

ORDINANCE NO. 211262

An ordinance of the City of Gainesville, Florida, amending Section 30-7.5 and Section 30-7.6 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to eliminate parking minimums and introduce language for structured parking requirements and mid-street parking for loading and unloading in urban zoning districts; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city by providing the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental and fiscal development of the city; and

WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or amend and enforce land development regulations that are consistent with and implement the Comprehensive Plan, and that are combined and compiled into a single land development code for the city (the City of Gainesville's Land Development Code is Chapter 30 of the Code of Ordinances); and

WHEREAS, this ordinance, which was noticed as required by law, will amend the text of the Land Development Code as described herein; and

25 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
26 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
27 to Section 163.3174, Florida Statutes, held a public hearing on May 26, 2022, and voted to
28 recommend the City Commission approve this text change to the Land Development Code; and

29 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of
30 general circulation notifying the public of this proposed ordinance and of public hearings in the
31 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

32 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
33 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

34 **WHEREAS**, the City Commission finds that the Land Development Code text amendment
35 described herein is consistent with the City of Gainesville Comprehensive Plan.

36 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
37 **FLORIDA:**

38 **SECTION 1.** Sections 30-7.5 and 30-7.6 of the Land Development Code are amended as
39 follows.

40 **Section 30-7.5. Required number of parking spaces.**

41 A. *Generally.* The maximum number of parking spaces allowed for each use is as provided in
42 this section. ~~required for each use shall be as provided in this section. In computing the~~
43 ~~number of parking spaces required, a fractional space of one-half space or more shall be~~
44 ~~counted as one space. The number of parking spaces listed in the tables in this section shall~~
45 ~~be the specific number of spaces required, unless the provision specifically identifies the~~
46 ~~number as a minimum or maximum.~~

47 1. In calculating the maximum number of parking spaces, a fractional space of one-half or
48 more will be rounded up to one space.

49 ~~1. Vehicular parking.~~

~~a. At development plan review, the approving authority may allow bicycle parking facilities that are in addition to the minimum number of required bicycle parking facilities to substitute for up to 85 percent of vehicle parking spaces on a four for one basis. Such substitution shall be made upon presentation of evidence by the owner of the property that the proposed use will be better served through the provision of additional bicycle facilities.~~

2. ~~b.~~ At development plan review, the approving authority may allow ten additional spaces or up to ten percent greater than the maximum allowed, whichever number is greater, upon presentation of evidence by the owner of the property that the proposed use has a justifiable need for the additional parking spaces. The approving authority may also allow additional spaces above those otherwise provided for in this section upon the property owner's presentation of a parking study demonstrating that:

a. There is minimal impact to the surrounding area.

b. The subject area has high parking demand combined with a current parking inventory that is near or at capacity.

c. Excess parking will not create excessive distances between buildings and sidewalks.

d. Excess parking will be screened and oriented away from street frontages.

e. Existing high-quality trees will be preserved and the development will otherwise meet landscape regulations for vehicular uses.

3. Structured parking.

a. Parking provided within a building or parking structure will not be counted when calculating maximum allowable parking.

b. Structured parking is required for any development exceeding 200 parking spaces.

4. ~~2.~~ Bicycle parking. Unless otherwise specified, the required number of bicycle parking spaces is stated as a percentage of the ~~required~~ maximum allowed vehicular spaces.

5. ~~3.~~ Motorcycle and scooter parking.

a. For developments that are in the University of Florida Context Area, but that are outside of the transect zones, the minimum requirement ~~shall be~~ is one space per ten bedrooms.

