

DRAFT

3-21-08

ORDINANCE NO. _____
0-08-07

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An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan, amending the Urban Mixed-Use-1 category within Policy 4.1.1 by deleting the current allowance for an additional 2 stories of building height by Special Use Permit and deleting an unnecessary reference to the Land Development Code; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the City of Gainesville 2000-2010 Comprehensive Plan be amended; and

WHEREAS, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on September 20, 2007; and

WHEREAS, pursuant to law, an advertisement was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the Public Hearing to be held at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at least 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

WHEREAS, a second advertisement was placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at least 5 days after the day the second advertisement was published; and

WHEREAS, the two Public Hearings were held pursuant to the published notices

1 described at which hearings the parties in interest and all others had an opportunity to be and
2 were, in fact, heard; and

3 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered
4 the comments, recommendation and objections, if any, of the State Land Planning Agency.

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

7 **Section 1.** A portion of Policy 4.1.1 of the Future Land Use Element of the City of
8 Gainesville 2000-2010 Comprehensive Plan relating to Urban Mixed-Use-1, is amended to
9 read as set forth below, the remainder of Policy 4.1.1 shall remain unchanged and in effect:

10 **Future Land Use Element**

11
12 **Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as**
13 **follows:**

14
15 **Urban Mixed-Use 1 (UMU-1: up to 75 units per acre).** This category allows a mixture
16 of residential, retail and office/research uses. The Urban Mixed Use districts are
17 distinguished from other mixed-use districts in that they are specifically established to
18 support biotechnology research in close proximity to the University of Florida. An
19 essential component of the district is orientation of structures to the street and pedestrian
20 character of the area. Retail and office uses located within this district shall be scaled to fit
21 into the character of the area. Residential density shall be limited to 75 units per acre with
22 provisions to add up to 25 additional units per acre by special use permit. All new
23 development must be a minimum of 2 stories in height. Building height shall be limited to
24 6 stories ~~and up to 8 stories by special use permit.~~ Land development regulations shall set
25 the appropriate densities; the distribution of uses; design criteria; landscaping, pedestrian,
26 and vehicular access. ~~Land development regulations shall specify the criteria for the siting~~
27 ~~of public and private schools, places of religious assembly and community facilities within~~
28 ~~this category.~~

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30 **Section 2.** The City Manager is authorized and directed to make the necessary changes
31 in maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element,
32 or portion thereof in order to fully implement this ordinance.

33 **Section 3.** It is the intent of the City Commission that this amended element will
34 become part of the City of Gainesville 2000-2010 Comprehensive Plan.

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

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

8 **Section 6.** This ordinance shall become effective immediately upon final adoption;
9 however, the effective date of this plan amendment shall be the date a final order is issued by
10 the Department of Community Affairs finding the amendment to be in compliance in
11 accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the
12 Administration Commission finding the amendment to be in compliance in accordance with
13 Chapter 163.3184, F.S.

14 **PASSED AND ADOPTED** this ____ day of _____, 2008.

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PEGEEN HANRAHAN
MAYOR

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ATTEST:

Approved as to form and legality

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KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

24

25

26 This Ordinance passed on first reading this ____ day of _____, 2008.

27 This Ordinance passed on second reading this ____ day of _____, 2008.