

Legislative #

100678

D R A F T

6/21/2011

ORDINANCE NO. 100678

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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 as follows: Area 1: from the Alachua**
7 **County zoning categories of “Agricultural (A) district”, “Multiple**
8 **family, medium density (R-2) district”, and “Planned development**
9 **(PD) district”, to the City of Gainesville zoning categories of “CON:**
10 **Conservation district” and “PS: Public services and operations**
11 **district” to allow cemeteries as a use permitted by right; without**
12 **approval of a preliminary development plan; Area 2: from the Alachua**
13 **County zoning category of “Agricultural (A) district” and “Multiple**
14 **family, high density (R-3) district”, to the City of Gainesville zoning**
15 **category of “CON: Conservation district”; Area 3: from the Alachua**
16 **County zoning categories of “Multiple family, medium-high density**
17 **(R-2a) district” and “Industrial services and manufacturing (MS and**
18 **MP) districts”, to the City of Gainesville zoning categories of “RMF-**
19 **5: 12 units/acre single-family/multiple-family residential district”,**
20 **“RMF-7: 8-21 units/acre multiple-family residential district”, “BI:**
21 **Business industrial district”, and “PS: Public services and operations**
22 **district” to allow electric, gas, and sanitary services (MG-49); utility**
23 **lines; water conservation areas, water reservoirs and control**
24 **structures, drainage wells and water wells; stormwater facilities; any**
25 **use customarily incidental to any permitted principal use as uses**
26 **permitted by right; without approval of a preliminary development**
27 **plan; Area 4: from the Alachua County zoning categories of**
28 **“Industrial services and manufacturing (MS and MP) districts”,**
29 **“Highway oriented business services (BH) district”, “Residential**
30 **Professional (RP) district”, and “Single family, low density (R-1c)**
31 **district”, to the City of Gainesville zoning categories of “BI: Business**
32 **industrial district” and “BUS: General business district”; located in**
33 **the vicinity of Southwest 20th Avenue and Southwest Archer Road,**
34 **east of Interstate 75 and west of Southwest 34th Street; providing a**
35 **severability clause; providing a repealing clause; and providing an**
36 **immediate effective date.**

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38
39 **WHEREAS, publication of notice of a public hearing was given that the Zoning Map**

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1 Atlas be amended by rezoning certain properties annexed into the City be rezoned as follows:
2 Area 1: from the Alachua County zoning categories of “Agricultural (A) district”, “Multiple
3 family, medium density (R-2) district”, and “Planned development (PD) district”, to the City of
4 Gainesville zoning categories of “CON: Conservation district” and “PS: Public services and
5 operations district”; Area 2: from the Alachua County zoning category of “Agricultural (A)
6 district” and “Multiple family, high density (R-3) district”, to the City of Gainesville zoning
7 category of “CON: Conservation district”; Area 3: from the Alachua County zoning categories
8 of “Multiple family, medium-high density (R-2a) district” and “Industrial services and
9 manufacturing (MS and MP) districts”, to the City of Gainesville zoning categories of “RMF-5:
10 12 units/acre single-family/multiple-family residential district”, “RMF-7: 8-21 units/acre multiple-
11 family residential district”, “BI: Business industrial district”, and “PS: Public services and
12 operations district”; Area 4: from the Alachua County zoning categories of “Industrial services
13 and manufacturing (MS and MP) districts”, “Highway oriented business services (BH) district”,
14 “Residential Professional (RP) district”, and “Single family, low density (R-1c) district”, to the
15 City of Gainesville zoning categories of “BI: Business industrial district” and “BUS: General
16 business district”; and

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

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

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1 **WHEREAS**, the City Commission finds that the rezoning of the property described herein
2 will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

3 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches
4 long was placed in a newspaper of general circulation and of the public hearing to be held in the City
5 Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days
6 after the day the first advertisement was published; and

7 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
8 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the
9 adoption stage at least five (5) days after the day the second advertisement was published; and

10 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
11 described above at which hearings the parties in interest and all others had an opportunity to be and
12 were, in fact, heard.

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

15 **Section 1.** Area 1: The Zoning Map Atlas of the City of Gainesville is amended by
16 rezoning the following described properties from the Alachua County zoning categories of
17 “Agricultural (A) district”, “Multiple family, medium density (R-2) district” and “Planned
18 development (PD) district”, as shown on Exhibit “A” to the City of Gainesville zoning categories
19 of “CON: Conservation district” and “PS: Public services and operations district”, as shown on
20 Exhibit “B”:

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1 See Maps attached hereto as Exhibit "A" and Exhibit "B", and made a part
2 hereof as if set forth in full.

3
4 The use permitted by right on the property rezoned to "PS" is cemeteries. The City Commission
5 finds that a preliminary development plan is not required in connection with this rezoning.

