

Legislative #

150444A

ORDINANCE NO. 150444

1
2 **An ordinance amending the Future Land Use Map of the City of Gainesville**
3 **Comprehensive Plan by changing the land use category of approximately 15**
4 **acres of property that is generally located in the 1600 block of SE 8th Avenue,**
5 **as more specifically described in this ordinance, from Residential Medium-**
6 **Density (RM) to Residential Low-Density (RL); providing directions to the**
7 **City Manager; providing a severability clause; providing a repealing clause;**
8 **and providing an effective date.**

9
10 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the

11 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain
12 property from Residential Medium-Density (RM) to Residential Low-Density (RL); and

13
14 **WHEREAS**, the City Plan Board, which acts as the local planning agency pursuant to
15 Section 163.3174, Florida Statutes, held a public hearing on October 22, 2015, and voted to
16 recommend that the City Commission approve this Future Land Use Map amendment; and

17
18 **WHEREAS**, an advertisement no less than two columns wide by ten (10) inches long
19 was placed in a newspaper of general circulation and provided the public with at least seven (7)
20 days' advance notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held
21 by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the
22 City of Gainesville; and

23
24 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of
25 this proposed amendment to the reviewing agencies and any other local government unit or state
26 agency that requested same; and

27
28 **WHEREAS**, a second advertisement no less than two columns wide by ten (10) inches
29 long was placed in the aforesaid newspaper and provided the public with at least five (5) days'
30 advance notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the
31 City Commission; and

1 **WHEREAS**, public hearings were held pursuant to the notice described above at which
2 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;
3 and

4 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered
5 any written comments received concerning this Future Land Use Map amendment.

6 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
7 **CITY OF GAINESVILLE, FLORIDA:**

8 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
9 amended by changing the land use category of the following property from Residential Medium-
10 Density (RM) to Residential Low-Density (RL):

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

15 **Section 2.** Within ten (10) working days of the transmittal (first) hearing, the City
16 Manager or designee is authorized and directed to transmit this Future Land Use Map
17 amendment and appropriate supporting data and analyses to the reviewing agencies and to any
18 other local government or governmental agency that has filed a written request for same with the
19 City. Within ten (10) working days of the adoption (second) hearing, the City Manager or
20 designee is authorized and directed to transmit this amendment to the state land planning agency
21 and any other agency or local government that provided comments to the City regarding the
22 amendment.

1 **Section 3.** The City Manager or designee is authorized and directed to make the
2 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in
3 order to comply with this ordinance.

4 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
5 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
6 finding shall not affect the other provisions or applications of this ordinance that can be given
7 effect without the invalid or unconstitutional provision or application, and to this end the
8 provisions of this ordinance are declared severable.

9 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of
10 such conflict hereby repealed.

11 **Section 6.** This ordinance shall become effective immediately upon adoption; however,
12 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
13 amendment is not timely challenged, shall be 31 days after the state land planning agency notifies
14 the City that the plan amendment package is complete in accordance with Section 163.3184,
15 Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become
16 effective on the date the state land planning agency or the Administration Commission enters a
17 final order determining the amendment to be in compliance with Chapter 163, Florida Statutes.
18 No development orders, development permits, or land uses dependent on this Comprehensive
19

1 Plan amendment may be issued or commenced before this amendment has become effective.

2 **PASSED AND ADOPTED** this _____ day of _____, 2015.

3

4

5

EDWARD B. BRADDY
6 MAYOR
7

8 Attest:

Approved as to form and legality:

9
10
11
12 KURT LANNON
13 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

14
15 This ordinance passed on (first) transmittal hearing this _____ day of _____, 2015.

16
17 This ordinance passed on (second) adoption hearing this _____ day of _____, 2015.

