



City of Alachua

Planning & Community Development Department Staff Report

Planning & Zoning Board Hearing Date: Legislative Hearing

June 11, 2019

SUBJECT: A Staff-initiated amendment to the City's Land Development Regulations (LDRs) relating to the Commercial Intensive and Corporate Park zoning districts; Special Exception Permits; permitted uses in the Central Business District, Commercial Intensive, Corporate Park, and Light & Warehouse Industrial zoning districts; and definitions for use types

APPLICANT/AGENT: City of Alachua

PROJECT PLANNERS: Kathy Winburn, AICP; Justin Tabor, AICP; Adam Hall, AICP

RECOMMENDATION: Staff recommends that the Planning & Zoning Board find the proposed Text Amendments to the City's Land Development Regulations to be consistent with the City of Alachua Comprehensive Plan and in compliance with the City's Land Development Regulations and transmit such finding to the City Commission with a recommendation to approve.

RECOMMENDED MOTION: *Based upon the presentation to this Board and Staff's recommendation, this Board finds the proposed text amendments to the City's Land Development Regulations to be consistent with the City of Alachua Comprehensive Plan and in compliance with the City's Land Development Regulations and transmits such finding to the City Commission with a recommendation to approve.*

SUMMARY

On January 23, 2012, the City of Alachua Commission approved amendments to Article 3 of the Land Development Regulations (LDRs) to establish the Corporate Park (CP) zoning district and to amend Articles 4, 5 and 6 to establish implementing regulations for the Corporate Park (CP) zoning district. This zoning designation was intended to help facilitate mixed use development, primarily along the US 441 corporate corridor and other urbanized portions of the City.

As stated in Section 3.5.2 of the LDRs, the CP district is established and intended to accommodate a range of research and development, technology and life sciences/biotechnology industries, office, supporting retail, and residential uses. By allowing a range of permitted uses, the CP district is intended to accommodate the development of flex space arrangements.

This CP zoning category was initially the result of a privately-initiated application with the intent of creating a zoning category that allowed additional flexibility in developing mixed use projects in the City. As the City continues to experience steady growth and development in urban areas, there has recently been increased interest by multiple landowners/developers to utilize the CP zoning category to promote mixed use infill development on their properties. The growing interest in CP zoning is due primarily to its allowance of a mix of uses (both non-residential and residential) and flexibility of development design.

To help facilitate the greater utilization of the CP zoning category, the City now proposes amendments and updates to the adopted Land Development Regulations related to the CP zoning district. These text amendments (identified below) will allow more properties within the City to implement the CP Future Land Use Map (FLUM) Designation and provide for greater flexibility while maintaining the overall intent of the adopted LDR language and the Comprehensive Plan Objective and Policies for the CP FLUM Designation. Specific proposed amendments include expanded opportunities to integrate residential development with the CP designation, addition of permitted uses and modifications to dimensional requirements / development standards.

A new use, “microbrewery” is proposed for addition in the Central Business District (CBD), Commercial Intensive (CI), Corporate Park (CP), Light and Warehouse Industrial (ILW), Planned Development – Commercial (PD-COMM), and Planned Development – Traditional Neighborhood Development (PD-TND) zoning districts. The microbrewery use is part of the new craft beer industry in the U.S. These facilities are small-scale, independent brewers of malt beverages that include on premises consumption and sales of sealed containers for off premises consumption. This proposed new use offers new small-business and employment opportunities for the City of Alachua.

These amendments will result in increased opportunities for economic development activity benefitting the City and its residents, including increases in property values, housing options and employment opportunities.

In summary, the proposed amendments to the City's Land Development Regulations would:

- ❖ **Amend Article 2, Section 2.4.4(B) and (D)** to add references to the special exception for the CI and CP zoning districts related to height in Table 5.1-3 (Note 8) and the new requirements for height in Section 5.2.3(B).
- ❖ **Amend Article 2, Section 2.4.7(B) and (C)** to clarify that there is a special exception process for height in the CI and CP zoning districts.
- ❖ **Amend Article 2, Section 2.4.10(B)(3)** to add a new exemption (i) for the CP zoning district to subdivision requirements.
- ❖ **Amend Article 3, Section 3.1.1 and Table 3.1-1** to increase maximum gross residential density in the CP zoning district from 0.5 units per acre to 4 units per acre.
- ❖ **Amend Article 3, Section 3.5.1(F)(1) *CP, Corporate Park District***, to replace the word 'limited' with 'complementary,' and reference Table 4.1-1.
- ❖ **Amend Article 3, Section 3.5.1(F)(2) *CP, Corporate Park District***, to clarify permitted residential use types, decrease the acreage whereby residential development may be provided from 100 acres to 50 acres, remove the residential clustering requirement, and clarify the gross residential density requirement.
- ❖ **Amend Article 4, Section 4.1.1 and Table 4.1.1, Table of allowed uses**, to include 'microbrewery' as a permitted use in the CBD, CI, CP, and ILW districts and an allowed use in the PD-COMM and PD-TND zoning districts.
- ❖ **Amend Article 4, Table 4.1.1, Table of allowed uses**, to include 'commercial recreation, outdoor' as a permitted use in the CP zoning district.
- ❖ **Create Article 4, Section 4.3.4(G)(11)** to include use specific standards for Microbreweries.
- ❖ **Amend Article 5, Section 5.1.3 and Table 5.1.3** to increase maximum gross residential density in the CP zoning district from 0.5 units per acre to 4 units per acre.
- ❖ **Amend Article 5, Section 5.1.3 and Table 5.1.3** to reduce the required minimum lot size for 'Dwelling, single-family detached' from 5,000 sq. ft. to 3,500 sq. ft. in the CP zoning district.
- ❖ **Amend Article 5, Section 5.1.3 and Table 5.1.3** to add Note 8 for additional maximum height through a Special Exception Permit process in the CI and CP zoning districts.
- ❖ **Create Article 5, Section 5.2.3(B)** to reference the review procedures for height increases within the Commercial Intensive and Corporate Park zoning districts and to require minimum setbacks from residential uses and residentially-zoned lands.
- ❖ **Amend Article 10** to amend the definition of 'dwelling, live/work' and add a definition of 'microbrewery.'

Each proposed amendment is identified in the following section of this report.

PROPOSED LDR TEXT AMENDMENTS

AMENDING SECTIONS 2.4.4(B) AND (D) RELATING TO SPECIAL EXCEPTION PERMITS

2.4.4 *Special exception permit.*

- (A) *Purpose.* The purpose of this subsection is to provide a means for reviewing applications for approval of uses allowed as special exceptions. These are uses that are generally compatible with the other uses permitted in a zone district, but require individual review of their location, design, configuration, density, intensity, and public facility impact to determine the appropriateness of the use on any particular site in the district and their compatibility with adjacent uses. Special exception uses may require the imposition of conditions to ensure the appropriateness of the use at a particular location.
- (B) *Authority.* The City Commission is authorized to review and decide applications for special exception permits for a building consisting of greater than or equal to 80,000 square feet in area in accordance with this section. The PZB is authorized to review and decide applications for all other special exception permits in accordance with this section. Only those uses identified as special exceptions in Table 4.1-1, Table of Allowed Uses **and Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts,** are authorized to be considered as special exceptions under this section. The designation of a use as a special exception in Table 4.1-1, Table of Allowed Uses **or Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts,** does not constitute an authorization that such use shall be approved as a special exception permit in accordance with this section. Rather, each proposed special exception shall be evaluated for compliance with the standards set forth in this section and the applicable standards for the use in Section 4.3, Use specific standards, **or Section 5.2.3(B),** if appropriate.
- (C) *Procedure.*
- (1) *Application submission, review, public notification, and scheduling hearing.* The procedures and requirements for submission and review of an application are established in Section 2.2, Common development review procedures.
 - (2) *Review and recommendation by PZB and review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.*
 - (a) *Review and recommendation by PZB on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing, and following the close of the public hearing, make a report to the City

Commission recommending either to approve, approve with conditions, or deny the application based on the standards in Section 2.4.4(D), Special exception standards.

