

LEGISLATIVE #

100698A

ORDINANCE NO. 100698

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3 **An ordinance amending the City of Gainesville 2000-2010**
4 **Comprehensive Plan, Future Land Use Map; by changing the land use**
5 **categories of certain property, as more specifically described in this**
6 **ordinance, from the Alachua County land use categories of “Low**
7 **Density Residential (1-4 DU/acre)”, “Medium Density Residential (4-8**
8 **DU/acre)”, “Medium High Density Residential (8-14 DU/acre)”, “High**
9 **Density Residential (14-24 DU/acre)”, “Commercial” and**
10 **Institutional” to the City of Gainesville land use categories of “Urban**
11 **Mixed-Use 2 (UMU-2: up to 100 units per acre)”, “Conservation**
12 **(CON)” and “Public Facilities (PF)”;** consisting of approximately 396
13 acres located generally east of Interstate 75, west of Southwest 34th
14 Street and north and south of Southwest 20th Avenue; providing a
15 severability clause; providing a repealing clause; and providing an
16 effective date.

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19 **WHEREAS**, publication of notice of a public hearing was given that the Future Land Use
20 Map be amended by changing the land use category of certain property, as more specifically described
21 in this Ordinance, from the Alachua County land use categories of “Low Density Residential (1-4
22 DU/acre)”, “Medium Density Residential (4-8 DU/acre)”, “Medium High Density Residential (8-14
23 DU/acre)”, “High Density Residential (14-24 DU/acre)”, “Commercial” and “Institutional” to the
24 City of Gainesville land use categories of “Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)”,
25 “Conservation (CON)” and “Public Facilities (PF)”; and

26 **WHEREAS**, notice was given and publication made as required by law and a public hearing
27 was held by the City Plan Board on February 2, 2011 (continued from January 27, 2011); and

28 **WHEREAS**, notice was given and publication made as required by law and a public hearing
29 was held by the City Commission on March 3, 2011; and

1 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches
2 long was placed in a newspaper of general circulation notifying the public of this proposed ordinance
3 and of the Public Hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in
4 the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

5 **WHEREAS**, pursuant to law, after the public hearing at the transmittal stage, the City of
6 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

7 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
8 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at the
9 adoption stage at least five (5) days after the day the second advertisement was published; and

10 **WHEREAS**, public hearings were held pursuant to the published notices described above at
11 which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

12 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered the
13 written comments, if any, of the State Land Planning Agency and other State reviewing agencies in
14 accordance with the new state growth management law, House Bill 7207, which became effective
15 on June 2, 2011.

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

18 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
19 Plan is amended by changing the land use categories of the following described properties from the
20 Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium Density

1 Residential (4-8 DU/acre)", "Medium High Density Residential (8-14 DU/acre)", "High Density
 2 Residential (14-24 DU/acre)", "Commercial" and "Institutional" to the City of Gainesville land use
 3 categories of "Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)", "Conservation (CON)" and
 4 "Public Facilities (PF)"

5 The existing Alachua County land use categories on the properties are
 6 depicted on the Map attached as Exhibit "A" (consisting of 1 page) and
 7 made a part hereof as if set forth in full. The new City of Gainesville
 8 land use categories on the properties are depicted on the Maps attached
 9 as Exhibit "B" (consisting of 3 pages) and made a part hereof as if set
 10 forth in full.

11
 12 ** Scriveners Note: The maps attached as Exhibit "A" and Exhibit "B" have been revised on
 13 second reading of this ordinance to remove the two parcels shown in greater detail on Exhibit "C".
 14 These parcels inadvertently received the incorrect land use designations at first reading and therefore
 15 the parcels are being removed from the ordinance and will be processed as a separate petition and
 16 ordinance.

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 18 **Section 2.** The City Manager is authorized and directed to make the necessary changes
 19 in maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
 20 portion thereof in order to comply with this ordinance. In addition, within 10 days of the adoption
 21 (second) hearing, the City Manager is authorized and directed to transmit a comprehensive plan
 22 amendment package, including this ordinance, to the State Land Planning Agency and to any other
 23 State Planning Agency, local government unit or State agency that filed written comments with the
 24 City.

