

ORDINANCE NO. 210571

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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 0.60 acres of property generally located at the 1200 block of SW**  
6       **25<sup>th</sup> Place and east of SW 13<sup>th</sup> Street, as more specifically described in this**  
7       **ordinance, from Single-Family (SF) to Urban Mixed-Use (UMU); providing**  
8       **directions to the City Manager; providing a severability clause; providing a**  
9       **repealing clause; and providing an effective date.**

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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

27 **WHEREAS**, this amendment to the Future Land Use Map of the City of Gainesville  
28 Comprehensive Plan proposed herein involves a use of 50 acres or fewer and qualifies as a  
29 small-scale development amendment as provided in Section 163.3187, Florida Statutes; and

30 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
31 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
32 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 27, 2022, and  
33 voted to recommend that the City Commission approve this Future Land Use Map amendment;  
34 and

35 **WHEREAS**, at least five days' notice has been given once by publication in a newspaper of  
36 general circulation notifying the public of this proposed ordinance and a public hearing held by  
37 the City Commission; and

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

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

41 **FLORIDA:**

42 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
43 amended by changing the land use category of the following property from Single-Family (SF)  
44 to Urban Mixed-Use (UMU):

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

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

53 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
54 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
55 finding will not affect the other provisions or applications of this ordinance that can be given  
56 effect without the invalid or unconstitutional provision or application, and to this end the  
57 provisions of this ordinance are declared severable.

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

60 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
61 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely  
62 challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this  
63 amendment will become effective on the date the state land planning agency or the  
64 Administration Commission issues a final order determining the amendment to be in  
65 compliance with Chapter 163, Florida Statutes. No development orders, development permits,  
66 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced  
67 before this amendment has become effective.

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72 **PASSED AND ADOPTED** this 21<sup>st</sup> day of April, 2022.

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LAUREN POE  
MAYOR

79 Attest:

Approved as to form and legality:

