



MEMORANDUM

Office of the City Attorney

Legistar No. 000517

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: December 11, 2000
FIRST READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-00-133; Petition No. 148TCH-00 PB
An ordinance of the City of Gainesville, Florida; amending the definition of "single-family dwelling" contained in section 30-23 of the Land Development Code of the City of Gainesville; 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 November 13, 2000 meeting, the City Commission authorized the City Attorney to draft and the Clerk of Commission to advertise an ordinance amending the definition for "single-family dwelling" in Section 30-23 of the Land Development Code. The amended definition only applies to RSF-1, 2, 3, 4 and RC zoning districts and all residential planned developments with densities less than eight units per acre. Adoption of this ordinance will automatically repeal the temporary moratorium ordinance (000115) adopted on July 24, 2000.

Prepared by:

Patricia M. Carter
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson
City Attorney

MJR:PMC:sw

D R A F T

11-20-00

ORDINANCE NO. 0-00-133

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An ordinance of the City of Gainesville, Florida; amending the definition of “single-family dwelling” contained in section 30-23 of the Land Development Code of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, on July 24, 2000 the City Commission of the City of Gainesville adopted an ordinance imposing a temporary moratorium on official actions of the City of Gainesville that would have the effect of permitting the development of certain residential structures within any single-family residential zoning district in the University of Florida Comprehensive Master Plan 1994-2004 Context Area within the city; and

WHEREAS, that ordinance will expire on January 22, 2001 or upon the adoption of an amendment to the Land Development Code addressing the subject matter of the moratorium; and

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 to address the subject matter of the moratorium; 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 October 19, 2000; and

WHEREAS, notice was given and publication made of a Public Hearing which was then held by the City Commission on November 13, 2000; and

WHEREAS, at least 10 days notice has been given prior to first reading by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the Auditorium of City Hall in the City of Gainesville; and

WHEREAS, the Public Hearings were held pursuant to the published notice described at

1 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
2 heard;

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

5 **Section 1.** The following definition contained in section 30-23 of the Land Development Code
6 of the City of Gainesville is amended to read as shown. All other definitions in 30-23 remain
7 unchanged.

8 **Sec. 30-23. Definitions.**

9 Single-family dwelling, in the RSF-1, RSF-2, RSF-3, RSF-4, and RC zoning districts and all
10 residential planned developments with a density of no more than eight dwelling units per acre,
11 means a single residential building consisting of one dwelling unit that is arranged, intended or
12 designed for one family. A residential building with more than one meter for any utility (unless
13 multiple meters are needed and billing is combined to one address); more than one address to the
14 property; or more than two of the same major appliance (refrigerator, range, oven, kitchen sink,
15 dishwasher, washer or dryer), even if consolidated in one kitchen or area, shall be considered a
16 multi-family dwelling. In all other zoning districts, single-family dwelling means a structure
17 containing only one dwelling unit.

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

22 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or

