



**City of Gainesville
Department of Doing
Planning Division**

PO Box 490, Station 11
Gainesville, FL 32627-0490
306 NE 6th Avenue
P: (352) 334-5022
F: (352) 334-2648

CITY DEVELOPMENT REVIEW BOARD STAFF REPORT

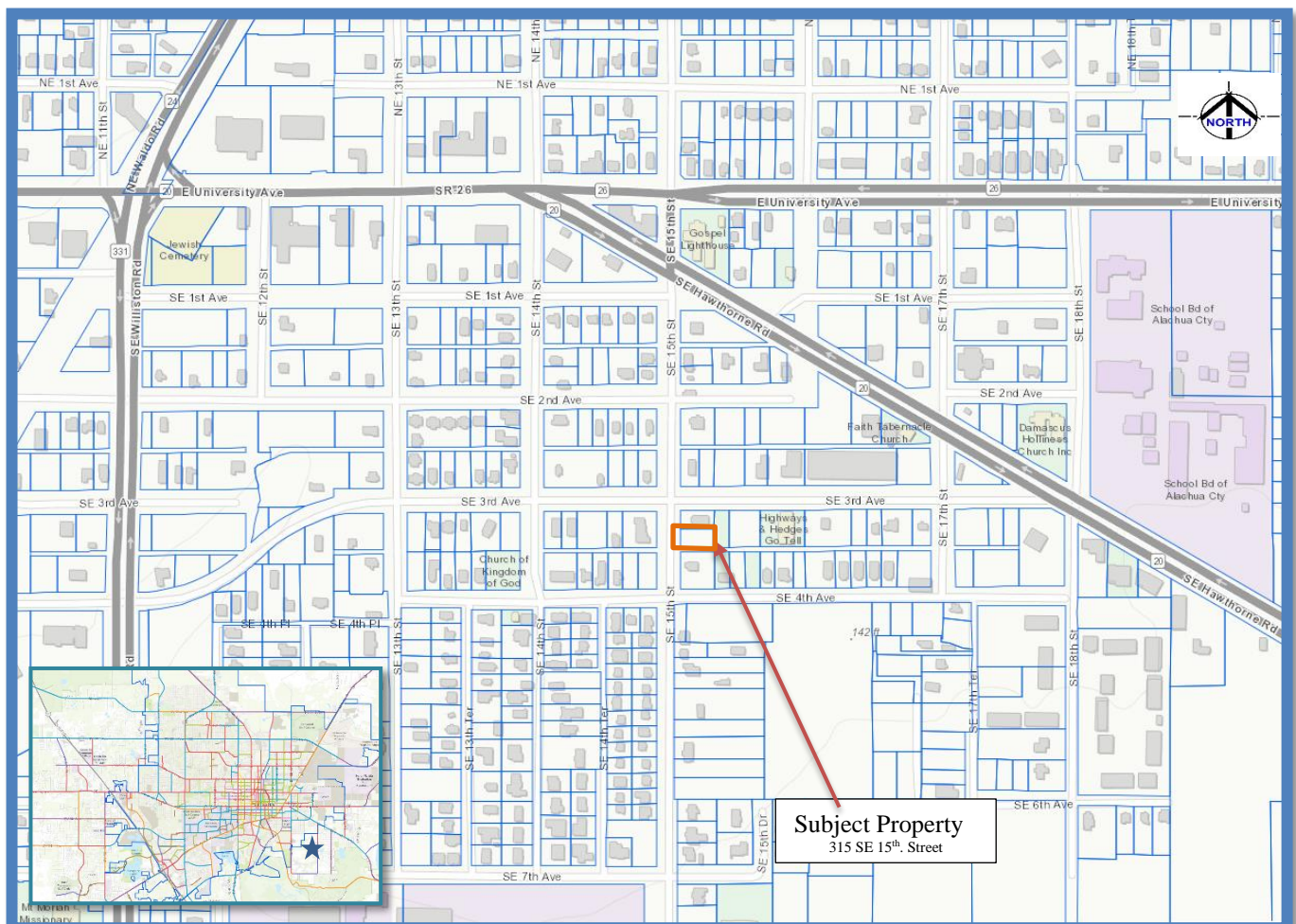
PUBLIC HEARING DATE: December 17, 2019

ITEM NO: 1.

PROJECT NAME AND NUMBER: Mr. John Cowvins Variance, Petition DB-19-141 VAR

APPLICATION TYPE: Variance to increase the Building Placement from 20 feet to 45 feet from the back of curb, to allow construction of a single-family dwelling

CITY PROJECT CONTACT: Lawrence Calderon, Planner III



Map 1: General Location Map of 315 SE 15th Street.

APPLICATION INFORMATION:

Agent/Applicant: Mr. John Cowvins

Property Owner(s): COWVINS INVESTMENTS LLC

Related Petition(s): None.

Legislative History: None.

Neighborhood Workshop: Not Required

SITE INFORMATION:

Address: 315 SE 15th Street

Parcel Number(s): 11688-001-000

Acreage: Approximately 0.15 Acres (6,609 square feet).

Existing Use(s): Vacant - Undeveloped

Land Use Designation(s): MOR: Mixed-Use Office/Residential

Zoning Designation(s): U3: Urban 3

Overlay District(s): None

Transportation Mobility Program Area (TMPA): Area A

Water Management District: Saint John's River Water Management District

Special Feature(s): None.

Annexed: 1961

Code Violations: No record of Code Violations

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Single family dwelling	MOF: Mixed-Use Office/Residential	U3: Urban 3
South	Single family dwelling	MOF: Mixed-Use Office/Residential	U3: Urban 3
East	Vacant Undeveloped	MOF: Mixed-Use Office/Residential	U3: Urban 3
West	Single family dwelling	MOF: Mixed-Use Office/Residential	U3: Urban 3

BACKGROUND AND EXPLANATION:

Background:

The subject property is located in the southeast quadrant of the City within an established but sparsely populated single-family residential subdivision called New Gainesville, Block 49. The subdivision lies east of SE 15th Street between SE 3rd and 4th Avenues, south of SE Hawthorne Road. The subdivision contains about 14 lots ranging in size from 4,786 to 7,180 square feet; some lots have been aggregated to create larger lots. The subject parcel is approximately 6,649 sq. ft. and is made up of the southern half of two original parcels which have been re-configured to have a front orientation along the adjacent local street, SE 15th Street. The right-of-way of SE 15th Street is approximately 80 feet wide with 24 feet of driveway aisle and a curb which is approximately 14 to 24 feet from the front of the subject property.

The subject property and surrounding parcels were zoned RMF-5, Low density residential; in 2017 the property was rezoned to U3 (Urban 3) Transect. The RMF-5 zoning facilitates construction of a single-family dwelling unit with a minimum front, side and rear setback of 10 feet. Therefore, a building could be placed anywhere between 10 and 100 feet from the front property line. The current zoning, U3 requires buildings to be closer to the adjacent street edge or curb thus requiring a building front placement of 15 to 20 feet from adjacent street edge or the curb.

Explanation:

The applicant is proposing to construct a single-family dwelling, including an attached garage, placed at a setback of 30 feet from the front property line to match the existing development on the adjacent lot to the north. The applicant is also seeking to design and construct a product consistent with surrounding developments that would meet the typical demands of a single-family residential market. After consulting with staff, the applicant was informed that due to the standards of the new U3 zoning, the single-family dwelling must be placed at or close to the front property line, about one foot from the back of the adjacent sidewalk. Since the design includes a front facing garage; the code also requires a clear 20-foot separation between the adjacent sidewalk and the entrance of the garage. The applicant sees these standards as conflicting and would require a complete redesign of the proposed development. The applicant is therefore requesting a variance to increase the building placement from 20 feet to 45 feet from the back of curb.

STAFF ANALYSIS AND RECOMMENDATION:

Analysis:

Staff has reviewed this petition in the context of Sec. 30-4.13, 30-4.17 and Sec. 30-3.55 of the Land Development Code. These sections of the code set development standards, define a variance and authorizes the board to grant variances from certain provisions of the code. The code also places restrictions on granting variances and outlines the general requirement for granting a variance. Section 30-3.55 D. lists three factors which shall not be considered in any variance:

1. The presence of nonconformities in the zoning district or adjoining districts.
2. Financial loss or business competition.
3. Whether the property was purchased with the intent to develop or improve the property, whether or not it was known at the time of purchase that such development would be a violation.

The Land Development Code is clear in outlining findings that must be established to grant a variance; an analysis is presented for the board's consideration.

TABLE 1.
 DIMENSIONAL REQUIREMENTS FOR RMF-5 AND U3 ZONING DISTRICT

Principal Structures

STANDARDS	RMF-5	U3 Transect	Subject Property: Lots 6 & 7 South Half
Maximum density	12 du/a	20 du/a	4.0 du/a
Minimum lot area	3,500 sq. ft.	N/A	6,649 sq. ft.
Minimum lot width at minimum front yard setback	40 ft.	18 ft.	60 ft.
Minimum lot depth	90 ft.	N/A	110 ft.
Minimum yard setbacks:			
Front	10 ft. to 100 ft.	15 to 20 ft. from back of curb	-
Side (interior)	10 ft.	5 ft.	12.6 ft.
Side (street)	15 ft.		N/A
Rear ^{1, 2}	10 ft.	10 ft.	31.5 ft.
Maximum building height	3 stories.	3 stories/ 36 feet	1 story

Staff identifies the following key issues as directly related to the requested variance:

1. The subject property was previously zoned RMF-5 which regulates building setback relative to the front, sides and rear property lines. The new U3 zoning forces buildings to be placed closer to the adjacent street.
2. The adjacent right-of-way is relatively large, eighty (80) feet wide compared to the typical fifty (50) feet wide for most local streets.
3. The adjacent driving aisle is about 30 feet wide, placing the curb from which setbacks are measured at about 25 feet from the front property line. Therefore, given a front building placement of 15 to 20 feet from the back of curb the placement of the building is very close to the front property line.
4. The code also requires the front entrance of a garage facing the street to be a minimum of 20 feet from the edge of the adjacent sidewalk.
5. The edge of the existing sidewalk is about one (1) foot from the front property line.

In considering a request for a variance, the code requires that the board establish findings that the request demonstrates the following:

1. ***That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.***

The special conditions and circumstances unique to the site are the width of the adjacent right-of-way, the width of the adjacent driving aisle, the placement of the existing sidewalk relative to the front property line and application of the transect zoning to the site.

