

- 1 a. Single-family dwellings and customary accessory buildings
- 2 incidental thereto.
- 3
- 4 b. Occupancy of a single-family dwelling by one family.
- 5
- 6 c. Community residential homes in accordance with the conditions
- 7 and requirements of Article VI.
- 8
- 9 d. Family child day care homes, in accordance with the conditions
- 10 and requirements of state law.
- 11
- 12 e. Adult day care homes.
- 13
- 14 f. Home occupations in accordance with the conditions and
- 15 requirements of Article IV, section 30-58.
- 16
- 17 g. Public schools other than institutions of higher learning, in
- 18 accordance with the provisions of section 30-77, educational
- 19 services district (ED).
- 20
- 21 h. Large family child care homes, in accordance with the conditions
- 22 and requirements of Article VI, Section 30-117.
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24 **Section 3.** Paragraph (1) of subsection (c) of section 30-52, City of Gainesville

25 Land Development Code, is amended to read as follows:

26 **30-52. Residential low density districts (RMF-5, RC and MH)**

27 (c) *Permitted uses.*

28

29 (1) *Uses by right.*

30 a. *Uses by right for RMF-5 and RC districts.*

| <i>Uses</i> | <i>Conditions</i> |
|---|--|
| Single-family dwellings | |
| Two family dwellings ¹ | |
| Three family dwellings ¹ | Excluding RC district. |
| Four family dwellings ¹ | Excluding RC district |
| Townhouses or rowhouses of up to 6 attached dwellings | Except in RC district No more than four-family dwellings are allowed in RMF-5 unless the dwellings are town-houses or rowhouses. Each dwelling has a maximum width of 40 feet. More than 6 attached units are allowed if the property is not adjacent to property zoned RSF-1, RSF-2, RSF-3 and RSF-4. Each townhouse unit shall have a separate front entrance to the streetside sidewalk from the outside at ground level. |

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|---|---|
| | Stoops are permitted and may occur up to five feet forward of the required setback line as provided in the Land Development Code. Stoops may be covered or uncovered and shall be constructed according to the dimensions described in the "Building Elements" section of the University Heights Special Area Plan. |
| Housing for the elderly | In accordance with the conditions and requirements of Article VI. |
| Community residential homes | In accordance with the conditions and requirements of Article VI. |
| Family child day care homes | In accordance with state law. |
| <u>Large family child care homes</u> | <u>In accordance with the conditions and requirements of Article VI, Section 30-117.</u> |
| Adult day care homes | |
| Home occupations | In accordance with Article VI, Sec. 30-58. |
| Places of religious assembly | In accordance with the conditions and requirements of Article VI, Sec. 30-91, on unified and contiguous sites of 20 acres or more, except in the RC district as provided in subsection (c)(2) of this section. |
| Public schools other than institutions of higher learning | In accordance with the provisions of Article VI, sec. 30-77, educational services district (ED). |
| Day Care Centers | In accordance with the conditions and requirements of Article VI, sec. 30-82, day care centers. |
| Accessory buildings | Incidental to permitted uses, not including management offices. |
| Units shall be erected on separate lots if the intent is to sell the individual units separately. | |

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b. *Uses by right for MH districts.*

| <i>Uses</i> | <i>Conditions</i> |
|---|--|
| Mobile homes and mobile home parks | |
| Community residential homes | In accordance with the conditions and requirements of Article VI, Sec. 30-83 and state law. |
| Family child day care homes | In accordance with state law. |
| <u>Large family child care homes</u> | <u>In accordance with the conditions and requirements of Article VI, Section 30-117.</u> |
| Housing for the elderly | In accordance with the conditions and requirements of Article VI, Sec. 30-84. |
| Day care centers | In accordance with the conditions and requirements of Article VI, Sec. 30-82. |
| Adult day care homes | |
| Public schools other than institutions of higher learning | In accordance with the provisions of Article IV, sec. 30-77, educational services district (ED). |

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1 **Section 5.** Subsection (c) of Section 30-54, City of Gainesville Land

2 Development Code, is amended to read as follows:

3 **30-54. Residential mixed use district**

4 (c) *Permitted uses when developed in accordance with a special area plan (Article*
5 *V). Uses by right are as follows:*

6 (1) Single-family dwellings.

7 (2) Row houses.

8 (3) Multifamily dwellings.

9 (4) Accessory uses incidental to such uses, including storage rooms,
10 management offices, club or game rooms, and recreational and laundry
11 facilities intended for use solely by the residents of the developments and
12 their guests.

13 (5) Office uses as a home occupation, limited to ten percent of the office
14 owner's residential unit (first floor only).

15 (6) Civic buildings.

16 (7) Community residential homes in accordance with the requirements of
17 Article VI.

18 (8) Family ~~child day~~ care homes in accordance with state law.

