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ORDINANCE NO. 110642

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to the Urban Mixed-Use 2 (UMU-2) zoning district; by amending Section 30-23 to add definitions; by amending Section 30-65.2 Urban mixed-use district 2 (UMU-2) to add regulations regarding uses, site development, public realm, circulation, landscaping, parking, signage and other development standards and limitations specific to property zoned UMU-2 within the Urban Village area; by amending Section 30-65.2 to make general clarifications and revisions to the existing UMU-2 regulations; by amending Section 30-65.2 to repeal existing illustrative figures and adopt new illustrative figures, including a map defining the Urban Village area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given 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 a public hearing was then held by the City Plan Board on December 5, 2011 and by the City Commission on February 16, 2012; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the first advertisement was published; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches long was placed in the aforesaid newspaper notifying the public of the second public hearing to be held at least five (5) days after the day the second advertisement was published; and

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

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

3 **Section 1.** Section 30-23 of the Land Development Code is amended to add the
 4 following definitions. Except as amended herein, the remainder of Section 30-23 remains in full
 5 force and effect.

6 *Building frontage* means the total length in linear feet of a building façade(s) within a
 7 development that fronts directly on a required street or urban walkway. Building frontage is
 8 regulated as a required percentage of the total length of the development frontage along the street
 9 or urban walkway. For corner lots, the building frontage calculation shall exclude the required
 10 landscape zone, sidewalk zone and build-to-line areas. Building frontage is measured at the
 11 ground floor level and must meet the required build-to-line for the regulated building frontage
 12 percentage. Minor insets (defined as up to 5 feet in depth) for the purpose of creating
 13 articulation and architectural interest in the building façade will be deemed to meet the build-to-
 14 line and shall be included in computing the building frontage.

15
 16 *Pedestrian forecourt* means an inset area along a building frontage façade that may be covered or
 17 uncovered. The inset area is for pedestrians and may be used for a building entry area, seating
 18 area, landscape or garden area, art or sculpture display, or fountains. Pedestrian forecourts may
 19 be used to provide building articulation and architectural interest.

20
 21 *Structured parking* means a building or structure consisting of two or more vertical levels that is
 22 used to park motor vehicles. Structured parking can either be: a stand-alone building with two
 23 or more vertical levels of parking; or, part of a multi-story building that may contain a mix of
 24 uses where the parking is on a separate level and at least one level of parking is above grade
 25 (such as the third floor of a 3-story building). Structured parking specifically excludes individual
 26 garages accessory to a dwelling unit or non-residential unit, whether attached to or detached
 27 from the unit.

28
 29 *Surface parking* means a single level of parking at grade, whether covered or uncovered; or
 30 attached or detached from a building. Individual garages that are accessory to a dwelling unit or
 31 non-residential unit, whether attached to or detached from the unit are surface parking.

32
 33 **Section 2.** Section 30-65.2 of the Land Development Code is amended to read as
 34 follows:

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

36 (a) *Intent.* The UMU-2 zoning district is created to promote and encourage redevelopment of

1 the existing urban commercial areas and neighborhoods near the University of Florida. The
 2 district is intended to encourage multimodal mobility and to allow uses and development
 3 compatible with each other and with surrounding residential areas and which are consistent with
 4 the land use policies of the comprehensive plan. Furthermore, this district is intended to allow for
 5 establishments engaged in conducting research and experimental development in the physical,
 6 engineering or life sciences, in order to facilitate technology transfer from institutions of higher
 7 learning to the market place. The objectives of this district are to:

- 8 (1) Provide a mixture of residential, commercial and office/research uses that are
 9 complementary to the residential and mixed-use character of the district;
- 10 (2) Encourage quality redevelopment and the renovation of existing structures;
- 11 (3) Promote multimodal transportation and create high-quality urban streetscapes by
 12 using buildings, sidewalks, and street trees to form a pleasant, convenient and safe
 13 environment designed for pedestrians, bicyclists, public transit, and automobiles;
- 14 (4) Promote retail and office uses that serve the surrounding neighborhoods and
 15 enhance the viability of existing commercial areas by focusing new development
 16 in appropriate locations; ~~and~~
- 17 (5) Promote office/research uses that serve the needs of the University and the
 18 community and enhance the development of the local innovation economy; and
- 19 (6) Promote infill and redevelopment in the Urban Village to improve the urban form
 20 and increase mobility and interconnectivity by creating a gridded street network
 21 and sidewalk connections.

22 (b) *Administration.*

- 23 (1) *Required compliance.* All development shall comply with these zoning district
 24 regulations except as otherwise provided by variance of the board of adjustment
 25 or by board modification, or administrative modification, as described below.
- 26 (2) *Modifications.*
- 27 a. Board modification. The appropriate reviewing board shall have the
 28 authority to grant modifications limited to the build-to line, building
 29 frontage, building relationship to the street, building articulation and
 30 design, landscape zone, sidewalk zone and streets/blocks standards as are
 31 set forth in this section, where the board finds by substantial competent
 32 evidence that:
- 33 1. The proposed development offers unique/alternative compliance
 34 that meets the intent of the UMU-2 zoning district; the requested
 35 modification is the minimum necessary to allow reasonable
 36 development of the site; and the requested modification is not
 37 injurious to the public health, safety and welfare; or

- 1 2. An undue hardship, owing to conditions peculiar to the land or
2 structure and not the result of the action of the applicant, would
3 result from strict adherence to the standard; or
- 4 3. The sidewalk zone or landscape zone cannot be constructed due to
5 restrictions by the governmental entity responsible for the street
6 where the sidewalk or landscaping is proposed.
- 7 b. Administrative modification. The city manager or designee shall have the
8 authority to grant limited modifications, as set forth below, where the city
9 manager or designee determines that the proposed development meets the
10 intent of the UMU-2 zoning district, the requested modification is the
11 minimum necessary to allow reasonable development of the site and the
12 requested modification is not injurious to the public health, safety and
13 welfare. Administrative modifications are limited to the following:
- 14 1. *Build-to lines:* Modification not to exceed three feet beyond the
15 required build-to line.
- 16 2. *Glazing:* Reduction of no more than ten percent of the required
17 glazing.
- 18 3. *First floor height:* Reduction of no more than four feet of the
19 required minimum height.
- 20 4. *Sidewalk zones:* Reduction of no more than two feet from the
21 required width, provided that a minimum five feet of unobstructed
22 width is maintained.
- 23 5. *Landscape zones:* Reduction of no more than one foot from the
24 required width, provided that the required root space is allocated
25 for street trees.
- 26 6. *Building frontage:* Allowance of insets in the building façade for
27 the purpose of providing pedestrian forecourts, courtyards, plazas,
28 cafes or other public outdoor gathering areas. The allowance for
29 the inset may be up to 20 feet in length and greater than 5 feet in
30 depth and up to 10 feet in depth. In addition, insets for high
31 quality heritage trees may be allowed up to the required area to
32 protect the tree.
- 33 c. In granting a modification, the reviewing board or administrator may
34 impose any reasonable additional conditions, restrictions or limitations
35 deemed necessary or desirable by the board or administrator to preserve
36 and promote the intent of the UMU-2 zoning district.
- 37 d. All requests for modifications shall be submitted in writing with the
38 application for development review on forms provided by the city. The

1 request shall be approved or denied during development plan review and,
 2 if granted, shall be noted on the final development plan. If denied, there is
 3 no further administrative appeals process.

4 (3) *Effect of regulations.* Where this section specifically addresses a requirement and
 5 it is in conflict with other provisions of this land development code, the
 6 requirement of this section shall govern. Where this section does not specifically
 7 address a requirement, the applicable provisions of the land development code
 8 shall apply.

9 (4) This zoning district applies only to land zoned UMU-2 and located within the
 10 University Heights, Archer Triangle, and Urban Village areas. These areas are
 11 depicted in Figures 1.0, 1.1 and 1.2.

12 (5) All figures referenced in this section are located at the end of this section.

13 (c) *Uses.*

14 (1) Permitted uses by right are as follows:

15

SIC	Uses	Conditions
	Compound uses	
	Single-family dwellings	
	Rowhouses	
	Multi-family dwellings (up to 100 units per acre)	<u>Minimum and maximum densities are set forth in the Dimensional Requirements Table in this section.</u>
	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	
	Bed and breakfast establishment	In accordance with article VI
	Community residential homes with 14 or fewer residents	When part of a permitted single-family or multi-family residential development 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	In accordance with article VI
	Eating places	
	Repair services for household needs	
	Specialty T-shirt production	
	Rehabilitation centers	In accordance with article VI
	Research and development in the physical, engineering and life sciences	
	Light assembly, packaging, and manufacturing associated with research and development in the physical, engineering and life sciences	
	Chilled water and steam plants, electric generation, and other energy storage, distribution, and conversion facilities	
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 no operation of passenger tours on site
GN-483	Radio and television broadcasting stations	Accessory transmission, retransmission, 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	Excluding gasoline pumps
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishing, and equipment stores	
MG-59	Miscellaneous retail	Excluding GN-598 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 (IN-7353), 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 on the future land use map
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	

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(2) Permitted uses by special use permit: Alcoholic beverage establishments, in accordance with article VI.

(3) Prohibited uses:

a. Single-story, large-scale retail uses (defined as a single retail use with a ground floor footprint exceeding 100,000 square feet) are prohibited in the Urban Village.

b. Surface parking as a principal use.

(4) Drive-through facilities: Drive-through facilities are prohibited in this district except fronting on SW 34th Street in the Urban Village. Access to a drive-through facility fronting on SW 34th Street may be from another street or from an internal system within a mixed use development. A special use permit is required for all drive-through facilities in the Urban Village. Drive-through facilities are defined as facilities that provide services mechanically or personally to customers who do not exit their vehicles.

1 examples include, but are not limited to, banking facilities, payment windows, restaurant,
 2 food and/or beverage sales, dry cleaning and express mail services. The following are not
 3 considered drive-through facilities: auto fuel pumps and depositories which involve no
 4 immediate exchange or dispersal to the customer, such as mail boxes, library book
 5 depositories, and recycling facilities.

6 (d) *Site development requirements.*

- 7 (1) All structures shall be located and constructed in accordance with the
 8 Dimensional Requirements Table. Accessory structures shall meet all regulations
 9 pertaining to principal structures within this district.

