

Legislative #
140697A

ORDINANCE NO. 140697

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3 **An ordinance amending the Zoning Map Atlas of the City of Gainesville,**
4 **Florida, by rezoning approximately 97.8 acres of property that is generally**
5 **located north of Morningside Nature Center, as more specifically described in**
6 **this ordinance, from Alachua County Agriculture (A) to City of Gainesville**
7 **Conservation District (CON); providing directions to the City Manager;**
8 **providing a severability clause; providing a repealing clause; and providing**
9 **an effective date.**

10
11 **WHEREAS,** notice was given as required by law that the Zoning Map Atlas of the City
12 of Gainesville, Florida, be amended by rezoning certain property from Alachua County
13 Agriculture (A) to City of Gainesville Conservation District (CON); and

14 **WHEREAS,** on January 22, 2015, a public hearing was held by the City Plan Board,
15 which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it
16 voted to recommend that the City Commission adopt this ordinance; and

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

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

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

27 **WHEREAS,** the City Commission finds that the rezoning of the property described
28 herein will be consistent with the City of Gainesville Comprehensive Plan when City of

1 Gainesville Ordinance No. 140695 becomes effective as provided therein.

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

4 **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
5 following property from Alachua County Agriculture (A) to City of Gainesville Conservation
6 District (CON):

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

11
12 **Section 2.** The City Manager or designee is authorized and directed to make the
13 necessary changes to the Zoning Map Atlas to comply with this ordinance.

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

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

21 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
22 the rezoning shall not become effective until the amendment to the City of Gainesville
23 Comprehensive Plan adopted by Ordinance No. 140695 becomes effective as provided therein.

24 **PASSED AND ADOPTED** this ____ day of _____, 2015.

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EDWARD B. BRADY
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.

LEGAL DESCRIPTION

A PART OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35, TOWNSHIP 9 SOUTH, RANGE 20 EAST; THENCE NORTH 01°00'58" WEST, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 1323.61 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE SOUTH 89°04'03" WEST, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°04'03" WEST, ALONG SAID NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 AND ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 3473.41 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE NORTH 01°02'15" WEST, ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 35 AND ITS NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 1395.00 FEET; THENCE NORTH 89°04'03" EAST, A DISTANCE OF 2227.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 15°17'34" EAST, A DISTANCE OF 228.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 55°49'28" EAST, A DISTANCE OF 228.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 74°33' 40" EAST, A DISTANCE OF 442.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 51°58'42" EAST, A DISTANCE OF 261.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE NORTH 78°37'00" EAST, A DISTANCE OF 340.00 FEET TO AN IRON PIPE AND CAP (LB 4603); THENCE SOUTH 63°29'01" EAST, A DISTANCE OF 48.83 FEET TO A POINT 500 FEET WEST OF THE EAST BOUNDARY OF SAID SECTION 35; THENCE SOUTH 01°00'58" EAST, PARALLEL TO SAID EAST BOUNDARY OF SAID SECTION 35, A DISTANCE OF 793.49 FEET TO THE POINT OF BEGINNING.

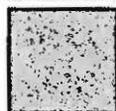
City of Gainesville Zoning Districts

- RSF-1 3.5 units/acre Single-Family Residential
- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8.0 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
- RMF-6 8-15 units/acre Multiple-Family Residential
- CON Conservation
- PS Public Services and Operations
- ED Educational Services