- (b) *Review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After receipt of the report from the PZB, public notification, and the scheduling of a public hearing for the application for a special exception permit for a building greater than or equal to 80,000 square feet in area, the City Commission shall consider the application during a public hearing in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the City Commission shall review the application, the relevant support materials, the staff report, the report of the PZB, and the testimony given at the hearing. After the close of the hearing, the City Commission shall either approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.
- (3) *Review and action by PZB on application for special exception permit for uses other than building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for uses other than a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing. After the close of the public hearing, the PZB shall approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.
- (D) *Special exception standards.* A special exception permit shall be approved only upon a finding the applicant demonstrates all the following standards are met:
 - (1) *Complies with use specific regulations.* The proposed special exception complies with all relevant standards in Section 4.3, Use specific standards, or Section 5.2.3(B), as applicable.
 - (2) *Compatibility.* The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zone district.
 - (3) *Design minimizes adverse impact.* The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance.
 - (4) *Design minimizes environmental impact.* The proposed special exception minimizes environmental impacts and does not cause significant deterioration of light, water and air resources, wildlife habitat, stormwater management, scenic resources, and other natural resources.

- (5) *Roads and other public facilities.* There is adequate public facility capacity available to serve the proposed special exception, and the proposed special exception use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.
- (6) *Not injure neighboring land or property values.* The proposed special exception will not substantially injure the use of neighboring land for those uses that are permitted in the zone district, or reduce land values.
- (7) *Site plan.* A site plan (Subsection 2.4.9 of this section) has been prepared that demonstrates how the proposed special exception use complies with the other standards of this subsection.
- (8) *Complies with all other relevant laws and ordinances.* The proposed special exception use complies with all other relevant City laws and ordinances, State and Federal laws, and regulations.

AMENDING SECTIONS 2.4.7(B) AND (C) RELATING TO VARIANCE PERMITS

2.4.7 Variance permits.

- (A) *Overview.* These LDRs include three types of variance permits: zoning variance permits (Subsection 2.4.7(C) of this section); subdivision variance permits (Subsection 2.4.7(D) of this section); and floodplain development variances (Section 2.4.7(E) of these LDRs).
- (B) *Purpose.* The purpose of a variance is to allow certain deviations from the standards of these LDRs, including variance from the dimensional zoning standards (such as height **(except as provided for in Section 2.4.4 for the CI and CP zoning districts)**, parking, landscaping, lot dimensions, and signage standards), and subdivision standards (such as deviations from subdivision layout or public improvement standards) when the applicant demonstrates that, owing to special circumstances or conditions beyond the applicant's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape of a specific parcel of land), the literal application of the standards in these LDRs would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest.
- (C) *Zoning variance permits.*
 - (1) *Authority.* The BOA is authorized to review and decide zoning variance permits in accordance with this section.
 - (2) *Applicability.* The following standards may be varied through the zoning variance permit procedure:
 - (a) The maximum height standards **(except as provided for in Section 2.4.4 for the CI and CP zoning districts)**, maximum lot coverage standards, minimum yards and setbacks standards, minimum lot area standards, and minimum lot width standards in Section 5.1, Dimensional standards tables;

- (b) The allowable yard encroachments in Section 5.2.2(C), Allowable yard encroachments;
- (c) The standards in:
 - (i) Section 6.1, Off-street parking and loading standards;
 - (ii) Section 6.2.2, Landscaping standards;
 - (iii) Section 6.2.3, Screening standards;
 - (iv) Section 6.3, Fencing standards;
 - (v) Section 6.4, Exterior lighting standards;
 - (vi) Section 6.5, Signage;
 - (vii) Section 6.6, Infill standards; and
 - (viii) Section 6.8, Large retail design standards.

CREATING SECTION 2.4.10(B)(3)(i) RELATING TO RESIDENTIAL DEVELOPMENT IN THE CORPORATE PARK ZONING DISTRICT

2.4.10 Subdivision.

(B) Applicability.

- (3) *Exemptions.* The following development shall be exempt from the requirements of this section:
 - (a) *Subdivision into tracts.* Notwithstanding the requirements of F.S. ch. 177, the subdivision of land into two or more tracts of five acres in size or larger provided that no new streets or changes to existing street alignments are proposed, and provided that each tract meets the dimensional standards of these LDRs and has direct access to a public street.
 - (b) *Lot split.* A lot split, consisting of a division of a lot of record into no more than two lots, as long as the lot area complies with the dimensional standards of these LDRs. This exemption does not apply to lots within an existing platted subdivision.
 - (c) *Land for widening or opening streets.* The public acquisition by purchase of strips of land for the widening or opening of new streets.
 - (d) *Partition of land by court.* The partition of land by court decree.
 - (e) *Transfer by sale or gift.* The transfer of property without subdivision by sale, gift, succession, or for the purposes of dissolving tenancy in common among tenants.
 - (f) *Nonresidential and/or multifamily development.* A development consisting of multifamily, office, commercial, and/or industrial development requiring site plan review pursuant to section 2.4.9 of these LDRs, provided that such development would not result in the creation, relocation, or extension of any street. Such development shall comply with Chapter 177, Part I, Florida Statutes and shall not constitute a division, resubdivision, or combination/consolidation as defined in subsection 2.4.10(B)(1)(a) through (d). Site plans for such development

shall indicate the location and specifications of all utility infrastructure, including but not limited to water, wastewater, and electrical facilities, serving the development. This exemption shall not preclude a developer from subdividing a multifamily, office, commercial, and/or industrial development pursuant to this section 2.4.10.

- (g) *Existing nonresidential and/or multifamily development.* Existing multifamily, office, commercial and/or industrial development when the development:
 - (1) Has received approval of a site plan pursuant to section 2.4.9 of these LDRs; and
 - (2) All public and private utility infrastructure approved by the site plan has been constructed; and
 - (3) All public utility infrastructure has been accepted by the applicable entity.
- (h) *Roadway improvement projects identified in Long Range Transportation Plan.* Roadway improvement projects involving the creation, relocation, or extension of a street or modifications to streets that are identified in the adopted City of Alachua Long Range Transportation Plan, provided however that when the roadway improvement will be performed by an entity other than the City of Alachua, Alachua County, or State of Florida, a surety device in accordance with Section 7.4. Improvement guarantees for public improvements, or Section 6.10, Improvement guarantees for private improvements, as applicable, shall be posted with the City to cover at least 125 percent of the estimated cost of all public or private improvements.
- (i) *Residential development in the CP zoning district. A residential development in the Corporate Park (CP) zoning district may be reviewed pursuant to Section 2.4.9, Site plan, of these LDRs. When a residential development in the CP zoning district is reviewed pursuant to Section 2.4.9, such development shall meet all of the following criteria. This exemption shall not preclude a developer from subdividing residential development in the CP zoning district pursuant to this Section 2.4.10.:*
 - (1) *The development shall remain in common ownership;*
 - (2) *Such development shall comply with Chapter 177, Part I, Florida Statutes and shall not constitute a division, resubdivision, or combination/consolidation as defined in subsection 2.4.10(B)(1)(a) through (d); and,*
 - (3) *Site plans for such development shall indicate the location and specifications of all utility infrastructure, including but not limited to water, wastewater, and electrical facilities, serving the development.*

AMENDING SECTION 3.1.1 AND TABLE 3.1-1 RELATING TO THE MAXIMUM GROSS DENSITY WITHIN THE CORPORATE PARK ZONING DISTRICT

3.1.1 *Establishment of base zone districts.* The following base zone districts are established:

Table 3.1-1. Establishment of Base Zone Districts		
Abbreviation	District Name	Max. Gross Density (DU/AC) [1]
Conservation Districts		
CSV	Conservation	N/A
Agricultural Districts		
A	Agricultural	0.20; 0.50 if homesteaded
Residential Districts		
RSF-1	Residential Single-Family — 1	1
RSF-3	Residential Single-Family — 3	3
RSF-4	Residential Single-Family — 4	4
RSF-6	Residential Single-Family — 6	6
RMH-5	Residential Mobile Home — 5	5; 2 without public utilities
RMH-P	Residential Mobile Home Park	8
RMF-8	Residential Multiple Family — 8	8
RMF-15	Residential Multiple Family — 15	15
Business Districts		
OR	Office Residential	5
CN	Neighborhood Commercial	None
CC	Community Commercial	None
CBD	Central Business District	None
CI	Commercial Intensive	None
CP	Corporate Park	05 4 [2]

