



MEMORANDUM

Office of the City Attorney

Registrar No. 980732

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

TO: Mayor and City Commission

DATE: June 14, 1999

SECOND READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-99-38; Petition No. 213TCH-98PB
An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to replacement of transmitter towers; amending subsection 30-98(a)(5) to allow modified or replacement transmitter towers under certain conditions; creating and adding subsection 30-98(h) concerning abandonment of use of a nonconforming tower; 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 March 8, 1999, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the Land Development Code to allow for reconstruction of existing transmittal towers for additional antennas up to 50 feet from their existing location. A condition is also provided that towers must be removed if their use is discontinued for nine continuous months.

NOTE: The City Commission at the first reading of the ordinance requested the Department of Community Development to send actual notice of the second reading of this ordinance to all property owners within 400 feet of existing transmitter towers that are affected by this ordinance.

Prepared by:

Patricia M. Carter
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson
City Attorney

MJR:PMC:sw

PASSED ON FIRST READING BY A VOTE OF 3-1.