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ORDINANCE NO. 100859

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4 **An ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan, Future Land Use Map; by changing the**
6 **land use categories of certain properties annexed into the City, as**
7 **more specifically described in this ordinance, from the Alachua**
8 **County land use categories of “Commercial”, and “High Density**
9 **Residential (14-24 DU/acre)”, to the City of Gainesville land use**
10 **categories of “Commercial”, ”Education”, and “Residential Low-**
11 **Density (up to 12 units per acre)”;** generally located West of SW
12 **34th Street, North of SW Archer Rd., East of SW 42nd Street, and**
13 **South of SW 14th Place, as more specifically shown and described**
14 **in this ordinance; providing directions to the City Manager;**
15 **providing a severability clause; providing a repealing clause; and**
16 **providing an immediate effective date.**

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19 **WHEREAS,** publication of notice of a public hearing was given that the Future Land Use
20 Map be amended by changing the land use categories of certain properties from the Alachua County
21 land use categories of “Commercial”, and “High Density Residential (14-24 DU/acre)”, to the City of
22 Gainesville land use categories of “Commercial”, “Education”, and “Residential Low-Density (up to 12
23 units per acre)”; and

24 **WHEREAS,** notice was given and publication made as required by law and a public hearing
25 was held by the City Plan Board on January 27, 2011; and

26 **WHEREAS,** notice was given and publication made of a public hearing which was then held
27 by the City Commission on March 3, 2011; and

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1 **WHEREAS**, the amendment to the land use categories of the City of Gainesville 2000-2010
2 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided
3 in Chapter 163, Florida Statutes; and

4 **WHEREAS**, the City of Gainesville will transmit copies of the public notice and this proposed
5 ordinance to the State Land Planning Agency, the regional planning council, and any other person or
6 entity who has requested a copy; and

7 **WHEREAS**, at least ten (10) days notice has been given of a public hearing once by
8 publication in a newspaper of general circulation notifying the public of this proposed ordinance and of
9 a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of Gainesville;
10 and

11 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose land the
12 City will redesignate by the enactment of this Ordinance, at least thirty days prior to the date set for a
13 public hearing on this ordinance; and

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

16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
17 **CITY OF GAINESVILLE, FLORIDA:**

18 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
19 Plan is amended by changing the land use category of the following described property from the
20 Alachua County land use category of “Commercial” on Tax Parcel No. 06803-001-000, as more

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1 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
2 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
3 hereof as Exhibit “B”.

4 **Section 2.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
5 Plan is amended by changing the land use category of the following described property from the
6 Alachua County land use category of “Commercial” on Tax Parcel No. 06803-001-001, as more
7 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
8 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
9 hereof as Exhibit “B”.

10 **Section 3.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
11 Plan is amended by changing the land use category of the following described property from the
12 Alachua County land use category of “Commercial” on Tax Parcel No. 06803-002-000, as more
13 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
14 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
15 hereof as Exhibit “B”.

16 **Section 4.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
17 Plan is amended by changing the land use category of the following described property from the
18 Alachua County land use category of “Commercial” on Tax Parcel No. 06803-004-000, as more
19 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of

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1 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
2 hereof as Exhibit “B”.

3 **Section 5.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
4 Plan is amended by changing the land use category of the following described property from the
5 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-001-005, as more
6 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
7 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
8 hereof as Exhibit “B”.

9 **Section 6.** 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 the
11 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-001-006, as more
12 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
13 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
14 hereof as Exhibit “B”.

15 **Section 7.** 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 the
17 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-001-007, as more
18 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
19 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
20 hereof as Exhibit “B”.

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1 **Section 8.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
2 Plan is amended by changing the land use category of the following described property from the
3 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-001-015, as more
4 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
5 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
6 hereof as Exhibit “B”.

7 **Section 9.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
8 Plan is amended by changing the land use category of the following described property from the
9 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-001-020, as more
10 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
11 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
12 hereof as Exhibit “B”.

13 **Section 10.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
14 Plan is amended by changing the land use category of the following described property from the
15 Alachua County land use category of “Commercial” on Tax Parcel No. 06810-002-002, as more
16 specifically shown on the map attached hereto and made a part hereof as Exhibit “A”, to the City of
17 Gainesville land use category of “Commercial” as shown on the map attached hereto and made a part
18 hereof as Exhibit “B”.

19 **Section 11.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
20 Plan is amended by changing the land use category of the following described property from the

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1 Alachua County land use category of “High Density Residential (14-24 DU/acre)” on Tax Parcel No.
2 06711-002-000, as shown on the map attached hereto and made a part hereof as Exhibit “A”, to the
3 City of Gainesville land use category of “Education”, as shown on the map attached hereto and made a
4 part hereof as Exhibit “B”.

5 **Section 12.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
6 Plan is amended by changing the land use category of the following described property from the
7 Alachua County land use category of “High Density Residential (14-24 DU/acre)” on Tax Parcel No.
8 06714-000-000, as shown on the map attached hereto and made a part hereof as Exhibit “A”, to the
9 City of Gainesville land use category of “Residential Low-Density (up to 12 units per acre)”, as shown
10 on the map attached hereto and made a part hereof as Exhibit “B”.

