

1 **WHEREAS**, this amendment to the Future Land Use Map of the City of Gainesville
2 Comprehensive Plan was initiated by the City and qualifies as a small-scale development
3 amendment as provided in Section 163.3187, Florida Statutes, because it involves a use of 10
4 acres or fewer; and

5 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
6 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
7 pursuant to Section 163.3174, Florida Statutes, held a public hearing on October 9, 2019, and
8 voted to recommend that the City Commission approve this Future Land Use Map amendment;
9 and

10 **WHEREAS**, on December 5, 2019, the City Commission heard a presentation on this
11 application, gave direction to City staff, and authorized the drafting of this ordinance; and

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

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

20 **WHEREAS**, the public hearing was held pursuant to the notice described above at which
21 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 CITY OF GAINESVILLE,**

2 **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 Alachua County
5 Low Density Residential to City of Gainesville Mixed-Use Low-Intensity (MUL):

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 necessary
11 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
12 comply with this ordinance.

13 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
14 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 such
19 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

20 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
21 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
22 challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this
23 amendment will become effective on the date the state land planning agency or the
24 Administration Commission issues a final order determining the amendment to be in

1 compliance with Chapter 163, Florida Statutes. No development orders, development permits,
2 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced
3 before this amendment has become effective.

4

5 **PASSED AND ADOPTED** this 6th day of February, 2020.

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LAUREN POE
MAYOR

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11

12 **Attest:**

Approved as to form and legality:

13

14



OMICHELE D. GAINES
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY
CITY ATTORNEY

18

19

20 This ordinance was passed on Adoption Reading on this 6th day of February, 2020.

Legal Description

A PARCEL OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT MARKING THE INTERSECTION OF THE WEST LINE OF THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 22, TOWNSHIP 9 SOUTH, RANGE 19 EAST, AND THE NORTH RIGHT-OF-WAY LINE OF NORTHWEST 39TH AVENUE ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER CITY ORDINANCE NUMBER 990947 AND ALSO BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2212, PAGE 1500; THENCE LEAVING SAID WEST LINE, NORTH RIGHT-OF-WAY LINE AND CITY LIMIT LINE RUN SOUTH APPROXIMATELY 100.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID NORTHWEST 39TH AVENUE ALSO BEING A POINT ON THE WEST LINE OF THE WEST 484.56 FEET OF LOT 2 OF SECTION 27 TOWNSHIP 9 SOUTH, RANGE 19 EAST AND THE NORTHEAST CORNER OF AUTUMN WOODS A PLANNED UNIT DEVELOPMENT AS RECORDED IN PLAT BOOK "M", PAGE 44 OF THE PUBLIC RECORDS OF SAID ALACHUA COUNTY, FLORIDA; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE CONTINUE SOUTH ALONG THE WEST LINE OF THE WEST 484.56 FEET OF SAID LOT 2 ALSO BEING THE EAST LINE OF SAID AUTUMN WOODS, APPROXIMATELY 404.19 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 208.71 FEET OF SAID LOT 2; THENCE LEAVING SAID WEST LINE OF THE WEST 484.56 FEET OF LOT 2 AND SAID EAST LINE OF AUTUMN WOODS RUN EAST ALONG THE NORTH LINE OF SAID SOUTH 208.71 FEET APPROXIMATELY 484.56 FEET TO A POINT ON THE EAST LINE OF THE WEST 484.56 FEET OF SAID LOT 2 ALSO BEING ON THE WEST LINE OF CHULA VISTA PARK, A SUBDIVISION AS RECORDED IN PLAT BOOK "G", PAGE 67 OF SAID PUBLIC RECORDS; THENCE LEAVING THE NORTH LINE OF SAID SOUTH 208.81 FEET RUN NORTH ALONG SAID WEST LINE OF CHULA VISTA PARK AND EAST LINE OF SAID WEST 484.56 FEET OF LOT 2 APPROXIMATELY 404.19 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID NORTHWEST 39TH AVENUE; THENCE LEAVING SAID WEST LINE OF CHULA VISTA PARK AND EAST LINE OF THE WEST 484.56 FEET OF SAID LOT 2 RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE APPROXIMATELY 234.56 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 990947 ALSO BEING THE EAST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2212, PAGE 1500; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE OF NORTHWEST 39TH AVENUE RUN NORTH ALONG SAID SOUTHERLY EXTENSION TO THE NORTH RIGHT-OF-WAY LINE OF SAID NORTHWEST 39TH AVENUE ALSO BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER CITY ORDINANCE NUMBER 990947; THENCE RUN WEST ALONG SAID NORTH RIGHT OF WAY LINE AND EXISTING CITY LIMIT LINE TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, CONTAINING 5.07 ACRES MORE OR LESS.

