

LEGISLATIVE #

150305A

ORDINANCE NO. 150305

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2.84 acres of property generally located at 5021 and 4911 W University Avenue, as more specifically described in this ordinance, from Conservation (CON) to Single-Family (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, notice was given as required by law that the Future Land Use Map of the City of Gainesville Comprehensive Plan be amended by changing the subject property's land use category from Conservation (CON) to Single-Family (SF); and

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

WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 27, 2015, and voted to recommend that the City Commission approve this Future Land Use Map amendment; and

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

WHEREAS, at least thirty (30) days' notice has been given by mail to each real property owner whose land will be redesignated by enactment of this ordinance and whose address is known by reference to the latest ad valorem tax records, notifying such property owners of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor 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 Conservation (CON)
7 to Single-Family (SF):

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

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

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

21 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
22 such conflict hereby repealed on the effective date of this amendment to the Comprehensive
23 Plan.

24 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
25 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely

1 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this
 2 amendment shall become effective on the date the state land planning agency or the
 3 Administration Commission issues a final order determining this amendment to be in compliance
 4 with Chapter 163, Florida Statutes. No development orders, development permits, or land uses
 5 dependent on this amendment may be issued or commenced before this amendment has become
 6 effective.

7 **PASSED AND ADOPTED** this _____ day of _____, 2015.

8

9

10

 EDWARD B. BRADDY

11

MAYOR

12

13

14 Attest:

Approved as to form and legality:

15

16

17

 KURT LANNON
 CLERK OF THE COMMISSION

 NICOLLE M. SHALLEY
 CITY ATTORNEY

20

21

22 This ordinance was passed on Adoption Reading on this _____ day of _____, 2015.

Commence at the Northwest corner of the Southeast Quarter of Section 3, Township 10 South, Range 19 East; thence East along the Quarter Section line 319.2 feet; thence South 50 feet to the Point of Beginning; thence East 366 feet; thence South 210 feet; thence Westerly 370 feet to a point on the Northerly edge of Grassie Prairie 145 feet South of the Point of Beginning; thence North 145 feet to the Point of Beginning. Above described parcel of land lying and being in the Southeast Quarter of Section 3, Township 10 South, range 19 East, Alachua County, Florida. Also being described as lot 8 according to an unrecorded survey of Gwynn Oaks Subdivision Addition No. 1, dated 6 February 1955, prepared by Roy L. Watkins (Fla. Cert. No. 770).

Beginning at the NW corner of the SE 1/4 of Section 3, Township 10 South, Range 19 East; thence West along the quarter section line a distance of 80.8 feet; thence South a distance of 50 feet to the Point of Beginning; thence continue South a distance of 100 feet; thence from the Point of Beginning go East paralleling the quarter section line a distance of 400 feet; thence South a distance of 145 feet; thence Westerly a distance of 400 feet to the South end of the first line from the Point of Beginning. Above described parcel of land lying and being in the NW 1/4 of SE 1/4 (NW 1/4 of SE 1/4) and NE 1/4 of SW 1/4 (NE 1/4 of SW 1/4) of Section 3, Township 10 South, Range 19 East, Alachua County, Florida.

Together with that certain easement for ingress and egress more particularly described as follows:

Easement Description:

An easement to the parties of the second part, their successors, assignees and invitees, for ingress and egress over the following described property:

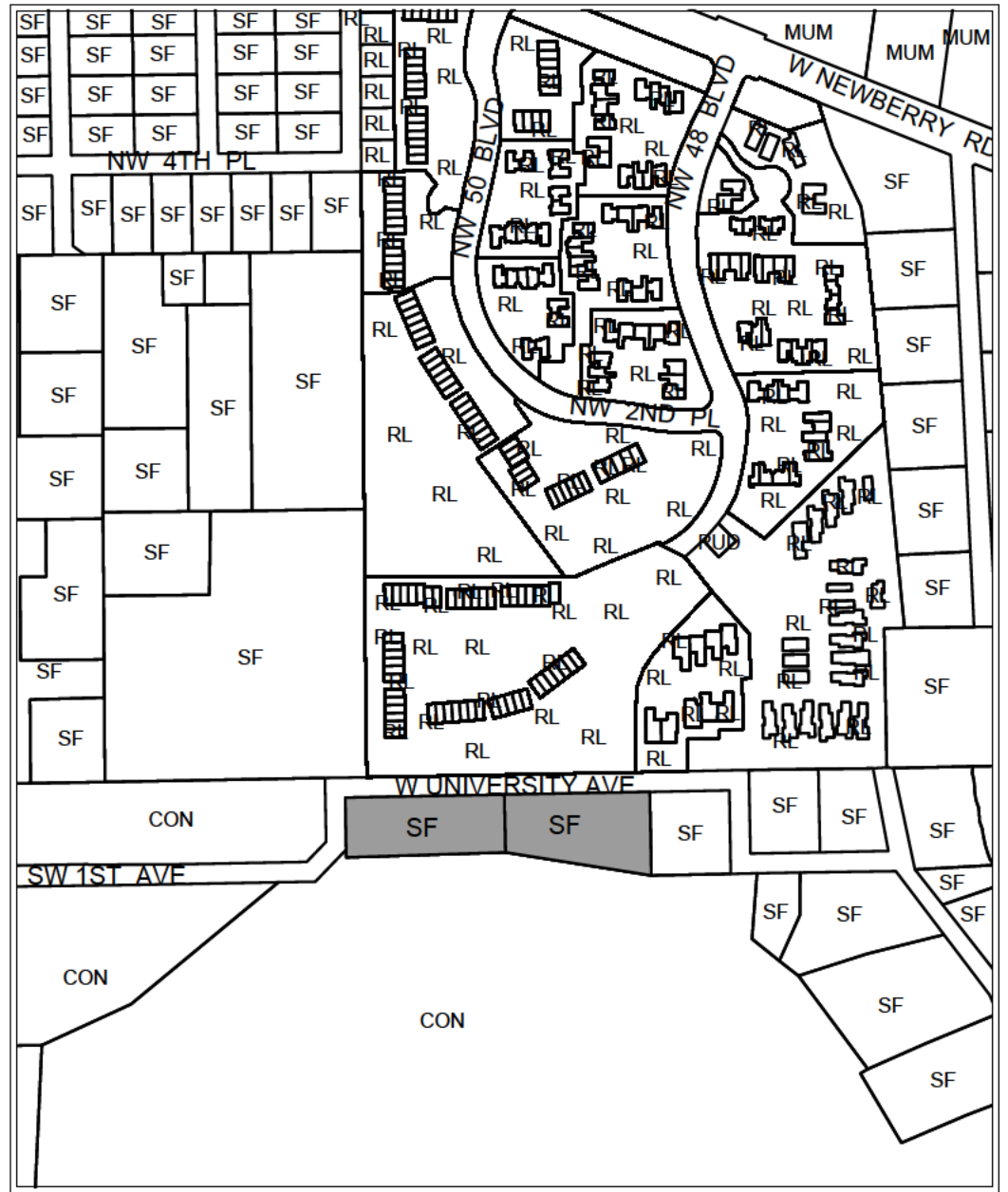
Commence at the NW corner of the SE 1/4 of Section 3, Township 10 South, Range 19 East, said point being the Point of Beginning; thence East along the quarter section line 935.2 feet; thence South 210 feet; thence East 385 feet; thence S. $11^{\circ}45'$ E. 50.7 feet; thence West 444.6 feet; thence North 210 feet; thence West 885.2 feet; thence North 50 feet to the Point of Beginning.

ALSO:

Commence at the NW corner of SE 1/4 of Section 3, Township 10 South, Range 19 East; thence West 130.8 feet; thence South 180 feet; thence South 46° W. 70.4 feet; thence S. $43^{\circ}53'51''$ E. 75.42 feet; thence N. 38° E. 80 feet; thence North 150 feet; thence East 80.8 feet; thence North 50 feet to the Point of Beginning. Above described road lying and being in the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 3, Township 10 South, Range 19 East, Alachua County, Florida.

