

ORDINANCE NO. 200730

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) Section 30-2.1 *Definitions*, Section 30-4.13 *Building Form Standards*, and Section 30-4.14 *Building Design Standards* to modify building frontages, building entrance, building materials, and ground floor tenant space requirements for properties in transect zones; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

**WHEREAS**, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city; and

**WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of Gainesville's Land Development Code is Chapter 30 of the Code of Ordinances); and

**WHEREAS**, this ordinance, which was noticed as required by law, will amend the text of the Land Development Code as described herein; and

**WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 26, 2021, and voted to recommend the City Commission approve this text change to the Land Development Code; and

1 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general  
2 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall  
3 Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

6 **WHEREAS**, the City Commission finds that the Land Development Code text amendment described  
7 herein is consistent with the City of Gainesville Comprehensive Plan.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
9 **FLORIDA:**

10 **SECTION 1.** Section 30-2.1 of the Land Development Code is amended as follows. Except as amended  
11 herein, the remainder of Section 30-2.1 remains in full force and effect.

12 **Sec. 30-2.1. Definitions.**

13 **Glazing** means the design and placement of windows and entrances with clear glass in a building  
14 facade. Glazing percentages are calculated by measuring the area of glazing between three feet and  
15 eight feet above grade, and dividing it by the total area of the building facade between three feet and  
16 eight feet above grade. Required glazing ~~shall be at least 80 percent transparent and shall~~ may not  
17 utilize painted glass, reflective glass or other similarly treated windows. Glazed areas on entrances  
18 may be counted towards meeting the minimum glazing requirements.

19  
20  
21 **SECTION 2.** Subsection B of Section 30-4.13 of the Land Development Code is amended as follows.

22 Except as amended herein, the remainder of Section 30-4.13 remains in full force and effect.

23 **Sec. 30-4.13. Building Form Standards.**

24 B. *Building frontage.* Building frontage requirements ~~shall create a~~ are intended to help frame the  
25 public realm by creating continuous building presence along streets.

- 26 1. The building frontage standards are a proportion of the building length relative to the width of  
27 the development site measured at the site frontage line, (see Figure V-3). Building frontage  
28 standards do not apply to new single-family dwelling construction.

- 29  
30 2. *Frontage hierarchy.*

**Figure V-3: Building Frontage**

a. Where a development has frontage along multiple street types that do not include a thoroughfare, the urban street (storefront or principal, in that order of hierarchy) shall be considered the primary street for the front face of the building.

b. Where a development has frontage on a thoroughfare and any other street type, the thoroughfare shall be considered the primary street.

c. Where a development has frontage on two streets of equal type, then the city manager or designee shall make a determination as to which street frontage shall be considered primary.

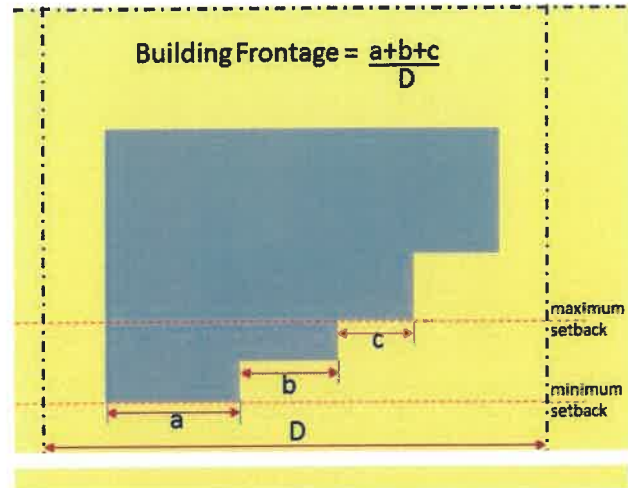


Figure V-4: Example of Gateway



~~3. In the case where the required building frontage cannot be met due to the need to provide vehicular access from the primary frontage, a gateway, arch or similar feature may be provided to preserve the block continuity and may be counted toward meeting the building frontage requirement, (see Figure V-4).~~

3. Outdoor seating areas, when located within the min/max street setback, may be counted towards meeting (up to 30%) the required building frontage requirements. Outdoor seating must be located behind a 3-4-foot screening wall that is integral and aligned with the front building façade. The wall must be architecturally consistent with the materials of the adjoining façade.

4. The appropriate reviewing board may consider alternative proposals for meeting building frontage requirements, including public art installations, innovative and unique landscape/hardscape improvements, or similar methods, which enhance the public realm and create a consistent urban form along the street.

4.5. A preserved high quality heritage tree canopy within the street setback range may count towards meeting the building frontage requirement.

5.6. The ground floor along the street frontages shall must contain active uses oriented to the street. Active uses may include, but are not limited to, display or floor areas for retail uses, waiting and seating areas for restaurants, atriums or lobbies for offices, lobbies or dining areas for hotels or multi-family residential buildings, and hotel rooms or multi-family residential units with street facing entrances. Active uses may include, but are not limited to, display or floor areas for retail uses; waiting and seating areas for restaurants; atriums, lobbies, amenity areas, or dining areas

for hotels or multi-family residential buildings; or ground floor offices. Active uses must be concentrated along storefront and principal designated streets. In the event that all of the abutting roadways are local streets, active ground floor uses must be concentrated along the most primary local street as determined by existing or anticipated pedestrian traffic.

