

**LEGISLATIVE #**

**190169A**

ORDINANCE NO. 190169

1  
2  
3 **An ordinance of the City of Gainesville, Florida, amending the Future Land Use**  
4 **Map of the Comprehensive Plan by changing the land use category of**  
5 **approximately 11.18 acres of property known as East Lake Forest generally**  
6 **located southwest of the intersection of East University Avenue and SE 38<sup>th</sup>**  
7 **Street, as more specifically described in this ordinance, from Alachua County**  
8 **Institutional and Alachua County Medium Density to City of Gainesville**  
9 **Residential Low-Density (RL); providing directions to the City Manager;**  
10 **providing a severability clause; providing a repealing clause; and providing an**  
11 **effective date.**

12  
13 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a  
14 Comprehensive Plan to guide the future development and growth of the city; and

15 **WHEREAS**, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),  
16 Florida Statutes, must provide the principles, guidelines, standards, and strategies for the  
17 orderly and balanced future economic, social, physical, environmental, and fiscal development  
18 of the city as reflected by the community’s commitments to implement such plan; and

19 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville  
20 Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that  
21 designates the future general distribution, location, and extent of the uses of land for  
22 residential, commercial, industry, agriculture, recreation, conservation, education, public  
23 facilities, and other categories of the public and private uses of land, with the goals of  
24 protecting natural and historic resources, providing for the compatibility of adjacent land uses,  
25 and discouraging the proliferation of urban sprawl; and

26 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land  
27 Use Map of the Comprehensive Plan by changing the land use category of the property that is  
28 the subject of this ordinance; and

1 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
2 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
3 pursuant to Section 163.3174, Florida Statutes, held a public hearing on July 25, 2019, and  
4 voted to recommend that the City Commission approve this Future Land Use Map amendment;  
5 and

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

11 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this  
12 proposed amendment to the reviewing agencies and any other local government unit or state  
13 agency that requested same; and

14 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was  
15 placed in the aforesaid newspaper and provided the public with at least five days' advance  
16 notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the City  
17 Commission; and

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

20 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written  
21 comments received concerning this Future Land Use Map amendment.

1 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

2 **FLORIDA:**

3 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
4 amended by changing the land use category of the following property from Alachua County  
5 Institutional and Alachua County Medium Density to City of Gainesville Residential Low-Density  
6 (RL):

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

10

11 **SECTION 2.** Within ten working days of the transmittal (first) hearing, the City Manager or  
12 designee is authorized and directed to transmit this Future Land Use Map amendment and  
13 appropriate supporting data and analyses to the reviewing agencies and to any other local  
14 government or governmental agency that has filed a written request for same with the City.  
15 Within ten working days of the adoption (second) hearing, the City Manager or designee is  
16 authorized and directed to transmit this amendment to the state land planning agency and  
17 any other agency or local government that provided comments to the City regarding the  
18 amendment.

19 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary  
20 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to  
21 comply with this ordinance.

22 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
23 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
24 finding will not affect the other provisions or applications of this ordinance that can be given

1 effect without the invalid or unconstitutional provision or application, and to this end the  
2 provisions of this ordinance are declared severable.

3 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
4 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

5 **SECTION 6.** This ordinance will become effective immediately upon adoption; however, the  
6 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the  
7 amendment is not timely challenged, will be 31 days after the state land planning agency  
8 notifies the City that the plan amendment package is complete in accordance with Section  
9 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment will  
10 become effective on the date the state land planning agency or the Administration Commission  
11 enters a final order determining the amendment to be in compliance with Chapter 163, Florida  
12 Statutes. No development orders, development permits, or land uses dependent on this  
13 Comprehensive Plan amendment may be issued or commenced before this amendment has  
14 become effective.