10 **Dimensional Requirements Table**

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DIMENSIONAL REQUIREMENTS TABLE	Nonresidential and vertically mixed use buildings	Single-family dwellings	Multi-family dwellings, Two-family dwellings and rowhouses
Lot depth (minimum)	90 feet	90 feet	90 feet
Interior side (minimum)	0 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map	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 10 feet	7.5 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map
Rear (minimum)	0 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map.	10 feet	5 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use map.
Lot coverage (maximum)	N/A	N/A	80%
Building frontage ¹	70% minimum	N/A	70% minimum
<u>Density (minimum)</u> ²	<u>Within University Heights and the Archer Triangle, N/A</u> <u>Within the Urban</u>	<u>N/A</u>	<u>Within University Heights and the Archer Triangle, 10 du/acre</u>

	<p><u>Village, to be considered mixed-use, a residential development must include a minimum of 10,000 square feet of non-residential uses; and a non-residential development must contain a minimum of 3 residential units.</u></p>		<p><u>Within the Urban Village, 20 du/acre for new, single-use multi-family development; 10 du/acre for mixed use developments and additions to existing developments.</u></p>
Density (maximum)	<p><u>Within University Heights and the Archer Triangle, 100 du/acre, or up to 125 du/acre by special use permit.</u></p> <p><u>Within the Urban Village, 100 du/acre by right; or up to 125 du/acre by special use permit, except that 125 du/acre is allowed by right when only structured parking and/or on-street parking is provided (except for handicapped accessible surface parking).</u></p>	N/A	<p><u>Within University Heights and the Archer Triangle, 100 du/acre, or up to 125 du/acre by special use permit.</u></p> <p><u>Within the Urban Village, 100 du/acre by right; or up to 125 du/acre by special use permit, except that 125 du/acre is allowed by right when only structured parking and/or on-street parking is provided (except for handicapped accessible surface parking).</u></p>
<u>Height and Stories</u>	<p><u>Non-single-family buildings shall have a minimum height of 24 feet.</u></p> <p><u>A maximum of six stories is permitted by right and a maximum of eight stories is permitted by special use permit.</u></p> <p><u>Within the Urban Village, a maximum of eight stories is permitted by right when only structured and/or on-street parking is provided (except for handicapped accessible surface parking spaces for multi-family development and loading spaces for non-residential development).</u></p> <p><u>Within University Heights, a maximum of three or four stories for a</u></p>		

	distance of 50 feet as measured from the property line of properties located adjacent to the University Heights Historic Districts, as depicted in Figure 3.0.
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1
2 Notes to Table:
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4 ¹Minor insets (defined as up to 5 feet in depth) for the purpose of creating articulation and
5 architectural interest in the building façade will be deemed to meet the build-to line and shall be
6 included in computing the building frontage.
7

8 ²Within University Heights and the Archer Triangle, lots that existed on November 13, 1991 and
9 that are less than or equal to 0.5 acres in size are exempt from the minimum density
10 requirements. Within the Urban Village, lots that existed prior to 12:01 a.m. on June 1, 2009 and
11 that are less than 0.5 acres in size are exempt from the minimum density requirements.
12

13 ~~(2) Additional dimensional standards.~~

- 14 a. ~~Non single family buildings shall have a minimum height of 24 feet.~~
- 15 b. ~~A maximum of six stories is permitted by right and a maximum of eight~~
16 ~~stories is permitted by special use permit.~~
- 17 c. ~~As depicted in Figure 3.0, Height Limits – University Heights, there shall~~
18 ~~be a maximum of three or four stories for a distance of 50 feet as~~
19 ~~measured from the property line of properties located adjacent to the~~
20 ~~University Heights Historic Districts.~~

21 (32) Building relationship to the street or urban walkway. Urban walkways are
22 allowed only in the Urban Village as set forth in Section 30-65.2(e)(3)d.

- 23 a. All principal nonresidential buildings are required to have a main entrance
24 facing the street or an urban walkway. If a building fronts both a street
25 and an urban walkway, the main entrance shall face the street. A main
26 entrance shall be indicated on building floor plans by the placement of
27 atriums, lobbies, or other entry rooms at the entrance and through the
28 inclusion of architectural entry features such as, but not limited to,
29 awnings, arcades, columns or archways, and by providing a level of
30 architectural detailing that is comparable to or exceeds other entrances to
31 the building.
- 32 b. Two-family dwellings and rowhouse ~~Residential~~ units on the first story
33 shall have a functional entrance on the street ~~or on an urban walkway.~~
- 34 c. For non-residential and multiple family residential (except for two family
35 dwellings and rowhouses) buildings, ~~The~~ length of street fronting façade
36

- 1 fronting a street or an urban walkway without an intervening shall have a
 2 functional entrance shall not exceed at least every 150 feet.
 3
- 4 d. Sidewalk connections to the public sidewalk must be provided from all
 5 building entrances that face the street or an urban walkway. These
 6 connections shall provide at least five feet of unobstructed width.
 7
- 8 e. Front porches or covered stoops for multi-family uses.
 9
- 10 1. Two-family dwellings and rowhouse Residential units on the first
 11 floor along a street or urban walkway shall have individual front
 12 porches or covered stoops.
- 13 2. Front porches or covered stoops shall have a minimum surface area
 14 of 25 square feet with a minimum depth of five feet and a
 15 minimum width of five feet.
- 16 3. Front porches or covered stoops shall be open and not air
 17 conditioned.
- 18 4. Front porches may only be screened where they are located behind
 19 the build-to line.
- 20 f. Except for a driveway to reach the side yard or rear yard or on-site
 21 parking, neither driveways nor surface parking lots are permitted between
 22 the sidewalk and a building or between an urban walkway and a building.
 23 Driveways shall be perpendicular to any adjacent street. In the Urban
 24 Village, porte cocheres or covered drop-off areas in front of a building
 25 may be allowed for hotels, medical facilities, nursing homes, or assisted
 26 living facilities. Porte cocheres or covered drop-off areas shall be
 27 designed to meet queuing requirements such that vehicular traffic does not
 28 overflow out on public streets or sidewalks and does not impede safe and
 29 convenient pedestrian circulation at the site.
- 30 (43) Building articulation and design.
- 31 a. Glazing(Figure 7.0). As depicted in Figure 7.0, glazing percentages are
 32 calculated by measuring the area of glazing between 3 feet and 8 feet above
 33 grade, and dividing it by the total area of the building façade between 3 feet and 8
 34 feet above grade. Required glazing must be at least 80% transparent and shall not
 35 utilize painted glass, reflective glass or other similarly treated windows. Glazed
 36 areas on entrances may be counted towards meeting the minimum glazing
 37 requirements.
- 38 1. For multi-family residential uses, the minimum glazing percentage
 39 shall be 30 percent for the first story and 20 percent for upper
 40 stories, on all street frontages or urban walkways.

- 1 2. For nonresidential uses, minimum glazing percentage shall be 50
 2 percent for the first story on local ~~street~~ and urban throughway
 3 street frontages and all street frontages in the Urban Village, and
 4 65 percent for the first story on storefront street and principal street
 5 frontages. In the Urban Village, non-residential buildings fronting
 6 on an urban walkway shall have a minimum glazing percentage of
 7 50% for the first story.
- 8 b. *Delineation of stories.* The area between the first and second stories along
 9 all street frontages shall include architectural detailing, such as, but not
 10 limited to, variations in materials or horizontal expression lines, to visually
 11 delineate the first and second stories.
- 12 c. *First floor height.* All multi-story buildings on storefront streets shall have
 13 a minimum first story floor-to-floor height of 15 feet.
- 14 d. *First floor uses.* On principal and storefront streets, buildings shall be
 15 designed so that the area of the first floor along the street frontage contains
 16 active uses that are oriented to the street. Active uses may include, but are
 17 not limited to, display or floor areas for retail uses, waiting and seating
 18 areas for restaurants, atriums or lobbies for offices, and lobbies or dining
 19 areas for hotels or multifamily residential buildings. ~~Residential units may~~
 20 ~~be located directly on the first floor street frontage of buildings on~~
 21 ~~principal streets, but not on storefront streets.~~ Residential units shall not be
 22 located directly on the first floor street frontage of buildings on storefront
 23 streets.
- 24 (e) *Public realm requirements.*
- 25 (1) *Existing streets.* The street types referred to throughout this section (local street,
 26 principal street, storefront street and urban throughway) are identified and
 27 depicted in Figure 2.0, ~~Street Types—University Heights~~, and Figure 2.2, ~~Street~~
 28 ~~Types—Archer Triangle~~.
- 29 (2) *Primary frontage streets.* Within the Urban Village, primary frontage streets are
 30 identified and depicted in Figure 2.3. All buildings with multiple street frontages
 31 shall orient the main entrance and the front face to the primary frontage street. If
 32 a building fronts both SW 34th Street and another primary frontage street, the
 33 main entrance and the front face shall be oriented toward SW 34th Street. In the
 34 case of corner lots, corner entrances that front both streets are allowed.
- 35
- 36 (2) ~~3~~ *New streets/blocks.*
- 37 a. Within the University Heights area ~~(Figure 1.0, District Boundary Map—~~
 38 ~~University Heights)~~, subdivisions, minor subdivisions, lot splits, and
 39 development that requires development plan review shall be required to

1 include any of the proposed local streets depicted in Figure 2.1 that are
 2 located within the boundaries of the subdivision, minor subdivision, lot
 3 split or development. These new local streets ~~shall be constructed at the~~
 4 ~~expense of the owner/developer as part of the subdivision, minor~~
 5 ~~subdivision, lot split or development, to serve the subdivision, minor~~
 6 ~~subdivision, lot split or development, and shall be located so that the~~
 7 ~~resulting block(s) will not exceed a maximum block perimeter of 1,800~~
 8 ~~feet.~~

9 b. Within the Archer Triangle ~~area (Figure 1.1, District Boundary Map—~~
 10 ~~Archer Triangle)~~, subdivisions, minor subdivisions, lot splits, and
 11 development on sites greater than two acres which propose new
 12 development on more than 50 percent of the site shall be required to
 13 include new local streets within the subdivision, minor subdivision, lot
 14 split or development so that the resulting block(s) will not exceed a
 15 maximum block perimeter of 2,600 feet. ~~These new local streets shall be~~
 16 ~~constructed at the expense of the owner/developer as part of the~~
 17 ~~subdivision, minor subdivision, lot split or development, to serve the~~
 18 ~~subdivision, minor subdivision, lot split or development.~~

19 c. Within the Urban Village, subdivisions, minor subdivisions, lot splits, and
 20 development on sites greater than two acres which propose new
 21 development on more than 50% of the site shall be required to include
 22 new local streets within the subdivision, minor subdivision, lot split or
 23 development so that the resulting block(s) will not exceed a maximum
 24 block perimeter of 2,000 feet.