25 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or
 26 the application hereof to any person or circumstance is held invalid or unconstitutional, such finding

1 shall not affect the other provisions or applications of the ordinance which can be given effect
2 without the invalid or unconstitutional provisions or application, and to this end the provisions of
3 this ordinance are declared severable.

4 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such
5 conflict hereby repealed.

6 **Section 5.** ~~This ordinance shall become effective immediately upon passage on second~~
7 ~~reading; however, the effective date of this plan amendment shall be the date a final order is issued by~~
8 ~~the Department of Community Affairs finding the amendment to be in compliance in accordance with~~
9 ~~Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission finding~~
10 ~~the amendment to be in compliance in accordance with Chapter 163.3184, F.S.~~ This ordinance shall
11 become effective immediately upon passage on second reading; however, the effective date of this plan
12 amendment, if the amendment is not timely challenged, shall be 31 days after the State Land Planning
13 Agency notifies the City that the plan amendment package is complete in accordance with Chapter
14 163.3184, F.S. If timely challenged, this amendment shall become effective on the date the State Land
15 Planning Agency or the Administration Commission enters a final order determining this adopted
16 amendment to be in compliance in accordance with Chapter 163.3184, F.S. No development orders,
17 development permits, or land uses dependent on this amendment may be issued or commenced before
18 this plan amendment has become effective.

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1 PASSED AND ADOPTED this _____ day of _____, 2011.

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CRAIG LOWE
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

This ordinance passed on first reading this 5th day of May, 2011.

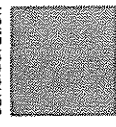
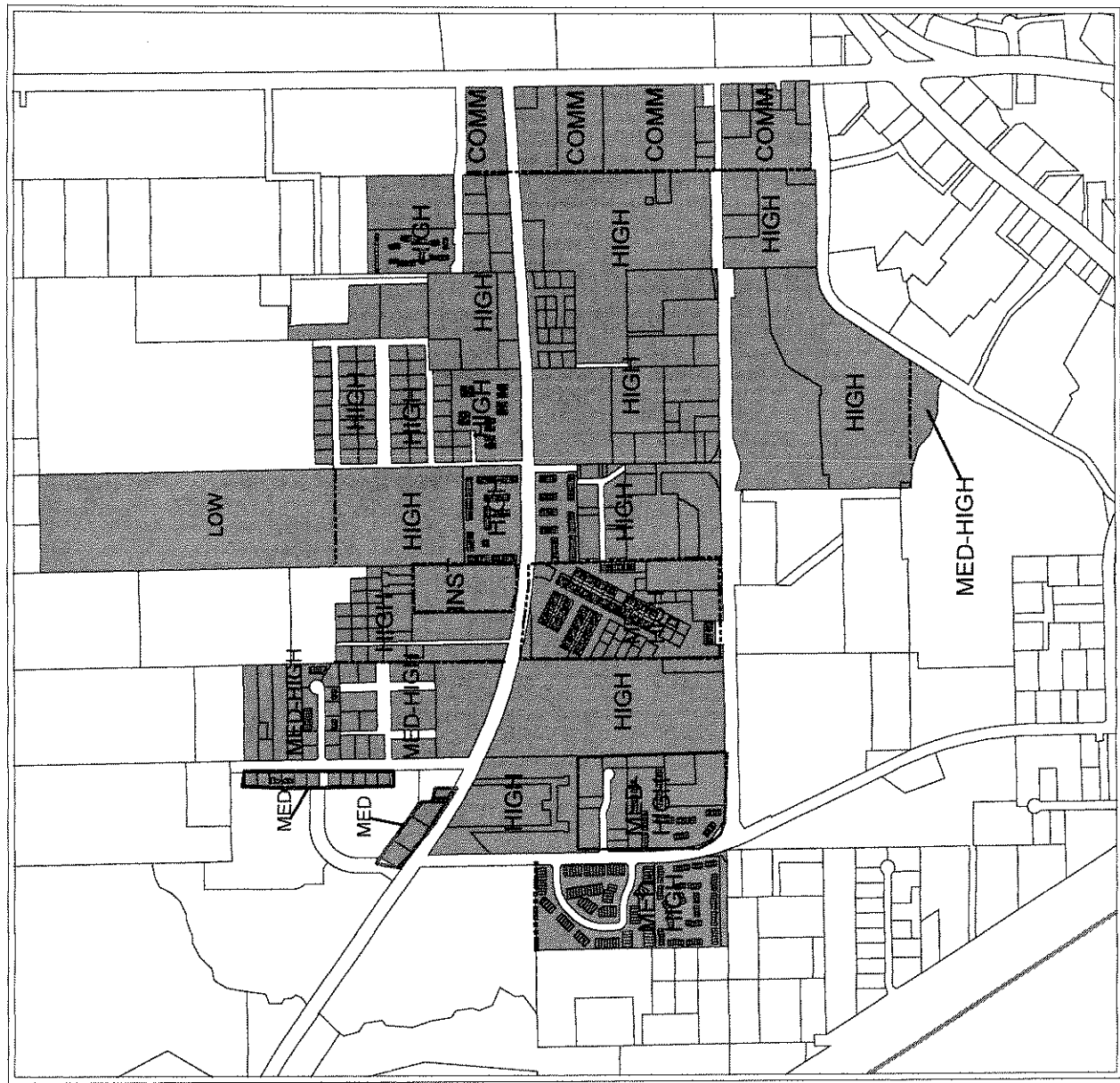
This ordinance passed on second reading this _____ day of _____, 2011.

