
City of
Gainesville

Inter-Office Communication

Planning Division
X5022, FAX x2282, Station 11

Item No. 4

TO: City Plan Board

DATE: April 20, 2006

FROM: Planning Division Staff

SUBJECT: Petition 43TCH-06 PB. City of Gainesville. City Plan Board. Amend the City of Gainesville Land Development Code to allow “compound use” by right in the OF (General office district) zoning list of uses to allow residential use in office zoning.

Recommendation

Staff recommends approval of Petition 43TCH-06 PB.

Explanation

The Gainesville Land Development Code defines a “compound use” as “the use of any land or building in a particular zoning district for both a residential use and a non-residential use permitted in such district, either of which may be the principal use.”

In other words, a “compound use” allows a building to contain both a residence and a commercial activity within the same building—either of which may be the primary activity in the building—in a zoning district that allows the residential and commercial business types that are to occur within the building.

This petition proposes to add compound use as a use allowed by right in the OF (general office) zoning district. Doing so would therefore allow an office building (or other commercial activities allowed in the district, such as a vet, an exercise studio, or a membership organization) to contain a residence. It would also allow a residence to contain such non-residential activities allowed in the OF zoning district.

Currently, the OR (office residential), BUS (general business), MU-1 (mixed use low intensity), MU-2 (mixed use medium intensity), CCD (central city district), and W (warehouse) zoning districts allow compound uses by right.

The office zoning district allows uses that are considered compatible with residential use.

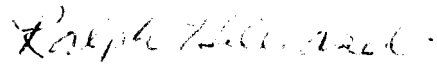
The Office land use category provides justification for allowing residences within office buildings. The Office land use category states that “the Office land use category identifies

areas appropriate for office and residential uses.” The category also states that “residential uses in office districts shall be designed as new in-town development, mixed-use, live-work, compound use or shall accommodate existing residential development within the district.”

Recommendation

Approve allowing compound uses by right in the OF zoning district.

Respectfully submitted,



Ralph Hilliard
Planning Manager

DM:DN

Attachments

- Recommended text changes

Proposed text amendments

Sec. 30-23. Definitions.

Compound use means the use of any land or building for both residential and non-residential uses in a zoning district that allows those residential and non-residential uses. ~~in a particular zoning district for both a residential use and a nonresidential use permitted in such district.~~ Either the residential or non-residential use ~~of which~~ may be the principal use.

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

(e) *Permitted uses, OF (general office district).*

SIC	Use	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted use	
	<u>Compound uses</u>	
	Correspondence schools	
	Day care center	In accordance with article VI
	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
	<u>Residential uses up to 20 units per acre</u>	
	Sales offices without warehousing, showrooms or retail space	

	Exercise studio	Only in an enclosed building
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
MG-48	Communications	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) provided the requirements of article VI are met
MG-73	Business services	Excluding heavy construction equipment and leasing (IN-7353) and disinfecting and pest control services (IN-7342)
GN-801 through 805	Health services	Nursing and intermediate care facilities in accordance with article VI
GN-807 through 809	Medical and dental laboratories, home health care services and miscellaneous health and allied services not elsewhere classified	Excluding blood banks (see uses by special use permit)
MG-81	Legal services	

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4. **Petition 43TCH-06 PB** City Plan Board. Amend the City of Gainesville Land Development Code to allow “compound use” by right in the OF (General office district) zoning list of uses to allow residential use in office zoning.

Mr. Dom Nozzi made the staff presentation. He stated this petition involved a minor change to the Office Zoning District. He stated the proposal was to allow residential use in non-residential buildings or residential buildings can contain office uses. He said, by right, either use could be the primary use in the building. He reviewed the staff report and stated this proposal would be consistent with the Comprehensive Plan. He stated that the definition of Compound Use had been clarified.

Mr. Gold asked about the density of 20-units per acre, which is somewhat like apartments. Mr. Nozzi addressed the question, stating that office-residential zoning had been working well and 20-units per acre would be reached quickly on a small property.

Mr. Reiskind asked about the phrase that either residential or non-residential could be the principal use and why it was necessary. Mr. Nozzi addressed the question and stated it may be extraneous.

Ms. Sabrina B. Williams was recognized. She stated she supported the petition. She stated she owned a local business at 1338 NW 13th Street, zoned office, and the only way she could afford to own something commercial zoned office and have a storefront would be if they could also live there. She stated the proposal would allow small businesses to thrive for the owners to live there and work there.

<u>Motion By:</u> Mr. Gold	<u>Seconded By:</u> Mr. Polshek
<u>Moved to:</u> Approve Petition 43TCH-06 PB.	<u>Upon Vote:</u> Motion Carried 7 – 0 Aye: Cohen, Polshek, Reiskind, Gold, Tecler, McDonell, Cole

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