

1 **ORDINANCE NO. 120303**

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 approximately 2.8**  
5 **acres of property generally located north of SW 17<sup>th</sup> Avenue, west of SW 38<sup>th</sup>**  
6 **Terrace, east of SW 40<sup>th</sup> Terrace, and south of SW 16<sup>th</sup> Avenue, as more**  
7 **specifically described in this ordinance, from Conservation (CON) to Urban**  
8 **Mixed-Use 2 (UMU-2); providing directions to the City Manager; providing a**  
9 **severability clause; providing a repealing clause; and providing an effective**  
10 **date.**

11  
12 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the City  
13 of Gainesville Comprehensive Plan be amended by changing the land use category of certain  
14 property from Conservation (CON) to Urban Mixed-Use 2 (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 as required by law and a public hearing was held by the City  
19 Plan Board on August 23, 2012; and

20 **WHEREAS**, at least ten (10) 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, First Floor, City Hall in the City of Gainesville; and

23 **WHEREAS**, pursuant to law, at least thirty (30) days notice of the public hearing on this  
24 ordinance has also been given by mail to the owner whose property will be regulated by the  
25 adoption of this ordinance; and

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

1           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
2 **CITY OF GAINESVILLE, FLORIDA:**

3           **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
4 amended by changing the land use category of the following property from Conservation (CON) to  
5 Urban Mixed-Use 2 (UMU-2):

6                   The existing land use category on the property is depicted on the  
7 map attached as Exhibit "A" and made a part hereof as if set forth in  
8 full. The new land use category on the property is depicted on the  
9 map attached as Exhibit "B" and made a part hereof as if set forth in  
10 full. (Note: The dividing line between the CON land use to the  
11 north and the UMU-2 land use to the south is a westerly extension of  
12 the northern right-of-way of SW 16<sup>th</sup> Avenue.)  
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 provision 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  
26 after adoption. If timely challenged, this amendment shall become effective on the date the state  
27 land planning agency or the Administration Commission enters a final order determining this

1 adopted amendment to be in compliance with Chapter 163 F.S. No development orders,  
2 development permits, or land uses dependent on this amendment may be issued or commenced  
3 before this plan amendment has become effective.

4

5 **PASSED AND ADOPTED** this 6th day of December, 2012.

6

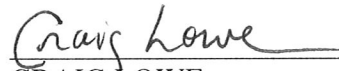
7

8

9

10

11



CRAIGLOWE

MAYOR

12 Attest:

Approved as to Form and Legality:

13

14

15

  
KURT LANNON

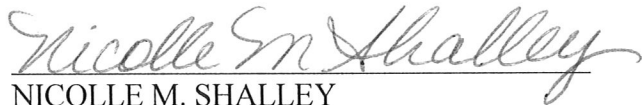
17 CLERK OF THE COMMISSION

18

19

20

21 This ordinance passed this 6th day of December, 2012.



NICOLLE M. SHALLEY

CITY ATTORNEY

# City of Gainesville Land Use Designations

- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- MUM Mixed Use Medium Intensity (12-30 du/acre)
- MUH Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (UMU-1: 8-75 du/acre; & up to 25 additional du/acre by special use permit)
- UMU2 Urban Mixed Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 additional du/acre by special use permit)
- O Office
- C Commercial
- BI Business Industrial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