~~b. Scooter and motorcycle parking maybe substituted for required vehicle parking space on a one to one basis for development requiring less than 40 spaces.~~

~~b.~~ e. Proposed developments requiring providing 40 vehicular parking spaces or more shall must provide off-street motorcycle and scooter parking spaces at a ratio of one space per 40 vehicle spaces, required by this section. ~~At development plan review, the approving authority may allow motorcycle and scooter parking spaces that are in addition to the minimum number of required parking spaces to substitute for up to 15 percent of required vehicle parking spaces on a one to one basis.~~

6. 4. *Relocatable structures.* Any development within an ED district ~~shall~~ must comply with the parking requirements as set forth in this article, except that off-street parking facilities for relocatable structures are not required to be constructed for three years from the date of placement of the relocatable structure on a lot. However, the construction of off-street parking facilities in accordance with the provisions of this article ~~shall~~ must be commenced within 90 calendar days whenever any relocatable structure has been on a lot for a period of more than three years. The movement of a relocatable structure from one portion of a school lot to another location, or the replacement of one relocatable structure with another relocatable structure, ~~shall~~ will not extend the aforesaid time limits prescribed herein.

7. *Overflow parking.* In situations where development proposals contain recreational facilities that are planned for regularly scheduled activities, the reviewing authority may require at site plan review, upon advice of the public works department, additional parking to be provided as overflow grass parking.

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 requirements of this article.				
U3					
U2					
U1					

Use	Required <u>Maximum</u> Vehicle Spaces	Required Bicycle Spaces
Auditoriums and sports arenas or stadia, based on fixed seating capacity	1 for each 4 <u>3</u> seats.	10%

Automotive service, limited	1 for each 200 square feet of floor area.	2 spaces
Auto wrecking, junkyards and salvage yards	5 , <u>plus</u> 1 for each acre in excess of 5 acres.	None
Baseball fields	10 per baseball diamond plus <u>±</u> 2 space for each 4 seats designated for spectators. Where benches are used, 2.5 feet of bench shall be equivalent to 1 seat.	<u>10%</u>
Basketball courts	5 per court.	<u>10%</u>
Beauty and barber schools	3, plus 1 for each operator station.	20%
Beauty salons/barbershops	2 per beauty or barber chair.	10%
Bowling alleys	2- <u>10</u> for each alley.	15%
Car wash facilities	With employees, 3 spaces minimum. Queuing spaces shall be provided to accommodate a minimum of 3 vehicles. Addition or reduction in the number of queuing spaces may be determined by the city manager or designee. Queuing spaces shall be set back a minimum of 20 feet from the right-of-way.	2 spaces if there are employees.
Civic, social and fraternal organizations	1 <u>2</u> for each 40 square feet of floor area in principal area(s) of assembly.	10% <u>20%</u>
Community residential homes:		
1 to 6 residents	1 per home <u>resident</u> .	0
7 to 14 residents:		
(1) Where residents are allowed to keep motorized vehicles on premises.	1 per bedroom.	As required for multiple-family dwellings in the district located.

(2) Where residents are not allowed to keep motorized vehicles on premises.	1 per each employee in the largest work shift, plus 1 per each 5 residents, or fraction thereof.	
More than 14 residents:		
(1) Where residents are allowed to keep motorized vehicles on premises.	1 per bedroom.	As required for multiple-family dwellings in the district located.
(2) Where residents are not allowed to keep motorized vehicles on premises.	1 per each employee in the largest work shift, plus 1 per each 5 residents, or fraction thereof.	
Dancehalls and exhibition halls, without fixed seats, based on floor area devoted to public assembly	1 for each 100 square feet of floor area devoted to the principal activity.	5%
Dance schools other than ballrooms	5, plus 1 for each 150 square feet of dance floor area in excess of 500 square feet.	10%
Day care centers	1 designed for the safe and convenient loading and unloading of persons for every 10 <u>5</u> persons based upon the center's regulated capacity, with a minimum of 4 spaces, plus 1 parking space per every employee at maximum staff level. Adequate space for queuing, loading and unloading shall <u>must be provided.</u>	10%
Group housing, large except sorority and fraternity houses	1 per every 400 <u>200</u> square feet of floor area.	50%
Drive-through food service establishments with seating	3, plus 1 for each 3 seats of seating capacity where service is provided.	10% <u>20%</u>
Drive-through food service establishments with no seating	1 for each employee plus 1 space for each 200 <u>100</u> square feet of gross floor area.	10%
Dry cleaning, pickup	3, plus 1 for each 500 square feet floor area in excess of	3 spaces