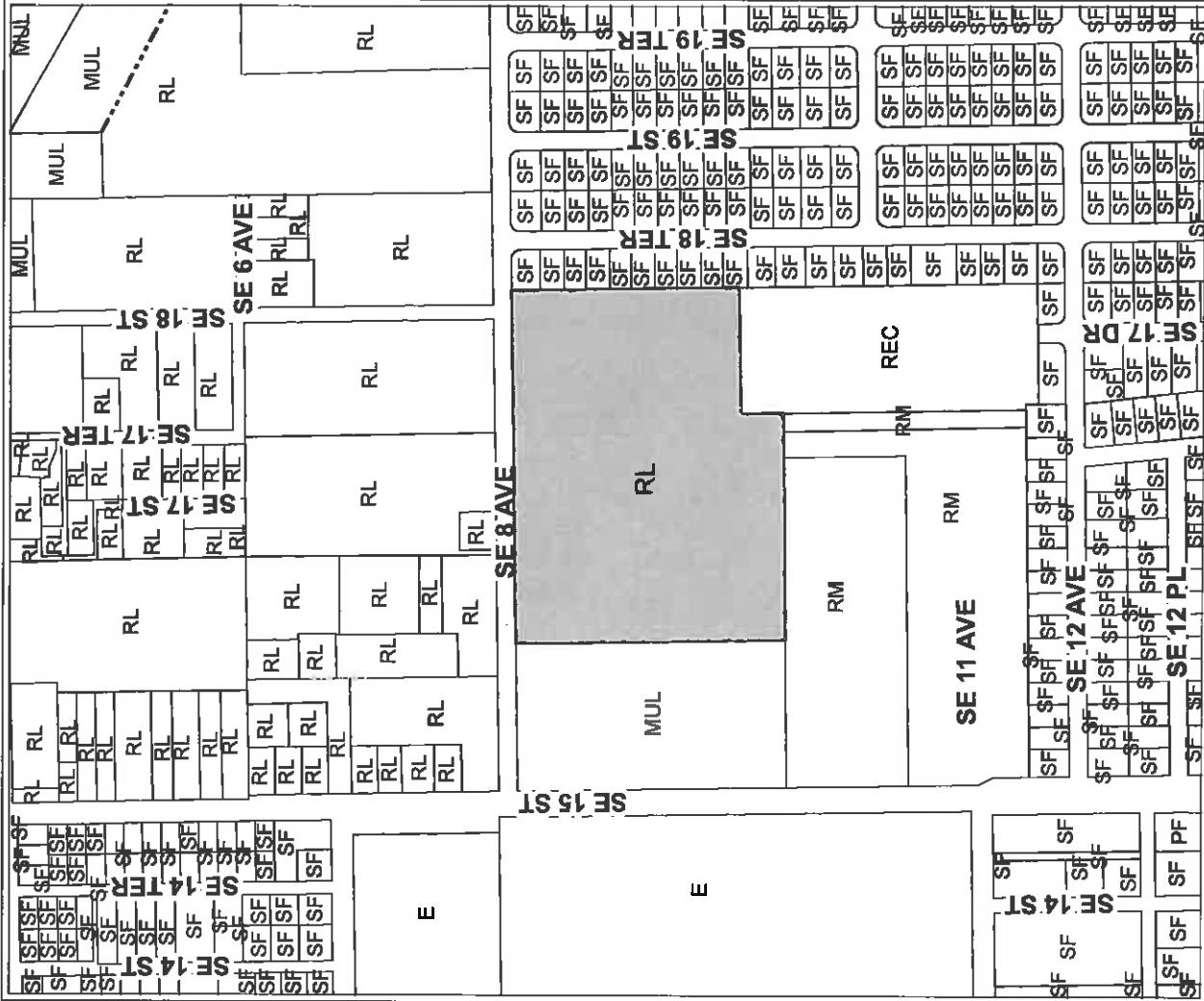
EXHIBIT "A" TO ORDINANCE NO. 150444

Legal Description, Parcel 16102-000-000

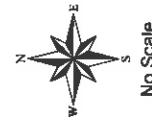
Description: (O.R.B. 3539, page 476)

A tract of land situated in the NW $\frac{1}{4}$ of Section 10, Township 10 South, Range 20 East. Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Northwest corner of Section 10, Township 10 South, Range 20 East, and run S89°51'23" East, along the North line of said Section 10, 430.00 feet to the Point of Beginning; thence run S00°15'07" West 780.80 feet; thence run S89°45'53" East 610.00 feet; thence run N00°15'07" East 113.57 feet; thence run S89°50'45" East 341.81 feet; thence run N00°15'07" East 668.06 feet to the North line of said Section 10; thence run N 89°51'23" W, along the North line of said Section 10 10.951.81 feet to the Point of Beginning. LESS the North 50 feet thereof dedicated for street right of way.



