

Appendix B

Land Development Code Regulations

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DIVISION 5. SPECIAL USE PERMITS

Section 30-3.22. Purpose.

It is the intent of this division to recognize and permit certain uses and developments that require special review, and to provide the standards by which the applications for permits for uses and development shall be evaluated. It is further intended that Special Use Permits be required for developments that, because of their inherent nature, extent, and external effects, require special care in the control of their location, design, and methods of operation in order to ensure conformance with the Comprehensive Plan and this chapter.

Section 30-3.23. Required.

The applicable uses listed in Article IV may be established in that zoning district only after issuance and recordation of a Special Use Permit by the City Plan Board.

Section 30-3.24. Review Criteria.

No Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.

- A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.
- B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.
- C. The proposed use will not adversely affect the health, safety, and welfare of the public.
- D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.
- E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.
- F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.
- G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.
- H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.
- I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.

- 1 J. The hours of operation will not adversely impact adjacent properties zoned for single-family
2 residential use.
- 3 K. Any special requirements set forth in the Land Development Code for the particular use involved are
4 met.

5 **Section 30-3.25. Review Procedures.**

- 6 A. *Pre-application meeting.* A pre-application meeting is not required; however, the applicant is
7 encouraged to attend a meeting with staff to review applicable procedural and regulatory
8 requirements.
- 9 B. *Applications.* Each application shall be filed with the City Manager or designee on the form
10 prescribed. Any incomplete applications will be returned to the applicant. The application shall
11 include proof of having met the requirements of a neighborhood workshop as provided in this
12 article.
- 13 C. *Staff meeting.* The applicant for a Special Use Permit shall meet with city staff to discuss the
14 procedures and requirements and to consider the elements of the proposed use and site and the
15 proposed site layout.
- 16 D. *Staff report.* The City Manager or designee shall submit to the City Plan Board a written report that
17 includes analysis of the application and a recommendation based on the review criteria provided in
18 this division.
- 19 E. *City Plan Board hearing.*
 - 20 1. The City Plan Board shall consider the evidence presented in the public hearing and the written
21 report submitted by the City Manager or designee and shall act on the application based on the
22 review criteria provided in this division.
 - 23 2. Action on the application shall be one of the following:
 - 24 a. Approval;
 - 25 b. Approval subject to conditions; or
 - 26 c. Denial, with a statement of the reasons for denial.
- 27 F. *Effect of denial or withdrawal.* No application for a Special Use Permit may be submitted within two
28 years after the date of denial or withdrawal of a request for the same use for the same property.
29 The City Plan Board may waive this time limitation by the affirmative vote of five members, provided
30 30 calendar days have elapsed and provided the City Plan Board deems such action necessary to
31 prevent an injustice.
- 32 G. *Amended application.* Amendment of an application may be allowed at any time prior to or during
33 the public hearing, provided that no such amendment shall be such as to make the case different
34 from its description in the notice of public hearing. If the amendment is requested by the applicant
35 after notice of the hearing has been given and such amendment is at variance with the information
36 set forth in the notice, then the applicant shall pay an additional fee in the same amount as the
37 original fee for amended public notice. If the amended notice can be mailed at least 10 calendar
38 days prior to the hearing originally scheduled, the hearing on the amended petition may be held on
39 that date; otherwise, the chairperson shall announce at the public hearing that the hearing will be
40 continued to a future meeting with proper public notice.