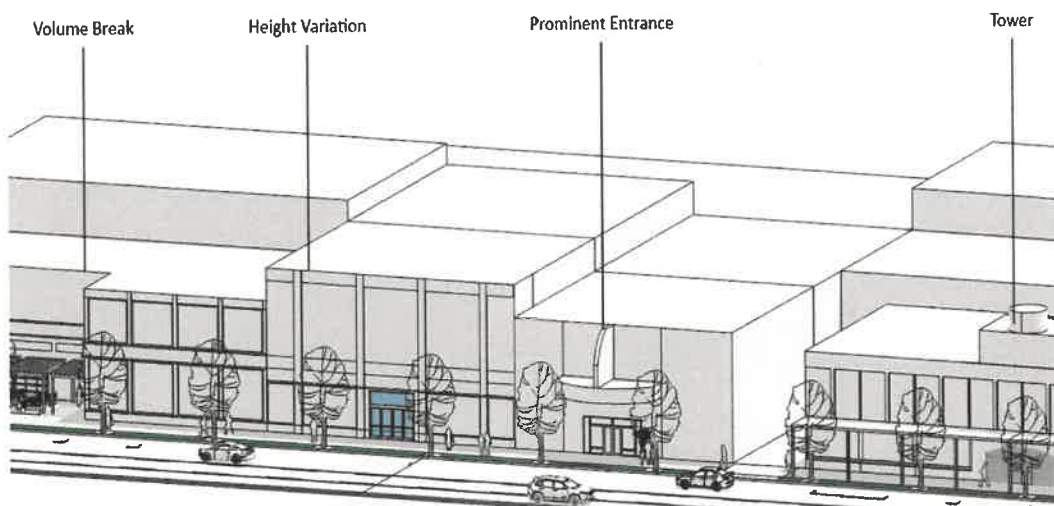
7. In order to make ground floor commercial spaces viable and ready for operation, the owner/developer shall complete, prior to the issuance of any Certificate of Occupancy for the associated building or development, the installation of all mechanical, electrical, plumbing, and fire protection infrastructure necessary for general tenant operability. The owner/developer shall also provide exhaust ventilation and grease interceptors during construction of the initial building shell. Grease interceptor size will be determined by GRU during the grease trap/interceptor permitting process and must provide adequate capacity to serve all prospective ground floor tenant spaces.

**SECTION 3.** Section 30-4.14 of the Land Development Code is amended as follows.

**Sec. 30-4.14. Building Design Standards.**

- A. *Building massing.* Large building volumes ~~must shall~~ be divided to appear as smaller volumes grouped together. Volume breaks may be achieved by volume projections and recesses, and varying heights and roof lines. Therefore, building facades ~~must shall~~ not exceed 60 feet along a street frontage without providing a substantial volume break such as a volume projection or recess, a tower or bay, or an architecturally prominent public entrance. The recesses and projections ~~must shall~~ have a minimum depth and width of ten feet.

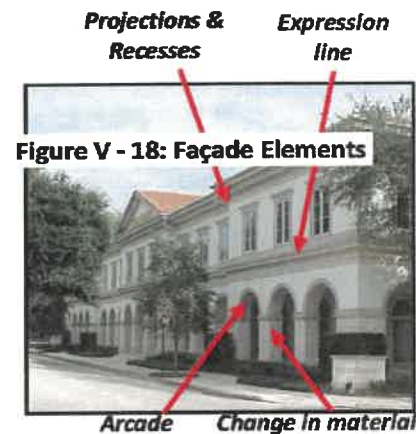
**Figure V-16: Building Massing**



- B. *Facade articulation.* The standards contained in this section apply to multi-family, nonresidential, and mixed-use buildings. Building facades along streets ~~must shall~~ maintain a pedestrian scale by integrating the following architectural elements:

1. Façades ~~may shall~~ not exceed 20 horizontal feet without including at least one of the following elements:

- a. A window or door.
- b. Awning, canopy or marquee.
- c. An offset, column, reveal, void, projecting rib, band, cornice, or similar element with a minimum depth of six inches.
- d. Arcade, gallery or stoop.
- e. Complementary changes in façade materials or texture.



2. An expression line ~~must shall~~ be provided between the first and second stories delineating the transition between ground and upper floors.
3. Architectural treatments on the façade, such as cornices or expression lines, ~~must shall~~ be continued around the sides of the building visible from a street.
4. All building elevations (including secondary/interior side façades) ~~must shall~~ use similar materials and appearance as the front/street facade.

C. Exterior building materials. The following exterior material standards are required for each elevation of each building in any project that: (a) is multi-family residential or mixed-use projects that include both residential and nonresidential uses; (b) meets the threshold of either intermediate or major development plan review; or (c) is greater than two stories and is located on a storefront street, principal street, or thoroughfare street.

