

**LEGISLATIVE #**

**120223A**

ORDINANCE NO. 120223

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3       **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**  
4       **Florida, by rezoning approximately 285 acres of property located in the**  
5       **vicinity of the 4600-5000 blocks of SW 41<sup>st</sup> Boulevard, west side, as more**  
6       **specifically described in this ordinance, from the Alachua County zoning**  
7       **districts of Industrial services and manufacturing (MS), Multiple family,**  
8       **high density (R-3), Single family, low density (RE-1), and Agricultural (A) to**  
9       **the City of Gainesville Business industrial (BI) zoning district; providing**  
10       **directions to the City Manager; providing a severability clause; providing a**  
11       **repealing clause; and providing an effective date.**

12  
13       **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City  
14 of Gainesville, Florida, be amended by rezoning certain property from the Alachua County  
15 zoning districts of Industrial services and manufacturing (MS), Multiple family, high density (R-  
16 3), Single family, low density (RE-1), and Agricultural (A) to the City of Gainesville Business  
17 industrial (BI) zoning district; and

18       **WHEREAS,** notice was given as required by law and a public hearing was held by the  
19 City Plan Board on August 25, 2011; and

20       **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10  
21 inches long was placed in a newspaper of general circulation and provided the public with at  
22 least seven (7) days advance notice of the first public hearing to be held in the City Hall  
23 Auditorium, First Floor, City Hall, City of Gainesville; and

24       **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long  
25 was placed in the aforesaid newspaper and provided the public with at least five (5) days advance  
26 notice of the second public hearing; and

27       **WHEREAS,** the public hearings were held pursuant to the notices described above at  
28 which hearing the parties in interest and all others had an opportunity to be and were, in fact,  
29 heard; and

1           **WHEREAS**, the City Commission finds that the rezoning of the property described  
2 herein will be consistent with the City of Gainesville Comprehensive Plan when the City of  
3 Gainesville Ordinance No. 120222 becomes effective as provided therein.

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

6           **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
7 following property from the Alachua County zoning districts of Industrial services and  
8 manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1) and  
9 Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district:

10           See legal description attached as Exhibit "A" and made a part hereof as if set  
11 forth in full. The existing Alachua County zoning districts on the property  
12 are depicted on the map attached as Exhibit "B." The new City of  
13 Gainesville zoning district on the property is depicted on the map attached  
14 as Exhibit "C." In the event of conflict or inconsistency, Exhibit "A" shall  
15 prevail over Exhibits "B" and "C."

16  
17           **Section 2.** The City Manager is authorized and directed to make the necessary changes to  
18  
19 the Zoning Map to comply with this ordinance.

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

25           **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
26 such conflict hereby repealed.

27           **Section 5.** This ordinance shall become effective immediately upon final adoption;  
28 however, the rezoning shall not become effective until the amendment to the City of Gainesville  
29 Comprehensive Plan adopted by Ordinance No. 120222 becomes effective as provided therein.

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**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013

\_\_\_\_\_  
CRAIG LOWE  
MAYOR

Attest:

Approved as to form and legality:

By: \_\_\_\_\_  
KURT LANNON  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

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

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

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**A TRACT OF LAND SITUATED IN SECTIONS 22 AND 23,  
TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY,  
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:**

**COMMENCE AT A POINT AT THE INTERSECTION OF THE  
NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF  
THAT CERTAIN TRACT OF LAND AS DESCRIBED IN OFFICIAL  
RECORDS BOOK 2824 PAGE 1263 OF THE OFFICIAL RECORDS  
OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED  
AS ORB\_\_ PAGE\_\_ ACR) AND THE WEST RIGHT-OF-WAY LINE  
OF INTERSTATE 75 (US 93) FOR THE POINT OF BEGINNING,  
SAID POINT BEING ON THE EXISTING CITY OF GAINESVILLE  
LIMIT LINE PER ORDINANCE #061079; THENCE RUN  
SOUTHEASTERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO  
THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND  
AS DESCRIBED IN ORB 3242 PAGE 404 ACR; THENCE LEAVING  
SAID CITY LIMIT LINE RUN SOUTHWESTERLY AND**

**NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41<sup>ST</sup> BOULEVARD; THENCE RUN WESTERLY, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SOUTHWEST 41<sup>ST</sup> BOULEVARD; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2267 PAGE 1441 ACR; THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINE OF SAID TRACT AND THE NORTH LINES OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2246 PAGE 1343 ACR AND THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1736 PAGE 2672 ACR TO A POINT ON THE EAST LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1418 ACR; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTHEAST CORNER OF SAID TRACT; THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINES OF THE 6 TRACTS OF LAND AS DESCRIBED IN THE FOLLOWING**

**OFFICIAL RECORDS: 1) ORB 3051 PAGE 1418 ACR; 2) ORB 3051 PAGE 1419 ACR; 3) ORB 2537 PAGE 389 ACR; 4) ORB 3051 PAGE 1420 ACR; 5) ORB 3051 PAGE 1422 ACR; 6) ORB 3051 PAGE 1421 ACR TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1421 ACR, SAID CORNER BEING ON THE WEST LINE OF THE GARY GRANT; THENCE RUN NORTHWEST ALONG THE WEST LINE OF SAID GARY GRANT TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1821 PAGE 2875 ACR; THENCE RUN NORTHEAST ALONG THE NORTH LINE OF SAID GARY GRANT TO THE WEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2507 PAGE 1285 ACR; THENCE LEAVING SAID NORTH LINE OF THE GARY GRANT RUN EAST ALONG THE SOUTH LINE OF SAID TRACT TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTH LINE OF THE GARY GRANT; THENCE RUN NORTHEAST ALONG SAID NORTH LINE OF THE GARY GRANT TO A POINT LYING ON A NORTHWESTERLY**

**EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3478 PAGE 798 ACR, SAID POINT ALSO BEING ON THE NORTH LINE OF A 150' WIDE CITY OF GAINESVILLE POWER LINE EASEMENT; THENCE LEAVING THE NORTH LINE OF THE GARY GRANT AND SAID POWER LINE EASEMENT RUN SOUTHEASTERLY ALONG SAID EXTENSION TO THE WEST MOST CORNER OF SAID TRACT DESCRIBED IN 3478 PAGE 798 ACR (BEING THE SAME TRACT DESCRIBED IN ORB 2824 PAGE 1263 ACR); THENCE RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT TO THE SOUTH CORNER OF SAID TRACT BEING ON THE EXISTING CITY LIMIT LINE AS PER ORDINANCE #061079; THENCE RUN NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41<sup>ST</sup> BOULEVARD; THENCE CONTINUE NORTHEASTERLY ALONG THE NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE POINT OF BEGINNING.**



# City of Gainesville Zoning Districts

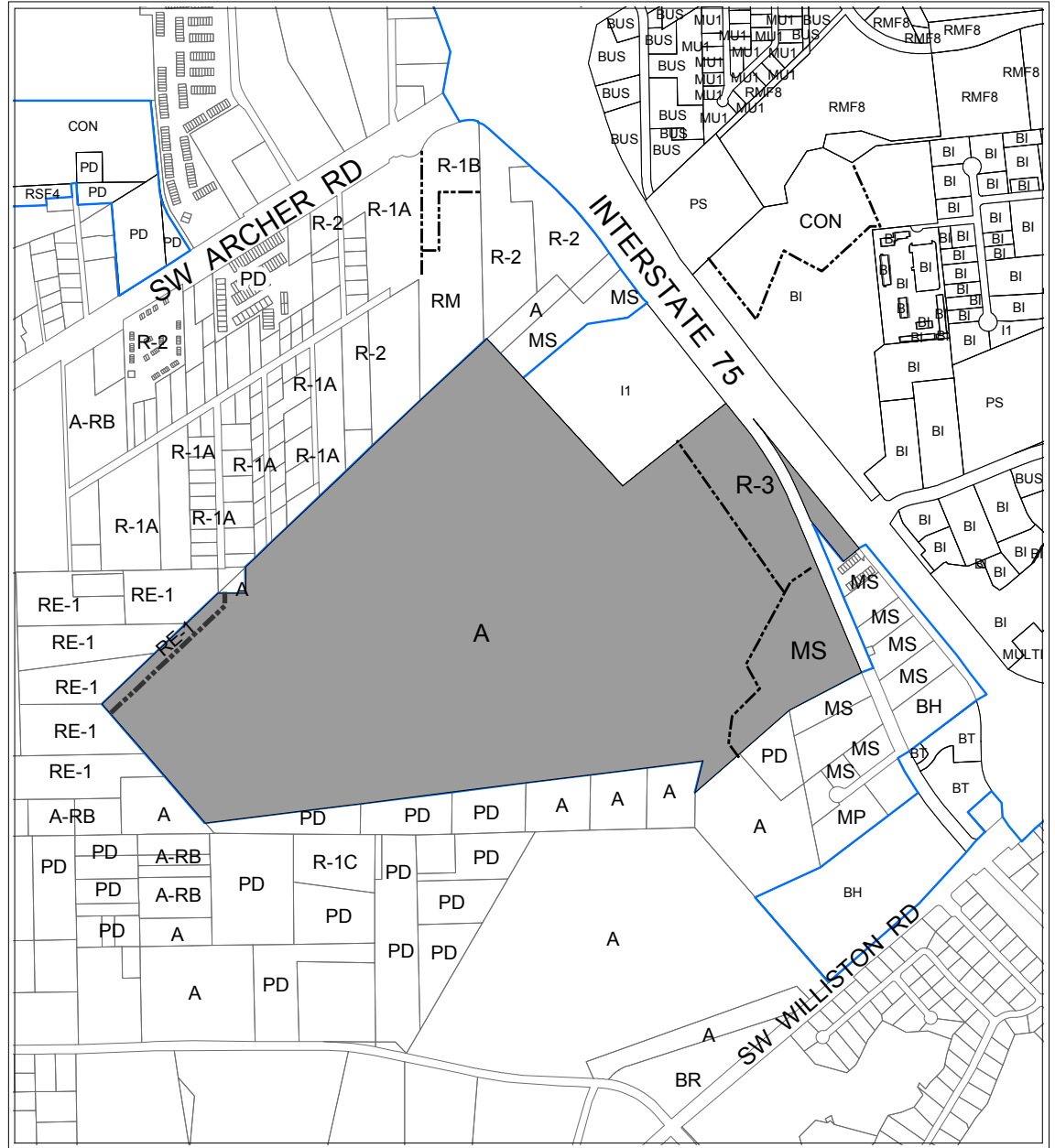
- RMF-8 8-30 units/acre Multiple-Family Residential
- BUS General Business
- MU-1 8-30 units/acre Mixed Use Low Intensity
- BI Business Industrial
- I1 Limited Industrial
- CON Conservation
- PS Public Services and Operations

- Division line between two zoning districts
- City Limits

# Alachua County Zoning Districts

- A Agricultural
- A-RB Agricultural rural business
- RE-1 Single family, low density (1 unit per 2 acres to 2 units per acre)
- R-1A Single family, low density (1 to 4 units per acre)
- R-1B Single family, medium density (4 to 8 units per acre)
- R-2 Multiple family, medium density (4 to 8 units per acre)
- R-3 Multiple family, high density (14 to 24 units per acre)
- RM Manufactured mobile home park
- BH Highway oriented business services
- BR Retail sales and services
- MS Industrial services and manufacturing
- MP Industrial services and manufacturing
- PD Planned development

Area under petition consideration



**EXISTING ZONING**

Exhibit "B" to Ordinance No. 120223

**Name**

**Petition Request**

**Map(s)**

**Petition Number**

City of Gainesville, applicant

Rezone from Alachua County Industrial Services and Manufacturing (MS & MP), High Density Multi-Family and Agricultural districts (R-3 & A) and Single Family low density district (RE-1) to City of Gainesville Business Industrial district (BI).