The wide right-of-way relative to the width of the driving aisle, results in a building placement at or very close to the front property line and the edge of the sidewalk. The building placement requirement relative to the back of curb is in conflict with the traditional residential garage typical oriented along the front of the building. A code requirement to have a clear 20 feet distance between the garage entrance and the edge of the adjacent sidewalk is not feasible. Associated garages would have to be pushed back from the front accessible from the side or placed at the rear of the lot. There is a general pattern of development in which most buildings are placed at ten (10) or more feet from the front or street right-of-way line. The applicant would like to conform to the general pattern of building placement along SE 15th Street.

2. ***That the special conditions and circumstances do not result from the action of the applicant.***

Except for the applicant's desire to place the single-family dwelling in line with the adjacent development, the conditions and circumstances listed above are unique to the property and the neighborhood. The special conditions are not self-created.

3. ***That granting the variance requested will not confer on the applicant any special privilege that is denied by this section to other lands, structures or buildings in the same district.***

The Board's review of the variance must be based on the findings of fact listed in the Land Development Code (LDC) in order to avoid any appearance of conferring special privileges. In reaching a decision on the requested variance, the Board must consider the material facts and competent, substantial evidence presented at the public hearing. The applicant has provided documentation illustrating reasons and circumstances resulting in the need for a variance. Staff has provided an analysis of the request based on

the findings of fact listed in the Land Development Code. A decision based on the merits of the evidence and information presented at the public hearing is considered a sound decision and not one that is based on conferring special privilege.

4. ***That literal enforcement of the provisions of the Land Development Code or building chapters would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Land Development Code or Building code.***

Considering the intent of the variance process, strict application and literal enforcement of the provisions of the Land Development Code or Building Chapters will not deprive the applicant of rights typically enjoyed by most property owners. The subject property is vacant and has a wide range of options for development within the limits and intent of the Land Development Code. The single-family dwelling can be placed closer to the front property line than the desired 30 feet front setback proposed by the applicant. However, strict compliance with the U3 standards requires a building placement at the front property line. This design is non-functional and out of character with the general neighborhood. The dwelling can also be designed with a garage placed to the rear of the property but that option is less practical, results in an intrusion of the automobile into the daily lifestyle of the individual family as well as surrounding families. A design with a garage accessible from the side is also feasible but may be difficult due to the width of the lot and the need to meet 10-foot side setbacks.

To ensure the overall health, welfare and safety of the community, the board is authorized to limit the extent of property improvements that encroach into required setbacks. Given the many alternatives available to the applicant, careful consideration must be given to a decision that would maintain the integrity of the zoning standards. Flexibility and reasonable relief should be afforded the property owner and conditions must ensure protection and improvement of the overall character of the neighborhood.

5. ***The variance requested is the minimum variance required to make possible the reasonable use of the land, building or structure.***

The applicant is requesting a variance to place the building at about 30 feet from the front property line. Consistent with the development standards of the U3 zoning, the applicant can place the building at the front property line. However, this would require a redesign of the building to place the garage entrance outside the required 20-foot setback and to create a new driveway access. The design can also be modified to a compromised position between the requirements of the U3 and the RMF-5 standards.

The requested variance is not the minimum necessary to make possible the reasonable use of the land, building or structure. The applicant has provided documentation claiming that the proposed design is the minimum variance required to make possible the reasonable use of the land, building or structure.

6. ***The variance is in harmony with the general intent and purpose of the regulation at issue and the Land Development Code, and such variance will not be injurious to the abutting lands or to the area involved or otherwise detrimental to the public welfare.***

The variance process provides an opportunity for property owners, experiencing hardships to the land, structure or building, to ask for relief in pursuing developments that are compatible and harmonious with the neighborhood. In addition to the issue of compatibility and harmony with the neighborhood, the variance requests must also demonstrate compliance with the findings of fact listed in Section 30-3.55. In considering the requested variance, the board must establish that

there are unique situations resulting in hardships or constraints in complying with required standards.

Given the unique circumstances listed above, this application demonstrates certain conflicts in the strict application of the U3 standards as applied to the front building placement of single-family dwellings. Most single-family lots with a single street frontage will require driveway access from the one primary street frontage. Along streets with wide right-of-ways and narrow driving aisles, the U3 standard forces a design that places the garage entrance beyond the 20-foot distance from the back of sidewalk or front property line. The alternatives are to build the garage to the rear of the property or to have a lot that is sufficiently wide to accommodate a garage that is accessible from one of the sides. The width of the subject parcel is sixty (60) feet wide; given a proposed building width of 34.7 feet and a required side setback of 10 feet on either side, it is very difficult, if not impossible, to accommodate a turning radius into a garage oriented to either side of the building.

The neighborhood reflects varying designs that appear to fit the alternatives listed above. The single-family dwelling located on the lot to the south is at thirteen (13) feet from the back of sidewalk and 38 feet from the back of curb. However, it is a corner lot so garage access is available from the side street. The building to the north is forty-three (43) feet from the back of curb and 38 feet from the back of sidewalk. The single-family dwelling across SE 15th Street, west of the subject property is sixty-one (61) feet from the back of curb and twenty-five (25) feet from the back of sidewalk. Another single-family dwelling, west of SE 15th Street has its garage entrance oriented to the side property line but is also at 61 feet from the back of curb.

It appears that strict compliance with the building placement standards of the U3 district will place the building too close to the sidewalk and street edge. A variance intended to provide functional and reasonable use of the property would be in harmony with the overall character of the neighborhood and would not be injurious to the abutting lands or to the area involved or otherwise detrimental to the public welfare.

The petitioner must demonstrate compliance with the findings necessary to issue a variance and must show restricting hardships.

RECOMMENDATION:

Review the application, Petition DB-19-141 VAR, for compliance with the criteria for granting a variance.

POST-APPROVAL REQUIREMENTS:

If approved the applicant has six months to implement the variance; failing implementation of the variance, the approval becomes null and void and will require a new application.

LIST OF ATTACHMENTS:

Attachment A: Application and Supporting Documents.

Attachment B: Some Relevant Land Development Code References.



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ATTACHMENT “A” – APPLICATION AND SUPPORTING DOCUMENTS

Petition DB-19-141 VAR

December 17, 2019

Attachment A: Application and Supporting Documents.

Attachment B: Some Relevant Land Development Code References.

PETITION TO THE BOARD OF ADJUSTMENT
Planning & Development Services Department

OFFICE USE ONLY	
Petition No. <u>DB-19-00141</u>	Fee: \$ <u>166.38</u>
Hearing Date: _____	EZ Fee: \$ _____
Account No. 001-660-6680-3401 []	
Account No. 001-660-6680-1124 (Enterprise Zone) <input checked="" type="checkbox"/>	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) <input checked="" type="checkbox"/>	

CHECK ONE:

☐ Variance ☐ Appeal of Administrative Decision ☐ Special Exception ☐ Special Permit

Please note that a pre-application conference is required before submitting this application

Owner(s) of Record (please print)		Agent Authorized to Act on Owner Behalf	
Name: <u>John K. Cowvins</u>		Name: <u>MOSLEY BUILDERS INC</u>	
Address: <u>417 N.W. 7th Ave</u> <u>Gainesville FL 32601</u>		Address: <u>306 S.E. 13th St.</u>	
E-mail Address: <u>thebuzz72@gmail.com</u>		E-mail Address: <u>MOSLEYBUILDERSINC@yahoo.com</u>	
Phone: <u>(352) 682-5599</u>		Phone: <u>352-214-6318</u>	
Fax: _____		Fax: <u>352-389-0048</u>	
PROPERTY INFORMATION:			
Street address: <u>315 S.E. 15th St</u>			
Tax parcel no(s): _____			
Legal description (may be attached): _____			
Existing Zoning: <u>WOODED</u>		Lot size: <u>60/100</u>	
Present use: _____		Proposed use: <u>RESIDENTIAL HOME</u>	
Historic District or Landmark?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Present structures (type) and improvements upon the land: <u>SIGNCE FAMILY HOME</u>			
SURROUNDING PROPERTY INFORMATION: (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	Zoning	Land Use	Existing Use
North			
South			
East			
West			

Certified Cashier's Receipt:

SIGNATURE PAGE

1. (a) I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area of this petition.
(b) I authorize staff from the Planning and Development Services Department to enter onto the property in question during regular city business hours in order to take photos which will be placed in the permanent file.
2. I/We understand that this petition becomes a part of the permanent records of the Board of Adjustment. I/We hereby certify that the above statements and the statements or showings made in any document or plans submitted herewith are true and correct to the best of my/our knowledge.

Property Owner Signature:

John Cowins Date: 10-31-19

STATE OF FLORIDA

COUNTY OF Alachua

Sworn to and subscribed before me this 31 day of October 2019,
by (Name) John Cowins

Jessica Morgan
Signature – Notary Public

Personally Known ☒ OR Produced Identification ____ (Type) _____



Jessica Morgan
Commission # FF999117
Expires: July 5, 2020
Bonded thru Aaron Notary

VARIANCE

The process for requesting a variance is documented in the Land Development Code Chapter 30-354(d)(3).

Indicate the specific code a variance is requested from and summarize the context:

Code source:	<input type="checkbox"/> Land Development Code	<input type="checkbox"/> Fire Code	<input type="checkbox"/> Building Code
Section:			

The following questions must be answered to demonstrate the foundation for the variance request as specifically required by the Land Development Regulations. As the applicant, you bear the burden of proving the variance criteria.

(1) What special conditions and circumstances peculiar or unique to this land, structure or building exist that necessitate the variance?

NEED AT LEAST twenty Feet FOR GARAGE

(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district? ☒ YES ☒ NO

(3) Does a literal enforcement of the provisions of the zoning or building code limit the use of the property or building in a manner unlike that of other properties in the same district? If so, please describe the limitation or hardship.

SET BACKS WANT ALLOW GARAGE

(4) Were these special conditions or circumstances described in (1), above, the result of your actions?

NO

(5) Explain how the requested variance will not confer a special privilege on you that is not enjoyed by other properties in the same district.