25
 26 d. Within the Urban Village, an urban walkway may be used to meet the
 27 block perimeter requirements, subject to City approval. An urban
 28 walkway is a pedestrian/bicycle pathway that is either: a minimum width
 29 of 30 feet with a single contiguous paved area of at least 10 feet or a
 30 minimum width of 31 feet with a separated (boulevard style) paved area
 31 with a minimum contiguous paved area of 8 feet on one side and 5 feet on
 32 the other side. Urban walkways must provide a minimum 8-foot landscape
 33 zone area on each side of the paved area. Unpaved areas in an urban
 34 walkway must be landscaped and may contain stormwater facilities.
 35 Urban walkways may contain benches, fountains, outdoor cafes or other
 36 outdoor uses as long as a minimum sidewalk width as specified above is
 37 maintained. Cross-sections for urban walkways must be submitted as part
 38 of a required Circulation Plan or as part of a development plan when a
 39 Circulation Plan is not required. The cross-section must illustrate paved
 40 area, landscape zone, build-to line and any outdoor uses. An urban
 41 walkway may be used as an interim/temporary method for retaining the
 42 required area for a future street when an abutting
 43 development/redevelopment occurs. In this case, the total width may be
 44 reduced to 25 feet, while maintaining a contiguous minimum paved width

1 of 10 feet. The width and cross-section of the urban walkway is subject to
 2 review and approval by the City to ensure that future street construction
 3 can occur in the area provided. If the urban walkway will be a permanent
 4 area, it may be used to count toward meeting open space requirements
 5 even if it is later dedicated as a public urban walkway. Notwithstanding
 6 the foregoing, in the case where an urban walkway provides access for fire
 7 and rescue vehicles, stormwater management, utilities or other public
 8 facilities and services, the urban walkway shall be sized and designed to
 9 meet the requirements for those facilities and services.

10 ee. The required local streets, multi-use paths or urban walkways shall be
 11 constructed at the expense of the owner/developer as part of the
 12 subdivision, minor subdivision, lot split or development, to serve the
 13 subdivision, minor subdivision, lot split or development, and shall be
 14 constructed according to the appropriate city standards as determined
 15 through the development review, subdivision, minor subdivision or lot
 16 split process, but may be sited and configured in a manner so that they
 17 provide the most appropriate access to the development, subdivision,
 18 minor subdivision or lot split. Where a street is planned to continue
 19 beyond the extent of a development, subdivision, minor subdivision or lot
 20 split, the development shall provide for the continuation of the street by
 21 stubbing out the improvements as close as is practicable to edge of the
 22 property boundary.

23 df. The required local streets or multi-use paths or urban walkways may be
 24 dedicated for public right-of-way after construction, if the city desires to
 25 accept same for maintenance, or may be privately owned streets, multi-use
 26 paths or urban walkways provided the streets, multi-use paths or urban
 27 walkways remain open for public ingress and egress.

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

40 (34) *Sidewalk zone.*

41 a. The minimum sidewalk dimensions are set forth in the Streetscape

- 1 Dimensions Table. ~~shall apply to all streets in this district.~~
- 2 b. The sidewalk zone ~~shall be immediately contiguous to the landscape zone~~
 3 ~~and shall be continuous and entirely hardscaped by the owner/developer,~~
 4 and shall be immediately contiguous to the landscape zone.
- 5 c. Outdoor seating may encroach into the sidewalk zone provided that a
 6 minimum unobstructed width of five feet is maintained.
- 7 d. Balconies, marquees, projecting signs, and awnings may encroach into the
 8 sidewalk zone up to a distance of half the required sidewalk dimension,
 9 provided that they are at least nine feet above the grade of the sidewalk.
- 10 e. The owner/developer shall construct new sidewalks to align with existing
 11 sidewalks on abutting properties.
- 12 (45) *Landscape zone.*
- 13 a. There shall be a continuous landscape zone adjacent to the curb which
 14 shall meet the dimensions set forth in the Streetscape Dimensions Table.
 15 This zone ~~is intended~~ allows for the placement of street trees, street
 16 furniture and light poles, fire hydrants, traffic signs, bus shelters, bicycle
 17 racks, litter receptacles, benches and similar items. In the Urban Village,
 18 street trees in the landscape zone may not intrude into the public right-of-
 19 way without approval from the governmental entity responsible for the
 20 public road.
- 21 b. The owner/developer shall install street trees to meet the spacing
 22 requirements set forth in the Streetscape Dimensions Table. All street trees
 23 shall be provided a minimum of 140 square feet of root room to a depth of
 24 three feet, and shall be planted no closer than ten feet from any building or
 25 wall foundation.
- 26 c. The area of the landscape zone between trees shall be hardscape on
 27 storefront streets, and principal streets, and all other streets with on-street
 28 parking. Hardscape is optional for streets with on-street parking. Street
 29 trees shall be planted within a landscaping or grass strip on local streets,
 30 ~~and urban throughway streets, and all streets in the Urban Village.~~ In the
 31 Urban Village, a board modification to allow hardscape within the
 32 landscape zone may be requested. Surface openings for trees within tree
 33 wells shall be at least 18 square feet. Landscaping utilized between street
 34 trees should not exceed 30 inches at mature height.
- 35 d. Where heritage trees are located within the public right-of-way they
 36 should be preserved and no new construction placed within the tree root
 37 plate. New buildings should be designed so that no more than 25 percent
 38 of the crown of these preserved trees is removed. The removal, relocation
 39 or replacement of heritage trees shall be in accordance with section 30-258

- 1 of the land development code.
- 2 e. Street trees shall meet state department of transportation clear zone
 3 requirements, adopted pursuant to F.S. Ch. 316 and adopted by reference
 4 in chapter 26 of this Code. A visual example is provided in Figure 4-36.1,
 5 Streetscape with Four-Foot Clear Zone.
- 6 (56) *Build-to line.*
- 7 a. The build-to line shall be measured from the back of curb. Except that, in
 8 the Urban Village, the build-to line shall be measured from the property
 9 line on swale system streets and from the back edge of the landscape zone
 10 on urban walkways.
- 11 b. The build-to-line shall be ~~measured~~ calculated as the sum of the required
 12 landscape zone, sidewalk zone and required setback from the sidewalk
 13 zone. Except that, on urban walkways, the build-to line shall be a fixed
 14 five feet from the back edge of the landscape zone.
- 15 c. The build-to line standards of this section shall not result in structures
 16 being built in the public right-of-way. If the build-to line dimensions result
 17 in a build-to line within the public right-of-way, the actual build-to line
 18 shall be established at the property line adjacent to the public right-of-way.
- 19 (67) *Transit facilities.* Transit stop facilities shall be within the landscape zone or
 20 sidewalk zone or right-of-way and located in accordance with the most current
 21 "Regional Transit System Bus Stop Improvement Plan" on file ~~in~~ with the
 22 Regional Transit System-RTS planning office.

23
 24 **Streetscape Dimensions Table**
 25
 26

STREETSCAPE DIMENSION TABLE	Urban Throughway and SW 34th Street	Storefront streets	Principal streets	Local streets or private streets¹	Swale system streets	SW 24th Avenue
Landscape zone (minimum)	8 feet	5 feet	5 feet	8 feet	<u>8 feet</u>	<u>8 feet</u>
Street tree spacing	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center	35 feet (minimum) to 50 feet (maximum), on center	<u>35 feet (minimum) to 50 feet (maximum), on center</u>	<u>35 feet (minimum) to 50 feet (maximum), on center</u>

Sidewalk zone (minimum)	8 feet	10 feet	10 feet	10 feet	<u>8 feet</u>	<u>8 feet</u>
Build-to-line (nonresidential uses)	25-80 feet setback from the back of curb	20 feet setback from the back of curb	20 feet setback from the back of curb	18 feet setback from the back of curb	<u>15-25 feet setback from the back of right-of-way</u>	<u>20-25 feet setback from the back of curb</u>
Build-to line (residential uses)	30-80 feet setback from the back of curb	20 feet setback from the back of curb	25 feet setback from the back of curb	23 feet setback from the back of curb	<u>15-25 feet setback from the back of right-of-way</u>	<u>25-30 feet setback from the back of curb</u>

1 Note to Table:

2

3 ¹Newly constructed local or private streets shall be curb and gutter unless otherwise approved by

4 the City’s Public Works Department.

5 Examples of the landscape zone, ~~and streetscape~~ sidewalk zone and streetscape scenarios are

6 depicted in Figures 4.0 – 4.3 Public Realm Requirements; and Figure 4.2 6.0 Streetscape

7 Scenarios.

8

Urban Walkway Dimensions Table¹

9

Overall width	Paved area	Landscape zone	Build-to line
<u>30 feet (minimum) for single; 31 feet (minimum) for split boulevard style</u>	<u>10 feet (minimum) for single; or 8 feet (minimum) and 5 feet (minimum) for split boulevard style</u>	<u>8 feet (minimum)</u>	<u>5 feet from back edge of landscape zone</u>

10

11 ¹ Notwithstanding the standards set forth in this table, in the case where an urban walkway

12 provides access for fire and rescue vehicles, stormwater management, utilities or other public

13 facilities and services, the urban walkway shall be sized and designed to meet the requirements

14 for those facilities and services.

15

16 (f) *Additional requirements.*

17 (1) ~~Drive-through facilities. Drive-through facilities are prohibited in this district.~~

1 Drive through facilities are defined as facilities that provide services
 2 mechanically or personally to customers who do not exit their vehicles, examples
 3 include, but are not limited to, banking facilities, payment windows, restaurant,
 4 food and/or beverage sales, dry cleaning and express mail services. The following
 5 are not considered drive through facilities: auto fuel pumps and depositories
 6 which involve no immediate exchange or dispersal to the customer, such as mail
 7 boxes, library book depositories, and recycling facilities.

8 (1) Circulation Plan.

9 a. Applicability. All new development or redevelopment on more than 50%
 10 of development sites in the Urban Village that is greater than 2 acres in
 11 size (including all contiguous lots/parcels) shall submit a circulation plan
 12 for the site. Abutting property owners or multiple property owners may
 13 submit a binding joint circulation plan that establishes the future
 14 circulation system (including bicycle, pedestrian, motorized vehicle, and
 15 transit) for a specified area. The joint circulation plan shall provide for all
 16 necessary cross-access agreements, deed restrictions, land reservations, or
 17 other methods necessary to implement the circulation plan and ensure
 18 cross-connectivity that runs with the land. The circulation plan shall be
 19 submitted as:

- 20
- 21 1. A preliminary plan approved by the appropriate reviewing board to
 22 guide future development on the site;
- 23
- 24 2. Part of an application for development plan or Planned
 25 Development rezoning;
- 26
- 27 3. Part of a master plan (as defined in Sec. 30-161) for phased
 28 developments; or
- 29
- 30 4. Part of a subdivision, minor subdivision, or lot split application.

