

ZONING ORDINANCE
(INCLUDING LANDSCAPE ORDINANCE)
OF
GAINESVILLE, FLORIDA

THIS IS A REPRODUCTION OF CHAPTER 29
OF THE GAINESVILLE CODE OF ORDINANCES,
AS AMENDED THROUGH ORDINANCE 1781,
ADOPTED JANUARY 31, 1972.

- (33) *Nonconforming use of land.* The use of any land other than a use specifically permitted in the district in which the lot or parcel of land is located.
- (34) *Parking.* A temporary, transient storage of private passenger motor vehicles used for personal transportation while the operators of such vehicles are engaged in other activities. The term shall not include storage of new or used cars for sale, service, rental, or any other purpose except as specified herein.
- (35) *Parking space.* A land area of not less than one hundred eighty (180) sq. ft., exclusive of driveways and aisles, and adjacent to a driveway or aisle, with minimum dimensions of nine (9) feet by twenty (20) feet, designed so as to be usable for the parking of a private motor vehicle.
- (36) *Person.* The word person includes any individual, group of persons, firm, corporation, association, organization, and any legal public entity.
- (37) *Personal services.* Beauty parlor, shop or salon, barber-shop, massage, reducing, or slenderizing studio, steam or Turkish baths, or any similar use.
- (38) *Plan board.* The term plan board shall refer to the city plan board as provided in Section 37 of the Charter for the City of Gainesville, Florida.
- (39) *Professional services.* The conduct of business in any of the following or related categories: law, architecture, engineering, medicine, dentistry, osteopaths, chiropractors, opticians, or consultants in these or related fields, studios of dancing, music and art.
- (40) *Public body.* Any government or governmental agency, board, commission, authority or public body, of the City of Gainesville, Alachua County, State of Florida, or the U. S. Government, or any legally constituted district.
- (41) *Public use.* The use of any land, water, or buildings by a public body for a public service or purpose.
- (42) *Retail sales and service.* Retail sales and service shall include those business activities customarily providing retail convenience goods. Such uses shall include de-

living environment. *Usable open space* is defined as that part of the ground area, roof, balcony, or a porch which is devoted to outdoor living, recreation, or utility space, but shall not include private roadways open to vehicular traffic, off-street parking area, loading space or required minimum front yards.

On any building site on which there are located five (5) or more living units, there shall be provided two hundred square feet (200 sq. ft.), of usable open space for each one bedroom living units and two hundred fifty square feet (250 sq. ft.) of usable open space for each living unit with two (2) or more bedrooms. Such usable open space shall be provided for in a common area or areas having no dimension less than twenty feet (20'), except as permitted in the succeeding paragraph, which shall be conveniently located and readily accessible from all living units located on the building site.

In calculating the usable open space for an apartment project, a minimum of seventy-five per cent (75%) must be provided at ground level, the remaining open space may be areas devoted to balconies with a minimum dimension of four feet, six inches (4'6"), and roof space which is designed for safe and convenient use of occupants of the project.

(7) *Site plan approval required.* The site plan for all elderly housing developments shall be approved by the plan board in accordance with section 29-36(IV) before a building permit may be issued for the construction of such development. (Ord. No. 1538, § 1, 12-11-67)

Amendment note—Ord. No. 1538, § 1, adopted Dec. 11 1967, amended this Code by adding § 29-31.3.

Article V. Zoning Districts

Sec. 29-32. Establishment of districts.

Within the corporate area of the City of Gainesville, Florida, the following zoning districts are established:

(1) *Residential.*

- (1) RE, residential-estate.
- (2) R-1a, single family, low density.
- (3) R-1b, single family, medium density.

- (4) R-1c, Single Family, high density.
- (5) R-2, Multiple Family, low density.
- (6) R-2a, Multiple Family, medium density.
- (7) R-3, Multiple Family, high density.
- (8) RP, Residential-Professional.
- (9) RM, Mobile Home Park.
- (10) R2-RD, Multiple Family, restricted density.
- (2) *Business.*
 - (1) BP, Business and Professional.
 - (2) BI-1, Business-Institutional districts.
 - (3) BI-2, Business-Institutional districts.
 - (4) BU, Business, University service.
 - (5) SC, Shopping Center districts.
 - (6) BR-1, Central Business districts.
 - (7) BR-2, Retail Business.
 - (8) BA-1, Business-Automotive, restricted.
 - (9) BA-2, Business-Automotive.
- (3) *Industrial.*
 - (1) MS, local service industrial districts.
 - (2) MP, manufacturing industrial districts.
- (4) *Other .*
 - (1) A-P, administrative and professional districts.
 - (2) MED, Medical Center district. (Ord. No. 1090, Art. V, § 1, 6-25-62; Ord. No. 1452, § 1, 1-16-67; Ord. No. 1456, § 1, 1-16-67; Ord. No. 1479, § 6, 6-5-67; Ord. No. 1522, § 2, 10-16-67)

Amendment note—Ord. No. 1522, § 2, adopted Oct. 16, 1967, amended § 29-32 by adding business districts, BI-1 and BI-2.