PROPERTY ON LEFT, HOUSE SETTING 30' OFF PROXY CURB
PROPERTY ON RIGHT, HOUSE SETTING 20' OFF PROXY CURB

(6) Has an application for a variance been filed within the last 2 years in connection with these premises? Please note that the board will not entertain an application for a variance within two years of the board issuing a denial of the same variance request. ☐ Yes ☒ No

Please continue on additional pages as needed

(Variance, continued)

In addition to the above criteria, the Board of Adjustment will be required to make the following findings to authorize the variance request: *(please acknowledge by initialing each item)*

- _____ (a) That the applicant has met the requirements set forth in section 30-354(d)(3) of the Land Development Code
- _____ (b) That the reasons set forth in the application justify granting the variance
- _____ (c) That the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building
- _____ (d) That granting the variance will be in harmony with the general intent and purpose of the land development code or building chapters
- _____ (e) That granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare

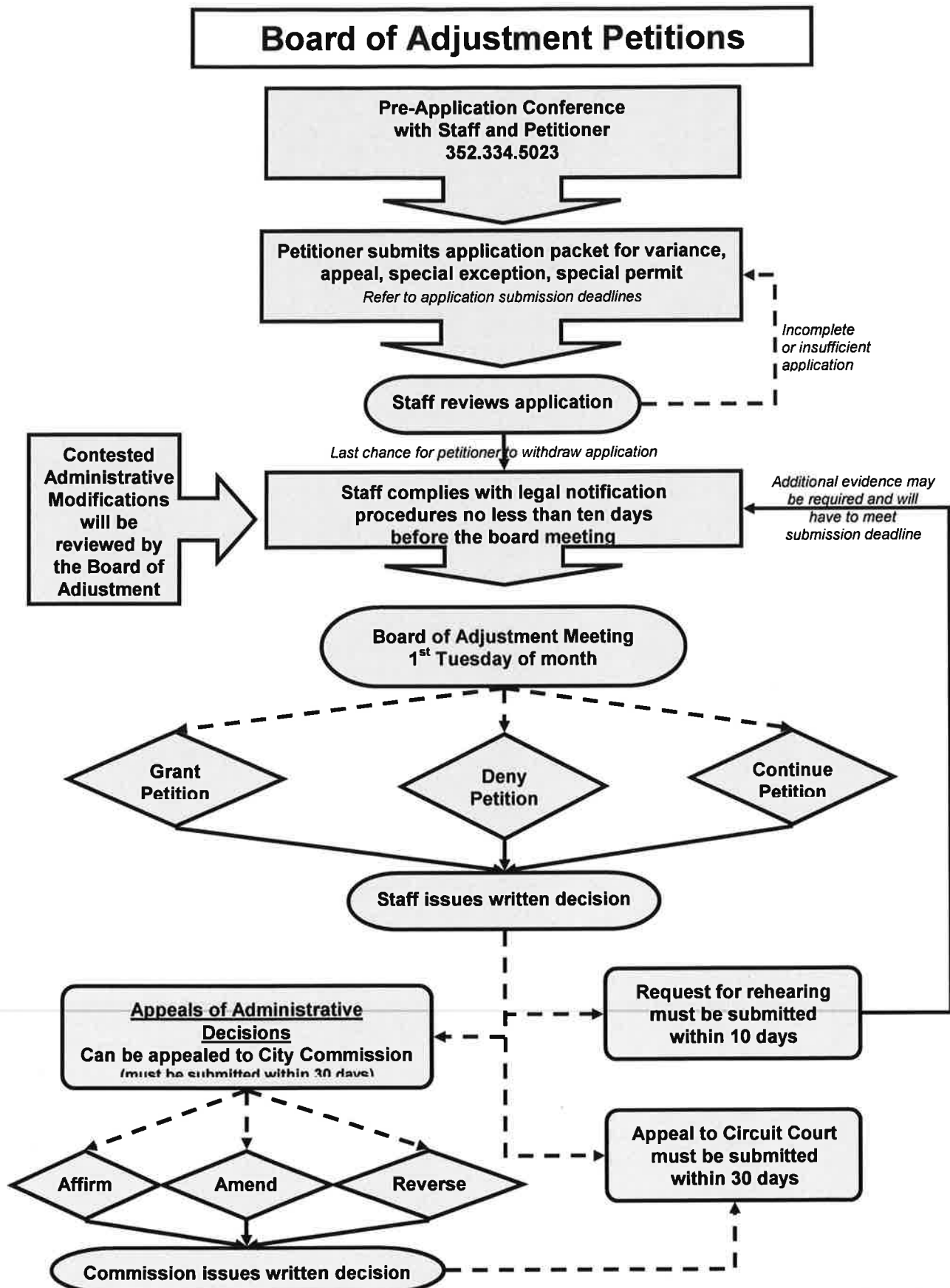
Check below that you have included these items with your application:

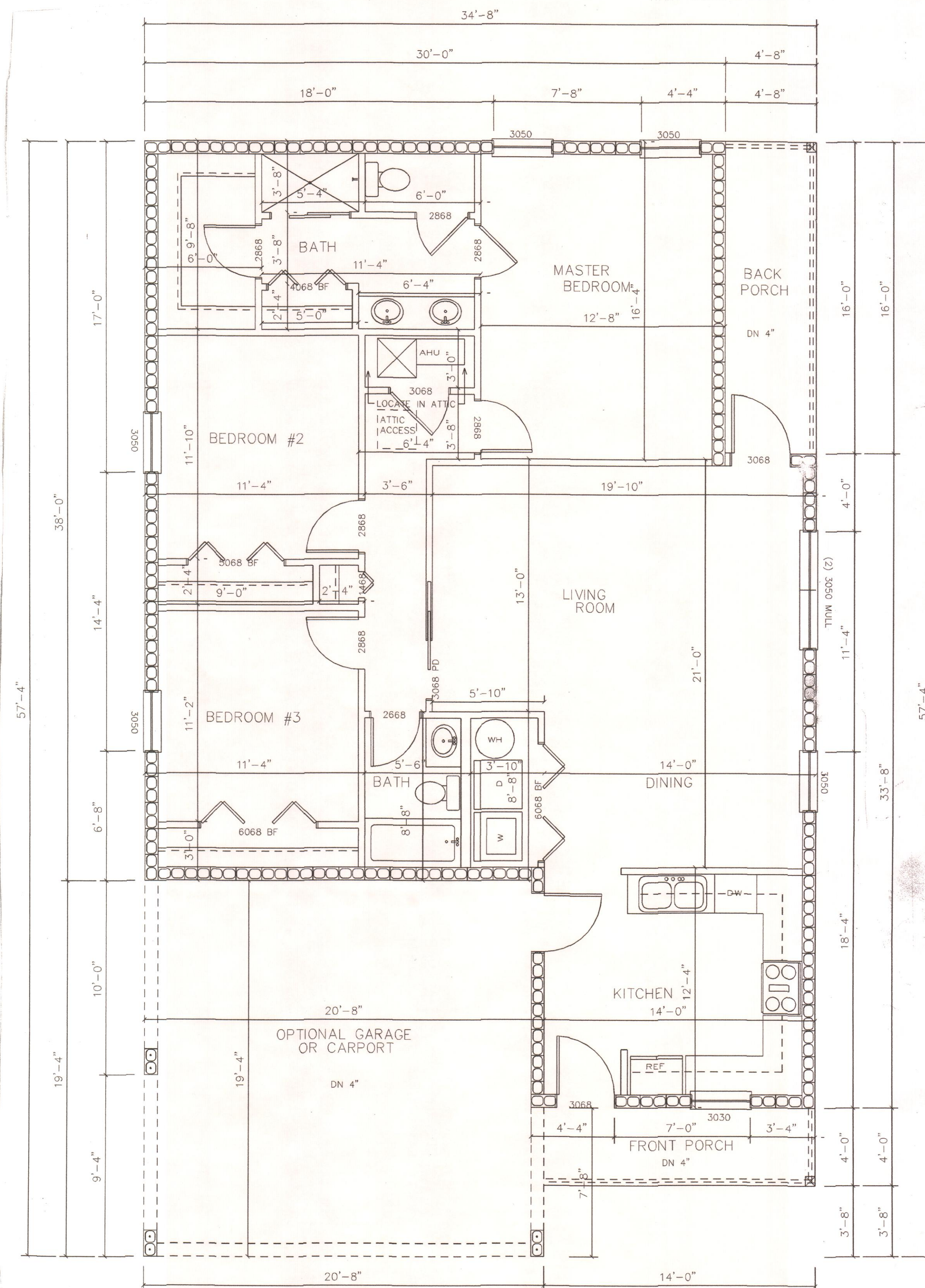
- ☐ Scaled drawing, site plan, or survey depicting property boundaries, easements, existing and proposed structures shown with their distance to the property line and existing building setback lines. The requested variance should be clearly illustrated with respect to each of these features.
- ☐ Reduced images or digital submission for oversized paper documents (greater than 11x17)
- ☐ Legal description, if not entered on front page
- ☐ Any other supporting materials you wish to provide

Variances are only authorized for height of structures, size of yard setbacks, driveway widths, street line corner clearances, and property line edge clearances as provided in section 30-336(15); and landscape and tree management and flood control provisions as provided in section 30-310.

