

27 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the text of the Land
28 Development Code as described herein; and

29 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the
30 Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section
31 163.3174, Florida Statutes, held a public hearing to consider the subject of this ordinance; and

32 **WHEREAS**, on June 14, 2021, the City Commission held a public hearing to consider the subject of this
33 ordinance; and

34 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general
35 circulation notifying the public of this proposed ordinance and of public hearings to be held by the
36 Gainesville City Commission; and

37 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings the
38 parties in interest and all others had an opportunity to be and were, in fact, heard; and

39 **WHEREAS**, the City Commission finds that the Land Development Code text amendment described
40 herein is consistent with the City of Gainesville Comprehensive Plan.

41 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
42 **FLORIDA:**

43 **SECTION 1.** Section 30-3.1 of the Land Development Code is amended as follows.

44 **Section 30-3.1. Development Review Director ~~Coordinator~~.**

45 The city manager or designee shall serve as the development review director ~~coordinator~~ and shall have the
46 following duties:

47 A. Receive all applications for development plan approval.

48 B. Make administrative decisions as prescribed in this article, with input from applicable city departments.

49 ~~B.C.~~ Schedule all applications for review before the applicable reviewing authority ~~technical review committee~~
50 ~~and development review board.~~

- 51 ~~C. Chair the technical review committee.~~
- 52 D. Ensure that proper notice is given prior to all hearings on development applications.
- 53 E. Ensure that all time limits are met.
- 54 F. Monitor the progress of all development plan applications through the review process and be available to
- 55 respond to the queries of interested persons.
- 56 G. Schedule application cutoff dates.

57

58 **SECTION 2.** Section 30-3.2 of the Land Development Code is amended as follows.

59 **Section 30-3.2. ~~Technical Review Committee. Reserved.~~**

60 A. ~~Establishment and purpose.~~ The technical review committee (TRC) is hereby created and shall have the

61 following duties:

62 1. ~~Meetings.~~ The TRC shall meet at least monthly to review development proposals as prescribed in this

63 article.

64 2. ~~Decisions.~~ As prescribed in this article, the committee shall either make the final decision on

65 development proposals or make recommendations to the reviewing board with decision-making

66 authority.

67 B. ~~Membership.~~ The TRC shall be composed of an employee appointed from each of the following city

68 departments:

69 1. ~~Planning and development services.~~

70 2. ~~Public works department.~~

71 3. ~~Fire/rescue department.~~

72 4. ~~Representatives of other departments as deemed appropriate.~~

73

74 **SECTION 3.** Section 30-3.7 of the Land Development Code is amended as follows.

75 **Section 30-3.7. ~~Neighborhood Workshop. Public Participation.~~**

76 A. ~~Purpose and intent.~~ ~~Neighborhood workshops~~ Public participation requirements are intended to

77 encourage applicants to be good neighbors and to allow for informed decision making, although not

78 necessarily to produce complete consensus on all applications, by:

79 1. Ensuring that applicants pursue early and effective citizen participation in conjunction with their

80 applications, giving the applicants the opportunity to understand and try to mitigate any real or

81 perceived impacts their applications may have on the community neighborhood; and

82 2. Ensuring that ~~citizens and property owners have~~ the public has an adequate opportunity to learn

83 about applications that may affect them and to work with the applicant to resolve concerns at an

84 early stage of the review and decision-making process, ~~and~~

- 85 ~~3. Facilitating ongoing communication among the applicant, interested citizens and property owners,~~
86 ~~and city staff throughout the application review process.~~
- 87 B. *Applicability.* Every application that requires board approval, including future land use map changes,
88 rezonings, right-of-way vacations, special use permits, subdivisions, or development plans shall first
89 hold a neighborhood workshop and shall include in the application a written record of such meeting
90 public participation report. Development plans ~~located within a transect zone~~ that meet or exceed the
91 thresholds for intermediate or major development review ~~shall also conduct~~ must also include a
92 neighborhood workshop and public participation report. The following development applications are
93 exempt from the requirements of this section:
- 94 1. Text changes to the Comprehensive Plan or Land Development Code.
 - 95 2. City-initiated amendments to the future land use map of the Comprehensive Plan that change the
96 future land use from Alachua County to City of Gainesville categories.
 - 97 3. City-initiated amendments to the zoning map that change the zoning from Alachua County to City of
98 Gainesville districts.
 - 99 4. Development plan applications for nonresidential projects of 10,000 square feet or less of floor area
100 when not abutting or adjacent to property zoned for single-family residential use.
 - 101 5. Development plan applications for residential projects of ten units or less.
 - 102 6. Environmental remediation or safety improvements required by local, state, and federal agencies.
- 103 C. ~~*Workshop requirements.*~~ *Workshop and public participation report.* When required in accordance with
104 this section, the applicant shall as part of the development application hold a workshop and submit a
105 written public participation report documenting the results of the public participation effort.
- 106 1. The applicant shall ~~hold~~ provide the opportunity for a workshop prior to submittal of the
107 development application to inform neighboring property owners of the proposed application. The
108 ~~workshop shall be held in a location generally near the subject property and shall be held in a~~
109 ~~facility that is ADA compliant.~~ The applicant shall provide notification of the workshop by certified
110 mail to all owners of property located within 400 feet of the subject property and to all
111 neighborhood associations registered with the city and located within one-half-mile of the property,
112 as well as to any other persons, organizations, or agencies as deemed appropriate by the city
113 manager or designee. If requested, the The city manager or designee ~~shall~~ may provide mailing
114 labels to the applicant. The applicant shall mail these notices with proper postage at least 15
115 calendar days before the date of the workshop. The applicant shall also post notice signs of the
116 workshop at the property that is the subject of the application at least 15 calendar days before the
117 date of the workshop, which notice must include a description of the application, potential uses, and
118 other information as required by the city manager or designee, as well as the date, time, and location
119 of the workshop. ~~The applicant shall also advertise the workshop in a newspaper of general~~
120 ~~circulation at least 15 calendar days before the date of the workshop.~~
 - 121 2. The workshop shall start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m. and
122 5:00 p.m. on a weekend. If held in person, the workshop must be held in a location generally near
123 the subject property and must be held in a facility that is ADA compliant. Applicants may hold a
124 virtual workshop in lieu of an in-person workshop by both using an interactive online video
125 conferencing software as well as providing attendees the ability to call in with a telephone with no
126 internet access. Virtual workshops must meet all applicable requirements provided in this section.

127 and the applicant must provide virtual attendees with the ability to receive all information that
128 would be available in an in-person workshop. ~~All required workshops shall be held prior to~~
129 ~~submittal of the application. The applicant shall be required to schedule an additional workshop if~~
130 ~~the initial workshop has occurred more than six months prior to submittal of the application.~~

- 131 3. The applicant shall hold an additional workshop(s) if the initial workshop has occurred more than
132 three months prior to submittal of the application, or if subsequent to the initial workshop there
133 has been in the subject development application a 20% or greater increase in proposed building
134 area, an increased number of proposed floors, or the addition of or increase of intensity of a drive-
135 through use.
- 136 4. The public participation report must be on or in a form as approved by the city manager or designee
137 and must at a minimum include the following information:
- 138 a. A list of the owners of property located within 400 feet of the subject property, all
139 neighborhood associations registered with the city and located within one-half-mile of the
140 property, as well as any other persons, organizations, or agencies deemed appropriate by the
141 city manager or designee for notice of the workshop, together with a description of how the
142 applicant will inform those parties any time the development application has a 20% or greater
143 increase in proposed building area, an increased number of proposed floors, or the addition of
144 or increase of intensity of a drive-through use.
- 145 b. A narrative description of the methods the applicant used to involve the public, which may
146 include: a) dates and locations of all meetings where the public or the parties listed above were
147 invited to discuss the application, including the required workshop; b) the contents, dates
148 mailed, and number of mailings, including letters, meeting notices, newsletters, and all other
149 forms of notice used; c) a general description of where all parties listed above are located; and
150 d) the number of people who participated in the process.
- 151 c. A summary of the substance of concerns and issues expressed during the process, and a
152 description of how the applicant has addressed or intends to address the concerns and issues
153 expressed or, in the alternative, why the expressed concerns and issues will not be addressed.

154
155 **SECTION 4.** Section 30-3.8 of the Land Development Code is amended as follows.

156 **Section 30-3.8. Public Notice.**

- 157 A. *General.* The notice provisions in this section ~~shall be~~ are required prior to all ~~board~~ hearings and are
158 supplemental to any notice required by state law. If two public hearings are required, then supplemental
159 notice ~~shall~~ must be provided prior to the first public hearing. A request by the applicant to continue a
160 ~~board~~ hearing ~~shall~~ will require the applicant to incur re-notification and re-advertising costs.
- 161 B. *Mailed notice.* Unless otherwise provided by law, addresses for mailed notice required by this chapter
162 ~~shall~~ must be obtained from the latest ad valorem tax records provided by the county property appraiser.
163 The failure of any person to receive notice ~~shall~~ will not invalidate an action if a good faith attempt was
164 made to comply with the notice requirements. The notice ~~shall~~ must identify the physical address of the
165 subject property; the date, time, and location of the public hearing; and a description of the application
166 including the nature and degree of the request, potential uses, and other information as required by the
167 city. The notice ~~shall~~ must be mailed by certified mail at least 15 calendar days prior to the date of the

168 ~~board~~ hearing to all real property owners whose land will be affected and whose property lies within 400
 169 feet of any affected property.

170 C. *Posted notice.* Posted notice signs ~~shall~~ must be posted by the applicant in accordance with procedures
 171 established by the city, and ~~shall~~ must include a description of the application with the nature and degree
 172 of the request, potential uses, and other information as required by the city, and ~~shall~~ must identify the
 173 date, time, and location of the public hearing. Signs shall be posted at least 15 calendar days prior to the
 174 date of the ~~board~~ hearing. Properties under consideration for a land use or zoning map change that
 175 involve more than 50 non-contiguous acres ~~shall~~ are not ~~be~~ required to post signs when the application is
 176 initiated by the city.

177 D. *Failure to perfect supplemental notice.* If an applicant fails to provide supplemental notice in accordance
 178 with this section prior to the public hearing, then the public hearing ~~shall~~ must be cancelled to allow
 179 compliance with the notice requirements. The failure to provide the supplemental notice required by this
 180 section ~~shall~~ may not be construed to invalidate any final action on a land development decision, if
 181 discovered after final action has been taken.

182 **Table III - 1: Public Notice.**

APPLICATION TYPE	NEWSPAPER AD	MAILED NOTICE	POSTED NOTICE
COMPREHENSIVE PLAN AMENDMENTS/LAND USE CHANGES			
Text changes not including amendments to the list of permitted/prohibited uses.	As required by law.	Not required.	Not required.
Text changes amending the list of permitted/prohibited uses involving less than 5% of the total land area of the city.	As required by law.	Required.	Not required.
Text changes amending the list of permitted/prohibited uses involving more than 5% of the total land area of the city.	As required by law.	Not required.	Not required.
Land Use Map changes involving less than 5% of the total land area of the city.	As required by law.	Required.	Required.
Land Use Map changes involving more than 5% of the total land area of the city.	As required by law.	Not required.	Required, except as provided in this section.
LAND DEVELOPMENT CODE AMENDMENTS/REZONINGS			
Text changes not including amendments to the list of permitted/prohibited uses.	As required by law.	Not required.	Not required.

APPLICATION TYPE	NEWSPAPER AD	MAILED NOTICE	POSTED NOTICE
Text changes amending the list of permitted/prohibited uses involving less than 5% of the total land area of the city.	As required by law.	Required.	Not required.
Text changes amending the list of permitted/prohibited uses involving more than 5% of the total land area of the city.	As required by law.	Not required.	Not required.
Zoning Map changes involving less than 5% of the total land area of the city.	As required by law.	Required.	Required.
Zoning Map changes involving more than 5% of the total land area of the city.	As required by law.	Not required.	Required, except as provided in this section.
Special Use Permits	As required by law.	Required.	Required.
Development Review Board	As required by law.	Required.	Required.
Variances	As required by law.	Required.	Required.
Historic Preservation Board (COA)	As required by law.	Not required.	Required.
Heritage Overlay District Board	As required by law.	Not required.	Required.
Right-of-Way Vacations	As required by law.	Required.	Not required. <u>Required.</u>

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184

185 **SECTION 5.** Section 30-3.18 of the Land Development Code is amended as follows.

186 **Section 30-3.18. Review Procedures.**

- 187 A. *Unified control.* All land included in any PD application ~~shall~~ must be owned or under the legal control of
 188 the applicant, whether the applicant be an individual, partnership, corporation, other entity, group or
 189 agency. The applicant shall provide evidence of such ownership or control, including upon request of the
 190 City Manager or designee all agreements, contracts, guarantees and other necessary documents and
 191 information that the city deems necessary.
- 192 B. *Pre-application meeting.* Before application submittal, the applicant shall present a generalized
 193 description of the project to the City Manager or designee at a pre-application conference.
- 194 C. *First-step meeting.* Before application submittal, the applicant shall attend a first-step meeting to discuss
 195 the development review process, code requirements, and to confer with staff about the PD. ~~The first-step~~
 196 ~~meeting may be attended by staff of the Technical Review Committee or staff of the planning and~~
 197 ~~development services department.~~ Comments made by staff at a first-step meeting are made solely for
 198 preliminary informational purposes and ~~shall~~ may not be construed as an approval or denial or agreement
 199 to approve or deny any application.
- 200 D. *Application submittal.* The applicant shall submit a complete application, accompanied by the applicable
 201 fee, on a form provided by the city together with all plans, documentation, and information deemed
 202 necessary by the city.
- 203 E. ~~*Development Review Director*~~ ~~*Technical Review Committee review.*~~ The Development Review Director
 204 ~~Technical Review Committee~~ shall review the application for conformance with the city's Comprehensive
 205 Plan and Land Development Code, and issue a recommendation.
- 206 F. *Neighborhood workshop.* The applicant shall hold a neighborhood workshop per the requirements of this
 207 article.
- 208 G. *City Plan Board review.* The City Plan Board shall review the application (PD layout plan and report) ~~and~~
 209 ~~the Technical Review Committee recommendation~~ at a public hearing. The City Plan Board shall
 210 recommend denial, approval, or approval subject to conditions, and the recommendation ~~shall~~ must be
 211 forwarded to the City Commission for consideration.
- 212 H. *City Commission review.*
- 213 1. The City Commission shall deny the application, approve the application, or approve the application
 214 with conditions that it deems necessary and appropriate.
- 215 2. If the City Commission approves an application with conditions, then the applicant shall revise the
 216 application to clearly incorporate such conditions and file with the City Manager or designee within 60
 217 calendar days of such approval. Failure to file the revised application within the time prescribed ~~shall~~
 218 will render any approval of the City Commission null and void unless the applicant files with the City
 219 Commission a written request for an extension of time within such 60-day period. The City
 220 Commission may grant an extension for good cause shown.

222 **SECTION 6.** Section 30-3.36 of the Land Development Code is amended as follows.

223 **Section 30-3.36. Minor Subdivisions.**

- 224 A. *Minor subdivision standards.*
- 225 1. Each proposed lot shall conform to the provisions of this chapter.

- 226 2. All existing principal and accessory structures on each lot ~~shall~~ must conform to the use and
227 development standards of this chapter.
- 228 3. All lots have city water and sewer services available and constructed to the lot line of at least one lot,
229 with appropriate easements granted to allow future water and sewer connections to each of the lots
230 at the time each lot is developed.
- 231 4. If the proposed minor subdivision abuts a public right-of-way that does not conform to the provisions
232 of Section 30-6.6 B, as further specified in the Design Manual, the owner may be required to dedicate,
233 at no cost to the city, one-half of the right-of-way width necessary to meet the minimum design
234 requirements. If the proposed minor subdivision abuts both sides of a substandard street, one-half of
235 the right-of-way width necessary to meet those minimum design requirements may be required from
236 each side. The dedication of this right-of-way or any easements necessary ~~shall~~ must be accomplished
237 by a separate document. The applicant shall provide the city with legal descriptions of all easements
238 or rights-of-way to be dedicated, and the city shall prepare and record the necessary documents as
239 part of the approval process.
- 240 5. Each lot in the minor subdivision ~~shall~~ must front for the entire required minimum lot width on a
241 public street or an approved private street. Where there is no minimum lot width requirement, each
242 lot ~~shall~~ must abut a public street or approved private street for a width equivalent to the maximum
243 driveway width required in Section 30-6.20, plus any required turning radii area. Notwithstanding the
244 above, the length of street frontage may be modified during minor subdivision review by the City
245 Manager or designee, based on the need to achieve the most efficient lot layout, access to and from
246 the minor subdivision, operational needs of service vehicles, vehicular circulation and the health,
247 welfare, and safety of the public.
- 248 6. The minor subdivision ~~shall~~ must create vehicular and pedestrian access to serve the minor
249 subdivision and improve gridded connectivity by connecting to surrounding existing streets and by
250 including new streets within the minor subdivision so that the resulting blocks will not exceed a
251 maximum block perimeter of 2,000 feet. Modifications to this requirement may be granted by the City
252 Manager or designee where the construction of a street is limited by existing conditions such as, but
253 not limited to:
- 254 a. Access management standards;
- 255 b. Regulated environmental features; or
- 256 c. Public facilities, such as, but not limited to, stormwater facilities, parks, or schools.
- 257 Alternatively, where the ~~Development Review Director~~ Technical Review Committee determines that
258 it is not possible to construct the streets that would be required to meet the block perimeter
259 standard, the block perimeter ~~shall~~ must be completed with the provision of pedestrian and bicycle
260 paths or multi-use paths. The applicant shall, at the expense of the applicant, construct the required
261 ~~streets or paths shall be constructed at the expense of the applicant~~ according to the appropriate city
262 standards as determined through the minor subdivision review process, but may be sited and
263 configured in a manner so that the streets provide the most appropriate access to the minor
264 subdivision and connectivity to the surrounding street network. Where a street or path is planned to
265 provide a future connection to a street or path beyond the extent of the minor subdivision, the
266 applicant shall provide for the connection of the street by stubbing out the road improvements as
267 close as practicable to the boundary of the minor subdivision.

- 268 7. Each approved private street ~~shall~~ must meet the following requirements in addition to the
269 requirements in Section 30-6.8:
- 270 a. An approved private street ~~shall~~ must be paved to a minimum width of 12 feet wide for one-
271 directional traffic flow and 18 feet wide for two-directional traffic flow. Alternatively, a
272 determination ~~shall~~ must be made by the city public works department, the city fire rescue
273 department, and city solid waste department that the approved private street is adequate to
274 support service vehicles as necessary to provide municipal services.
- 275 b. The structure and sub-base of the approved private street ~~shall~~ must meet the standards set forth
276 in the Design Manual.
- 277 c. Each approved private street ~~shall~~ must be connected directly to a public street or to another
278 approved private street. The method and type of connection ~~shall~~ will be subject to approval by
279 the city public works department in accordance with the standards set forth in the Design Manual.
280 The private street serving the minor subdivision ~~shall~~ must have a maximum length of 1,000 feet
281 (measured by traversing the length of the approved private street from its farthest extent to the
282 nearest public street). At the point the private street reaches 1,000 feet in length, the applicant
283 shall provide one of the following, as determined by the city fire rescue department: appropriate
284 emergency connection to the nearest public road, if such a connection can be made on property
285 within the minor subdivision; or a turnaround sized to accommodate fire and rescue vehicles.
- 286 d. The owners of each approved private street shall provide necessary easements to the city for the
287 purpose of providing municipal services. Alternatively, if the city finds the street serves a valid
288 public purpose, the owners may gratuitously dedicate an approved private street for purposes of
289 public right-of-way.
- 290 e. Lots created on an approved private street ~~shall~~ must be designed to minimize the number of curb
291 cuts onto the street. Shared driveway access ~~shall be~~ is required of adjoining lots, except where
292 an odd number of lots are created, in which case, one lot, as determined by the city public works
293 department, may be allowed to have a separate driveway.
- 294 8. All proposed minor subdivisions ~~shall~~ must meet the level of service standards in the Comprehensive
295 Plan. Proof of meeting these standards shall exist in the form of a certificate of concurrency
296 exemption, certificate of preliminary concurrency or certificate of conditional concurrency
297 reservation. The approval of a nonresidential minor subdivision in no way reserves capacity for the
298 purposes of concurrency.
- 299 B. *Review.*
- 300 1. *Application.* After a mandatory pre-application conference with staff, an application ~~shall~~ must be
301 completed on a form prescribed by the city and submitted together with the following:
- 302 a. A map of boundary survey and minor subdivision certified by a professional land surveyor
303 registered in the state according to Chapter 472, Florida Statutes. The survey ~~shall~~ must be drawn
304 on a 24-inch by 36-inch linen or stable base film with a three-inch margin on the left for binding,
305 and a one-half-inch margin on the other three sides. Additional information to be shown on the
306 survey ~~shall~~ must include but not be limited to:
- 307 i. The lot lines, dimensions, legal descriptions and acreages for each lot being created.
308 ii. The acreage of the total tract.

- 309 iii. A vicinity map showing the location of the survey in relationship to major thoroughfares.
- 310 iv. A note stating, "THIS IS NOT A RECORD PLAT."
- 311 v. A municipal approval statement, to be signed by the director of planning and development
312 services, director of public works and general manager for Gainesville Regional Utilities or
313 their designee, certifying that the minor subdivision conforms to all applicable ordinances and
314 regulations of the city.
- 315 vi. A statement to be signed by the clerk of the court, stating, "Received and filed as an
316 unrecorded map in accordance with Section 177.132, Florida Statutes."
- 317 vii. The minor subdivision book and page where the survey is to be filed.
- 318 viii. The exact location of all existing principal and accessory structures on each lot. If the existing
319 structures obscure the alignment of the proposed lots they may be left off the map of minor
320 subdivision and be submitted separately on a boundary survey of the parent parcel. Any
321 shared use of said structures ~~shall~~ must be clearly stated and shown as easements on the
322 minor subdivision.
- 323 b. A statement indicating the location where water or sanitary sewer service is available to the
324 property, and a statement indicating that all utility service ~~shall~~ must be installed beneath the
325 surface of the ground in accordance with Section 30-8.2, and a statement indicating where
326 stormwater management facilities are available to accommodate stormwater runoff of the
327 proposed development.
- 328 c. If located on an approved private street, a signed consent (on the form provided by the city) from
329 the owners of each approved private street that serves the minor subdivision.
- 330 d. Payment of fees as required by Appendix A.
- 331 2. Upon receipt of a completed application, the several departments of the city shall review and provide
332 comment.
- 333 3. Minor subdivisions that require any street, sidewalk, bikeway, bridge, drainage facility, screening wall
334 or any other improvement required under this chapter may receive conditional approval but will not
335 receive final approval or be filed with the clerk of the circuit court until all required improvements are
336 fully constructed and approved by the city. No building permits may be issued for any of the lots until
337 final approval is granted and the minor subdivision is filed.
- 338 4. If the proposed minor subdivision meets the conditions of this section and otherwise complies with all
339 applicable laws and ordinances, the Development Review Director ~~Technical Review Committee~~ shall
340 approve the minor subdivision ~~by affixing their signatures to the original document.~~
- 341 5. Upon approval of the minor subdivision, the subdivider shall file with the clerk of the circuit court,
342 with all fees paid by the subdivider, the original linen or stable base film drawing of the survey and any
343 covenants, deed restrictions, or other required documents shall be filed with the clerk of the circuit
344 court as an unrecorded map, in accordance with Section 177.132, Florida Statutes. It shall be filed by
345 the subdivider with all fees paid by the subdivider. Upon filing of the approved minor subdivision, the
346 subdivider shall submit to the city, in the form prescribed by the city, copies of the filed minor
347 subdivision and any required documents shall be submitted to the city, in the form prescribed by the
348 city.
- 349

350 **SECTION 7.** Section 30-3.45 of the Land Development Code is amended as follows.

351 **Section 30-3.45. Levels of Development Review.**

352 All development ~~shall~~ requires rapid, intermediate, or major development review in accordance with the
 353 thresholds set forth in the table below. Any development activity below the thresholds identified for rapid
 354 review ~~shall~~ will be reviewed in conjunction with a building permit application. Development that includes
 355 components within different thresholds ~~shall~~ will be reviewed as one submittal in accordance with the highest
 356 threshold that is triggered by the development.

357 **Table III - 2. Levels of development review.**

	RAPID	INTERMEDIATE	MAJOR
Residential	Developments of 3 to 10 multiple-family dwelling units.	Developments of 11 to 99 <u>50</u> multiple-family dwelling units.	Developments of 100 <u>51</u> or more multiple-family dwelling units.
Non-Residential	New construction or expansions of 1,001 and up to 10,000 square feet of building area.	New construction or expansions of 10,001 to 50,000 square feet of building area.	New construction or expansions over 50,001 square feet of building area.
Parking; other Impervious Areas; Construction Activity	Parking areas that include 8-40 new parking spaces. Impervious areas: 1,000-20,000 square feet. Excavation, filling, or removal of more than 200 cubic yards of material for the purpose of development.	Parking areas that include 41-100 new parking spaces. Impervious areas: 20,001-50,000 square feet.	Parking areas that include more than 100 new parking spaces. Impervious areas: more than 50,000 square feet.

358 **Notes to Table:**

359 Development plan review by the appropriate board ~~shall be~~ is required when the development includes one
 360 or more requests for a variance per this article.

361
 362 **Table III - 3. Summary of development review process.**

	RAPID	INTERMEDIATE AND MAJOR	<u>MAJOR</u>	MASTER PLAN
First-Step Meeting	Required.	Required.	<u>Required.</u>	Required.
Neighborhood Workshop	Not required.	Required.	<u>Required.</u>	Required.

	RAPID	INTERMEDIATE AND MAJOR	MAJOR	MASTER PLAN
Development Review Director	<u>Required.</u>	<u>Required.</u>	<u>Required.</u>	<u>Required.</u>
Technical Review Committee (TRC)	Required.	Required.		Required.
Board Review	Required if requesting a variance.	Required if requesting a variance.	<u>Required. However, residential developments with 15% of units reserved for households at 80% AMI or less only require board review if requesting a variance.</u>	Required if requesting a variance.
Final TRC Review	Required if either <u>Development Review Director</u> TRC or board, as applicable, issued applicant a preliminary development order.	Required if either <u>Development Review Director</u> TRC or board, as applicable, issued applicant a preliminary development order.	<u>Required if board issued applicant a preliminary development order.</u>	Required if either TRC or board, as applicable, issued applicant a preliminary development order.

363

364 **SECTION 8.** Section 30-3.47 of the Land Development Code is amended as follows.

365 **Section 30-3.47. Review Procedures.**

366 A. *First-Step meeting.* Prior to filing an application for development plan review, the applicant shall attend a
 367 first-step meeting to discuss the development review process, code requirements, and to confer with staff
 368 about the development process. Comments made by staff at a first-step meeting are made solely for
 369 preliminary informational purposes and ~~shall~~ may not be construed as an approval or denial or agreement
 370 to approve or deny any development order.

371 B. *Application.* A completed application, on the form provided by the city, ~~shall~~ must be signed and notarized
 372 by all owners of the property and by any agents of the owners. Applicable fees, attachments, and other
 373 information as deemed necessary by the city ~~shall~~ must be submitted as part of the application. The City
 374 Manager or designee shall determine completeness based on level of review required, the nature of the

CODE: Words underlined are additions; words ~~stricken~~ are deletions.

375 proposed development and other requirements as set forth in this chapter, the Comprehensive Plan, and
376 other city requirements deemed necessary to provide a professional and complete review and evaluation
377 of the application.

378 C. *Review.* If the application is determined to be complete, the application and associated materials ~~shall~~ will
379 be reviewed by the applicable reviewing authority in accordance with the review criteria provided in this
380 division, and the reviewing authority shall decide one of the following: according to this section.

381 1. Find that all requirements of the review criteria provided in this division have been met and issue a
382 final development order;

383 2. Find that all requirements of the review criteria provided in this division can be met with conditions
384 specified in writing and issue a preliminary development order, which requires final review as
385 provided in this section; or

386 3. Deny the application based upon a determination that the proposed development, even with
387 reasonable modifications and conditions, does not meet the review criteria set forth in this division.

388 ~~1. *Board review not required.* The Technical Review Committee shall review the application in~~
389 ~~accordance with the review criteria provided in this division and provide comments, findings, and~~
390 ~~conclusions supporting the committee's final decision, which may include one of the following:~~

391 ~~a. Find that all requirements of the review criteria provided in this division have been met and issue~~
392 ~~a final development order;~~

393 ~~b. Find that all requirements of the review criteria provided in this division can be met with~~
394 ~~conditions specified in writing and issue a preliminary development order, which requires final~~
395 ~~Technical Review Committee review as provided in this section; or~~

396 ~~c. Deny the application based upon a determination that the proposed development, even with~~
397 ~~reasonable modifications and conditions, does not meet the review criteria set forth in this~~
398 ~~division.~~

399 ~~2. *Board review required.* If board review is required, the Technical Review Committee shall prepare a~~
400 ~~recommendation to the board to: 1) approve; 2) approve with specified conditions; or 3) deny based~~
401 ~~upon a determination that the proposed development, even with reasonable modifications and~~
402 ~~conditions, does not meet the review criteria set forth in this division. The reviewing board shall~~
403 ~~consider the recommendation of the Technical Review Committee and other relevant information~~
404 ~~pertaining to the application and, using the review criteria provided in this division, shall decide one of~~
405 ~~the following:~~

406 ~~a. Find that all requirements of the review criteria provided in this division have been met and issue~~
407 ~~a final development order;~~

408 ~~b. Find that all requirements of the review criteria provided in this division can be met with~~
409 ~~conditions specified in writing and issue a preliminary development order, which requires final~~
410 ~~Technical Review Committee review as provided in this section; or~~

411 ~~c. Deny the application based upon a determination that the proposed development, even with~~
412 ~~reasonable modifications and conditions, does not meet the review criteria set forth in this~~
413 ~~division.~~

414 ~~3. *Final review by Technical Review Committee.* If the applicant was issued a preliminary development~~
415 ~~order, as opposed to a final development order, the applicant shall timely submit all materials and~~

416 information as deemed necessary by the city for final review. Upon receipt of a complete application,
417 as determined by the City Manager or designee, the Technical Review Committee shall review the
418 application in accordance with the review criteria provided in this division and:

- 419 a. ~~Find that all requirements of the review criteria and the preliminary development order have~~
420 ~~been met and issue a final development order;~~
- 421 b. ~~Inform the applicant in writing of the changes necessary for the development to comply with the~~
422 ~~requirements of the review criteria and the preliminary development order; or~~
- 423 c. ~~Find that the plan as submitted fails to meet the requirements of the review criteria or the~~
424 ~~preliminary development order and not issue a final development order.~~

425 D. *Preliminary development orders.*

- 426 1. A preliminary development order ~~shall~~ must contain the following:
- 427 a. An approved development plan, with a listing of conditions and modifications, if required, in order
428 for a final development order to be issued. The modifications ~~shall~~ must be described in sufficient
429 detail and exactness to inform the applicant to amend the plan accordingly. However, the failure
430 to list all requirements of this chapter and other regulations of the city ~~shall~~ will not relieve the
431 applicant from complying with such requirements and regulations at the time of issuance of a final
432 development order.
- 433 b. Notice that the preliminary development order does not constitute a final development order and
434 that subsequently adopted ordinances, regulations, and laws may require additional amendments
435 to the proposal.
- 436 c. An initial determination of concurrency.
- 437 2. A preliminary development order ~~shall~~ will be effective for six months from the date of approval.
438 During this six-month period, the applicant shall seek final development approval. At the request of
439 the applicant and for good cause shown, the reviewing authority may extend the period for obtaining
440 final development order approval for a period of up to 12 months from the date of approval of the
441 preliminary development order.

442 E. *Final development orders.*

- 443 1. A final development order ~~shall~~ must contain the following:
- 444 a. An approved development plan.
- 445 b. A certificate of final concurrency.
- 446 c. The expiration date for the final development order. A final development order ~~shall~~ will remain
447 valid only if development commences and continues pursuant to an active building permit to
448 completion with due diligence and in good faith according to the terms and conditions of
449 approval.
- 450 2. A final development order ~~shall~~ will be effective for a period of one year from the date of approval
451 unless otherwise specified in the order.

452

453 **SECTION 9.** Section 30-3.56 of the Land Development Code is amended as follows.

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Section 30-3.56. Land Use Hearing Officer.

- A. *Establishment and purpose.* There is hereby created the position of City of Gainesville Land Use Hearing Officer (Hearing Officer), which has the purpose of: a) providing an administrative process for appealing certain decisions regarding the administration and enforcement of the Land Development Code, as provided in this division; and b) conducting quasi-judicial hearings in accordance with state law whereby the Hearing Officer reviews and approves, approves with conditions, or denies applications for development plan approval, as may be provided in this chapter. No party may be deemed to have exhausted his or her administrative remedies for the purpose of seeking judicial review unless the party first obtains review by a Hearing Officer as provided in this division.
- B. *Selection Appointment and removal.*
- ~~1.~~ The city commission ~~shall select one or more hearing officers, through a competitive selection process, may appoint by contract one or more hearing officers, who will be compensated as determined by the city commission, for a definite term of office not to exceed four years, and may be reappointed at the conclusion of any term.~~ In addition, the city may elect to use a hearing officer appointed by the State of Florida or any agency thereof that meets the qualifications provided in this section.
 - ~~2.~~ ~~During his/her term of service, a hearing officer appointed by the city commission may be removed only for cause by the city commission. Cause for removal of a hearing officer includes, but is not limited to, violations of the standards set forth in the Code of Judicial Conduct adopted by the Florida Supreme Court or the State of Florida Code of Ethics for Public Officers and Employees in F.S. Ch. 112.~~
- C. *Minimum qualifications.* Hearing officers must meet the following minimum qualifications:
1. A licensed attorney who is an active member of the Florida Bar in good standing.
 2. At least three years of professional experience in land use or local government law.
 3. Not an employee of or office holder with the city.
- D. *General authority.* The hearing officer has all powers necessary to perform the functions prescribed by this chapter division, including the power to interpret and administer this chapter division, the power to dispose of procedural requests or similar matters, the power to issue notices of hearings and subpoenas requiring attendance, and the power to administer oaths.

SECTION 10. Section 30-6.4 of the Land Development Code is amended as follows. Except as amended herein, the remainder of Section 30-6.4 remains in full force and effect.

Section 30-6.4. Level of Service Review.

- A. *Generally.* It is the policy of the city that no development order ~~shall~~ may be issued unless adequate public facilities are available to serve the project, at adopted LOS standards. The applicant shall provide responsibility for providing information to show compliance with the adopted LOS standards and meeting concurrency requirements ~~shall be upon the applicant.~~ In order to ensure that adequate public

491 facilities are available concurrent with the impacts of development on each public facility, the following
492 procedures ~~shall~~ govern the issuance of development orders.

493 B. *Exemptions.* Developments that are issued a certificate of concurrency exemption as further provided in
494 this chapter are exempt from the concurrency requirements of this chapter. In addition, the following
495 types of development fall below the threshold for any concurrency review and are deemed
496 automatically exempt:

- 497 1. Single-family dwellings (including expansions and remodeling) on lots of record that existed on or
498 before June 10, 1992.
- 499 2. Building permits for two-family dwellings (including expansions and remodeling) that: 1) are on lots
500 of record that existed on or before June 10, 1992; or 2) previously have met the concurrency
501 requirements of this chapter.
- 502 ~~3. Developments that meet the criteria for rapid review as provided in article III of this chapter.~~
- 503 34. Concept review of a development as specified in article III of this chapter.
- 504 ~~45.~~ Zoning verification letters with no associated change of use as specified in article III of this chapter.
- 505 ~~56.~~ Lot splits.
- 506 ~~67.~~ Changes to a new use allowed under the applicable zoning district that do not involve adding any
507 new square footage or impervious surface.

508

509 **SECTION 11.** Section 30-6.6 of the Land Development Code is amended as follows. Except as amended
510 herein, the remainder of Section 30-6.6 remains in full force and effect.

511 **Section 30-6.6. Design Standards.**

512 A. *Lots and blocks.*

- 513 1. *Generally.* Lots and blocks ~~shall~~ must be designed according to acceptable practice for the type of
514 development and use contemplated so as to: be in keeping with the topography and other site
515 conditions; provide adequate traffic and utility access and circulation; provide acceptable use of
516 space; and provide privacy, adequate drainage, and protection of property.
- 517 2. *Lot frontage.* Each lot in a subdivision ~~shall~~ must front for the entire required minimum lot width on
518 a public street or an approved private street. Where there is no minimum lot width requirement, each
519 lot ~~shall~~ must abut a public street or approved private street for a width equivalent to the maximum
520 driveway width required in the Design Manual, plus any required turning radii area. Notwithstanding
521 the above, the length of street frontage may be modified during subdivision review by the public
522 works and planning departments, based on the need to achieve the most efficient lot layout, access
523 to and from the subdivision, operational needs of service vehicles, vehicular circulation and the
524 health, welfare and safety of the public.
- 525 3. *Connectivity.* The subdivision ~~shall~~ must create vehicular and pedestrian access to serve the
526 subdivision and improve gridded connectivity by connecting to surrounding existing streets and by
527 including new streets within the subdivision. Street intersections ~~shall~~ must occur at least every 1,000

528 feet. Additionally, subdivisions containing 20 lots or more ~~shall~~ must provide a minimum of two access
529 points to the extent feasible. Modifications to this requirement may be granted by the applicable
530 reviewing authority ~~technical review committee~~ where the construction of a street is limited by
531 existing conditions, including:

- 532 a. Access management standards;
- 533 b. Regulated environmental features; or
- 534 c. Public facilities, including stormwater facilities, parks, or schools.

535 Alternatively, where the applicable reviewing authority ~~technical review committee~~ determines that
536 it is not possible to construct the streets that would be required to meet the block perimeter standard,
537 the block perimeter ~~shall~~ must be completed with the provision of pedestrian and bicycle paths or
538 multi-use paths. The required streets or paths ~~shall~~ must be constructed at the expense of the
539 owner/subdivider according to the appropriate city standards as determined through the subdivision
540 review process, but may be sited and configured in a manner so that the streets provide the most
541 appropriate access to the subdivision and connectivity to the surrounding street network. Where a
542 street or path is planned to provide a future connection to a street or path beyond the extent of the
543 subdivision, the owner/subdivider shall provide for the connection of the street by stubbing out the
544 road improvements as close as practicable to the boundary of the subdivision.

545

546 **SECTION 12.** Section 30-6.12 of the Land Development Code is amended as follows. Except as
547 amended herein, the remainder of Section 30-6.12 remains in full force and effect.

548 **Section 30-6.12. Outdoor Lighting.**

549 F. *Lighting plan submission and review.* Lighting plans demonstrating compliance with the requirements of
550 this section ~~shall~~ must be submitted to the applicable reviewing authority ~~technical review committee~~
551 for review and approval for development plan review, a building permit, or special use permit
552 applications. Lighting plans ~~shall~~ must be certified by signature and seal of a registered architect,
553 engineer, or lighting professional holding a current lighting certification (LC) from the National Council
554 on Qualifications for the Lighting Profession (NCQLP) as providing illumination in accordance with the
555 applicable standards of this section and ~~shall~~ must include the following information:

556

557 **SECTION 13.** Section 30-7.2 of the Land Development Code is amended as follows.

558 **Section 30-7.2. Off-Street Vehicle Parking.**

559 Off-street vehicle parking, including public parking facilities, ~~shall~~ must be designed, constructed, and
560 maintained in accordance with the following standards and regulations:

- 561 A. *Access.* Vehicular ingress and egress to off-street parking facilities ~~shall~~ must be in accordance with the
562 driveway ordinance, Chapter 23, Article V.
- 563 B. *General requirements.* Parking areas ~~shall~~ must be so designed and marked as to provide for orderly and
564 safe movement and storage of vehicles.

- 565 1. All parking spaces ~~shall~~ must contain some type of vehicle wheel stop or other approved barrier that
566 prevents any part of a vehicle from overhanging onto the right-of-way of any public road, alley,
567 walkway, utility, or landscaped area.
- 568 2. All parking lots with two or more rows of interior parking ~~shall~~ must contain grassed ~~and/or~~
569 landscaped medians at least eight feet in width unless an alternative landscape plan is approved
570 pursuant to Section 30-8.4. Where it is determined by Public Works that the landscaped median(s)
571 would obstruct the storm drainage, the City Manager or designee may approve an alternative.
- 572 3. Off-street parking on any property with RC, RSF-1, RSF-2, RSF-3, or RSF-4 zoning, or planned
573 development (PD) zoning with single family or two-family dwellings, and that is located within either
574 the University of Florida context area or a residential parking overlay district area ~~shall~~ will be
575 regulated in accordance with Section 30-7.7.
- 576 4. Maneuvering and access driveways for off-street parking areas, except those provided for single-
577 family dwellings, ~~shall~~ must be provided within the lot on which the parking is located so that any
578 vehicle ~~shall~~ will not be required to back into or maneuver within the public street right-of-way on
579 entering or leaving any off-street parking space.
- 580 5. 100 feet must be ~~t~~The minimum distance from the street right-of-way line at any major ingress or
581 egress driveway to any interior service drive or parking space having direct access to such driveway
582 ~~shall be 100 feet~~. A major driveway is defined as the main ingress or egress point as approved by the
583 applicable reviewing authority. ~~City Plan Board, Development Review Board or technical review~~
584 ~~committee~~.
- 585 6. 20 feet must be ~~t~~The minimum distance from the street right-of-way line at any other ingress or
586 egress driveway to any interior service drive or parking space with direct access from such driveway
587 ~~shall be 20 feet~~. However, the City Manager or designee may allow a reduction of the 20-foot
588 requirement, provided generally accepted traffic principles are maintained, under the following
589 conditions:
- 590 a. Where an existing vehicular use area would be impractical to meet the 20-foot requirement; or
- 591 b. Where an existing vehicular use area proposed for improvement exists with less than the required
592 20 feet; or
- 593 c. For any new development or redevelopment of a vehicular use area, except a vehicular use area
594 with direct access to any roadway classified on the official roadway map, the minimum distance
595 from the right-of-way line at any other ingress or egress driveway to any interior service drive or
596 parking space with direct access from such driveway may be nine feet (which distance also meets
597 landscape requirements) provided all of the following conditions are met for each type of use:
- 598 i. Residential off-street parking:
- 599 1) Vehicular use area access: from alleys or local streets (streets designed for or carrying
600 traffic volumes of under 1200 vehicles per day);
- 601 2) Available right-of-way from edge of pavement to the private property line: 10 feet
602 minimum (not required for alleys);
- 603 3) Speed limit: the posted speed limit is 30 mph or less; and
- 604 4) Use: generates less than 300 trips per day.

- 605 ii. Nonresidential off-street parking:
- 606 1) Vehicular use area access: from alleys or local streets designed for traffic volumes under
- 607 1,200 vehicles per day;
- 608 2) Available right-of-way from edge of pavement to the private property line: 10 feet
- 609 minimum (not required for alleys);
- 610 3) Speed limit: the posted speed limit is 35 mph or less;
- 611 4) Size of parking lot: 25 or fewer nonresidential parking spaces; and
- 612 5) Use: generates less than 100 trips per day.
- 613 C. *Construction specifications.*
- 614 1. *Paved parking facilities.* Except as provided in Subsection 2 below, all off-street parking areas ~~shall~~
- 615 must be paved using asphaltic concrete, concrete, paving block, or brick, and ~~shall~~ must be designed
- 616 and constructed in accordance with the standards and specifications adopted by resolution of the City
- 617 Commission and on file in the Public Works Department.
- 618 2. *Unpaved parking facilities.* Unpaved spaces ~~shall~~ must be located on the periphery of any paved
- 619 parking areas in locations that will receive less use than those paved and more remotely located to the
- 620 use served. All gravel areas ~~shall~~ must be self-contained with curbing that is acceptable to the Public
- 621 Works Department. The following parking facilities may be unpaved, provided such facilities are
- 622 approved by the applicable reviewing authority ~~City Plan Board, Development Review Board, or the~~
- 623 ~~City Manager or designee~~ to be in compliance with this section and other applicable requirements of
- 624 the Land Development Code:
- 625 a. Up to 70% of the required vehicle parking spaces for places of religious assembly, provided that
- 626 such unpaved parking spaces ~~shall~~ may not be used as joint parking with any uses other than
- 627 places of religious assembly.
- 628 b. Up to 20% of the total required spaces for multifamily dwellings, in accordance with **Error!**
- 629 **Reference source not found..C.3.**
- 630 c. Parking spaces provided in excess of the minimum number required by this article, or for uses not
- 631 required to provide parking spaces.
- 632 d. Parking lots located in the residential districts, as identified in Section 30-4.1, when said lots
- 633 contain 10 or fewer parking spaces and parking lots in the office districts when such lots contain
- 634 less than seven parking spaces.
- 635 e. College Park/University Heights areas in accordance with Section 30-7.7.B.
- 636 3. *Multiple-family dwellings with more than six parking spaces.*
- 637 a. If approved in site plan review, up to 20% of the total required vehicle parking spaces for multi-
- 638 family dwellings may be provided by stabilized unpaved parking.
- 639 b. Six months after a final certificate of occupancy is issued or, if phased, upon installation of all
- 640 parking facilities required, an inspection will be made by the City Manager or designee. If findings
- 641 indicate that the unpaved spaces are in good condition or infrequently used, such unpaved spaces
- 642 may remain unpaved. If findings show that the spaces receive as much use as the paved spaces, or

- 643 have deteriorated, such unpaved spaces ~~shall~~ must be paved within 90 calendar days of written
644 notice to the owner of the property.
- 645 c. Stormwater management facilities ~~shall~~ must be provided for all vehicle use areas, whether paved
646 or unpaved, at the time of construction unless the owner demonstrates that stormwater
647 management facilities can be expanded to accommodate future required paving and upon
648 recommendation of the Public Works Department.
- 649 d. A violation of the Code of Ordinances occurs if the unpaved parking area deteriorates so that
650 nearby properties, rights-of-way, or easements are adversely impacted or if the unpaved parking
651 area has deteriorated so that it may no longer be used for parking. Evidence of deterioration
652 includes but is not limited to:
- 653 i. The settlement of the unpaved parking area(s) such that drainage patterns are redirected
654 onto off-site properties rather than the intended stormwater management facilities.
- 655 ii. Absence or failed condition of the approved unpaved parking surface.
- 656 iii. Introduction of sediment and debris from the unpaved parking area onto city rights-of-way
657 and easements.
- 658 e. To remedy this violation, the city may require the property owner to pave the area or to stabilize
659 the area in another manner. If paving is deemed necessary by the city, the property owner may be
660 required to expand the stormwater management facilities as provided in Subsection C.3.c. of this
661 section.
- 662 4. *Vehicles and equipment display and storage areas.*
- 663 a. When allowed as a permitted use, parking, storage, or display of automobiles for sale or lease
664 ~~shall~~ must be conducted on a paved hard surface.
- 665 b. All mechanical equipment and merchandise ~~shall~~ must be installed or displayed on a paved hard
666 surface.
- 667 c. Temporary parking and storage may be allowed by the City Manager or designee for up to 60
668 calendar days in areas outside of the wellfield protection zones. The city shall make a
669 determination that:
- 670 i. The location of the facility will not be harmful to, nor impact surface waters, wetlands, or
671 other environmentally sensitive areas;
- 672 ii. The nature, extent, and duration of the proposed storage area will not create a nuisance or
673 safety hazard;
- 674 iii. That the storage use will be of an intensity that will maintain sod or some other vegetative
675 cover; and
- 676 iv. That the applicant has a plan to return the site to an original or improved condition.
- 677 D. *Dimensional requirements.* Vehicular parking widths and depths ~~shall~~ must meet the specifications in the
678 design manual.
- 679 E. *Handicapped parking.* Accessible handicapped parking spaces ~~shall~~ must comply with the state
680 accessibility requirements manual on file at the Building Inspection Department.

681 F. *Tandem parking*. When administered as a valet parking service, required off-street parking may be placed
682 in a tandem configuration upon approval by the applicable reviewing authority ~~Development Review~~
683 ~~Board, the City Plan Board, or the City Manager or designee where development plan review before the~~
684 ~~City Plan Board or Development Review Board is not required~~. The area used for tandem parking shall
685 must be clearly designated on a development plan and ~~shall~~ must meet all landscaping requirements,
686 except that the location of required interior landscaping shall will be determined at the time of
687 development review. Approval of tandem parking configuration shall will be based on continued
688 maintenance of the administered parking service. If and when the service is discontinued, the regular off-
689 street parking configuration of aisle and spaces shall must be reinstated and the minimum parking
690 spaces required shall must be provided in accordance with this article. When using this option, the
691 property owner shall demonstrate that private streets, vehicular maneuvering areas, service areas,
692 loading and unloading area, queuing areas, and any regular parking space can function efficiently and will
693 not obstruct the efficient flow of traffic, service, utility, and vehicles on the site.

694

695 **SECTION 14.** It is the intent of the City Commission that the provisions of Sections 1 through 13 of this
696 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville, Florida,
697 and that the sections and paragraphs of the Code of Ordinances may be renumbered or relettered in
698 order to accomplish such intent.

699 **SECTION 15.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
700 application hereof to any person or circumstance is held invalid or unconstitutional, such finding will
701 not affect the other provisions or applications of this ordinance that can be given effect without the
702 invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are
703 declared severable.

704 **SECTION 16.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict
705 hereby repealed.

706 **SECTION 17.** This ordinance will become effective on October 1, 2022.


707 **PASSED AND ADOPTED** this 21st day of April, 2022.

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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:



OMICHELE D. GAINNEY
CITY CLERK

FOR  4/21/22

DANIEL M. NEE
INTERIM CITY ATTORNEY

721 This ordinance passed on first reading this 7th day of April, 2022.

722
723 This ordinance passed on second reading this 21st day of April, 2022.