

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

28 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
29 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
30 to Section 163.3174, Florida Statutes, held a public hearing on March 28, 2024, and voted to
31 make a recommendation to the City Commission regarding the subject of this ordinance; and

32 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
33 circulation notifying the public of this proposed ordinance and of public hearings to be held by
34 the City Commission; and

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

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

39 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
40 **FLORIDA:**

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

43 **Sec. 30-2.1. Definitions.**

44 **Residential zoning district** means zoning districts that allow predominantly residential uses,
45 including ~~RSF~~ SE, RC, MH, RMF, U1, and U2. All other districts are deemed non-residential.

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47

48 **SECTION 2.** Section 30-3.36 of the Land Development Code is amended as follows. Except as
49 amended herein, the remainder of Section 30-3.36 remains in full force and effect.

50 **Sec. 30-3.36. – Minor subdivisions.**

51 A. *Minor subdivision standards.*

- 52 1. Each proposed lot shall conform to the provisions of this chapter.
- 53 2. All existing principal and accessory structures on each lot must conform to the use and
54 development standards of this chapter.
- 55 3. All lots have city water and sewer services available and constructed to the lot line of at
56 least one lot, with appropriate easements granted to allow future water and sewer
57 connections to each of the lots at the time each lot is developed.
- 58 4. If the proposed minor subdivision abuts a public right-of-way that does not conform to
59 the provisions of section 30-6.6 B., as further specified in the Design Manual, the owner
60 may be required to dedicate, at no cost to the city, one-half of the right-of-way width
61 necessary to meet the minimum design requirements. If the proposed minor subdivision
62 abuts both sides of a substandard street, one-half of the right-of-way width necessary to
63 meet those minimum design requirements may be required from each side. The
64 dedication of this right-of-way or any easements necessary must be accomplished by a
65 separate document. The applicant shall provide the city with legal descriptions of all
66 easements or rights-of-way to be dedicated, and the city shall prepare and record the
67 necessary documents as part of the approval process.
- 68 5. Each lot in the minor subdivision must front for the entire required minimum lot width on
69 a public street or an approved private street, except in minor subdivisions where the lots
70 are organized around a centrally-located common greenspace and individual owners are
71 provided legal rights to ingress and egress to a public street or an approved private street.
72 Where there is no minimum lot width requirement, each lot must abut a public street or
73 approved private street for a width equivalent to the maximum driveway width required
74 in section 30-6.20, plus any required turning radii area. Notwithstanding the above, the
75 length of street frontage may be modified during minor subdivision review by the city
76 manager or designee, based on the need to achieve the most efficient lot layout, access
77 to and from the minor subdivision, operational needs of service vehicles, vehicular
78 circulation and the health, welfare, and safety of the public.
- 79 6. The minor subdivision must create vehicular and pedestrian access to serve the minor
80 subdivision and improve gridded connectivity by connecting to surrounding existing
81 streets and by including new streets within the minor subdivision so that the resulting
82 blocks will not exceed a maximum block perimeter of 2,000 feet or the maximum
83 perimeter set by the zoning district, whichever is less. Modifications to this requirement

84 may be granted by the city manager or designee where the construction of a street is
85 limited by existing conditions such as, but not limited to:

- 86 a. Access management standards;
- 87 b. Regulated environmental features; or
- 88 c. Public facilities, such as, but not limited to, stormwater facilities, parks, or schools.

89 Alternatively, where the development review director determines that it is not possible
90 to construct the streets that would be required to meet the block perimeter standard, the
91 block perimeter must be completed with the provision of pedestrian and bicycle paths or
92 multi-use paths. The applicant shall, at the expense of the applicant, construct the
93 required streets or paths according to the appropriate city standards as determined
94 through the minor subdivision review process, but may be sited and configured in a
95 manner so that the streets provide the most appropriate access to the minor subdivision
96 and connectivity to the surrounding street network. Where a street or path is planned to
97 provide a future connection to a street or path beyond the extent of the minor
98 subdivision, the applicant shall provide for the connection of the street by stubbing out
99 the road improvements as close as practicable to the boundary of the minor subdivision.

