

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

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

8 **WHEREAS**, prior to adoption of this ordinance, the City Commission has
9 considered the comments, recommendation and objections, if any, of the State Land
10 Planning Agency.

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

13 **Section 1.** The Concurrency Management Element Goals, Objectives and
14 Policies, City of Gainesville 2000-2010 Comprehensive Plan, is amended to read as
15 follows:

16 Goal 1

17 Establish a transportation concurrency exception area, which promotes and enhances:

- 18 a. urban redevelopment;
- 19 b. infill development;
- 20 c. a variety of transportation choices and opportunities including automotive, pedestrian,
21 bicycle and transit;
- 22 d. the City's economic viability;
- 23 e. desirable urban design and form;

- 1 f. a mix of residential and non-residential uses;
- 2 g. streetscaping/landscaping of roadways within the city; and,
- 3 h. pedestrian and bicyclist comfort, safety and convenience.

4 Objective 1.1

5 The City establishes the Gainesville Transportation Concurrency Exception Area (TCEA) with
6 sub-areas designated Zone A, ~~and B,~~ and C as shown in Map 1. The TCEA is further described
7 in the Legal Description shown in Exhibits A, B, ~~and C,~~ and D.

8 Policy 1.1.1

9 All land uses and development located within the Gainesville Transportation Concurrency
10 Exception Area (TCEA), except for Developments of Regional Impact (DRI), shall be excepted
11 from transportation concurrency for roadway level of service standards. An existing
12 Development of Regional Impact may qualify for a roadway level of service transportation
13 concurrency exception for redevelopment or additions to the DRI providing all the requirements
14 in Policy ~~1.1.9~~ 1.1.11 are met. Developments outside of the TCEA that impact roadways within
15 the TCEA shall be required to meet transportation concurrency standards.

16 Policy 1.1.2

17 Transportation concurrency exceptions granted within the TCEA shall not relieve development
18 from meeting the policy requirements set within this element to address transportation needs
19 within the TCEA, except as delineated within this element.

20 Policy 1.1.3

21 In order to promote redevelopment and infill in the eastern portion of the city and the area near
22 the University of Florida, Zone A is hereby established as a sub-area of the TCEA. Except as
23 shown in Policy 1.1.4, funding for multi-modal transportation modifications and needs in Zone A
24 shall be provided, to the maximum extent feasible, by the City, Community Redevelopment

1 Agency, federal or state governments, and other outside sources such as grant funds.
2 Transportation modifications, which are required due to traffic safety and/or operating conditions
3 and are unrelated to transportation concurrency shall be provided by the developer.

4 Policy 1.1.4

5 Within Zone A, development or redevelopment shall provide the following:

- 6 a. Sidewalk connections from the development to existing and planned public sidewalk
7 along the development frontage;
- 8 b. Cross-access connections/easements or joint driveways, where available and
9 economically feasible;
- 10 c. Deeding of land or conveyance of required easements along the property frontage to the
11 City, as needed, for the construction of public sidewalks, bus turn-out facilities and/or
12 bus shelters. Such deeding or conveyance of required easements, or a portion of same,
13 shall not be required if it would render the property unusable for development. A Transit
14 Facility License Agreement (executed by the property owner and the City) for the
15 placement of a bus shelter and related facilities on private property may be used in lieu
16 of deeding or conveyance of easements if agreeable to the City. The License term shall
17 be for a minimum of 10 years.
- 18 d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly
19 wide curb cuts at the development site, as defined in the Access Management portion of
20 the Land Development Code.
- 21 e. Provide safe and convenient on-site pedestrian circulation such as sidewalks and
22 crosswalks connecting buildings and parking areas at the development site.

23 Transportation modifications which are required due to traffic safety and/or operating conditions
24 and which are unrelated to transportation concurrency shall be provided by the developer.

1 Policy 1.1.5

2 Within Zone B or C, new development or redevelopment shall provide all of the items listed in
3 Policy 1.1.4 a. through e. and meet required policy standards, as specified in Policy 1.1.6 or 1.1.7
4 (as relevant to the Zone), to address transportation needs within the TCEA. Transportation
5 modifications which are required due to traffic safety and/or operating conditions and which are
6 unrelated to transportation concurrency shall be provided by the developer and any such items
7 provided shall not count towards meeting required standards in Policy 1.1.6 or 1.1.7 (whichever
8 is relevant to the Zone).

9 Policy 1.1.6

10 Within Zone B, development or redevelopment shall be required to meet the following
11 development standards, provided at developer expense, based on the development's (including
12 all phases) trip generation and proportional impact on roadway facilities. The developer may
13 sign a development agreement or contract with the City of Gainesville for the provision of these
14 standards. The choice of standards shall be subject to the final approval of the City during the
15 plan approval process. The standards chosen shall relate to the particular site and transportation
16 conditions where the development is located. The developer may choose to provide one or more
17 standards off-site with the City's approval. In recognition of the varying costs associated with
18 the standards, the City shall have the discretion to count some individual standards, based on cost
19 estimates provided by the developer and verified by the City, as meeting two or more standards.

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Net, new average daily trip generation	Number of standards which must be met
Less than 50	At least one standard
50 to less than 100	At least two standards

100 to 400	At least three standards
400 to 999	At least five standards
Greater than 1,000 trips but less than 5,000 trips	At least eight standards
Greater than 5,000 trips	At least twelve standards and meet a. or b. below: a. Be on an existing transit route b. Provide funding for a new transit route.

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- a. Intersection and/or signalization modifications to improve level of service roadway operation and safety and address congestion management. This may include, but is not limited to: signal timing studies, fiber optic inter-connection for traffic signals, roundabouts, OPTICOM signal preemption, and/or implementation of elements of the Gainesville Traffic Signalization Master Plan Update. Implementation of the Master Plan includes installation of Intelligent Transportation System (ITS) features such as state of the art traffic signal controllers, dynamic message signs, and traffic monitoring cameras designed to maximize the efficiency of the roadway network by reducing congestion and delay.
- b. Addition of dedicated turn lanes into and out of the development.
- c. Construction of bus shelters built to City specifications or bus shelter lighting using solar technology designed and constructed to City specifications.

