

**LEGISLATIVE #**

**170484A**

ORDINANCE NO. 170484

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 18.5 acres of property generally located at the southwest corner of SW 52<sup>nd</sup> Street and SW 20<sup>th</sup> Avenue, as more specifically described in this ordinance, from Planned Development District (PD) and Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

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

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

3 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
4 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
5 pursuant to Section 163.3174, Florida Statutes, held a public hearing on October 26, 2017, and  
6 voted to recommend that the City Commission approve this rezoning; and

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

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

12 **WHEREAS**, the City Commission finds that the rezoning of the property described herein will be  
13 consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
14 Comprehensive Plan adopted by Ordinance No. 170483 becomes effective as provided therein.

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

17 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
18 following property from Planned Development District (PD) and Residential Multi-Family (RMF-  
19 6) to Mixed-Use Low-Intensity (MU-1):

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

24  
25 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary

1 changes to the Zoning Map Atlas to comply with this ordinance.

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

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

9 **SECTION 5.** This ordinance shall become effective immediately upon adoption; however, the  
10 rezoning shall not become effective until the amendment to the City of Gainesville  
11 Comprehensive Plan adopted by Ordinance No. 170483 becomes effective as provided therein.

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

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21 Attest:

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25 \_\_\_\_\_  
26 OMICHELE GAINEY  
27 CLERK OF THE COMMISSION

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

Approved as to form and legality:

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

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


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

Legal Description

A PARCEL OF LAND SITUATED IN LOTS 3, 4, 5 AND 6 OF JOHN B. DENTON LANDS AS RECORDED IN PLAT BOOK A, AT PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 3 FOR A POINT OF REFERENCE; THENCE RUN NORTH 00°31'21"WEST, ALONG THE WEST LINE OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, A DISTANCE OF 319.31 FEET TO THE SOUTH THE RIGHT OF WAY LINE OF SW 20<sup>th</sup> AVENUE, (100 FOOT WIDE RIGHT OF WAY); THENCE RUN NORTH 89°33'49"EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1363.26 FEET TO IT'S INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75, (300 FOOT LIMITED ACCESS RIGHT OF WAY) AND THE **POINT OF BEGINNING**; THENCE RUN NORTH 89°33'49"EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF SW 20<sup>th</sup> AVENUE, A DISTANCE OF 936.24 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 45°26'11"EAST, A DISTANCE OF 35.36 FEET TO THE WEST RIGHT OF WAY LINE OF SW 52<sup>nd</sup> STREET, ( A 100 FOOT WIDE RIGHT OF WAY); THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE SOUTH 00°26'11"EAST, A DISTANCE OF 770.03 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1605.65 FEET; THENCE RUN 898.34 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°03'22", SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 16°27'52"EAST, 886.67 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 32°29'32"EAST, A DISTANCE OF 287.85 FEET TO THE END OF SAID RIGHT OF WAY; THENCE RUN NORTH 57°30'28"EAST, A DISTANCE OF 100.00 FEET; THENCE RUN SOUTH 32°29'32"EAST, A DISTANCE OF 193.62 FEET TO THE NORTH LINE OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1997 AT PAGE 2456 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 89°32'26"WEST, ALONG SAID LINE, A DISTANCE OF 243.97 FEET TO IT'S INTERSECTION WITH THE AFOREMENTIONED NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 75; THENCE RUN ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, NORTH 32°35'02" WEST, A DISTANCE OF 1076.78 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 23095.33 FEET; THENCE RUN 1312.24 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 3°15'20" AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 34°12'42"WEST, 1312.06 FEET TO THE END OF SAID CURVE AND THE **POINT OF BEGINNING**.  
ALL LYING AND BEING IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA.

