

Legislative #

160138A

ORDINANCE NO. 160138

1
2
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 **approximately 1.03 acres of property generally located at 1217, 1227, 1237**
6 **and 1247 SW 11th Avenue, as more specifically described in this ordinance,**
7 **from Single-Family (SF) to Urban Mixed-Use 1 (UMU-1); providing**
8 **directions to the City Manager; providing a severability clause; providing a**
9 **repealing clause; and providing an effective date.**

10
11 **WHEREAS, Section 163.3167, Florida Statutes, requires local governments to maintain**
12 **a Comprehensive Plan to guide future development and growth; and**

13 **WHEREAS, by initiation of a petition by the owner(s) of the subject property, notice was**
14 **given as required by law that the Future Land Use Map of the City of Gainesville Comprehensive**
15 **Plan be amended by changing the land use category of the subject property; and**

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

19 **WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to**
20 **Section 163.3174, Florida Statutes, held a public hearing on June 23, 2016, and voted to**
21 **recommend that the City Commission approve this Future Land Use Map amendment; and**

22 **WHEREAS, at least five (5) days' notice has been given once by publication in a**
23 **newspaper of general circulation notifying the public of this proposed ordinance and of a public**
24 **hearing in the City Hall Auditorium located on the first floor of City Hall in the City of**
25 **Gainesville; 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 Single-Family (SF) to
5 Urban Mixed-Use 1 (UMU-1):

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

9
10 **Section 2.** The City Manager or designee is authorized and directed to make the
11 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in
12 order to comply with this ordinance.

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

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

21 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
22 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
23 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this
24 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 _____, 2016.

7

8

9

LAUREN POE
MAYOR

10

11

12 **Attest:**

Approved as to form and legality:

13

14

15

16 _____
KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

17

18

19

20 This ordinance was passed on Adoption Reading on this _____ day of _____, 2016.

EXHIBIT "A" TO ORDINANCE NO. 160138

Lot Thirty (30), AUDUBON PARK, according to the map or plat thereof as recorded in Plat Book D, Page 45, Public Records of Alachua County, Florida.

Lot 31, Audubon Park, according to the plat thereof recorded in Plat Book D, page 45, public records of Alachua County, Florida.

Lot 32, Audubon Park, according to the map or plat thereof as recorded in Plat Book D, Page(s) 45, Public Records of Alachua County, Florida.

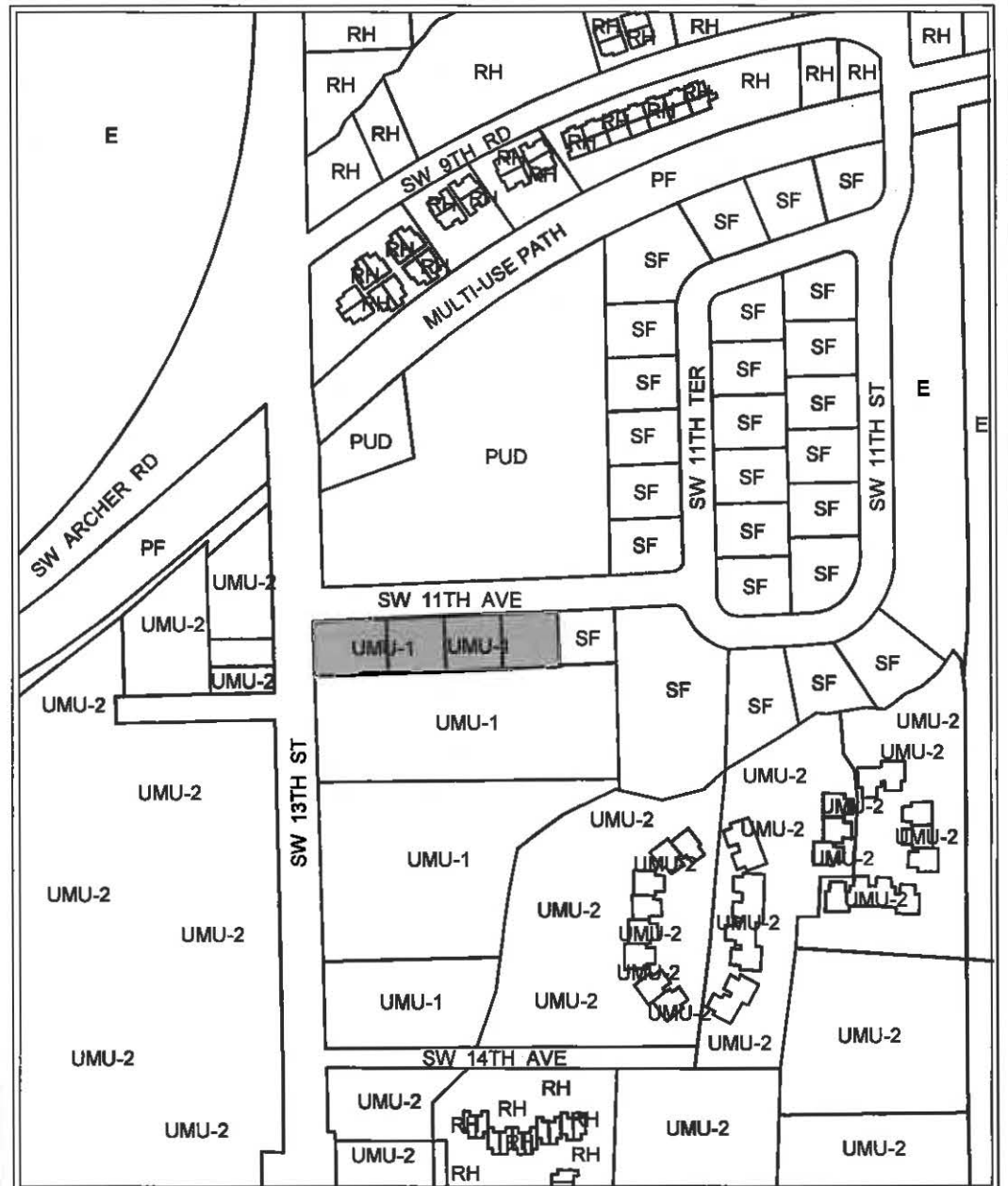
Lot 33, AUDUBON PARK, according to the map or plat thereof as recorded in Plat Book D, Page 45, Public Records of Alachua County, Florida.

