

Registrar No. 980273

CITY OF GAINESVILLE
Office of the City Attorney

Memorandum

334-5011/Fax 334-2229

Box No. 46

November 9, 1998

TO: Mayor and City Commission

DATE: October 26, 1998

FROM: Marion J. Radson, City Attorney

~~FIRST READING~~
SECOND READING

SUBJECT: Ordinance No. 0-98-106; Petition No. 142TCH-98PB

An ordinance of the City of Gainesville, Florida, amending sections 30-61 (BUS district), 30-62 (BA district), 30-64 (MU-1 district), 30-65 (MU-2 district) and 30-66 (CCD district) to add silk screening on cloth (SIC codes IN-2261 and IN-2262) as uses permitted by right; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance.

At its meeting on September 14, 1998, the City Commission authorized the City Attorney to draft and the Clerk to advertise an ordinance adding in certain zoning districts, as uses permitted by right, silk screening on cloth.

Prepared by:



Patricia M. Carter
Assistant City Attorney

Approved and
Submitted by:



Marion J. Radson
City Attorney

MJR:PC:sw

PASSED ON FIRST READING BY A VOTE OF 5-0.

ORDINANCE NO. 0-98-106

An ordinance of the City of Gainesville, Florida, amending sections 30-61 (BUS district), 30-62 (BA district), 30-64 (MU-1 district), 30-65 (MU-2 district) and 30-66 (CCD district) to add silk screening on cloth (SIC codes IN-2261 and IN-2262) as uses permitted by right; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the Land Development Code of the City of Gainesville, Florida, 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 August 20, 1998; and

WHEREAS, notice was given and publication made of a Public Hearing which was then held by the City Commission on September 14, 1998; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission meeting room, City Hall, City of Gainesville to be held at least 10 days after the day this first advertisement was published; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of the second Public Hearing to be held at the adoption stage at least 5 days after the day this second advertisement was published; and

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

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

6 **Section 1.** Section 30-61(c) of the Land Development Code is amended to include the
7 following uses. These uses should be inserted after use GN-173. All other uses
8 should remain unchanged.

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

10 (c) *Permitted uses.*

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	USES BY RIGHT:	
<u>IN-2261</u>	<u>Finishers of broadwoven</u> <u>fabrics of cotton</u>	
<u>IN-2262</u>	<u>Finishers of broadwoven</u> <u>fabrics of manmade fiber and</u> <u>silk</u>	

12 **Section 2.** Section 30-62(c) is reformatted and amended to read as follows:

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

14 (c) *Permitted uses.*

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	USES BY RIGHT:	
	Any accessory use	

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	customarily incidental to a permitted principal use	
	Eating places	
	Ice dealers, retail only	
MG-15	Building construction - General contractors and operative builders	
MG-17	Construction-special trade contractors	
<u>IN-2261</u>	<u>Finishers of broadwoven fabrics of cotton</u>	
<u>IN-2262</u>	<u>Finishers of broadwoven fabrics of manmade fiber and silk</u>	
MG-27	Printing, publishing and allied industries	
MG-41	Local and suburban transit and interurban highway passenger transportation	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	
GN-501	Motor vehicles and motor vehicle parts and supplies, wholesale	Excluding motor vehicle parts, used (IN-5015)
GN-504	Professional and commercial equipment and supplies, wholesale	
GN-508	Machinery, equipment and supplies, wholesale	Excluding construction and mining (except petroleum) machinery and equipment (IN-5082), industrial machinery and equipment (IN-5084), and transportation equipment and supplies,

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
		except motor vehicles (IN-5088)
MG-52	Building materials, hardware, garden supply and mobile home dealers	
MG-54	Food stores	
MG-55	Automotive dealers and gasoline service stations	Including gasoline service stations in accordance with the requirements and conditions of Article VI
GN-596	Nonstore retailers	
GN-598	Fuel dealers	
IN-5999	Hot tubs, swimming pools, whirlpool baths, retail only	
Div. H	Finance, insurance and real estate	
MG-72	Personal services	Including funeral services and crematories in accordance with the conditions and requirements of Article VI
MG-73	Business services	Excluding heavy construction equipment rental and leasing (IN-7353), airplane rental and leasing, oil field equipment rental and leasing and oil well drilling equipment rental and leasing
MG-75	Automotive repair, services, and parking	Excluding carwashes (IN-7542)
MG-76	Miscellaneous repair services	
IN-7833	Drive-in motion picture theaters	
MG-79	Amusement and recreation services	Excluding go-cart raceway operations and go-cart rentals

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
MG-86	Membership organizations	
	USES BY SPECIAL USE PERMIT	
IN-7542	Carwashes	

Section 3. Section 30-64(e) of the Land Development Code is amended to include the following uses. These uses should be inserted after use GN-173. All other uses should remain unchanged.

Sec. 30-64. Mixed use low intensity district (MU-1).

(e) *Permitted uses.*

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	USES BY RIGHT:	
<u>IN-2261</u>	<u>Finishers of broadwoven fabrics of cotton</u>	
<u>IN-2262</u>	<u>Finishers of broadwoven fabrics of manmade fiber and silk</u>	

Section 4. Section 30-65(c) of the Land Development Code is amended to include the following uses. These uses should be inserted after use GN-173. All other uses should remain unchanged.

Sec. 30-65. Mixed use medium intensity district (MU-2).

(c) *Permitted uses.*

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	USES BY RIGHT:	
<u>IN-2261</u>	<u>Finishers of broadwoven fabrics of cotton</u>	
<u>IN-2262</u>	<u>Finishers of broadwoven fabrics of manmade fiber and silk</u>	

Section 5. Section 30-66(c) of the Land Development Code is amended to include the following uses. These uses should be inserted after use MG-17. All other uses should remain unchanged.

Sec. 30-66. Central city district (CCD).

(c) *Permitted uses.*

<i>SIC</i>	<i>Uses</i>	<i>Conditions</i>
	USES BY RIGHT:	
<u>IN-2261</u>	<u>Finishers of broadwoven fabrics of cotton</u>	
<u>IN-2262</u>	<u>Finishers of broadwoven fabrics of manmade fiber and silk</u>	

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

Section 7. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 8. All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 9. This ordinance shall become effective immediately upon final adoption.

PASSED AND ADOPTED this _____ day of _____, 1998.

PAULA M. DeLANEY
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 _____, 1998.

This Ordinance passed on second reading this _____ day of _____, 1998.

carter:ordinances:142TCH-98PB