

Appendix B

Land Development Code Regulations

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

- (a) Intent. The UMU-2 zoning district is created to promote and encourage redevelopment of the existing urban commercial areas and neighborhoods near the University of Florida. The district is intended to encourage multimodal mobility and to allow uses and development compatible with each other and with surrounding residential areas and which are consistent with the land use policies of the comprehensive plan. Furthermore, this district is intended to allow for establishments engaged in conducting research and experimental development in the physical, engineering or life sciences, in order to facilitate technology transfer from institutions of higher learning to the market place. The objectives of this district are to:
- (1) Provide a mixture of residential, commercial and office/research uses that are complementary to the residential and mixed-use character of the district;
 - (2) Encourage quality redevelopment and the renovation of existing structures;
 - (3) Promote multimodal transportation and create high-quality urban streetscapes by using buildings, sidewalks, and street trees to form a pleasant, convenient and safe environment designed for pedestrians, bicyclists, public transit, and automobiles;
 - (4) Promote retail and office uses that serve the surrounding neighborhoods and enhance the viability of existing commercial areas by focusing new development in appropriate locations;
 - (5) Promote office/research uses that serve the needs of the University and the community and enhance the development of the local innovation economy; and
 - (6) Promote infill and redevelopment in the Urban Village to improve the urban form and increase mobility and interconnectivity by creating a gridded street network and sidewalk connections.
- (b) Administration.
- (1) Required compliance. All development shall comply with these zoning district regulations except as otherwise provided by variance of the board of adjustment or by board modification, or administrative modification, as described below.
 - (2) Modifications.
 - a. Board modification. The appropriate reviewing board shall have the authority to grant modifications limited to the build-to line, building frontage, building relationship to the street, building articulation and design, landscape zone, sidewalk zone and streets/blocks standards as are set forth in this section, where the board finds by substantial competent evidence that:
 1. The proposed development offers unique/alternative compliance that meets the intent of the UMU-2 zoning district; the requested modification is the minimum necessary to allow reasonable development of the site; and the requested modification is not injurious to the public health, safety and welfare; or
 2. An undue hardship, owing to conditions peculiar to the land or structure and not the result of the action of the applicant, would result from strict adherence to the standard; or
 3. The sidewalk zone or landscape zone cannot be constructed due to restrictions by the governmental entity responsible for the street where the sidewalk or landscaping is proposed.
 - b. Administrative modification. The city manager or designee shall have the authority to grant limited modifications, as set forth below, where the city manager or designee determines that the proposed development meets the intent of the UMU-2 zoning district, the requested modification is the minimum necessary to allow reasonable development of the site and the requested modification is not injurious to the public health, safety and welfare. Administrative modifications are limited to the following:

1. Build-to lines: Modification not to exceed three feet beyond the required build-to line.
 2. Glazing: Reduction of no more than ten percent of the required glazing.
 3. First floor height: Reduction of no more than four feet of the required minimum height.
 4. Sidewalk zones: Reduction of no more than two feet from the required width, provided that a minimum five feet of unobstructed width is maintained.
 5. Landscape zones: Reduction of no more than one foot from the required width, provided that the required root space is allocated for street trees.
 6. Building frontage: Allowance of insets in the building façade for the purpose of providing pedestrian forecourts, courtyards, plazas, cafes or other public outdoor gathering areas. The allowance for the inset may be up to 20 feet in length and greater than five feet in depth and up to ten feet in depth. In addition, insets for high quality heritage trees may be allowed up to the required area to protect the tree.
- c. In granting a modification, the reviewing board or administrator may impose any reasonable additional conditions, restrictions or limitations deemed necessary or desirable by the board or administrator to preserve and promote the intent of the UMU-2 zoning district.
 - d. All requests for modifications shall be submitted in writing with the application for development review on forms provided by the city. The request shall be approved or denied during development plan review and, if granted, shall be noted on the final development plan. If denied, there is no further administrative appeals process.
- (3) Effect of regulations. Where this section specifically addresses a requirement and it is in conflict with other provisions of this land development code, the requirement of this section shall govern. Where this section does not specifically address a requirement, the applicable provisions of the land development code shall apply.
 - (4) This zoning district applies only to land zoned UMU-2 and located within the University Heights, Archer Triangle, and Urban Village areas. These areas are depicted in Figures 1.0, 1.1 and 1.2.
 - (5) All figures referenced in this section are located at the end of this section.

(c) Uses.

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

SIC	Uses	Conditions
	Compound uses	
	Single-family dwellings	
	Rowhouses	
	Multi-family dwellings	Minimum and maximum densities are set forth in the Dimensional Requirements Table in this section
	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	
	Food trucks	In accordance with article VI
	Repair services for household needs	
	Specialty T-shirt production	

	Structured parking	In accordance with subsection (f)(3) below
	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	
	Scooter sales	Only within enclosed buildings in accordance with section 30-67(g). Facilities to service scooters are permitted as an accessory use when such facilities do not exceed 45% of the gross floor area of the enclosed building.
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)
Div. J	Public administration	Excluding correctional institutions (IN-9223)
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	

MG-78	Motion picture	
MG-79	Amusement and recreation services	Excluding go-cart rental and raceway operations, commercial sports, and simulated gambling establishments. Must be located within enclosed structures.
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	

(2) Permitted uses by special use permit are as follows:

SIC	Uses	Conditions
	Alcoholic beverage establishments	In accordance with article VI
	Surface parking (as a principal use)	Only within the University Heights District and in accordance with subsection (f)(3) below

- (3) Prohibited uses: 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.
- (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, examples include, but are not limited to, banking facilities, payment windows, restaurant, food and/or beverage sales, dry cleaning and express mail services. The following are not considered drive-through facilities: 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.

(d) Site development requirements.

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

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	10 feet	5 feet, or 25 feet when abutting property designated single-family or residential low-density on the future land use

	map.		map.
Lot coverage (maximum)	N/A	N/A	80%
Building frontage ¹	70% minimum	N/A	70% minimum
Density (minimum) ²	Within University Heights and the Archer Triangle, N/A	N/A	Within University Heights and the Archer Triangle, 10 du/acre
	Within the Urban Village, to be considered mixed-use, a residential development must include a minimum of 10,000 square feet of nonresidential uses; and a nonresidential development must contain a minimum of 3 residential units.		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.
Density (maximum)	Within University Heights and the Archer Triangle, 100 du/acre, or up to 125 du/acre by special use permit.	N/A	Within University Heights and the Archer Triangle, 100 du/acre, or up to 125 du/acre by special use permit.
	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)		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).
Height and Stories	Non-single-family buildings shall have a minimum height of 24 feet.		
	A maximum of six stories is permitted by right. Unless otherwise specified, a maximum of		

	eight stories is permitted by special use permit in all areas except the Power District.
	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 nonresidential development).
	Within University Heights, a maximum of three or four stories for a 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.
	Within the Power District, a maximum of three stories is permitted at the build-to line when located adjacent to residentially zoned properties as depicted in Figure 3.1, with a step back of 15 feet per additional building story up to the maximum permitted.

Notes to Table:

¹ Minor insets (defined as up to five feet in depth) for the purpose of creating articulation and architectural interest in the building façade will be deemed to meet the build-to line and shall be included in computing the building frontage.

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

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

- a. All principal nonresidential buildings are required to have a main entrance facing the street or an urban walkway. If a building fronts both a street and an urban walkway, the main entrance shall face the street. A main entrance shall be indicated on building floor plans by the placement of atriums, lobbies, or other entry rooms at the entrance and through the inclusion of architectural entry features such as, but not limited to, awnings, arcades, columns or archways, and by providing a level of architectural detailing that is comparable to or exceeds other entrances to the building.
- b. Two-family dwellings and rowhouse residential units on the first story shall have a functional entrance on the street or on an urban walkway.
- c. For nonresidential and multiple family residential (except for two family dwellings and rowhouses) buildings, the façade fronting a street or an urban walkway shall have a functional entrance at least every 150 feet.
- d. Sidewalk connections to the public sidewalk must be provided from all building entrances that face the street or an urban walkway. These connections shall provide at least five feet of unobstructed width.

- e. Front porches or covered stoops for multi-family uses.
 - 1. Two-family dwellings and rowhouse residential units on the first floor along a street or urban walkway shall have individual front porches or covered stoops.
 - 2. Front porches or covered stoops shall have a minimum surface area of 25 square feet with a minimum depth of five feet and a minimum width of five feet.
 - 3. Front porches or covered stoops shall be open and not air conditioned.
 - 4. Front porches may only be screened where they are located behind the build-to line.
- f. Except for a driveway to reach the side yard or rear yard or on-site parking, neither driveways nor surface parking lots are permitted between the sidewalk and a building or between an urban walkway and a building. Driveways shall be perpendicular to any adjacent street. In the Urban Village, porte cocheres or covered drop-off areas in front of a building may be allowed for hotels, medical facilities, nursing homes, or assisted living facilities. Porte cocheres or covered drop-off areas shall be designed to meet queuing requirements such that vehicular traffic does not overflow out on public streets or sidewalks and does not impede safe and convenient pedestrian circulation at the site.

(3) Building articulation and design.

- a. Glazing. As depicted in Figure 7.0, glazing percentages are calculated by measuring the area of glazing between three feet and eight feet above grade, and dividing it by the total area of the building façade between three feet and eight feet above grade. Required glazing must be at least 80 percent transparent and shall not utilize painted glass, reflective glass or other similarly treated windows. Glazed areas on entrances may be counted towards meeting the minimum glazing requirements.
 - 1. For multi-family residential uses, the minimum glazing percentage shall be 30 percent for the first story and 20 percent for upper stories, on all street frontages or urban walkways.
 - 2. For nonresidential uses, minimum glazing percentage shall be 50 percent for the first story on local and urban throughway street frontages and all street frontages in the Urban Village, and 65 percent for the first story on storefront street and principal street frontages. In the Urban Village, nonresidential buildings fronting on an urban walkway shall have a minimum glazing percentage of 50 percent for the first story.
- b. Delineation of stories. The area between the first and second stories along all street frontages shall include architectural detailing, such as, but not limited to, variations in materials or horizontal expression lines, to visually delineate the first and second stories.
- c. First floor height. All multi-story buildings on storefront streets shall have a minimum first story floor-to-floor height of 15 feet.
- d. First floor uses. On principal and storefront streets, buildings shall be designed so that the area of the first floor along the street frontage contains active uses that are 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, and lobbies or dining areas for hotels or multifamily residential buildings. Residential units shall not be located directly on the first floor street frontage of buildings on storefront streets.

(e) Public realm requirements.

- (1) Existing streets. The street types referred to throughout this section (local street, principal street, storefront street and urban throughway) are identified and depicted in Figure 2.0 and Figure 2.2.
- (2) Primary frontage streets. Within the Urban Village, primary frontage streets are identified and depicted in Figure 2.3. All buildings with multiple street frontages shall orient the main entrance and the front face to the primary frontage street. If a building fronts both SW 34th Street and

another primary frontage street, the main entrance and the front face shall be oriented toward SW 34th Street. In the case of corner lots, corner entrances that front both streets are allowed.

(3) New streets/blocks.

