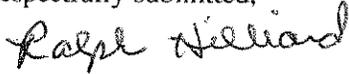


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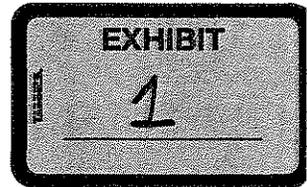
With this district staff is trying to be proactive and respond to some of the comments we have received from economic development professionals. The main comment has been that Gainesville does not have flexible zoning or enough land that will allow larger or expanding companies to locate here. This is the first step in attempting to address this concern.

Based on the need for this district, staff recommends approval of this district.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ralph Hilliard".

Ralph Hilliard
Planning Manager



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ORDINANCE NO. _____
0-06-122

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan by adding a new land use category, "Business Industrial," to policy 4.1.1, specifying conditions and limitations; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the City of Gainesville 2000-2010 Comprehensive Plan be amended; and

WHEREAS, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on November 15, 2007; and

WHEREAS, pursuant to law, an advertisement was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the Public Hearing to be held at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at least 7 days after the day the first advertisement was published; and

WHEREAS, pursuant to law, after the public hearing at the transmittal stage the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

WHEREAS, a second advertisement was placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at the adoption stage at least 5 days after the day the second advertisement was published; and

WHEREAS, the two Public Hearings were held pursuant to the published notices described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

1 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered
2 the comments, recommendation and objections, if any, of the State Land Planning Agency.

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

5 **Section 1.** Policy 4.1.1 of the Future Land Use Element of the City of Gainesville
6 2000-2010 Comprehensive Plan, is amended by adding the "Business Industrial" land use
7 category, to read as follows:

8 **Business Industrial.** This land use category is primarily intended to identify those areas
9 near the Gainesville Regional Airport appropriate for office, business, commercial and
10 industrial uses. This district is distinguished from other industrial and commercial districts
11 in that it is designed specifically to allow only uses that are compatible with the airport.
12 Intensity will be controlled by adopting land development regulations that establish height
13 limits consistent with the Airport Hazard Zoning Regulations. When not located within an
14 airport zone of influence, this category may be used to designate areas for office, business,
15 commercial and industrial uses, with a maximum height of 5 stories. Land development
16 regulation(s) shall specify the type and distribution of uses, design criteria, landscaping,
17 pedestrian and vehicular access.

18
19 **Section 2.** The City Manager is authorized and directed to make the necessary changes
20 in maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element,
21 or portion thereof in order to fully implement this ordinance.

22 **Section 3.** It is the intent of the City Commission that this amended element will
23 become part of the City of Gainesville 2000-2010 Comprehensive Plan.

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

29 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent

1 of such conflict hereby repealed.

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

3 however, the effective date of this plan amendment shall be the date a final order is issued by

4 the Department of Community Affairs finding the amendment to be in compliance in

5 accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the

6 Administration Commission finding the amendment to be in compliance in accordance with

7 Chapter 163.3184, F.S.

8 **PASSED AND ADOPTED** this ____ day of _____, 2008.

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 PEGEEN HANRAHAN
 MAYOR

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ATTEST:

Approved as to form and legality

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 KURT M. LANNON
 CLERK OF THE COMMISSION

 MARION J. RADSON
 CITY ATTORNEY

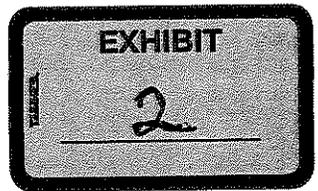
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20 This Ordinance passed on first reading this ____ day of _____, 2008.

21 This Ordinance passed on second reading this ____ day of _____, 2008.

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Business Industrial District

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

- (a) *Purpose.* The BI district is established for the purpose of providing sufficient space in appropriate locations physically suitable for the development of certain office, business and industrial uses in a combined setting. This district will facilitate the development of a business park that will cater to a variety of uses that support and complement each other and reduce external trips for goods and services. This district supports enterprises engaging in light manufacturing, processing or fabrication of products and machinery, research and development operations, business retail, medical uses and wholesale or storage distribution concerns. This district contains uses which generally are not objectionable because of noise, heavy truck traffic or fumes, or uses that can be adequately regulated for mitigation of nuisances by performance standards.
- (b) *Objectives.* The provisions of this district are intended to:
- (1) Provide a business/employment center that allows a variety of uses where employees, have access to goods and services without having to leave the business park environment;
 - (2) Accommodate enterprises with functions requiring access to transportation services by providing them with locations that are in close proximity to necessary transportation facilities such as major thoroughfares, railroads or air terminals for the reception and eventual distribution of their goods or services;
 - 3) Encourage business park development in appropriate location through out the community to occur where public facilities and services are existing or are within plans for improvement.
 - (4) Allow a mixed of uses that are compatible with Airport Operations in appropriate areas near the Gainesville Regional Airport:
 - (4) Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development; and
 - (5) Encourage the infill and/or redevelopment of existing areas that would benefit from the opportunity to combine business and industrial uses.

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(c) Permitted uses.

(1) Uses by right.