1 **Section 30-3.26. Effect and Limitations.**

- 2 A. *Effect.* Special Use Permits, including any permit conditions, shall run with the land and shall be
3 binding on the original applicant as well as any successors or assigns.
- 4 B. *Modifications.* After approval and issuance of a Special Use Permit, the following situations are
5 allowed only with the review and issuance of a new Special Use Permit:
- 6 1. A change in the boundaries of the approved site.
 - 7 2. A change from the approved use.
 - 8 3. Either an increase of 10% or more or incremental increases that total 10% or more in the floor
9 area or number of parking spaces as approved.
 - 10 4. Substantial changes in the approved location of principal or accessory structures.
 - 11 5. Structural alterations significantly affecting the basic size, form, style, ornamentation, and
12 appearance of principal or accessory structures as shown on the approved plans.
 - 13 6. Substantial changes in approved pedestrian or vehicular access or circulation.
 - 14 7. Substantial change in the approved amount or location of landscape screens or buffers.
- 15 C. *Expiration.* Special Use Permits shall expire 12 months after the date of approval unless, at that
16 time, the authorized use has commenced or development at the site is continuing in good faith with
17 an active building permit. At the request of the applicant and for good cause shown, the City Plan
18 Board may extend the time of the permit's expiration for good cause shown and if not in conflict
19 with any other provision of this chapter.
- 20 D. *Abandonment.* On request of the permit holder, the City Manager or designee may approve the
21 abandonment of a Special Use Permit provided no construction has begun. In addition, if the use
22 allowed by a Special Use Permit has been abandoned for a continuous period of 12 months, the
23 permit shall be void. The process to determine whether a use has been abandoned shall be the
24 same as that provided for nonconforming uses in Article X.
- 25 E. *Revocation.* If any conditions of an issued Special Use Permit are violated, the City Plan Board may,
26 after giving proper notice to the permit holder, revoke the permit at a public hearing. The permit
27 may be reinstated by the City Manager or designee if the circumstances leading to the revocation
28 are corrected.
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30 **DIVISION 6. WELLFIELD PROTECTION SPECIAL USE PERMIT**

31 **Section 30-3.27. Purpose.**

- 32 A. This division is established for the purpose of protecting the immediate and long-term supply of
33 potable water in the community by creating a permit procedure for uses and developments within
34 the Murphree Wellfield Protection Zones (also known as Murphree Wellfield Management Zones) as
35 delineated in the Alachua County Code of Ordinances, as may be amended from time to time, and to
36 provide the standards by which the applications for permits for uses and development shall be
37 evaluated.
- 38 B. It is further intended that wellfield protection permits or wellfield protection Special Use Permits be
39 required for developments that require special care in the control of their location, design, and

- 1 D. *Multi-family developments.*
- 2 1. *Generally.* Multi-family development shall contain no more than six dwelling units per building
3 and shall be in the form of single-family dwellings, attached dwellings, or small-scale multi-
4 family when located within 100 feet of any property that is in a single-family zoning district, the
5 U1 district, or a designated historic district.
- 6 2. *Abutting single-family property.* All new multi-family projects, whether stand alone or part of a
7 mixed-use project, abutting property in a residential district or a planned development district
8 with predominantly residential uses shall comply with the following regulations:
- 9 a. There shall be no outdoor recreation areas or uses allowed within any required building
10 setback area or landscape buffer between abutting multi-family development and single-
11 family designated properties.
- 12 b. Active recreation areas (including swimming pools, tennis courts, basketball, and volleyball
13 courts) shall be located away from abutting single-family designated properties and shall be
14 oriented in the development to minimize noise impacts on single-family designated
15 properties.
- 16 c. There shall be no car washing areas, dumpsters, recycling bins, or other trash/waste
17 disposal facilities placed in the required setback area between multi-family development
18 and properties zoned for single-family use.
- 19 d. Parking lots and driveways located in the area between multi-family and abutting single-
20 family designated properties shall be limited to a single-loaded row of parking and a two-
21 way driveway.
- 22 e. A decorative masonry wall (or equivalent material in noise attenuation and visual screening)
23 with a minimum height of six feet and a maximum height of eight feet plus a Type B
24 landscape buffer shall separate multi-family residential development from properties
25 designated single-family residential. However, driveways, emergency vehicle access, or
26 pedestrian/bicycle access may interrupt a continuous wall. If, in the professional judgment
27 of city staff or other professional experts, masonry wall construction would damage or
28 endanger significant trees or other natural features, the appropriate reviewing authority
29 may authorize the use of a fence and/or additional landscape buffer area to substitute for
30 the required masonry wall. There shall be no requirement for a masonry wall or equivalent if
31 buildings are 200 or more feet from abutting single-family properties. In addition, the
32 appropriate reviewing authority may allow an increased vegetative buffer and tree
33 requirement to substitute for the required masonry wall.
- 34 f. The primary driveway access shall be on a collector or arterial street, if available. Secondary
35 ingress/egress and emergency access may be on or from local streets.
- 36 3. *Bedroom limit.* Maximum number of bedrooms in multi-family developments located within the
37 University of Florida Context Area.
- 38 a. Multi-family developments shall be limited to a maximum number of bedrooms based on
39 the development's maximum residential density allowed by the zoning district multiplied by
40 a 2.75 multiplier.
- 41 b. If additional density is approved through a Special Use Permit, then the multiplier is applied
42 to the total approved density inclusive of any additional units approved by Special Use
43 Permit.

- 1 c. The bedroom mix in the development (i.e., the number of units with a specific number of
- 2 bedrooms) is not regulated by these provisions.
- 3 d. Developments with Planned Development (PD) zoning are not subject to the bedroom
- 4 multiplier.

Section 30-4.9. Development Bonus System.

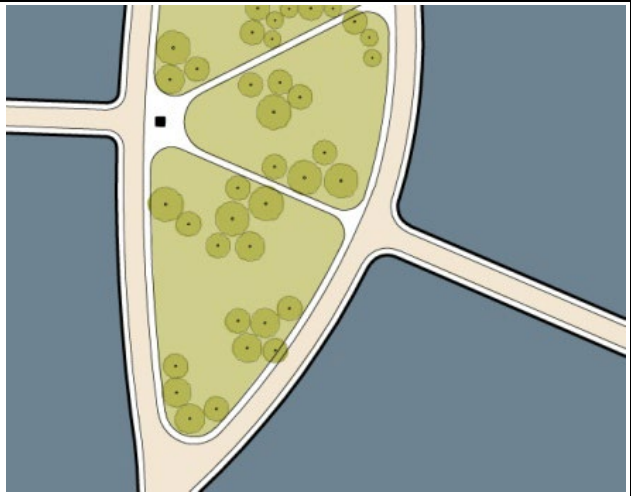

6 A. *Available bonuses.* In accordance with this section and up to the limit allowed with bonuses as
 7 specified for the applicable zoning district, development projects may be eligible for: 1) additional
 8 building stories and the corresponding increase in overall building height; and 2) increased
 9 residential density. The bonus may be approved based on the provision of certain development
 10 improvements that exceed the minimum standards of this article, as follows:

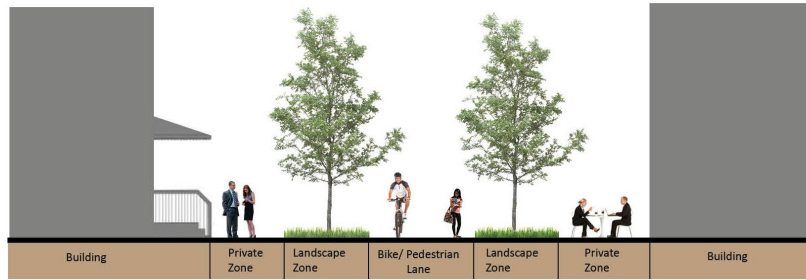
11 B. *Additional building stories/height.*

12 1. *Usable Open Space.* If a development provides onsite usable open space that is accessible to the
 13 public (minimum size of 20'x 20'), additional building square footage above the number of
 14 stories allowed by right (and up to the maximum allowed by bonus) may be provided according
 15 to the following formula:

16 Square feet of public open space X number of stories allowed by right = additional square feet.
 17 If the total additional square footage meets or exceeds 20% of the total development site, one
 18 additional story is available. If the total additional square footage meets or exceeds 30% of the
 19 total development site, two stories are available.

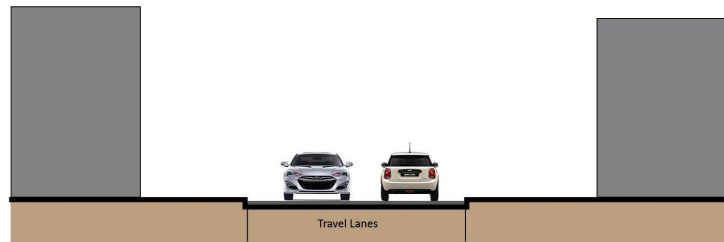
20 Developments receiving a height bonus must provide at least one form of open space from the
 21 figures and associated standards below:

Green	
<p>A green is an open space for unstructured recreation. Greens consist of lawns, trees, paths, benches, and open shelters, all informally arranged.</p> <ul style="list-style-type: none"> 1. Greens may be spatially defined by landscaping rather than building frontages. 2. Greens must front on at least two streets. 	
Square	



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f. *Alleys*. Alleys are narrower streets that are primarily used for service access to developments, or vehicular access to rear parking areas. Alleys are encouraged to be preserved, improved, or established in conjunction with development.