- a. Within the University Heights area, subdivisions, minor subdivisions, lot splits, and development that requires development plan review shall be required to include new local streets so that the resulting block(s) will not exceed a maximum block perimeter of 2,000 feet.
- b. Within the Archer Triangle area, subdivisions, minor subdivisions, lot splits, and development on sites greater than two acres which propose new development on more than 50 percent of the site shall be required to include new local streets within the subdivision, minor subdivision, lot split or development so that the resulting block(s) will not exceed a maximum block perimeter of 2,600 feet.
- c. Within the Urban Village area, subdivisions, minor subdivisions, lot splits, and development on sites greater than two acres which propose new development on more than 50 percent of the site shall be required to include new local streets within the subdivision, minor subdivision, lot split or development so that the resulting block(s) will not exceed a maximum block perimeter of 2,000 feet.
- d. Within the Urban Village area, an urban walkway may be used to meet the block perimeter requirements, subject to city approval. An urban walkway is a pedestrian/bicycle pathway that is either: a minimum width of 30 feet with a single contiguous paved area of at least ten feet or a minimum width of 31 feet with a separated (boulevard style) paved area with a minimum contiguous paved area of eight feet on one side and five feet on the other side. Urban walkways must provide a minimum eight-foot landscape zone area on each side of the paved area. Unpaved areas in an urban walkway must be landscaped and may contain stormwater facilities. Urban walkways may contain benches, fountains, outdoor cafes or other outdoor uses as long as a minimum sidewalk width as specified above is maintained. Cross-sections for urban walkways must be submitted as part of a required circulation plan or as part of a development plan when a circulation plan is not required. The cross-section must illustrate paved area, landscape zone, build-to line and any outdoor uses. An urban walkway may be used as an interim/temporary method for retaining the required area for a future street when an abutting development/redevelopment occurs. In this case, the total width may be reduced to 25 feet, while maintaining a contiguous minimum paved width of ten feet. The width and cross-section of the urban walkway is subject to review and approval by the city to ensure that future street construction can occur in the area provided. If the urban walkway will be a permanent area, it may be used to count toward meeting open space requirements even if it is later dedicated as a public urban walkway. Notwithstanding the foregoing, in the case where an urban walkway provides access for fire and rescue vehicles, stormwater management, utilities or other public facilities and services, the urban walkway shall be sized and designed to meet the requirements for those facilities and services.
- e. The required local streets, multi-use paths or urban walkways shall be constructed at the expense of the owner/developer as part of the subdivision, minor subdivision, lot split or development, to serve the subdivision, minor subdivision, lot split or development, and shall be constructed according to the appropriate city standards as determined through the development review, subdivision, minor subdivision or lot split process, but may be sited and configured in a manner so that they provide the most appropriate access to the development, subdivision, minor subdivision or lot split. Where a street is planned to continue beyond the extent of a development, subdivision, minor subdivision or lot split, the development shall provide for the continuation of the street by stubbing out the improvements as close as is practicable to edge of the property boundary.

The required local streets or multi-use paths or urban walkways may be dedicated for public right-of-way after construction, if the city desires to accept same for maintenance, or

may be privately owned streets, multi-use paths or urban walkways provided the streets, multi-use paths or urban walkways remain open for public ingress and egress.

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

1. Requires the city and/or the Gainesville Community Redevelopment Agency to construct the required local streets as public streets within two years of final approval; and
2. Provides for the conveyance or dedication of the associated right-of-way from the property owner to the city, at no cost to the city.

The city may enter into such an agreement only when the city determines that doing so would be in the public interest and when the city and/or the Gainesville Community Redevelopment Agency has budgeted legally available funds for the construction of the required local streets. The form and content of the agreement shall be provided by and acceptable to the city in its sole discretion.

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

(4) Sidewalk zone.

- a. The minimum sidewalk dimensions are set forth in the Streetscape Dimensions Table.
- b. The sidewalk zone shall be continuous and entirely hardscaped by the owner/developer and shall be immediately contiguous to the landscape zone.
- c. Outdoor seating may encroach into the sidewalk zone provided that a minimum unobstructed width of five feet is maintained.
- d. Balconies, marquees, projecting signs, and awnings may encroach into the sidewalk zone up to a distance of half the required sidewalk dimension, provided that they are at least nine feet above the grade of the sidewalk.
- e. The owner/developer shall construct new sidewalks to align with existing sidewalks on abutting properties.

(5) Landscape zone.

- a. There shall be a continuous landscape zone adjacent to the curb which shall meet the dimensions set forth in the Streetscape Dimensions Table. This zone allows the placement of street trees, street furniture and light poles, fire hydrants, traffic signs, bus shelters, bicycle racks, litter receptacles, benches and similar items. In the Urban Village, street trees in the landscape zone may not intrude into the public right-of-way without approval from the governmental entity responsible for the public road.
- b. The owner/developer shall install street trees to meet the spacing requirements set forth in the Streetscape Dimensions Table. All street trees shall be provided a minimum of 140 square feet of root room to a depth of three feet, and shall be planted no closer than ten feet from any building or wall foundation.

- c. The area of the landscape zone between trees shall be hardscape on storefront streets and principal streets. Hardscape is optional for streets with on-street parking. Street trees shall be planted within a landscaping or grass strip on local streets, urban throughway streets, and all streets in the Urban Village. In the Urban Village, a board modification to allow hardscape within the landscape zone may be requested. Surface openings for trees within tree wells shall be at least 18 square feet. Landscaping utilized between street trees should not exceed 30 inches at mature height.
 - d. Where heritage trees are located within the public right-of-way they should be preserved and no new construction placed within the tree root plate. New buildings should be designed so that no more than 25 percent of the crown of these preserved trees is removed. The removal, relocation or replacement of heritage trees shall be in accordance with section 30-258 of the land development code.
 - e. Street trees shall meet state department of transportation clear zone requirements, adopted pursuant to F.S. Ch. 316 and adopted by reference in chapter 26 of this Code. A visual example is provided in Figure 6.1, Streetscape with Four-Foot Clear Zone.
- (6) Build-to line.
- a. The build-to line shall be measured from the back of curb. Except that, in the Urban Village, the build-to line shall be measured from the property line on swale system streets and from the back edge of the landscape zone on urban walkways.
 - b. The build-to-line shall be calculated as the sum of the required landscape zone, sidewalk zone and required setback from the sidewalk zone. Except that, on urban walkways, the build-to line shall be a fixed five feet from the back edge of the landscape zone.
 - c. The build-to line standards of this section shall not result in structures being built in the public right-of-way. If the build-to line dimensions result in a build-to line within the public right-of-way, the actual build-to line shall be established at the property line adjacent to the public right-of-way.
- (7) Transit facilities. Transit stop facilities shall be within the landscape zone or sidewalk zone or right-of-way and located in accordance with the most current "Regional Transit System Bus Stop Improvement Plan" on file with the Regional Transit System.

Streetscape Dimensions Table

	Urban Throughway and SW 34th Street	Storefront streets	Principal streets	Local streets or private streets ¹	Swale system streets	SW 24 th Avenue
Landscape zone (minimum)	8 feet	5 feet	5 feet	8 feet	8 feet	8 feet
Street tree spacing	35 feet (minimum) to 50 feet (maximum),	35 feet (minimum) to 50 feet (maximum),	35 feet (minimum) to 50 feet (maximum),	35 feet (minimum) to 50 feet (maximum),	35 feet (minimum) to 50 feet (maximum),	35 feet (minimum) to 50 feet (maximum),

	on center	on center	on center	on center	on center	on center
Sidewalk zone (minimum)	8 feet	10 feet	10 feet	10 feet	8 feet	8 feet
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	15-25 feet setback from the back of right-of-way	20-25 feet setback from the back of curb
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	15-25 feet setback from the back of right-of-way	25-30 feet setback from the back of curb

Note to Table:

¹ Newly constructed local or private streets shall be curb and gutter unless otherwise approved by the city's public works department.

Examples of the landscape zone, sidewalk zone and streetscape scenarios are depicted in Figures 4.0—4.3, Public Realm Requirements and Figure 6.0, Streetscape Scenarios.

Urban Walkway Dimensions Table ¹

Overall Width	Paved Area	Landscape Zone	Build-to Line
30 feet (minimum) for single; 31 feet (minimum) for split boulevard style	10 feet (minimum) for single; or 8 feet (minimum) and 5 feet (minimum) for split boulevard style	8 feet (minimum)	5 feet from back edge of landscape zone

¹ Notwithstanding the standards set forth in this table, in the case where an urban walkway provides access for fire and rescue vehicles, stormwater management, utilities or other public facilities and services, the urban walkway shall be sized and designed to meet the requirements for those facilities and services.

(f) Additional requirements.

(1) Circulation plan.

- a. Applicability. All new development or redevelopment on more than 50 percent of development sites in the Urban Village that is greater than two acres in size (including all contiguous lots/parcels) shall submit a circulation plan for the site. Abutting property owners or multiple property owners may submit a binding joint circulation plan that establishes the future circulation system (including bicycle, pedestrian, motorized vehicle, and transit) for a specified area. The joint circulation plan shall provide for all necessary cross-access agreements, deed restrictions, land reservations, or other methods necessary to implement the circulation plan and ensure cross-connectivity that runs with the land. The circulation plan shall be submitted as:
 1. A preliminary plan approved by the appropriate reviewing board to guide future development on the site;
 2. Part of an application for development plan or planned development rezoning;
 3. Part of a master plan (as defined in section 30-161) for phased developments; or
 4. Part of a subdivision, minor subdivision, or lot split application.
- b. Contents. The circulation plan shall illustrate:
 1. The perimeter block size for the proposed development area;
 2. Proposed new street or urban walkway locations;
 3. General location of developed areas, future phases, and open space;
 4. The connection points to abutting properties including stub-outs where the abutting property is either undeveloped or contains development that presents an impediment to connectivity;
 5. The access point(s) to the existing external roadway network;
 6. Location of proposed stormwater facilities;
 7. Known, regulated environmental features or regulated natural or archeological resources;
 8. Location of existing or proposed transit stops and connections to transit stops;
 9. Street and/or urban walkway cross-sections including locations of on-street parking, landscape zone, bike paths, sidewalk zone, paved area, and the build-to line;
 10. Compliance with the primary frontage street requirements; and
 11. A street frontage hierarchy for new streets in the development to identify where principal building entrances will be located.
- c. Review, expiration, and amendment of a circulation plan. The circulation plan is subject to review and approval by the appropriate reviewing board or by staff when only subject to staff review. A circulation plan shall be valid for the period of a development plan, PD, or other final development order when part of another review. Alternatively, if the circulation plan is a stand-alone plan, it shall be valid for a period of five years unless otherwise specified. The circulation plan expiration date may be extended prior to expiration for good cause with city approval. A circulation plan may be amended by the appropriate reviewing board or by staff when only subject to staff review to account for changed conditions at the site or in the proposed street network in the Urban Village.

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

- (3) Parking. Other than as required by the Americans with Disabilities Act (ADA) and Florida Accessibility Code (FAC) or other state or federal requirements, there shall be no minimum vehicular parking requirement in University Heights and Archer Triangle. In the Urban Village, the minimum vehicular parking requirement is one space per residential unit and one-half of the required parking for nonresidential uses as provided in the land development code. Scooter parking shall be provided for residential uses at a rate of one space for every four residential units.
- a. Surface parking (as an accessory use).
 - 1. There shall be a maximum vehicular surface parking allowance of one parking space per 400 square feet of gross floor area for nonresidential uses. There shall be a maximum of one surface parking space per unit for multi-family in the Urban Village. However, there shall be no limit on the number of parking spaces provided in the form of structured parking for residential or nonresidential uses.
 - 2. Surface parking shall be located in the rear or interior side of the building.
 - 3. Surface parking adjacent to streets shall meet the standards depicted in Figure 5.0, Parking Exhibit. Surface parking adjacent to primary frontage streets in the Urban Village shall meet the standard for principal streets. All other streets in the Urban Village shall meet the standard for local streets.
 - 4. Surface parking lots shall comply with the landscaping requirements in article VIII of the land development code.
 - b. Surface parking (as a principal use). In addition to the special use permit regulations found in Article VII, Division 5, Special Use Permit, this subsection provides additional regulations for surface parking as a principal use within the University Heights Area. If provisions in this subsection conflict with the provisions in Article VII, Division 5, the provisions in this subsection shall prevail.
 - 1. Surface parking shall be permitted only when the surface parking will be replaced with either a building or structured parking in accordance with an approved master plan.
 - 2. Surface parking shall be paved.
 - 3. Surface parking shall have either perimeter landscaping in accordance with the landscape regulations as provided in this land development code or perimeter garden walls that create a visual buffer, are at least 25 percent opaque, and do not exceed a height of 72 inches.
 - 4. Surface parking shall be in compliance with all lighting and stormwater regulations in this land development code.
 - 5. Any special use permit approved pursuant to this subsection shall be valid for a period not to exceed five years. The city plan board may extend a special use permit approved under this section for an additional period not to exceed five years if the applicant demonstrates that development in accordance with the approved master plan has commenced.
 - c. Structured parking.
 - 1. Shall not be located within 100 feet of property designated for single-family use on the future land use map.
 - 2. Structured parking shall provide architectural detailing on the first and second stories, such as, but not limited to, variations in materials, framing of wall openings, vertical or horizontal expression lines, pilasters, arches, or railings.
 - 3. Automobiles shall be screened from street view by wall, fence or vegetative matter.
 - 4. Structured parking adjacent to streets shall meet the standards depicted in Figure 5.0, Parking Exhibit. Within the Urban Village, structured parking on primary frontage

streets shall meet the standard for principal streets as depicted in Figure 5.0 including the provision of a minimum of 20 feet of active uses on the first floor.

