

Legislative #

150844

ORDINANCE NO. 150844

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 3.7 acres of property generally located at 2200 NE Waldo Road, as more specifically described in this ordinance, from Residential Low-Density (RL) to Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, Section 163.3167, Florida Statutes, requires local governments to maintain a Comprehensive Plan to guide future development and growth; and

WHEREAS, by initiation of a petition by the owner(s) of the subject property, 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 subject property's land use category from Residential Low-Density (RL) to Education (E); and

WHEREAS, the amendment to the Future Land Use Map of the City of Gainesville Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-scale development amendment as provided in Section 163.3187, Florida Statutes; 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 March 24, 2016, and voted to recommend that the City Commission approve this Future Land Use Map amendment; and

WHEREAS, at least five (5) days' notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

3 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
4 **CITY OF GAINESVILLE, FLORIDA:**

5 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
6 amended by changing the land use category on the following property from Residential Low-
7 Density (RL) to Education (E):

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

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

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

21 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of
22 such conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

23 **Section 5.** This ordinance shall become effective immediately upon adoption; however,
24 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
25 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this

D R A F T

1 amendment shall become effective on the date the state land planning agency or the
2 Administration Commission issues a final order determining this amendment to be in compliance
3 with Chapter 163, Florida Statutes. No development orders, development permits, or land uses
4 dependent on this amendment may be issued or commenced before this amendment has become
5 effective.

6 **PASSED AND ADOPTED** this _____ day of _____, 2016.

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LAUREN POE
MAYOR

13 Attest:

Approved as to form and legality:

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KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

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21 This ordinance was passed on Adoption Reading on this _____ day of _____, 2016.

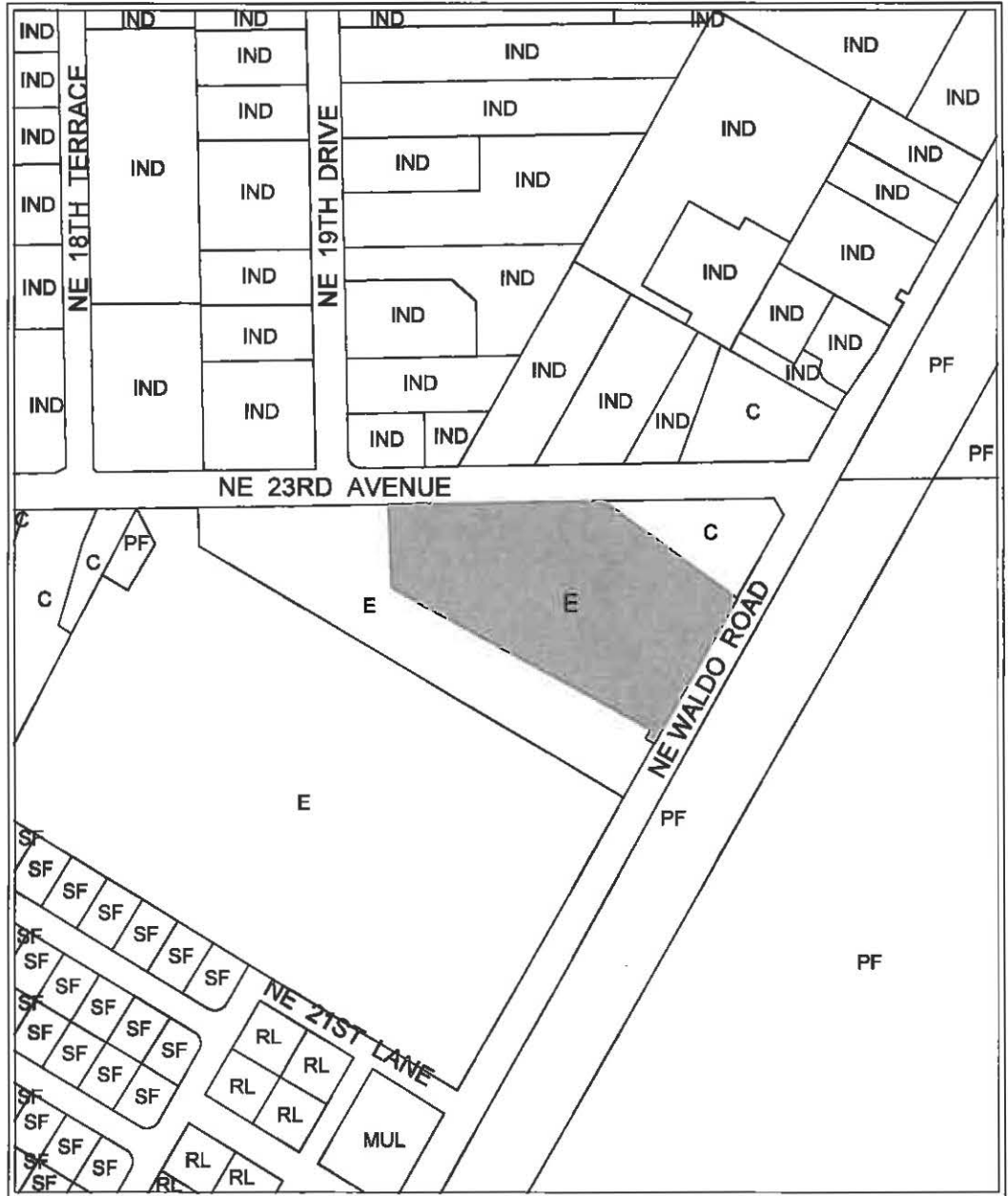
LEGAL DESCRIPTION (AS PER THIS SURVEY)