6 **Section 2.** Area 2: The Zoning Map Atlas of the City of Gainesville is amended by
7 rezoning the following described properties from the Alachua County zoning categories of
8 "Agricultural (A) district" and "Multiple family, high density (R-3) district" as shown on Exhibit
9 "C", to the City of Gainesville zoning category of "CON: Conservation district", as shown on
10 Exhibit "D":

11 See Maps attached hereto as Exhibit "C" and Exhibit "D", and made a part
12 hereof as if set forth in full.

13
14 **Section 3.** Area 3: The Zoning Map Atlas of the City of Gainesville is amended by
15 rezoning the following described properties from the Alachua County zoning categories of
16 "Multiple family, medium-high density (R-2a) district" and "Industrial services and manufacturing
17 (MS and MP) districts", as shown on Exhibit "E" to the City of Gainesville zoning categories of
18 "RMF-5: 12 units/acre single-family/multiple-family residential district", "RMF-7: 8-21
19 units/acre multiple-family residential district", "BI: Business industrial district", and "PS: Public
20 services and operations district", as shown on Exhibit "F":

21 See Maps attached hereto as Exhibit "E" and Exhibit "F", and made a part
22 hereof as if set forth in full.

23
24 The uses permitted by right on the property rezoned to "PS" are: electric, gas, and sanitary
25 services (MG-49); utility lines; water conservation areas, water reservoirs and control structures,

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1 drainage wells and water wells; stormwater facilities; any use customarily incidental to any
2 permitted principal use. The City Commission finds that a preliminary development plan is not
3 required in connection with this rezoning.

4 **Section 4.** Area 4: The Zoning Map Atlas of the City of Gainesville is amended by
5 rezoning the following described properties from the Alachua County zoning categories of
6 “Industrial services and manufacturing (MS and MP) districts”, “Highway oriented business
7 services (BH) district”, “Residential Professional (RP) district”, and “Single family, low density
8 (R-1c) district”, as shown on Exhibit “G” to the City of Gainesville zoning categories of “BI:
9 Business industrial district” and “BUS: General business district”, as shown on Exhibit “H”:

10 See Maps attached hereto as Exhibit "G" and Exhibit “H”, and made a part
11 hereof as if set forth in full.

12
13 **Section 5.** The City Manager is authorized and directed to make the necessary changes in
14 the Zoning Map to comply with this Ordinance.

15 **Section 6.** If any word, phrase, clause, paragraph, section or provision of this ordinance
16 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
17 finding shall not affect the other provisions or applications of the ordinance which can be given
18 effect without the invalid or unconstitutional provisions or application, and to this end the
19 provisions of this ordinance are declared severable.

20 **Section 7.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
21 such conflict hereby repealed.

22 **Section 8.** This ordinance shall become effective immediately upon final adoption;

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1 however, the rezoning shall not become effective until the amendment to the City of Gainesville
2 2000-2010 Comprehensive Plan adopted by Ordinance No. 100679 becomes effective as provided
3 therein.

4 **PASSED AND ADOPTED** this _____ day of _____, 2011.

5
6

MAYOR

8
9

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

10
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KURT LANNON,
CLERK OF THE COMMISSION

By: _____
MARION J. RADSON, CITY ATTORNEY

16
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18 This ordinance passed on first reading this _____ day of _____, 2011.

19
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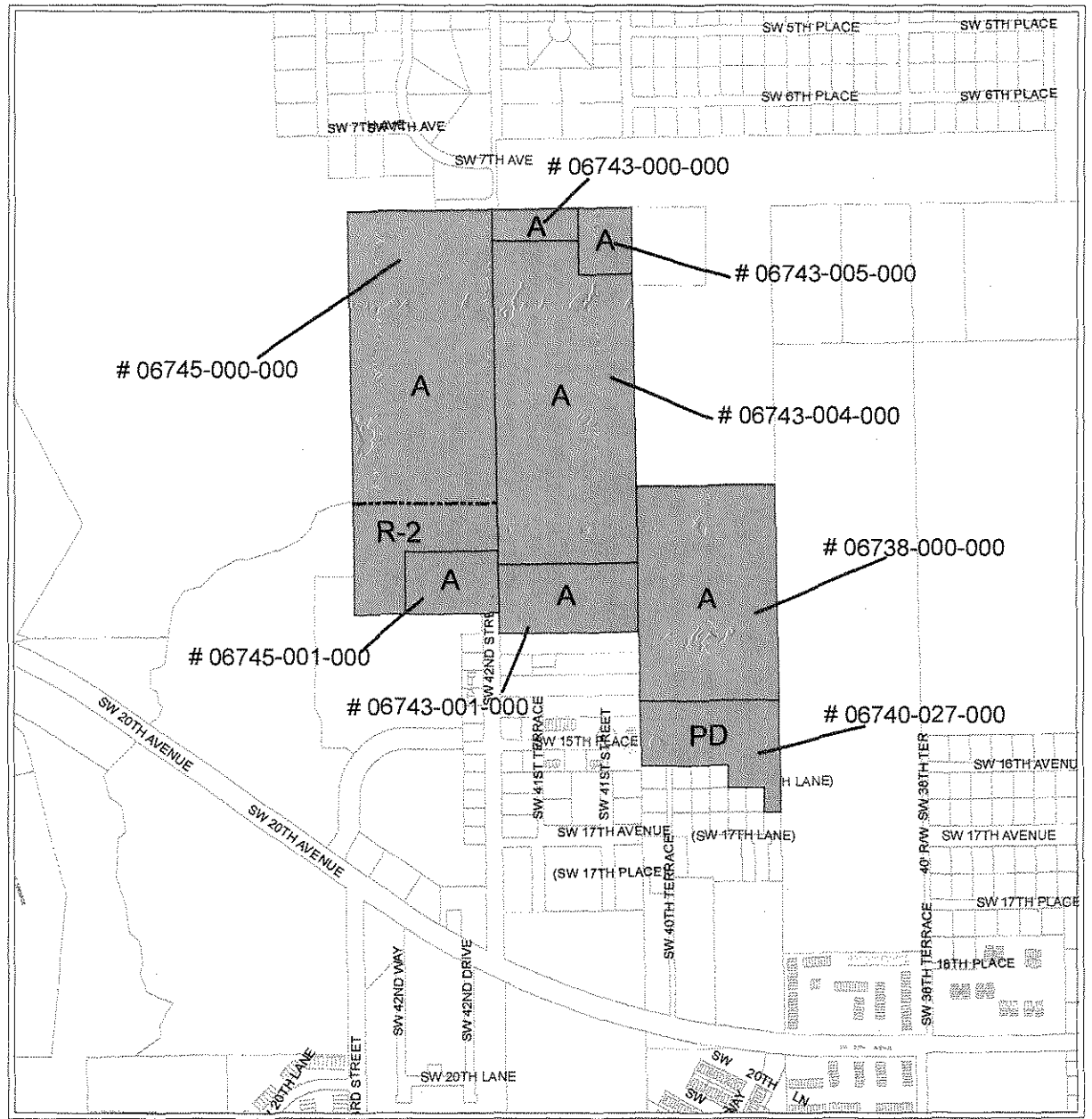
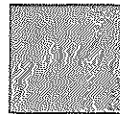
This ordinance passed on second reading this _____ day of _____, 2011.

