



APPLICATION—CITY PLAN BOARD—TEXT AMENDMENT  
DEPARTMENT OF COMMUNITY DEVELOPMENT

RECEIVED  
JAN 17 2013  
PLANNING DIVISION

<b>OFFICE USE ONLY</b>			607.75
Petition No. <u>PB-13-009 TCH</u>	Date <u>1/22/13</u>	Fee: \$ <u>303.88</u>	<u>EZ</u>
Map No(s). _____	Receipt No. _____		
Staff Mtg. Date and Name: _____	EZ Area No. _____	EZ PD. _____	
Account No. <u>001-790-7920-3401</u>	[ ]		
Account No. <u>001-790-7920-1124</u>	(Enterprise Zone) <input checked="" type="checkbox"/> <u>EB</u>		
<u>660-6680</u>			
<u>001-660-6680-1125</u> X <u>EB</u>			

Name of Applicant/Agent (Please print or type)	
Applicant/Agent Name:	<b>Eng, Denman &amp; Associates, Inc.</b>
Applicant/Agent Address:	<b>2404 NW 43<sup>rd</sup> Street</b>
City:	<b>Gainesville</b>
State:	<b>Florida</b> Zip: <b>32606</b>
Applicant/Agent Phone:	<b>352-373-3541</b> Applicant/Agent Fax: <b>352-373-7249</b>

*Note: It is recommended that anyone intending to file a petition for a text amendment to Chapter 30 of the City of Gainesville Code of Ordinances (Land Development Code) or to the Comprehensive Plan, meet with the Department of Community Development prior to filing the petition, in order to discuss the proposed amendment and petition process. The request will be evaluated as applicable to the particular zoning district or land use category on a citywide basis.*

<b>TEXT AMENDMENT</b>		
<b>Check applicable request below:</b>		
<b>Land Development Code</b> [ <input checked="" type="checkbox"/> ]	<b>Comprehensive Plan Text</b> [ ]	<b>Other</b> [ ]
Section/Appendix No.:	Element & Goal, Objective or Policy No.:	Specify:
<b>Sec. 30-52(c)(1)(a)</b>		

**Proposed text language and/or explanation of reason for request (use additional sheets, if necessary):**

Text amendment to the City Code of Ordinances to amend the list of accessory uses in certain developments within the RMF-5 zoning district.

Certified Cashiers Receipt:

**PAID**  
JAN 22 2013

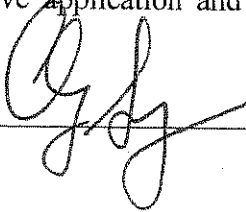
*[Handwritten signature]*

Please see the attached documentation for specific text revisions.

*No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.*

**CERTIFICATION**

The undersigned has read the above application and is familiar with the information submitted herewith.

Signature of applicant/agent:  \_\_\_\_\_

Date: 1/15/13

January 8, 2013

To Whom It May Concern:

I, Nila Khurana of Pine Forest Homes, LLC, authorize Eng, Denman & Associates, Inc. to act as my agent in filing a Land Development Code Text Amendment Application with the City of Gainesville.

Sincerely,

*Nila Khurana*  
Nila Khurana  
Pine Forest Homes, LLC

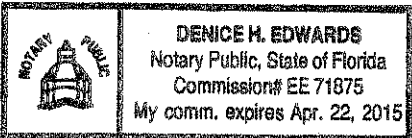
STATE OF FLORIDA  
COUNTY OF Alachua

Sworn to and subscribed before me this 10<sup>th</sup> day of January, 2013, by Nilacala  
Candra Khurana

Personally Known \_\_\_\_\_

Type of Identification Produced FLDC

*Denice H. Edwards*  
Signature - Notary Public



**ENG, DENMAN & ASSOCIATES, INC.**ENGINEERS • SURVEYORS • PLANNERS

---

January 16, 2013

Ralph Hilliard  
Planning Manager  
Planning Department  
City of Gainesville

**Re: Unified Land Development Code - Text Amendment Application**

Mr. Hilliard,

Attached is an application for a text amendment to the City of Gainesville Land Development Code. As discussed in meetings with city planning staff, we propose to amend the list of permitted uses that affect the RMF-5 zoning district as defined in Sec. 30-52(c)(1)(a). The proposed text amendment will include additional accessory uses incidental to primary uses in the RMF-5 zoning district. Examples of accessory uses proposed include 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. The intent of this amendment is to allow these amenities to be permitted for rental unit developments that would benefit from providing these facilities.

