

Legislative #

150445

**ORDINANCE NO. 150445**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 15 acres of property that is generally located in the 1600 Block of SE 8<sup>th</sup> Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5); 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 property that is the subject of this ordinance from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5); 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 October 22, 2015, and voted to recommend that the City Commission approve this rezoning; and

**WHEREAS**, an advertisement no less than two columns wide by ten (10) inches long was placed in a newspaper of general circulation and provided the public with at least seven (7) days' advance notice of this ordinance's first public hearing to be held by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

**WHEREAS**, a second advertisement no less than two columns wide by ten (10) inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days' advance notice of this ordinance's second public hearing to be held by the City Commission; and

**WHEREAS**, public hearings were held pursuant to the notice described above at which hearings 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 property described

1 herein will be consistent with the City of Gainesville Comprehensive Plan when City of  
2 Gainesville Ordinance No. 150444 becomes effective as provided therein.

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

5 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
6 following property from Multiple-Family Medium-Density Residential District (RMF-7) to  
7 Residential Low-Density District (RMF-5):

8 See legal description attached as Exhibit "A" and made a part hereof as if set  
9 forth in full. The location of the property is shown on Exhibit "B" for visual  
10 reference. In the event of conflict or inconsistency, Exhibit "A" shall prevail  
11 over Exhibit "B".  
12

13 **Section 2.** The City Manager or designee is authorized and directed to make the  
14 necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

20 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
21 such conflict hereby repealed.

22 **Section 5.** This ordinance shall become effective immediately upon adoption; however,  
23 the rezoning shall not become effective until the amendment to the City of Gainesville  
24 Comprehensive Plan adopted by Ordinance No. 150444 becomes effective as provided therein.  
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**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
EDWARD B. BRADDY  
MAYOR

**Attest:**

Approved as to form and legality:

By: \_\_\_\_\_  
KURT LANNON  
CLERK OF THE COMMISSION

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

This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

## EXHIBIT "A" TO ORDINANCE NO. 150445

Legal Description, Parcel 16102-000-000

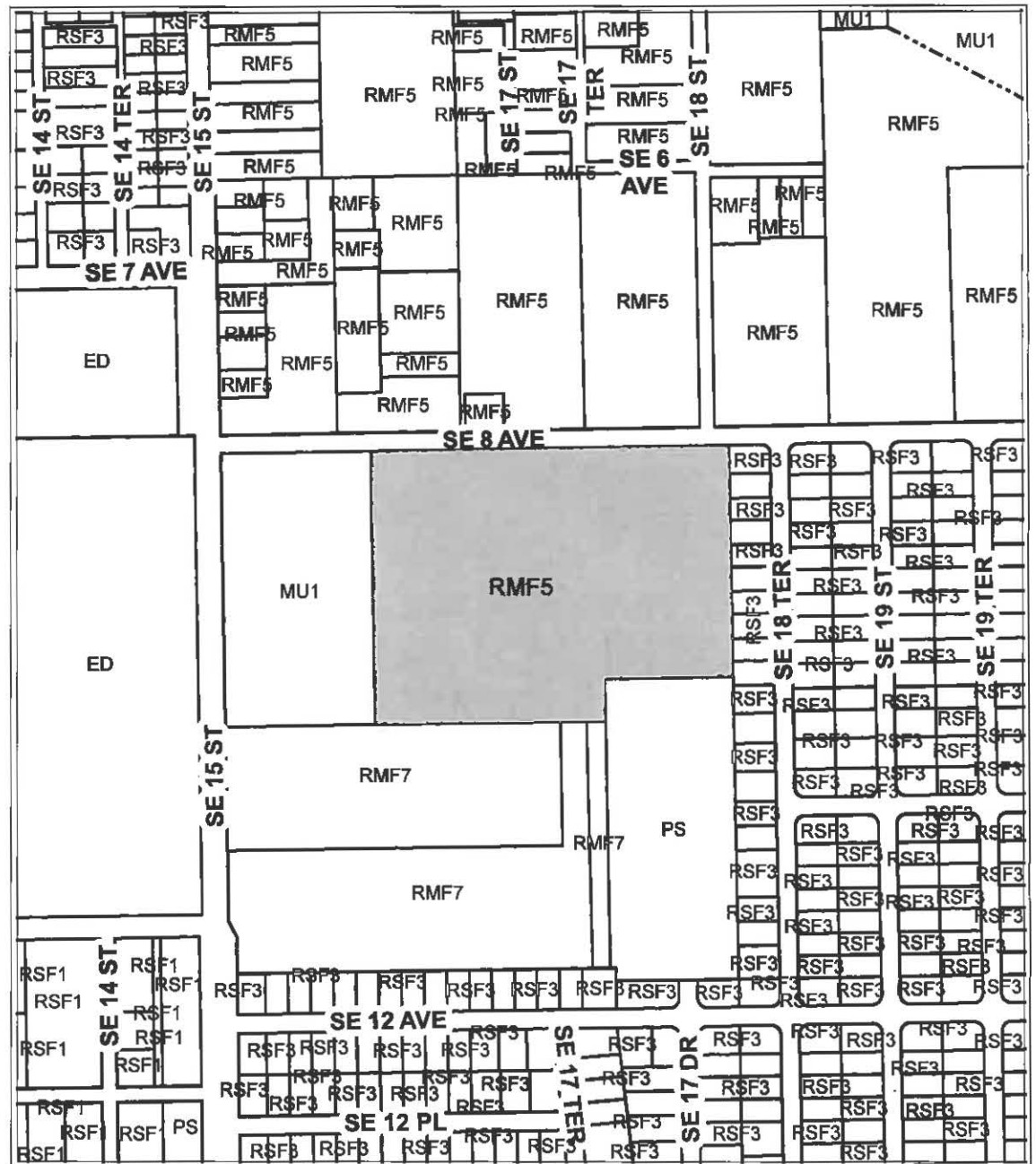
Description: (O.R.B. 3539, page 476)

