



## Legislation Details (With Text)

**File #:** 030915      **Version:** 2      **Name:** Land Development Code Amendment - Tourist Oriented Business District (B)  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 8/9/2004      **In control:** City Attorney  
**On agenda:**      **Final action:** 8/9/2004  
**Title:** LAND DEVELOPMENT CODE AMENDMENT - TOURIST-ORIENTED BUSINESS DISTRICT (B)

Ordinance No. 0-04-45; Petition 29TCH-04 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to requirements for the tourist-oriented business (BT) district; amending section 30-63; increasing some side and rear setbacks to 50 feet; establishing a height limit for the BT district; removing floor area ratios; making other clarifying amendments; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

### Sponsors:

### Indexes:

### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
8/9/2004	2	City Commission	Adopted on Final Reading (Ordinance)	Pass
7/26/2004	1	City Commission	Continued	Pass
7/12/2004	0	City Commission	Adopted on First Reading, as amended (Ordinance)	Pass

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The City Commission adopt the proposed ordinance.

## COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

This petition is part of the overall update of the City's Land Development Regulations. Specifically, these amendments are proposed for the tourist-oriented business district (BT). One of the significant changes is establishment of a maximum building height of five stories. This replaces the maximum floor area ratio for principal structures, and is consistent with the Commercial and Industrial land use categories in Policy 4.1.1 of the City's 2000-2010 Comprehensive Plan.

Concerns about compatibility between BT and abutting residential land use have led to proposed language regarding the maximum height of buildings on BT land that is adjacent to residential land. In this situation, the maximum

building height would be limited to 3 stories. The side and rear setback was also increased from 25 feet to 50 feet where the side or rear yard abuts property in a residential district or is shown for residential use on the future land use map of the comprehensive plan. Minor grammatical changes and corrections are also proposed.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on March 3, 2004. The Plan Board held a public hearing March 25, 2004. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 29TCH-04 PB. Plan Board vote 6-0.

#### CITY ATTORNEY MEMORANDUM

At First Reading, the City Commission, at its meeting of July 12, 2004, amended the proposed ordinance by deleting the reference to a 5-story height limit in the BT district. However, since this height limitation is provided in the City's Comprehensive Plan, no development order can be issued allowing any development that exceeds the 5-story height limit until the Comprehensive Plan is amended. Concurrently, staff and the City Plan Board will consider a revision to the Land Development Code that will be consistent with the Comprehensive Plan.