

app.

D

gainesville § 30-75

degrees.

Where the development intensity exceeds a floor area ratio of 1.0 or the building height is greater than 35 feet, the setback distance related to the angle of light obstruction may be varied by the appropriate reviewing board during development plan review. In adjusting the setbacks, the appropriate reviewing board shall ensure that there shall be a minimum of a 20 foot setback along a collector or arterial and minimum of a 15 foot setback along a local street. In considering the petition, the appropriate reviewing board shall consider:

1. The existing pattern of development in the general area, particularly along adjacent rights-of-way.
2. Site constraints that limit the potential to fully develop the subject property in the same manner as other neighboring properties.
3. The need to provide adequate landscaping while protecting existing or unique natural features and vegetation occurring on the site.
4. The need to provide sidewalks and bike routes, planting or maintaining adequate landscaping and future road widening.

b. Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 25 feet or the distance created by the angle of light obstruction, whichever is greater.

(4) Maximum lot coverage: 40 percent except when a minimum of 75 percent of parking is accommodated within a parking structure, the maximum lot coverage is 50 percent.

(5) Maximum floor area ratio of principal structures: 2.00.

(e) Additional requirements.

- (1) General conditions. All structures and uses within this district shall also comply with the applicable requirements and conditions of Article IX.
- (2) Development plan approval. Prior to the issuance of a building permit for development in any MD district, development plan approval shall be obtained in accordance with the provisions of Article VII.
- (3) Parking. In order to receive and maintain a valid certificate of occupancy within any MD district, the parking requirements shall be complied with as set forth in Article IX.
- (4) Landscaping. In order to receive and maintain a valid certificate of occupancy within any MD district, the landscaping requirements shall be complied with as set forth in Article VIII.
- (5) Signs. In order to receive and maintain a valid certificate of occupancy within any MD district, the signs requirements shall be complied with as set forth in Article IX.
- (6) Flood control. Prior to the issuance of a building permit in any MD district, the provisions of the flood control district, Article VIII, shall be complied with where applicable.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 951420, § 7, 7-8-96; Ord. No. 970683, § 1, 3-9-98)

Sec. 30-75. Public services and operations district (PS).

- (a) Purpose. The PS district is established for the purpose of identifying and providing suitable locations for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. This

district may be isolated and surrounded by any other zoning district compatible with the intended use of the facility.

(b) Objectives. The provisions of this district are intended to:

- (1) Accommodate utilities, recreation and public facilities, at appropriate locations, necessary to serve the public;
- (2) Ensure public awareness of the location of existing or potential utilities, recreation and public facilities;
- (3) Allow, through the rezoning process, public review of specific utility, recreation and public facility uses to ensure locations compatible with surrounding activities; and
- (4) Ensure, by requiring development plan review where necessary, that such uses are designed to minimize negative impacts on surrounding properties.

(c) Uses permitted by right. The specific use(s) permitted on the subject property shall be specified as a part of the ordinance which places this classification on a particular area of ground and may include:

- (1) Libraries and information centers (GN-823).
- (2) U.S. Postal Service (MG-43).
- (3) Museums, art galleries and botanical and zoological gardens (MG-84).
- (4) Public administration (Div. J).
- (5) School buses (GN-415).
- (6) Public golf courses (IN-7992).
- (7) Commercial sports (GN-794).
- (8) Pipelines, except natural gas (MG-46).
- (9) Electric, gas and sanitary services (MG-49).
- (10) Amusement parks (IN-7996).
- (11) Membership sports and recreation clubs (IN-7997).
- (12) Amusement and recreation services, not elsewhere classified (IN-7999).
- (13) Cemeteries.
- (14) Public service vehicles, in accordance with the conditions and requirements of Article VI.
- (15) Any other use specified in the ordinance rezoning property to this classification.
- (16) Any use customarily incidental to any permitted principal use.
- (17) Public lands designated for open space or conservation.
- (18) Activity-based private recreational or open space lands which have had development rights conveyed to the public, or for which a covenant of at least ten-years' duration is executed ensuring that only open space outdoor recreation or park uses shall be permitted in accordance with F.S. § 193.501.
- (19) Activity-based public parks and recreational facilities as defined by the comprehensive plan.
- (20) Golf driving ranges.
- (21) Pitch-n-putt golf.
- (22) Utility lines.
- (23) Water conservation areas, water reservoirs and control structures, drainage wells and water wells.

- (24) Transmitter towers in accordance with article VI.
 - (25) Camps and recreational vehicle parks (GN-703).
 - (d) Uses by special use permit.
 - (1) Food distribution center for the needy in accordance with article VI.
 - (2) Residences for destitute people in accordance with article VI.
 - (e) Dimensional requirements. All principal and accessory structures shall be located and constructed in accordance with the following requirements:
 - (1) Office and administrative activities:
 - a. Minimum lot area: 10,000 square feet.
 - b. Minimum lot width at minimum building front yard setback: 100 feet.
 - c. Minimum yard setbacks:
 - 1. Front: Ten feet.
 - 2. Side, street: Ten feet.
 - 3. Side, interior: Zero feet.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 20 feet or the 60-degree angle of light obstruction, whichever is greater.