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86

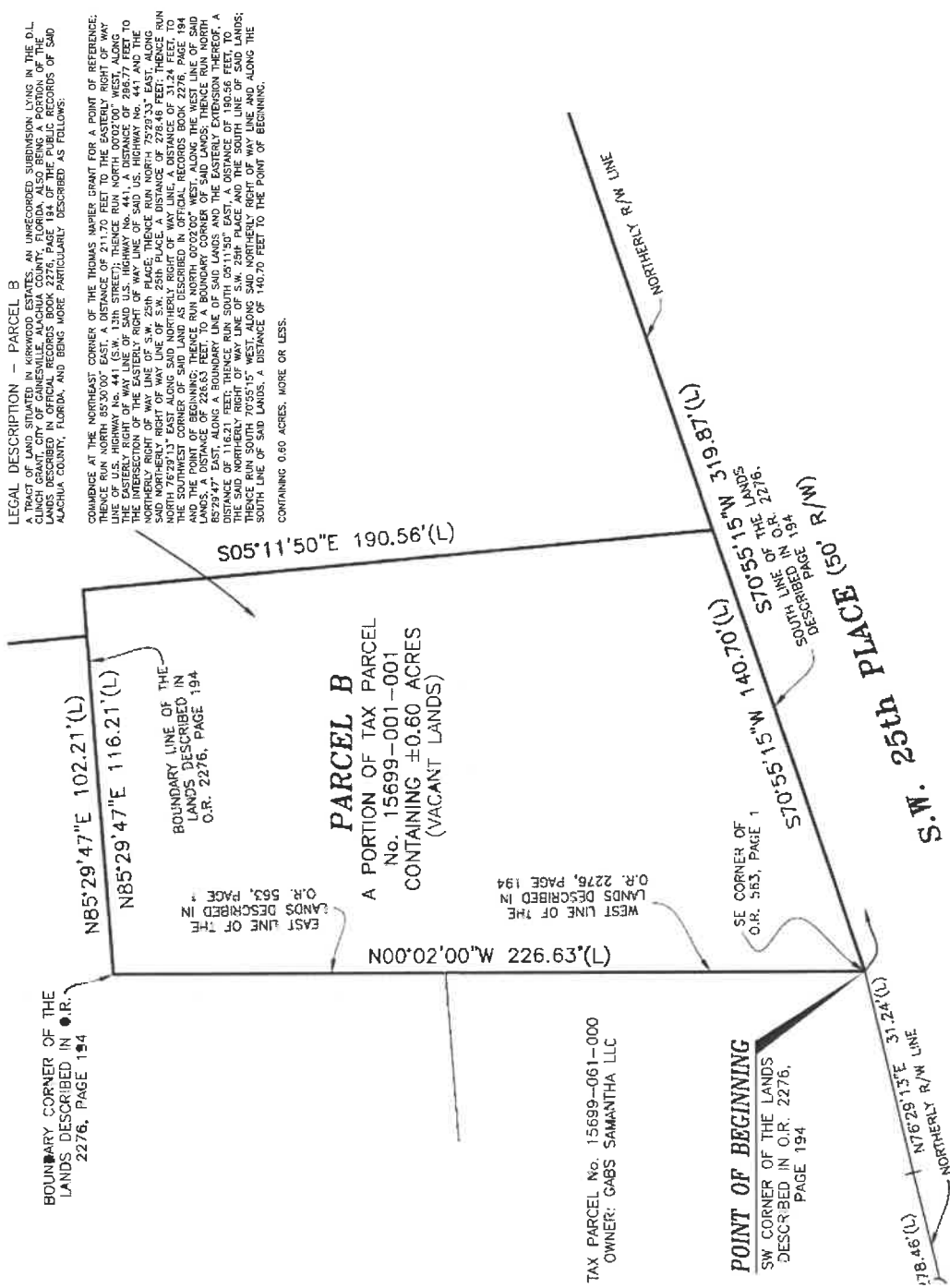
OMICHELE D. GAINNEY  
CITY CLERK

FOR

DANIEL M. NEE  
INTERIM CITY ATTORNEY

87 This ordinance was passed on Adoption Reading on this 21<sup>st</sup> day of April, 2022.

Exhibit A to Ordinance 210571



**LEGAL DESCRIPTION - PARCEL B**  
 A TRACT OF LAND SITUATED IN KIRKWOOD, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHEAST CORNER OF THE THOMAS MAPIER GRANT FOR A POINT OF REFERENCE; THENCE RUN NORTH 85°29'47" EAST, A DISTANCE OF 116.21 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 441, NORWELLYN ROAD, AND THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 441 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID 25th PLACE, THENCE RUN NORTH 75°29'33" EAST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID 25th PLACE, A DISTANCE OF 226.63 FEET TO THE SOUTHWEST CORNER OF SAID LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2276, PAGE 194 AND THE POINT OF BEGINNING; THENCE RUN NORTH 00°02'00" WEST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 226.63 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 441, NORWELLYN ROAD, AND THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 441 AND THE SOUTHWEST CORNER OF SAID LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2276, PAGE 194; THENCE RUN SOUTH 70°55'15" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 140.70 FEET TO THE POINT OF BEGINNING, CONTAINING 0.60 ACRES, MORE OR LESS.

**PARCEL B**  
 A PORTION OF TAX PARCEL  
 No. 15699-001-001  
 CONTAINING ±0.60 ACRES  
 (VACANT LANDS)

TAX PARCEL No. 15699-061-000  
 OWNER: GABS SAMANTHA LLC

**POINT OF BEGINNING**  
 SW CORNER OF THE LANDS  
 DESCRIBED IN O.R. 2276,  
 PAGE 194

NORTHERLY R/W LINE  
 N76°29'13"E 31.24'(L)  
 178.46'(L)

