1	ORDINANCE NO. 140932
2	An ordinance of the City of Gainesville, Florida, amending the Future Land
4	Use Map of the City of Gainesville Comprehensive Plan by changing the land
5	use category of approximately 0.33 acres of property generally located at
6	1220 NW 39 <sup>th</sup> Avenue approximately 360 feet east of NW 13 <sup>th</sup> Street, as more
7 8	specifically described in this ordinance, from Office (O) to Mixed-Use Low- Intensity (MUL); providing directions to the City Manager; providing a
9	severability clause; providing a repealing clause; and providing an effective
0	date.
l 1	
12	WHEREAS, notice was given as required by law that this ordinance will amend the
13	Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the subject
14	property's land use category from Office (O) to Mixed-Use Low-Intensity (MUL); 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 April 23, 2015, a public hearing was held by the City Plan Board, which
19	acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where is
20	recommended approval of 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 o
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:

- Section 1. The Future Land Use Map of the City of Gainesville Comprehensive Plan is amended by changing the land use category of the following property from Office (O) to Mixed-Use Low-Intensity (MUL):
- See legal description attached hereto as Exhibit "A" and made a part hereof as if set forth in full. The location of the property is shown on Exhibit "B" for visual reference. In the event of conflict 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 order 11 to comply with this ordinance.
- Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.
- Section 4. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed on the date this Comprehensive Plan amendment becomes effective as described in Section 5 of this ordinance.
- Section 5. This ordinance shall become effective immediately upon adoption; however, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this Comprehensive Plan amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the amendment to be in compliance with Chapter 163, Florida Statutes. No development orders, development permits,

- 1 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced
- 2 before the amendment has become effective.
- 3 PASSED AND ADOPTED this 2nd day of July, 2015.

4	
5	Edil B. Braddy
6	EDWARD B. BRADDY
7	MAYOR
8	
9	
10 Attest:	Approved as to form and legality:
11	
12 $12$	Car Ma Carl Mand
13 Shough . Williams	Michele The Shalley
KURT LANNON	NICOLLE M. SHALLEY
15 CLERK OF THE COMMISSION	CITY ATTORNEY

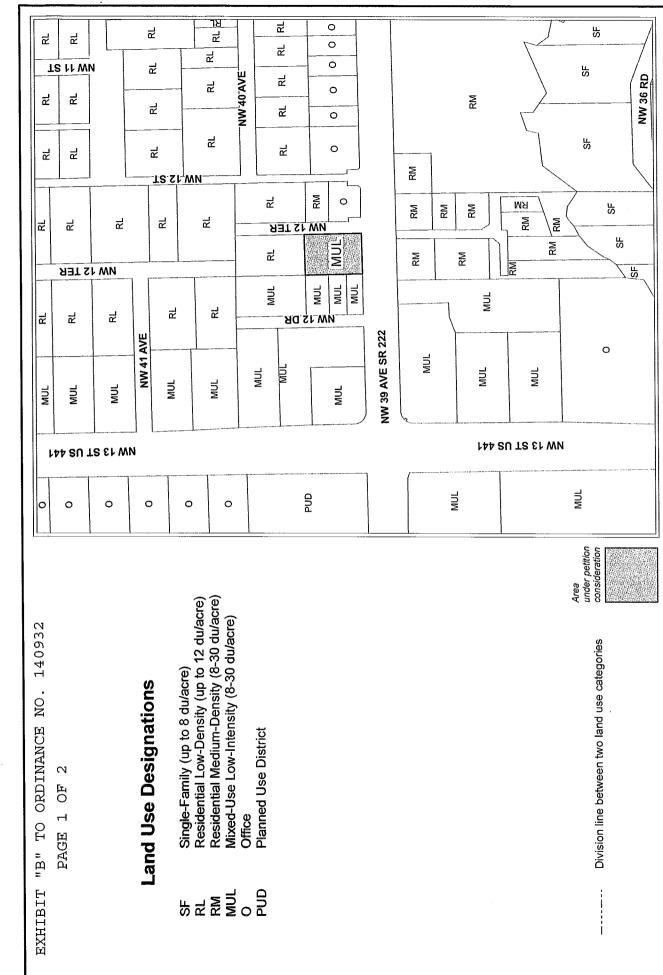
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This ordinance was passed on Adoption Reading on this 2nd day of July, 2015.

