

Legislative #
140472A

ORDINANCE NO. 140472

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 4.4 acres of property generally located northeast of the intersection of Williston Road and SE 16th Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-6) to Conservation District (CON); 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 Multiple-Family Medium-Density Residential District (RMF-6) to Conservation District (CON); and

WHEREAS, on October 23, 2014, a public hearing was held by the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it voted to recommend that the City Commission adopt this ordinance; 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. 140471 becomes effective as provided therein.

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

1 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
 2 following property from Multiple-Family Medium-Density Residential District (RMF-6) to
 3 Conservation District (CON):

4 See legal description attached as Exhibit "A" and made a part hereof as
 5 if set forth in full. The location of the property is shown on Exhibit
 6 "B" for visual reference. In the event of conflict or inconsistency,
 7 Exhibit "A" shall prevail over Exhibit "B".
 8

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

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

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 17 such conflict hereby repealed.

18 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
 19 the rezoning shall not become effective until the amendment to the City of Gainesville
 20 Comprehensive Plan adopted by Ordinance No. 140471 becomes effective as provided therein.

21 **PASSED AND ADOPTED** this _____ day of _____, 2015.
 22
 23
 24

25 _____
 26 EDWARD B. BRADDY
 27 MAYOR

28
 29 Attest:

Approved as to form and legality:

30

1
2
3
4
5
6
7
8
9

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2015.

This ordinance passed on second reading this _____ day of _____, 2015.

EXHIBIT "A" TO ORDINANCE NO. 140472

Sweetwater – ACF

That part of Section 9, Township 10 South, Range 20 East, Alachua County, Florida, and being more particularly described as follows.

Commence at the Southeast corner of the D. L. Clinch Grant for a Point of Reference; thence North 4 deg. 29 min. 56 sec. East, a distance of 1551.12 feet to a 4" by 4" concrete monument (no identification [ID]) on the west line of Section 16, Township 10 South, Range 20 East; thence North 04 deg. 23 min. 53 sec. East along the said west line of Section 16, and along the east line of the said Clinch Grant, a distance of 1720.75 feet to a 4" by 4" concrete monument (No ID) at an intersection with the southeasterly right of way line of State Road No. 331 (a 150.0 foot right of way); thence North 27 deg. 29 min. 16 sec. East along the said southeasterly right of way line, a distance of 2456.11 feet to a 5/8" rebar and cap (LB 2389) at the most westerly corner of the City Of Gainesville property, as per Official Record Book 3339, page 1428 of the public records of said Alachua County, and also being the Point of Beginning; thence South 58 deg. 39 min. 44 sec. East along the southwesterly boundary line of the said City property, a distance of 417.13 feet to a 5/8" rebar and cap (LB 2389); thence South 00 deg. 00 min. 00 sec. West along the westerly boundary line of the said City property, a distance of 309.68 feet to a 5/8" rebar and cap (LB 2389); thence North 90 deg. 00 min. 00 sec. West on a westerly prolongation of the south boundary line of the said City property, a distance of 461.19 feet to an intersection with the southeasterly right of way line of a City of Gainesville Electrical Transmission line, as per deed recorded in Official Record Book 839, page 902 of the said public records of Alachua County; thence North 27 deg. 29 min. 55 sec. East along the said southeasterly right of way line, a distance of 140.40 feet to a concrete monument and cap (LB 2389) at the most easterly corner of the said Transmission line right of way; thence North 62 deg. 30 min. 44 sec. West along the most northerly right of way line of the said Transmission line, a distance of 150.0 feet to a concrete monument and cap (LB 2389) at an intersection with the said southeasterly right of way line of State Road No. 331; thence North 27 deg. 29 min. 16 sec. East along the said southeasterly right of way line of State Road No. 331, a distance of 375.19 feet to the said 5/8" rebar and cap (LB 2389) that marks the said Point of Beginning.