- 1 d. Construction of bus turn-out facilities.
- 2 e. Provision of bus pass programs provided to residents and/or employees of the
3 development. The bus passes must be negotiated as part of a contract with the Regional
4 Transit System.
- 5 f. Payments to the Regional Transit System, which either increase service frequency or add
6 additional bus service.
- 7 g. Construction of public sidewalks ~~along all street frontages~~, where they are not currently
8 existing. Sidewalk construction required to meet Land Development Code requirements
9 along property frontages shall not count as meeting TCEA standards.
- 10 h. Widening of existing public sidewalks to increase pedestrian mobility and safety.
- 11 i. Deeding of land for the addition and construction of bicycle lanes. or construction of
12 bicycle lanes to City specifications.
- 13 j. Provision of ride sharing or van pooling programs.
- 14 k. Use of joint driveways or cross-access to reduce curb cuts.
- 15 l. Provision of park and ride facilities.
- 16 m. Funding of streetscaping/landscaping (including pedestrian-scale lighting, where
17 relevant) on public rights-of-way or medians, as coordinated with the implementation of
18 the City's streetscaping plans.
- 19 n. Business operations that can be proved to have limited or no peak hour roadway impact.
- 20 o. Provision of shading through awnings or canopies over public sidewalk areas to promote
21 pedestrian traffic and provide protection from the weather so that walking is encouraged.
22 The awning or canopy shall provide pedestrian shading for a significant length of the
23 public sidewalk in front of the proposed or existing building.

- 1 p. Provision of additional bicycle parking over the minimum required by the Land
2 Development Code. Additional bicycle parking may be used to substitute for the
3 required motorized vehicle parking.
- 4 q. In order to increase the attractiveness of the streetscape and reduce visual clutter along
5 roadways, which promotes a more walkable environment, provision of no ground-
6 mounted signage at the site for parcels with 100 linear feet or less of property frontage.
7 ~~Or, ground-mounted signage with a maximum of 8 feet in height and 32 square feet in~~
8 ~~sign area for all parcels with more than 100 feet of linear frontage.~~ Or, removal of non-
9 conforming signage or billboards at the site. Signage must meet all other regulations in
10 the Land Development Code.
- 11 r. Enhancements to the City's greenway system (as shown in the Transportation Mobility
12 Map Series) which increase its utility as a multi-modal transportation route. Such
13 enhancements may include, but not be limited to: 1.) trail amenities such as benches,
14 directional signage, or safety systems; 2.) bicycle parking at entry points or connecting
15 with transit lines; 3.) land acquisition for expansion or better connectivity of the
16 greenway system; 4.) additional entry points to the greenway system; 5.) bridges
17 spanning creeks or wetland areas; and/or, 6.) appropriate trail surfacing.
- 18 s. Participation in a transportation demand management program that provides funding or
19 incentives for transportation modes other than single occupant vehicle. Such demand
20 management programs shall provide annual reports of operations to the City indicating
21 successes in reducing single occupant vehicle trips.
- 22 t. Clustering of and design of the development for maximum density, or maximum FAR, at
23 the site which preserves open space, reduces the need for development of vacant lands,
24 enhances multi-modal opportunities and provides transit-oriented densities or intensities.

- 1 u. Construction of new road facilities which provide alternate routes to reduce congestion.
- 2 v. Addition of lanes on existing road facilities, where acceptable to the City and/or MTPO,
- 3 as relevant.
- 4 w. An innovative transportation-related modification or standard submitted by the
- 5 developer, where acceptable to and approved by the City.

6 Policy 1.1.7

7 Within Zone C, development or redevelopment shall be required to meet the following
 8 development standards, provided at developer expense, based on the development's (including
 9 all phases) trip generation and proportional impact on roadway facilities. The developer may
 10 sign an agreement with the City of Gainesville for the provision of these standards. The choice
 11 of standards shall be subject to the final approval of the City during the plan approval process.
 12 The standards chosen shall relate to the particular transportation conditions and priorities in Zone
 13 C or adjacent areas. In recognition of the varying costs associated with the standards, the City
 14 shall have the discretion to count some individual standards, based on cost estimates provided by
 15 the developer and verified by the City, as meeting two or more standards.

16

<u>Net, new average daily trip generation</u>	<u>Number of standards which must be met</u>
<u>Less than 50</u>	<u>At least one standard</u>
<u>50 to less than 100</u>	<u>At least 3 standards</u>
<u>100 to 400</u>	<u>At least 4.5 standards</u>
<u>400 to 999</u>	<u>At least 7.5 standards</u>
<u>Greater than 1,000 trips but less than 5,000 trips</u>	<u>At least 12 standards</u>

<u>Greater than 5,000 trips</u>	<u>At least 18 standards and meet a. or b. below:</u> <u>a. Be on an existing transit route</u> <u>b. Provide funding for a new transit route.</u>
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2 a. Roadway projects to: provide a more interconnected transportation network in the area,
3 provide alternate routes to reduce congestion, and reduce pressure on arterials. These
4 projects include, but are not limited to the following projects, and may include projects
5 outside the limits of the TCEA that can be demonstrated to be a direct benefit to the
6 transportation system in the area of the TCEA:

- 7 1. extension of SW 40th Boulevard to connect from its terminus south of Archer Road
8 to SW 47th Avenue;
9 2. extension of SW 47th Avenue to connect from its terminus east and south to
10 Williston Road; and,
11 3. in areas where redevelopment occurs: extension of streets, deeding of land, or
12 easements to create a more gridded network and provide connectivity; and,
13 4. extension of SW 40th Place from SW 27th Street to SW 47th Avenue.

