

D R A F T

9/15/2009

ORDINANCE NO. _____
0-09-63

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4 **An ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan, Future Land Use Map; by changing the**
6 **land use category on a portion of certain property, as more**
7 **specifically described in this ordinance, from the City of**
8 **Gainesville land use category of “Conservation” to “Office”;**
9 **located in the vicinity of 2510 Northwest 6th Street; providing a**
10 **severability clause; providing a repealing clause; and providing an**
11 **immediate effective date.**
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14 **WHEREAS**, by initiation of a petition by the property owner, publication of notice of a public
15 hearing was given that the Future Land Use Map be amended by changing the land use category on a
16 portion of certain property from the City of Gainesville land use category of “Conservation” to
17 “Office”; and

18 **WHEREAS**, notice was given and publication made as required by law and a public hearing
19 was held by the City Plan Board on July 23, 2009; and

20 **WHEREAS**, the amendment to the land use category of the City of Gainesville 2000-2010
21 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided
22 in Chapter 163, Florida Statutes; the City of Gainesville will transmit copies of the public notice and
23 this proposed change to the State Land Planning Agency, the regional planning council, and any other
24 person or entity who has requested a copy for their comments subsequent to the passage of this
25 ordinance; and

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1 **WHEREAS**, at least ten (10) days notice has been given of a public hearing once by
2 publication in a newspaper of general circulation notifying the public of this proposed ordinance and of
3 a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of Gainesville;
4 and

5 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose property
6 will be regulated by the adoption of this Ordinance, at least ten days prior to the date set for a public
7 hearing on this ordinance; and

8 **WHEREAS**, the public hearing was held pursuant to the published notice described above at
9 which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

12 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
13 Plan is amended by changing the land use category of the following described property from the City of
14 Gainesville land use category of "Conservation" to "Office":

15 See legal description attached hereto as Exhibit "A", and made a part
16 hereof as if set forth in full.

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18 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
19 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
20 thereof in order to comply with this ordinance.

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1 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or
2 the application hereof to any person or circumstance is held invalid or unconstitutional, such
3 finding shall not affect the other provisions or applications of the ordinance which can be given
4 effect without the invalid or unconstitutional provisions or application, and to this end the
5 provisions of this ordinance are declared severable.

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

8 **Section 5.** This ordinance shall become effective immediately upon passage; however, the
9 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty one
10 (31) days after passage and adoption of this Ordinance unless a petition is filed with the Division of
11 Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this plan amendment shall not
12 become effective until the state land planning agency issues a final order determining the adopted
13 amendment to be in compliance in accordance with § 163.3187, or until the Administration
14 Commission issues a final order determining the adopted amendment to be in compliance in accordance
15 with § 163.3187, F.S.

16 **PASSED AND ADOPTED** this _____ day of _____, 2009.

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22 ATTEST:

PEGEEN HANRAHAN, MAYOR

APPROVED AS TO FORM AND LEGALITY:

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KURT LANNON,
CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

This ordinance passed this _____ day of _____, 2009.

CPA & RE-ZONE AREA

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND RUN NORTH 0 DEGREES 52 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) 940 FEET; THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 25.9 FEET TO THE WEST RIGHT-OF-WAY OF N.W. 6th STREET, THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 200.0 FEET, AND THE POINT OF BEGINNING, THENCE RUN SOUTH 1 DEGREE 00 MINUTES 44 SECONDS EAST 148.0 FEET; THENCE RUN SOUTH 89 DEGREES 17 MINUTES 16 SECONDS WEST 191.4 FEET, THENCE RUN NORTH 1 DEGREE 07 MINUTES 44 SECONDS WEST 148.0 FEET, THENCE RUN NORTH 89 DEGREE 17 MINUTES 16 SECONDS EAST 194.4 FEET TO THE POINT OF BEGINNING. ALL BEING AND LYING IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 20 EAST, GAINESVILLE, ALACHUA COUNTY. CONTAINING 0.65 ACRES, MORE OR LESS.

APR 15 2009

EXHIBIT "A"