

Legislative #

110613-A

# D R A F T

1/17/2012

## ORDINANCE NO. 110613

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4     **An ordinance of the City of Gainesville, Florida, amending the Zoning**  
5     **Map Atlas and rezoning certain properties from the zoning category**  
6     **of “I-1: Limited industrial district” to “BI: Business industrial**  
7     **district”; consisting of approximately 61.37 acres, and generally**  
8     **bounded on the North by N.E. 39<sup>th</sup> Avenue, bounded on the East by**  
9     **Waldo Road (S.R. 24), bounded on the South by N.E. 23<sup>rd</sup> Avenue,**  
10    **and bounded on the West by N.E. 21<sup>st</sup> Way and N.E. 15<sup>th</sup> Terrace;**  
11    **providing directions to the City Manager; providing a severability**  
12    **clause; providing a repealing clause; and providing an immediate**  
13    **effective date.**

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16     **WHEREAS,** publication of notice of a public hearing was given that the Zoning Map  
17    Atlas be amended by rezoning certain properties from the zoning category of “I-1: Limited  
18    industrial district” to “BI: Business industrial district”; and

19     **WHEREAS,** notice was given and publication made as required by law and a public  
20    hearing was held by the City Plan Board on December 5, 2011; and

21     **WHEREAS,** the City Commission finds that the rezoning of the property described  
22    herein will be consistent with the City of Gainesville Comprehensive Plan; and

23     **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10 inches  
24    long was placed in a newspaper of general circulation and of the public hearing to be held in the  
25    City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7)  
26    days after the day the first advertisement was published; and

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1       **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was  
2 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the  
3 adoption stage at least five (5) days after the day the second advertisement was published; and

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

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

9       **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning  
10 certain properties from the zoning category of "I-1: Limited industrial district" to "BI: Business  
11 industrial district", as more specifically described below:

12       See map attached hereto as Exhibit "1" and made a part hereof as if set forth  
13 in full.  
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15       **Section 2.** The City Manager is authorized and directed to make the necessary changes  
16 in the Zoning Map to comply with this Ordinance.

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

22       **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of

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1 such conflict hereby repealed.

2 **Section 5.** This ordinance shall become effective immediately upon final adoption.

3 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

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ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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\_\_\_\_\_  
KURT LANNON,  
CLERK OF THE COMMISSION

By: \_\_\_\_\_  
MARION J. RADSON, CITY ATTORNEY

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This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.



Exhibit "1"