

Legislative #

100860

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4/18/2011

ORDINANCE NO. 100860

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4 **An ordinance of the City of Gainesville, Florida, amending the Zoning**
5 **Map Atlas and rezoning certain properties annexed into the City, as**
6 **more specifically described in this Ordinance, from the Alachua**
7 **County zoning categories of “Highway oriented business services (BH)**
8 **district”, and “Multiple family, high density (R-3) district” to the City**
9 **of Gainesville zoning categories of “BUS: General business district”,**
10 **“ED: Educational services district”, and “RMF-5: 12 units/acre**
11 **single-family/multiple-family residential district”; generally located**
12 **West of SW 34th Street, North of SW Archer Rd., East of SW 42nd Street,**
13 **and South of SW 14th Place, as more specifically shown and described in**
14 **this ordinance; providing a severability clause; providing a repealing**
15 **clause; and providing an effective date.**
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18 **WHEREAS**, publication of notice of a public hearing was given that the Zoning Map
19 Atlas be amended by rezoning certain properties within the City from the Alachua County zoning
20 categories of “Highway oriented business services (BH) district”, and “Multiple family, high
21 density (R-3) district” to the City of Gainesville zoning categories of “BUS: General business
22 district”, “ED: Educational services district”, and “RMF-5: 12 units/acre single-family/multiple-
23 family residential district”, as more specifically described in this ordinance; and

24 **WHEREAS**, notice was given and publication made as required by law and a public
25 hearing was held by the City Plan Board on January 27, 2011; and

26 **WHEREAS**, notice was given and publication made of a public hearing which was then held
27 by the City Commission on March 3, 2011; and

28 **WHEREAS**, the City Commission finds that the rezoning of the properties described
29 herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan upon the

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1 adoption of City of Gainesville Ordinance No. 100859; and

2 **WHEREAS**, at least ten (10) days notice has been given of the public hearing once by
3 publication in a newspaper of general circulation notifying the public of this proposed ordinance
4 and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City of
5 Gainesville; and

6 **WHEREAS**, pursuant to law, notice has also been given by mail to the owners whose
7 properties will be regulated by the adoption of this Ordinance, at least thirty days prior to the date
8 set for a public hearing on this ordinance; and

9 **WHEREAS**, the public hearing was held pursuant to the published and mailed notice
10 described above at which hearing the parties in interest and all others had an opportunity to be
11 and were, in fact, heard.

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

14 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
15 following described property from the Alachua County zoning category of "Highway oriented
16 business services (BH) district" on Tax Parcel No. 06803-001-000, as more specifically shown on the
17 map attached hereto and made a part hereof as Exhibit "A", to the City of Gainesville zoning category
18 of "BUS: General business district" as shown on the map attached hereto and made a part hereof as
19 Exhibit "B".

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1 **Section 2.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
2 following described property from the Alachua County zoning category of “Highway oriented
3 business services (BH) district” on Tax Parcel No. 06803-001-001, as more specifically shown on the
4 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
5 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
6 Exhibit “B”.

7 **Section 3.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
8 following described property from the Alachua County zoning category of “Highway oriented
9 business services (BH) district” on Tax Parcel No. 06803-002-000, as more specifically shown on the
10 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
11 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
12 Exhibit “B”.

13 **Section 4.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
14 following described property from the Alachua County zoning category of “Highway oriented
15 business services (BH) district” on Tax Parcel No. 06803-004-000, as more specifically shown on the
16 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
17 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
18 Exhibit “B”.

19 **Section 5.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
20 following described property from the Alachua County zoning category of “Highway oriented

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1 business services (BH) district” on Tax Parcel No. 06810-001-005, as more specifically shown on the
2 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
3 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
4 Exhibit “B”.

5 **Section 6.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
6 following described property from the Alachua County zoning category of “Highway oriented
7 business services (BH) district” on Tax Parcel No. 06810-001-006, as more specifically shown on the
8 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
9 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
10 Exhibit “B”.