S.W. 25th PLACE (50' R/W)  
 S70°55'15"W 140.70'(L)  
 SE CORNER OF THE LANDS DESCRIBED IN O.R. 563, PAGE 1

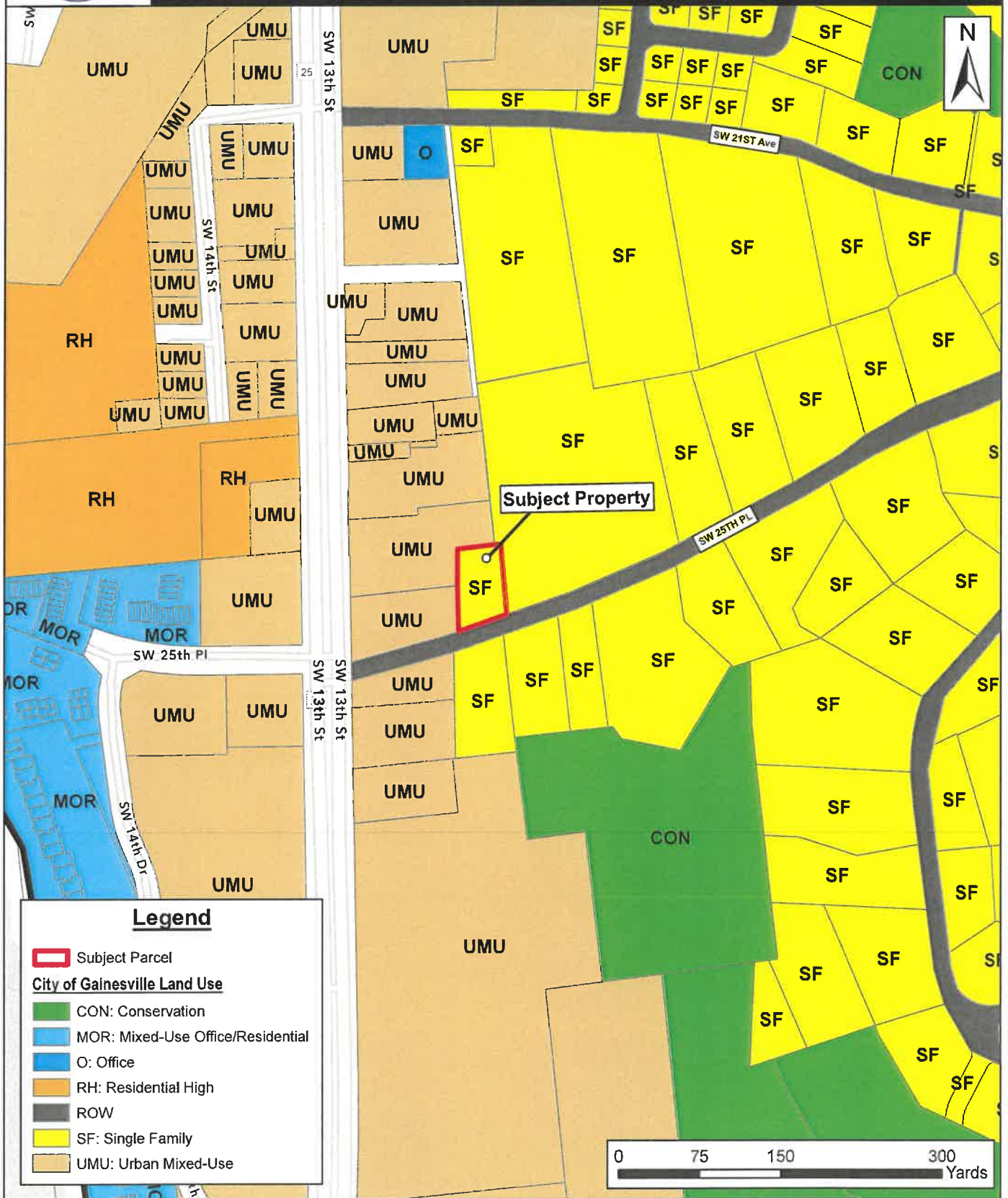
S70°55'15"W 119.87'(L)  
 THE LANDS DESCRIBED IN O.R. 2276,  
 SOUTH LINE IN 194  
 SOURCE DESCRIBED PAGE 194