Commence at the Southwest corner of Section 20, Township 9 South, Range 20 East, run thence East 50', thence run North 23', thence run East 380', to Point of Beginning; from said Point of Beginning, thence run North 158', thence run East 100', thence run South 158', thence run West 100' to POB.

Less that part of the right of way of Northwest 39 Avenue. Less the following described parcel: A parcel of land in Section 20, Township 9 South, Range 20 East, Alachua County, Florida, more particularly described as follows:

Commence on the West line of Section 29, Township 9 South, Range 20 East, at a point 10 feet Southerly from the Northwest Corner thereof; thence North 88°48'31" East 529.71 feet; thence North 01°07'05" West 33 feet, (crossing the Northerly line of said Section 29, into Section 20, Township 9 South, Range 20 East), to the intersection of the Northerly right of way line of State Road 222 and the Westerly right of way line of Northwest Twelfth Terrace (a 30 foot right of way) and the Point of Beginning; continue North 01°07'05" West along said Westerly right of way line of Northwest Twelfth Terrace, a distance of 35 feet; thence South 26°25'56" West 22.37 feet; thence South 88°48'31" East 100.02 feet to the Point of Beginning.



PROPOSED LAND USE **Petition Number Petition Request** 



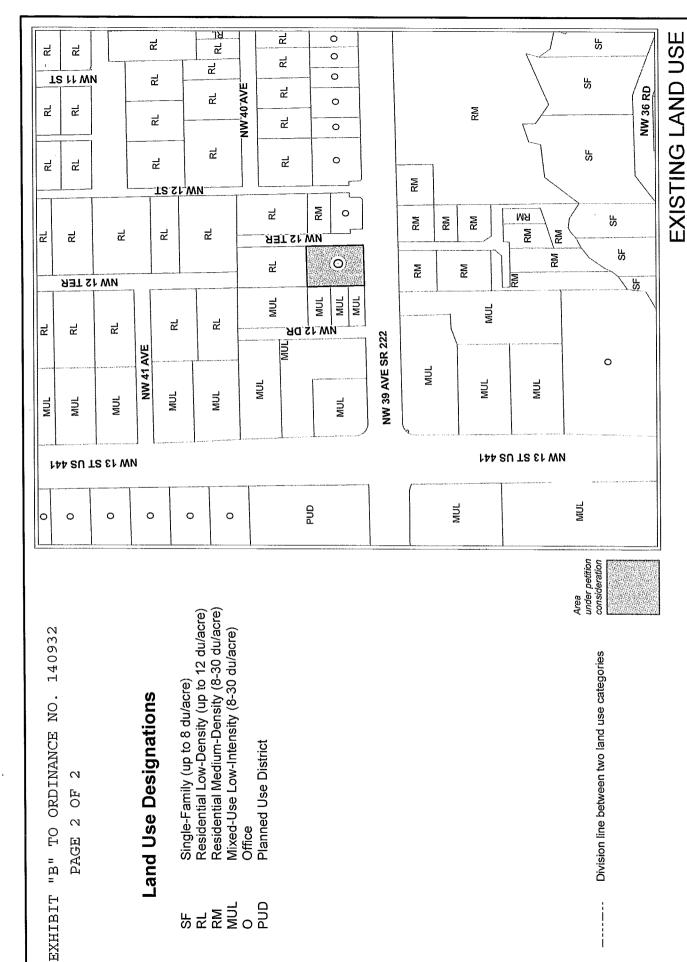
No Scale

John Wernery, owner

Name

Change Future Land Use Map from Office (O) to Mixed-Use Low-Intensity (MUL) category

PB-15-20 LUC



SF RL RM MUL O PUD

No Scale

John Wernery, owner

Name

Change Future Land Use Map from Office (O) to Mixed-Use Low-Intensity (MUL) category

**Petition Number** PB-15-20 LUC Petition Request