

1 **ORDINANCE NO. 190289**

2
3 **An ordinance of the City of Gainesville, Florida, amending the Future Land Use**
4 **Map of the Comprehensive Plan by changing the land use category of**
5 **approximately 20.74 acres of property generally located at 6400 SW 20th**
6 **Avenue, as more specifically described in this ordinance, from Alachua County**
7 **High Density Residential to City of Gainesville Residential Medium-Density**
8 **(RM); providing directions to the City Manager; providing a severability clause;**
9 **providing a repealing clause; and providing an effective date.**

10
11 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
12 Comprehensive Plan to guide the future development and growth of the city; and

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

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

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

1 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
2 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
3 pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 22, 2019, and
4 voted to recommend that the City Commission approve this Future Land Use Map amendment;
5 and

6 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
7 newspaper of general circulation and provided the public with at least seven days' advance
8 notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City
9 Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of
10 Gainesville; and

11 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this
12 proposed amendment to the reviewing agencies and any other local government unit or state
13 agency that requested same; and

14 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
15 placed in the aforesaid newspaper and provided the public with at least five days' advance
16 notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the City
17 Commission; and

18 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
19 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

20 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written
21 comments received concerning this Future Land Use Map amendment.

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 High Density Residential to City of Gainesville Residential Medium-Density (RM):

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.** Within ten working days of the transmittal (first) hearing, the City Manager or
11 designee is authorized and directed to transmit this Future Land Use Map amendment and
12 appropriate supporting data and analyses to the reviewing agencies and to any other local
13 government or governmental agency that has filed a written request for same with the City.
14 Within ten working days of the adoption (second) hearing, the City Manager or designee is
15 authorized and directed to transmit this amendment to the state land planning agency and
16 any other agency or local government that provided comments to the City regarding the
17 amendment.

18 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary
19 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
20 comply with this ordinance.

21 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
22 the application hereof to any person or circumstance is held invalid or unconstitutional, such
23 finding will not affect the other provisions or applications of this ordinance that can be given

1 effect without the invalid or unconstitutional provision or application, and to this end the
2 provisions of this ordinance are declared severable.

3 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
4 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

5 **SECTION 6.** This ordinance will become effective immediately upon adoption; however, the
6 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
7 amendment is not timely challenged, will be 31 days after the state land planning agency
8 notifies the City that the plan amendment package is complete in accordance with Section
9 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment will
10 become effective on the date the state land planning agency or the Administration Commission
11 enters a final order determining the amendment to be in compliance with Chapter 163, Florida
12 Statutes. No development orders, development permits, or land uses dependent on this
13 Comprehensive Plan amendment may be issued or commenced before this amendment has
14 become effective.

15 **PASSED AND ADOPTED** this 16th day of January, 2020.

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LAUREN POE
MAYOR

21 Attest:

Approved as to form and legality:

22
23
24



OMICHELE D. GAINNEY *mariekessler*
CLERK OF THE COMMISSION *Deputy Clerk*



NICOLLE M. SHALLEY
CITY ATTORNEY

27

28 This ordinance passed on transmittal (first) reading this 7th day of November, 2019.

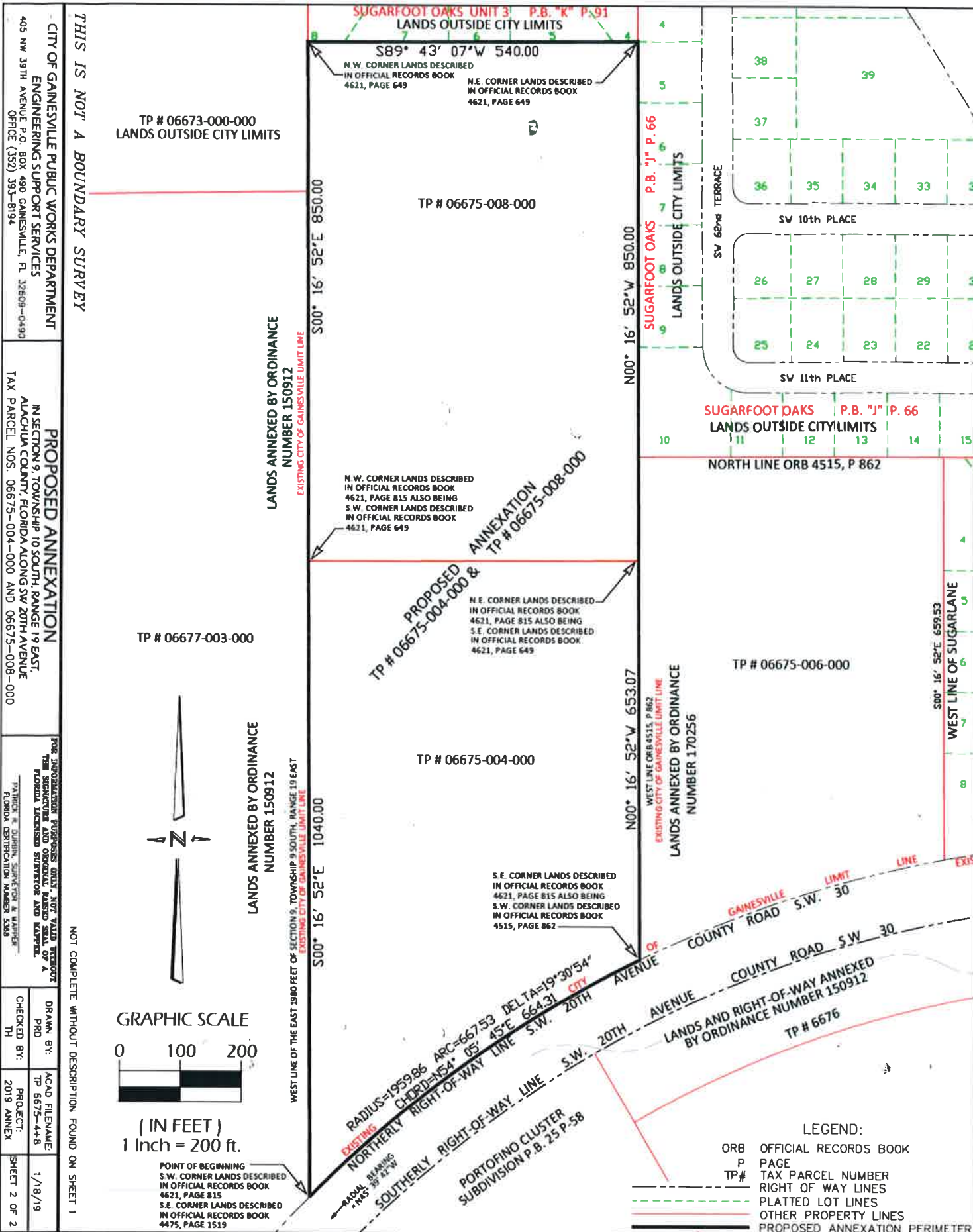
29 This ordinance passed on adoption (second) reading this 16th day of January, 2020.