A PARCEL OF LAND SITUATED WITHIN THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1690, PAGE 2233, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL MARKING THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, FOR A POINT OF REFERENCE; THENCE RUN S89°49'21"E ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 1710.36 FEET; THENCE RUN S00°10'39"W, A DISTANCE OF 33.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) LYING ON THE SOUTH RIGHT OF WAY LINE OF NORTHEAST 23RD AVENUE; THENCE RUN S89°49'21"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 344.15 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021) AND THE POINT OF BEGINNING; THENCE RUN S89°49'21"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 328.60 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN S00°10'39"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 12.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN S89°49'21"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 10.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N00°10'39"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 12.00 FEET; THENCE RUN S89°49'21"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 17.26 FEET TO A 1/2" STEEL ROD (NO ID.); THENCE RUN S87°02'24"E, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 329.41 FEET TO A 1/2" STEEL ROD (NO ID.) LYING ON THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 24 (aka WALDO ROAD); THENCE RUN S30°41'38"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 286.87 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N59°18'22"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 17.00 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N61°04'41"W, LEAVING SAID RIGHT OF WAY LINE, A DISTANCE OF 538.87 FEET TO A 1/2" STEEL ROD AND CAP (GFY LB021); THENCE RUN N00°10'39"E, A DISTANCE OF 157.69 FEET TO THE POINT OF BEGINNING.

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)
- MUL Mixed-Use Low-Intensity (8-30 units per acre)
- C Commercial
- IND Industrial
- E Education
- PF Public and Institutional Facilities



