

APPENDIX 10.3
ZONING DESCRIPTIONS

ARTICLE IV. USE REGULATIONS

DIVISION 1. GENERALLY

Sec. 30-41. Establishment of zoning districts and categories.

(a) In order to classify, regulate and restrict the use of land, water, buildings and structures; regulate the height and bulk of buildings; regulate the intensity of land use; implement the comprehensive plan; and promote orderly urban growth within the corporate area of the city, the following zoning districts/categories are established:

(1) *Residential districts.* (See section 30-41(b)):

- RSF-1: 3.5 units/acre single-family residential district.
- RSF-2: 4.6 units/acre single-family residential district.
- RSF-3: 5.8 units/acre single-family residential district.
- RSF-4: 8 units/acre single-family residential district.
- RSF-R: 1 unit/acre single-family rural residential district.
- RMF-5: 12 units/acre single-family/multiple-family residential district.
- RMF-6: 8--15 units/acre multiple-family residential district.
- RMF-7: 8--21 units/acre multiple-family residential district.
- RMF-8: 8--30 units/acre multiple-family residential district.
- RC: 12 units/acre residential conservation district.
- MH: 12 units/acre mobile home residential district.
- RMU: Up to 75 units/acre residential mixed use district.
- RH-1: 8--43 units/acre residential high density district.
- RH-2: 8--100 units/acre residential high density district.

(2) *Office districts.* (See section 30-41(b)):

- OR: 20 units/acre office residential district.
- OF: General office district.

(3) *Business districts.*

- BUS: General business district.
- BA: Automotive-oriented business district.
- BT: Tourist-oriented business district.

(4) *Mixed use districts.*

- MU-1: 10--30 units/acre mixed use low intensity.
- MU-2: 14--30 units/acre mixed use medium intensity.
- CCD: Up to 150 units/acre central city district.
- UMU-1: Up to 75 units/acre urban mixed-use district.
- UMU-2: Up to 100 units/acre urban mixed-use district.

(5) *Industrial districts.*

- BI: Business industrial district.
- W: Warehousing and wholesaling district.
- I-1: Limited industrial district.
- I-2: General industrial district.

(6) *Special use districts.*

- AGR: Agriculture district.
- CON: Conservation district.
- MD: Medical services district.
- PS: Public services and operations district.
- AF: Airport facility district.
- ED: Educational services district.
- CP: Corporate park district.

(b) In the RSF-1, RSF-2, RSF-3, RSF-4, RMF-5, MH and RC districts, the density figures listed in the titles are descriptive and approximate only. The dimensional requirements of each zoning district govern the actual permitted density of a district. The density figures in the titles are derived by using a factor of 0.8 of the density achievable if the total land area were used for residential parcels. Therefore, the density calculations in the titles reflect the anticipated overall density of a district, recognizing that a portion of the land is utilized for roadways.

In the RMF-6, RMF-7, RMF-8, RMU, RH-1, RH-2 and OR districts, the density figures listed in the titles reflect the number of dwelling units permitted per acre of developable land as provided in the district regulations. Developable land is that portion of land not reserved for public rights-of-way. Where the title indicates a range of densities, it reflects the fact that the maximum permissible density may vary with the use of density bonus points, as awarded using the density bonus point manual adopted by resolution of the city commission.

Ord. No. 3777, § 1, 6-10-92; Ord. No. 3955, § 10, 2-14-94; Ord. No. 980735, § 1, 9-27-99; Ord. No. 070769, § 1, 1-28-08; Ord. No. 080343, § 2, 12-18-08; Ord. No. 080435, § 1, 3-19-09)

Sec. 30-42. Designation of district boundaries.

The boundaries of each district are designed and established as shown on the zoning map of the city. The regulations of this chapter concerning the use of land within particular districts shall apply within the boundaries of each district as shown upon the zoning map.

Ord. No. 3777, § 1, 6-10-92)

Sec. 30-43. Rules for interpretation of district boundaries.

When uncertainty exists as to the boundaries of the various districts on the zoning map, the following rules shall apply:

(1) *Location of district boundary lines.*

- a. *Centerlines.* Boundaries indicated as approximately following streets shall be construed to follow the centerlines of such streets.
- b. *Lot and section lines.* Boundaries indicated as approximately following platted lot lines or section lines shall be construed as following such lines.
- c. *Municipal boundaries.* Boundaries indicated as approximately following municipal boundaries shall be construed as following such municipal boundaries.

require a change in the future land use category also.