ILW	Light and Warehouse Industrial	None
IG	Industrial General	N/A
GF	Governmental Facilities	None
Planned Development Districts		
PD-R	Planned Development - Residential	See Section 3.6.3(A)
PD-TND	Planned Development - Traditional Neighborhood	See Section 3.6.3(B)
PD-EC	Planned Development - Employment Center	See Section 3.6.3(C)
PD-COMM	Planned Development - Commercial	See Section 3.6.3(D)
Notes		
<p>[1] Maximum gross residential density may be increased by 20 percent for the provision of affordable housing in the RSF-6, RMF-8, and RMF-15 zone districts.</p> <p>Floor area ratios for business districts are as follows:</p> <p>0.5 FAR for parcels five acres or greater;</p> <p>0.75 FAR for parcels less than five acres but greater than one acre;</p> <p>1.0 FAR for parcels one acre or less.</p>		
<p>[2] Residential density shall be consistent with the criteria outlined in Sec. 3.5.2(F).</p>		

AMENDING SECTION 3.5.2(F) RELATING TO THE SPECIFIC PURPOSES OF THE CORPORATE PARK ZONING DISTRICT

3.5.2 *Business district specific purposes.*

(F) *CP, Corporate Park District.*

- (1) The CP District is established and intended to accommodate a range of research and development, technology and life sciences/biotechnology industries, office, supporting retail, and ~~limited complementary~~ residential uses, as indicated in Table 4.1-1. By allowing a range of permitted uses, the CP District is intended to accommodate the development of "flex space" arrangements. Flex space allows a developer to establish different combinations of uses on a site over time.
- (2) ~~Clustered-rR~~ Residential development criteria. Development within the Corporate Park zoning district that consists of greater than ~~100~~ 50 acres of contiguous land may provide ~~clustered~~ residential development. ~~The amount of rR~~ residential development options available on any property zoned Corporate Park is further limited by subsections (a) and (b) below and as set forth in Table 5.1-3.

- (a) ~~Clustered Gross~~ residential development density shall be a maximum of 4 dwelling units per acre:
- ~~(i) — Consist of at least 60 percent of the total allowed residential units within the contiguous area zoned Corporate Park.~~
- ~~(ii) — Must be developed at a net density of six to 12 dwelling units per acre.~~
- (b) For purposes of calculating **available gross** residential density, the maximum number of dwelling units permitted in a contiguous area shall be determined by the **total** acreage contained in the property in common ownership as of the effective date of the ordinance adopting the rezoning to Corporate Park.

AMENDING SECTION 4.1.1 AND TABLE 4.1-1 RELATING TO PERMITTED USES IN THE CENTRAL BUSINESS DISTRICT, COMMERCIAL INTENSIVE, CORPORATE PARK, AND LIGHT & WAREHOUSE INDUSTRIAL, PLANNED DEVELOPMENT – COMMERCIAL, AND PLANNED DEVELOPMENT – TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICTS

4.1.1 Table of allowed uses.

Table 4.1-1. Table of Allowed Uses																									
P = Permitted use				S = Special exception permit				A = Allowed in the PD districts				Blank cell = Prohibited													
Use Category/Use Type	CS	V	A	Residential						Business									Planned Development				Use Specific Standards (Sec. 4.3)		
				Single-Family (RSF)				Mobile Home (RMH)		Multiple Family (RMF)		O R	C N	C C	CB D	C I	C P	IL W	I G	G F	COMM	R		TN D	E C
				1	3	4	6	5	P	8	15														
BUSINESS																									
	Recreation/entertainment, outdoor																								
Commercial recreation, outdoor			S												P	P			P	A		A	A		

hours of operation requirements for the outdoor seating areas shall apply (the following hours of operation requirements do not apply to on-premise consumption for the indoor areas of the microbrewery):

- (i) Weeknights. Service to outdoor seating areas will end at 10:00 p.m. on weeknights.
- (ii) Weekend nights. Service to outdoor seating areas will end at 11:00 p.m. on weekend nights.
- (d) No obstruction of pedestrian movement. Any microbrewery outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
- (e) Compatibility and compliance with building codes and State regulations. In approving the use, the City may impose conditions relating to the location, configuration, and operational aspects of a microbrewery outdoor seating area to ensure its compatibility with surrounding uses and its compliance with the City's building codes and ordinances, including noise, and all relevant State laws and regulations.
- (f) Applicability of residential protection standards. As a condition of the approval of a microbrewery located within 500 feet of any residential district or adjacent to an existing residential single-family or two-family development, the City may impose conditions as set forth in Section 6.6.3, Residential protection standards, to reduce or minimize any potential adverse impacts on the residential land or development.

AMENDING SECTION 5.1.3 AND TABLE 5.1-3 RELATING TO THE MAXIMUM GROSS RESIDENTIAL DENSITY, THE DIMENSIONAL STANDARDS, AND THE MAXIMUM HEIGHT FOR DEVELOPMENT WITHIN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS

5.1.3 *Dimensional standards in Business Districts.* All primary and accessory structures in the business zoning districts are subject to the dimensional standards set forth in Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts. These standards may be further limited or modified by other applicable sections of these LDRs. Rules of measurement and permitted exceptions are set forth in Sections 5.2.1, Lots; 5.2.2, Setbacks and required yards; 5.2.3, Height; and 5.2.4, Bulk.

Table 5.1-3. Table of Dimensional Standards in the Business Zoning Districts

District and Use	Lots		Minimum Yards and Setbacks				Max. Height (ft.)	Max. Lot	Max. FAR [2]	Max. Gross
	Min. Area (sq. ft.)	Min. Width (ft.)	Front (ft.) [5]	Side (ft.)	Rear (ft.)	Wetland and Watercourse (ft.)		Coverage (incl. accessory structures) [1]		Residential Density (DU/acre)
CI [3]										
All uses	None	None	20	None	15	Sec. 5.2.2(B)	65 See note [8]	None	See note [2]	None
CP [4]										
Dwelling, single-family detached	5,000 3,500 See note [6]	50 See note [6]	20 See note [7]	7.5 for each See note [7]	15 See note [7]	Sec. 5.2.2(B)	65	40%	N/A	0.5 4
Dwelling, single-family attached, townhouse, and multiple-family	5,000 See note [6]	40 See note [6]	15 See note [7]	5 for each building side See note [7]	10 See note [7]					
All other uses	None	None	20	15, except where railroad spur abuts side or rear property line, then none				100 See note [8]	None	See note

Notes:
[1] The maximum lot coverage in the OR district may be increased up to 65 percent by the provision of three or more upper story dwelling units above retail or office uses, provided such units are deed-restricted as affordable housing for low income residents.
[2] The building square footage occupied by upper story dwelling units that are deed-restricted as affordable housing for low income residents shall not be counted towards the maximum FAR. Floor area ratios for business districts are as follows: 0.5 FAR for parcels five acres or greater; 0.75 FAR for parcels less than five acres, but greater than one acre; 1.0 FAR for parcels one acre or less.
[3] Minimum lot area, minimum lot width, minimum yard, and minimum setback standards may be reduced by up to 75 percent in the CI Districts to accommodate deed-restricted affordable housing units.
[4] Residential uses in the CP District shall be consistent with the criteria specified in section 3.5.2(F).
[5] Front setbacks shall be consistent with the definition of "yard, front" as provided in subsection 5.2.2(A)(7).
<u>[6] Lot dimensional standards apply only to individual platted lots.</u>
<u>[7] Building setbacks apply only to individual platted lots or if no platting is proposed, the setback standards apply to the project perimeter. However, all building separation requirements specified in the Florida Building Code are applicable. As used within Table 5.1-3, "project" shall mean all contiguous land zoned CP.</u>
<u>[8] The maximum height for structures in the CI and CP zoning districts may be increased up to a maximum of 200 feet using the Special Exception process consistent with the applicable standards found in Section 2.4.4(D) and 5.2.3(B)).</u>

CREATING SECTION 5.2.3(B) RELATING TO SPECIAL HEIGHT REQUIREMENTS IN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS

5.2.3 Height.

(A) Definitions/measurements.