31 b. Contents. The circulation plan shall illustrate:

- 32
- 33
- 34 1. The perimeter block size for the proposed development area;
- 35
- 36 2. Proposed new street or urban walkway locations;
- 37
- 38 3. General location of developed areas, future phases, and open
 39 space;
- 40
- 41 4. The connection points to abutting properties including stub-outs
 42 where the abutting property is either undeveloped or contains
 43 development that presents an impediment to connectivity;
- 44

- 1 5. The access point(s) to the existing external roadway network;
 2
 3 6. Location of proposed stormwater facilities;
 4
 5 7. Known, regulated environmental features or regulated natural or
 6 archeological resources;
 7
 8 8. Location of existing or proposed transit stops and connections to
 9 transit stops;
 10
 11 9. Street and/or urban walkway cross-sections including locations of
 12 on-street parking, landscape zone, bike paths, sidewalk zone,
 13 paved area, and the build-to line;
 14
 15 10. Compliance with the primary frontage street requirements; and,
 16
 17 11. A street frontage hierarchy for new streets in the development to
 18 identify where principal building entrances will be located.

19
 20 c. *Review, Expiration, and Amendment of a Circulation Plan.* The
 21 circulation plan is subject to review and approval by the appropriate
 22 reviewing board or by staff when only subject to staff review. A
 23 circulation plan shall be valid for the period of a development plan, PD, or
 24 other final development order when part of another review. Alternatively,
 25 if the circulation plan is a stand-alone plan, it shall be valid for a period of
 26 5 years unless otherwise specified. The circulation plan expiration date
 27 may be extended prior to expiration for good cause with City approval. A
 28 circulation plan may be amended by the appropriate reviewing board or by
 29 staff when only subject to staff review to account for changed conditions
 30 at the site or in the proposed street network in the Urban Village.

31 (2) *Landscape buffers.* All development in this district is exempt from the general
 32 landscape buffer requirements in article VIII of the land development code.

33 (3) *Parking.* Other than as required by the Americans with Disabilities Act (ADA)
 34 and Florida Accessibility Code (FAC) or other state or federal requirements, there shall
 35 be no minimum vehicular parking requirement in University Heights and Archer
 36 Triangle. In the Urban Village, the minimum vehicular parking requirement is 1 space
 37 per residential unit and one-half of the required parking for non-residential uses as
 38 provided in the land development code. Scooter parking shall be provided for residential
 39 uses at a rate of 1 space for every four residential units.

40 a. *Vehicular surface parking.*

41 1. ~~Other than as required by the Americans with Disabilities Act~~
 42 ~~(ADA) and Florida Accessibility Code (FAC) or other state or~~

- 1 federal requirements, there shall be no minimum vehicular parking
 2 requirement. There shall be a maximum vehicular surface parking
 3 allowance of one parking space per 400 square feet of gross floor
 4 area for non-residential uses. There shall be a maximum of 1
 5 surface parking space per unit for multi-family in the Urban
 6 Village. However, there shall be no limit on the number of parking
 7 spaces provided in the form of structured parking for residential or
 8 non-residential uses.
- 9 2. Surface parking lots shall be located in the rear or interior side of
 10 the building.
- 11 3. Surface parking lots adjacent to streets shall meet the standards
 12 depicted in Figure 4-15.0, Parking Exhibit. Surface parking
 13 adjacent to primary frontage streets in the Urban Village shall meet
 14 the standard for principal streets. All other streets in the Urban
 15 Village shall meet the standard for local streets.
- 16 4. Surface parking lots shall comply with the landscaping
 17 requirements in article VIII of the land development code.
- 18 b. *Structured parking facilities.*
- 19 1. Structured parking shall provide architectural detailing on the first
 20 and second stories, such as, but not limited to, variations in
 21 materials, framing of wall openings, vertical or horizontal
 22 expression lines, pilasters, arches, or railings.
- 23 2. Automobiles shall be screened from street view by wall, fence or
 24 vegetative matter.
- 25 3. Structured parking adjacent to streets shall meet the standards
 26 depicted in Figure 4-15.0, Parking Exhibit. Within the Urban
 27 Village, structured parking on primary frontage streets shall meet
 28 the standard for principal streets as depicted in Figure 5.0
 29 including the provision of a minimum of 20 feet of active uses on
 30 the first floor.
- 31 c. *Bicycle parking.*
- 32 1. The owner/developer shall provide a minimum of one space per
 33 ~~1,000~~ 1,500 square feet of gross floor area ~~building square feet~~ for
 34 nonresidential uses and one space per two bedrooms for residential
 35 uses for bicycle parking.
- 36 2. A minimum of 20 percent of the provided bicycle parking shall be
 37 located within the landscape zone or sidewalk zone. The remainder
 38 shall be located a maximum distance of 100 feet from a building

1 entrance and shall be covered from inclement weather or located
2 within an accessory parking structure.

3 d. *Vehicular access.* Developments may have one curb cut located on each
4 street frontage, except that curb cuts shall not be permitted on storefront or
5 principal streets when access may be provided from a local street or alley.

6 (4) *Loading areas and dumpsters.*

7 a. Loading docks shall be prohibited along storefront streets, ~~and~~ principal
8 streets, ~~and principal streets~~, urban throughway streets, and all non-local
9 streets in the Urban Village. If a development has access/frontage only on
10 a storefront or principal street and it is infeasible to provide an alley or
11 other rear loading area on the site, the loading dock must be located in the
12 most unobtrusive location and fully screened from street and sidewalk
13 view.

14 b. Loading dock entrances along the street shall be screened with automatic
15 doors so that the dock and related activities are not visible from the
16 adjacent sidewalk.

17 c. Dumpsters shall be placed at the side or the rear of the building so that
18 they are not visible from the street.

19 d. Dumpsters shall be surrounded by an enclosing wall that is attached to a
20 building. The enclosing wall shall not exceed eight feet in height, and shall
21 be finished or painted with the same material or color as the building. The
22 enclosing wall shall be fitted with an opaque sliding or hinged door and
23 working latch.

24 (5) *Walls and fences.*

25 a. Fences made of chain-link (wholly or in part) are prohibited.

26 b. The maximum height of fences or walls shall be 40 inches when located
27 within a front or side yard and 72 inches when located within a rear yard.

28 (6) *Mechanical equipment.*

29 a. Mechanical equipment shall not be permitted between any building and
30 storefront, urban throughway or principal streets or any non-local street in
31 the Urban Village.

32 b. Screening (by wall, fence or vegetative matter) that exceeds the height of
33 the equipment shall be required if the equipment is visible from the street
34 or adjacent properties. Certain equipment, such as but not limited to, rain
35 barrels or cisterns, shall not require screening provided they are designed
36 to blend with the building and are constructed with the same materials and

- 1 colors.
- 2 c. Chiller plants and similar utility structures.
- 3 1. Chiller plants and similar utility structures shall not be permitted
4 between any building and storefront street, ~~or principal street~~, or
5 any non-local street in the Urban Village.
- 6 2. Chiller plants and similar utility structures shall provide a
7 minimum 15-foot landscape strip planted with shrubs and trees
8 between the structure and the street or abutting properties.
- 9 3. Opaque walls a minimum of six feet in height shall be provided
10 between the structure and the public street.

11 (7) *Signage.*

- 12 a. Signs shall be externally lit. Individual letters and symbols may be
13 internally lit or back-lit.
- 14 b. Finish materials shall consist of one or more of the following:
- 15 1. Wood (painted or unpainted); or
- 16 2. Metal (painted or unpainted); or
- 17 3. Painted or rubberized canvas; or
- 18 4. Strip lighting with the appearance of neon (including individual
19 channel letter signs that are internally illuminated and may have
20 plastic faces); or
- 21 5. Engraving directly on the facade surface; or
- 22 6. Wood-like materials; or
- 23 7. Lettering on transparent windows or doors; or
- 24 8. Vinyl lettering with a painted appearance.

25

26 **Note to codifier: Please delete all existing figures in Section 30-65.2 and insert the**
27 **new figures that appear on the following pages. These new figures supersede and replace**
28 **the existing figures in their entirety. These new figures should remain at the end of**
29 **Section 30-65.2. Please do not intersperse the figures in the text.**

