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ORDINANCE NO. 100678

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City, as more specifically described as follows: Area 1: from the Alachua County zoning categories of “Agricultural (A) district”, “Multiple family, medium density (R-2) district”, and “Planned development (PD) district”, to the City of Gainesville zoning categories of “CON: Conservation district” and “PS: Public services and operations district” to allow cemeteries as a use permitted by right; without approval of a preliminary development plan; Area 2: from the Alachua County zoning category of “Agricultural (A) district” and “Multiple family, high density (R-3) district”, to the City of Gainesville zoning category of “CON: Conservation district”; Area 3: from the Alachua County zoning categories of “Multiple family, medium-high density (R-2a) district” and “Industrial services and manufacturing (MS and MP) districts”, to the City of Gainesville zoning categories of “RMF-5: 12 units/acre single-family/multiple-family residential district”, “RMF-7: 8-21 units/acre multiple-family residential district”, “BI: Business industrial district”, and “PS: Public services and operations district” to allow electric, gas, and sanitary services (MG-49); utility lines; water conservation areas, water reservoirs and control structures, drainage wells and water wells; stormwater facilities; any use customarily incidental to any permitted principal use as uses permitted by right; without approval of a preliminary development plan; Area 4: from the Alachua County zoning categories of “Industrial services and manufacturing (MS and MP) districts”, “Highway oriented business services (BH) district”, “Residential Professional (RP) district”, and “Single family, low density (R-1c) district”, to the City of Gainesville zoning categories of “BI: Business industrial district” and “BUS: General business district”; located in the vicinity of Southwest 20th Avenue and Southwest Archer Road, east of Interstate 75 and west of Southwest 34th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain properties annexed into the City be rezoned as follows:

1 Area 1: from the Alachua County zoning categories of “Agricultural (A) district”, “Multiple
2 family, medium density (R-2) district”, and “Planned development (PD) district”, to the City of
3 Gainesville zoning categories of “CON: Conservation district” and “PS: Public services and
4 operations district”; Area 2: from the Alachua County zoning category of “Agricultural (A)
5 district” and “Multiple family, high density (R-3) district”, to the City of Gainesville zoning
6 category of “CON: Conservation district”; Area 3: from the Alachua County zoning categories
7 of “Multiple family, medium-high density (R-2a) district” and “Industrial services and
8 manufacturing (MS and MP) districts”, to the City of Gainesville zoning categories of “RMF-5:
9 12 units/acre single-family/multiple-family residential district”, “RMF-7: 8-21 units/acre multiple-
10 family residential district”, “BI: Business industrial district”, and “PS: Public services and
11 operations district”; Area 4: from the Alachua County zoning categories of “Industrial services
12 and manufacturing (MS and MP) districts”, “Highway oriented business services (BH) district”,
13 “Residential Professional (RP) district”, and “Single family, low density (R-1c) district”, to the
14 City of Gainesville zoning categories of “BI: Business industrial district” and “BUS: General
15 business district”; and

16 **WHEREAS**, notice was given and publication made as required by law and a public
17 hearing was held by the City Plan Board on January 27, 2011; and

18 **WHEREAS**, notice was given and publication made of a public hearing which was then held
19 by the City Commission on March 3, 2011; and

20 **WHEREAS**, the City Commission finds that the rezoning of the property described herein
21 will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

1 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches
2 long was placed in a newspaper of general circulation and of the public hearing to be held in the City
3 Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days
4 after the day the first advertisement was published; and

5 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
6 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the
7 adoption stage at least five (5) days after the day the second advertisement was published; and

8 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
9 described above at which hearings the parties in interest and all others had an opportunity to be and
10 were, in fact, heard.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
12 **CITY OF GAINESVILLE, FLORIDA:**

13 **Section 1.** Area 1: The Zoning Map Atlas of the City of Gainesville is amended by
14 rezoning the following described properties from the Alachua County zoning categories of
15 “Agricultural (A) district”, “Multiple family, medium density (R-2) district” and “Planned
16 development (PD) district”, as shown on Exhibit “A” to the City of Gainesville zoning categories
17 of “CON: Conservation district” and “PS: Public services and operations district”, as shown on
18 Exhibit “B”:

19 See Maps attached hereto as Exhibit "A" and Exhibit “B”, and made a part
20 hereof as if set forth in full.

21
22 The use permitted by right on the property rezoned to “PS” is cemeteries. The City Commission

1 finds that a preliminary development plan is not required in connection with this rezoning.

2 **Section 2.** Area 2: The Zoning Map Atlas of the City of Gainesville is amended by
3 rezoning the following described properties from the Alachua County zoning categories of
4 “Agricultural (A) district” and “Multiple family, high density (R-3) district” as shown on Exhibit
5 “C”, to the City of Gainesville zoning category of “CON: Conservation district”, as shown on
6 Exhibit “D”:

7 See Maps attached hereto as Exhibit "C" and Exhibit “D”, and made a part
8 hereof as if set forth in full.
9

10 **Section 3.** Area 3: The Zoning Map Atlas of the City of Gainesville is amended by
11 rezoning the following described properties from the Alachua County zoning categories of
12 “Multiple family, medium-high density (R-2a) district” and “Industrial services and manufacturing
13 (MS and MP) districts”, as shown on Exhibit “E” to the City of Gainesville zoning categories of
14 “RMF-5: 12 units/acre single-family/multiple-family residential district”, “RMF-7: 8-21
15 units/acre multiple-family residential district”, “BI: Business industrial district”, and “PS: Public
16 services and operations district”, as shown on Exhibit “F”:

17 See Maps attached hereto as Exhibit "E" and Exhibit “F”, and made a part
18 hereof as if set forth in full.
19

20 The uses permitted by right on the property rezoned to “PS” are: electric, gas, and sanitary
21 services (MG-49); utility lines; water conservation areas, water reservoirs and control structures,
22 drainage wells and water wells; stormwater facilities; any use customarily incidental to any
23 permitted principal use. The City Commission finds that a preliminary development plan is not
24 required in connection with this rezoning.