100 7. Each approved private street must meet the following requirements in addition to the
101 requirements in section 30-6.8:

- 102 a. An approved private street must be paved to a minimum width of 12 feet wide for
103 one-directional traffic flow and 18 feet wide for two-directional traffic flow.
104 Alternatively, a determination must be made by the city public works department, the
105 city fire rescue department, and city solid waste department that the approved
106 private street is adequate to support service vehicles as necessary to provide
107 municipal services.
- 108 b. The structure and sub-base of the approved private street must meet the standards
109 set forth in the Design Manual.
- 110 c. Each approved private street must be connected directly to a public street or to
111 another approved private street. The method and type of connection will be subject
112 to approval by the city public works department in accordance with the standards set
113 forth in the Design Manual. The private street serving the minor subdivision must have
114 a maximum length of 1,000 feet (measured by traversing the length of the approved
115 private street from its farthest extent to the nearest public street). At the point the
116 private street reaches 1,000 feet in length, the applicant shall provide one of the
117 following, as determined by the city fire rescue department: appropriate emergency
118 connection to the nearest public road, if such a connection can be made on property
119 within the minor subdivision; or a turnaround sized to accommodate fire and rescue
120 vehicles.

- 121 d. The owners of each approved private street shall provide necessary easements to the
122 city for the purpose of providing municipal services. Alternatively, if the city finds the
123 street serves a valid public purpose, the owners may gratuitously dedicate an
124 approved private street for purposes of public right-of-way.
- 125 e. Lots created on an approved private street must be designed to minimize the number
126 of curb cuts onto the street. Shared driveway access is required of adjoining lots,
127 except where an odd number of lots are created, in which case, one lot, as determined
128 by the city public works department, may be allowed to have a separate driveway.
- 129 8. All proposed minor subdivisions must meet the level of service standards in the
130 Comprehensive Plan. Proof of meeting these standards shall exist in the form of a
131 certificate of concurrency exemption, certificate of preliminary concurrency or certificate
132 of conditional concurrency reservation. The approval of a nonresidential minor
133 subdivision in no way reserves capacity for the purposes of concurrency.
- 134 B. *Review.*
- 135 1. *Application.* After a mandatory pre-application conference with staff, an application must
136 be completed on a form prescribed by the city and submitted together with the following:
- 137 a. A map of boundary survey and minor subdivision certified by a professional land
138 surveyor registered in the state according to F.S. Ch. 472. The survey must be drawn
139 on a 24-inch by 36-inch linen or stable base film with a three-inch margin on the left
140 for binding, and a one-half-inch margin on the other three sides. Additional
141 information to be shown on the survey must include but not be limited to:
- 142 i. The lot lines, dimensions, legal descriptions and acreages for each lot being
143 created.
- 144 ii. The acreage of the total tract.
- 145 iii. A vicinity map showing the location of the survey in relationship to major
146 thoroughfares.
- 147 iv. A note stating, "THIS IS NOT A RECORD PLAT."
- 148 v. A municipal approval statement, to be signed by the director of planning and
149 development services, director of public works and general manager for
150 Gainesville Regional Utilities or their designee, certifying that the minor
151 subdivision conforms to all applicable ordinances and regulations of the city.
- 152 vi. A statement to be signed by the clerk of the court, stating, "Received and filed as
153 an unrecorded map in accordance with F.S. § 177.132."
- 154 vii. The minor subdivision book and page where the survey is to be filed.
- 155 viii. The exact location of all existing principal and accessory structures on each lot. If
156 the existing structures obscure the alignment of the proposed lots they may be

157 left off the map of minor subdivision and be submitted separately on a boundary
158 survey of the parent parcel. Any shared use of said structures must be clearly
159 stated and shown as easements on the minor subdivision.

160 b. A statement indicating the location where water or sanitary sewer service is available
161 to the property, and a statement indicating that all utility service must be installed
162 beneath the surface of the ground in accordance with section 30-8.2, and a statement
163 indicating where stormwater management facilities are available to accommodate
164 stormwater runoff of the proposed development.

165 c. If located on an approved private street, a signed consent (on the form provided by
166 the city) from the owners of each approved private street that serves the minor
167 subdivision.

168 d. Payment of fees as required by appendix A.

169 2. Upon receipt of a completed application, the several departments of the city shall review
170 and provide comment.

171 3. Minor subdivisions that require any street, sidewalk, bikeway, bridge, drainage facility,
172 screening wall or any other improvement required under this chapter may receive
173 conditional approval but will not receive final approval or be filed with the clerk of the
174 circuit court until all required improvements are fully constructed and approved by the
175 city. No building permits may be issued for any of the lots until final approval is granted
176 and the minor subdivision is filed.