30

31

32

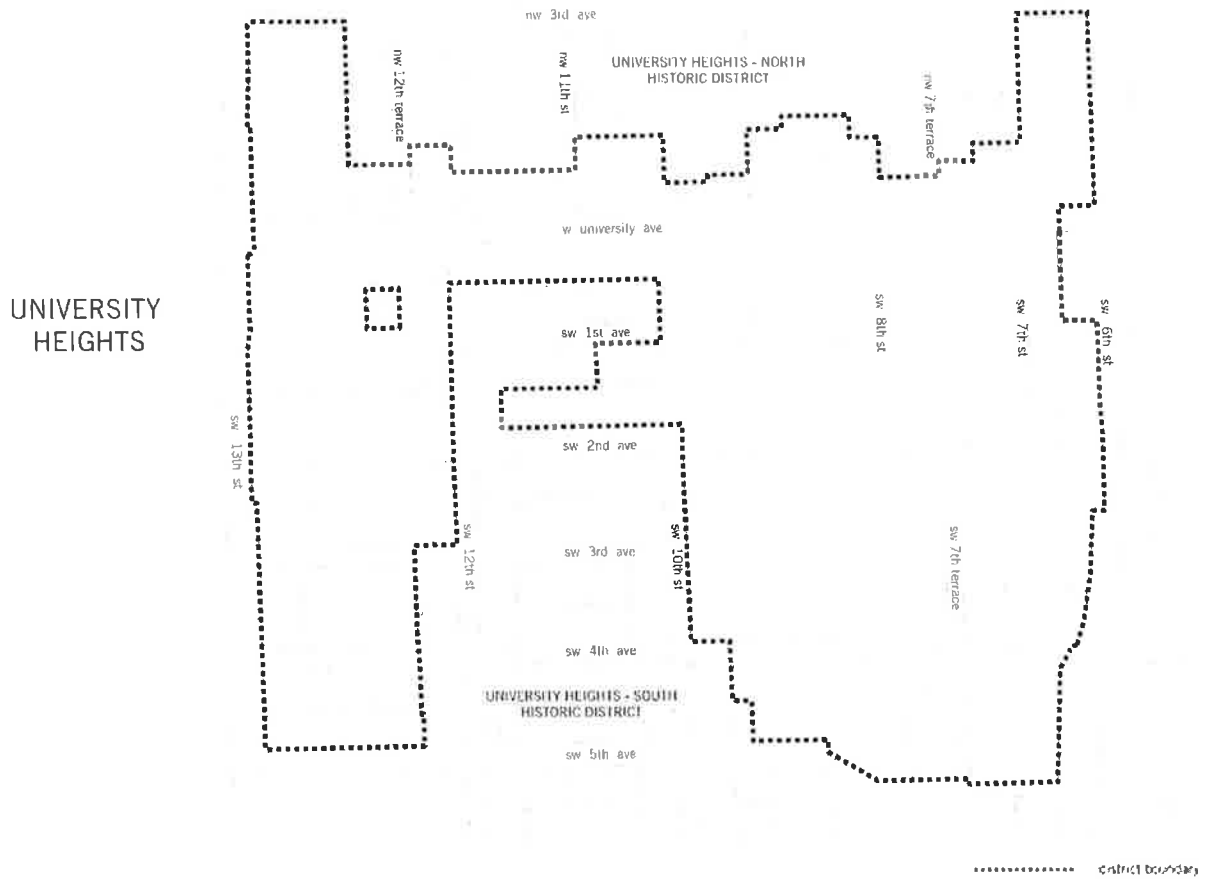


Figure 1.0. District Boundary Map—University Heights

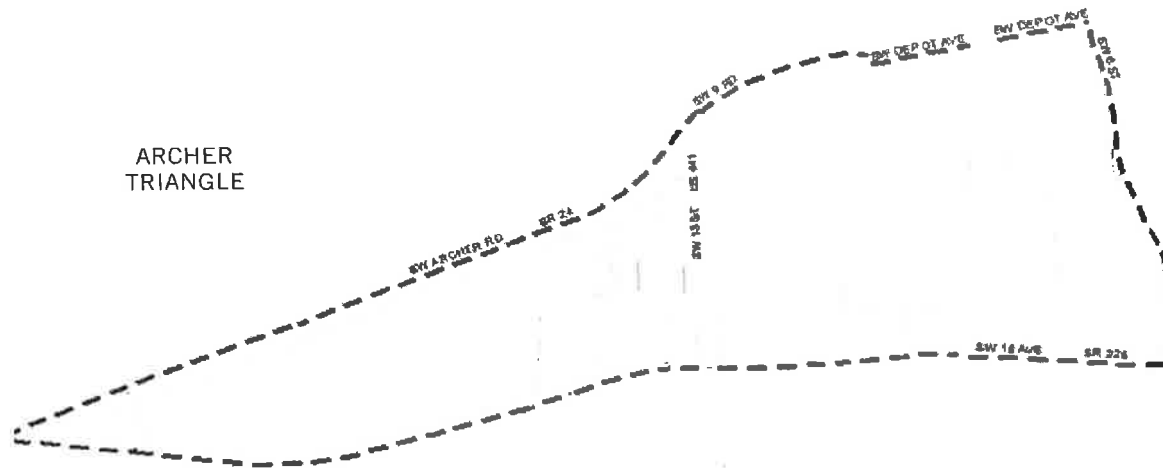


Figure 1.1. District Boundary Map – Archer Triangle

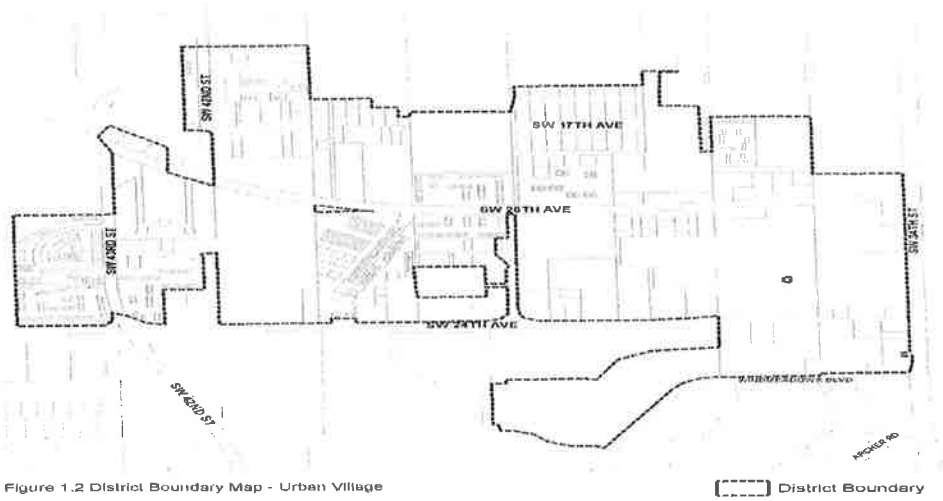


Figure 1.2. District Boundary Map – Urban Village