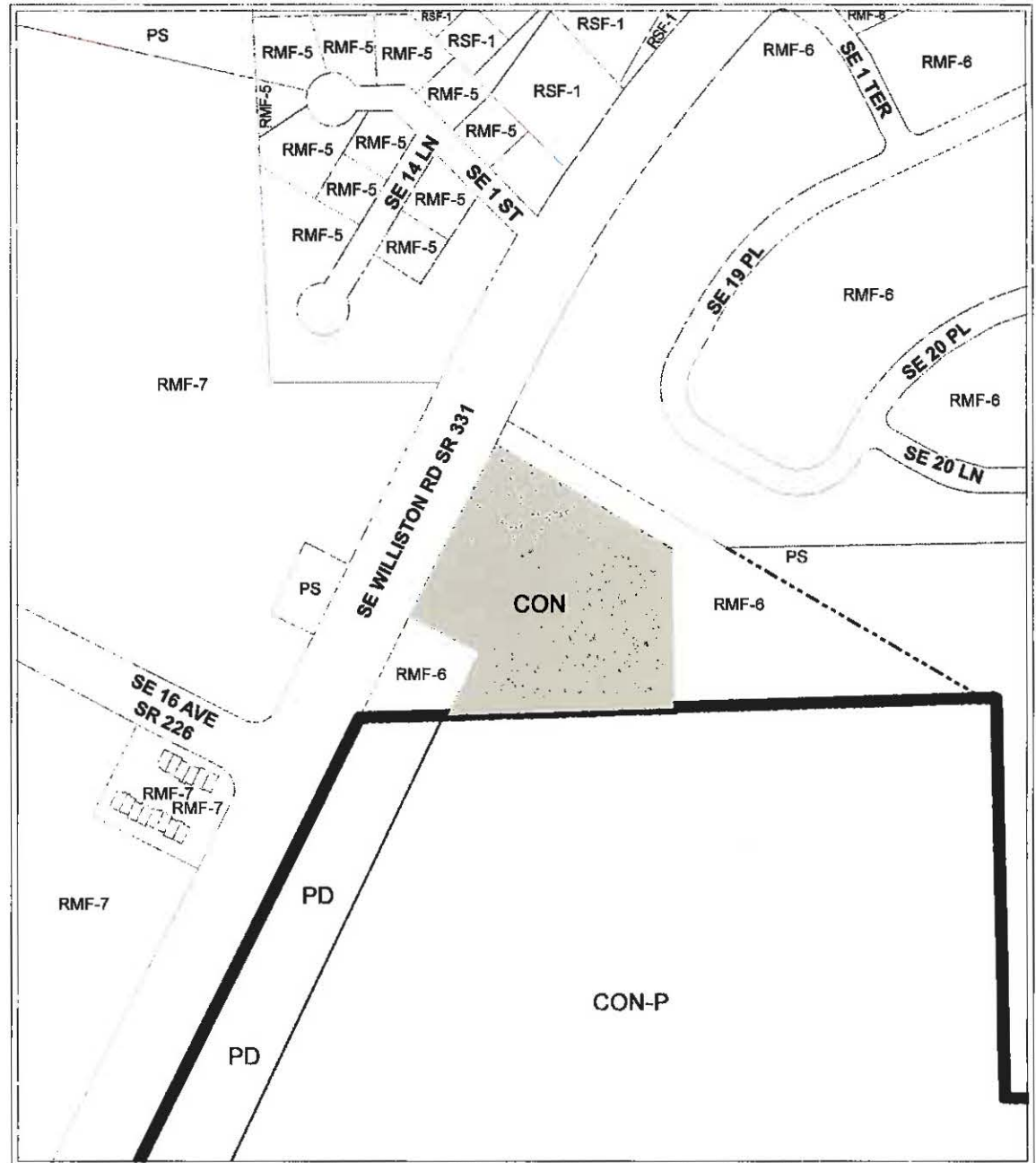
Containing approximately 194,210 square feet or 4.46 acres.

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
- RMF-7 8-21 units/acre Multiple-Family Residential
- PS Public Services and Operations
- CON Conservation

