1	ORDINANCE NO. <u>100859</u>
2	
3	
4	An ordinance amending the City of Gainesville 2000-2010
5	Comprehensive Plan, Future Land Use Map; by changing the
6	land use categories of certain properties annexed into the City, as
7	more specifically described in this ordinance, from the Alachua
8	County land use categories of "Commercial", and "High Density
10	Residential (14-24 DU/acre)", to the City of Gainesville land use categories of "Commercial", "Education", and "Residential Low-
11	Density (up to 12 units per acre)"; generally located West of SW
12	34 <sup>th</sup> Street, North of SW Archer Rd., East of SW 42 <sup>nd</sup> Street, and
13	South of SW 14 <sup>th</sup> Place, as more specifically shown and described
14	in this ordinance; providing directions to the City Manager;
15	providing a severability clause; providing a repealing clause; and
16	providing an immediate effective date.
17	
18	
19	WHEREAS, publication of notice of a public hearing was given that the Future Land Use
20	Map be amended by changing the land use categories of certain properties from the Alachua County
21	land use categories of "Commercial", and "High Density Residential (14-24 DU/acre)", to the City of
22	Gainesville land use categories of "Commercial", "Education", and "Residential Low-Density (up to 12
23	units per acre)"; and
24	WHEREAS, notice was given and publication made as required by law and a public hearing
25	was held by the City Plan Board on January 27, 2011; and
26	WHEREAS, notice was given and publication made of a public hearing which was then held
27	by the City Commission on March 3, 2011; and
28	WHEREAS, the amendment to the land use categories of the City of Gainesville 2000-2010
29	Comprehensive Plan proposed herein directly relates to a small scale development activity as provided

30 in Chapter 163, Florida Statutes; and

- WHEREAS, the City of Gainesville will transmit copies of the public notice and this proposed
- 2 ordinance to the State Land Planning Agency, the regional planning council, and any other person or
- entity who has requested a copy; and
- WHEREAS, at least ten (10) days notice has been given of a public hearing once by
- 5 publication in a newspaper of general circulation notifying the public of this proposed ordinance and of
- 6 a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of Gainesville;
- 7 and
- WHEREAS, pursuant to law, notice has also been given by mail to the owner whose land the
- 9 City will redesignate by the enactment of this Ordinance, at least thirty days prior to the date set for a
- 10 public hearing on this ordinance; and
- WHEREAS, the public hearing was held pursuant to the published notice described above at
- 12 which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.
- NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
- 14 CITY OF GAINESVILLE, FLORIDA:
- Section 1. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 16 Plan is amended by changing the land use category of the following described property from the
- 17 Alachua County land use category of "Commercial" on Tax Parcel No. 06803-001-000, as more
- 18 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 19 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 20 hereof as Exhibit "B".

- Section 2. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 2 Plan is amended by changing the land use category of the following described property from the
- 3 Alachua County land use category of "Commercial" on Tax Parcel No. 06803-001-001, as more
- 4 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 5 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 6 hereof as Exhibit "B".
- Section 3. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 8 Plan is amended by changing the land use category of the following described property from the
- 9 Alachua County land use category of "Commercial" on Tax Parcel No. 06803-002-000, as more
- 10 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 11 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 12 hereof as Exhibit "B".
- Section 4. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 14 Plan is amended by changing the land use category of the following described property from the
- 15 Alachua County land use category of "Commercial" on Tax Parcel No. 06803-004-000, as more
- 16 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 17 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 18 hereof as Exhibit "B".
- Section 5. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 20 Plan is amended by changing the land use category of the following described property from the
- 21 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-001-005, as more

- 1 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 2 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 3 hereof as Exhibit "B".
- Section 6. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 5 Plan is amended by changing the land use category of the following described property from the
- 6 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-001-006, as more
- 7 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 8 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 9 hereof as Exhibit "B".
- Section 7. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 1 Plan is amended by changing the land use category of the following described property from the
- 12 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-001-007, as more
- 13 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 14 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 15 hereof as Exhibit "B".
- Section 8. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 17 Plan is amended by changing the land use category of the following described property from the
- 18 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-001-015, as more
- 19 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 20 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 21 hereof as Exhibit "B".

