

LEGISLATIVE #

120908

ORDINANCE NO. 120908

An ordinance of the City of Gainesville, Florida, amending the Land Development Code to regulate off-street unpaved parking, as further described in this ordinance, by amending Sections 30-328, 30-329, and 30-330 of Article IX. – *Additional Development Standards, Division 2. – Off-Street Parking and Loading Regulations*; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, notice was given as required by law that the text of the Land Development Code of the City of Gainesville, Florida, be amended and public hearings were then held by the City Plan Board on February 28, 2013, and by the City Commission on May 16, 2013; and

WHEREAS, at least ten (10) days’ notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City of Gainesville City Hall Auditorium, located on the first floor of City Hall; and

WHEREAS, public hearings were held pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

Section 1. Section 30-328, Article IX. – *Additional Development Standards, Division 2. – Off-Street Parking and Loading Regulations* of the City of Gainesville Land Development Code is amended as follows.

Section 30-328. Purpose

The purpose of this ~~article~~ division is to provide for the general welfare and convenience of the public ~~utilizing the various uses located within the city by providing~~ establishing minimum

1 ~~standards for the development of for suitable~~ off-street parking facilities, ~~to that~~ ensure the safe
2 movement of traffic ~~on the public streets, to~~ , promote aesthetic qualities, and protect adjacent
3 residential and institutional uses from the adverse impacts of vehicular traffic and parking
4 congestion ~~generated by various uses, and to establish minimum standards for the development~~
5 ~~of parking areas.~~

6 **Section 2.** Section 30-329, Article IX. – *Additional Development Standards*, Division
7 2. – *Off-Street Parking and Loading Regulations* of the City of Gainesville Land Development
8 Code is amended as follows. Except as amended herein, the remainder of Section 30-329
9 remains in full force and effect.

10 **Sec. 30-329. Basic General regulations.**

11 (a) ~~Applicability of requirements.~~ Off-street parking facilities ~~shall be including, but not limited~~
12 ~~to, those~~ provided for any new building constructed ~~and,~~ for any new use established, for
13 any addition or enlargement of an existing building, and for any change in the occupancy of
14 any building or the manner in which any use is conducted that would result in additional
15 required parking spaces being required, shall be subject to the provisions of this division
16 ~~chapter.~~

17 ~~(b) Nonconforming uses.~~ No use of land, lawfully existing on October 26, 1981, shall be
18 ~~deemed to be nonconforming solely because of the lack of off street parking facilities~~
19 ~~prescribed in this chapter.~~

20 ~~(b)(e)~~ Expansion of uses. For additions or enlargements of any existing building or use, or any
21 change of occupancy or manner of operation of such building or use that would increase the
22 number of parking spaces required, the additional parking shall be required only for such
23 addition, enlargement or change and not for the entire building or use.

24 ~~(c)(d)~~ Requirements for uses not mentioned. In the case of a use not mentioned, the
25 requirements for off-street parking shall be the same as for the most similar use specifically
26 mentioned.

27 ~~(d)(e)~~ Compound uses (two or more uses on same site). Parking for compound uses shall be
28 based on the type of uses comprising the compound use. Where the uses comprising the
29 compound use are intended to operate or need the use of parking during the same time
30 period, parking shall be based on the requirements for each proposed use. Where the uses
31 comprising the compound use do not have overlapping hours of operation or need the use of
32 parking during the same time period, parking shall be based on the use requiring the greatest
33 number of parking spaces. However, the uses requiring fewer spaces must provide a
34 minimum of 25 percent of total required parking.

1 ~~(e)~~(f) *Location of parking area.*

2 (1) Required off-street vehicle parking areas shall be located on the same lot or parcel of
3 land as the principal structure to be served, or on any lot or parcel of land within 300
4 feet of the principal structure to be served, or within 600 feet if the structure is located
5 within the CCD central city district, as measured from the lot line to the nearest point of
6 the off-street parking facility, provided that this provision shall not be interpreted to
7 permit the location of off-street parking spaces within a zoning district where parking
8 facilities are not otherwise permitted.

9 (2) All bicycle parking facilities required by this chapter shall be located on the same lot or
10 parcel of land as the use for which such facilities are required and as close to the
11 building entrance as possible without interfering with the flow of pedestrian traffic.