19 (9) Consolidated apartment management offices.

20
21 (10) Large family child care homes, in accordance with the conditions and
22 requirements of Article VI, Section 30-117.

23

24 **Section 6.** Paragraph (1) of subsection (c) of Section 30-55, City of Gainesville

25 Land Development Code, is amended to read as follows:

26 **30-55. Residential high density districts**

27 (c) *Permitted uses.*

28 (1) *Uses by right, for RH-1 and RH-2 districts*

| Use | Conditions |
|---------------------------|------------|
| Single-family dwellings | |
| Multiple-family dwellings | |

| | |
|---|--|
| Dormitories | In accordance with the conditions and requirements of Article VI. |
| Community residential homes | In accordance with the conditions and requirements of Article VI. |
| Family child day care homes | In accordance with the conditions and requirements of state law. |
| <u>Large family child care homes</u> | <u>In accordance with the conditions and requirements of Article VI, Section 30-117.</u> |
| Housing for the elderly | In accordance with the conditions and requirements of Article VI. |
| Accessory uses | Incidental to permitted uses, including storage rooms, management offices, club or game rooms, recreational and laundry facilities intended for use solely by the residents of the development and their guests, and other activities and uses customarily incidental to an otherwise permitted use. |
| Day care centers | |
| Adult day care homes | |
| Home occupations | In accordance with Article IV section 30-58. |
| Places of religious assembly | In accordance with the conditions and requirements of Article VI on unified and contiguous sites of 20 acres or more. |
| Public schools other than institutions of higher learning | In accordance with the provisions of section 30-77 educational services district (ED). |

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2 **Section 7.** Subsection (c) of Section 30-59, City of Gainesville Land

3 Development Code, is amended to read as follows:

4 **Sec. 30-59. Office districts (OR and OF).**

5 (c) Permitted uses, OR district (office residential district).

| SIC | Use | Conditions |
|----------------|---|--|
| | USES BY RIGHT: | |
| | Any accessory uses customarily and clearly incidental to any permitted use | |
| | Community residential homes | In accordance with article VI |
| | Compound uses | |
| | Correspondence schools | |
| | Day care centers | In accordance with article VI |
| | Emergency shelters | |
| | Family <u>child</u> day care home | In accordance with state law |
| | Large family child care homes | In accordance with the conditions and requirements of Article VI, Section 30-117. |
| | Newspaper establishments excluding on-site printing or warehouse facilities | |
| | Personal fitting and sale of prosthetic or orthopedic appliances | |
| | Places of religious assembly | In accordance with article VI |
| | Professional schools | Cannot be located adjacent to property designated for single family on the future land use map of the comprehensive plan |
| | Public services vehicles | In accordance with article VI |
| | Roominghouse | |
| | Residential uses up to 20 units per acre | Residential density cannot exceed more than two times the average permitted density of adjacent residential districts |
| | Sales offices without warehousing, showrooms or retail space | |
| GN-074 | Veterinary services | In accordance with article VI |
| GN-078 | Landscape and horticultural services | Offices only, outdoor storage prohibited |
| MG-15 | Building construction -- General contractors and operative builders | Offices only |
| MG-43 | U.S. Postal Service | |
| GN-472 | Arrangement of passenger transportation | Offices only, with no operation of passenger tours from the site |
| GN-481 and 482 | Telephone communications, and telegraph and other message services | Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI |
| GN-591 | Drug stores and proprietary stores | Only when accessory to and in the same building as health services or offices of physicians, dentists and other health practitioners |
| Div. H | Finance, insurance and real estate | Excluding cemetery subdividers and developers (IN-6553) |
| MG-72 | Personal services | Funeral services and crematories (GN-726) in accordance with |

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| | | article VI |
| GN-731 | Advertising | |
| GN-732 | Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies | |
| GN-733 | Mailing, reproduction, commercial art and photography and stenographic services | |
| GN-736 | Personnel supply services | |
| GN-737 | Computer programming, data processing and other computer-related services | |
| IN-7381 | Detective, guard and armored car services | |
| GN-801 through 804 | Health services | |
| GN-807 through 809 | Medical and dental laboratories, home health care services and miscellaneous health and allied services not elsewhere classified | Excluding blood banks |
| MG-81 | Legal services | |
| GN-839 | Social services not elsewhere classified | |
| MG-86 | Membership organizations | Excluding GN-864, civic, social and fraternal associations |
| MG-87 | Engineering, accounting, research, management and related services | Excluding IN-8734, testing laboratories, and IN-8744, facility support management services |
| MG-94, 95 and 96 | Public administration | |
| | USES BY SPECIAL USE PERMIT: | |
| | Bed and breakfast establishment | In accordance with article VI |
| | Community residential homes over 14 persons. | In accordance with article VI |
| | Dormitory | Must not abut property designated for single-family on the future land use map of the comprehensive plan |
| | Food distribution center for the needy | In accordance with article VI |
| | Nursing and intermediate care facilities | In accordance with article VI |
| | Private schools | In accordance with article VI |
| | Rehabilitation centers | In accordance with article VI |
| | Residences for destitute people | In accordance with article VI |
| | Retransmission and microwave transmission towers | Accessory transmission at heights higher than 100 feet in accordance with article VI |
| | Social service homes and halfway houses | In accordance with article VI |
| GN-483 | Radio and television broadcasting | Excluding transmitter towers |
| IN-7997 | Membership sports and recreation clubs | |

