



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

27 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in section 4.02 of  
28 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant  
29 to section 163.3174, Florida Statutes, held a public hearing on March 27, 2025, and voted to make  
30 a recommendation to the City Commission regarding the subject of this ordinance; and

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

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

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

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

40 **SECTION 1.** Section 30-2.1 of the Land Development Code is amended as follows. Except as  
41 amended herein, the remainder of section 30-2.1 remains in full force and effect.

42 **Sec. 30-2.1. - Definitions.**

43 **Legislative decision** means, in general, a decision deriving from the authority of the elected  
44 municipal legislative body as provided in article VIII, section 2(b) of the Florida Constitution to  
45 legislate as to the content of police power laws, ordinances, regulations, or similar enactments.  
46 Legislative decisions include, but are not limited to, land use changes involving the future land  
47 use map of the Comprehensive Plan and text amendments to the Comprehensive Plan and Land  
48 Development Code.

49 Quasi-judicial decision means, in general, a decision resulting from a process whereby an  
50 individual person or entity is provided with a quasi-judicial hearing in which a decision maker  
51 applies established city policy or law to the specific, individualized situation based on evidence  
52 received.

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54 **SECTION 2.** Section 30-3.8 of the Land Development Code is amended as follows. Except as  
55 amended herein, the remainder of section 30-3.8 remains in full force and effect.

56 **Sec. 30-3.8 – Public notice.**

57 A. *General.* The notice provisions in this section are required prior to all hearings and are  
58 supplemental to any notice required by state law. If two public hearings are required, then  
59 supplemental notice must be provided prior to the first public hearing. A request by the  
60 applicant to continue a hearing will require the applicant to incur re-notification and re-  
61 advertising costs.

62 B. *Mailed notice.* Unless otherwise provided by law, addresses for mailed notice required by this  
63 chapter must be obtained from the latest ad valorem tax records provided by the county  
64 property appraiser. The failure of any person to receive notice will not invalidate an action if  
65 a good faith attempt was made to comply with the notice requirements. The notice must  
66 identify the physical address of the subject property; the date, time, and location of the public  
67 hearing; and a description of the application including the nature and degree of the request,  
68 potential uses, and other information as required by the city. The notice must be mailed at  
69 least 15 calendar days prior to the date of the hearing to all real property owners whose land  
70 will be affected and whose property lies within 400 feet of any affected property.

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

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

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

APPLICATION TYPE	<u>NEWSPAPER AD OR ONLINE NOTICE</u>	MAILED NOTICE	POSTED NOTICE
<b>COMPREHENSIVE PLAN AMENDMENTS/LAND USE CHANGES</b>			
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.
<b>LAND DEVELOPMENT CODE AMENDMENTS/REZONINGS</b>			
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	As required by law.	Required.	Not required.

<b>APPLICATION TYPE</b>	<b><u>NEWSPAPER AD OR ONLINE NOTICE</u></b>	<b>MAILED NOTICE</b>	<b>POSTED NOTICE</b>
less than 5% of the total land area of the city.			
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.
<b>Special use permits</b>	As required by law.	Required.	Required.
<b>Development review board</b>	As required by law.	Required.	Required.
<b>Variances</b>	As required by law.	Required.	Required.
<b>Historic preservation board (COA)</b>	As required by law.	Not required.	Required.
<b>Heritage overlay district board</b>	As required by law.	Not required.	Required.

APPLICATION TYPE	<u>NEWSPAPER AD OR ONLINE NOTICE</u>	MAILED NOTICE	POSTED NOTICE
Right-of-way vacations	As required by law.	Required.	Required.

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86 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of  
87 this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,  
88 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or  
89 relettered to accomplish such intent.

90 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
91 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
92 finding will not affect the other provisions or applications of this ordinance that can be given  
93 effect without the invalid or unconstitutional provision or application, and to this end the  
94 provisions of this ordinance are declared severable.

95 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
96 conflict hereby repealed.

97 **SECTION 6.** This ordinance will become effective immediately upon adoption.

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