12 ~~(f)~~(g) *Joint use of parking area.* The joint use of vehicle parking facilities of more than five
13 spaces by two or more uses is permitted whenever such joint use is practicable and
14 satisfactory to each of the uses intended to be served and when all requirements for location,
15 design and construction can be satisfied. In computing capacities of any joint use, the off-
16 street vehicle parking requirement is the sum of the individual requirements that will occur
17 at the same time, provided that the total of such off-street vehicle parking facilities required
18 for joint or collective use may be reduced during site plan approval in accordance with the
19 following criteria:

20 (1) That the uses which the joint off-street parking facilities serve do not normally or
21 regularly operate during the same hours of the day or night may be considered; and

22 (2) Not more than 50 percent of off-street vehicle parking facilities required for theaters,
23 places of religious assembly, bowling alleys, dancehalls and establishments for the sale
24 and consumption of alcoholic beverages, food or refreshments may be supplied by off-
25 street vehicle parking facilities which are provided for other buildings or uses.

26 ~~(g)~~(h) *Joint use agreement.* A copy of an agreement between joint uses shall be filed with the
27 application for a building permit. The agreement shall include a guarantee for continued use
28 and maintenance of the parking facility by each party to the joint use.

29 ~~(h)~~(i) *Leased parking facilities.* Required off-street vehicle parking areas may be leased (the
30 "leased area") with boundaries clearly delineated in the lease by the owner or operator of the
31 principal structure to be served, provided the owner or operator enters into a written lease
32 agreement, which shall be subject to the approval of the city attorney, under the following
33 terms and conditions:

34 (1) The leased area is within 300 feet of the main entrance of the principal structure
35 measured to the nearest point of the leased area;

36 (2) The leased area shall be clearly marked with appropriate signage indicating that the area
37 is for the exclusive use of the principal structure, except in the CCD central city district,
38 wherein the leased area may be jointly used with another principal structure provided
39 the uses in such principal structures do not normally or regularly operate during the

1 same hours of the day or night and otherwise comply with the provisions of subsection
2 (f) of this section;

3 (3) The leased area must comply with the provisions of article VIII of this chapter, the
4 landscaping section and the design requirements of this chapter;

5 (4) The term of the lease for the leased area shall be a minimum of three years with a
6 minimum one-year cancellation clause; and

7 (5) The lease shall expressly provide that the use of the principal structure is expressly
8 contingent upon the parking facilities of the leased area, and if the lease is terminated
9 for any reason the owner or operator of the principal structure shall immediately cease
10 operations and terminate the use of the principal structure unless and until additional
11 required off-street parking facilities are provided in accordance with provisions of this
12 article.

13 ~~(i)(j)~~ *Assessed parking.* The required off-street vehicle parking for a particular use shall be
14 reduced by its proportionate share of publicly owned public parking for which it has been
15 specifically assessed. The applicant must acknowledge through an agreement or a statement
16 in the development plan that the city retains the right to remove the on-street parking.

17 ~~(j)(k)~~ *Enforcement.* Off-street parking facilities shall be maintained and continued as an
18 accessory use as long as the principal use is continued. It shall be unlawful for an owner or
19 operator of any building, structure or use controlled by this article to discontinue, change,
20 dispense with, sell or transfer any required parking facilities, including those leased or
21 jointly used, without establishing alternative vehicle parking facilities which meet the
22 requirements of this article. It shall be unlawful for any person, firm or corporation to utilize
23 a building, structure or use without providing the off-street parking facilities to meet the
24 requirements of this article.

25 **Section 3.** Section 30-330, Article IX. – *Additional Development Standards, Division 2.* –

26 *Off-Street Parking and Loading Regulations* of the City of Gainesville Land Development Code
27 is amended as follows.

28 **Sec. 30-330. Design requirements for vehicle parking.**

29 (a) *Off-street parking.* Off-street vehicle parking, including public parking facilities, shall be
30 designed, constructed and maintained in accordance with the following standards and
31 regulations:

32 (1) *Access.* Vehicular ingress and egress to off-street parking facilities shall be in
33 accordance with ~~the Driveway Ordinance, Chapter 23, Article V. et seq.~~

34 (2) *General requirements.* Parking areas shall be so designed and marked as to provide for
35 orderly and safe movement and storage of vehicles.

