

LEGISLATIVE #

120524A

ORDINANCE NO. 120524

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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 .04**
5 **acres of property generally located at 1126 NW 7th Avenue, as more specifically**
6 **described in this ordinance, from Public Facilities (PF) to Residential Low-**
7 **Density (RL); providing directions to the City Manager; providing a**
8 **severability clause; providing a repealing clause; and providing an effective**
9 **date.**

10
11 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the City
12 of Gainesville Comprehensive Plan be amended by changing the land use category of certain
13 property from Public Facilities (PF) to Residential Low-Density (RL); and

14 **WHEREAS**, the amendment to the land use category of the City of Gainesville
15 Comprehensive Plan proposed herein directly relates to a small scale development activity as
16 provided in Chapter 163, Florida Statutes; and

17 **WHEREAS**, notice was given as required by law and a public hearing was held by the City
18 Plan Board on October 25, 2012; and

19 **WHEREAS**, at least ten (10) days notice has been given once by publication in a
20 newspaper of general circulation notifying the public of this proposed ordinance and of a public
21 hearing in the City Hall Auditorium, First Floor, City Hall in the City of Gainesville; and

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

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

27 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
28 **CITY OF GAINESVILLE, FLORIDA:**

1 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
2 amended by changing the land use category of the following property from Public Facilities (PF) to
3 Residential Low-Density (RL):

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

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

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

17 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
18 such conflict hereby repealed.

19 **Section 5.** This ordinance shall become effective immediately upon adoption; however, the
20 effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days
21 after adoption. If timely challenged, this amendment shall become effective on the date the state
22 land planning agency or the Administration Commission enters a final order determining this
23 adopted amendment to be in compliance with Chapter 163 F.S. No development orders,
24 development permits, or land uses dependent on this amendment may be issued or commenced
25 before this plan amendment has become effective.

1

2 **PASSED AND ADOPTED** this _____ day of _____, 2013.

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CRAIG LOWE
MAYOR

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9 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 passed this _____ day of _____, 2013.

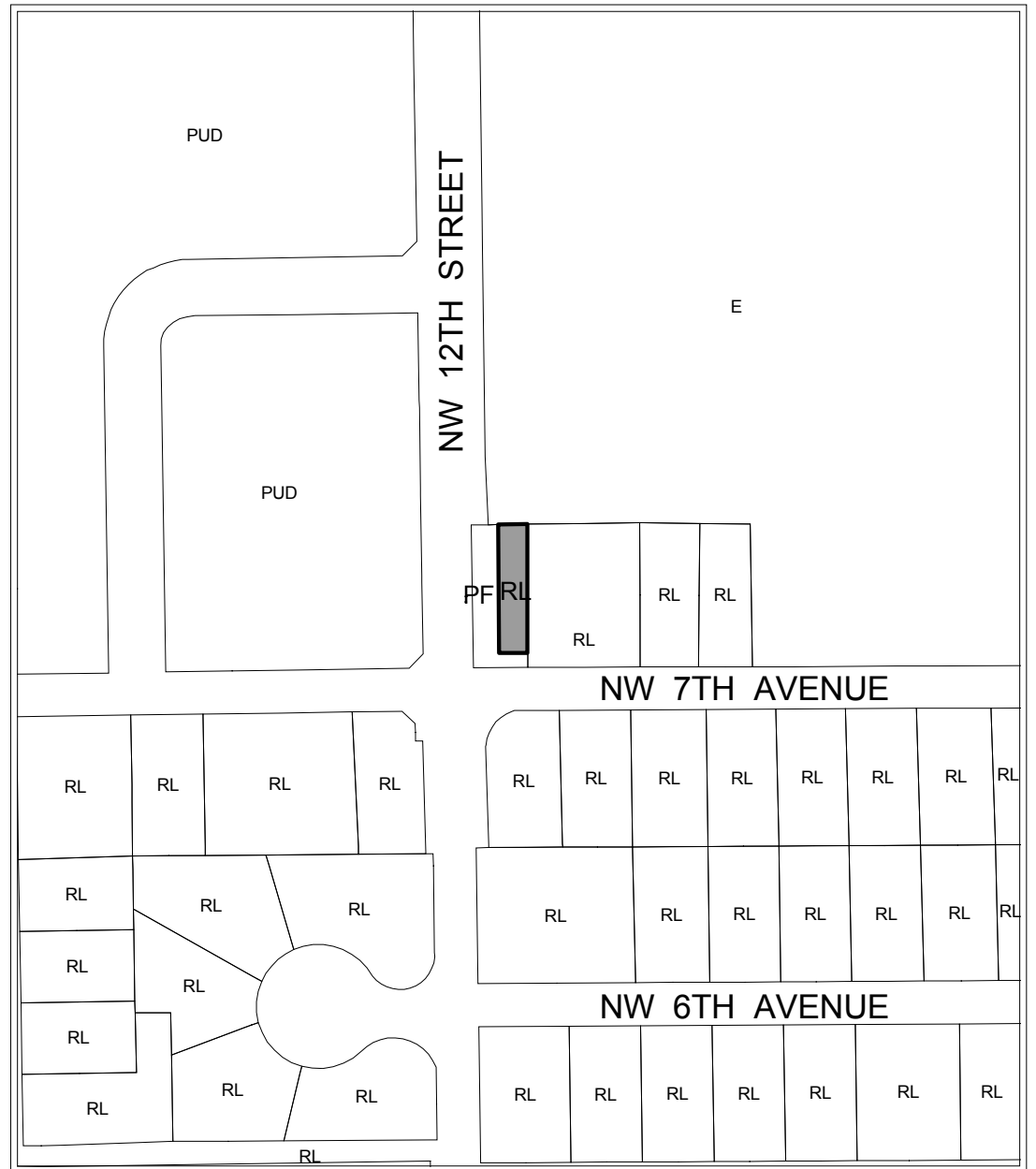
Legal Description

The Easterly 20 feet of the Northerly 90 feet of Lot 16, Block 4, as per the plat of the W.R. Thomas Subdivision, Plat Book "A", page 27.

City of Gainesville Land Use Designations

- RL Residential Low Density (up to 12 du/acre)
- E Education
- PF Public Facilities
- PUD Planned Use District

*Area
under petition
consideration*



PROPOSED LAND USE

	Name	Petition Request	Map(s)	Petition Number
 No Scale	City of Gainesville, applicant	Change land use category from PF to RL on portion of parcel indicated	3950	PB-12-110 LUC