177 4. If the proposed minor subdivision meets the conditions of this section and otherwise
178 complies with all applicable laws and ordinances, the development review director shall
179 approve the minor subdivision.

180 5. Upon approval of the minor subdivision, the subdivider shall file with the clerk of the
181 circuit court, with all fees paid by the subdivider, the original linen or stable base film
182 drawing of the survey and any covenants, deed restrictions, or other required documents
183 as an unrecorded map, in accordance with F.S. § 177.132. Upon filing of the approved
184 minor subdivision, the subdivider shall submit to the city, in the form prescribed by the
185 city, copies of the filed minor subdivision and any required documents.

186

187 **SECTION 3.** Section 30-4.1 of the Land Development Code is amended as follows. Except as

188 amended herein, the remainder of Section 30-4.1 remains in full force and effect.

189 **Sec. 30-4.1. Establishment of zoning districts.**

190 The following zoning districts are established to implement the Comprehensive Plan, to promote
 191 orderly urban growth, and to classify and regulate the use of land, water, buildings, and
 192 structures within the city:

Transects	
U1	Urban 1
U2	Urban 2
U3	Urban 3
U4	Urban 4
U5	Urban 5
U6	Urban 6
U7	Urban 7
U8	Urban 8
U9	Urban 9
DT	Downtown
Residential	
RSF-1 to 4 <u>SF</u>	Single-Family
RC	Residential Conservation
MH	Mobile Home
RMF-5	Single/Multi-Family
RMF-6 to 8	Multi-Family
Mixed-Use and Nonresidential	
MU-1	Mixed-Use Low-Intensity
MU-2	Mixed-Use Medium-Intensity
OR	Office Residential
OF	General Office
CP	Corporate Park
BUS	General Business
BA	Automotive-Oriented Business
BT	Tourist-Oriented Business
BI	Business Industrial
W	Warehousing and Wholesaling
I-1	Limited Industrial
I-2	General Industrial
Special Districts	
AGR	Agriculture
AF	Airport Facility
CON	Conservation

CODE: Words underlined are additions; words ~~stricken~~ are deletions.

ED	Educational Services
MD	Medical Services
PD	Planned Development
PS	Public Services and Operations
Airport Hazard Zoning Overlay	
Heritage Overlay	
Historic Preservation/Conservation Overlay	

193

194

195 **SECTION 4.** Section 30-4.2 of the Land Development Code is amended as follows. Except as

196 amended herein, the remainder of Section 30-4.2 remains in full force and effect.

197 **Sec. 30-4.2. Correspondence with future land use categories.**

198 The following table establishes the zoning districts allowable within the future land use
 199 categories from the Comprehensive Plan:

Future Land Use Category	Zoning Districts	Special Districts
Single-Family (SF)	U1, RSF-1 to 4 <u>SF</u> , RSF-R	PD, CON, PS
Residential Low-Density (RL)	U2, RSF-4 <u>SE</u> , RMF-5, MH, RC	PD, CON, PS
Residential Medium-Density (RM)	RMF-6 to 8	PD, CON, PS
Residential High-Density (RH)	N/A	PD, CON, PS
Mixed-Use Residential (MUR)	U5	PD, CON, PS
Mixed-Use Office/Residential (MOR)	U4, U3	PD, CON, PS
Mixed-Use Low-Intensity (MUL)	MU-1	PD, CON, PS
Mixed-Use Medium-Intensity (MUM)	MU-2, CP	PD, CON, PS
Urban Mixed-Use (UMU)	U6, U7, U8	PD, CON, PS
Urban Mixed-Use High-Intensity (UMUH)	U9	PD, CON, PS
Urban Core (UC)	DT	PD, CON, PS
Office (O)	OR, OF, CP	PD, CON, PS, MD
Commercial (C)	W, BA, BT, BUS, BI	PD, CON, PS
Business Industrial (BI)	BI, CP	PD, CON, PS
Industrial (IND)	W, I-1, I-2, BI	PD, CON, PS
Education (E)	N/A	PD, CON, PS, ED

CODE: Words underlined are additions; words ~~stricken~~ are deletions.