- (1) Building height means the vertical distance measured from the finished floor elevation of a building to the highest point of the roof surface of a flat roof, to the deck line of a mansard or Bermuda roof, to the mean height level between eaves and ridge of gable, hip, cone, gambrel and shed roofs, and to a height three-fourths of the distance from the ground to the apex of A-frame and dome roofs, as depicted in the diagram below.
- (2) Exclusions from height limitations, included in Sections 5.1.1 through 5.1.3, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, observation towers or other appurtenances usually required to be placed above the roof level and, excepting airport control towers and observation towers, not intended for human occupancy; however, the heights of these structures or

appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Administration.

- (3) Grade means the level of the finished ground surface immediately adjacent to the exterior walls of a building.

(B) Special height requirements in the CI and CP zoning districts.

(1) All structures that are not excluded from height limitations in Section 5.2.3(A)(2) shall comply with the maximum height requirements found in Table 5.1-3.

(2) Any proposed increase in height above the permitted maximum shall require a Special Exception Permit, which must demonstrate consistency with the Special Exception standards found in Section 2.4.4(D) and the additional standard below:

(a) The proposed structure shall not be located within 100 feet of a property boundary of a residential zoning district or a single-family or two-family use.

AMENDING SECTION 10.2 RELATING TO THE DEFINITION OF “DWELLING, LIVE/WORK” AND “MICROBREWERY”

Sec. 10.2 Definitions

Dwelling, live/work, means a structure or portion of a structure combining a residential living space ~~for a group of persons including not more than four adults~~ with an integrated work space principally used by one or more of the residents.

Microbrewery. means a facility that produces no more than 15,000 barrels per year of fermented malt beverages on site and may include a taproom for sale of beer for on premise consumption or in sealed containers for takeaway. The microbrewery may include outdoor seating areas.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The Goals, Objectives, and Policies (GOPs) identified below are provided to establish a basis of the application’s consistency with the Comprehensive Plan. There may be additional GOPs which the application is consistent with that are not identified within this report. An evaluation and findings of consistency with the identified GOPs is also provided below.

VISION ELEMENT

II. VISION STATEMENT

The City of Alachua will be a vibrant, growing, economically and culturally diverse community, which takes great pride in the fact that it has maintained its strong sense of community, its small-town atmosphere, a strong recreation program, the charm of its

downtown, and has preserved and protected its heritage and environment. It is proud of the state of the art educational facilities, which work hand-in-hand with Alachua's employers to make certain that its young people have challenging career opportunities at home. Alachua will become a leader in innovative techniques to ensure quality, well-planned growth and provide for a safe and convenient transportation environment. Alachua will be a place where housing choices are available to meet the needs of all citizens. Alachua will strive to be continually recognized by its peers as an example of what can happen when citizens, business communities, schools, and government work together for the common good.

Evaluation & Findings: The proposed LDR text amendments related to the Corporate Park zoning district will support the City's vision statement by helping provide career opportunities within future development that works in concert with UF and SFC within additional corporate campus-style developments within the City of Alachua. In addition, the proposed amendments will increase housing options by allowing additional types of residential uses (at a higher density) within these mixed-use developments.

III. GOALS TO IMPLEMENT THE VISION

GOAL 1: Economic Development: The City of Alachua has a unique business climate. The City is home to corporations, technology incubators, local businesses, and start-up companies. The City will maintain its focus on a welcoming business environment and encourage business development in the downtown area and along the U.S. 441 corridor. Alachua desires to continue to be a home to innovative businesses and an employment center where jobs are provided at every level. The City will continue to encourage the growth and development of established industries, such as biotechnology, and encourage the diversification and expansion of commercial businesses which provide integral services to the City's residents.

Evaluation & Findings: The proposed LDR text amendments related to the Corporate Park zoning district will support this goal by continuing to encourage business development and job creation within the downtown area and along US 441.

GOAL 3: Transportation Mobility: The City of Alachua transportation system includes a heavily traveled U.S. 441 corridor and a walkable downtown Main Street. The City will promote a safe, convenient and aesthetically pleasing transportation environment that provides for various modes of transportation. The City will encourage multi-modal enhancements and trail systems. The expansion of sidewalks and sidewalk continuity will be directed to areas where pedestrian walkability is desirable, with particular focus upon providing greater pedestrian connectivity within and between the downtown commercial and residential areas. The City will continue to pursue the interconnectivity of development in order to reduce negative impacts upon transportation infrastructure.

Evaluation & Findings: The proposed LDR text amendments related to the Corporate Park zoning district will not affect transportation mobility, which is promoted within the existing Corporate Park policy language. Development of key properties within the urban core as mixed-use corporate parks will provide for increased private investment in public infrastructure and interconnectivity between transportation networks.

GOAL 4: Housing: The City of Alachua has a variety of housing options, from historic downtown neighborhoods to large lot agrarian developments. The City supports the provision of safe, affordable housing for all income levels. The City will encourage mixed-use development with affordable housing, workforce housing, senior housing, housing for the disabled and enhancements that strengthen and upgrade neighborhoods, thereby maintaining a livable community for all age groups.

Evaluation & Findings: The proposed LDR text amendments related to the Corporate Park zoning district support this goal by allowing for greater potential for mixed use projects, including higher density residential uses and additional residential use types.

FUTURE LAND USE ELEMENT

Objective 1.4: Corporate Park

The City of Alachua shall establish one mixed use district: Corporate Park. This district shall provide a range of research and development, technology and biotechnology industries, office, supporting retail, and ~~limited~~ complementary residential uses located near major transportation corridors. The Corporate Park category is intended to:

- (1) provide appropriate locations for mixed use office-oriented development to promote and foster the growth of established industries within the City, including but not limited to research and development and technology and biotechnology, with provisions for a variety of residential uses ~~at a low to medium density~~; and,
- (2) provide a variety of employment opportunities to the citizens of Alachua and the North Central Florida Region.

Policy 1.4.a: The Corporate Park land use category may include office/business parks, biotechnology and other technologies, business incubators, a limited amount of retail sales and services, single-family and multi-family residential, live/work units, building industry uses, and accessory storage facilities (including outdoor storage yards) either as allowed uses or with a special exception permit. Such uses shall be developed in a manner compatible with surrounding land uses, and to minimize potential nuisances or damage to the environment.

Policy 1.4.b: Development within the Corporate Park land use category should be designed in a campus-like or “corporate park” setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features, such as buildings placed near the street, sidewalks, and trails leading to nearby uses, such as retail and housing, is encouraged.

Policy 1.4.c: Non-residential Corporate Park uses shall be limited to an intensity of less than or equal to .50 floor area ratio (F.A.R.) for parcels 5 acres or greater, .75 F.A.R. for parcels less than 5 acres but greater than 1 acre, and 1.0 F.A.R. for parcels 1 acre or less.

Policy 1.4.d: Development within the Corporate Park land use category that consists of greater than ~~100~~50 acres of contiguous land may provide ~~clustered~~ residential development. Residential uses within the Corporate Park land use category shall be limited to a gross density of ~~0.54~~ dwelling units per gross acre. ~~Clustered~~ Residential development must be developed consistent with the specific criteria identified within the Land Development Regulations for ~~clustered~~ residential development in the Corporate Park zoning district.

Policy 1.4.e: Corporate Park uses shall be located and designed in such a manner as to prevent undesirable impacts to adjacent properties.