1 **Section 4.** Area 4: The Zoning Map Atlas of the City of Gainesville is amended by
2 rezoning the following described properties from the Alachua County zoning categories of
3 “Industrial services and manufacturing (MS and MP) districts”, “Highway oriented business
4 services (BH) district”, “Residential Professional (RP) district”, and “Single family, low density
5 (R-1c) district”, as shown on Exhibit “G” to the City of Gainesville zoning categories of “BI:
6 Business industrial district” and “BUS: General business district”, as shown on Exhibit “H”:

7 See Maps attached hereto as Exhibit "G" and Exhibit “H”, and made a part
8 hereof as if set forth in full.
9

10 **Section 5.** The City Manager is authorized and directed to make the necessary changes in
11 the Zoning Map to comply with this Ordinance.

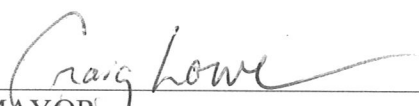
12 **Section 6.** If any word, phrase, clause, paragraph, section or provision of this ordinance
13 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
14 finding shall not affect the other provisions or applications of the ordinance which can be given
15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

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

19 **Section 8.** This ordinance shall become effective immediately upon final adoption;
20 however, the rezoning shall not become effective until the amendment to the City of Gainesville
21 2000-2010 Comprehensive Plan adopted by Ordinance No. 100679 becomes effective as provided
22 therein.


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PASSED AND ADOPTED this 4th day of August, 2011.


MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:


KURT LANNON,
CLERK OF THE COMMISSION

By: , acting
MARION J. RADSON, CITY ATTORNEY
City Attorney

This ordinance passed on first reading this 21st day of July, 2011.

This ordinance passed on second reading this 4th day of August, 2011.

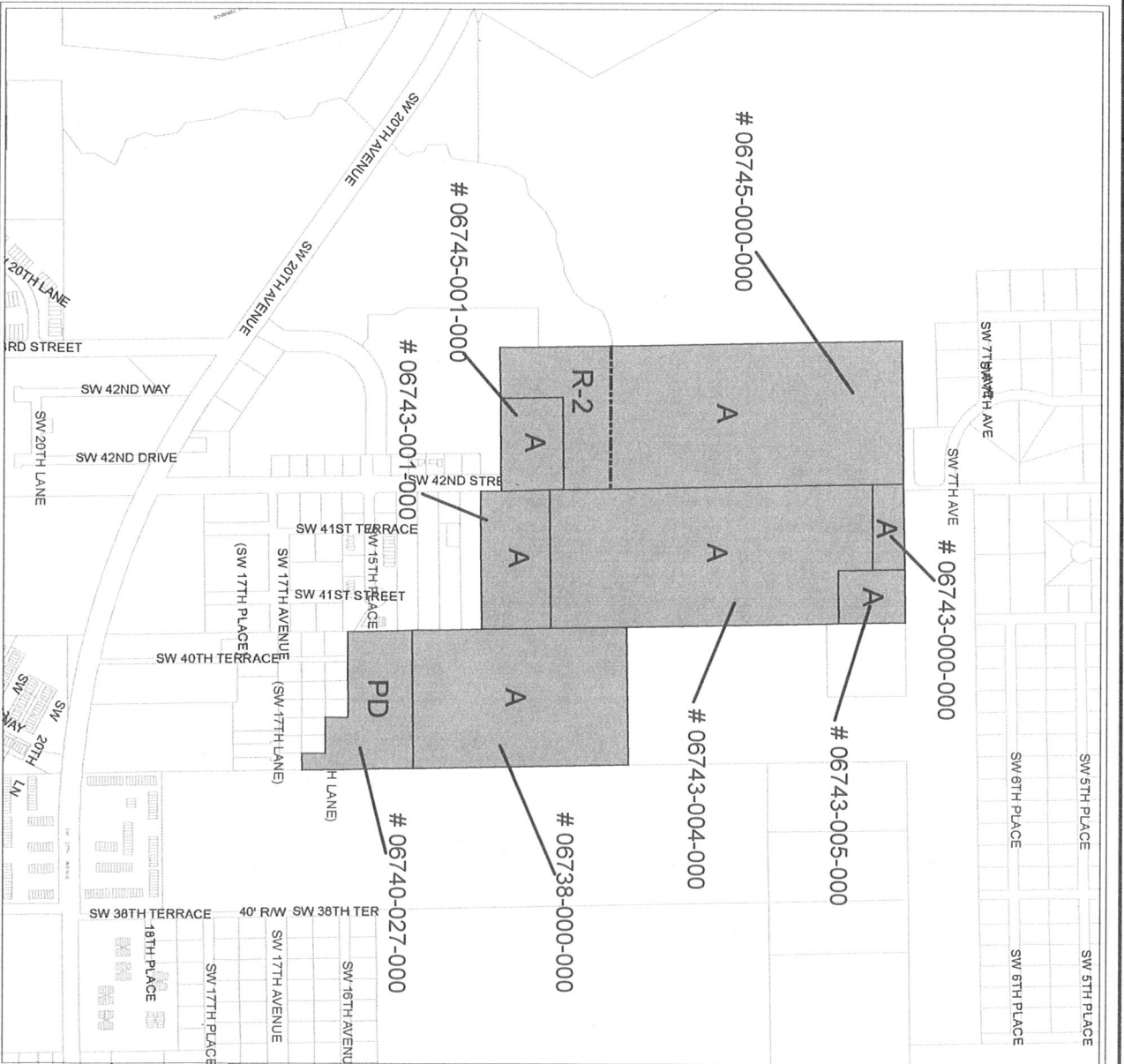
Exhibit "A"