Exhibit "A"

Alachua County Zoning Districts

- R-2 Multi-Family Residential (4-8 DU/acre)
- A Agricultural
- PD Planned Development
- Division line between two zoning districts

Area under petition consideration



EXISTING ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County A, PD and R-2 districts to City of Gainesville CON and PS Districts.	4144	Southwest Annexation PB-10-136ZON - A

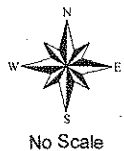
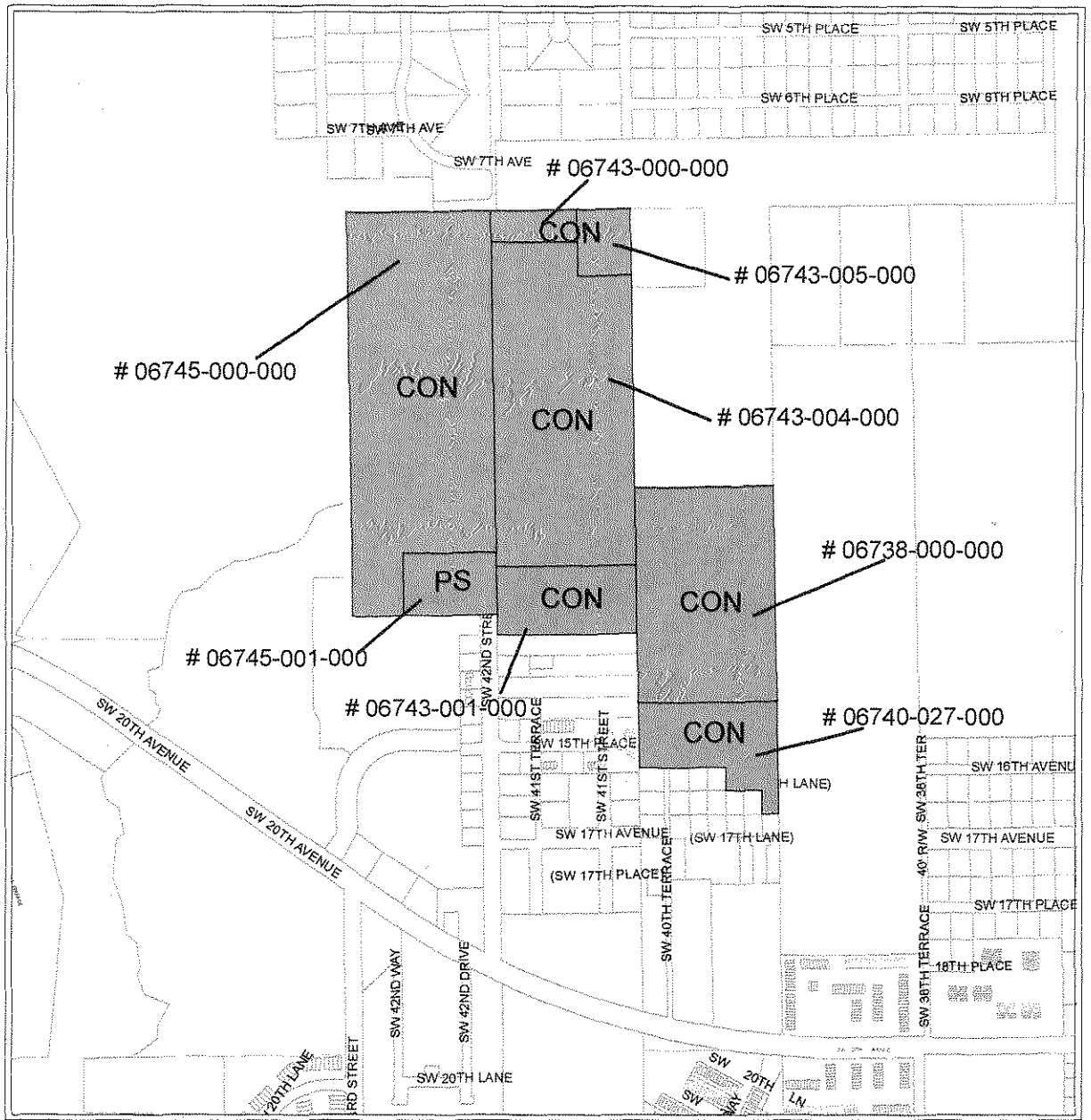
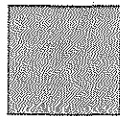