**4644**

PB-11-52 ZON



No Scale

# City of Gainesville Zoning Districts

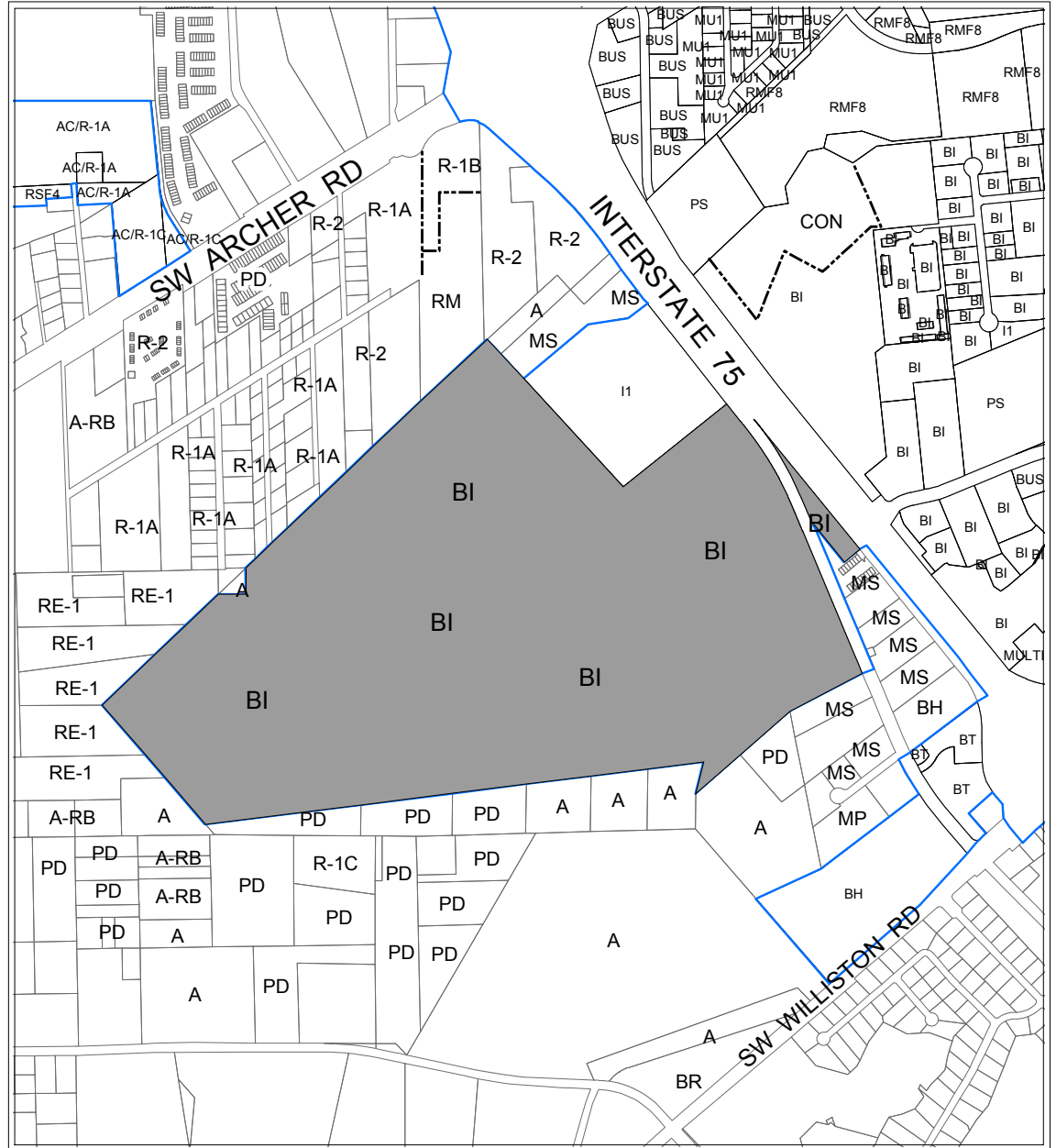
- RMF-8 8-30 units/acre Multiple-Family Residential
- BUS General Business
- MU-1 8-30 units/acre Mixed Use Low Intensity
- BI Business Industrial
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- PS Public Services and Operations

- Division line between two zoning districts
- City Limits

# Alachua County Zoning Districts

- A Agricultural
- A-RB Agricultural rural business
- RE-1 Single family, low density (1 unit per 2 acres to 2 units per acre)
- R-1A Single family, low density (1 to 4 units per acre)
- R-1B Single family, medium density (4 to 8 units per acre)
- R-2 Multiple family, medium density (4 to 8 units per acre)
- R-3 Multiple family, high density (14 to 24 units per acre)
- RM Manufactured mobile home park
- BH Highway oriented business services
- BR Retail sales and services
- MS Industrial services and manufacturing
- MP Industrial services and manufacturing
- PD Planned development

Area under petition consideration



## PROPOSED ZONING

Exhibit "C" to Ordinance No. 120223

	Name	Petition Request	Map(s)	Petition Number
	City of Gainesville, applicant	Rezoned from Alachua County Industrial Services and Manufacturing (MS & MP), High Density Multi-Family and Agricultural districts (R-3 & A) to City of Gainesville Business Industrial district (BI).	4644	PB-11-52 ZON