ORDINANCE NO. 120223

	1		
	1		
,	٦	١	
	1	٠.	

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, west side, as more specifically described in this ordinance, from the Alachua County zoning districts of Industrial services and manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1), and Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district; 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 certain property from the Alachua County zoning districts of Industrial services and manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1), and Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district; and

WHEREAS, notice was given as required by law and a public hearing was held by the
City Plan Board on August 25, 2011; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation and provided the public with at least seven (7) days advance notice of the first public hearing to be held in the City Hall Auditorium, First Floor, City Hall, City of Gainesville; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days advance notice of the second public hearing; and

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

1	WHEREAS, the City Commission finds that the rezoning of the property described
2	herein will be consistent with the City of Gainesville Comprehensive Plan when the City of
3	Gainesville Ordinance No. 120222 becomes effective as provided therein.
4	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
5	CITY OF GAINESVILLE, FLORIDA:
6	Section 1. The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
7	following property from the Alachua County zoning districts of Industrial services and
8	manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1) and
9	Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district:
10 11 12 13 14 15	See legal description attached as Exhibit "A" and made a part hereof as if set forth in full. The existing Alachua County zoning districts on the property are depicted on the map attached as Exhibit "B." The new City of Gainesville zoning district on the property is depicted on the map attached as Exhibit "C." In the event of conflict or inconsistency, Exhibit "A" shall prevail over Exhibits "B" and "C."
17 18	Section 2. The City Manager is authorized and directed to make the necessary changes to
19	the Zoning Map to comply with this ordinance.
20	Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance
21	or the application hereof to any person or circumstance is held invalid or unconstitutional, such
22	finding shall not affect the other provisions or applications of this ordinance that can be given
23	effect without the invalid or unconstitutional provision or application, and to this end the
24	provisions of this ordinance are declared severable.
25	Section 4. All ordinances, or parts of ordinances, in conflict herewith are to the extent or
26	such conflict hereby repealed.
27	Section 5. This ordinance shall become effective immediately upon final adoption
28	however, the rezoning shall not become effective until the amendment to the City of Gainesville
29	Comprehensive Plan adopted by Ordinance No. 120222 becomes effective as provided therein.

30

1	PASSED AND ADOPTED this 7th	n day of March, 2013
2		
3		O . I
4		(raighour
5		CRAIG LOWE
6		MAYOR
7		
8	Attest:	Approved as to form and legality:
9	wh	
10	AAM	By: Nicolle M Shalley
11	By:	By: Micelle / Attalley
12	KURTZANNON	NICOLLE M. SHALLEY
13	CLERK OF THE COMMISSION	CITY ATTORNEY
14		
15		
16	This ordinance passed on first reading this 2	21st day of February, 2013.
17		
18	This ordinance passed on second reading th	is 7th day of March, 2013.

EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN SECTIONS 22 AND 23,
TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY,
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCE AT A POINT AT THE INTERSECTION OF THE

NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF

THAT CERTAIN TRACT OF LAND AS DESCRIBED IN OFFICIAL

RECORDS BOOK 2824 PAGE 1263 OF THE OFFICIAL RECORDS

OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED

AS ORB__ PAGE__ ACR) AND THE WEST RIGHT-OF-WAY LINE

OF INTERSTATE 75 (US 93) FOR THE POINT OF BEGINNING,

SAID POINT BEING ON THE EXISTING CITY OF GAINESVILLE

LIMIT LINE PER ORDINANCE #061079; THENCE RUN

SOUTHEASTERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO

THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND

AS DESCRIBED IN ORB 3242 PAGE 404 ACR; THENCE LEAVING

SAID CITY LIMIT LINE RUN SOUTHWESTERLY AND

NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41ST BOULEVARD: THENCE RUN WESTERLY, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE. TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SOUTHWEST 41ST BOULEVARD: THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2267 PAGE 1441 ACR: THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINE OF SAID TRACT AND THE NORTH LINES OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2246 PAGE 1343 ACR AND THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1736 PAGE 2672 ACR TO A POINT ON THE EAST LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1418 ACR; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTHEAST CORNER OF SAID TRACT; THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINES OF THE 6 TRACTS OF LAND AS DESCRIBED IN THE FOLLOWING

OFFICIAL RECORDS: 1) ORB 3051 PAGE 1418 ACR; 2) ORB 3051 PAGE 1419 ACR; 3) ORB 2537 PAGE 389 ACR; 4) ORB 3051 PAGE 1420 ACR; 5) ORB 3051 PAGE 1422 ACR; 6) ORB 3051 PAGE 1421 ACR TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1421 ACR, SAID CORNER BEING ON THE WEST LINE OF THE **GARY GRANT: THENCE RUN NORTHWEST ALONG THE WEST** LINE OF SAID GARY GRANT TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1821 PAGE 2875 ACR: THENCE RUN NORTHEAST ALONG THE NORTH LINE OF SAID GARY GRANT TO THE WEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2507. PAGE 1285 ACR: THENCE LEAVING SAID NORTH LINE OF THE GARY GRANT RUN EAST ALONG THE SOUTH LINE OF SAID TRACT TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTH LINE OF THE GARY GRANT; THENCE RUN NORTHEAST ALONG SAID NORTH LINE OF THE GARY. GRANT TO A POINT LYING ON A NORTHWESTERLY

EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3478 PAGE 798 ACR, SAID POINT ALSO BEING ON THE NORTH LINE OF A 150' WIDE CITY OF GAINESVILLE POWER LINE EASEMENT; THENCE LEAVING THE NORTH LINE OF THE GARY GRANT AND SAID POWER LINE EASEMENT RUN SOUTHEASTERLY ALONG SAID **EXTENSION TO THE WEST MOST CORNER OF SAID TRACT** DESCRIBED IN 3478 PAGE 798 ACR (BEING THE SAME TRACT DESCRIBED IN ORB 2824 PAGE 1263 ACR); THENCE RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT TO THE SOUTH CORNER OF SAID TRACT BEING ON THE EXISTING CITY LIMIT LINE AS PER ORDINANCE #061079; THENCE RUN NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41ST **BOULEVARD; THENCE CONTINUE NORTHEASTERLY ALONG** THE NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE POINT OF BEGINNING.

City of Gainesville Zoning Districts

8-30 units/acre Multiple-Family Residential General Business

BI BI

窗

MIERSTATE

MS A

R-2

R-2

R-14

R-14 R-14 R-14

A-RB

R-1A

R-1A

RE-1

RE-1

RE-1 RE-1

RE-1

R-2

R-2

RM

ā

田田田

CON

<u>m</u>

18

RMF8

RMF8

MU1

BUS BUS BUS

R-1B

CON B R-14

В

RSF4

BUS MUT

SUS BUS

BUS

RMF8 RMF8 RMF8

RMF-8

BUS

8-30 units/acre Mixed Use Low Intensity **Business Industrial**

Limited Industrial

MU-1 BI 11 CON PS

Conservation

Public Services and Operations

Division line between two zoning districts

City Limits

Zoning Districts Alachua County

BUS

R-3

S

ā

丽

m

B

ā

B

<u>m</u>

m

MS SIS

BT

MP

4

V

Ø

Ø

Ы

0

Ø

A-RB RE-1

В В

PD

R-1C

A-RB A-RB

6

В

PD

PD В

PD

В

Ø

PD

0

В

Ø

띪

MS

MS

В

MS MS

MS

V

Agricultural

Agricultural rural business

Single family, low density (1 unit per 2 acres to 2 units per acre)

Multiple family, medium density (4 to 8 units per acre) Single family, medium density (4 to 8 units per acre) Single family, low density (1 to 4 units per acre)

Multiple family, high density (14 to 24 units per acre) Highway oriented business services Manufactured mobile home park

Retail sales and services

Industrial services and manufacturing ndustrial services and manufacturing Planned development



ZONING CALCIVI

ON NOTE THAN NO

BR

Number

OZ PNITRI ZO	Petition Request Map(s) Petition Numk	Rezone from Alachua County Industrial Services and Manufacturing (MS & MP), High Density Multi-Family and Agricultural districts (R-3 & A) and Single Family low density district (RE-1)to City of Gainesville Business Industrial district (BI).
	Petition Reques	Rezone from Alachua County Industrial S Manufacturing (MS & MP), High Density I and Agricultural districts (R-3 & A) and Sis low density district (RE-1)to City of Gaine Business Industrial district (BI).
		jt.



No Scale

City of Gainesville, applicar

Name

A-RB RE-1 R-1A R-1B R-2 R-3 BR MS MP PD Exhibit "B" to Ordinance No. 120223

City of Gainesville Zoning Districts

8-30 units/acre Multiple-Family Residential 8-30 units/acre Mixed Use Low Intensity Public Services and Operations **Business Industrial** General Business Limited Industrial Conservation

RMF-8 BUS MU-1 BI 11 CON PS

BI BI

m

8

RMF8

RMF8

BUS MUT

R-1B

R-14

RSF4 AC/R-1A AC/R-14

AC/R-1A

BUS NOT BUS MUT IN

BUS BUS BUS <u>m</u> <u>m</u>

BI BI

CON

<u>8</u> B

PS

ā

B

8 6 6

INTERSTATE

D

RM

R-2

R-2

R-1A

R-2

R-2

Division line between two zoning districts City Limits

Zoning Districts Alachua County

<u>8</u>

B

B

8

R-1A

R-1A

R-1A

A-RB

R-14

R-1A

RE-1

RE-1

B

MS

MS

ВТ

MP

Ø

4

⋖

Ø

В B

В

BH

MS

MS

В

MS

8

8

RE-1 RE-1

RE-1 RE-1 A-RB

丽

ā

丽

ā

Multiple family, medium density (4 to 8 units per acre) Multiple family, high density (14 to 24 units per acre) Single family, low density (1 to 4 units per acre) Single family, medium density (4 to 8 units per acre) Single family, low density (1 unit per 2 acres to Industrial services and manufacturing Industrial services and manufacturing Highway oriented business services Manufactured mobile home park Agricultural rural business Retail sales and services Planned development 2 units per acre) Agricultural

under petition consideration Area

ONING

ON NOTE THIN NO

⋖

0

2

В

⋖

В

В

B

R-1C

В

A-RB A-RB

> В PD

8

B

			PROPOSED ZONIN
Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Rezone from Alachua County Industrial Services and Manufacturing (MS & MP), High Density Multi-Family and Agricultural districts (R-3 & A) to City of Gainesville	4644	PB-11-52 ZON
	Dasiliess Illaustilal district (DI).		

No Scale

A-RB RE-1 R-1A R-1B R-3 RM-3 MP MP MP Exhibit "C" to Ordinance No. 120223