LEGISLATIVE # 180482A

ORDINANCE NO. 180482

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.987 acres of property generally located and bounded by NW 13th Terrace, NW 14th Terrace, NW 5th Avenue, and NW 6th Avenue, as more specifically described in this ordinance, from Urban 2 (U2) to Urban 5 (U5); 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

- 26 WHEREAS, this ordinance, which was requested by the owner(s) of the property that is the
- subject of this ordinance and which was noticed as required by law, will amend the Zoning Map
- 28 Atlas by rezoning the subject property; 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 to Section 163.3174, Florida Statutes, held a public hearing on October 25, 2018, and
- 32 voted to recommend that the City Commission approve this rezoning; and
- 33 **WHEREAS,** at least ten days' notice has been given once by publication in a newspaper of general
- 34 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall
- 35 Auditorium located on the first floor of City Hall in the City of Gainesville; and
- 36 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
- 37 the parties in interest and all others had an opportunity to be and were, in fact, heard; and
- 38 WHEREAS, the City Commission finds that the rezoning of the property described herein is
- 39 consistent with the City of Gainesville Comprehensive Plan when the amendment to the
- 40 Comprehensive Plan adopted by Ordinance No. 180481 becomes effective as provided therein.
- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,
- 42 **FLORIDA**:
- 43 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
- following property from Urban 2 (U2) to Urban 5 (U5):
- 45 See legal description attached as **Exhibit A** and made a part hereof as if set forth
- in full. The location of the property is shown on **Exhibit B** for visual reference.
- In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

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SECTION 2. The City Manager or designee is authorized and directed to make the necessary

50	changes to the Zoning Map Atlas to	o comply with this ordinance.	
51	SECTION 3. If any word, phrase,	clause, paragraph, section, or provision of this orc	inance or
52	the application hereof to any pers	son or circumstance is held invalid or unconstitution	onal, such
53	finding shall not affect the other p	provisions or applications of this ordinance that car	n be given
54	effect without the invalid or unc	constitutional provision or application, and to this	end the
55	provisions of this ordinance are de	clared severable.	
56	SECTION 4. All ordinances or parts	s of ordinances in conflict herewith are to the exte	nt of such
57	conflict hereby repealed.		
58	SECTION 5. This ordinance will b	pecome effective immediately upon adoption; hov	vever, the
59	rezoning will not become effe	ective until the amendment to the City of C	Gainesville
60	Comprehensive Plan adopted by O	ordinance No. 180481 becomes effective as provide	d therein.
60 61		rdinance No. 180481 becomes effective as provided day of, 2019.	d therein.
61 62		·	d therein.
61 62 63		·	d therein.
61 62		·	d therein.
61 62 63 64 65 66		day of, 2019.	d therein.
61 62 63 64 65 66 67	PASSED AND ADOPTED this	day of, 2019. LAUREN POE MAYOR	d therein.
61 62 63 64 65 66		day of, 2019. LAUREN POE	d therein.
61 62 63 64 65 66 67 68 69 70	PASSED AND ADOPTED this	day of, 2019. LAUREN POE MAYOR	d therein.
61 62 63 64 65 66 67 68 69 70 71	PASSED AND ADOPTED this	LAUREN POE MAYOR Approved as to form and legality:	d therein.
61 62 63 64 65 66 67 68 69 70 71 72 73	PASSED AND ADOPTED this	day of, 2019. LAUREN POE MAYOR	d therein.
61 62 63 64 65 66 67 68 69 70 71 72 73 74	PASSED AND ADOPTED this Attest: OMICHELE D. GAINEY	LAUREN POE MAYOR Approved as to form and legality: NICOLLE M. SHALLEY	d therein.
61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76	Attest: OMICHELE D. GAINEY CLERK OF THE COMMISSION	LAUREN POE MAYOR Approved as to form and legality: NICOLLE M. SHALLEY CITY ATTORNEY	
61 62 63 64 65 66 67 68 69 70 71 72 73 74 75	Attest: OMICHELE D. GAINEY CLERK OF THE COMMISSION	LAUREN POE MAYOR Approved as to form and legality: NICOLLE M. SHALLEY	

Legal Description

LEGAL DESCRIPTION PER O.R.B. 4427, PG. 1157

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, BLOCK H, WESTFIELD, ALSO KNOWN AS COLSON AND BLANDING'S SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 67, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

CONTAINING 0.987 ACRES, MORE OR LESS.



