



Legislation Details (With Text)

File #: 120789. **Version:** 3 **Name:**
Type: Ordinance **Status:** Adopted
File created: 1/29/2013 **In control:** City Commission
On agenda: 5/2/2013 **Final action:** 5/16/2013
Title: TEXT CHANGE - SCOOTER SALES - UMU-2 ZONING (B)

Ordinance No.120789; Petition No. PB-12-169 TCH
An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to scooter sales; by adding a new definition to Section 30-23 Definitions and by adding scooter sales to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 120789A_draft ordinance_20130502.pdf, 2. 120789B_staff report_20130502.pdf, 3. 120789C_Proposed Amendment_20130502.pdf, 4. 120789D_CPB minutes_20130502.pdf, 5. 120789_Ordinance_20130516.pdf

Date	Ver.	Action By	Action	Result
5/16/2013	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
5/2/2013	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass

TEXT CHANGE - SCOOTER SALES - UMU-2 ZONING (B)

Ordinance No.120789; Petition No. PB-12-169 TCH
An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to scooter sales; by adding a new definition to Section 30-23 Definitions and by adding scooter sales to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

On November 15, 2012, the City Commission asked staff to initiate a change to the Land Development Code to allow retail motorized scooter sales in the UMU-2 zoning district and other districts as staff and/or the City Plan Board may recommend. This petition/ordinance proposes to allow scooter sales as a use by right in the UMU-2 zoning district on the condition that the use is contained within an enclosed building and any space devoted to scooter servicing as an accessory use may not exceed 45% of the gross floor area of the building.

Staff also developed a definition for "scooter" to distinguish scooter sales from motorcycle sales based on engine displacement, primarily because of the different impacts they could have on an area (mainly noise). Staff views this petition as an interim solution because this issue will be more fully addressed in the ongoing Form Based Code update.

The sale of scooters within the City of Gainesville is primarily marketed towards students. The number of motorcycle and scooter decals on the University of Florida campus increased from 700 in the year 2000 to a peak of 4000 in 2009, with a current average of approximately 3600 decals per year. Therefore, it is reasonable to allow scooter sales and services closer to where the end users are located. The Land Development Code currently allows scooter sales only in those zoning districts that allow motorcycle sales, BA (Automotive Oriented Business District) and I-1 (Limited Industrial District), although a few shops are located elsewhere as a nonconforming use.

Public notice was published in the Gainesville Sun on January 8, 2013. On January 24, 2013, the City Plan Board held a public hearing and, by a vote of 6-0, recommended approval of the petition with revisions.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings.