

ORDINANCE NO. 210034

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3 **An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas**
4 **by rezoning approximately 4.1 acres of property generally located at 55 NW 23rd**
5 **Avenue, as more specifically described in this ordinance, from Limited Industrial**
6 **(I-1) to Warehouse and Wholesaling (W); providing directions to the City**
7 **Manager; providing a severability clause; providing a repealing clause; and**
8 **providing an effective date.**
9

10 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
11 Comprehensive Plan to guide the future development and growth of the city; and

12 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive
13 Plan to include a Future Land Use Element with a Future Land Use Map that designates the future
14 general distribution, location, and extent of the uses of land for residential, commercial, industry,
15 agriculture, recreation, conservation, education, public facilities, and other categories of the
16 public and private uses of land, with the goals of protecting natural and historic resources,
17 providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban
18 sprawl; and

19 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or
20 amend and enforce land development regulations that are consistent with and implement the
21 Comprehensive Plan and that are combined and compiled into a single land development code
22 for the city; and

23 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville
24 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land
25 development regulations on specific classifications of land within the city; and

26 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map
27 Atlas by rezoning the property that is the subject of this ordinance; and

28 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
29 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
30 to Section 163.3174, Florida Statutes, held a public hearing on May 27, 2021, and voted to
31 recommend that the City Commission approve this rezoning; and

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

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

38 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be consistent
39 with the City of Gainesville Comprehensive Plan.

40 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
41 **FLORIDA:**

42 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following
43 property from Limited Industrial (I-1) to Warehousing and Wholesaling (W):

44 See legal description attached as **Exhibit A** and made a part hereof as if set forth
45 in full. The location of the property is shown on **Exhibit B** for visual reference. In
46 the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

47
48 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
49 changes to the Zoning Map Atlas to comply with this ordinance.

50 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
51 application hereof to any person or circumstance is held invalid or unconstitutional, such finding
52 will not affect the other provisions or applications of this ordinance that can be given effect


53 without the invalid or unconstitutional provision or application, and to this end the provisions of
54 this ordinance are declared severable.

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

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

58 **PASSED AND ADOPTED** this 18th day of November, 2021.

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LAUREN POE
MAYOR

Attest:

Approved as to form and legality:



OMICHELE D. GAINNEY
CITY CLERK



DANIEL M. NEE
INTERIM CITY ATTORNEY

This ordinance passed on first reading the 4th day of November, 2021.

This ordinance passed on adoption reading the 18th day of November, 2021.

