

**LEGISLATIVE #**

**110599A**

ORDINANCE NO. 110599

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**An ordinance amending the Future Land Use Element of the City of Gainesville Comprehensive Plan; by amending Policy 4.6.1; by amending Objective 4.7, Policy 4.7.1 and the Future Land Use Categories and Corresponding/Implementing Zoning Districts table; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, publication of notice of a public hearing was given that the Future Land Use Element of the City of Gainesville Comprehensive Plan be amended, as more specifically described in this ordinance; and

**WHEREAS**, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on December 5, 2011; and

**WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearing to be held at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at least seven (7) days after the day the first advertisement was published; and

**WHEREAS**, pursuant to law, after the public hearing at the transmittal stage the City of Gainesville transmitted copies of this proposed change to the Reviewing Agencies and any other local government unit or state agency that requested same; and

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

**WHEREAS**, the public hearings were held pursuant to the published notices

1 described above at which hearings the parties in interest and all others had an opportunity to  
2 be and were, in fact, heard; and

3 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered  
4 the written comments, if any were received, concerning this plan amendment.

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

7 **Section 1.** Policy 4.6.1 of the Future Land Use Element of the City of Gainesville  
8 Comprehensive Plan is amended as stated below. Except as amended herein, the remainder  
9 of Objective 4.6 and its Policies remain in full force and effect.

10 Policy 4.6.1 Chapter 30, City of Gainesville Code of Ordinances shall implement  
11 the Future Land Use categories created by this Plan as ~~indicated in~~  
12 ~~Policy 4.7.1~~ and shall regulate all development until superseded by  
13 new land development regulations as required by this Plan. The Land  
14 Development Code shall designate the zoning districts that implement  
15 the Future Land Use categories created by this Plan. Proposed  
16 developments that do not fall within the parameters of existing zoning  
17 districts shall be permitted to develop as Planned Developments and  
18 shall meet all the requirements of that zoning classification and the  
19 Future Land Use Element.  
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22 **Section 2.** Objective 4.7 and Policy 4.7.1 of the Future Land Use Element of the  
23 City of Gainesville Comprehensive Plan are deleted in their entirety.

24 ~~Objective 4.7 Provide the mechanism for the period after adoption of new land~~  
25 ~~development regulations that ensures development that is consistent~~  
26 ~~with the Future Land Use Map.~~

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28 ~~Policy 4.7.1 Chapter 30, City of Gainesville Code of Ordinances shall implement~~  
29 ~~the Future Land Use categories created by this Plan as indicated on the~~  
30 ~~table labeled "Future Land Use Categories and~~  
31 ~~Corresponding/Implementing Zoning Districts."~~ All development shall  
32 ~~be regulated by the provisions of these zoning districts.~~  
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1           **Section 3.** The table titled “Future Land Use Categories and  
 2 Corresponding/Implementing Zoning Districts” within the Future Land Use Element of the  
 3 City of Gainesville Comprehensive Plan is deleted in its entirety.

4 ~~**Future Land Use Categories and Corresponding/Implementing Zoning Districts:**~~  
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<del>Land Use Categories</del>	<del>Zoning Districts</del>
<del>Single Family (SF)</del>	<del>RSF-1, RSF-2, RSF-3, RSF-4, RSF-R, CON, PD, PS</del>
<del>Residential Low (RL)</del>	<del>RSF-4, RMF-5, MH, RC, PD, CON, PS</del>
<del>Residential Medium (RM)</del>	<del>RMF-6, RMF-7, RMF-8, PD, CON, PS</del>
<del>Residential High (RH)</del>	<del>RH-1, RH-2, PD, TND, CON, PS</del>
<del>Mixed Use Residential (MUR)</del>	<del>RMU, PD, CON, PS</del>
<del>Mixed Use Low (MUL)</del>	<del>MU-1, PD, TND, CON, PS</del>
<del>Mixed Use Medium (MUM)</del>	<del>MU-2, CP, PD, TND, CON, PS</del>
<del>Mixed Use High (MUH)</del>	<del>CCD, PD, TND, CON, PS</del>
<del>Urban Mixed Use 1 (UMU-1)</del>	<del>UMU-1, CON, PS, PD</del>
<del>Urban Mixed Use 2 (UMU-2)</del>	<del>UMU-1, UMU-2, CON, PS, PD</del>
<del>Office (O)</del>	<del>OR, OF, MD, PD, CON, PS</del>
<del>Commercial (C)</del>	<del>BA, BT, BUS, W, PD, CON, PS</del>
<del>Business Industrial (BI)</del>	<del>BI, PD, PS, CON</del>
<del>Industrial (IND)</del>	<del>I-1, I-2, W, PD, CON, PS, BI</del>
<del>Education (E)</del>	<del>ED, PD, CON, PS</del>
<del>Recreation (REC)</del>	<del>PS, PD, CON</del>
<del>Conservation (CON)</del>	<del>CON, PD, PS</del>
<del>Agriculture (AGR)</del>	<del>AGR, CON, PS</del>
<del>Public Facilities (PF)</del>	<del>AF, PS, PD, CON</del>
<del>Planned Use District (PUD)</del>	<del>PD, TND, PS or rezoning consistent with the underlying land use designation</del>

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 7           **Section 4.** It is the intent of the City Commission that the provisions of Sections 1  
 8 through 3 shall become and be made a part of the City of Gainesville Comprehensive Plan  
 9 and that the sections and paragraphs of this ordinance may be renumbered in order to  
 10 accomplish such intentions.

1           **Section 5.** The City Manager is authorized and directed to make the necessary  
2 changes in the text, maps and other data in the City of Gainesville Comprehensive Plan, or  
3 element, or portion thereof in order to fully implement this ordinance.

4           **Section 6.** Within 10 days of the transmittal (first) hearing, the City Manager is  
5 authorized and directed to transmit a comprehensive plan amendment package, including this  
6 ordinance, to the Reviewing Agencies and to any other local government unit or state agency  
7 that has filed a written request for same with the City. Within 10 days of the adoption (second)  
8 hearing, the City Manager is authorized and directed to transmit a comprehensive plan  
9 amendment package, including this ordinance, to the State Land Planning Agency and to any  
10 other Reviewing Agency, local government unit or state agency that filed written comments  
11 with the City.

12           **Section 7.** If any word, phrase, clause, paragraph, section or provision of this  
13 ordinance or the application hereof to any person or circumstance is held invalid or  
14 unconstitutional, such finding shall not affect the other provisions or applications of the  
15 ordinance which can be given effect without the invalid or unconstitutional provisions or  
16 application, and to this end the provisions of this ordinance are declared severable.

17           **Section 8.** All ordinances or parts of ordinances in conflict herewith are to the extent  
18 of such conflict hereby repealed.

19           **Section 9.** This ordinance shall become effective immediately upon passage on second  
20 reading; however, the effective date of this plan amendment, if the amendment is not timely  
21 challenged, shall be 31 days after the State Land Planning Agency notifies the City that the plan  
22 amendment package is complete in accordance with Chapter 163.3184, F.S. If timely  
23 challenged, this amendment shall become effective on the date the State Land Planning Agency

1 or the Administration Commission enters a final order determining this adopted amendment to  
2 be in compliance in accordance with Chapter 163.3184, F.S. No development orders,  
3 development permits, or land uses dependent on this amendment may be issued or  
4 commenced before this plan amendment has become effective.

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6 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2012.

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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 \_\_\_\_ day of \_\_\_\_\_, 2012.

This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2012.