Exhibit "B"

City of Gainesville Zoning Districts

CON Conservation
PS Public Services and Operations

Area
under petition
consideration



PROPOSED ZONING


	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Change Zoning from Alachua County A, PD and R-2 districts to City of Gainesville CON and PS Districts.	4144	Southwest Annexation PB-10-136ZON - A

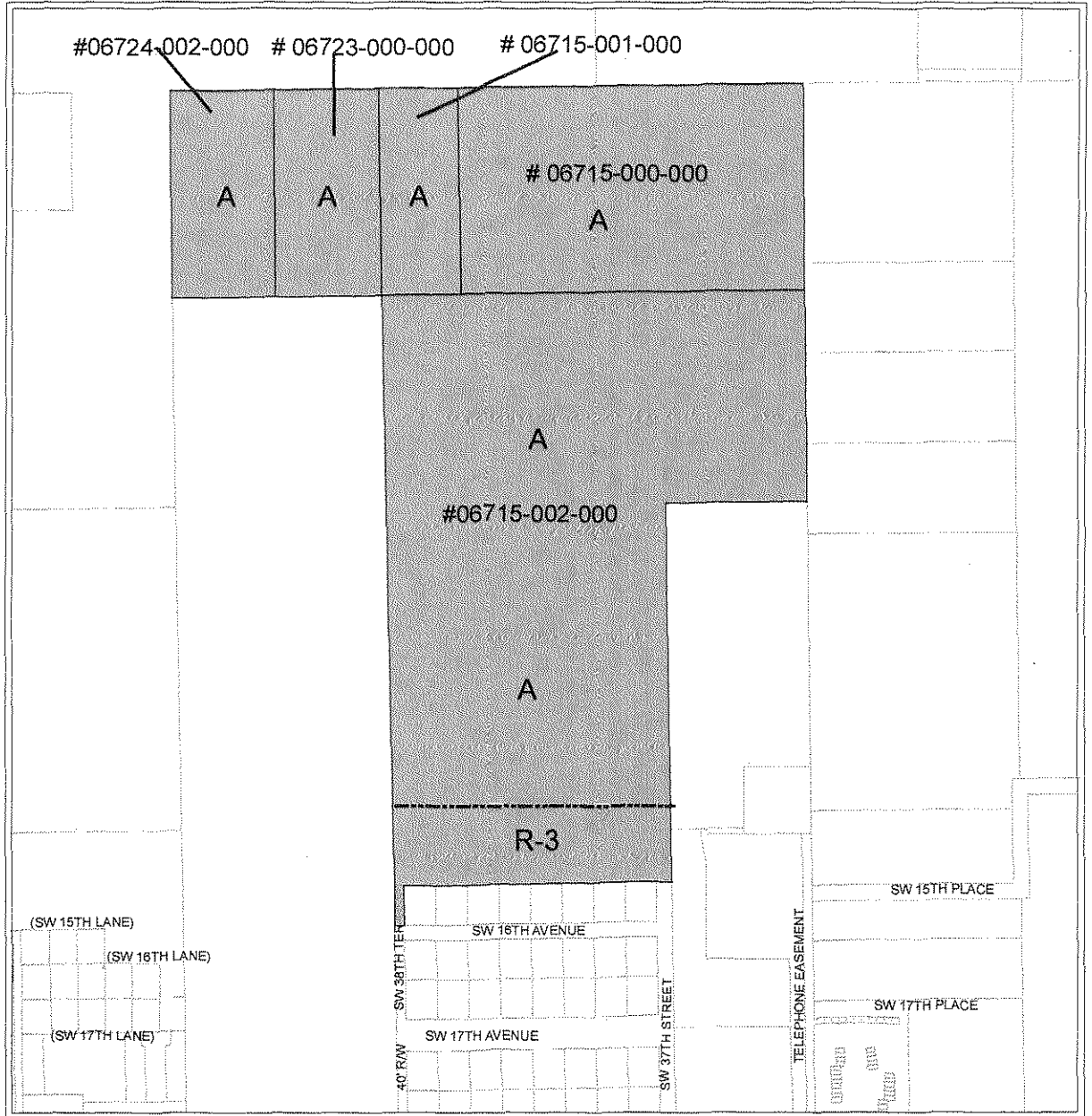
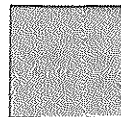
Exhibit "C"

Alachua County Zoning Districts

- A Agricultural
- R-3 Multi-family residential (14-24 units/acre)

