

LEGISLATIVE #

190291A

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2 **ORDINANCE NO. 190291**

3 **An ordinance of the City of Gainesville, Florida, amending the transect zone**
4 **street designation of SW 2nd Street between SW 2nd Avenue and SW 2nd Place**
5 **from Storefront street to Local street; providing directions to the codifier;**
6 **providing a severability clause; providing a repealing clause; and providing an**
7 **effective date.**

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

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

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

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

1 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map
2 Atlas by reclassifying the street that is the subject of this ordinance and thereby amend the land
3 development regulations applicable to the abutting properties; and

4 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
5 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
6 to Section 163.3174, Florida Statutes, held a public hearing on August 22, 2019, in order to
7 make a recommendation to the City Commission regarding this ordinance; and

8 **WHEREAS**, on November 21, 2019, the City Commission held a public hearing on this
9 application and voted to approve the amendment to the street designation as provided in this
10 ordinance; and

11 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a newspaper of
12 general circulation notifying the public of this proposed ordinance and of public hearings in the
13 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

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

17 **FLORIDA:**

18 **SECTION 1.** The transect zone street designation of SW 2nd Street between SW 2nd Avenue and
19 SW 2nd Place is amended from storefront street to local street as shown on the map attached to
20 this ordinance as **Exhibit A**.

21 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
22 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,

1 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
2 relettered in order to accomplish such intent.

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

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

10 **SECTION 5.** This ordinance will become effective immediately upon adoption.

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12 **PASSED AND ADOPTED** this _____ day of _____, 2020.

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	LAUREN POE
	MAYOR
Attest:	Approved as to form and legality:
_____	_____
OMICHELE D. GAINEY	NICOLLE M. SHALLEY
CLERK OF THE COMMISSION	CITY ATTORNEY

This ordinance passed on first reading this _____ day of _____, 2020.

This ordinance passed on second reading this _____ day of _____, 2020.