Recreation (REC)	N/A	PD, CON, PS
Conservation (CON)	N/A	PD, CON, PS
Agriculture (AGR)	N/A	PD, CON, PS, AGR
Public and Institutional Facilities (PF)	N/A	PD, CON, PS, AF
Planned Use District (PUD)	N/A	PD

200

201 **SECTION 5.** Section 30-4.13 of the Land Development Code is amended as follows. Except as
 202 amended herein, the remainder of Section 30-4.13 remains in full force and effect.

Sec. 30-4.13. Building form standards.

204 This section contains the building form standards that determine the location, scale and
 205 massing of all buildings within the transects.

206 **Table V-2: Building Form Standards within Transects.**

TRANSECT	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
C. DEVELOPMENT INTENSITY										
Nonresidential building coverage (max)	60%	80%							90%	100%
Residential density by right/with bonus ² (max. units per acre)	8 <u>12</u>	15	20	20	75	50/60	50/60	60/80	100/125	150/175

207

208

209 **SECTION 6.** Section 30-4.16 of the Land Development Code is amended as follows. Except as
 210 amended herein, the remainder of Section 30-4.16 remains in full force and effect.

211 **Sec. 30-4.16. Permitted uses.**

212 The following table contains the list of uses allowed, and specifies whether the uses are allowed
 213 by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells
 214 indicate that the use is not allowed. No variances from the requirements of this section are
 215 allowed.

216 **Table V-4: Permitted Uses in Residential Districts.**

USES	Use Standards	RSF 1 to <u>4 SF</u>	RC	MH	RMF-5	RMF-6 to 8
Accessory dwelling unit	30-5.36	A	A	A	A	A
Adult day care home	30-5.2	P	P	P	P	P
Assisted living facility		-	-	-	P	P
Attached dwelling (up to 6 attached units)		-	-	-	P	P
Bed and breakfast establishment	30-5.4	S	P	P	P	P
Community residential home (up to 6 residents)	30-5.6	P	P	P	P	P
Community residential home (7 to 14 residents)	30-5.6	-	-	-	-	P
Community residential home (over 14 residents)	30-5.6	-	-	-	-	P
Day care center	30-5.7	-	P	P	P	P
Emergency shelter		-	-	-	-	P
Family child care home	30-5.10	P	P	P	P	P
Fowl or livestock (as an accessory use)	30-5.39	-	-	-	-	-
Mobile home		-	-	P	-	-
Multi-family dwelling		-	-	-	P	P

Multi-family, small-scale (2—4 units per building)		-	p ¹	-	P	P
Place of religious assembly	30-5.22	S	P	P	P	P
Library		-	S	S	S	S
Public park		P	P	P	P	P
School (elementary, middle, or high - public or private)		S	P	P	P	P
Simulated gambling establishment		-	-	-	-	-
Single-family dwelling		P	P	P	P	P
Single room occupancy residence	30-5.8	-	-	-	-	P
Skilled nursing facility		-	-	-	-	S
Social service facility	30-5.28	-	-	-	-	S
Subsistence garden	30-5.30	P	P	P	P	P
Urban market farm, less than 5 acres	30-5.30	P	P	P	P	P
Urban market farm, 5 acres or greater	30-5.30	S	S	S	S	S

217

218

219 **SECTION 7.** Section 30-4.17 of the Land Development Code is amended as follows. Except as

220 amended herein, the remainder of Section 30-4.17 remains in full force and effect.