- d. Bicycle parking.
 - 1. The owner/developer shall provide a minimum of one space per 2,000 square feet of gross floor area for nonresidential uses and one space per three bedrooms for residential uses for bicycle parking.
 - 2. A minimum of ten percent of the provided bicycle parking shall be located between the building and the street. The remainder shall be located a maximum distance of 100 feet from a building entrance and shall be covered from inclement weather or located within an accessory parking structure.
- e. Vehicular access. Developments may have one curb cut located on each street frontage, except that curb cuts shall not be permitted on storefront or principal streets when access may be provided from a local street or alley.

(4) Loading areas and dumpsters.

- a. Loading docks shall be prohibited along storefront streets, principal streets, urban throughway streets, and all non-local streets in the Urban Village. If a development has access/frontage only on a storefront or principal street and it is infeasible to provide an alley or other rear loading area on the site, the loading dock must be located in the most unobtrusive location and fully screened from street and sidewalk view.
- b. Loading dock entrances along the street shall be screened with automatic doors so that the dock and related activities are not visible from the adjacent sidewalk.
- c. Dumpsters shall be placed at the side or the rear of the building so that they are not visible from the street.
- d. Dumpsters shall be surrounded by an enclosing wall that is attached to a building. The enclosing wall shall not exceed eight feet in height, and shall be finished or painted with the same material or color as the building. The enclosing wall shall be fitted with an opaque sliding or hinged door and working latch.

(5) Walls and fences.

- a. Fences made of chain-link (wholly or in part) are prohibited.
- b. The maximum height of fences or walls shall be 40 inches when located within a front or side yard and 72 inches when located within a rear yard.

(6) Mechanical equipment.

- a. Mechanical equipment shall not be permitted between any building and storefront, urban throughway or principal streets or any non-local street in the Urban Village.
- b. Screening (by wall, fence or vegetative matter) that exceeds the height of the equipment shall be required if the equipment is visible from the street or adjacent properties. Certain equipment, such as but not limited to, rain barrels or cisterns, shall not require screening provided they are designed to blend with the building and are constructed with the same materials and colors.
- c. Chiller plants and similar utility structures.
 - 1. Chiller plants and similar utility structures shall not be permitted between any building and storefront street, principal street or any non-local street in the Urban Village.
 - 2. Chiller plants and similar utility structures shall provide a minimum 15-foot landscape strip planted with shrubs and trees between the structure and the street or abutting properties.

3. Opaque walls a minimum of six feet in height shall be provided between the structure and the public street.
- (7) Signage.
- a. Signs shall be externally lit. Individual letters and symbols may be internally lit or back-lit.
 - b. Finish materials shall consist of one or more of the following:
 1. Wood (painted or unpainted); or
 2. Metal (painted or unpainted); or
 3. Painted or rubberized canvas; or
 4. Strip lighting with the appearance of neon (including individual channel letter signs that are internally illuminated and may have plastic faces); or
 5. Engraving directly on the facade surface; or
 6. Wood-like materials; or
 7. Lettering on transparent windows or doors; or
 8. Vinyl lettering with a painted appearance.

