

**LEGISLATIVE #**

**100696A**

## ORDINANCE NO. 100696

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element Map Series to add a map designating the Urban Village; imposing the Urban Village designation and its policies on the properties depicted in the Map; providing directions to the City Manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

**WHEREAS**, publication of notice of a public hearing was given that the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map Series be amended and that the Urban Village designation be imposed on certain properties, as more specifically described in this ordinance; and

**WHEREAS**, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on February 2, 2011 (continued from January 27, 2011); and

**WHEREAS**, notice was given and publication made as required by law and a public hearing was held by the City Commission on March 3, 2011; and

**WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

**WHEREAS**, pursuant to law, after the public hearing at the transmittal stage, the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

1           **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long  
2 was placed in the aforesaid newspaper notifying the public of the second Public Hearing to be  
3 held at the adoption stage at least five (5) days after the day the second advertisement was  
4 published; and

5           **WHEREAS**, public hearings were held pursuant to the published notices described  
6 above at which hearings the parties in interest and all others had an opportunity to be and were,  
7 in fact, heard; and

8           **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered the  
9 comments, if any, of the State Land Planning Agency and other State reviewing agencies in  
10 accordance with the new state growth management law, House Bill 7207, which became  
11 effective on June 2, 2011.

12           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
13 **CITY OF GAINESVILLE, FLORIDA:**

14           **Section 1.** The Future Land Use Map Series of the City of Gainesville 2000-2010  
15 Comprehensive Plan is amended by adopting the new Urban Village Map, attached as Exhibit  
16 “A” and made a part hereof as if set forth in full, and adding the Urban Village Map to the  
17 Future Land Use Map Series.

18           **Section 2.** The Urban Village designation and its policies, as may be adopted by  
19 separate ordinances and made a part of the City of Gainesville 2000-2010 Comprehensive Plan,  
20 is hereby imposed on the properties depicted in the Urban Village Map, attached as Exhibit “A”  
21 and made a part hereof as if set forth in full.

1           **Section 3.** The City Manager is authorized and directed to make the necessary changes  
2 in the text, maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or  
3 element, or portion thereof in order to fully implement this ordinance. In addition, within 10  
4 days of the adoption (second) hearing, the City Manager is authorized and directed to transmit a  
5 comprehensive plan amendment package, including this ordinance, to the State Land Planning  
6 Agency and to any other State Reviewing Agency, local government unit or State agency that  
7 filed written comments with the City.

8           **Section 4.** It is the intent of the City Commission that the provisions of Section 1 shall  
9 become and be made a part of the City of Gainesville 2000-2010 Comprehensive Plan and that  
10 the sections and paragraphs of this ordinance may be renumbered in order to accomplish such  
11 intentions.

12           **Section 5.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
13 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
14 finding shall not affect the other provisions or applications of the ordinance which can be given  
15 effect without the invalid or unconstitutional provisions or application, and to this end the  
16 provisions of this ordinance are declared severable.

17           ~~**Section 6.** This ordinance shall become effective immediately upon passage on second~~  
18 ~~reading; however, the effective date of this plan amendment shall be the date a final order is issued~~  
19 ~~by the Department of Community Affairs finding the amendment to be in compliance in accordance~~  
20 ~~with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission~~  
21 ~~finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S. This~~  
22 ~~ordinance shall become effective immediately upon passage on second reading; however, the~~  
23 ~~effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days~~

1 after the State Land Planning Agency notifies the City that the plan amendment package is complete  
 2 in accordance with Chapter 163.3184, F.S. If timely challenged, this amendment shall become  
 3 effective on the date the State Land Planning Agency or the Administration Commission enters a  
 4 final order determining this adopted amendment to be in compliance in accordance with Chapter  
 5 163.3184, F.S. No development orders, development permits, or land uses dependent on this  
 6 amendment may be issued or commenced before this plan amendment has become effective.

