

LEGISLATIVE #

120304A

ORDINANCE NO. 120304

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3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 44 acres of property generally located**
5 **north of SW 18th Place, west of SW 38th Terrace, east of SW 40th Terrace, and**
6 **south of SW 9th Place, as more specifically described in this ordinance, from**
7 **the Alachua County zoning categories of Agriculture (A) and Multiple**
8 **family, high density (R-3) to the City of Gainesville zoning categories of**
9 **Conservation (CON) and Urban mixed-use district 2 (UMU-2); providing**
10 **directions to the City Manager; providing a severability clause; providing a**
11 **repealing clause; and providing an effective date.**

12
13 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
14 of Gainesville, Florida, be amended by rezoning certain property from the Alachua County
15 zoning categories of Agriculture (A) and Multiple family, high density (R-3) to the City of
16 Gainesville zoning categories of Conservation (CON) and Urban mixed-use district 2 (UMU-2);
17 and

18 **WHEREAS,** notice was given as required by law and a public hearing was held by the
19 City Plan Board on August 23, 2012; and

20 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10
21 inches long was placed in a newspaper of general circulation and provided the public with at
22 least seven (7) days advance notice of the first public hearing to be held in the City Hall
23 Auditorium, First Floor, City Hall, City of Gainesville; and

24 **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long
25 was placed in the aforesaid newspaper and provided the public with at least five (5) days advance
26 notice of the second public hearing; and

1 **WHEREAS**, the public hearings were held pursuant to the notices described above at
2 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
3 heard; and

4 **WHEREAS**, the City Commission finds that the rezoning of the property described
5 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
6 Gainesville Ordinance No. 120303 becomes effective as provided therein.

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 property from the Alachua County zoning categories of Agriculture (A) and Multiple
11 family, high density (R-3) to the City of Gainesville zoning categories of Conservation (CON)
12 and Urban mixed-use district 2 (UMU-2):

13 The existing Alachua County zoning categories on the property are
14 depicted on the map attached as Exhibit "A" and made a part hereof as if
15 set forth in full. The new City of Gainesville zoning categories on the
16 property are depicted on the map attached as Exhibit "B" and made a part
17 hereof as if set forth in full. (Note: The line dividing the CON zoning
18 from the UMU-2 zoning is a westerly extension of the northern right-of-
19 way of SW 16th Avenue.)

20 **Section 2.** The City Manager is authorized and directed to make the necessary changes to
21 the Zoning Map to comply with this ordinance.

22 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
23 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
24 finding shall not affect the other provisions or applications of this ordinance that can be given
25 effect without the invalid or unconstitutional provision or application, and to this end the
26 provisions of this ordinance are declared severable.

27 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of

1 such conflict hereby repealed.

2 **Section 5.** This ordinance shall become effective immediately upon final adoption;
3 however, the rezoning shall not become effective until the amendment to the City of Gainesville
4 Comprehensive Plan adopted by Ordinance No. 120303 becomes effective as provided therein.

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6

7 **PASSED AND ADOPTED** this _____ day of _____, 2012

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CRAIG LOWE
MAYOR

15 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

16
17

18 By: _____
19 KURT LANNON
20 CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

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This ordinance passed on first reading this _____ day of _____, 2012.

25

This ordinance passed on second reading this _____ day of _____, 2012.

City of Gainesville Zoning Districts

- UMU-2 Urban Mixed Use 2 (UMU-2: 10 to 100 units/acre; & up to 25 additional du/acre by special use permit)
- CON Conservation
- ED Education
- MU2 12-30 units/acre mixed use medium intensity
- RMF5 12 units/acre single-family/multiple family residential
- PS Public services and operations

Alachua County Zoning Districts

- A Agriculture
- PD Planned Development
- R-3 14-24 units/acre Multiple family residential

Areas under petition consideration



----- Division line between two zoning districts



EXISTING ZONING



Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Rezone from Alachua County A and R-3 to City of Gainesville CON and UMU-2	4144	PB-12-86 ZON