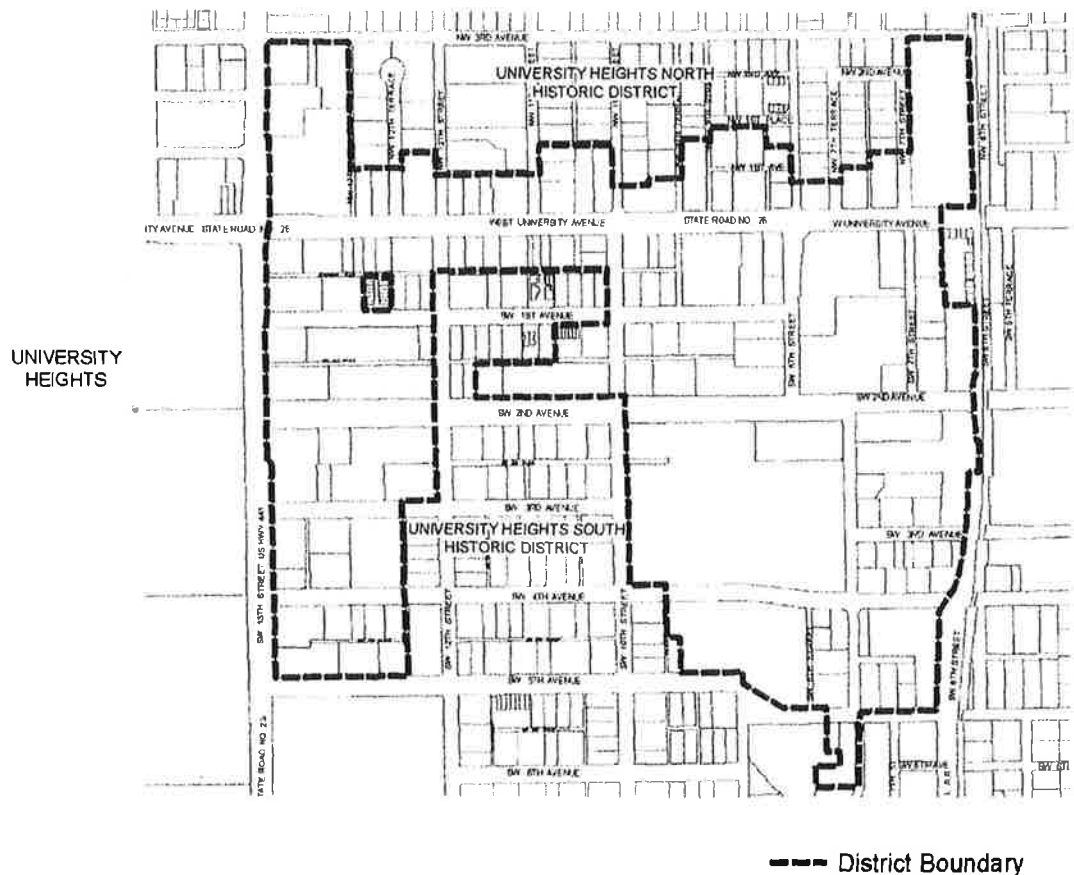


Figure 1.0 District Boundary Map—University Heights

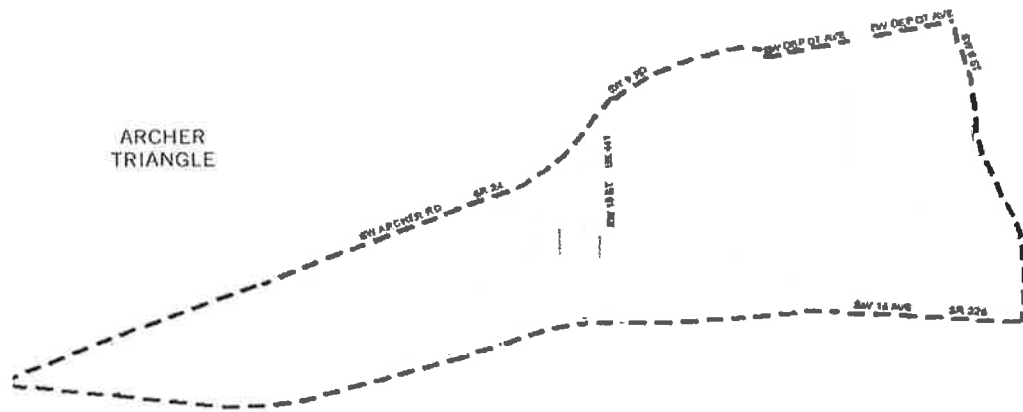


Figure 1.1 District Boundary Map—Archer Triangle

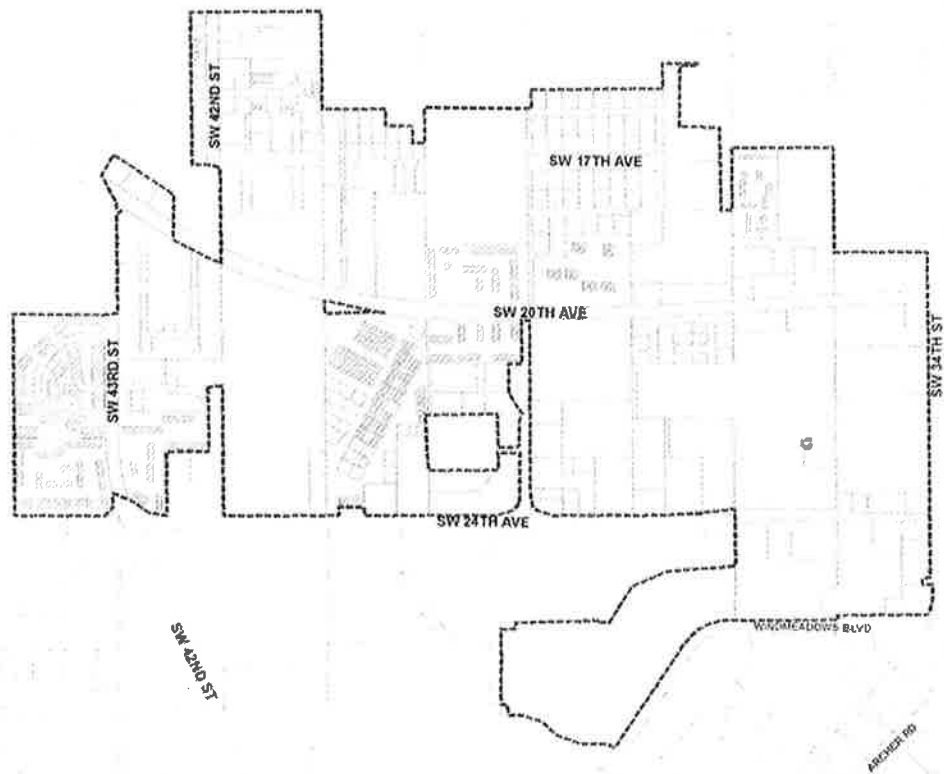


Figure 1.2 District Boundary Map - Urban Village

 District Boundary

Figure 1.2 District Boundary Map—Urban Village

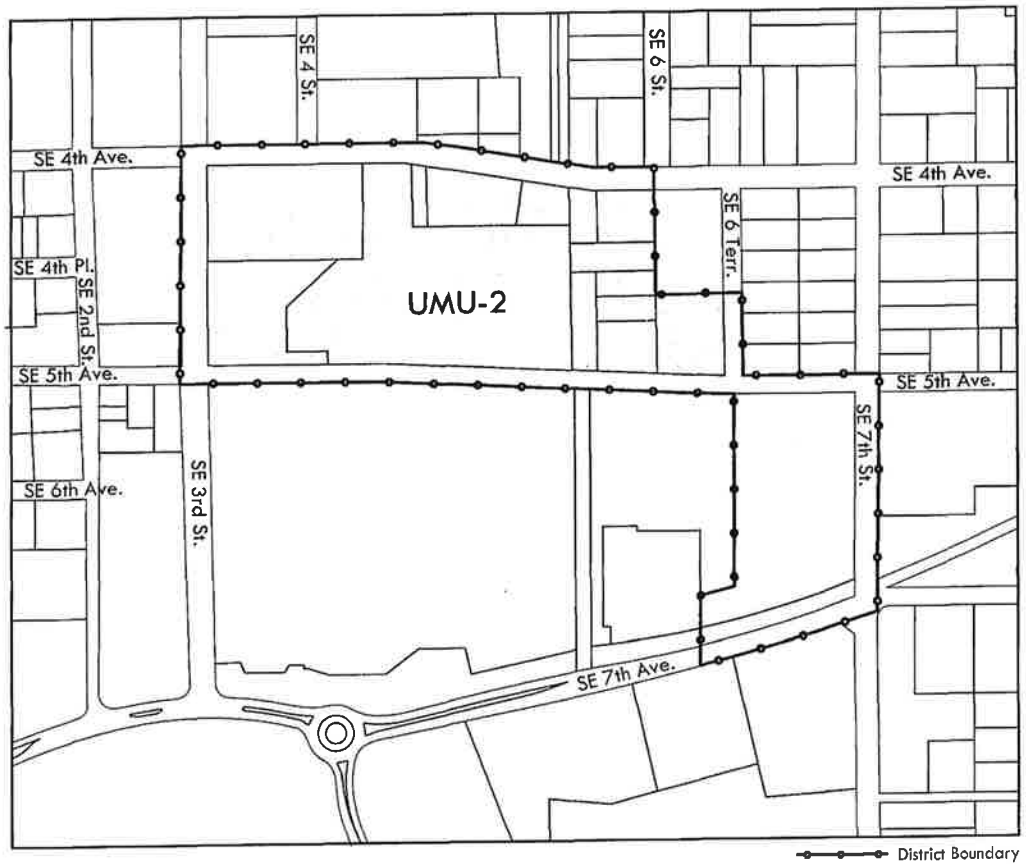


Figure 1.3 District Boundary Map—Power District

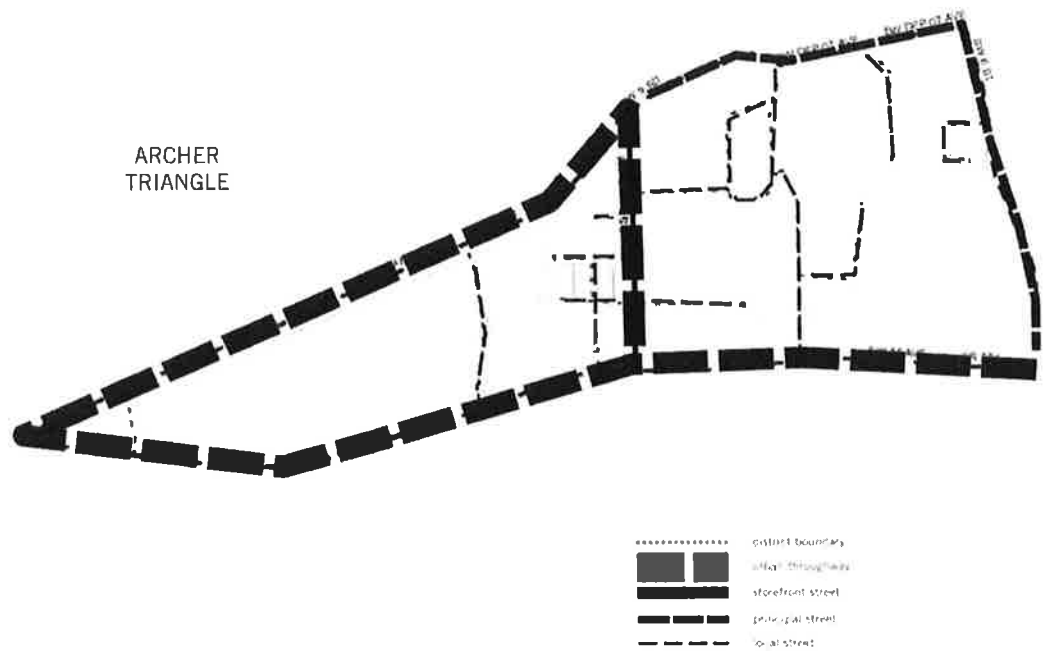


Figure 2.1 Street Types—Archer Triangle

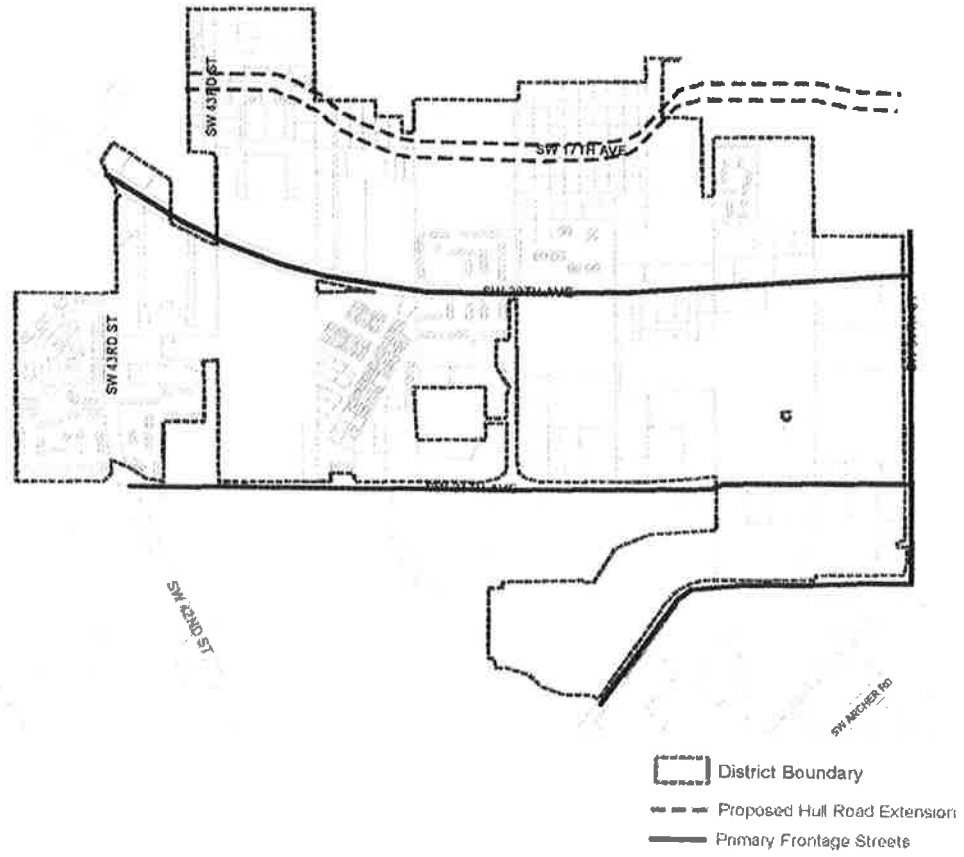
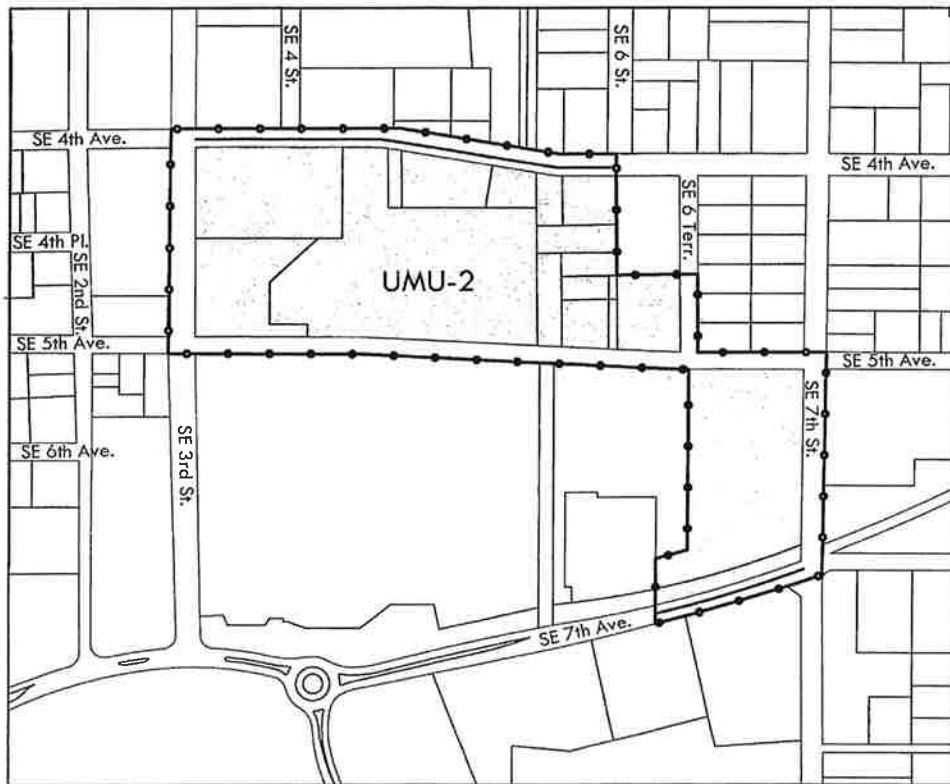


Figure 2.2 Primary Frontage Streets—Urban Village



NOTE: ALL STREETS LOCATED WITHIN POWER DISTRICT ARE LOCAL STREETS UNLESS IDENTIFIED OTHERWISE IN THIS EXHIBIT.