- 1 a. All parking spaces shall contain some type of vehicle wheel stop or other approved
2 barrier that prevents any part of a vehicle from overhanging onto the right-of-way
3 of any public road, alley, walkway, utility or landscaped area.
- 4 b. All parking lots with two or more rows of interior parking shall contain grassed
5 and/or landscaped medians at least eight feet in width unless an alternative
6 landscape plan is approved pursuant to Section 30-252(c). Where it is determined
7 by public works that the landscaped median(s) would obstruct the storm drainage,
8 the planning and development services director may approve an alternative.
- 9 c. ~~There shall be no off-street parking in the yards of any property in the context area
10 that is in an RC, RSF-1, RSF-2, RSF-3 or RSF-4 district, or that contains single-
11 family or two family dwellings on property zoned planned development (PD)
12 except as specified in section 30-56 of this chapter, or in any residential parking
13 overlay district.~~
14 Off-street parking on any property with RC, RSF-1, RSF-2, RSF-3, or RSF-4
15 zoning, or planned development (PD) zoning with single family or two-family
16 dwellings, and that is located within either the University of Florida context area or
17 a residential parking overlay district area shall be regulated in accordance with
18 Section 30-56.
- 19 d. Maneuvering and access driveways for off-street parking areas, except those
20 provided for single-family dwellings, shall be provided within the lot on which the
21 parking is located so that any vehicle shall not be required to back into or maneuver
22 within the public street right-of-way on entering or leaving any off-street parking
23 space.
- 24 e. The minimum distance from the street right-of-way line at any major ingress or
25 egress driveway to any interior service drive or parking space having direct access
26 to such driveway shall be 100 feet. A major driveway is defined as the main ingress
27 or egress point as approved by the city plan board, development review board or
28 technical review committee.
- 29 f. The minimum distance from the street right-of-way line at any other ingress or
30 egress driveway to any interior service drive or parking space with direct access
31 from such driveway shall be 20 feet. However, the city manager or designee may
32 allow a reduction of the 20-foot requirement, provided generally accepted traffic
33 principles are maintained, under the following conditions:
 - 34 1. Where an existing vehicular use area would be impractical to meet the 20-foot
35 requirement; or
 - 36 2. Where an existing vehicular use area proposed for improvement exists with
37 less than the required 20 feet; or
 - 38 3. For any new development or redevelopment of a vehicular use area, except a
39 vehicular use area with direct access to any roadway classified on the official

1 roadway ~~highway~~ map or shown in the City of Gainesville 2000—2010
 2 Comprehensive Plan as an arterial or collector, the minimum distance from the
 3 right-of-way line at any other ingress or egress driveway to any interior service
 4 drive or parking space with direct access from such driveway may be nine feet
 5 (which distance also meets landscape requirements) provided all of the
 6 following conditions are met for each type of use:

7 (i) Residential off-street parking:

Vehicular use area access	From alleys or local streets (streets designed for or carrying traffic volumes of under 1200 vehicles per day);
Available right-of-way from edge of pavement to the private property line:	10 feet minimum (not required for alleys);
Speed limit:	The posted speed limit is 30 mph or less;
Use:	Generates less than 300 trips per day.

8
 9 (ii) Nonresidential off-street parking:

Vehicular use area access:	From alleys or local streets (streets) designed for traffic volumes under 1200 vehicles per day);
Available right-of-way from edge of pavement to the private property line:	10 feet minimum (not required for alleys);
Speed limit:	The posted speed limit is 35 m.p.h. or less;
Size of parking lot:	25 or fewer nonresidential parking spaces; and
Use:	Generates less than 100 trips per day.

10
 11 (3) *Construction specifications.*

- 12 a. ~~Hard-surfaced~~ Paved parking facilities. Except as provided in subsection (3)b.
 13 below, all off-street parking areas shall be paved using ~~hard-surfaced-utilizing~~
 14 asphaltic concrete, concrete, paving block or brick, and shall be designed and
 15 constructed in accordance with the standards and specifications adopted by
 16 resolution of the city commission and on file in the public works department.
- 17 b. ~~Non-hard-surfaced~~ Unpaved parking facilities. Unpaved spaces shall be located on
 18 the periphery of any paved parking areas in locations that will receive less use than
 19 those paved and more remotely located to the use served. All gravel areas must be
 20 self-contained with curbing that is acceptable to the Public Works Department.
 21 The following ~~enumerated~~ parking facilities may be unpaved ~~non-hard-surfaced~~
 22 (~~gravel or grass~~), provided such facilities are approved by the city plan board,