221 **Sec. 30-4.17. Dimensional standards.**

222 The following tables contain the dimensional standards for the various uses allowed in each
 223 district:

224 **Table V-5: Residential Districts Dimensional Standards.**

	RSF-1	RSF-2	RSF-3	RSF-4	<u>SF</u>	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8
DENSITY/INTENSITY											
Residential density (units/acre)											
Min.	None	None	None	None	None	None	None	None	8 ¹	8 ¹	8 ¹
Max. by right	3.5	4.6	5.8	8	<u>12</u>	12	12	12	10	14	20
With density bonus points	-	-	-	-	=	-	-	-	See Table V-6	See Table V-6	See Table V-6
Nonresidential building coverage	35%	35%	40%	40%	<u>50%</u>	50%	50%	50%	50%	50%	50%
LOT STANDARDS											
Min. lot area (sq. ft.)	8,500	7,500	6,000	4,300	<u>3,000</u>	3,000	3,000	3,500	None	None	None
Min. lot width (ft.)											
Single-family	85	75	60	50	<u>35</u>	35	35	40	40	40	40
Two-family ²	NA	NA	NA	NA	<u>NA</u>	70	NA	75	40	40	40
Other uses	85	75	60	50	<u>NA</u>	35	35	85	85	85	85
Min. lot depth (ft.)	90⁴	90⁴	90⁴	80⁴	<u>None</u>	None	None	90	90	90	90
MIN. SETBACKS (ft.)											
Front	20⁴	20⁴	20⁴	20^{4,5}	<u>10^{4,5}</u>	10 ⁵	15	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.
Side (street)	10	10	7.5	5	<u>5</u>	NA	NA	15	10 ³ /15	10 ³ /15	10 ³ /15
Side (interior) ^{6,7}	7.5	7.5	7.5	5	<u>5</u>	5	5	10	5 ³ /10	5 ³ /10	5 ³ /10

CODE: Words underlined are additions; words ~~stricken~~ are deletions.

Rear ^{7, 8}	20	20	15	10	<u>10</u>	20	15	10	10	10	10
Rear, accessory	7.5	7.5	5	5	<u>5</u>	5	5	5	5	5	5
MAXIMUM BUILDING HEIGHT (stories)											
By right	3	3	3	3	<u>3</u>	3	3	3	3	3	3
With building height bonus	N/A	NA	NA	NA	<u>NA</u>	NA	NA	NA	NA	5	5

225 **LEGEND:**

226 1 = Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum
227 density requirements.

228 2 = Assumes both units on one lot. Lot may not be split, unless each individual lot meets minimum
229 lot width requirement for single-family. Lot may not be split when the two-family dwelling is
230 configured vertically.

231 3 = Applicable only for two-family dwellings.

232 4 = Lots abutting a collector or arterial street shall have ~~a minimum depth of 150 feet and a~~
233 ~~minimum building setback of 50~~ 20 feet along that street.

234 5 = Attached stoops or porches meeting the standards in sections 30-4.13 and 30-4.14 are
235 permitted to encroach up to five feet into the minimum front yard setback.

236 6 = Except where the units are separated by a common wall on the property line of two adjoining
237 lots. In such instances, only the side yard setback for the end unit is required.

238 7= Accessory pre-engineered or pre-manufactured structures of 100 square feet or less and one
239 story in height may be erected in the rear or side yard as long as the structure has a minimum
240 yard setback of three feet from the rear or side property line, is properly anchored to the
241 ground, and is separated from neighboring properties by a fence or wall that is at least 75
242 percent opaque.

243 8 = Accessory screened enclosure structures, whether or not attached to the principal structure,
244 may be erected in the rear yard as long as the enclosure has a minimum yard setback of three
245 feet from the rear property line. The maximum height of the enclosure at the setback line
246 shall not exceed eight feet. The roof and all sides of the enclosure not attached to the
247 principal structure shall be made of screening material.

248

249

250 **SECTION 8.** Section 30-4.27 of the Land Development Code is amended as follows. Except as

251 amended herein, the remainder of Section 30-4.27 remains in full force and effect.

252 **Sec. 30-4.27. Heritage overlay.**

253 C. *Effect.*

- 254 4. The heritage overlay district shall be applied only to residential uses zoned ~~RSF-1, RSF-2,~~
255 ~~RSF-3, RSF-4,~~ SF and RC. Changing the zoning of a parcel to a zoning district other than
256 ~~RSF-1, RSF-2, RSF-3, RSF-4,~~ SF or RC shall also require a simultaneous rezoning to remove
257 the heritage overlay district.

258
259 **SECTION 9.** Section 30-5.22 of the Land Development Code is amended as follows. Except as
260 amended herein, the remainder of Section 30-5.22 remains in full force and effect.

261 **Sec. 30-5.22. Places of religious assembly.**

262 A. Within the ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF and U1 districts, places of religious assembly are
263 allowed upon the granting of a special use permit, subject to the following additional
264 dimensional requirements:

- 265 1. Minimum lot area shall be one acre for each place of religious assembly with a building
266 code capacity of 100 persons or less plus an additional one-half acre for each additional
267 50 persons of building code capacity.
- 268 2. Minimum yard setbacks:
- 269 a. Front: 25 feet.
- 270 b. Side, interior: 50 feet, unless the proposed use is adjacent to a non-residential district,
271 in which case the district setbacks shall apply.
- 272 c. Side, street: 25 feet.
- 273 d. Rear: 50 feet, unless the proposed use is adjacent to a non-residential district, in which
274 case the district setbacks shall apply.

