

**LEGISLATIVE #**  
**140817A**

ORDINANCE NO. 140817

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by deleting certain existing and creating new land use categories in the Future Land Use Element and by updating the Transportation Mobility Element to coordinate with the revisions to the Future Land Use Element, as more specifically described in this ordinance; amending Objective 4.1 and Policy 4.1.1 of the Future Land Use Element to delete certain existing land use categories and create new land use categories; amending Policy 4.3.7 of the Future Land Use Element relating to the Urban Village; amending Objective 4.6 and Policy 4.6.1 of the Future Land Use Element relating to consistency between land use categories and zoning districts; amending Objective 10.3 and its policies of the Transportation Mobility Element relating to design standards within the Transportation Mobility Program Area; amending Objective 10.4 and its policies of the Transportation Mobility Element relating to automotive-oriented developments within the Transportation Mobility Program Area; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city; and

**WHEREAS**, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1), Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city as reflected by the community's commitments to implement such plan; and

**WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land, with the goals of

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1 protecting natural and historic resources, providing for the compatibility of adjacent land  
2 uses, and discouraging the proliferation of urban sprawl. The Future Land Use Element shall  
3 discourage the proliferation of urban sprawl by promoting an urban form that is walkable,  
4 connected, and compact with a mix of uses at densities and intensities that will support a  
5 range of housing choices and a multimodal transportation system, including pedestrian,  
6 bicycle and transit; and

7 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville  
8 Comprehensive Plan to include a Transportation Element that addresses mobility and plans  
9 for a multimodal transportation system that places emphasis on public transportation systems,  
10 and shall be coordinated with the Future Land Use Element and Future Land Use Map; and

11 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to  
12 adopt or amend and enforce land development regulations that are consistent with and  
13 implement the Comprehensive Plan, and that shall at a minimum: regulate the subdivision of  
14 land; regulate the use of land and water for those categories included in the land use element  
15 and ensure the compatibility of adjacent uses and provide for open space; provide for  
16 protection of potable water wellfields; regulate areas subject to seasonal and periodic  
17 flooding and provide for drainage and stormwater management; ensure the protection of  
18 environmentally sensitive lands designated in the Comprehensive Plan; regulate signage;  
19 provide that public facilities and services meet or exceed the standards established in the  
20 Comprehensive Plan; and ensure safe and convenient onsite traffic flow, considering needed  
21 vehicle parking; and

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1 **WHEREAS**, Section 163.3202(3), Florida Statutes, requires the City of Gainesville to  
2 combine and compile all adopted land development regulations into a single land  
3 development code for the city; and

4 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of  
5 Gainesville Code of Ordinances) establishes zoning districts to implement the  
6 Comprehensive Plan and land development regulations on specific classifications of land  
7 within the city; and

8 **WHEREAS**, this ordinance results from the City Commission's desire to comprehensively  
9 reorganize, update, and clarify the Land Development Code to, amongst other things, make it  
10 more user-friendly, remove zoning overlay districts, create new form-based transect zoning  
11 districts, streamline administrative and board review processes, and update and clarify  
12 numerous regulatory provisions; and

13 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the  
14 Comprehensive Plan by deleting certain existing and creating new land use categories in the  
15 Future Land Use Element and by updating the Transportation Mobility Element to coordinate  
16 with the revisions to the Future Land Use Element; and

17 **WHEREAS**, this ordinance is associated with City of Gainesville Ordinance Nos. 140819,  
18 140818 and 140820. Ordinance No. 140819 will amend the Future Land Use Map of the  
19 Comprehensive Plan by changing the land use categories of approximately 1,829 acres of  
20 property; Ordinance No. 140818 will comprehensively amend the Land Development Code  
21 by deleting the existing text and adopting new text to eliminate certain existing zoning  
22 districts and special area plans, create new zoning districts with associated regulations, and

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1 reorganize, update and clarify the text of the Land Development Code; and Ordinance No.  
2 140820 will amend the Zoning Map Atlas by removing certain special area plans and  
3 rezoning approximately 1,829 acres of property; and

4 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02  
5 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
6 pursuant to Section 163.3174, Florida Statutes, held a series of public hearings and on  
7 December 3, 2014, voted to recommend that the City Commission approve this amendment to  
8 the Comprehensive Plan; and

9 **WHEREAS**, the City Commission held a series of public hearings and on September 30, 2015,  
10 approved the petition associated with this amendment to the Comprehensive Plan and  
11 authorized the drafting of this ordinance; and

12 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in  
13 a newspaper of general circulation and provided the public with at least seven days' advance  
14 notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City  
15 Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of  
16 Gainesville; and

17 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this  
18 proposed amendment to the reviewing agencies and any other local government unit or state  
19 agency that requested same; and

20 **WHEREAS**, a second advertisement no less that two columns wide by ten inches long was  
21 placed in the aforesaid newspaper and provided the public with at least five days' advance

notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the City Commission; and

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

**WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written comments received concerning this amendment to the Comprehensive Plan.

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

**SECTION 1.** Objective 4.1 and Policy 4.1.1 of the Future Land Use Element of the City of Gainesville Comprehensive Plan are amended as follows. Except as amended herein, the remainder of Objective 4.1 and its policies remain in full force and effect.

**Objective 4.1**      The City shall establish land use ~~designations~~ categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.