Alachua County Land Use Designations

- LOW Low Density Residential (1-4 DU/acre)
- MED Medium Density Residential (4-8 DU/acre)
- MED-HIGH Medium-High Density Residential (8-14 DU/acre)
- HIGH High Density Residential (14-24 DU/acre)
- COMM Commercial
- INST Institutional

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

Area under petition consideration

EXISTING LAND USE

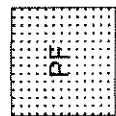
Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville UMU-2, CON and PF categories.	4244, 4245 4345	Urban Village PB-10-137 LUC



City of Gainesville Land Use Designations

PF Public Facilities and Operations
 UMU2 Urban Mixed Use 2 (up to 100 units/acre)

Area Proposed for
 PF Land Use



Area Proposed for
 UMU2 Land Use

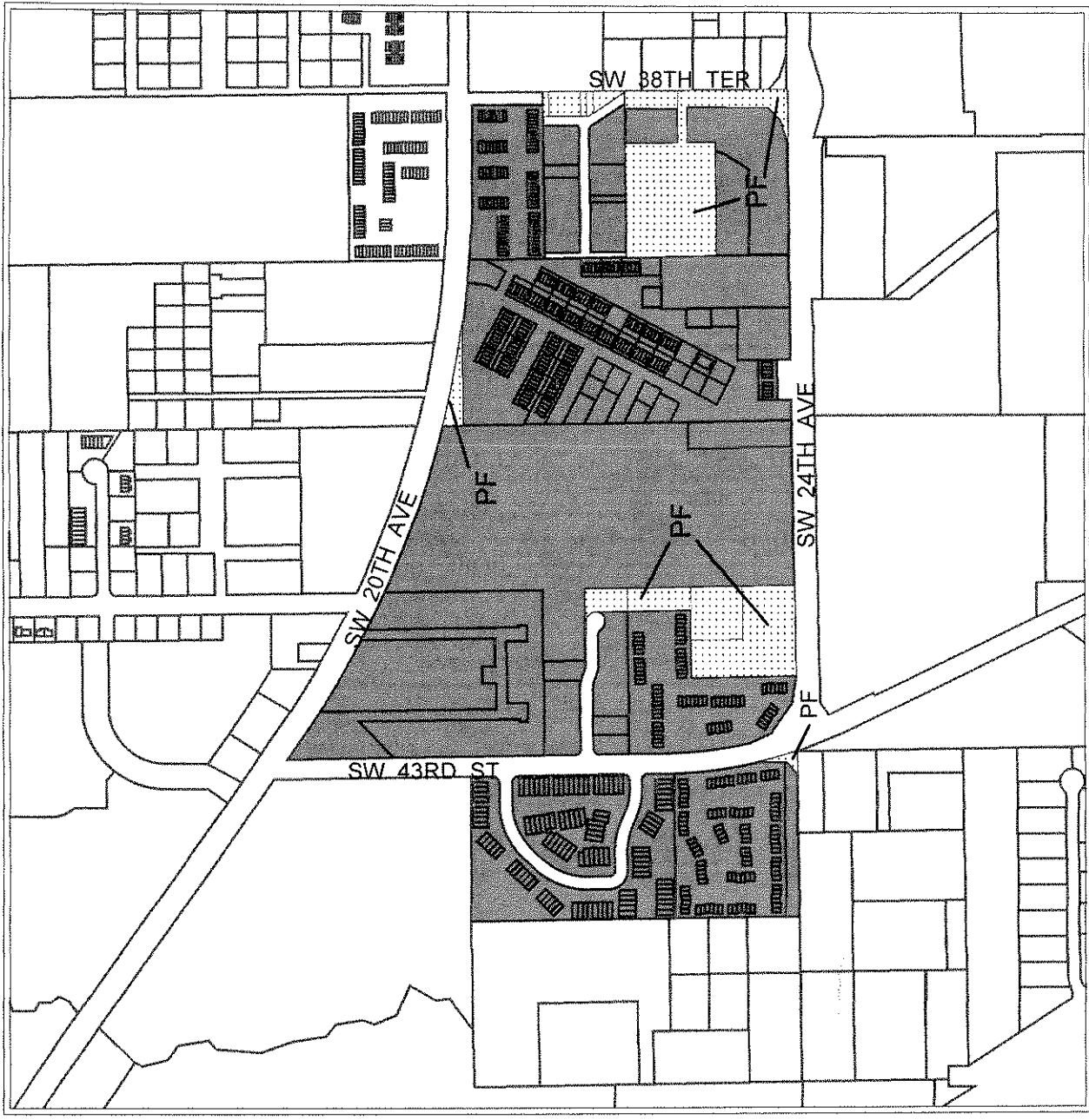


EXHIBIT B TO ORDINANCE NO.100698
 (3 pages)



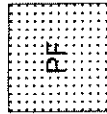
FUTURE LAND USE

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville UMU-2 and PF categories.	4244, 4245 4345	Urban Village PB-10-137 LUC