14 Developers may deed land for right of way and/or construct roadway extensions to City
15 specifications. Prior to the donation of the right of way, the developer and the City must agree
16 upon the fair market value of the land for the purposes of meeting this standard. In the event the
17 parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable

- 1 to the City for purposes of establishing value, subject to review by the City.
- 2 b. Intersection and/or signalization modifications to improve level of service and safety and
3 address congestion management. This may include, but is not limited to: signal timing
4 studies, fiber optic inter-connection for traffic signals, roundabouts, OPTICOM signal
5 preemption, and/or implementation of elements of the Gainesville Traffic Signalization
6 Master Plan Update. Implementation of the Master Plan includes installation of
7 Intelligent Transportation System (ITS) features such as state of the art traffic signal
8 controllers, dynamic message signs, and traffic monitoring cameras designed to
9 maximize the efficiency of the roadway network by reducing congestion and delay.
- 10 c. Construction of bus shelters built to City specifications.
- 11 d. Bus shelter lighting using solar technology to City specifications.
- 12 e. Construction of bus turn-out facilities to City specifications.
- 13 f. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This
14 may include provision of bicycle parking at bus shelters or transit hubs or deeding of
15 land for the addition and construction of bicycle lanes or trails.
- 16 g. Payments to the Regional Transit System, which either increase service frequency or add
17 additional bus service.
- 18 h. Construction of public sidewalks where they are not currently existing or completion of
19 sidewalk connectivity projects. Sidewalk construction required to meet Land
20 Development Code requirements along property frontages shall not count as meeting
21 TCEA standards. The priority for sidewalk construction shall be:
- 22 1. along SW 35th Place east from SW 34th Street to SW 23rd Street;
23 2. along SW 37th Boulevard/SW 39th Boulevard (north side) south from Archer Road
24 to SW 34th Street;

- 1 3. along SW 27th Street from SW 35th Place to Williston Road for pedestrian/transit
2 connectivity; and,
- 3 4. along the west side of SW 32nd Terrace from SW 35th Place to the terminus of the
4 University Towne Centre sidewalk system (at the property line).
- 5 i. Use of joint driveways or cross-access connections to reduce curb cuts.
- 6 j. Funding of streetscaping/landscaping on public rights-of-way or medians, as coordinated
7 with the implementation of the City's streetscaping plans.
- 8 k. Pedestrian-scale lighting in priority areas including:
- 9 1. SW 35th Place;
- 10 2. SW 37th/39th Blvd.;
- 11 3. SW 23rd Terrace; and,
- 12 4. Williston Road.
- 13 l. Business operations that can be proven to have limited or no peak hour roadway impact.
- 14 m. Design and/or construction studies/plans for projects such as planned roundabouts, road
15 connections, sidewalk systems, and/or bike trails.
- 16 n. Provision of matching funds for transit or other transportation mobility-related grants.
- 17 o. Participation in a transportation demand management program that provides funding or
18 incentives for transportation modes other than single occupant vehicle. Such demand
19 management programs shall provide annual reports of operations to the City indicating
20 successes in reducing single occupant vehicle trips.
- 21 p. An innovative transportation-related modification or standard submitted by the
22 developer, where acceptable to and approved by the City.

23 Policy 1.1.8

1 The City establishes the following priority for projects in Zone C and shall work with the
2 Metropolitan Transportation Planning Organization (MTPO) to add these items to the MTPO list
3 of priorities. The City shall also pursue matching grants and other funding sources to complete
4 these projects. For developments east of SW 34th Street in Zone C the priority shall be:

5 1. Construction of an off-street pedestrian path on one side of SW 35th Place from SW 34th
6 Street to SW 23rd Terrace.

7 2. A roundabout at SW 23rd Terrace and SW 35th Place.

8 For developments west of SW 34th Street in Zone C the priority shall be:

9 1. Construction of a southerly extension of SW 40th Boulevard from its current end south
10 of its intersection with Archer Road to the intersection of SW 47th Avenue. This
11 roadway connection shall include bicycle and pedestrian facilities.

12 Policy ~~1.1.7~~ 1.1.9

13 Redevelopment or expansions of existing developments, which generate fewer than ten net, new
14 average daily trips or two net, new p.m. peak hour trips (based on adjacent street traffic), shall
15 not be required to meet Policies 1.1.4, 1.1.5, ~~or 1.1.6,~~ or 1.1.7.

16 Policy ~~1.1.8~~ 1.1.10

17 Within Zone B or C, in order to encourage redevelopment and desirable urban design and form,
18 developments meeting standards such as neo-traditional, new urbanist, or mixed-use
19 development which includes a mix of both residential and non-residential uses at transit oriented
20 densities shall be provided credits, in relation to the multi-modal amenities provided, toward
21 meeting the standards in Policy 1.1.6 or 1.1.7, as relevant.

22 Policy ~~1.1.9~~ 1.1.11

23 An existing DRI, approved and built prior to the adoption of the TCEA, may be granted a
24 roadway level of service transportation concurrency exception for redevelopment or expansion if

1 all of the following requirements are met. All other Chapter 380, F.S., DRI requirements, except
2 those concerning transportation concurrency within the TCEA, shall continue to apply.

3 a. The DRI is wholly located within the TCEA.

4 b. At least one public transit route serves the DRI and operates at 15 minute frequencies
5 during the peak a.m. and p.m. hours of the adjacent street traffic.

6 c. The DRI allows transit service to enter the site and drop off/pick up passengers as close
7 as possible to main entry points to facilitate transit user comfort and safety. An
8 appropriate number of bus shelters, as determined by the Regional Transit Service (RTS)
9 during development review, shall be located at the site. The DRI shall construct required
10 shelters to RTS specifications.

11 d. The DRI provides a Park and Ride facility at the site.

12 e. Cross-access connections or easements shall be provided to adjacent developments/sites.

13 f. Any other transportation modifications (either on- or off-site), including, but not limited
14 to, signalization, turn lanes, cross walks, bicycle parking, public sidewalks and internal
15 sidewalk connections, and/or traffic calming measures, found to be required during
16 development review shall be provided or paid for by the DRI. The City may require a
17 traffic study to determine the transportation impacts and required transportation
18 modifications depending upon the size of the expansion.

19 Policy ~~1.1.10~~ 1.1.12

20 In order to promote highly desirable development within ~~either Zone A or B~~ the TCEA, the City
21 or Community Redevelopment Agency may enter into agreements with developers to provide all
22 or part of the transportation needs that are required by policies within this element.

23 Policy ~~1.1.11~~ 1.1.13

1 In order to maintain the concurrency management system, the City shall continue to collect trip
2 generation information for developments within the TCEA. For redevelopment sites, the City
3 shall also collect information about trip credits for the previous use of the property.

