

**LEGISLATIVE #**

**110247A**

ORDINANCE NO. 110247

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4       **An ordinance of the City of Gainesville, Florida, amending Section 30-**  
5       **23 of the Land Development Code of the City of Gainesville by**  
6       **defining “service bay” and “service area entrance”; amending**  
7       **Appendix A, Section 5, Exhibit B. Central Corridors Special Area**  
8       **Plan of the Land Development Code, by revising the limitations on**  
9       **service bays for limited automotive services and deleting an obsolete**  
10       **graphics figure; providing directions to the codifier; providing a**  
11       **severability clause; providing a repealing clause; and providing an**  
12       **immediate effective date.**

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14       **WHEREAS,** publication of notice of a public hearing was given that the text of the Land  
15       Development Code of the City of Gainesville, Florida, be amended; and

16       **WHEREAS,** notice was given and publication made as required by law and a public  
17       hearing was then held by the City Plan Board on July 28, 2011; and

18       **WHEREAS,** at least 10 days notice has been given once by publication in a newspaper of  
19       general circulation notifying the public of this proposed ordinance and of a Public Hearing in the  
20       City Commission meeting room, City Hall, City of Gainesville; and

21       **WHEREAS,** public hearings were held pursuant to the published notices described above  
22       at which hearings the parties in interest and all others had an opportunity to be and were, in fact,  
23       heard.

24       **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
25       **CITY OF GAINESVILLE, FLORIDA:**

26       **Section 1.** Section 30-23 of the Land Development Code is amended by adding the  
27       following new definitions. All existing definitions in section 30-23 shall remain in full force and  
28       effect.

1 **Sec. 30-23. Definitions.**

2 Service bay means an area that is designed and constructed for the repair, servicing, or  
3 maintenance of a single motor vehicle and may include a vehicle lift or service well.

4 Service area entrance means an external door opening into an enclosed building that  
5 contains one or more service bays.

6 **Section 2.** Appendix A, Section 5, Exhibit B. Special Area Plan for the Central  
7 Corridors, (q) *auto-oriented uses* of the Land Development Code is amended as set forth below.  
8 Except as amended herein, Appendix A, Section 5, Exhibit B of the Land Development Code  
9 remains in full force and effect.

10 (q) *Auto-oriented uses.*

11 (1) *Intent.* Auto-oriented uses tend to create visual blight, and noise and light pollution  
12 that detracts from community character and nearby neighborhoods.

13 (2) *Standard.* Gas Stations, Car Washes, Auto Dealers, and Limited Automotive Services  
14 shall be designed to minimize interruption of pedestrian traffic. The number of gas pumps  
15 ~~and service bays~~ shall not exceed 4 fueling positions. ~~and 3 service bays.~~ (see figures 1 and

16 ~~2~~) <sup>\*see note to codifier below</sup> Service bays for limited automotive services shall be designed and  
17 located either:

18 (a) With a maximum of 3 service area entrances at the rear of the building, not  
19 exceeding 14 feet in width for each, which each provide direct access to an externally-  
20 oriented service bay; or

21 **\*NOTE TO CODIFIER: Delete existing figure 1 (maximum of three service bays)**  
22 **from the Code and renumber figure 2 (minimum of four fueling positions) to figure 1.**

1           **(b)** With a maximum of 2 service area entrances on the rear or side of the building,  
 2           not exceeding 26 feet in width for each, which provide indirect access to one or more  
 3           internally-oriented service bays.

4           **Section 3.** It is the intention of the City Commission that the provisions of Sections 1  
 5 and 2 of this ordinance shall become and be made a part of the Code of Ordinances of the City of  
 6 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered  
 7 or relettered in order to accomplish such intentions.

8           **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
 9 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
 10 finding shall not affect the other provisions or applications of the ordinance which can be given  
 11 effect without the invalid or unconstitutional provisions or application, and to this end the  
 12 provisions of this ordinance are declared severable.

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

15          **Section 6.** This ordinance shall become effective immediately upon final adoption.

16          **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011.

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 19 \_\_\_\_\_  
 20 CRAIG LOWE  
 21 MAYOR

22 ATTEST:

Approved as to form and legality

23  
 24  
 25 \_\_\_\_\_  
 26 KURT M. LANNON  
 27 CLERK OF THE COMMISSION

\_\_\_\_\_  
 MARION J. RADSON  
 CITY ATTORNEY

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2 This Ordinance passed on first reading this \_\_\_ day of \_\_\_\_\_, 2011.

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4 This Ordinance passed on second reading this \_\_\_ day of \_\_\_\_\_, 2011.