 District Boundary
 Storefront Street

Figure 2.3 Street Types—Power District



Figure 3.0 Height Limits—University Heights

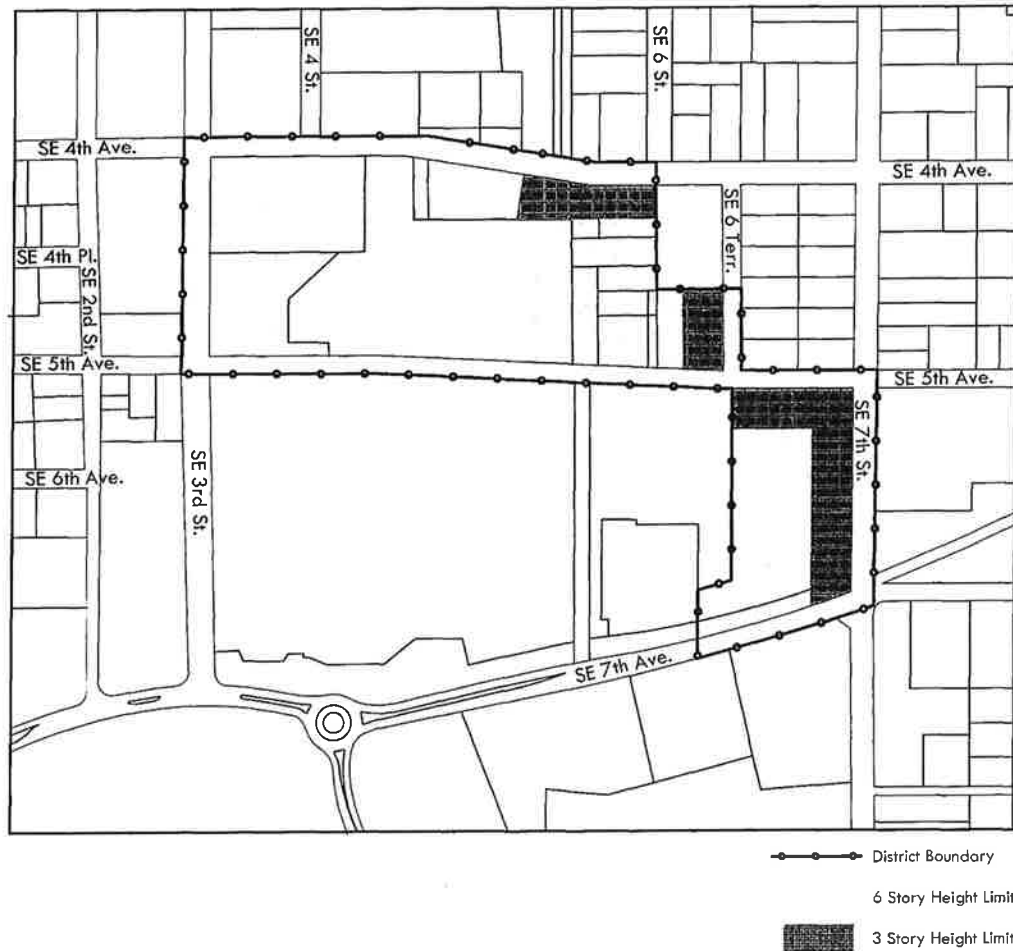


Figure 3.1 Height Limits—Power District

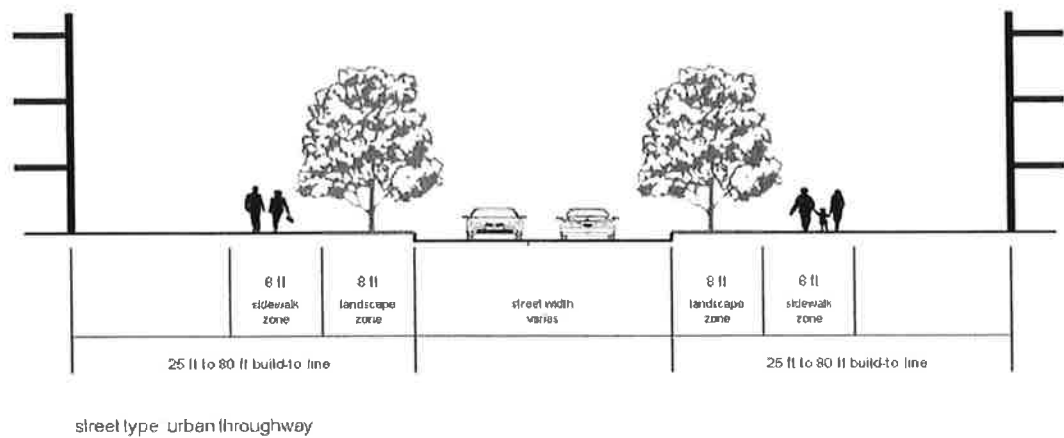
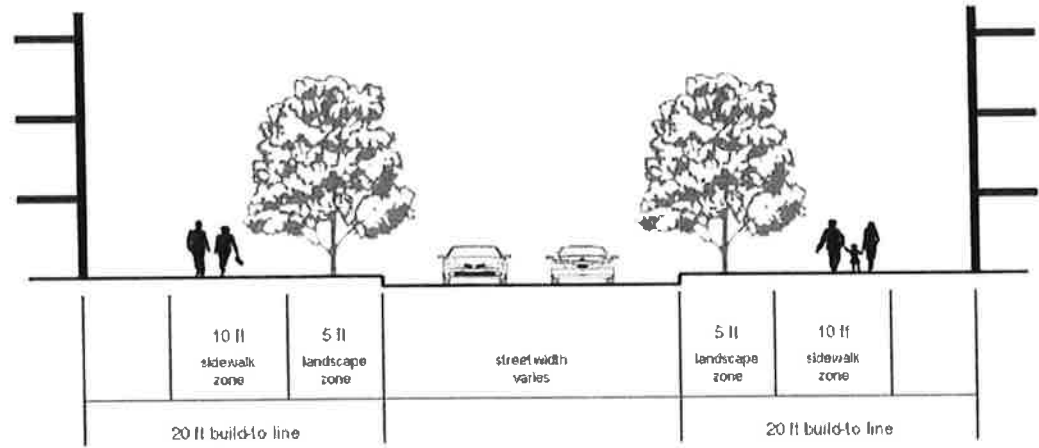
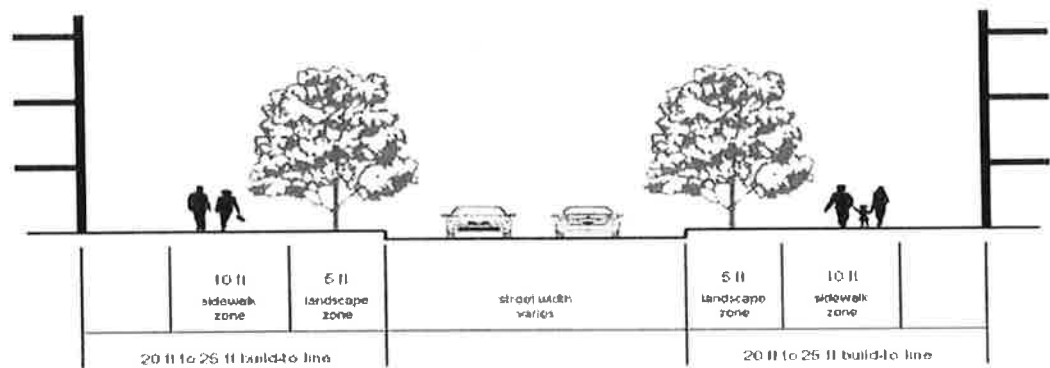


