

LEGISLATIVE #

130794A

ORDINANCE NO. 130794

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2
3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 40.2 acres of property generally located**
5 **northwest of Morningside Nature Center in the 2800 block of NE 11th Place,**
6 **as more specifically described in this ordinance, from Alachua County Single**
7 **Family, Low Density (RE-1) district to City of Gainesville Conservation**
8 **(CON) district; providing directions to the City Manager; providing a**
9 **severability clause; providing a repealing clause; and providing an effective**
10 **date.**

11
12 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
13 of Gainesville, Florida, be amended by rezoning the property that is the subject of this ordinance
14 from Alachua County Single Family, Low Density (RE-1) district to City of Gainesville
15 Conservation (CON) district; and

16 **WHEREAS,** on February 27, 2014, a public hearing was held by the City Plan Board,
17 which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, and
18 makes recommendations to the City Commission of the City of Gainesville; and

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

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

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

29 **WHEREAS,** the City Commission finds that the rezoning of the property described

1 herein will be consistent with the City of Gainesville Comprehensive Plan when City of
2 Gainesville Ordinance No. 130793 becomes effective as provided therein.

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

5 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
6 following property from Alachua County Single Family, Low Density (RE-1) district to City of
7 Gainesville Conservation (CON) district:

8 See legal description attached hereto as Exhibit "A" and made a part
9 hereof as if set forth in full. The location of the property is shown on
10 Exhibit "B" for visual reference. In the event of conflict or inconsistency,
11 Exhibit "A" shall prevail over Exhibit "B".

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

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

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

21 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
22 the rezoning shall become effective when the amendment to the City of Gainesville
23 Comprehensive Plan adopted by Ordinance No. 130793 becomes effective as provided therein.

24
25 **PASSED AND ADOPTED** this _____ day of _____, 2014.

26
27 _____
28 EDWARD B. BRADDY
29 MAYOR

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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 _____, 2014.

This ordinance passed on second reading this _____ day of _____, 2014.

LEGAL DESCRIPTION

LOTS THIRTY-NINE (39), FORTY (40), FORTY-ONE (41) AND FORTY-TWO (42) OF THE GAINESVILLE DEVELOPMENT COMPANY SUBDIVISION AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 105 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LYING IN AND BEING IN SECTION THIRTY-FIVE (35), TOWNSHIP NINE (9) SOUTH, RANGE TWENTY (20) EAST.

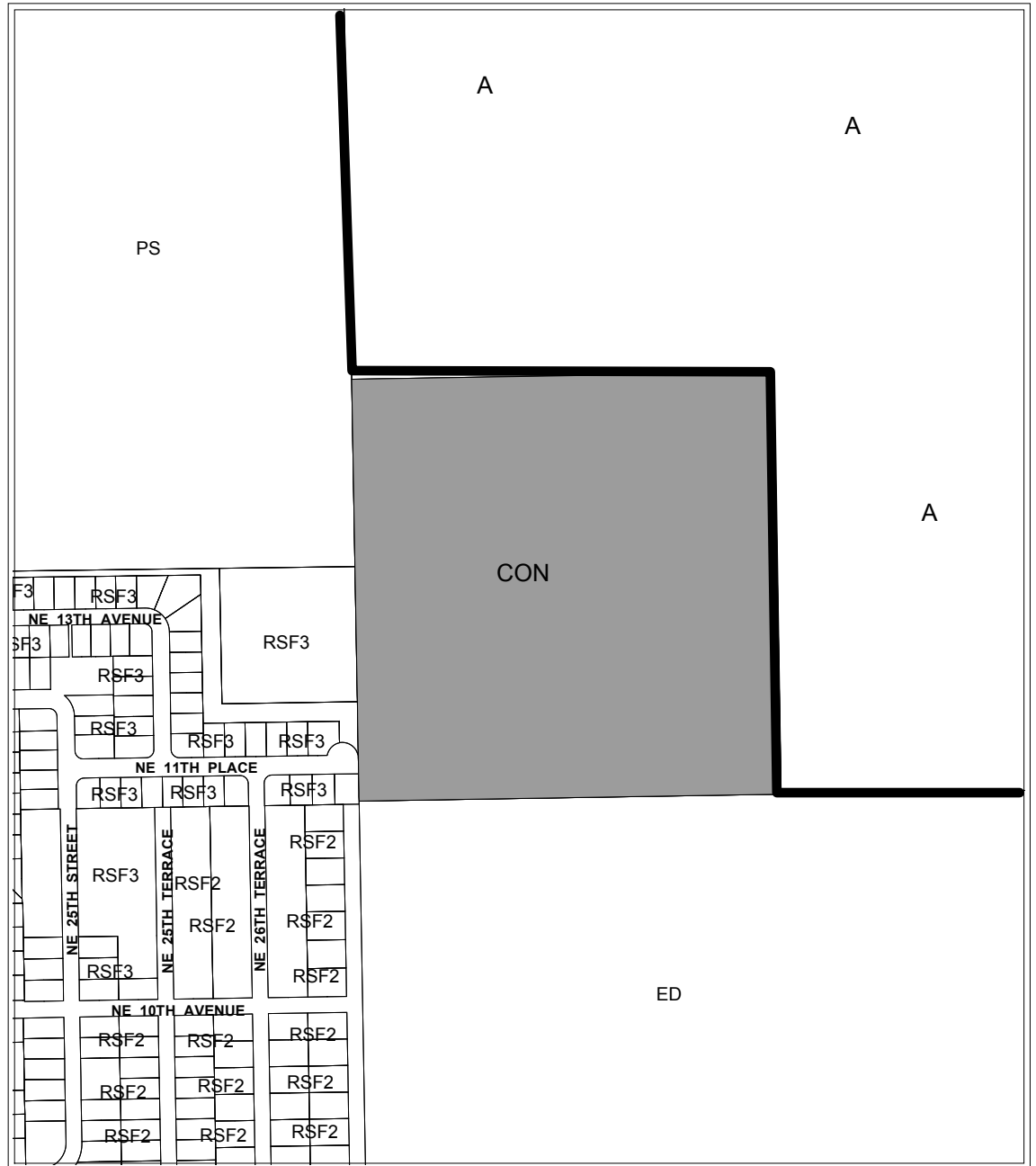
City of Gainesville Zoning Districts

- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- PS Public Services and Operations
- ED Educational Services
- CON Conservation

Alachua County Zoning Districts

- A Agricultural


Exhibit "B" to Ordinance No. 130794



Area
under petition
consideration

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

PROPOSED ZONING

 No Scale	Name	Petition Request	Petition Number
	City Plan Board, applicant	Rezone property from Alachua County Single family, Low Density (RE-1) district to City of Gainesville Conservation (CON) district	PB-14-14 ZON