15

16 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

17

18

19

20

21

22 Attest:

23

24

25

26 \_\_\_\_\_  
27 **OMICHELE D. GAINEY**  
**CLERK OF THE COMMISSION**

\_\_\_\_\_  
**LAUREN POE**  
**MAYOR**

Approved as to form and legality:

\_\_\_\_\_  
**NICOLLE M. SHALLEY**  
**CITY ATTORNEY**

1

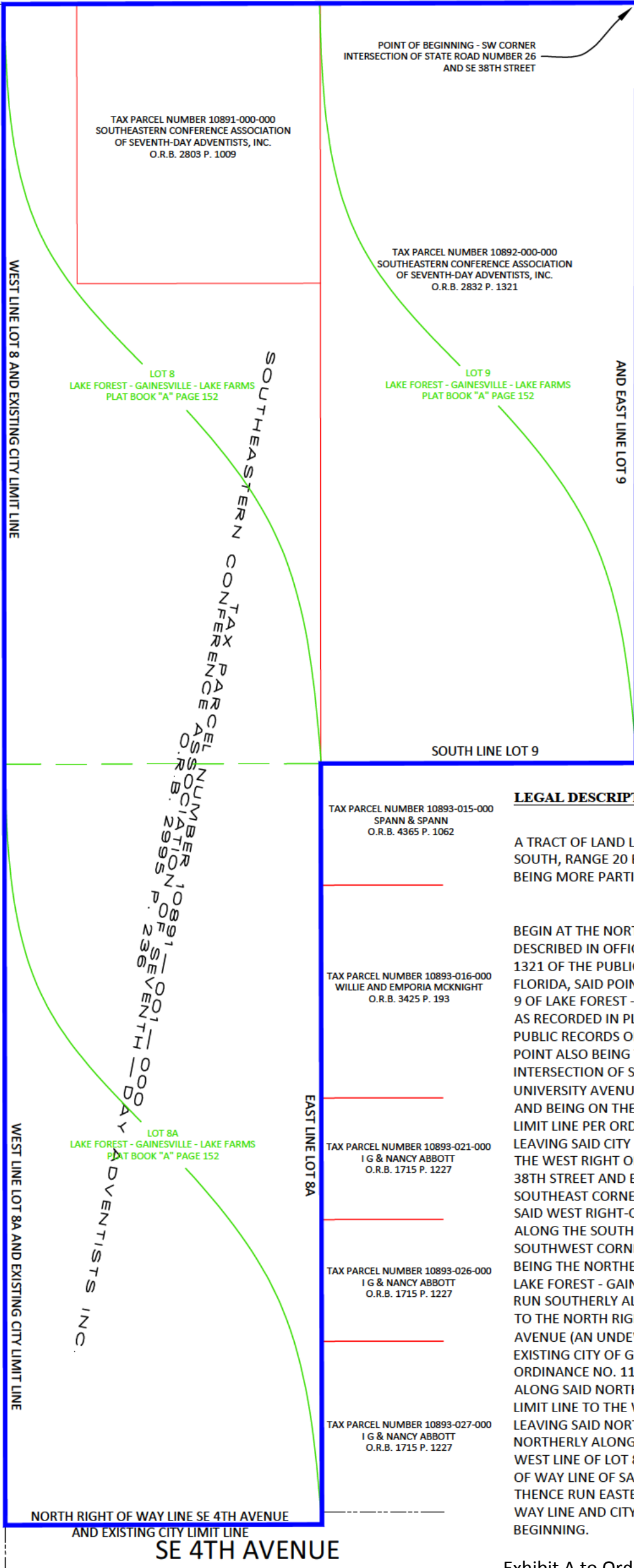
2 This ordinance passed on transmittal (first) reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

3

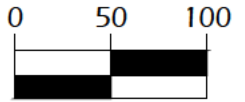
4 This ordinance passed on adoption (second) reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

# STATE ROAD NUMBER 26

SOUTH RIGHT OF WAY LINE STATE ROAD NUMBER 26 (EAST UNIVERSITY AVENUE) AND EXISTING CITY LIMIT LINE



GRAPHIC SCALE



( IN FEET )  
1 Inch = 100 ft.

LEGEND:

O.R.B. #### P. #### = OFFICIAL RECORDS BOOK AND PAGE

----- RIGHT OF WAY (R/W) LINES

----- TAX PARCEL LINES

----- PROPOSED ANNEXATION PERIMETER

----- ORIGINAL PLAT LOT LINES

**LEGAL DESCRIPTION:**

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2832, PAGE 1321 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT BEING ON THE EAST LINE OF LOT 9 OF LAKE FOREST - GAINESVILLE - LAKE FARMS, A PLAT AS RECORDED IN PLAT BOOK "A" PAGE 152 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF STATE ROAD NUMBER 26 (EAST UNIVERSITY AVENUE) AND SOUTHEAST 38TH STREET AND BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 110505; THENCE LEAVING SAID CITY LIMIT LINE, RUN SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTHEAST 38TH STREET AND EAST LINE OF SAID LOT 9 TO THE SOUTHEAST CORNER OF SAID LOT 9; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, RUN WESTERLY ALONG THE SOUTH LINE OF SAID LOT 9 TO THE SOUTHWEST CORNER OF LOT 9, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 8A OF SAID LAKE FOREST - GAINESVILLE - LAKE FARMS; THENCE RUN SOUTHERLY ALONG THE EAST LINE OF SAID LOT 8A TO THE NORTH RIGHT OF WAY LINE OF SOUTHEAST 4TH AVENUE (AN UNDEVELOPED RIGHT OF WAY) AND THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 110505; THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND SAID CITY LIMIT LINE TO THE WEST LINE OF SAID LOT 8A; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, RUN NORTHERLY ALONG SAID CITY LIMIT LINE AND THE WEST LINE OF LOT 8A AND LOT 8 TO THE SOUTH RIGHT OF WAY LINE OF SAID STATE ROAD NUMBER 26; THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE AND CITY LIMIT LINE TO THE POINT OF BEGINNING.

TAX PARCEL NUMBER 10893-015-000  
SPANN & SPANN  
O.R.B. 4365 P. 1062

TAX PARCEL NUMBER 10893-016-000  
WILLIE AND EMPORIA MCKNIGHT  
O.R.B. 3425 P. 193

TAX PARCEL NUMBER 10893-021-000  
I G & NANCY ABBOTT  
O.R.B. 1715 P. 1227

TAX PARCEL NUMBER 10893-026-000  
I G & NANCY ABBOTT  
O.R.B. 1715 P. 1227

TAX PARCEL NUMBER 10893-027-000  
I G & NANCY ABBOTT  
O.R.B. 1715 P. 1227

TAX PARCEL NUMBER 10891-000-000  
SOUTHEASTERN CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS, INC.  
O.R.B. 2803 P. 1009

TAX PARCEL NUMBER 10892-000-000  
SOUTHEASTERN CONFERENCE ASSOCIATION  
OF SEVENTH-DAY ADVENTISTS, INC.  
O.R.B. 2832 P. 1321

LOT 8  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

LOT 9  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

LOT 8A  
LAKE FOREST - GAINESVILLE - LAKE FARMS  
PLAT BOOK "A" PAGE 152

SOUTHEASTERN CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS, INC. TAX PARCEL NUMBER 10891-001-000 O.R.B. 2995 P. 236

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT  
ENGINEERING SUPPORT SERVICES  
405 NW 37TH AVENUE, P.O. BOX 490 GAINESVILLE, FL 32627  
OFFICE (352) 393-8194 FAX (352) 394-2093

PROPOSED ANNEXATION  
TAX PARCELS 10891-000-000, 10891-001-000  
AND TAX PARCEL 10892-000-000


TAX PARCEL NUMBER 10890-000-000 DEMETREE  
METROPOLITAN FOREST CREEK, LLC O.R.B. 3880 P. 2458

THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE IN CHAPTER 54.17 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES, AS SURVEYED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. FOR REFERENCE ONLY - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.  
PATRICK R. DURBIN, PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATION NUMBER 6386