Editors note—Ord. No. 1631, § 1, enacted August 18, 1969, amended Chapter 29 by adding a new district. It did not, however, specifically amend § 29-32. Paragraph (1)(10) was added at the discretion of the editors in order to more accurately reflect the contents of the article.

Sec. 29-33. District boundaries.

(1) Zoning districts are hereby established and declared to be in effect upon all land and water areas included within the boundaries of each district as shown on the zoning map of the City of Gainesville.

(2) Unless otherwise indicated on the zoning map, the boundaries of zoning districts are the lot lines, the center-lines of streets, street rights-of-way, alleys, railroad rights-

600 - 1,200	..	44	47
1,200 - 2,400		38	41
2,400 - 4,800		32	35
4,800 - and over		30	33

(d) *Odor*. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the points of measurements. Any process which may involve the creation or emission of any such odors shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system. There is hereby established, as a guide in determining such quantities of offensive odors, Chapter 5, "Air Pollution Abatement Manual", Copyright 1951, by Manufacturing Chemists, Incorporated, Washington, D. C.

(e) *Glare*. There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding, or otherwise, so as to be visible at the specified points of measurement. (Ord. No. 1090, Art. XII, § 4, 6-25-62)

Article XIII. Public Uses

Sec. 29-52. Application.

This article shall apply to all public and semi-public uses of land and buildings in all zoning districts except as may otherwise be provided in these regulations. (Ord. No. 1090, Art. XIII, § 1, 6-25-62)

Sec. 29-53. Regulation of public uses.

All public uses shall comply with the following regulations:

- (1) *Uses permitted in new subdivisions*. Any public use may be permitted in accordance with an approved plat of any subdivision or development on which there is established and identified specific areas for public use.

- (2) *Existing public uses.* All public uses existing at the time of the effective date of this chapter,* and as indicated on the zoning map, are hereby legally established as conforming public uses.
- (3) *Abandoned property.* See Article IV Section 1. (Ord. No. 1090, Art. XIII, § 2, 6-25-62)

Sec. 29-54. Semi-public uses.

All semi-public uses shall be subject to the following provisions:

- (1) *Uses permitted in certain zoning districts.* Any semi-public use shall be permitted in any R-3, RP, BP, BU, BR-1, BR-2, BA-1, BA-2, and MS districts, subject to the provisions of this article.
- (2) *Procedure.* All semi-public uses may be permitted in any other district subject to the approval of the board of adjustment which shall hold a public hearing on such request after giving ten (10) days' due notice of the time and place of such hearing.
- (3) *Existing semi-public uses.* All semi-public uses existing at the time of the effective date of this chapter,* and as indicated on the zoning map, are hereby legally established as conforming semi-public uses. (Ord. No. 1090, Art. XIII, § 3, 6-25-62; Ord. No. 1131, § 2, 1-21-63)

Amendment note—Ord. No. 1131, § 2, amended § 3 of Art. XIII, Ord. No. 1090, codified herein as § 29-54 to substitute the board of adjustment for the plan board, and to reduce the required notice from 15 days to 10 days, in subsection (2).

Sec. 29-55. Special public uses.

Special public uses shall be permitted as follows:

- (1) *Utilities.* Public utilities not owned and operated by public body shall be permitted in any district subject to the approval of the board of adjustment. The board

*Note—Ord. No. 1090 effective June 25, 1962; Ord. No. 1131 was enacted Jan. 21, 1963.
Supp. No. 7

of adjustment shall hold a public hearing on such request after giving ten (10) days' due notice of the time and place of such public hearing.

- (2) *Public facilities.* Transportation terminals and facilities, including commercial bus, railroad and air, and newspapers with general circulation in the City of Gainesville shall be permitted in any "B" and "M" districts, provided that such application is approved by the board of adjustment which shall hold a public hearing on such request after giving ten (10) days' due notice of the time and place of such public hearing. (Ord. No. 1090, Art. XIII, § 4, 6-25-62; Ord. No. 1131, § 3, 1-21-63)

Amendment note—Ord. No. 1121, 3, amended § 4 of Art. XIII, Ord. No. 1090, to substitute the board of adjustment for the plan board, to reduce required notice from 15 days to 10 days, and to add newspapers to the public facilities.

Sec. 29-56. Lot and building requirements.

All public, semi-public, and special public uses shall meet the lot and building requirements of the district in which they are located, off-street parking requirements, and all other applicable regulations of this chapter, unless it is determined by the board of adjustment that variances to lot and building requirements, or other requirements, as provided in this chapter, are justified. (Ord. No. 1090, Art. XIII, § 5, 6-25-62)

Article XIV. Administration and Enforcement

Sec. 29-57. Administration by building inspector.

The city manager shall designate a person or persons to administer and enforce the provisions of this zoning chapter. Such designated person shall be known as the building inspector. (Ord. No. 1090, Art. XIV, § 1, 6-25-62)

Sec. 29-58. Applicability.

No building or structure, or part thereof, shall hereafter be erected, constructed, re-constructed, or altered, and no ex-

Supp. No. 7