

Legislative #

160123A

ORDINANCE NO. 160123

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning property generally located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street, and east of NE 11th Street, as more specifically described in this ordinance, from Public Services and Operations District (PS) to Mixed-Use Low-Intensity District (MU-1); 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 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 30, 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 a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, at least thirty (30) days' notice has been given by mail to each real property owner whose land will be redesignated by enactment of this ordinance and whose address is known by reference to the latest ad valorem tax records, notifying such property owners of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, the public hearing was held pursuant to the notice described above at which hearing 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 City of Gainesville Ordinance

1 No. 160122 becomes effective as provided therein.

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

4 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
5 following property from Public Services and Operations District (PS) to Mixed Use Low
6 Intensity (MU-1):

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

11
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 not become effective until the amendment to the City of Gainesville
23

1 Comprehensive Plan adopted by Ordinance No. 160122 becomes effective as provided therein.

2

3 **PASSED AND ADOPTED** this _____ day of _____, 2016.

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8

LAUREN POE
MAYOR

9

10

11 Attest:

Approved as to form and legality:

12

13

14

By: _____
KURT LANNON
CLERK OF THE COMMISSION

By: _____
NICOLLE M. SHALLEY
CITY ATTORNEY

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

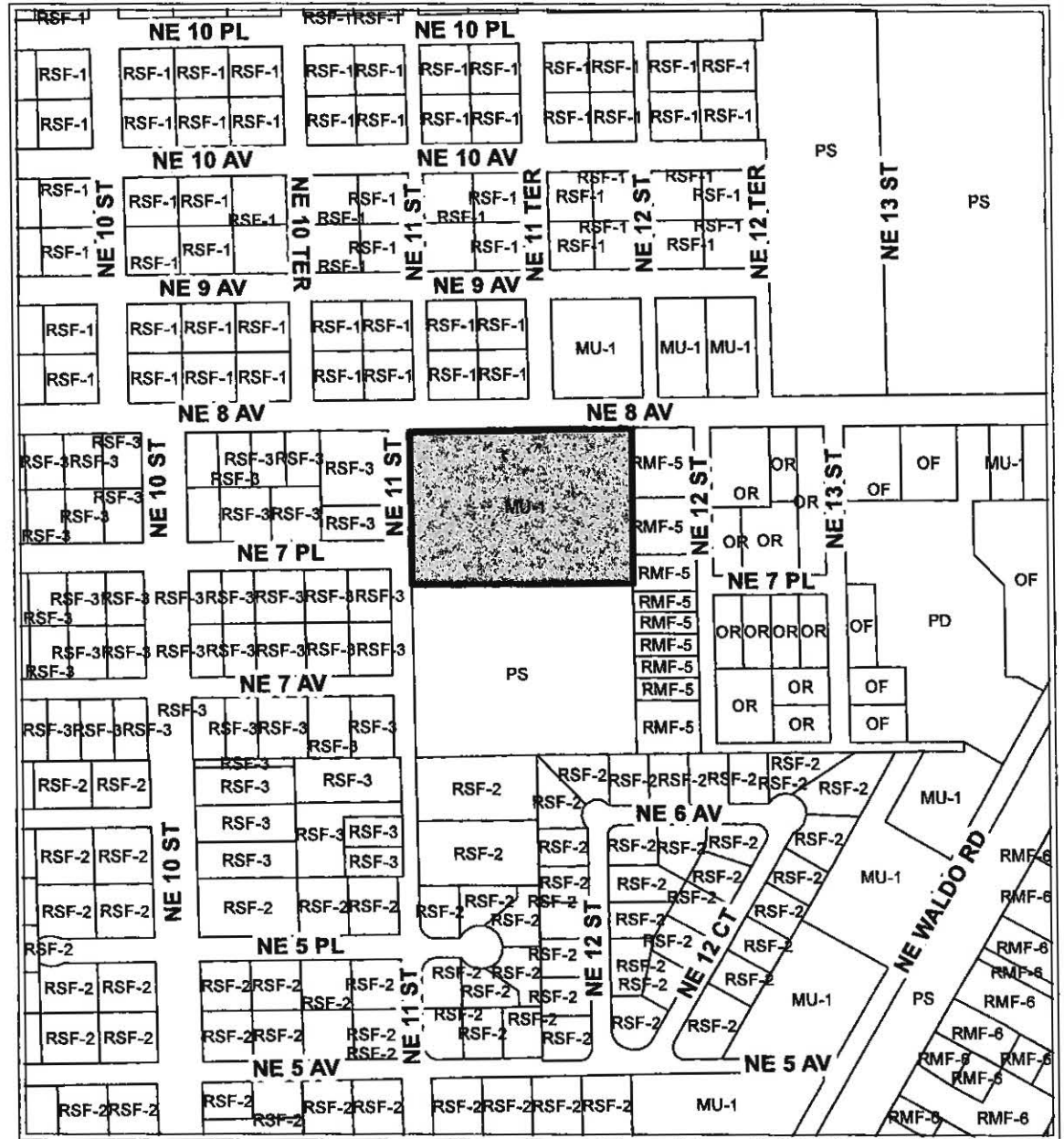