4 Policy ~~1.1.12~~ 1.1.14

5 The City may require special traffic studies, including, but not limited to, information about trip
6 generation, trip distribution, trip credits, and/or signal warrants, within the TCEA to determine
7 the need for transportation modifications for improved traffic operation and/or safety on
8 impacted road segments.

9 Policy ~~1.1.13~~ 1.1.15

10 ~~By January 2005, the City shall evaluate the TCEA to determine its successes and weaknesses in~~
11 ~~promoting infill and redevelopment, multi-modal transportation opportunities, and better urban~~
12 ~~form and design. Criteria such as, but not limited to, the following shall be used in the~~
13 ~~evaluation of the TCEA: increase in bus ridership when compared with the change in~~
14 ~~population; increases in transit routes and frequencies; linear feet of new public sidewalks;~~
15 ~~number of new bus shelters; number and square footage of redevelopment projects; location of~~
16 ~~new development in relation to transit routes; number of added park and ride facilities; and~~
17 ~~amount of increased streetscaping/landscaping on corridors. The next evaluation of the TCEA~~
18 ~~shall be in conjunction with the City's Evaluation and Appraisal Report as required for the City~~
19 ~~of Gainesville 2010-2020 Comprehensive Plan.~~

20 Policy ~~1.1.14~~ 1.1.16

21 The City shall amend the Concurrency Management section and any other relevant sections of
22 the Land Development Code to reflect the adoption of the Transportation Concurrency Exception
23 Area.

24 Policy ~~1.1.15~~ 1.1.17

1 Developments approved prior to the adoption of the TCEA shall be required to provide any
2 transportation improvements, modifications or mitigation required as part of the development
3 plan approval unless an amendment is made to the development plan and the previously
4 approved improvements, modifications, or mitigation are inconsistent with current design
5 standards or other adopted policies. Amendments to development plans made after the adoption
6 of the TCEA shall be required to meet TCEA policies.

7 Policy 1.1.18

8 As properties are annexed into city limits, the City shall not seek expansion of the TCEA west of
9 the I-75 corridor. Alternative solutions to transportation concurrency problems shall be
10 examined for areas west of I-75.

11 Objective 1.2

12 The City shall promote multi-modal transportation choice by adopting the following policies that
13 encourage an interconnected street network and by adopting the Existing and Potential Transit
14 Hubs map as part of the Transportation Mobility Map Series.

15 Policy 1.2.1

16 The City shall not close or vacate streets except under the following conditions:

- 17 a. the loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian
18 use;
- 19 b. the loss of the street will not foreclose non-motorized access to adjacent land uses or
20 transit stops;
- 21 c. the loss of the street of the street is necessary for the construction of a high density,
22 mixed use project containing both residential and non-residential uses or creating close
23 proximity of residential and non-residential uses;

1 d. there is no reasonably foreseeable need for any type of transportation corridor for the
2 area in the future.

3 Policy 1.2.2

4 The City shall ensure that new streets are designed for transportation choice by setting design
5 standards that call for minimal street widths, modest turning radii, modest design speeds, curb
6 extensions, traffic calming, gridded and connected patterns, sidewalks, bicycle facilities and
7 prohibition of cul de sacs, where feasible.

8 Policy 1.2.3

9 The City shall require new residential developments, where feasible, to provide street or
10 sidewalk/path connections or stub-outs to adjacent properties and developments (such as schools,
11 parks, bus stops, retail and office centers) so that motorized vehicle trips are minimized on major
12 roadways.

13 Policy 1.2.4

14 The City shall adopt the Existing and Potential Transit Hubs map as part of the Transportation
15 Mobility Map Series to increase and enhance multi-modal transportation choices and encourage
16 redevelopment in these areas. As part of the updates to the Future Land Use Element and
17 Transportation Mobility Element, the City shall develop policies that support and promote land
18 use patterns for transit hubs, especially as related to activity centers.

19 Policy 1.2.5

20 In order to encourage the redevelopment of chronically vacant buildings located within 1/4 mile
21 of the property lines of an existing or potential transit hub (as shown in the Existing & Potential
22 Transit Hubs map adopted in the Transportation Mobility Element) and to reduce or prevent
23 blight, the City shall reduce the number of trips for which Policy 1.1.6 or 1.1.7 standards (as

1 relevant) must be met in these areas by 15 percent for redevelopment or expansion/conversion
2 projects.

3 Policy 1.2.6

4 In recognition of the significant redevelopment problems facing the City in the NW 13th Street
5 Activity Center area, the City shall designate the NW 13th Street Special Concurrency
6 Redevelopment Credit Area (as shown in the Concurrency Management Element (CME) map
7 series) and provide additional redevelopment trip credits in this area. The City shall reduce the
8 number of trips for which Policy 1.1.6 standards must be met by 20% in this area for
9 redevelopment or expansion/conversion projects. If the redevelopment is a mixed use project
10 involving residential and non-residential components, the reduction shall be 30%.

11 Objective 1.3

12 The City shall amend the Land Development Code to adopt design standards for all new
13 developments and redevelopment within the TCEA.

14 Policy 1.3.1

15 ~~In the interim period before adoption of specific design standards for the TCEA, the~~ The City
16 shall use the Central Corridors Overlay District design standards in the Land Development Code
17 for development/redevelopment projects within the TCEA. These standards include
18 consideration of building placement, location of parking, sidewalks, building wall articulation,
19 and placement of mechanical equipment and shall be the guiding design standards for
20 development/redevelopment on roadways in the TCEA which are listed in the annual level of
21 service report produced by the North Central Florida Regional Planning Council. Within Zone
22 C, the build-to line may be modified on Archer Road, SW 34th Street, and Williston Road due to
23 right-of-way or utility constraints, consistent with requirements as described in the Special Area
24 Plan for Central Corridors, City Land Development Code. These design standards requirements

1 shall not override ~~previously existing~~ design standards adopted as part of a Special Area Plan,
2 Overlay District, or Planned Development ~~approved prior to the adoption of the TCEA.~~

3 Policy 1.3.2

4 New development of automotive-oriented uses located within the TCEA, such as retail petroleum
5 sales (gasoline service stations), car washes, automotive repair, and limited automotive services
6 (as defined in the Land Development Code), shall be designed to locate service bays and fueling
7 (gas) pumps to the rear of buildings located on the site. These design standards shall not apply in
8 industrial zoning districts. The number of fueling positions shall be regulated by TCEA policies.

