kanemoto



Few say US going in right direction

According to an AP-NORC poll, only 24 percent of Americans are confident about the future of the country

By Julie Pace and Emily Swanson
The Associated Press

WASHINGTON — Just 24 percent of Americans believe the country is heading in the right direction after a tumultuous stretch for President Donald Trump that included the threat of war with North Korea, stormy complaints about hurricane relief and Trump's equivocating about white supremacists. That's a 10-point drop since June, according to a poll from The Associated Press-NORC Center for Public Affairs Research.

The decline in optimism about the nation's trajectory is particularly pronounced among Republicans. In June, 60 percent of Republicans said the country was headed in the right direction; now it's just 44 percent.

The broader picture for the president is grim, too. Nearly 70 percent of Americans say Trump isn't level-headed, and

majorities say he's not honest or a strong leader. More than 60 percent disapprove of how he is handling race relations, foreign policy and immigration, among other issues.

Overall, 67 percent of Americans disapprove of the job Trump is doing in office, including about one-third of Republicans.

Tracy Huelsman, a 40-year-old from Louisville, Kentucky, is among them. A self-described moderate Republican, Huelsman said she's particularly concerned about the "divisiveness" she feels the president promotes on social media.

"It's scary in 2017 that we are in what seems like a worse place in terms of division," said Huelsman, who did not vote for Trump in last year's election.

The assessments come after a turbulent summer for Trump that included a major White House shake-up, bringing the departure of his chief of staff, top strategist and press secretary. While the installment of retired Marine Gen. John Kelly as chief of staff has ushered in more day-to-day order in the West Wing, the president has still stirred up numerous controversies, including when



President Donald Trump addresses the 72nd session of the United Nations General Assembly on Sept. 19 at U.N. headquarters.
[THE ASSOCIATED PRESS FILE PHOTO]

he blamed "both sides" for the clashes between white supremacists and counter-protesters in Charlottesville, Virginia.

Trump has also raised the specter of a military conflict with North Korea over its nuclear provocations. He's derided North Korea's leader, Kim Jong Un, as "rocket man," including during a speech at the United Nations, and has downplayed the prospects that diplomatic negotiations with Kim could yield results.

Despite his electoral success, Trump struggled as both a candidate and now as president to broaden his base of support beyond his ardent supporters. The loyalty of his core backers has been enough to keep

Republican lawmakers largely in line, but party operatives are closely watching Trump's support among GOP and independent voters ahead of next year's midterm elections, when the balance of power in Congress will be at stake.

To be sure, lawmakers have their own problems to worry about. Americans have even less esteem for Congress than Trump, with just 18 percent saying they approve of the job being done by the House and the Senate.

Republicans took another hit last month when they failed — for a second time this year — to pass an overhaul of the nation's health care law. GOP leaders tried to rush votes on the complicated

legislation, leaving many voters unsure of what was in the package.

"They never seemed to present a bill to people that you could actually look at the details of and the pluses and minuses of it," said Dennis Cronin, a 67-year-old independent from Wenham, Massachusetts.

The GOP failure on health care has irritated Trump, who promised voters that repealing "Obamacare" would be easy. Americans aren't happy with his progress on health care either; 68 percent disapprove of his handling of the issue.

Of all the issues surveyed by the AP-NORC poll, the president performs slightly better on the economy. But even

there, 56 percent disapprove of the job he's doing and just 42 percent say they approve.

On Friday, the Labor Department announced that the U.S. shed 33,000 jobs in September because of Hurricanes Harvey and Irma, which closed thousands of businesses in Texas and Florida and forced widespread evacuations. It marked the first monthly hiring drop in nearly seven years.

Ninety-two percent of Democrats and 69 percent of independents say Trump understands the problems of people like them not very or not at all well. Even among Republicans, only 42 percent say he understands them very well, while 32 percent say he does moderately well.

The AP-NORC poll of 1,150 adults was conducted Sept. 28-Oct. 2 using a sample drawn from NORC's probability-based AmeriSpeak panel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 4.1 percentage points.