NORTHERLY R/W LINE



# Existing Land Use

Parcel: 15699-001-005 | PB-21-159 LUC



### Legend

Subject Parcel

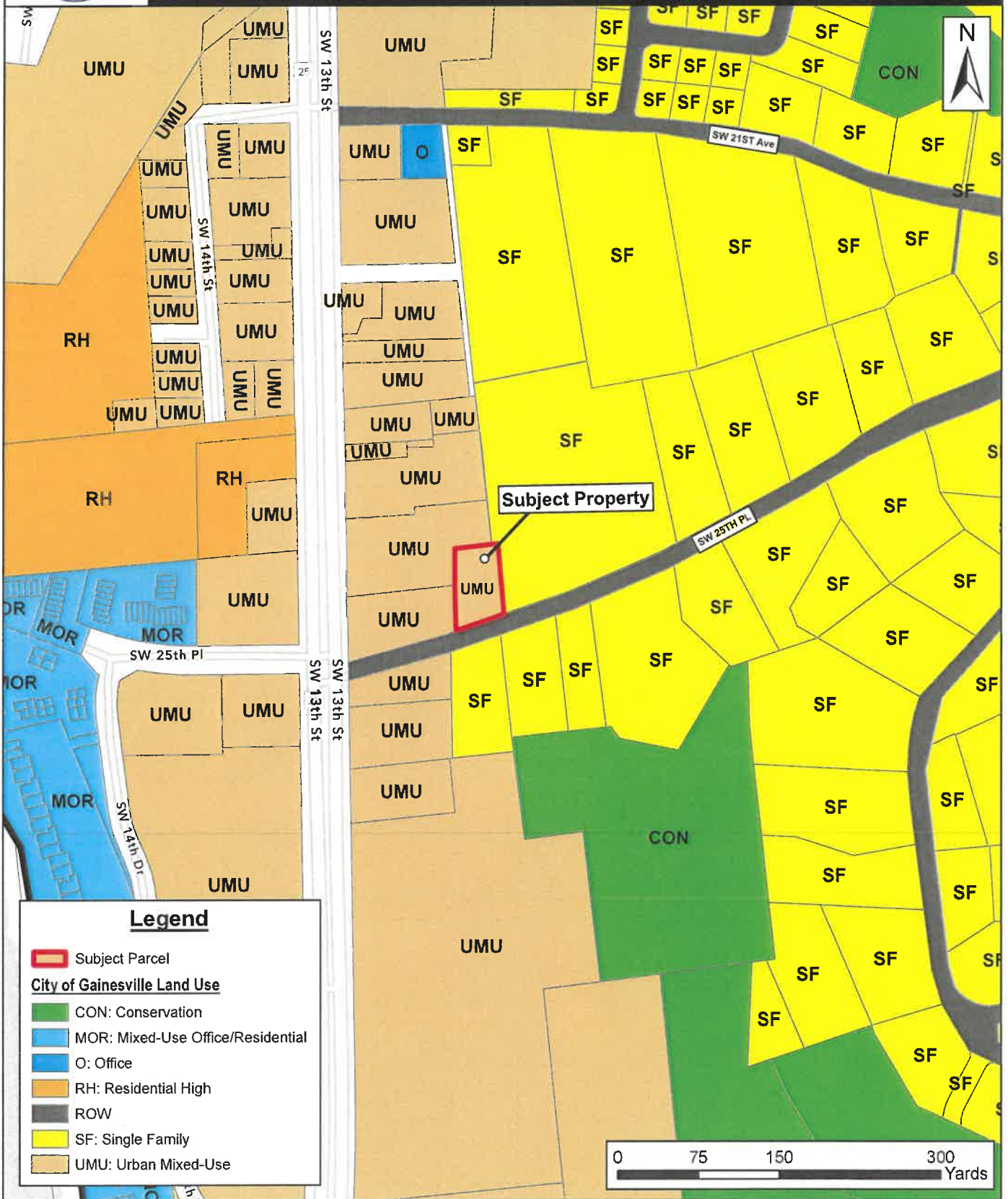
#### City of Gainesville Land Use

- CON: Conservation
- MOR: Mixed-Use Office/Residential
- O: Office
- RH: Residential High
- ROW
- SF: Single Family
- UMU: Urban Mixed-Use



# Proposed Land Use

Parcel: 15699-001-005 | PB-21-159 LUC



### Legend

Subject Parcel

#### City of Gainesville Land Use

- CON: Conservation
- MOR: Mixed-Use Office/Residential
- O: Office
- RH: Residential High
- ROW
- SF: Single Family
- UMU: Urban Mixed-Use