

**LEGISLATIVE #**

**170608A**

ORDINANCE NO. 170608

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3       **An ordinance of the City of Gainesville, Florida, amending the Zoning Map**  
4       **Atlas by rezoning approximately 1.48 acres of property generally located at**  
5       **1135 SW 11th Avenue, as more specifically described in this ordinance, from**  
6       **Single-Family (RSF-1) district to Urban 8 (U8) district; providing directions to**  
7       **the City Manager; providing a severability clause; providing a repealing clause;**  
8       **and providing an effective date.**  
9

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

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

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

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

26       **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map  
27       Atlas by rezoning the property that is the subject of this ordinance; and

1 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
2 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
3 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 25, 2018, and  
4 voted to recommend that the City Commission approve this rezoning; and

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

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

10 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
11 consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
12 Comprehensive Plan adopted by Ordinance No. 170607 becomes effective as provided therein.

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

15 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
16 following property from Single-Family (RSF-1) district to Urban 8 (U8) district:

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

20  
21 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
22 changes to the Zoning Map Atlas to comply with this ordinance.

23 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
24 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
25 finding shall not affect the other provisions or applications of this ordinance that can be given

1 effect without the invalid or unconstitutional provision or application, and to this end the  
2 provisions of this ordinance are declared severable.

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

5 **SECTION 5.** This ordinance shall become effective immediately upon adoption; however, the  
6 rezoning shall not become effective until the amendment to the City of Gainesville  
7 Comprehensive Plan adopted by Ordinance No. 170607 becomes effective as provided therein.

8

9 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

Attest:

Approved as to form and legality:

\_\_\_\_\_  
OMICHELE GAINEY  
CLERK OF THE COMMISSION

\_\_\_\_\_  
NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

This ordinance passed on adoption reading this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

DESCRIPTION:

(BY SURVEYOR)

LOT 29, AUDUBON PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK D, PAGE 45, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

AND

(PER O.R.B. 3777, PAGE 921)

AUDUBON PARK PB D-45 AUDUBON PARK REPLAT PB D-78 LOT 34 O.R. 518/36.

**Petition  
PB-17-115 ZON  
Existing Zoning Districts**

Area under petition consideration

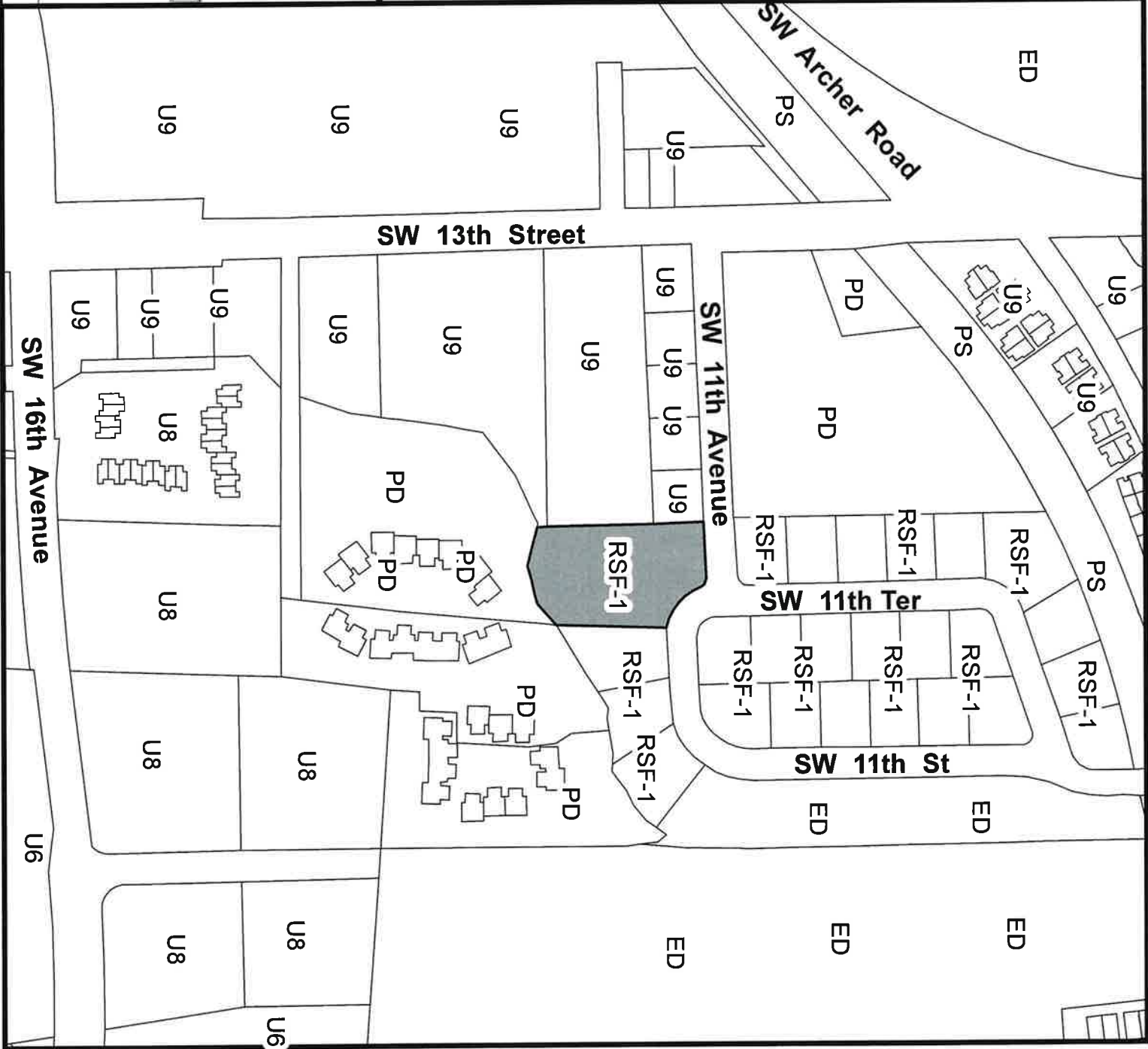
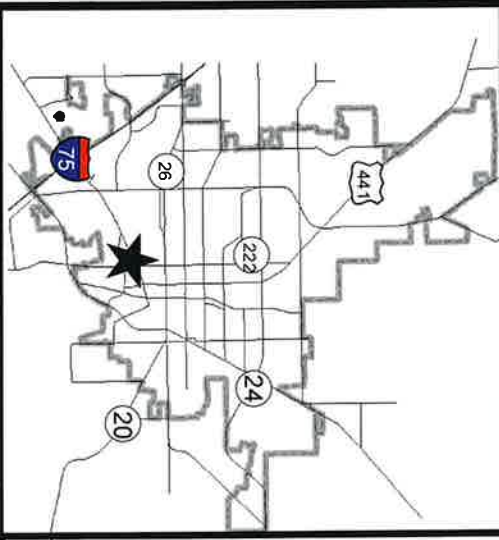
**City of Gainesville  
Zoning Districts**

- ED Educational Services
- PS Public Services & Operations
- PD Planned Development
- RSF-1 Single-Family
- U6 Urban 6
- U8 Urban 8
- U9 Urban 9

CHW, Inc. agent for Carolyn H Jordan,  
owner

Rezoned subject property from RSF-1:  
Single-Family to U8: Urban 8  
district

--- Division line between two land use categories  
— City Limits



**Petition  
PB-17-115 ZON  
Proposed Zoning District**



Area under petition consideration

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