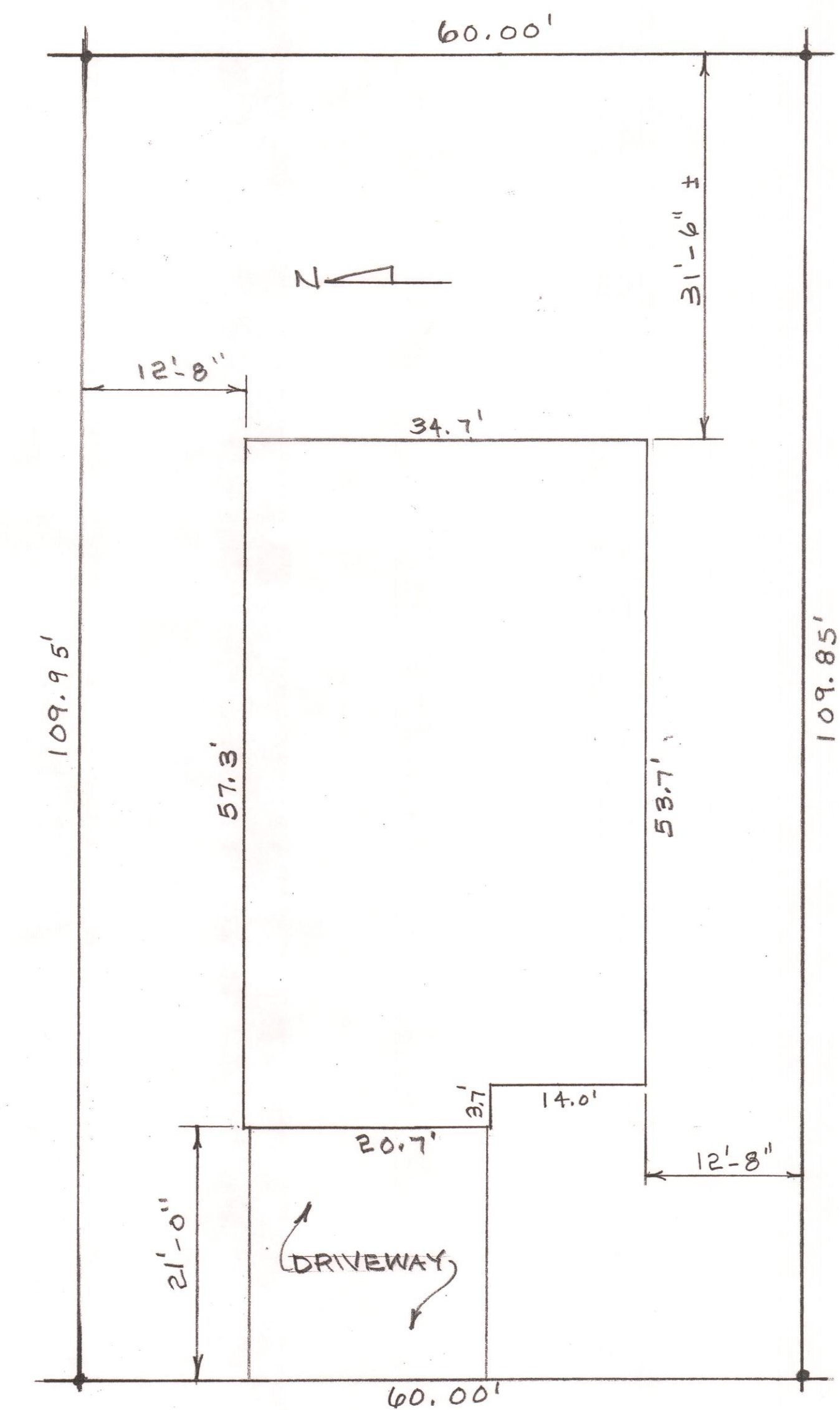
A variance may not be granted for the following reasons:

- For establishment or expansion of a use otherwise prohibited
- Because of the presence of nonconformities in the zoning district or adjoining districts
- Because of financial loss or business competition
- Because the property was purchased with the intent to develop or improve the property, and the intended development or improvement would violate the restrictions of the land development code or building chapter, whether or not it was known at the time of purchase that such development would be a violation





FLOOR PLAN
SCALE: 1/4" = 1'-0"



SITE PLAN
SCALE: 1" = 10'-0"

S.E. 15TH STREET

LEGAL DESCRIPTION

NEW GAINESVILLE PB A-65 S 60 FT OF LOTS 67 BK 19
OR 44-64/2405 PARCEL: 11688-001-000

FLOOR PLAN AND SITE PLAN FOR HOUSE TO BE BUILT AT 315 S.E. 15TH ST. GAINESVILLE, FL

S.E. 15TH STREET

LOUISVILLE AVENUE(P)
ASPHALT PAVED ROADWAY
80' RIGHT-OF-WAY

L2

14'

17.61'

23.2

23.55

S89°51'12"E

109.95'(M)

FENCE ONLINE

FENCE ONLINE

SOUTH 60' LOT 7, BLOCK 49

1/2" ROD
LS 4116"

1/2" ROD
LS 4116"

(vacant land)

0.150 Acres±

SOUTH 60' LOT 6, BLOCK 49

60'(P)

50'(P)

S89°36'51"W

109.85'(M)

15' ALLEY WAY (UNCONSTRUCTED)

5/8" ROD
PLS 2118
1988"

L1

35'

NORTH



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ATTACHMENT “B” – SOME RELEVANT LAND DEVELOPMENT CODE REFERENCES.

Petition DB-19-141 VAR

December 17, 2019

Attachment A: Application and Supporting Documents.

Attachment B: Some Relevant Land Development Code References.

DIVISION 11. - MODIFICATIONS AND VARIANCES**Sec. 30-3.54. - Modifications.**

- A. *Purpose.* In order to provide flexibility for the unique circumstances of individual developments, certain modifications from the standards provided in this chapter, as provided in this section, may be requested by an applicant as part of the development review process.
- B. *Review procedures.* All requests for modifications shall be submitted in writing with the application for development review on forms provided by the city. If an applicant requests multiple modifications, each modification shall be evaluated independently. The city manager or designee shall have the authority to approve the modifications specifically set forth in this section. The request shall be approved or denied during development plan review and, if approved, shall be noted on the final development plan. No administrative appeals are available for any decision to approve or deny a modification.
- C. *Review criteria.* The city manager or designee may approve a modification if the request meets all of the following criteria:
1. The request is consistent with the Comprehensive Plan and meets the intent of this chapter and the zoning district.
 2. The applicant is providing a compensating enhancement of the public realm.
 3. The request will not have a material negative impact on adjacent uses, and is not injurious to the public health, safety, and welfare.
- D. *Available modifications.*

REQUESTED MODIFICATION	MIN. COMPENSATING ENHANCEMENT OF PUBLIC REALM
Variation in required street setback up to 3 feet.	1. 10% increase above required 1 st floor glazing.
Reduction in required glazing percentages up to 10%.	2. Increase of 2 feet above required sidewalk width.
Reduction in required building frontage percentages up to 10%.	3. 10% increase above required building frontage.

Reduction in required landscape zones up to 2 feet; however, in no case shall a landscape area be less than 4 feet in depth.	4. Increase of 4 feet above min. 1 st floor height.
	5. Increase of 2 feet above min. landscape zone.

Sec. 30-3.55. - Variances.

- A. *Generally.* Variance from strict compliance with the requirements of the Land Development Code is provided for in this section.
- B. *Authorized variances.* Variances may be approved only for height of structures; size of yard setbacks; driveway widths; building form standards in transect zones; building design standards for transect zones (dimensional standards only); landscaping requirements for vehicular use areas; landscape buffer requirements for buffer strip areas; landscape zones; street setbacks; glazing percentages; and minimum first floor height. Under no circumstances may a variance be granted to allow a use not permitted generally or by special use permit in the district involved, or any use expressly or by necessary implication prohibited in the district by the terms of this chapter.
- C. *Review criteria.* A variance from the terms of this chapter or building chapters shall not be granted unless the appropriate reviewing board affirmatively finds that each of the following criteria have been met:
 1. Special conditions and circumstances exist that are peculiar to the land, structure, or building involved and that are not applicable to other lands, structures, or buildings in the same district.
 2. The special conditions and circumstances do not result from the action of the applicant.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this section to other lands, structures, or buildings in the same district.
 4. Literal enforcement of the provisions of the Land Development Code or building chapters would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Land Development Code or building chapters.
 5. The variance requested is the minimum variance required to make possible the reasonable use of the land, building, or structure.
 6. The variance is in harmony with the general intent and purpose of the regulation at issue and the Land Development Code, and such variance will not be injurious to the abutting lands or to the area involved or otherwise detrimental to the public welfare.

- D. *Prohibited considerations.* The following factors shall not be considered in any variance request:
1. The presence of nonconformities in the zoning district or adjoining districts.
 2. Financial loss or business competition.
 3. Whether the property was purchased with the intent to develop or improve the property, whether or not it was known at the time of purchase that such development would be a violation.
- E. *Review procedures.*
1. *Pre-application meeting.* A pre-application meeting is not required; however, the applicant is encouraged to attend a meeting with staff to review procedural and regulatory requirements.
 2. *Application submittal.* The applicant shall submit a complete application on a form prescribed by the city and accompanied by the applicable fee and plans.
 3. *Staff review.* The city manager or designee shall review the application and prepare a staff report for submittal to the appropriate review board.
 4. *Board hearing.* The appropriate reviewing board shall hold a public hearing to consider the request according to the review criteria provided in this section.
- F. *Conditions and limitations.* In granting any variance, the board may prescribe appropriate conditions and safeguards in conformity with the Land Development Code or building chapters. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable according to applicable law. If a variance request is denied, the same variance may not be considered for the property for a period of two years from the date of denial.
- G. *Expiration.* Any variance granted shall expire one year after the date of variance approval, unless a building permit based upon and incorporating the variance is issued within the aforesaid one-year period and construction has begun thereunder.

DIVISION 3. - RESIDENTIAL

Sec. 30-4.16. - Permitted uses.

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.

Table V-4: Permitted Uses in Residential Districts.

USES	Use Standards	RSF-1 to 4	RC	MH	RMF-5	RMF-6 to 8
Accessory dwelling units	30-5.33	-	A	A	A	A
Adult day care homes	30-5.2	P	P	P	P	P
Assisted living facilities		-	-	-	P	P
Attached dwellings (up to 6 attached units)		-	-	-	P	P
Bed and breakfast establishments	30-5.4	S	P	P	P	P
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	P
Community residential homes (7 to 14 residents)	30-5.6	-	-	-	-	P
Community residential homes (over 14 residents)	30-5.6	-	-	-	-	P
Day care centers	30-5.7	-	P	P	P	P
Dormitory, small	30-5.8	-	-	-	-	P
Dormitory, large	30-5.8	-	-	-	-	S
Emergency shelters		-	-	-	-	P
Family child care homes	30-5.10	P	P	P	P	P

Fowl or livestock (as an accessory use)	30-5.36	-	-	-	-	-
Mobile homes		-	-	P	-	-
Multi-family dwellings		-	-	-	P	P
Multi-family, small-scale (2-4 units per building)		-	P ¹	-	P	P
Places of religious assembly	30-5.21	S	P	P	P	P
Libraries		-	S	S	S	S
Public parks		P	P	P	P	P
Schools (elementary, middle and high)		S	P	P	P	P
Simulated gambling establishments		-	-	-	-	-
Single-family dwellings		P	P	P	P	P
Skilled nursing facility		-	-	-	-	S
Social service homes/halfway houses	30-5.26	-	-	-	-	S

LEGEND:

P = Permitted by right; S = Special use permit; A = Accessory; Blank = Use not allowed.

1 = No more than two dwellings units per building are permitted in the RC district.

(Ord. No. [170975](#), § 2, 2-21-19)

Sec. 30-4.17. - Dimensional standards.

The following tables contain the dimensional standards for the various uses allowed in each district:

Table V-5: Residential Districts Dimensional Standards.

