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ORDINANCE NO. 110556

An ordinance of the City of Gainesville, Florida, in the vicinity of 4201 SW 21st Place; amending the Zoning Map Atlas and rezoning certain property located at 4201 SW 21st Place, from the Alachua County zoning category of “Multiple family high density (R-3) district” to the City of Gainesville zoning category of “PS: Public services and operations district”, as more specifically described in this ordinance; to allow for social service homes and halfway houses, rehabilitation centers, housing for elderly persons, day care centers, libraries, museums and art galleries, executive offices, legislative bodies, general government, police protection, legal counsel and prosecution, public order and safety, administration of public health programs, social, human resource and income maintenance programs, veterans’ affairs, environmental quality and housing programs, general economic programs, and the regulation of agricultural marketing and commodities, the regulation, licensing, and inspection of miscellaneous commercial sectors and any use customarily incidental to any permitted principal use with certain conditions as set forth in this ordinance; excepting the requirement of a preliminary development plan; providing directions to the City Manager; adopting a certain finding; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

28 **WHEREAS**, publication of notice of a public hearing was given that the Zoning Map
29 Atlas be amended by rezoning certain property from the Alachua County zoning category of
30 “Multiple family high density (R-3) district” to the City of Gainesville zoning category of “PS:
31 Public services and operations district”; and

32 **WHEREAS**, notice was given and publication made as required by law and a public
33 hearing was held by the City Plan Board on November 1, 2011; and

34 **WHEREAS**, the City Commission finds that the rezoning of the properties described
35 herein is consistent with the City of Gainesville Comprehensive Plan; and

WHEREAS, at least ten (10) days notice has been given of the public hearing once by

1 publication in a newspaper of general circulation notifying the public of this proposed ordinance
2 and of a public hearing in the City Commission meeting room, First Floor, City Hall, in the City
3 of Gainesville; and

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

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

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

12 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
13 following described property from the Alachua County zoning category of “Multiple family
14 high density (R-3) district” to the City of Gainesville zoning category of “PS: Public services
15 and operations district”, as more specifically described below:

16 See legal description, attached hereto as Exhibit “A” and made a part hereof
17 as if set forth in full.

18
19 **Section 2.** The City Commission finds that preliminary development plans
20 are not required in connection with this rezoning.

21 **Section 3.** The uses permitted by right on the property described in Section 1 of this
22 Ordinance with certain conditions are as provided in Exhibit “B” attached hereto and made a part
23 hereof as if set forth in full.

1 **Section 4.** The City Manager is authorized and directed to make the necessary changes
2 in the Zoning Map to comply with this Ordinance.

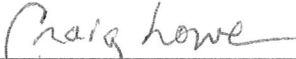
3 **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance
4 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
5 finding shall not affect the other provisions or applications of the ordinance which can be given
6 effect without the invalid or unconstitutional provisions or application, and to this end the
7 provisions of this ordinance are declared severable.

8 **Section 6.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
9 such conflict hereby repealed.

10 **Section 7.** This ordinance shall become effective immediately upon final adoption.

11 **PASSED AND ADOPTED** this 15th day of March, 2012.

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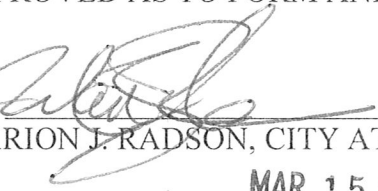
CRAIG LOWE, MAYOR

ATTEST:



KURT LANNON,
CLERK OF THE COMMISSION

APPROVED AS TO FORM AND LEGALITY:

By: 

MARION J. RADSON, CITY ATTORNEY
MAR 15 2012

This ordinance passed on adoption reading this 15th day of March, 2012.

EXHIBIT "A"

A portion of Lot 8, being that part of the East 90.0 feet of the North 260.0 feet of the South 680.0 feet that lies north of a 1.0 acre parcel previously deeded to the City of Gainesville, on June 7, 1991 and recorded in Official Record Book 1814, page 1211 through 1217 of the Public Records of Alachua County, lying in Section 11, Township 10 South, Range 19 East.

Containing approximately 0.54 acre.

AND

Lot Nine (9), COLONIAL OAKS as per plat thereof recorded in Plat Book "K", page 98 of the Public Records of Alachua County, Florida

Tax Parcel Number 06741-010-009

Exhibit B

Uses and Conditions

The uses permitted by right on this property shall include the following:

<i>SIC</i>	<i>Use</i>	<i>Conditions</i>
	USES BY RIGHT:	
	Social service homes and halfway houses	<p>In accordance with Article VI, and in accordance with the following additional conditions for the use approved by Alachua County Resolution No. Z-97-14:</p> <ol style="list-style-type: none"> 1. The facility shall maintain licensing by the State of Florida, and shall comply with Ch. 397 (Substance Abuse Services), Florida Statutes, and all applicable regulations cited therein. 2. Security precautions shall include awake staff on the premises at all times, hourly face-to-face checks on residents during all shifts, and alarms on all exit doors. Clients shall not be allowed to leave the facility without authorization, and their whereabouts shall be accounted for at all times. 3. Any changes to signage or exterior lighting at the site shall conform to City requirements in the Land Development Code. 4. Outside activities such as grounds maintenance or recreational activities shall not be allowed between sunset and 8:00 a.m. 5. The capacity of the facility shall be limited to twenty-one (21) beds. 6. Delivery vehicles shall not be allowed between sunset and 8:00 a.m.
	Rehabilitation centers	In accordance with Article VI
	Housing for elderly persons	In accordance with Article VI
	Day care centers	In accordance with Article VI
IN 8231	Libraries	
IN 8412	Museums and art galleries	
IN 9111	Executive offices	
IN 9121	Legislative bodies	
IN 9199	General government, not elsewhere classified	
IN 9221	Police protection	
IN 9222	Legal counsel and prosecution	

IN 9229	Public order and safety, not elsewhere classified	
IN 9431	Administration of public health programs	
IN 9441	Administration of social, human resource and income maintenance programs	
IN 9451	Administration of veterans' affairs, except health and insurance	
MG 95	Administration of environmental quality and housing programs	
IN 9611	Administration of general economic programs	
IN 9641	Regulation of agricultural marketing and commodities	
IN 9651	Regulation, licensing, and inspection of miscellaneous commercial sectors	
	Any use customarily incidental to any permitted principal use	

The following conditions also apply to the use and development of the uses:

1. Changes to the site shall require development plan approval in accordance with the requirements of the City's Land Development Code and the adopted PS zoning ordinance.
2. The subject property shall be regulated in accordance with the requirements of the City's Land Development Code and all other applicable regulations.