



# MEMORANDUM

Office of the City Attorney

Box 46

Phone: 334-5011/Fax 334-2229

TO: Mayor and City Commission

DATE: November 28, 2005

FROM: City Attorney

CITY ATTORNEY  
SECOND READING

**SUBJECT: Ordinance No. 0-05-65, Petition 51LUC-05PB**  
**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use categories of certain property from "Single-Family (up to 8 units per acre)" to "Conservation" and "Public Facilities"; consisting of approximately 30 acres, located in the vicinity of the north side of Northwest 8<sup>th</sup> Avenue, at 4810 and 4910 N.W. 8<sup>th</sup> Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.**

Recommendation: The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.

### STAFF REPORT

The subject property is approximately 30 acres in size, is undeveloped except for a single-family house, has CON (conservation) and PS (public service) zoning, and a SF (Single-Family) land use designation.

Adjacent property to the west is zoned PD (Planned Development). The land use of this property is SF. Adjacent property to the north is RSF-1. The land use of this property is SF. Adjacent property to the east is RSF-1. The land use of this property is SF. Zoning to the south across NW 8<sup>th</sup> Avenue is CP (Corporate Park), and the land use of this property is MU-M (Mixed-Use Medium).

These properties were purchased in December 2003 with the assistance of a grant from Florida Communities Trust (FCT). FCT is a state land acquisition agency that assists local governments in acquiring land to implement goals, objectives and policies of conservation, recreation and open space, or for natural resources conservation, using Florida Forever Revenue Bonds. Funds also came from Alachua County Forever, a program approved by the voters to acquire, improve and manage environmentally significant lands in Alachua County, and to protect water resources, wildlife habitats and natural areas suitable for resource based recreation. In addition, funding came from the City of Gainesville, and a charitable donation came from Gladys G. Cofrin. This land use change is being sought to allow the City to comply with the FCT obligations associated with obtaining acquisition grant money. Among other things, these obligations require the benefiting community to designate and protect the acquired property and to manage the project

site only for the conservation, protection and enhancement of natural resources and for public outdoor recreation that is compatible with the conservation, protection and enhancement of the site.

Designation of these properties as PF (public facilities) and CON (Conservation) land use will allow the City to develop these properties as both a nature park and an activity-based recreation park. The Nature Operations Division of the City Recreation and Parks Department will be manage the park.

The Plan Board heard the petition and recommended approval.

Public notice was published in the Gainesville Sun on May 3, 2005. Letters were mailed to surrounding property owners on May 4, 2005. The Plan Board held a public hearing May 19, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 51LUC-05 PB. Plan Board vote 6-0.

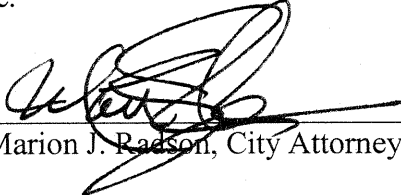
#### CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The second hearing will be held at the adoption stage of the ordinance and must be advertised approximately five days before the adoption hearing.

The State of Florida Department of Community Affairs issued a letter dated September 27, 2005, stating that this amendment need not be formally reviewed for consistency with Chapter 163, F.S. The Department also waived preparing an Objections, Recommendations and Comments Report. A copy of their letter is attached to this memorandum. Therefore, the City may now proceed with the final adoption of this ordinance.

Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.

Prepared and submitted by:

  
\_\_\_\_\_  
Marion J. Radson, City Attorney

MJR/afm

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Passed on first reading by a vote of 6-0.



Rec'd  
9/30/05  
Comm. Devel. Dept

STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**  
"Dedicated to making Florida a better place to call home"

THADDEUS L COHEN, AIA  
Secretary

JEB BUSH  
Governor

September 27, 2005

The Honorable Pcggen Hanrahan  
Mayor, City of Gainesville  
P.O. Box 490, Station 19  
Gainesville, FL 32601-0490

Dear Mayor Hanrahan:

The Department has conducted a preliminary review of the City of Gainesville proposed comprehensive plan amendments received on August 23, 2005, DCA Reference No. 05-2.

