

Legislative #  
160482A

**ORDINANCE NO. 160482**

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3 **An ordinance of the City of Gainesville, Florida, amending the Future Land**  
4 **Use Map of the Comprehensive Plan by changing the land use category of**  
5 **property generally located at 916 NW 66<sup>th</sup> Street, as more specifically**  
6 **described in this ordinance, from Alachua County Office/Medical (O/M) to**  
7 **City of Gainesville Office (O); providing directions to the City Manager;**  
8 **providing a severability clause; providing a repealing clause; and providing**  
9 **an effective date.**

10  
11 **WHEREAS, notice was given as required by law that the Future Land Use Map of the**  
12 **City of Gainesville Comprehensive Plan be amended by changing the land use category of the**  
13 **subject property; and**

14 **WHEREAS, the amendment to the Future Land Use Map of the City of Gainesville**  
15 **Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-**  
16 **scale development amendment as provided in Section 163.3187, Florida Statutes; and**

17 **WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to**  
18 **Section 163.3174, Florida Statutes, held a public hearing on October 27, 2016, and voted to**  
19 **recommend that the City Commission approve this Future Land Use Map amendment; and**

20 **WHEREAS, at least five (5) days' notice has been given once by publication in a**  
21 **newspaper of general circulation notifying the public of this proposed ordinance and of a public**  
22 **hearing in the City Hall Auditorium located on the first floor of City Hall in the City of**  
23 **Gainesville; and**

24 **WHEREAS, at least thirty (30) days' notice has been given by mail to each real property**  
25 **owner whose land will be redesignated by enactment of this ordinance and whose address is**  
26 **known by reference to the latest ad valorem tax records, notifying such property owners of this**  
27 **proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor**  
28 **of City Hall in the City of Gainesville; and**

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

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

5           **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
6 amended by changing the land use category of the following property from Alachua County  
7 Office/Medical (O/M) to City of Gainesville Office (O):

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

11

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

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

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

22           **Section 5.** This ordinance shall become effective immediately upon adoption; however,  
23 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely  
24 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this  
25 amendment shall become effective on the date the state land planning agency or the

1 Administration Commission issues a final order determining this amendment to be in compliance  
 2 with Chapter 163, Florida Statutes. No development orders, development permits, or land uses  
 3 dependent on this amendment may be issued or commenced before this amendment has become  
 4 effective.

5

6 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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\_\_\_\_\_  
 LAUREN POE  
 MAYOR

10

11

12 Attest:

Approved as to form and legality:

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\_\_\_\_\_  
 KURT LANNON  
 CLERK OF THE COMMISSION

\_\_\_\_\_  
 NICOLLE M. SHALLEY  
 CITY ATTORNEY

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This ordinance was passed on Adoption Reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 9 SOUTH, RANGE 19 EAST IN ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 33, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE RUN SOUTH 89°23'10" EAST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 362.15 FEET; THENCE RUN NORTH 06°20'54" EAST A DISTANCE OF 450.25 FEET TO A POINT ON THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 798, PAGE 534 ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 3979 AND BEING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4056, PAGE 927 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN NORTH 87°28'18" WEST ALONG THE SOUTH LINE OF SAID LANDS A DISTANCE OF 185.14 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE RUN NORTH 00°14'09" EAST ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 215.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 3979 AND BEING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1636, PAGE 787; THENCE EASTERLY AND SOUTHERLY ALONG THE BOUNDARY OF SAID LANDS AND EXISTING CITY OF GAINESVILLE LIMIT LINE TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 0.91 ACRES MORE OR LESS.