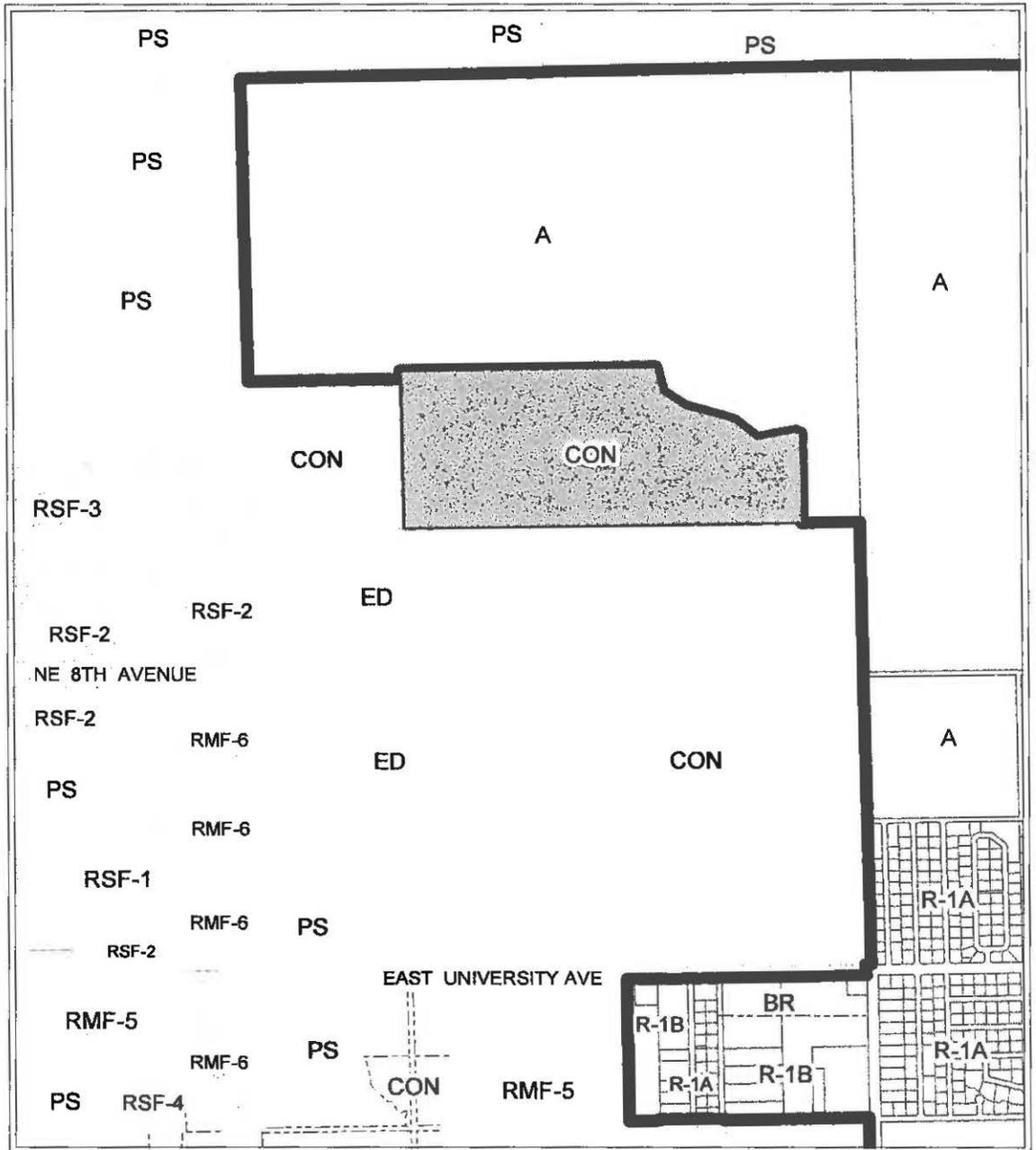
Alachua County Zoning Districts

- A Agriculture
- R-1A Single Family Residential, 1-4 per acre
- R-1B Single Family Residential, 4-8 per acre
- BR Business, Retail Sales

Area
 under petition
 consideration



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



PROPOSED ZONING

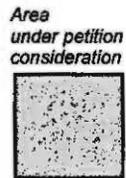
 No Scale	Name	Petition Request	Petition Number
	City Plan Board, applicant	Rezone property from Alachua County Agriculture to City of Gainesville Conservation (CON)	PB-14-163 ZON

