

Legislative #

140471A

ORDINANCE NO. 140471

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2
3 **An ordinance amending the Future Land Use Map of the City of**
4 **Gainesville Comprehensive Plan by changing the land use category of**
5 **approximately 4.4 acres of property generally located northeast of the**
6 **intersection of Williston Road and SE 16th Avenue, as more**
7 **specifically described in this ordinance, from Residential Medium-**
8 **Density (RM) to Conservation (CON); providing directions to the City**
9 **Manager; providing a severability clause; providing a repealing**
10 **clause; and providing an effective date.**

11
12 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the
13 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain
14 property from Residential Medium-Density (RM) to Conservation (CON); and

15 **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville
16 Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a small-
17 scale development amendment as provided in Section 163.3187, Florida Statutes; and

18 **WHEREAS**, on October 23, 2014, a public hearing was held by the City Plan Board,
19 which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it
20 voted to recommend that the City Commission adopt this ordinance; and

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

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

27 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
28 **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 Residential Medium-
3 Density (RM) to Conservation (CON):

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".
8

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 order
11 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 notifies
22 the City that the plan amendment package is complete in accordance with Section 163.3184,
23 Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become
24 effective on the date the state land planning agency or the Administration Commission enters a
25 final order determining the amendment to be in compliance with Chapter 163, Florida Statutes.

1 No development orders, development permits, or land uses dependent on this amendment may be
2 issued or commenced before this amendment has become effective.

3 **PASSED AND ADOPTED** this _____ day of _____, 2015.

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EDWARD B. BRADDY
MAYOR

10 Attest:

Approved as to form and legality:

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13

KURT LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

16
17
18

This ordinance was passed on Adoption Reading on this _____ day of
_____, 2015.

EXHIBIT "A" TO ORDINANCE NO. 140471

Sweetwater – ACF

That part of Section 9, Township 10 South, Range 20 East, Alachua County, Florida, and being more particularly described as follows.

Commence at the Southeast corner of the D. L. Clinch Grant for a Point of Reference; thence North 4 deg. 29 min. 56 sec. East, a distance of 1551.12 feet to a 4" by 4" concrete monument (no identification [ID]) on the west line of Section 16, Township 10 South, Range 20 East; thence North 04 deg. 23 min. 53 sec. East along the said west line of Section 16, and along the east line of the said Clinch Grant, a distance of 1720.75 feet to a 4" by 4" concrete monument (No ID) at an intersection with the southeasterly right of way line of State Road No. 331 (a 150.0 foot right of way); thence North 27 deg. 29 min. 16 sec. East along the said southeasterly right of way line, a distance of 2456.11 feet to a 5/8" rebar and cap (LB 2389) at the most westerly corner of the City Of Gainesville property, as per Official Record Book 3339, page 1428 of the public records of said Alachua County, and also being the Point of Beginning; thence South 58 deg. 39 min. 44 sec. East along the southwesterly boundary line of the said City property, a distance of 417.13 feet to a 5/8" rebar and cap (LB 2389); thence South 00 deg. 00 min. 00 sec. West along the westerly boundary line of the said City property, a distance of 309.68 feet to a 5/8" rebar and cap (LB 2389); thence North 90 deg. 00 min. 00 sec. West on a westerly prolongation of the south boundary line of the said City property, a distance of 461.19 feet to an intersection with the southeasterly right of way line of a City of Gainesville Electrical Transmission line, as per deed recorded in Official Record Book 839, page 902 of the said public records of Alachua County; thence North 27 deg. 29 min. 55 sec. East along the said southeasterly right of way line, a distance of 140.40 feet to a concrete monument and cap (LB 2389) at the most easterly corner of the said Transmission line right of way; thence North 62 deg. 30 min. 44 sec. West along the most northerly right of way line of the said Transmission line, a distance of 150.0 feet to a concrete monument and cap (LB 2389) at an intersection with the said southeasterly right of way line of State Road No. 331; thence North 27 deg. 29 min. 16 sec. East along the said southeasterly right of way line of State Road No. 331, a distance of 375.19 feet to the said 5/8" rebar and cap (LB 2389) that marks the said Point of Beginning.



Containing approximately 194,210 square feet or 4.46 acres.