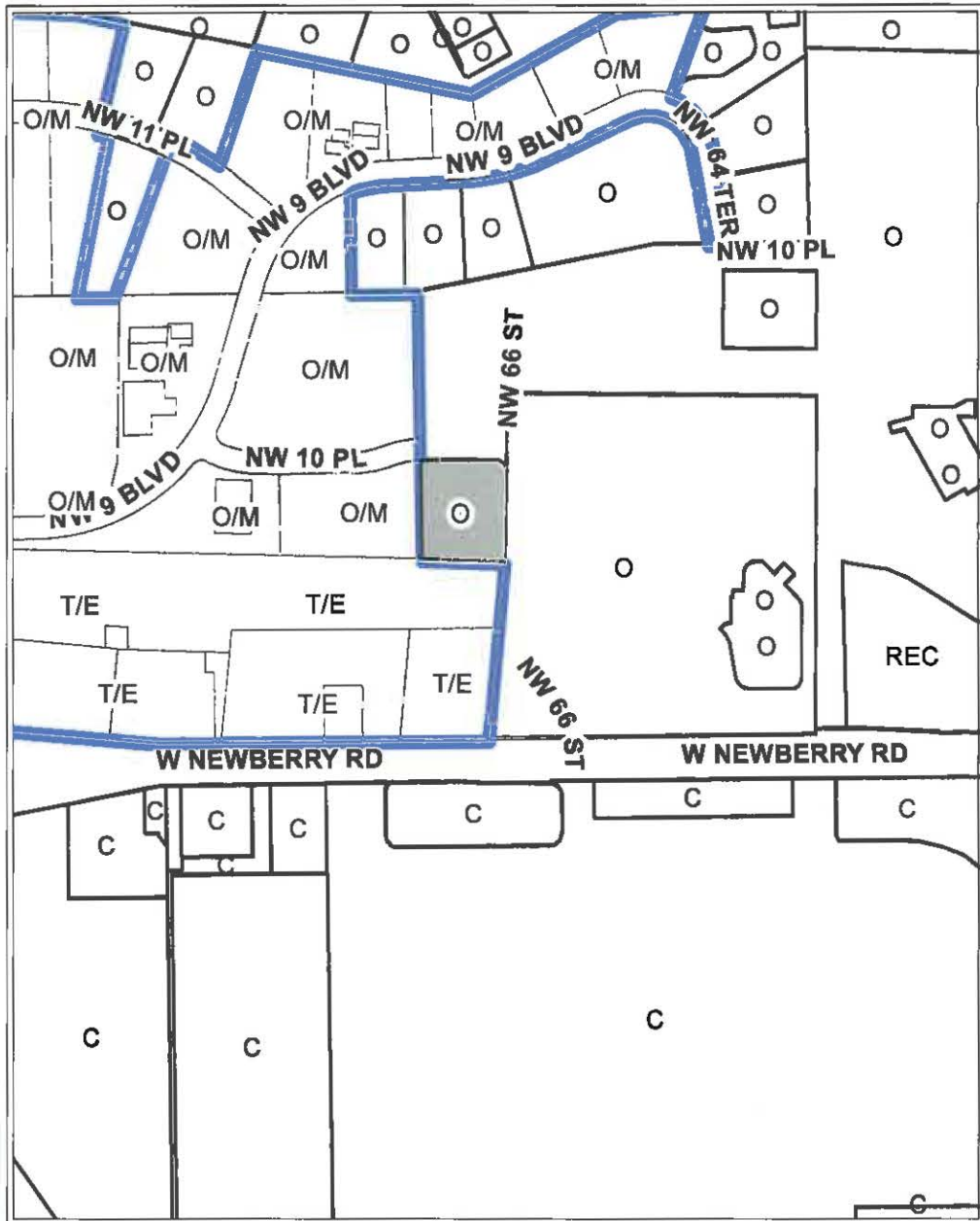
EXHIBIT "A"