1. Exterior materials must be durable and weather-resistant and must be applied and maintained in accordance with the manufacturer's specifications or installation instructions.
2. Because the overall palette of materials should not be overly complex, each elevation must be limited to no more than three materials. The material for trim, fascia, mechanical penetrations, and other similar features may be excluded from this material limitation.
3. Exterior material classifications on each elevation must meet the percentages in Table X: Exterior Building Material Percentages. Interior elevations that do not face a public street or sidewalk are exempt from the requirements of Table X. Material percentage calculations are based on the elevation area for each individual elevation excluding window glazing or door areas.
  - a. Class I: brick masonry; stone masonry; cast stone masonry; precast concrete – architectural finish; concrete – architectural finish; glass wall system; metal panel.
  - b. Class II: stucco; fiber cement panel; fiber cement lap siding; manufactured stone; wood.
  - c. Class III: concrete masonry unit – architectural finish; concrete masonry unit – unfinished; precast concrete – unfinished; concrete – unfinished; wood composite lap siding; EIFS (Exterior Insulation Finishing Systems); synthetic stucco.

**Table X: Exterior Building Material Percentages**

<u>Development threshold</u>	<u>Class I %</u>	<u>Class II &amp; III*%</u>
<u>Intermediate project</u>	<u>30 (min) - 100 (max)</u>	<u>0 (min) - 70 (max)</u>
<u>Major project</u>	<u>60 (min) -100 (max)</u>	<u>0 (min) – 40 (max)</u>

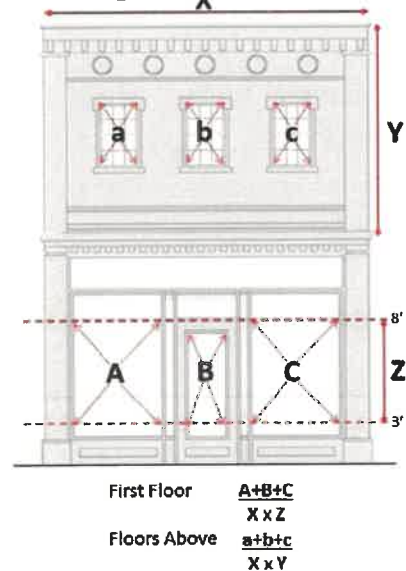
d. Class III materials may not constitute more than 30 percent of any building elevation. Unfinished concrete, precast concrete, or concrete masonry units may not be used on any building elevation facing a public street or sidewalk. Exterior Insulation and Finish System (EIFS) may only be located at least 12-feet above ground level, measured from the base of the subject elevation

4. The appropriate reviewing authority may allow modifications of exterior building material standards, including allowing the use of alternative materials not listed in Table X, considering the degree that the proposed substitute material is substantially similar in durability and longevity.

#### G. D. Glazing requirements.

1. Glazing percentages shall must be calculated as follows:
  - a. Nonresidential first floor: The area of glass between three feet and eight feet above finished floor, divided by the area of the building façade also between three feet and eight feet above finished floor.
  - b. Nonresidential above first floor: The combined area of glass on all floors above the first divided by the total area of the building façade for those floors.
  - c. Residential: The area of glass divided by the area of the façade.
2. The approving authority may allow reduced glazing and/or glass transmittance for places of religious assembly and schools.
3. There is no maximum limit on how much glazing may be provided. However, if glass walls are used, an architectural feature, such as a canopy/marquee, overhang, or a horizontal change in plane shall must be provided between the first and second floors to ensure pedestrian scale at the sidewalk level.
4. Windows and glass doors shall must be glazed in clear glass with 8070 percent minimum transmittance. The use of reflective glass and reflective film is prohibited on the ground floor of all buildings.

**Figure V - 17: Non-Residential Glazing**



#### D. E. Building entrances.

1. Each building shall provide must include a primary public entrance oriented toward the public right-of-way, and may be located at the building corner facing the intersection of two streets. Additional entrances may be provided on other sides of the building.

2. Primary public entrances ~~shall~~must be operable, clearly-defined, and highly-visible. In order to emphasize entrances, they ~~shall~~must be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy, or marquee. Primary public entrances ~~shall~~must provide direct access to building areas dedicated to ground floor active uses specified in Sec. 30-4.13.B.5.

3. All multi-family residential units along street frontages shall contain street facing entrances. Where a ground floor unit has an entrance from an interior hallway, a secondary entrance to the unit shall be provided with access to the adjoining sidewalk.

~~3~~ 4. Building frontages for non-residential uses along the street shall~~must~~ have functional entrances at least every 150 feet.

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


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

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

**SECTION 7.** This ordinance will become effective immediately upon adoption.

**PASSED AND ADOPTED** this 17<sup>th</sup> day of February, 2022.

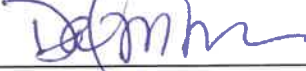
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LAUREN POE  
MAYOR

Attest:

  
OMICHELE D. GAINES  
CITY CLERK

Approved as to form and legality:

  
DANIEL M. NEE  
INTERIM CITY ATTORNEY

This ordinance passed on first reading this 3<sup>rd</sup> day of February, 2022.

This ordinance passed on second reading this 17<sup>th</sup> day of February, 2022.