

Legislative #

110289-A

ORDINANCE NO. 110289

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3 **An ordinance of the City of Gainesville, Florida, amending the Land**
4 **Development Code; by creating and adding the definition of Ice**
5 **Manufacturing/Vending Machines to Section 30-23; adding Ice**
6 **Manufacturing/Vending Machines as a specially regulated use by right**
7 **to the list of permitted uses in the following districts: “BI: Business**
8 **industrial district”, “W: Warehousing and wholesaling district”, “I-1:**
9 **Limited industrial district”, “I-2: General industrial district”; adding**
10 **Ice Manufacturing Vending Machines as a specially regulated use by**
11 **special use permit in the following districts: “BUS: General business**
12 **district”, “BA: Automotive-oriented business district”, and “BT:**
13 **Tourist-oriented business district”; providing directions to the City**
14 **Manager; providing directions to the codifier; providing a severability**
15 **clause; and providing an immediate effective date.**
16

17 **WHEREAS**, publication of notice of a public hearing was given that the text
18 of the Land Development Code of the City of Gainesville, Florida, be amended
19 as more specifically described in this Ordinance; and

20 **WHEREAS**, notice was given and publication made as required by law and a
21 public hearing was then held by the City Plan Board on August 25, 2011; and

22 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide
23 by 10 inches long was placed in a newspaper of general circulation notifying the public of
24 the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall,
25 in the City of Gainesville at least seven (7) days after the day the first advertisement was
26 published; and

27 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches
28 long was placed in the aforesaid newspaper notifying the public of the second public hearing
29 to be held at the adoption stage at least five (5) days after the day the second advertisement
30 was published; and

1 WHEREAS, the public hearings were held pursuant to the published notices
2 described at which hearings the parties in interest and all others had an opportunity to be
3 and were, in fact, heard;

4 WHEREAS, the City Commission finds that these text changes are consistent
5 with the City of Gainesville Comprehensive Plan; and

6 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY**
7 **COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:**

8 **Section 1.** A new definition is created and added to subsection (c) of Section 30-23
9 of the Land Development Code, to read as follows (except as amended herein, the
10 remaining definitions in subsection (c) of § 30-23 remain unchanged and in full force and
11 effect):

12 Sec. 30-23. - Definitions.

13 (c) Throughout this chapter, the following words and phrases shall have the
14 meanings indicated unless the text of the article or section in which used clearly indicates
15 otherwise:

16 Ice manufacturing/vending machine means any free-standing, fully automated, self-
17 contained outdoor structure that manufactures and stores ice within the fully enclosed
18 structure and becomes activated to dispense ice in a bag or bulk when a customer inserts
19 money or a credit card for processing the transaction.

20 **Section 2.** Subsection (c)(1) of Section 30-67.1 of the Land Development Code of
21 the City of Gainesville, is amended to read as follows:

22 **Sec. 30-67.1. Business industrial district (BI).**

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24 (c) *Permitted uses.*

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(1) *Uses by right.*

SIC	Uses	Conditions
	Corporate offices	
	Day care centers	In accordance with article VI
	Eating Places	
	Places of religious assembly	In accordance with article VI
	Professional schools	As defined in article II
	Sales offices	
	Rehabilitation Centers	
	Exercise Studio	
	Research and Development in the Physical, Engineering and Life Sciences	Research and Development in the Physical, Engineering and Life Sciences, defined as establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects (NAICS 2002-541710
	Outdoor storage	In accordance with article VI
	Research, development and manufacturing of renewable energy including biofuels, solar and wind power products.	
	Facilities on premises for security personnel.	
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