	RSF- 1	RSF- 2	RSF- 3	RSF- 4	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8
--	-----------	-----------	-----------	-----------	----	----	-------	-------	-------	-------

DENSITY/INTENSITY										
Residential density (units/acre)										
Min.	None	None	None	None	None	None	None	8 ¹	8 ¹	8 ¹
Max. by right	3.5	4.6	5.8	8	12	12	12	10	14	20
With density bonus points	-	-	-	-	-	-	-	See Table V-6	See Table V-6	See Table V-6
Nonresidential building coverage	35%	35%	40%	40%	50%	50%	50%	50%	50%	50%
LOT STANDARDS										
Min. lot area (sq. ft.)	8,500	7,500	6,000	4,300	3,000	3,000	3,500	None	None	None
Min. lot width (ft.)										
Single-family	85	75	60	50	35	35	40	40	40	40
Two-family ²	NA	NA	NA	NA	70	NA	75	75	75	75
Other uses	85	75	60	50	35	35	85	85	85	85
Min. lot depth (ft.)	90 ³	90 ³	90 ³	80 ³	None	None	90	90	90	90
MIN. SETBACKS (ft.)										
Front	20 ³	20 ³	20 ³	20 ³	10 ⁴	15	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max
Side (street)	10	10	7.5	7.5	NA	NA	15	15	15	15
Side (interior) ^{5,6}	7.5	7.5	7.5	7.5	5	5	10	10	10	10

Rear ^{6, 7}	20	20	15	10	20	15	10	10	10	10
Rear, accessory	7.5	7.5	5	5	5	5	5	5	5	5
MAXIMUM BUILDING HEIGHT (stories)										
By right	3	3	3	3	3	3	3	3	3	3
With building height bonus	NA	NA	NA	NA	NA	NA	NA	5	5	5

LEGEND:

1 = Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum density requirements.

2 = Assumes both units on one lot. Lot may not be split, unless each individual lot meets minimum lot width requirement for single-family.

3 = Lots abutting a collector or arterial street shall have a minimum depth of 150 feet and a minimum building setback of 50 feet along that street.

4 = Attached stoops or porches meeting the standards in sections 30-4.13 and 30-4.14 are permitted to encroach up to five feet into the minimum front yard setback.

5 = Except where the units are separated by a common wall on the property line of two adjoining lots. In such instances, only the side yard setback for the end unit is required.

6 = Accessory pre-engineered or pre-manufactured structures of 100 square feet or less and one story in height may be erected in the rear or side yard as long as the structure has a minimum yard setback of three feet from the rear or side property line, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall that is at least 75 percent opaque.

7 = Accessory screened enclosure structures, whether or not attached to the principal structure, may be erected in the rear yard as long as the enclosure has a minimum yard setback of three feet from the rear property line. The maximum height of the enclosure at the setback line shall not exceed eight feet. The roof and all sides of the enclosure not attached to the principal structure shall be made of screening material.

Sec. 30-4.18. - Density bonus points.

Development criteria described in the density bonus points manual, when met, shall allow increases in development intensity based upon the limits in this section. These increases in intensity shall be allowed should a developer propose to undertake a project that will result in a development sensitive to the unique environmental and developmental needs of the area. For each criterion met by the developer, certain points shall be credited to the project. Those points, calculated in accordance with the Density Bonus Points Manual, shall determine the maximum allowable density.


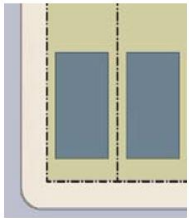
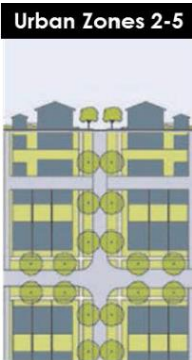
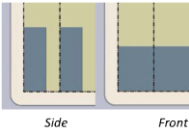
Table V-6: Permitted Density Using Density Bonus Points

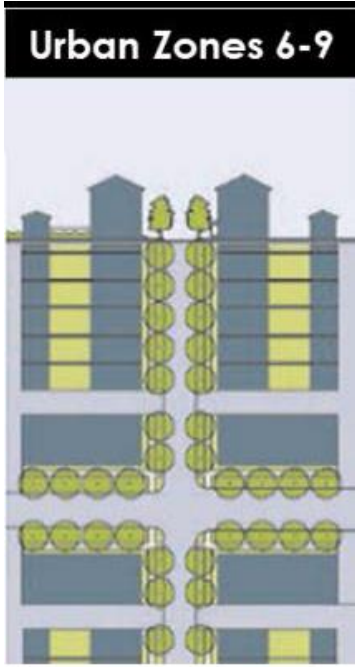
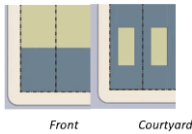
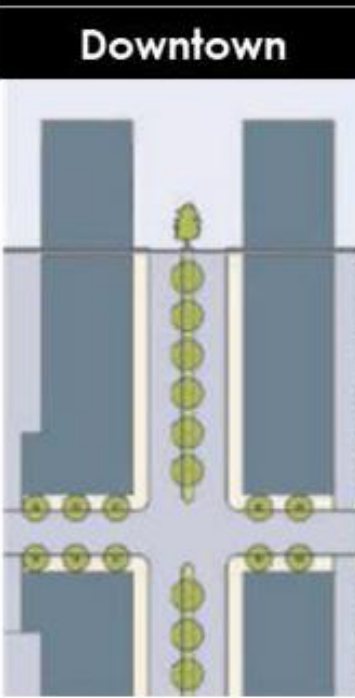
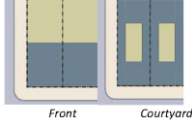
RMF-6		RMF-7		RMF-8	
Points	Max. residential density (du/ac)	Points	Max. residential density (du/ac)	Points	Max. residential density (du/ac)
0	10	0	14	0	20
26	11	20	15	16	21
52	12	39	16	30	22
79	13	59	17	46	23
108	14	79	18	59	24
138+	15	98	19	75	25

DIVISION 2. - TRANSECTS

Sec. 30-4.11. - Generally.

- A. **Intent.** The intent of this division is to establish development standards that will encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact, pedestrian-friendly environment.
- B. **Transects.** A transect is a geographical cross-section of a region that reveals a sequence of environments that ranges from rural to urban. Using the transect to regulate development ensures that a community offers a full diversity of development types, and that each has appropriate characteristics for its location. There are typically six transects organizing the components of place-making: Natural zone, rural zone, urban neighborhood zone, general urban zone, urban center zone, and urban core. This code assigns transects that are tailored to the unique character of the City of Gainesville. The allowable uses, dimensional standards, and development requirements for these zones are described within this division.

	ZONE DESCRIPTION	INTENDED SITE LAYOUT
 <p>Urban Zone 1</p>	<p>Urban Zone 1</p> <p>Consists of predominantly low to medium density residential areas, adjacent to higher intensity zones where neighborhood services and mixed use are permitted.</p>	 <p>Edge</p> <p>Buildings typically occupy the center of the lot with setbacks on all sides. The front yard is intended to be visually continuous with the yards of adjacent buildings.</p>
 <p>Urban Zones 2-5</p>	<p>Urban Zones 2 - 5</p> <p>Consists of a wide range of residential building types. Higher number zones provide for the integration of offices and neighborhood services within an increasingly urban fabric. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	 <p>Side Front</p> <p>Buildings typically occupy one side of the lot leaving a setback to the other side to allow for access or privacy. In many instances, the building occupies the entire lot frontage. A shallow frontage setback defines a more urban</p>

		condition.
<div data-bbox="203 283 555 945"> <div>Urban Zones 6-9</div>  </div>	<div data-bbox="581 457 1003 781"> <p>Urban Zones 6 - 9</p> <p>Consists of higher density mixed use buildings that accommodate retail, offices, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.</p> </div>	<div data-bbox="1128 283 1318 415">  </div> <div data-bbox="1015 550 1432 877"> <p>The building typically occupies the full frontage, leaving the rear of the lot as the sole yard. The continuous facade steadily defines the public street. In its residential form, this type is the attached dwelling. The rear yard can accommodate substantial parking.</p> </div>
<div data-bbox="203 1008 555 1701"> <div>Downtown</div>  </div>	<div data-bbox="581 1201 1003 1528"> <p>Downtown</p> <p>Consists of the highest density and height development, with the greatest variety of uses, and civic buildings of regional importance. Streets have steady street tree planting and buildings are set close to wide sidewalks.</p> </div>	<div data-bbox="1128 1008 1318 1129">  </div> <div data-bbox="1015 1285 1432 1612"> <p>The building occupies the boundaries of its lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public street.</p> </div>

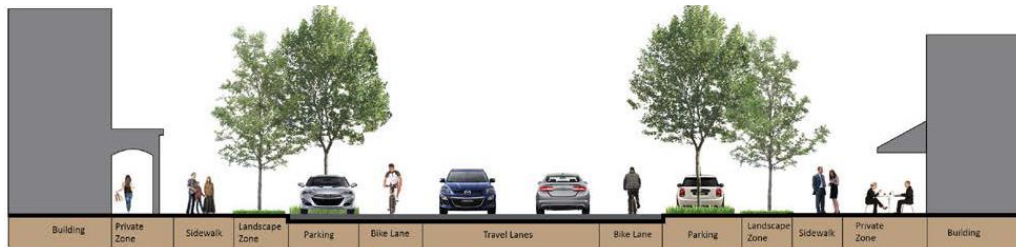
- C. **Streets.** Within the transects, new developments shall connect to the existing street network. Where the existing street network is deficient with respect to gridded connectivity, the development shall provide new street connections to meet the block perimeter requirements.

The zoning map identifies a hierarchy of street types that determine the relationship of buildings to the street and the standards for the design of street landscaping and sidewalks. Street types include: Storefront, Principal, Thoroughfare, and Local Streets. All undesignated existing streets are assumed to be Local Streets. Below is a detailed description of the general function, character, and elements of each street type. Final street design for new development shall be in accordance with this article and the Design Manual, subject to review and approval by the city manager or designee in the development review process. In the event of a conflict between the standards in this article and the Design Manual, the Design Manual shall govern.

- a. **Storefront.** Storefront streets are designed to encourage a high level of pedestrian activity. Higher intensity and density uses front this street type. Due to the level of pedestrian activity on this street type, minimum sidewalk widths are increased and first floor residential development requires a one and one-half foot elevation above grade (three feet recommended) for the privacy and comfort of residents. Building front entrances shall be oriented to this street type when there are multiple street frontages for the property.



- b. **Principal.** Principal streets include lower levels of pedestrian activity compared to storefront streets. This street type is located in mixed-use areas where the traffic volume is anticipated to be higher than on local streets. This street type allows for some auto-oriented uses with a special use permit.