 - 4. Rear: Zero feet.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Twenty feet or 60-degree angle of light obstruction, whichever is greater.
 - (2) All intensive recreation uses (fairgrounds, stadia, community assembly buildings, performing arts halls, arenas, etc.):
 - a. Minimum lot size: One acre.
 - b. Minimum yard setbacks:
 - 1. Front: Twenty-five feet.
 - 2. Side, interior: Twenty feet.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.

 - 3. Side, street: Twenty feet.
 - 4. Rear: Zero feet.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.
- (3) All other uses: As specified in the rezoning ordinance.
- (f) Additional requirements.
 - (1) General conditions. All structures and uses within this district shall also comply with the applicable requirements and conditions of article IX.
 - (2) Development plan approval. Preliminary and final development plan approval in accordance with article VII shall be required for all development. In addition to the review criteria listed in article VII, the following criteria

shall also apply:

a. Site suitability.

1. The site shall be suitable to the use proposed. Adequate land area should be provided for the current development, as well as any anticipated expansion.
2. The site shall be adequately served by water and wastewater facilities.
3. Transportation facilities available to the site shall be appropriate to the use. Large scale uses or those generating large volumes of traffic should be located on arterial or major collector streets as shown in the comprehensive plan.
4. The site shall be suitable for the use proposed without hazard to persons or property from the probability of flooding, soil erosion or other hazards.

b. Site design.

1. Building scale and massing shall relate to that of adjacent buildings to the extent practical.
2. Public developments shall be exemplary in their use of signage and landscaping and in the preservation of existing trees.
3. Pedestrian areas shall be separated from vehicular areas wherever possible. Traffic circulation should be safe, convenient and designed according to sound engineering practices.
4. The design of the site and facilities shall promote energy conservation through proper solar access, shading and other measures, where appropriate.
5. Appropriate access for emergency vehicles, garbage trucks and other service vehicles shall be provided.
6. All site elements shall be designed to protect natural and community resources, such as wildlife habitats, historic structures and ecologically sensitive areas.

c. External compatibility.

1. Buffering and screening of public service facilities shall be provided commensurate with the facility's degree of impact and incompatibility with surrounding developments.
2. Electrical transformers and other utility equipment shall be screened from public view.
3. Site illumination and public address systems, particularly for recreation areas, shall be designed so as to create no interference with the privacy of adjoining properties.
4. Adverse impacts on adjacent properties, such as noise, smoke, glare and odor, shall be mitigated through site design. Where necessary, building construction methods or mechanical equipment should also be utilized to mitigate these adverse impacts.

(3) Parking. Any development within any PS district shall comply with the parking requirements as set forth in article IX.

(4) Landscaping. Any development within any PS district shall comply with the landscaping requirements is set forth in article VIII.

(5) Street signs. In order to receive and maintain a valid certificate of occupancy within all PS districts, the sign requirements shall be complied with as set forth in article IX.

(6) Flood control. Prior to the issuance of a building permit in any PS district, the provisions of the flood control ordinance, article VIII, shall be complied with where applicable.

(7) Preliminary development plan in conjunction with rezoning.

a. Intent. A preliminary development plan is intended to help further the purpose of this district by providing the plan board and city commission with additional information on site-specific conditions which will assist the city plan board and city commission in their decision-making process relating to the accommodation of the proposed use(s) at appropriate locations necessary to serve the public; the assurance of public awareness of the proposed location of potential public facilities, utilities and recreation; and the assurance that the conditions placed upon the rezoning are designed to minimize any potential negative impacts on surrounding properties.

b. Approval process. The plan board shall recommend to the city commission whether a preliminary development plan is required before the property is rezoned or the uses permitted on the property are changed. The city commission may require such development plan, or those specific items or portions of a preliminary development plan that the city commission deems necessary, to be included as part of any petition to rezone property to this classification or to change the permitted uses on the property if the newly permitted use has not been previously approved. Should the city commission deem such a plan is needed in order to judge whether the proposed use can be accommodated on the site without detriment to the health, safety and general welfare of surrounding properties the development plan shall meet the requirements of article VII.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 13, 3-14-94)

Sec. 30-76. Airport facility district (AF).

(a) Purpose. The AF district is established for the purpose of assuring the proper and safe operation of the Gainesville Regional Airport, to protect the public investment in the airport, and to protect and promote the public utility of the airport. Recognizing the unique conditions pertaining to the airport, this district provides a means of balancing conformance to applicable state and federal regulations with local concerns.