1 development review board or the city manager or designee ~~director of planning and~~
 2 ~~development services and public works departments in accordance with the~~
 3 ~~provisions of article IX, division 2, of this chapter, and provided, further, that such~~
 4 ~~facilities are designed and constructed in accordance with the standards and~~
 5 ~~specifications adopted by resolution of the city commission and on file in the office~~
 6 ~~of the public works department to be in compliance with this section and other~~
 7 applicable requirements of the Land Development Code:

- 8 1. Up to 70 percent of the required vehicle parking spaces for places of religious
 9 assembly provided that such ~~non-hard surfaced~~ unpaved parking spaces shall
 10 not be used as joint parking with any uses other than places of religious
 11 assembly. ~~by any non-place of religious assembly use.~~
- 12 2. Parking spaces provided in excess of the minimum number required by this
 13 article, or for uses not required ~~by this article~~ to provide parking spaces.
- 14 3. Parking lots located in the residential districts enumerated in Section 30-41 ~~of~~
 15 ~~this chapter~~ when said lots contain ten or fewer parking spaces, and parking
 16 lots in the ~~OR and~~, office districts when such lots contain less than seven
 17 parking spaces.
- 18 4. Up to 20 percent of the total required spaces for multifamily dwellings, in
 19 accordance with ~~sub~~Section 30-330(a)(3)c. below. ~~of this section.~~
- 20 5. A portion of the parking spaces in ~~NSC~~, neighborhood shopping centers; and
 21 ~~SC~~, shopping centers, in accordance with ~~sub~~Section 30-330(a)(3)d. below. ~~of~~
 22 ~~this section.~~
- 23 6. College Park/University Heights areas in accordance with Section 30-330(a)(4)
 24 below. ~~Unpaved spaces shall be located on the periphery of any paved parking~~
 25 ~~areas in locations that will receive less use than those paved and more remotely~~
 26 ~~located to the use served. All gravel areas must be self-contained with curbing~~
 27 ~~that is acceptable to the public works department. All unpaved spaces will be~~
 28 ~~subject to the provisions of section 30-330(a)(3)c.4. and 5. below.~~

29 c. *Supplemental provisions for multiple-family dwellings with more than six parking*
 30 *spaces.*

- 31 1. If approved in site plan review, up to 20 percent of the total required vehicle
 32 parking spaces for multifamily dwellings may be provided by stabilized
 33 unpaved parking.
- 34 2. Six months after a final certificate of occupancy is issued; or, if phased, upon
 35 installation of all parking facilities required, an inspection will be made by the
 36 city manager or designee. If findings indicate that the unpaved spaces are in
 37 good condition or infrequently used, such unpaved spaces may remain
 38 unpaved. If findings show that the spaces receive as much use as the paved

1 spaces, or have deteriorated, such unpaved spaces shall be paved within 90
2 days of written notice to the owner of the property.

3 3. Unpaved spaces shall be located on the periphery of any unpaved parking
4 areas, in locations that will receive less use than those paved and more
5 remotely located to the use served. Parking spaces provided pursuant to this
6 subsection shall not be used for joint parking by any other use.

7 4. Stormwater management facilities shall be provided for all vehicle use areas,
8 whether paved or unpaved, at the time of construction unless the owner
9 demonstrates that stormwater management facilities can be expanded to
10 accommodate future required paving and upon recommendation of the public
11 works department.

12 5. A violation of the Code of Ordinances occurs if the unpaved parking area
13 deteriorates so that nearby properties, rights-of-way or easements are adversely
14 impacted or if the unpaved parking area has deteriorated so that it may no
15 longer be used for parking. Evidence of deterioration includes but is not
16 limited to:

17 i. The settlement of the unpaved parking area(s) such that drainage patterns
18 are redirected onto off-site properties rather than the intended stormwater
19 management facilities.

20 ii. Absence or failed condition of the approved unpaved parking surface.

21 iii. Introduction of sediment and debris from the unpaved parking area onto
22 city rights-of-way and easements.

23 To remedy this violation, the city may require the property owner to pave the
24 area, ~~or, at the city's option,~~ to stabilize the area in another manner. If paving is
25 deemed necessary by the city, the property owner may be required to expand
26 the stormwater management facilities as provided in subsection (3)c.4. of this
27 section. Failure to remedy the violation is subject to penalties provided by
28 Section 1-9 of Chapter 1, General Provisions of the Code of Ordinances.

