

ORDINANCE NO. 190290

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2
3 **An ordinance of the City of Gainesville, Florida, amending the Zoning Map**
4 **Atlas by rezoning approximately 20.74 acres of property generally located at**
5 **6400 SW 20th Avenue, as more specifically described in this ordinance, from**
6 **Alachua County Multiple-Family Medium-High Density (R-2a) district to City of**
7 **Gainesville Multi-Family Residential (RMF-8) district; providing directions to**
8 **the City Manager; providing a severability clause; providing a repealing clause;**
9 **and providing an effective date.**

10
11 **WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a**
12 **Comprehensive Plan to guide the future development and growth of the city; and**

13 **WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville**
14 **Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that**
15 **designates the future general distribution, location, and extent of the uses of land for**
16 **residential, commercial, industry, agriculture, recreation, conservation, education, public**
17 **facilities, and other categories of the public and private uses of land, with the goals of**
18 **protecting natural and historic resources, providing for the compatibility of adjacent land uses,**
19 **and discouraging the proliferation of urban sprawl; and**

20 **WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or**
21 **amend and enforce land development regulations that are consistent with and implement the**
22 **Comprehensive Plan and that are combined and compiled into a single land development code**
23 **for the city; and**

24 **WHEREAS, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville**
25 **Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and**
26 **land development regulations on specific classifications of land within the city; and**

27 **WHEREAS, this ordinance, which was noticed as required by law, will amend the Zoning Map**
28 **Atlas by rezoning the property that is the subject of this ordinance; and**

29 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
30 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
31 pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 22, 2019, and
32 voted to recommend that the City Commission approve this rezoning; and

33 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
34 newspaper of general circulation and provided the public with at least seven days' advance
35 notice of this ordinance's first public hearing to be held by the City Commission in the City Hall
36 Auditorium, located on the first floor of City Hall in the City of Gainesville; and

37 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
38 placed in the aforesaid newspaper and provided the public with at least five days' advance
39 notice of this ordinance's second public hearing to be held by the City Commission; and

40 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
41 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

42 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be
43 consistent with the City of Gainesville Comprehensive Plan when the amendment to the
44 Comprehensive Plan adopted by Ordinance No. 190289 becomes effective as provided therein.

45 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

46 **FLORIDA:**

47 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
48 following property from Alachua County Multiple-Family Medium-High Density (R-2a) district
49 to City of Gainesville Multi-Family Residential (RMF-8) district:

50 See legal description attached as **Exhibit A** and made a part hereof as if set forth
51 in full. The location of the property is shown on **Exhibit B** for visual reference.
52 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

53
54 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
55 changes to the Zoning Map Atlas to comply with this ordinance.

56 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
57 the application hereof to any person or circumstance is held invalid or unconstitutional, such
58 finding will not affect the other provisions or applications of this ordinance that can be given
59 effect without the invalid or unconstitutional provision or application, and to this end the
60 provisions of this ordinance are declared severable.

61 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
62 conflict hereby repealed.

63 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
64 rezoning will not become effective until the amendment to the City of Gainesville
65 Comprehensive Plan adopted by Ordinance No. 190289 becomes effective as provided therein.


66
67 **PASSED AND ADOPTED** this 16th day of January, 2020.

68
69
70 
71 _____
72 LAUREN POE
73 MAYOR

74 Attest:

Approved as to form and legality:

75
76 
77 _____
78 OMICHELE D. GAINNEY *Maria Kessler*
79 CLERK OF THE COMMISSION *Deputy Clerk*

75
76 
77 _____
78 NICOLLE M. SHALLEY
79 CITY ATTORNEY

80
81 This ordinance passed on first reading this 7th day of November, 2019

82
83 This ordinance passed on second reading this 16th day of January, 2020.