FORMER ARMY RESERVE CENTER LOT SPLIT PARCEL "A" DESCRIPTION

COMMENCE AT A RAILROAD SPIKE FOUND AND ACCEPTED AS MARKING THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE S 89°15'13" W ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 1409.39 FEET TO A 5/8" IRON ROD AND CAP STAMPED "ACLS INC.", BEING ON THE SOUTH RIGHT-OF-WAY LINE OF NE 8TH AVENUE AND THE POINT OF BEGINNING; THENCE LEAVING SAID SECTION LINE AND SOUTH RIGHT-OF-WAY LINE S 00°36'53" E A DISTANCE OF 310.33 FEET; THENCE S 89°15'13" W PARALLEL TO THE NORTH LINE OF SAID SECTION 4 AND SOUTH RIGHT-OF-WAY LINE OF NE 8TH AVENUE A DISTANCE OF 449.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NE 11TH STREET; THENCE N 00°36'53" W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 310.33 FEET TO A NAIL AND DISC STAMPED "PSM 5368" ON THE SOUTH RIGHT-OF-WAY LINE OF NE 8TH AVENUE AND THE NORTH LINE OF SAID SECTION 8; THENCE N 89°15'13" E ALONG SAID RIGHT-OF-WAY AND SECTION LINE A DISTANCE OF 449.81 FET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN THE NORTHEAST ONE QUARTER (1/4) OF SECTION 4, TOWNSHIP 10 SOUTH RANGE 20 EAST, ALACHUA COUNTY, FLORIDA AND CONTAINING 139,591 SQUARE FEET (3.20 ACRES), MORE OR LESS.

Zoning District Categories

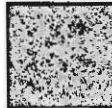
- RSF-1 Single-Family Residential (3.5 du/acre)
- RSF-2 Single-Family Residential (4.6 du/acre)
- RSF-3 Single-Family Residential (5.8 du/acre)
- RMF-5 Residential Low Density (12 du/acre)
- RMF-6 Multiple-Family Medium Density Residential (8-15 du/acre)
- OR Office Residential (up to 20 du/acre)
- OF General Office
- PD Planned Development
- MU-1 Mixed Use Low Intensity (8-30 du/acre)
- PS Public Services and Operations

Exhibit "B" to Ordinance No. 160123
page 2 of 2




----- Division line between two zoning districts

Area under petition consideration



PROPOSED ZONING

	Name	Petition Request	Petition Number
	City of Gainesville	Rezone property from PS: Public services and operations district to MU-1: 8-30 units/acre mixed-use low-intensity district	PB-16-75 ZON