9 Objective 1.4

10 Automobile-oriented developments/uses including drive-through facilities, surface parking lots
11 as a principal use, parking garages, car washes, and gasoline service stations shall be regulated as
12 follows within the TCEA.

13 Policy 1.4.1

14 The City may establish pedestrian-, transit-, and bicycle-oriented areas, through a special area
15 plan overlay zone adopted within the Land Development Code, which prohibit or further regulate
16 automobile-oriented developments/uses beyond the standards set by the TCEA.

17 Policy 1.4.2

18 Special Area Plan overlay district regulations (such as the College Park Special Area Plan and
19 the Traditional City) that prohibit and regulate automobile-oriented development/uses, as
20 described in Objective 1.4, shall not be modified by provisions or policies of the TCEA.

21 Policy 1.4.3

22 New development of surface parking lots as a principal use shall be required to obtain a Special
23 Use Permit. In addition to the review criteria set in the Land Development Code for Special Use
24 Permits, the approval of the Special Use Permit shall be based on consideration of the size/scale

1 of the proposed surface parking lot and the inclusion of design and access features which
2 maintain pedestrian, bicycle and transit safety and do not discourage pedestrian, bicycle and
3 transit use in the area.

4 Policy 1.4.4

5 Drive-through facilities shall be defined to include banking facilities, payment windows,
6 restaurant, food and or/beverage sales, dry cleaning, express mail services and other services that
7 are extended mechanically or personally to customers who do not exit their vehicles. The
8 following uses shall not be considered drive-throughs: auto fuel pumps and depositories which
9 involve no immediate exchange or dispersal to the customer, such as mail boxes, library book
10 depositories, and recycling facilities.

11 In addition to the review criteria set in the Land Development Code for Special Use Permits, the
12 following review standards for drive-through facilities shall be included:

- 13 a. maximization of pedestrian and bicycle safety and convenience;
- 14 b. adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent
15 roadways;
- 16 c. provision of a by-pass lane or sufficient driveway area around the drive-through lanes to
17 assist internal vehicular circulation;
- 18 d. minimization of the visual impacts of the drive-through lanes on street frontage areas;
- 19 e. minimization of the total number of drive-through lanes based on site conditions and the
20 operating conditions of the impacted roadway segments;
- 21 f. minimization of the number of access points to roadways;
- 22 g. design of access points and ingress/egress directional flows to minimize impacts on the
23 roadway and non-motorized traffic;

- 1 h. design of internal pedestrian access and safety as related to the position of the drive-through
2 lane(s); and,
- 3 i. meeting any additional design criteria established in the Land Development Code.

4 Policy 1.4.5

5 Unless otherwise prohibited or regulated by a Special Area Plan, the development of new free-
6 standing drive-through facilities or expansion of existing free-standing drive-through facilities,
7 not meeting the provisions of Policy 1.4.6, shall be required to obtain a Special Use Permit.
8 These drive-through facilities shall meet the Special Use Permit criteria shown in the Land
9 Development Code and review criteria shown in Policy 1.4.4. In addition, drive-through
10 facilities not developed under the provisions of Policy 1.4.6 or 1.4.7 shall also meet the following
11 standards:

- 12 a. There shall be a minimum distance of 400 feet between the driveways of sites with free-
13 standing drive-through facilities on roadways operating at 85 percent or more of capacity.
14 Roadway capacity shall be measured using the latest version of Art-Plan or a method deemed
15 acceptable by the Technical Advisory Committee Subcommittee of the Metropolitan
16 Transportation Planning Organization. Available capacity shall include consideration of
17 reserved trips for previously approved developments and the impacts of the proposed
18 development. The 400-foot distance requirement shall not apply if any of the following
19 criteria are met:
- 20 1. Joint driveway access or common access is provided between the sites with free-
21 standing drive-through facilities.
 - 22 2. Cross access is provided with an adjoining property.
 - 23 3. A public or private road intervenes between the two sites.

1 4. The development provides a functional design of such high quality that the
2 pedestrian/sidewalk system and on-site/off-site vehicular circulation are not
3 compromised by the drive-through facility. This determination shall be made as part of
4 the Special Use Permit and development plan review process and shall be based on staff
5 and/or board review and approval.

6 b. There shall be no credit for pass-by trips in association with the drive-through facility.

7 Standards which must be met under Policy 1.1.6 shall be based on total trip generation for
8 the use and shall not include any net reduction for pass-by trips.

9 Policy 1.4.6

10 Unless otherwise prohibited or regulated by a Special Area Plan, new development or expansion
11 of free-standing drive-through facilities shall be permitted, by right, only within shopping centers
12 or mixed-use centers. No direct access connections from the street to the drive-through shall be
13 allowed. Access to the drive-through shall be through the shopping center or mixed-use center
14 parking area. Mixed-use centers shall be defined as developments regulated by a unified
15 development plan consisting of three or more acres, having a minimum of 25,000 square feet of
16 gross floor area, and providing centralized motorized vehicle access and a mix of at least three
17 uses which may include residential or non-residential uses in any combination. Mixed-use
18 centers may include Planned Developments which meet the criteria listed in this policy.
19 Development plan approval for the drive-through facility shall be based on the inclusion of
20 appropriate pedestrian, bicycle and transit features which facilitate and encourage convenience,
21 safety, and non-motorized use of the site; design of safe internal pedestrian access as related to
22 the position of the drive-through lane(s); and meeting design criteria established in the Land
23 Development Code. Drive-through facilities meeting the criteria shown in this policy shall also
24 receive an internal capture trip credit and credit for pass-by trips.

1 Policy 1.4.7

2 New development of drive-through facilities shall be permitted, by Special Use Permit, when
3 part of a single, mixed-use building, having more than one business or use at the site, where the
4 minimum square footage of the mixed-use building is 25,000 square feet. Only one drive-
5 through use at such sites shall be allowed. In addition to the review criteria set in the Land
6 Development Code for Special Use Permits, the approval of the Special Use Permit shall be
7 based on the inclusion of pedestrian, bicycle and transit features which facilitate and encourage
8 convenience, safety and non-motorized use of the site; design of safe internal pedestrian access
9 as related to the position of the drive-through lane(s); and meeting design criteria established in
10 the Land Development Code. Drive-through facilities meeting the criteria shown in this policy
11 shall also receive an internal capture trip credit and credit for pass-by trips.

12 Policy 1.4.8

13 ~~By February 2000, the City shall adopt Land Development Regulations which specify minimum~~
14 ~~design criteria for drive-through uses in the TCEA.~~

15 ~~Policy 1.4.9~~

16 On the road segment of NW 13th Street from University Avenue to NW 29th Road, drive-through
17 facilities shall only be located within shopping centers, mixed use centers, or mixed use
18 buildings, as defined in this element. Drive-through facilities on this road segment shall meet the
19 requirements of Policies 1.4.6 and 1.4.7.

20 ~~Policy 1.4.10~~ 1.4.9

21 Within the TCEA, retail petroleum sales at service stations and/or car washes, either separately,
22 or in combination with the sale of food or with eating places, shall be required to obtain a Special
23 Use Permit. In addition to the review criteria set in the Land Development Code for Special Use
24 Permits, the following review standards shall be included:

- 1 a. Site design shall enhance pedestrian/bicycle access to any retail or restaurant facilities on
2 site. Sidewalk connections or marked pedestrian crosswalks shall be shown on the site plan.
- 3 b. The number and width of driveways shall be minimized.
- 4 c. Except where more stringently regulated by a Special Area Plan or overlay district, the
5 maximum number of fueling positions shall be set as follows:
- 6 1. No limitation on fueling positions in the Industrial zoning categories;
- 7 2. Six fueling positions in the Mixed Use Low land use category or Mixed Use 1 zoning
8 district;
- 9 3. Until adoption, in the Land Development Code, of specific architectural and design
10 standards, six fueling positions in all other zoning categories where gasoline service
11 stations (retail petroleum sales) or food stores with accessory gasoline and alternative
12 fuel pumps are allowed. In the interim period before the adoption of architectural and
13 design standards, additional fueling positions, up to a maximum of twelve, may be
14 allowed as part of a Planned Development rezoning or Special Use Permit process, with
15 the final approval of the City Commission, based on meeting all of the following
16 conditions:
- 17 a. The size of the site can safely accommodate the additional fueling positions while
18 meeting all required landscaping, buffering, and other Land Development Code
19 requirements;
- 20 b. Site access and traffic safety conditions on adjacent roadways and intersections are
21 not compromised by the additional trips generated by the additional fueling
22 positions;
- 23 c. Pedestrian/bicycle safety and comfort in the area are not compromised by the
24 additional trips generated by the additional fueling positions;

- 1 d. The architectural and site design are of such high quality that they enhance the site
2 area and promote the City's multi-modal and design goals. As part of a Planned
3 Development rezoning or Special Use Permit review process, the developer shall
4 provide a development plan, elevations and architectural renderings of the proposed
5 site including details such as, but not limited to, façade treatment, colors, lighting,
6 roof detail, signage, landscaping, building location relative to the street, and location
7 of access points.
- 8 e. Cross-access or joint driveway usage is provided to other adjacent developments.
- 9 f. Retail convenience goods sales or a restaurant are included in the development and
10 designed such that pedestrian or bicycle use of the site is encouraged. The retail
11 convenience goods sales or restaurant building and development shall meet all of the
12 following requirements:
- 13 1. Building(s) shall be placed close to the public sidewalk for a substantial length
14 of the site's linear frontage;
 - 15 2. A minimum of 30 percent window area or glazing at pedestrian level (between 3
16 feet above grade and 8 feet above grade) on all first-floor building sides with
17 street frontage. Windows or glazing shall be at least 80 percent transparent;
 - 18 3. A pedestrian entry is provided from the public sidewalk on the property frontage;
19 or, near a building corner when the building is on a corner lot;
 - 20 4. Off-street parking shall be located to the side or rear of the building;
 - 21 5. The building height and façade elevation are appropriate for the site and
22 surrounding zoned properties.
- 23 4. Until adoption in the Land Development Code of specific architectural and design
24 standards, ten fueling positions within ¼ mile of an I-75 interchange. In the interim

1 period before the adoption of architectural and design standards, additional fueling
2 positions, to a maximum of twelve, may be allowed as part of a Planned Development
3 rezoning or Special Use Permit process, with the final approval of the City Commission,
4 based on meeting all of the conditions shown in 3 a-f above.

5 Policy ~~1.4.11~~1.4.10

6 Within the TCEA, ~~the City shall adopt Land Development Regulations~~ development plans for the
7 placement of new parking garages as a principal or accessory use ~~that~~ shall address:

- 8 a. minimizing conflict with pedestrian and bicycle travel routes;
- 9 b. providing parking for residents, employees, or customers in order to reduce the need for on-
10 site surface parking;
- 11 c. being located and designed to discourage vehicle access through residential streets;
- 12 d. designing facilities for compatibility with neighborhoods by including ground floor retail,
13 office, or residential use/development (as appropriate for the zoning district) when located on
14 a public street. The facility shall also have window and facade design that is scaled to relate
15 to the surrounding area.

16 Objective 1.5

17 In order to enhance the visual characteristics of roadways and create an appealing environment
18 which supports multi-modal transportation opportunities, the City shall adopt streetscaping and
19 landscaping standards for regulated roadways within the TCEA.

20 Policy 1.5.1

21 The November 1998 Gateway Corridor Design Concept Plan shall be used as the basis for all
22 landscape plans to be prepared for the rights-of-way and medians of all regulated roadways
23 within the TCEA.

24 Policy 1.5.2

1 The City Arborist shall approve final landscaping proposals required in Policy 1.5.1.

2 Policy 1.5.3

3 The priority for landscaping of roadway rights-of-way and/or medians shall be within Zone A of
4 the TCEA. First priority shall be given to major arterials within Zone A. Funding for the
5 installation of landscape projects within Zone A shall be from the City, Community
6 Redevelopment Agency, state and federal government, and/or grants, as an incentive for
7 development within the area. Maintenance responsibility shall be provided by the City,
8 Community Redevelopment Agency, or grant funds.