Alachua County Zoning Districts

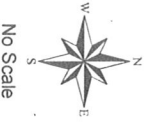
- R-2 Multi-Family Residential (4-8 DU/acre)
- A Agricultural
- PD Planned Development

----- Division line between two zoning districts

Area under petition consideration



EXISTING ZONING



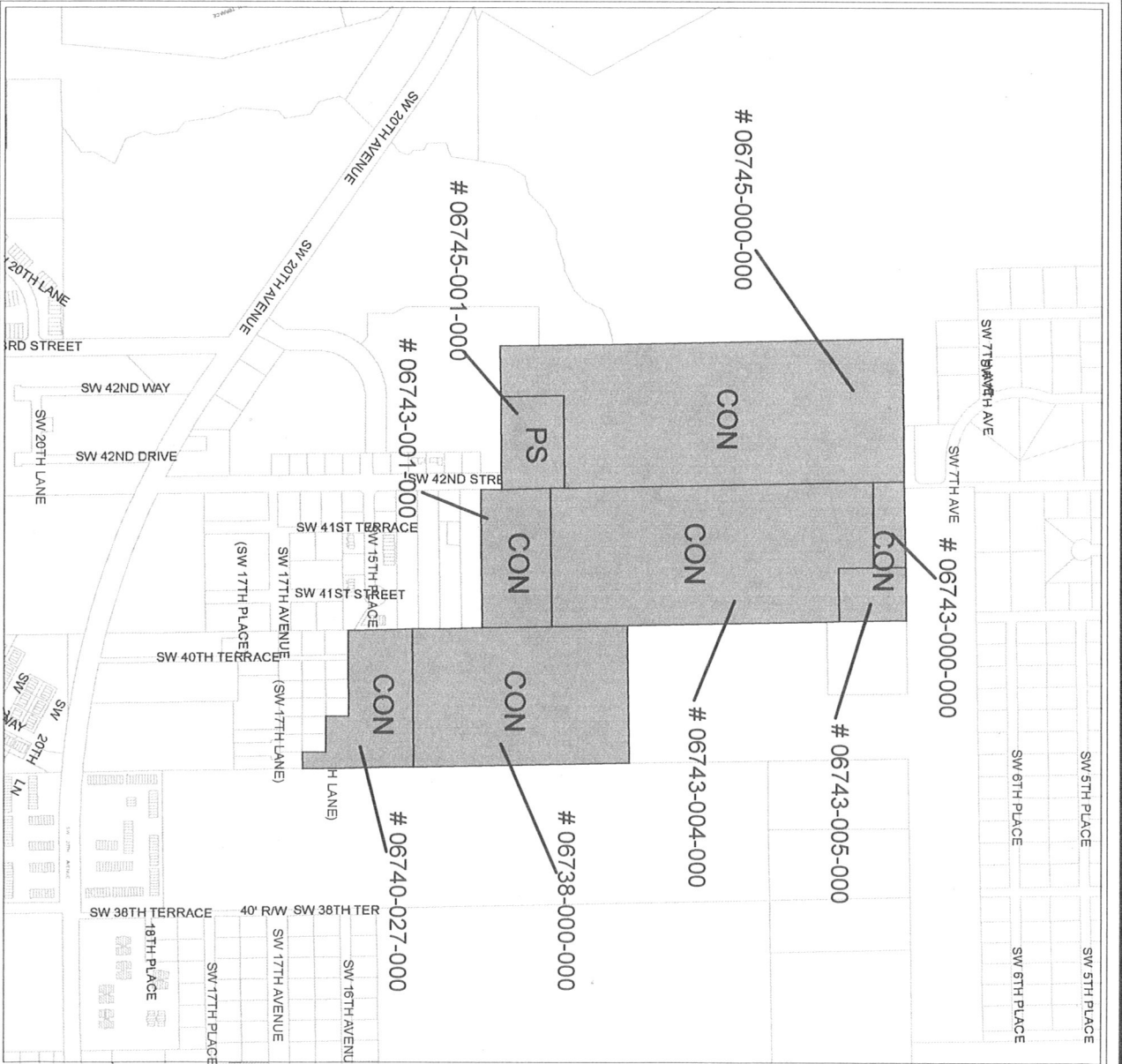
Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County A, PD and R-2 districts to City of Gainesville CON and PS Districts.	4144	Southwest Annexation PB-10-136ZON - A

