

ORDINANCE NO. 100152

An ordinance of the City of Gainesville, Florida, amending Section 30-63(c)(1) of the Land Development Code, by adding offices and clinics of doctors of medicine, dentists, doctors of osteopathy and other health practitioners (GN-801 through GN-804) as uses by right in the tourist-oriented business (BT) zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given 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 June 24, 2010; 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 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 first advertisement was published; and

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

WHEREAS, public hearings were held pursuant to the published notices 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:

1 **Section 1.** Section 30-63(c)(1) of the Land Development Code is amended to read as

2 follows:

3 **Sec. 30-63. Tourist-oriented business district (BT).**

4
5 (c) *Permitted uses.*

6 (1) *Uses by right.*

- 7 a. Local and suburban transit and interurban highway passenger transportation (MG-
8 41).
- 9 b. U.S. Postal Service (MG-43).
- 10 c. Food stores (MG-54).
- 11 d. Auto and home supply stores (GN-553).
- 12 e. Gasoline service stations (GN-554), in accordance with article VI.
- 13 f. Apparel and accessory stores (MG-56).
- 14 g. Eating places.
- 15 h. Miscellaneous retail (MG-59) excluding fuel dealers (GN-598).
- 16 i. Hotels and motels (GN-701).
- 17 j. Organization hotels and lodgingshouses, on membership basis (GN-704).
- 18 k. Personal services (MG-72), excluding funeral service and crematories (GN-726),
19 and also excluding linen supply (IN-7213), diaper service (IN-7214), and
20 industrial launderers (IN-7218).
- 21 l. Automotive repair, services and garages (MG-75), excluding carwashes.
- 22 m. Motion pictures (MG-78).
- 23 n. Amusement and recreation services, except motion pictures, and excluding go-
24 cart raceway operations and go-cart rentals (MG-79).
- 25 o. Museums and art galleries (GN-841).
- 26 p. Membership organizations (MG-86).
- 27 q. Recreational vehicle parks and campsites, in accordance with article VI (GN-
28 7033).
- 29 r. Public service vehicles, in accordance with article VI.
- 30 s. Adult and sexually oriented establishments, in accordance with article VI.
- 31 t. Arrangement of passenger transportation (GN-472).
- 32 u. Any accessory use customarily incidental to a permitted principal use.
- 33 v. Alcoholic beverage establishments, in accordance with article VI.
- 34 w. Bed and breakfast establishments, in accordance with article VI.
- 35 x. Outdoor cafe, as defined in article II and in accordance with article VI.
- 36 y. Places of religious assembly, in accordance with article VI.
- 37 z. Offices and clinics of doctors of medicine (GN-801).
- 38 aa. Offices and clinics of dentists (GN-802).
- 39 bb. Offices and clinics of doctors of osteopathy (GN-803).
- 40 cc. Offices and clinics of other health practitioners (GN-804).
- 41

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

5 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
6 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
7 finding shall not affect the other provisions or applications of the ordinance which can be given
8 effect without the invalid or unconstitutional provisions or application, and to this end the
9 provisions of this ordinance are declared severable.

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

12 **Section 5.** This ordinance shall become effective immediately upon final adoption.
13

14 **PASSED AND ADOPTED** this ____ day of _____, 2010.

15
16
17
18
19
20
21
22
23
24
25

CRAIG LOWE
MAYOR

ATTEST:

Approved as to form and legality

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

26

27 This Ordinance passed on first reading this ____ day of _____, 2010.

28

29 This Ordinance passed on second reading this ____ day of _____, 2010.