The Department has determined that the proposed plan amendments need not be formally reviewed for consistency with Chapter 163, Florida Statutes (F.S.), and Rule 9J-5, Florida Administrative Code (F.A.C.). In addition, the Department has not received any recommendation for review from the North Florida Regional Planning Council or any affected person regarding the proposed amendment.

Therefore, the proposed amendment will not be reviewed and the Objections, Recommendations and Comments report will be waived. The local government may proceed to immediately adopt the amendment. After adoption, please submit three copies of the adopted amendment to the Department for our final compliance review, consistent with the requirements of Rule 9J-11.011, F.A.C.

The proposed comprehensive plan amendment includes the creation of two new mixed-use future land use categories; the amendment indicates the distribution of uses for these categories will be provided in the City's Land Development Code. Prior to adoption of this amendment the Department recommends the City include this information in the Comprehensive Plan.

Please be advised that Section 163.3184(8)(c), F.S., requires the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment package for compliance review.**

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
Address: <http://www.dca.state.fl.us>

The Honorable Pegeen Hanrahan  
September 27, 2005  
Page 2

**In the event no names, addresses are provided, please provide this information as well.** For efficiency, we encourage that the information sheet be provided in electronic format.

Further, the Department's notice of intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the notice pursuant to Chapter 163.3184(9), F.S.

This letter should be made available for public inspection. If you have any further questions, please contact Ana Richmond at 850-922-1794.

Sincerely,



Paul DiGiuseppe  
Regional Planning Administrator

PD/ar

cc: Mr. Charles Justice, Executive Director, North Central Florida Regional Planning Council  
Mr. Dean Mimms, AICP, Chief of Comprehensive Planning City of Gainesville

**D R A F T**

5/27/2005

**ORDINANCE NO.**

**0-05-65**

1  
2  
3  
4 **An Ordinance amending the City of Gainesville 2000-2010**  
5 **Comprehensive Plan; by changing the land use categories of**  
6 **certain property from “Single-Family (up to 8 units per acre)” to**  
7 **“Conservation” and “Public Facilities”; consisting of**  
8 **approximately 30 acres, located in the vicinity of the north side**  
9 **of Northwest 8<sup>th</sup> Avenue, at 4810 and 4910 N.W. 8<sup>th</sup> Avenue;**  
10 **providing a severability clause; providing a repealing clause;**  
11 **and providing an effective date.**  
12  
13

14 **WHEREAS,** publication of notice of a public hearing that the Future Land Use Map be  
15 amended by changing the land use categories of certain lands within the City from “Single-Family  
16 (up to 8 units per acre)” to “Conservation” and “Public Facilities”; and

17 **WHEREAS,** notice by the Plan Board was given and publication made as required by law  
18 and a public hearing was held by the City Plan Board on May 19, 2005; and

19 **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10  
20 inches long was placed in a newspaper of general circulation notifying the public of this proposed  
21 ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor,  
22 City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was  
23 published; and

24 **WHEREAS,** pursuant to law, after the public hearing at the transmittal stage, the City of  
25 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

26 **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long was  
27 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at

**D R A F T**

5/27/2005

1 the adoption stage at least five (5) days after the day the second advertisement was published; and

2       **WHEREAS**, public hearings were held pursuant to the published and mailed notices  
3 described above at which hearings the parties in interest and all others had an opportunity to be and  
4 were, in fact, heard.

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

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

9       **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
10 Plan is amended by changing the land use category of the following described property from  
11 “Single-Family (up to 8 units per acre)” to “Conservation”;

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

15       **Section 2.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
16 Plan is amended by changing the land use category of the following described property from  
17 “Single-Family (up to 8 units per acre)” to “Public Facilities”;

18               See legal description attached hereto as Exhibit "B", and made a part  
19 hereof as if set forth in full.  
20

21       **Section 3.** The City Manager is authorized and directed to make the necessary changes in  
22 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or  
23 portion thereof in order to comply with this ordinance.



