

Legislative #

150444A

ORDINANCE NO. 150444

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

WHEREAS, notice was given as required by law that the Future Land Use Map of the City of Gainesville Comprehensive Plan be amended by changing the land use category of certain property from Residential Medium-Density (RM) to Residential Low-Density (RL); and

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

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

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

WHEREAS, a second advertisement no less than two columns wide by ten (10) inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days' advance notice of this ordinance's second public hearing (i.e., adoption hearing) to be held by the 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
16 **Section 2.** Within ten (10) working days of the transmittal (first) hearing, the City
17 Manager or designee is authorized and directed to transmit this Future Land Use Map
18 amendment and appropriate supporting data and analyses to the reviewing agencies and to any
19 other local government or governmental agency that has filed a written request for same with the
20 City. Within ten (10) working days of the adoption (second) hearing, the City Manager or
21 designee is authorized and directed to transmit this amendment to the state land planning agency
22 and any other agency or local government that provided comments to the City regarding the
23 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

6

7

8 Attest:

9

10

11

12 _____
KURT LANNON
13 CLERK OF THE COMMISSION

EDWARD B. BRADDY
MAYOR

Approved as to form and legality:

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

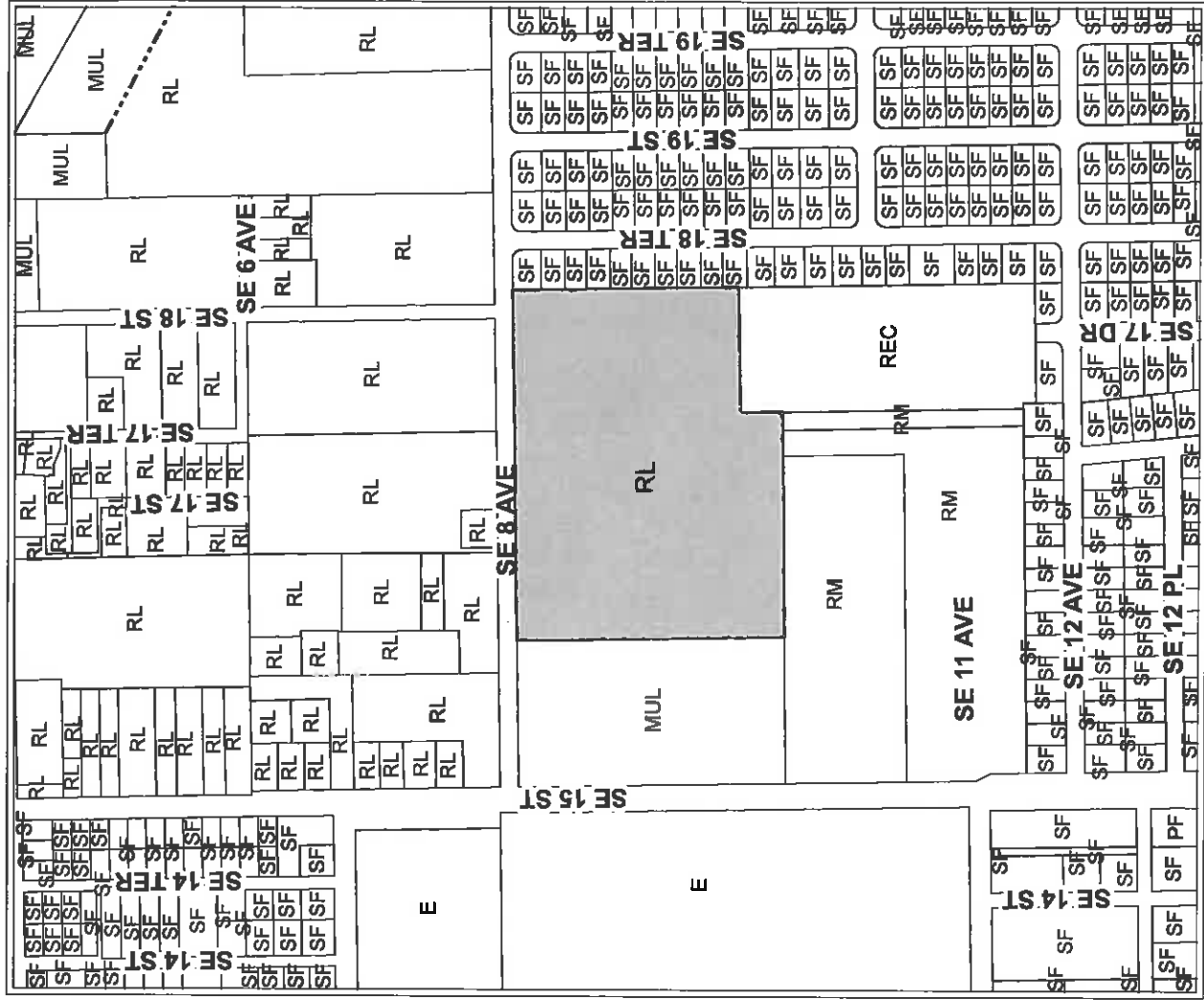
Description: (O.R.B. 3539, page 476)

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 10.951.81 feet to the Point of Beginning. LESS the North 50 feet thereof dedicated for street right of way.