Exhibit "B"

City of Gainesville Zoning Districts

CON Conservation
PS Public Services and Operations

Area
under petition
consideration



PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County A, PD and R-2 districts to City of Gainesville CON and PS Districts.	4144	Southwest Annexation PB-10-136ZON - A



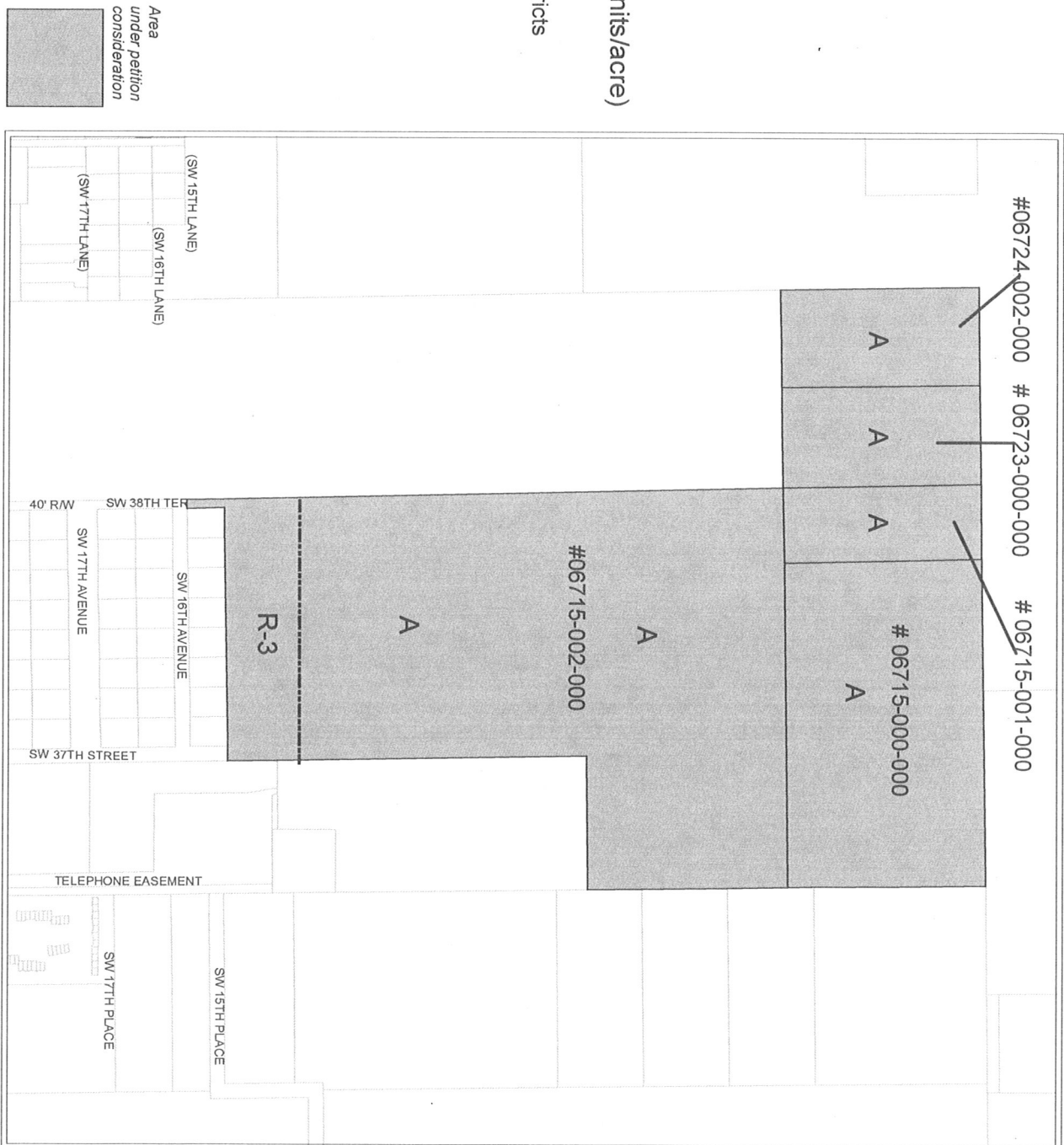
No Scale

Exhibit "C"

**Alachua County
Zoning Districts**

A Agricultural
R-3 Multi-family residential (14-24 units/acre)