**Policy 4.1.1**      Land Use Categories on the Future Land Use Map shall be defined as follows:

**Single-Family (SF):** ~~(up to 8 units per acre)~~

1 This land use category shall allow single-family detached dwellings at densities up to 8  
2 dwelling units per acre. The Single-Family land use category ~~classification~~ identifies those  
3 areas within the City that, due to topography, soil conditions, surrounding land uses and  
4 development patterns, are appropriate for single-family development. Land development  
5 regulations shall determine the performance measures and gradations of density. Land  
6 development regulations shall specify criteria for the siting of low-intensity residential  
7 facilities to accommodate special need populations and appropriate community-level  
8 institutional facilities such as places of religious assembly, public and private schools other  
9 than institutions of higher learning, and libraries. Land development regulations shall allow  
10 home occupations in conjunction with single-family dwellings under certain limitations.

11  
12 **Residential Low-Density (RL): (up to ~~12~~ 15 units per acre)**

13  
14 This land use category shall allow dwellings at densities up to ~~12~~ 15 units per acre. The  
15 Residential Low-Density land use category ~~classification~~ identifies those areas within the City  
16 that, due to topography, soil conditions, surrounding land uses and development patterns, are  
17 appropriate for single-family development, particularly the conservation of existing  
18 traditional low-density neighborhoods, single-family attached and zero-lot line development,  
19 and small-scale multi-family development. Land development regulations shall determine  
20 gradations of density, specific uses and performance measures. Land development regulations  
21 shall specify criteria for the siting of low-intensity residential facilities to accommodate  
22 special need populations and appropriate community level institutional facilities such as  
23 places of religious assembly, public and private schools other than institutions of higher  
24 learning, and libraries. Land development regulations shall allow home occupations;  
25 accessory units in conjunction with single-family dwellings; and bed-and-breakfast  
26 establishments within certain limitations.

27  
28 **Residential Medium-Density (RM): (~~8-30~~ units per acre)**

29  
30 This land use category ~~classification~~ shall allow single-family and multi-family development  
31 at densities from 8 to 30 dwelling units per acre. Lots that existed on November 13, 1991 and  
32 that are less than or equal to 0.5 acres in size shall be exempt from minimum density  
33 requirements. The land shown as Residential Medium-Density on the Future Land Use Map  
34 identifies those areas within the City that, due to topography, soil conditions, surrounding  
35 land uses and development patterns, are appropriate for single-family, and medium-intensity  
36 multi-family development. Land development regulations shall determine gradations of  
37 density and specific uses. Land development regulations shall specify criteria for the siting of  
38 appropriate medium-intensity residential facilities to accommodate special need populations  
39 and appropriate community-level institutional facilities such as places of religious assembly,  
40 public and private schools other than institutions of higher learning, and libraries. Land  
41 development regulations shall allow home occupations within certain limitations.

42  
43 **Residential High-Density (RH): (~~8-100~~ units per acre)**

This land use category shall allow single-family and multi-family development at densities from 8 to 100 dwelling units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. ~~This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance.~~ The land shown as Residential High-Density on the Future Land Use Map identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for high-intensity multi-family development, ~~traditional neighborhood development,~~ and secondary retail and office uses scaled to serve the immediate neighborhood. The intensity of secondary retail and office use cannot exceed 25 percent of the residential floor area. Land development regulations shall determine gradations of density, specific uses, percentage of floor area and maximum floor area appropriate for secondary uses. Land development regulations shall specify the criteria for the siting of high-intensity residential facilities to accommodate special need populations and appropriate community level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations within certain limitations.

**Mixed-Use Residential (MUR): (up to 75 units per acre)**

~~This residential district~~ land use category provides for a mixture of residential and office uses. Office uses that are complementary to and secondary to the residential character of the district ~~may be~~ are allowed as home occupations. Additional office uses may be allowed through a Special Use Permit process established in the Land Development Code. An essential component of the district is orientation of structures to the street and the pedestrian character of the area. Office uses located within this district should be scaled to ~~serve the immediate neighborhood and pedestrians from~~ surrounding neighborhoods and institutions. Land development regulations shall set the ~~district size;~~ appropriate densities (up to 75 dwelling units per acre); the ~~distribution of allowable uses;~~ appropriate floor area ratios height (up to a maximum of 4 stories); design criteria; and landscaping requirements; ~~pedestrian, transit, and bicycle access; and street lighting.~~ Land development regulations shall specify the criteria for the siting of public and private schools, places of religious assembly and community facilities within this category. ~~when designed in a manner compatible with the adoption of a Special Area Plan for that area. The intensity of office use cannot exceed 10 percent of the total residential floor area per development.~~

**Mixed-Use Office/Residential (MOR): up to 20 units per acre**

This land use category allows residential uses and, depending on the implementing zoning district, may allow office, professional, service, and ancillary uses either as stand-alone uses or combined in a mixed-use development format. Some non-office type uses, such as restaurants, may be allowed through a Special Use Permit process established in the Land Development Code. Structures in this category shall be oriented to the street and encourage multi-modal transportation through the development design. Developments located within



this category shall be scaled to fit the character of the area. Residential density shall be limited to 20 units per acre. Maximum building height shall be limited to 3 stories. Land development regulations shall establish the appropriate uses; design criteria; landscaping, and pedestrian/vehicular access for this category. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

