

ORDINANCE NO. 140697

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**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 97.8 acres of property that is generally located north of Morningside Nature Center, as more specifically described in this ordinance, from Alachua County Agriculture (A) to City of Gainesville 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 Alachua County Agriculture (A) to City of Gainesville Conservation District (CON); and

**WHEREAS,** on January 22, 2015, 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,** an advertisement no less than two columns wide by ten (10) inches long was placed in a newspaper of general circulation and provided the public with at least seven (7) days' advance notice of this ordinance's first public hearing to be held by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

**WHEREAS,** a second advertisement no less than two columns wide by ten (10) inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days' advance notice of this ordinance's second public hearing to be held by the City Commission; 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. 140695 becomes effective as provided therein.

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

3           **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
4 following property from Alachua County Agriculture (A) to City of Gainesville Conservation  
5 District (CON):

6           See legal description attached as Exhibit "A" and made a part hereof as if set  
7 forth in full. The location of the property is shown on Exhibit "B" for visual  
8 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail  
9 over Exhibit "B".  
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11           **Section 2.** The City Manager or designee is authorized and directed to make the  
12 necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

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

20           **Section 5.** This ordinance shall become effective immediately upon adoption; however,  
21 the rezoning shall not become effective until the amendment to the City of Gainesville  
22 Comprehensive Plan adopted by Ordinance No. 140695 becomes effective as provided therein.  
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**PASSED AND ADOPTED** this 18th day of June, 2015.

Edward B. Braddy  
EDWARD B. BRADDY  
MAYOR

Attest:

Approved as to form and legality:

By: Sharon J. Williams  
KURT LANNON  
CLERK OF THE COMMISSION

By: Nicole M. Shalley in absence of:  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this 2nd day of April, 2015.

This ordinance passed on second reading this 18th day of June, 2015.

**LEGAL DESCRIPTION**

A PART OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

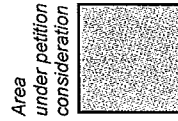
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35, TOWNSHIP 9 SOUTH, RANGE 20 EAST; THENCE NORTH 01°00'58" WEST, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 1323.61 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE SOUTH 89°04'03" WEST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°04'03" WEST, ALONG SAID NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 AND ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 3473.41 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE NORTH 01°02'15" WEST, ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35 AND ITS NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 1395.00 FEET; THENCE NORTH 89°04'03" EAST, A DISTANCE OF 2227.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 15°17'34" EAST, A DISTANCE OF 228.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 55°49'28" EAST, A DISTANCE OF 228.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 74°33' 40" EAST, A DISTANCE OF 442.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 51°58'42" EAST, A DISTANCE OF 261.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE NORTH 78°37'00" EAST, A DISTANCE OF 340.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 63°29'01" EAST, A DISTANCE OF 48.83 FEET TO A POINT 500 FEET WEST OF THE EAST BOUNDARY OF SAID SECTION 35; THENCE SOUTH 01°00'58" EAST, PARALLEL TO SAID EAST BOUNDARY OF SAID SECTION 35, A DISTANCE OF 793.49 FEET TO THE POINT OF BEGINNING.

