

Appendix B Land Development Code
Exhibit B-1

Sec. 30-64. Mixed-use low intensity district (MU-1).

(a) *Purpose.* The mixed-use low intensity district is established for the purpose of allowing coordinated developments designed to offer a mixture of residential, convenience-type retail, professional and consumer service uses primarily for residents of mixed-use and adjacent residential neighborhoods, and places of religious assembly. The district is intended to reduce the length and number of vehicular trips by providing for basic needs within close proximity to residential areas, by encouraging pedestrian access, and by the combining of trips. This district is established to allow uses compatible with each other and with surrounding residential areas to be developed near each other. The MU-1 district may be located in areas where analysis of residential characteristics demonstrates that such facilities are required. This district is intended to encourage the development of planned and unified neighborhood shopping centers in a relationship harmonious with adjoining residential activities. It is also intended to accommodate traditional neighborhoods that include nonresidential uses and neighborhood centers.

(b) *Objectives.* The provisions of this district are intended to:

- (1) Permit compatible commercial, office, service and residential developments that benefit from being located near each other.
- (2) Provide an adequate mix of residential uses including multifamily, townhouse, zero lot line, and detached single-family at urban densities.
- (3) Provide opportunities for the development of compound residential uses.
- (4) Minimize traffic congestion by:
 - a. Requiring that shopping center and/or mixed-use developments be located on appropriate major collector and arterial roadways, as defined in the comprehensive plan;
 - b. Minimizing the number and regulating the location of driveway connections; and
 - c. Encouraging pedestrian and nonautomotive access.
- (5) Ensure, through development plan approval, that nonresidential and mixed-use developments are designed to promote the most efficient use of the land, and that they coordinate the internal activities of the site as well as establish a harmonious relationship between such developments and their environment.
- (6) Require buffering or screening around nonresidential and/or mixed-use development in accordance with the land development code when the development abuts any property zoned for residential use or shown as residential on the future land use map.
- (7) Accommodate neighborhood-level services and retail uses along existing business corridors.
- (8) Coordinate the location and size of mixed-use developments commensurate with the character and density of the areas to be served.

(9) Allow the market some flexibility in determining locations of new nonresidential development, and the ability to expand such areas in relation to the population densities achieved.

(10) Encourage nonresidential and/or mixed-use developments to locate on land that is physically capable of supporting the particular type of development.

LAND DEVELOPMENT CODE

App. A, § 8, Exh. A

SECTION 8. SPECIAL AREA PLAN FIVE
POINTS AREA

ORDINANCE NO. 040758

8-08-06

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, ESTABLISHING THE SPECIAL AREA PLAN OVERLAY ZONING DISTRICT FOR AN AREA WITHIN THE PLAN EAST GAINESVILLE URBAN AREA HEREAFTER KNOWN AS THE FIVE POINTS AREA; ADOPTING A SPECIAL AREA PLAN FOR THIS AREA; PROVIDING SPECIFIC REGULATIONS; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

WHEREAS, notice was given and publication made as required by law and Public Hearings were then held by the City Plan Board on January 20, 2005 and March 17, 2005; and

WHEREAS, the City Commission finds that the Special Area Plan is consistent with the City of Gainesville 2000—2010 Comprehensive; and

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

WHEREAS, a second advertisement no less than 2 columns wide by 10 inches long was placed in the same newspaper notifying the public of the second Public Hearing to be held at the adoption stage at least 5 days after the day this advertisement was published; and

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

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

Section 1. The Five Points Special Area Plan (Exhibit A) is hereby adopted. The specific regulations of the Special Area Plan and the administration and enforcement of these regulations as delineated in Exhibit A shall control and guide the development and use of the properties that are rezoned to this overlay district category, except as to any construction, development or use initiated pursuant to any valid building permit or approved development plan issued or approved before the effective date of this ordinance.

Section 2. It is the intention of the City Commission that the provisions of The Five Points Special Area Plan (Exhibit A) adopted by this ordinance shall become and be made a part of Land Development Code of the City of Gainesville, Florida, and that the Sections and Paragraphs of this ordinance may be renumbered or relettered in order to accomplish such intentions.

Section 3. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall become effective immediately upon final adoption.

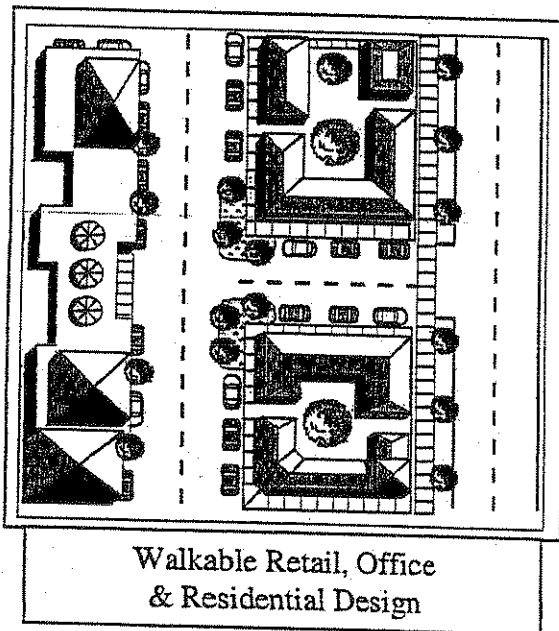
PASSED AND ADOPTED this 8th day of August, 2005.