(b) Objectives. The provisions of this district are intended to:

(1) Ensure public health, safety and welfare by adherence to all applicable local, state and federal standards and regulations.

(2) Protect the public investment through development plan review, where applicable, to accommodate efficient and harmonious use of the facility.

(3) Be consistent with the city's comprehensive plan and be compatible with surrounding land uses through adoption and implementation of the airport facility zoning map.

(c) Uses permitted by right. The specific uses permitted within the airport development area of this district are listed below, subject to the limitations as further provided in this section:

TABLE INSET:

SIC	Uses	Conditions
	Public lands	Designated for open space or conservation
	Wireless communications facilities	In accordance with article VI

Zoning of the NW 39th Ave. Garage

app.

E

gainesville § 30-346

or other particulate air contaminant generating equipment including but not limited to paint spraying, grain or seed handling, sand or gravel processing or storage or sand blasting shall be conducted such that dust and other particulate matter so generated are not transported across the boundary property line or the tract on which the use is located in concentrations exceeding standards set by the Florida Department of Environmental Protection, or successor agency, or any governmental entity with regulatory jurisdiction, whichever standards are more stringent.

(13) **Toxics.** No industrial operation or use shall emit toxic or noxious matter at a concentration exceeding ambient air quality standards for the State of Florida across the property line of the parcel on which the operation or use is located. Where toxic materials are not listed in the ambient air quality standards of the state, concentrations shall not exceed one percent of the threshold limit values (TLVs) adopted by the American Conference of Governmental Industrial Hygienists (ACGIH). If a toxic substance is not listed by the ACGIH, verification of safe levels of the proposed toxic material for public health, plant and animal life will be required.

(c) **Utility service.** All utility services, including but not limited to those of franchised utilities, electric power and light, telephone, cable services, water, sewer and gas, shall be installed beneath the surface of the ground, unless the city manager or designee determines that the soil, topography and other compelling condition makes it unreasonable or impractical. The subsurface mounting of incidental appurtenances, including but not limited to transformer boxes or pedestal-mounted boxes for the provision of utilities, electric meters, back flow preventers and fire hydrants, is not required.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 991381, §§ 1, 2, 9-25-00; Ord. No. 001917, § 3, 12-13-01; Ord. No. 000516, § 5, 2-11-02)

Editor's note: Ord. No. 000516, adopted Feb. 11, 2002, erroneously amended subsection (a) of this section 30-345. As it was not the intent of the city for Ord. No. 000516 to amend subsection (a), said subsection reads herein as is set out in Ord. No. 001917, adopted Dec. 13, 2001. The city will adopt an ordinance correcting the language of subsection (a) to read as it appears herein.

Sec. 30-345.1. Nonconforming luminaires.

All lamps, light fixtures and lighting systems (hereinafter "luminaires") lawfully in place prior to February 11, 2002, shall be deemed legally nonconforming. However, if cumulatively at any time, 50 percent or more of the existing outdoor light fixtures are replaced, or number of outdoor light fixtures is increased by 50 percent or more, then all outdoor light fixtures shall conform to the provisions of section 30-160, section 30-330, and section 30-345. A development plan amendment shall be certified by a registered engineer or architect, or lighting professional holding a current L.C. (lighting certificate) from the National Council on Qualifications for the Lighting Profession (NCQLP). Additionally, nonconforming luminaires that direct light toward streets or parking areas that cause glare so as to cause a public nuisance should be either shielded or re-directed within 30 days of notification.

(Ord. No. 000516, § 7, 2-11-02)

Sec. 30-346. Nonconforming lots, uses or structures.

(a) **Intent.** Within the districts established by this chapter there exist lots, structures and uses of land or land and structures which were lawful before this chapter was adopted or amended but which will be prohibited, regulated or restricted under the terms of this chapter. It is the intent of this chapter to permit these nonconformities to continue until they are removed but not to encourage their continuation. Except as otherwise provided, it is the further intent of this chapter that nonconformities shall not be enlarged upon, expanded, intensified or extended nor be used as a basis for adding other structures or uses prohibited within the district. Certain improvements to nonconforming uses which:

- (1) Do not involve increases in the size of structures or changes in the character of existing uses;
- (2) Are reasonably related to the continuation of those uses; and
- (3) Will not have an adverse impact on the surrounding neighborhood and general public;

may be permitted subject to the requirements of this chapter. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which a building permit has been issued prior to the effective date of adoption or amendment of this chapter. If actual substantial construction has not begun, under a permit issued prior to the adoption or amendment of this chapter, within six months of the date of issuance of the permit, such permit shall become invalid and shall not be renewed except in conformity with this chapter.