LEGAL DESCRIPTION FOR TAX PARCEL NUMBERS 06675-004-000 AND
06675-008-000 NORTH OF SW 20TH AVE. AND WEST OF INTERSTATE 75

A TRACT OF LAND LYING IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE AS PER ORDINANCE NUMBER 150912, SAID POINT ALSO BEING SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1519 (HEREAFTER ABBREVIATED ORB/P) OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF), THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN ORB 4621, P 815 AND THE POINT OF INTERSECTION OF THE WEST LINE OF THE EAST 1980 FEET OF SAID SECTION 9 AND THE NORTHERLY RIGHT-OF-WAY LINE OF S.W. 20TH AVENUE, ALSO BEING COUNTY ROAD SW 30 AND BEING A POINT ON A CURVE CONCAVE SOUTHEASTERLY WITH A RADIAL BEARING OF N 45°39'42" W, HAVING A RADIUS OF 1959.86 FEET, AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N 54°05'45" E, 664.31 FEET; THENCE NORTHEASTERLY ALONG SAID EXISTING CITY LIMIT LINE, NORTHERLY RIGHT-OF-WAY LINE AND CURVE AN ARC DISTANCE OF 667.53 FEET THROUGH A CENTRAL ANGLE OF 19°30'54" TO THE SOUTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN ORB 4621, P 815 ALSO BEING THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN ORB 4515, P 862 AND A POINT ON THE CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 170256; THENCE LEAVING SAID RIGHT-OF-WAY LINE CONTINUE ALONG THE EXISTING CITY OF GAINESVILLE LIMIT LINE N 00°16'52" W ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 653.07 FEET TO THE NORTHEAST CORNER OF SAID LAND DESCRIBED IN ORB 4621, P 815 ALSO BEING THE SOUTHEAST CORNER OF LAND DESCRIBED IN ORB 4621 P 649; THENCE CONTINUE N 00°16'52" W ALONG THE EAST LINE OF SAID LANDS A DISTANCE OF 850.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS ALSO BEING THE SOUTHEAST CORNER OF SUGARFOOT OAKS UNIT 3 AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK "K", PAGE 91 OF THE PRACF; THENCE S 89°43'07" W, ALONG THE NORTH LINE OF SAID LANDS AND THE SOUTH LINE OF SAID PLAT A DISTANCE OF 540.00 FEET TO THE NORTHWEST CORNER OF SAID LANDS ALSO BEING THE SOUTHWEST CORNER OF SAID PLAT; THENCE S 00°16'52" E ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 850.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS ALSO BEING NORTHWEST CORNER OF LAND DESCRIBED IN ORB 4621, P 815; THENCE CONTINUE S 00°16'52" W ALONG THE WEST LINE OF SAID LANDS A DISTANCE OF 1040.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 903,552 SQUARE FEET OR 20.74 ACRES MORE OR LESS.

SHEET 1 OF 2: NOT COMPLETE WITHOUT SKETCH AND DESCRIPTION FOUND ON SHEET 2

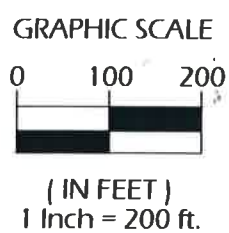


CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT
ENGINEERING SUPPORT SERVICES
 405 NW 39TH AVENUE, P.O. BOX 490 GAINESVILLE, FL 32609-0490
 OFFICE (352) 393-8194

THIS IS NOT A BOUNDARY SURVEY

PROPOSED ANNEXATION
 IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 19 EAST,
 ALACHUA COUNTY, FLORIDA ALONG SW 20TH AVENUE
 TAX PARCEL NOS. 06675-004-000 AND 06675-008-000

NOT COMPLETE WITHOUT DESCRIPTION FOUND ON SHEET 1



POINT OF BEGINNING
 S.W. CORNER LANDS DESCRIBED
 IN OFFICIAL RECORDS BOOK
 4621, PAGE 815
 S.E. CORNER LANDS DESCRIBED
 IN OFFICIAL RECORDS BOOK
 4475, PAGE 1519

FOR INFORMATION PURPOSES ONLY, NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL PAPERED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 DATE OF SURVEY: 10/18/19
 SURVEYOR: [Signature]