	1,000 square feet.	
Funeral homes and crematories	1 for each 5 seats in the chapel(s).	4 spaces
Golf courses	6 per hole, plus required spaces for restaurants and cocktail lounges.	4 spaces
Grocery stores	1 for each 200 <u>100</u> square feet of floor area.	10% up to a maximum of 15 spaces
Gymnasias and fitness facilities	10, plus 1 per 150 <u>100</u> square feet of floor area in excess of 1,000 square feet or 1 space for each 4 <u>3</u> seats, whichever is greater.	25%
Hospitals	1.5 spaces per bed.	5%
Hotels and motels	5, plus 1 for each guestroom, plus 75% of required spaces for restaurants, retail outlets and other accessory uses.	4 spaces
Housing for the elderly	1 for every 3 <u>2</u> living units.	50%
Laboratories medical and dental, when a primary use	4, plus 1 for each 300 square feet of floor area in excess of 1,000 square feet.	10%
Laundromat	1 for each 3 <u>2</u> washing or drying machine.	2 <u>4</u> spaces
Libraries	1 for each 200 square feet of gross floor area.	20%
Manufacturing and industrial uses with no retail trade	1 per 500 square feet of floor area.	5%
Mini-warehousing, self-storage	5, or 1 for manager's area(s), plus 1 per 200 bays, whichever is greater.	5%
Movie theaters	1 for each 3 <u>2</u> seats.	10%
Multiple-family dwellings	1 parking space per bedroom, excluding transect zones; see section 30-4.15 for transect zone parking requirements.	1 per 3 bedrooms in all transect zones; 10% all other districts.
Museums	1 parking space per 500 <u>250</u> square feet of exhibit display.	25%

Nursery and garden store	10, plus 1 for each 150 square feet inside sales area over 1,000 square feet, and 1 per 2,000 square feet outside sales area open to the public.	2 <u>4</u> spaces
Nursing homes	1 per 2 beds.	5%
Offices and business and professional services	1 parking space for each 300 square feet of gross floor area or 1 space per employee, whichever is greater.	10%
Offices, medical and dental	1 for each 150 square feet of floor area.	5%
Park facilities not listed	Parking study required.	4 spaces for the first 10 acres plus 1 for every 5 acres or part thereof over 10 acres up to a maximum of 20 spaces.
Picnic tables	1 for every 3 picnic tables over 5 tables.	
Places of religious assembly	1 for each 4 seats, or 1 for each 40 square feet of floor area in principal area(s) of assembly.	10%
Pool halls	2 for each table.	20%
Public swimming pools and private swim clubs	1 per 200 square feet of pool surface area (not including wading pools or whirlpool baths) plus 1 for each 200 square feet of building area in accessory structures in excess of 1,000 square feet.	25%
Public tennis courts and private tennis clubs, and racquetball courts	2 per court, plus 1 for each 200 square feet of clubhouse floor area in excess of 1,000 square feet.	20%
Recreation, indoor not elsewhere classified	4 per 1,000 square feet gross floor area accessible to the public.	25%
Rehabilitation centers, social service homes and halfway houses	1 per 500 square feet of floor area.	10%

Restaurants	3, plus 1 for each <u>3</u> <u>2</u> seats of seating capacity where service is provided.	10%
Restaurants with no seating	1 for each 200 square feet of gross floor area.	10%
Retail sales, large scale	1 per 500 square feet of floor area.	5%
Retail sales and personal services not listed elsewhere	1 per 250 square feet of floor area.	10%
Schools, Elementary	30, plus 2 per classroom.	100%
Schools, Middle	35, plus 2 spaces per classroom.	200%
Schools, High	1 per employee plus 1 per 10 students of design capacity.	100%
Single-family dwellings, mobile homes, family day care homes, foster family homes for children and for adults and group homes, small	<u>1</u> <u>2</u> per dwelling unit, mobile home, foster family home for children or for adults or group homes, small.	0; 10% if subsidized housing for low income residents.
Social service homes	1 per 2 paid employees and volunteer employees present during largest shift and 1 parking space for every <u>4</u> <u>2</u> beds.	10%
Sorority and fraternity houses with living accommodations	1 per every 110 square feet of bedroom floor area devoted to members plus 1 per each resident advisor, plus 1 per every 50 square feet of floor area devoted to dining and meeting rooms over 2,500 square feet.	50%
Storage associated with the principal use where the floor area of the storage space is greater than 50% of the floor area devoted to the principal use	1 for each 1,000 square feet of floor area designated for storage.	
T-hangers (airport)	1 per <u>3</u> hangers.	None