----- Division line between two zoning districts



EXISTING ZONING

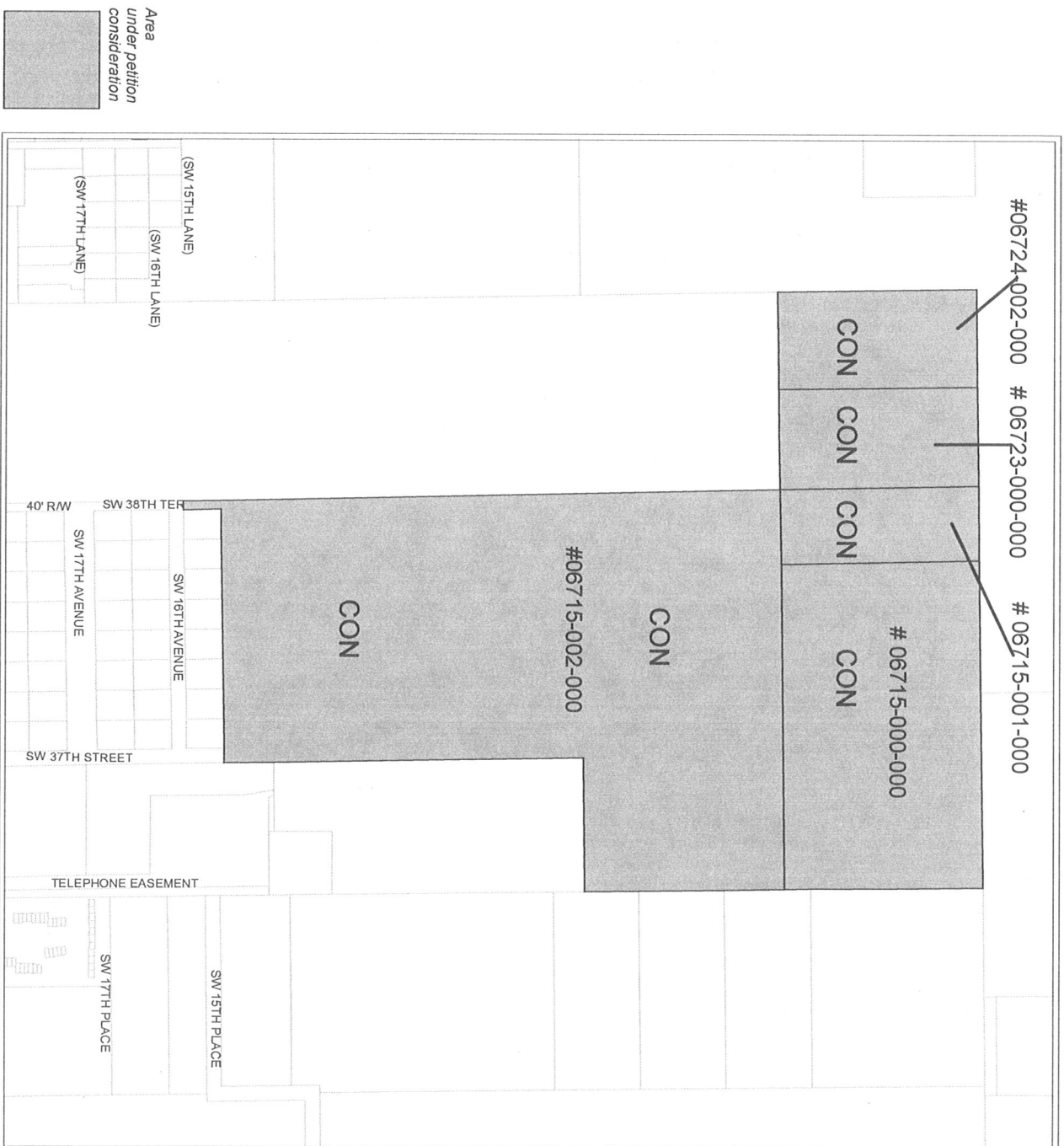
Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change FLUM from Alachua County A Zoning district to City of Gainesville CON Zoning district.	4145	Southwest Annexation PB-10-136ZON - A



Exhibit "D"

City of Gainesville Zoning District

CON Conservation



PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County A Zoning district to City of Gainesville CON Zoning district.	4144	Southwest Annexation PB-10-136ZON - A



Exhibit "E"

