

**ORDINANCE NO. 080351**  
**0-08-90**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties within the City, as more specifically described in this ordinance, from the land use categories of “Mixed-Use Low-Intensity (8-30 units per acre),” “Residential Low-Density (up to 12 units per acre),” and “Office” to the City of Gainesville land use category of “Public Facilities”; located in the vicinity of the 400 Block of NW 8<sup>th</sup> Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**WHEREAS**, publication of notice of a public hearing was given that the Future Land Use Map be amended by changing the land use categories of certain properties from the land use categories of “Mixed-Use Low-Intensity (8-30 units per acre),” “Residential Low-Density (up to 12 units per acre),” and “Office” to the City of Gainesville land use category of “Public Facilities”; and

**WHEREAS**, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on August 28, 2008; and

**WHEREAS**, the amendment to the land use category of the City of Gainesville 2000-2010 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided in Chapter 163, Florida Statutes; and

**WHEREAS**, the City of Gainesville will transmit copies of the public notice and this proposed ordinance to the State Land Planning Agency, the regional planning council, and any other person or entity who has requested a copy; and

**WHEREAS**, at least ten (10) days notice has been given of a public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of

1 a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of Gainesville;  
2 and

3 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose property  
4 will be regulated by the adoption of this Ordinance, at least thirty (30) days prior to the date set for a  
5 public hearing on this ordinance; and

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

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
9 **CITY OF GAINESVILLE, FLORIDA:**

10 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010  
11 Comprehensive Plan is amended by changing the land use categories of certain properties from the  
12 land use categories of “Mixed-Use Low-Intensity (8-30 units per acre),” “Residential Low-Density (up  
13 to 12 units per acre),” and “Office”, as shown on Exhibit “A”, to the City of Gainesville land use  
14 category of “Public Facilities” as shown on Exhibit “B”:

15 See Maps attached hereto as Exhibits “A” and “B”, 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 maps  
19 and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion thereof  
20 in order to comply with this ordinance.

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


1 finding shall not affect the other provisions or applications of the ordinance which can be given  
2 effect without the invalid or unconstitutional provisions or application, and to this end the  
3 provisions of 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; however, the  
7 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty one  
8 (31) days after passage and adoption of this Ordinance unless a petition is filed with the Division of  
9 Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance shall not become  
10 effective until the state land planning agency issues a final order determining the adopted amendment to  
11 be in compliance in accordance with § 163.3187, or until the Administration

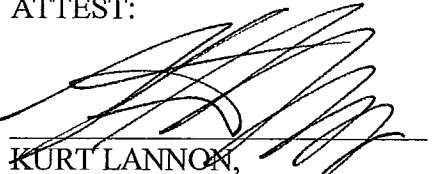
1 Commission issues a final order determining the adopted amendment to be in compliance in accordance  
2 with § 163.3187, F.S.


3 **PASSED AND ADOPTED** this 17th day of September, 2009.

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8 PEGEEN HANRAHAN, MAYOR

9 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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13 KURT LANNON,  
14 CLERK OF THE COMMISSION

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18 MARION J. RADSON, CITY ATTORNEY  
19 SEP 17 2009

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35 This ordinance passed this 17th day of September, 2009.

36 MJR/jls

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