

**LEGISLATIVE #**

**120842A**

**ORDINANCE NO. 120842**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.15 acres of property generally located on the south side of NW 21<sup>st</sup> Avenue, approximately 320 feet east of NW 13<sup>th</sup> Street, as more specifically described in this ordinance, from Conservation (CON) to Mixed-use low intensity district (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, notice was given as required by law that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning certain property from Conservation (CON) to Mixed-use low intensity district (MU-1); and

**WHEREAS**, notice was given as required by law and public hearings were held by the City Plan Board on January 24, 2013, and by the City Commission on April 4, 2013; and

**WHEREAS**, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

**WHEREAS**, the City Commission finds that the rezoning of the property described herein is consistent with the City of Gainesville Comprehensive Plan.

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

**Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the

following property from Conservation (CON) to Mixed-use low intensity district (MU-1):

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

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

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

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

**Section 5.** This ordinance shall become effective immediately upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
EDWARD B. BRADDY  
MAYOR

Attest:

Approved as to form and legality:

By: \_\_\_\_\_  
KURT LANNON  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

## **Legal Description**

### **A Portion of TAX Parcel 09970-002-000 O.R. BOOK 2774-1218**

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

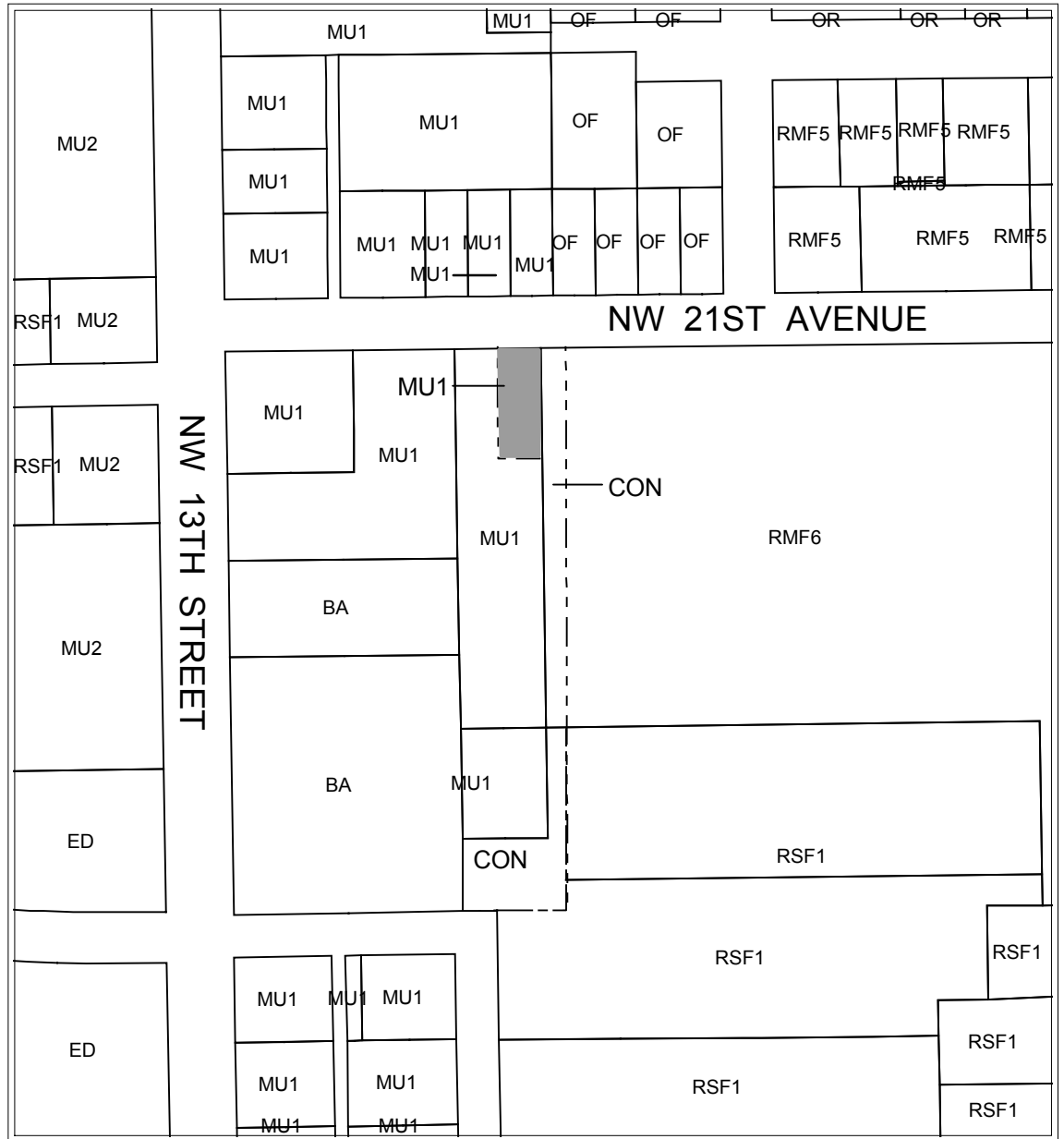
For a point of reference commence at a railroad spike at the Northwest corner of said Section 32 and run on an assumed bearing of South 00 degrees 12 minutes 35 seconds East along the West line of said Northwest quarter, a distance of 667.37 feet; thence run North 90 degrees 00 minutes 00 seconds East, a distance of 360.05 feet to the Point of Beginning; thence continue East along said right-of-way line, a distance of 50.00 feet; thence run South a distance of 130 feet; thence run West a distance of 50.00 feet; thence run north a distance of 130.00 feet to the Point of Beginning.

Exhibit "A" to Ordinance No. 120842

# City of Gainesville Zoning Districts

- RSF-1 3.5 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- OF General Office
- BA Automotive-Oriented Business
- MU-1 8-30 units/acre Mixed-Use Low-Intensity
- MU-2 12-30 units/acre Mixed-Use Medium-Intensity
- CON Conservation
- ED Educational Services

Exhibit "B" to Ordinance No. 120842



Area under petition consideration

----- Division line between two zoning districts

## PROPOSED ZONING

|              | Name  | Revised Petition Request   | Map(s) | Petition Number |
|--------------|---|--|--------|-----------------|
| <br>No Scale | George F. Young, Inc.; Stuart Cullen, P.E., agents for Hidden Lake SFR LLC. | Rezone from Conservation (CON) to Mixed-use Low-intensity (MU-1) | 3750   | PB-12-160 ZON   |