(Parcel id. 06375-007-000 & 06375-009-000)

**CONSERVATION**

LAND DESCRIPTION:

PARCEL III:

LOT EIGHT (8), LESS THE SOUTH 617.5 FEET THEREOF; THE WEST 125 FEET OF LOT SEVEN (7), LESS THE SOUTH 617.5 FEET OF THE WEST 125 FEET; AND THE 30 FOOT STRIP SHOWN ON PLAT AS "RESERVED FOR ROAD" LYING NORTH OF LOTS EIGHT (8), AND NINE (9), AND NORTH OF THE WEST 125 FEET OF LOT SEVEN (7) OF PLESS PLACE, AS PER MAP OR PLAT THEREOF RECORDED IN DEED BOOK 195, PAGE 230, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE WEST ALONG SAID SOUTH LINE OF SECTION 34 A DISTANCE OF 1375.00 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE NORTH 00°09'00" WEST A DISTANCE OF 50.00 FEET TO A FOUND 5/8" REBAR & CAP MARKING THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE; THENCE NORTH 00°24'56" EAST A DISTANCE OF 599.51 FEET TO A FOUND 4"x4" CONCRETE MONUMENT AND THE POINT OF BEGINNING; THENCE NORTH 89°55'11" WEST A DISTANCE OF 541.14 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 00°25'23" EAST A DISTANCE OF 942.70 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE NORTH LINE OF A 30 FOOT WIDE RESERVED ROADWAY LYING NORTH OF THE NORTH LINE OF PLOT 8 OF "PLESS PLACE" AND THE SOUTH LINE OF SUBURBAN HEIGHTS UNIT No. 8, AS PER PLAT BOOK "H", PAGE 34 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°54'18" EAST ALONG SAID SOUTH LINE A DISTANCE OF 540.15 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF LANDMARK WOODS, AS PER PLAT BOOK "M", PAGE 38, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE EAST LINE OF THE NORTHERLY EXTENSION OF THE WEST 125 FEET OF PLOT 7 OF PLESS PLACE; THENCE SOUTH 00°21'46" WEST ALONG THE WEST LINE OF SAID LANDMARK WOODS A DISTANCE OF 942.56 FEET TO THE POINT OF BEGINNING. CONTAINING 11.70 ACRES, MORE OR LESS.

LAND DESCRIPTION:

PARCEL IV:

PLOT NINE (9), PLESS PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN DEED BOOK 195, PAGES 230, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**EXHIBIT "A"**

**PAGE 1 OF 2**



COMMENCE AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE WEST ALONG SAID SOUTH LINE OF SECTION 34 A DISTANCE OF 1375.00 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE OF SECTION 34 NORTH 00°09'00" WEST A DISTANCE OF 50.00 FEET TO A FOUND 5/8" REBAR & CAP MARKING THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE AND THE EAST LINE OF THE WEST 125 FEET OF PLOT 7 OF "PLESS PLACE"; THENCE NORTH 89°58'38" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 541.22 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING INTERSECTION WITH THE EAST LINE OF PLOT 9 OF "PLESS PLACE" AND THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 00°25'23" EAST ALONG THE EAST LINE OF PLOT 9 OF "PLESS PLACE" A DISTANCE OF 1542.75 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE SOUTH LINE OF SUBURBAN HEIGHTS UNIT No. 8, AS PER PLAT BOOK "H", PAGE 34, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE NORTH LINE OF A 30 FOOT WIDE RESERVED ROADWAY LYING NORTH OF THE NORTH LINE OF PLOT 9 OF "PLESS PLACE"; THENCE LEAVING SAID EAST LINE OF PLOT 9 NORTH 89°54'18" WEST ALONG SAID SOUTH LINE OF SUBURBAN HEIGHTS A DISTANCE OF 316.58 FEET TO A FOUND 5/8" REBAR & CAP MARKING NORTHEAST CORNER OF HILLCREST RESIDENTIAL PLANNED DEVELOPMENT, AS PER PLAT BOOK "23", PAGES 45, 46, 47, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE WEST LINE OF PLOT 9 OF "PLESS PLACE"; THENCE SOUTH 00°10'25" WEST ALONG THE EAST LINE OF SAID HILLCREST RESIDENTIAL PLANNED DEVELOPMENT A DISTANCE OF 1542.90 FEET TO A FOUND 5/8" REBAR & CAP MARKING THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE; THENCE SOUTH 89°56'09" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE A DISTANCE OF 309.86 FEET TO THE POINT OF BEGINNING. CONTAINING 11.09 ACRES, MORE OR LESS.

EXHIBIT "A"  
PAGE 2 OF 2

(Parcel id. 06375-008-000)

PUBLIC SERVICE

LAND DESCRIPTION:

PARCEL I:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) SOUTH, RANGE NINETEEN (19) EAST; RUN WEST ALONG SOUTH LINE OF SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) SOUTH, RANGE (19) EAST, 1375.00 FEET; THENCE RUN NORTH 0 DEGREES, 09 MINUTES, WEST 33 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89 DEGREES 30 MINUTES WEST 541.60 FEET ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD #26; THENCE RUN NORTH 0 DEGREES 09 MINUTES WEST 617.50 FEET; THENCE RUN NORTH 89 DEGREES 30 MINUTES EAST 541.60 FEET; THENCE RUN SOUTH 0 DEGREES 09 MINUTES EAST 617.50 FEET TO THE POINT OF BEGINNING; SAME BEING KNOWN AS THE SOUTH 617.50 FEET OF LOT 8 AND THE SOUTH 617.50 FEET OF THE WEST 125 FEET OF LOT 7, PLESS PLACE, IN SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) SOUTH, RANGE NINETEEN (19) EAST, AS PER SURVEY MADE BY THE PERRY C. McGRUFF Co. ON JANUARY 4, 1960, LESS THE EAST 125 FEET THEREOF. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) SOUTH, RANGE NINETEEN (19) EAST; THENCE WEST ALONG THE SOUTH LINE OF SECTION THIRTY-FOUR (34), TOWNSHIP NINE (9) SOUTH, RANGE (19) EAST, 1375.00 FEET; THENCE NORTH 00°09'00" WEST A DISTANCE OF 50.00 FEET TO A FOUND 5/8" REBAR & CAP MARKING THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF N.W. 8TH AVENUE AND THE POINT OF BEGINNING; THENCE NORTH 89°58'38" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 541.22 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING THE INTERSECTION WITH THE WEST LINE OF PLOT 8 OF "PLESS PLACE"; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 00°25'23" EAST ALONG THE WEST LINE OF SAID PLOT 8 A DISTANCE OF 600.05 FEET TO A FOUND CONCRETE MONUMENT; THENCE LEAVING SAID WEST LINE OF PLOT 8 SOUTH 89°55'11" EAST A DISTANCE OF 541.14 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE SOUTH 00°24'56" WEST A DISTANCE OF 599.51 FEET TO THE POINT OF BEGINNING. CONTAINING 7.45 ACRES, MORE OR LESS.

EXHIBIT "B"

**RE-ADVERTISEMENT  
CORRECTIVE NOTICE OF  
PROPOSED ENACTMENT  
OF ORDINANCE  
BY CITY COMMISSION,  
GAINESVILLE, FLORIDA**

Notice is hereby given that the proposed ordinance, whose title appears below will be considered for First Reading on the 28th day of November, 2005, at a regular City Commission meeting and if then adopted on First Reading will be considered for Second and Final Reading and adoption on the 5th day of December, 2005, at a special City Commission meeting. The regular meeting begins at 6:00PM and the special meeting begins at 5:00PM. The ordinances will be read as soon thereafter as may be heard. The meetings are held in the City Commission Auditorium, on the First Floor of City Hall, 200 East University Avenue, Gainesville, Florida. A copy of said ordinance may be inspected by any member of the public at the office of the Clerk of the Commission on the First Floor of City Hall during regular business hours located at 200 East University Avenue, Gainesville, Florida, and at the Public Library, Main Branch, located at 401 East University Avenue. On the dates mentioned above all interested parties may appear at the meeting and be heard with respect to the proposed ordinances. Persons with disabilities, who require assistance to participate in the meetings, are requested to notify the Equal Opportunity Office at 334-5051 or call the TDD phone line at least 2 business days in advance.