29 d. *Supplemental provisions for neighborhood shopping centers and (community)*
30 *shopping centers.* If approved by the city plan board, development review board
31 and/or city manager or designee, the following provisions shall be exercised:

32 1. Centers containing (i) a food store and/or a drugstore anchor, and (ii) having
33 25,000 to 60,000 square feet gross leasable area (total) for the entire center
34 shall construct approximately 20 percent of the total required parking spaces
35 utilizing stabilized unpaved parking.

36 2. Community and regional shopping centers containing (i) a department store or
37 other large anchor, and (ii) having more than 60,000 square feet gross leasable
38 area for the entire center shall construct approximately 30 percent of the total
39 required parking spaces utilizing stabilized unpaved parking.

- 1 3. Unpaved spaces shall be located on the periphery of any paved parking areas
- 2 and as far away from the primary structure(s) as practicable. Parking spaces
- 3 provided pursuant to this subsection shall not be used for joint parking by any
- 4 other use. Additionally, aisles for unpaved parking spaces shall be paved and
- 5 wheel stops shall be installed.
- 6 e. *Supplemental provisions for vehicles and equipment display and storage areas.*
- 7 1. When allowed as a permitted use, parking, storage or display of automobiles
- 8 for sale or lease must be conducted on a paved hard surface.
- 9 2. All mechanical equipment and merchandise must be installed or displayed on a
- 10 paved hard surface.
- 11 3. Temporary parking and storage may be allowed by the city manager or
- 12 designee for up to 60 days in areas outside of the wellfield protection zones.
- 13 The city shall make a determination that:
- 14 a. The location of the facility will not be harmful to, nor impact surface
- 15 waters, wetlands or other environmentally sensitive areas;
- 16 b. The nature, extent and duration of the proposed storage area will not
- 17 create a nuisance or safety hazard;
- 18 c. That the storage use will be of an intensity that will maintain sod or some
- 19 other vegetative cover; and
- 20 d. That the applicant has a plan to return the site to an original or improved
- 21 condition.
- 22 (4) ~~Reserved.~~ College Park/University Heights unpaved parking. With the exception of
- 23 any properties that are regulated by Section 30-56(c)(4), off-street unpaved parking
- 24 within the College Park and University Heights areas as depicted in Figures 1 and 2
- 25 below shall be subject to the following regulations.

