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3 **ORDINANCE NO. 121118**

4 **An ordinance of the City of Gainesville, Florida, amending Section 30-65.2**
5 **Urban mixed-use district 2 (UMU-2) of the Land Development Code by**
6 **increasing the maximum block perimeter in the University Heights area; by**
7 **amending the timing requirement for the construction of new local streets;**
8 **by amending the bicycle parking requirements; by deleting Figure 2.1**
9 **Proposed Local Streets – University Heights; providing directions to the**
10 **codifier; providing a severability clause; providing a repealing clause; and**
11 **providing an immediate effective date.**

12 **WHEREAS**, notice was given as required by law that the text of the Land Development
13 Code of the City of Gainesville, Florida, be amended and public hearings were then held by the
14 City Plan Board on April 25, 2013, and by the City Commission on June 6, 2013; and

15 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
16 newspaper of general circulation notifying the public of this proposed ordinance and of public
17 hearings in the City Hall Auditorium located on the first floor of City Hall in the City of
18 Gainesville; and

19 **WHEREAS**, public hearings were held pursuant to the notice described above at which
20 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

23 **Section 1.** Subsection 30-65.2(e)(3) of the Land Development Code is amended as
24 follows.

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

26 (e) *Public realm requirements.*

27 (3) *New streets/blocks.*

- 28 a. Within the University Heights area, subdivisions, minor subdivisions, lot splits, and
29 development that requires development plan review shall be required to include ~~any~~
30 ~~of the proposed new~~ new local streets ~~depicted in Figure 2.1 that are located within the~~

1 ~~boundaries of the subdivision, minor subdivision, lot split or development. These~~
2 ~~new local streets shall be located~~ so that the resulting block(s) will not exceed a
3 maximum block perimeter of ~~1,800~~ 2,000 feet.

- 4 b. Within the Archer Triangle area, subdivisions, minor subdivisions, lot splits, and
5 development on sites greater than two acres which propose new development on
6 more than 50 percent of the site shall be required to include new local streets within
7 the subdivision, minor subdivision, lot split or development so that the resulting
8 block(s) will not exceed a maximum block perimeter of 2,600 feet.
- 9 c. Within the Urban Village area, subdivisions, minor subdivisions, lot splits, and
10 development on sites greater than two acres which propose new development on
11 more than 50 percent of the site shall be required to include new local streets within
12 the subdivision, minor subdivision, lot split or development so that the resulting
13 block(s) will not exceed a maximum block perimeter of 2,000 feet.
- 14 d. Within the Urban Village area, an urban walkway may be used to meet the block
15 perimeter requirements, subject to city approval. An urban walkway is a
16 pedestrian/bicycle pathway that is either: a minimum width of 30 feet with a single
17 contiguous paved area of at least ten feet or a minimum width of 31 feet with a
18 separated (boulevard style) paved area with a minimum contiguous paved area of
19 eight feet on one side and five feet on the other side. Urban walkways must provide a
20 minimum eight-foot landscape zone area on each side of the paved area. Unpaved
21 areas in an urban walkway must be landscaped and may contain stormwater facilities.
22 Urban walkways may contain benches, fountains, outdoor cafes or other outdoor uses
23 as long as a minimum sidewalk width as specified above is maintained. Cross-
24 sections for urban walkways must be submitted as part of a required circulation plan
25 or as part of a development plan when a circulation plan is not required. The cross-
26 section must illustrate paved area, landscape zone, build-to line and any outdoor
27 uses. An urban walkway may be used as an interim/temporary method for retaining
28 the required area for a future street when an abutting development/redevelopment
29 occurs. In this case, the total width may be reduced to 25 feet, while maintaining a
30 contiguous minimum paved width of ten feet. The width and cross-section of the
31 urban walkway is subject to review and approval by the city to ensure that future
32 street construction can occur in the area provided. If the urban walkway will be a
33 permanent area, it may be used to count toward meeting open space requirements
34 even if it is later dedicated as a public urban walkway. Notwithstanding the
35 foregoing, in the case where an urban walkway provides access for fire and rescue
36 vehicles, stormwater management, utilities or other public facilities and services, the
37 urban walkway shall be sized and designed to meet the requirements for those
38 facilities and services.
- 39 e. The required local streets, multi-use paths or urban walkways shall be constructed at
40 the expense of the owner/developer as part of the subdivision, minor subdivision, lot
41 split or development, to serve the subdivision, minor subdivision, lot split or
42 development, and shall be constructed according to the appropriate city standards as
43 determined through the development review, subdivision, minor subdivision or lot

