### DRAFT

7-27-09

1	ORDINANCE NO		
2	0-09-18		
3			
4	An ordinance of the City of Gainesville, Florida, amending the		
5	Zoning Map Atlas by rezoning certain property located generally		
6	south of Depot Avenue, east of South Main Street, north of		
7 8	Southeast Veitch Street and west of Southeast 4th Street,		
9	commonly known as "Depot Park," from "PS: Public services and operations district," "I-1: Limited industrial district" and		
10	"I-2: General industrial district" to "PS: Public services and		
11	operations district"; specifying permitted uses; specifying		
12	dimensional requirements; providing a severability clause;		
13	providing a repealing clause; and providing an effective date.		
14			
15			
16	WHEREAS, by initiation of a petition by the City of Gainesville, publication of notice		
17	of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain		
18	property within the City from the zoning category of "PS: Public services and operations		
19	district," "I-1: Limited industrial district" and "I-2: General industrial district" to "PS: Public		
20	services and operations district"; and		
21	WHEREAS, notice was given and publication made as required by law and a public		
22	hearing was held by the City Plan Board on April 23, 2009; and		
23	WHEREAS, the City Commission finds that the rezoning of the property described		
24	herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and		
25	WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10		
26	inches long was placed in a newspaper of general circulation and of the public hearing to be held		
27	in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least		
28	seven (7) days after the day the first advertisement was published; and		

# D R A F T 7-27-09

1	WHEREAS, a second advertisement no less than two columns wide by 10 inches long			
2	was placed in the aforesaid newspaper notifying the public of the second public hearing to be			
3	held at least five (5) days after the day the second advertisement was published; and			
4	WHEREAS, the public hearings were held pursuant to published and mailed notice at			
5	which hearings the parties in interest and all others had an opportunity to be and were, in fact,			
6	heard.			
7	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE			
8	CITY OF GAINESVILLE, FLORIDA:			
9	Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the			
10	following described property located generally south of Depot Avenue, east of South Main			
11	Street, north of Southeast Veitch Street and west of Southeast 4th Street, commonly known as			
12	"Depot Park", from the zoning category of "PS: Public services and operations district," "I-1:			
13	Limited industrial district" and "I-2: General industrial district," as shown on the map attached			
14	as Exhibit "A," to the City of Gainesville zoning category of "PS: Public services and			
15	operations district," as shown on the map and attached as Exhibit "B."			
16 17 18	See maps attached hereto as Exhibits "A" and "B," and made a part hereof as if set forth in full.			
19	Section 2. The uses permitted by right on the property are as follows:			
20	(1) Public park and recreation area, including active and passive recreation amenities;			
21 22 23	(2) Public lands designated for open space, conservation, or preservation;			

## DRAFT

7-27-09

1 2	(3)	Museums, art galleries and botanical and zoological gardens (MG-84), and customary accessory uses clearly incidental thereto; such as, but not limited to.
3		display areas, eating place, outdoor cafe, retail sales, special events, amphitheater
4 5		and outdoor performances;
6	(4)	Community center, such as, but not limited to, senior center and recreation center
7	, m.\	
8 9	(5)	Public administration (Div. J);
10	(6)	Commercial sports (GN-794);
11	(0)	Commonweal sports (CIV 751);
12	(7)	Memberhsip sports and recreation clubs (IN-7997);
13		
14	(8)	Amusement and recreation services, not elsewhere classified (IN-7999);
15 16	(9)	Outdoor events, such as, but not limited to, concerts, cultural events, athletic
17	(2)	events, and temporary events such as festivals, displays, and demonstrations;
18		events, and temperary events such as reservais, displays, and demonstrations,
19	(10)	Libraries and information centers (GN-823);
20		
21	(11)	Stormwater retention and treatment, water conservation areas, water reservoirs
22		and control structures, drainage wells and water wells;
23	(12)	n 1:
24 25	(12)	Parking;
25 26	(13)	Vending booths and itingrant food vandans in accordance with Charter 10 of the
27 27	(13)	Vending booths and itinerant food vendors, in accordance with Chapter 19 of the City Code of Ordinances; and
28		City Code of Gramanees, and
29	(14)	Accessory uses customarily and clearly incidental to any permitted principal use.
30		, and a second s
31	Section	on 3. The following dimensional requirements shall apply to the development and
32 1	use of the pro	perty:
33	(a)	All new principal and accessory structures devoted to permitted
34	(4)	office and administrative uses and permitted intensive recreation
35		uses shall be located and constructed in accordance with section
36		30-75 Public services and operations district (PS) of the Land
37		Development Code. (Note: Reference is to the Land
38		Development Code, and as it may be amended from time to time.)