(b) Nonconforming buildings or structures. Nonconforming principal buildings and structures shall be made to comply with these regulations only after destruction which exceeds 80 percent of its then physical value immediately prior to the time of destruction as determined by the building official with substantial competent evidence. An existing nonconforming principal building or structure may be maintained and repaired or may be added onto, remodeled or altered provided that such addition, remodeling or alteration is in compliance with this chapter. Provided, however, that, in the case of a single-family structure where the nonconformity is created by an encroachment into a required yard setback, such nonconforming single-family structure may be added onto or altered in such a way so as not to extend such addition further into such required setback.

(c) Nonconforming lots.

(1) Combining lots. Where two or more nonconforming lots with continuous frontages are under the same ownership or where a nonconforming lot has continuous frontage with a larger tract under the same ownership, such lot or lots shall be combined to form one or more lots meeting the requirements of the district in which they are located.

(2) Dwellings on nonconforming lots. The building official may issue a building permit for a single-family dwelling on any nonconforming lot which is not substandard; provided that the remedy set forth in subsection (c)(1) of this section cannot be complied with, that a single-family dwelling is a permitted use in the district in which the lot is located, and that the district minimum yard setbacks and building size limitations are met.

(3) Buildings on nonconforming or substandard lots. The board of adjustment may authorize by special exception the issuance of a building permit for a building to be located on a substandard or nonconforming lot, provided that the remedies set forth in subsection (c)(1) of this section cannot be complied with and that the building use is permitted in the zoning district in which the lot is located, as long as the board of adjustment finds that such building will not create any condition detrimental to the safety, convenience and quiet possession of surrounding properties and uses. The board of adjustment shall not authorize a multiple-family dwelling on a substandard or nonconforming lot in any district in which a single-family dwelling is a permitted use.

(d) Nonconforming uses of buildings, structures and premises. If a lawful use of a structure, or of a structure and premises in combination, exists on the date this chapter was adopted or amended, that would not be allowed in the district under the terms of this chapter, the lawful use may be continued or changed to another use of the same major group, as identified in the Standard Industrial Classification Manual, as long as it remains otherwise lawful, subject to the following provisions:

(1) No existing structure devoted to a use not permitted by this chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, remodeled, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located. The city plan board may allow, by special use permit, minor decorative, functional or safety improvements to existing structures devoted to legal nonconforming uses. Such improvements may not include:

- a. An increase in floor area; or
 - b. Enclosures of previously unenclosed areas. Improvements involving the installation of marquees, canopies or awnings must additionally meet the requirements of article IX, pertaining to signs, and subsection 30-338(3), relating to overhanging and protruding projections. Signs on marquees, canopies or awnings are prohibited in residential districts pursuant to section 30-318.
- (2) If the use of a structure devoted to a use not permitted by this chapter in the district in which it is located is changed, the use must be changed to one permitted in such district or to another use of the same major group, as identified by the Standard Industrial Classification Manual.
- (3) When nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
- (4) There may be a change of tenant, ownership or management of a nonconforming use provided there is no change in the nature or character of such nonconforming use.
- (5) Whenever a nonconforming use of land or of a building or other structure or any portion thereof is abandoned or the use is discontinued for a continuous period of nine months or more, such abandonment or discontinuance shall be presumed to constitute an intention to abandon or discontinue such use, and such use shall no longer be permitted. Any subsequent use of such building or structure or land shall be in conformity with the provisions of this chapter.
- (6) The city plan board may allow, by special use permit, the installation of new signs or the replacement of signs which conform to the requirements of article IX, pertaining to signs, in all districts, except those enumerated in article IV under "Residential Districts" and the OR 20 units/acre office and residential district, provided all existing nonconforming signs on the premises are removed.
- (7) The development review board, through development plan review when applicable, or the city manager or designee as applicable, may allow improvements to the premises of structures devoted to legal nonconforming uses. Possible improvements may include but are not limited to existing vehicular use areas, landscaping, drainage, lighting, and the provision of buffering and screening along property boundaries. Proposed improvements must comply with the dimensional and other requirements of adjacent zoning districts and otherwise comply with off-street parking and loading and landscaping regulations applicable to new development to the maximum extent possible within recognized site constraints. An applicant must additionally demonstrate with competent substantial evidence the legality of the nonconforming use of the structure and premises addressed in the application. Competent substantial evidence may include but is not limited to historic aerial photographs, use and property records maintained by the city's occupational licensing and code enforcement departments, records maintained by the county property appraiser's office, business records, and photographs that can be verified as to their date and authenticity.
- (e) Reserved.
- (f) Expansion and renovation of nonconforming single-family and two-family uses and structures.
- (1) An existing nonconforming single-family or two-family use may be expanded or renovated in accordance with the development standards for the zoning district in which it is located. However, the use shall not be expanded or renovated to include any additional units.
 - (2) An existing nonconforming single-family or two-family building or structure may be expanded or renovated in accordance with the provisions of section 30-346(b).

