

**LEGISLATIVE #**

**130687A**

**ORDINANCE NO. 130687**

**An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 3.28 acres of property generally located at 1233 SW 6<sup>th</sup> Street, as more specifically described in this ordinance, from Industrial (IND) to Urban Mixed-Use 2 (UMU-2); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, by initiation of a petition by the owners 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 land use category of certain property, as specifically described in this ordinance, from Industrial (IND) to Urban Mixed-Use 2 (UMU-2); 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**, notice was given as required by law and a public hearing was held by the City Plan Board on January 23, 2014; 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

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

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE 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 Industrial (IND) to  
3 Urban Mixed-Use 2 (UMU-2):

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."  
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9           **Section 2.** The City Manager or designee is authorized and directed to make the  
10 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in  
11 order to comply with this 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 on the effective date of this plan amendment.

19           **Section 5.** This ordinance shall become effective immediately upon adoption; however,  
20 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the  
21 amendment is not timely challenged, shall be 31 days after the state land planning agency  
22 notifies the City that the plan amendment package is complete in accordance with Section  
23 163.3184, F.S. If timely challenged, this amendment shall become effective on the date the state  
24 land planning agency or the Administration Commission enters a final order determining this  
25 adopted amendment to be in compliance with Chapter 163, F.S. No development orders,

1 development permits, or land uses dependent on this amendment may be issued or commenced  
2 before this plan amendment has become effective.

3 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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\_\_\_\_\_  
EDWARD B. BRADDY  
MAYOR

10 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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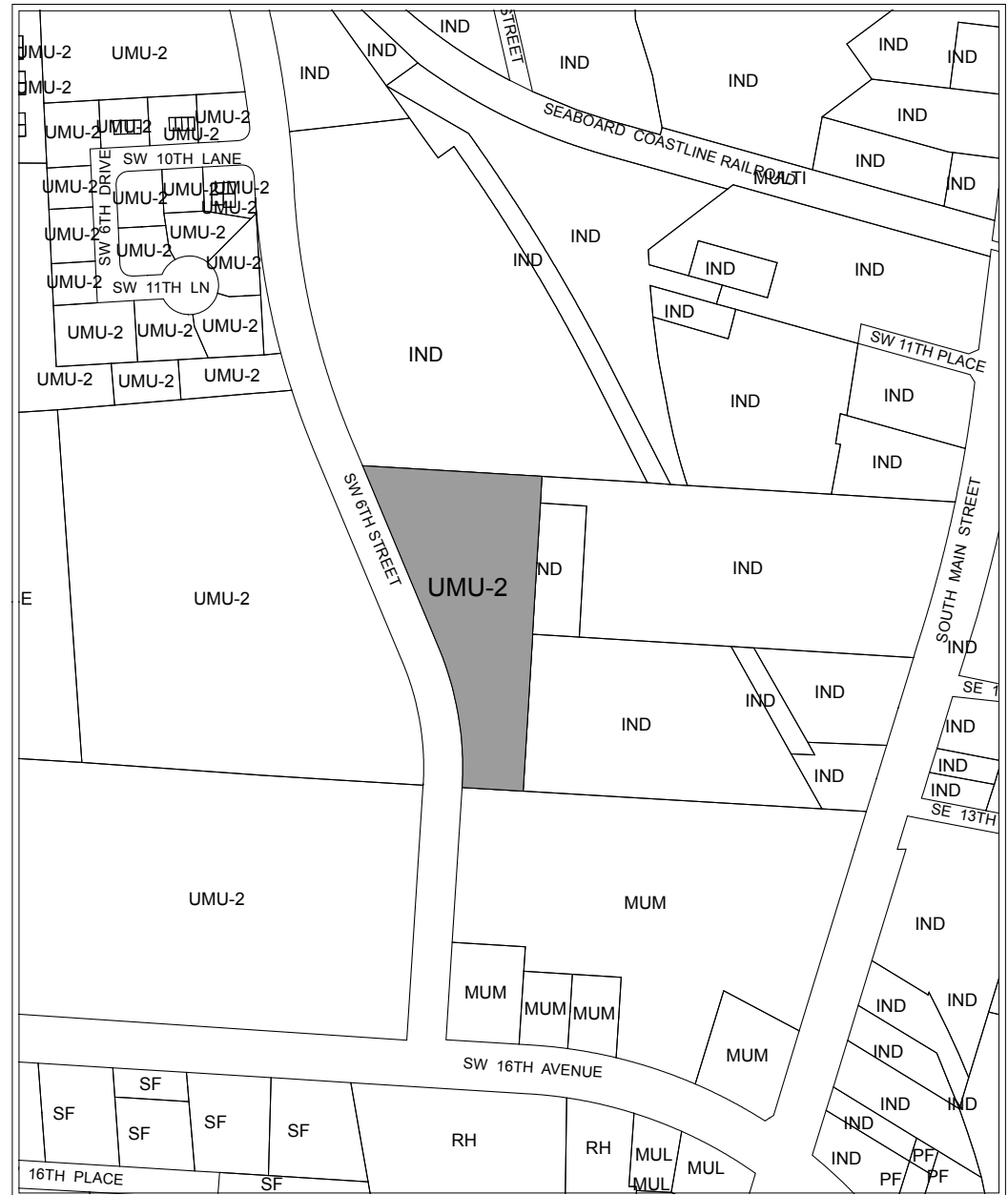
Property Legal Description, 1233 SW 6<sup>th</sup> Street, Gainesville, FL Parcel 15635-007-001