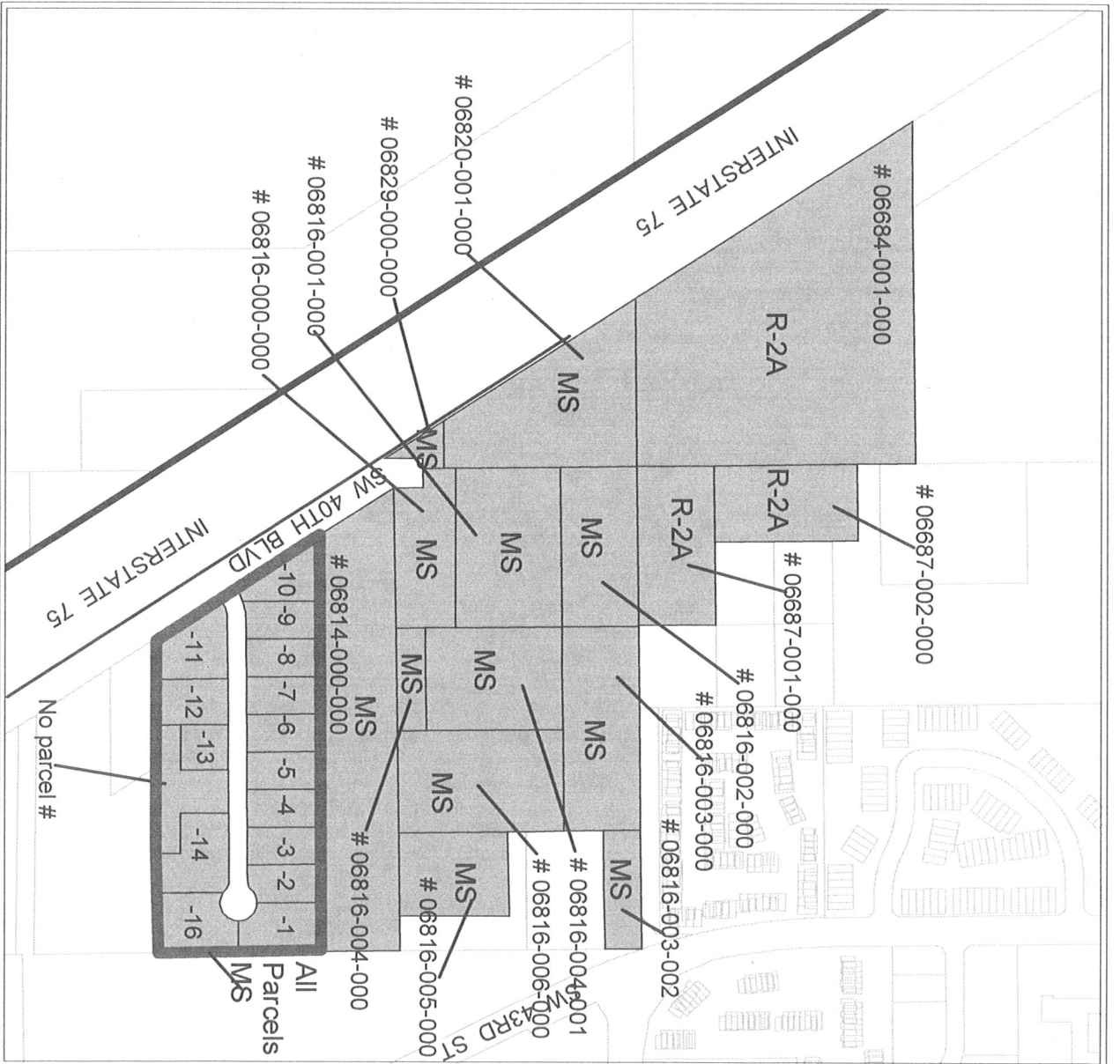
Alachua County Zoning Districts

MS Industrial Services and Manufacturing
R-2A Multi-Family Residential (4-8 units/acre)

Unless otherwise indicated, all parcels are designated MS.
All parcel numbers inside the grey box begin with "06814-".

City Limits

Area under petition consideration



EXISTING ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning district categories from Alachua County MS and R-2A to City of Gainesville BI, PS, RMF-5 and RMF-7.	4243	Southwest Annexation PB-10-136ZON - A

Exhibit "F"

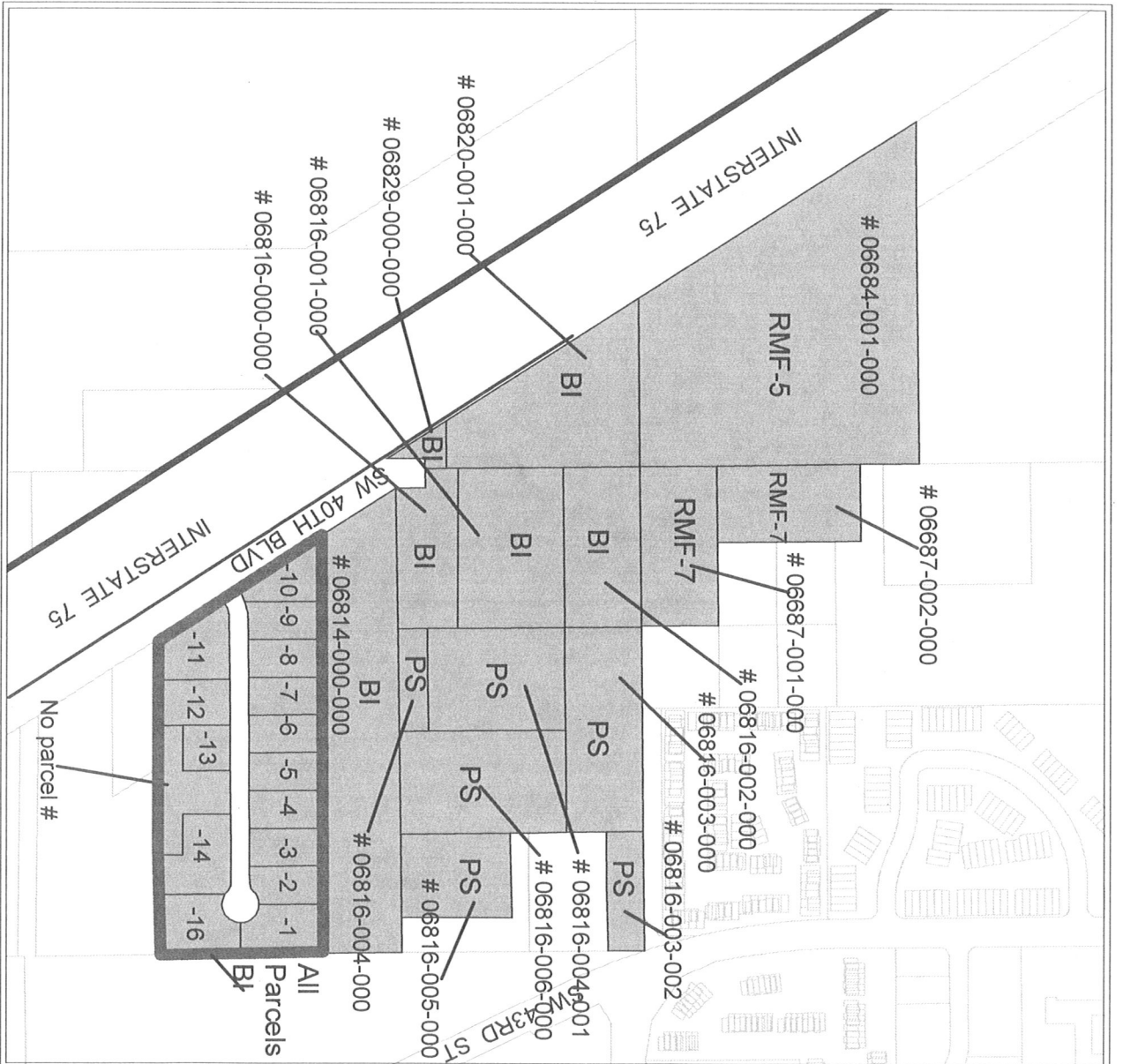
**City of Gainesville
Zoning Districts**