GN 074	Veterinary services	Within fully enclosed structures and in accordance with article VI
IN 0752	Animal Specialty Services	
GN 076	Farm Labor and Management Services	
GN 078	Landscape and Horticultural Services	
MG 15	Building Construction	
MG 41	Local and Suburban Transit and Interurban Highway Passenger Transportation	
MG 42	Motor Freight Transportation And Warehousing	
MG 43	United States Postal Service	
MG 45	Transportation By Air	
MG 47	Transportation Services	
MG 48	Communications	
IN 7011	Hotels and Motels	
MG 72	Personal Services	
MG 73	Business Services	
MG 75	Automotive Repair, Services and Parking	
MG 76	Miscellaneous Repair services	
MG 78	Motion Pictures	
MG 79	Miscellaneous Amusement and Recreation Services	
MG 80	Health Services	
MG 81	Legal Services	
MG 86	Membership Organizations	
MG 87	Engineering, Accounting, Research, Management and Related Services	
Division G	Retail Trade	
Division H	Finance, insurance and real estate	
SIC-8999	Services, Not Elsewhere Classified	Within enclosed buildings

Division F	Wholesale excluding the following: scrap and waste materials (IN-5093); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); and petroleum and petroleum products (GN-517).	
Division C	Construction, excluding heavy construction other than building construction contractors (MG-16).	
MG 20	Food and kindred products (excluding the following: wet corn milling (IN-2046), raw cane sugar (IN-2061), and beet sugar (IN-2063).	
MG 22	Textile mill products, excluding cotton finishing plants (IN-2261).	
MG 23	Apparel and other finished products made from fabrics and similar materials	
GN-243	Millwork, veneer, plywood and structural wood members	
GN 244	Wood containers	
MG 25	Furniture and fixtures	
GN 267	Converted paper and paperboard products, except containers and boxes, excluding coated and laminated paper packaging (IN-2671).	
GN 265	Paperboard containers and boxes	
MG 27	Printing, Publishing and Allied Industries, excluding Gravure (IN 2754)	
GN 283	Drugs excluding medicinals and botanicals (IN 2833).	

GN 284	Soap, detergents and cleaning preparations, perfumes, cosmetics and other toilet preparations	
MG 31	Leather and leather products	
GN 323	Glass products, made of purchased glass	
GN 328	Cut stone and stone products	
IN 3444	Sheet metal work	
MG 352	Farm and garden machinery and equipment	
MG 36	Electronic and other electrical equipment and components, except computer equipment	
MG 38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks	
MG 39	Miscellaneous manufacturing industries	
GN 833	Job training and vocational rehabilitation services	
Division J	Public Administration	

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Section 3. Subsection (c) of Section 30-68 of the Land Development Code of the City of Gainesville, is amended to read as follows:

Sec. 30-68. Warehousing and wholesaling district (W).

(c) *Permitted uses.*

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Assembly of microcomputers for wholesaling and retailing purposes (assembly only if premanufactured parts are made off-site)	

	Compound uses	In accordance with the requirements of this section
	Eating places	
	Outdoor cafes	As defined in article II and in accordance with article VI
	Outdoor storage	In accordance with article VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Public service vehicles	As defined and in accordance with article VI
	Residential (eight to 30 dwelling units per acre)	In accordance with the requirements of the RMF-6, RMF-7 or RMF-8 zoning districts and the additional requirements of this section
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural service	
GN-205	Bakery products	
IN-2067	Chewing gum	
GN-208	Beverages	
IN-2095	Roasted coffee	
IN-2097	Manufactured ice	
IN-2099	Food preparations not elsewhere classified	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
Div. C	Construction	Excluding heavy construction other than building construction - contractors (MG-16)
MG-40	Railroad transportation	
MG-41	Local and suburban transit and inter-urban highway passenger transportation	

MG-42	Motor freight transportation and warehousing	
MG-43	U.S. Postal Service	
MG-47	Transportation services	
MG-48	Communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
Div. F	Wholesale trade	Excluding motor vehicle parts, used (IN-5015); construction and mining machinery and equipment (IN-5082); transportation equipment and supplies, except motor vehicles (IN-5088); scrap and waste materials (IN-5093); and petroleum and petroleum products (GN-517).
MG-52	Building materials, hardware, garden supply and mobile home dealers	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI, and by special use permit in neighborhood convenience and shopping centers
GN-553	Auto and home supply stores	
GN-554	Gasoline service stations	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Excluding fuel dealers (GN-598)
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developers (IN-6533)
MG-72	Personal services	