1 2	(b)	The historic Depot building shall be re	elocated in accordance with		
3		the setback and other requirements of	the State Historic		
4		Preservation Office.			
5					
6	(c)	All new principal and accessory struct	tures devoted to permitted		
7		uses other than those specified in (a) a	and (b) shall be located and		
8		constructed in accordance with the fol	lowing minimum yard		
9		setbacks:			
10					
11		Front:	10 feet		
12		Side:	10 feet		
13		Rear:	Zero feet; except		
14			erty which is in a residential district or		
15			use on the future land use map of the		
16			the 60-degree angle of light obstruction,		
17		whichever is greater.			
18					
19	Section	<b>4.</b> If it is determined by the City Mar	nager that a violation of this Ordinance		
20	exists, the City	Manager may issue and deliver an ord	ler to cease and desist from such violation		
21	and to correct t	he violation, to preclude occupancy of	the affected building or area, or to vacate		
22	the premises.	The City Manager, through the City At	ttorney, may seek an injunction in a court of		
23	competent juris	sdiction and seek any other remedy ava	ailable at law.		
24	Section	5. Any person who violates any of th	e provisions of this ordinance shall be		
25	deemed guilty	of a municipal ordinance violation, and	d shall be subject to fine or imprisonment as		
26	provided by section 1-9 of the Gainesville Code of Ordinances. Each day a violation occurs or				
27	continues, rega	rdless of whether such violation is ulti	mately abated or corrected, shall constitute		

a separate offense.

28

1	Section 6. The City Manager is authorized and directed to make the necessary changes				
2	in the Zoning Map to comply with this Ordinance.				
3	Section 7. If any word, phrase, clause, paragraph, section or provision of this ordinance				
4	or the application hereof to any person or circumstance is held invalid or unconstitutional, such				
5	finding shall not affect the other provisions or applications of the ordinance which can be given				
6	effect without the invalid or unconstitutional provisions or application, and to this end the				
7	provisions of this ordinance are declared severable.				
8	Section 8. All ordinances, or parts of ordinances, in conflict herewith are to the extent of				
9	such conflict hereby repealed.				
10	Section 9. This ordinance shall become effective immediately upon final adoption.				
11	PASSED AND ADOPTED this day of, 2009.				
12 13					
14 15	PEGEEN HANRAHAN, MAYOR				
16	MATOR				
17 18	ATTEST: Approved as to form and legality:	Approved as to form and legality:			
19 20					
21 22 23	KURT LANNON, MARION J. RADSON, CITY ATTORNEY CLERK OF THE COMMISSION	MARION J. RADSON, CITY ATTORNEY			
24 25	This ordinance passed on first reading this day of, 2009.  This ordinance passed on second reading this day of, 2009.				