1. The Corporate Park land use category may include material distribution facilities and manufacturing facilities subject to the following standards and maximums:

Type of Use	Manufacturing Area/Storage	Size of Building	Building Area Coverage
Regional Warehouse	None Permitted	100,000 sq.ft	50%
Manufacturing/Assembly	75% of total area	100,000 sq.ft	40%

2. The Corporate Park land use category may include flex facilities subject to the following standards and maximums:

Type of Flex	Building Size	Manufacturing	Warehousing	Building Area Coverage
Research and Development	150,000 sq.ft	75% of total area (may include labs and offices)	75% of total area	50%
Office Showroom	150,000 sq.ft	None permitted	60% warehousing / 20% retail showroom	50%
Multitenant	120,000 sq.ft	None permitted	60% retail / 40% warehousing	50%

Policy 1.4.f: The City shall develop performance standards for Corporate Park uses in order to address the following:

1. Integration of vehicular and non-vehicular access into the site and access management features of site in terms of driveway cuts and cross access between adjacent sites, including use of frontage roads and/or shared access;
2. Buffering from adjacent existing/potential uses and use of landscaping to create an integrated design;
3. Open space provisions and balance of proportion between gross floor area and site size;
4. Adequacy of pervious surface area in terms of drainage requirements;
5. Placement of signage;
6. Adequacy of site lighting and potential impacts of lighting upon the surrounding area. Lighting should be designed to minimize impacts and preserve the ambiance

- and quality of the nighttime sky by reducing light trespass and light pollution on adjacent properties by utilizing lighting at an appropriate intensity, direction and times to ensure light is not overused or impacting areas where it is not intended;
7. Safety of on-site circulation patterns (patron, employee, and delivery vehicles), including parking layout and drive aisles, and points of conflict;
 8. Landscaping, as it relates to the requirements of the Comprehensive Plan and Land Development Regulations;
 9. Unique site features and resources which may constrain site development, such as soils, existing vegetation and historic significance;
 10. Performance based zoning requirements, which may serve as a substitute for or accompany land development regulations in attaining acceptable site design.
 11. Commercial uses shall be limited to an intensity of less than or equal to .50 floor area ratio for parcels 10 acres or greater, .50 floor area ratio for parcels less than 10 acres but 5 acres or greater, a .75 floor area ratio for parcels less than 5 acres but greater than 1 acre, and 1.0 floor area ratio for parcels 1 acre or less.
 12. ~~Clustering of~~ Complementary residential uses.

Evaluation & Findings: The Comprehensive Plan Corporate Park policies (as proposed for amendment) are indicated above, with the proposed text amendments included. Overall, the Corporate Park designation is intended to provide appropriate locations for mixed use office-oriented development in a campus-like or ‘corporate park’ setting, to promote and foster the growth of established industries within the City, provide for residential uses and provide a variety of employment opportunities to the citizens of Alachua and the North Central Florida Region.

The proposed LDR text amendments support these goals by incorporating updates and adjustments, increasing flexibility in certain development standards and expanding residential use types/density, which will provide greater design flexibility and development options within the urbanized portions of the City of Alachua.

FINDINGS OF FACT: COMPLIANCE WITH LAND DEVELOPMENT REGULATIONS

Subsection 2.4.1(E)(1) of the Land Development Regulations (LDRs) states that, “in determining whether to approve a proposed text amendment to the Land Development Regulations, the City Commission shall find that an application is consistent with the following standards.” These standards are listed below, followed by Staff’s evaluation.

- (a) ***Consistent with Comprehensive Plan*** – *Whether and the extent to which the proposed amendment is consistent with the Comprehensive Plan.*

Evaluation & Findings: Please refer to ‘Consistency with Comprehensive Plan’ section of this report.

- (b) ***Consistent with Ordinances*** – *Whether the proposed amendment is in conflict with any provision of these LDRs or the City Code of Ordinances.*

Evaluation & Findings: The proposed amendments do not conflict with any other provisions of the LDRs or the City Code of Ordinances.

- (c) ***Changed Conditions*** – *Whether and the extent to which there are changed conditions that require an amendment.*

Evaluation & Findings: The Corporate Park (CP) zoning district provides land within the City to accommodate a range of research and development, technology and life sciences/biotechnology industries, office, supporting retail, and limited residential uses typified by the modern corporate park. While the existing CP zoning district is currently in place in the City Land Development Regulations, changed conditions have precipitated the proposed text changes. These changes include an increased market demand for residential development at a higher density (proposed 4 units per acre) than the minimal amount originally adopted (0.5 units per acre), which will facilitate more opportunities for development that truly offers live-work options for the residents of the City of Alachua.

- (d) ***Community Need*** – *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

Evaluation & Findings: Based on the community vision and the existing real estate market needs, there is a community need for regulations that support and encourage quality mixed-use development in the urban area of the City, which will provide both employment and residential opportunities in a cohesive environment. The Corporate Park (CP) zoning district provides a mix of uses sought by such technology-based companies when selecting operational locations and will provide an appropriate zoning district to support the continued growth and development of this industry within the City. The proposed LDR revisions will support this community need by providing some additional flexibility in the regulations and by allowing more residential density and use types.

- (e) ***Compatible with Surrounding Uses*** – *Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zone districts in these LDRs, or will improve compatibility among uses and will ensure efficient development within the City.*

Evaluation & Findings: The Corporate Park (CP) zoning district is intended to provide for a mix of residential, commercial, and industrial uses which is not provided by the other standard zoning districts. The Corporate Park (CP) zoning district allows for development in a campus-like setting and provides for the appropriate transition of land uses between existing and proposed development. The proposed LDR amendment will help further support and implement this compatible style of development.

- (f) ***Development Patterns*** – *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

Evaluation & Findings: The Corporate Park (CP) zoning district currently permits a logical and orderly development pattern. This zoning district permits a broad range of residential, commercial, and industrial uses and encourages their development in a campus-like setting. By fostering mixed-use development, the Corporate Park (CP) zoning district reduces impacts upon external roads by providing for retail uses located near employment generators. The proposed LDR amendments will help further support and implement this development pattern.

- (g) ***Effect on Natural Environment*** – *Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

Evaluation & Findings: The proposed text amendments do not impact the natural environment as the existing City regulations provide protection of significant natural resources.

- (h) ***Public Facilities*** – *Whether and the extent to which the proposed amendment would result in development that is adequately served by public facilities (roads, potable water, sewage, storm water management, parks, and solid wastes).*

Evaluation & Findings: While the proposed text amendments do not impact public facilities, the Corporate Park (CP) zoning district currently supports growth and development in areas served by public facilities.

CONCLUSION

The Corporate Park zoning district allows a mix of uses, including a range of research and development, technology and life sciences/biotechnology, office, supporting retail, and complementary residential uses. This zoning category allows for development to create a link between industries which are well established within the City: industrial/warehousing, technology/biotechnology, and general office, among others.

The proposed LDR text amendments support the intent of the Corporate Park zoning district by incorporating amendments and updates, increasing flexibility in certain development standards and expanding residential density, addition of permitted uses and modifications to dimensional requirements/development standards, which will provide greater design flexibility and development options within the urbanized portions of the City of Alachua.

A new use, “microbrewery” is proposed for addition in the Central Business District, Commercial Intensive, Corporate Park, Light and Warehouse Industrial, Planned Development Commercial, and Planned Development TND zoning districts. The microbrewery use is part of the new craft beer industry in the U.S. These facilities are small-scale, independent brewers of malt beverages that include on premises consumption and sales of sealed containers for off premises consumption. This proposed new use offers new small-business and employment opportunities for the City of Alachua.