CHECKED BY:	TH	PROJECT:	2019 ANNEX
DRAWN BY:	PRD	ACAD FILENAME:	TP 6675-4+8
SHEET:	2 OF 2	DATE:	1/18/19

**Petition
PB-19-68 LUC
Existing Land Use**

Area under petition consideration

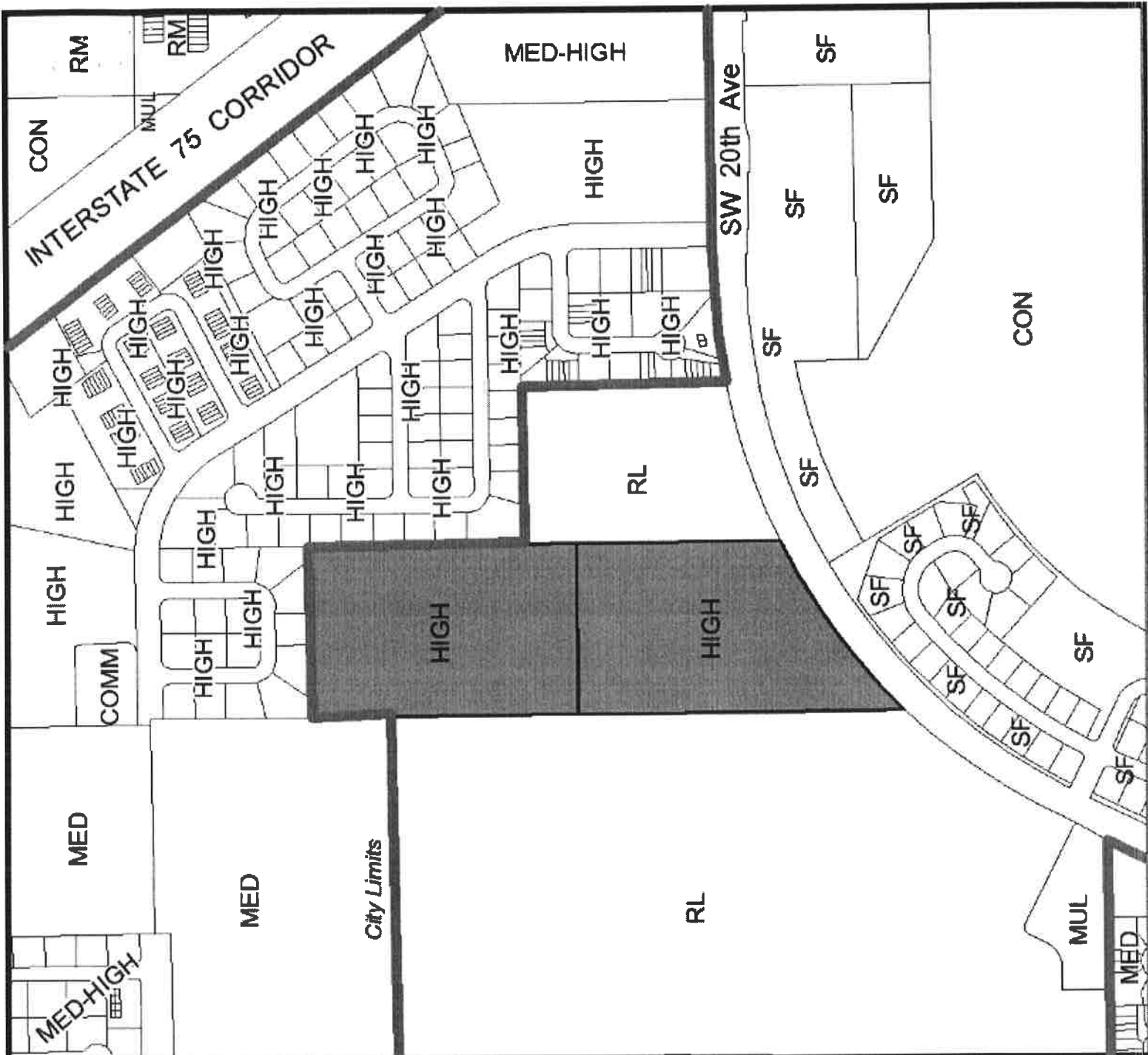
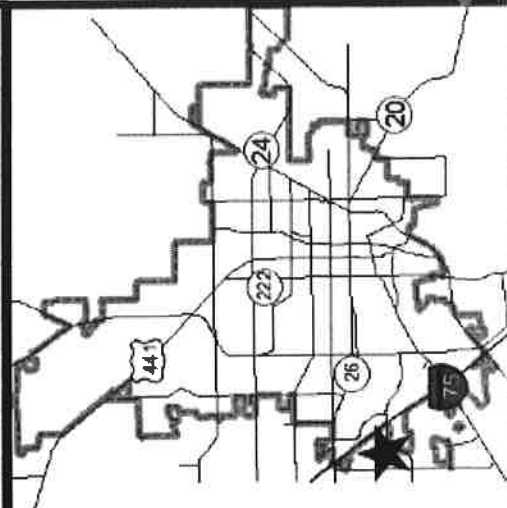
**City of Gainesville
Land Use Categories**

- 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

City Limits



**Petition
PB-19-68 LUC
Proposed Land Use**

Area under petition consideration

**City of Gainesville
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