

**LEGISLATIVE #**

**130278A**

ORDINANCE NO. 130278

An ordinance of the City of Gainesville, Florida, amending the Land Development Code by adding public administration uses to the list of permitted uses by right in Section 30-62 – *Automotive-oriented business district (BA)*; 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 a public hearing was then held by the City Plan Board on August 22, 2013; 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 and provided the public with at least seven (7) days’ advance notice of the first public hearing to be held in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days’ advance notice of the second public hearing; 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:

Section 1. Subsection 30-62(c) of the Land Development Code is amended as follows.

Except as amended herein, the remainder of Section 30-62 remains in full force and effect.

Sec. 30-62. – Automotive-oriented business district (BA).

1 (c) Permitted uses.  
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SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory use customarily incidental to a permitted principal use	
	Eating places	
	Ice dealers, retail only	
MG-15	Building construction—General contractors and operative builders	
MG-17	Construction—Special trade contractors	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
MG-41	Local and suburban transit and interurban highway passenger transportation	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	
GN-501	Motor vehicles and motor vehicle parts and supplies, wholesale	Excluding motor vehicle parts, used (IN-5015)
GN-504	Professional and commercial equipment and supplies, wholesale	
GN-508	Machinery, equipment and supplies, wholesale	Excluding construction and mining (except petroleum) machinery and equipment (IN-5082), industrial machinery and equipment (IN-5084), and transportation equipment and supplies, except motor vehicles (IN-5088)
MG-52	Building materials, hardware, garden supply and mobile home dealers	
MG-54	Food stores	
MG-55	Automotive dealers and gasoline service stations	Including gasoline service stations in accordance article VI
MG-57	Home furniture, furnishings, and equipment stores	

IN-5941	Sporting goods stores and bicycle shops	Accessory outdoor display, storage and sales in accordance with <a href="#">section 30-67</a>
GN-596	Nonstore retailers	
GN-598	Fuel dealers	
IN-5999	Hot tubs, swimming pools, whirlpool baths, retail only	
Div. H	Finance, insurance and real estate	
MG-72	Personal services	Including funeral services and crematories in accordance with article VI
MG-73	Business services	Excluding heavy construction equipment rental and leasing (IN-7353), airplane rental and leasing, oil field equipment rental and leasing and oil well drilling equipment rental and leasing and including disinfecting and pest control services (IN-7342), in accordance with article VI
MG-75	Automotive repair, services and parking	Excluding carwashes (IN-7542)
MG-76	Miscellaneous repair services	
IN-7833	Drive-in motion picture theaters	
MG-79	Amusement and recreation services	Excluding go-cart raceway operations and go-cart rentals
MG-86	Membership organizations	
Places of religious assembly	In accordance with article VI	
<u>Div. J.</u>	<u>Public administration</u>	<u>Excluding correctional institutions (IN-9223)</u>
	USES BY SPECIAL USE PERMIT	
IN-7542	Carwashes	
	Ice manufacturing/vending machines	In accordance with article VI

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

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

6           **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
 7 such conflict hereby repealed.

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

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10           **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2013.

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Attest:

\_\_\_\_\_  
 EDWARD B. BRADY  
 MAYOR

Approved as to form and legality:

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

\_\_\_\_\_  
 NICOLLE M. SHALLEY  
 CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2013.

This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2013.