**City of Gainesville  
Land Use Categories**

- O Office
- C Commercial
- REC Recreation

**Alachua County  
Land Use Categories**

- O/M Office/Medical
- T/E Tourist/Entertainment



— City Limits

Area  
under petition  
consideration



**PROPOSED LAND USE**



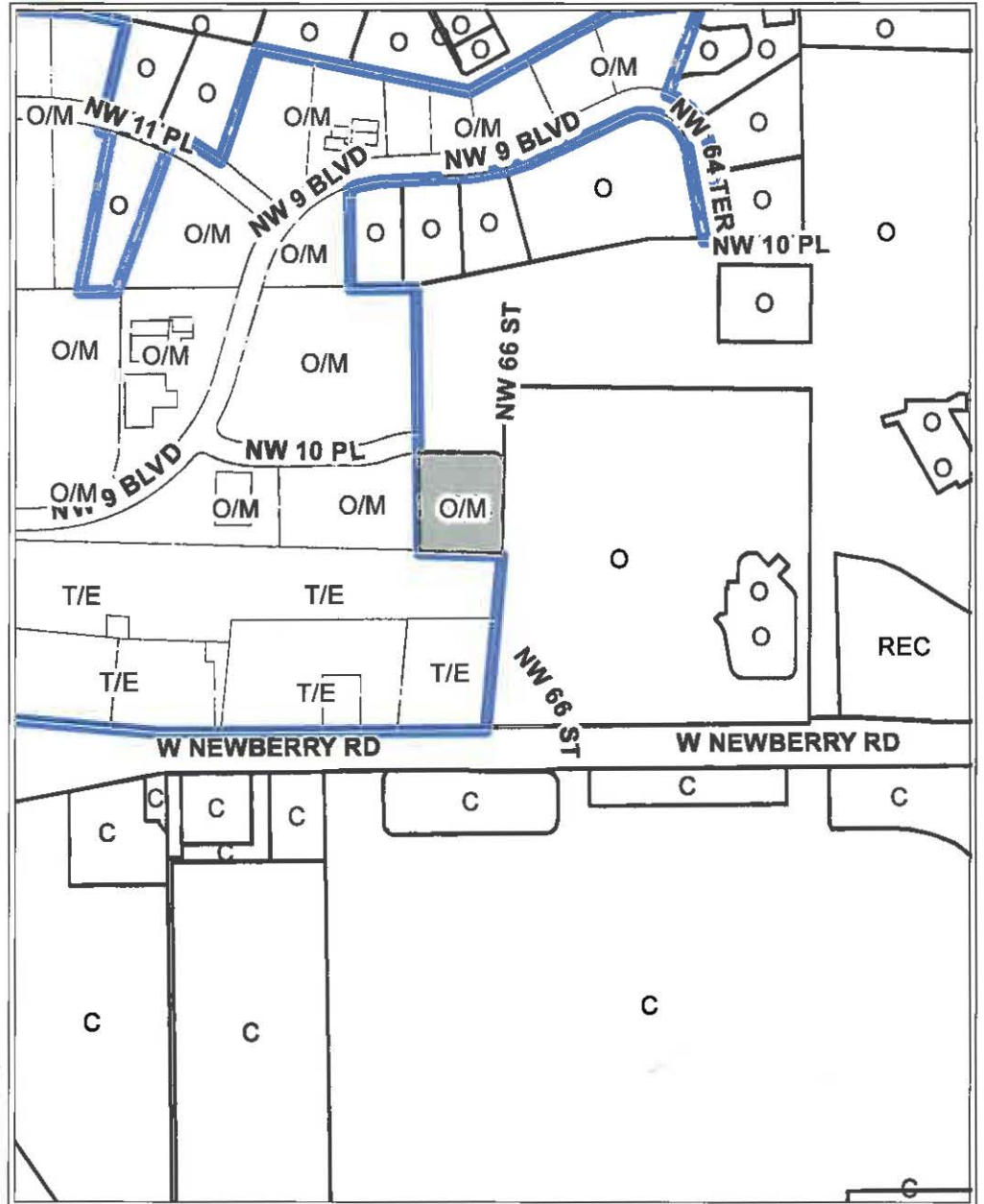
Name	Petition Request	Petition Number
City of Gainesville, applicant	Amend the City of Gainesville Future Land Use map from Alachua County Office/Medical to City of Gainesville Office (O)	PB-16-141 LUC

**City of Gainesville  
Land Use Categories**

- O Office
- C Commercial
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**Alachua County  
Land Use Categories**

- O/M Office/Medical
- T/E Tourist/Entertainment



**EXISTING LAND USE**



Name	Petition Request	Petition Number
City of Gainesville, applicant	Amend the City of Gainesville Future Land Use map from Alachua County Office/Medical to City of Gainesville Office (O)	PB-16-141 LUC