

LEGISLATIVE #

190534A

ORDINANCE NO. 190534

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1778 acres of property generally located north of U.S. 441 and NW 74th Place, east and west of SR 121 and CR 231, and south of NW 121st Avenue, as more specifically described in this ordinance, from Alachua County Agriculture (A) district to City of Gainesville Agriculture (AGR) district; 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

WHEREAS, this ordinance, which was noticed as required by law, will amend the Zoning Map Atlas by rezoning the property that is the subject of this ordinance; 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 pursuant
31 to Section 163.3174, Florida Statutes, held a public hearing on January 23, 2020, in order to make
32 a recommendation to the City Commission regarding this ordinance; and

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

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

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

42 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be consistent
43 with the City of Gainesville Comprehensive Plan when the amendment to the Comprehensive
44 Plan adopted by Ordinance No. 190533 becomes effective as provided therein.

45 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

46 **FLORIDA:**

47 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the following
48 property from Alachua County Agriculture (A) district to City of Gainesville Agriculture (AGR)
49 district:

50 See the maps attached as **Exhibit A** and made a part hereof as if set forth in full.

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

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

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

61 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
62 rezoning will not become effective until the amendment to the City of Gainesville Comprehensive
63 Plan adopted by Ordinance No. 190533 becomes effective as provided therein.

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65 **PASSED AND ADOPTED** this _____ day of _____, 2020.

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LAUREN POE
MAYOR

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Attest:

Approved as to form and legality:

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OMICHELE D. GAINEY
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

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81 This ordinance passed on first reading this _____ day of _____, 2020.

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83 This ordinance passed on second reading this _____ day of _____, 2020.

Petition PB-19-129 ZON Existing Zoning Districts

 Area under petition consideration

City of Gainesville Zoning Districts

- AGR Agriculture
- RSF1 Single Family Residential
- MH Mobile Home Park
- CON Conservation
- I-1 Limited Industrial
- I-2 General Industrial
- PD Planned Development
- PS Public Services & Operations

City of Alachua Zoning Districts

- C1 Neighborhood Commercial

Alachua County Zoning Districts

- A Agriculture



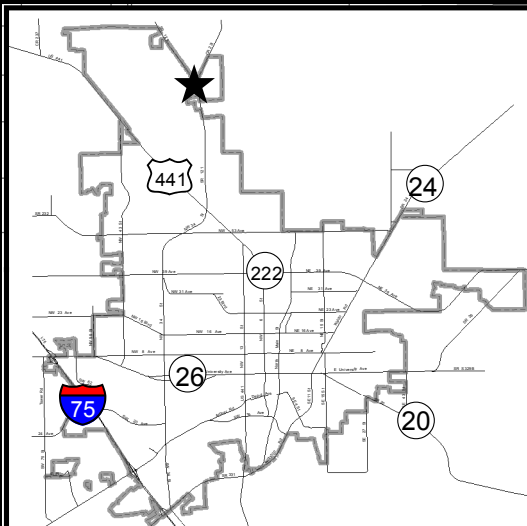
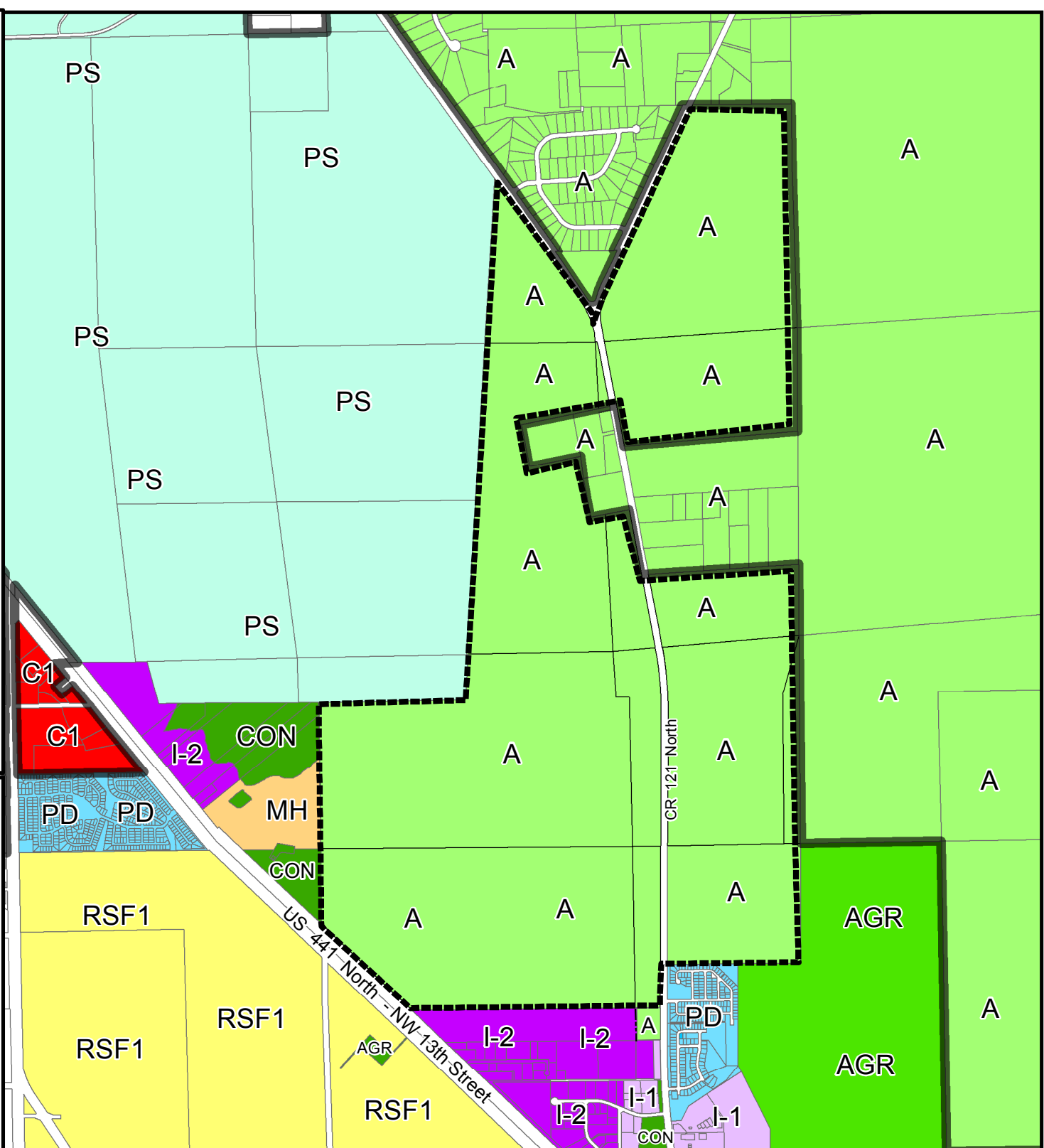