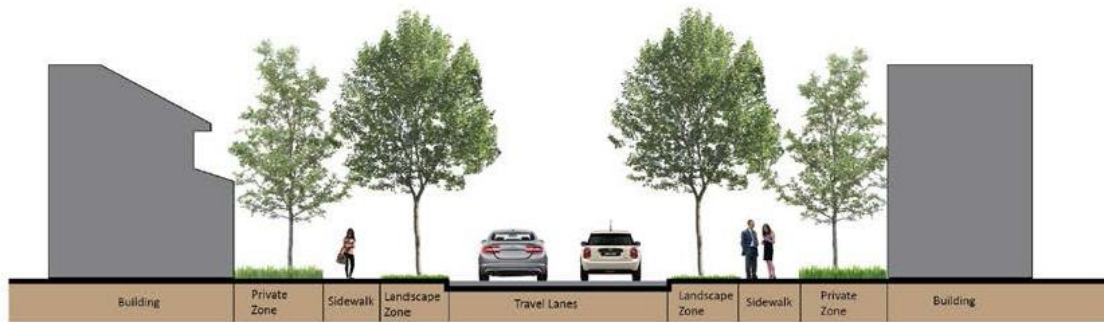


- c. **Thoroughfares.** Thoroughfares are streets that carry high volumes of through traffic at higher speeds with less pedestrian activity and higher vehicular speeds than other street types. These streets are often fronted by larger scale commercial development and are usually four-lane or six-lane streets.



- d. **Local.** Local streets are intended to have slow speeds and provide for connections within neighborhoods and between residential areas and commercial areas. Local streets are not identified on the zoning map, but make up the vast majority of the street types within the

transects. Any street that is not identified as a storefront, principal, or thoroughfare street should be assumed to be a local street.



- e. *Urban walkways.* Urban walkways are pedestrian/bicycle pathways that serve to improve pedestrian/bicycle connectivity, delineate blocks and provide for expanded pedestrian space. These may be established as alternatives to new streets in some locations.



- 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.



(Ord. No. [170831](#), § 3, 4-5-18)

Sec. 30-4.12. - Permitted uses.

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.

Table V-1: Permitted Uses within Transects.

	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
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 use)	30-5.20	-	-	-	-	-	-	-	-	S	S
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										

LEGEND:

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

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)

LEGEND:

1 = See section 30-4.8 for development compatibility standards.

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%									

LEGEND:

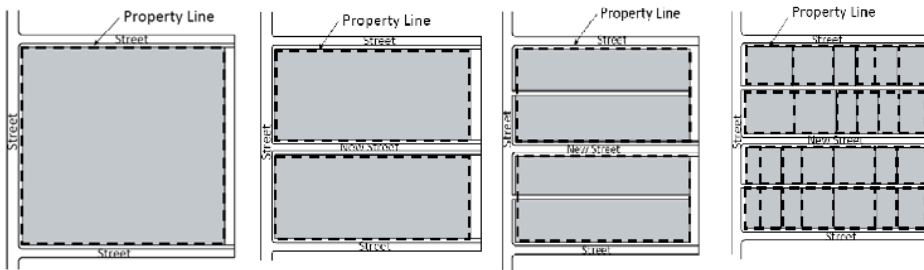
1 = See development compatibility standards in section 30-4.8.

2 = See bonus system requirements in section 30-4.9.

A. *Block standards.*

1. *Maximum block perimeter.* Maximum block perimeters are defined Table V-2 for each transect. When development cumulatively includes 50% or more of the total project area, it shall be required to include new local streets or urban walkways and the resulting block(s) shall not exceed the prescribed maximum block perimeter. Figure V-1 below depicts a recommended approach to breaking down large blocks to provide a new street grid on a large site.

Figure V-1: Creating Blocks



Step 1-original site; Step 2-introduce streets; Step 3-introduce alleys; Step 4-introduce lots.

2. *Construction of new streets.*

- a. The required local streets or urban walkways shall be constructed at the expense of the owner/developer as part of the development review process and shall be constructed according to the appropriate city standards, but may be sited and configured in a manner so that they provide the most appropriate access to the development. Where a street is planned to continue beyond the extent of a development, the development shall provide for the continuation of the street by stubbing out the improvements as close as is practicable to edge of the property boundary.
- b. The required local streets, multi-use paths or urban walkways shall provide for public access and may be dedicated for public right-of-way after construction, if the city desires to accept same for maintenance.
- c. Notwithstanding any other provision in this chapter, a development may receive final approval prior to construction of the required local streets or urban walkways if the city, upon approval of the city commission, has executed a binding agreement with the owner/developer that:
 - i. Requires the city and/or the community redevelopment agency to construct the required local streets as public streets within two years of final approval; and
 - ii. Provides for the conveyance or dedication of the associated right-of-way from the property owner to the city, at no cost to the city.

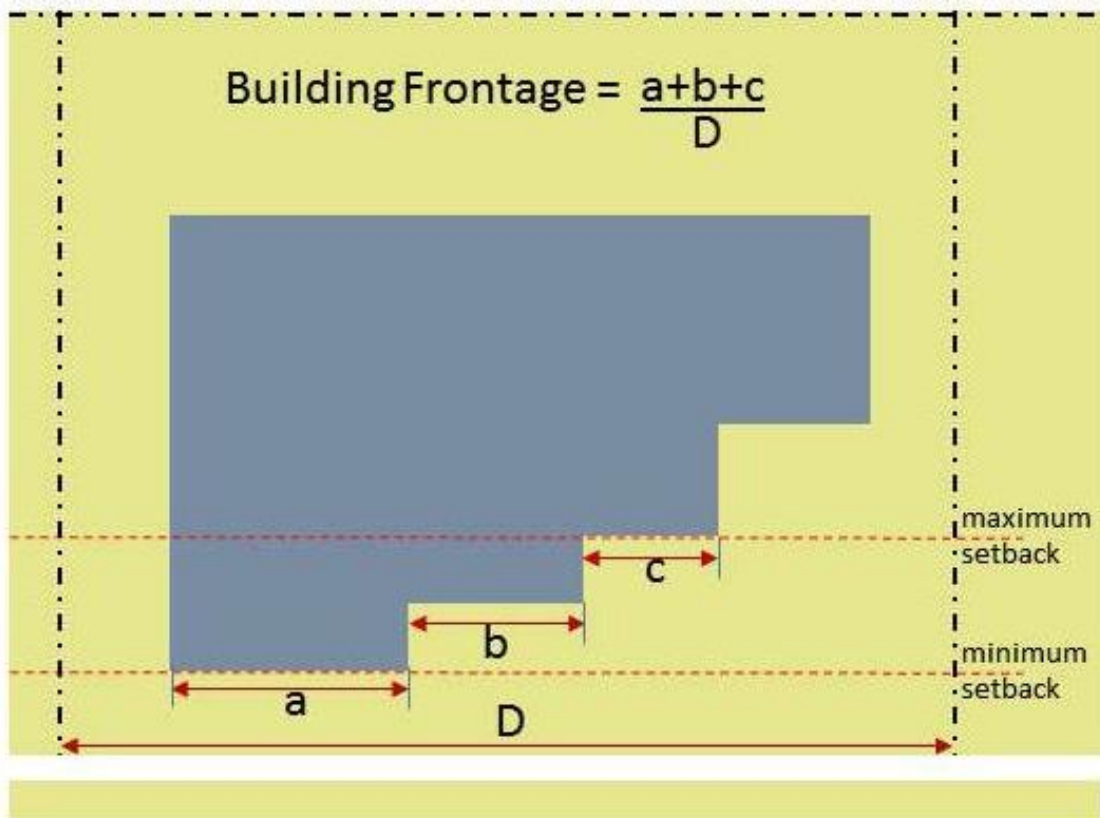
The city may enter into such an agreement only when the city determines that doing so would be in the public interest and when the city and/or the community redevelopment agency has budgeted legally available funds for the construction of the required local streets. The form and content of the agreement shall be provided by and acceptable to the city in its sole discretion.

- d. Board modifications from the requirement to construct new streets may be granted in accordance with the procedures and criteria for a variance, with specific consideration given to situations where the construction of a street is limited by: access management standards, regulated environmental features, regulated natural or archeological resources, public stormwater facilities, existing utility facilities, contamination sites, inconsistencies

with plans for a future city street network, parks, or schools. Where a variance from these requirements is approved, the block perimeter shall be completed with the provision of sidewalk and bicycle connections, and multi-use paths or urban walkways, subject to approval by the city.

3. *Urban walkways.* When required new streets or urban walkways are constructed as part of a subdivision or development, their design and construction shall conform to the following standards and applicable design manual standards:
 - a. New streets or urban walkways shall connect to existing streets on abutting properties, or be constructed in alignment with planned public streets on abutting properties.
 - b. Where a portion of a new street or urban walkway is newly constructed, it shall be designed to be extended to abutting property. Stub-outs shall extend to the property line.
 - c. Urban walkways shall be a minimum of 26 feet wide and may be designed with a single or divided paved pathway. The pathway(s) shall be at least ten feet wide in total width and shall provide for both bicycles and pedestrians. An urban walkway shall be landscaped with shade trees on minimum 50-foot centers on both sides of the paved path. Unpaved areas may also contain stormwater facilities. Urban walkways may contain benches, fountains, outdoor cafes or other outdoor uses as long as a minimum sidewalk width as specified above is maintained.
- B. *Building frontage.* Building frontage requirements shall create a continuous building presence along streets.
 1. The building frontage standards are a proportion of the building length relative to the width of the development site measured at the site frontage line, (see Figure V-3).

Figure V-3: Building Frontage



2. *Frontage hierarchy.*

- a. Where a development has frontage along multiple street types that do not include a thoroughfare, the urban street (storefront or principal, in that order of hierarchy) shall be considered the primary street for the front face of the building.
- b. Where a development has frontage on a thoroughfare and any other street type, the thoroughfare shall be considered the primary street.
- c. Where a development has frontage on two streets of equal type, then the city manager or designee shall make a determination as to which street frontage shall be considered primary.