### ABON ZONING SCL RR Petition Number 8 \_ PZ-09-00037ZON N <u>....</u> <u>04</u> EXISTING S $\overline{\underline{\phantom{a}}}$ <u>---</u> 8 <del>~</del> $\mathbf{\Omega}$ C J MULTI CCD Map(s) 4152 ⊴ 000 000 <u>N</u> <u>S</u> Ċ4 Parcell CCD MULT 000 Depo1 Change Zoning Designation from 11& 12 to PS (Public Services and $\underline{\alpha}$ Petition Request <u>~</u> $\underline{\alpha}$ ₫ MU1 MU1 8 <u>₹</u> Operations district) $\Box$ $\overline{\square}$ $\Box$ $\Omega$ AVE (BIKE PATH) Ŋ ESE GAOR STATE MUI ₫/ <u>C4</u> MU1 <u>N</u> <u>C</u>4 $\overline{C}$ $\underline{\sim}$ $\underline{\sim}$ THE $\overline{\Box}$ $\square$ ্ৰ $\overline{2}$ Multiple-Family Medium Density Residential (8.21 du/acre) Multiple-Family Medium Density Residential (8.30 du/acre) Multiple-Family Medium Density Residential (8-15 du/acre) under petition consideration City of Gainesville, applicant Parcel #15706-000-000 & #16004-000-000 Urban Mixed Use District 2 (up to 100 du/acre) Jrban Mixed Use District 1 (up to 75 du/acre) Mixed Use Medium Intensity (12-30 du/acre) Residential Mixed Use (up to 75 du/acre) Residential High Density (8-100 du/acre) Residential High Density (8-43 du/acre) Historic Preservation/Conservation District Single-Family Residential (3.5 du/acre) Single-Family Residential (4.6 du/acre) Mixed Use Low Intensity (8-30 du/acre) Single-Family Residential (5.8 du/acre) Division line between two zoning districts Residential Conservation (12 du/acre) Mobile Home Residential (12 du/acre) Single-Family Residential (8 du/acre) Residential Low Density (12 du/acre) Office Residential (up to 20 du/acre) Zoning District Categories Public Services and Operations Automotive-Oriented Business Warehousing and Wholesaling Limited Industrial Name Tourist-Oriented Business Planned Development Educational Services Central City District General Business General Industrial Special Area Plan Medical Services Corporate Park Seneral Office Airport Facility Conservation Agriculture City Limits RC MH RMF6 RMF7 RMU RH1 OF OF BD BB BA BT RSF4 RMF5 MU1 MU2 UMU1 CCD RSF2 RSF3 No Scale AP D S A D D O O O O O

### 15 00 ABON 国 PROPOSED ZONING SCL BR <del>---</del> **Petition Number** S) \_\_\_ PZ-09-00037ZON \_\_ $\underline{\mathbb{C}}$ 8 <del>----</del> 8 å ⇆ 2 MULTI 9 Sa Map(s) 4152 8 CC $\underline{C}$ 8 **433** EIR <u>C</u>1 ACDOCIDA CODIA MULTI Change Zoning Designation from It & I2 to PS (Public Services and 000 DEPOT Й Petition Request $\overline{C}$ 4 ⊴ MU MU1 Operations district) MU $\overline{\square}$ $\overline{\square}$ ₫ $\subseteq$ AVE (BIKE PATH) ESE DAOR STATE MU1 $\underline{\alpha}$ Ŋ MUI $\Omega$ IS MH $\overline{C}$ $\subseteq$ ⊴ $\overline{C}$ $\overline{\Box}$ Multiple-Family Medium Density Residential (8-15 du/acre) Multiple-Family Medium Density Residential (8-21 du/acre) Multiple-Family Medium Density Residential (8-30 du/acre) Area under petition consideration City of Gainesville, applicant Parcel #15706-000-000 & #16004-000-000 Urban Mixed Use District 2 (up to 100 du/acre) Urban Mixed Use District 1 (up to 75 du/acre) Mixed Use Medium Intensity (12-30 du/acre) Residential Mixed Use (up to 75 du/acre) Residential High Density (8-100 du/acre) Historic Preservation/Conservation District Residential High Density (8-43 du/acre) Mixed Use Low Intensity (8-30 du/acre) Single-Family Residential (3.5 du/acre) Single-Family Residential (4.6 du/acre) Single-Family Residential (5.8 du/acre) Division line between two zoning districts Residential Conservation (12 du/acre) Mobile Home Residential (12 du/acre) Single-Family Residential (8 du/acre) Residential Low Density (12 du/acre) Office Residential (up to 20 du/acre) Zoning District Categories Public Services and Operations Automotive-Oriented Business Warehousing and Wholesaling Name Fourist-Oriented Business Planned Development Educational Services Central City District General Business General Industrial Limited Industrial Medical Services Special Area Plan Corporate Park General Office Airport Facility Conservation Agriculture No Scale RSF2 RSF3 RSF4 RMF5