9 Policy 1.5.4

10 The City shall include right-of-way and median landscaping as part of any major roadway
11 modification program.

12 Policy 1.5.5

13 New development within Zone B or Zone C shall be required to plant ~~an~~ minimum ~~45~~ 65-gallon-
14 sized trees, ~~12~~ 18-feet tall and ~~2.5~~ 3.5 inches in trunk caliper, or their equivalent in winter-dug
15 and hardened-off balled and burlapped trees for the required landscaping along roadways within
16 Zone B as listed in the annual level of service report produced by the North Central Florida
17 Regional Planning Council, selected from the Tree List in the Land Development Code. Within
18 Zone C, the 65-gallon tree landscaping requirement shall apply to all public or private streets. If
19 ~~45-65-~~ gallon or equivalent trees are not available, the number of required shade trees can be
20 appropriately increased with the approval of the City Arborist or designee. All new development
21 sites within Zone B and Zone C shall also be required to install an automated irrigation system to
22 preserve new landscaping. Redevelopment sites shall be required to meet this landscaping policy
23 at a 50 percent rate. Redevelopment sites where 40 percent or more of the developed area (as
24 defined in the Land Development Code) of the site is being altered shall also be required to meet

1 the automated irrigation system requirement. Trees shall be planted on private property within
2 buffer areas or on right-of-way, if approved by the City. Land Development Code regulations
3 shall specify the type, size, and other standards for trees planted to meet TCEA requirements.
4 Developments within areas designated in the Land Development Code as landscape exempt,
5 areas within Special Area Plans with pedestrian-oriented build-to line provisions, area within the
6 approach and clear zone areas as specified on the Gainesville Regional Airport master plan, and
7 developments meeting the criteria for Rapid Review as shown in the Land Development Code
8 shall be excluded from these requirements.

9 Objective 1.6

10 The City shall adopt the following policies to regulate parking within the TCEA.

11 Policy 1.6.1

12 Within the TCEA, parking in excess of the minimum required by the Land Development Code
13 shall not be allowed.

14 Policy 1.6.2

15 Within the TCEA, developments may apply for a parking reduction based on criteria in the Land
16 Development Code.

17 Objective 1.7

18 The City shall coordinate with the Metropolitan Transportation Planning Organization (MTPO)
19 to balance the need for and design of roadway modifications with the City's needs for urban
20 redevelopment, infill and quality urban design.

21 Policy 1.7.1

22 In cooperation with the MTPO, the City shall encourage that all designs for new roadways and
23 redesigns of existing roadways include consideration of features to improve multi-modal
24 transportation, as appropriate. These considerations shall include construction of bus turn-out

1 facilities, bicycle lanes, sidewalks, enhanced pedestrian crosswalks, pedestrian scale lighting,
2 landscaping of medians and rights-of-way, and traffic calming mechanisms.

3 Policy 1.7.2

4 As part of the ongoing coordination with the MTPO and the Florida Department of
5 Transportation, the City shall designate corridors where road widening is not feasible or
6 desirable. These roadway corridors shall then be designated as “Policy Constrained” or
7 “Physically Constrained” facilities where alternatives to road widening are the primary strategy
8 for roadway congestion.

9 Objective 1.8

10 The City shall coordinate on an ongoing basis with Alachua County concerning the TCEA.

11 Policy 1.8.1

12 For developments generating more than 100 net, new trips within 1/4 mile of a County-
13 maintained road or the unincorporated area, or for any projects within the TCEA that generate
14 more than 1,000 net, new trips, County staff will be forwarded any development plans and
15 associated traffic studies. County staff shall have the opportunity to comment on the proposed
16 development and its impacts on County-maintained roads or State-maintained roads and any
17 standards proposed/required to be met under Policy 1.1.6 or 1.1.7. County staff may raise the
18 trip threshold for review of plans at any time by informing the City of such change, in writing.

19 Policy 1.8.2

20 The City shall cooperate with Alachua County in the establishment of a joint TCEA for areas
21 bordering the City’s TCEA as long as the policies within the County’s portion of the TCEA are
22 the same or substantially similar to the City’s.

23 Policy 1.8.3

1 After receipt of the annual update of the Level of Service Report produced by the North Central
2 Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of
3 approved development within the TCEA on County-maintained roads and share the information
4 with Alachua County.

5 Objective 1.9

6 The City shall coordinate on an ongoing basis with the Florida Department of Transportation
7 (FDOT) concerning the TCEA.

8 Policy 1.9.1

9 For all developments accessing State roads, FDOT staff shall have the opportunity to comment
10 on the proposed development and its impacts on State roads.

11 Policy 1.9.2

12 After receipt of the annual update of the Level of Service Report produced by the North Central
13 Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of
14 developments in the TCEA on the Florida Intrastate Highway System and share that information
15 with the Florida Department of Transportation.

16 Objective 1.10

17 The City shall continue to enforce transportation concurrency requirements for all developments
18 outside the adopted TCEA.

19 Policy 1.10.1

20 Outside the TCEA, transportation concurrency requirements (for roads and transit) shall be met
21 under any of the following standards:

- 22 a. The necessary facilities and services, at the adopted level of service standard, are in place or
23 under construction at the time a final development order is issued.

- 1 b. The necessary facilities and services to serve the new development, at the adopted level of
2 service standard, are scheduled to be in place or under actual construction not more than
3 three years after issuance of a certificate of occupancy as provided in the City's adopted
4 Five-Year Schedule of Capital Improvements. The Capital Improvements Element must
5 include the following information and/or policies:
- 6 1. The estimated date of commencement of actual construction and the estimated date of
7 project completion.
 - 8 2. A provision that a plan amendment is required to eliminate, defer, or delay construction
9 of any road or transit facility or service which is needed to maintain the adopted level of
10 service standard and which is listed in the Five-Year Schedule of Capital Improvements.
- 11 c. The necessary facilities and services to serve the new development, at the adopted level of
12 service standard, are transportation projects included in the first three years of the applicable
13 adopted FDOT five-year work program.
- 14 d. At the time a final development order is issued, the necessary facilities and services are
15 guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida
16 ~~Statues~~ Statutes, or an agreement or development order issued pursuant to Chapter 380,
17 Florida Statutes, to be in place or under actual construction not more than three years after
18 issuance of a Certificate of Occupancy.
- 19 e. At the time a final development order is issued, the necessary facilities and services are
20 guaranteed in an enforceable development agreement, which guarantee is secured by a
21 completion bond, letter of credit, or other security acceptable to the City Attorney. The
22 agreement must guarantee that the necessary facilities and services will be in place or under
23 actual construction not more than three years after issuance of a Certificate of Occupancy.

