

LEGISLATIVE #

110821A

ORDINANCE NO. 110821

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2
3 **An ordinance amending the Future Land Use Map of the City of Gainesville**
4 **Comprehensive Plan by changing the land use category of property located in**
5 **the vicinity of 2320 SW 34th Street, as more specifically described in this**
6 **ordinance, from Alachua County Commercial to City of Gainesville Urban**
7 **Mixed-Use 2; providing directions to the City Manager; providing a**
8 **severability clause; providing a repealing clause; and providing an effective**
9 **date.**

10
11 **WHEREAS,** publication of notice of a public hearing was given that the Future Land Use
12 Map of the City of Gainesville Comprehensive Plan be amended by changing the land use category
13 of certain property from Alachua County Commercial to City of Gainesville Urban Mixed-Use 2
14 (UMU-2); and

15 **WHEREAS,** the amendment to the land use category of the City of Gainesville
16 Comprehensive Plan proposed herein directly relates to a small scale development activity as
17 provided in Chapter 163, Florida Statutes; and

18 **WHEREAS,** notice was given and publication made as required by law and a public
19 hearing was held by the City Plan Board on December 5, 2011; and

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

23 **WHEREAS,** at least ten (10) days notice has been given of a public hearing once by
24 publication in a newspaper of general circulation notifying the public of this proposed ordinance
25 and of a public hearing in the City Commission Meeting Room, First Floor, City Hall in the City of
26 Gainesville; and

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

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

6 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
7 amended by changing the land use category of the following property from Alachua County
8 Commercial to City of Gainesville Urban Mixed-Use 2 (UMU-2):

9 See legal description attached hereto as Exhibit "A" and made a part
10 hereof as if set forth in full. The location of the property is shown on
11 Exhibit "B" for visual reference. In the event of conflict or
12 inconsistency, Exhibit "A" shall prevail over Exhibit "B."
13

14 **Section 2.** The City Manager is authorized and directed to make the necessary changes to
15 maps and other data in the City of Gainesville Comprehensive Plan in order to comply with this
16 ordinance.

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

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

24 **Section 5.** This ordinance shall become effective immediately upon adoption; however, the
25 effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days

1 after adoption. If timely challenged, this amendment shall become effective on the date the State
 2 Land Planning Agency or the Administration Commission enters a final order determining this
 3 adopted amendment to be in compliance in accordance with Section 163.3187, F.S. No
 4 development orders, development permits, or land uses dependent on this amendment may be
 5 issued or commenced before this plan amendment has become effective.

6

7 **PASSED AND ADOPTED** this _____ day of _____, 2012.

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14 Attest:

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18 _____
 19 KURT LANNON
 20 CLERK OF THE COMMISSION

21

22

23

This ordinance passed this _____ day of _____, 2012.

 CRAIG LOWE
 MAYOR

Approved as to Form and Legality:

 MARION J. RADSON
 CITY ATTORNEY

DESCRIPTION OF THE REMAINING PORTION OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 1315, PAGE 136 AFTER LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1568, PAGE 913 AND LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1158, PAGE 682 ARE LESSED OUT.

COMMENCE THE SOUTHEAST CORNER OF SAID SECTION 11 FOR POINT OF REFERENCE; THENCE SOUTH 89 DEGREES 19 MINUTES 08 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 109.01 TO AN INTERSECTION WITH THE WEST LINE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION'S (F.D.O.T.) ADDITIONAL RIGHT-OF-WAY AS PER DESCRIPTION RECORDED IN OFFICIAL RECORDS BOOK 1080 PAGE 274 OF THE PUBLIC RECORDS OF SAID ALACHUA COUNTY; THENCE NORTH 00 DEGREES 45 MINUTES 14 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 8.07 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1315, PAGE 136 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 19 MINUTES 08 SECONDS WEST ALONG SAID SOUTH LINE AND PARALLEL WITH SAID SOUTH SECTION LINE, A DISTANCE OF 110.98 FEET TO THE SOUTHEAST CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2135, PAGE 1102; THENCE NORTH 00 DEGREES 45 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 75.00 FEET TO THE SOUTHWEST CORNER OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1568, PAGE 913; THENCE NORTH 89 DEGREES 19 MINUTES 46 SECONDS EAST ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 155 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 34 STREET (ALSO KNOWN AS STATE ROAD 121) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1158, PAGE 682; THENCE SOUTH 00 DEGREES 45 MINUTES 14 SECONDS ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 56.34 FEET; THENCE CONTINUE ALONG SAID WEST LINE SOUTH 66 DEGREES 06 MINUTES 04 SECONDS WEST, A DISTANCE OF 47.84 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.258 ACRES MORE OR LESS.

