

**LEGISLATIVE #**

**120178A**

## ORDINANCE NO. 120178

1  
2  
3       **An ordinance of the City of Gainesville, Florida, establishing uses permitted**  
4       **by right, dimensional requirements, and other development regulations as**  
5       **more specifically set forth in this ordinance for approximately 22.82 acres of**  
6       **certain real property located in the vicinity of 200 SE 16<sup>th</sup> Avenue that is**  
7       **zoned Public services and operations district (PS), commonly known as the**  
8       **RTS Maintenance Facility site; providing for approval of a preliminary**  
9       **development plan; providing a severability clause; providing a repealing**  
10       **clause; and providing an immediate effective date.**

11  
12       **WHEREAS,** publication of notice of a public hearing was given that uses permitted by  
13 right, dimensional requirements, and other development regulations as more specifically set forth  
14 in this ordinance are established for certain real property within the City with a zoning category  
15 of Public services and operations district (PS);

16       **WHEREAS,** the City Commission, on July 19, 1982, adopted Ordinance No. 0-82-76  
17 (2740), which enacted a comprehensive citywide rezoning where, among other things, certain  
18 real property that is the subject of this ordinance was zoned Public services and operations  
19 district (PS) with a designated use of "Utilities";

20       **WHEREAS,** notice was given and publication made as required by law and a public  
21 hearing was held by the City Plan Board on June 28, 2012; and

22       **WHEREAS,** the City Commission finds that this ordinance regarding certain real  
23 property described herein is consistent with the City of Gainesville Comprehensive Plan; and

24       **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10  
25 inches long was placed in a newspaper of general circulation and provided the public with at  
26 least seven (7) days advance notice of the first public hearing to be held in the City Hall  
27 Auditorium, First Floor, City Hall, City of Gainesville; and

1           **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long  
 2 was placed in the aforesaid newspaper and provided the public with at least five (5) days advance  
 3 notice of the second public hearing; and

4           **WHEREAS**, public hearings were held pursuant to the published notices described above  
 5 at which hearings the parties in interest and all others had an opportunity to be and were, in fact,  
 6 heard.

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

9           **Section 1.** Certain uses permitted by right, dimensional requirements, and other  
 10 development regulations as more specifically set forth in this ordinance are established for the  
 11 following described property that is zoned Public services and operations district (PS). This  
 12 approximately 22.82-acre property is known as the RTS Maintenance Facility site and is located  
 13 in the vicinity of 200 SE 16<sup>th</sup> Avenue.

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

19           **Section 2.** The uses permitted by right on the property described in Section 1 of this  
 20 ordinance are as follows:

- 21           1) Public administration government offices;
- 22           2) Regional Transit System operations, repair, and maintenance facilities;
- 23           3) Utilities (as defined in Section 30-23 of the Land Development Code);
- 24           4) Recreation, open space, and conservation areas;

- 1           5)     Wireless communications facilities and towers;
- 2           6)     Outdoor storage;
- 3           7)     Solar generation station;
- 4           8)     Physical fitness facilities for employees; and
- 5           9)     Any use customary and incidental to any permitted use.

6           **Section 3.** The following dimensional requirements shall apply to the development and  
7 use of the property:

8           (a)     All office and administrative activities shall comply with the requirements of  
9 Subsection 30-75(e)(1) of the Land Development Code.

10          (b)     All intensive recreational uses shall comply with the requirements of Subsection  
11 30-75(e)(2) of the Land Development Code.

12          (c)     All new principal and accessory structures not meeting the requirements of (a) or  
13 (b) above shall be located and constructed in accordance with the following dimensional and  
14 setback requirements; however, no setbacks for principal and accessory structures shall be  
15 required when the adjacent property is designated Industrial (IND) and/or Public Facilities (PF)  
16 on the Future Land Use Map of the Comprehensive Plan:

17           a.     Minimum lot area:    10,000 square feet.

18           b.     Minimum lot width at minimum building front yard setback: 100 feet.

19           c.     Minimum setbacks:

20                1.     Front:            25 feet

21                2.     Side, street:    25 feet

22                3.     Side interior: 20 feet, except that where the side yard abuts

property that permits residential use, the setback shall be 20 feet or the 45 degree angle of light obstruction, whichever is greater.

- 4. Rear: 10 feet, except that where the side yard abuts property that permits residential use, the setback shall be 10 feet or the 45 degree angle of light obstruction, whichever is greater.