275 B. *Day care centers and schools as accessory uses.* Within the ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF and
276 U1 districts, day care centers and schools may be allowed as accessory uses to places of
277 religious assembly upon the granting of a special use permit; within all other districts, day
278 care centers and schools are permitted accessory uses to any lawful place of religious
279 assembly provided, in all cases, that the requirements and limitations for day care centers
280 and schools as listed in this article are met.

281
282 **SECTION 10.** Section 30-5.33 of the Land Development Code is amended as follows. Except as
283 amended herein, the remainder of Section 30-5.33 remains in full force and effect.

284 **Sec. 30-5.33. Wireless communication facilities and antenna regulations.**

285

286 **Table V-1: Zoning districts**

Single-family and residential-low	RSF-1, RSF-2, RSF-3, RSF-4 <u>SF</u> , RC, MH, RMF-5, U1, U2.
Multiple-family	RMF-6, RMF-7, RMF-8, U4, U5.
Office	OF, CP, MD.
Mixed-use	MU-1, MU-2, U6, U7, U8, U9, DT.

287

288 **SECTION 11.** Section 30-5.39 of the Land Development Code is amended as follows. Except as
 289 amended herein, the remainder of Section 30-5.39 remains in full force and effect.

290 **Sec. 30-5.39. Fowl or livestock, accessory to residential uses.**

291 The keeping or raising of fowl or livestock is allowed within the ~~RSF-1 through 4~~ SF, RC, U1, and
 292 U2 districts as an accessory use, subject to the following standards:

293 A. *Permitted activities.* The maximum allowed number of fowl or livestock is as follows:

Type of fowl or livestock	Max Allowed
Fowl	10 Gallus Domesticus hens per single family residence. No other types of fowl are allowed.
Horses and other equine animals	Prohibited
Cattle	Prohibited
Goats and Sheep	Prohibited
Pigs	Prohibited
Rabbits	Prohibited

294

295 B. *Limitations.* Fowl or livestock permitted in this section shall be kept or raised for personal use
 296 only, except youth projects such as 4-H or FFA activities.

297 C. *Prohibited activities.*

- 298 1. On-premise sales of fowl or livestock or fowl or livestock byproducts (e.g. eggs, milk).
- 299 2. Commercial raising or keeping of fowl or livestock.
- 300 3. The keeping of roosters (defined as a male chicken of any age and generally characterized
 301 by an ability to crow) and any other crowing chickens are prohibited, as well as the
 302 slaughtering of hens in the ~~RSF-1 through 4~~ SF, RC, ~~11~~U1, U2 districts.

303 D. *Nuisance prohibited.* The raising and keeping of all fowl or livestock shall be done in such a
304 manner so as not to create a public nuisance as set forth in chapter 5 of the Code of
305 Ordinances.

306 E. *Chicken coops within the ~~RSF 1 through 4~~ SE, RC, U1, U2 districts.*

307 1. Hens shall be contained within a covered chicken coop or fenced pen area. The coop and
308 fenced pen area shall be located in the rear half of the residential lot behind the principal
309 structure. It shall be unlawful for any person to allow hens to run at large upon the streets,
310 alleys or other public places of the city, or upon the property of any other person.

311 2. The coop and fenced pen area shall meet the setback requirements for an accessory
312 structure in the applicable zoning district.

313 3. The coop and pen area shall be kept in a clean sanitary manner, free of insects and
314 rodents, offensive odors (which shall not be detectable at property boundaries), excessive
315 noise, or any other condition that could potentially cause a nuisance. Stored feed shall be
316 secured in rodent proof and raccoon-proof enclosed containers.

317 4. A building permit is not required for the coop if it is movable or prefabricated, and 12
318 square feet or less in size.

319

320 **SECTION 12.** Section 30-5.45 of the Land Development Code is amended as follows. Except as
321 amended herein, the remainder of Section 30-5.45 remains in full force and effect.