Trade, vocational and business not otherwise classified, and professional schools	1 per employee, plus 1 per 3 students of design capacity.	20%
Transportation services (railroad, bus, air terminals)	1 for each 5 <u>3</u> seats of seating capacity in waiting terminals.	10%
Two-family and attached dwellings	2 per dwelling unit.	0
Vehicle repair	1 per 200 square feet of floor area, including any outdoor work space.	2 spaces
Vehicle sales and rental	3, or 1 space per 500 square feet of floor area (including covered display areas, offices and service areas), plus 1 space per 5,000 square feet of outdoor storage and display area, whichever is greater.	5%
Veterinary services	1 for each 500 square feet of floor area exclusive of boarding areas.	5%
Wholesale products with retail trade	10, plus 1 for each 120 square feet retail sales area in excess of 1,000 square feet and 1 per 750 square feet of warehouse area open to the public.	5%
Wholesale trade and warehousing with no retail trade	3, plus 1 per 1,000 square feet of floor area.	5%

¹ The parking ratios for these uses ~~shall~~ will serve as a guide in determining overflow grass parking requirements.

~~B. Overflow parking. In situations where development proposals contain recreational facilities that are planned for regularly scheduled activities, the reviewing authority may require at site plan review, upon advice of the public works department, additional parking to be provided as overflow grass parking.~~

~~C. Reduction in number of required parking spaces. At site plan review, the reviewing authority may authorize a reduction in the number of required vehicular parking spaces if it is determined: 1) there will be adequate access to the development by acceptable alternative means, 2) that the reduction will not infringe upon the parking and access available to other properties in the area, and 3) that the reduction is not needed primarily for the erection,~~

113 ~~construction or placement of any building on any land. In addition, the reviewing authority~~
114 ~~shall consider the following criteria:~~

- 115 1. ~~Evidence that patrons and/or employees of the establishment will arrive by a~~
116 ~~transportation mode other than private vehicles.~~
- 117 2. ~~Evidence that there are an adequate number of parking spaces in the vicinity that are~~
118 ~~available to the general public who will use the development without reducing the~~
119 ~~spaces available to and used by other establishments.~~
- 120 3. ~~Evidence that the proposed use and likely future uses of the development will generate~~
121 ~~less parking than the minimum requirement of this chapter.~~
- 122 4. ~~Provision of convenient pedestrian and bicyclist access to the site based on its location~~
123 ~~and the development plan.~~
- 124 5. ~~Evidence that a reduction in required parking will not result in unauthorized on-street~~
125 ~~parking or use of parking provided by nearby businesses.~~
- 126 6. ~~In the case of the reuse or redevelopment of a site, evidence that a reduction in the~~
127 ~~parking requirement will enhance the ability to reuse an existing developed site.~~
- 128 7. ~~Whether the uses on site serve the recurring household needs and personal service~~
129 ~~requirements of the occupants of nearby residential areas, and are located in close~~
130 ~~proximity to a small service area.~~
- 131 8. ~~The number of existing parking spaces within 300 feet of the proposed use.~~

133 Section 30-7.6. Off-street loading and unloading.

134 A. *Purpose.* In order to prevent undue interference with public use of streets and alleys, every
135 manufacturing, storage, warehouse, department store, variety store, wholesale store,
136 laundry, dry cleaning, dairy, mortuary, and other uses similarly and customarily receiving or
137 distributing goods by motor vehicles ~~shall~~ must provide loading and unloading space on the
138 premises for that number of vehicles normally at the premises at any one time on an
139 average day of full use.

