| 1 | ORDINANCE NO. 2024-262 | | | |
|---------|---|--|--|--|
| 2 | An ordinance of the City of Coinceville, Floride, amonding the Zoning Man Atlas | | | |
| 3 4 | An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 12.50 acres of property generally located at 4329 | | | |
| 5 | SW 47 th Way and 4301 SW 47 th Way, as more specifically described in this | | | |
| 6 | ordinance, from Alachua County Multiple-Family, Medium Density (R-2) to | | | |
| 7 | Single/Multi-Family (RMF-5); providing directions to the City Manager; | | | |
| 8 | providing a severability clause; providing a repealing clause; and providing an effective date. | | | |
| 9 10 | enective date. | | | |
| 11 | WHEREAS, the City of Gainesville, Florida, is a duly constituted municipality having such power | | | |
| 12 | and authority conferred upon it by the Florida Constitution and the Municipal Home Rule | | | |
| 13 | Powers Act; and | | | |
| 14 | WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for | | | |
| 15 | municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the | | | |
| 16 | Florida Constitution, including the exercise of any power for municipal purposes not expressly | | | |
| 17 | prohibited by law; and | | | |
| 18 | WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a | | | |
| 19 | Comprehensive Plan to guide the future development and growth of the city; and | | | |
| 20 | WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville | | | |
| 21 | Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that | | | |
| 22 | designates the future general distribution, location, and extent of the uses of land for | | | |
| 23 | residential, commercial, industry, agriculture, recreation, conservation, education, public | | | |
| 24 | facilities, and other categories of the public and private uses of land, with the goals of | | | |
| 25 | protecting natural and historic resources, providing for the compatibility of adjacent land uses, | | | |
| 26 | and discouraging the proliferation of urban sprawl; and | | | |
| 27 | WHEREAS, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or | | | |
| 28 | amend and enforce land development regulations that are consistent with and implement the | | | |

amend and enforce land development regulations that are consistent with and implement the

1

29 Comprehensive Plan and that are combined and compiled into a single land development code

30 for the city; and

31 WHEREAS, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville

32 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land

33 development regulations on specific classifications of land within the city; and

34 WHEREAS, this ordinance, which was noticed as required by law, will amend the Zoning Map

35 Atlas by rezoning the property that is the subject of this ordinance; and

36 WHEREAS, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of

37 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 March 28, 2024, and voted to

39 recommend that the City Commission approve this rezoning; and

40 WHEREAS, at least ten days' notice has been given once by publication in a newspaper of general

41 circulation notifying the public of this proposed ordinance and public hearings held by the City

42 Commission; and

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

46 **WHEREAS,** the City Commission finds that the rezoning of the subject property will be 47 consistent with the City of Gainesville Comprehensive Plan when the amendment to the 48 Comprehensive Plan adopted by Ordinance No. 2024-261 becomes effective as provided 49 therein.

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

2

52 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the 53 following property from Alachua County Multiple-Family, Medium Density (R-2) to Single/Multi-54 Family (RMF-5):

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. 57 58 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary 59 changes to the Zoning Map Atlas to comply with this ordinance. 60 61 **SECTION 3.** 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 62 finding will not affect the other provisions or applications of this ordinance that can be given 63 effect without the invalid or unconstitutional provision or application, and to this end the 64 provisions of this ordinance are declared severable. 65 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such 66 67 conflict hereby repealed. **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the 68 rezoning will not become effective until the amendment to the City of Gainesville 69 Comprehensive Plan adopted by Ordinance No. 2024-261 becomes effective as provided 70 therein. 71 PASSED AND ADOPTED this _____ day of _____, 2024. 72 73 74 75

77 78

76

55

56

79

3

MAYOR

HARVEY L. WARD, JR.

| 80 | Attest: Approved as to form and legality: | | lity: |
|----|---|-----------------------|---------|
| 81 | | | |
| 82 | | | |
| 83 | | | |
| 84 | KRISTEN J. BRYANT | DANIEL M. NEE | |
| 85 | CITY CLERK | CITY ATTORNEY | |
| 86 | | | |
| 87 | | | |
| 88 | | | |
| 89 | This ordinance passed on first reading the day of, 2024 | | |
| 90 | | | |
| 91 | This ordinance passed on adopti | on reading the day of | , 2024. |

LEGAL DESCRIPTION

Parcel ID: 06973-000-000

Lots Twenty (20) and Twenty-One (21), of RIDGELANDS SUBDIVISION, a subdivision as per plat thereof recorded in Plat Book "D", Page74 of the Public Records of Alachua County, Florida.