### City of Gainesville Zoning Districts

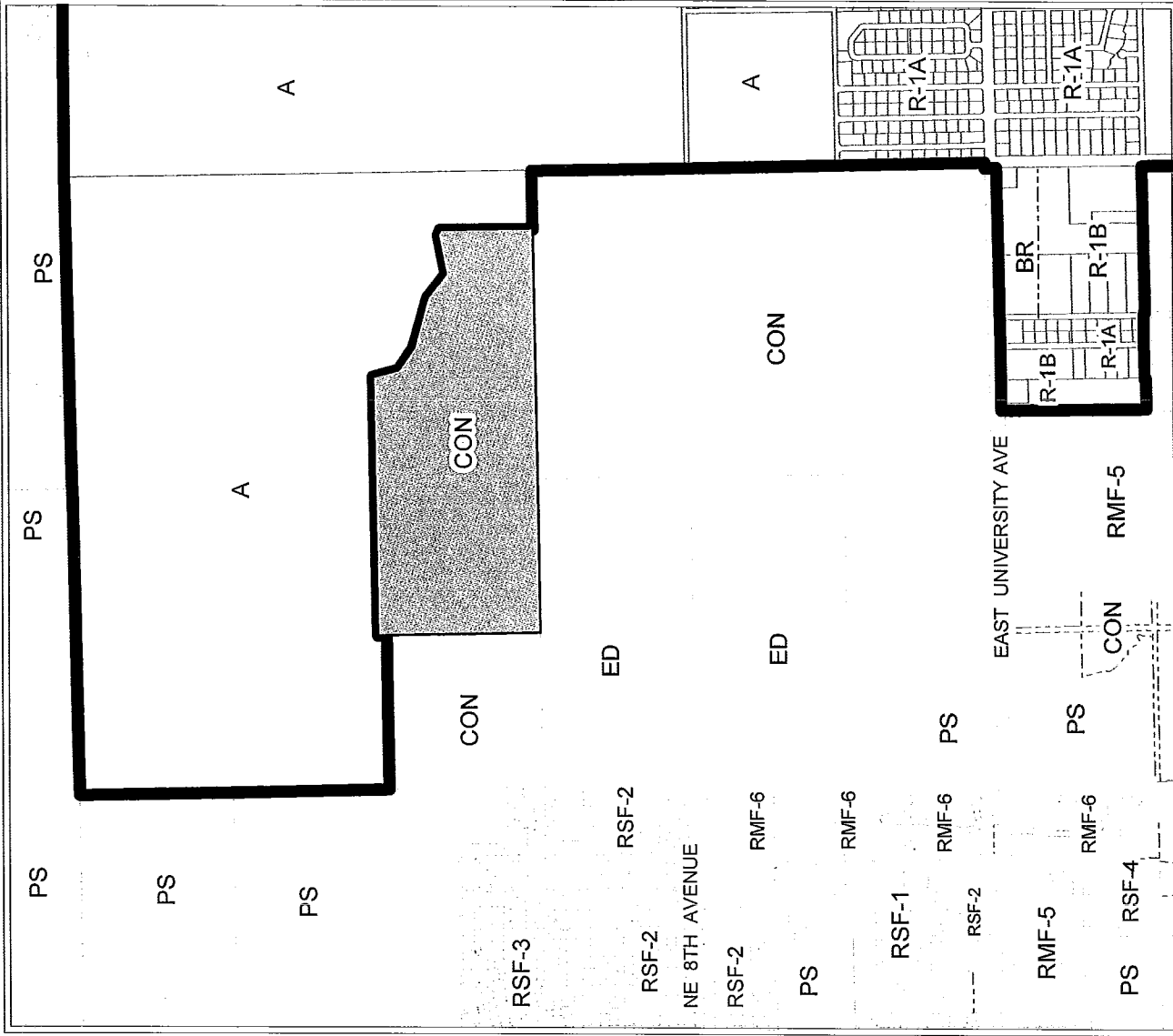
- RSF-1 3.5 units/acre Single-Family Residential
- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8.0 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- CON Conservation
- PS Public Services and Operations
- ED Educational Services

### Alachua County Zoning Districts

- A Agriculture
- R-1A Single Family Residential, 1-4 per acre
- R-1B Single Family Residential, 4-8 per acre
- BR Business, Retail Sales



--- Division line between two zoning districts  
 — City Limits



## PROPOSED ZONING

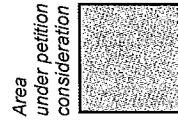
Name	Petition Request	Petition Number
City Plan Board, applicant	Rezone property from Alachua County Agriculture to City of Gainesville Conservation (CON)	PB-14-163 ZON