(g) Improvements to vehicular use areas associated with nonconforming uses. The city plan board may allow by special use permit improvements to vehicular use areas associated with legal nonconforming uses relating to size, location, design, landscaping, drainage, lighting, or buffering and screening to protect neighboring land uses. Proposed improvements must comply with the dimensional and other requirements applicable to new development to the maximum extent possible with recognized site constraints. If a request is made to move a vehicular use area, the applicant must additionally show that the relocation is needed to meet dimensional, landscaping, drainage or buffering requirements. Paving or repaving of an existing vehicular use area which utilizes a local street or alley for vehicle access or maneuvering may be allowed if the city manager or designee determines traffic movement and circulation would not be endangered.

(h) Findings of fact required for issuance of special use permits relating to this section. Any other provision of this section or this chapter notwithstanding, the city plan board must make the following additional findings of fact before it may approve a special use permit under this section:

(1) That the applicant has demonstrated with competent substantial evidence the legality of the nonconforming use of the structure or structure and premises in combination addressed in the application. Competent substantial evidence may include but is not limited to historic aerial photographs, use and property records maintained by the city's occupational licensing and code enforcement departments, records maintained by the county property appraiser's office, business records, and photographs that can be certified as to their date and authenticity;

(2) That the proposed improvements are reasonably related to the continuation of a nonconforming use and associated facilities and will not result in an increase in the floor area of structures, enclosure of previously unenclosed areas, a change in the existing character of a use or detrimental impacts on surrounding uses and properties or the general public; and

(3) That the proposed improvements are in compliance with all other applicable regulations of this chapter to the maximum extent practicable.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3996, § 1, 7-25-94; Ord. No. 060109, § 2, 11-13-06)

Cross references: Nonconforming signs, § 30-234.

Sec. 30-347. Airport hazard zoning regulations.

All development must comply with the airport hazard zoning regulations adopted by the city commission and set out in an appendix to this chapter.

(Ord. No. 981149, § 1, 5-10-99)