**LEGAL DESCRIPTION**

COMMENCE AT A POINT ON THE NORTH LINE OF THE D. L. CLINCH GRANT, 20 FEET WEST OF THE CENTERLINE OF THE OLD ROCKY POINT ROAD (SOUTH MAIN STREET) AND RUN N 85° 15' 00" W ALONG THE NORTH LINE OF THE D. L. CLINCH GRANT 733.04 THE POINT OF BEGINNING; THENCE N 4° 45' 00" E, A DISTANCE OF 646.28 FEET; THENCE N 85° 19' 20" W A DISTANCE OF 369.13 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF S. W. 6<sup>th</sup> STREET; THENCE S 21° 29' 30" E A DISTANCE OF 402.49 TO THE P. T. OF A CURVE CONCAVE TO THE S. W. AND HAVING A RADIUS OF 640 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26° 24' 22" AN ARC DISTANCE OF 294.96 FEET SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 8° 17' 19" E, 292.36 FEET; THENCE RUN S 85° 15' 00" E A DISTANCE OF 125.21 FEET TO THE POINT OF BEGINNING; SAID PROPERTY LYING AND BEING IN SECTION 8, TOWNSHIP 10 SOUTH, RANGE 20 EAST IN THE CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, PER OR BOOK 1455, PAGE 204 (CORRECTED AT OR 2930, PAGE 618), CONTAINING 3.28 ACRES, MORE OR LESS.

# City of Gainesville Land Use Designations

- SF Single Family (up to 8 du/acre)
- RH Residential High Density (8-100 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- MUM Mixed Use Medium Intensity (12-30 du/acre)
- UMU2 Urban Mixed Use 2 (UMU-2: 10 to 100 du/acre; & up to 25 additional du/acre by special use permit)
- IND Industrial
- E Education
- PF Public Facilities



Area under petition consideration

----- Division line between two land use categories  
**—** City Limits

## PROPOSED LAND USE



Applicant	Petition Request	Petition Number
Ricardo Cavallino, agent for Ridgway Roof Truss Co, Inc	Amend the City of Gainesville Future Land Use map from Industrial (IND) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit) Related to PB-13-123 ZON	PB-13-122 LUC

Exhibit "B"  
to Ordinance No. 130687