**Petition
PB-19-77 LUC
Existing Land Use**

Area under petition consideration

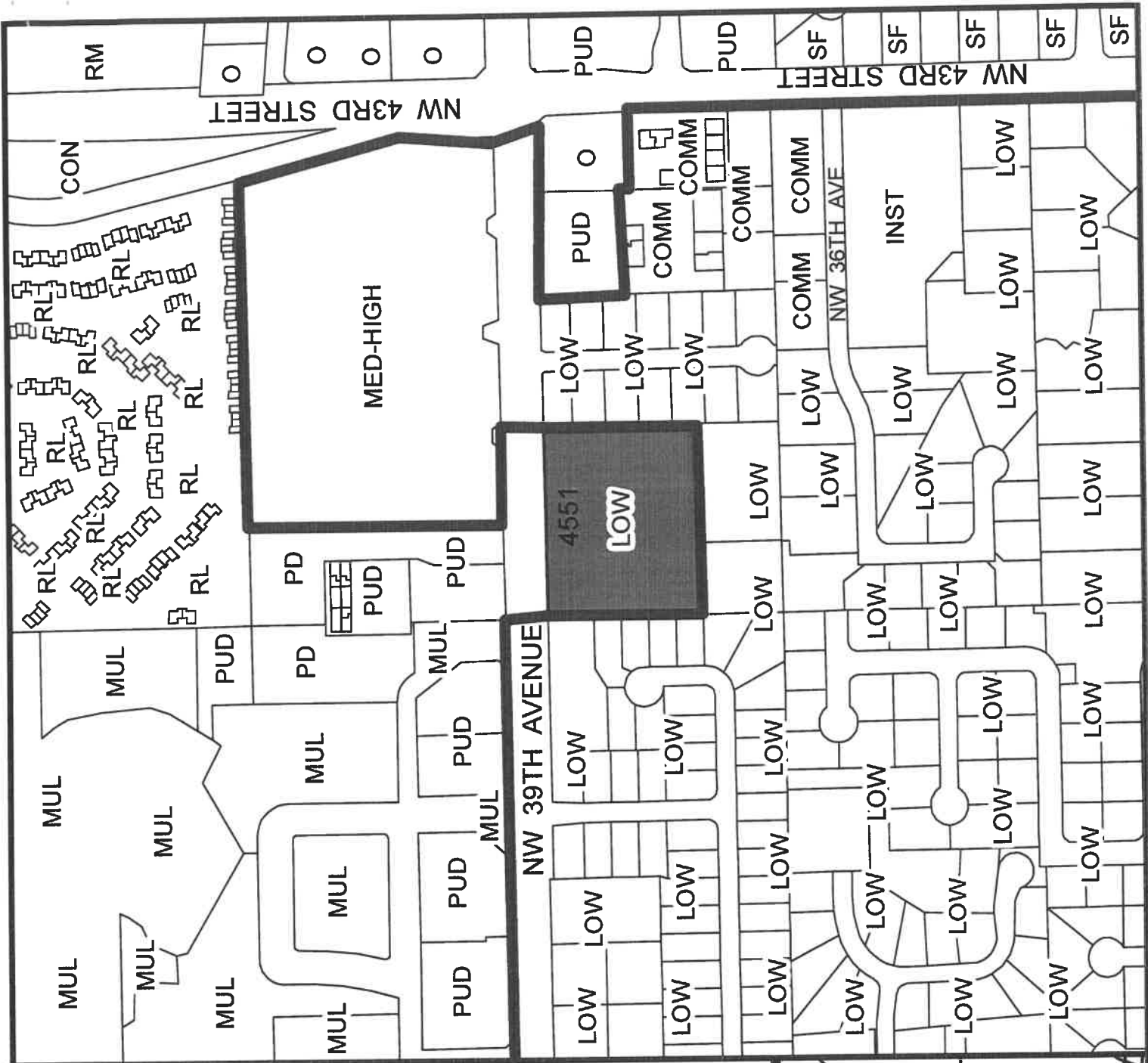
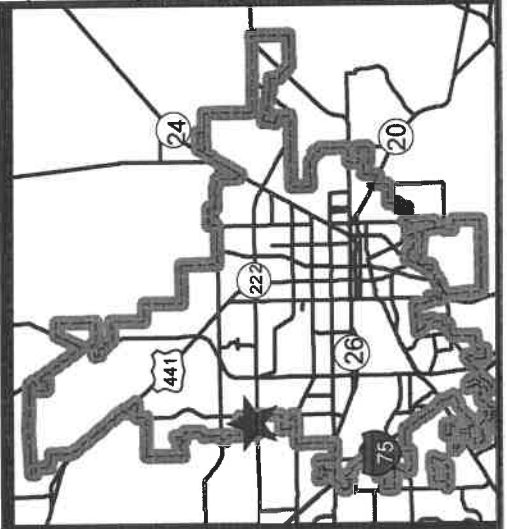
**City of Gainesville
Land Use Categories**

- SF Single Family
- RL Residential Low Density
- RM Residential Medium Density
- O Office
- MUL Mixed Use Low Intensity
- CON Conservation
- PUD Planned Use District

**Alachua County
Land Use Categories**

- LOW Low Density Residential
- MED-HIGH Medium-High Density Residential
- COMM Commercial
- INST Institutional

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



**Petition
PB-19-77 LUC
Proposed Land Use**

Area under petition consideration

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