322 **Sec. 30-5.45. Portable storage units and roll-offs.**

323 Portable storage units and roll-offs, as defined in article II, are allowed by right as a temporary
324 accessory use in the following zoning districts: ~~RSF 1, RSF 2, RSF 3, RSF 4~~ SE, RC, MH, RMF-5,
325 RMF-6, RMF-7, RMF-8, and OR; subject to the following conditions:

326

327

328 **SECTION 13.** Section 30-6.7 of the Land Development Code is amended as follows. Except as
329 amended herein, the remainder of Section 30-6.7 remains in full force and effect.

330 **Sec. 30-6.7. Cluster subdivisions.**

331 D. *Dwelling types permitted.* Except in the ~~RSF 1, RSF 2, RSF 3 and RSF 4~~ SF zoning districts, all
332 types of attached and detached single-family residential dwellings may be permitted in a
333 cluster subdivision. In the ~~RSF 1, RSF 2, RSF 3 and RSF 4~~ SF districts only single-family

334 detached dwellings will be permitted in a cluster subdivision. Within cluster subdivisions, a
335 variety of lot sizes and architectural typologies shall be encouraged.

336 E. *Modification of street, yard, and lot requirements.* Modifications to the lot area, lot width and
337 depth, minimum yard setback, street width and layout requirements of the applicable zone
338 may be permitted if shown on the design plat and such plat is approved by the city
339 commission. No cluster subdivision of 50 acres or less in ~~an RSF~~ the SF district shall have lot
340 sizes reduced by more than 25 percent of that required by the district regulations. Each
341 cluster subdivision may use zero lot line, regular lots or a combination of the two. However,
342 each lot in a cluster subdivision that directly abuts developed property not in a cluster
343 subdivision shall not have the following, unless the subdivision provides a 35-foot buffer
344 around the entire subdivision:

- 345 1. An abutting side or rear yard that is less than that required for the abutting property; or
- 346 2. A lot width that is less than 75 percent of the minimum lot width required in the zoning
347 district for the abutting property.

348 F. *Number of dwelling units permitted.* The total number of dwellings permitted in a cluster
349 subdivision shall not exceed the number of dwelling units that would have been otherwise
350 permitted by the density standards in the zoning district in which it is located. In the ~~RSF-1,~~
351 ~~RSF-2, RSF-3, RSF-4~~ SF, RMF-5, and RC districts, the permitted number of dwelling units may
352 be calculated by dividing the total land area of the cluster subdivision by the minimum lot
353 size required for the applicable zoning district. The number of dwelling units shall not exceed
354 the density allowed by the zoning district.

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357 **SECTION 14.** Section 30-6.19 of the Land Development Code is amended as follows. Except as
358 amended herein, the remainder of Section 30-6.19 remains in full force and effect.

359 **Sec. 30-6.19. Access Management.**

360 B. *Access to non-residential uses.*

- 361 1. Where a parcel of property used for nonresidential use in any business, office, industrial
362 or mixed-use district abuts more than one street, access from either street to such
363 property shall be permitted only if no property in any ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF or RC
364 residential district or shown for single-family residential use on the future land use map
365 of the Comprehensive Plan lies immediately across such street from such office-zoned
366 property; provided, however, access may be permitted from any major collector or
367 arterial as shown on the official roadway map; and provided, further, that one point of
368 access shall be permitted in any case, notwithstanding other provisions of this subsection.

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SECTION 15. Section 30-7.2 of the Land Development Code is amended as follows. Except as amended herein, the remainder of Section 30-7.2 remains in full force and effect.

Sec. 30-7.2. Off-street vehicle parking.

Off-street vehicle parking, including public parking facilities, must be designed, constructed, and maintained in accordance with the following standards and regulations:

- A. *Access.* Vehicular ingress and egress to off-street parking facilities must be in accordance with the driveway ordinance, chapter 23, article V.
- B. *General requirements.* Parking areas must be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
 - 1. All parking spaces must contain some type of vehicle wheel stop or other approved barrier that prevents any part of a vehicle from overhanging onto the right-of-way of any public road, alley, walkway, utility or landscaped area.
 - 2. All parking lots with two or more rows of interior parking must contain grassed or landscaped medians at least eight feet in width unless an alternative landscape plan is approved pursuant to section 30-8.4. Where it is determined by public works that the landscaped median(s) would obstruct the storm drainage, the city manager or designee may approve an alternative.
 - 3. Off-street parking on any property with RC, ~~or RSF 1, RSF 2, RSF 3, or RSF 4~~ SF zoning, or planned development (PD) zoning with single-family or two-family dwellings, and that is located within either the University of Florida context area or a residential parking overlay district area will be regulated in accordance with section 30-7.7.