----- Division line between two zoning districts

Area under petition consideration



EXISTING ZONING

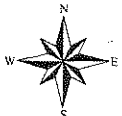
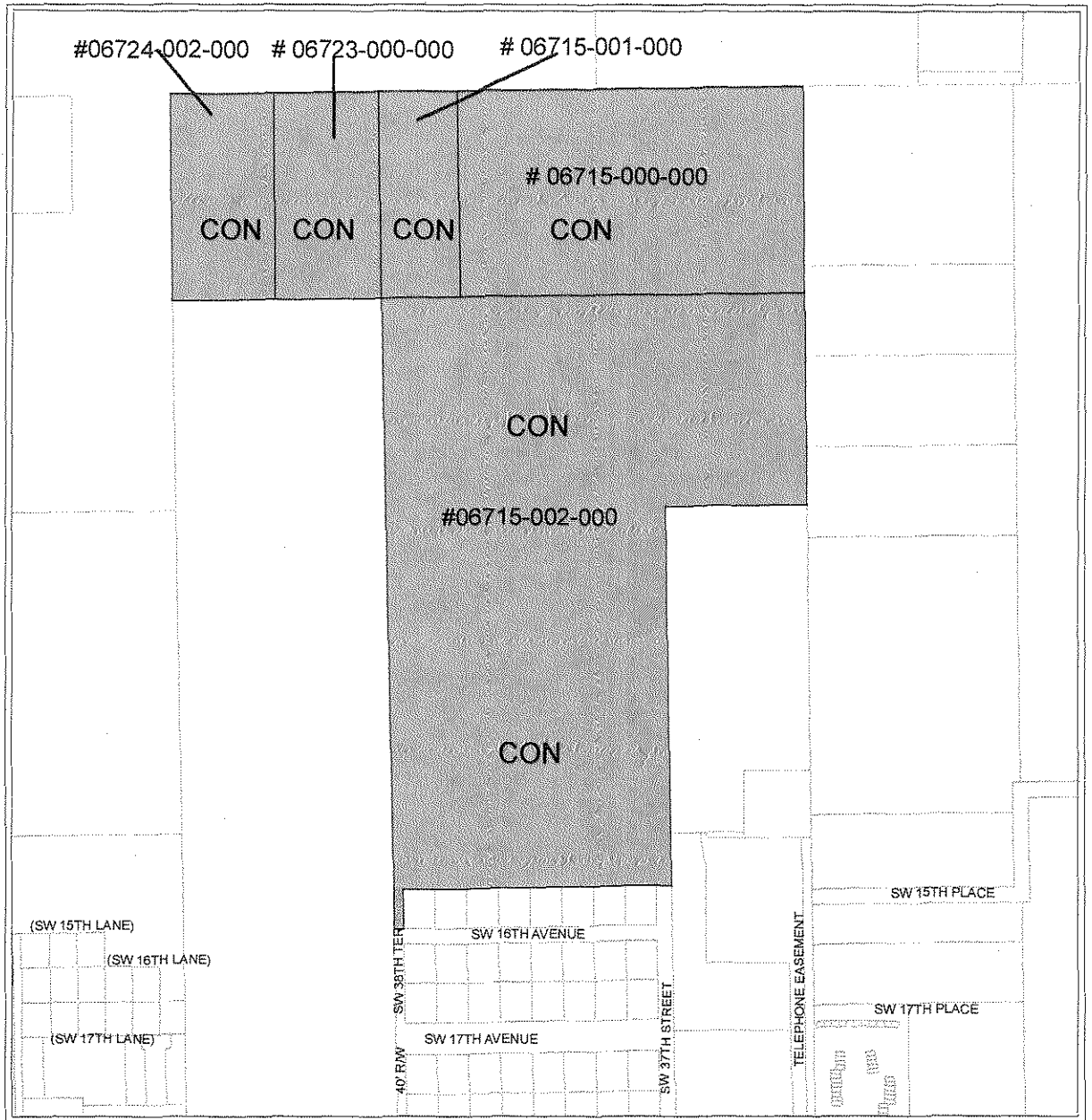
	Name	Petition Request	Map(s)	Petition Number
 <p>No Scale</p>	City of Gainesville, applicant	Change FLUM from Alachua County A Zoning district to City of Gainesville CON Zoning district.	4145	Southwest Annexation PB-10-136ZON - A

Exhibit "D"

City of Gainesville Zoning District

CON Conservation



PROPOSED ZONING



	Name	Petition Request	Map(s)	Petition Number
 <p>No Scale</p>	City of Gainesville, applicant	Change Zoning from Alachua County A Zoning district to City of Gainesville CON Zoning district.	4144	Southwest Annexation PB-10-136ZON - A

Exhibit "E"