LEGAL DESCRIPTION FOR TAX PARCEL NUMBERS 06675-004-000 AND
06675-008-000 NORTH OF SW 20TH AVE. AND WEST OF INTERSTATE 75

A TRACT OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 150912, SAID POINT ALSO BEING SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1519 (HEREAFTER ABBREVIATED ORB/P) OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF), THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN ORB 4621, P 815 AND THE POINT OF INTERSECTION OF THE WEST LINE OF THE EAST 1980 FEET OF SAID SECTION 9 AND THE NORTHERLY RIGHT-OF-WAY LINE OF S.W. 20TH AVENUE, ALSO BEING COUNTY ROAD SW 30 AND BEING A POINT ON A CURVE CONCAVE SOUTHEASTERLY WITH A RADIAL BEARING OF N 45°39'42" W, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 54°05'45" E, 664.31 FEET; THENCE NORTHEASTERLY ALONG SAID EXISTING CITY LIMIT LINE, NORTHERLY RIGHT-OF-WAY LINE AND CURVE AN ARC DISTANCE OF 667.53 FEET THROUGH A CENTRAL ANGLE OF 19°30'54" TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN ORB 4621, P 815 ALSO BEING THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN ORB 4515, P 862 AND A POINT ON THE CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 170256; THENCE LEAVING SAID RIGHT-OF-WAY LINE CONTINUE ALONG THE EXISTING CITY OF GAINESVILLE LIMIT LINE N 00°16'52" W ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 653.07 FEET TO THE NORTHEAST CORNER OF SAID LAND DESCRIBED IN ORB 4621, P 815 ALSO BEING THE SOUTHEAST CORNER OF LAND DESCRIBED IN ORB 4621 P 649; THENCE CONTINUE N 00°16'52" W ALONG THE EAST LINE OF SAID LANDS A DISTANCE OF 850.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS ALSO BEING THE SOUTHEAST CORNER OF SUGARFOOT OAKS UNIT 3 AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 91 OF THE PRACF; THENCE S 89°43'07" W, ALONG THE NORTH LINE OF SAID LANDS AND THE SOUTH LINE OF SAID PLAT A DISTANCE OF 540.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS ALSO BEING THE SOUTHWEST CORNER OF SAID PLAT; THENCE S 00°16'52" E ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 850.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS ALSO BEING NORTHWEST CORNER OF LAND DESCRIBED IN ORB 4621, P 815; THENCE CONTINUE S 00°16'52" W ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 1040.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 903,552 SQUARE FEET OR 20.74 ACRES MORE OR LESS.