- Section 9. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 2 Plan is amended by changing the land use category of the following described property from the
- 3 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-001-020, as more
- 4 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 5 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 6 hereof as Exhibit "B".
- 7 **Section 10.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 8 Plan is amended by changing the land use category of the following described property from the
- 9 Alachua County land use category of "Commercial" on Tax Parcel No. 06810-002-002, as more
- 10 specifically shown on the map attached hereto and made a part hereof as Exhibit "A", to the City of
- 11 Gainesville land use category of "Commercial" as shown on the map attached hereto and made a part
- 12 hereof as Exhibit "B".
- Section 11. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 4 Plan is amended by changing the land use category of the following described property from the
- 15 Alachua County land use category of "High Density Residential (14-24 DU/acre)" on Tax Parcel No.
- 16 06711-002-000, as shown on the map attached hereto and made a part hereof as Exhibit "A", to the
- 17 City of Gainesville land use category of "Education", as shown on the map attached hereto and made a
- 18 part hereof as Exhibit "B".
- Section 12. The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
- 20 Plan is amended by changing the land use category of the following described property from the
- 21 Alachua County land use category of "High Density Residential (14-24 DU/acre)" on Tax Parcel No.

- 1 06714-000-000, as shown on the map attached hereto and made a part hereof as Exhibit "A", to the
- 2 City of Gainesville land use category of "Residential Low-Density (up to 12 units per acre)", as shown
- 3 on the map attached hereto and made a part hereof as Exhibit "B".
- 4 Section 13. The City Manager is authorized and directed to make the necessary changes in
- 5 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
- 6 thereof in order to comply with this ordinance.
- Section 14. If any word, phrase, clause, paragraph, section or provision of this ordinance
- 8 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
- 9 finding shall not affect the other provisions or applications of the ordinance which can be given
- 10 effect without the invalid or unconstitutional provisions or application, and to this end the
- 11 provisions of this ordinance are declared severable.
- Section 15. All ordinances, or parts of ordinances, in conflict herewith are to the extent of
- 13 such conflict hereby repealed.
- Section 16. This ordinance shall become effective immediately upon passage; however, the
- 15 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty one
- 16 (31) days after passage and adoption of this Ordinance unless a petition is filed with the Division of
- 17 Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance shall not become
- 18 effective until the state land planning agency issues a final order determining the adopted amendment to
- 19 be in compliance in accordance with § 163.3187, or until the Administration Commission issues a final

20

1 order determining the adopted amendment to be in compliance in accordance with § 163.3187, F.S. PASSED AND ADOPTED this 5th day of May, 2011. 2 3 4 5 6 7 8 ATTEST: APPROVED AS TO FORM AND LEGALITY: 9 10 11 MARION J. RADSON, CITY ATTORNEY 12

MAY -5 2011

This ordinance passed this 5th day of May, 2011.

CLERK OF THE COMMISSION

13

14

15

#### Exhibit "A"

# 06711-002-000

# 06714-000-000-HIGH

HIGH

### Land Use Designations Alachua County

Commercial High Density Residential (14-24 DU/acre) COMM

City Limits

# 06810-001-006

# 06810-001-015 COMM

COMM

-#06810-001-020 COMM

#,06810-001-005

COMM # 06803-001<sub>C</sub>001

# 06803-001-000

# 06803-002-000 COMM

COMME

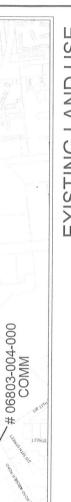
# 06810-001-007 COMM

# 06810-002-002 COMM

## LEGEND

Area Under Consideration





# **EXISTING LAND USE**

Map(s) Petition Number	Southwest Annexation PB-10-135LUC - B
Petition Request	Change FLUM from Alachua County Land Use categories to City of Gainesville Land Use categories.
Name	City of Gainesville, applicant
	ш



No Scale

#### Exhibit "B"

# 06711-002-000

# 06714-000-000-

### Land Use Designations City of Gainesville

Residential Low Commercial oz

Density (up to 12 DU/acre) Educational Services

Ш

# 06810-001-006

C # 06810-001-015

-#06810-001-020 C

C ( 1005 - 005 - 005 - 005

C # 06803-001<sub><</sub>001

C # 06803-001-0000

# 06803-002-000-

# 06810-001-007

# 06810-002-002

# 06803-004-000 C

City Limits

#### LEGEND

Area Under Consideration



		1	PROPOSED LAND USE
Name	Petition Request	Map(s)	Petition Number
the of Garage Allivage of the Min	Change FLUM from Alachua County	4145, 4345,	Southwest Annexation
	Land Use categories to City of Gainesville Land Use categories.	4445	PB-10-135LUC - B



No Scale