- THIS IS NOT A BOUNDARY SURVEY -

DATE: JUNE 27, 2019  
SHEET 1 OF 1

# Petition PB-19-70 LUC Existing Land Use


 Area under petition consideration

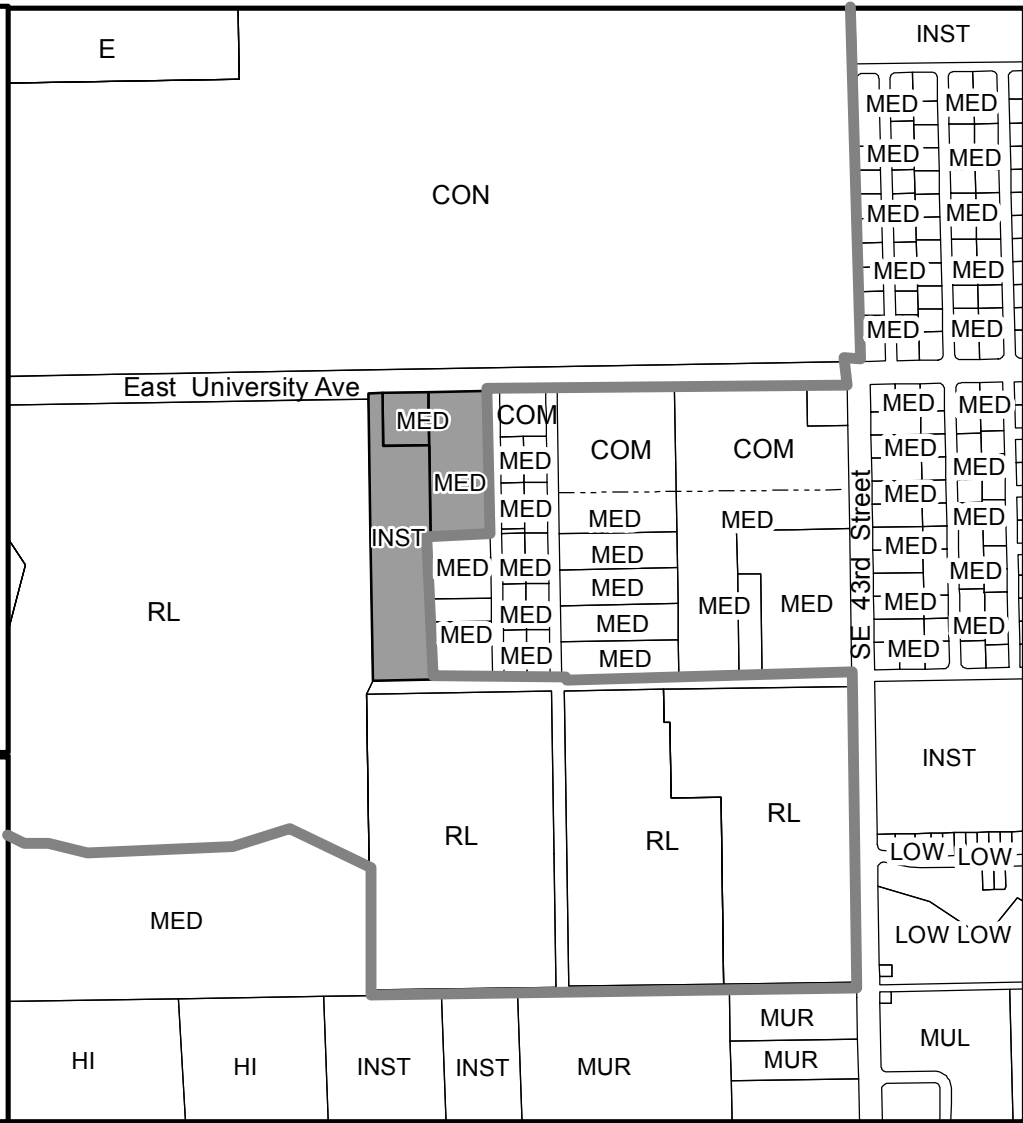
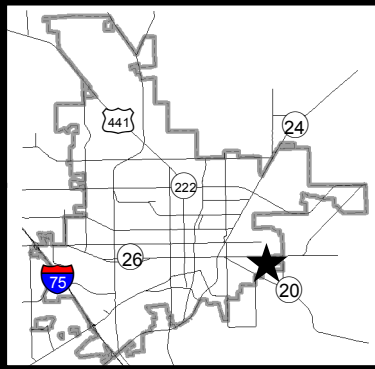
## City of Gainesville Land Use Categories

- RL Residential Low-Density
- E Educational
- CON Conservation

## Alachua County Land Use Categories


- LOW Low Density Residential
- MED Medium Density Residential
- MUL Mixed-Use Low Intensity
- MUR Mixed-Use Residential
- COM Commercial Enclave
- INST Institutional
- HI Heavy Industrial

- - - Division line between two land use categories  
 City Limits





# Petition PB-19-70 LUC Proposed Land Use

 Area under petition consideration

## City of Gainesville Land Use Categories

- RL Residential Low-Density
- E Educational
- CON Conservation

## Alachua County Land Use Categories

- LOW Low Density Residential
- MED Medium Density Residential
- MUL Mixed-Use Low Intensity
- MUR Mixed-Use Residential
- COM Commercial Enclave
- INST Institutional
- HI Heavy Industrial

--- Division line between two land use categories  
 — City Limits