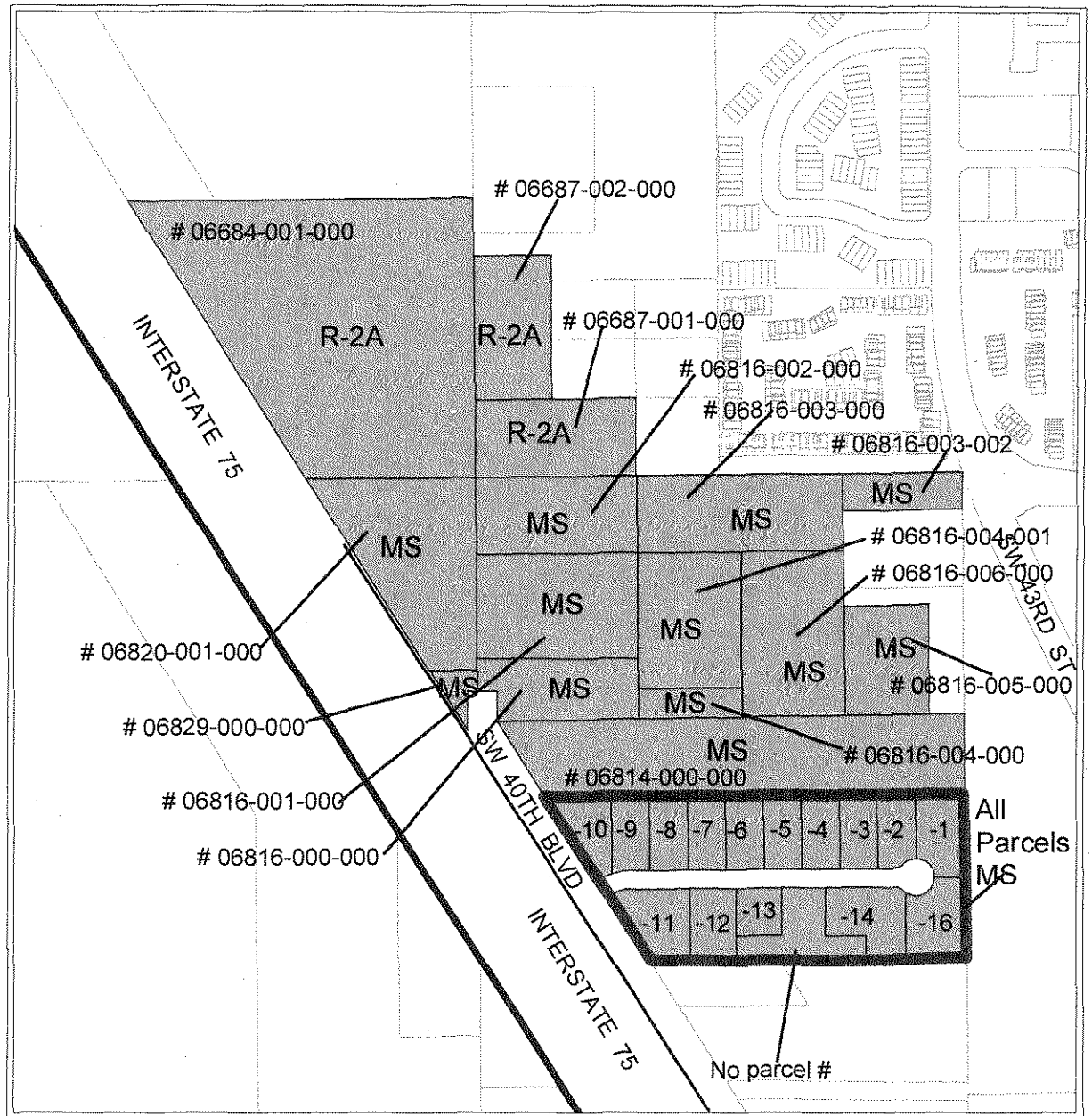
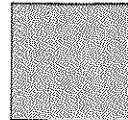
Alachua County Zoning Districts

MS Industrial Services and Manufacturing
 R-2A Multi-Family Residential (4-8 units/acre)

Unless otherwise indicated, all parcels are designated MS.
 All parcel numbers inside the grey box begin with "06814-".

 City Limits

Area under petition consideration



EXISTING ZONING

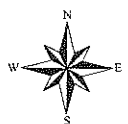
 No Scale	Name	Petition Request	Map(s)	Petition Number
	City of Gainesville, applicant	Change Zoning district categories from Alachua County MS and R-2A to City of Gainesville BI, PS, RMF-5 and RMF-7.	4243	Southwest Annexation PB-10-136ZON - A

Exhibit "F"

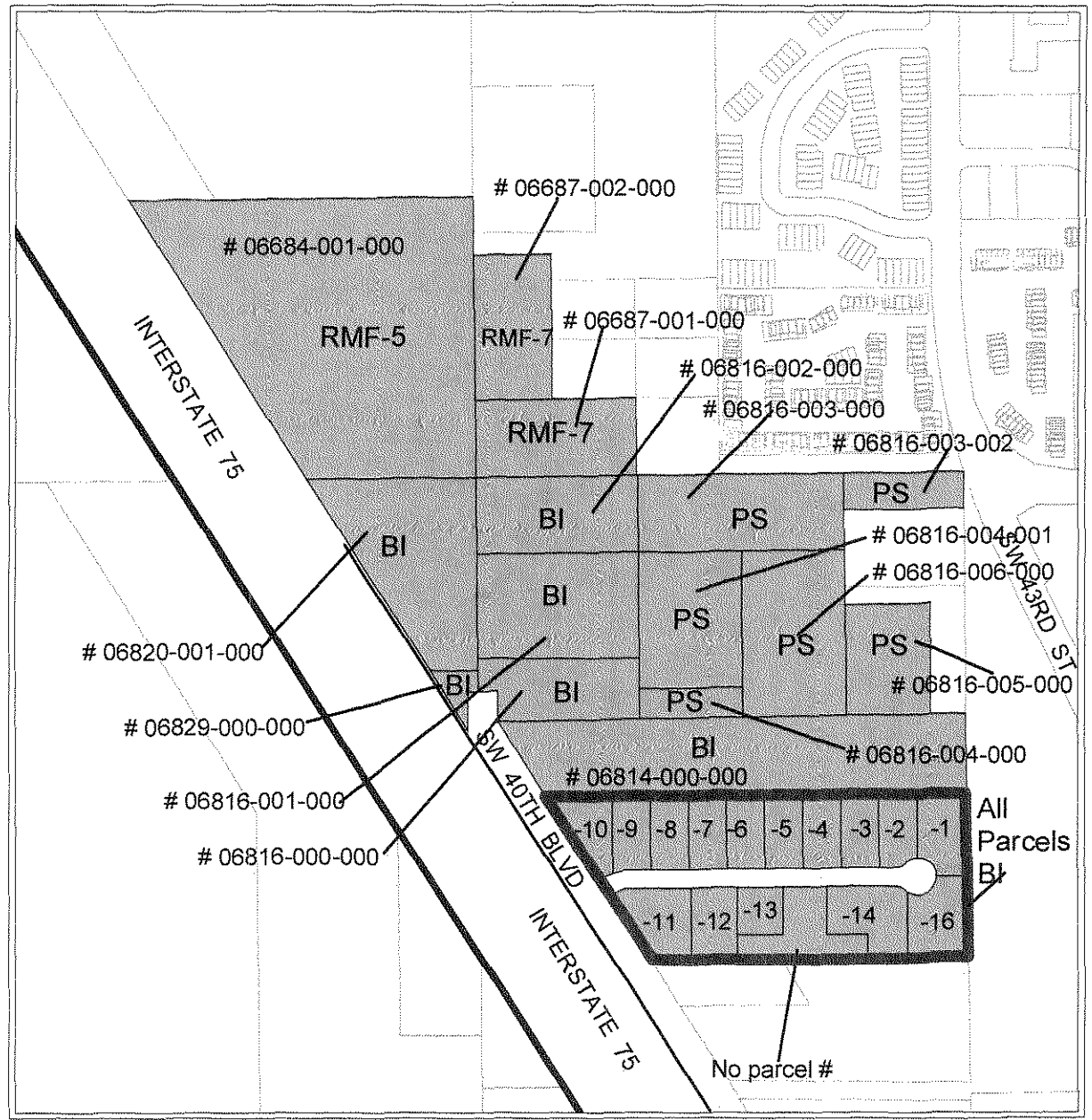
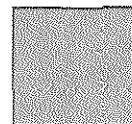
City of Gainesville Zoning Districts