1 The development may meet any of the requirements in Policy 1.10.1 by making a payment and
2 contracting with the City in an enforceable agreement for the provision of the facilities or
3 services.

4 Policy 1.10.2

5 Outside the TCEA, a proposed urban redevelopment project located within the City's existing
6 service area as shown on the Future Land Use Map series, shall be traffic concurrency exempt
7 for roadway level of service standards for up to 110 percent of the transportation impact
8 generated by the previously existing development. A previously existing development shall be
9 defined as the actual previous built use which was occupied and active within the last five years
10 prior to application for development plan review. The transportation concurrency exemptions
11 granted under this policy shall not relieve development from providing public sidewalks along all
12 street frontages, sidewalk connections from the building to the public sidewalk, and closure of
13 existing excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the
14 development site as defined in the Access Management portion of the Land Development Code.
15 Transportation modifications which are required due to traffic safety and/or operating conditions
16 unrelated to transportation concurrency shall be provided by the developer.

17 Policy 1.10.3

18 Outside the TCEA, for the purpose of issuing a final development order, a proposed development
19 shall be defined as having a de minimis impact (as defined by ~~Chapter~~ section 163.3180, Florida
20 Statutes), and be exempt from transportation concurrency for roadway level of service standards
21 as follows:

- 22 a. The impact would not affect more than one percent of the maximum service volume at the
23 adopted level of service of the affected roadway segment.

- 1 b. No impact shall be de minimis if the sum of existing roadway volumes and the projected
2 volumes from approved projects on a roadway segment would exceed 110 percent of the
3 maximum volume at the adopted level of service of the roadway segment.
- 4 c. A single family dwelling on an existing lot of record (which existed prior to the adoption of
5 the 1991 Comprehensive Plan) shall constitute a de minimis impact on any affected roadway
6 segments regardless of the level of service standard deficiency of the roadway segments.
- 7 d. Exemptions from transportation concurrency granted under Policy 1.10.3 shall not relieve the
8 development from, where necessary, providing public sidewalks along all street frontages,
9 sidewalk connections from the building to the public sidewalk, and closure of existing
10 excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the
11 development site as defined in the Access Management portion of the Land Development
12 Code. Transportation modifications which are required due to traffic safety and/or operating
13 conditions unrelated to transportation concurrency shall be provided by the developer.

14 **Section 2.** Policy 1.5.6, Objective 1.5, Goal 1, of the Future Land Use Element
15 Goals, Policies and Objectives, City of Gainesville 2000-2010 Comprehensive Plan, is
16 hereby amended to read as follows:

17 The City certifies that the entire area within current city limits meets the Chapter
18 163.3164(29), Florida Statutes' definition of an existing urban service area as supported
19 by the Data and Analysis Report. The City hereby establishes city limits, ~~as of the~~
20 ~~effective date of this amendment~~, as an existing urban service area for the purposes of the
21 Transportation Concurrency Exception Area (TCEA).

22 **Section 3.** Policy 1.2.6, Objective 1.2, Goal 1 of the Capital Improvements
23 Element Goals, Objective and Policies, City of Gainesville 2000-2010 Comprehensive

1 Plan, is hereby amended to read as follows:

2 The City shall adopt the following LOS standards for public facilities within its jurisdiction as
3 indicated in the relevant Elements of its Comprehensive Plan:

4 Transportation Mobility: Policies 3.2.3, 7.1.6, 7.1.7, 7.1.8, ~~7.1.9~~, 7.1.11, ~~7.1.12~~, 7.1.13

5 ~~7.2.3~~

6 Stormwater: Policy 1.1.1

7 Potable Water: Policy 1.1.1

8 Wastewater: Policy 1.1.2

9 Recreation: Policy 1.1.1

10 Solid Waste: Policy 1.4.1

11 Concurrency Management: Policies 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6, 1.1.7, 1.1.9, 1.1.10

12 **Section 4.** The City Manager is authorized and directed to make the necessary
13 changes in maps and other data in the City of Gainesville 2000-2010 Comprehensive
14 Plan, or element, or portion thereof in order to fully implement this ordinance.

15 **Section 5.** It is the intent of the City Commission that these amended elements
16 will become part of the City of Gainesville 2000-2010 Comprehensive Plan.

17 **Section 6.** If any section, sentence, clause or phrase of this ordinance is held to be
18 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
19 in no way affect the validity of the remaining portions of this ordinance.

20 **Section 7.** All ordinances or parts of ordinances in conflict herewith are to the
21 extent of such conflict hereby repealed.

22 **Section 8.** This ordinance shall become effective immediately upon final
23 adoption; however, the effective date of this plan amendment shall be the date a final

1 order is issued by the Administration Commission finding the amendment to be in
2 compliance in accordance with Section 163.3184, F.S.

3 **PASSED AND ADOPTED** this 14th day of November, 2005.

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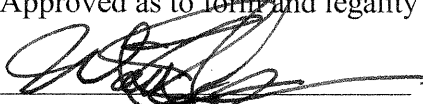

PEGEEN HANRAHAN, MAYOR

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ATTEST:

Approved as to form and legality


KURT M. LANNON
CLERK OF THE COMMISSION


MARION J. RADSON
CITY ATTORNEY

NOV 15 2005

13 This Ordinance passed on first reading this 27th day of June, 2005.
14 This Ordinance passed on second reading this 14th day of November, 2005.



031233

CITY OF GAINESVILLE

Clerk of the Commission

I hereby certify that a true record of this ordinance was made by me in

Ordinance Book No. 70 on this 17 day of

November, 2005.

Kurt M. Lannon, Jr.
Clerk of the Commission