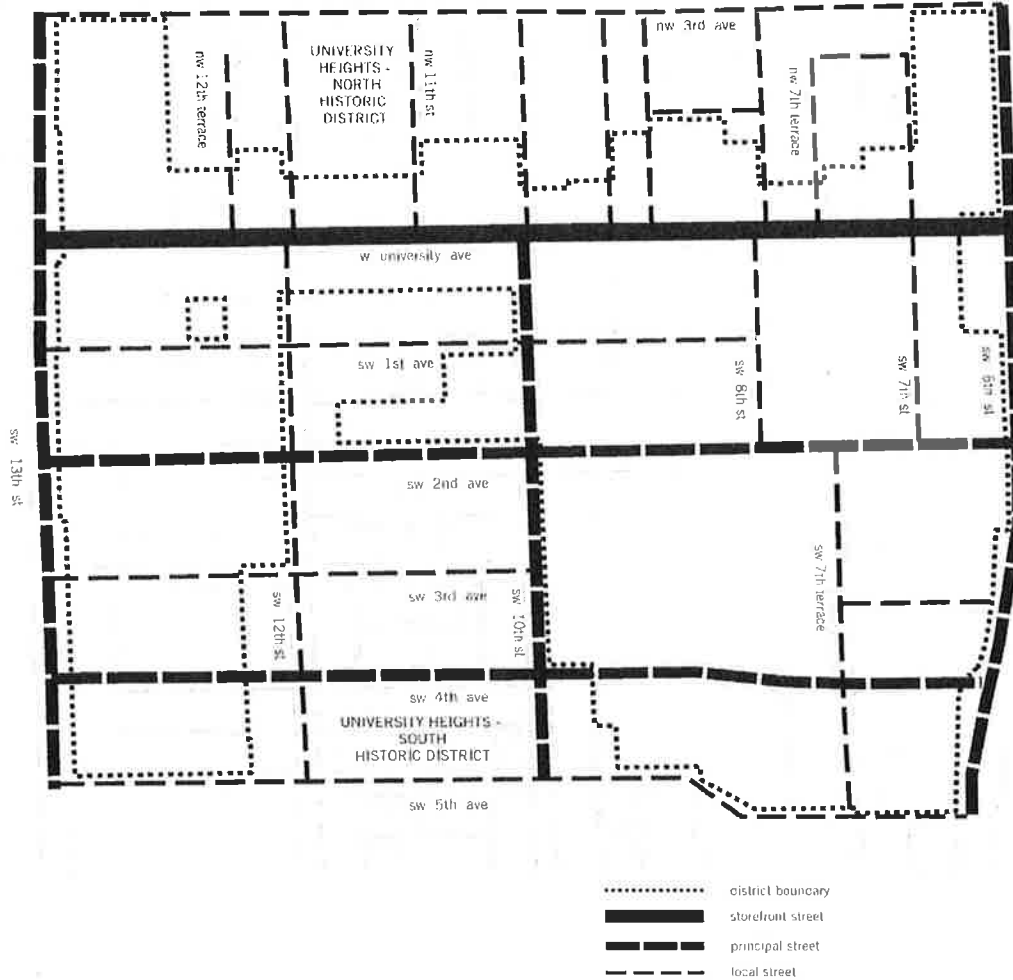


Figure 2.0. Street Types—University Heights

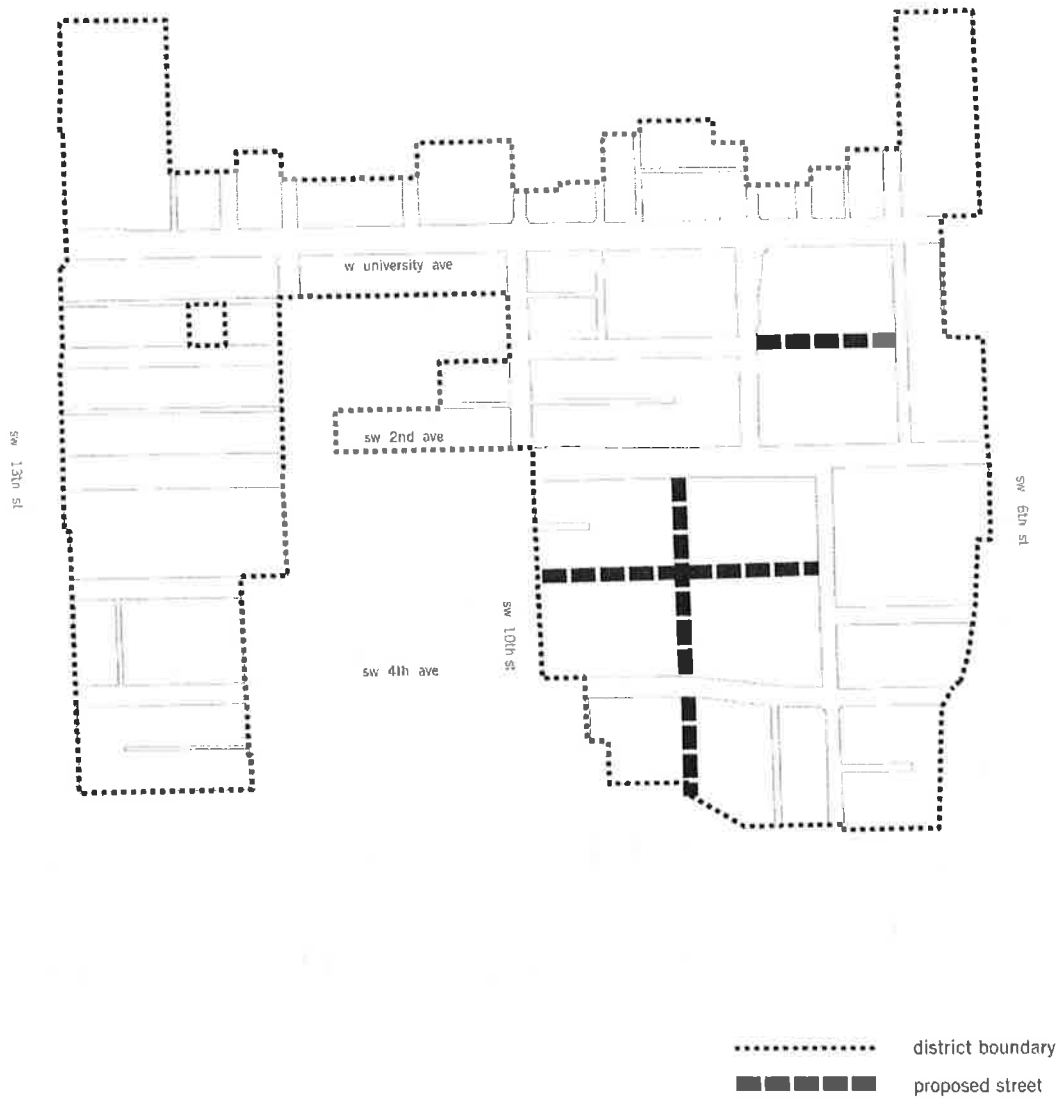


Figure 2.1. Proposed Local Streets—University Heights

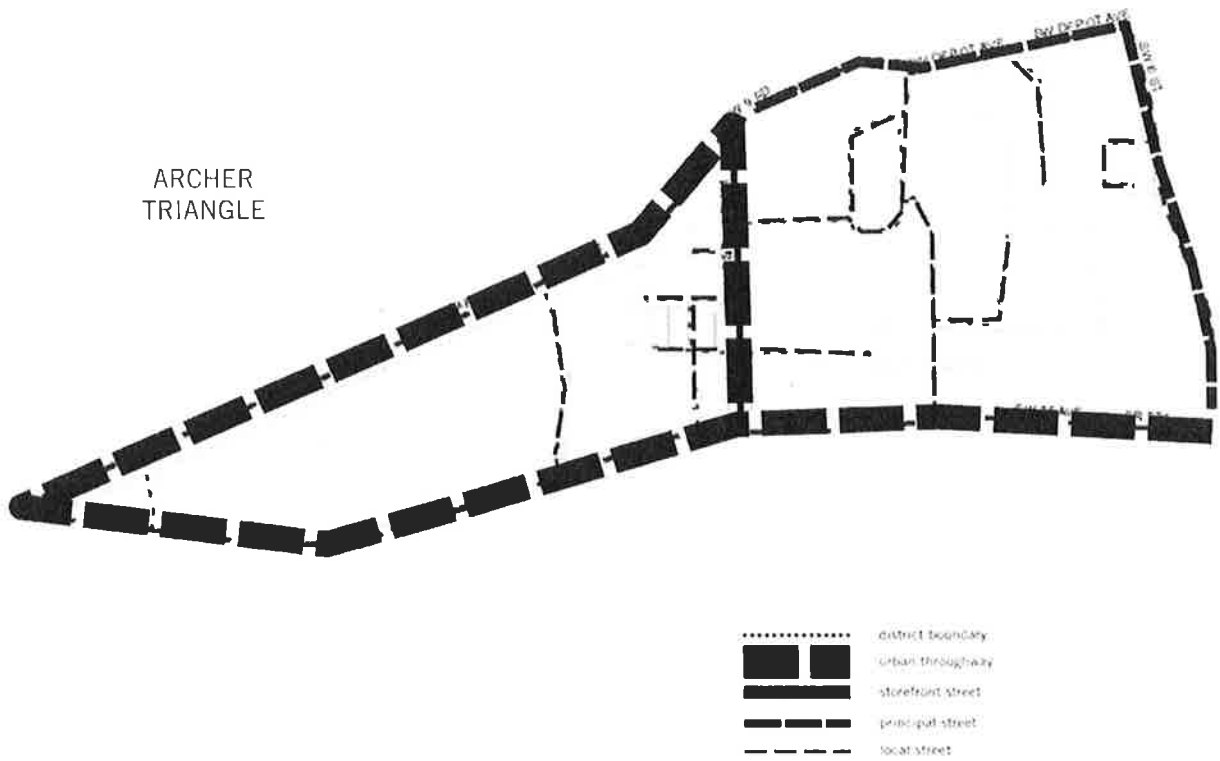


Figure 2.2. Street Types—Archer Triangle