- BI Business Industrial
- PS Public Services and Operations
- RMF-5 12 units/acre single-family/multiple family residential
- RMF-7 8-21 units/acre multiple family residential

All parcel numbers inside the grey box begin with "06814-"

 City Limits

Area under petition consideration



PROPOSED ZONING

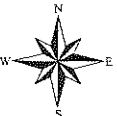


	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Change Zoning from Alachua County MS and R-2A to City of Gainesville BI, PS, RMF-5 and RMF-7.	4243	Southwest Annexation PB-10-136ZON - A

Exhibit "G"

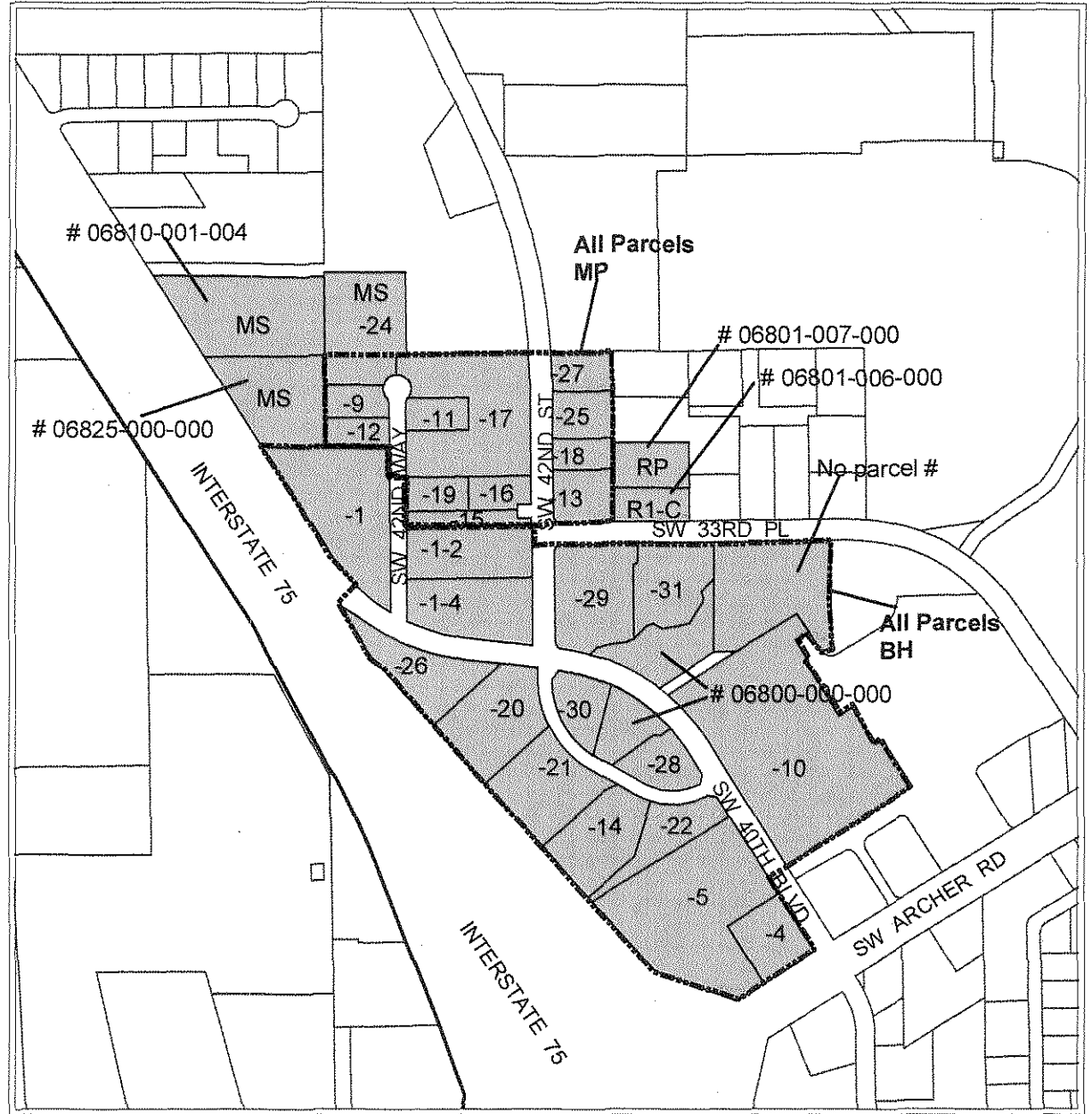
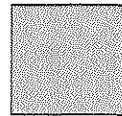
Alachua County Zoning Districts