Figure 4.0 Public Realm Requirements—Urban Throughway



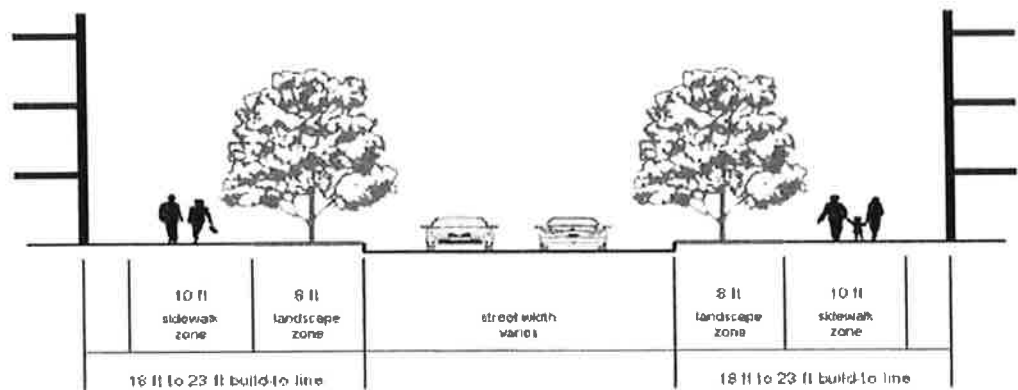
street type: storefront street

Figure 4.1 Public Realm Requirements—Storefront Street



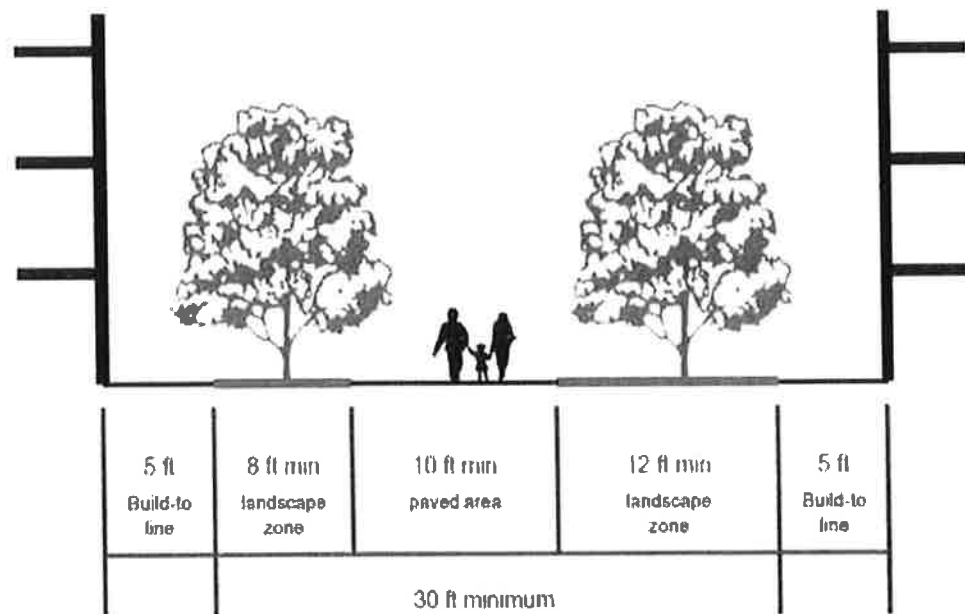
street type: principal street

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

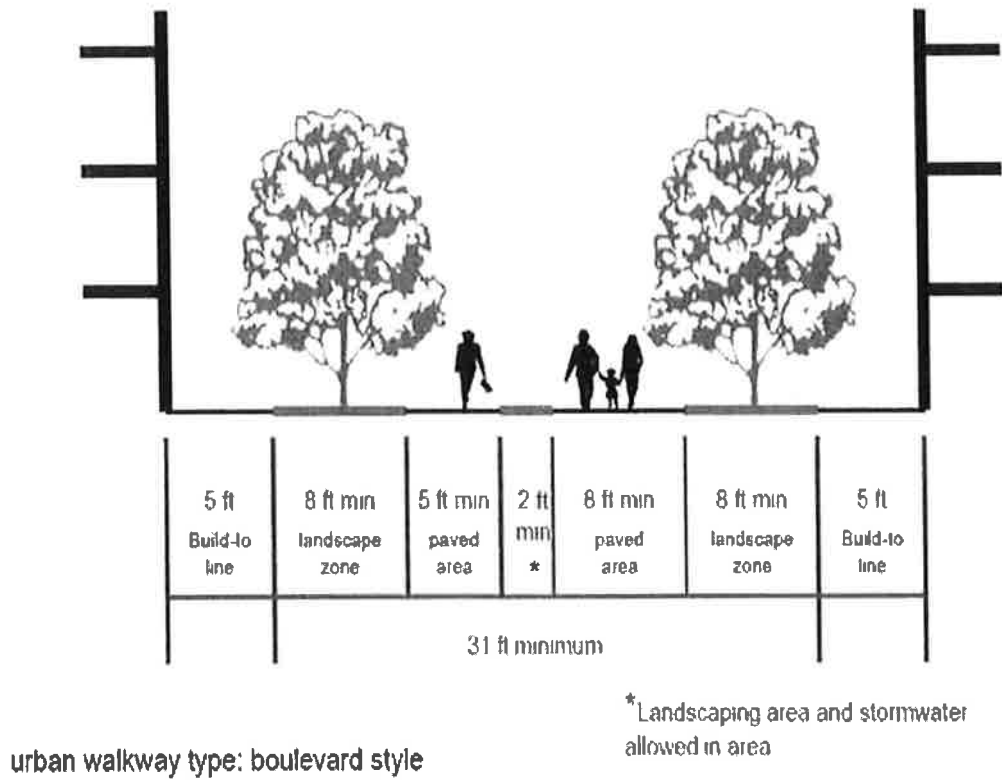


Figure 4.5 Public Realm Requirements—Boulevard Style Urban Walkway

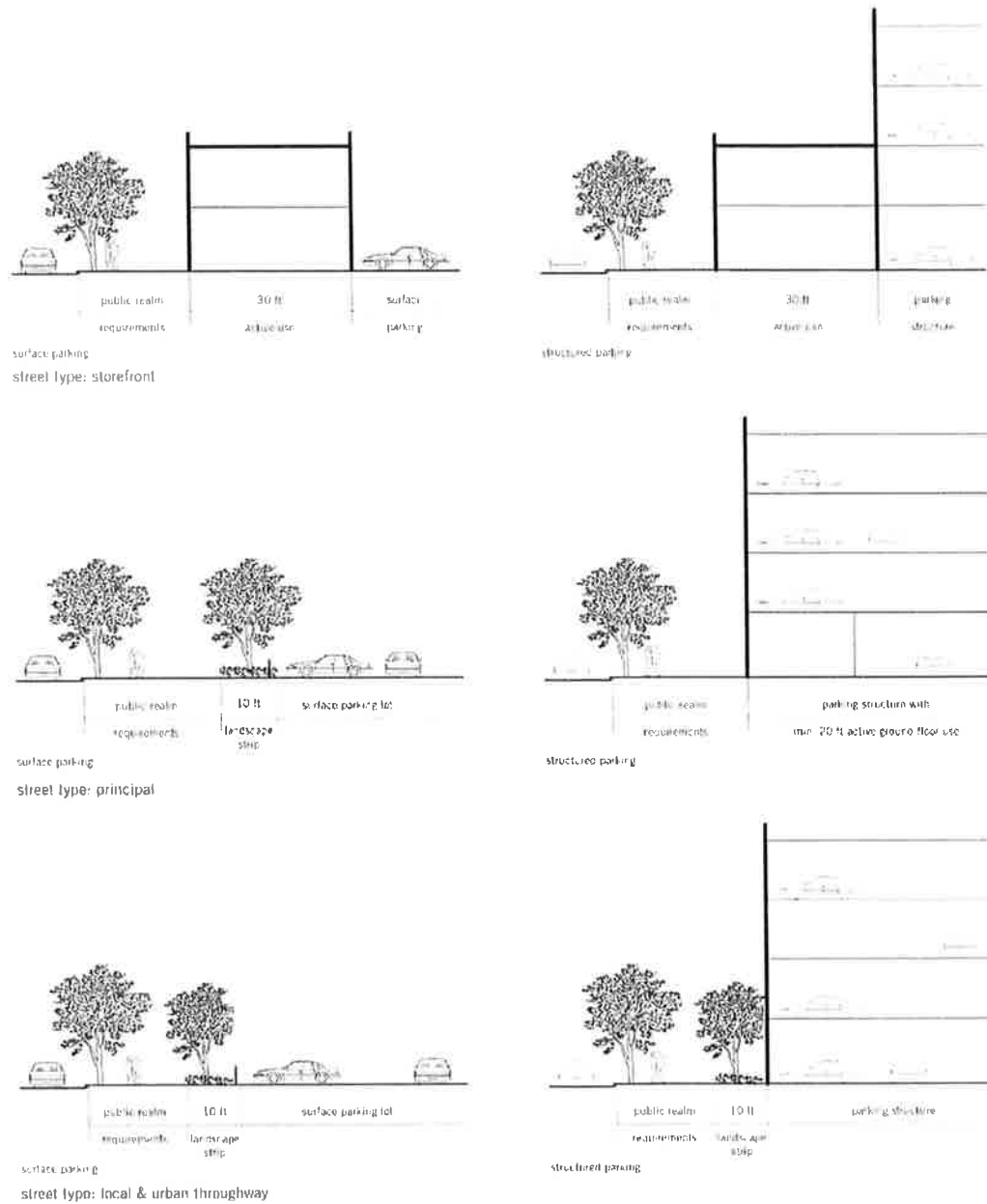


Figure 5.0 Parking Scenarios

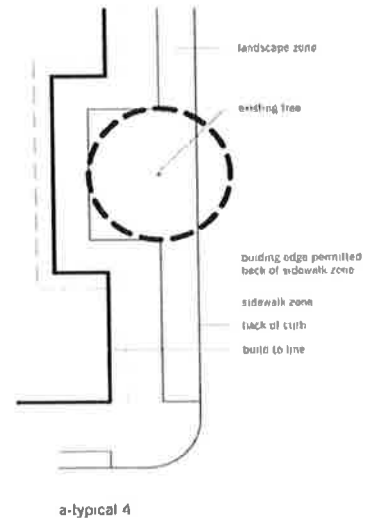
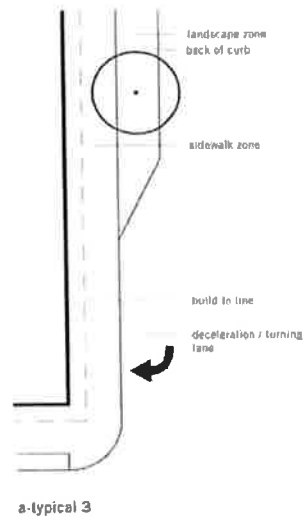
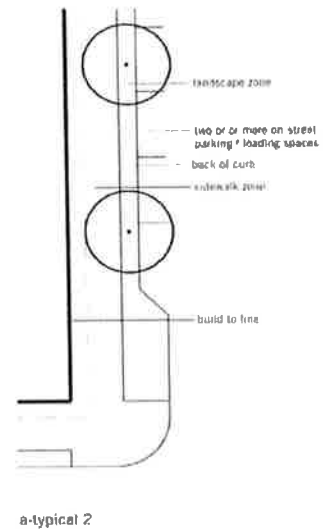
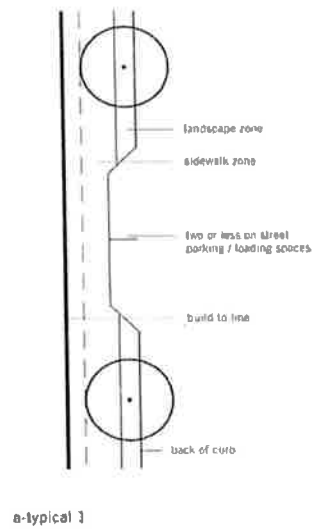
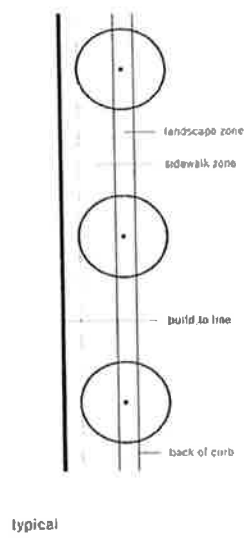


Figure 6.0 Streetscape Scenarios

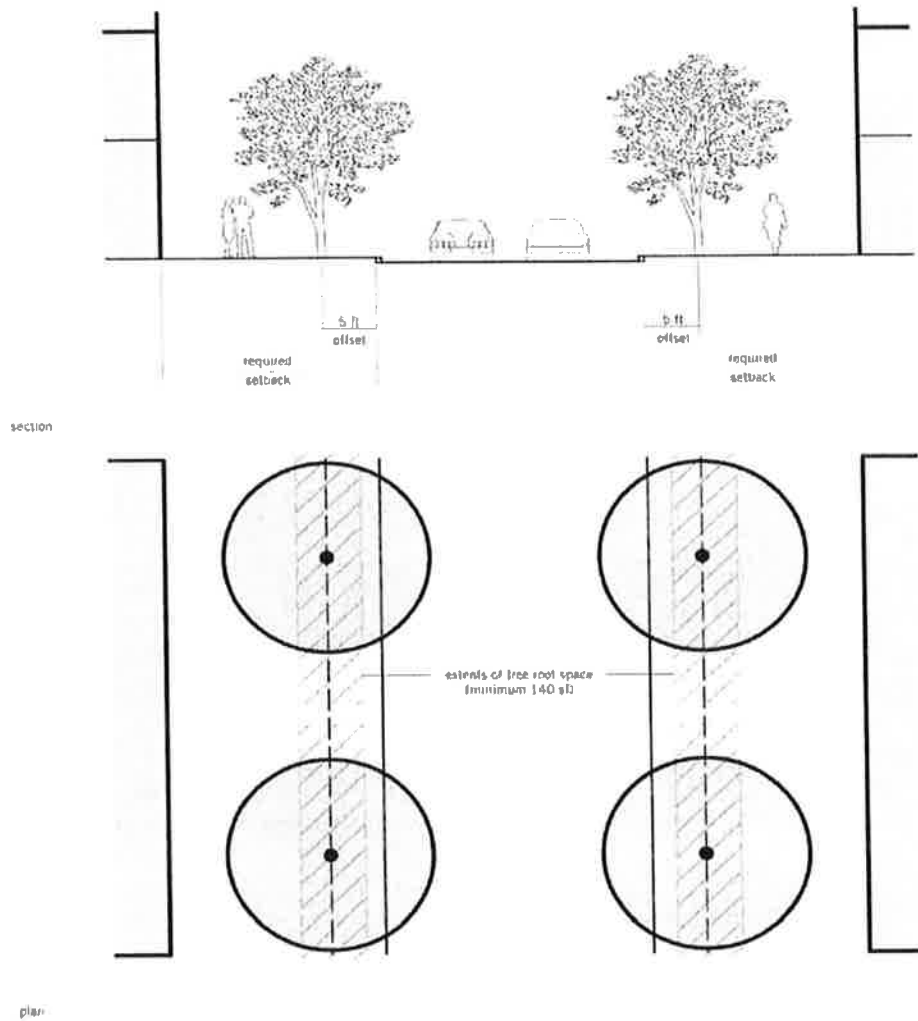


Figure 6.1 Streetscape with 4' Clear Zone

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

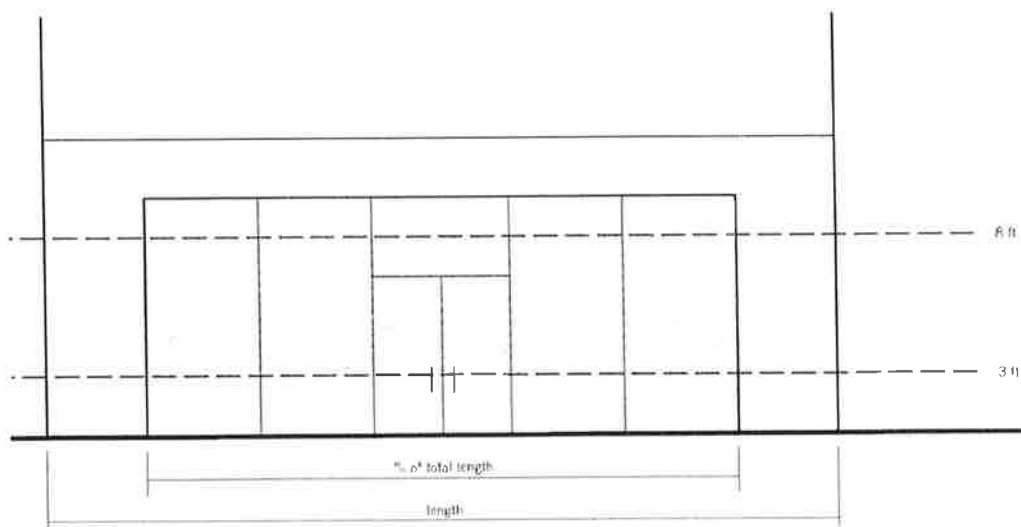


Figure 7.0 Glazing

(Ord. No. 041058, § 2, 11-28-05; Ord. No. 100721, § 2, 7-7-11; Ord. No. 110642, § 2, 6-7-12; Ord. No. 120179, §§ 1, 2, 3-7-13; Ord. No. 120789, § 2, 5-16-13; Ord. No. 120807, § 3, 5-16-13; Ord. No. 120426, § 1, 6-20-13; Ord. No. 121118, §§ 1—3, 3-6-14; Ord. No. 130689, § 1, 6-19-14; Ord. No. 140130, § 8, 9-4-14; Ord. No. 140030, §§ 2—6, 12-18-14; Ord. No. 140190, § 12, 4-16-15)

Sec. 30-344. - Outdoor lighting.

- (a) Purpose. To provide regulations for outdoor lighting that will:
 - (1) Protect and promote the public health, safety, and welfare;
 - (2) Promote safety and security in vehicular use areas;
 - (3) Protect neighbors, the environment, and the night sky from adverse lighting impacts such as light pollution, light trespass, glare, excessive lighting, and offensive light sources; and
 - (4) Promote energy and resource efficient lighting.
- (b) Applicability. All outdoor lighting uses within the city including, but not limited to, multi-family residential, commercial, industrial, public and private recreational and institutional uses, architectural, and landscape lighting.
- (c) Exemptions.
 - (1) Properties with a single-family or two-family dwelling.
 - (2) Lighting for public rights-of-way, public streets, and approved private streets.
 - (3) Lighting necessary for emergency equipment and work conducted in the interests of law enforcement, fire rescue, storm debris clean-up or other similar public safety efforts.
 - (4) Lighting for construction, renovation, or repair of roads and utilities.
 - (5) Temporary general construction lighting, which shall be regulated in accordance with building construction standards and shall be valid during the active period of a building permit.
 - (6) Holiday decorative lighting.
 - (7) Sign lighting, which is regulated elsewhere in this Land Development Code.
 - (8) Lighting required by federal or state laws or regulations.
- (d) General requirements.
 - (1) Luminaire design and operation.
 - a. For the lighting of predominately horizontal surfaces such as, but not limited to, parking areas, recreational areas, and building entrances, luminaires shall be full-cutoff fixtures and shall be aimed downwards.
 - b. For the lighting of predominately non-horizontal surfaces such as, but not limited to, facades, landscaping, fountains, displays, and statuary, luminaires shall be shielded and shall be installed and aimed so as to not project output past the object being illuminated, skyward, onto a public roadway, or onto adjacent uses.
 - c. Lighting shall be designed, located, aimed, shielded, and maintained so as to minimize light pollution.
 - d. Luminaires shall consist of lighting at least as energy and resource efficient as high performance LED lighting.
 - e. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automaton system or lighting energy management system, all with battery or similar backup power. Automatic lighting controls are not required for the interior of parking structures.
 - f. Vegetation and landscaping may be required to control glare and light trespass; however, vegetation screens shall be planted and maintained in a manner that does not obstruct security lighting. Where landscaping is used for light screening, it shall be in addition to the

applicable landscaping requirements listed in article VIII of the Land Development Code. During development plan review, the technical review committee shall determine whether existing vegetation is adequate to meet the required screening needs or whether additional light screening vegetation is necessary to supplement the existing standards of article VIII.

- g. The use of search lights, lasers, lighting or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited. No exceptions or waivers shall be permitted.

(2) Pole height.

- a. Except as otherwise regulated by this section, the height of luminaires shall not exceed 30 feet.
- b. During approval of a development plan, building permit or special use permit, the appropriate reviewing board, city manager or designee may permit by special exception pole heights up to 50 feet provided the following conditions are met:
 - 1. The development for which the special exception is requested has a total floor area of 100,000 square feet or greater;
 - 2. Any property adjacent to the property for which a special exception is requested has a zoning that allows a similar use; and
 - 3. The special exception is requested for an area that is greater than 75 feet from any adjacent property that either contains a residential dwelling or that has a residential zoning district classification as established by section 30-41.

In granting the special exception, the city may impose any reasonable conditions, restrictions or limitations to preserve and promote the purpose and intent of this section.

(3) Illumination standards.