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Section 30-4.12. Permitted Uses.

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The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

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Table V - 1: Permitted Uses within Transects.

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	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
RESIDENTIAL											
Single-family dwellings		P	P	P	P	P	P	P	P	P	P
Attached dwellings (up to 6 attached units)		-	P	P	P	P	P	P	P	P	P
Multi-family, small-scale (2-4 units per building)		-	P	P	P	P	P	P	P	P	P
Multi-family dwellings		-	-	P	P	P	P	P	P	P	P
Accessory dwelling units	30-5.33	-	P	P	P	P	P	P	P	-	-
Adult day care homes	30-5.2	P	P	P	P	P	P	P	P	P	P
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	P	P	P	P	-	-
Community residential homes (more than 6 residents)	30-5.6	-	-	P	P	P	P	P	P	P	-
Dormitory (small)	30-5.8	-	P	P	P	P	P	P	P	P	P
Dormitory (large)	30-5.8	-	-	P	P	P	P	P	P	P	P

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
Family child care homes	30-5.10	P	P	P	P	P	P	P	P	P	-
NONRESIDENTIAL											
Alcoholic beverage establishment	30-5.3	-	-	-	-	-	-	P	P	P	P
Assisted living facility		-	-	-	P	-	P	P	P	P	P
Bed & Breakfast establishments	30-5.4	-	S	P	P	P	P	P	P	P	P
Business services		-	-	-	P	-	P	P	P	P	P
Car wash facilities	30-5.5	-	-	-	-	-	-	P	P	-	-
Civic, social & fraternal organizations		S	P	P	P	P	P	P	P	P	P
Day care center	30-5.7	-	S	S	P	P	P	P	P	P	P
Drive-through facility	30-5.9	-	-	-	-	-	P	P	P	P	P
Emergency shelter		-	-	-	-	P	P	P	P	P	P
Equipment rental and leasing, light		-	-	-	-	-	-	P	P	P	P
Exercise studios		-	-	-	P	-	P	P	P	P	P
Farmers market	30-5.11	-	-	-	-	-	P	P	P	P	P
Food distribution for the needy	30-5.12	-	-	-	-	-	-	-	S	S	S
Food truck	30-5.35	-	-	-	A	-	P	P	P	P	P
Funeral homes and crematories		-	-	-	-	-	P	P	P	P	P
Gasoline/alternative fuel station	30-5.13	-	-	-	-	-	S ¹	P	P	-	-
Health services		-	-	-	-	-	P	P	P	P	P
Hotel		-	-	-	-	-	-	P	P	P	P
Laboratory, medical & dental		-	-	-	P	-	P	P	P	P	P
Library		-	-	-	-	S	P	P	P	P	P
Light assembly, fabrication and processing	30-5.16	-	-	-	-	-	P	P	P	P	P
Medical marijuana dispensing facility		-	-	-	-	-	P	P	P	P	P
Microbrewery Microwinery Microdistillery ²	30-5.17	-	-	-	-	-	S	P	P	P	P
Mini-warehouse/self-storage	30-5.18	-	-	-	-	-	-	-	P	P	-
Museums and art galleries		-	-	-	P	S	P	P	P	P	P
Office		-	-	-	P	P ³ / S ⁴	P	P	P	P	P
Office- medical, dental, & other health related services		-	-	-	P	-	P	P	P	P	P
Parking, surface (principal	30-5.20	-	-	-	-	-	-	-	-	S	S