- BI Business Industrial
- PS Public Services and Operations
- RMF-5 12 units/acre single-family/multiple family residential
- RMF-7 8-21 units/acre multiple family residential

All parcel numbers inside the grey box begin with "06814-"

City Limits

Area under petition consideration



PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County MS and R-2A to City of Gainesville BI, PS, RMF-5 and RMF-7.	4243	Southwest Annexation PB-10-136ZON - A



No Scale

Exhibit "G"

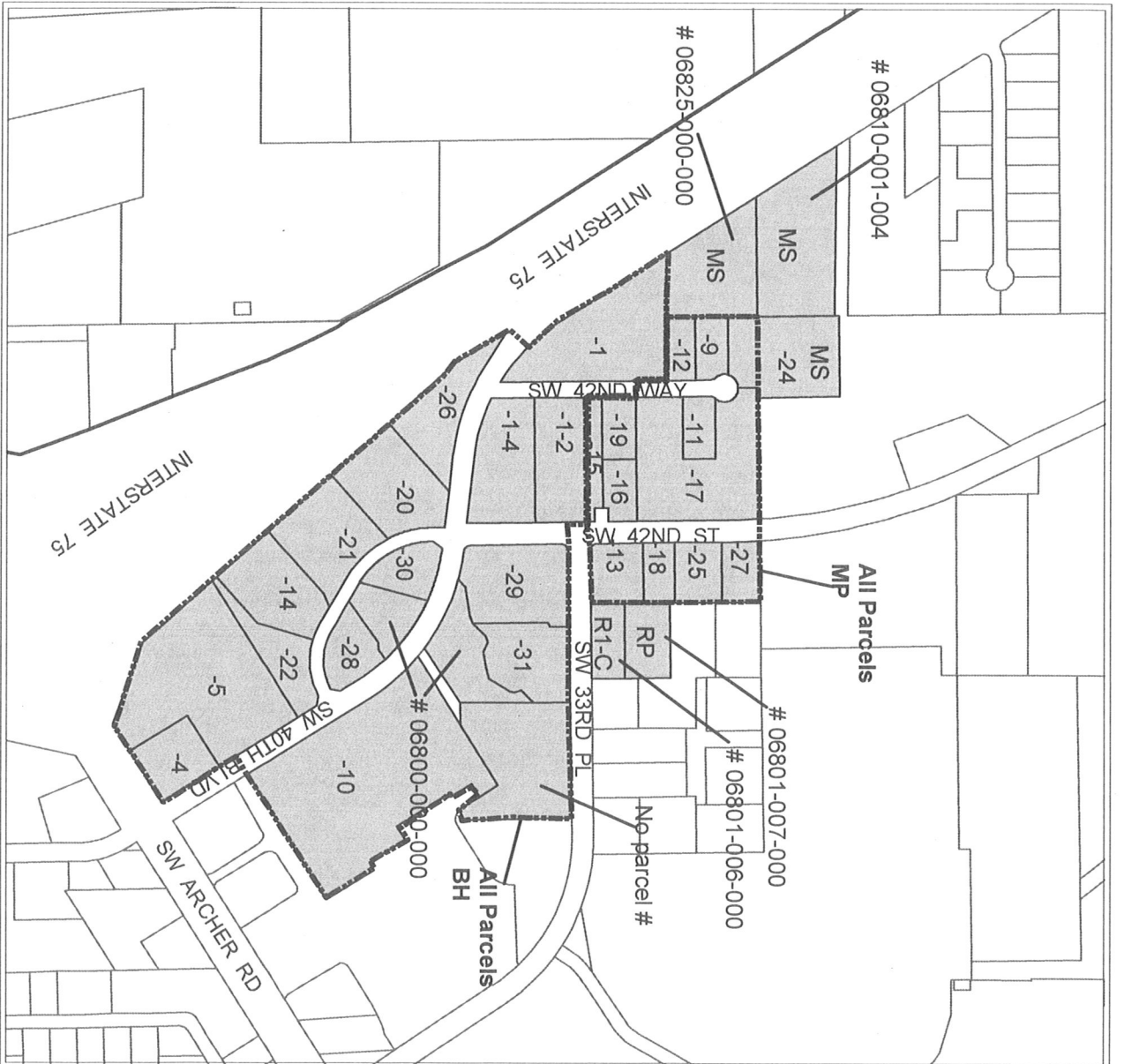
Alachua County Zoning Districts

- BH Highway oriented business services
- MS/MP Industrial services and manufacturing
- R-1C Single family residential (1-4 units/acre)
- RP Residential professional