# Petition PB-17-93 ZON Existing Zoning Districts



 Area under petition consideration

## City of Gainesville Zoning Districts

- RSF-4 Single-Family Residential
- RMF-6 Multiple-Family Residential
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

## Alachua County Land Use Categories

- R-2A Multiple-Family Residential,  
Medium-Density

-  Division line between two land use categories
-  City Limits

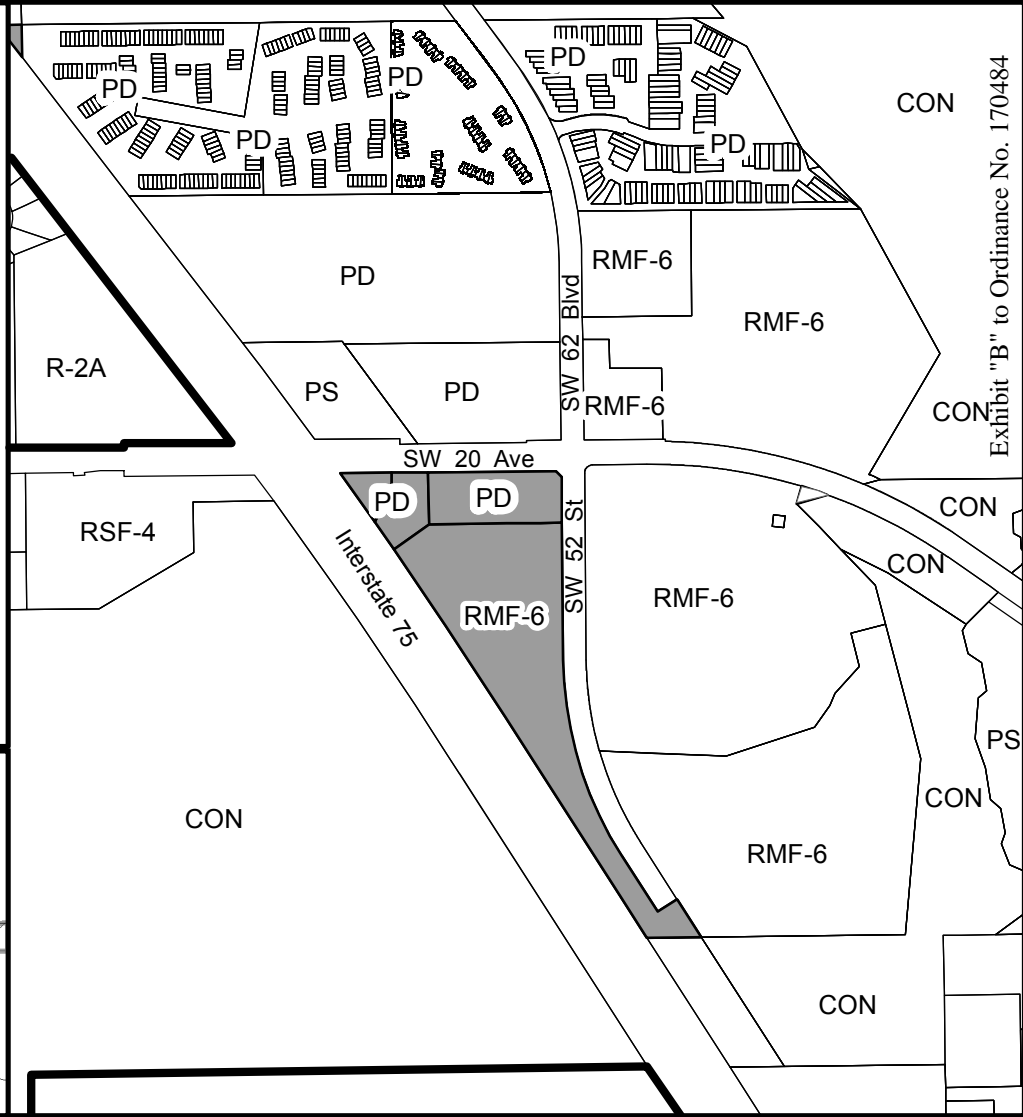
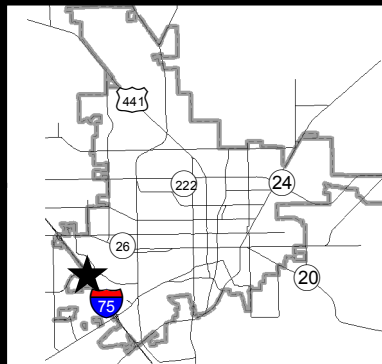



Exhibit "B" to Ordinance No. 170484

# Petition PB-17-93 ZON Proposed Zoning Districts



 Area under petition consideration

## City of Gainesville Zoning Districts

- RSF-4 Single-Family Residential
- RMF-6 Multiple-Family Residential
- MU-1 Mixed-Use Low-Intensity
- PD Planned Development
- CON Conservation
- PS Public Services and Operations

