

Legislative #

160139A

ORDINANCE NO. 160139

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.03 acres of property generally located at 1217, 1227, 1237 and 1247 SW 11th Avenue, as more specifically described in this ordinance, from Single-Family Residential District (RSF-1) to Urban Mixed-Use District 1 (UMU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, by initiation of a petition by the owner(s) of the subject property, notice was given as required by law that the Zoning Map Atlas of the City of Gainesville, Florida, be amended by rezoning the subject property; and

WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on June 23, 2016, and voted to recommend that the City Commission approve this rezoning; and

WHEREAS, at least ten (10) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; 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 subject property will be consistent with the City of Gainesville Comprehensive Plan when the amendment to the Comprehensive Plan adopted by Ordinance No. 160138 becomes effective as provided therein.

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

1 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
2 following property from Single-Family Residential District (RSF-1) to Urban Mixed-Use District
3 1 (UMU-1):

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

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9 **Section 2.** The City Manager or designee is authorized and directed to make the
10 necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

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

18 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
19 the rezoning shall not become effective until the amendment to the City of Gainesville
20

1 Comprehensive Plan adopted by Ordinance No. 160138 becomes effective as provided therein.

2 PASSED AND ADOPTED this _____ day of _____, 2016.

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LAUREN POE
MAYOR

10 Attest:

Approved as to form and legality:

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By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

19 This ordinance passed on first reading this _____ day of _____, 2016.

20

21 This ordinance passed on adoption reading this _____ day of _____, 2016.

EXHIBIT "A" TO ORDINANCE NO. 160139

Lot Thirty (30), AUDUBON PARK, according to the map or plat thereof as recorded in Plat Book D, Page 45, Public Records of Alachua County, Florida.

Lot 31, Audubon Park, according to the plat thereof recorded in Plat Book D, page 45, public records of Alachua County, Florida.

Lot 32, Audubon Park, according to the map or plat thereof as recorded in Plat Book D, Page(s) 45, Public Records of Alachua County, Florida.

Lot 33, AUDUBON PARK, according to the map or plat thereof as recorded in Plat Book D, Page 45, Public Records of Alachua County, Florida.

LESS AND EXCEPT:

That part of the above described property lying East of and within 35 feet of the centerline of the existing State Road 25, being a strip of land across the West end of said lot, said strip being 0.35 feet wide at the South end and 2 feet wide at the North end.