Respondents were first selected randomly using address-based sampling methods, and later interviewed online or by phone.

Is NRA move to regulate 'bump stocks' real or a ruse?

By Lisa Marie Pane
The Associated Press

ATLANTA — When the National Rifle Association urged the government to revisit whether "bump stocks" should be restricted, it immediately raised eyebrows. Why would the nation's leading gun-rights organization, not known for compromise, be willing to bend even just a bit when it wields perhaps more influence than ever?

Some gun-industry experts say the NRA's move is little more than a ruse to stall any momentum for wider gun control until outrage over the Las Vegas attack subsides. It also carries little risk. For one, it's rare for the Bureau of Alcohol, Tobacco, Firearms and Explosives to reverse course without a change in the law. For another, "bump stocks" are not big moneymakers for the gun industry. And by seeking an administrative change, rather than a new law, the NRA allows its supporters in Congress to avoid going on the record with a vote.

"They're dismissed as silly gadgets that really inhibit the accuracy of a firearm. If these bump stocks were super popular among gun owners, we'd see a very different position from the NRA," said Adam Winkler, a professor at the University of California, Los Angeles, School of Law and author of "Gunfight: The Battle over the Right to Bear Arms in America."

The NRA "can throw a sacrificial lamb of 'bump stocks' because they know that gun owners don't use them or like them," he added.

The devices, originally intended to help people with disabilities, fit over the stock and pistol grip of a semi-automatic rifle and allow the weapon to fire continuously, some 400 to 800 rounds in a single minute, mimicking a fully automatic firearm.

Bump stocks were found among the weapons used by Stephen Paddock as he rained bullets from a Las Vegas casino high-rise



Clark Aposhian, chairman of the Utah Shooting Sports Council, demonstrates how a little-known device called a "bump stock" works when attached to a semi-automatic rifle at the Gun Vault store and shooting range Wednesday in South Jordan, Utah. [RICK BOWMER/THE ASSOCIATED PRESS]

last Sunday. The gunfire killed 58 people at a concert below and wounded hundreds more.

On Thursday, the NRA issued a statement that urged the ATF to review whether the devices comply with federal law and said it "believes that devices designed to allow semi-automatic rifles to function like fully automatic rifles should be subject to additional regulations."

The statement pointedly noted that it was under President Barack Obama's administration that the devices were authorized to be sold and again urged Congress to enact one of the gun lobby's top priorities: a national "concealed-carry reciprocity" law that would require all states to recognize other states' concealed carry permits.

In a matter of hours, NRA chief lobbyist Chris Cox put to rest any sense that the group was actively seeking a ban of bump stocks, telling Fox News' Tucker Carlson: "What we've said is ATF needs to do their job. ATF needs to look and if there's technology that's come to the market that allow for a semi-automatic rifle to function as a fully automatic rifle, they need to be regulated differently. We didn't talk about banning anything."

Notably, the nation's other leading gun lobbying groups, including Gun Owners of America, reiterated their opposition to restricting or banning the devices.

The few companies that sell bump stocks are known to include in their packaging a letter

from the ATF from 2010, when the agency concluded that they were not restricted by either the Gun Control Act or the National Firearms Act.

The ATF provides guidance when a manufacturer asks the agency to evaluate a firearm or accessory to determine if its sale is restricted by either federal law. It is extremely rare for the ATF to reconsider its previous guidance unless federal law changes — so rare that experts could think of only one time when it has happened, and even then they weren't sure their memories were correct.

The agency, describing its process in general on Friday, indicated that Congress will be responsible for decisions about regulating or banning the devices.

It was not immediately clear whether President Donald Trump or Attorney General Jeff Sessions, who oversees the ATF, could order it to re-evaluate its judgment about devices.

The NRA is viewed as the most powerful and most inflexible group in the gun lobby. It pours millions of dollars into political campaigns and successfully blocks legislation that would either ban certain firearms or make them more difficult to purchase. The NRA has only gained influence following the election of Trump, who became the first president since Ronald Reagan to address the group's annual meeting.