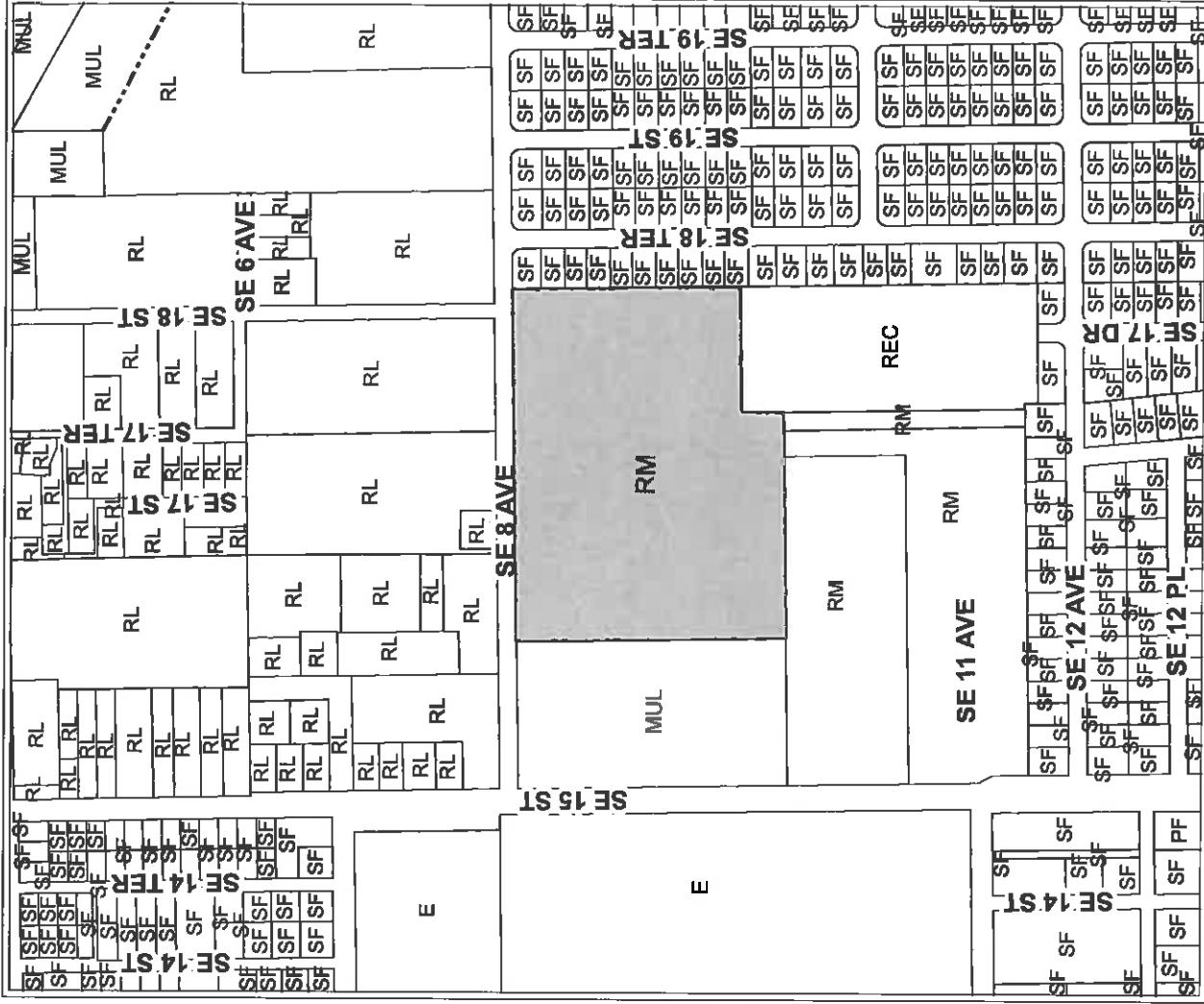
PROPOSED LAND USE	
Name	Petition Request
	<p>Petition Number: PB-15-89 LUC</p> <p>Amend the City of Gainesville Future Land Use map from Residential Medium-Density (8-30 units per acre) to Residential Low-Density (up to 12 units per acre).</p>



City of Gainesville Land Use Categories

SF
RL
RM
MUL
E
REC

Single-Family (up to 8 units per acre)
Residential Low-Density (up to 12 units per acre)
Residential Medium-Density (8-30 units per acre)
Mixed-Use Low-Intensity (8-30 units per acre)
Education
Recreation



Area
under
petition
consideration

Division line between two zoning districts
City Limits

Petition Request		Petition Number	
Amend the City of Gainesville Future Land Use map from Residential Medium-Density (8-30 units per acre) to Residential Low-Density (up to 12 units per acre).		PB-15-89 LUC	