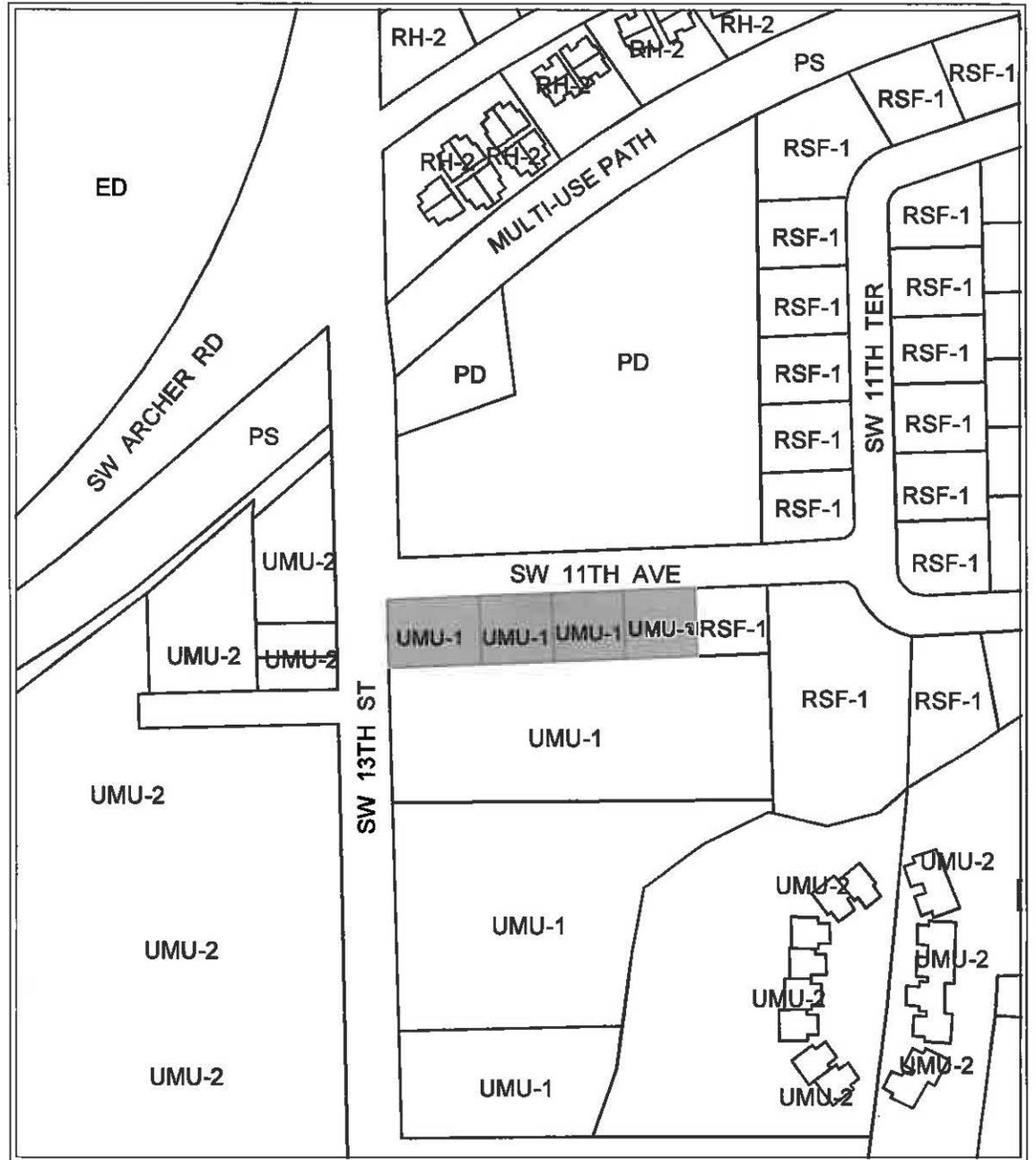
City of Gainesville Zoning Districts

- RSF-1 3.5 units/acre Single-Family Residential
- RH-2 8-100 units/acre Residential High Density
- UMU-1 Up to 75 units/acre Urban Mixed-Use; up to 25 additional units per acre by special use permit
- UMU-2 Up to 100 units/acre Urban Mixed-Use; up to 25 additional units per acre by special use permit
- PS Public Services and Operations
- ED Educational Services
- PD Planned Development

Area under petition consideration



----- Division line between two zoning districts

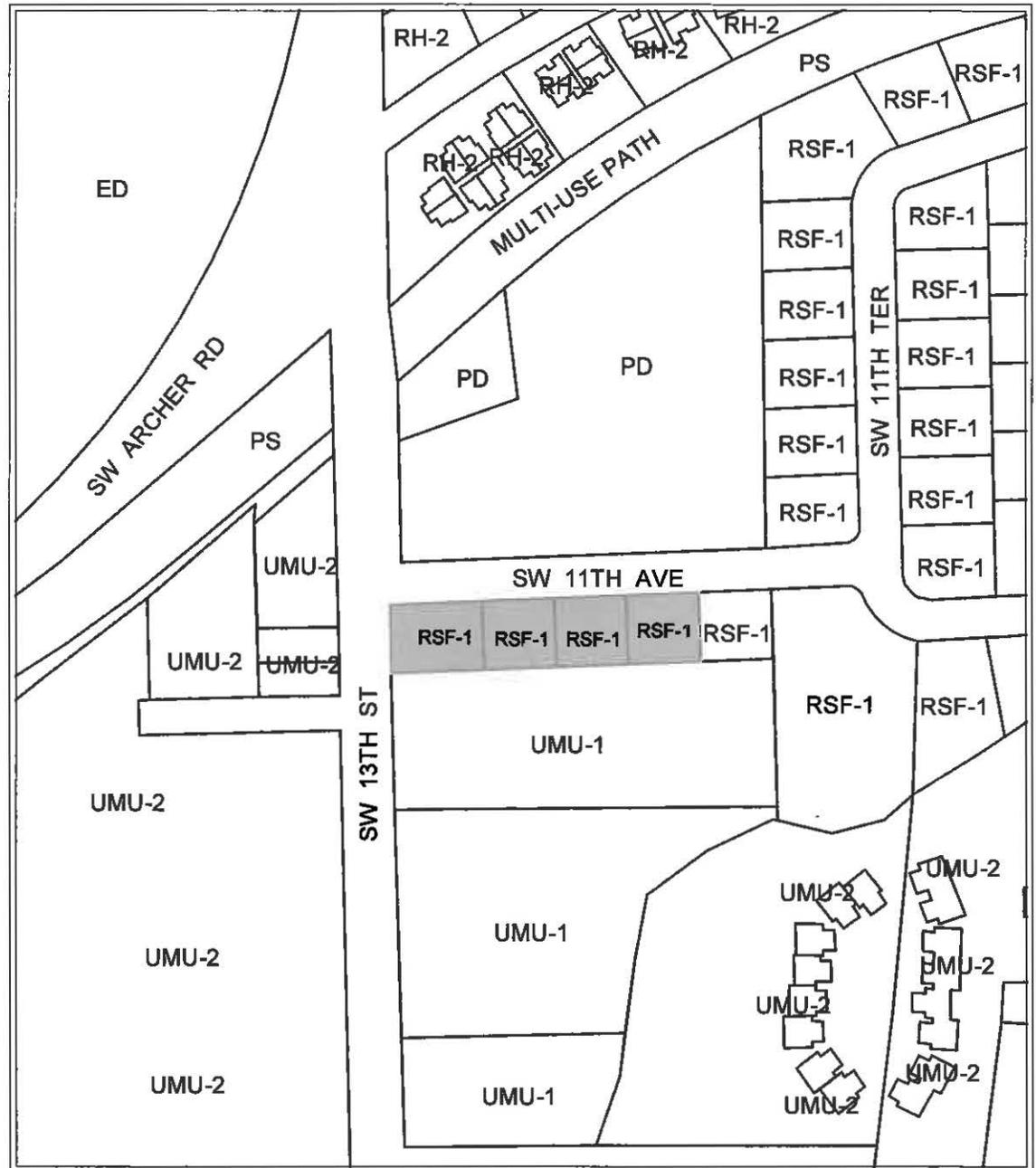


PROPOSED ZONING

	Name	Petition Request	Petition Number
 No Scale	CHW, agent for Albert G. Fosmoe and Carmen S. Fosmoe, owners	Rezone property from RSF-1: 3.5 units/acre single-family residential district to UMU-1: 8 to 75 units/acre; up to 25 additional units/acre by special use permit, urban mixed-use district	PB-16-58 ZON

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Area under petition consideration

----- Division line between two zoning districts



EXISTING ZONING



No Scale

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