After some particularly deadly mass shootings, the NRA has worked to find some common ground with gun-control advocates.

Tropical Storm Nate aims at New Orleans: Will the pumps work?

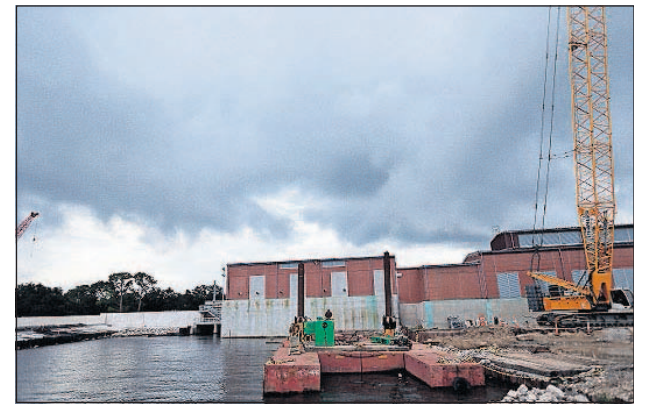
By Stacey Plaisance and Kevin McGill
The Associated Press

NEW ORLEANS — When Tropical Storm Nate formed and forecasts put New Orleans in its projected path for this weekend, one big question loomed for residents and business owners: Will the pumps work?

"That's now a thought in everybody who lives in New Orleans," said Devin Shearman, a manager at Katie's restaurant and lounge, which flooded during an unexpected rain-storm Aug. 5. It was one of two flash floods this past summer that led to revelations about personnel and equipment problems at the New Orleans Sewerage and Water Board, the agency that runs the pumping system that drains the city.

Some pumps weren't working. Some turbines that provide power to the pumps were down.

There weren't enough people on hand to man the system.



Rain clouds gather over a pumping station Aug. 10 at Marconi Drive and lake Pontchartrain in New Orleans. [ASSOCIATED PRESS FILE PHOTO]

"Since early August, we have made substantial progress," New Orleans Mayor Mitch Landrieu said of work to upgrade the city drainage system. But he warned at a Thursday news conference that extremely heavy rain and storm surge from Nate still could pose flood dangers.

Nate formed in the western Caribbean Sea and moved into Central America on Thursday. Forecasters said it would likely emerge in the Gulf

of Mexico and strengthen, possibly reaching hurricane strength before a Sunday morning landfall somewhere along the Louisiana, Mississippi or Alabama coast. Officials in the resort town of Grand Isle on a vulnerable barrier island south of New Orleans called a voluntary evacuation Thursday. To the east, in coastal St. Bernard Parish, authorities ordered an evacuation of areas not protected by levees.



President Donald Trump speaks during a Hispanic Heritage Month event in the East Room of the White House on Friday in Washington. [EVAN VUCCI/THE ASSOCIATED PRESS]

Pair of crises tests Trump's presidential empathy

WASHINGTON — White House officials urged President Donald Trump to show restraint in his response to the Las Vegas mass shooting: No speculative tweets, please. No over-the-top bluster.

White House chief of staff John Kelly encouraged a simple tweet of condolences. Aides wrote somber remarks that had Trump quoting scripture.

Some around the president were encouraged to hear the president connecting to the tragedy on a personal level — talking about his property and calling friends there.

Trump ultimately stuck to the script in Las Vegas, avoiding controversy and assuming the role of national healer. It was a measured response that stood in stark contrast to his uneven response to the hurricane in Puerto Rico.

