

LEGISLATIVE #

170625A

ORDINANCE NO. 170625

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 8.33 acres of property generally located at 6224 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County High-Density Residential to City of Gainesville Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city; and

WHEREAS, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1), Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city as reflected by the community’s commitments to implement such plan; and

WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land, with the goals of protecting natural and historic resources, providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban sprawl; and

WHEREAS, this ordinance, which was noticed as required by law, will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of the property that is the subject of this ordinance; and

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

4 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
5 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
6 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 25, 2018, and
7 voted to recommend that the City Commission approve this Future Land Use Map amendment;
8 and

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

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

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

19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

20 **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 Alachua County
3 High-Density Residential to City of Gainesville Residential Low-Density (RL):

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

7
8 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
9 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
10 comply with this ordinance.

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

16 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
17 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

18 **SECTION 5.** This ordinance shall become effective immediately upon adoption; however, the
19 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
20 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this
21 amendment shall become effective on the date the state land planning agency or the
22 Administration Commission issues a final order determining this amendment to be in
23 compliance with Chapter 163, Florida Statutes. No development orders, development permits,

1 or land uses dependent on this amendment may be issued or commenced before this
2 amendment has become effective.

3 **PASSED AND ADOPTED** this ____ day of _____, 2018.

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LAUREN POE
MAYOR

10 Attest:

Approved as to form and legality:

11
12

13 _____
14 OMICHELE GAINEY
15 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

16
17

18 This ordinance was passed on Adoption Reading on this ____ day of _____ 2018.


LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID PARCEL ALSO BEING A PORTION OF LOTS 2 AND 3, MAP OF SECTIONS 9 AND 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AS RECORDED IN PLAT BOOK "A", PAGE 10 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES, 29 MINUTES, 28 SECONDS EAST, ALONG THE EAST LINE OF SAID SECTION 9, A DISTANCE OF 1215.63 FEET TO AN INTERSECTION WITH THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SUGARFOOT OAKS, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK "J", PAGE 66 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES, 30 MINUTES, 32 SECONDS WEST, ALONG SAID EASTERLY EXTENSION AND ALONG SAID SOUTHERLY LINE, A DISTANCE OF 941.60 FEET TO THE NORTHWEST CORNER OF SUGARLANE REPLAT NO. 2, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK "M", PAGE 9 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES, 30 MINUTES, 32 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 497.96 FEET TO THE SOUTHWEST CORNER OF SAID SUGARFOOT OAKS; THENCE SOUTH 00 DEGREES, 29 MINUTES, 28 SECONDS EAST, A DISTANCE OF 823.26 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SW 20TH AVENUE (100 FOOT RIGHT-OF-WAY), SAID POINT BEING THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 1959.86 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 15 DEGREES, 22 MINUTES, 10 SECONDS, A DISTANCE OF 525.73 FEET TO THE SOUTHWEST CORNER SAID SUGARLANE REPLAT NO. 2, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 71 DEGREES, 19 MINUTES, 08 SECONDS EAST, 524.15 FEET; THENCE NORTH 00 DEGREES, 29 MINUTES, 28 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID SUGARLANE REPLAT NO. 2 AND ALONG THE WESTERLY LINE OF SUGARLANE, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 84, A DISTANCE OF 659.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.33 ACRES, MORE OR LESS.