## Alachua County Land Use Categories

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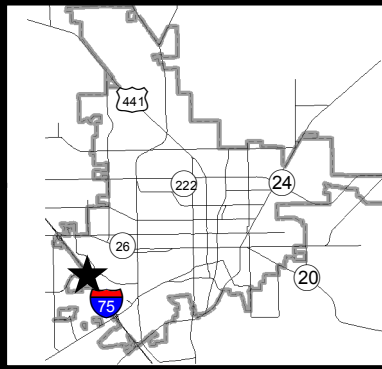
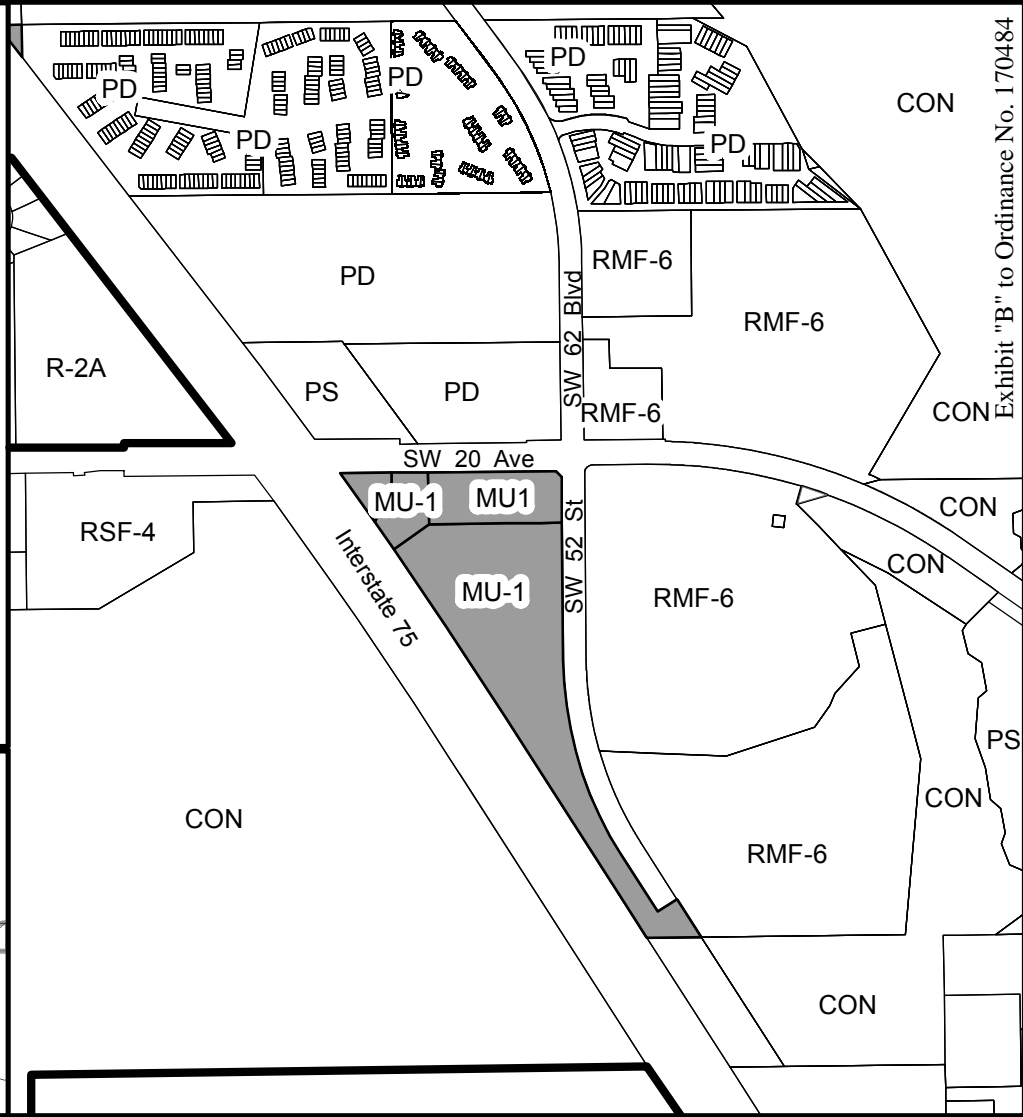


Exhibit "B" to Ordinance No. 170484