The Associated Press

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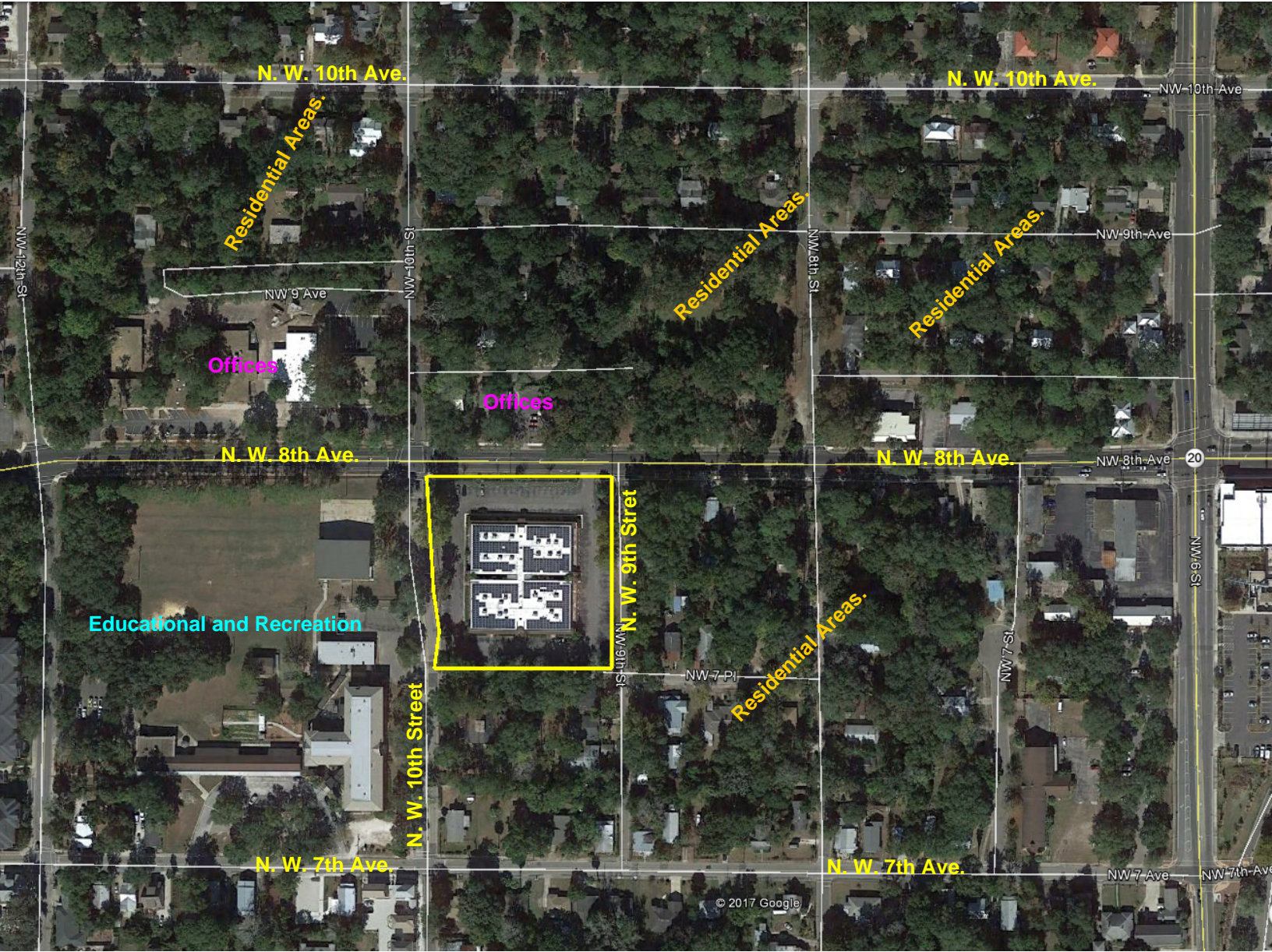
This neighborhood workshop is about a special use permit to allow a maximum of 50% of the floor area of buildings at 901 NW 8th Avenue to be used for personal services; this is not a public hearing. The purpose of the meeting is to inform the neighboring property owners of the nature of the proposal and to seek input.

The meeting will be held Tuesday, October 24, 2017 at 6:30 p.m. at 901 NW 8th Avenue, Suite A2, Gainesville, Florida 32601.

Contact person: Christy Bracken at (352) 338-1000

ATTACHMENT "D"

GENERAL MAPS OF THE SUBJECT AREA



ATTACHMENT "D"

GENERAL MAPS OF THE SUBJECT AREA