**Petition
PB-17-112 LUC
Dave Duncan Annexation
Existing Land Use**

 Area under petition consideration



**City of Gainesville
Land Use Categories**

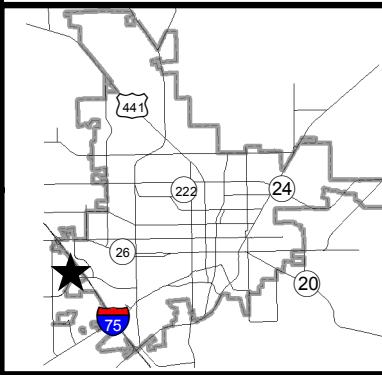
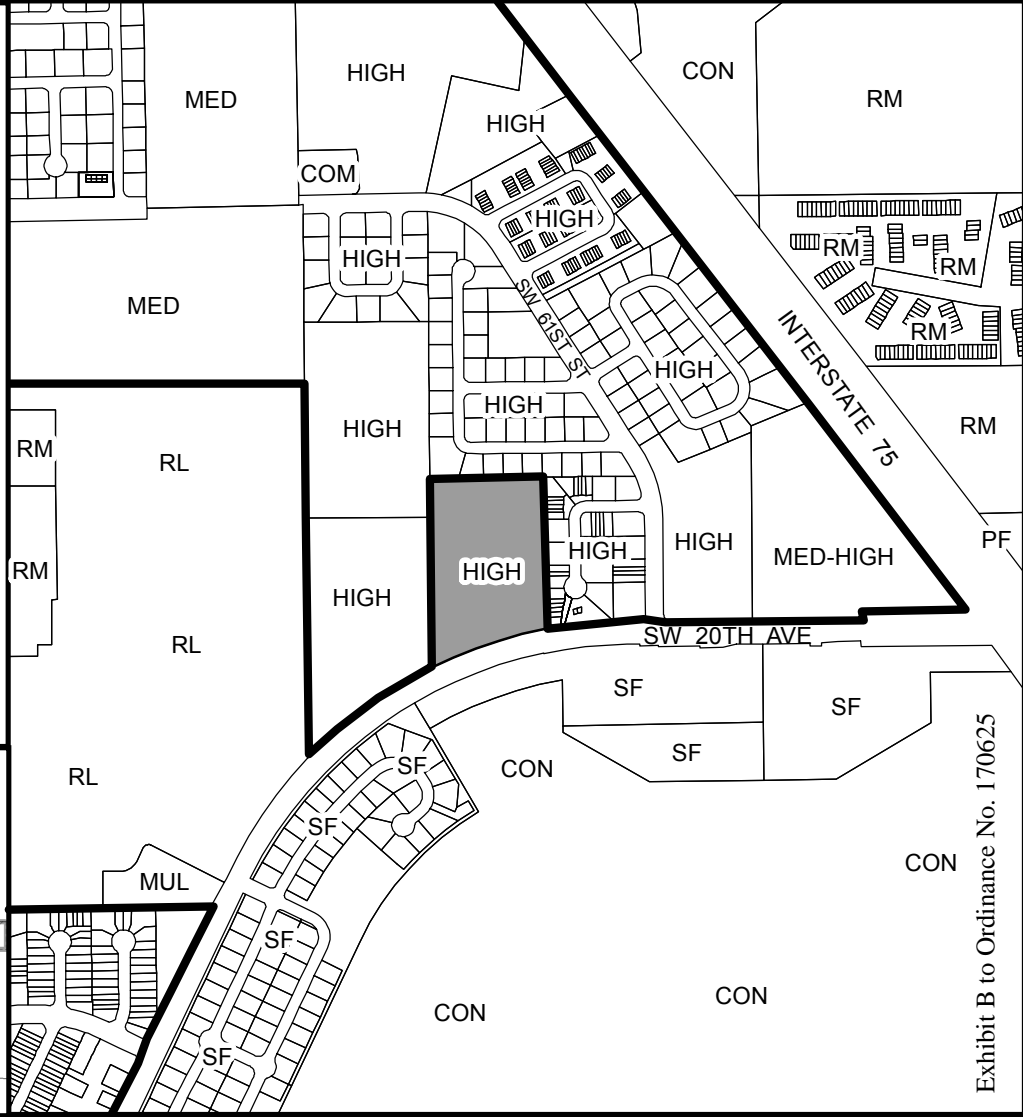
- SF Single Family Residential
- RL Low Density Residential
- RM Medium Density Residential
- MUL Mixed-Use Low Intensity
- CON Conservation

**Alachua County
Land Use Categories**


- MED Medium Density Residential
- MED-HIGH Medium High Density Res
- HIGH High Density Residential
- COM Commercial

David L. Duncan, owner
Amend Future Land Use Plan
Map from Alachua County High
Density Residential to City of
Gainesville Low Density Residential

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



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PB-17-112 LUC
Dave Duncan Annexation
Proposed Land Use**