LESS AND EXCEPT:

That part of the above described property lying East of and within 35 feet of the centerline of the existing State Road 25, being a strip of land across the West end of said lot, said strip being 0.35 feet wide at the South end and 2 feet wide at the North end.

City of Gainesville Land Use Categories


- SF Single-Family (up to 8 units per acre)
- R-H Residential High-Density (8-100 units per acre)
- UMU-1 Urban Mixed-Use 1 (8-75 units per acre; and up to 25 additional units per acre by special use permit)
- UMU-2 Urban Mixed-Use 2 (10-100 units per acre; and up to 25 additional units per acre by special use permit)
- E Education
- PF Public and Institutional Facilities



Area under petition consideration

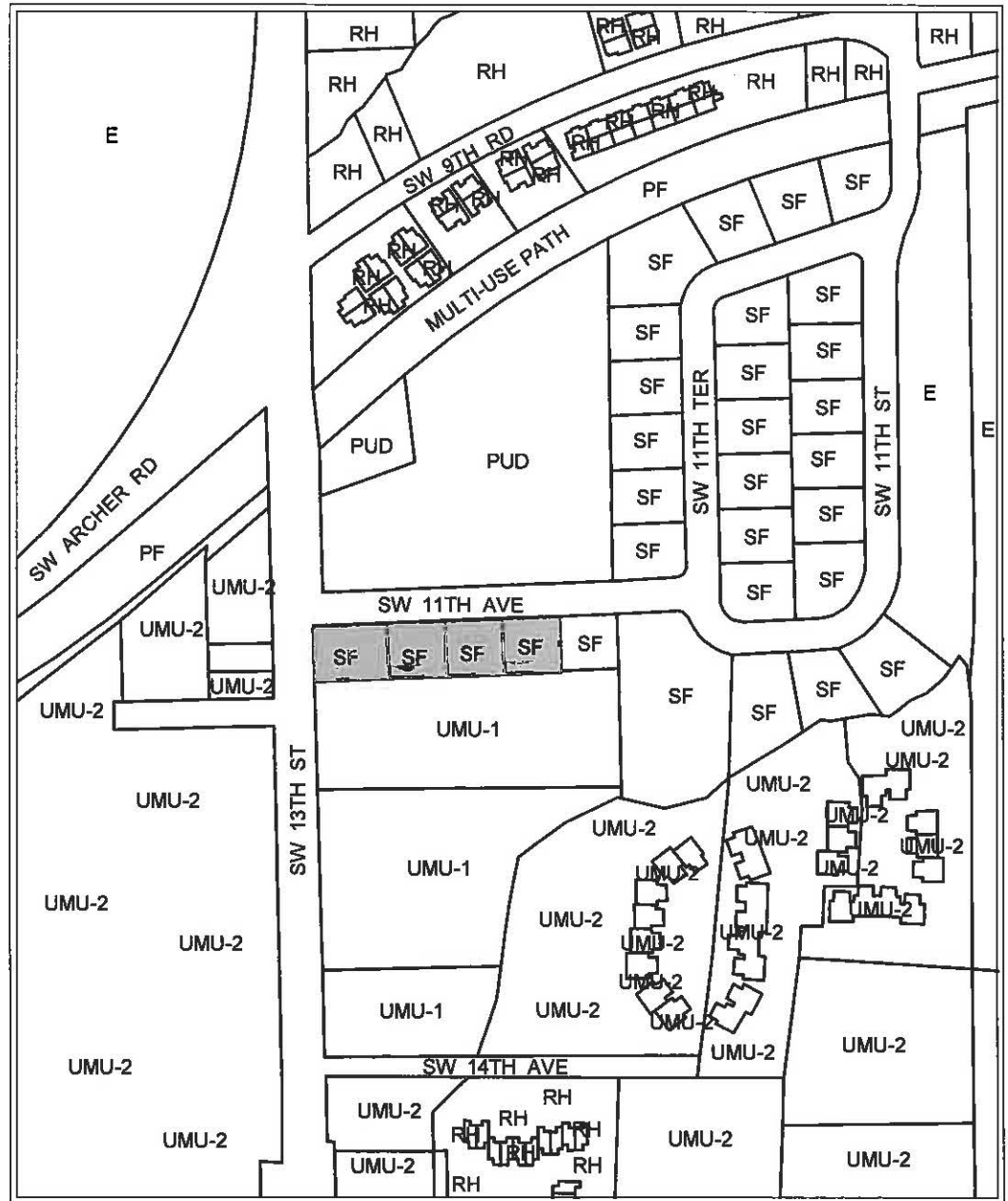
----- Division line between two land use categories

PROPOSED LAND USE


	Name	Petition Request	Petition Number
 No Scale	CHW, agent for Albert G. Fosmoe and Carmen S. Fosmoe, owners	Amend the City of Gainesville Future Land Use Map from Single-Family (up to 8 units per acre) to Urban Mixed-Use 1 (UMU-1: 8-75 units per acre; and up to 25 additional units per acre by special use permit)	PB-16-57 LUC

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EXISTING LAND USE

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