140 B. *Loading and unloading space.*

- 141 1. Every building housing a use mentioned in this section and having over 5,000 square
142 feet of gross floor area but less than 20,000 square feet of gross floor area ~~shall~~ must be
143 provided with at least one off-street loading/unloading space, immediately adjacent to
144 the principal building. In addition, one off-street loading/unloading space ~~shall~~ must be
145 provided for each additional 10,000 square feet of gross floor area or fraction thereof
146 over 20,000 square feet up to 50,000 square feet, plus one for each 25,000 square feet
147 over 50,000 square feet. Where the requirement exceeds five loading spaces, the traffic
148 engineer shall determine whether additional spaces are needed and to what extent.
149 Such space is defined as an area of at least 50 feet in depth, 12 feet in width and with an

overhead clearance of not less than 14 feet, exclusive of access, platform, or maneuvering area, to be used exclusively for loading and unloading of merchandise. The exact dimensions of the loading/unloading space(s) ~~shall be~~ are subject to the approval of the traffic engineer.

2. Access to all truck standing, loading, and unloading facilities ~~shall~~ must be provided directly from a public street or alley and ~~shall~~ must be so designed that all maneuvering areas are located on the property.

3. Loading spaces required under this subsection ~~shall~~ must be provided onsite as an area additional to maximum off-street parking spaces ~~as required in this article~~ and ~~shall~~ may not be considered as supplying off-street parking spaces.

~~4. Loading areas within a transect zone shall be located in the rear of the site, incorporated into the building mass, or screened from public view by a wall (up to a maximum of eight feet) and landscaping.~~

C. Loading areas within transect zones. In order to allow for in-fill development flexibility to better suit space restraints found within denser urban cores of the city, the approving authority will review, determine, and approve loading areas at development review in consideration of the following:

1. Width of streets adjacent to the development;

2. Times of deliveries;

3. Intensity of use;

4. Traffic; and

5. Site constraints.

If a loading area is required, it must be located in the rear of the site, incorporated into the building mass, or screened from public view by a wall (up to a maximum of eight feet) and landscaping.

D. Loading and unloading mid-street parking in Urban Streets. For the purpose of this section, Urban Streets are as defined in the Land Development Code and "mid-street" is defined as five feet from the centerline of a public right-of-way in each direction. A vehicle may use mid-street parking in Urban Streets for the temporary short-term loading and unloading of goods or supplies, provided the parking of the vehicle does not obstruct traffic and conforms to the following requirements:

1. The vehicle must straddle the center lines, leaving at least ten feet on each side for other vehicles to pass, and shall not be positioned so as to prevent or block access from or to any streets, driveways, parking lots, or parking spaces, or to interfere with pedestrian crosswalks or traffic.

2. Mid-street parking is limited to no more than 15 minutes, and may be used solely for purposes of loading or unloading of goods or supplies.

187 3. The vehicle must be parked at least 30 feet from any intersection and must have the
188 emergency hazard flashers activated at all times.

189 4. No mid-street parking is allowed between the hours of 1:30 a.m. and 2:30 a.m.

190 5. No mid-street parking is allowed during any special events or when traffic conditions
191 otherwise render mid-street parking unsafe, as ordered by a law enforcement officer.

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193 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
194 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
195 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
196 relettered in order to accomplish such intent.

197 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
198 the application hereof to any person or circumstance is held invalid or unconstitutional, such
199 finding will not affect the other provisions or applications of this ordinance that can be given
200 effect without the invalid or unconstitutional provision or application, and to this end the
201 provisions of this ordinance are declared severable.

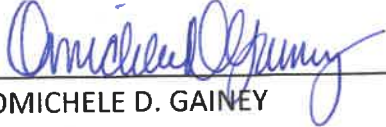
202 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
203 such conflict hereby repealed.


204 **SECTION 5.** This ordinance will become effective immediately upon adoption.


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206 **PASSED AND ADOPTED** this 29th day of November, 2022.

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Attest:


OMICHELE D. GAINES
CITY CLERK


LAUREN POE
MAYOR

Approved as to form and legality:

DANIEL M. NEE
INTERIM CITY ATTORNEY

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This ordinance passed on first reading this 20th day of October, 2022.
This ordinance passed on second reading this 29th day of November, 2022.