11 **Section 7.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
12 following described property from the Alachua County zoning category of “Highway oriented
13 business services (BH) district” on Tax Parcel No. 06810-001-007, as more specifically shown on the
14 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category
15 of “BUS: General business district” as shown on the map attached hereto and made a part hereof as
16 Exhibit “B”.

17 **Section 8.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
18 following described property from the Alachua County zoning category of “Highway oriented
19 business services (BH) district” on Tax Parcel No. 06810-001-015, as more specifically shown on the
20 map attached hereto and made a part hereof as Exhibit “A”, to the City of Gainesville zoning category

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1 of "BUS: General business district" as shown on the map attached hereto and made a part hereof as
2 Exhibit "B".

3 **Section 9.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
4 following described property from the Alachua County zoning category of "Highway oriented
5 business services (BH) district" on Tax Parcel No. 06810-001-020, as more specifically shown on the
6 map attached hereto and made a part hereof as Exhibit "A", to the City of Gainesville zoning category
7 of "BUS: General business district" as shown on the map attached hereto and made a part hereof as
8 Exhibit "B".

9 **Section 10.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
10 following described property from the Alachua County zoning category of "Highway oriented business
11 services (BH) district" on Tax Parcel No. 06810-002-002, as more specifically shown on the map
12 attached hereto and made a part hereof as Exhibit "A", to the City of Gainesville zoning category of
13 "BUS: General business district" as shown on the map attached hereto and made a part hereof as
14 Exhibit "B".

15 **Section 11.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
16 following described property from the Alachua County zoning category of "Multiple family, high
17 density (R-3) district" on Tax Parcel No. 06711-002-000, as shown on the map attached hereto and
18 made a part hereof as Exhibit "A", to the City of Gainesville zoning category of "ED: Educational
19 services district", as shown on the map attached hereto and made a part hereof as Exhibit "B".

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1 **Section 12.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
2 following described property from the Alachua County zoning category of "Multiple family, high
3 density (R-3) district" on Tax Parcel No. 06714-000-000, as shown on the map attached hereto and
4 made a part hereof as Exhibit "A", to the City of Gainesville zoning category of "RMF-5: 12
5 units/acre single-family/multiple-family residential district", as shown on the map attached hereto
6 and made a part hereof as Exhibit "B".

7 **Section 13.** The City Manager is authorized and directed to make the necessary changes
8 in the Zoning Map to comply with this Ordinance.

9 **Section 14.** If any word, phrase, clause, paragraph, section or provision of this ordinance
10 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
11 finding shall not affect the other provisions or applications of the ordinance which can be given
12 effect without the invalid or unconstitutional provisions or application, and to this end the
13 provisions of this ordinance are declared severable.

14 **Section 15.** All ordinances, or parts of ordinances, in conflict herewith are to the extent
15 of such conflict hereby repealed.

16 **Section 16.** This ordinance shall become effective immediately upon final adoption;
17 however, the rezoning shall not become effective until the amendment to the City of Gainesville
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1 2000-2010 Comprehensive Plan adopted by Ordinance No. 100859 becomes effective as provided
2 therein.

3 PASSED AND ADOPTED this ____ day of ____, 2011.

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MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON,
CLERK OF THE COMMISSION

