

26 to Section 163.3174, Florida Statutes, held a public hearing and voted to make a
27 recommendation to the City Commission regarding this text change to the Land Development
28 Code; and

29 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of
30 general circulation notifying the public of this proposed ordinance and of public hearings in the
31 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

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

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

38 **SECTION 1.** Subsection B of Section 30-6.8 of the Land Development Code is amended as
39 follows. Except as amended herein, the remainder of Section 30-6.8 remains in full force and
40 effect.

41 **Section 30-6.8. – General lot and building requirements.**

42 B. Minimum setbacks ~~from centerlines of all streets.~~

- 43 1. Every required minimum front yard setback line ~~shall~~will be established by a line parallel
44 to the centerline of the street right-of-way ~~at the distance listed in this subsection,~~
45 measured from the street right-of-way line or as described by specific zoning districts.
46 In cases where zoning districts have alternative requirements for establishing or
47 measuring setbacks, those specific requirements will supersede this section. ~~The~~
48 ~~distance from the street centerline listed in subsection B.2. of this section. For the~~
49 ~~purpose of determining street classifications, the official roadway map shall be used.~~

50 ~~2. If the actual street right-of-way line is closer to the street centerline than the following~~
51 ~~distances, the setback shall be measured from a line parallel to the street centerline~~
52 ~~located the following distances from the centerline:~~

53 ~~a. Highways and arterials: 50 feet.~~

54 ~~b. Thoroughfares and collectors: 40 feet.~~

55 ~~c. Minor collectors: 35 feet.~~

56 ~~d. All other streets: 25 feet.~~

57

58 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
59 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
60 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
61 relettered in order to accomplish such intent.

62 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
63 the application hereof to any person or circumstance is held invalid or unconstitutional, such
64 finding will not affect the other provisions or applications of this ordinance that can be given
65 effect without the invalid or unconstitutional provision or application, and to this end the
66 provisions of this ordinance are declared severable.

67 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
68 conflict hereby repealed.

69 **SECTION 5.** This ordinance will become effective immediately upon adoption.

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71 **PASSED AND ADOPTED** this ____ day of _____, 2023.

72

73

74

75

HARVEY L. WARD
MAYOR

76

77 Attest:

Approved as to form and legality:

78 _____

79 OMICHELE D. NATTIEL-WILLIAMS

DANIEL M. NEE

80 CITY CLERK

CITY ATTORNEY

81

82 This ordinance passed on first reading this _____ day of _____, 2023.

83 This ordinance passed on second reading this _____ day of _____, 2023.