**Mixed-Use Low-Intensity (MUL): (8-30 units per acre)**

This land use category allows a mixture of residential and non-residential uses such as standard lot single-family houses, small-lot single-family houses, duplex houses, townhouses (attached housing), accessory dwelling units, group homes, multi-family housing (if compatible in scale and character with other dwellings in the proposed neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve the surrounding neighborhood, public and private schools, places of religious assembly and other community civic uses, and traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through a Special Use Permit process established in the Land Development Code. Residential development shall be limited to 8 to 30 units per acres. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified developments that include a residential and non-residential component (either horizontally or vertically mixed) shall not be required to meet the minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by Special Use Permit ~~special use permit~~. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest ~~(or no)~~ front setbacks.

This category shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.

**Mixed-Use Medium-Intensity (MUM): (12-30 units per acre)**

This land use category allows a mixture of residential, office, and business ~~and light industrial~~ uses concentrated in mapped areas. When implemented by the Corporate Park zoning district, this category is appropriate for corporate office facilities and mixed-use office

oriented development. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through a Special Use Permit process established in the Land Development Code. ~~This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance.~~ Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a neighborhood center serving multiple neighborhoods or a community-serving retail and/or office center. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas; and provide guidelines for the compatibility of permitted uses; ~~and ensure that such areas do not serve overlapping market areas of other designated medium intensity neighborhood centers.~~ Residential development shall be limited to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified developments that include a residential and non-residential component (either horizontally or vertically mixed) shall not be required to meet the minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by Special Use Permit ~~special use permit~~. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and community facilities. Buildings in this land use category shall face the street and have modest ~~(or no)~~ front setbacks.

#### **~~Mixed-Use High-Intensity (up to 150 units per acre)~~**

~~This category allows a mixture of residential, office, business uses and light industrial uses concentrated in mapped areas. This category shall also allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a center serving the urban area. When in accord with all other land use regulations, residential densities up to 150 units per acre shall be permitted. Land development regulations shall be prepared to ensure the compact, pedestrian character of these areas. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 4 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential. Residential use shall not be a required development component for public and private schools, institutions of~~

higher learning, places of religious assembly and community facilities. Buildings in this category shall face the street and have modest (or no) front setbacks. Floor area ratios in this district shall not exceed 10.00.

**Urban Mixed-Use 1 (UMU-1: 8-75 units per acre; and up to 25 additional units per acre by special use permit)**

This category allows a mixture of residential, retail, service and office/research uses. The Urban Mixed-Use districts are distinguished from other mixed-use districts in that they are specifically established to support research and development in the physical, engineering and life sciences in close proximity to the University of Florida main campus. An essential component of the district is orientation of structures to the street and multi-modal character of the area. Retail and office uses located within this district shall be scaled to fit into the character of the area. Residential density shall be limited to 75 units per acre with provisions to add up to 25 additional units per acre by special use permit. Lots that existed on November 13, 1991 and are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. All new non-single family principal buildings shall have a minimum height of 24 feet. Building height shall be limited to 6 stories. Land development regulations shall set the appropriate densities; the distribution of uses; design criteria; landscaping, and pedestrian/vehicular access.

**Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit)**

This category allows a mixture of residential, retail, service and office/ research uses. The Urban Mixed-Use districts are distinguished from other mixed-use districts in that they are specifically established to support research and development in the physical, engineering and life sciences in close proximity to the University of Florida main campus. An essential component of the district is orientation of structures to the street and multi-modal character of the area. Retail and office uses located within this district shall be scaled to fit into the character of the area. Residential density shall be limited to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by special use permit. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. All new non-single family principal buildings shall have a minimum height of 24 feet. Building height shall be limited to 6 stories and up to 8 stories by special use permit. Land development regulations shall set the appropriate densities; the distribution of uses; design criteria; landscaping, and pedestrian/vehicular access. Land development regulations shall specify the criteria for the siting of public and private schools, places of religious assembly and community facilities within this category.

**Urban Mixed-Use (UMU): up to 60 units per acre; and up to 20 additional units per acre by Special Use Permit**

This land use category allows residential, office, retail and service uses either as stand-alone uses or combined in a mixed-use development format. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed in specified zoning districts as specially regulated by the Land Development Code. Structures in this category shall be oriented to the street and encourage multi-modal transportation through the development design. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 60 units per acre with provisions to add up to 20 additional units per acre by Special Use Permit as specified in the land development regulations. Maximum building height shall range between 4 to 5 stories, depending upon the implementing zoning district, with provisions to add up to an additional 1 to 2 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate densities; the types of uses; design criteria; landscaping, and pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

**Urban Mixed-Use High-Intensity (UMUH): 10-100 units per acre; and up to 25 additional units per acre by Special Use Permit**

This land use category allows residential, office/research, retail, and service uses either as stand-alone uses or combined in a mixed-use development format. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed as specially regulated by the Land Development Code. The Urban Mixed-Use High-Intensity category is distinguished from other mixed-use categories in that it is specifically established to support research and development in close proximity to the University of Florida main campus. An essential component of the category is orientation of structures to the street and the multi-modal character of the area. Developments located within this category shall be scaled to fit the character of the area. Residential density shall be limited to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by Special Use Permit as specified in the land development regulations. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified developments that include a residential and non-residential component (either horizontally or vertically mixed) shall not be required to meet the minimum density requirements. Building height shall be limited to 6 stories and up to 8 stories by a height bonus system as established in the Land Development Code. Land development regulations shall set the appropriate zoning densities; the types of uses; design criteria; landscaping, and pedestrian/vehicular access. Public and private schools, places of religious assembly and community facilities are appropriate within this category.