MG-73	Business services	Including disinfecting and pest control services (IN-7342), in accordance with article VI.
GN-751	Automotive rental and leasing, without drivers	
GN-752	Automobile parking	
IN-7542	Carwashes	In accordance with article VI
MG-76	Miscellaneous repair services	Including repair services for household needs as defined in this chapter
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833)
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and intermediate care facilities in accordance with article VI where applicable, and excluding rehabilitation centers and hospitals (GN-806)
MG-81	Legal services	
MG-82	Educational services	Including private schools, in accordance with article VI
MG-83	Social services	Including day care centers as defined in this chapter and in accordance with article VI, excluding residential care (GN-836), rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in this chapter
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research management and related services	

MG-89	Services, not elsewhere classified	
Div. J	Public administration	
	Places of religious assembly	In accordance with article VI
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>
	USES BY SPECIAL USE PERMIT	
	Limited automotive services	In accordance with article VI
	Other uses (including light assembly or packaging)	Within completely enclosed structures. Outdoor storage prohibited. Truck traffic limited to that normal to commercial activities such as grocery stores, loading docks. Mechanical equipment must be screened, and sound attenuation must be provided to any adjacent residential area or area in actual residential use. No access to any residential street. Must meet industrial buffers. Storage of hazardous materials must be in accordance with the county hazardous materials management code.
	Recycling centers	In accordance with article VI
	Transmitter towers	In accordance with article VI
GN-701	Hotels and motels	

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Section 4. Subsection (c)(1) of Section 30-69 of the Land Development Code of

the City of Gainesville, is amended to read as follows:

Sec. 30-69. Limited industrial district (I-1).

- (c) *Permitted uses.*
 - (1) *Uses by right.*

- 1 a. Wholesale trade (Div. F), excluding the following: scrap and waste
2 materials (IN-5093); construction and mining machinery and
3 equipment (IN-5082); transportation equipment and supplies,
4 except motor vehicles (IN-5088); and petroleum and petroleum
5 products (GN-517).
6 b. Lumber and other building material dealers (GN-521).
7 c. Construction (Div. C), excluding heavy construction other than
8 building construction contractors (MG-16).
9 d. Printing, publishing and allied industries (MG-27), excluding
10 gravure commercial printing (IN-2754).
11 e. Railroad transportation (MG-40).
12 f. Local and suburban transit and interurban highway passenger
13 transportation (MG-41).
14 g. Motor freight transportation and warehousing (MG-42).
15 h. U.S. Postal Service (MG-43).
16 i. Transportation services (MG-47).
17 j. Business services (MG-73) ; including disinfecting and pest
18 control services (IN-7342), in accordance with article VI.
19 k. Miscellaneous manufacturing industries (MG-39).
20 l. Measuring, analyzing and controlling instruments; photographic,
21 medical and optical goods; watches and clocks (MG-38).
22 m. Communications (MG-48).
23 n. Food and kindred products (MG-20), excluding the following: wet
24 corn milling (IN-2046), raw cane sugar (IN-2061), and beet sugar
25 (IN-2063).
26 o. Textile mill products (MG-22), excluding cotton finishing plants
27 (IN-2261).
28 p. Wood containers (GN-244).
29 q. Apparel and other finished products made from fabrics and similar
30 materials (MG-23).
31 r. Eating places.
32 s. Personal services (MG-72).
33 t. Automotive repair, services and parking (MG-75).
34 u. Miscellaneous repair services (MG-76).
35 v. Outdoor storage in accordance with article VI.
36 w. Nonstore retailers (GN-596).
37 x. Public service vehicles, in accordance with article VI.
38 y. Gasoline service stations (GN-554), in accordance with article VI.
39 z. Landscape and horticultural services (GN-078).
40 aa. Veterinary services (GN-074), in accordance with article VI.
41 bb. Animal specialty services (IN-0752).
42 cc. Farm labor and management services (GN-076).
43 dd. Building materials, hardware, garden and mobile home dealers
44 (MG-52).
45 ee. Reserved.