7

8 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

9  
10  
11  
12

\_\_\_\_\_  
 CRAIG LOWE  
 MAYOR

13 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

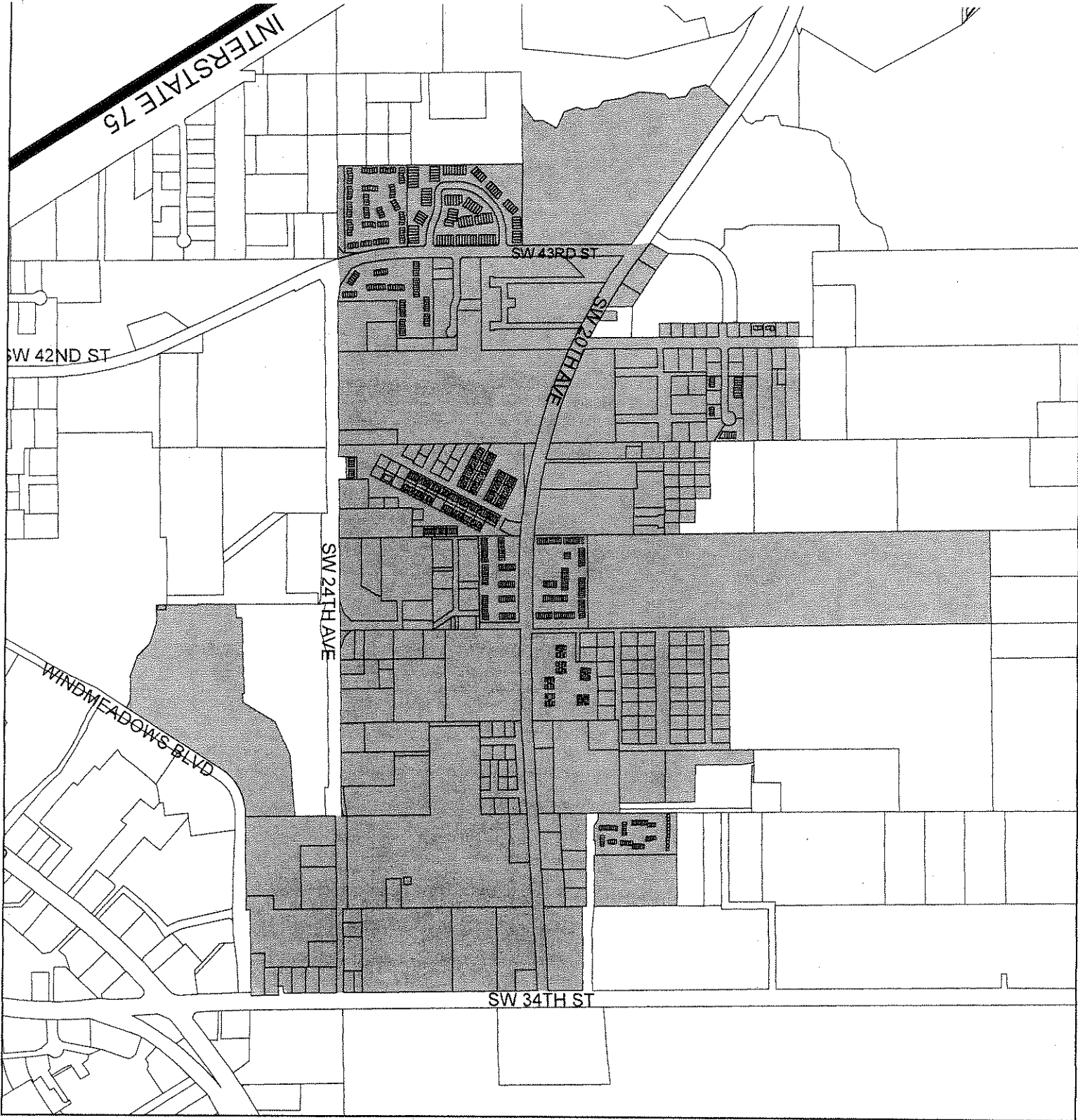
14 \_\_\_\_\_  
 15 KURT M. LANNON  
 16 CLERK OF THE COMMISSION

\_\_\_\_\_  
 MARION J. RADSON  
 CITY ATTORNEY

17

18 This Ordinance passed on first reading on this 5th day of May, 2011.

19 This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.



**FUTURE LAND USE  
MAP SERIES**

Urban Village

**Legend**

Urban Village

Gainesville City Limits

EXHIBIT "A" TO ORDINANCE NO. 100696

**City of Gainesville  
Gainesville, Florida**

Prepared by the  
Planning & Development Services  
March 2011

