

LEGISLATIVE #

120839A

ORDINANCE NO. 120839

1
2
3 **An ordinance amending the Future Land Use Map of the City of Gainesville**
4 **Comprehensive Plan by changing the land use category of approximately**
5 **0.71 acres of property generally located at 2029 NW 13th Street, as more**
6 **specifically described in this ordinance, from Commercial (C) to Mixed-Use**
7 **Low-Intensity (MUL); providing directions to the City Manager; providing a**
8 **severability clause; providing a repealing clause; and providing an effective**
9 **date.**

10
11 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the
12 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain
13 property from Commercial (C) to Mixed-Use Low-Intensity (MUL); and

14 **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville
15 Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-
16 scale development amendment as provided in Section 163.3187, Florida Statutes; and

17 **WHEREAS**, notice was given as required by law and public hearings were held by the
18 City Plan Board on January 24, 2013, and by the City Commission on March 7, 2013; and

19 **WHEREAS**, at least ten (10) days' notice has been given once by publication in a
20 newspaper of general circulation notifying the public of this proposed ordinance and of a public
21 hearing in the City Hall Auditorium located on the first floor of City Hall in the City of
22 Gainesville; and

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

25 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
26 **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 Commercial (C) to
3 Mixed-Use Low-Intensity (MUL):

4 See legal description attached hereto as Exhibit "A" and made a
5 part hereof as if set forth in full. The location of the property is
6 shown on Exhibit "B" for visual reference. In the event of conflict
7 or inconsistency, Exhibit "A" shall prevail over Exhibit "B."
8

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

12 **Section 3.** 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 this ordinance that can be given
15 effect without the invalid or unconstitutional provision or application, and to this end the
16 provisions of this ordinance are declared severable.

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

19 **Section 5.** If unchallenged, this ordinance shall become effective 31 days after adoption.
20 If challenged within 30 days after adoption, this ordinance shall become effective on the date
21 the state land planning agency or the Administration Commission enters a final order
22 determining this adopted amendment to the City of Gainesville Comprehensive Plan to be in
23 compliance with Chapter 163, Florida Statutes. No development orders, development permits, or
24 land uses dependent on this amendment may be issued or commenced before this ordinance has
25 become effective.

1

2 **PASSED AND ADOPTED** this _____ day of _____, 2013.

3

4

5

EDWARD B. BRADDY
MAYOR

6

7

8

9 Attest:

Approved as to Form and Legality:

10

11

12

KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

13

14

15

16

17

18 This ordinance passed this _____ day of _____, 2013.

Legal Description

TAX PARCEL 9971-000-000

The north 115.00 feet of the south 1745 feet of the Northwest one quarter (NW 1/4) of Section 32, Township 9 South, Range 20 East, Alachua County, Florida, less right-of-way for U.S. Highway 441.

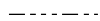
SUBJECT TO: easements, restrictions, reservations, and right of ways of record, if any.

Exhibit "A" to Ordinance No. 120839

City of Gainesville Land Use Designations

SF	Single-Family (up to 8 du/acre)
RL	Residential Low-Density (up to 12 du/acre)
RM	Residential Medium-Density (8-30 du/acre)
MUL	Mixed-Use Low-Intensity (8-30 du/acre)
MUM	Mixed-Use Medium-Intensity (12-30 du/acre)
O	Office
C	Commercial
E	Education
CON	Conservation

Exhibit "B" to Ordinance No. 120839



Division line between two land use districts

Area under petition consideration



PROPOSED LAND USE

 No Scale	Name	Petition Request	Map(s)	Petition Number
	George F. Young, Inc.; Stuart Cullen, P.E., agents for Iris McWilliams	Amend FLUM from Commercial (C) to Mixed-Use Low-Intensity (MUL)	3750	PB-12-161 LUC