

ORDINANCE NO. 0-07-04

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, amending Section 30-75 by adding Major Group 41. – Local and Suburban Transit and Interurban Highway Passenger Transportation as uses by right in the Public Services and Operations District (PS); 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 December 14, 2006; and

WHEREAS, the City Plan Board heard and approved this petition on December 14, 2006; 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 the proposed ordinance and of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville, at least seven (7) days after the day the first advertisement was published; 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 the proposed ordinance and of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville, at least five (5) days after the day the second advertisement was published; and

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

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

6 **Section 1.** Subsection 30-75(c), City of Gainesville Land Development Code, is
7 amended to read as follows:

8 **Sec. 30-75. Public services and operations district (PS).**

9 (c) *Uses permitted by right.* The specific use(s) permitted on the subject property
10 shall be specified as a part of the ordinance which places this classification on a
11 particular area of ground and may include:

- 12 (1) Libraries and information centers (GN-823).
- 13 (2) U.S. Postal Service (MG-43).
- 14 (3) Museums, art galleries and botanical and zoological gardens (MG-84).
- 15 (4) Public administration (Div. J).
- 16 (5) ~~School buses (GN-415).~~ Local and suburban transit and interurban highway
17 passenger transportation (MG-41).
- 18 (6) Public golf courses (IN-7992).
- 19 (7) Commercial sports (GN-794).
- 20 (8) Pipelines, except natural gas (MG-46).
- 21 (9) Electric, gas and sanitary services (MG-49).
- 22 (10) Amusement parks (IN-7996).
- 23 (11) Membership sports and recreation clubs (IN-7997).
- 24 (12) Amusement and recreation services, not elsewhere classified (IN-7999).
- 25 (13) Cemeteries.
- 26 (14) Public service vehicles, in accordance with the conditions and requirements of
27 Article VI.
- 28 (15) Any other use specified in the ordinance rezoning property to this classification.
- 29 (16) Any use customarily incidental to any permitted principal use.

- 1 (17) Public lands designated for open space or conservation.
- 2 (18) Activity-based private recreational or open space lands which have had
- 3 development rights conveyed to the public, or for which a covenant of at least
- 4 ten-years' duration is executed ensuring that only open space outdoor recreation
- 5 or park uses shall be permitted in accordance with F.S. § 193.501.
- 6 (19) Activity-based public parks and recreational facilities as defined by the
- 7 comprehensive plan.
- 8 (20) Golf driving ranges.
- 9 (21) Pitch-n-putt golf.
- 10 (22) Utility lines.
- 11 (23) Water conservation areas, water reservoirs and control structures, drainage wells
- 12 and water wells.
- 13 (24) Transmitter towers in accordance with Article VI.
- 14 (25) Camps and recreational vehicle parks (GN-703).

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

19 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be
 20 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
 21 way affect the validity of the remaining portions of this ordinance.

22 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
 23 such conflict hereby repealed.

D R A F T

5-4-07

1 **Section 5.** This ordinance shall become effective immediately upon final adoption.

2
3 **PASSED AND ADOPTED** this ____ day of _____, 2007.

4
5
6 _____
7 PEGEEN HANRAHAN
8 MAYOR

9
10 ATTEST: Approved as to form and legality

11
12 _____
13 KURT M. LANNON MARION J. RADSON
14 CLERK OF THE COMMISSION CITY ATTORNEY

15 This Ordinance passed on first reading this ____ day of _____, 2007.

16 This Ordinance passed on second reading this ____ day of _____, 2007.