### City of Gainesville Zoning Districts

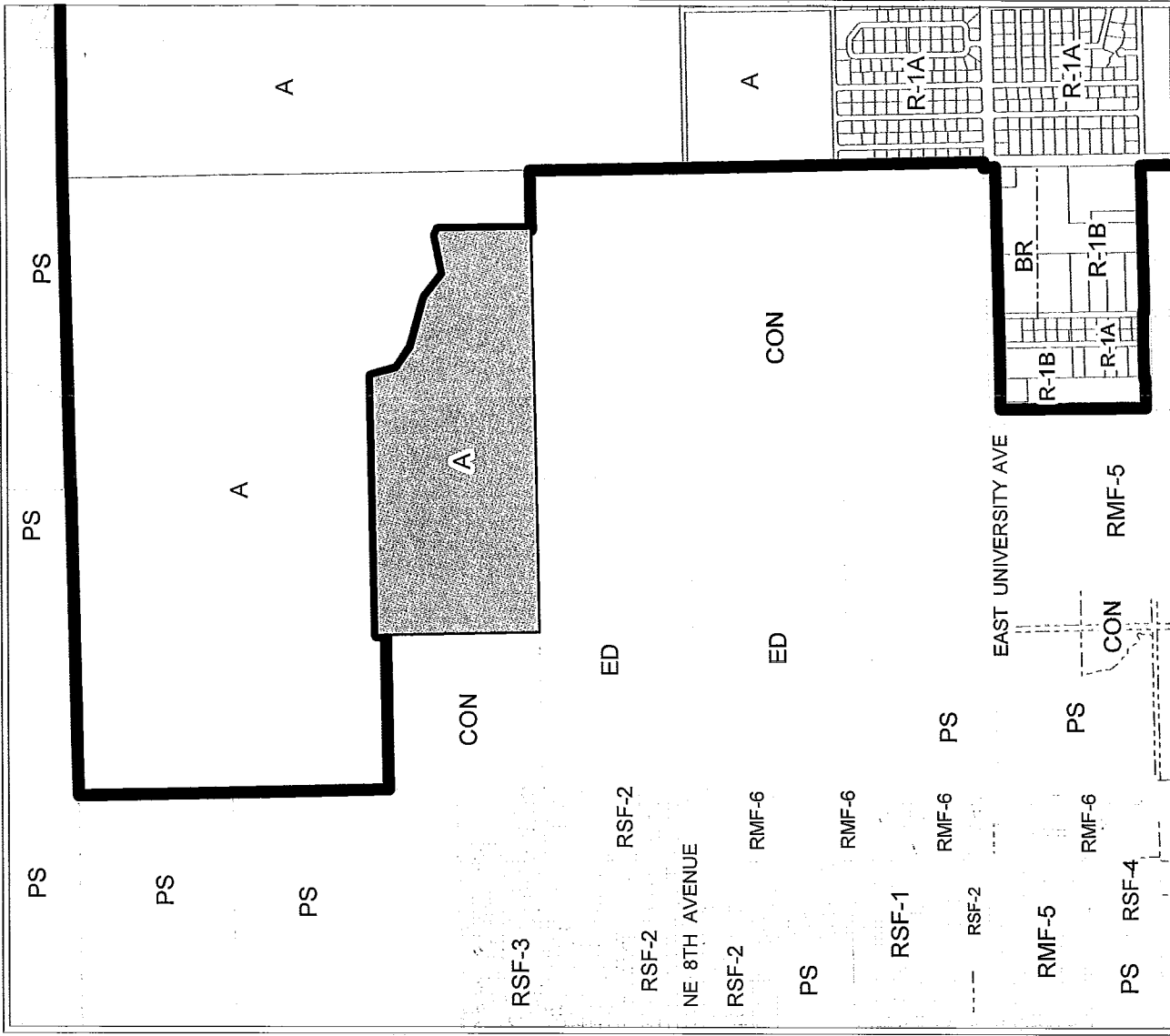
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- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8.0 units/acre Single-Family Residential
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### EXISTING ZONING

Name	Petition Request	Petition Number
City Plan Board, applicant	Rezone property from Alachua County Agriculture to City of Gainesville Conservation (CON)	PB-14-163 ZON