**City of Gainesville
Land Use Designations**

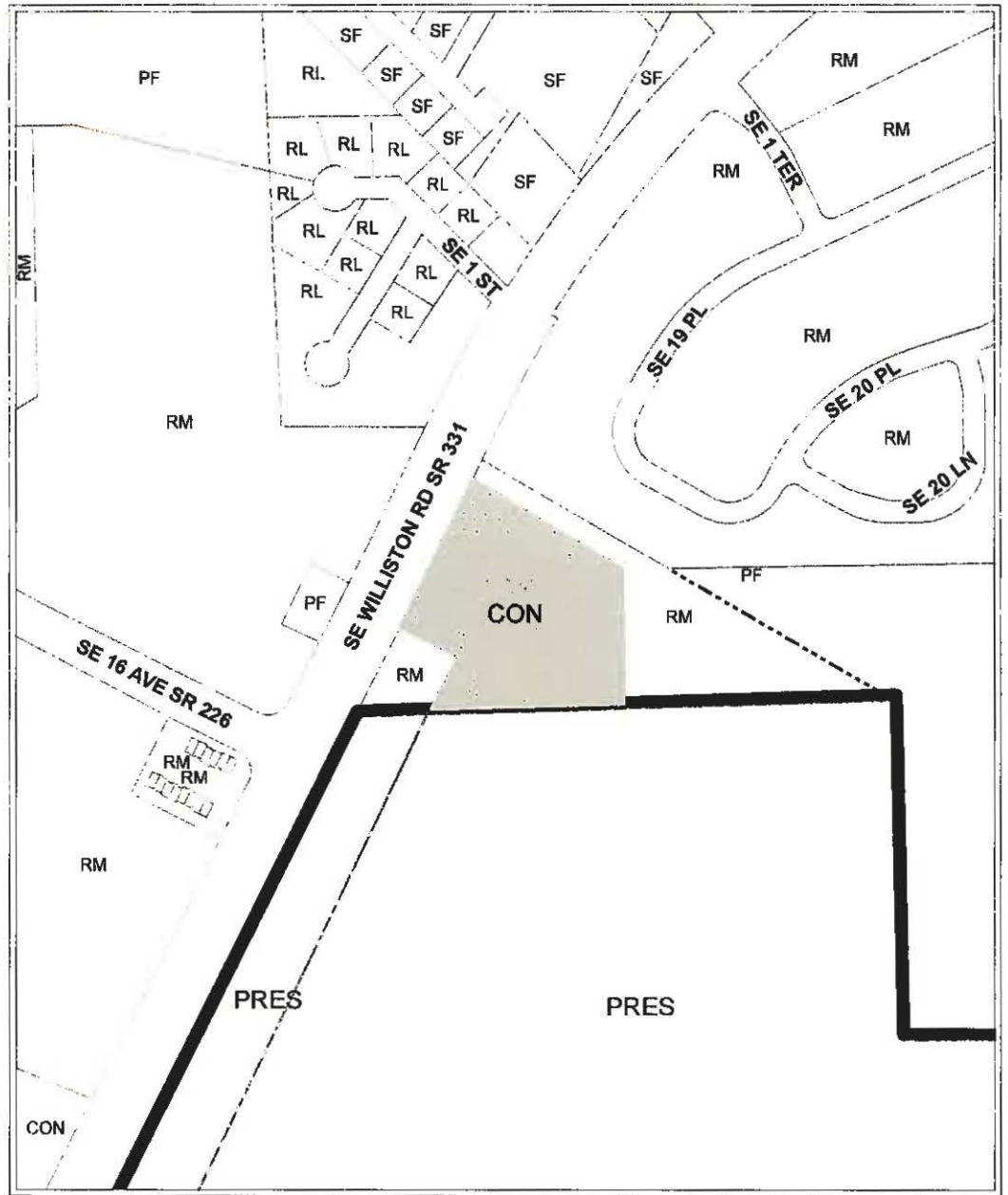
- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- PF Public and Institutional Facilities
- CON Conservation

