

City of
Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 14

TO: City Plan Board

DATE: May 19, 2005

FROM: Planning Division Staff

SUBJECT: Petition 35TCH-05 PB, City of Gainesville. Amend the Land Development Code to add a new zoning category, Urban Mixed –Use (up to 75 units per acre) Related to Petitions 34CPA-05 PB, 36LUC-05 PB and 37ZON-05 PB.

Recommendation

Planning staff recommends approval of this petition.

Explanation

This is a request to add a new zoning district category to the City's Land Development Code Plan. The concept for this new category was developed after a city government fact-finding trip to Norfolk, Va. and New Haven, Conn. After the trip the City Commission formed the Urban Master Planning Committee. The committee recommended that the City adopt a flexible urban mixed-use land use and zoning district, allowing increased heights and densities, and allowing mixed uses including "tech transfer" uses.

The petition is related to 34CPA-05PB and proposes the zoning district that will be used to implement the Urban Mixed-Use land use category. The Urban mixed-use district (UMU) zoning district (see attachment) provides the detail listing of the uses allowed. The district is very similar to the other mixed-use categories with the exception that it allows Research and Development in the Physical, Engineering and Life Sciences ("tech transfer"), the full range of medical and health related facilities and, hotels and motels. The district will also allow a variety of residential units up to 75 units per acre without density bonus points.

Respectfully submitted,



Ralph Hilliard
Planning Manager

RH

Urban Mixed-Use District (UMU)

Sec. 30-65.1. Urban mixed-use district (UMU).

(a) *Purpose.* The UMU district is created to promote and encourage redevelopment of urban corridors and neighborhoods in the core of the city and to reflect the character and scale of the existing developments in the neighborhoods. The UMU district is intended to encourage pedestrian access and the combining of trips. The district is established to allow uses compatible with each other and with surrounding residential areas and be in keeping with the land use policies of the comprehensive plan. This district will also allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place.

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

- (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district;
- (2) Encourage the renovation of existing structures;
- (3) Promote the integration of pedestrian traffic and vehicular traffic;
- (4) Promote retail and office uses that serve the surrounding neighborhoods; and
- (5) Promote office/research uses that serve the needs of the University and the community.

(c) *Permitted uses when developed in accordance with a special area plan (Article V).* Uses by right are as follows:

Sic	Uses	Conditions
	Single-family dwellings	
	Row houses	
	Multifamily dwellings(up to 75 units per acre).	
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.	
	Dormitory	Must not abut property designated single-family on the future land use map
	Rooming houses and Boarding houses	In accordance with article VI
	Consolidated apartment management offices	In accordance with article II
	Bed and breakfast establishment	In accordance with article VI
	Community residential homes with 14 or fewer	When part of a permitted

	residents	single-family or multi-family residential component and in accordance with article VI
	Community residential homes with more than 14 residents	In accordance with article VI
	Adult day care homes	In accordance with article VI
	Family day care homes	In accordance with article VI
	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Public service vehicles	In accordance with article VI
	Outdoor cafes	As defined in article II and in accordance with article VI
	Eating Places	
	Repair services for household needs	As defined in article II
	Specialty T-shirt production	As defined in article II
	Limited Automotive Services	In accordance with article VI
	Rehabilitation Centers	In accordance with article VI
	Research and Development in the Physical, Engineering and Life Sciences.	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 1997-541710). (Definition Sec.30-23)
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
GN-078	Landscape and horticultural services	

MG-43	U. S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with not operation of passenger tours on site.
GN-483	Radio and television broadcasting stations	Accessory transmission, re-transmission, and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services.
GN-523	Paint, Glass, and Wallpaper Stores	
GN-525	Hardware Stores	
GN-526	Retail Nurseries, Lawn and Garden Supply.	
MG-53	General Merchandise Stores	
MG-54	Food Stores	
MG-56	Apparel and Accessory Stores	
MG-57	Home Furniture, Furnishing, and Equipment Stores	
MG-59	Miscellaneous Retail	Excluding GN598 Fuel Dealers
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developer (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-701	Hotels and Motels	
GN-752	Automobile Parking	Structured parking only, and not within 100 feet of property designated for single-family use
MG-78	Motion Picture	

MG-79	Amusement and Recreation Service	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports
MG-80	Health Services	
MG-81	Legal Services	
MG-82	Educational Services	
MG-83	Social Services	
MG-84	Museums, Art Galleries, And Botanical and Zoological Gardens	
MG-86	Membership Organization	
MG-87	Engineering, Accounting, Research, Management, and Related Services	

(d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1) *Nonresidential and vertically mixed-use buildings.*

Minimum lot area	5,000 sq. ft.
Minimum lot width	50 sq. ft.
Minimum lot depth	90 ft.
Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.