 Area under petition consideration



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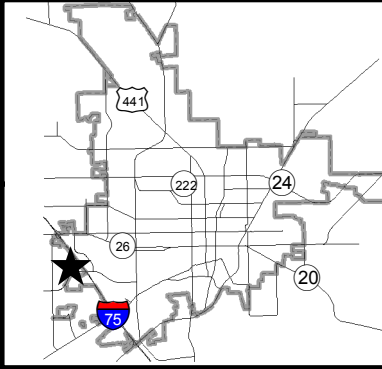
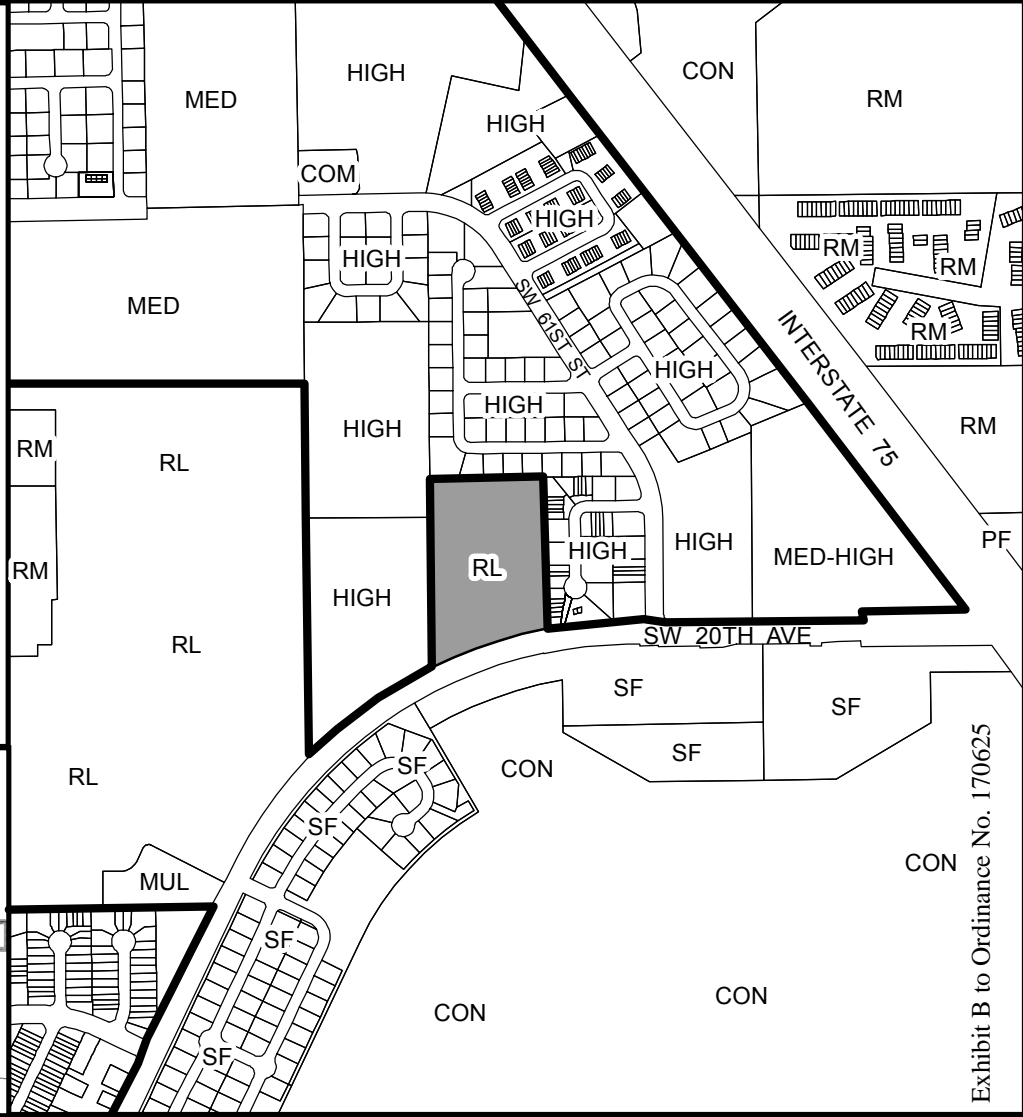


Exhibit B to Ordinance No. 170625