**Section 4.** The subject property shall be developed and regulated in accordance with the requirements of the City of Gainesville’s Land Development Code and all other applicable regulations, except as expressly provided herein.

**Section 5.** The City Commission finds that the preliminary development plan, attached to this ordinance as Exhibit “C” and made a part hereof as if set forth in full, demonstrates that the uses and conditions as shown on the plan can be accommodated on the site without detriment to the health, safety, and general welfare of surrounding properties. Any other uses as permitted in Section 2 of this ordinance are not addressed and would require approval by the City Commission as provided in Subsection 30-75(f)(7) of the Land Development Code.

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

**Section 7.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

**Section 8.** This ordinance shall become effective immediately upon final adoption.

1 PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2012.

2

3

4

\_\_\_\_\_  
CRAIG LOWE  
MAYOR

5

6

7 ATTEST:

Approved as to form and legality

8

9

10

\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

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

13

14 This ordinance passed on first reading this \_\_\_ day of \_\_\_\_\_, 2012.

15

16 This ordinance passed on second reading this \_\_\_ day of \_\_\_\_\_, 2012.



*Focused on Excellence  
Delivered with Integrity*

---

## DESCRIPTION

---

APRIL 30, 2012

**CLIENT:** CHARLES PERRY PARTNERS, INC  
**PROJECT NO:** 11-0389  
**DESCRIPTION FOR:** ZONING PARCEL

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LYING IN THE D.L. CLINCH GRANT AND SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 6" X 6" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION; THENCE SOUTH 01°54'34" EAST, ALONG THE EAST BOUNDARY OF SAID SECTION AND THE EAST LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 105, PAGE 422 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, A DISTANCE OF 1413.00 FEET TO THE SOUTHEAST CORNER OF SAID CERTAIN TRACT OF LAND; THENCE SOUTH 89°52'35" WEST, ALONG THE SOUTH LINE OF SAID CERTAIN TRACT OF LAND, A DISTANCE OF 694.12 FEET, MORE OR LESS, TO THE NORTHEASTERLY CORNER OF THAT CERTAIN PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2089, PAGE 2036 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 89°52'35" WEST, A DISTANCE OF 28.80 FEET, MORE OR LESS; THENCE NORTH 07°41'59" WEST, A DISTANCE OF 191.40 FEET; THENCE NORTH 09°33'12" EAST, A DISTANCE OF 43.45 FEET; THENCE NORTH 03°28'01" EAST, A DISTANCE OF 94.61 FEET; THENCE NORTH 33°56'18" EAST, A DISTANCE OF 105.91 FEET; THENCE NORTH 14°47'10" WEST, A DISTANCE OF 323.04 FEET; THENCE NORTH 38°37'35" WEST, A DISTANCE OF 23.18 FEET; THENCE NORTH 30°06'41" WEST, A DISTANCE OF 41.46 FEET; THENCE NORTH 20°00'15" EAST, A DISTANCE OF 474.12 FEET; THENCE NORTH 49°07'45" WEST, A DISTANCE OF 252.50 FEET; THENCE NORTH 41°23'02" EAST, A DISTANCE OF 38.68 FEET TO THE SOUTH LINE OF THE CITY LIMITS OF GAINESVILLE, FLORIDA; THENCE SOUTH 89°27'20" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 750.34 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAINS 22.82 ACRES MORE OR LESS.

**ALL AS SHOWN ON THE  
MAP ATTACHED HERewith  
AND MADE A PART HEREOF**

Exhibit "A" to Ordinance No. 120178 (page 1 of 2)



**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
 LYING IN THE D.L. CLINCH GRANT AND SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA  
 \*SKETCH - NOT A BOUNDARY SURVEY\*

(BASIS OF BEARINGS)  
 S 01°54'34" E 1413.00'

POINT OF BEGINNING  
 NE CORNER OF THE SE 1/4 OF SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST

EAST BOUNDARY LINE OF SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST AND THE EAST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN O.R.B. 105, PAGE 422

SE CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN O.R.B. 105, PAGE 422

S 89°27'20" E 750.34'  
 SOUTH LINE OF THE CITY LIMITS OF GAINESVILLE, FLORIDA

**ZONING PARCEL**  
 ±22.82 ACRES  
 A PORTION OF TAX PARCEL:  
 15691-000-000

S 89°52'35" W ±694.12'

