

LEGISLATIVE #

110788A

ORDINANCE NO. 110788

An ordinance of the City of Gainesville, Florida, amending Appendix A. Special Area Plans Section 8. Special Area Plan Southeast Gainesville Renaissance Initiative Area of the Land Development Code; by deleting drive-throughs as a prohibited use; 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 February 23, 2012; 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:

Section 1. Subsection (d)(9) of Appendix A. Special Area Plans Section 8. Special Area

1 Plan Southeast Gainesville Renaissance Initiative Area of the Land Development Code is
2 amended as follows. Except as amended herein, the remainder of Appendix A. Section 8.
3 remains in full force and effect.

4 Section 8. Special Area Plan Southeast Gainesville Renaissance Initiative Area.

5 (d) *General Regulations.*

6 (9) *Prohibited Uses.* The below listed uses are prohibited in SEGRI. No exceptions or
7 waivers are permitted for these uses:

8 Auto dealers, auto service and limited auto service (IN-5511, MG-753)

9 Carwashes (IN-7542)

10 Gas service stations (IN-5541)

11 Parking lots as a principal use, other than structure parking

12 Outdoor storage as a principal use

13 Gasoline pumps when accessory to a food store

14 ~~Drive-throughs~~

15 Rehabilitation Centers

16 Social service homes or halfway houses

17 Social services (MG-83)

18 Residences for destitute people

19 Food distribution centers for the needy

20 Rooming houses and boarding houses (GN-702)

21 Dormitories

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23 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of
24 this Ordinance shall become and be made a part of the Code of Ordinances of the City of
25 Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be renumbered

1 or relettered in order to accomplish such intentions.

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

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8 such conflict hereby repealed.

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

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11 **PASSED AND ADOPTED** this ___ day of _____, 2012.

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CRAIG LOWE
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 _____, 2012.

This Ordinance passed on second reading this ___ day of _____, 2012.