## **LEGISLATIVE # 190171A**

1	ORDINANCE NO. 190171			
2 3 4 5 6 7	An ordinance of the City of Gainesville, Florida, amending Section 30-7.3 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to clarify that parking structures have no maximum limit on the number of parking spaces allowed; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.			
8 9	WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for			
10	municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the			
11	Florida Constitution, including the exercise of any power for municipal purposes not expressly			
12	prohibited by law; and			
13	WHEREAS, Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of Gainesville			
14	to maintain a Comprehensive Plan to guide the future development and growth of the city by			
15	providing the principles, guidelines, standards, and strategies for the orderly and balanced			
16	future economic, social, physical, environmental and fiscal development of the city; and			
17	WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or			
18	amend and enforce land development regulations that are consistent with and implement the			
19	Comprehensive Plan, and that are combined and compiled into a single land development code			
20	for the city (the City of Gainesville's Land Development Code is Chapter 30 of the Code of			
21	Ordinances); and			
22	WHEREAS, this ordinance, which was noticed as required by law, will amend the text of the			
23	Land Development Code as described herein; and			
24	WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of			
25	the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant 1			
	Petition PB-19-84 TCH CODE: Words <u>underlined</u> are additions.			

to Section 163.3174, Florida Statutes, held a public hearing on July 25, 2019, and voted to

27 recommend the City Commission approve this text change to the Land Development Code; and

28 WHEREAS, at least ten days' notice has been given once by publication in a newspaper of

- 29 general circulation notifying the public of this proposed ordinance and of public hearings in the
- 30 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and
- 31 WHEREAS, public hearings were held pursuant to the notice described above at which hearings
- 32 the parties in interest and all others had an opportunity to be and were, in fact, heard; and
- 33 WHEREAS, the City Commission finds that the Land Development Code text amendment
- described herein is consistent with the City of Gainesville Comprehensive Plan.

35 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,

36 FLORIDA:

37 SECTION 1. Section 30-7.3 of the Land Development Code is amended as follows. Except as

38 amended herein, the remainder of Section 30-7.3 remains in full force and effect.

## **39** Section 30-7.3. Structured Parking.

- 40 41 A Development plans for new parking
- A. Development plans for new parking garages<u>structures</u> as a principal or accessory use
   shall<u>must</u>:
- 43 1. Minimize conflict with pedestrian and bicycle travel routes;
- Provide parking for residents, employees, and <del>/or</del> customers <del>in order</del> to reduce the need
   for on-site surface parking;
- 46 3. Be located and designed to discourage vehicle access through residential streets; and
- 47 4. Design facilities for compatibility with neighborhoods by including ground floor retail,
  48 office, or residential use/development (as appropriate for the zoning district) when
  49 located on a public street. The facility shallmust also have window and facade design
  50 that is scaled to relate to the surrounding area.

51 B. Structured parking shall<u>may</u> not be located within 100 feet of property zoned for single-52 family use. C. Accessory automotive detailing may be allowed within structured parking facilities. These
 accessory uses may be allotted an area equal to no more than 5 parking spaces within the
 parking structure. One exterior sign of no more than 6 square feet at an entrance to the
 garage is allowed in association with accessory automotive detailing.

- 57 D. There is no maximum limit on the number of parking spaces in parking structures.
- 58

**SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this 59 60 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or 61 relettered in order to accomplish such intent. 62 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or 63 the application hereof to any person or circumstance is held invalid or unconstitutional, such 64 finding will not affect the other provisions or applications of this ordinance that can be given 65 66 effect without the invalid or unconstitutional provision or application, and to this end the 67 provisions of this ordinance are declared severable. **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such 68 conflict hereby repealed. 69 70 **SECTION 5**. This ordinance will become effective immediately upon adoption. 71 PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019. 72 73 74 75 76 LAUREN POE

79 Attest:

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78

Approved as to form and legality:

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MAYOR

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81			
82			
83	OMICHELE D. GAINEY	NICOLLE M. SHALLEY	
84	CLERK OF THE COMMISSION	CITY ATTORNEY	
85			
86 87	This ordinance passed on first reading this	day of	, 2019.
88	This ordinance passed on second reading this	day of	, 2019.