City of Gainesville Zoning Districts

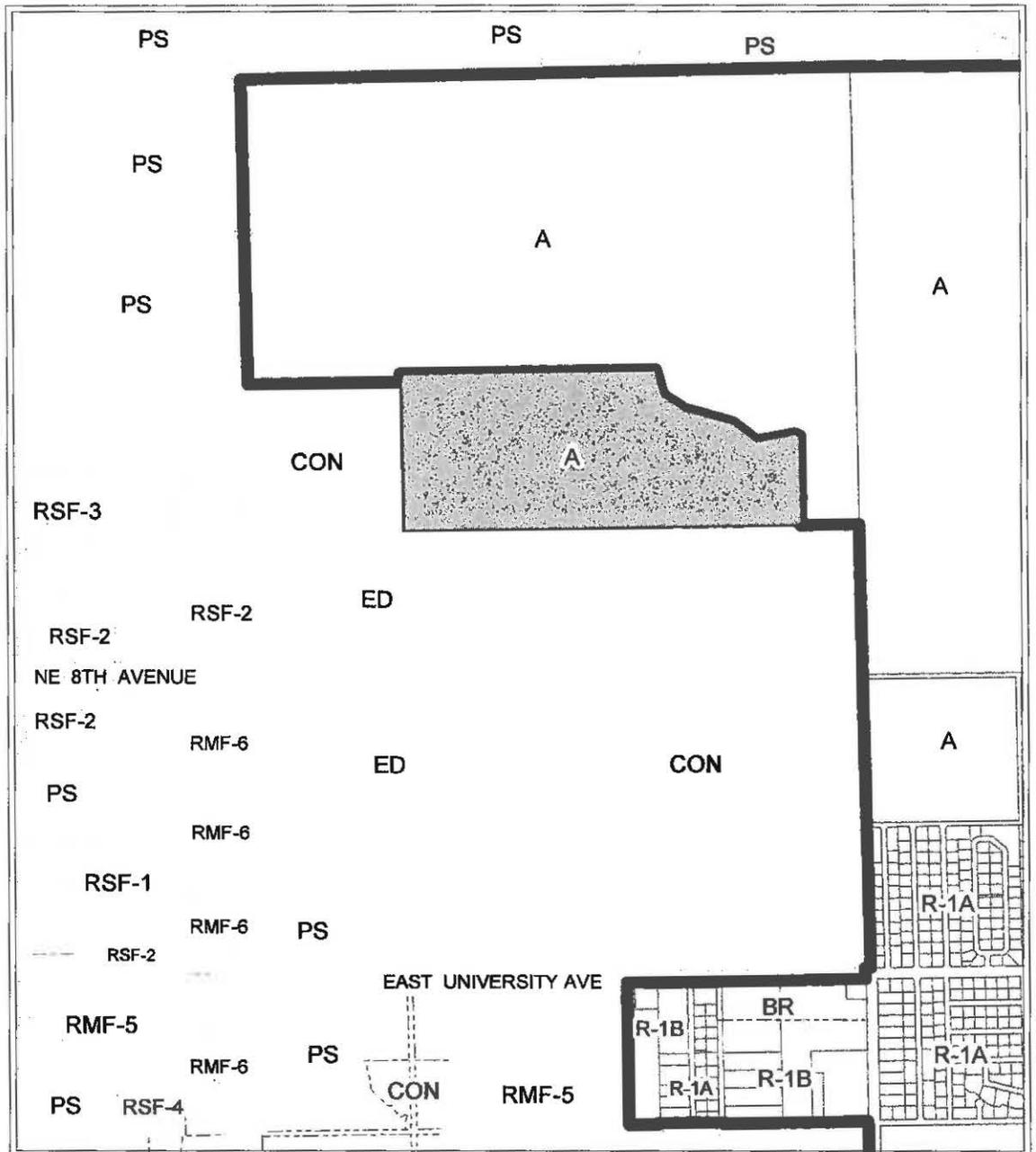
- RSF-1 3.5 units/acre Single-Family Residential
- RSF-2 4.6 units/acre Single-Family Residential
- RSF-3 5.8 units/acre Single-Family Residential
- RSF-4 8.0 units/acre Single-Family Residential
- RMF-5 12 units/acre Single-Family/Multiple-Family Residential
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EXISTING ZONING

	Name	Petition Request	Petition Number
 No Scale	City Plan Board, applicant	Rezone property from Alachua County Agriculture to City of Gainesville Conservation (CON)	PB-14-163 ZON