

Memo

080465C

To: Erik Bredfeldt, Planning and Development Services Director
From: Michael Lauer, AICP - Principal
Date: January 6, 2010
Re: Status Report

Pursuant to our discussion in December, this memorandum provides a status report on our efforts to update the mixed use activity center policies and regulations. As you know, our project has two elements that I'll discuss separately below.

Mixed Use Activity Center Amendments. Based on recent difficulties in addressing development within the MU-1 and MU-2 zoning districts, we are drafting amendments to the LDC and Comprehensive Plan that accomplish the following objectives:

1. **Clarify Plan policies addressing the mix of uses, scale and design within the Mixed Use Low and Mixed Use Medium future land use categories.** While the Plan currently provides detailed direction on these matters, our amendments:
 - a. Clarify where suburban and urban development standards should apply. Staff has begun to map these areas.
 - b. Clarify design and character distinctions between urban and suburban areas.
 - c. Provide greater flexibility for small projects while achieving a mix of uses in these categories.
 - d. Require large scale retail development to be located in a mapped activity center.
2. **Apply these policies in the MU-1 and MU-2 zoning districts.** These amendments, which are intended to address immediate regulatory needs until a more comprehensive revision of the land development regulations is completed:
 - a. Clarify the objectives of these districts.
 - b. Distinguish between suburban and urban development standards in each district. The amendments include a broader range of site and building design standards than currently required in each district. When compared to the suburban standards, the urban development standards establish more stringent build-to lines along streets; allow for more limited side and rear setbacks; provide greater parking flexibility; impose greater limitations on the locations of dumpsters and mechanical equipment; and allow greater building heights.
 - c. Clarify when a mix of residential and non-residential uses is required. We propose to mandate a mix of uses only for larger scale projects.
 - d. Mandate compliance with urban design standards in designated urban areas and encourage, but not require compliance with urban design standards in suburban areas;
 - e. Allow the Plan Board or Development Review Board to modify urban standards for small projects when they determine the standards will create a hardship.
 - f. Better distinguish the MU-1 and MU-2 districts by establishing more restrictive height standards in the MU-1 district than in the MU-2 district, retaining existing

business size distinctions, and increasing buffer requirements between large scale projects and existing single family residential districts.

- g. Require master planning and a mix of uses in large-scale projects in these districts.
3. **Develop appropriate standards for large-scale retail projects.** The draft amendments propose to:
- a. Allow large scale retail development in the CCD, BA, BI or BUS districts. Note that we propose to eliminate big box retail projects from the MU-2 district unless it is part of a mixed use project.
 - b. Establish building and site design standards for large scale retail projects that incorporate the MU-2 design requirements and establish additional standards that;
 - i. Require reservation of usable community spaces (e.g., courtyards, plazas, squares or civic uses);
 - ii. Provide for long-term maintenance of community spaces;
 - iii. Require multiple public business entries;
 - iv. Establish more specific standards for outdoor storage, trash collection and loading areas;
 - v. Require transit facilities;
 - vi. Require market study preparation; and
 - vii. Mandate the posting of guarantees that the building will be reoccupied or removed if vacated for more that 18 months,

The Consultant Team will meet with staff later this month to review completed drafts of the above referenced regulations and anticipate completing public review drafts shortly thereafter.

LDC Evaluation and Recommendations Report. Concurrently with the effort to update the City's mixed use policies and regulations, the Planning Works Team has been reviewing the existing LDC and preparing specific recommendations for a more thorough update. More specifically, the report will:

- Establish the legal context for the LDC, including its relationship to the plan and the identification of significant existing deficiencies.
- Define design-based (often referred to as form-based) regulations and the advantages they offer Gainesville as the City seeks a better integrated mix of land uses. Note that conventional zoning focuses on segregating uses, which achieves compatibility at the expense of creating complete, livable neighborhoods. Design-based regulations are increasingly used by communities that are trying to improve the sustainability of development within their communities. By focusing on design, this approach can improve connectivity between the areas where residents work, live, play and shop without sacrificing compatibility.
- Compare different approaches used to implement design-based regulation (e.g., form-based codes, hybrid codes, Smart Code, etc.).
- Evaluate alternatives for the implementation of design based regulation within the City's LDC.
- Discuss the factors to consider when designing a process to update local land development codes.
- Recommend specific approaches, including a scope and schedule, for the update of the City of Gainesville's LDC.

The report, which is currently in draft form, will be made available following discussions with staff later this month.