Exhibit A. Special Area Plan
Five Points Area

(a) *Purpose.* The Special Area Plan for the Five Points Area within Plan East Gainesville is hereby established. The purpose of this plan is to accommodate redevelopment of the Five Points Town Center that will gradually transform the Center using high-quality urban design.

(b) *Background.* With this Special Area Plan, the City calls for the retrofitting of the Five Points area to function as a neighborhood center. By doing so, retail and residential projects can effectively set themselves apart from more conven-

tional developments in other parts of the urban area, and therefore have a better chance of retail and residential success. The conceptual drawing shown is an example of how retail, office and residential would generally look when following the regulations specified below for Five Points—that is, new buildings would be pulled up towards the street and sidewalk.



(c) *Objectives.* The provisions of this plan are intended to accommodate redevelopment of the Five Points area to:

- (1) Promote the development of both residential and non-residential development.
- (2) Ensure that design gradually creates improved transit and retail health.
- (3) Create and maintain a connected grid of internal streets.
- (4) Encourage community-serving public gathering facilities such as schools, libraries, residential, recreation centers, and child care, and public spaces with strong design features, such as water, benches, and public art.

(d) *Effect of classification.* This Special Area Plan is applied as an Overlay Zoning District. It shall operate in conjunction with any underlying zoning district in this area. The regulations of the underlying zoning district, and all other applicable regulations remain in effect and are further regulated by the Special Area Plan. If provisions of the Special Area Plan conflict with the underlying zoning, the provisions of the Special Area Plan shall prevail except as to uses inconsistent with the underlying zoning district or land use element of the comprehensive plan.

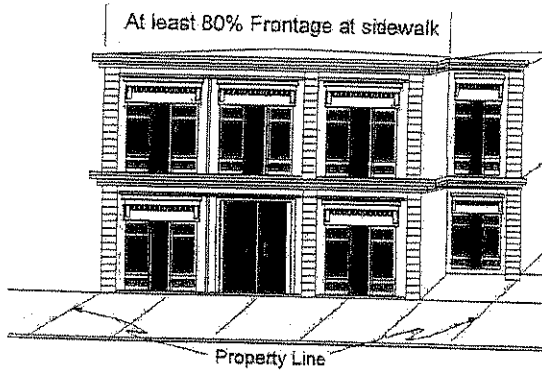
(e) *Definition.*

Build-to line. The line at which construction of a building facade is to occur on a lot. A build-to line runs parallel to the front property line and is established to create an even (or more or less even) building facade line on a street.

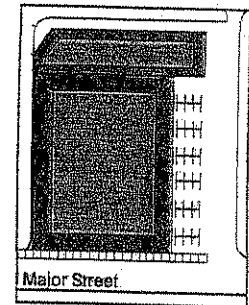
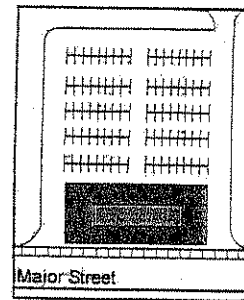
(f) *Regulations.*

- (1) *Disposition of new and renovated buildings.* New buildings constructed within the Five Points Area shall have a build-to line of 15 to 35 feet from the curb or edge of pavement. Government office buildings may have a build-to line up to 60 feet to allow assembly/open space, as long as at least 50 percent of the building facade is built at the required build-to line. There is no required side setback. There is no minimum lot width.
- (2) *Building orientation and articulation.* The primary building entrance shall face the street, and the primary building shall be at least two stories high. The first floor of new buildings shall have at least 30 percent transparent glazing. No more than 20 horizontal feet of unarticulated blank wall is allowed.
- (3) *Building alignment.* Buildings shall be aligned, when possible, to frame squares, streets, plazas or other forms of a pleasant public realm. Buildings shall be aligned parallel to the streetside sidewalk and adjacent buildings, instead of being rotated.

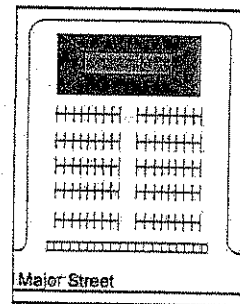
- (4) *Minimum building frontage.* At least 80 percent building frontage is required.



story parking structures are permitted and shall be fronted by liner buildings having retail or office space.