**EXHIBIT “A”
TO
STAFF INITIATED
LAND DEVELOPMENT REGULATIONS (LDR) TEXT AMENDMENTS
(JUNE 2019)
STAFF REPORT**

**SUPPORTING APPLICATION MATERIALS
SUBMITTED BY CITY STAFF TO THE
PLANNING AND ZONING BOARD**

ORDINANCE 19-31

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE CITY'S LAND DEVELOPMENT REGULATIONS ("LDRS"); AMENDING SUBPART B OF THE CITY OF ALACHUA CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 2.4.4(B) AND (D), RELATING TO SPECIAL EXCEPTION PERMITS; AMENDING SECTIONS 2.4.7(B) AND (C) RELATING TO VARIANCE PERMITS; CREATING SECTION 2.4.10(B)(3)(i) RELATING TO RESIDENTIAL DEVELOPMENT IN THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 3.1.1 AND TABLE 3.1-1 RELATING TO THE MAXIMUM GROSS DENSITY WITHIN THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 3.5.2(F) RELATING TO THE SPECIFIC PURPOSES OF THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 4.1.1 AND TABLE 4.1-1 RELATING TO PERMITTED USES IN THE CENTRAL BUSINESS DISTRICT, COMMERCIAL INTENSIVE, CORPORATE PARK, LIGHT & WAREHOUSE INDUSTRIAL, PLANNED DEVELOPMENT – COMMERCIAL, AND PLANNED DEVELOPMENT – TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICTS; CREATING SECTION 4.3.4(G)(11) RELATING TO THE USE-SPECIFIC STANDARDS FOR MICROBREWERIES; AMENDING SECTION 5.1.3 AND TABLE 5.1-3 RELATING TO THE MAXIMUM GROSS RESIDENTIAL DENSITY AND DIMENSIONAL STANDARDS IN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; AMENDING SECTION 5.1.3 AND TABLE 5.1-3 RELATING TO THE MAXIMUM HEIGHT FOR DEVELOPMENT WITHIN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; CREATING SECTION 5.2.3(B) RELATING TO SPECIAL HEIGHT REQUIREMENTS IN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; AND AMENDING SECTION 10.2 RELATING TO THE DEFINITION OF "DWELLING, LIVE/WORK" AND "MICROBREWERY"; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, a Text Amendment ("Amendment") to the City's Land Development Regulations ("LDRs"), as described below, has been proposed; and

WHEREAS, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency ("LPA"), on May 30, 2019; and

WHEREAS, the LPA conducted a public hearing on the proposed Amendment on June 11, 2019, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on June 13, 2019, and on July 11, 2019; and

WHEREAS, the City Commission conducted public hearings on the proposed Amendment on June 24, 2019, and July 22, 2019, and provided for public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the Amendment to be consistent with the City's Comprehensive Plan and City's LDRs; and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Interpretation of Recitals

The above recitals are true and correct and incorporated in this ordinance.

Section 2. Findings of Fact and Conclusions of Law

The authority for the enactment of this ordinance is Chapter 163, Part I, Florida Statutes; Sections 166.021 and 166.041; and the City's Comprehensive Plan.

Section 3. Amendment to the Land Development Regulations

The proposed Amendment to the City Land Development Regulations are attached as Exhibit "A" and are hereby incorporated herein by reference.

Section 4. Codification of and Correction of Scrivener's Errors

The City Manager or designee, without public hearing, is authorized to correct any typographical errors which do not affect the intent of this ordinance. A corrected copy shall be posted in the public record.

Section 5. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of the City of Alachua, Florida.

Section 6. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 7. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 9. Effective Date

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

Passed on First Reading the 24th day of June 2019.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 22nd day of July 2019.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

Section 2.4.4 of the City’s LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.4.4 remains in full force and effect:

2.4.4 *Special exception permit.*

- (A) *Purpose.* The purpose of this subsection is to provide a means for reviewing applications for approval of uses allowed as special exceptions. These are uses that are generally compatible with the other uses permitted in a zone district, but require individual review of their location, design, configuration, density, intensity, and public facility impact to determine the appropriateness of the use on any particular site in the district and their compatibility with adjacent uses. Special exception uses may require the imposition of conditions to ensure the appropriateness of the use at a particular location.
- (B) *Authority.* The City Commission is authorized to review and decide applications for special exception permits for a building consisting of greater than or equal to 80,000 square feet in area in accordance with this section. The PZB is authorized to review and decide applications for all other special exception permits in accordance with this section. Only those uses identified as special exceptions in Table 4.1-1, Table of Allowed Uses and Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts, are authorized to be considered as special exceptions under this section. The designation of a use as a special exception in Table 4.1-1, Table of Allowed Uses or Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts, does not constitute an authorization that such use shall be approved as a special exception permit in accordance with this section. Rather, each proposed special exception shall be evaluated for compliance with the standards set forth in this section and the applicable standards for the use in Section 4.3, Use specific standards, or Section 5.2.3(B), if appropriate.
- (C) *Procedure.*
 - (1) *Application submission, review, public notification, and scheduling hearing.* The procedures and requirements for submission and review of an application are established in Section 2.2, Common development review procedures.
 - (2) *Review and recommendation by PZB and review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.*
 - (a) *Review and recommendation by PZB on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing, and following the close of the public hearing, make a report to the City Commission recommending either to approve, approve with conditions, or deny the application based on the standards in Section 2.4.4(D), Special exception standards.
 - (b) *Review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After receipt of the report from the PZB, public notification, and the scheduling of a public hearing for the application for a special exception permit for a building greater than or equal to 80,000 square feet in area, the City Commission shall consider the application during a public hearing in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the City Commission shall review the application, the relevant support materials, the staff report, the report of the PZB, and the testimony given at the hearing. After the close of the hearing, the City Commission shall either approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.

- (3) *Review and action by PZB on application for special exception permit for uses other than building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for uses other than a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing. After the close of the public hearing, the PZB shall approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.
- (D) *Special exception standards.* A special exception permit shall be approved only upon a finding the applicant demonstrates all the following standards are met:
- (1) *Complies with use specific regulations.* The proposed special exception complies with all relevant standards in Section 4.3, Use specific standards, or Section 5.2.3(B), as applicable.
 - (2) *Compatibility.* The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zone district.
 - (3) *Design minimizes adverse impact.* The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance.
 - (4) *Design minimizes environmental impact.* The proposed special exception minimizes environmental impacts and does not cause significant deterioration of light, water and air resources, wildlife habitat, stormwater management, scenic resources, and other natural resources.
 - (5) *Roads and other public facilities.* There is adequate public facility capacity available to serve the proposed special exception, and the proposed special exception use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.
 - (6) *Not injure neighboring land or property values.* The proposed special exception will not substantially injure the use of neighboring land for those uses that are permitted in the zone district, or reduce land values.
 - (7) *Site plan.* A site plan (Subsection 2.4.9 of this section) has been prepared that demonstrates how the proposed special exception use complies with the other standards of this subsection.
 - (8) *Complies with all other relevant laws and ordinances.* The proposed special exception use complies with all other relevant City laws and ordinances, State and Federal laws, and regulations.

Section 2.4.7 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.4.7 remains in full force and effect:

2.4.7 *Variance permits.*

- (A) *Overview.* These LDRs include three types of variance permits: zoning variance permits (Subsection 2.4.7(C) of this section); subdivision variance permits (Subsection 2.4.7(D) of this section); and floodplain development variances (Section 2.4.7(E) of these LDRs).
- (B) *Purpose.* The purpose of a variance is to allow certain deviations from the standards of these LDRs, including variance from the dimensional zoning standards (such as height (except as provided for in Section 2.4.4 for the CI and CP zoning districts), parking, landscaping, lot dimensions, and signage standards), and subdivision standards (such as deviations from subdivision layout or public improvement standards) when the applicant demonstrates that, owing to special circumstances or conditions beyond the applicant's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape

of a specific parcel of land), the literal application of the standards in these LDRs would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest.

(C) *Zoning variance permits.*

- (1) *Authority.* The BOA is authorized to review and decide zoning variance permits in accordance with this section.
- (2) *Applicability.* The following standards may be varied through the zoning variance permit procedure:
 - (a) The maximum height standards (except as provided for in Section 2.4.4 for the CI and CP zoning districts), maximum lot coverage standards, minimum yards and setbacks standards, minimum lot area standards, and minimum lot width standards in Section 5.1, Dimensional standards tables;
 - (b) The allowable yard encroachments in Section 5.2.2(C), Allowable yard encroachments;
 - (c) The standards in:
 - (i) Section 6.1, Off-street parking and loading standards;
 - (ii) Section 6.2.2, Landscaping standards;
 - (iii) Section 6.2.3, Screening standards;
 - (iv) Section 6.3, Fencing standards;
 - (v) Section 6.4, Exterior lighting standards;
 - (vi) Section 6.5, Signage;
 - (vii) Section 6.6, Infill standards; and
 - (viii) Section 6.8, Large retail design standards.