SIC	Uses	Conditions
	Corporate offices	
	Day care centers	In accordance with article VI
	Eating Places	
	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
	<u>Research, development and manufacturing of renewable energy including biofuels, solar and wind power products.</u>	
	Facilities on premises for security personnel.	
GN 074	Veterinary services	Within fully enclosed structures and in accordance with article VI
GN 078	Landscape and horticultural Services	
MG 15	Building Construction	
MG 43	United States Postal Service	

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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 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
MG-94 through MG-96	Public administration	
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,	

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	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	
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	

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MG 39	Miscellaneous manufacturing industries	
GN 833	Job training and vocational rehabilitation services	
Division J	Public Administration	

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

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

(1) Required yard setbacks:

- a. Setback from an arterial or collector as shown in the comprehensive plan: 25 feet minimum, 60 feet maximum.
- b. Maximum setback from roads internal to the BI district: 20 feet.
- c. Side, interior: Ten (10) 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 (50) feet.

- d. Side, street: Twenty (20) feet.
- e. Rear: Twenty (20) 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 (50) feet.

- f. Maximum Building Height: 5 stories
- g. Maximum Floor Area Ratio: 4
- h. Maximum lot coverage: 80 percent

(2) Within three hundred (300) feet of any property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan, all activity and uses except storage of equipment and parking shall be conducted within completely enclosed structures.

(e) *Additional requirements.*

(1) *General conditions.* New unified developments and subdivisions of three and one half acre shall meet the following standards:

- a. Perimeter landscaping shall be provided averaging 25 feet in width, but not less than 15 feet in width at any given point. Such landscaped area shall be developed to attain opacity of 75 percent within three years. The design of such landscaped area may include berms, decorative masonry and shrubs; however, at a minimum shade trees from the list of shade trees adopted by the City Commission shall be planted approximately every 50 feet. At least 50 percent of the landscaped area must be devoted to living plant materials, and the stormwater management, drainage and parking uses shall not encroach upon the landscaped area. Heritage and Champion trees preserved on site may be used to meet this requirement with the approval of the appropriate reviewing board and if the intent of this provision is being met.
- b. The development shall be designed to provide safe and convenient access from public transit routes, sidewalks and bikeways to uses within the development. Sidewalks should be required for both sides of streets.
- c. Services areas and mechanical equipment shall be sited so as to minimize visibility from the perimeter of the development and shall be designed and situated so as to minimize impacts on adjacent properties.
- d. Access shall be designed, insofar as possible, to promote shared use of driveways between adjacent lots and to local streets.
- e. Stormwater management systems shall be designed to maximize an integrated design among the various lots or tracts within the development. The aesthetic treatment of retention/detention facilities through the use of contour, landscaping and the incorporation of water features shall be encouraged.

(2) *Standards for manufacturing uses.* All permitted manufacturing uses (classified as MG-20 through MG-39 of the Standard Industrial Classification Manual) shall conform to the following additional standards:

- a. The manufacturing use shall be limited to the fabrication, manufacture, assembly or processing of materials which are, for the most part, already in processed form.

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- b. All activity and uses except storage, loading and unloading operations, and parking shall be conducted within completely enclosed structures.
 - c. Night operations, including loading and unloading, are prohibited within 300 hundred (300) feet of the property line of any residential zoning district or area which is shown for residential use on the future land use map of the comprehensive plan, unless conducted within a completely enclosed building which has no openings other than stationary windows or required fire exits within the three-hundred-foot area. Night operations are those conducted between the hours of 9:00 p.m. and 6:00 a.m. This prohibition shall not apply to security personnel or other security operations. The appropriate reviewing board may grant a wavier to this prohibition if noise attenuation and screening is provided.
- (4) *Airport Operations.* Developments and uses located in the airport clear and noise zones must comply with the City of Gainesville Airport Hazard Zoning regulations. Permitted uses may be restricted or prohibited within the airport clear and noise zones.

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Recommendation: Staff recommends that Sec. 30-46 be amended to add the BI (Business Industrial) zoning district to the table below as an implementing zoning for the Industrial Land Use, and that the table be amended to add the Business Industrial land use to the table with the implementing BI, PD, CON, and PS zoning districts.

Sec. 30-46. Correspondence of zoning districts with future land use categories.

The following table establishes the zoning districts allowable within the future land use categories from the comprehensive plan. Zoning district changes to a new district which fall into a different future land use category shall require a change in the future land use category also.

CORRESPONDENCE OF ZONING DISTRICTS WITH FUTURE LAND USE CATEGORIES

Zoning Districts	Future Land Use Category
RSF-1, RSF-2, RSF-3, RSF-4, 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, 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)

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Petition 104TCH-08 PB City Plan Board. Amend the Land Development Code, Chapter 30 to add a new zoning district, Business/Industrial Zoning District.

Ralph Hilliard, Planning Manger gave the staff presentation and stated that during the process of amending the Comprehensive Plan for the Airport area with the County, it was determined that adding a new zoning district of Business/Industrial Zoning would be necessary. Mr. Hilliard further stated that this new zoning district would implement:

- Plan East Gainesville around the Airport area creating an Employment/Business Activity Center along 39th Avenue and the County Fairgrounds
- a compatible land use and zoning around the Airport
- a flexible Business Park Development zoning that will allow a mix of Office, Business and Light Industrial uses

A citizen came forward and inquired if this petition allows for adult entertainment and social services uses. Mr. Hilliard stated that it does not allow for adult entertainment uses, but will allow for a regular movie theater and some Social Services uses.

Motion By: Jon Reiskind	Seconded By: Jack Walls
Moved To: Approve.	Upon Vote: 4 – 0.