Exhibit "A"
to Ordinance No. 110821

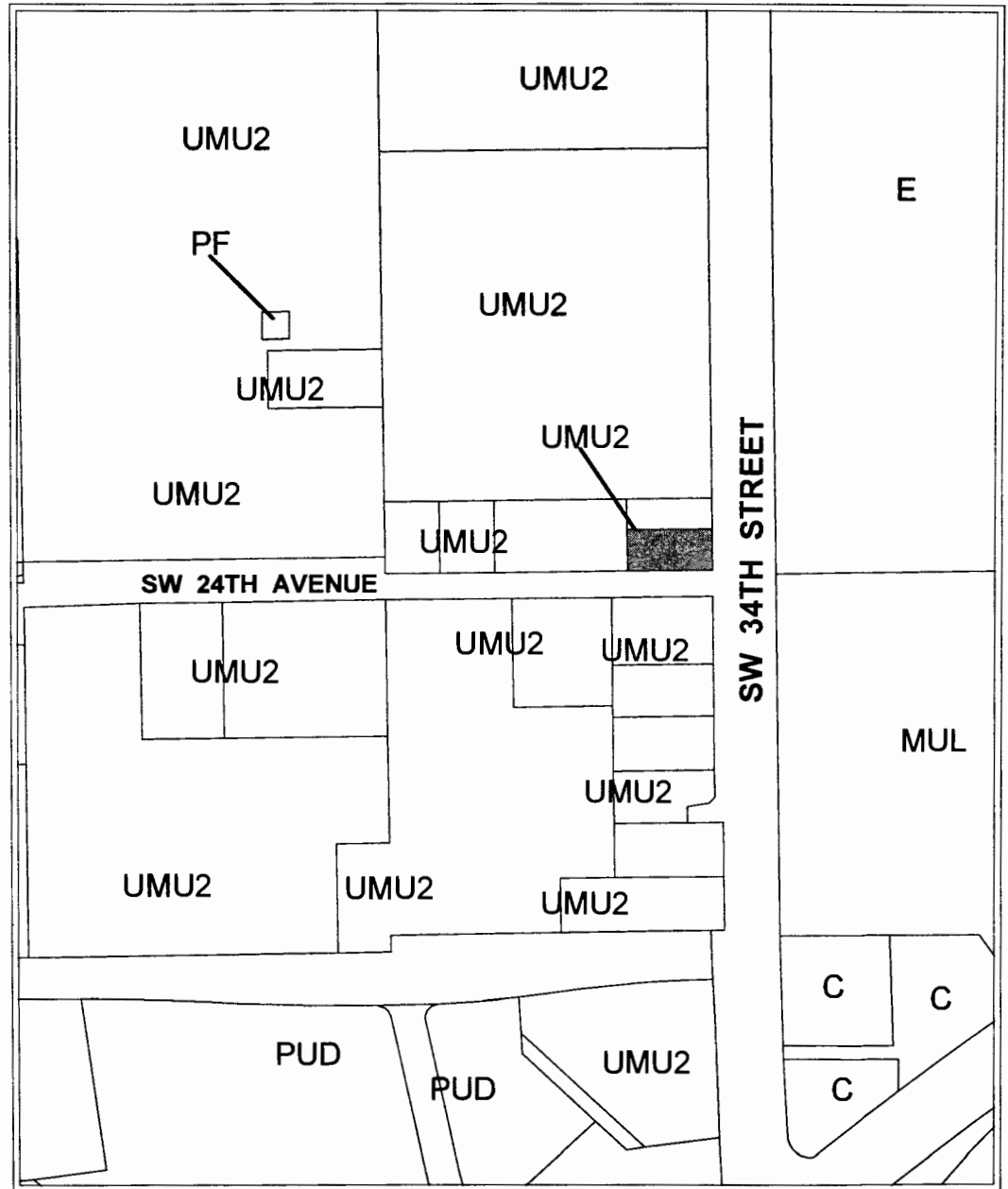
City of Gainesville Land Use Categories

- MU-L Mixed-Use Low Intensity (8-30 units per acre)
- C Commercial
- E Education
- PF Public Facilities
- PUD Planned Use Development
- UMU2 Urban Mixed Use 2 (10 to 100 units per acre)

Alachua County Land Use Categories

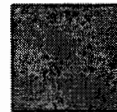
- COMM Commercial
- HIGH High Density Residential (14-24 units/acre)

Exhibit "B"
to Ordinance No. 110821



----- Division line between two zoning districts

Area
under petition
consideration



PROPOSED LAND USE

	Name	Petition Request	Map(s)	Petition Number
 No Scale	City Plan Board, applicant	Amend the FLUM from Alachua County Commercial (COMM) to City of Gainesville Urban Mixed Use 2 (UMU2).	4245	PB-11-136 LUC