Section 2.4.10 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struck through~~ is to be removed). Except as amended herein, the remainder of Section 2.4.10 remains in full force and effect:

2.4.10 *Subdivision.*

(B) *Applicability.*

- (3) *Exemptions.* The following development shall be exempt from the requirements of this section:
 - (a) *Subdivision into tracts.* Notwithstanding the requirements of F.S. ch. 177, the subdivision of land into two or more tracts of five acres in size or larger provided that no new streets or changes to existing street alignments are proposed, and provided that each tract meets the dimensional standards of these LDRs and has direct access to a public street.
 - (b) *Lot split.* A lot split, consisting of a division of a lot of record into no more than two lots, as long as the lot area complies with the dimensional standards of these LDRs. This exemption does not apply to lots within an existing platted subdivision.
 - (c) *Land for widening or opening streets.* The public acquisition by purchase of strips of land for the widening or opening of new streets.
 - (d) *Partition of land by court.* The partition of land by court decree.
 - (e) *Transfer by sale or gift.* The transfer of property without subdivision by sale, gift, succession, or for the purposes of dissolving tenancy in common among tenants.
 - (f) *Nonresidential and/or multifamily development.* A development consisting of multifamily, office, commercial, and/or industrial development requiring site plan review pursuant to

section 2.4.9 of these LDRs, provided that such development would not result in the creation, relocation, or extension of any street. Such development shall comply with Chapter 177, Part I, Florida Statutes and shall not constitute a division, resubdivision, or combination/consolidation as defined in subsection 2.4.10(B)(1)(a) through (d). Site plans for such development shall indicate the location and specifications of all utility infrastructure, including but not limited to water, wastewater, and electrical facilities, serving the development. This exemption shall not preclude a developer from subdividing a multifamily, office, commercial, and/or industrial development pursuant to this section 2.4.10.

- (g) *Existing nonresidential and/or multifamily development.* Existing multifamily, office, commercial and/or industrial development when the development:
- (1) Has received approval of a site plan pursuant to section 2.4.9 of these LDRs; and
 - (2) All public and private utility infrastructure approved by the site plan has been constructed; and
 - (3) All public utility infrastructure has been accepted by the applicable entity.
- (h) *Roadway improvement projects identified in Long Range Transportation Plan.* Roadway improvement projects involving the creation, relocation, or extension of a street or modifications to streets that are identified in the adopted City of Alachua Long Range Transportation Plan, provided however that when the roadway improvement will be performed by an entity other than the City of Alachua, Alachua County, or State of Florida, a surety device in accordance with Section 7.4. Improvement guarantees for public improvements, or Section 6.10, Improvement guarantees for private improvements, as applicable, shall be posted with the City to cover at least 125 percent of the estimated cost of all public or private improvements.
- (i) Residential development in the CP zoning district. A residential development in the Corporate Park (CP) zoning district may be reviewed pursuant to Section 2.4.9, Site plan, of these LDRs. When a residential development in the CP zoning district is reviewed pursuant to Section 2.4.9, such development shall meet all of the following criteria. This exemption shall not preclude a developer from subdividing residential development in the CP zoning district pursuant to this Section 2.4.10.:
- (1) The development shall remain in common ownership;
 - (2) Such development shall comply with Chapter 177, Part I, Florida Statutes and shall not constitute a division, resubdivision, or combination/consolidation as defined in subsection 2.4.10(B)(1)(a) through (d); and,
 - (3) Site plans for such development shall indicate the location and specifications of all utility infrastructure, including but not limited to water, wastewater, and electrical facilities, serving the development.

Section 3.1.1 and Table 3.1-1 of the City's LDRs are amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 3.1.1 and Table 3.1-1 remain in full force and effect:

3.1.1 *Establishment of base zone districts.* The following base zone districts are established:

Table 3.1-1. Establishment of Base Zone Districts		
Abbreviation	District Name	Max. Gross Density (DU/AC) [1]
Conservation Districts		
CSV	Conservation	N/A
Agricultural Districts		
A	Agricultural	0.20; 0.50 if homesteaded
Residential Districts		
RSF-1	Residential Single-Family — 1	1
RSF-3	Residential Single-Family — 3	3
RSF-4	Residential Single-Family — 4	4
RSF-6	Residential Single-Family — 6	6
RMH-5	Residential Mobile Home — 5	5; 2 without public utilities
RMH-P	Residential Mobile Home Park	8
RMF-8	Residential Multiple Family — 8	8
RMF-15	Residential Multiple Family — 15	15
Business Districts		
OR	Office Residential	5
CN	Neighborhood Commercial	None
CC	Community Commercial	None
CBD	Central Business District	None
CI	Commercial Intensive	None
CP	Corporate Park	05 4 [2]
ILW	Light and Warehouse Industrial	None

IG	Industrial General	N/A
GF	Governmental Facilities	None
Planned Development Districts		
PD-R	Planned Development - Residential	See Section 3.6.3(A)
PD-TND	Planned Development - Traditional Neighborhood	See Section 3.6.3(B)
PD-EC	Planned Development - Employment Center	See Section 3.6.3(C)
PD-COMM	Planned Development - Commercial	See Section 3.6.3(D)
<p>Notes</p> <p>[1] Maximum gross residential density may be increased by 20 percent for the provision of affordable housing in the RSF-6, RMF-8, and RMF-15 zone districts.</p> <p>Floor area ratios for business districts are as follows:</p> <p>0.5 FAR for parcels five acres or greater;</p> <p>0.75 FAR for parcels less than five acres but greater than one acre;</p> <p>1.0 FAR for parcels one acre or less.</p> <p>[2] Residential density shall be consistent with the criteria outlined in Sec. 3.5.2(F).</p>		

Section 3.5.2 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struck through~~ is to be removed). Except as amended herein, the remainder of Section 3.5.2 remains in full force and effect:

3.5.2 *Business district specific purposes.*

(F) *CP, Corporate Park District.*

- (1) The CP District is established and intended to accommodate a range of research and development, technology and life sciences/biotechnology industries, office, supporting retail, and ~~limited complementary~~ residential uses, as indicated in Table 4.1-1. By allowing a range of permitted uses, the CP District is intended to accommodate the development of "flex space" arrangements. Flex space allows a developer to establish different combinations of uses on a site over time.
- (2) ~~Clustered~~ Residential development criteria. Development within the Corporate Park zoning district that consists of greater than ~~100~~ 50 acres of contiguous land may provide ~~clustered~~ residential development. ~~The amount of~~ Residential development options available on any property zoned Corporate Park is further limited by subsections (a) and (b) below and as set forth in Table 5.1-3.
 - (a) ~~Clustered~~ Gross residential development density shall be a maximum of 4 dwelling units per acre:
 - (i) ~~Consist of at least 60 percent of the total allowed residential units within the contiguous area zoned Corporate Park.~~
 - (ii) ~~Must be developed at a net density of six to 12 dwelling units per acre.~~

- (b) For purposes of calculating ~~available gross~~ residential density, the maximum number of dwelling units permitted in a contiguous area shall be determined by the ~~total~~ acreage contained in the property in common ownership as of the effective date of the ordinance adopting the rezoning to Corporate Park.

Section 4.1.1 and Table 4.1-1 of the City's LDRs are amended as follows (text that is underlined is to be added and text that is shown as ~~striethrough~~ is to be removed). Except as amended herein, the remainder of Section 4.1.1 and Table 4.1-1 remain in full force and effect:

4.1.1 *Table of allowed uses.*

Table 4.1-1. Table of Allowed Uses																						
P = Permitted use S = Special exception permit A = Allowed in the PD districts Blank cell = Prohibited																						
Use Category/Use Type	CSV	A	Residential						Business								Planned Development				Use Specific Standards (Sec. 4.3)	
			Single-Family (RSF)		Mobile Home (RMH)		Multiple Family (RMF)		OR	CN	CC	CB D	CI	CP	ILW	IG	GF	COMM	R	TND	EC	
			1	3	4	6	5	P	8	15												
BUSINESS																						
Recreation/entertainment, outdoor																						
Commercial recreation, outdoor		S												P	<u>P</u>			P	A		A	A
Retail sales and services																						
<u>Microbrewery</u>														<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>A</u>		<u>A</u>	<u>4.3.4(G)(11)</u>

Section 4.3.4(G)(11) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~striethrough~~ is to be removed). Except as amended herein, the remainder of Section 4.3.4(G) remains in full force and effect:

4.3.4 *Business uses.*

(G) *Retail sales and services.* Retail sales and services uses located in a single-tenant building of 20,000 square feet size or larger shall comply with the standards in Subsection 6.8.3, Design standards for business uses, as well as the standards in this section.

