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An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element and Map of the Comprehensive Plan by amending the Single-Family (SF) land use category and associated property, as more specifically described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

WHEREAS, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a Comprehensive Plan to guide the future development and growth of the city; and

WHEREAS, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1), Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the city as reflected by the community's commitments to implement such plan; and

WHEREAS, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land, with the goals of protecting natural and historic resources, providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban sprawl; and

26 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land Use
27 Element and Map of the Comprehensive Plan; and

28 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
29 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
30 to Section 163.3174, Florida Statutes, held a public hearing on June 6, 2022, and voted to make
31 a recommendation to the City Commission regarding the subject of this ordinance; and

32 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
33 newspaper of general circulation and provided the public with at least seven days' advance notice
34 of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City Commission
35 in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

36 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this
37 proposed amendment to the reviewing agencies and any other local government unit or state
38 agency that requested same; and

39 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was placed
40 in the aforesaid newspaper and provided the public with at least five days' advance notice of this
41 ordinance's second public hearing (i.e., adoption hearing) to be held by the City Commission; and

42 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
43 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

44 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written
45 comments received concerning this Future Land Use Element and Map amendment.

46 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
47 **FLORIDA:**

48 **SECTION 1.** Policy 4.1.1 of the Future Land Use Element of the City of Gainesville
49 Comprehensive Plan is amended as follows. Except as amended herein, the remainder of Policy
50 4.1.1 remains in full force and effect.

51 **~~Single-Family (SF): up to 8 units per acre~~**

52
53 ~~This land use category shall allow single-family detached dwellings at densities up to 8 dwelling~~
54 ~~units per acre. The Single-Family land use category identifies those areas within the City that,~~
55 ~~due to topography, soil conditions, surrounding land uses and development patterns, are~~
56 ~~appropriate for single-family development. Land development regulations shall determine the~~
57 ~~performance measures and gradations of density. Land development regulations shall specify~~
58 ~~criteria for the siting of low-intensity residential facilities to accommodate special need~~
59 ~~populations and appropriate community-level institutional facilities such as places of religious~~
60 ~~assembly, public and private schools other than institutions of higher learning, and libraries. Land~~
61 ~~development regulations shall allow home occupations in conjunction with single-family~~
62 ~~dwellings under certain limitations.~~

64 **SECTION 2.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
65 amended by changing the land use category of all property currently designated Single-Family
66 (SF) to Residential Low-Density (RL). The amendment and location of the property that is the
67 subject of this ordinance is shown on **Exhibit A** for visual reference. A detailed Future Land Use
68 Map is available for inspection on the City's website or in the City's Department of Sustainable
69 Development.

70 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of
71 this ordinance will become and be made a part of the City of Gainesville Comprehensive Plan
72 and that the sections and paragraphs of the Comprehensive Plan may be renumbered in order
73 to accomplish such intent.

74 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary
75 changes to the City of Gainesville Comprehensive Plan in order to fully implement this ordinance.

76 The City Manager or designee is authorized to correct any typographical errors that do not affect
77 the intent of this ordinance.

78 **SECTION 5.** Within ten working days of the transmittal (first) hearing, the City Manager or
79 designee is authorized and directed to transmit this Future Land Use Map amendment and
80 appropriate supporting data and analyses to the reviewing agencies and to any other local
81 government or governmental agency that has filed a written request for same with the City.
82 Within ten working days of the adoption (second) hearing, the City Manager or designee is
83 authorized and directed to transmit this amendment to the state land planning agency and any
84 other agency or local government that provided comments to the City regarding the
85 amendment.

86 **SECTION 6.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
87 the application hereof to any person or circumstance is held invalid or unconstitutional, such
88 finding will not affect the other provisions or applications of this ordinance that can be given
89 effect without the invalid or unconstitutional provision or application, and to this end the
90 provisions of this ordinance are declared severable.

91 **SECTION 7.** As of the effective date of this amendment to the Comprehensive Plan as
92 described in Section 8 of this ordinance, all ordinances or parts of ordinances in conflict herewith
93 are to the extent of such conflict hereby repealed.

94 **SECTION 8.** This ordinance will become effective immediately upon adoption; however, the
95 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
96 amendment is not timely challenged, will be 31 days after the state land planning agency notifies
97 the City that the plan amendment package is complete in accordance with Section 163.3184,

98 Florida Statutes. If timely challenged, this Comprehensive Plan amendment will become effective
99 on the date the state land planning agency or the Administration Commission enters a final order
100 determining the amendment to be in compliance with Chapter 163, Florida Statutes. No
101 development orders, development permits, or land uses dependent on this Comprehensive Plan
102 amendment may be issued or commenced before this amendment has become effective.

103 **PASSED AND ADOPTED** this _____ day of _____, 2022.

104

105

106

LAUREN POE

107

MAYOR

108

109 Attest:

Approved as to form and legality:

110

111

112 _____
OMICHELE D. GAINES

DANIEL M. NEE

113 CITY CLERK

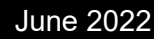
CITY ATTORNEY

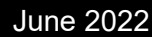
114

115 This ordinance passed on transmittal (first) reading this ____ day of _____, 2022.

116

117 This ordinance passed on adoption (second) reading this ____ day of _____, 2022.







Q4 Existing Single Family (SF) Land Use

June 2022



Legend

-  City Limits
-  Streets
-  SF: Single Family