Figure V-4: Example of Gateway

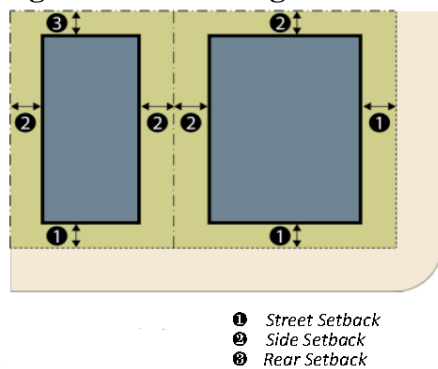


Floor above gateway not required

3. In the case where the required building frontage cannot be met due to the need to provide vehicular access from the primary frontage, a gateway, arch or similar feature may be provided to preserve the block continuity and may be counted toward meeting the building frontage requirement, (see Figure V-4).
4. A preserved high quality heritage tree canopy within the street setback range may count towards meeting the building frontage requirement.
5. The ground floor along the street frontages shall contain active uses oriented to the street. Active uses may include, but are not limited to, display or floor areas for retail uses, waiting and seating areas for restaurants, atriums or lobbies for offices, lobbies or dining areas for hotels or multi-family residential buildings, and hotel rooms or multi-family residential units with street facing entrances.

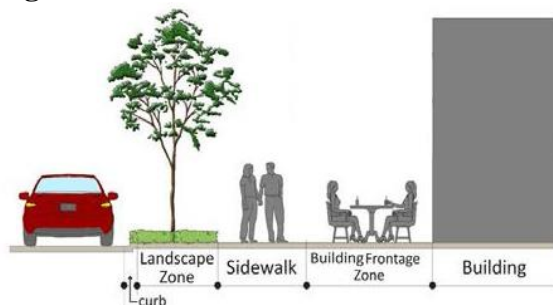
C. Building placement and setbacks. The placement of a building on a site is critical to creating a vital and coherent public realm. The building placement and setback standards shall shape the public realm and strengthen the physical and functional character of the area. Figure V-5 depicts the types of setbacks.

Figure V-5: Building Setbacks



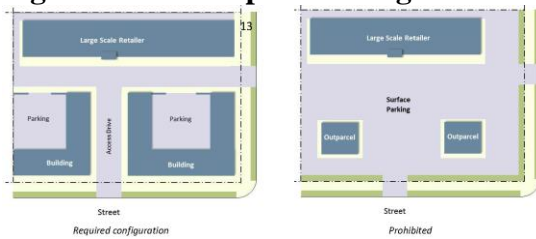
1. Building placement requirements shall be measured from the back of curb instead of the front property line, with the following exceptions:
 - a. In the absence of curbs, shall be measured from the edge of pavement.
 - b. Where the required building placement falls within a public right-of-way, it shall be shifted to the property line instead.
2. Building placement requirements shall be comprised of a landscape zone, a public sidewalk zone and a building frontage zone. Figure V-6 depicts the required configuration of these zones in relation to the street curb and building. The required minimum widths for the landscape and sidewalks zones are listed within Table V-2. The building frontage zone shall be a minimum of five feet in all locations. Section 30-4.13 D. contains additional standards for the design of the building frontage zone.

Figure V-6: Public Realm Zones



3. Side and rear setbacks are minimums and shall be measured from shared property lines.
4. The following shall not be located within the public sidewalk zone; utility poles including electrical transmission and distribution poles; light poles; mechanical equipment as defined in section 30-6.10; signs included in section 30-9.2A; and street furniture including benches, trash receptacles, and bicycle racks.
5. Where multiple buildings are proposed within a development, the placement of buildings at the rear of a site is allowed as long as one or more buildings are placed along the front of the site meeting the building placement and setback and building frontage requirements of this division. Figure V-7 depicts the required configuration of multiple buildings on a site, such as within a shopping center. Streets or access drives shall be incorporated into the site to break it down into smaller lots/blocks (platting will not be required). The primary access drive shall be centered on the anchor building and shall be lined with buildings, which shall meet the required frontage standards along the street and access drive.

Figure V-7: Multiple Buildings on a Site



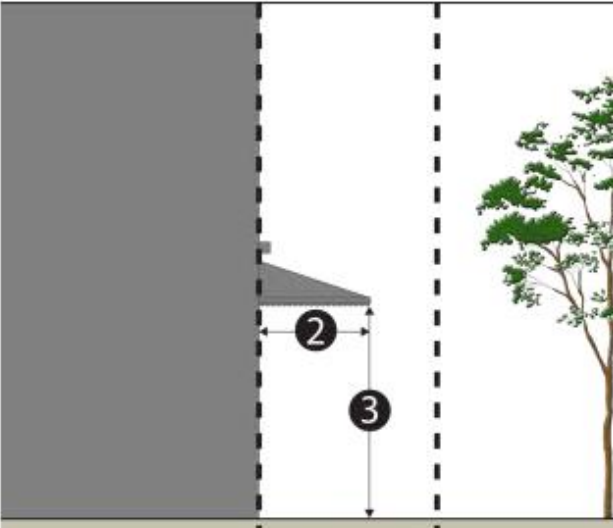
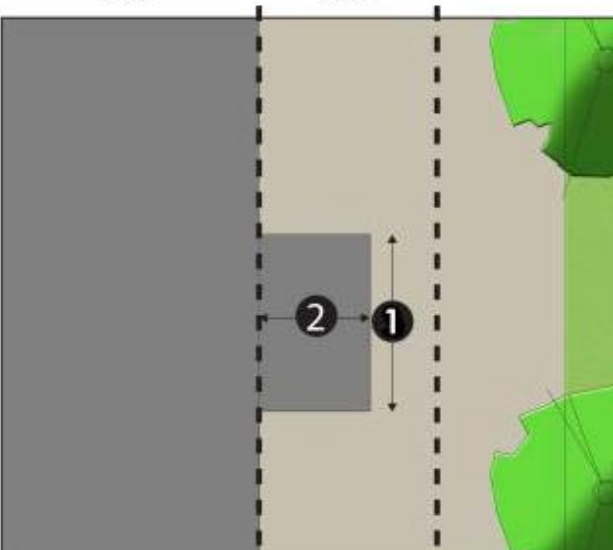
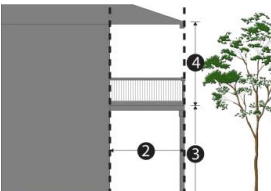
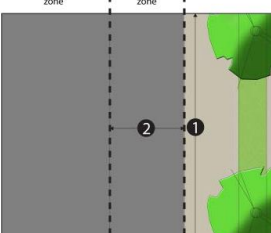
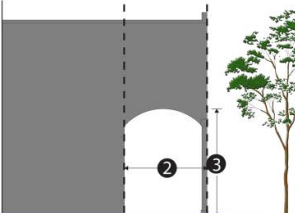
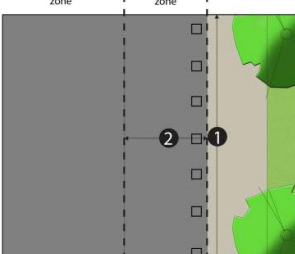
- D. *Building frontage zone requirements.* All development shall provide a minimum five-foot wide building frontage zone behind the public sidewalk, and buildings shall have at least one type of building frontage incorporated into its design. Table V-3 contains the dimensional requirements for the various types of building frontages allowed. The intent of the building frontage zone is to provide a transition between the public street/sidewalk and the building. The type of activity conducted in the private frontage zone depends on the nature of the proposed use (Figure V-8). For a commercial building, the intent of the private frontage zone is to attract customers into the business. For a residential site, the intent of the private frontage zone is to provide for a private outdoor space and establish a separation from the public sidewalk for the ground floor rooms.

Figure V-8: Examples of Building Frontage Zone Activity



Table V-3: Building Frontage Dimensional Standards

Storefront	Gallery	Arcade
------------	---------	--------

 	 	 
1. Width: 25% of façade width min.	1. Width: 75% of façade width min.	1. Width: 75% of façade width min.
2. Depth: 5' min.	2. Depth: 8' min.	2. Depth: 8' min.
3. Clear Height: 8' min.		
3. Clear Height: 12' min. (1st floor)	3. Clear Height: 12' min. (1st floor)	

Courtyard	Stoop	Porch
1. Width: 10' min. to 50% of façade width max.	1. Width: 5' min. to 16' max.	1. Width: 12' min.
2. Depth: 10' min/20' max.	2. Depth: 5' to 8'	2. Depth: 8' min.
3. Elevation: 18" max. above grade.	3. Clear Height: 8'	3. Clear Height: 8' min.
	4. Elevation: 21" min. above grade.	4. Elevation: 21" min. above grade.

Note: See Article II for definitions of frontages.

1. *Building frontage standards, general.*

- In addition to the encroachments shown in Table V-3, cantilevered balconies, bay windows and roof overhangs are allowed to encroach into the building frontage zone.
- Street furniture such as benches, trash receptacles, or bicycle racks may be installed within the building frontage zone; however, permanent fencing is prohibited.

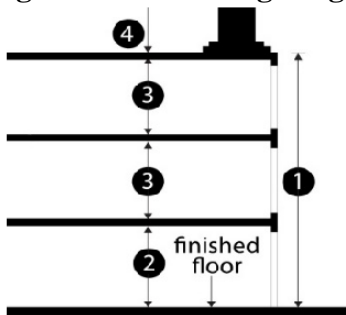
2. *Standards for storefronts, awnings and canopies.*

- Storefront doors shall not be recessed more than five feet from the front façade. Recessed doors shall have angled walls leading to the door to promote the visibility of the entrance.
- Awnings and canopies shall not cover building architectural elements including but not limited to cornices or ornamental features.
- High gloss or plasticized fabrics and aluminum are not allowed for awnings.
- Backlit awnings are not permitted.

- e. Awning shall match the width of the window or door opening and shall enhance the architectural features of the building.
- 3. *Standards for galleries and arcades.*
 - a. Along urban Storefront streets, gallery/arcade openings shall align with storefront entrances.
 - b. Galleries may be one or two stories.
 - c. Arcades and galleries shall have consistent depth along a frontage.
- 4. *Standards for courtyards.*
 - a. Courtyards shall be paved and a minimum of 20 percent of the total courtyard area shall be enhanced with either above-ground or in-ground landscaping.
- 5. *Standards for stoops and porches.*
 - a. Stoops shall align directly with the building entry.
 - b. Porches may be one or two stories.
 - c. Porches may encroach into the building frontage zone.

E. *Building height.*

Figure V-9: Building Height



- ① *Building height*
- ② *Floor height (ground floor)*
- ③ *Floor height (upper floors)*
- ④ *Exceptions to maximum height*

- 1. The heights of parking structures shall be limited in accordance with the maximum feet within each district, but shall not be limited to the maximum number of stories.
- 2. Mezzanines that meet the definition and requirements of the Florida Building Code shall not be counted as an additional story.
- 3. The building height limitations contained in Table V-2 do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances required to be placed on the roof and not intended for human occupancy. Other exceptions include:
 - a. Roof structures above eave line can vary in height up to a maximum of 15 feet above eave line.
 - b. Trellises may extend above the maximum height up to eight feet.