The proposed additional accessory uses would be limited to developments where at least 50 rental units are under common ownership, management and maintenance. With the inclusion of this proposed restriction, I believe that the text amendment will only affect one existing development (Pine Forest Homes duplex development located near the NW corner of NE 39<sup>th</sup> Avenue and N. Main Street), which has 132 duplex units under common ownership, management and maintenance. No other existing development within the RMF-5 zoning district in the City has been identified that has over 50 units under common ownership.

We believe that the proposed text amendment will benefit the residents in the immediate area and the City as a whole by allowing Pine Forest to provide these facilities to their residents. Specifically, we believe that the provision of an on-site management office will help keep the project in a clean, safe and aesthetically pleasing condition.

We appreciate your consideration in this matter. If you have any questions, please let me know.

Best Regards,

A handwritten signature in black ink, appearing to read 'Clay Sweger', is written over a circular stamp or seal.

Clay Sweger, AICP, LEED AP  
Vice President of Planning

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

(a) *Purpose.* The residential low density districts are established to provide suitable areas for low density residential development with various dwelling unit types compatible with single-family dwellings. These districts are designed and located so as to provide a desirable residential environment and transition between differing intensities of land use. Specifically, the RC district is established to provide suitable zoning protection to those areas where single-family development has occurred on properties with minimum lot sizes and where such development patterns are desirable to maintain due to unique neighborhood, social and physical characteristics which are present. The MH district is established to provide for mobile home neighborhoods of sufficient size to sustain a stable and sound micro-environment with individual lots of dimensions necessary to provide safe and healthful residential living.

(b) *Objectives.* The provisions of these districts are designed to:

- (1) Encourage such development to locate near neighborhood convenience centers and neighborhood shopping centers;
- (2) Create transition areas between low intensity land uses and other more intense land uses;
- (3) Provide for a variety of dwelling unit types compatible with traditional single-family residential development;
- (4) Provide for low density residential development in areas where such development could be logically integrated with or located near traditional single-family residential development or in transitional areas on land where the clustering of units would permit the most effective use of such land, while preserving open space and other natural features;
- (5) Encourage privacy, internal stability, attractiveness, order and efficiency in these areas by providing for adequate light, air and usable open space for residential purposes through the careful design and consideration of the proper functional relationships among uses permitted; and
- (6) Provide for such residential development to occur where public facilities and services are present.

(c) *Permitted uses.*

(1) *Uses by right.*

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

Use	Conditions
Single-family dwellings	
Two-family dwellings <sup>1</sup>	
Three-family dwellings <sup>1</sup>	Excluding RC district

Four-family dwellings <sup>1</sup>	Excluding RC district
Townhouses or rowhouses of up to six attached dwellings	Except in RC district. No more than four-family dwellings are allowed in RMF-5 unless the dwellings are townhouses or rowhouses. Each dwelling has a maximum width of 40 feet. More than six 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 street side sidewalk from the outside at ground level. 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 article VI.
Community residential homes	In accordance with article VI.
Family child care homes	In accordance with state law.
Large family child care homes	In accordance with article VI.
Adult day care homes	In accordance with article VI.
Home occupations	In accordance with article IV.
Places of religious assembly	In accordance with article VI.
Public schools other than institutions of higher learning	In accordance with the provisions of article IV, section 30-77, educational services district (ED).
Private schools	In accordance with article VI.
Day care centers	In accordance with article VI.
Accessory buildings	Incidental to permitted uses, not including management offices <u>in the RC zoning district.</u>
<u>Accessory uses incidental to permitted uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the development and their guests.</u>	<u>Applies to developments within the RMF-5 zoning district that contain at least 50 rental units that are under common ownership and management.</u>

<sup>1</sup>Units shall be erected on separate lots if the intent is to sell the individual units separately.

b. *Uses by right for MH districts.*

Use	Conditions
Mobile homes and mobile home parks	
Community residential homes	In accordance with article VI and state law.
Family child care homes	In accordance with state law.
Large family child care homes	In accordance with article VI.
Housing for the elderly	In accordance with article VI.
Day care centers	In accordance with article VI.
Adult day care homes	In accordance with article VI.
Public schools other than institutions of higher learning	In accordance with article IV, section 30-77, educational services district (ED).
Private schools	In accordance with article VI.
Places of religious assembly	In accordance with article VI.