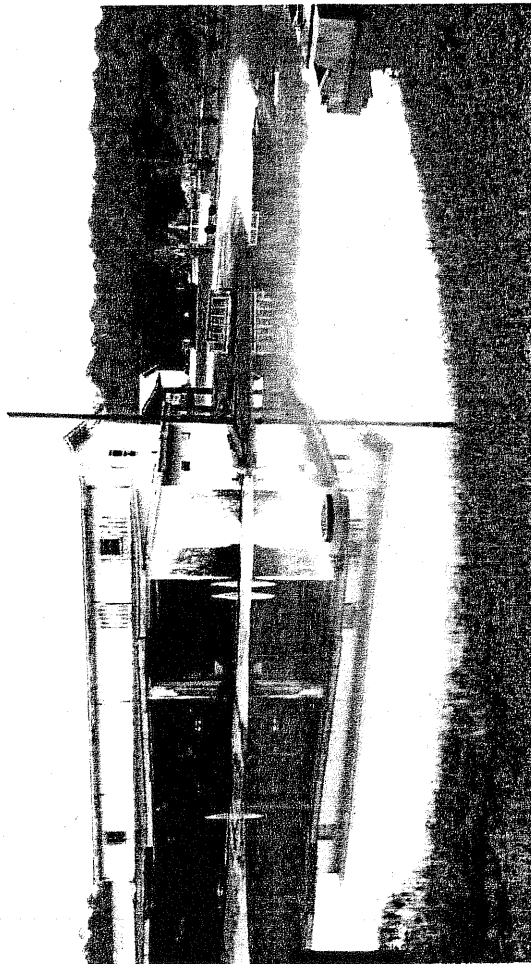
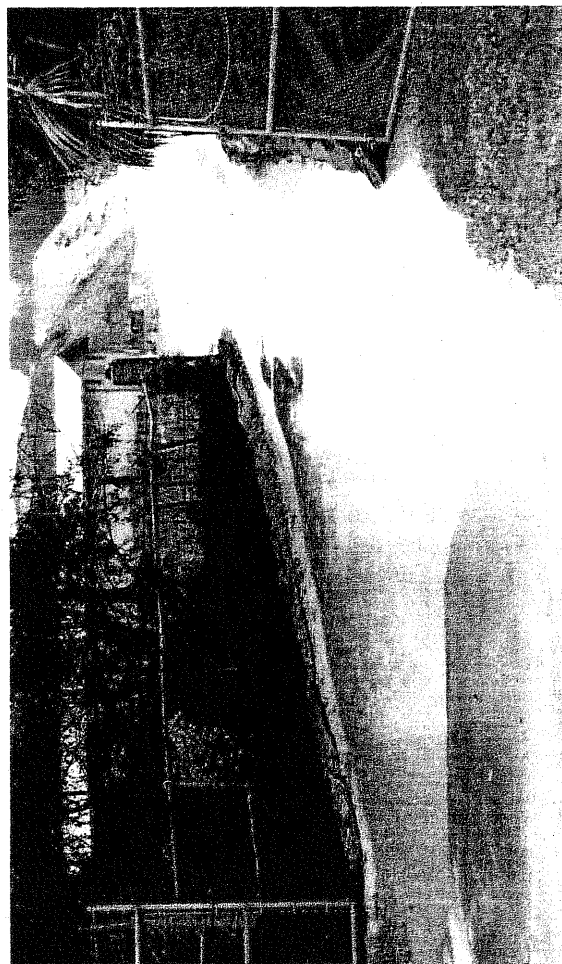
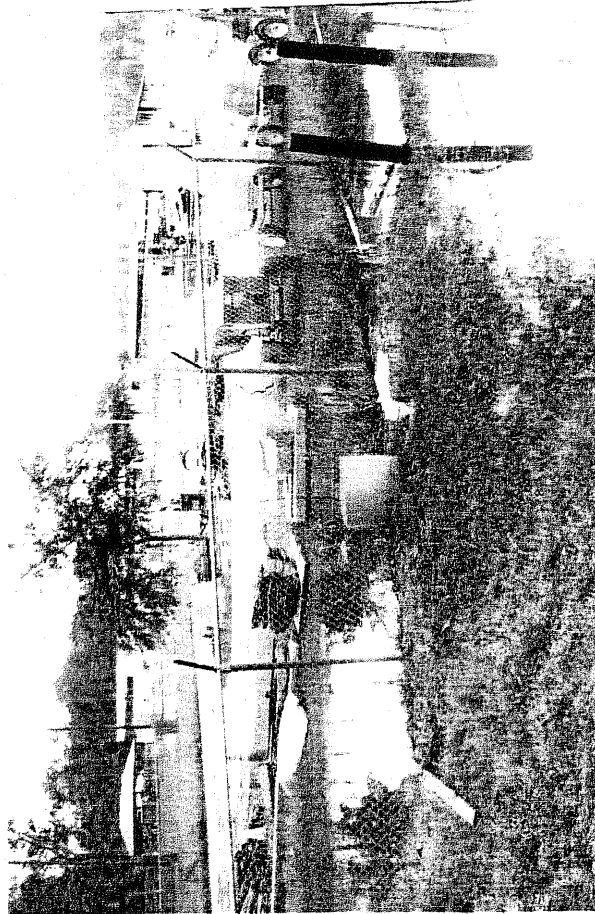
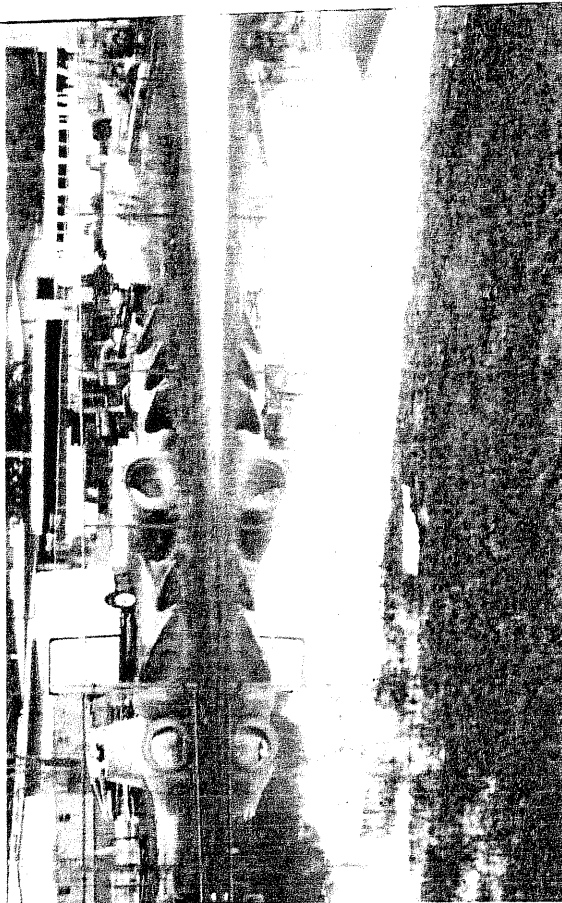
app.

F

pictures of debris piles



405 NW 39th Avenue/City Compound ~ Debris Piles



405 NW 39th Avenue/City Compound ~ Flooding

Zoning of the NW 39th Ave. Garage

app.

G

gainesville § 30-357

(city atty K)

DIVISION 3. ZONING COMPLIANCE PERMITS; BUILDING PERMITS; CERTIFICATES OF OCCUPANCY

Sec. 30-357. Zoning compliance permits.

(a) Required. Except as otherwise specifically provided in this chapter, it shall be unlawful to begin a new development, or an addition to an existing development, until the city manager or his/her designee has issued for such action a zoning compliance permit, certifying that such development complies with the applicable provisions of this chapter.