LINE	DIRECTION	LENGTH
L1	S 89°52'35" W	±28.80'
L2	N 07°41'59" W	191.40'
L3	N 09°33'12" E	43.45'
L4	N 05°28'01" E	94.61'
L5	N 33°56'18" E	105.91'
L6	N 38°37'35" W	23.18'
L7	N 30°06'41" W	41.46'
L8	N 41°23'02" E	38.68'

**LEGEND:**  
 = FOUND 6"X6" CONCRETE MONUMENT  
 O.R.B. = OFFICIAL RECORDS BOOK

A PORTION OF TAX PARCEL:  
 15691-000-000  
 GAINESVILLE SEWER TREATMENT PLANT SITE (PER SKETCH OF LEGAL DESCRIPTION DONE BY ENG. DENHAM AND ASSOCIATES, DATED 07/31/2009)

**SURVEYOR'S NOTES:**  
 BEARINGS SHOWN HEREON ARE REFERRED TO A VALUE OF SOUTH 01°24'34" EAST FOR THE EAST BOUNDARY LINE OF SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST, AS DESCRIBED IN O.R.B. 2089, PAGE 2036 OF THE PUBLIC RECORDS OF ALACHUA COUNTY FLORIDA. SAID BEARING IS IDENTICAL TO THE DEED OF RECORD.

NORTHEASTERLY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN O.R.B. 2089, PAGE 2036

TAX PARCEL:  
 15701-050-000  
 PARCEL 2  
 O.R.B. 1343,  
 PAGE 918

A PORTION OF TAX PARCEL:  
 15691-000-000  
 O.R.B. 1089,  
 PAGE 2036

This map prepared by: <b>AARON H. HECKMAN</b> Professional Surveyor & Mapper No. License No. 6791	SURVEY DATE: 04/30/2012	REVISION DATE: (blank)	PROJECT NUMBER: 11-0389	DRAWN BY: N/A	CHECKED BY: A/H	FIELD BOOK & PAGE: N/A	REVISED TO: CHARLES PERRY PARTNERS, INC.
	SCALE: 1" = 150' EVERY SCALE BAR TO BE HALF INCH ON ORIGINAL DRAWING	Cousseaux, Hewett, & Walpole, Inc. Engineering & Planning 6011 NW 1st Place, Gainesville, Florida Phone: (352) 331-1878 Fax: (352) 331-2476 www.chw.com			CHW CHW CHW		

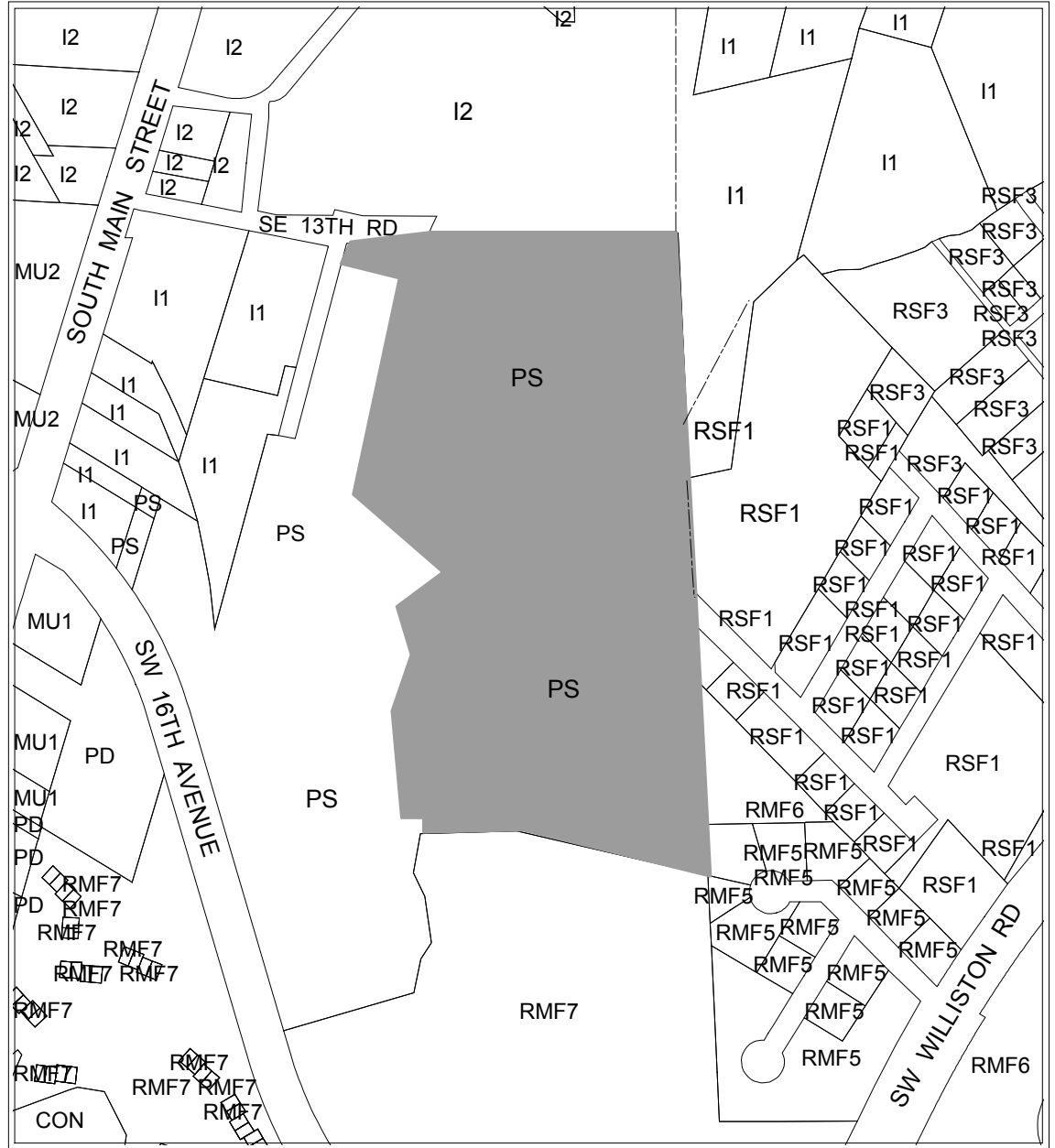


# City of Gainesville Zoning Districts

- RSF-1 3.5 units/acre Single-Family Residential
- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8 units/acre Single-Family Residential
- RSF-R 1 unit/acre Single-Family Rural Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- RMF-7 8-21 units/acre Multiple-Family Residential
- RMF-8 8-30 units/acre Multiple-Family Residential
- RC 12 units/acre Residential Conservation
- MH 12 units/acre Mobile Home Residential
- RMU Up to 75 units/acre Residential Mixed Use
- RH-1 8-43 units/acre Residential High Density
- RH-2 8-100 units/acre Residential High Density
- OR 20 units/acre Office Residential
- OF General Office
- BUS General Business
- BA Automotive-Oriented Business
- BT Tourist-Oriented Business
- MU-1 8-30 units/acre Mixed Use Low Intensity
- MU-2 12-30 units/acre Mixed Use Medium Intensity
- CCD Up to 150 units/acre Central City
- UMU-1 8-75 du/acre; & up to additional 25 du/acre by special use permit
- UMU2 10-100 du/acre; & up to additional 25 du/acre by special use permit
- BI Business Industrial
- W Warehousing and Wholesaling
- I-1 Limited Industrial
- I-2 General Industrial
- A Agriculture
- CON Conservation
- MD Medical Services
- PS Public Services and Operations
- AF Airport Facility
- ED Educational Services
- CP Corporate Park
- PD Planned Development

- Historic Preservation/Conservation District
- Special Area Plan
- - - - - Division line between two zoning districts
- City Limits

