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7/15/10

ORDINANCE NO. 100147

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3 **An ordinance amending the City of Gainesville 2000-2010**
4 **Comprehensive Plan, Future Land Use Map; by changing the**
5 **land use category of certain property, as more specifically**
6 **described in this ordinance, from the land use category of**
7 **“Residential Medium-Density (8-30 units per acre)” to**
8 **“Conservation”; located in the vicinity of north of Southwest 20th**
9 **Avenue and east of Southwest 62nd Boulevard; providing a**
10 **severability clause; providing a repealing clause; and providing an**
11 **effective date.**

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14 **WHEREAS**, publication of notice of a public hearing was given that the Future Land Use
15 Map be amended by changing the land use category of certain property from the land use category of
16 “Residential Medium-Density (8-30 units per acre)” to “Conservation”; and

17 **WHEREAS**, notice was given and publication made as required by law and a public hearing
18 was held by the City Plan Board on May 27, 2010; and

19 **WHEREAS**, the amendment to the land use category of the City of Gainesville 2000-2010
20 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided
21 in Chapter 163, Florida Statutes; and

22 **WHEREAS**, the City of Gainesville will transmit copies of the public notice and this proposed
23 ordinance to the State Land Planning Agency, the regional planning council, and any other person or
24 entity who has requested a copy; and

25 **WHEREAS**, at least ten (10) days notice has been given of a public hearing once by
26 publication in a newspaper of general circulation notifying the public of this proposed ordinance and of

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1 a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of Gainesville;
2 and

3 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose property
4 will be regulated by the adoption of this Ordinance, at least thirty days prior to the date set for a public
5 hearing on this ordinance; and

6 **WHEREAS**, the public hearing was held pursuant to the published notice described above at
7 which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
9 **CITY OF GAINESVILLE, FLORIDA:**

10 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
11 Plan is amended by changing the land use category of the following described property from the land
12 use category of “Residential Medium-Density (8-30 units per acre)” to “Conservation”:

13 See legal description attached hereto as Exhibit "A", and made a part
14 hereof as if set forth in full.

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16 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
17 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
18 thereof in order to comply with this ordinance.

19 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance or
20 the application hereof to any person or circumstance is held invalid or unconstitutional, such
21 finding shall not affect the other provisions or applications of the ordinance which can be given

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1 effect without the invalid or unconstitutional provisions or application, and to this end the
2 provisions of this ordinance are declared severable.

3 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of such
4 conflict hereby repealed.

5 **Section 5.** This ordinance shall become effective immediately upon passage; however, the
6 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty one
7 (31) days after passage and adoption of this Ordinance unless a petition is filed with the Division of
8 Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance shall not become
9 effective until the state land planning agency issues a final order determining the adopted amendment to
10 be in compliance in accordance with § 163.3187, or until the Administration Commission issues a final
11 order determining the adopted amendment to be in compliance in accordance with § 163.3187, F.S.

12 **PASSED AND ADOPTED** this _____ day of _____, 2010.

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CRAIG LOWE, MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON,
CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

25 This ordinance passed this _____ day of _____, 2010.

A PARCEL OF LAND SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH RANGE 19 EAST, ALACHUA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF VINTAGE VIEW-PHASE 3 AS RECORDED IN PLAT BOOK "O", PAGE 33 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 44°10'13" WEST, A DISTANCE OF 86.86 FEET; THENCE NORTH 66°56'28" EAST, A DISTANCE OF 32.86 FEET; THENCE SOUTH 87°47'22" EAST, A DISTANCE OF 60.54 FEET; THENCE SOUTH 48°06'51" EAST, A DISTANCE OF 90.62 FEET; THENCE SOUTH 22°29'15" EAST, A DISTANCE OF 80.17 FEET; THENCE SOUTH 44°58'50" EAST, A DISTANCE OF 250.67 FEET; THENCE SOUTH 84°25'03" EAST, A DISTANCE OF 300.02 FEET; THENCE NORTH 58°34'06" EAST, A DISTANCE OF 51.22 FEET; THENCE SOUTH 70°14'17" EAST, A DISTANCE OF 100.60 FEET; THENCE SOUTH 21°47'08" EAST, A DISTANCE OF 39.23 FEET; THENCE SOUTH 43°23'48" WEST, A DISTANCE OF 307.46 FEET; THENCE SOUTH 24°54'15" WEST, A DISTANCE OF 149.94 FEET; THENCE SOUTH 57°58'34" EAST, A DISTANCE OF 45.81 FEET; THENCE SOUTH 34°59'22" WEST, A DISTANCE OF 59.28 FEET; THENCE NORTH 86°24'52" WEST, A DISTANCE OF 38.92 FEET; THENCE SOUTH 25°00'00" EAST, A DISTANCE OF 40.20 FEET; THENCE NORTH 67°22'50" EAST, A DISTANCE OF 63.12 FEET; THENCE SOUTH 63°25'05" EAST, A DISTANCE OF 48.86 FEET; THENCE SOUTH 26°08'45" WEST, A DISTANCE OF 148.79 FEET; THENCE SOUTH 08°36'15" EAST, A DISTANCE OF 81.06 FEET; THENCE SOUTH 20°18'27" EAST, A DISTANCE OF 69.92 FEET; THENCE SOUTH 15°49'58" EAST, A DISTANCE OF 120.63 FEET; THENCE SOUTH 89°35'55" WEST, A DISTANCE OF 170.79 FEET; THENCE NORTH 09°27'02" WEST, A DISTANCE OF 62.26 FEET; THENCE NORTH 22°31'37" WEST, A DISTANCE OF 139.36 FEET; THENCE SOUTH 70°02'04" WEST, A DISTANCE OF 273.69 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 1997, PAGE 2460; THENCE CONTINUE ALONG SAID WEST LINE NORTH 30°26'23" EAST, A DISTANCE OF 520.13 FEET; THENCE CONTINUE ALONG SAID WEST LINE NORTH 28°41'26" WEST, A DISTANCE OF 715.01 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL., SAID PARCEL CONTAINING 325,839 SQUARE FEET OR 7.48 ACRES MORE OR LESS.

EXHIBIT "A"