It shall also be unlawful to make a change of use, as the term is defined in section 30-23 of this chapter, of any land or structure, or to extend any use or any lot on which exists a nonconforming use, until the city manager or his/her designee has issued a zoning compliance permit certifying that such intended uses comply with the applicable provisions of this chapter.

It shall also be unlawful to establish any business, profession or occupation, or to change the location of a business, profession or occupation which is subject to occupational license tax as provided for in sections 25-41 through 25-43 of the Code of Ordinances, until the city manager or his/her designee has issued a zoning compliance permit certifying that such intended business, profession or occupation complies with the applicable provisions of this chapter.

(b) Procedures.

(1) Application submittal requirements. Applications for a zoning compliance permit shall be submitted to the city manager or designee on a form supplied by the city. Applications shall be accompanied by the appropriate fee so also prescribed.

In the case of an application involving development plan review, the applicant shall also submit additional information as required by Article VII of this chapter. The city manager or designee shall also prescribe any other material that may reasonably be required to determine compliance with this chapter, with sufficient copies for necessary referrals and records. No application shall be accepted by the city manager or designee unless it complies with such submittal requirements. Applications which are not complete shall be returned to the applicant with a notation of the deficiencies in the application.

Where a building permit, tree removal permit, sign permit or other permit is required, applications for such permits may be made coincidentally with the application for a zoning compliance permit.

(2) Action on application. Upon receipt of a completed application, the city manager or designee shall cause an analysis to be made as expeditiously as possible by qualified representatives of the city and such other agencies or officials as appear appropriate in the circumstances of the case, to determine compliance with the applicable provisions of this chapter. In the case of developments which do not meet the thresholds for minor development plan review, the city manager or designee shall take final action on the application. Final action shall be based on findings as to compliance with all applicable provisions of this chapter and shall be one of the following;

- a. Approval;
- b. Approval subject to conditions; or
- c. Denial.

The city manager or designee may impose such reasonable conditions on an approval as will ensure compliance with applicable provisions of this chapter.

In the case of developments requiring development plan review, the development review board, city plan board, technical review committee or

city commission, as applicable, shall give preliminary or final approval as prescribed in Article VII of this chapter.

(3) Actions subsequent to decision. In the case of approval or approval with conditions, the city manager or designee shall issue the zoning compliance permit. In the case of denial of an application, the applicant shall be notified as soon as possible, in writing, of the reasons for such denial.

Where a building permit or sign permit is required, such permits shall not be issued prior to issuance of the zoning compliance permit. Such permits shall comply with the approved zoning compliance permits, including all conditions attached thereto.

A certificate of occupancy shall not be issued by the city manager or designee until, after final inspection, full compliance with the provisions of this chapter and all other state and local laws, including conditions of the zoning compliance permit and all other permits, has been determined.

(c) Expiration and revocation.

(1) Expiration. If the use, construction or activity authorized by approval of an application for a zoning compliance permit is not commenced within six (6) months of the date of issuance of the zoning compliance permit, or within such further time stipulated in such permit, the zoning compliance permit shall automatically expire. Any other approval, grant, certificate, building permit or special permit issued or granted by the city plan board, board of adjustment, city commission, city manager, building official or other official pursuant to or in conjunction with the zoning compliance permit shall become null and void unless any required work thereon is substantially underway or lawful use has begun within six (6) months after the effective date of the issuance of such approval, certificate, grant, building permit or special permit, unless otherwise provided in this chapter. The city manager or designee shall determine whether the use, construction or activity is substantially underway or has begun upon review of substantial competent evidence.

(2) Revocation. If any conditions of a zoning compliance permit or other requirements of this chapter applicable to the permit are violated, the city manager or designee may revoke the zoning compliance permit after reasonable notice has been given to the permit holder.

The city manager or designee may reinstate a revoked zoning compliance permit if he/she determines that:

- a. The holder of a revoked zoning compliance permit submitted a request for reinstatement within ninety (90) days of the revocation;
- b. The violations that were the cause of the revocation have been corrected; and
- c. The development fully complies with all conditions of the zoning compliance permit and all applicable requirements of this chapter.

(d) Determination of zoning compliance for new industries. Any use or combination of uses which cannot be classified by using a strict interpretation of the Standard Industrial Classification (SIC) Code may be so classified by the city manager or designee by using the SIC code to determine the most similar SIC classification or combination of classifications. The city manager or designee may issue a zoning compliance permit when all of the following criteria are met:

- (1) The new use is suitable to the distinctions that have been made between the nature of the various land use categories, i.e., office, neighborhood serving, community serving, highway-oriented commercial, or industrial in character.
- (2) The nature of the new use would not create a more intense usage of a property than that would be caused by the majority of uses permitted in the district.
- (3) A reasonable estimate of trip generation, using the Institute of

Transportation Engineers, Trip Generation, An Information Report, would be normal when compared to the number of trips generated by the majority of uses within the district.