- a. Lighting shall have illuminances, uniformities and glare control in accordance with the published standards of the Illuminating Engineering Society of North America (IESNA).
 - b. Except as follows, light trespass onto adjacent property shall not exceed 1.0 footcandles measured line-of-sight from any point on the receiving property.
 - 1. Residential property. Light trespass onto any adjacent property that either contains a residential dwelling or that has a residential zoning district classification as established by section 30-41 shall not exceed 0.5 footcandles measured line-of-sight from any point on the receiving property.
 - 2. Nature parks. Light trespass onto any adjacent nature park shall not exceed 0.4 footcandles measured line-of-sight from any point on the receiving nature park.
- (e) Specific requirements. In addition to the general requirements applicable to all outdoor lighting uses, this subsection outlines additional requirements for the following specific outdoor lighting uses or areas. If provisions in this subsection conflict with any of the general requirements, the provisions in this subsection shall prevail.
- (1) Recreational lighting. Lighting for outdoor recreational uses (including pole heights) may be designed in accordance with the published standards of the Illuminating Engineering Society of North America (IESNA).
 - (2) Nature parks. Buildings shall not be externally illuminated on any vertical faces fronting a nature park.
 - (3) Building exteriors. Lighting provided for the general security of areas such as, but not limited to, building entrances, stairways, ramps and main walkways shall not exceed an average horizontal illuminance of five footcandles at ground level, a uniformity ratio of 6:1, a maximum uniformity ratio of 10:1, and an average vertical illuminance of 0.2 footcandles measured five feet above the height of the luminaire.

(4) Parking lots.

- a. Lighting shall be uniform throughout the parking lot, with no dark patches or pockets, for safety and identification of features.
- b. Luminaire locations shall not be in conflict with existing and proposed landscaping.
- c. Except as provided in the next subsection, lighting shall maintain a minimum horizontal illuminance of 0.5 footcandles at ground level and shall not exceed an average horizontal illuminance of 2.5 footcandles, a uniformity ratio of 5:1, and a maximum uniformity ratio of 15:1.
- d. Parking lots within 75 feet of any adjacent property that either contains a residential dwelling or that has a residential zoning district classification as established by section 30-41 shall meet the following requirements:
 1. Luminaires shall be full-cutoff fixtures from which no light is emitted at or above an angle of 80 degrees from the pole;
 2. The height of luminaires shall not exceed 15 feet; and
 3. Lighting shall maintain a minimum horizontal illuminance of 0.2 footcandles at ground level and shall not exceed an average horizontal illuminance of 1.0 footcandles, a uniformity ratio of 5:1, a maximum uniformity ratio of 10:1, and an average vertical illuminance of 0.1 footcandles measured five feet above the height of the luminaire.
- e. Multiple-family residential developments shall have additional lighting at the entrance and exit points of parking lots sufficient to light the area for pedestrians entering and exiting the parking area. Lighting levels at entrances and exits shall maintain a minimum horizontal illuminance of 1.0 footcandles at ground level.
- f. Lighting shall be provided in accordance with this section throughout the nighttime hours of operation and/or use by the public of a business or facility. However, lighting shall be automatically extinguished no later than one hour after the close of business or facility operation and/or use by the public. After-hours security lighting may be permitted when such lighting does not exceed 50 percent of the number of luminaires or the illumination level required or permitted during regular nighttime operation hours.

(5) Parking structures.

- a. Applicability. These standards for parking structures shall apply to any multilevel parking structure and any floor of a building, including but not limited to the first floor and/or basement level, used for parking or storage of vehicles. However, when either the top floor of a building used for parking or storage of vehicles or the top floor of a multilevel parking structure is uncovered and open to the sky, said floor shall be regulated in accordance with the standards for parking lots but shall have luminaires that do not exceed a height of 15 feet.
- b. Luminaires shall be full-cutoff, semi-cutoff and/or refractor high intensity discharge (HID) fixtures. The exact type, configuration and placement of luminaires shall be designed to prevent glare, cavern effect and to facilitate vertical illumination of the floor so that drivers are able to discern objects within the facility. Designs shall attain a cutoff angle of 24 degrees to 38 degrees on driver approach and 60 degrees to 75 degrees on driver retreat as shown in Figure 1.
- c. Lighting intensities for all floors, ramps, entrance/exit areas, and stairways shall be as listed in Table 1.

Figure 1. Transverse Lighting Coverage
Transverse Coverage and Cutoff based on Eight-Foot Mounting Height

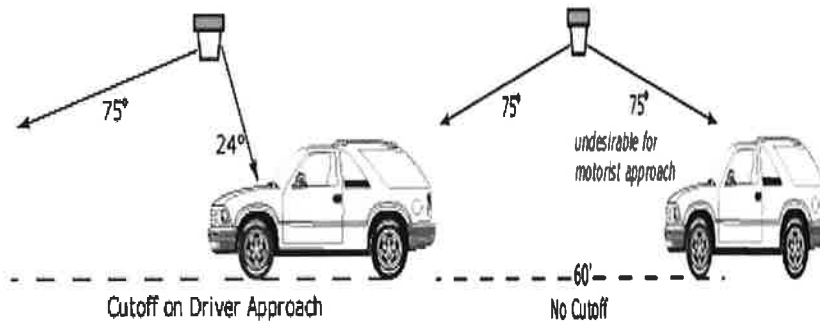


Table 1

	Minimum Horizontal Illuminance (footcandles)	Maximum Uniformity Ratio	Minimum Vertical Illuminance* (footcandles)
Basic per floor	1	10:1	.5
Ramps day	2	10:1	1
Ramps night	1	10:1	.5
Entrance areas day	50	—	25
Entrance areas night	1	10:1	.5
Stairways	2	—	1

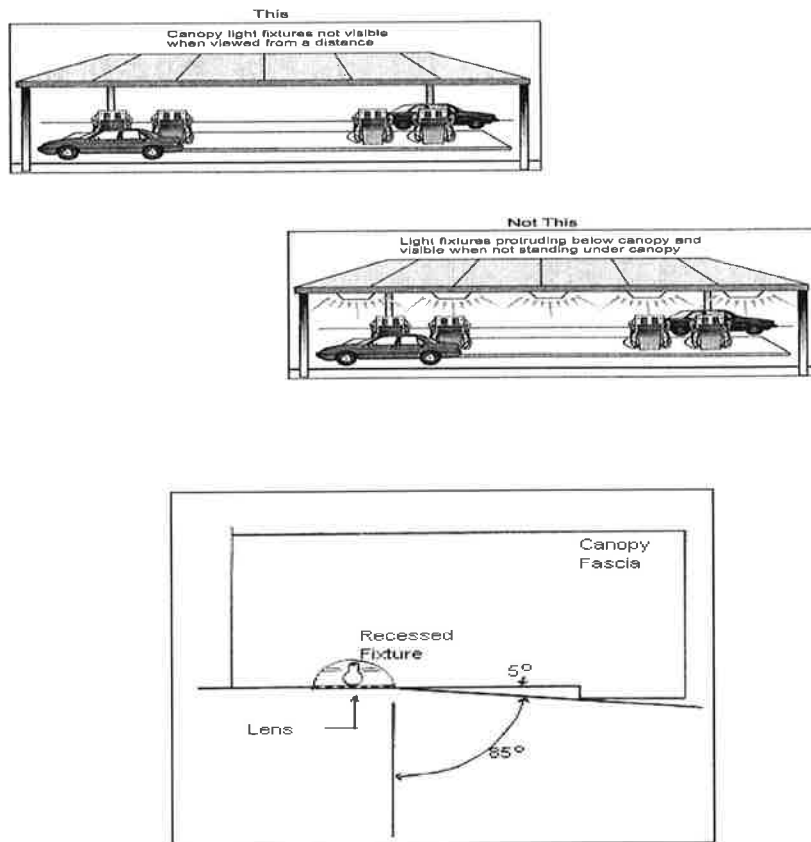
*Measured facing the drive aisle at five feet above the parking surface at the point of the lowest horizontal illuminance.

(6) Canopy lighting.

- Luminaires mounted on or under canopies shall be full-cutoff fixtures, or recessed so that the lens cover is flush with the bottom surface (ceiling) of the canopy as demonstrated in Figure 2. Lighting may also be shielded by fixtures or the edge of the canopy so that light is restrained to 85 degrees or less from vertical as shown in Figure 2.
- Lighting within six feet of the canopy shall maintain a minimum horizontal illuminance of 2.0 footcandles at ground level and shall not exceed an average horizontal illuminance of ten footcandles, a uniformity ratio of 5:1, and a maximum uniformity ratio of 6:1.

- c. Indirect lighting where light is aimed upward at the underside of the canopy and reflected back down from the underside of the canopy may be used when luminaires are shielded so that all direct illumination is focused exclusively on the underside of the canopy and when the average vertical illuminance does not exceed 0.5 footcandles at five feet above the canopy level.
- d. Luminaires shall not be mounted on the top or sides (fascias) of the canopy when not part of a permitted sign. The sides (fascias) of the canopy shall not be illuminated in a manner other than that prescribed under the section of the Land Development Code regulating signs.
- e. Lighting shall be provided in accordance with this section throughout the nighttime hours of operation and/or use by the public of a business or facility. However, lighting shall be automatically extinguished no later than one hour after the close of business or facility operation and/or use by the public. After-hours security lighting may be permitted when such lighting does not exceed 50 percent of the number of luminaires or the illumination level required or permitted during regular nighttime operation hours.

Figure 2. Canopy Lighting



- (f) Lighting plan submission. Lighting plans demonstrating compliance with the requirements of this section shall be submitted to the technical review committee for review and approval for development plan review, a building permit, and special use permit applications. Lighting plans shall be certified by a registered architect, engineer, or lighting professional holding a current lighting certification (LC) from the National Council on Qualifications for the Lighting Profession (NCQLP) as providing illumination in accordance with the applicable standards of this section and shall include the following information:

- (1) A brief written narrative, with accompanying plan or sketch, which demonstrates the objectives of the lighting.
- (2) A statement of the proposed hours when the luminaires will be on and when they will be extinguished.
- (3) A layout of all existing and proposed luminaires by type, location, mounting height, aiming direction, orientation, lamp, and photometry.
- (4) Description of the proposed equipment, including luminaire catalog cuts, glare reduction devices, lamps, lamp color temperature, on/off control devices, mounting heights, mounting methods, pole foundation details, and pole protection means.
- (5) Manufacturer specification sheets, cut-sheets or other manufacturer-provided information for all existing and proposed luminaires, including designation as full-cutoff fixtures if applicable and/or required.
- (6) Photometric data and drawings to illustrate how light sources are shielded to prevent spillover lighting and how the aiming of lights will prevent light trespass and glare to drivers, pedestrians, adjacent properties, and the night sky.
- (7) An illustration showing lighting levels (illuminance in footcandles), uniformity ratios, lamp wattages, shades, deflectors, beam directions, and luminous areas for each source of light.
- (8) A photometric grid showing footcandle readings every ten feet within the property or site, and 25 feet beyond the property lines, plotted out to 0.0 footcandles. The map or grid shall be drawn to a scale acceptable to the city manager or designee, but in no instance to a scale smaller than one inch equals 100 feet. Iso-footcandle contour line style plans are also acceptable.
- (9) Landscaping information demonstrating that the site lighting and existing and proposed landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity.
- (10) A description of adjacent properties that may be adversely impacted by the lighting. The lighting plan may require the inclusion of illuminance values on specific adjacent properties (e.g. adjacent properties with residential dwellings).
- (11) For parking structures, the lighting plan shall include the following additional information:
 - a. Minimum horizontal and vertical lighting intensities for each floor, floor ramps, entrance areas and stairways. Data may be requested for certain daylight periods.
 - b. Uniformity ratios and maximum uniformity ratios for each floor, floor ramps, entrance areas and stairways. Data may be requested for certain daylight periods.
 - c. The cutoff angles on driver approach and retreat.
 - d. Any cavern effects from light shielding.
- (g) Waivers. During approval of a development plan, building permit or special use permit, the appropriate reviewing board, city manager or designee may permit a waiver for one or more of the requirements of this section. An applicant requesting a waiver shall submit a lighting plan as described in this section and the appropriate reviewing board, city manager or designee may have the request and lighting plan reviewed, at the applicant's expense, by a registered architect, engineer, or lighting professional holding a current lighting certification (LC) from the National Council on Qualifications for the Lighting Profession (NCQLP). The appropriate reviewing board, city manager or designee may permit a waiver only when an applicant demonstrates that:
 - (1) The requested waiver is consistent with and promotes the purpose and intent of this section;
 - (2) The applicant otherwise meets the requirements of this section;
 - (3) A unique situation or hardship exists as a result of conditions peculiar to the property and not due to the actions of the applicant; and

- (4) The requested waiver is necessary to ensure compatibility and consistency with the surrounding properties.