F. *Floor height.*

- 1. Floor height shall be measured as provided in the Florida Building Code.

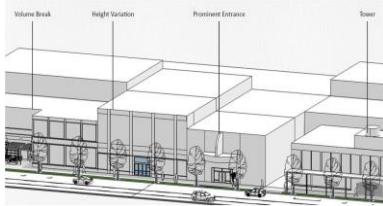
2. Parking garages are exempt from the minimum floor height requirements.

(Ord. No. [170831](#), § 4, 4-5-18; Ord. No. [170971](#), § 2, 2-21-19; Ord. No. [170974](#), § 6, 2-21-19)

Sec. 30-4.14. - Building design standards.

- A. *Building massing.* Large building volumes shall be divided to appear as smaller volumes grouped together. Volume breaks may be achieved by volume projections and recesses, and varying heights and roof lines. Therefore, building facades shall not exceed 60 feet along a street frontage without providing a substantial volume break such as a volume projection or recess, a tower or bay, or an architecturally prominent public entrance. The recesses and projections shall have a minimum depth and width of ten feet.

Figure V-16: Building Massing



- B. *Facade articulation.* The standards contained in this section apply to multi-family, nonresidential and mixed-use buildings. Building facades along streets shall maintain a pedestrian scale by integrating the following architectural elements:

***Projections &
Recesses***

***Expression
line***

Figure V - 18: Façade Elements



Arcade

Change in material

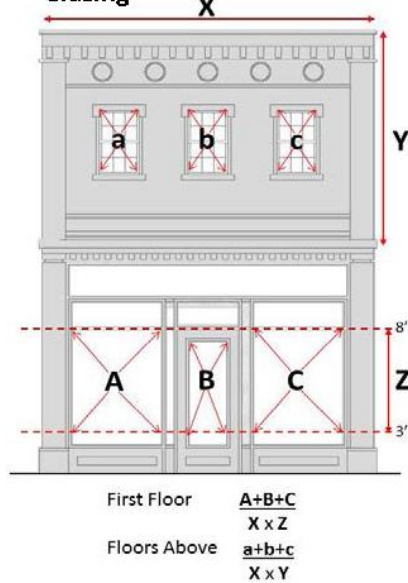
1. Façades shall not exceed 20 horizontal feet without including at least one of the following elements:
 - a. A window or door.
 - b. Awning, canopy or marquee.
 - c. An offset, column, reveal, void, projecting rib, band, cornice, or similar element with a minimum depth of six inches.
 - d. Arcade, gallery or stoop.
 - e. Complementary changes in façade materials or texture.
2. An expression line shall be provided between the first and second stories delineating the transition between ground and upper floors.

3. Architectural treatments on the façade, such as cornices or expression lines, shall be continued around the sides of the building visible from a street.
4. All building elevations (including secondary/interior side façades) shall use similar materials and appearance as the front/street facade.

C. *Glazing requirements.*

1. Glazing percentages shall be calculated as follows:

Figure V - 17: Non-Residential Glazing



- a. Nonresidential first floor: The area of glass between three feet and eight feet above finished floor, divided by the area of the building façade also between three feet and eight feet above finished floor.
 - b. Nonresidential above first floor: The combined area of glass on all floors above the first divided by the total area of the building façade for those floors.
 - c. Residential: The area of glass divided by the area of the façade.
2. The approving authority may allow reduced glazing and/or glass transmittance for places of religious assembly and schools.
 3. There is no maximum limit on how much glazing may be provided. However, if glass walls are used, an architectural feature, such as a canopy/marquee, overhang, or a horizontal change in plane shall be provided between the first and second floors to ensure pedestrian scale at the sidewalk level.
 4. Windows and glass doors shall be glazed in clear glass with 80 percent minimum transmittance. The use of reflective glass and reflective film is prohibited on the ground floor of all buildings.

D. *Building entrances.*

1. Each building shall provide a primary public entrance oriented toward the public right-of-way, and may be located at the building corner facing the intersection of two streets. Additional entrances may be provided on other sides of the building.
2. Primary public entrances shall be operable, clearly-defined and highly-visible. In order to emphasize entrances they shall be accented by a change in materials around the door, recessed into the façade (alcove), or accented by an overhang, awning, canopy, or marquee.

3. Building frontages along the street shall have functional entrances at least every 150 feet.
 Sec. 30-4.15. - Parking requirements.

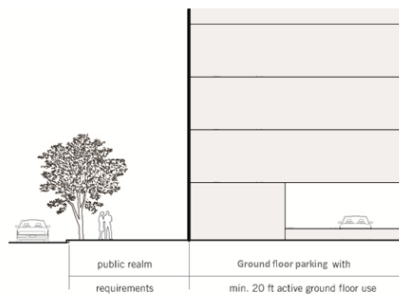
A. *Parking amounts.*

Transect	Min. Vehicle Spaces		Min. Bicycle Spaces		Min. Scooter Spaces
	Nonresidential Use	Residential Use	Nonresidential Use	Residential Use	
DT	-	-	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U9	-	-	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U8	-	-	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U7	-	1 per 3 bedrooms	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U6	-	1 per 3 bedrooms	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	1 per 6 bedrooms
U5	-	1 per 3 bedrooms	1 per 2,000 sq. ft. of GFA	1 per 3 bedrooms	-
U4	Per parking code				
U3					
U2					
U1					

B. *Location of parking facilities.*

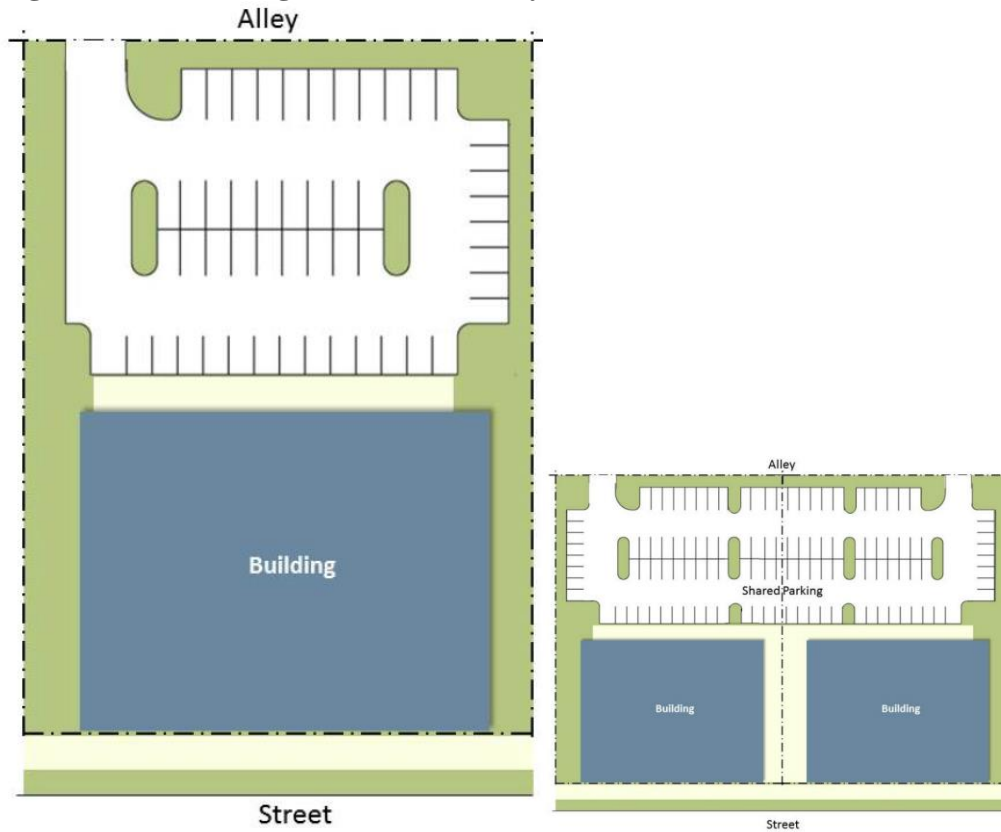
1. Surface parking lots shall be located to the rear or side of buildings, but no more than 50 percent of the total parking area may be located to the side of buildings.

Figure V-10: Ground-Floor Parking under Building



2. Surface parking in the form of a single level of ground floor parking located within the building footprint (see Figure V-10) must include a minimum of 25 feet of active ground floor commercial, residential, or office uses along Storefront and Principal streets, or in the event that all of the abutting roadways are local streets, must include a minimum of 25 feet of active ground floor uses along the most primary local street as determined by pedestrian traffic. All other street frontages must include decorative screening walls, perimeter parking landscaping per Article VII, or a combination thereof to shield ground floor parking areas.
3. Surface and structured parking areas shall be accessed from rear alleys or rear lanes where available (see Figure V-11), from an adjacent property (see Figure V-12), or from local streets, in that order of hierarchy. Vehicular access from other street types shall only be allowed in the absence of these options.
4. Within the DT district, any surface parking areas abutting a public street or urban walkway shall be screened from street view by a masonry garden wall with a height between three and five feet. In the other T-zones, the parking lot may be screened in accordance with the perimeter parking landscaping standards per article VII.
5. A minimum of ten percent of the provided bicycle parking shall be located between the building and the street.

Figure V-11: Parking Access from Alley



C. Design of parking structures.

1. Parking structures located along Storefront streets shall be concealed by liner buildings, which may be attached or detached from the parking structure (see Figure V-13). The liner building shall have a minimum of two stories and a minimum height of 30 feet and a minimum depth of 25 feet along the entire length of the parking structure.

Figure V-13: Parking Structures on Storefront Streets



2. Parking structures located along Principal streets shall be required to provide ground floor commercial or office space along the street frontage (see Figure V-14).

Figure V-14: Parking Structures on Principal Streets



3. On all other streets, any structured parking that is not concealed behind a liner building or ground floor commercial or office space shall have decorative screening walls, perimeter parking landscaping per Article VII, or a combination thereof to screen ground floor parking (see Figure V-15).

Figure V-15: Parking Structures on Other Streets



4. Parking structures shall meet setback, height, and façade articulation standards applicable to the transect, but are exempt from the minimum floor-to-ceiling height requirement and the building frontage zone requirement.

(Ord. No. [170974](#), § 7, 2-21-19)