City of Gainesville Land Use Categories

- SF Single-Family (up to 8 units per acre)
- R-L Residential Low-Density (up to 12 units per acre)
- MU-M Mixed-Use Medium-Intensity (12-30 units per acre)
- CON Conservation



PROPOSED LAND USE

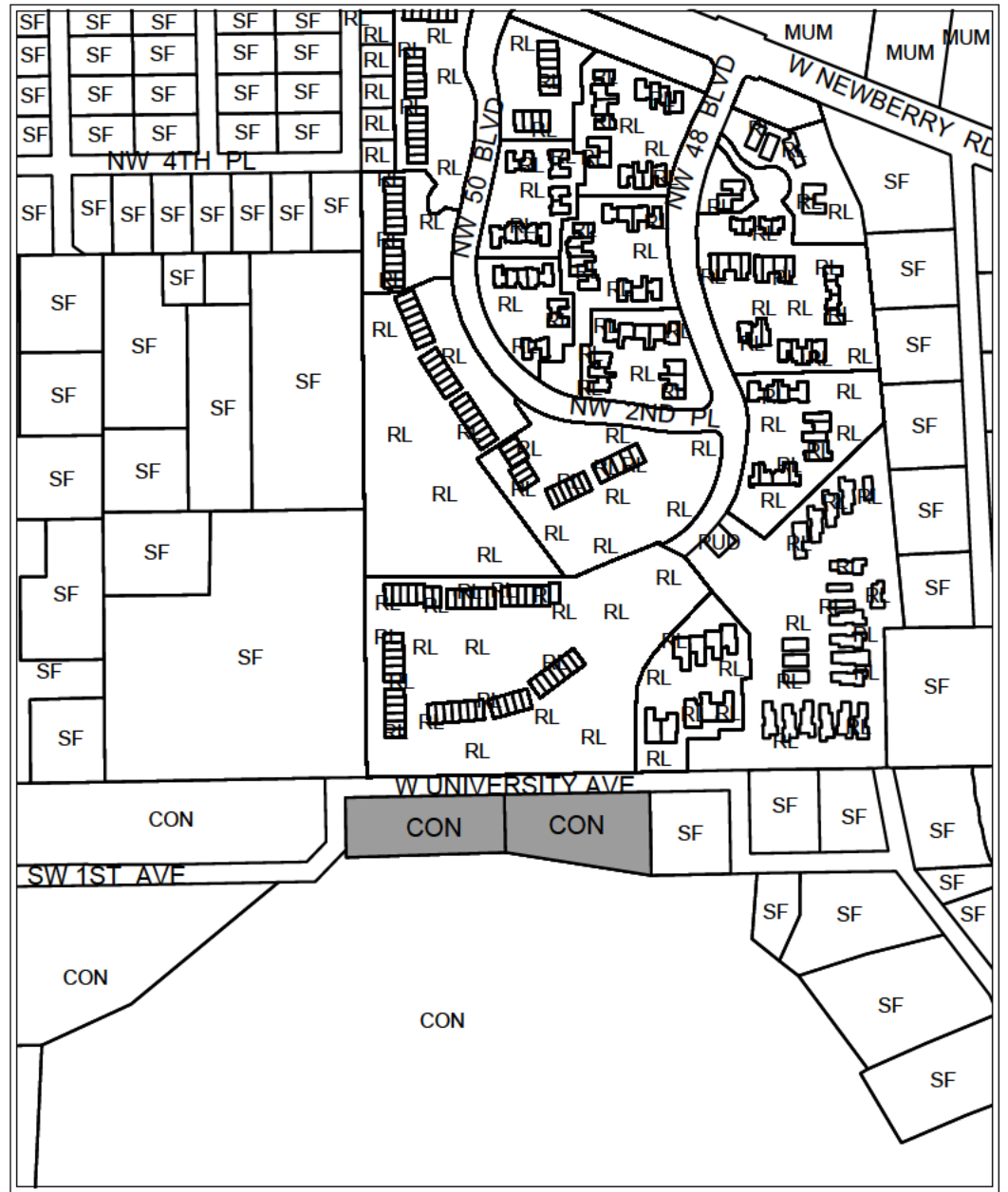


No Scale

Name	Petition Request	Petition Number
City Plan Board, applicant	Amend the City of Gainesville Future Land Use Map from Conservation to Single-Family (up to 8 units per acre)	PB-15-73 LUC

City of Gainesville Land Use Categories

- SF Single-Family (up to 8 units per acre)
- R-L Residential Low-Density (up to 12 units per acre)
- MU-M Mixed-Use Medium-Intensity (12-30 units per acre)
- CON Conservation



Area
 under petition
 consideration



EXISTING LAND USE

	Name	Petition Request	Petition Number
	City Plan Board, applicant	Amend the City of Gainesville Future Land Use Map from Conservation to Single-Family (up to 8 units per acre)	PB-15-73 LUC