City of Gainesville Zoning Districts

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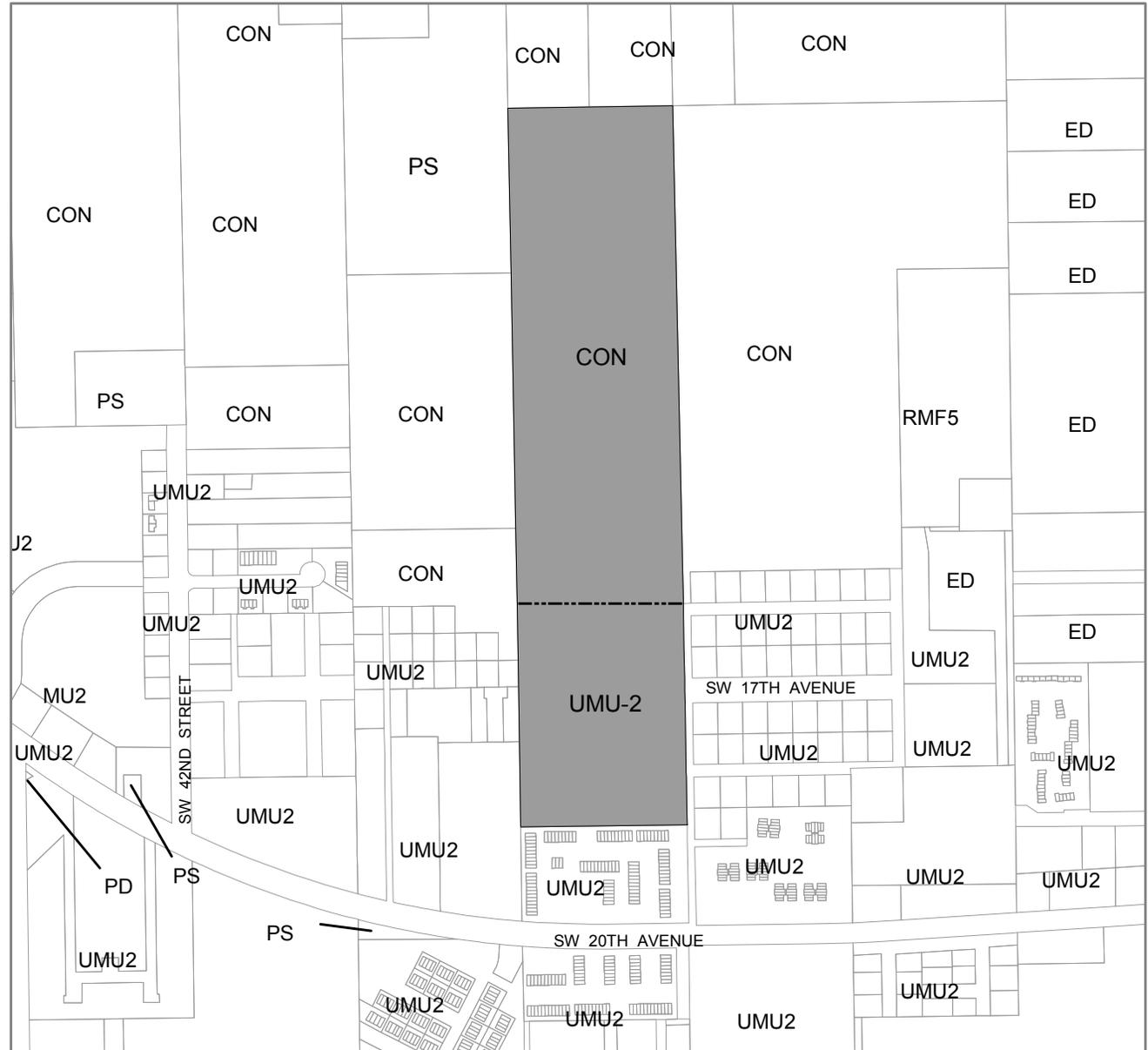
Alachua County Zoning Districts

- PD Planned Development

Areas under petition consideration



----- Division line between two zoning districts



PROPOSED ZONING



Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Rezone from Alachua County A and R-3 to City of Gainesville CON and UMU-2	4144	PB-12-86 ZON