**ORDINANCE TITLE**

**ORDINANCE NO. 041214**

An Ordinance of the City of Gainesville, Florida, adopting an Urban Services Report which sets forth the plans to provide urban services to an area generally described as follows: generally located south of State Road 222 (NW 39th Avenue), with an eastern boundary at the western side of section, township, range line 33-09-19 and 28-09-19 and the City limits; north of the City Limits and east of Fort Clarke Boulevard and Interstate 75, as more specifically described in this ordinance; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Note: "All persons are advised that, if any person decides to appeal any decision made at any of these meetings, they will need a record of the proceedings and, for such purpose, they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

November 20, 2005  
Publish Date

Kurt M. Lannon  
Clerk of Commission

29268, 11/20/05  
#A000095502  
#A000095502

**ADVERTISEMENT  
NOTICE OF PROPOSED  
ENACTMENT OF  
ORDINANCE  
BY CITY COMMISSION,  
GAINESVILLE, FLORIDA**

Notice is hereby given that the proposed ordinance, whose title appears below will be considered for First Reading on the 28th day of November, 2005, at the City Commission meeting and if then adopted on First Reading will be considered for Second and Final Reading and adoption on the 12th day of December, 2005, at the City Commission meeting. The meetings begin at 6:00p.m. and the ordinances will be read as soon thereafter as may be heard. The meetings are held in the City Commission Auditorium, on the First Floor of City Hall, 200 East University Avenue, Gainesville, Florida. A copy of said ordinance may be inspected by any member of the public at the office of the Clerk of the Commission on the First Floor of City Hall during regular business hours located at 200 East University Avenue, Gainesville, Florida, and at the Public Library, Main Branch, located at 401 East University Avenue. On the dates mentioned above all interested parties may appear at the meeting and be heard with respect to the proposed ordinances. Persons with disabilities, who require assistance to participate in the meetings, are requested to notify the Equal Opportunity Office at 334-5051 or call the TDD phone line at least 2 business days in advance.

**ORDINANCE TITLE**

**ORDINANCE NO. 050595**

An ordinance of the City of Gainesville, Florida, amending Chapter 2 of the Code of Ordinances of the City of Gainesville relating to the City of Gainesville Employees Pension Plan and the Consolidated Police Officers and Firefighters Retirement Plan regarding distributions to individual retirement accounts under certain circumstances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**ORDINANCE NO. 050528**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 06706-025-000 through 06706-030-000 and 06706-035-000 through 06706-040-000, generally located south of SW 17th Avenue, west of the vicinity of SW 34th Street and the City limits, north of SW 17th Place and east of Tax Parcel 06724-000-000; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

**ORDINANCE NO. 050447**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a 10-foot wide alleyway generally located east of Southeast 5th Street, west of Sweetwater Branch Creek, and running north and south between Southeast 4th Avenue and Southeast 4th Place; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**ORDINANCE NO. 050242**

An ordinance of the City of Gainesville, Florida, amending section 6-3, City of Gainesville Code of Ordinances; updating section 6-3 by adopting the Administration Chapter of the 2004 Florida Building Code (2004); updating and making conforming changes to the existing local amendments to chapter 1 of the Florida Building Code (2004); relocating the text contained in sections 104.5, 104.5.1, 104.5.1.2, 104.5.1.4, 104.5.1.5, 104.6.2, 104.6.4, and 104.6.5 for conformity with the Florida Building Code (2004); stating factors for issuance of a certificate of occupancy as stated in the Florida Building Code (2004); creating specific time limits for completion of construction for both residential and commercial building permits; repealing obsolete language regarding building valuation data; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Note: "All persons are advised that, if any person decides to appeal any decision made at any of these meetings, they will need a record of the proceedings and, for such purpose, they need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

November 18, 2005  
Publish Date

Kurt M. Lannon  
Clerk of the Commission

29157, 11/18/05  
#A000093858