Alachua County Zoning Districts

- PD Planned Development
- CON-P Conservation/Preservation



PROPOSED ZONING



No Scale

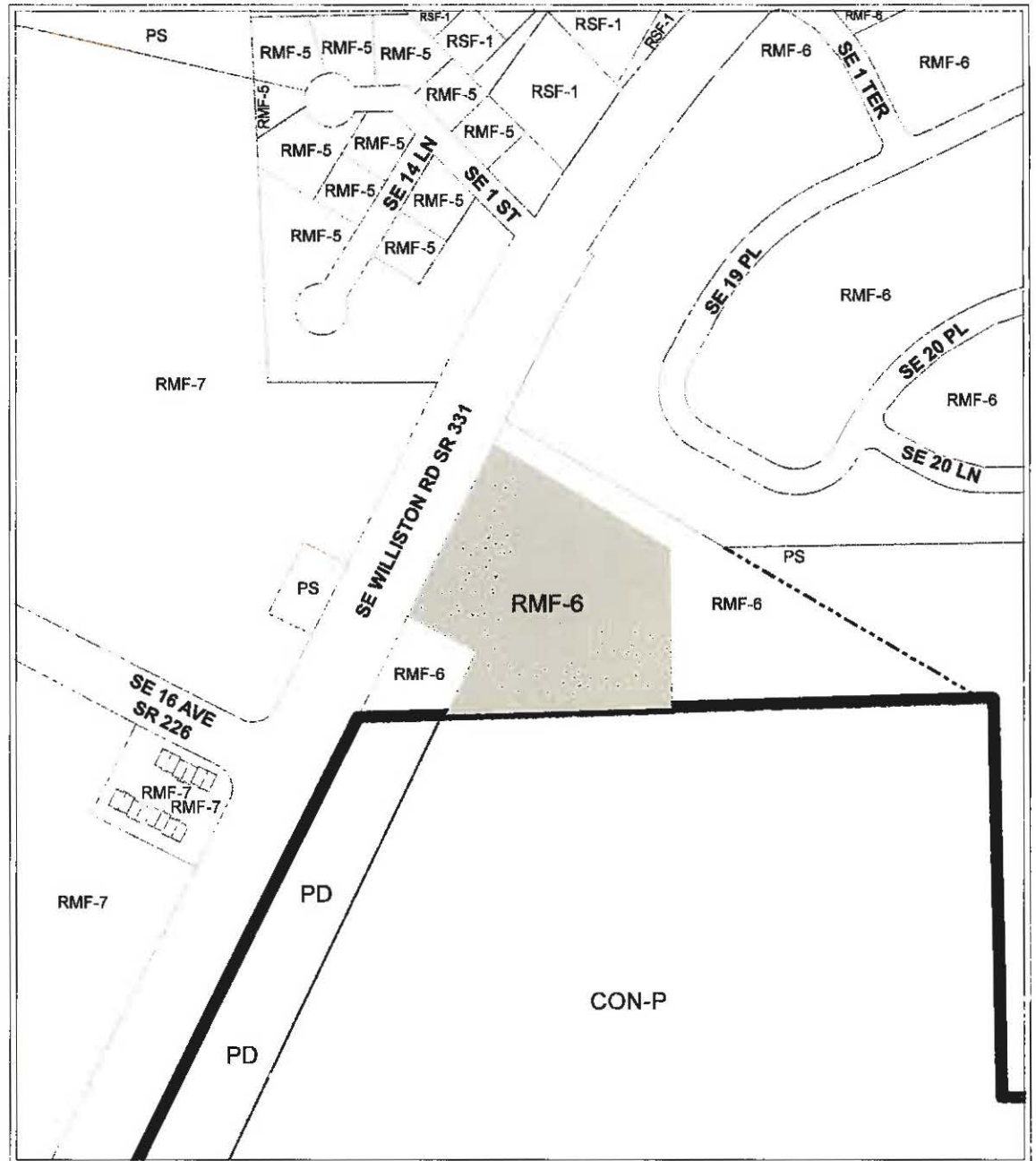
Name	Petition Request	Petition Number
Alachua County Growth Management Department, agent for Alachua County Board of County Commissioners	Rezone property from RMF-6 (8-15 units/acre multiple-family residential district) to Conservation	PB-14-121 ZON

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
- RMF-7 8-21 units/acre Multiple-Family Residential
- PS Public Services and Operations

Alachua County Zoning Districts

- PD Planned Development
- CON-P Conservation/Preservation



EXISTING ZONING

 No Scale	Name	Petition Request	Petition Number
	Alachua County Growth Management Department, agent for Alachua County Board of County Commissioners	Rezone property from RMF-6 (8-15 units/acre multiple-family residential district) to Conservation	PB-14-121 ZON