Exhibit A to Ordinance 210034

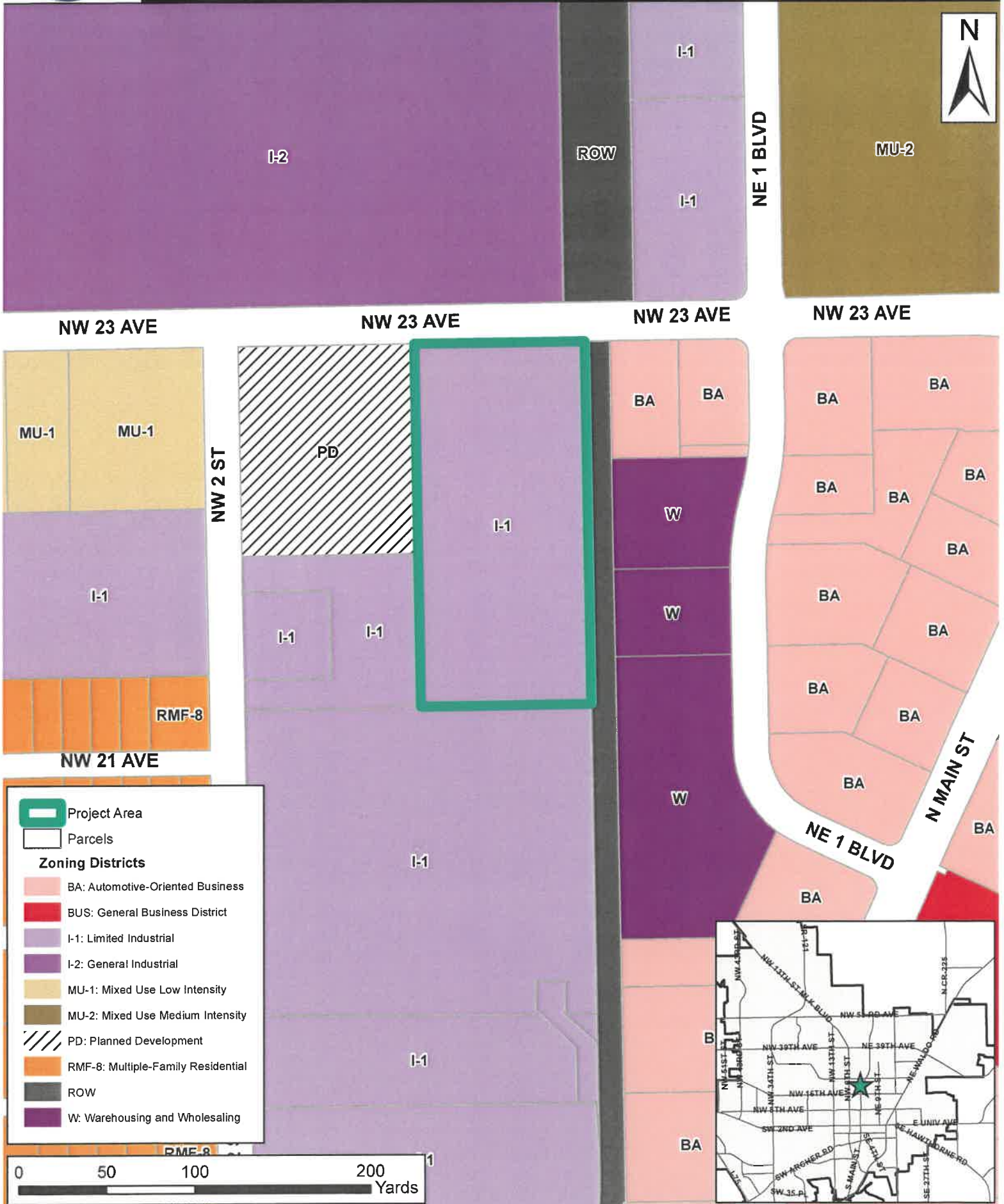
A tract of land situated in Section 32, Township 9 South, Range 20 East, Alachua County, Florida said tract of land being more particularly described as follows:

Commence at the Northeast corner of the aforementioned Section 32, Township 9 South, Range 20 East for the point of reference and run North 89 deg. 44 min. 39 sec. West, along the North line of said Section 32, a distance of 679.01 feet to the intersection of said North line with the centerline of the C.S.X. Systems Railroad Track; thence continue North 89 deg. 44 min. 39 sec. West, along said North line, a distance of 25 feet; thence run South 00 deg. 01 min. 13 sec. East, parallel with and 25.00 feet West of said centerline, a distance of 33.00 feet to the South right of way line of N.W. 23rd Avenue and the true Point of Beginning; thence run North 89 deg. 44 min. 39 sec. West along said South right of way line, a distance of 289.70 feet to the Northwest corner of that certain parcel of land described in Official Records Book 1648, Page 1735 of Public Records of Alachua County, Florida, said parcel of land being hereinafter referred to as the "Voyles Tract"; thence run South 00 deg. 03 min. 20 sec. East, along a boundary line of said "Voyles Tract" and a Southerly projection thereof, a distance of 619.04 feet to the North boundary line of that certain parcel of land as described in Official Records Book 2011, Page 1036 of said Public Records, said parcel of land being hereinafter referred to as the "Junior Tract", thence run South 89 deg. 45 min. 13 sec. East, a distance of 289.32 feet to the Northeast corner of said "Junior Tract", thence run North 00 deg. 01 min 13 sec. West, parallel with and 25.00 feet West of the aforementioned centerline of the C.S.X Systems Railroad Track, a distance of 616.50 feet to the true point of Beginning.

Parcel ID Number: 09989-003-000



PB-21-00031 - Salvation Army Rezoning - Existing Zoning





PB-21-00031 - Salvation Army Rezoning - Proposed Zoning