 Division line between two land use categories
 City Limits

Exhibit A to Ordinance No. 190534 page 1 of 2



Petition PB-19-129 ZON Existing Zoning Districts

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City of Gainesville Zoning Districts



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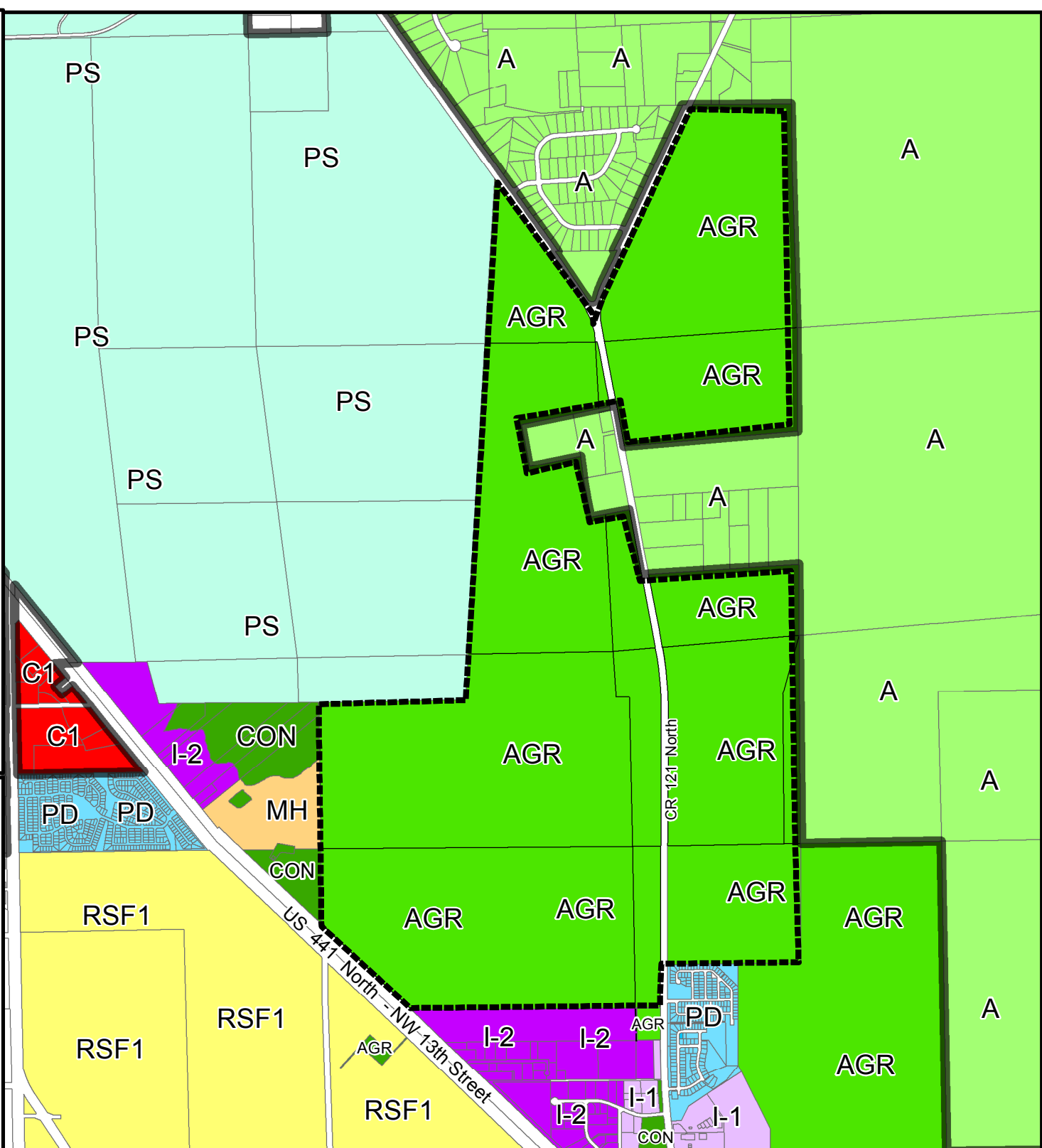


Exhibit A to Ordinance No. 190534 page 2 of 2