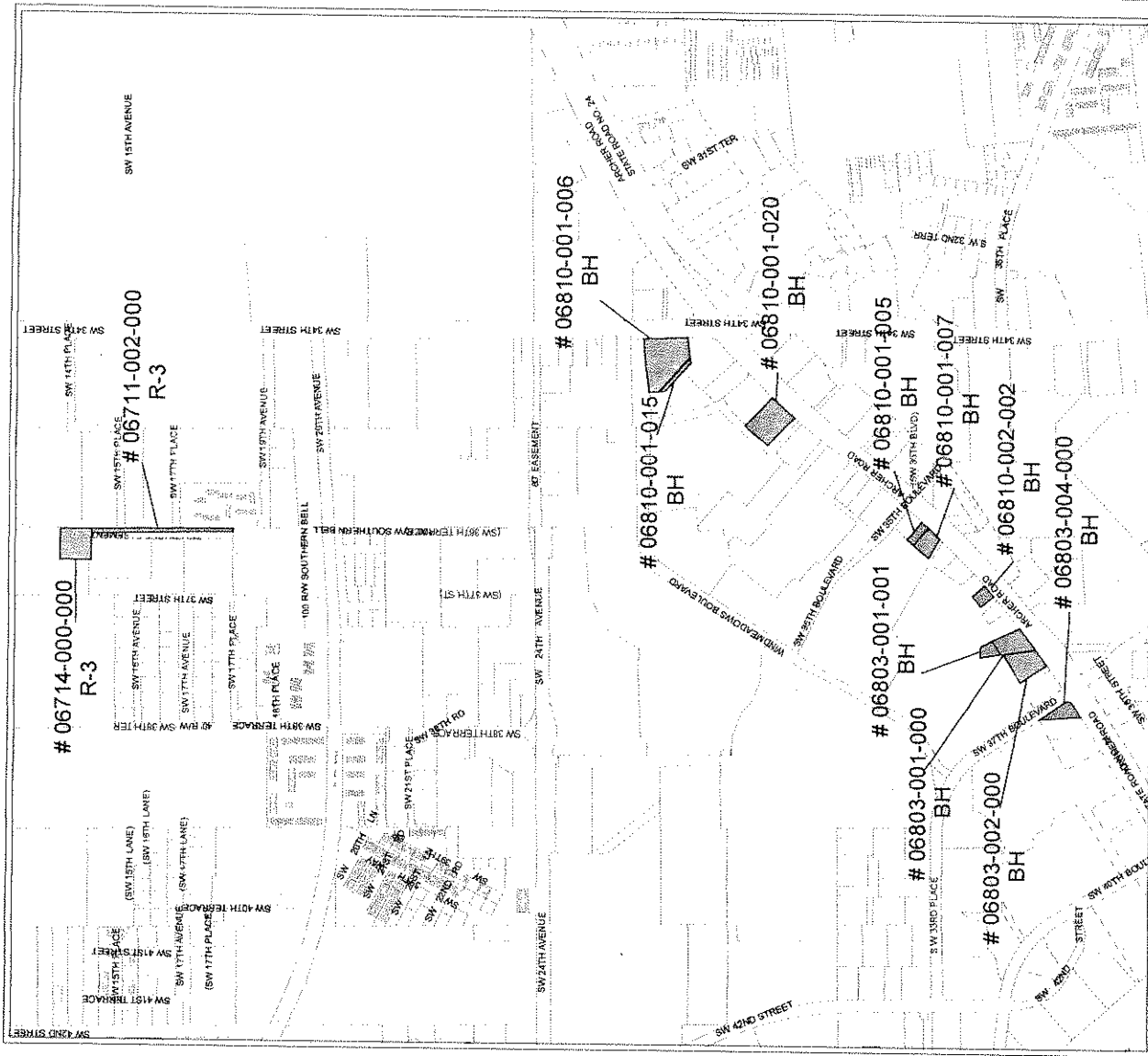
By: _____
MARION J. RADSON, CITY ATTORNEY

This ordinance passed this ____ day of ____, 2011.

Exhibit "A"

Alachua County Zoning Districts

BH Highway Oriented Business Services
 R-3 Multiple-Family, High Density



LEGEND

Area under petition consideration

EXISTING ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Rezone from Alachua County Zoning Districts to City of Gainesville Zoning Districts.	4145, 4345, 4445	Southwest Annexation PB-10-136 ZON - B