Unless otherwise indicated, all parcel numbers begin with "06800-"

- City Limits
- - - - - Division line between two zoning districts

Area under petition consideration



EXISTING ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County BH, MS, MP, R-1C and RP to City of Gainesville BI and BUS.	4343, 4344, 4444	Southwest Annexation PB-10-136ZON - A



Exhibit "H"

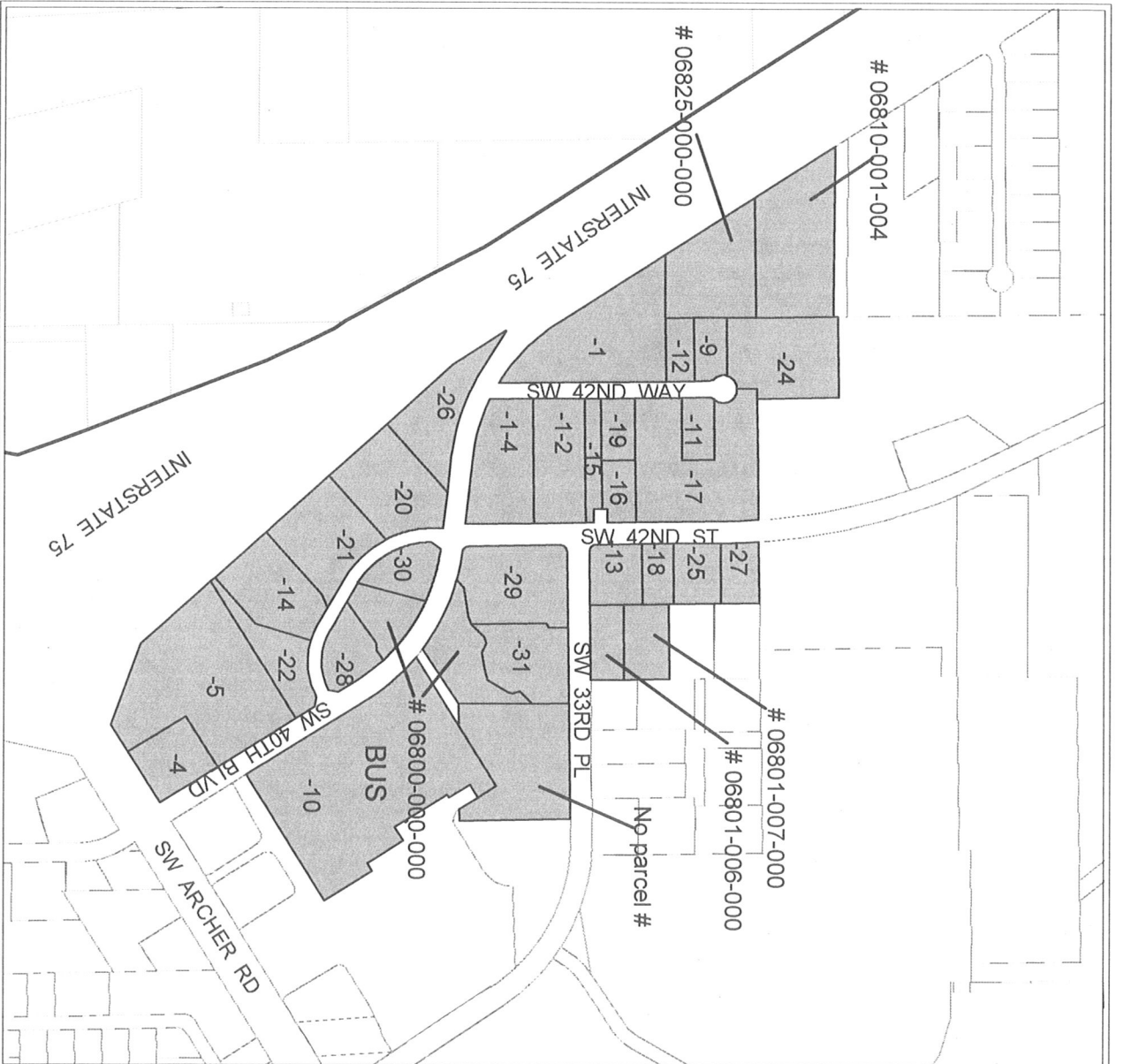
City of Gainesville Zoning Districts

BI Business industrial
BUS General business

Unless otherwise indicated, all parcel numbers begin with "06800-"
Unless otherwise indicated, all parcels are designated with BI.

City Limits

Area under petition consideration



PROPOSED ZONING

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change Zoning from Alachua County BH, MS, MP, R-1C and RP to City of Gainesville BI and BUS.	4343, 4344, 4444	Southwest Annexation PB-10-136ZON - A