CORRESPONDENCE OF ZONING DISTRICTS WITH FUTURE LAND USE CATEGORIES

TABLE INSET:

Zoning Districts	Future Land Use Category
RSF-1, RSF-2, RSF-3, RSF-4, RSF-R, CON, PD, PS	Single-family (SF)
RSF-4, RMF-5, MH, RC, PD, CON, PS	Residential--Low (RL)
RMF-6, RMF-7, RMF-8, PD, CON, PS	Residential--Medium (RM)
RH-1, RH-2, PD, TND, CON, PS	Residential--High (RH)
RMU, PD, CON, PS	Mixed use--Residential (MUR)
MU-1, PD, TND, CON	Mixed use--Low (MUL)
MU-2, CP, PD, TND, CON	Mixed use--Medium (MUM)
CCD, PD, TND, CON, PS	Mixed use--High (MUH)
UMU-1, CON, PS, PD	Urban Mixed-Use 1 (UMU-1)
UMU-2, CON, PS, PD	Urban Mixed-Use 2 (UMU-2)
OR, OF, MD, PD, CON, PS	Office (O)
BA, BT, BUS, W, PD, CON, PS	Commercial (C)
BI, PD, CON, PS	Business industrial (BI)
I-1, I-2, W, PD, BI, CON, PS	Industrial (IND)
ED, PD, CON, PS	Education (E)
PS, PD, CON	Recreation (REC)
CON, PD, PS	Conservation (CON)
AGR, CON, PS	Agriculture (AGR)
AF, PS, PD, CON	Public facilities (PF)
PD, TND, PS or rezoning consistent with the underlying land use designation	Planned Use District (PUD)

Ord. No. 3777, § 1, 6-10-92; Ord. No. 070769, § 2, 1-28-08; Ord. No. 080435, § 2, 3-19-09)

secs. 30-47--30-50. Reserved.

DIVISION 2. RESIDENTIAL ZONING DISTRICTS

Sec. 30-51. Single-family residential districts (RSF-1, RSF-2, RSF-3 and RSF-4).

(a) *Purpose.* The single-family districts are established for the purpose of providing areas for low density single-family residential development with full urban services at locations convenient to urban facilities, neighborhood convenience centers, neighborhood shopping centers and activity centers. These districts are characterized by single-family residential structures designed and located so as to protect the character of single-family residential neighborhoods.

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

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

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

(a) *Purpose.* The PS district is established for the purpose of identifying and providing suitable locations for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. This district may be isolated and surrounded by any other zoning district compatible with the intended use of the facility.

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

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

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

- (1) Libraries and information centers (GN-823).
- (2) U.S. Postal Service (MG-43).
- (3) Museums, art galleries and botanical and zoological gardens (MG-84).
- (4) Public administration (Div. J).
- (5) Local and suburban transit and interurban highway passenger transportation (MG-41).
- (6) Public golf courses (IN-7992).
- (7) Commercial sports (GN-794).
- (8) Pipelines, except natural gas (MG-46).
- (9) Electric, gas and sanitary services (MG-49).
- (10) Amusement parks (IN-7996).
- (11) Membership sports and recreation clubs (IN-7997).
- (12) Amusement and recreation services, not elsewhere classified (IN-7999).
- (13) Cemeteries.
- (14) Public service vehicles, in accordance with article VI.
- (15) Any other use specified in the ordinance rezoning property to this classification.
- (16) Any use customarily incidental to any permitted principal use.
- (17) Public lands designated for open space or conservation.
- (18) Activity-based private recreational or open space lands which have had development rights conveyed to the public, or for which a covenant of at least ten-years' duration is executed ensuring that only open space outdoor recreation or park uses shall be permitted in accordance with F.S. § 193.501.
- (19) Activity-based public parks and recreational facilities as defined by the comprehensive plan.

- (20) Golf driving ranges.
- (21) Pitch-n-putt golf.
- (22) Utility lines.
- (23) Water conservation areas, water reservoirs and control structures, drainage wells and water wells.
- (24) Transmitter towers in accordance with article VI.
- (25) Camps and recreational vehicle parks (GN-703).
- (26) Places of religious assembly, in accordance with article VI.

(d) *Uses by special use permit.*

- (1) Food distribution center for the needy in accordance with article VI.
- (2) Residences for destitute people in accordance with article VI.

(e) *Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1) Office and administrative activities:

- a. Minimum lot area: 10,000 square feet.
- b. Minimum lot width at minimum building front yard setback: 100 feet.
- c. Minimum yard setbacks:
 - 1. Front: Ten feet.
 - 2. Side, street: Ten feet.
 - 3. Side, interior: Zero feet.

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

- 4. Rear: Zero feet.

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

(2) All intensive recreation uses (fairgrounds, stadia, community assembly buildings, performing arts halls, arenas, etc.):

- a. Minimum lot size: One acre.
- b. Minimum yard setbacks:
 - 1. Front: Twenty-five feet.
 - 2. Side, interior: Twenty feet.

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

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

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

(3) All other uses: As specified in the rezoning ordinance.