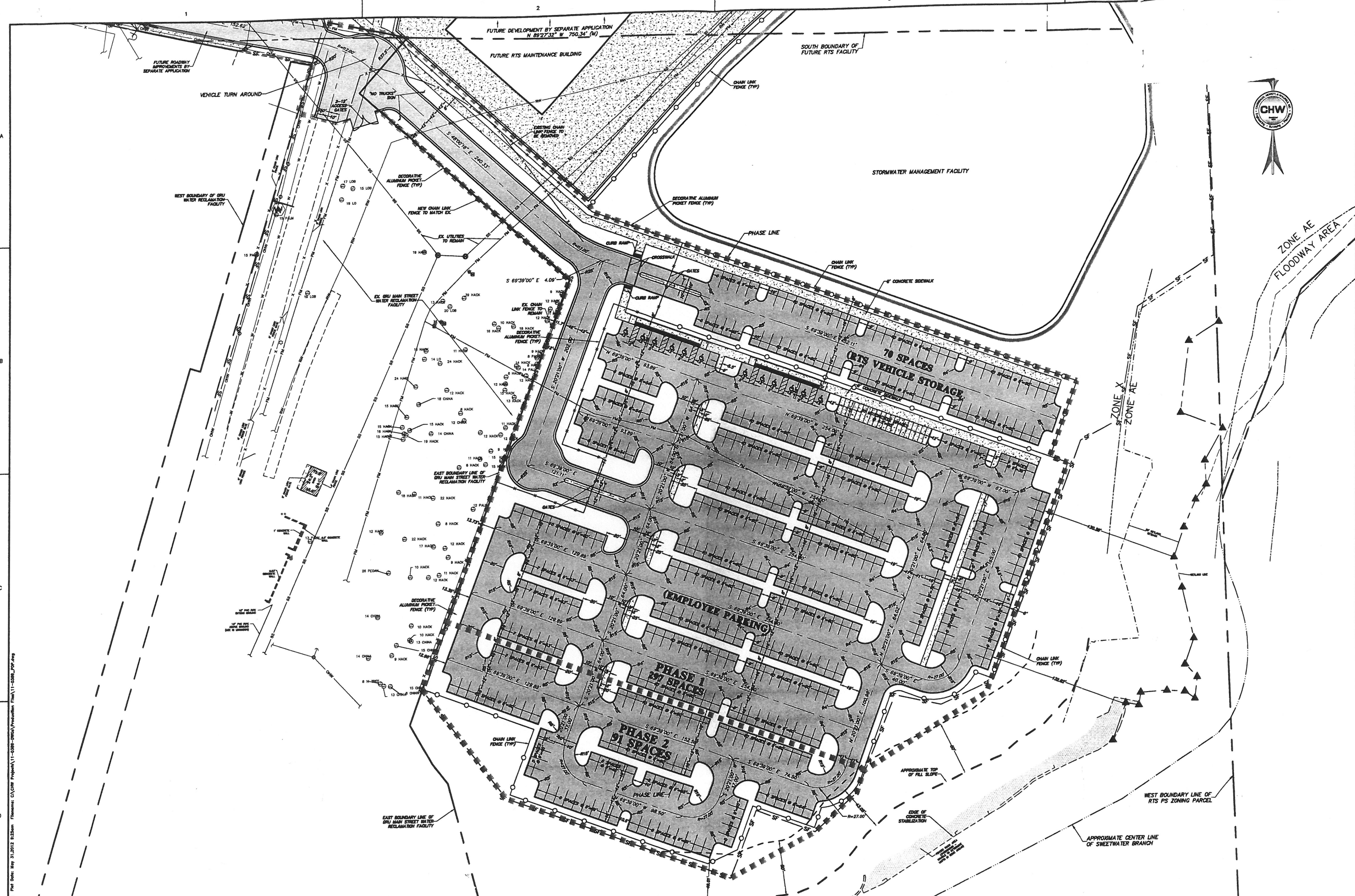
Area under petition consideration



## EXISTING ZONING

Exhibit "B" to Ordinance No. 120178

	Name	Petition Request	Map(s)	Petition Number
	Cousseaux, Hewett and Walpole, agents for the City of Gainesville	Modifiy allowed uses in existing PS district to allow transportation services on shaded portion of tract.	4251	PB-12-52 PSZ



**PRELIMINARY SITE PLAN**

Tech: Hennessey    Plot Date: May 31, 2012 8:23am    Filename: C:\CHW\Projects\11-0389-000\Production\Plan\11-0389\_P01.dwg



**Causseaux, Hewett, & Walpole, Inc.**  
 Engineering • Surveying • Planning  
 6071 NW 1st Place, Gainesville, Florida 32607  
 Phone: (352) 331-9276 • Fax: (352) 331-9278 • www.chw-hw-pc.com  
 CA-5075

VERIFY SCALE OF ORIGINAL DRAWING  
 0 = AS SHOWN ON THIS SHEET, UNLESS NOTED OTHERWISE  
 1" = 40'

SHEET NO. 11-0389  
 PROJECT: RTS BUS FLEET MAINTENANCE & OPERATIONS FACILITY  
 CLIENT: CHARLES PERRY PARTNERS, INC.  
 DATE: 05/02/12 - CITY SUBMITTAL

DESIGNER: SHAWN D. WEBBER  
 CHECKER: J.P. COWART  
 PROJECT MANAGER: S.D. WEBBER, P.E.  
 QUALITY CONTROL: A.S. ROBERTS, P.E.  
 PROJECT NUMBER: 11-0389  
 FL. PE No. 70251

SHEET NO. PDP-1

Exhibit "C" to Ordinance No. 120178