Figure 1. – College Park

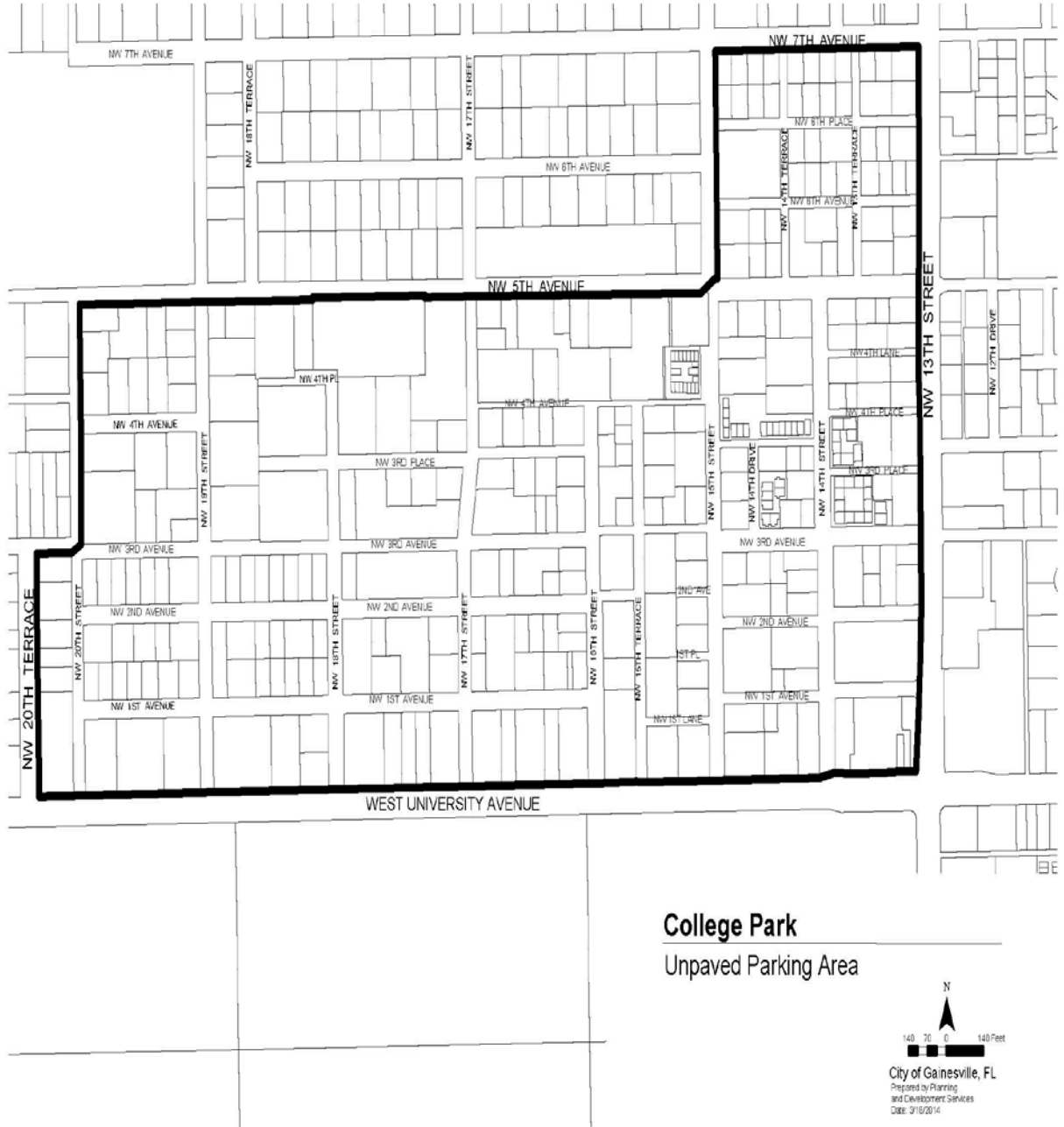
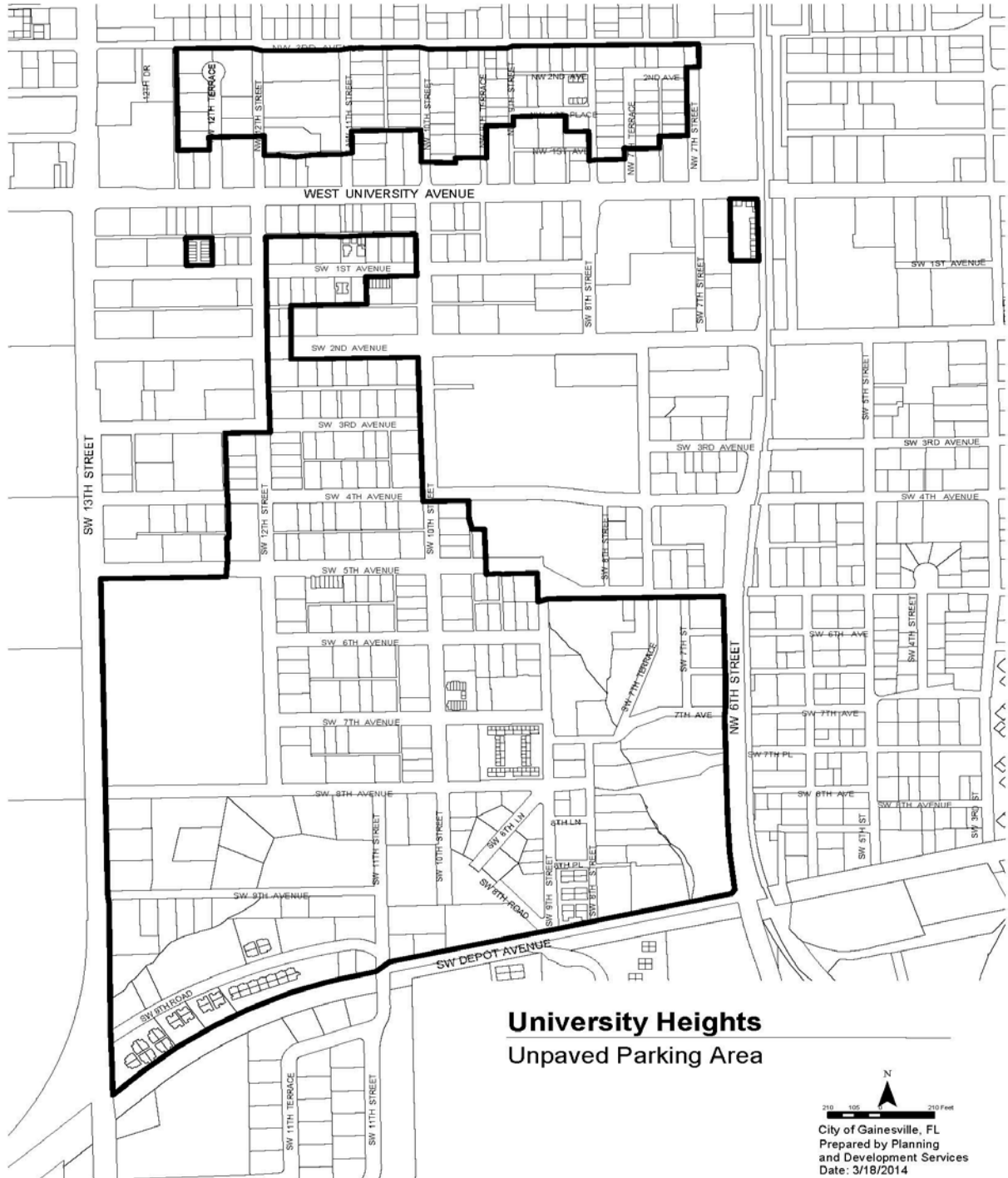