11 **Section 13.** The City Manager is authorized and directed to make the necessary changes in
12 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion
13 thereof in order to comply with this ordinance.

14 **Section 14.** If any word, phrase, clause, paragraph, section or provision of this ordinance
15 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
16 finding shall not affect the other provisions or applications of the ordinance which can be given
17 effect without the invalid or unconstitutional provisions or application, and to this end the
18 provisions of this ordinance are declared severable.

19 **Section 15.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
20 such conflict hereby repealed.

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1 **Section 16.** This ordinance shall become effective immediately upon passage; however, the
2 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty one
3 (31) days after passage and adoption of this Ordinance unless a petition is filed with the Division of
4 Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance shall not become
5 effective until the state land planning agency issues a final order determining the adopted amendment to
6 be in compliance in accordance with § 163.3187, or until the Administration Commission issues a final
7 order determining the adopted amendment to be in compliance in accordance with § 163.3187, F.S.

8 **PASSED AND ADOPTED** this _____ day of _____, 2011.

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MAYOR

APPROVED AS TO FORM AND LEGALITY:

KURT LANNON,
CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

This ordinance passed this _____ day of _____, 2011.

Exhibit "A"

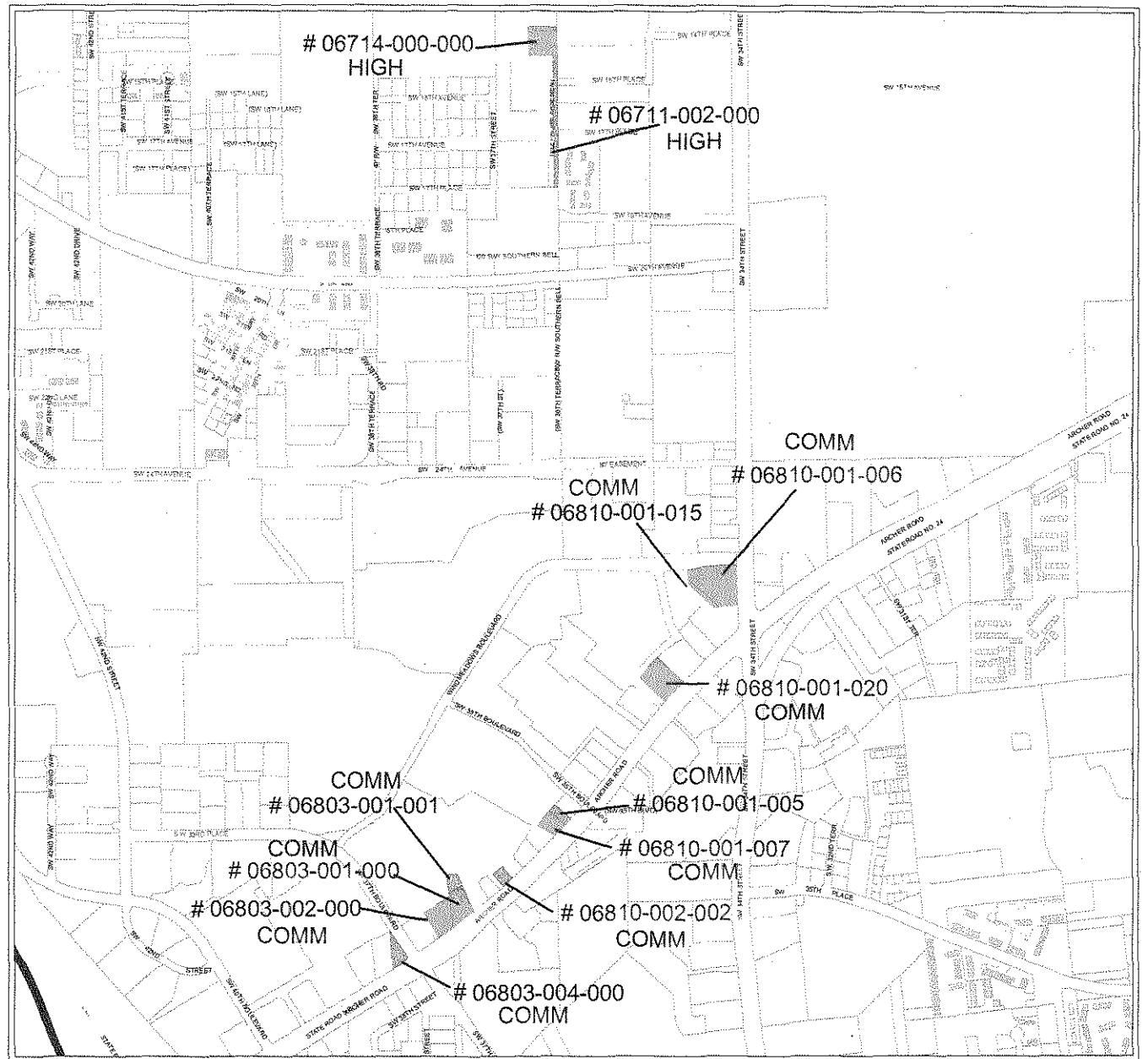
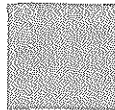
Alachua County Land Use Designations