(f) *Additional requirements.*

(1) *General conditions.* All structures and uses within this district shall also comply with the applicable requirements and conditions of article IX.

(2) *Development plan approval.* Preliminary and final development plan approval in accordance with article VII shall be required for all development. In addition to the review criteria listed in article VII, the following criteria shall also apply:

a. *Site suitability.*

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

b. *Site design.*

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

c. *External compatibility.*

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

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

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

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

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

(7) Preliminary development plan in conjunction with rezoning.

- a. *Intent.* A preliminary development plan is intended to help further the purpose of this district by providing the plan board and city commission with additional information on site-specific conditions which will assist the city plan board and city commission in their decision-making process relating to the accommodation of the proposed use(s) at appropriate locations necessary to serve the public; the assurance of public awareness of the proposed location of potential public facilities, utilities and recreation; and the assurance that the conditions placed upon the rezoning are designed to minimize any potential negative impacts on surrounding properties.
- b. *Approval process.* The plan board shall recommend to the city commission whether a preliminary development plan is required before the property is rezoned or the uses permitted on the property are changed. The city commission may require such development plan, or those specific items or portions of a preliminary development plan that the city commission deems necessary, to be included as part of any petition to rezone property to this classification or to change the permitted uses on the property if the newly permitted use has not been previously approved. Should the city commission deem such a plan is needed in order to judge whether the proposed use can be accommodated on the site without detriment to the health, safety and general welfare of surrounding properties the development plan shall meet the requirements of article VII.

Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 13, 3-14-94; Ord. No. 060587, § 1, 6-25-07; Ord. No. 070619, § 8, 3-24-08)

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

- (a) *Purpose.* The AF district is established for the purpose of assuring the proper and safe operation of the Gainesville Regional Airport, to protect the public investment in the airport, and to protect and promote the public utility of the airport. Recognizing the unique conditions pertaining to the airport, this district provides a means of balancing conformance to applicable state and federal regulations with local concerns.
- (b) *Objectives.* The provisions of this district are intended to:
 - (1) Ensure public health, safety and welfare by adherence to all applicable local, state and federal standards and regulations.
 - (2) Protect the public investment through development plan review, where applicable, to accommodate efficient and harmonious use of the facility.
 - (3) Be consistent with the city's comprehensive plan and be compatible with surrounding land uses through adoption and implementation of the airport facility zoning map.
- (c) *Uses permitted by right.* The specific uses permitted within the airport development area of this district are listed below, subject to the limitations as further provided in this section and subject to the limitations and requirements of Appendix F, Airport Hazard Zoning Regulations, as applicable:

TABLE INSET:

SIC	Uses	Conditions
	Public lands	Designated for open space or conservation
	Wireless communications facilities	In accordance with article VI
GN-372	Aircraft and parts	
GN-381	Search, detection, navigation, guidance, aeronautical and nautical systems, instruments, and equipment	
MG-	Local and suburban transit and interurban highway	

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by specifying the permitted uses on certain City property known as the “Deerhaven Generating Station” with the existing zoning category of “PS: Public Services and Operations District”, as more specifically described in this Ordinance, located in the vicinity of 10001 N.W. 13th Street; providing development standards; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Atlas be amended by specifying the uses permitted by right at the Deerhaven Generating Station with the existing zoning category of “PS: Public Services and Operations District”; and

hearing was held by the City Plan Board on May 28, 2009; and

herein is consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

long was placed in a newspaper of general circulation and of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the adoption stage at least five (5) days after the day the second advertisement was published; and

1 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
2 described above at which hearings the parties in interest and all others had an opportunity to be and
3 were, in fact, heard.

4 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
5 **CITY OF GAINESVILLE, FLORIDA:**

6 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by specifying the
7 uses permitted by right on the following described property with the existing zoning category of
8 “PS: , Public Services and Operations District”:

9 See Legal Description attached hereto as Exhibit "A", and made a part hereof
10 as if set forth in full.

11
12 **Section 2** The uses permitted by right on the property described in Section 1 of this
13 Ordinance are as follows:

14 1) Electric power generating plants and ancillary systems and buildings as required for steam
15 and combustion turbines, solar photovoltaic arrays, fuel cells, energy storage systems and
16 other technologies as required to produce and manage electric power for retail
17 consumption using fossil and renewable energy sources. Ancillary systems include water
18 treatment and stormwater management, cooling systems, air emission controls, electric
19 substations and transmission facilities, security management, water management and
20 storage facilities, warehousing and maintenance facilities (MG 49 – Electric, Gas, and
21 Sanitary Services).

22 2) Green industries that assist in reducing society’s reliance on fossil fuels, that would benefit

1 from the availability of waste heat or by-products of power generation, or which may have
2 by-products that are beneficial to the production of electricity. Examples could include
3 but are not limited to: a facility using steam and electricity to produce ethanol from
4 cellulosic materials, whose waste by-products are able to be dewatered and used as a fuel;
5 a facility that would sequester and compress carbon dioxide for a variety of industrial and
6 food-use applications; or a facility to make ice from steam.