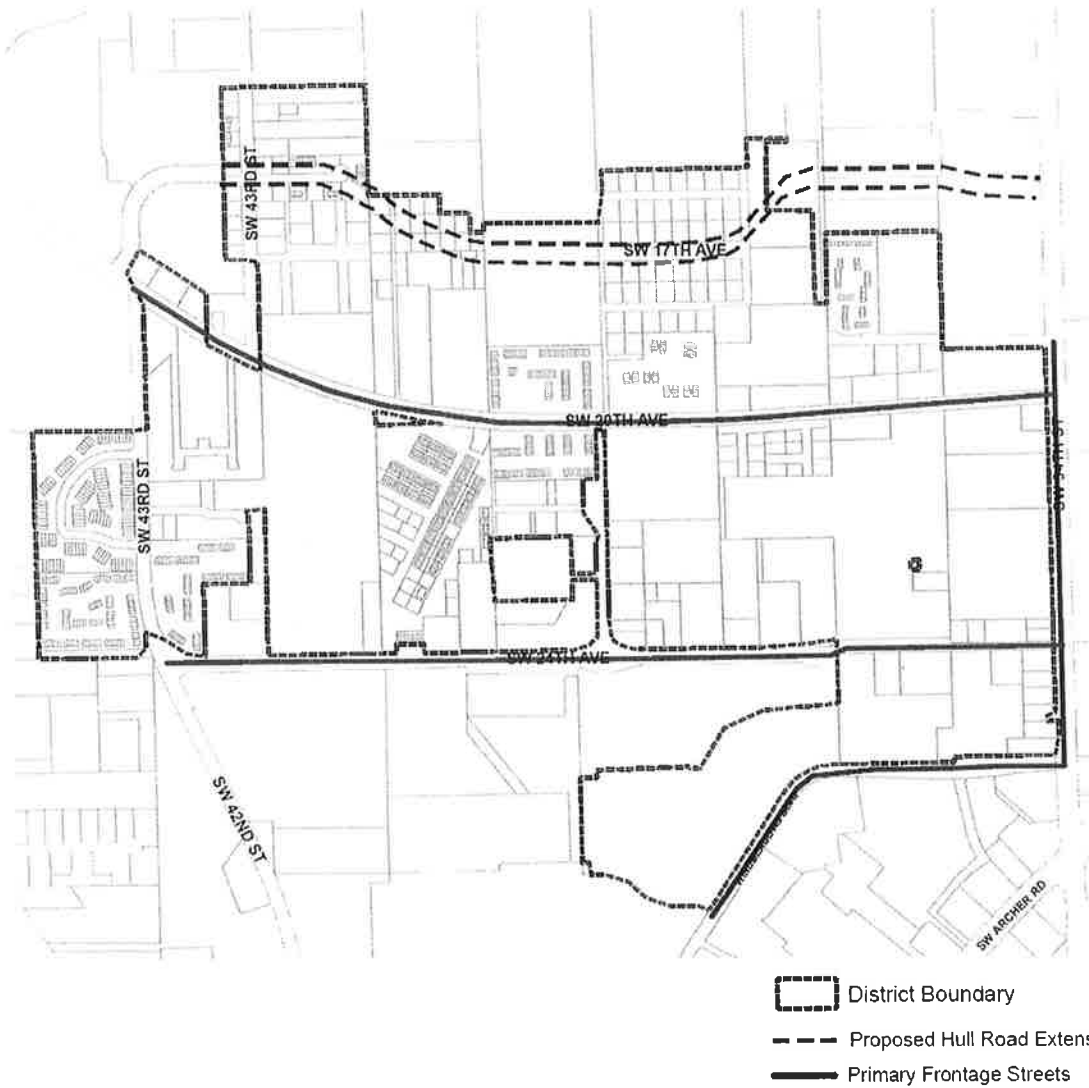


Figure 2.3 Primary Frontage Streets – Urban Village

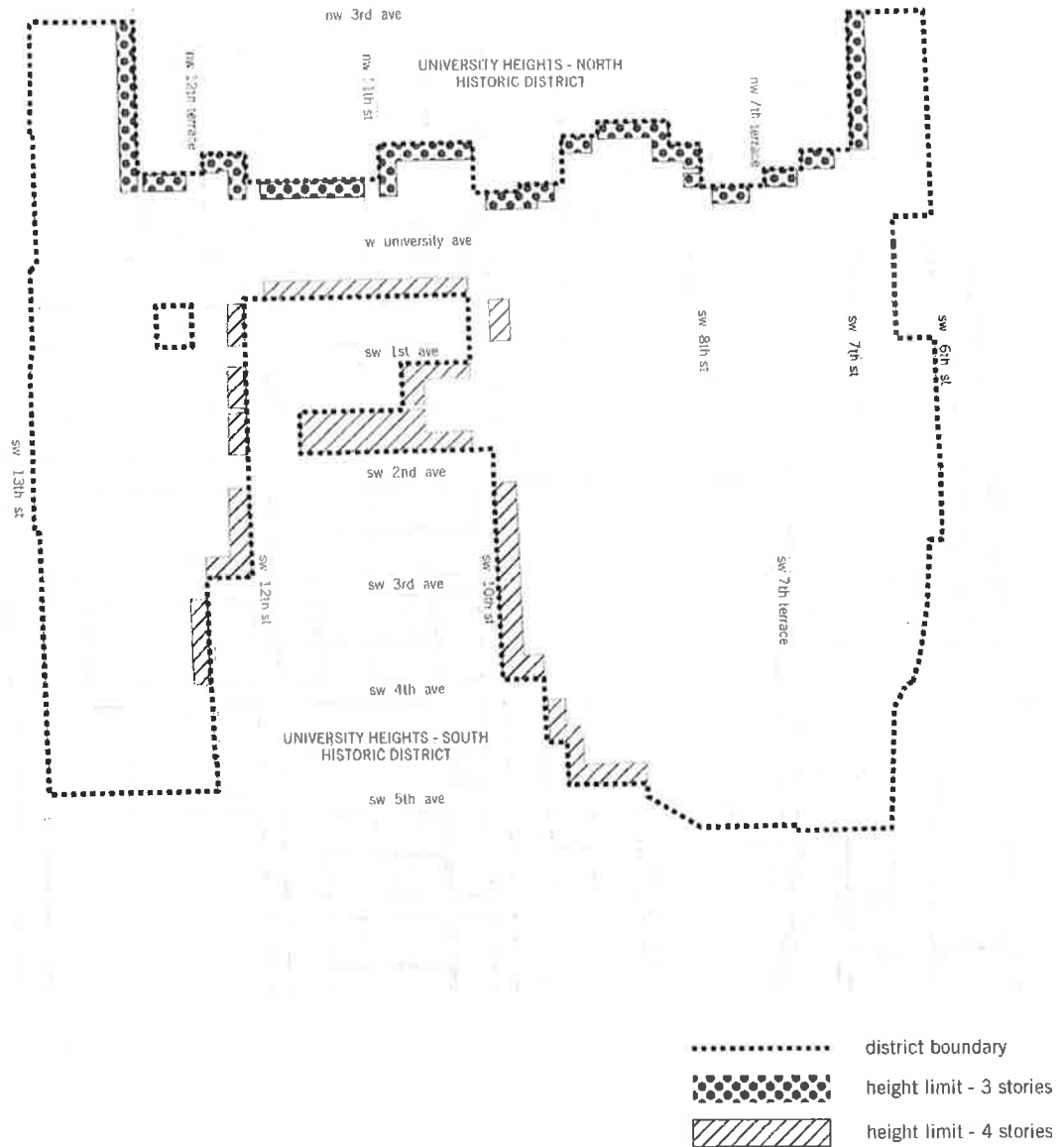


Figure 3.0. Height Limits—University Heights

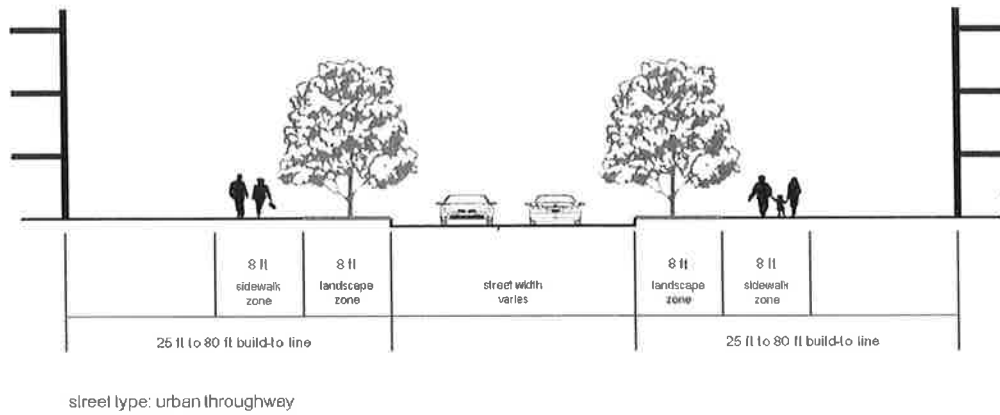
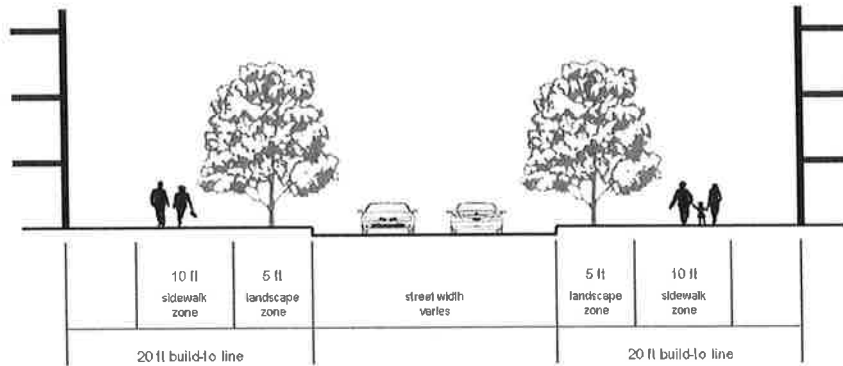
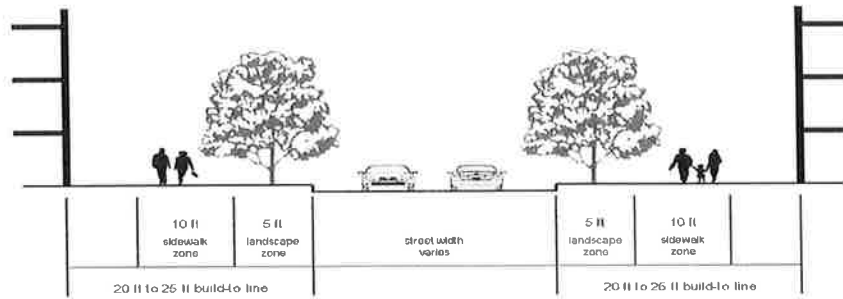