City of Gainesville Land Use Categories

- SF Single-Family (up to 8 units per acre)
- RL Residential Low-Density (up to 12 units per acre)
- RM Residential Medium-Density (8-30 units per acre)
- MUL Mixed-Use Low-Intensity (8-30 units per acre)
- E Education
- REC Recreation

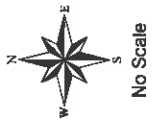


Area under petition consideration

----- Division line between two zoning districts
 ——— City Limits

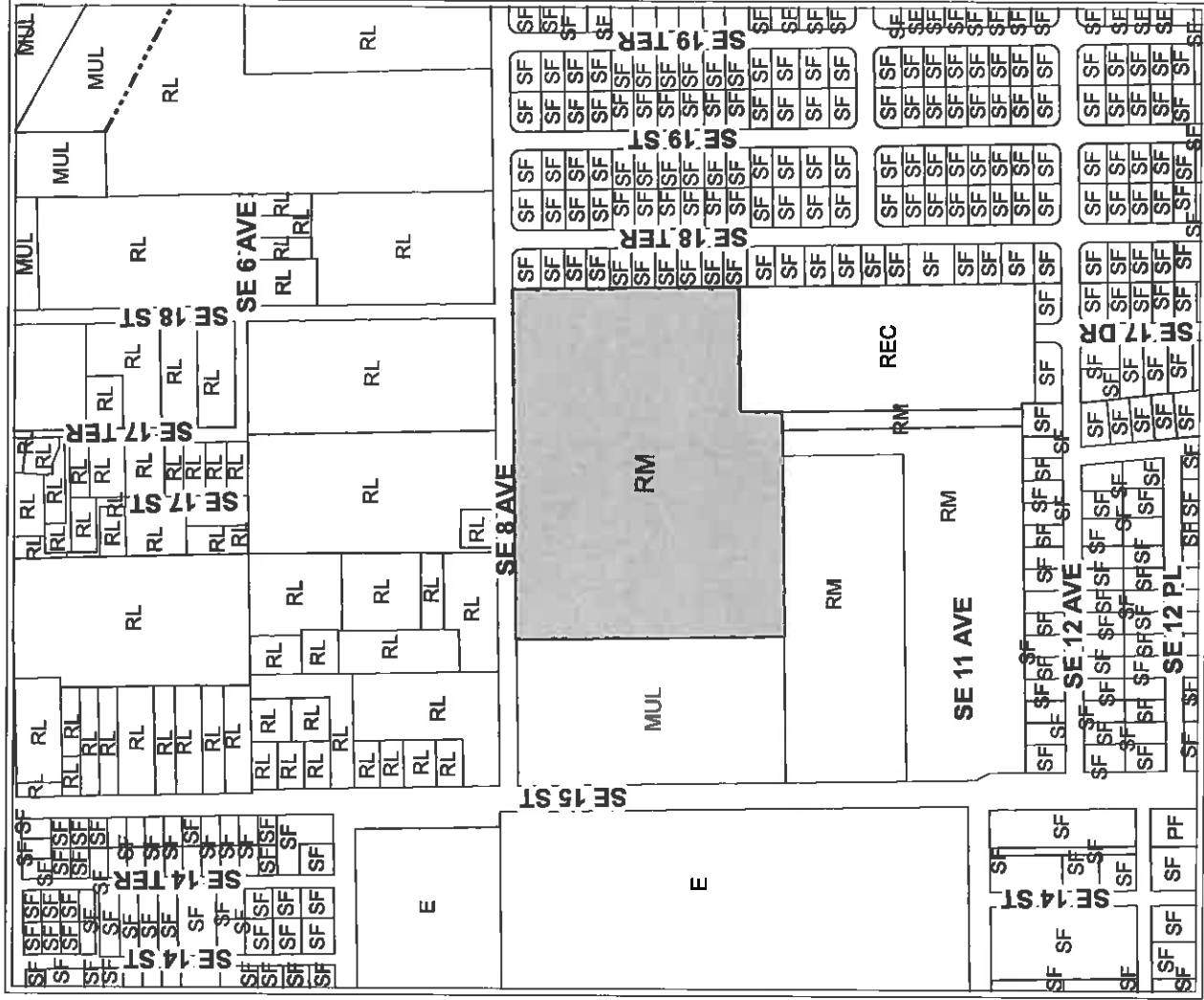
PROPOSED LAND USE

Name	Petition Request	Petition Number
eda-engineers-surveyors-planners, inc., agent for the City of Gainesville	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



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==== City Limits



No Scale

EXISTING LAND USE

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).

Name

eda-engineers-surveyors-planners, inc.,
agent for the City of Gainesville

PB-15-89 LUC