

LEGISLATIVE #
190696A

ORDINANCE NO. 190696

An ordinance of the City of Gainesville adding certain property located at 215 N. Main Street and commonly known as the Masonic Lodge, as more specifically described in this ordinance, to the City of Gainesville’s Local Register of Historic Places; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate 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, 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, Section 30-4.28 of the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) establishes a local historic preservation/conservation overlay for the purposes described therein; and

WHEREAS, Section 30-4.28C. of the Land Development Code creates a local register of historic places as a means of identifying, classifying, and protecting various sites, buildings, structures, objects, and districts as historic or architecturally significant, and provides a process and criteria by which to add sites, buildings, structures, objects, and districts to the local register; and

WHEREAS, Section 30-4.28C. of the Land Development Code provides that nominations of individually listed properties by either the Historic Preservation Board or the City Commission must have the consent of the property owner or be approved with a six-ninths vote of the Historic Preservation Board and a six-sevenths vote of the City Commission; and

1 **WHEREAS**, on November 7, 2019, the City Commission by a vote of 6-0 nominated certain
2 property located at 215 N. Main Street, commonly known as the Masonic Lodge, for placement
3 on the local register of historic places; and

4 **WHEREAS**, on January 7, 2020, the Historic Preservation Board by a vote of 5-0, and with
5 specific findings and conclusions, recommended that the subject property be placed on the
6 local register of historic places; and

7 **WHEREAS**, on January 23, 2020, the City Plan Board by a vote of 5-2 recommended that the
8 subject property be placed on the local register of historic places in accordance with the criteria
9 and procedure for a rezoning provided in the Land Development Code; and

10 **WHEREAS**, this ordinance, which was noticed as required by law, will add the subject property
11 to the local register of historic places and thereby subject this property to the protections of
12 Section 30-4.28 of the Land Development Code; and

13 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a newspaper of
14 general circulation notifying the public of this proposed ordinance and of a public hearing for this
15 ordinance; and

16 **WHEREAS**, at least thirty (30) days' notice has been given by mail to each real property owner
17 whose land will be rezoned by enactment of this ordinance and whose address is known by
18 reference to the latest ad valorem tax records, notifying such property owners of this proposed
19 ordinance and of a public hearing for this ordinance; and

20 **WHEREAS**, the public hearing was held pursuant to the notice described above at which hearing
21 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 adding the subject property to the local register of
2 historic places as provided in this ordinance is consistent with the City of Gainesville
3 Comprehensive Plan and meets the review criteria provided by Section 30-4.28C. of the Land
4 Development Code.

5 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
6 **FLORIDA:**

7 **Section 1.** The property described in **Exhibit A** attached and made a part hereof as if set forth
8 in full is added to the City of Gainesville's Local Register of Historic Places in accordance with
9 Section 30-4.28 of the Land Development Code.

10 **Section 2.** The underlying zoning district of Downtown (DT) on the above-described property is
11 neither abandoned nor repealed; the existing zoning regulations remain in effect. The historic
12 preservation/conservation overlay district classification does not modify existing zoning
13 requirements except to the extent the existing zoning requirements conflict with the provisions
14 of the historic preservation/conservation overlay district. In the event of conflict, the historic
15 preservation/conservation requirements of the Land Development Code will govern and
16 prevail. The requirements, regulations, and procedures set forth in the Land Development
17 Code will otherwise remain applicable to the property so classified.

18 **Section 3.** The City Manager or designee is authorized and directed to make the necessary
19 changes in the Zoning Map Atlas to comply with this ordinance.

20 **Section 4.** The City Manager or designee is authorized and directed to issue an official
21 certificate of historic significance to the owner of the subject property.

Section 5. The City Manager or designee is authorized and directed to record the placement of the subject property on the local register of historic places in the official records of Alachua County.

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

Section 7. All ordinances in conflict herewith are to the extent of such conflict hereby repealed.

Section 8. This ordinance will become effective immediately upon adoption

PASSED AND ADOPTED this 7th day of January, 2020.

LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINES
CLERK OF THE COMMISSION

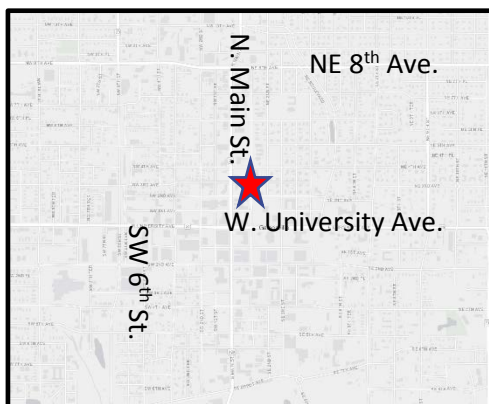
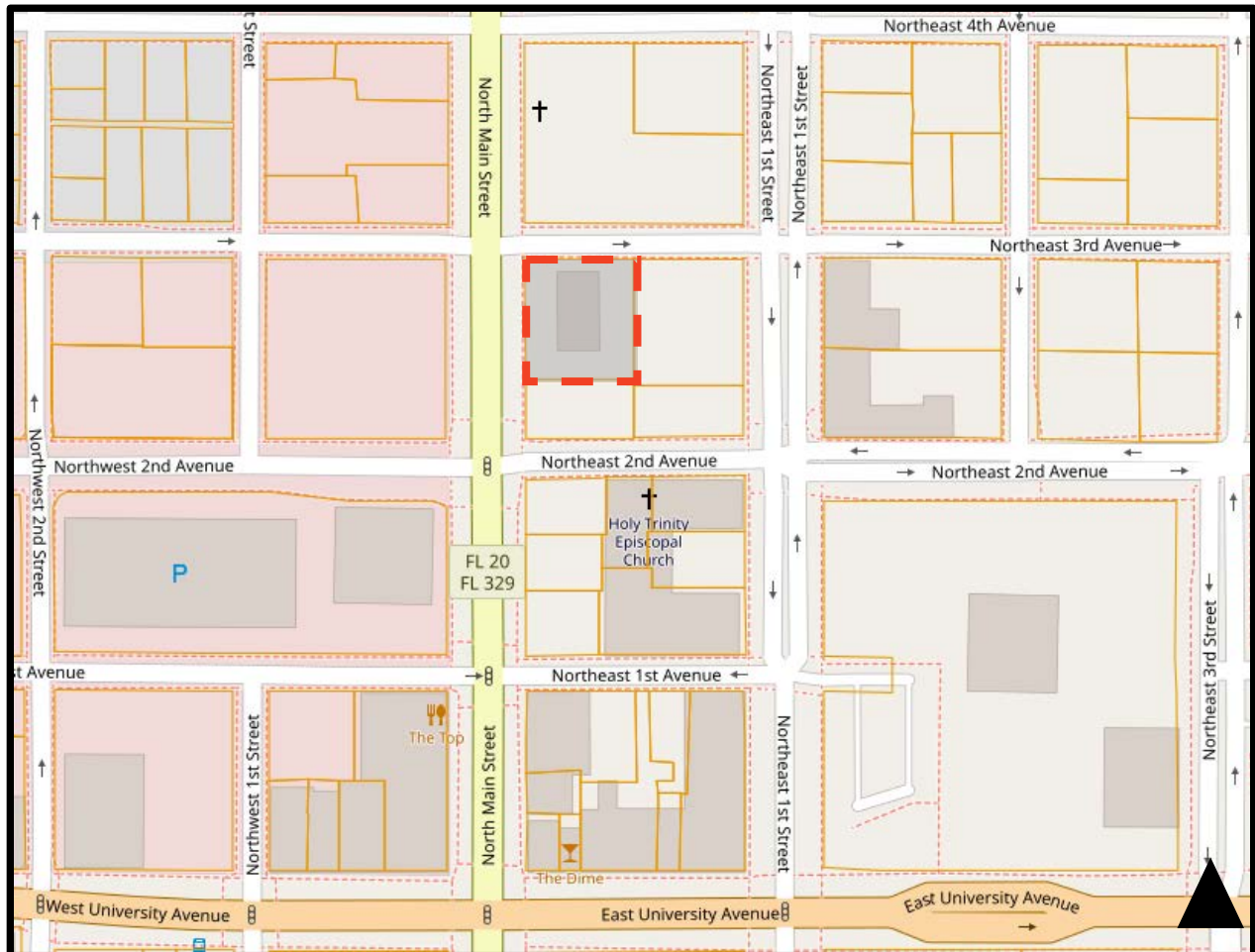
NICOLLE M. SHALLEY
CITY ATTORNEY

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



City of Gainesville

Masonic Lodge #41 Nomination for Local Register of Historic Places



LEGEND



MASONIC LODGE #41 – 215 N. Main Street

Zoning District: DT – Downtown

Parcel Number: 14730-000-000

Legal Description:

The North 2/3 of Lot One (1) of Block Three (3) in Range Six (6) of the original survey of the Town (now City) of Gainesville, Alachua County, Florida, as per map thereof recorded in Deed Book "H", page 383 of the Public Records of Alachua County, Florida.