Figure 4.0. Public Realm Requirements – Urban Throughway



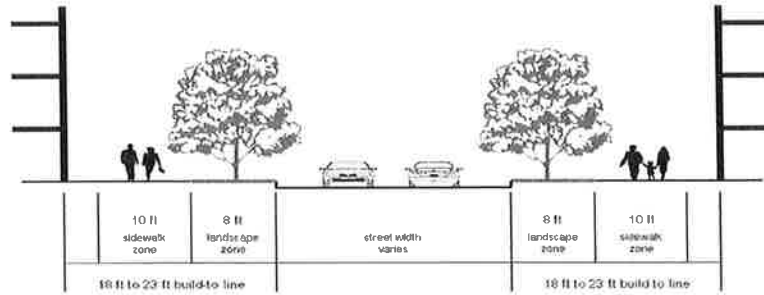
street type: storefront street

Figure 4.1. Public Realm Requirements- Storefront Street



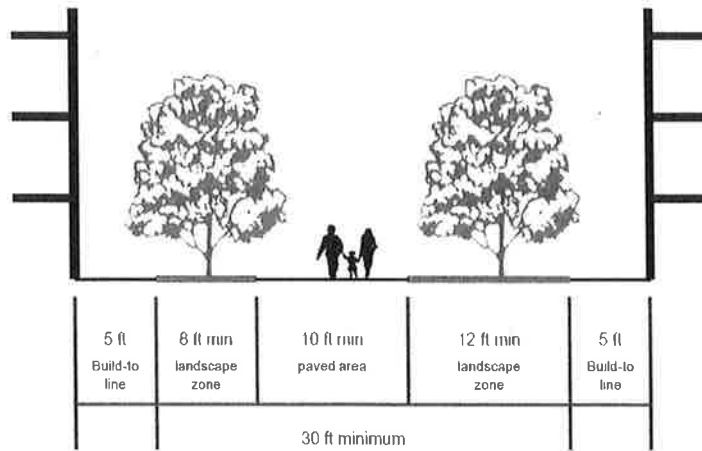
street type: principal street

Figure 4.2. Public Realm Requirements – Principal Street



street type: local street

Figure 4.3. Public Realm Requirements – Local Street



urban walkway type: standard

Figure 4.4. Public Realm Requirements – Standard Urban Walkway

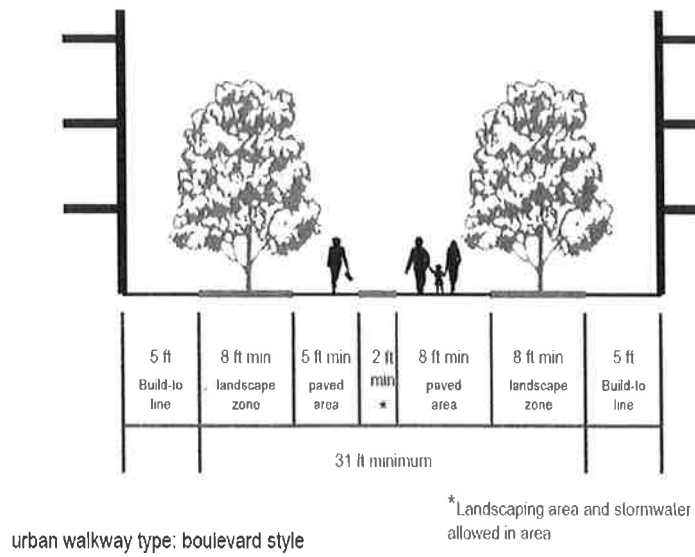


Figure 4.5. Public Realm Requirements – Boulevard Style Urban Walkway

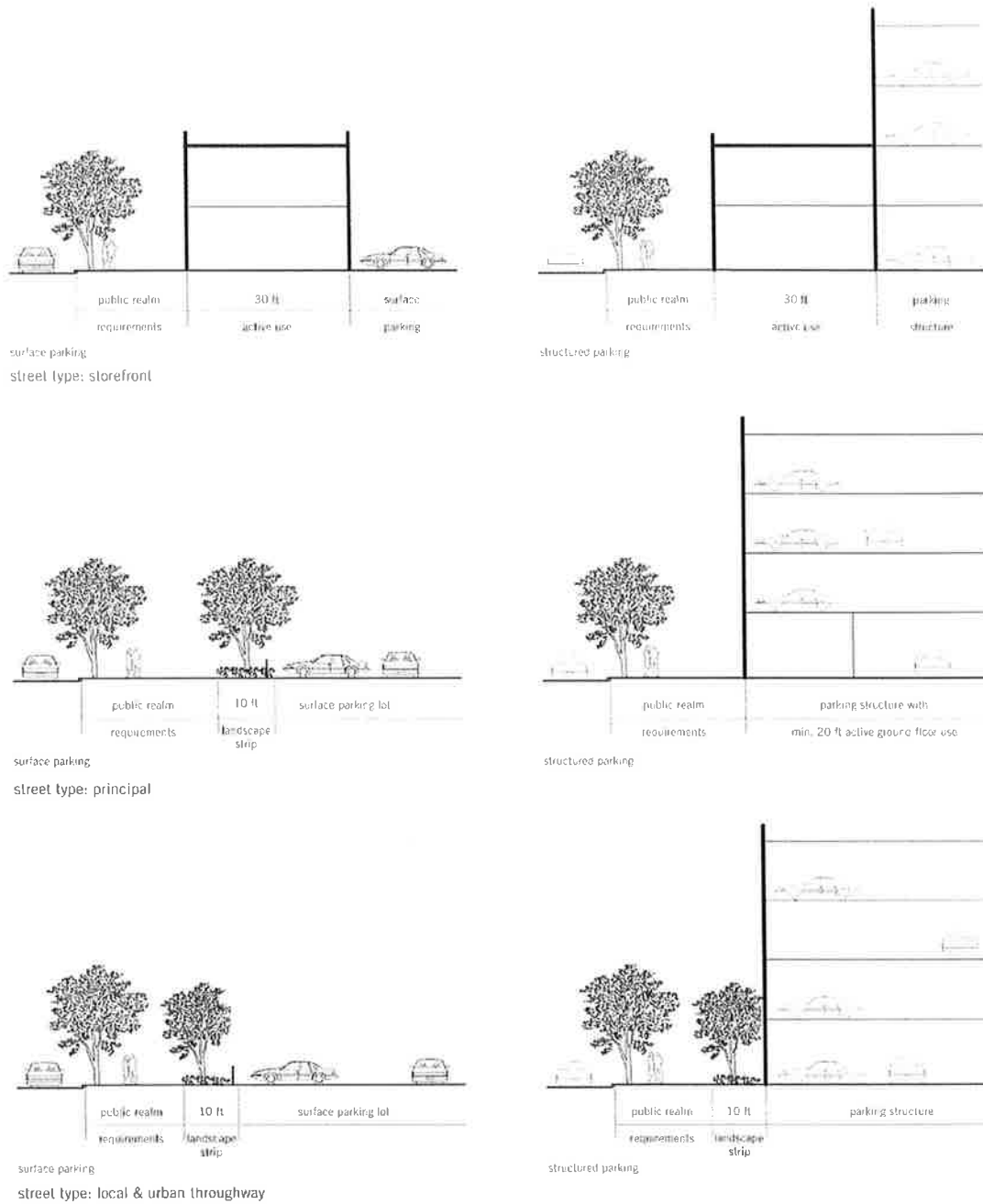


Figure 5.0. Parking Scenarios

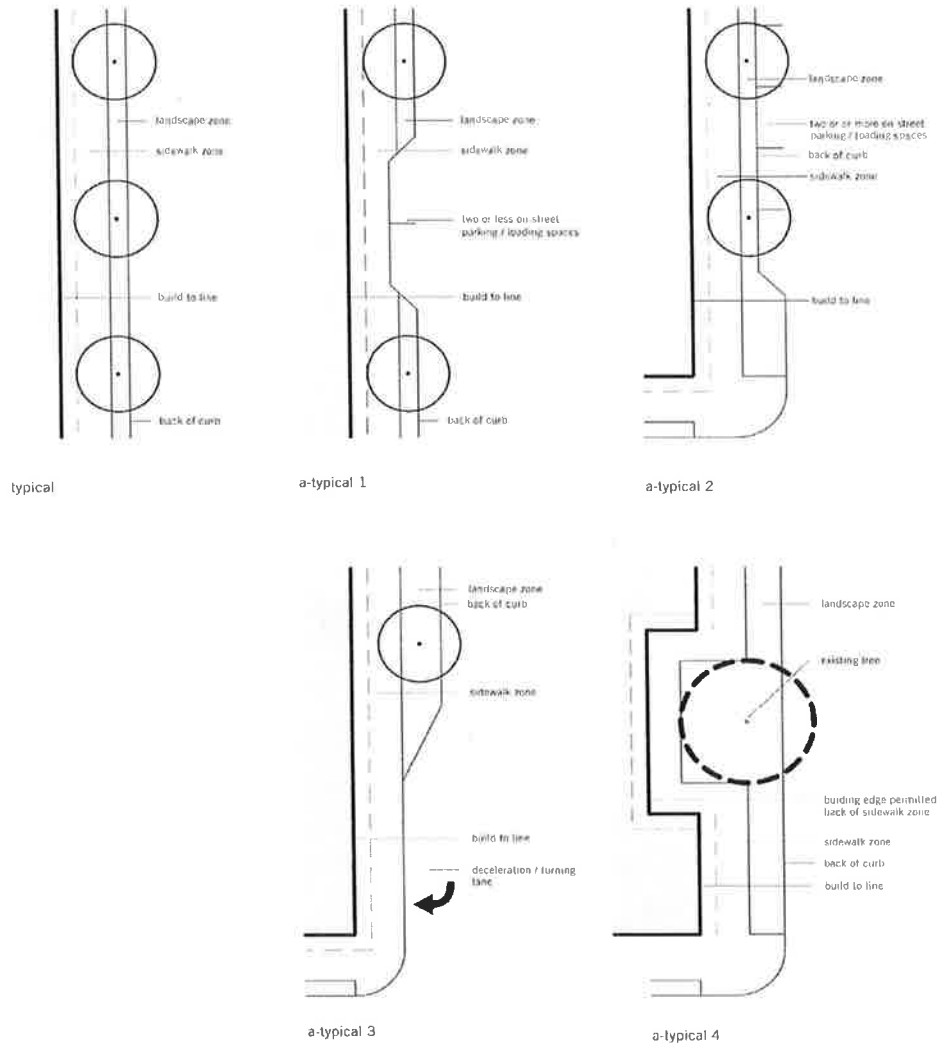


Figure 6.0. Streetscape Scenarios

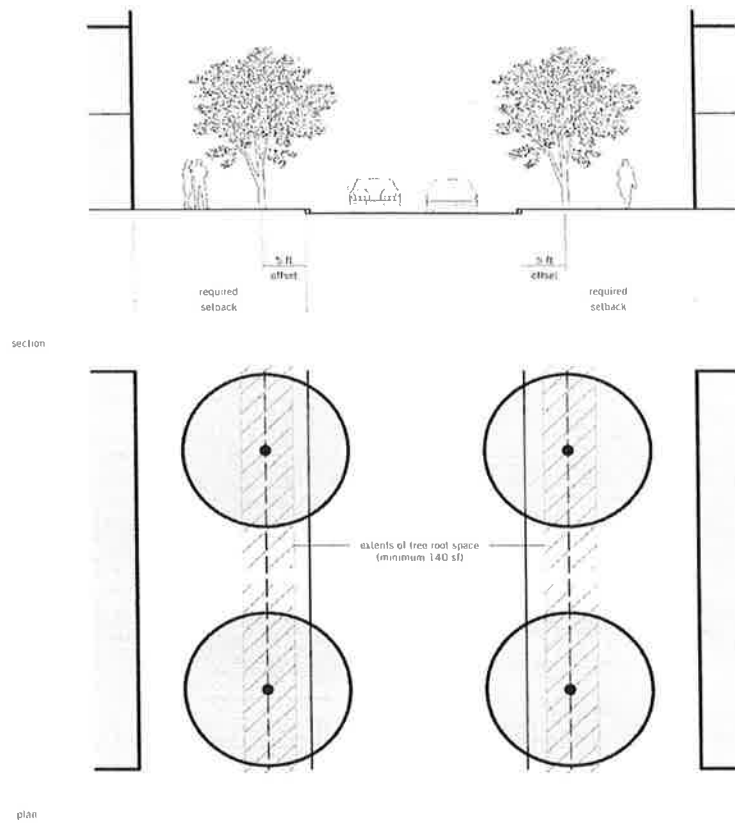


Figure 6.1. – Streetscape with 4’ Clear Zone

NOTE: Clear Zone will vary according to the design speed of the road and the presence or lack of curbing.

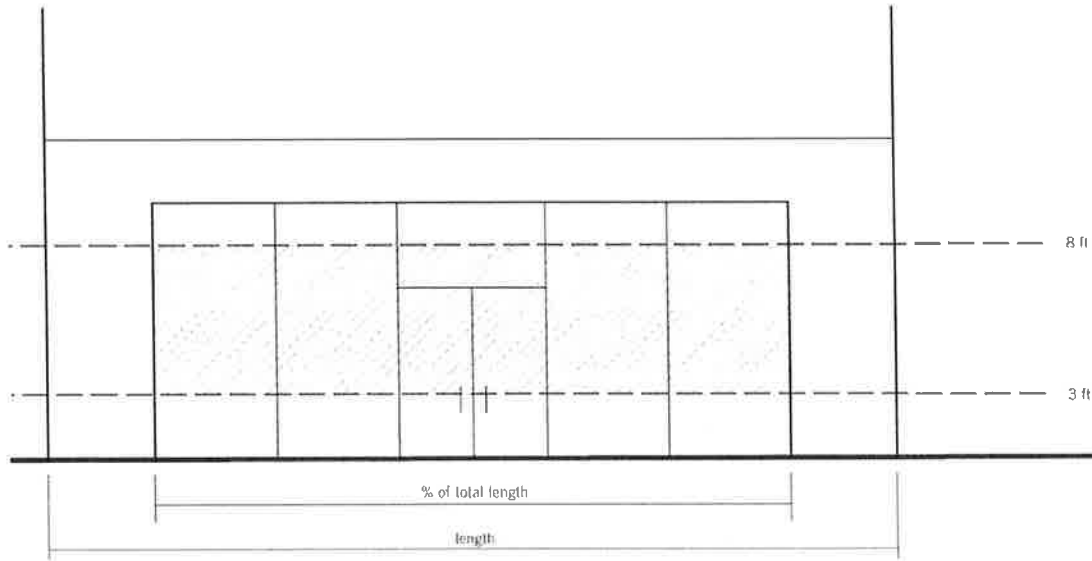


Figure 7.0 Glazing

1 **Section 3.** It is the intention of the City Commission that the provisions of Sections 1
2 and 2 of this ordinance shall become and be made a part of the Code of Ordinances of the City of
3 Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumbered
4 or relettered in order to accomplish such intentions.

5 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
6 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
7 finding shall not affect the other provisions or applications of the ordinance which can be given
8 effect without the invalid or unconstitutional provisions or application, and to this end the
9 provisions of this ordinance are declared severable.

10 **Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
11 such conflict hereby repealed.

12 **Section 6.** This ordinance shall become effective immediately upon final adoption.

13

14 **PASSED AND ADOPTED** this 7th day of June, 2012.

15
16
17
18
19

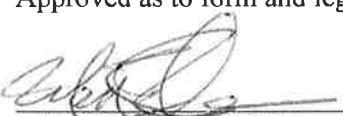

CRAIG LOWE
MAYOR

20 ATTEST:

Approved as to form and legality

21
22
23
24
25


KURT M. LANNON
CLERK OF THE COMMISSION


MARION J. RADSON
CITY ATTORNEY

JUN -7 2012

26

27 This Ordinance passed on first reading this 17th day of May, 2012.

28

29 This Ordinance passed on second reading this 7th day of June, 2012.