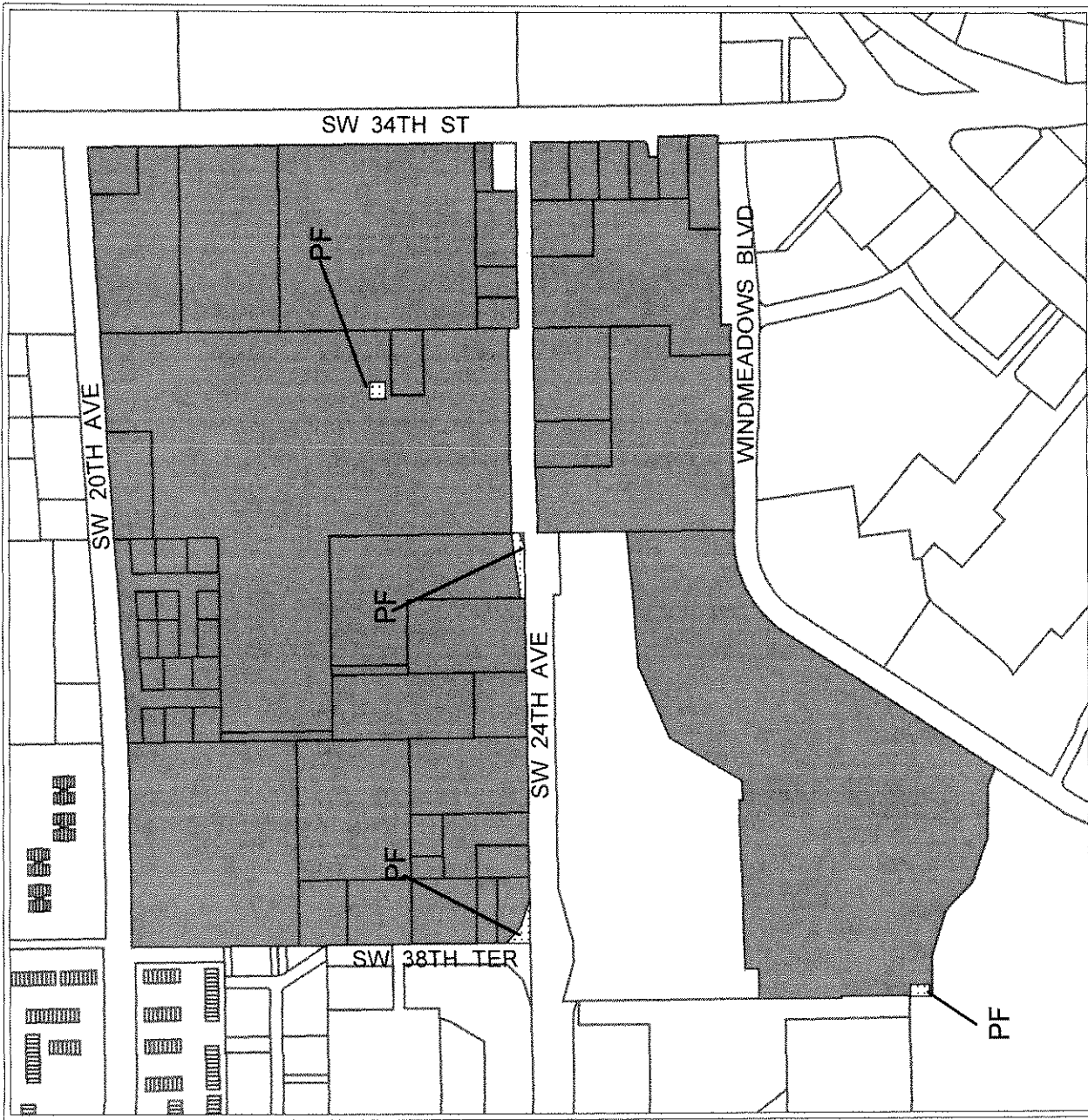
City of Gainesville Land Use Designations

- PF Public Facilities and Operations
- UMU2 Urban Mixed Use 2 (up to 100 units/acre)

Area Proposed for
PF Land Use

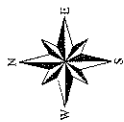


Area Proposed for
UMU2 Land Use



FUTURE LAND USE

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville UMU-2 and PF categories.	4244, 4245 4345	Urban Village PB-10-137 LUC

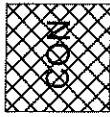


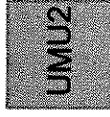
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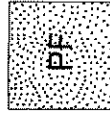
City of Gainesville Land Use Designations

UMU2 Urban Mixed Use 2 (up to 100 units/acre)
 PF Public Facilities
 CON Conservation