In granting a waiver, the appropriate reviewing board, city manager or designee may impose any reasonable conditions, restrictions or limitations to preserve and promote the purpose and intent of this section.

- (h) Nonconforming luminaires and lighting. Any luminaire or lighting installation lawfully existing on December 20, 2012, that does not conform with the requirements of this section shall be deemed legally nonconforming.

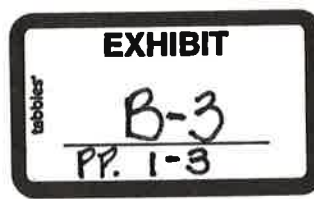
- (1) A nonconforming luminaire or lighting installation shall be made to conform with the requirements of this section when:

- a. Minor corrective action, such as re-aiming or shielding, can achieve conformity with the applicable requirements of this section;
- b. Fifty percent or more of the existing luminaires on a property are replaced;
- c. The number of existing luminaires on a property is increased by 50 percent or more; or
- d. The city manager or designee deems the nonconforming luminaire or lighting installation a safety hazard.

- (2) A development that becomes nonconforming with this section due to a change in operational hours from daytime only to include nighttime operation shall be required to comply with these regulations within 90 days of the effective date of the change.

(Ord. No. 120023, § 7, 12-20-12)

Editor's note— Prior to the reenactment of § 30-344 by Ord. No. 120023, Ord. No. 040238, § 1, adopted Sept. 27, 2004, repealed said section in its entirety. The former § 30-344 pertained to storage of flammable liquids and derived from Ord. No. 3777, § 1, adopted June 10, 1992.



June 6, 2016

Bedez Massey, City Planner
City of Gainesville
306 NE 6th Avenue
Gainesville, FL 32601



Re: Innovation Hub Phase 2 Requested Board Modification

Dear Bedez:

The referenced development proposes a new 3-story office building and parking lot, on the south side of SW 2nd Avenue connecting to the existing Innovation Hub. The project is located within the UMU-2 zoning district. The proposed site layout and building design require board approval of modifications to some of the UMU-2 development standards in the Land Development Code. The applicant is requesting modifications to the build-to lines, landscape and sidewalk zones, building frontage, and functional entrance requirements of the Land Development Code.

For the UMU-2 zoning district, Section 30-65.2(b)(2)a allows the appropriate reviewing board authority to grant modifications limited to the build-to line, building frontage, building relationship to the street, building articulation and design, landscape zone, sidewalk zone, and streets/block standards. Evidence must be presented that either: 1) the proposed development offers compliance that meets the intent of the UMU-2 zoning district; or 2) an undue hardship, owing to conditions peculiar to the land or structure, would result from strict adherence to the standards of the UMU-2 zoning district.

The requested modifications for Innovation Hub Phase II are shown below, with accompanying justifications for consideration by City Planning staff and the Development Review Board.

1. Allow larger build-to lines on both SW 2nd Avenue and SW 9th Street.

Justification: Along SW 2nd Avenue, the UMU-2 zoning district prescribes a build-to line of 20 feet for non-residential uses on principal streets. A first floor build-to line for the proposed building ranges from approximately 50.6 feet at the eastern end of the building to 30.9 feet on the western end. The building's upper stories overhang to approximately 23.2 feet. This building location is being requested in order to align with the existing Innovation Hub building to the east, setback from existing GRU utilities, and to maintain continuity in the streetscape along the south side of 2nd Avenue.

Along SW 9th Street, the UMU-2 zoning district prescribes a build-to line of 18 feet on local streets. A build-to line for the proposed building ranges from approximately 56.4 feet on the northern end of the building to 51.0 feet on the southern end for the first floor and approximately 46.3 feet to 51.2 feet for the remaining stories. This setback is proposed to accommodate the connection to the existing Innovation Hub building. The building has shifted east to align with the existing building, therefore creating additional space on the west side of the development site. The recently constructed streetscape of SW 9th Street within the ROW will not be impacted by this development. The larger setback along both streets allows for substantial streetscaping and greater room for pedestrians within an urban environment that is planned for high density and intensity development in the future. The proximity of the building, combined with its proposed height, will nonetheless serve to visually frame the adjacent streets. These proposed modifications are consistent with the intent of the UMU-2 zoning district.

2. Allow for modification of existing sidewalk and landscape zone dimensions.

Justification: *Along SW 2nd Avenue*, the UMU-2 zoning district prescribes a minimum landscape zone of 5 feet and minimum sidewalk zone of 10 feet along principal streets. A landscape zone and sidewalk zone already exist within the SW 2nd Avenue right-of-way adjacent to this site. The existing landscape zone ranging from 10 feet to 13 feet and providing 6 feet tree grates together with the existing sidewalk zone ranging from 10 feet to 12 feet will be utilized to match existing conditions and allow the infrastructure to remain intact.

Along SW 9th Street, the UMU-2 zoning district prescribes a minimum landscape zone of 8 feet and minimum sidewalk zone of 10 feet along local streets. A landscape zone and sidewalk zone already exist within the SW 9th Street right-of-way adjacent to this site. The existing landscape zone of approximately 10 feet and providing 6 feet tree grates together with the existing sidewalk zone approximately 15 feet will be utilized to match existing conditions and allow the infrastructure to remain intact.

3. Allow for the use of existing sidewalk zones for connection to building.

Justification: The UMU-2 zoning district prescribes a sidewalk connection be provided from all building entrances that face the street or an urban walkway. A sidewalk connection is not proposed from SW 3rd Avenue as the lot containing the temporary surface parking does not propose a building. This lot is intended for a future building and will provide a sidewalk connection meeting these requirements at the time of development. Sidewalk connections to the proposed Innovation Hub Phase 2 building will be provided from SW 9th Street and SW 2nd Avenue as required.

4. Allow for a reduced building frontage along SW 9th Street.

Justification: The UMU-2 zoning district prescribes a 70% building frontage for non-residential uses along all street frontages. This requirement is easily met along the principal street of SW 2nd Avenue (91% frontage), but only 39% building frontage is provided on SW 9th Street. This is because a temporary surface parking lot is proposed on the southern half of the site. 72% building frontage is provided when taking into consideration only the parcel including the proposed building. It is anticipated that the temporary parking lot will be removed and a building placed in the future, thus complying with the code intent. The overall layout of the site, with parking behind the building, and a continuous building front along the primary street, still meets the intent of the frontage requirement. The parking is designed so that it is set back as far as possible from 9th Street, and the intervening area will be grassed and landscaped.

5. Allow the building to not provide a functional entrance for every 150 feet of street frontage.

Justification: This building will connect to the existing Innovation Hub building and will share an existing entrance and lobby. Additionally, the building will share the rear patio entrance with the existing building. The proposed building will function as one building with the existing and will comply with Fire Code requirements by doing so. The combined building frontage along SW 2nd Avenue will total approximately 362 feet, and so two functional entrances would normally be required by the UMU-2 standards. One entrance is provided in the approximate center of the combined building, 165 feet from the eastern edge of the building and 196' from the western edge of the building. The design of the building with a large formal entrance along the principal street meets the intent of the code.

We trust the requested modification and justification listed above, along with the development plans are acceptable for presentation to the board. Please see the attached exhibit illustrating the requested modifications. If you have any questions, please contact CHW at 352-331-1976.

Sincerely,
CHW

Robert Walpole, PE
President

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Florida and Georgia
Registrations

June 6, 2016

The City of Gainesville Planning Department
Thomas Center
Gainesville, FL 32601

Re: Narrative – iHUB 2 Photometric Plan

The following is intended to serve as a design narrative and waiver request for the above referenced project.

This site consists of a new building adjacent to the existing Innovation Hub building, with associated entry and parking areas. The site is integral to the Innovation Square development and is associated with the University. On the North, West, and South sides, the site is bordered by public right-of-way and thoroughfare. To the East, the site is bordered by the shared-use existing Innovation Hub building and undeveloped multi-use property. There are no existing or proposed residential properties within 75ft of the parking lot.

Lighting in the parking areas is accomplished using decorative, full cut-off LED fixtures selected to match those used along the roadways and pedestrian walkways of Innovation Square. Lighting along the associated entry areas and new pedestrian walkways is accomplished using a combination of wall mount, full cut-off LED fixtures and decorative, full cut-off LED pedestrian scale pole lights.

Along the North side of the site, the pedestrian scale lights are located in the public right-of-way and serve both the northern entries and the public sidewalk. This is consistent with the existing installation at the Innovation Hub building.

The intent of this site is to be a contiguous and integrated portion of the Innovation Square development. By the nature of that intent, it can be expected that light trespass may occur at the property boundaries. Therefore, a waiver to the light trespass requirements of 30-344(d)(3)(b) is requested for the portion of the site abutting public rights-of-way and shared use areas.



The proposed lighting provides safe and consistent light levels for the building patrons and passers-by while conforming with the intent of the ordinance and mitigating negative environmental impacts.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Hunter', with a long horizontal flourish extending to the right.

Kenneth W. Hunter, P.E.



Sec. 30-350. - Citizen participation.

(a) Purpose and intent. The purpose of the citizen participation process is to:

- (1) Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving the applicants the opportunity to understand and try to mitigate any real or perceived impacts their applications may have on the community;
- (2) Ensure that citizens and property owners have an adequate opportunity to learn about applications that may affect them and to work with the applicant to resolve concerns at an early stage of the process; and
- (3) Facilitate ongoing communication among the applicant, interested citizens and property owners, and city staff throughout the application review process.

It is not the purpose of the citizen participation process to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

(b) Procedures for facilitating citizen participation.

- (1) The following development applications are exempt from the requirements of this section:
 - a. City-initiated large scale and small scale amendments (as described in F.S. ch. 163) to the future land use map of the city's comprehensive plan that change the future land use from Alachua County to City of Gainesville categories for annexed properties;
 - b. City-initiated amendments to the zoning map that change the zoning from Alachua County to City of Gainesville districts for annexed properties;
 - c. Special use permits for minor decorative functional or safety improvements to legal nonconforming uses, per section 30-346(d)(1);
 - d. Development plan approvals for nonresidential projects of 10,000 square feet or less of floor area when not located adjacent to or across the street from property designated for single family residential use on the future land use map;
 - e. Development plan approvals for residential projects of ten units or less;
 - f. Environmental remediation or safety improvements required by local, state and federal agencies;
 - g. All text changes to the Comprehensive Plan or Land Development Code.
- (2) Except for development applications that, are exempt from the requirements of this section, every application that requires a public hearing for a development plan, subdivision, rezoning, special use permit or change to the future land use map shall include a written record of the citizen participation process.
- (3) The applicant must provide the opportunity for a workshop to inform neighboring property owners of the proposed application. The workshop must be held in a location generally near the subject property and must be held in a facility that is ADA compliant. The applicant must provide notification by mail to all owners of property located within 400 feet of the subject property and to all neighborhood associations registered with the city and located within ½-mile of the property. The city manager or designee shall provide mailing labels to the applicant. The applicant must mail these notices with proper postage at least 14 days before the workshop. The applicant must also advertise the workshop in a newspaper of general circulation at least 14 days before the date of the workshop.
- (4) The workshop must start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m. and 5:00 p.m. on a weekend. All required workshops must be held prior to submittal of the application. The applicant shall be required to schedule an additional workshop if the initial workshop has occurred more than six months prior to submittal of the application.

- (5) The applicant shall submit to the city as part of the application a summary of the materials presented at the workshop, the issues raised, the suggestions and concerns of the neighboring property owners, a sign-in sheet, a copy of the workshop advertisement, and a copy of the letter sent to the property owners.

(Ord. No. 000902, § 1, 5-29-01; Ord. No. 020587, § 1, 3-17-03; Ord. No. 050158, § 3, 8-28-06; Ord. No. 110373, § 4, 3-21-13)

Editor's note— Prior to the reenactment of § 30-350 by Ord. No. 000902, Ord. No. 980274, § 12, adopted Nov. 23, 1998, renumbered the former § 30-350 as § 30-352.1. The history notation has been retained with the renumbered section for reference purposes.