- 1 ff. Reserved.
- 2 gg. Auto and home supply stores (GN-553).
- 3 hh. Boat dealers (GN-555).
- 4 ii. Motorcycle dealers (GN-557).
- 5 jj. Automotive dealers, not elsewhere classified (e.g., aircraft, go-
- 6 carts) (GN-559).
- 7 kk. Fuel dealers (GN-598).
- 8 ll. Car washes (IN-7542), in accordance with article VI.
- 9 mm. Reserved.
- 10 nn. Amusement and recreation services, not elsewhere classified (IN-
- 11 7999), excluding go-cart raceway operations and go-cart rental
- 12 (see special use permit).
- 13 oo. Engineering, architectural and surveying services (GN-871).
- 14 pp. Noncommercial research organizations (IN-8733).
- 15 qq. Home furniture, furnishings and equipment stores (MG-57).
- 16 rr. Any accessory use incidental to any permitted principal use.
- 17 ss. Miscellaneous wood products (GN-249).
- 18 tt. Accounting, auditing and bookkeeping services (GN-872).
- 19 uu. Bowling centers (GN-793).
- 20 vv. Furniture and fixtures (MG-25).
- 21 ww. Converted paper and paperboard products, except containers and
- 22 boxes (GN-267), excluding coated and laminated paper packaging
- 23 (IN-2671).
- 24 xx. Paperboard containers and boxes (GN-265).
- 25 yy. Drugs (GN-283), excluding medicinals and botanicals (IN-2833).
- 26 zz. Soap, detergents and cleaning preparations, perfumes, cosmetics
- 27 and other toilet preparations (GN-284).
- 28 aaa. Leather and leather products (MG-31).
- 29 bbb. Glass products, made of purchased glass (GN-323).
- 30 ccc. Cut stone and stone products (GN-328).
- 31 ddd. Sheetmetal work (IN-3444).
- 32 eee. Farm and garden machinery and equipment (MG-352).
- 33 fff. Electronic and other electrical equipment and components, except
- 34 computer equipment (MG-36).
- 35 ggg. Meat and fish (seafood) markets, including freezer provisioners
- 36 (GN-542).
- 37 hhh. Fruit and vegetable markets (GN-543).
- 38 iii. Job training and vocational rehabilitation services (GN-833).
- 39 jjj. Millwork, veneer, plywood and structural wood members (GN-
- 40 243).
- 41 kkk. Used merchandise stores (GN-593), only within enclosed
- 42 buildings.
- 43 lll. Ice dealers.
- 44 mmm. Facilities on premises for security personnel.
- 45 nnn. Motor vehicle dealers (new and used) (IN-5511).

- 1 ooo. Research, development and testing services (GN-873).
 2 ppp. Air courier services (IN-4513).
 3 qqq. Corporate offices.
 4 rrr. Ice manufacturing/vending machines in accordance with article VI.
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6 **Section 5.** Subsection (c)(1) of Section 30-70 of the Land Development Code of

7 the City of Gainesville, is amended to read as follows:

8 **Sec. 30-70. General industrial district (I-2).**
 9

10 (c) *Permitted uses.*

11 (1) *Uses by right.*

- 12
- 13 a. Food and kindred products (MG-20), excluding the following: wet
 14 corn milling (IN-2046); raw cane sugar (IN-2061); beet sugar (IN-
 15 2063); soybean oil mills (IN-2075); and distilled liquor (IN-2085).
 16 b. Tobacco products (MG-21), excluding cigarettes (IN-2111).
 17 c. Textile mill products (MG-22), excluding cotton finishing plants
 18 (IN-2261).
 19 d. Apparel and other finished products made from fabrics and similar
 20 materials (MG-23).
 21 e. Lumber and wood products, except furniture (MG-24).
 22 f. Furniture and fixtures (MG-25).
 23 g. Paper and allied products (MG-26), excluding the following: pulp
 24 mills (IN-2611); paper mills (IN-2621); paperboard mills (IN-
 25 2631); and packaging--coated and laminated paper (IN-2671).
 26 h. Printing, publishing, and allied industries (MG-27), excluding
 27 gravure commercial printing (IN-2754).
 28 i. Chemicals and allied products (MG-28), excluding the following:
 29 alkalis and chlorine (IN-2812); inorganic pigments (IN-2816);
 30 cellulosic manmade fibers (IN-2823); noncellulosic organic fibers
 31 (IN-2824); gum and wood chemicals (IN-2861); nitrogenous
 32 fertilizers (IN-2873); phosphatic fertilizers (IN-2874); synthetic
 33 rubber (IN-2822); medicinals and botanicals (IN-2833); cyclic
 34 crudes and intermediates (IN-2865); explosives (IN-2892); and
 35 carbon black (IN-2895).
 36 j. Petroleum refining and related industries (MG-29), excluding the
 37 following: petroleum refining (IN-2911); petroleum and coal
 38 products (not elsewhere classified) (IN-2999); and asphalt paving
 39 mixtures and blocks (IN-2951).
 40 k. Rubber and miscellaneous plastics products (MG-30).
 41 l. Leather and leather products (MG-31).
 42 m. Stone, clay, glass, and concrete products (MG-32), excluding the
 43 following: hydraulic cement (IN-3241); lime (IN-3274); flat glass

- 1 (IN-3211); glass containers (IN-3221); pressed and blown glass
 2 (not elsewhere classified) (IN-3229); brick and structural clay tile
 3 (IN-3251); ceramic wall and floor tile (IN-3253); clay refractories
 4 (IN-3255); structural clay products (not elsewhere classified) (IN-
 5 3259); vitreous plumbing fixtures (IN-3261); vitreous china food
 6 utensils (IN-3262); gypsum products (IN-3275); and ground or
 7 treated minerals (IN-3295).
- 8 n. Primary metal industries (MG-33), excluding the following: steel
 9 works, blast furnaces, and rolling mills (IN-3312);
 10 electrometallurgical products (IN-3313); primary copper (IN-
 11 3331); primary aluminum (IN-3334); primary nonferrous metals
 12 (not elsewhere classified) (IN-3339); secondary smelting and
 13 refining of nonferrous metals (IN-3341); gray iron foundries (IN-
 14 3321); copper rolling and drawing (IN-3351); aluminum extruded
 15 products (IN-3354); aluminum rolling and drawing (IN-3355);
 16 aluminum die-castings (IN-3363); and copper foundries (IN-3366).
- 17 o. Fabricated metal products, except machinery and transportation
 18 equipment (MG-34), excluding the following: nonferrous forgings
 19 (IN-3463); and metal coatings and allied services (IN-3479).
- 20 p. Industrial and commercial machinery and computer equipment
 21 (MG-35).
- 22 q. Electronic and other electrical equipment and components, except
 23 computer equipment (MG-36).
- 24 r. Transportation equipment (MG-37).
- 25 s. Measuring, analyzing, and controlling instruments; photographic,
 26 medical and optical goods; watches and clocks (MG-38).
- 27 t. Miscellaneous manufacturing industries (MG-39).
- 28 u. Construction (Div. C).
- 29 v. Transportation, communications, electric, gas and sanitary services
 30 (Div. E).
- 31 w. Wholesale trade (Div. F), excluding junkyards and salvage yards.
- 32 x. Building materials, hardware, garden supply and mobile home
 33 dealers (MG-52).
- 34 y. Fuel dealers (GN-598).
- 35 z. Business services (MG-73); including disinfecting and pest control
 36 services (IN-7342), in accordance with article VI .
- 37 aa. Automotive repair, services and parking (MG-75).
- 38 bb. Miscellaneous repair services (MG-76).
- 39 cc. Reserved.
- 40 dd. Landscape and horticultural services (GN-078).
- 41 ee. Eating places.
- 42 ff. Personal services (MG-72).
- 43 gg. Outdoor storage.
- 44 hh. Veterinary services (GN-074), in accordance with article VI.
- 45 ii. Animal services, except veterinary (GN-075).