COMM Commercial
 HIGH High Density
 Residential (14-24 DU/acre)

— City Limits

LEGEND

Area Under
 Consideration



EXISTING LAND USE

	Name	Petition Request	Map(s)	Petition Number
<p>No Scale</p>	City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville Land Use categories.	4145, 4345, 4445	Southwest Annexation PB-10-135LUC - B

Exhibit "B"

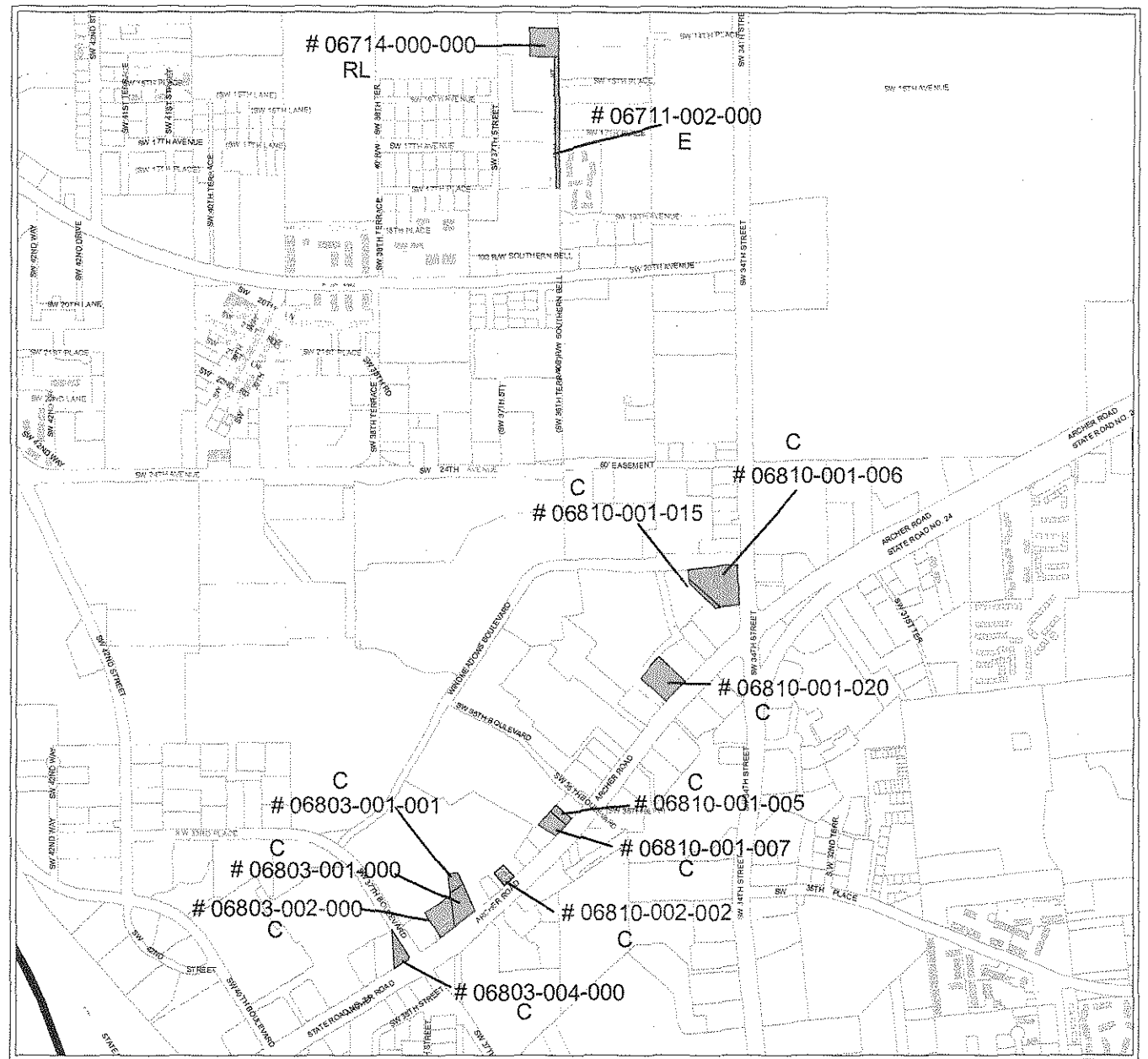
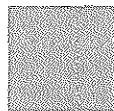
City of Gainesville Land Use Designations

- C Commercial
- RL Residential Low
Density (up to 12 DU/acre)
- E Educational Services

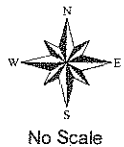
City Limits

LEGEND

Area Under
Consideration



PROPOSED LAND USE



Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Change FLUM from Alachua County Land Use categories to City of Gainesville Land Use categories.	4145, 4345, 4445	Southwest Annexation PB-10-135LUC - B