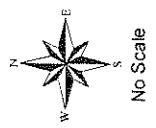
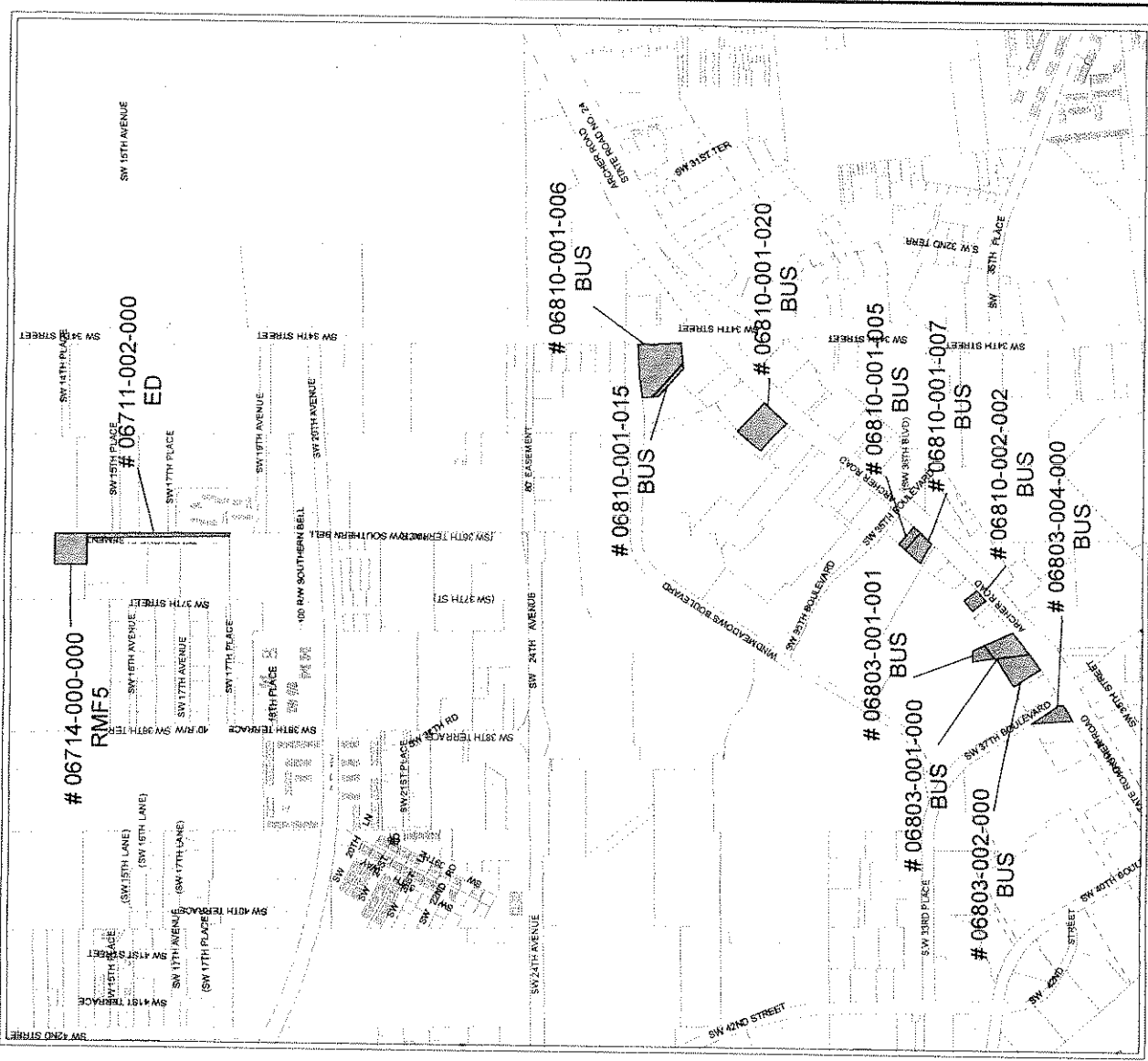


Exhibit "B"

**City of Gainesville
Zoning Districts**

- BUS General Business
- RMF-5 12 units/acre Single-Family/
Multiple-Family Residential
- ED Educational Services



LEGEND

Area under petition consideration

BUS

PROPOSED ZONING	
Name	Petition Request
Name	Map(s)
Name	Petition Number
City of Gainesville, applicant	Rezone from Alachua County Zoning Districts to City of Gainesville Zoning Districts.
No Scale	4145, 4345, 4445
Southwest Annexation PB-10-136 ZON - B	Southwest Annexation PB-10-136 ZON - B