7 3) Fuel and chemical transportation, loading, storage and handling systems as required for
8 power generation or the management of power generation by-products, including rail
9 (MG-40– Railroad Transportation) and truck conveyance, unloading and loading facilities,
10 conveyor belts, pipelines and metering stations.

11 4) Long-term storage and disposal of power generation by-products.

12 5) Communications towers and facilities in accord with the provisions of Section 30-98
13 (Wireless communication facilities and antenna regulations) of the Land Development
14 Code. Monopole towers shall be permitted in this PS zoning district, and monopole
15 towers must meet the provisions of Sub-section 30-98(g).

16 6) Timber planting and harvesting.

17 7) Wildlife management.

18 8) Training areas for municipal police and fire agencies.

19 9) Outdoor storage, as defined as Article II and in accordance with Article VI of the Land
20 Development Code.

21 10) Any accessory uses customarily and clearly incidental to any permitted principal use.

1 **Section 3.** The following Development Standards shall apply and control the
2 the uses and development of the subject property:

3 Development Standards:

- 4 1. The areas depicted on the attached Conceptual Site Map, attached as
5 Exhibit “B” and made a part hereof as if set forth in full, represent the
6 general location of existing and future facilities, and the Conceptual Site
7 Map is not intended to prohibit the relocation, change of use, or other
8 development activity on any portion of the property.
- 9 2. The subject property shall maintain a minimum 50 foot building setback
10 along the northern, western and southern property lines. No building
11 setback is required along the eastern property line as the adjacent lands
12 are owned by the City of Gainesville and managed by the City of
13 Gainesville. Should it be necessary due to environmental resource
14 protection considerations or safety considerations to construct a
15 switchyard facility on the western side of the property along US 441, the
16 appropriate reviewing board, city manager, or designee may approve
17 encroachment of the switchyard facility within the minimum 50-foot
18 setback along the western property line provided that a landscape buffer
19 is provided that is no less than 15 feet wide and that at a minimum meets
20 the requirements for Buffer Type E in Sec. 30-253 of the Land
21 Development Code is approved by the appropriate reviewing board, city

1 manager or designee.

2 3. All future development activity shall occur in compliance with the
3 applicable development standards and dimensional requirements as
4 indicated in Sec. 30-75 and all other applicable sections of the Land
5 Development Code.

6 4. All future development activity shall be directed away from all existing
7 wetland areas to the greatest extent possible. Any development in and
8 around wetland areas shall comply with the criteria provided in the Land
9 Development Code Subdivision III (Surface Waters and Wetlands
10 District).

11 5. The existing access road leading to the proposed biomass plant area may
12 remain, and improvements to the access road may be made subject to
13 meeting all applicable city and state regulations.

14 6. Development plan review shall be required for future site improvements
15 according to the criteria outlined in the City of Gainesville Land
16 Development Code.

17 (NOTE: References are to the City's Land Development Code, and as they may
18 be amended from time to time.)

19 **Section 4** The City Manager is authorized and directed to make the necessary changes in
20 the Zoning Map to comply with this Ordinance.

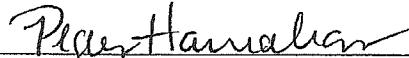
21 **Section 5** If any word, phrase, clause, paragraph, section or provision of this ordinance or

1 the application hereof to any person or circumstance is held invalid or unconstitutional, such
2 finding shall not affect the other provisions or applications of the ordinance which can be given
3 effect without the invalid or unconstitutional provisions or application, and to this end the
4 provisions of this ordinance are declared severable.

5 **Section 5** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
6 such conflict hereby repealed.

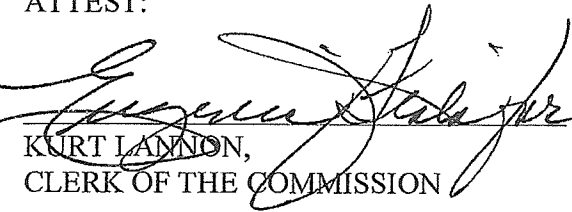
7 **Section 6** This ordinance shall become effective immediately upon passage on second
8 reading.

9 **PASSED AND ADOPTED** this 6th day of August, 2009.

10
11 
12 _____
13 PEGEEN HANRAHAN, MAYOR

14 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

15
16 
17 _____
18 KURT LANNON,
19 CLERK OF THE COMMISSION

By:

20 
21 _____
22 MARION J. RADSON, CITY ATTORNEY

AUG - 6 2009

23 This ordinance passed on first reading this 16th day of July, 2009.

This ordinance passed on second reading this 6th day of August, 2009.