Figure 2 – University Heights



1 a. Exemptions. The City Manager or designee may exempt a property from this
2 subsection upon a finding that each of the following conditions are met:

- 3 1. The parking area is clearly defined;
- 4 2. The parking area is maintained in a safe and neat condition;
- 5 3. The parking area does not contribute to soil erosion or run-off of materials that
6 would negatively impact the stormwater system; and
- 7 4. The requirements of this subsection would impose an inordinate burden on the
8 property owner due to significant design constraints.

9 b. Parking plan. Each owner of property regulated by this section shall submit to the
10 Code Enforcement Division, at no fee, a parking plan that clearly depicts:

- 11 1. The location and extent of the proposed parking area;
- 12 2. A general circulation plan showing how vehicles will safely access the parking
13 area from a legal driveway connection; and
- 14 3. The location and type of borders and parking area coverage materials to be
15 used.

16 The City Manager or designee shall approve a parking plan if it meets the
17 requirements of this section and other applicable requirements of the Land
18 Development Code. Within 90 days of approval by the city manager or designee,
19 the parking plan shall be implemented and the City Manager or designee shall
20 inspect the parking area for compliance.

21 c. Borders. All unpaved parking areas shall be bordered with plants, pressure-treated
22 landscape timbers, railroad ties, pressure-treated wood, composite “plastic wood,”
23 brick, concrete or similar materials that provide a clear delineation of the parking
24 area and that inhibit runoff of the parking area coverage material.

- 25 1. Plant borders at the time of planting shall be at least one-gallon in size, at least
26 12 inches in height, and spaced no greater than 36 inches apart. Any plant
27 borders shall be maintained at a height of at least 12 inches.
- 28 2. Wood, composite, or brick borders shall be at least 3 ½ inches high by 3 ½
29 inches wide and shall be securely affixed to the ground. Wood borders shall be
30 pressure-treated or otherwise treated to inhibit decomposition.

31 d. Parking area coverage material. All unpaved parking areas shall be covered and
32 maintained with gravel, wood chips, mulch, leaves, or similar materials as further
33 specified below:
34

<u># of parking spaces</u>	<u>Allowable parking area coverage material</u>
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<p><u>1-4</u></p>	<ul style="list-style-type: none"> • <u>mulch,</u> • <u>wood chips,</u> • <u>leaves,</u> • <u>pine needles,</u> • <u>gravel, or</u> • <u>pervious pavement materials (e.g., pavers) approved by the Public Works Department</u>
<p><u>5 or more</u></p>	<ul style="list-style-type: none"> • <u>gravel, or</u> • <u>pervious pavement materials (e.g., pavers) approved by the Public Works Department.</u>