Area under petition consideration

Division line between two land use districts

City Limits



Exhibit "A" to Ordinance No. 120303



## EXISTING LAND USE

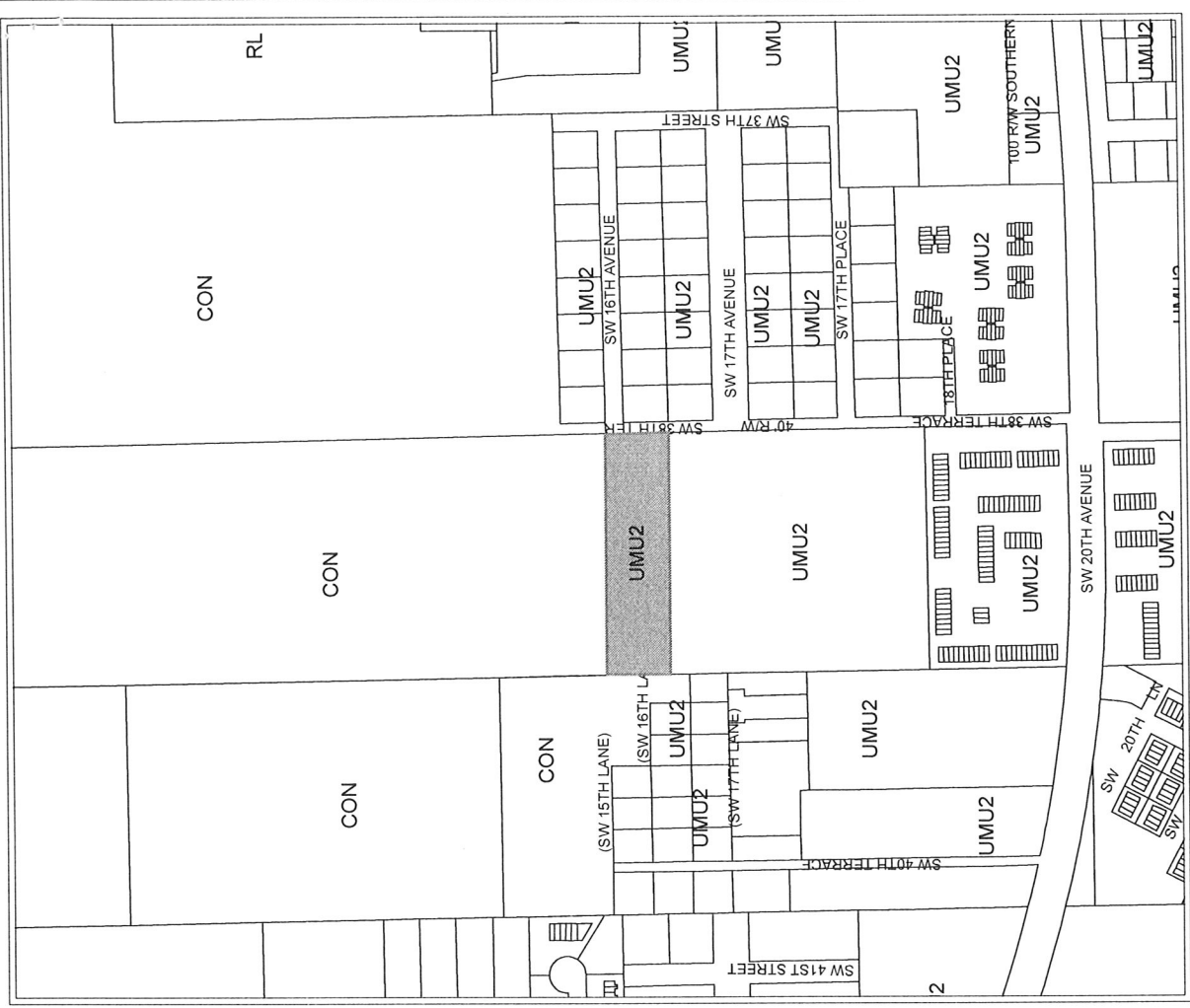
Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Amend the FLUM from CON to UMU2 on portion of parcel	4144	PB-12-85 LUC

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- MUR Mixed Use Residential (up to 75 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- MUM Mixed Use Medium Intensity (12-30 du/acre)
- MUH Mixed Use High Intensity (up to 150 du/acre)
- UMU1 Urban Mixed Use 1 (UMU-1: 8-75 du/acre; & up to 25 additional du/acre by special use permit)
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PROPOSED LAND USE			
Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Amend the FLUM from CON to UMU2 on portion of parcel	4144	PB-12-85 LUC



Exhibit "B" to Ordinance No. 120303