**Alachua County
Land Use Designations**

- PRES Preservation

-  Division line between two land use categories
-  City Limits

Area
under petition
consideration



PROPOSED LAND USE

Name	Petition Request	Petition Number
Alachua County Growth Management Department, agent for Alachua County Board of County Commissioners	Amend the City of Gainesville Future Land Use map from Residential Medium-Density (8-30 units/acre) to Conservation	PB-14-120 LUC





**City of Gainesville
Land Use Designations**

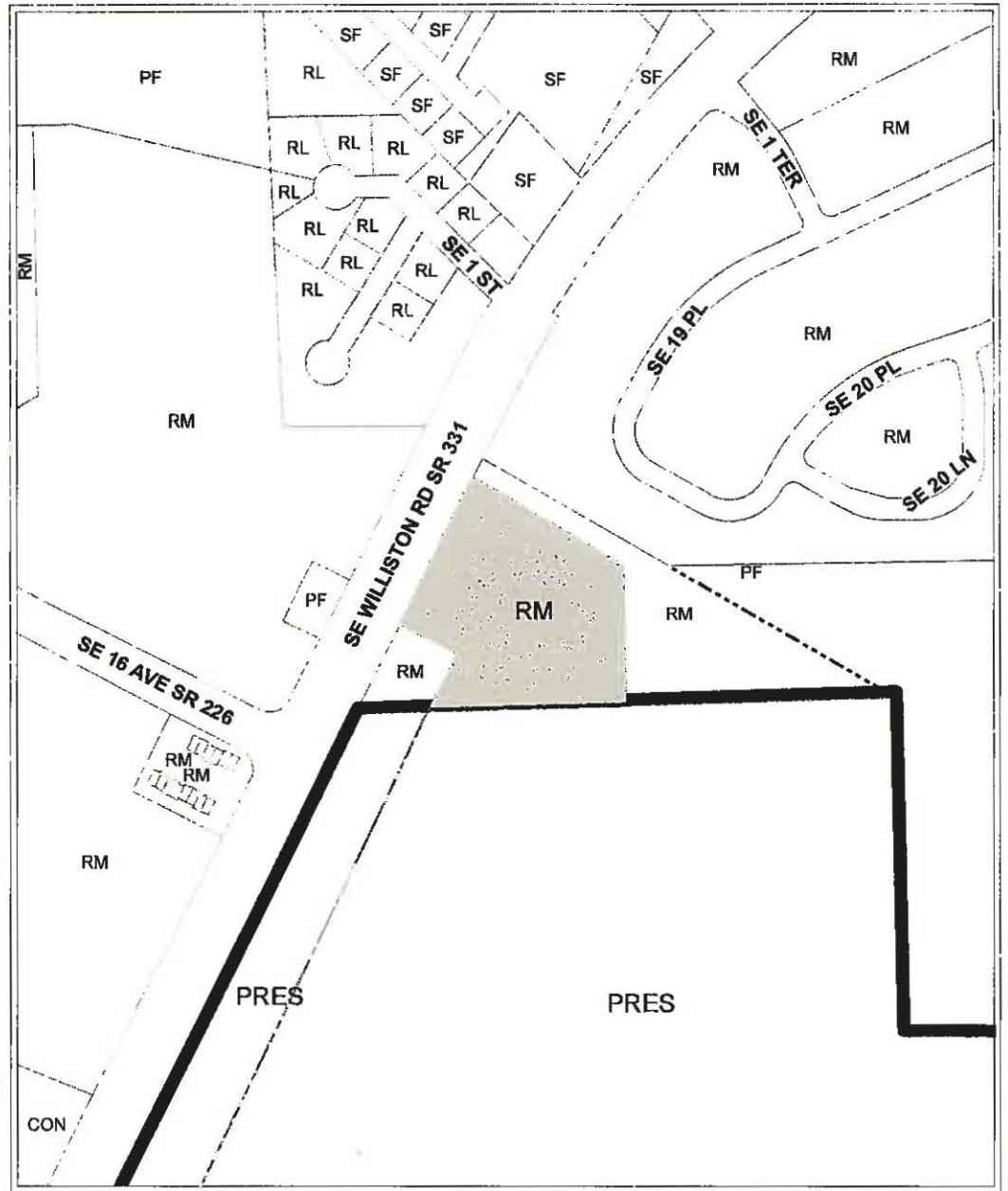
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