1	ORDINANCE NO. 130687		
2 3 4 5 6 7 8 9 10 11	An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 3.28 acres of property generally located at 1233 SW 6 <sup>th</sup> Street, as more specifically described in this ordinance, from Industrial (IND) to Urban Mixed-Use 2 (UMU-2); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.  WHEREAS, by initiation of a petition by the owners of the subject property, notice was		
12	given as required by law that the Future Land Use Map of the City of Gainesville		
13	Comprehensive Plan be amended by changing the land use category of certain property, as		
14	4 specifically described in this ordinance, from Industrial (IND) to Urban Mixed-Use 2 (UMU-2);		
15	and		
16	WHEREAS, the amendment to the Future Land Use Map of the City of Gainesville		
17	Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a		
18	small-scale development amendment as provided in Section 163.3187, Florida Statutes; and		
19	WHEREAS, notice was given as required by law and a public hearing was held by the		
20	City Plan Board on January 23, 2014; and		
21	WHEREAS, at least five (5) days' notice has been given once by publication in a		
22	newspaper of general circulation notifying the public of this proposed ordinance and of a public		
23	hearing in the City Hall Auditorium located on the first floor of City Hall in the City of		
24	Gainesville; and		
25	WHEREAS, the public hearing was held pursuant to the notice described above at which		
26	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
CITY OF GAINESVILLE, 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 Industrial (IND) to
3	Urban Mixed-Use 2 (UMU-2):

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

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- Section 2. The City Manager or designee is authorized and directed to make the necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in order to comply with this ordinance.
- Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.
- Section 4. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed on the effective date of this plan amendment.
- Section 5. This ordinance shall become effective immediately upon adoption; however, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Section 163.3184, F.S. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance with Chapter 163, F.S. No development orders,

- 1 development permits, or land uses dependent on this amendment may be issued or commenced
- 2 before this plan amendment has become effective.
- 3 **PASSED AND ADOPTED** this 5<sup>th</sup> day of June, 2014.

4 5 6 7 8 9		Edd B. Braddy EDWARD B. BRADDY MAYOR
10	Attest:	Approved as to form and legality:
11	1 AM	
12		Saina M. Con ( All a Mari)
13		Medle The Andree
14	KURTZANNÓN	NICOLLE M. SHALLEY
15	CLERK OF THE COMMISSION	CITY ATTORNEY
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## **LEGAL DESCRIPTION**

COMMENCE AT A POINT ON THE NORTH LINE OF THE D. L. CLINCH GRANT, 20 FEET WEST OF THE CENTERLINE OF THE OLD ROCKY POINT ROAD (SOUTH MAIN STREET) AND RUN N 85° 15′ 00″ W ALONG THE NORTH LINE OF THE D. L. CLINCH GRANT 733.04 THE POINT OF BEGINNING; THENCE N 4° 45′ 00″ E. A DISTANCE OF 646.28 FEET: THENCE N 85° 19' 20" W A DISTANCE OF 369.13 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF S. W. 6<sup>th</sup> STREET; THENCE S 21° 29' 30" E A DISTANCE OF 402.49 TO THE P. T. OF A CURVE CONCAVE TO THE S. W. AND HAVING A RADIUS OF 640 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26° 24' 22" AN ARC DISTANCE OF 294.96 FEET SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 8° 17' 19" E. 292.36 FEET; THENCE RUN S 85° 15' 00" E A DISTANCE OF 125.21 FEET TO THE POINT OF BEGINNING; SAID PROPERTY LYING AND BEING IN SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST IN THE CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, PER OR BOOK 1455, PAGE 204 (CORRECTED AT OR 2930, PAGE 618), CONTAINING 3.28 ACRES, MORE OR LESS.

## IND SE 13TH PROPOSED LAND USE SW 11TH PLACE SE 1 QNI SOUTH MAIN STREET QN 9 9 QN Petition Number QN PB-13-122 LUC <u>N</u> Q. ND <u>N</u> S S N N N N SEABOARD COASTLINE RAIL BRAGTI MUM N ND QN $\frac{Q}{N}$ MUL Q. MUL/ /MUL MUM $\frac{Q}{N}$ MUM/MUM RH SW 16TH AVENUE 2 QNI Amend the City of Gainesville Future Land Use map from Industrial (IND) to 9 TREET MUM UMU-2 RH Q acre; and up to 25 addtional units per acre by special use permit) Related to PB-13-123 ZON ND N SW 6TH STREET N SF UMU-2 UMU-2 UMU-2 UMU-2 Urban Mixed-Úse 2 (UMU-2: 10 to 100 units per UMU-UMU-UMU UMU-2 Petition Request UMU-2 UMU-2 SW 10TH LANE SF UMU-2 JMU-\$ SW 11TH LN UMU-2 UMU-2 UMU-2 SF JMU-2/MICES SF 16TH PLACE MU- TRIVE MS UMU-2 SF JMU-2 under petition consideration Urban Mixed Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 addtional du/acre by special use permit) Area Mixed Use Medium Intensity (12-30 du/acre) Single Family (up to 8 du/acre) Residential High Density (8-100 du/acre) Mixed Use Low Intensity (8-30 du/acre) Division line between two land use categories Land Use Designations City of Gainesville Ricardo Cavallino, agent for Ridgway Roof Truss Co, Inc Public Facilities Applicant Education ndustrial City Limits UMU2 MUM MUM 8 4 4 No Scale Exhibit "B" to Ordinance No. 130687