

Policy 1.2.6

In recognition of the significant redevelopment problems facing the City in the NW 13th Street Activity Center area, the City shall designate the NW 13th Street Special Concurrency Redevelopment Credit Area (as shown in Map 14 in the Supplement to the Concurrency Management Element Data and Analysis Report) and provide additional redevelopment trip credits in this area. The City shall reduce the number of trips for which Policy 1.1.6 standards must be met by 20% in this area for redevelopment or expansion/conversion projects. If the redevelopment is a mixed use project involving residential and non-residential components, the reduction shall be 30%.

Objective 1.3

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

Policy 1.3.1

~~In the interim period before adoption of specific design standards for the TCEA, the~~ The City shall use the Central Corridors Overlay District design standards in the Land Development Code for development/redevelopment projects within the TCEA. These standards include consideration of building placement, location of parking, sidewalks, building wall articulation, and placement of mechanical equipment and shall be the guiding design standards for development/redevelopment on roadways in the TCEA which are listed in the annual level of service report produced by the North Central Florida Regional Planning Council. These design standards requirements shall not override ~~previously existing~~ design standards adopted as part of a Special Area Plan, Overlay District, or Planned Development ~~approved prior to the adoption of the TCEA.~~

Policy 1.3.2

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

Objective 1.4

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

**Policy 1.4.1**

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

**Policy 1.4.2**

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

**Policy 1.4.3**

New development of surface parking lots as a principal use shall be required to obtain a Special Use Permit. In addition to the review criteria set in the Land Development Code for Special Use Permits, the approval of the Special Use Permit shall be based on consideration of the size/scale of the proposed surface parking lot and the inclusion of design and access features which maintain pedestrian, bicycle and transit safety and do not discourage pedestrian, bicycle and transit use in the area.

**Policy 1.4.4**

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

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

- a. maximization of pedestrian and bicycle safety and convenience;
- b. adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent roadways;
- c. provision of a by-pass lane or sufficient driveway area around the drive-through lanes to assist internal vehicular circulation;
- d. minimization of the visual impacts of the drive-through lanes on street frontage areas;

- e. minimization of the total number of drive-through lanes based on site conditions and the operating conditions of the impacted roadway segments;
- f. minimization of the number of access points to roadways;
- g. design of access points and ingress/egress directional flows to minimize impacts on the roadway and non-motorized traffic;
- h. design of internal pedestrian access and safety as related to the position of the drive-through lane(s); and,
- i. meeting any additional design criteria established in the Land Development Code.

#### Policy 1.4.5

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

- a. There shall be a minimum distance of 400 feet between the driveways of sites with free-standing drive-through facilities on roadways operating at 85 percent or more of capacity. Roadway capacity shall be measured using the latest version of Art-Plan or a method deemed acceptable by the Technical Advisory Committee Subcommittee of the Metropolitan Transportation Planning Organization. Available capacity shall include consideration of reserved trips for previously approved developments and the impacts of the proposed development. The 400-foot distance requirement shall not apply if any of the following criteria are met:
  - 1. Joint driveway access or common access is provided between the sites with free-standing drive-through facilities.
  - 2. Cross access is provided with an adjoining property.
  - 3. A public or private road intervenes between the two sites.
  - 4. The development provides a functional design of such high quality that the pedestrian/sidewalk system and on-site/off-site vehicular circulation are not compromised by the drive-through facility. This determination shall be made as

part of the Special Use Permit and development plan review process and shall be based on staff and/or board review and approval.

- b. There shall be no credit for pass-by trips in association with the drive-through facility. Standards which must be met under Policy 1.1.6 shall be based on total trip generation for the use and shall not include any net reduction for pass-by trips.