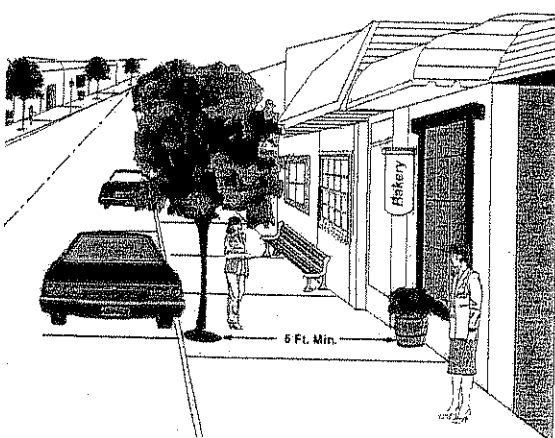


- (5) *Connections.* When possible, cross-access between adjacent properties shall be established in order to encourage travel choices to nearby developments and neighborhoods.
- (6) *Sidewalks.* All front building facades shall front a sidewalk. The sidewalk shall be wide enough to permit five feet of clear width, street trees in sidewalk wells, and sidewalk furniture. Arcades, balconies, porches, stoops, and bay windows are encouraged and may occur forward of the build-to line.



- (8) *Residential use above retail and offices.* Residential dwelling units located above retail space and office space are permitted.
- (9) *Prohibited uses.* Table 1 shows uses not allowed in Five Points.

- Table 1. Prohibited uses in Five Points
- Auto dealers, auto service and limited auto service (IN-5511, MG-753)
 - Carwashes (IN-7542)
 - Gas service stations (IN-5541)
 - Parking lots as a principal use, other than structure parking
 - Outdoor storage as a principal use
 - Gasoline pumps when accessory to a food store
 - Drive-thru
 - Rehabilitation Centers



- (7) *Parking.* Parking shall be provided as required by the Gainesville Land Development Code. Off-street parking shall be to the rear or side of buildings. Multi-

Social service homes or halfway houses

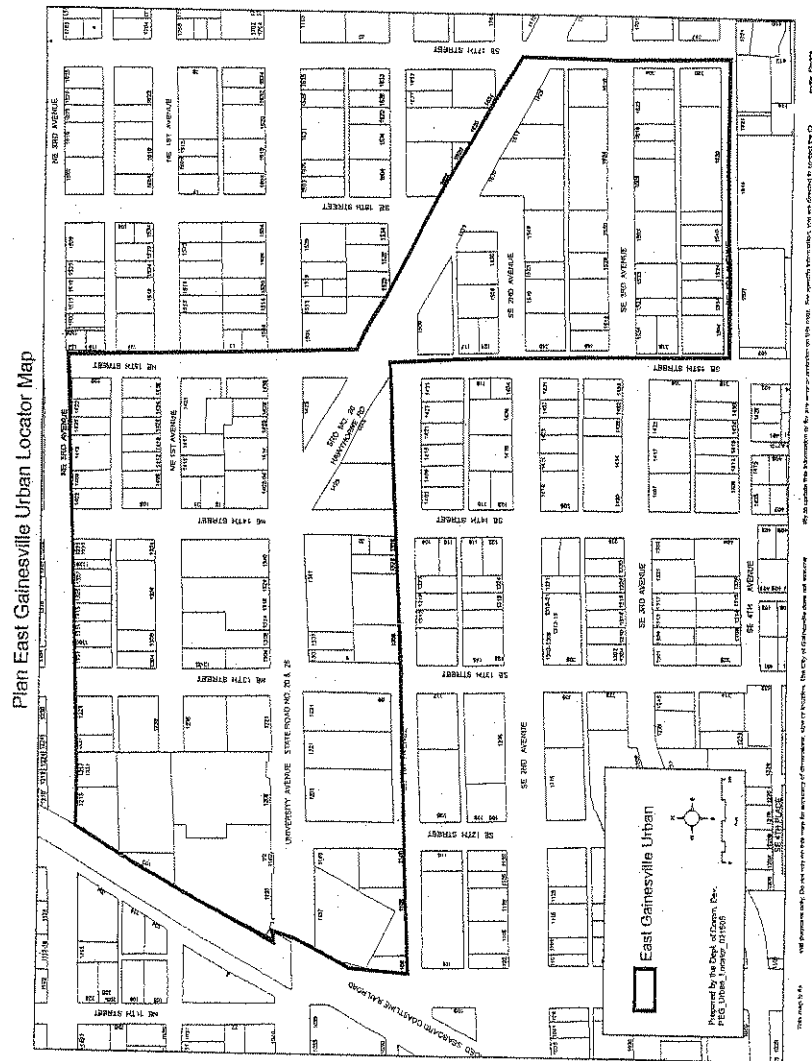
Social services (MG-83)

Residences for destitute people

Food distribution centers for the needy

Rooming houses and boarding houses (GN-702)

Dormitories



(Ord. No. 040758, 8-9-05; Ord. No. 080227, § 1, 4-2-09)