Together with that Moblie Home described as follows: Vehicle Identification Number 0673553097; Title Number 279-3020, being a 1967 Cam Mobile Home, 13 ft. wide and 52 feet long, Class 51, type HS.

Parcel ID: 06972-000-000

Commence at the Southwest corner of Lot 19 of RICELANDS SUBDIVISION, as recorded in Plat Book "D", Page 74, of the Public Records of Alachua County, Florida, and run North 0 Degrees 02 Minutes East 301.5 feet, along the West line of said Lot 19, to the Point Of Beginning; thence continue North 0 Degrees 02 Minutes East, along said West line, 778.1 feet to the Southerly right-of-way line of Riceland Road (60' R/W), thence run North 60 Degrees 00 minutes East 240.2 feet, along said right-of-way line to the East line of said Lot 19, thence run South 0 Degrees 02 Minutes West 900 feet, along the East line of said Lot 19; thence run North 88 Degrees 34 Minutes West 208 feet to the point of beginning, all being and lying in Section 22, Township 10 South, Range 19 East, Alachua County, Florida.

Parcel No. 06972-000-000 Property Address: 4329 SW 47th Way, Gainesville, FL 32608 Exhibit B to Ordinance No. 2024-262

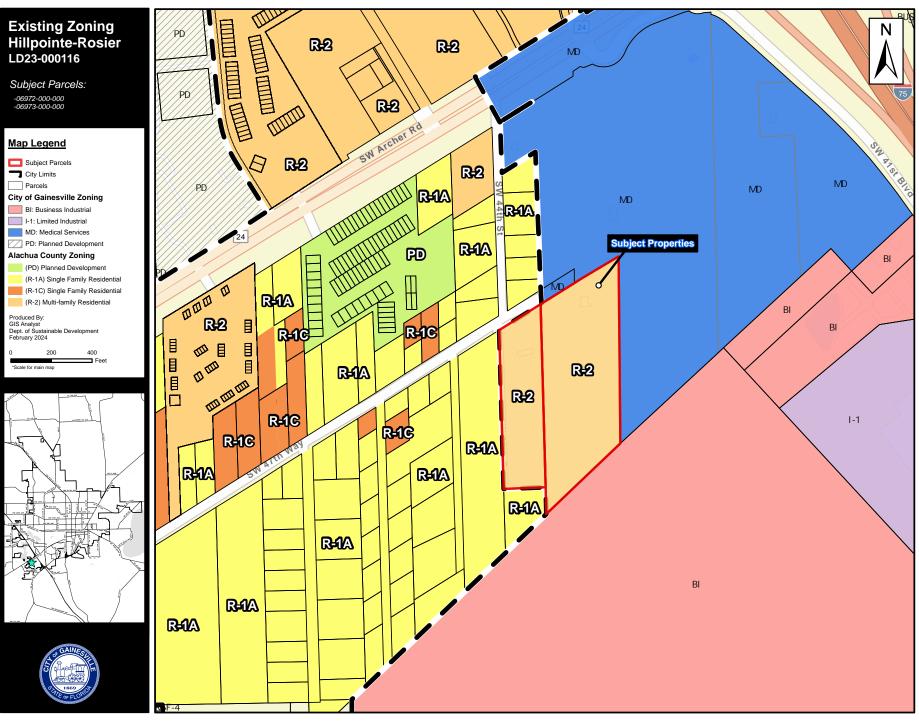


Exhibit B to Ordinance No. 2024-262

