ORDINANCE NO. 180482

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.987 acres of property generally located and bounded by NW 13th Terrace, NW 14th Terrace, NW 5th Avenue, and NW 6th Avenue, as more specifically described in this ordinance, from Urban 2 (U2) to Urban 5 (U5); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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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

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

WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville

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

19 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

23 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

26	WHEREAS, this ordinance, which was requested by the owner(s) of the property that is the
27	subject of this ordinance and which was noticed as required by law, will amend the Zoning Map
28	Atlas by rezoning the subject property; and
29	WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
30	the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
31	pursuant to Section 163.3174, Florida Statutes, held a public hearing on October 25, 2018, and
32	voted to recommend that the City Commission approve this rezoning; and
33	WHEREAS, at least ten days' notice has been given once by publication in a newspaper of general
34	circulation notifying the public of this proposed ordinance and of public hearings in the City Hall
35	Auditorium located on the first floor of City Hall in the City of Gainesville; and
36	WHEREAS, public hearings were held pursuant to the notice described above at which hearings
37	the parties in interest and all others had an opportunity to be and were, in fact, heard; and
38	WHEREAS, the City Commission finds that the rezoning of the property described herein is
39	consistent with the City of Gainesville Comprehensive Plan when the amendment to the
40	Comprehensive Plan adopted by Ordinance No. 180481 becomes effective as provided therein.
41	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
42	FLORIDA:

- SECTION 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following property from Urban 2 (U2) to Urban 5 (U5):
- See legal description attached as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.
 - SECTION 2. The City Manager or designee is authorized and directed to make the necessary

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changes to the Zoning Map Atlas to comply with this ordinance. 50 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or 51 the application hereof to any person or circumstance is held invalid or unconstitutional, such 52 finding shall not affect the other provisions or applications of this ordinance that can be given 53 effect without the invalid or unconstitutional provision or application, and to this end the 54 55 provisions of this ordinance are declared severable. **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such 56 conflict hereby repealed. 57 58 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the rezoning will not become effective until the amendment to the City of Gainesville 59 Comprehensive Plan adopted by Ordinance No. 180481 becomes effective as provided therein. 60 PASSED AND ADOPTED this 7th day of February, 2019. 61 62 63 64 LAUREN POE 65 MAYOR 66 67

Attest:

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Approved as to form and legality:

OMICHELE D. GAINEY

CLERK OF THE COMMISSION

This ordinance passed on first reading this 17th day of January, 2019.

This ordinance passed on second reading this 7th day of February, 2019.

Legal Description

LEGAL DESCRIPTION PER O.R.B. 4427, PG. 1157

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, BLOCK H, WESTFIELD, ALSO KNOWN AS COLSON AND BLANDING'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 67, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

CONTAINING 0.987 ACRES, MORE OR LESS.