	Use Standards	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
use)											
Parking, structured (principal use)		-	-	-	-	-	-	P	P	P	P
Passenger transit station		-	-	-	-	-	-	-	P	P	P
Personal services		-	-	-	P	-	P	P	P	P	P
Places of religious assembly	30-5.21	S	P	P	P	P	P	P	P	P	P
Professional school		-	-	-	P	P	P	P	P	P	P
Public administration buildings		-	-	-	S	S	S	P	P	P	P
Public parks		P	P	P	P	P	P	P	P	P	P
Recreation, indoor ²		-	-	-	-	-	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	-	P	P	P	P
Research development & testing facilities		-	-	-	-	-	-	P	P	P	P
Residences for destitute people	30-5.22	-	-	-	-	-	-	-	S	S	S
Restaurant		-	-	-	S	-	P	P	P	P	P
Retail sales		-	-	-	-	-	P	P	P	P	P
School, elementary, middle & high (public & private)		S	S	S	P	P	P	P	P	P	P
Scooter and electric golf cart sales		-	-	-	-	-	-	P	P	P	-
Simulated gambling establishments		-	-	-	-	-	-	-	-	-	-
Social service facilities	30-5.25	-	-	-	-	-	-	-	P	P	P
Skilled nursing facility		-	-	-	P	-	P	P	P	P	P
Vehicle sales and rental (no outdoor display)		-	-	-	-	-	-	P	P	P	P
Vehicle services	30-5.28	-	-	-	-	-	-	P	P	-	-
Vehicle repair	30-5.28	-	-	-	-	-	-	P	-	-	-
Veterinary services	30-5.29	-	-	-	P	-	P	P	P	P	P
Vocational/Trade school		-	-	-	-	-	S	P	P	P	P
Wireless communication services	See 30-5.30										

1 **LEGEND:**

2 P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

3 1 = When located along a Principal Street.

4 2 = Prohibited where adjacent to single-family zoned property.

5 3 = Office uses as a home occupation.

6 4 = Office uses up to 20% of the building square footage and shall be secondary to a principal residential
7 use. No outdoor storage allowed.

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Section 30-4.13. Building Form Standards.

This section contains the building form standards that determine the location, scale and massing of all buildings within the transects.

Table V - 2: Building Form Standards within Transects.

TRANSECT	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
A. BLOCK STANDARDS										
Block perimeter (max feet)	2,600'								2,000'	1,600'
B. LOT CONFIGURATION										
Lot width (min feet)	34'	18'							18'	18'
C. DEVELOPMENT INTENSITY										
Nonresidential building coverage (max)	60%	80%							90%	100%
Residential density by right/with bonus ² (max units per acre)	8	15	20	20	75	50/60	50/60	60/80	100/125	150/175
D. BUILDING FRONTAGE										
Primary frontage (min)	50%	60%							70%	80%
Secondary frontage (min)	30%	40%							50%	60%
E. BUILDING PLACEMENT										
min-max from curb										
min landscape/min sidewalk/min building frontage										
Storefront Street	20'-25' 5'/10'/5'	20'-25' 5'/10'/5'							20'-25' 5'/10'/5'	20'-25' 4'/10'/5'
Principal Street	17'-37' 6'/6'/5'	17'-27' 6'/6'/5'							17'-27' 6'/6'/5'	17'-27' 6'/6'/5'
Thoroughfare Street	19'-100' 6'/6'/5'	19'-100' 8'/6'/5'							19'-100' 8'/6'/5'	19'-100' 8'/6'/5'
Local Street	15'-35' 5'/5'/5'	15'-20' 5'/5'/5'							16'-21' 5'/6'/5'	15'-20' 4'/6'/5'
F. BUILDING SETBACKS										
Side interior setback (min)	5'	5'	5'	5'	5'	5'	5'	0'	0'	0'

Rear setback (min)	15'	3' (alley) 10' (no alley)	3' (alley) 5' (no alley)	3' (alley) 0' (no alley)
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- 1 **LEGEND:**
- 2 1 = See Section 30-4.8 for development compatibility standards.
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TRANSECT	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT
G. BUILDING HEIGHT										
Min feet	NA	NA	NA	NA	NA	NA	18	18	18	18
Max stories (by right ¹ /with bonus ²)	3	3	3	3	4	4/5	4/6	5/6	6/8	12/14
Max feet (by right/with bonus ²)	36	36	36	42	60	60/74	60/88	74/88	88/116	172/200
H. FLOOR HEIGHT										
Min first floor height (residential / nonresidential)	NA/10'	NA/12'	NA/12'	NA/12'	NA/12'	NA/12'	12'/12'	12'/15'	12'/15'	12'/15'
I. GLAZING										
Min first floor - nonresidential	-	30%			50%			65%		
Min first floor - multi-family	-	30%								

Min upper floors - nonresidential and multi-family	-	15%
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- 1 **LEGEND:**
- 2 1 = See development compatibility standards in Section 30-4.8.
- 3 2 = See bonus system requirements in Section 30-4.9.