**Urban Core (UC): up to 150 units per acre; and up to 25 additional units per acre by Special Use Permit**

This land use category allows residential, office, and business uses concentrated in the urban core area. Light assembly, fabrication, and processing uses within fully enclosed structures shall be allowed as specially regulated by the Land Development Code. Development in this

category shall function as a center serving the urban area. Development within the urban core shall ensure the compact, pedestrian character of this area. Residential densities up to 150 units per acre shall be permitted with provisions to add up to 25 additional units per acre by Special Use Permit as specified in the land development regulations. Buildings in this category shall face the street and meet build-to lines established in the Land Development Code. Building height shall be limited to 12 stories, with up to 14 stories by a height bonus system as established in the Land Development Code. Public and private schools, government offices, institutions of higher learning, places of religious assembly and community facilities are appropriate in this category.

### Office (O)

The Office land use category identifies areas appropriate for office, ~~and residential, professional and service uses.~~ ~~This category is intended to identify appropriate areas for professional and service uses,~~ hospital and medical uses, ~~compound and residential uses,~~ and appropriate ancillary uses. Office designations shall be applied to compact office development. Residential uses in office districts shall be designed as new in-town development, mixed-use, live-work, compound use or shall accommodate existing residential development within the Office zoning district. Some non-office type uses such as restaurants may be allowed in this land use category by a Special Use Permit process established in the Land Development Code. Densities shall not exceed 20 units per acre. Land development regulations shall determine the appropriate scale of uses; and the specific criteria for the siting of private schools and churches. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less, that require buildings to face the street, and modest build-to lines, instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit ~~special-use permit~~. For hospital and large-scale medical office facilities that are located in a Medical Services zoning district, the height may be increased to 14 stories by Special Use Permit.

### Commercial (C)

The Commercial land use category identifies those areas most appropriate for large-scale highway-oriented commercial uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by Special Use Permit ~~special-use permit~~.

### Business Industrial (BI)

This land use category is ~~primarily intended to identify appropriate for~~ those areas near the Gainesville Regional Airport ~~appropriate for office, business, commercial and industrial uses.~~ This category ~~district~~ is distinguished from other industrial and commercial categories ~~districts~~ in that it is designed specifically to allow only uses that are compatible with the

airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence as mapped in the Land Development Code, this category ~~may be used~~ is also appropriate to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories, and a maximum floor area ratio of 4.0. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

### **Industrial (IND)**

The Industrial land use category identifies those areas appropriate for manufacturing, fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary uses. Other uses may be allowed in this land use category as specified in an adopted ordinance rezoning property to Planned Development District (PD). Land development regulations shall determine the appropriate scale of uses and consider the externalities of such uses. Intensity will be controlled by adopting land development regulations that establish height limits of 5 stories or less.

### **Education (E)**

This land use category identifies appropriate areas for public and private schools and institutions of higher learning ~~when located outside of neighborhood centers (activity centers).~~ This category includes University of Florida (UF) properties designated in the UF Campus Master Plan as part of the main campus. Land development regulations shall address compatibility with surrounding uses and infrastructure needs, ~~except in a special area plan, where there shall be no floor area ratio maximum. The intensity of development on property covered by a special area plan shall be regulated by the Urban Design Standards that include building height, build-to lines, setback requirements and building coverage to determine intensity of use instead of a maximum floor area ratio.~~

### **Recreation (REC)**

This land use category identifies appropriate areas for public and private leisure activities. Land development regulations shall address the scale, intensity and buffering of structures and outdoor improvements. ~~This category shall meet the appropriate intensities of use as established by the Recreation Element.~~

### **Conservation (CON)**

This land use category identifies areas environmentally unsuited to urban development, permanent buffers between land uses, areas used for passive recreation and nature parks. Privately held properties within this category shall be allowed to develop at single-family densities of 1 unit per 5 acres. Land development regulations shall determine the appropriate scale of activities, structures and infrastructure that will be allowed.

**Agriculture (AGR)**

This land use category identifies existing lands which are expected to continue in agricultural production and ancillary uses. Land development regulations shall allow single-family densities of 1 unit per 5 acres. It is not expected that lands designated for urban uses will be converted to agricultural production.

**Public and Institutional Facilities (PF)**

This land use category identifies lands used for: administrative, operational, and utility governmental functions; private utilities; cemeteries; and public-private partnerships or other legal arrangements where the land title is vested in a government and the use(s) serves a public purpose. Maximum lot coverage in this category shall not exceed 80 percent, except in ~~urban core~~ areas where lot coverage is not limited by land development regulations.

**Planned Use District (PUD)**

This land use category is an overlay land use category that ~~district which~~ may be applied on any specific property in the City. The land use regulations pertaining to this overlay district shall be adopted by ordinance in conjunction with an amendment to the Future Land Use Map of this Comprehensive Plan. The category is created to allow the consideration of unique, innovative or narrowly construed land use proposals that, because of the specificity of the land use regulations, can be found to be compatible with the character of the surrounding land uses and environmental conditions of the subject land. This category district allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the underlying land use category. ~~This category shall allow traditional neighborhoods on sites 16 acres or larger in conformance with the adopted Traditional Neighborhood Development (TND) ordinance.~~ Each adopting PUD overlay land use category designation adopted shall address: density and intensity; permitted uses; access by car, ~~foot~~ pedestrians, bicycle, and transit; trip generation, trip distribution, and trip capture; environmental features; and, when necessary, buffering of adjacent uses. Planned Development zoning shall be required to implement ~~any specific development plan under a PUD land use category. In the event that the overlay district has been applied to a site and no planned development zoning has found approval by action of the City Commission within 18 months of the land use designation, the overlay land use district shall be deemed null and void and the overlay land use category shall be removed from the Future Land Use Map, leaving the original and underlying land use in place.~~

**SECTION 2.** Paragraphs b.6. and d. of Policy 4.3.7 of the Future Land Use Element of the City of Gainesville Comprehensive Plan are amended as follows. Except as amended herein, the remainder of Policy 4.3.7 remains in full force and effect.

Policy 4.3.7        The City establishes the Urban Village, as mapped in the Future Land Use Element Map Series, to support and implement a long-term vision for redevelopment and development in an area proximate to the University of Florida campus.

b. In order to achieve the long-term vision, new development of vacant properties and redevelopment of existing developed properties within the Urban Village shall be evaluated (taking into account the scale, size, nature, density and intensity of the proposed development or redevelopment) to determine which of the following requirements shall apply:

6. New development and redevelopment shall ~~use~~ utilize street types and ~~street sections~~ building form standards that are consistent with the ~~Urban Mixed-Use 2 zoning~~ transect zoning district requirements in the Land Development Code. ~~Land development regulations shall specify further requirements for street types and street sections.~~

d. Structured parking is encouraged in the Urban Village, ~~and any multi-family development using only structured parking (except for handicapped accessible surface parking spaces) and/or on-street parking is allowed to develop at 125 units/acre residential density and/or up to a height of 8 stories without obtaining a special use permit. Non residential development utilizing only structured parking (except for loading spaces and handicapped accessible surface parking spaces) and/or on-street parking is allowed a height of up to 8 stories without obtaining a special use permit. These allowances of additional density and height are specific to the Urban Village and are intended to supersede and take precedence over any contrary provisions in the City's Comprehensive Plan or Land Development Code.~~



**SECTION 3.** Objective 4.6 and Policy 4.6.1 of the Future Land Use Element of the City of Gainesville Comprehensive Plan are amended as follows. Except as amended herein, the remainder of Objective 4.6 and its policies remain in full force and effect.

**Objective 4.6** ~~Provide a mechanism for consistency between the Future Land Use categories and zoning designations. The City's Land Development Code shall provide a regulating mechanism to ensure consistency between the land use categories established in this Future Land Use Element and the zoning districts established in the Land Development Code.~~

**Policy 4.6.1** ~~The City's Land Development Code Chapter 30, City of Gainesville Code of Ordinances shall implement the Future Land Use land use categories created by this Comprehensive Plan and shall regulate all development until superseded by new land development regulations as required by this Comprehensive Plan. The Land Development Code shall designate the zoning districts that implement the Future Land Use land use categories created by this Comprehensive Plan. Proposed developments that do not fall within the parameters of existing zoning districts and categories shall may be permitted to develop as Planned Developments and shall meet all the requirements of that zoning classification and the Future Land Use Element.~~

**SECTION 4.** Objective 10.3 and its policies of the Transportation Mobility Element of the City of Gainesville Comprehensive Plan are amended as follows.

**Objective 10.3** ~~The City's Land Development Code shall provide design standards for all new developments and redevelopment within the TMPA. Within the transect zoning district areas, the Land Development Code shall regulate urban form to ensure a compact, pedestrian-friendly environment that supports multi-modal opportunities.~~

**Policy 10.3.1** ~~The City shall use the Central Corridors Overlay District design standards in the Land Development Code for development/redevelopment projects within the TMPA. These standards address building placement, parking, sidewalks, building wall articulation, and placement of mechanical equipment, and shall be the guiding design standards for development/redevelopment on roadways in the TMPA that are listed in the annual Level of Service Report produced by the North Central Florida Regional Planning Council. Within Zones C and M, the build-to-line may~~

~~be modified on Archer Road, SW 34th Street, SW 20<sup>th</sup> Avenue, or Williston Road due to right of way or utility constraints, consistent with requirements as described in the Land Development Code's Special Area Plan for Central Corridors. These design standards shall not supersede design standards adopted as part of a Special Area Plan, Overlay District, Planned Development, or Urban Mixed Use District 2 (UMU 2) zoning district. Within the transect zoning districts, land development regulations shall address urban form in terms of: street types, maximum block perimeter sizes, required new streets or urban walkways, building frontage requirements, building setbacks, location of parking, glazing requirements, building façade articulation, and building entrance location.~~

Policy 10.3.2 New development of automotive-oriented uses within the TMPA, such as retail petroleum sales (gasoline service stations), car washes, automotive repair, and limited automotive services (as defined in the Land Development Code), shall be designed with service bays and fueling (gas) pumps located to the rear or side of buildings. These design standards shall not apply in industrial zoning districts. Land development regulations shall specify the criteria for the placement of these uses. The number of fueling positions and service bays shall be regulated ~~by TMPA policies in~~ the Land Development Code.