Area under petition consideration

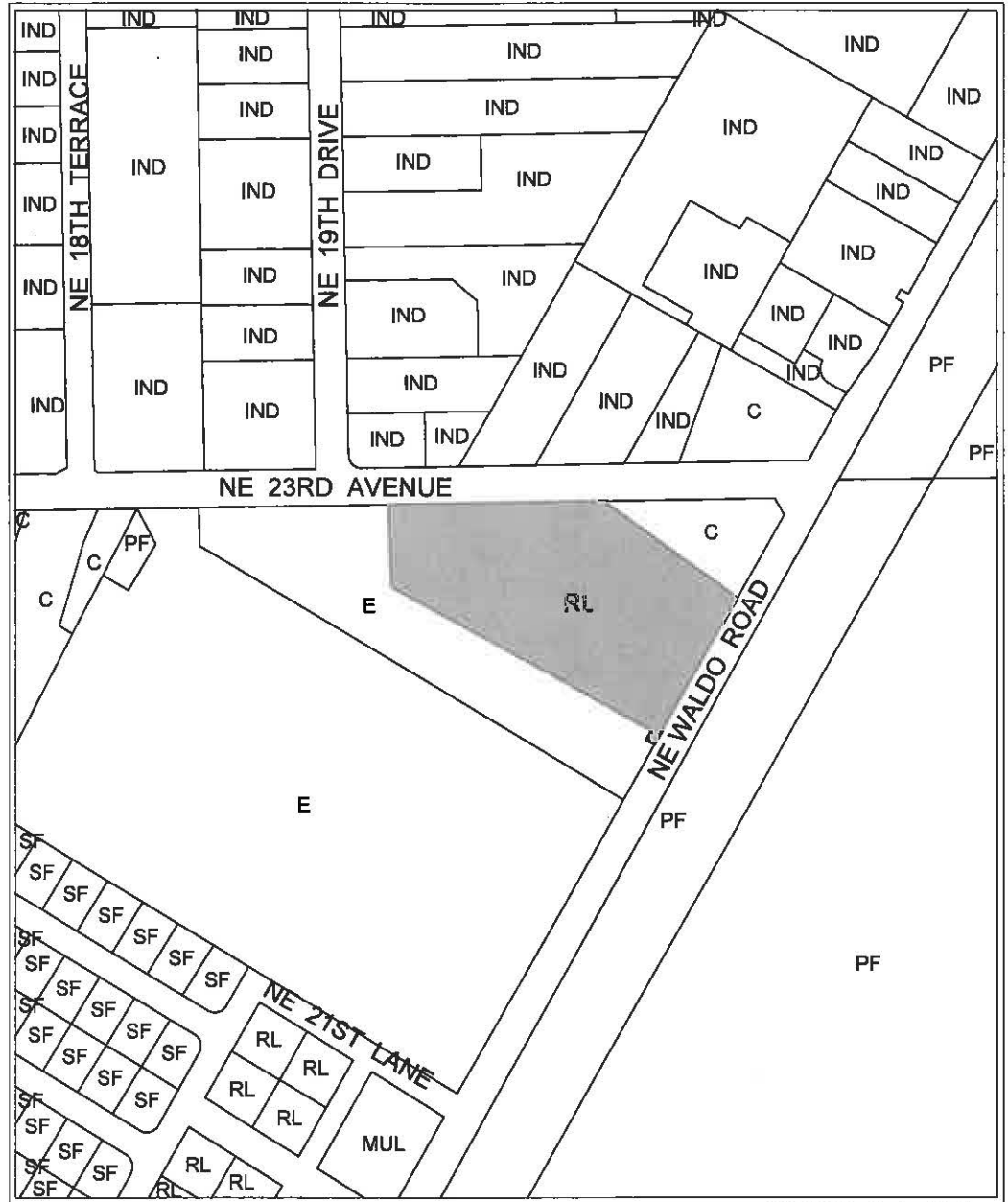
----- Division line between two zoning districts

PROPOSED LAND USE

	Name	Petition Request	Petition Number
	Linda Dixon, PDC/UF, agent for University of Florida Foundation, Inc., owner	Amend the City of Gainesville Future Land Use Map from Residential Low-Density (up to 12 units/acre) to Education	PB-16-27 LUC

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EXISTING LAND USE

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Petition Request

Petition Number

Linda Dixon, PDC/UF, agent for University of Florida Foundation, Inc., owner

Amend the City of Gainesville Future Land Use Map from Residential Low-Density (up to 12 units/acre) to Education

PB-16-27 LUC