SHEET 1 OF 2: NOT COMPLETE WITHOUT SKETCH AND DESCRIPTION FOUND ON SHEET 2

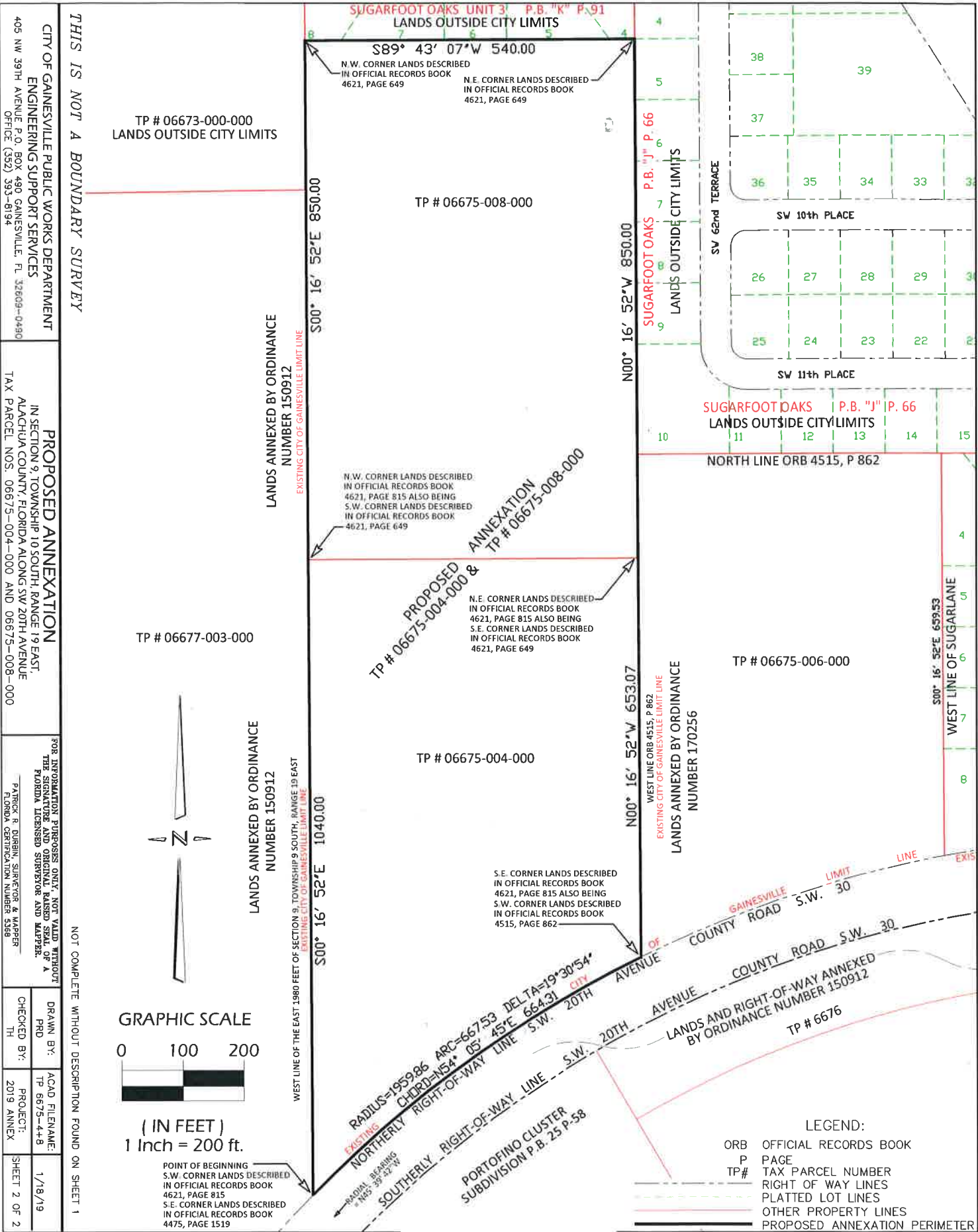


Exhibit A to Ordinance No. 190290

**Petition
PB-19-69 ZONING
Proposed Zoning**

Area under petition consideration

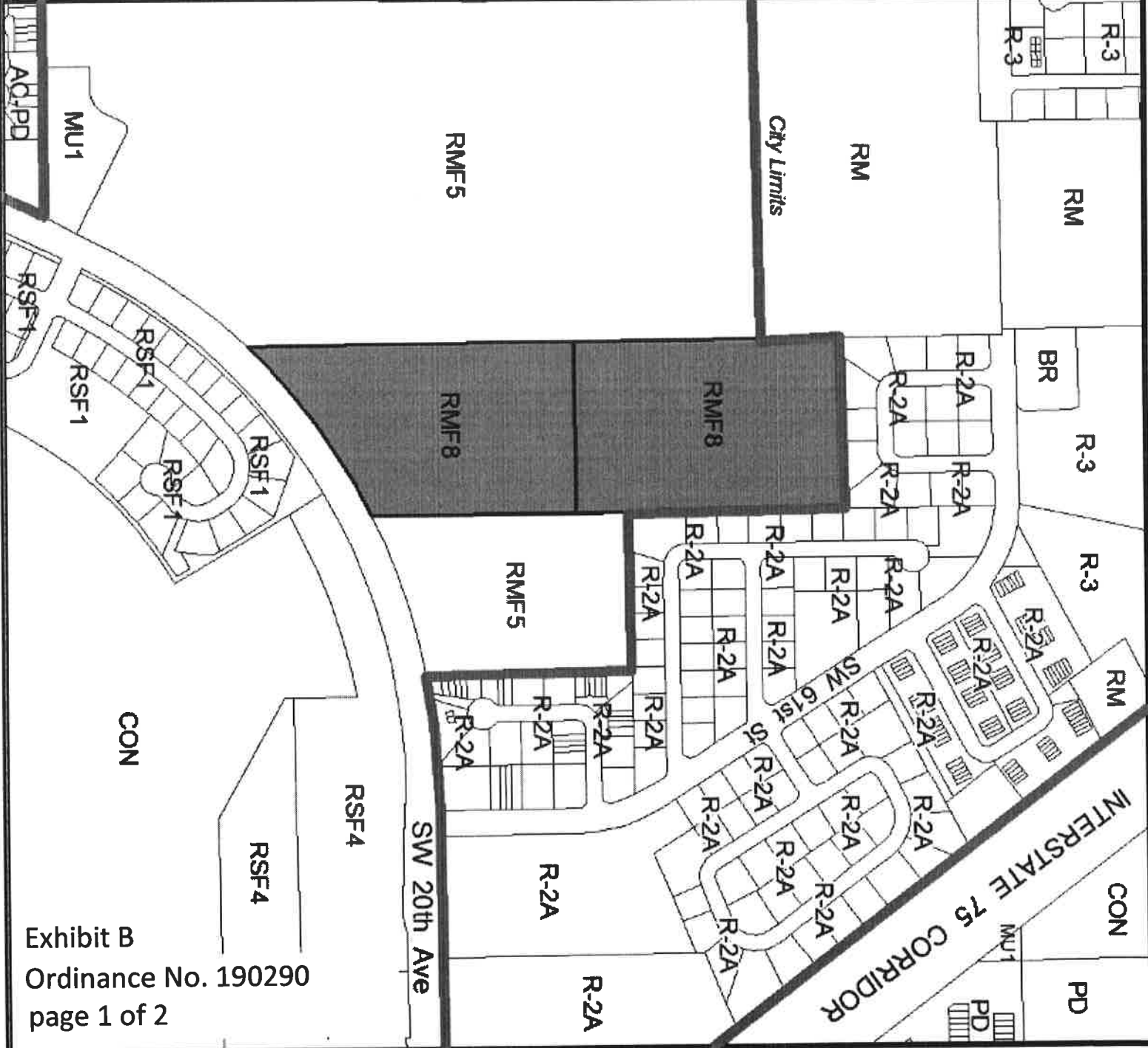
**City of Gainesville
Zoning Districts**

- RSF1 Single Family Residential
- RSF4 Single Family Residential
- RMF5 Single/Multiple Family Residential
- RMF8 Multiple Family Residential
- MU1 Mixed-Use Low Intensity
- CON Conservation
- PD Planned Development

**Alachua County
Zoning Districts**

- R-2A Multiple Family, Medium Density
- R-3 Multiple Family, High Density
- RM Manufactured-Mobile Home Park
- AC-PD Planned Development
- BR Business, Retail

City Limits



**Petition
PB-19-69 ZON
Existing Zoning**

Area under petition consideration

**City of Gainesville
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