**SECTION 5.** Objective 10.4 and its policies of the Transportation Mobility Element of the City of Gainesville Comprehensive Plan are amended as follows.

**Objective 10.4** **Automobile-oriented developments/uses within the TMPA, including drive-through facilities, surface parking lots as a principal use, parking garages, car washes, and gasoline service stations, shall be regulated as follows by the Land Development Code.**

~~Policy 10.4.1 The City may establish pedestrian, transit, and bicycle-oriented areas, through a special area plan overlay zone adopted within the Land Development Code, to prohibit or further regulate automobile-oriented developments/uses beyond the standards set by the TMPA.~~

~~Policy 10.4.2 Special area plan overlay district regulations (such as the College Park Special Area Plan and the Traditional City) that prohibit and regulate automobile-oriented developments/uses, as described in Objective 10.4, shall not be modified by provisions or policies of the TMPA.~~

1 ~~Policy 10.4.3~~ — ~~New development of surface parking lots as a principal use shall be~~  
2 ~~required to obtain a Special Use Permit. In addition to the review criteria~~  
3 ~~set in the Land Development Code for Special Use Permits, the approval~~  
4 ~~of the Special Use Permit shall be based on consideration of the size/scale~~  
5 ~~of the proposed surface parking lot and the inclusion of design and access~~  
6 ~~features that maintain pedestrian, bicycle, and transit safety and do not~~  
7 ~~discourage pedestrian, bicycle, and transit use in the area.~~

8  
9 Policy 10.4.1-4 Drive-through facilities shall be defined to include banking facilities,  
10 payment windows, restaurant, food and/or beverage sales, dry cleaning,  
11 express mail services, and other services that are extended mechanically or  
12 personally to customers who do not exit their vehicles. The following uses  
13 shall not be considered drive-throughs: auto fuel pumps and depositories  
14 that involve no immediate exchange or dispersal to the customer, such as  
15 mail boxes, library book depositories, and recycling facilities.

16  
17 ~~In addition to the review criteria set in the Land Development Code for~~  
18 ~~Special Use Permits, the approval of a drive-through facility shall be based~~  
19 ~~on the following criteria:~~

- 20  
21 a. ~~maximization of pedestrian and bicycle safety and convenience;~~  
22  
23 b. ~~adequate queuing space for vehicles such that there is no back-up~~  
24 ~~of traffic onto adjacent roadways;~~  
25  
26 c. ~~provision of a by pass lane or sufficient driveway area around the~~  
27 ~~drive-through lanes to assist internal vehicular circulation;~~  
28  
29 d. ~~minimization of the visual impacts of the drive through lanes on~~  
30 ~~street frontage areas;~~  
31  
32 e. ~~minimization of the total number of drive-through lanes based on~~  
33 ~~site conditions and the operating conditions of the impacted~~  
34 ~~roadway segments;~~  
35  
36 f. ~~minimization of the number of access points to roadways;~~  
37  
38 g. ~~design of access points and ingress/egress directional flows to~~  
39 ~~minimize impacts on the roadway and non-motorized traffic;~~  
40  
41 h. ~~design of internal pedestrian access and safety as related to the~~  
42 ~~position of the drive-through lane(s); and~~  
43

i. ~~meeting any additional design criteria established in the Land Development Code.~~

Policy 10.4.2      Drive-through facilities shall be specially regulated by the Land Development Code. The regulations shall include provisions that include: the maximum number of drive-through lanes; queuing space; minimization of the number of access points to public streets; by-pass lanes or driveway areas to avoid backups at the site; consideration of pedestrian/bicyclist safety; location of drive-through lanes; and minimization of the visual impacts of drive-through lanes on street frontage areas.

Policy 10.4.3      Gasoline and alternative fuel stations shall be specially regulated by the Land Development Code. The regulations shall include provisions that include: locating fueling pumps to the rear or side of buildings; minimization of the number and width of driveways; limitations on the number of fueling positions; and consideration of pedestrian and bicycle safety at the site.

Policy 10.4.4      The Land Development Code shall address design requirements for structured parking that include provisions for consideration of: pedestrian and bicycle routes; location and design of vehicle access points; and compatibility with neighborhoods.

~~Policy 10.4.5      Unless otherwise prohibited or regulated by a special area plan, the development of new free-standing drive-through facilities or expansion of or development activity at existing free-standing drive-through facilities not meeting the provisions of Policy 10.4.6 shall be required to obtain a Special Use Permit. These drive-through facilities shall meet the Special Use Permit criteria in the Land Development Code and review criteria shown in Policy 10.4.4. In addition, drive-through facilities not developed under the provisions of Policy 10.4.6 or 10.4.7 shall also meet the following standards:~~

~~a.      There shall be a minimum distance of 400 feet between the driveways of sites with free-standing drive-through facilities on roadways operating at 85% or more of capacity. Roadway capacity shall be measured using the latest version of Art Plan or a method deemed acceptable by the Technical Advisory Committee Subcommittee of the Metropolitan Transportation Planning Organization. Available capacity shall include consideration of reserved trips for previously approved developments and the impacts of the proposed development. The 400 feet distance requirement shall not apply if any of the following criteria are met:~~