Maximum lot coverage	N/A
Maximum Building height	6 stories by right, up to 8 stories by special use permit.

(2) *Single-family dwellings.* These structures shall be located on lots meeting the minimum dimensions as shown below. This section is specifically designed to allow for zero lot line housing and other unique single-family designs, as well as conventional single-family housing. It allows for smaller, relatively narrow lots, as compared to other districts permitting single-family use, and provides for flexibility in design concepts, which are compatible with existing uses in the area.

- a. Minimum lot area: 3,600 square feet.
- b. Minimum lot depth: 90 feet.
- c. Minimum yard setbacks
 1. Side: 5 feet (except that, where adjoining lots are developed at the same time under single ownership, one side of each lot may have no yard setback if the setback for the adjoining yard is at least ten feet).
 2. Rear: 20 feet.
- d. Minimum yard setbacks for accessory structures: 5 feet for rear; same as principal building for sides.

(3) *Two-family dwellings and Rowhouses.*

	<i>Rowhouses</i>	<i>Two-Family Dwellings</i>
1. Minimum lot depth	90 ft.	90 ft.
2. Minimum lot area	1,800 sq. ft. per unit	3,150 sq. ft.
3. Minimum yard setbacks: ¹		
i. Side	10 ft. on ends of row	
ii. Rear	15 ft.	20 ft.
4. Minimum yard setbacks for accessory structures	5 ft. for rear; same as principal building for sides	5 ft. for rear; same as principal building for sides

(4) *Multi-family dwellings.*

Allowable density	Up to 75 units per acre
Maximum density by right	75 du/a
Minimum lot area	5,000 sq. ft.
Minimum Lot width	50 sq. ft.
Minimum lot depth	90 ft.

Minimum yard setbacks:	
Front	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Side (interior)	7.5 ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.
Side (street)	The average of the distance (up to a maximum of 20 ft.) between street right-of-way and principal structures on the two adjacent lots. For this calculation, any vacant adjacent lot shall be assigned a distance of 20 ft.
Rear	20 ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.
Maximum lot coverage	80%
Maximum Building height	6 stories by right, up to 8 stores by special use permit.

Accessory Structures

Minimum setbacks (excluding walls and fences):	
Front	Same requirement as for principal structure
Side (interior)	5 ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.
Side (street)	5 ft.
Rear	5 ft., or 25 ft. when abutting property designated Single-Family or Residential Low-Density on the future land use map.
Maximum building height	35 ft.

(5) *Maximum building height.* 8 Stories. A special use permit is required for additional stories over 5 stories. In addition to criteria listed at Section 30-233, a special use permit for buildings over 5 stories shall be issued only if the following findings are made:

- a. No more than 150 ft. of horizontal first story façade will be allowed without an entrance, which is defined to be an operable door;
- b. Sidewalks along the street edge shall be at least 10 ft. wide;
- c. There is at least 80% building lot frontage;
- d. The first story is at least 10 ft. in floor to ceiling height; and

- e. The first story contains only retail, service, and/or restaurant uses when the first story fronts an "A" street or other primary street or streets as determined by the City Manager or designee or appropriate reviewing board;
- f. That the height of buildings located within 50 feet of property designated Single-Family or Residential Low-Density on the future land use map, shall not exceed 5 stories.

(e) *Additional requirements.*

- (1) *General conditions.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and Article IX.
 - (2) *When the development is located in a Special Area Plan Overlay District.* If the provisions of the Special Area Plan conflict with the underlying zoning, the provisions of the Special Area Plan shall prevail. The effect of the classification is that the Special area Plan is the applicable set of regulations. The underlying zoning and provisions of the Land Development Code shall apply when the Special Area Plan does not address a requirement.
 - (3) *Projections over right-of-way.* Projections may project over any public right-of-way used for sidewalks or other pedestrian walkways when in conformance with the Florida Building Code and, when permitted by the public entity responsible for the right-of-way by the granting of an easement or other appropriate property right.
- (f) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and Article IX.

4. **Petition 35TCH-05 PB**

City of Gainesville. Amend the Land Development Code to add a new zoning category—Urban Mixed-Use (up to 75 units per acre). Related to Petitions 34CPA-05 PB, 36LUC-05 PB and 37ZON-05 PB.

Discussed with Petition 34CPA-05 PB.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Rwebyogo
<u>Moved to:</u> Approve Petition 35TCH-05 PB, with the recommendation that, before the petitions are presented to the City Commission, all involved parties have further discussion regarding the maximum number of units allowed per acre in the new Mixed Use category.	<u>Upon Vote:</u> Motion Carried 6 – 0 Ayes: Cohen, Gold, Rwebyogo, Reiskind, Tecler, Cole