- BH Highway oriented business services
- MS/MP Industrial services and manufacturing
- R-1C Single family residential (1-4 units/acre)
- RP Residential professional

Unless otherwise indicated, all parcel numbers begin with "06800-"

-  City Limits
-  Division line between two zoning districts

Area under petition consideration



EXISTING ZONING

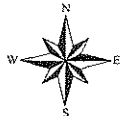
	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Change Zoning from Alachua County BH, MS, MP, R-1C and RP to City of Gainesville BI and BUS.	4343, 4344, 4444	Southwest Annexation PB-10-136ZON - A

Exhibit "H"

City of Gainesville Zoning Districts

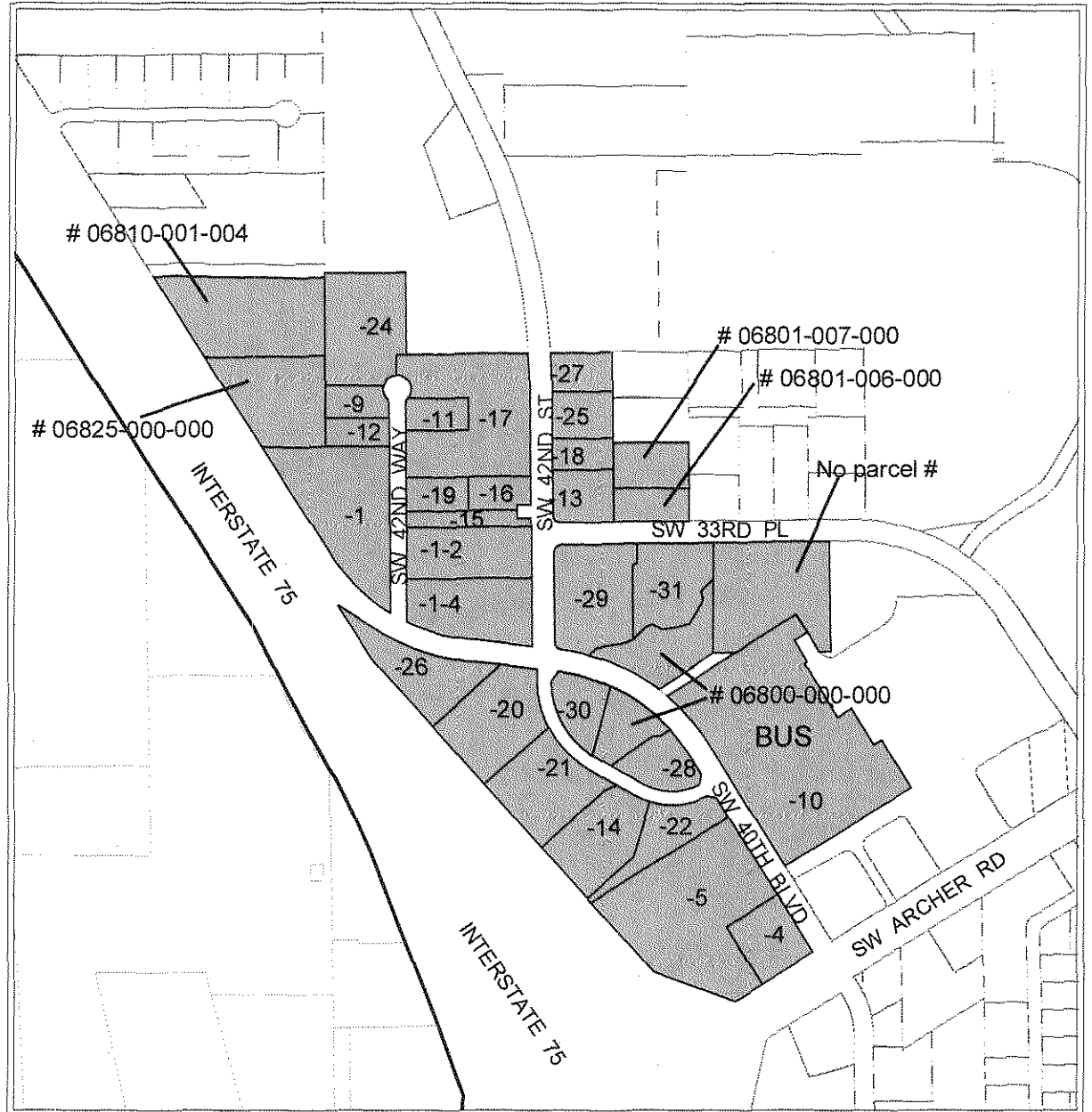
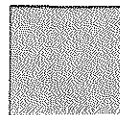
BI Business industrial
 BUS General business

Unless otherwise indicated, all parcel numbers begin with "06800-"

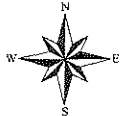
Unless otherwise indicated, all parcels are designated with BI.

 City Limits

Area
 under petition
 consideration



PROPOSED ZONING

	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Change Zoning from Alachua County BH, MS, MP, R-1C and RP to City of Gainesville BI and BUS.	4343, 4344, 4444	Southwest Annexation PB-10-136ZON - A