- 1 jj. Nonstore retailers (GN-596).
- 2 kk. Public service vehicles in accordance with article VI.
- 3 ll. Farm labor and management services (GN-076).
- 4 mm. Car washes (IN-7542).
- 5 nn. Reserved.
- 6 oo. Amusement and recreation services, not elsewhere classified (IN-
- 7 7999), excluding go-cart raceway operations and go-cart rentals.
- 8 pp. Noncommercial research organizations (IN-8733).
- 9 qq. Engineering, architectural and surveying services (IN-871).
- 10 rr. Any accessory use incidental to a permitted principal use.
- 11 ss. Legal services (MG-81).
- 12 tt. Motion picture production and allied services (GN-781); motion
- 13 picture distribution and allied services (GN-782).
- 14 uu. Bowling centers and billiard and pool establishments (GN-793).
- 15 vv. Recycling centers, in accordance with article VI.
- 16 ww. Research, development and testing service (GN-873)
- 17 xx. Sexually oriented motion picture theaters, in accordance with
- 18 Section 30-90.
- 19 yy. Sexually oriented cabarets, in accordance with Section 30-90.
- 20 zz. Sexually oriented retail stores, in accordance with Section 30-90.
- 21 aaa. Ice manufacturing/vending machines in accordance with Article
- 22 VI.

24 **Section 6.** The Uses by Special Use Permit of subsection (c) of Section 30-61 of
 25 the Land Development Code of the City of Gainesville, is amended to read as follows
 26 (except as amended herein, the remaining “Uses by Right” in subsection (c) of Section
 27 30-61 remain unchanged in full force and effect):

28 **Sec. 30-61. General business district (BUS).**

29 (c) *Permitted uses.*

USES BY SPECIAL USE PERMIT	
Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
Alcoholic beverage establishments	In accordance with article VI
Food distribution center for the needy	In accordance with article VI
Limited automotive services	In accordance with article VI

	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
GN-598	Fuel dealers	In accordance with article IX
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

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Section 7. The Uses by Special Use Permit of subsection (c) of Section 30-62 of the Land Development Code of the City of Gainesville, is amended as follows (except as amended herein, the remaining “Uses by Right” in subsection (c) of Section 30-62 remain unchanged and in full force and effect):

Sec. 30-62. Automotive-oriented business district (BA).

(c) *Permitted uses.*

	USES BY SPECIAL USE PERMIT	
IN-7542	Carwashes	
	<u>Ice manufacturing/vending machines</u>	<u>In accordance with article VI</u>

Section 8. Paragraph (2) of Section 30-63(c) of the Land Development Code of the City of Gainesville, is amended as follows:

Section 30-63. Tourist-oriented business district (BT).

(c) *Permitted uses.*

(2) Uses by special use permit.

- a. Carwashes (IN-7542), in accordance with article VI.
- b. Food distribution centers for the needy, in accordance with article VI.
- c. Residences for destitute people, in accordance with article VI.
- d. Ice manufacturing/vending machines, in accordance with article VI.

1 **Section 9.** It is the intention of the City Commission that the provisions of
 2 Sections 1 - 8 of this ordinance shall become and be made a part of the Code of
 3 Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of
 4 this Ordinance may be renumbered or relettered in order to accomplish such intentions.

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

10 **Section 11.** All ordinances or parts of ordinances, in conflict herewith are to the
 11 extent of such conflict hereby repealed.

12 **Section 12.** This ordinance shall become effective immediately upon final
 13 adoption.

14 **PASSED AND ADOPTED** this ____ day of _____, 2011.

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 CRAIG LOWE, MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY

 KURT M. LANNON
 CLERK OF THE COMMISSION

 MARION J. RADSON
 CITY ATTORNEY

This Ordinance passed on first reading this ____ day of _____, 2011.

1 This Ordinance passed on second reading this ____ day of _____, 2011.
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