

LEGISLATIVE #

180397A

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 September 27, 2018,
4 and voted to recommend that the City Commission approve this Future Land Use Map
5 amendment; 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 Commercial (C) to
5 Urban Mixed-Use (UMU):

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

16 **PASSED AND ADOPTED** this _____ day of _____, 2019.

17

18

19

20

21

22 Attest:

23

24

25

26 _____
27 OMICHELE D. GAINEY
28 CLERK OF THE COMMISSION

LAUREN POE
MAYOR

Approved as to form and legality:

NICOLLE M. SHALLEY
CITY ATTORNEY

1 This ordinance passed on transmittal (first) reading this ____ day of _____, 2019.

2

3 This ordinance passed on adoption (second) reading this ____ day of _____, 2019.

Legal Description


A parcel of land situated in Section 4, Township 10 South, Range 19 East, Alachua County, Florida, said parcel of land being more particularly described as follows:

Commence at the Northeast corner of Section 4, Township 10 South, Range 19 East; thence North 89°37'02" West along the North line of said Section 4, 1050.39 feet; thence run South 00°02'06" East, 52.78 feet to a point on the Southerly right of way line of State Road No. 26; thence North 89°30'38" West, a distance of 5.00 feet to a point of the Westerly Right-of-Way line of NW 62nd Street and the **Point of Beginning**; thence the following five (5) courses along said Westerly Right-of-Way line; (1) thence South 00°02'06" East, a distance of 721.05 feet; (2) thence North 89°57'54" East, a distance of 5.00 feet; (3) thence South 00°02'06" East, a distance of 1202.83 feet; (4) thence North 89°30'38" West, a distance of 10.00 feet; (5) thence South 00°02'06" East, a distance of 702.32 feet; thence departing said Westerly Right-of-Way line, North 89°49'46" West, a distance of 267.00 feet to the Southwest corner of Parcel 3 of lands described in Official Records Book 2131, Page 2933 of the Public Records of Alachua County, Florida; thence the following nine (9) courses along the Boundary of said Parcel 3; (1) thence continue North 89°49'46" West, a distance of 652.18 feet; (2) thence North 00°06'58" West, a distance of 703.96 feet; (3) thence North 89°30'38" West, a distance of 6.64 feet; (4) thence North 00°01'40" East, a distance of 466.92 feet; (5) thence North 89°30'38" West, a distance of 462.46 feet; (6) thence North 00°01'40" East, a distance of 140.00 feet; (7) thence North 89°30'38" West, a distance of 169.97 feet; (8) thence South 00°03'25" West, a distance of 140.00 feet; (9) thence North 89°30'38" West, a distance of 30.00 feet to the East line of Parcel 5 of said lands described in Official Records Book 2131, Page 2933; thence the following seven (7) courses along the boundary of said Parcel 5; (1) thence South 00°03'26" West, a distance of 340.03 feet; (2) thence North 36°36'55" West, a distance of 384.51 feet; (3) thence North 00°14'07" East, a distance of 133.62 feet; (4) thence North 89°35'37" West, a distance of 87.76 feet; (5) thence North 36°36'55" West, a distance of 58.71 feet; (6) thence North 00°14'07" East, a distance of 238.45 feet; (7) thence South 89°30'38" East, a distance of 351.31 feet to the West line of Parcel 1 of said lands described in Official Records Book 2131, Page 2933; thence North 00°03'26" East, along said West line, a distance of 1074.98 feet to the Southerly Right-of-Way line of State Road No. 26; thence South 89°30'35" East, along said Southerly Right-of-Way line, a distance of 1591.50 feet to the **Point of Beginning**.

Containing 81.575 Acres, more or less.