(2) *Uses by special use permit.* Uses by special use permit for RMF-5, RC and MH:

Use	Conditions
Bed and breakfast establishments	In accordance with article VI, section 30-101
Public libraries	

- (d) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the requirements in Table 2.
- (e) *General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-56 and article IX.

TABLE 2. DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL  
LOW DENSITY AND RC DISTRICTS  
Principal Structures

	MH	RMF-5	RC
Maximum density	12 du/a	12 du/a	12 du/a
Minimum lot area <sup>1</sup> :			
Single-family dwelling unit	3,000 sq. ft.	3,500 sq. ft.	3,000 sq. ft.
Two-family dwelling unit <sup>1</sup>	N/A	7,000 sq. ft. <sup>2</sup>	6,000 sq. ft. <sup>3</sup>
Three-family dwelling unit	N/A	10,500 sq. ft. <sup>7</sup>	N/A

Four-family dwelling unit	N/A	14,000 sq. ft. <sup>7</sup>	N/A
Minimum lot width at minimum front yard setback:			
Single-family dwelling unit	N/A	40 ft.	35 ft.
Two-family dwelling unit	N/A	75 ft. <sup>4</sup>	70 ft. <sup>4</sup>
Three-family dwelling unit	N/A	85 ft. <sup>7</sup>	N/A
Four-family dwelling unit	N/A	100 ft. <sup>7</sup>	N/A
Five and six-family dwelling unit		120 ft. <sup>7</sup>	N/A
Minimum yard setbacks:			
Front	15 ft.	20 ft.	The average of the actual distance (up to 20 feet) between the street right-of-way and principal structures on the 2 adjoining lots, using 20 feet for any adjoining vacant lot.



Side (interior)	5 ft.	7.5 ft. <sup>5</sup>	5 ft. <sup>6</sup>
Side (street)	N/A	10 ft.	N/A
Rear	15 ft.	20 ft.	20 ft.
Maximum building height	25 ft.	3 stories	3 stories
Maximum lot coverage	N/A	35%	50%

<sup>1</sup> A separate lot does not need to be created for each duplex, triplex, or quadraplex structure, where applicable.

<sup>2</sup> However, the dwelling may be arranged so that a common wall is located on the property line of adjoining lots with a minimum lot area of 5,000 square feet in the RMF-5 district.

<sup>3</sup> However, the dwelling may be arranged so that a common wall is located on the property line of adjoining lots with a minimum of 3,000 square feet in the RC district.

<sup>4</sup> Except when a common wall is located on the property line of two adjoining lots, in which case the required width is 50 feet for each lot.

<sup>5</sup> Except where a two-family dwelling is located with a common wall on the property line of two adjoining lots. In such instances, the yard setback for the side of each lot opposite the common wall shall be at least ten feet in the RMF-5 district. No setback for attached rowhouse and townhouse units

<sup>6</sup> Except where a two-family dwelling is located with a common wall on the property line of two adjoining lots. In such instances, the yard setback for the side of each lot opposite the common wall shall be at least 7.5 feet in the RC district.

<sup>7</sup> Attached rowhouses and townhouses require no minimum lot width; however, such units require a 40-foot lot width maximum when units are on separate lots. In addition, such lots require no minimum lot area.

## Accessory Structures for MH, RMF-5 and RC

	MH	RMF-5	RC
Minimum front and side yard setbacks	Same requirements as for the principal structure, excluding fences and walls.		
Minimum yard setback, rear	3 ft.	5 ft.	5 ft. <sup>1</sup>
Maximum building height	25 ft.	25 ft.	25 ft.
Transmitter towers <sup>2</sup>	80 ft.	N/A	80 ft.

<sup>1</sup> One pre-engineered and premanufactured structure of 100 square feet or less may be erected in the rear and side yards as long as the structure has a minimum yard setback of three feet from the rear or side property lines, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall which is at least 75 percent opaque.

<sup>2</sup> In accordance with section 30-98.