1  
2 1. ~~Joint driveway access or common access is provided~~  
3 ~~between the sites with free-standing drive-through~~  
4 ~~facilities;~~

5  
6 2. ~~Cross access is provided with an adjoining property;~~

7  
8 3. ~~A public or private road intervenes between the two sites;~~  
9 ~~or~~

10  
11 4. ~~The development provides a functional design of such high~~  
12 ~~quality that the pedestrian/sidewalk system and on-site/off-~~  
13 ~~site vehicular circulation are not compromised by the drive-~~  
14 ~~through facility. This determination shall be made as part of~~  
15 ~~the Special Use Permit and development plan review~~  
16 ~~process and shall be based on staff and/or board review and~~  
17 ~~approval.~~

18  
19 b. ~~There shall be no credit for pass-by trips in association with the~~  
20 ~~drive-through facility. Criteria that must be met for any of the~~  
21 ~~zones shall be based on total trip generation for the use and shall~~  
22 ~~not include any net reduction for pass-by trips.~~

23  
24 Policy 10.4.6 ~~Unless otherwise prohibited or regulated by a special area plan, new~~  
25 ~~development or expansion of free-standing drive-through facilities shall be~~  
26 ~~permitted, by right, only within shopping centers or mixed use centers. No~~  
27 ~~direct access connections from the street to the drive-through shall be~~  
28 ~~allowed. Access to the drive-through shall be through the shopping center~~  
29 ~~or mixed-use center parking area. Mixed use centers shall be defined as~~  
30 ~~developments that are regulated by a unified development plan, consist of~~  
31 ~~three or more acres, have a minimum of 25,000 square feet of gross floor~~  
32 ~~area, provide centralized motorized vehicle access, and include a mix of at~~  
33 ~~least three uses that may include residential or non-residential uses in any~~  
34 ~~combination. Mixed use centers may include Planned Developments that~~  
35 ~~meet the criteria listed in this policy. Development plan approval for the~~  
36 ~~drive-through facility shall be based on the inclusion of appropriate~~  
37 ~~pedestrian, bicycle, and transit features that facilitate and encourage~~  
38 ~~convenience, safety, and non-motorized use of the site; design of safe~~  
39 ~~internal pedestrian access as related to the position of the drive-through~~  
40 ~~lane(s); and meeting of design criteria established in the Land~~  
41 ~~Development Code. Drive-through facilities meeting the criteria shown in~~  
42 ~~this policy shall also receive an internal capture trip credit and credit for~~  
43 ~~pass-by trips.~~  
44

1 ~~Policy 10.4.7~~ — ~~New development of a drive-through facility may be permitted, by Special~~  
2 ~~Use Permit, when it will be part of a single mixed-use building that is at~~  
3 ~~least 25,000 square feet and that has more than one business or use at the~~  
4 ~~site. Only one drive-through use at such site shall be allowed. In addition~~  
5 ~~to the review criteria in the Land Development Code for Special Use~~  
6 ~~Permits and the review criteria in Policy 10.4.4, the approval of the~~  
7 ~~Special Use Permit shall be based on the inclusion of pedestrian, bicycle,~~  
8 ~~and transit features that facilitate and encourage convenience, safety, and~~  
9 ~~non-motorized use of the site; design of safe internal pedestrian access as~~  
10 ~~related to the position of the drive-through lane(s); and meeting of design~~  
11 ~~criteria established in the Land Development Code. Drive-through~~  
12 ~~facilities meeting the criteria shown in this policy shall also receive an~~  
13 ~~internal capture trip credit and credit for pass-by trips.~~

14  
15 ~~Policy 10.4.8~~ — ~~On the road segment of NW 13th Street from University Avenue to NW~~  
16 ~~29th Road, drive-through facilities shall only be located within shopping~~  
17 ~~centers, mixed-use centers, or mixed-use buildings, as defined in this~~  
18 ~~Element. Drive-through facilities on this road segment shall meet the~~  
19 ~~requirements of Policies 10.4.6 and 10.4.7.~~

20  
21 ~~Policy 10.4.9~~ — ~~Within the TMPA, retail petroleum sales at service stations and/or car~~  
22 ~~washes, either separately or in combination with the sale of food or eating~~  
23 ~~places, shall be required to obtain a Special Use Permit. In addition to the~~  
24 ~~review criteria in the Land Development Code for Special Use Permits, the~~  
25 ~~following review standards shall apply:~~

26  
27 ~~a. — Site design shall enhance pedestrian/bicycle access to any retail~~  
28 ~~and/or restaurant facilities on site. Sidewalk connections or marked~~  
29 ~~pedestrian crosswalks shall be shown on the site plan.~~

30  
31 ~~b. — The number and width of driveways shall be minimized.~~

32  
33 ~~c. — Except where more stringently regulated by a special area plan or~~  
34 ~~overlay district, the maximum number of fueling positions shall be~~  
35 ~~set as follows:~~

36  
37 ~~1. No limitation on fueling positions in the Industrial zoning~~  
38 ~~categories;~~

