



# MEMORANDUM

Office of the City Attorney

Legistar No. 040514

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

**TO:** Mayor and City Commission

**DATE:** February 14, 2005  
SECOND READING

**FROM:** City Attorney

**SUBJECT:** Ordinance No. 0-05-07; Petition 149TCH-04 PB  
An ordinance of the City of Gainesville, Florida, creating subsection 30-318(h), City of Gainesville Code of Ordinances, allowing directional signage for non-residential developments with a minimum of 300,000 square feet of floor area under certain conditions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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Recommendation: The City Commission adopt the proposed ordinance.

## COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

In 1992, the City of Gainesville annexed the Oaks Mall and some of the surrounding area. The current zoning for the mall is BUS (general business district), while the current land use designation of the property is C (commercial). The sign provisions of the Land Development Code regulate signage for the property. The petitioner is requesting an amendment to allow larger directional signage.

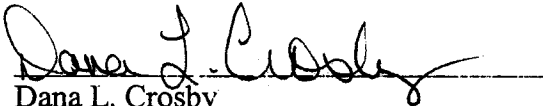
Staff recommends that directional signs be allowed for large-scale non-residential developments that contain more than 300,000 square feet of floor area. Staff does not recommend limiting these signs to retail shopping facilities. Large office complexes and hospitals are examples of uses that may have 300,000 square feet of floor area and where directional signs may be appropriate. Directional signs would not be exempt from the provisions of the sign regulations and would be subject to review just as other commercial signs are. Staff is also recommending that the method to measure sign area not be changed from the existing provisions. Under these provisions, the base of a monument sign counts towards the sign area unless the base area is sufficiently landscaped to screen it from view. This applies to up to 3 feet of the height of the base.


Public notice was published in the Gainesville Sun on October 5, 2004. The Plan Board held a public hearing October 21, 2004. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 149TCH-04 PB. Plan Board vote 5-0

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. Should the Commission adopt the ordinance on first reading; the second and final reading will be held on Monday, February 14, 2005.

Fiscal Note: None

Prepared by:   
Dana L. Crosby  
Assistant City Attorney

Approved and  
Submitted by:   
Marion J. Kadson,  
City Attorney

MJR:DLC:sw

PASSED ON FIRST READING BY A VOTE OF 6-0.

ORDINANCE NO. 0-05-07

An ordinance of the City of Gainesville, Florida, creating subsection 30-318(h), City of Gainesville Code of Ordinances, allowing directional signage for non-residential developments with a minimum of 300,000 square feet of floor area under certain conditions; 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 October 21, 2004; and

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

WHEREAS, the Public Hearings were held pursuant to the published notice described 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. A new subsection (h) is added to section 30-318, City of Gainesville Code of Ordinances, to read as follows:

1 Sec. 30-318. Permanent signs.

2 (h) Directional signs, certain nonresidential developments.

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4 Directional signs are allowed for nonresidential developments with a minimum of 300,000  
5 square feet of floor area. These signs shall be limited to the name of the development and/or the  
6 names of the occupants of the development, and shall comply with the following conditions:

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8 (1) The signs shall not be located within 100 feet of any public right-of-way line.

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10 (2) A single business or activity shall be limited to 2 square feet per individual sign face.

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12 (3) The directional sign shall not exceed a total area of 50 square feet. Sign area shall be  
13 measured in accordance with section 30-318(g).

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15 (4) The maximum height of a directional sign shall not exceed 6 feet.  
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17 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of  
18 this ordinance shall become and be made a part of the Code of Ordinances of the City of  
19 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered  
20 or relettered in order to accomplish such intentions.

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

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

26 **Section 5.** This Ordinance shall become effective immediately upon final adoption.  
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**DRAFT**

12-27-04

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**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2005.

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PEGEEN HANRAHAN, MAYOR

ATTEST:

Approved as to form and legality

\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON  
CITY ATTORNEY

This Ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2005.

This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2005.