1 **Section 8.** Subsection (g) of section 30-64, City of Gainesville Land

2 Development Code, is amended to read as follows:

3 **30-64. Mixed use low intensity district**

4 (g) *Permitted uses.*

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| SIC | Uses | Conditions |
|---------|--|--|
| | USES BY RIGHT: | |
| | Any accessory uses customarily and clearly incidental to any permitted principal use | |
| | Bed and breakfast establishments | In accordance with article VI |
| | Community residential homes with 14 or fewer residents | When part of a permitted single-family or multifamily residential component and in accordance with article VI |
| | Community residential homes with more than 14 residents | In accordance with article VI |
| | Compound uses | |
| | Eating places | |
| | Family <u>child</u> day care homes | When part of a permitted single-family or multifamily residential component and in accordance with state law |
| | <u>Large family child care homes</u> | <u>In accordance with the conditions and requirements of Article VI, Section 30-117.</u> |
| | Itinerant food vendor | In accordance with Chapter 19, Article IV |
| | Outdoor cafes | As defined in article II and in accordance with article VI |
| | Personal fitting and sales of prosthetic or orthopedic appliances | |
| | Places of religious assembly | In accordance with article VI |
| | Public service vehicles | As defined and in accordance with article VI |
| | Repair services for household needs | As defined in article II |
| | Residential (8 to 30 dwelling units per acre) | In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section, and the requirements of Sec. 30-56. |
| | Residential use buffer | |
| | Neighborhood convenience center | |
| | Neighborhood shopping center | |
| | Specialty T-Shirt Production | |
| GN-074 | Veterinary services | Only within enclosed buildings and in accordance with article VI |
| IN-0752 | Animal specialty services, except veterinary | Only within enclosed buildings |
| GN-078 | Landscape and horticultural services | |
| MG-15 | Building construction - General | |

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| | contractors and operative builders | |
| GN-171 | Plumbing, heating and air conditioning | |
| GN-172 | Painting and paper hangers | |
| GN-173 | Electrical work | |
| MG-27 | Printing, publishing and allied industries | |
| MG-43 | U.S. Postal Service | |
| GN-472 | Arrangement of passenger transportation | Offices only, with no operation of passenger tours from the site |
| GN-481 | Telephone communications | Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI, excluding cellular telephone services |
| GN-482 | Telegraph and other message communications | Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI |
| GN-483 | Radio and television broadcasting stations | Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI |
| GN-523 | Paint, glass and wallpaper stores | |
| GN-525 | Hardware stores | |
| GN-526 | Retail nurseries, lawn and garden supply stores | |
| MG-53 | General merchandise stores | |
| MG-54 | Food stores | Accessory gasoline and alternative fuel pumps in accordance with article VI, and by special use permit in neighborhood convenience and shopping centers |
| GN-553 | Auto and home supply stores | Excluding garage and installation facilities |
| GN-554 | Gasoline service stations including the sale of alternative fuels for automobiles | In accordance with article VI and by special use permit in neighborhood convenience and shopping centers |
| MG-56 | Apparel and accessory stores | |
| MG-57 | Home furniture, furnishings and equipment stores | |
| MG-59 | Miscellaneous retail | Excluding direct selling establishments (IN-5963); fuel dealers (IN-5983); including liquor stores (IN-5921) limited to 2,000 square feet and excluding on-site consumption when located in neighborhood convenience and shopping centers, inside storage, display and sales only for all uses |
| Div. H | Finance, insurance and real estate | Excluding cemetery subdividers and developers (IN-6553) |
| MG-72 | Personal services | Including funeral services and crematories in accordance with article VI and excluding linen supply (IN-7213), industrial laundries (IN-7218), and diaper services in neighborhood convenience and shopping centers |
| MG-73 | Business services | Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment |

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| | | rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359) |
| GN-752 | Automobile parking | |
| MG-76 | Miscellaneous repair services | Excluding miscellaneous repair shops and related services (GN-769) and including repair services for household needs as defined in this chapter |
| MG-78 | Motion pictures | Excluding drive-in theaters (IN-7833) and outdoor filming facilities |
| MG-79 | Amusement and recreation services | Only within enclosed structures, and excluding go-cart rental and raceway operations and also raceway operations and also excluding commercial sports (GN-794) |
| MG-80 | Health services | Including nursing and intermediate care facilities in accordance with article VI when applicable, and excluding rehabilitation centers and hospitals (GN-806) |
| MG-81 | Legal services | |
| MG-82 | Educational services | Including private schools, in accordance with article VI |
| MG-83 | Social services | Including day care centers as defined in this chapter and in accordance with article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter |
| GN-841 | Museums and art galleries | |
| MG-86 | Membership organizations | See also definition of place of religious assembly and in accordance with article VI |
| MG-87 | Engineering, accounting, research management and related services | Excluding testing laboratories (IN-8734) and facilities support management services (IN-8744) |
| MG-89 | Services, not elsewhere classified | |
| Div. J | Public administration | |
| | USES BY SPECIAL USE PERMIT | |
| | Accessory gasoline and alternative fuel pumps | In accordance with article VI in neighborhood convenience and shopping centers |
| | Accessory transmission, retransmission and microwave towers over 100 feet in height | In accordance with article VI |
| | Alcoholic beverage establishments | In accordance with article VI |
| | Limited automotive services | In accordance with article VI |
| | Other uses (including light assembly or packaging) | Within completely enclosed structures; no outdoor storage, truck traffic limited to that normal to commercial activities such as grocery stores, loading docks and mechanical equipment must be screened, and sound attenuation shall be provided to any adjacent residential area or area in actual residential use; no access to any residential street; must meet industrial buffers. Storage of hazardous materials in |

| | | |
|--------|----------------------------------|--|
| | | accordance with the county hazardous materials management code |
| | Rehabilitation centers | In accordance with article VI |
| | Residences for destitute people | In accordance with article VI |
| | Social service homes | In accordance with article VI |
| GN-598 | Fuel dealers | |
| GN-701 | Hotels and motels | Except in neighborhood convenience and shopping centers |
| GN-702 | Roominghouses and boardinghouses | In accordance with article VI |

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Section 9. A new Section 30-117, City of Gainesville Land Development Code,

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is created and added to read as follows:

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30-117. Large family child care homes

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In addition to compliance with all state and county requirements, large family child care homes, as defined in section 30-23, shall meet all of the following conditions at the time of approval of the use.

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(a) Spacing. Large Family Child Care Homes shall not be located closer than one thousand (1,000) feet from any other large family child care center.

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(b) Primary residence on site. The residence containing the Large Family Child Care Home shall be the occupied and the primary residence of the operator.

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(c) Absence of code violations. There shall be no active code violations associated with the site or any structures on the site.

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(d) Location of outdoor play areas. All outdoor play areas shall be located between the primary structure and the rear property line.

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(e) Paved driveways. All driveways shall be paved.

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(f) Staff approval of a plot plan. The operator shall submit for approval a plot plan showing all structures, dimensions, distances, driveways, play areas, parking areas, and other similar relevant information. The plan shall show that the existing paved driveway is used and not a new or altered driveway.

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(g) Sign prohibition. Notwithstanding any other provision in this Code, there shall be no signage on the site.

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1 **Section 10.** Paragraph (1) of subsection (d) and Paragraph (1) of subsection (e) of
2 Section 30-242, City of Gainesville Land Development Code, are amended to read as
3 follows:

4 **30-242. Land use categories**

5 (d) *Rowhouse use.*

6 (1) *Land use.*

7 a. Land designated for rowhouse use shall be on lots containing
8 buildings for residential uses including townhouse, family child
9 ~~day care home~~, large family child care home (in accordance with
10 the conditions and requirements of Article VI, Section 30-117),
11 and limited office, limited lodging, and artisanal use. Where non-
12 residential uses are proposed, at least 50 percent of the gross square
13 footage shall be restricted to residential use for each rowhouse land
14 use district.

15 b. One hundred percent of the building area above the ground floor
16 shall be designated for residential use.

17 c. An outbuilding is permitted on each lot.

18

19 (e) *House use.*

20 (1) *Land use.*

21 a. Land designated for house use shall be on lots containing buildings
22 for residential uses, including single-family houses, guest houses as
23 outbuildings, home occupations pursuant to Article IV of the
24 Gainesville Land Development Code, family child care homes, and
25 large family child day care homes pursuant to Article VI of the
26 Gainesville Land Development Code.

27 b. One hundred percent of the building area above the ground floor
28 shall be designated for residential use.

29

30 c. An outbuilding is permitted on each lot (see Figure 15).

31 **Section 11.** It is the intention of the City Commission that the provisions of
32 Sections 1 through 10 of this ordinance shall become and be made a part of the Code of
33 Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of
34 this Ordinance may be renumbered or relettered in order to accomplish such intentions.