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1. Coverage material shall be distributed evenly to cover the entire unpaved parking area with a depth of at least one inch and shall contain no bare spots and/or vegetation.
 2. Pervious and/or permeable pavement materials shall be allowable subject to the review and approval by the Public Works Department.
 3. Grass clippings, canvas, plastic sheets, poly sheets, or other similar rolled sheeting shall not be used as a parking area coverage material.
- e. Parking area lease prohibition. No parking area regulated by this section may be leased, rented or otherwise provided for consideration, except as consistent with Section 30-329(h). This prohibition shall not apply to leasing to tenants that occupy the same development where the parking spaces are located.
- (5) ~~Dimensional requirements. Except as noted in subsection (7) of this section, a All standard vehicle parking spaces (stalls) shall be a minimum of 8.5 feet in width; the location of such spaces, the width of interior driveways (driving aisles) and the width of a row of such stalls to be designed and constructed in accordance with current engineering practices and design and construction specifications for off-street parking and driveways on file in the public works traffic engineering department. And approved by resolution of the city commission.~~
- ~~A petitioner may request the establishment of universal stall widths in connection with the placement of specially designated parking "For Employees Only." Universal stalls shall have a minimum width of eight feet and a minimum depth of 17.5 feet. Universal stalls may be approved by the development review board or the development review coordinator as applicable.~~
- (6) ~~Compact car spacing. A development which requires 20 or fewer parking spaces may have a maximum of 25 percent of its total required parking as compact spaces. A development which requires more than 20 parking spaces may have a maximum of 50 percent of its total required parking as compact spaces. All compact spaces shall be~~

1 ~~marked with a distinct and obvious sign limiting their use to compact cars only. Such~~
 2 ~~parking stalls may be a minimum of 7.5 feet in width, with the location of such spaces,~~
 3 ~~the minimum width of adjoining driveways, and the minimum width of a row of such~~
 4 ~~stalls is to be approved by the city traffic engineer, based on a safe and efficient ingress~~
 5 ~~and egress to such spaces and nearby conventional spaces. Such compact car spaces~~
 6 ~~shall only be approved to the extent that they can be safely and efficiently designed and~~
 7 ~~used, considering lot size and shape and other site development requirements.~~

8 (6)~~(7)~~ *Handicapped parking.* Accessible handicapped parking spaces shall comply with
 9 the state accessibility requirements manual on file at the building safety offices.

10 (7)~~(8)~~ *Tandem parking.* When administered as a valet parking service, required off-street
 11 parking may be placed in a tandem configuration upon approval by the development
 12 review board, the plan board, or the city manager or designee where development plan
 13 review before the plan board or development review board is not required. The area
 14 used for tandem parking must be clearly designated on a development plan and must
 15 meet all landscaping requirements, except that the location of required interior
 16 landscaping shall be determined at the time of development review. Approval of tandem
 17 parking configuration shall be based on continued maintenance of the administered
 18 parking service. If and when the service is discontinued, the regular off-street parking
 19 configuration of aisle and spaces shall be reinstated and the minimum parking spaces
 20 required shall be provided in accordance with article IX. When using this option the
 21 property owner must demonstrate that private streets, vehicular maneuvering areas,
 22 service areas, loading and unloading area, queuing areas and any regular parking space
 23 can function efficiently and will not obstruct the efficient flow of traffic, service, utility
 24 and vehicles on the site.

25
 26 **Section 4.** It is the intention of the City Commission that the provisions of Sections 1
 27 through 3 of this ordinance shall become and be made a part of the Code of Ordinances of the
 28 City of Gainesville, Florida, and that the sections and paragraphs of this ordinance may be
 29 renumbered or relettered in order to accomplish such intentions.

30 **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance
 31 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
 32 finding shall not affect the other provisions or applications of this ordinance that can be given
 33 effect without the invalid or unconstitutional provision or application, and to this end the
 34 provisions of this ordinance are declared severable.

1 **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of
2 such conflict hereby repealed.

3 **Section 7.** This ordinance shall become effective immediately upon adoption; however,
4 properties subject to the regulations regarding College Park/University Heights unpaved parking
5 provided by this ordinance shall have until August 1, 2014, to submit a parking plan as required
6 by Section 30-330(a)(4)b.

7

8 **PASSED AND ADOPTED** this _____ day of _____, 2014.

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22 This ordinance passed on first reading this _____ day of _____, 2014.

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24 This ordinance passed on second reading this _____ day of _____, 2014.

EDWARD B. BRADDY
MAYOR

Attest:

Approved as to form and legality:

KURT M. LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY