1 2	ORDINANCE NO. <u>050768</u> 0-06-38
3 4 5 6 7 8 9 10 11 12 13 14 15	An ordinance of the City of Gainesville, Florida, amending Appendix A, Section 6 of the Land Development Code, University Heights Special Area Plan; amending prohibited uses in the University Heights Special Area Plan; providing for rehabilitation centers by a Special Use Permit; amending height limits to be consistent with those in the Urban Mixed Use-2 (UMU-2) zoning district; amending the land use and building type matrix to include Urban Mixed-Use (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
16	WHEREAS, the City Plan Board authorized the publication of notice of a Public
17	Hearing that the text of the Land Development Code of the City of Gainesville, Florida,
18	be amended; and
19	WHEREAS, notice was given and publication made as required by law and a
20	Public Hearing was then held by the City Plan Board on January 19, 2006; and
21	WHEREAS, pursuant to law, an advertisement no less than two columns wide by
22	10 inches long was placed in a newspaper of general circulation notifying the public of
23	this proposed ordinance and of a Public Hearing in the City Commission meeting room,
24	City Hall, City of Gainesville to be held at least 7 days after the day this first
25	advertisement was published; and
26	WHEREAS, a second advertisement no less than two columns wide by 10 inches
27	long was placed in a newspaper of general circulation notifying the public of the second
28	Public Hearing to be held at the adoption stage at least 5 days after the day this second
29	advertisement was published; and

WHEREAS, the Public Hearings were held pursuant to the publish	ed notice
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- 2 described at which hearings the parties in interest and all others had an opportunity to be
- 3 and were, in fact, heard;
- 4 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
- 5 CITY OF GAINESVILLE, FLORIDA:
- 6 Section 1. Paragraph P, Prohibited Uses, Section IV, of § 6, Exhibit A, Special
- 7 Area Plan for University Heights, Appendix A, City of Gainesville Land Development
- 8 Code, is amended to read as follows:
- 9 Prohibited Uses
- 10 Intent. Certain uses decrease streetfront vitality and are so exclusively oriented toward or
- designed to attract motor vehicles that they contribute to visual blight and lack of human
- scale for a traditional area. As a result, these uses are not compatible with the University
- Heights neighborhood.
- 14 Standard. The following uses are prohibited:
- Auto dealers, Auto Service and Limited Auto Services (IN-5511, MG-753)
- Carwashes (IN-7542)
- Gas Service Stations (IN-5541)
- Gasoline pumps when accessory to a Food Store (MG-54)
- Off-street surface parking lots as a principal use
- Drive-throughs (new or expanded)
- Section 2. A new paragraph R, Special Use Permit, is created and added to
- 22 Section IV, of § 6, Exhibit A, Special Area Plan for University Heights, Appendix A,
- 23 City of Gainesville Land Development Code, to read as follows:

Petition No. 174TCH-05 PB

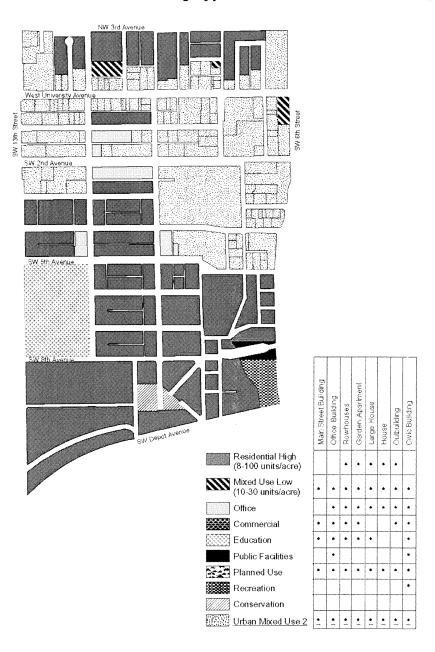
2 Rehabilitation centers 3 **Section 3.** Section V, of § 6, Exhibit A, Special Area Plan for University 4 Heights, Appendix A, City of Gainesville Land Development Code, relating to maximum 5 height for Main Street Shopfront Building, Office Building, Rowhouse, Garden 6 Apartment Building, Apartment Building, House, and Outbuilding, is amended to read as 7 follows: **Main Street Shopfront Building** 8 9 58 ft. above grade, grade, except in the Maximum 10 Height UMU-2 zoning district, where Sec. 30-65.2 11 shall apply. 12 13 **Office Building** 14 Maximum 58 ft. above grade, except in the UMU-2 zoning 15 Height district, where Sec. 30-65.2 shall apply. 16 17 Rowhouse 18 Maximum 48 ft above grade, except in the UMU-2 zoning 19 Height district, where Sec. 30-65.2 shall apply. 20 21 **Garden Apartment Building** 22 Maximum 48 ft above grade, except in the UMU-2 zoning 23 district, where Sec. 30-65.2 shall apply. Height 24 25 **Apartment Building** Maximum 26 48 ft above grade, except in the UMU-2 zoning 27 Height district, where Sec. 30-65.2 shall apply. 28 29 House 30 Maximum 48 ft above grade, except in the UMU-2 zoning 31 Height district, where Sec. 30-65.2 shall apply. 32 33 Outbuilding 34 Maximum 2 stories or 27 ft above grade, except in the 35 Height UMU-2 zoning district, where Sec. 30-65.2 36 shall apply. Dormers are not considered stories. 37

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Permitted by Special Use Permit

- **Section 4.** The Land Use and Building Type Matrix, printed at section V of § 6, 1
- Exhibit A, Special Area Plan for University Heights, Appendix A, City of Gainesville 2
- Land Development Code, is amended to read as follows: 3

Land Use and Building Type Matrix



1	Section 5. It is the intention of the City Commission that the provisions of
2	Sections 1, 2, 3 and 4 of this ordinance shall become and be made a part of the Code of
3	Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of
4	this Ordinance may be renumbered or relettered in order to accomplish such intentions.
5	Section 6. If any section, sentence, clause or phrase of this ordinance is held to
6	be invalid or unconstitutional by any court of competent jurisdiction, then said holding
7	shall in no way affect the validity of the remaining portions of this ordinance.
8	Section 7. All ordinances, or parts of ordinances, in conflict herewith are to the
9	extent of such conflict hereby repealed.
10	Section 8. This ordinance shall become effective immediately upon final
11	adoption.
12 13	PASSED AND ADOPTED this 24 th day of April, 2006.
14	
15	Dec He also
16	PEGEEN HANRAHAN,
17	MAYOR ,
18	WINTOR
19	ATTEST: Approved as to form and legality
20 21	Total I mb
22	KURT M. LANNON MARION J. RADSON
23	KURT M. LANNON MARION J. RADSON CLERK OF THE COMMISSION CITY ATTORNEY
24	
25	This Ordinance passed on first reading this 10 th day of April, 2006.

This Ordinance passed on second reading this 24th day of April, 2006. 26