39  
40 ~~2. Six fueling positions in the Mixed-Use Low land use category~~  
41 ~~or Mixed Use 1 zoning district;~~

42  
43 ~~3. Until adoption in the Land Development Code of specific~~  
44 ~~architectural and design standards, six fueling positions in all~~

~~other zoning categories where gasoline service stations (retail petroleum sales) or food stores with accessory gasoline and alternative fuel pumps are allowed. In the interim period before the adoption of architectural and design standards, additional fueling positions, up to a maximum of twelve, may be allowed as part of a Planned Development rezoning or Special Use Permit process, with the final approval of the City Commission, based on meeting all of the following conditions:~~

- ~~a. The size of the site can safely accommodate the additional fueling positions while meeting all required landscaping, buffering, and other Land Development Code requirements;~~
- ~~b. Site access and traffic safety conditions on adjacent roadways and intersections are not compromised by the additional trips generated by the additional fueling positions;~~
- ~~c. Pedestrian/bicycle safety and comfort in the area are not compromised by the additional trips generated by the additional fueling positions;~~
- ~~d. The architectural and site design are of such high quality that they enhance the site area and promote the City's multi-modal and design goals. As part of a Planned Development rezoning or Special Use Permit review process, the developer shall provide a development plan, elevations and architectural renderings of the proposed site including details such as, but not limited to, façade treatment, colors, lighting, roof detail, signage, landscaping, building location relative to the street, and location of access points;~~
- ~~e. Cross access or joint driveway usage is provided to other adjacent developments; and~~
- ~~f. Retail convenience goods sales or a restaurant are included in the development and designed such that pedestrian or bicycle use of the site is encouraged. The retail convenience goods sales or restaurant building and development shall meet all of the following requirements:~~
  - ~~1. Building(s) shall be placed close to the public sidewalk for a substantial length of the site's linear frontage;~~

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- ~~2. A minimum of 30% window area or glazing at pedestrian level (between 3 feet above grade and 8 feet above grade) on all first floor building sides with street frontage. Windows or glazing shall be at least 80% transparent;~~
- ~~3. A pedestrian entry is provided from the public sidewalk on the property frontage or near a building corner when the building is on a corner lot;~~
- ~~4. Off street parking shall be located to the side or rear of the building; and~~
- ~~5. The building height and façade elevation are appropriate for the site and surrounding zoned properties.~~
- ~~4. Until adoption in the Land Development Code of specific architectural and design standards, ten fueling positions within 1/4 mile of an I-75 interchange. In the interim period before the adoption of architectural and design standards, additional fueling positions, to a maximum of twelve, may be allowed as part of a Planned Development rezoning or Special Use Permit process, with the final approval of the City Commission, based on meeting all of the conditions shown in 3 a-f above.~~

~~Policy 10.4.10 Within the TMPA, development plans for the placement of new parking garages as a principal or accessory use shall address:~~

- ~~a. minimizing conflict with pedestrian and bicycle travel routes;~~
- ~~b. providing parking for residents, employees, and/or customers to reduce the need for on-site surface parking;~~
- ~~c. being located and designed to discourage vehicle access through residential streets; and~~
- ~~d. designing facilities for compatibility with neighborhoods by including ground floor retail, office, or residential use/development (as appropriate for the zoning district) when located on a public street. The facility shall also have window and facade design that is sealed to relate to the surrounding area.~~



1 **SECTION 6.** It is the intent of the City Commission that the provisions of Sections 1  
2 through 5 of this ordinance shall become and be made a part of the City of Gainesville  
3 Comprehensive Plan and that the sections and paragraphs of the Comprehensive Plan may  
4 be renumbered in order to accomplish such intent.

5 **SECTION 7.** The City Manager or designee is authorized and directed to make the  
6 necessary changes to the City of Gainesville Comprehensive Plan in order to fully implement  
7 this ordinance. The City Manager or designee is authorized to correct any typographical  
8 errors that do not affect the intent of this ordinance.

9 **SECTION 8.** Within ten working days of the transmittal (first) hearing, the City Manager or  
10 designee is authorized and directed to transmit this plan amendment and appropriate  
11 supporting data and analyses to the reviewing agencies and to any other local government or  
12 governmental agency that has filed a written request for same with the City. Within ten  
13 working days of the adoption (second) hearing, the City Manager or designee is authorized  
14 and directed to transmit this plan amendment and appropriate supporting data and analyses to  
15 the state land planning agency and any other agency or local government that provide timely  
16 comments to the City.

17 **SECTION 9.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
18 or the application hereof to any person or circumstance is held invalid or unconstitutional,  
19 such finding shall not affect the other provisions or applications of this ordinance that can be  
20 given effect without the invalid or unconstitutional provision or application, and to this end  
21 the provisions of this ordinance are declared severable.

**SECTION 10.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed on the effective date of this plan amendment.

**SECTION 11.** This ordinance shall become effective immediately upon adoption; however, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Section 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the amendment to be in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this Comprehensive Plan amendment may be issued or commenced before this amendment has become effective.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
LAUREN POE  
MAYOR

Attest:

Approved as to form and legality:

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

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

This ordinance passed on (first) transmittal hearing this \_\_\_\_ day of \_\_\_\_\_, 2017.

This ordinance passed on (second) adoption hearing this \_\_\_\_ day of \_\_\_\_\_, 2017.