

LEGISLATIVE #
200877A

25 to Section 163.3174, Florida Statutes, held a public hearing on March 18, 2021, and voted to
26 recommend the City Commission approve this text change to the Land Development Code; and
27 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of
28 general circulation notifying the public of this proposed ordinance and of public hearings in the
29 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and
30 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
31 the parties in interest and all others had an opportunity to be and were, in fact, heard; and
32 **WHEREAS**, the City Commission finds that the Land Development Code text amendment
33 described herein is consistent with the City of Gainesville Comprehensive Plan.

34 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
35 **FLORIDA:**

36 **SECTION 1.** Section 30-3.14 of the Land Development Code is amended as follows. Except as
37 amended herein, the remainder of Section 30-3.14 remains in full force and effect.

38 **Section 30-3.14. Rezoning criteria.**

- 39 Applications to rezone property shall be reviewed according to the following criteria:
- 40 A. Compatibility of permitted uses and allowed intensity and density with surrounding existing
41 development.
 - 42 B. The character of the district and its suitability for particular uses.
 - 43 C. The proposed zoning district of the property in relation to surrounding properties and other
44 similar properties.
 - 45 D. Conservation of the value of buildings and encouraging the most appropriate use of the
46 land throughout the city.
 - 47 E. The applicable portions of any current city plans and programs such as land use, traffic
48 ways, recreation, schools, neighborhoods, stormwater management and housing.
 - 49 F. The needs of the city for land areas for specific purposes to serve population and economic
50 activities.
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- 52 G. Whether there have been substantial changes in the character or development of areas in
53 or near an area under consideration for rezoning.
- 54 H. The goals, objective, and policies of the Comprehensive Plan.
- 55 I. The facts, testimony, and reports presented at public hearings.
- 56 J. Applications to rezone to a transect zone shall meet the following additional criteria:
- 57 1. The proposed T-Zone shall provide a logical extension of an existing zone, or an
58 adequate transition between zones, with characteristics and redevelopment potential
59 supporting a coherent expansion of nearby transects. Such elements must include a
60 street system compliant with City standards, sidewalks, pedestrian circulation, lighting
61 systems, and utility infrastructure.
- 62 2. The area shall have had a change in growth and development pattern to warrant the
63 rezoning to a more or less urban T-Zone.
- 64 3. The request shall be consistent with the overall City of Gainesville vision for growth and
65 development as expressed in the City of Gainesville Comprehensive Plan.
- 66 4. ~~If not adjacent to an existing T-Zone, the rezoning site shall comprise a minimum of ten~~
67 ~~acres.~~

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69 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
70 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,
71 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or
72 relettered in order to accomplish such intent.

73 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
74 the application hereof to any person or circumstance is held invalid or unconstitutional, such
75 finding will not affect the other provisions or applications of this ordinance that can be given
76 effect without the invalid or unconstitutional provision or application, and to this end the
77 provisions of this ordinance are declared severable.

78 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
79 conflict hereby repealed.

80 **SECTION 5.** This ordinance will become effective immediately upon adoption.

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82 **PASSED AND ADOPTED** this _____ day of _____, 2021.

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LAUREN POE
MAYOR

89 Attest:

Approved as to form and legality:

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OMICHELE D. GAINEY
CITY CLERK

NICOLLE M. SHALLEY
CITY ATTORNEY

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96 This ordinance passed on first reading this _____ day of _____, 2021.

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98 This ordinance passed on second reading this _____ day of _____, 2021.