(11) *Microbreweries.* A microbrewery shall comply with the following standards:

(a) *Minimum separation from residential uses and zoning.* The following separation shall be required between microbreweries and a residential zone district or use:

(i) *Microbreweries with indoor seating only.* Except for microbreweries within the Corporate Park (CP) zoning district, a microbrewery with indoor seating only shall be located no closer than 100 feet from any residential zone district or use. The distance shall be measured by extending a straight line from the center of the main entrance of the microbrewery to the nearest property line of the residential zone district or use.

(ii) *Microbreweries with outdoor seating.* Outdoor seating areas for a microbrewery shall be located no closer than 250 feet from any residential zone district or use. The distance shall be measured by extending a straight line from the nearest point of the outdoor seating area to the nearest property line of the residential zone district or use.

(b) *Minimum separation from religious institutions.* Microbreweries (including any outdoor seating area) shall be located no closer than 450 feet from any religious institution, as defined by the City's Land Development Regulations. The distance shall be measured from the center of the main entrance of the microbrewery and follow the most direct public route of pedestrian travel to the main entrance of the religious institution.

(c) *Hours of operation.* For microbreweries with indoor seating only, hours of operation for sale and on-premise consumption shall be consistent with Chapter 4, Section 4.2 of the Alachua Code of Ordinances. For microbreweries with outdoor seating, the following hours of operation requirements for the outdoor seating areas shall apply (the following hours of operation requirements do not apply to on-premise consumption for the indoor areas of the microbrewery):

(i) *Weeknights.* Service to outdoor seating areas will end at 10:00 p.m. on weeknights.

(ii) *Weekend nights.* Service to outdoor seating areas will end at 11:00 p.m. on weekend nights.

(d) *No obstruction of pedestrian movement.* Any microbrewery outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

(e) *Compatibility and compliance with building codes and State regulations.* In approving the use, the City may impose conditions relating to the location, configuration, and operational aspects of a microbrewery outdoor seating area to ensure its compatibility with surrounding uses and its compliance with the City's building codes and ordinances, including noise, and all relevant State laws and regulations.

(f) *Applicability of residential protection standards.* As a condition of the approval of a microbrewery located within 500 feet of any residential district or adjacent to an existing residential single-family or two-family development, the City may impose conditions as set forth in Section 6.6.3, Residential protection standards, to reduce or minimize any potential adverse impacts on the residential land or development.

Section 5.1.3 and Table 5.1-3 of the City's LDRs are amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 5.1.3 and Table 5.1-3 remain in full force and effect:

5.1.3 *Dimensional standards in Business Districts.* All primary and accessory structures in the business zoning districts are subject to the dimensional standards set forth in Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts. These standards may be further limited or modified by other applicable sections of these LDRs. Rules of measurement and permitted exceptions are set forth in Sections 5.2.1, Lots; 5.2.2, Setbacks and required yards; 5.2.3, Height; and 5.2.4, Bulk.

Table 5.1-3. Table of Dimensional Standards in the Business Zoning Districts										
District and Use	Lots		Minimum Yards and Setbacks				Max. Height (ft.)	Max. Lot Coverage (incl. accessory structures) [1]	Max. FAR [2]	Max. Gross Residential Density (DU/acre)
	Min. Area (sq. ft.)	Min. Width (ft.)	Front (ft.) [5]	Side (ft.)	Rear (ft.)	Wetland and Watercourse (ft.)				
CI [3]										
All uses	None	None	20	None	15	Sec. 5.2.2(B)	65 <u>See note [8]</u>	None	See note [2]	None
CP [4]										
Dwelling, single-family detached	5,000 <u>3,500</u> <u>See note [6]</u>	50 <u>See note [6]</u>	20 <u>See note [7]</u>	7.5 for each <u>See note [7]</u>	15 <u>See note [7]</u>	Sec. 5.2.2(B)	65	40%	N/A	0.5 <u>4</u>
Dwelling, single-family attached, townhouse, and multiple-family	5,000 <u>See note [6]</u>	40 <u>See note [6]</u>	15 <u>See note [7]</u>	5 for each building side <u>See note [7]</u>	10 <u>See note [7]</u>					

All other uses	None	None	20	15, except where railroad spur abuts side or rear property line, then none	100 <u>See note [8]</u>	None	See note	N/A
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Notes:
[1] The maximum lot coverage in the OR district may be increased up to 65 percent by the provision of three or more upper story dwelling units above retail or office uses, provided such units are deed-restricted as affordable housing for low income residents.
[2] The building square footage occupied by upper story dwelling units that are deed-restricted as affordable housing for low income residents shall not be counted towards the maximum FAR. Floor area ratios for business districts are as follows: 0.5 FAR for parcels five acres or greater; 0.75 FAR for parcels less than five acres, but greater than one acre; 1.0 FAR for parcels one acre or less.
[3] Minimum lot area, minimum lot width, minimum yard, and minimum setback standards may be reduced by up to 75 percent in the CI Districts to accommodate deed-restricted affordable housing units.
[4] Residential uses in the CP District shall be consistent with the criteria specified in section 3.5.2(F).
[5] Front setbacks shall be consistent with the definition of "yard, front" as provided in subsection 5.2.2(A)(7).
<u>[6] Lot dimensional standards apply only to individual platted lots.</u>
<u>[7] Building setbacks apply only to individual platted lots or if no platting is proposed, the setback standards apply to the project perimeter. However, all building separation requirements specified in the Florida Building Code are applicable. As used within Table 5.1-3, "project" shall mean all contiguous land zoned CP.</u>
<u>[8] The maximum height for structures in the CI and CP zoning districts may be increased up to a maximum of 200 feet using the Special Exception process consistent with the applicable standards found in Section 2.4.4(D) and 5.2.3(B)).</u>

Section 5.2.3(A)(2) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~strike through~~ is to be removed). Except as amended herein, the remainder of Section 5.2.3 remains in full force and effect:

5.2.3 Height.

(A) Definitions/measurements.

- (1) Building height means the vertical distance measured from the finished floor elevation of a building to the highest point of the roof surface of a flat roof, to the deck line of a mansard or Bermuda roof, to the mean height level between eaves and ridge of gable, hip, cone, gambrel and shed roofs, and to a height three-fourths of the distance from the ground to the apex of A-frame and dome roofs, as depicted in the diagram below.

- (2) Exclusions from height limitations, included in Sections 5.1.1 through 5.1.3, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, observation towers or other appurtenances usually required to be placed above the roof level and, excepting airport control towers and observation towers, not intended for human occupancy; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Administration.
- (3) Grade means the level of the finished ground surface immediately adjacent to the exterior walls of a building.

(B) Special height requirements in the CI and CP zoning districts.

- (1) All structures that are not excluded from height limitations in Section 5.2.3(A)(2) shall comply with the maximum height requirements found in Table 5.1-3.
- (2) Any proposed increase in height above the permitted maximum shall require a Special Exception Permit, which must demonstrate consistency with the Special Exception standards found in Section 2.4.4(D) and the additional standard below:
 - (a) The proposed structure shall not be located within 100 feet of a property boundary of a residential zoning district or a single-family or two-family use.

Section 10.2 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 10.2 remains in full force and effect:

Sec. 10.2 *Definitions*

Dwelling, live/work, means a structure or portion of a structure combining a residential living space ~~for a group of persons including not more than four adults~~ with an integrated work space principally used by one or more of the residents.

Microbrewery, means a facility that produces no more than 15,000 barrels per year of fermented malt beverages on site and may include a taproom for sale of beer for on premise consumption or in sealed containers for takeaway. The microbrewery may include outdoor seating areas.