(4) The nature and amount of truck traffic would be normal when compared to the nature and amount of truck traffic generated by other uses in the district.

(5) Special or atypical demands of the new use on public utilities and/or stormwater management facilities would not lower the level of service of such facilities.

(6) Noise, glare, vibration, smoke or odor expected to result from the proposed use would be similar to that resulting from the majority of uses permitted in the district.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-358. Building permits.

After October 26, 1981, no building shall be constructed, reconstructed, altered or extended until a building permit has been issued indicating that the proposed use is in compliance with the provisions and regulations of this chapter; and there shall be no excavation, cut or fill of earth or debris, no curb shall be cut or access opened onto a public street, no land shall be used for purposes other than agricultural, no street graphics shall be erected, and no building shall be moved until any required permit therefor has been obtained in accordance with the provisions of this Code of Ordinances.

(Ord. No. 3777, § 1, 6-10-92)

Sec. 30-359. Certificate of occupancy.

No land, water, building or any part thereof shall be used and no existing use of land, water or building shall be changed unless there is outstanding for such land, water, building or part thereof a valid, unrevoked certificate of occupancy.

(Ord. No. 3777, § 1, 6-10-92)

app.

H

zoning compliance permit
(city atty L)

ZONING COMPLIANCE PERMIT

Permit form is available at: <http://www.cityofgainesville.org/condoc/common/docs/zcpcc.pdf>

City of Gainesville
306 Northeast 6th Avenue
P O Box 490, Station 11
Gainesville, FL 32602-0490
Phone: 352/334-5023 Fax: 352/334-3259

00 24 2007

- Step 1: Zoning Approval (Zoning Compliance Permit)
- Step 2: Building Inspections Department Approval (Change of Use Permit or Occupancy Permit, if needed) Thomas Center B, 306 NE 6th Avenue, Phone 352/334-5050
- Step 3: Pay Occupational License Tax Offices in City Hall and Thomas Center B, Phone 352/334-5024

ZCP No 358 ZCP-07 Date: 7/24/2007

☒ ZCP Approved | ☐ ZCP Approved with Conditions | ☐ ZCP Denied

Name of Business: CITY OF GAINESVILLE GENERAL SERVICES DEPT.

Address of Business: 405 NW 39 AVE.

City, State, Zip Code: GAINESVILLE, FL 32609

Business Phone: 352.334.2261 Fax Number: 352.334.2268

Proposed Use of Premises: REPAIR, MAINTENANCE, FUEL SERVICES TO THE
CITY'S FLEET OF VEHICLES AND EQUIPMENT.

APPLICANT NAME (Print): MILTON R. REID

Mailing Address: SAME AS ABOVE

City/State/Zip Code: _____

Phone Number: _____ Cell Phone: _____

Please Initial the following, indicating that you understand the requirements.

☒ I understand that I must comply with current Florida Building Code through the Building Department and obtain any necessary permits; that I must obtain an Occupational License through the Finance Department; that I must meet parking standards for my zoning district; and that falsifying information may result in my Zoning Compliance Permit being revoked.

Signature of Applicant: [Signature] Date: 7/24/07

Version: April 2007

PLANNING DIVISION ANALYSIS

Initial Review Date: 7/24/2007

Tax Parcel Number: 08248 000 -- 000 Map Number: 3551

Zoning District: PS

SIC Code: DIVISION E - Utilities/Sanitation
DIVISION J - Public Administration

Comments: _____

Murphy Wellfield Protection Permit

Located in Wellfield Zone (Circle One): YES NO Primary/Secondary/Tertiary

Permit Required (Circle One) Exemption NO YES Permit/Wellfield Permit

Conditions/Comments: SEE ATTACHMENTS

Special Overlay Plans or Districts

Central Corridor _____ NW 39th Avenue _____ Corporate Park _____

Traditional City _____ University Heights _____ SW 15th Street _____

Five Points _____ Special Environmental Overlay ✓ Gateway Street _____

Idylwild-Serenada Special Overlay _____ Significant Ecological Communities Overlay _____

Parking Standard for Zoning District

Parking Standard: Vehicle: 1 per 500 sf of Bicycle: 5 per 1000 Vehicle Standard

Comments: Used Industrial Parking Standard

SIGNS: Any new, modified or expanded sign visible from a street requires a permit, call the Building Inspections Department (352/334-5050)

HOME OCCUPATIONS run from a residential address are permitted by the Codes Enforcement Department, 352/334-5030

ALCOHOLIC BEVERAGE LICENSES (require Planning Department approval, Thomas Center B, Room 158 (352/334-5023). Please leave the entire State of Florida application packet with the Staff Assistant

DAY CARE CENTER applications must have the Alachua County signature sheet, and may also need site plan approval or site inspections

Signature/Planning Division

Michael J. Day

Date: 7/25/2007

Version: April 2007