1 split process, but may be sited and configured in a manner so that they provide the
2 most appropriate access to the development, subdivision, minor subdivision or lot
3 split. Where a street is planned to continue beyond the extent of a development,
4 subdivision, minor subdivision or lot split, the development shall provide for the
5 continuation of the street by stubbing out the improvements as close as is practicable
6 to edge of the property boundary.

7 f. The required local streets or multi-use paths or urban walkways may be dedicated for
8 public right-of-way after construction, if the city desires to accept same for
9 maintenance, or may be privately owned streets, multi-use paths or urban walkways
10 provided the streets, multi-use paths or urban walkways remain open for public
11 ingress and egress.

12 f. Notwithstanding any other provision in this chapter, a subdivision, minor
13 subdivision, lot split, or development may receive final approval prior to
14 construction of the required local streets if the city, upon approval of the city
15 commission, has executed a binding agreement with the owner/developer that:

16 1. requires the city and/or the gainesville community redevelopment agency to
17 construct the required local streets as public streets within two years of final
18 approval; and

19 2. provides for the conveyance or dedication of the associated right-of-way from
20 the property owner to the city, at no cost to the city.

21 The city may enter into such an agreement only when the city determines that doing
22 so would be in the public interest and when the city and/or the gainesville
23 community redevelopment agency has budgeted legally available funds for the
24 construction of the required local streets. The form and content of the agreement
25 shall be provided by and acceptable to the city in its sole discretion.

26 g. Board modifications may be granted in accordance with section 30-65.2(b)(2)a., with
27 specific consideration given to situations where the construction of a street is limited
28 by: access management standards, regulated environmental features, regulated
29 natural or archeological resources, public stormwater facilities, existing utility
30 facilities, contamination sites, inconsistencies with plans for a future city street
31 network, parks, or schools. Where it is determined that it is not possible to construct
32 the streets that would be required to meet block perimeter standards, the block
33 perimeter shall be completed with the provision of sidewalk and bicycle connections
34 or multi-use paths or urban walkways, subject to approval by the city.
35

36 **Section 2.** Subsection 30-65.2(f)(3)d. of the Land Development Code is amended as

37 follows.

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

39 (f) *Additional requirements.*

1 (3) *Parking.*

2 d. *Bicycle parking.*

3 1. The owner/developer shall provide a minimum of one space per ~~1,500~~ 2,000
4 square feet of gross floor area for nonresidential uses and one space per ~~two~~
5 three bedrooms for residential uses for bicycle parking.

6 2. A minimum of ~~20~~ 10 percent of the provided bicycle parking shall be located
7 between the building and the street. ~~within the landscape zone or sidewalk~~
8 ~~zone.~~ The remainder shall be located a maximum distance of 100 feet from a
9 building entrance and shall be covered from inclement weather or located
10 within an accessory parking structure.

11
12 **Section 3.** Figure 2.1 Proposed Local Streets – University Heights in Section 30-65.2 of
13 the Land Development Code is deleted.

14 **Section 4.** It is the intention of the City Commission that the provisions of Sections 1
15 through 3 of this ordinance shall become and be made a part of the Code of Ordinances of the
16 City of Gainesville, Florida, and that the sections and paragraphs of this ordinance may be
17 renumbered or relettered in order to accomplish such intentions.


18 **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance
19 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
20 finding shall not affect the other provisions or applications of this ordinance that can be given
21 effect without the invalid or unconstitutional provision or application, and to this end the
22 provisions of this ordinance are declared severable.

23 **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of
24 such conflict hereby repealed.

25 **Section 7.** This ordinance shall become effective immediately upon adoption.
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PASSED AND ADOPTED this 6th day of March, 2014.


EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:


KURT M. LANNON
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this 20th day of February, 2014.

This ordinance passed on second reading this 6th day of March, 2014.