

LEGISLATIVE #

120840A

ORDINANCE NO. 120840

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.71 acres of property generally located at 2029 NW 13th Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) 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 Automotive-oriented business district (BA) 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 March 7, 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 will be consistent with the City of Gainesville Comprehensive Plan when City of Gainesville Ordinance No. 120839 becomes effective as provided therein.

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 Automotive-oriented business district (BA) 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 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; however, rezoning shall not be effective until the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 120839 becomes effective as provided therein.

PASSED AND ADOPTED this _____ day of _____, 2013

EDWARD B. BRADDY
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: _____
KURT LANNON

By: _____
NICOLLE M. SHALLEY

CLERK OF THE COMMISSION

CITY ATTORNEY

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

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

Legal Description

TAX PARCEL 9971-000-000

The north 115.00 feet of the south 1745 feet of the Northwest one quarter (NW 1/4) of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, less right-of-way for U.S. Highway 441.

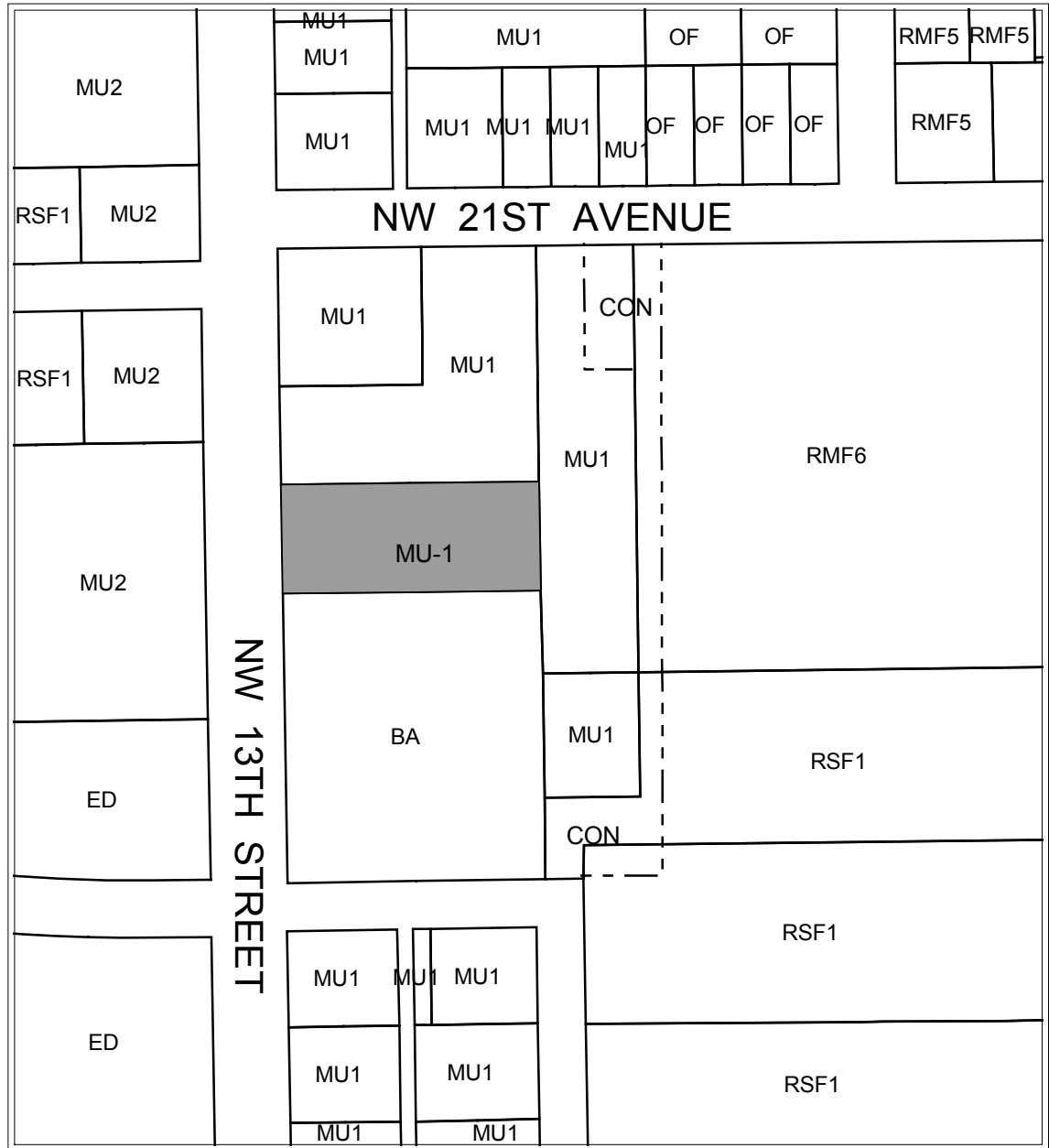
SUBJECT TO: easements, restrictions, reservations, and right of ways of record, if any.

Exhibit "A" to Ordinance No. 120840

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. 120840



Area under petition consideration



----- Division line between two zoning districts

PROPOSED ZONING

 No Scale	Name	Petition Request	Map(s)	Petition Number
	George F. Young, Inc.; Stuart Cullen, P.E., agents for Iris McWilliams	Rezone from Automotive-oriented Business (BA) to Mixed-use Low-Intensity (MU-1) district	3750	PB-12-162 ZON