A tract of land situated in the NW  $\frac{1}{4}$  of Section 10, Township 10 South, Range 20 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northwest corner of Section 10, Township 10 South, Range 20 East, and run S89°51'23" East, along the North line of said Section 10, 430.00 feet to the Point of Beginning; thence run S00°15'07" West 780.80 feet; thence run s89°45'53" East 610.00 feet; thence run N00°15'07" East 113.57 feet; thence run S89°50'45" East 341.81 feet; thence run N00°15'07" East 668.06 feet to the North line of said Section 10; thence run N 89°51'23" W, along the North line of said Section 10.951.81 feet to the Point of Beginning. LESS the North 50 feet thereof dedicated for street right of way.

### City of Gainesville Zoning Districts

- RSF1 3.5 units/acre Single-Family Residential
- RSF3 5.8 units/acre Single-Family Residential
- RMF5 12 units/acre Single-Family/Multiple Family Residential
- RMF7 8-21 units/acre Multiple-Family Medium Density Residential
- MU1 8-30 units/acre Mixed Use Low Intensity
- PS Public Services and Operations
- ED Educational Services



Area under petition consideration



----- Division line between two zoning districts

### PROPOSED ZONING

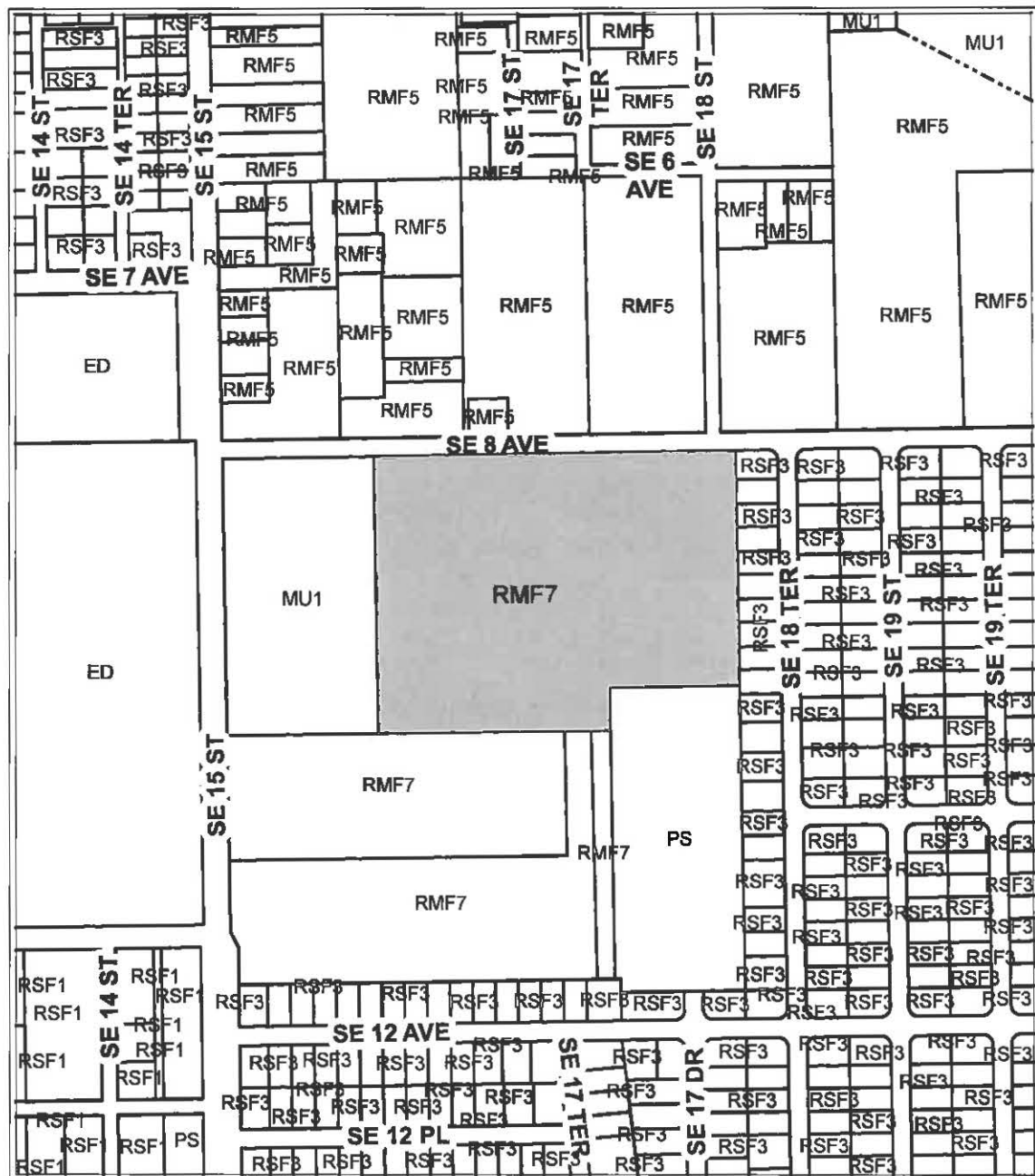


No Scale


Name	Petition Request	Petition Number
eda-engineers-surveyors-planners, inc., agent for the City of Gainesville	Rezone property from RMF-7: 8-21 units/acre multiple-family residential district to RMF-5: 12 units/acre single/multiple family residential district	PB-15-90 ZON

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### EXISTING ZONING

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No Scale