SECTION 16. Section 30-7.7 of the Land Development Code is amended as follows. Except as amended herein, the remainder of Section 30-7.7 remains in full force and effect.

Sec. 30-7.7. Residential parking.

- A. *Residential parking.* This section is established to regulate off-street parking on specific property located in the following zoning districts: RC, ~~RSF 1, RSF 2, RSF 3, or RSF 4~~ SF, or in a district containing single family or two-family dwellings on property zoned planned development (PD).

400 1. *Purpose and effect.* This section allows residents to take affirmative steps to preserve the
401 character of their residential and single-family neighborhoods and to enhance the public
402 health, welfare and safety as well as the aesthetic value of their property by controlling
403 off-street parking. Furthermore, healthy vegetation with an above-ground network of
404 leaves, shoots, and stems and an extensive fibrous root system below reduces soil erosion
405 and noise, and improves surface and groundwater by filtering rainwater.

406 This section acts as an overlay, in that the regulations of the underlying zoning district and
407 all other applicable regulations remain in effect and are further regulated by the
408 residential parking overlay district standards described in this section. If provisions of this
409 section conflict with the underlying zoning, the provisions of this section shall govern and
410 prevail.

411 2. *Criteria.*

412 a. The proposed area shall consist of at least 25 compact and contiguous parcels, as
413 defined in this chapter.

414 b. The area shall not cause the creation of an enclave or peninsula, as commonly defined
415 in annexations.

416 c. Each boundary of the area shall be one of the following identifiable landmarks: A
417 street, alley, publicly owned right-of-way, platted subdivision boundary, or a creek.

418 d. No area boundaries shall overlap the boundary of an existing residential parking
419 overlay district or the context area.

420 e. The area shall consist only of parcels that are in a RC, ~~RSF 1, RSF 2, RSF 3, or RSF 4~~ or
421 SF zoning district, or in a district of single-family or two-family dwellings on property
422 zoned PD.

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424 4. *Off-street parking regulations in the context area and in any residential parking overlay.*
425 Off-street parking shall be limited to the driveway parking area meeting the dimensional
426 requirements below and leading from the permitted driveway connection to the enclosed
427 parking space (garage or carport), plus two pullout spaces as described below. If there is
428 no garage or carport, the driveway parking area shall meet the dimensional requirements
429 below and be able to provide parking and ingress or egress of vehicles.

430 l. Where applicable, this plan shall be submitted as part of an application for a landlord
431 permit and shall be approved by the city manager or designee prior to the issuance of
432 a landlord permit. In all cases, each owner of property zoned RC, ~~or RSF 1, RSF 2, RSF~~
433 ~~3, or RSF 4~~ SF zoning district, or that contains single-family or two-family dwellings on
434 property zoned planned development (PD), which is within the context area, shall
435 provide the city manager or designee with an updated parking plan showing the

436 driveway parking areas and any pullout spaces no later than April 1, 2007, or in
437 conjunction with the landlord permit application, whichever date comes earlier.

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439 **SECTION 17.** It is the intent of the City Commission that the provisions of Sections 1 through 16
440 of this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
441 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
442 relettered in order to accomplish such intent.

443 **SECTION 18.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
444 the application hereof to any person or circumstance is held invalid or unconstitutional, such
445 finding will not affect the other provisions or applications of this ordinance that can be given
446 effect without the invalid or unconstitutional provision or application, and to this end the
447 provisions of this ordinance are declared severable.

448 **SECTION 19.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
449 conflict hereby repealed.

450 **SECTION 20.** This ordinance will become effective on the date the Comprehensive Plan
451 amendment in Ordinance No. 2024-267 becomes effective as provided therein.

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458 **PASSED AND ADOPTED** this _____ day of _____, 2024.

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466 Attest:

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469 KRISTEN J. BRYANT

470 CITY CLERK

HARVEY L. WARD, JR.

MAYOR

Approved as to form and legality:

DANIEL M. NEE

CITY ATTORNEY

471 This ordinance passed on first reading this _____ day of _____, 2024.

472

473 This ordinance passed on second reading this _____ day of _____, 2024.

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