#### Policy 1.4.6

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

#### Policy 1.4.7

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

#### Policy 1.4.8

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

Policy ~~1.4.9~~ 1.4.8

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

Policy ~~1.4.10~~ 1.4.9

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

- a. Site design shall enhance pedestrian/bicycle access to any retail or restaurant facilities on site. Sidewalk connections or marked pedestrian crosswalks shall be shown on the site plan.
- b. The number and width of driveways shall be minimized.
- c. Except where more stringently regulated by a Special Area Plan or overlay district, the maximum number of fueling positions shall be set as follows:
  1. No limitation on fueling positions in the Industrial zoning categories;
  2. Six fueling positions in the Mixed Use Low land use category or Mixed Use 1 zoning district;
  3. Until adoption, in the Land Development Code, of specific architectural and design standards, six fueling positions in all other zoning categories where gasoline service stations (retail petroleum sales) or food stores with accessory gasoline and alternative fuel pumps are allowed. In the interim period before the adoption of architectural and design standards, additional fueling positions, up to a maximum of twelve, may be allowed as part of a Planned Development rezoning or Special Use Permit process, with the final approval of the City Commission, based on meeting all of the following conditions:
    - a. The size of the site can safely accommodate the additional fueling positions while meeting all required landscaping, buffering, and other Land Development Code requirements;

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

approval of the City Commission, based on meeting all of the conditions shown in 3 a-f above.

Policy 1.4.11

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

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

Objective 1.5

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

Policy 1.5.1

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

Policy 1.5.2

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

### Policy 1.5.3

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

### Policy 1.5.4

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

### Policy 1.5.5

New development within Zone B or Zone C shall be required to plant ~~an~~ minimum 45 65-gallon-sized trees, ~~12~~ 18-feet tall and ~~2.5~~ 3.5 inches in trunk caliper, or their equivalent in winter-dug and hardened-off balled and burlapped trees for the required landscaping along roadways within Zone B as listed in the annual level of service report produced by the North Central Florida Regional Planning Council, selected from the Tree List in the Land Development Code. Within Zone C, the 65-gallon tree landscaping requirement shall apply to all public or private streets. If ~~45-65-~~ gallon or equivalent trees are not available, the number of required shade trees can be appropriately increased with the approval of the City Arborist or designee. All new development sites within Zone B and Zone C shall also be required to install an automated irrigation system to preserve new landscaping. Redevelopment sites shall be required to meet this landscaping policy at a 50 percent rate. Redevelopment sites where 40 percent or more of the developed area (as defined in the Land Development Code) of the site is being altered shall also be required to meet the automated irrigation system requirement. Trees shall be planted on private property within buffer areas or on right-of-way, if approved by the City. Land Development Code regulations shall specify the type, size, and other standards for trees planted to meet TCEA requirements. Developments within areas designated in the Land Development Code as landscape exempt, areas within Special Area Plans with pedestrian-oriented build-to line provisions, area within the approach and clear zone areas as specified on the Gainesville Regional Airport master plan, and developments meeting the criteria for Rapid Review as shown in the Land Development Code shall be excluded from these requirements.

### Objective 1.6

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

Policy 1.6.1

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

Policy 1.6.2

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

Objective 1.7

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

Policy 1.7.1

In cooperation with the MTPO, the City shall encourage that all designs for new roadways and redesigns of existing roadways include consideration of features to improve multi-modal transportation, as appropriate. These considerations shall include construction of bus turn-out facilities, bicycle lanes, sidewalks, enhanced pedestrian crosswalks, pedestrian scale lighting, landscaping of medians and right-of-ways, and traffic calming mechanisms.

Policy 1.7.2

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

Objective 1.8

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

Policy 1.8.1

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

Policy 1.8.2

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

Policy 1.8.3

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

Objective 1.9

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

Policy 1.9.1

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

Policy 1.9.2

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

**Objective 1.10**

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

**Policy 1.10.1**

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

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

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

#### Policy 1.10.2

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

#### Policy 1.10.3

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

- a. The impact would not affect more than one percent of the maximum service volume at the adopted level of service of the affected roadway segment.
- b. No impact shall be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a roadway segment would exceed 110 percent of the maximum volume at the adopted level of service of the roadway segment.
- c. A single family dwelling on an existing lot of record (which existed prior to the adoption of the 1991 Comprehensive Plan) shall constitute a de minimis impact on any affected roadway segments regardless of the level of service standard deficiency of the roadway segments.
- d. Exemptions from transportation concurrency granted under Policy 1.10.3 shall not relieve the development from, where necessary, providing public sidewalks along all street frontages, sidewalk connections from the building to the public sidewalk, and closure of existing excessive, duplicative or unsafe curb cuts or narrowing of overly