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

Area Proposed for CON Land Use  CON

Area Proposed for UMU2 Land Use  UMU2

Area Proposed for PF Land Use  PF



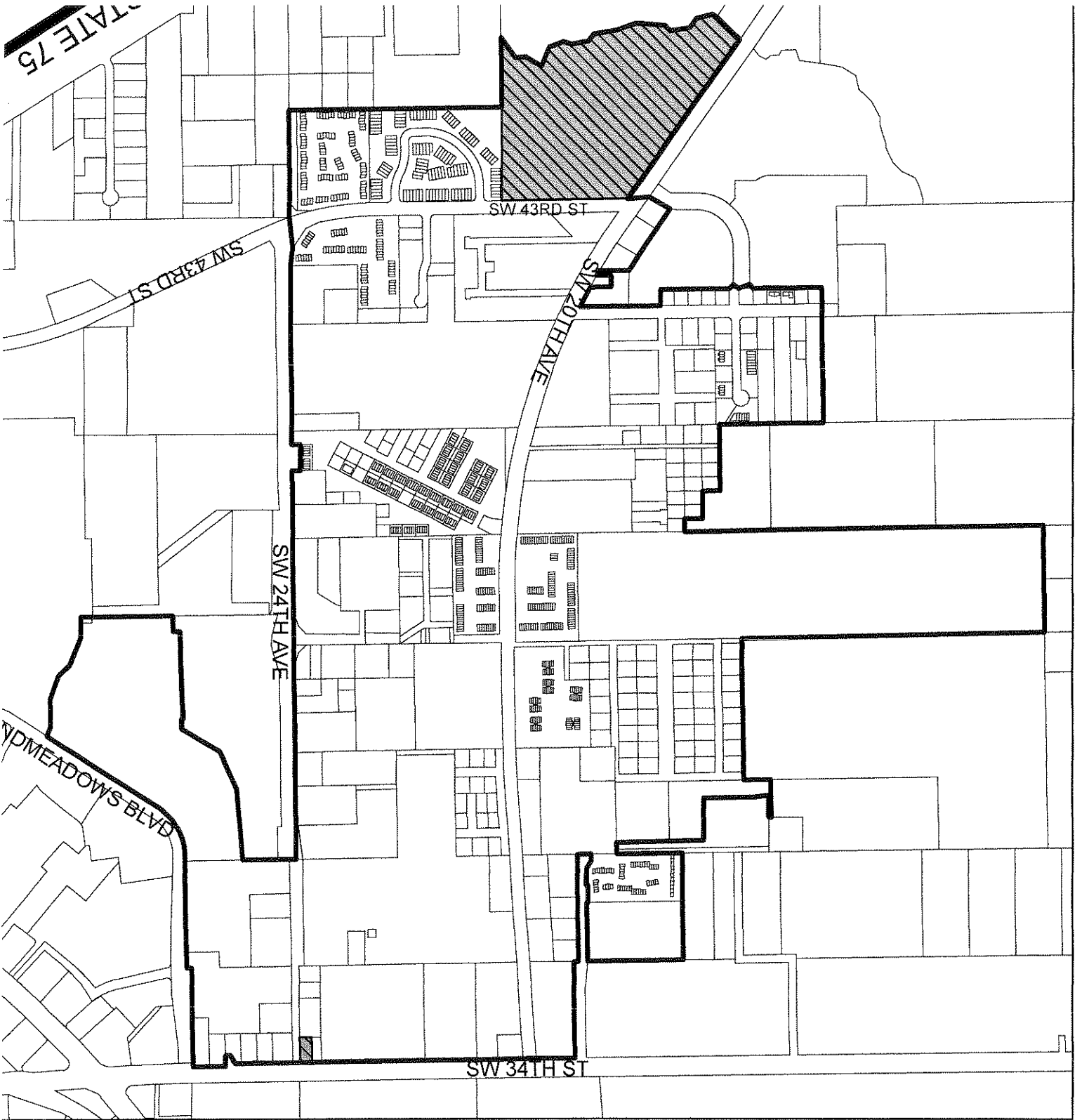
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No Scale

**Parcels Being Deleted from
Petition PB-10-137 LUC
and Ordinance 100698**



- Legend**
- Urban Village Boundary
 - Parcels Being Deleted
 - Gainesville City Limits

EXHIBIT C TO ORDINANCE NO.100698

**City of Gainesville
Gainesville, Florida**

Prepared by Planning & Development Services,
October 2011. File: Jesse2011/Ornelia_Deleted-
Parcels_10-13



STATE 75