Exhibit "A" to Ordinance No. 180397

Petition PB-18-116 LUC Proposed Land Use Categories



 Area Under Petition Consideration

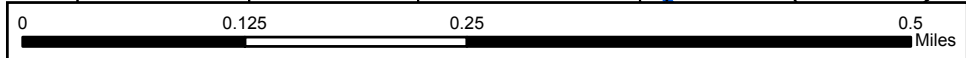
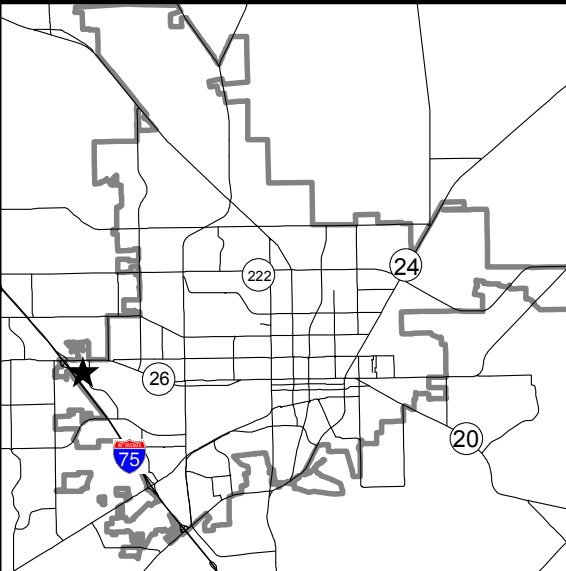
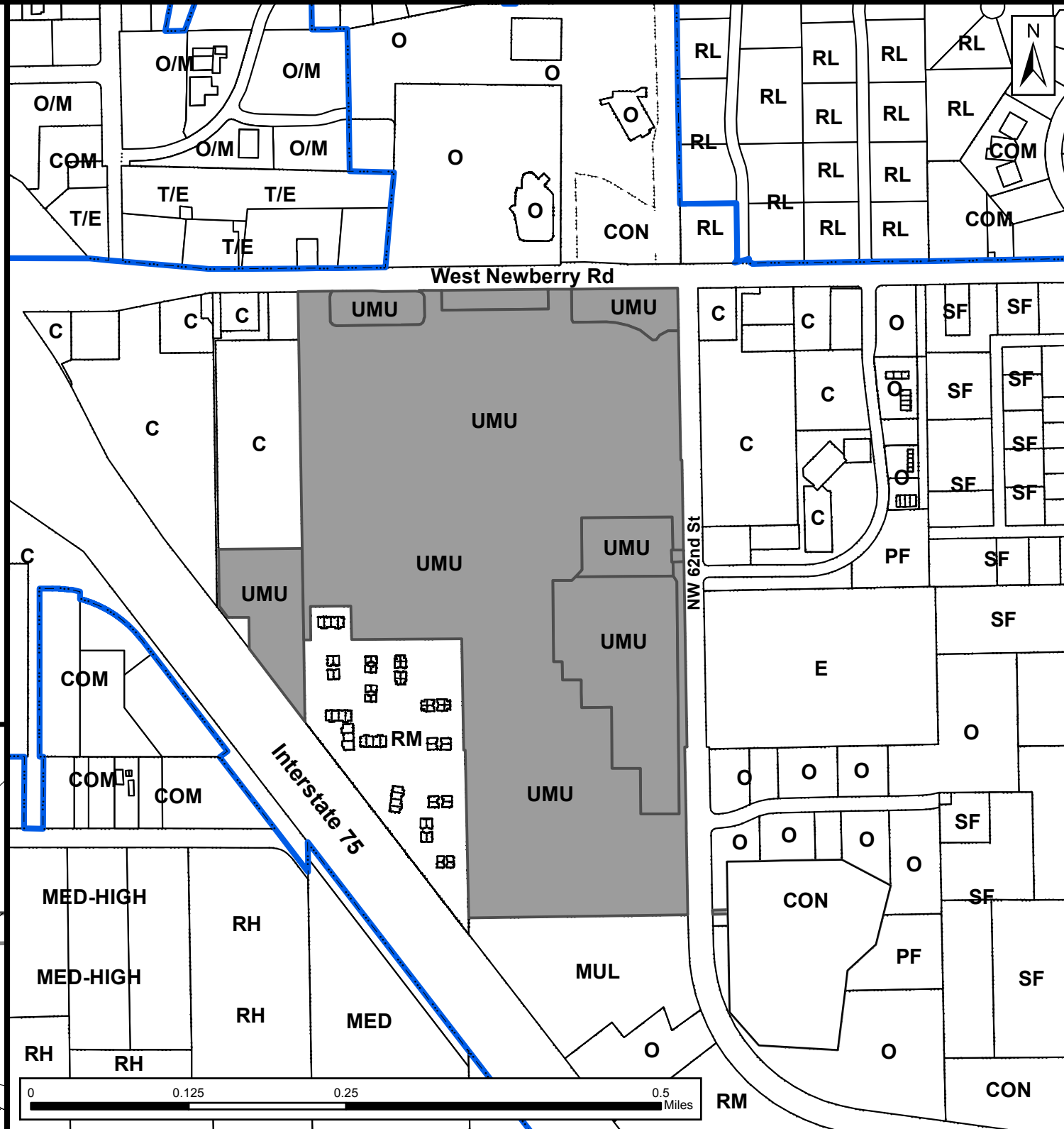
City of Gainesville Land Use Categories

- C Commercial
- CON Conservation
- E Education
- MUL Mixed-Use Low
- O Office
- PF Public & Institutional Facilities
- RM Residential Medium
- SF Single Family
- UMU Urban Mixed-Use

Alachua County Land Use Categories

- COM Commercial
- MED Residential - Medium
- MED-HIGH Residential - Medium/High
- O/M Office/Medical
- RH Residential - High
- RL Residential - Low
- T/E Tourist/Entertainment

 Division line between two land use categories
 City Limits



Petition PB-18-116 LUC Existing Land Use Categories

Area Under Petition Consideration

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