

**LEGISLATIVE #**

**160122A**

**ORDINANCE NO. 160122**

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3 **An ordinance of the City of Gainesville, Florida, amending the Future Land**  
4 **Use Map of the Comprehensive Plan by changing the land use category of**  
5 **property generally located at 1125 NE 8<sup>th</sup> Avenue adjacent to and south of**  
6 **NE 8<sup>th</sup> Avenue, west of NE 12<sup>th</sup> Street, and east of NE 11<sup>th</sup> Street, as more**  
7 **specifically described in this ordinance, from Public Facilities (PF) to Mixed-**  
8 **Use Low-Intensity (MUL); providing directions to the City Manager;**  
9 **providing a severability clause; providing a repealing clause; and providing**  
10 **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 the  
14 subject property; 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**, the City Plan Board, which acts as the local planning agency pursuant to  
19 Section 163.3174, Florida Statutes, held a public hearing on June 30, 2016, and voted to  
20 recommend that the City Commission approve this Future Land Use Map amendment; 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**, at least thirty (30) days' notice has been given by mail to each real property  
26 owner whose land will be redesignated by enactment of this ordinance and whose address is  
27 known by reference to the latest ad valorem tax records, notifying such property owners of this  
28 proposed ordinance and of a public hearing in the City Hall Auditorium located on the first floor

1 of City Hall in the City of Gainesville; and

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

4       **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
5 **CITY OF GAINESVILLE, FLORIDA:**

6       **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
7 amended by changing the land use category of the following property from Public and  
8 Institutional Facilities (PF) to Mixed Use Low Intensity (MUL):

9       See legal description attached as Exhibit A and made a part hereof as if set forth  
10 in full. The location of the property is shown on Exhibit B for visual reference.  
11 In the event of conflict or inconsistency, Exhibit A shall prevail over Exhibit B.

12  
13       **Section 2.** The City Manager or designee is authorized and directed to make the  
14 necessary changes to maps and other data in the City of Gainesville Comprehensive Plan in  
15 order to comply with this ordinance.

16       **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
17 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
18 finding shall not affect the other provisions or applications of this ordinance that can be given  
19 effect without the invalid or unconstitutional provision or application, and to this end the  
20 provisions of this ordinance are declared severable.

21       **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
22 such conflict hereby repealed.

23       **Section 5.** This ordinance shall become effective immediately upon adoption; however,  
24 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely  
25 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this

1 amendment shall become effective on the date the state land planning agency or the  
 2 Administration Commission issues a final order determining this amendment to be in compliance  
 3 with Chapter 163, Florida Statutes. No development orders, development permits, or land uses  
 4 dependent on this amendment may be issued or commenced before this amendment has become  
 5 effective.

6

7 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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13 Attest:

14

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17 \_\_\_\_\_  
 18 KURT LANNON  
 19 CLERK OF THE COMMISSION

20

21

\_\_\_\_\_  
 LAUREN POE  
 MAYOR

Approved as to form and legality:

\_\_\_\_\_  
 NICOLLE M. SHALLEY  
 CITY ATTORNEY

21 This ordinance was passed on Adoption Reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**FORMER ARMY RESERVE CENTER      LOT SPLIT PARCEL “A” DESCRIPTION**

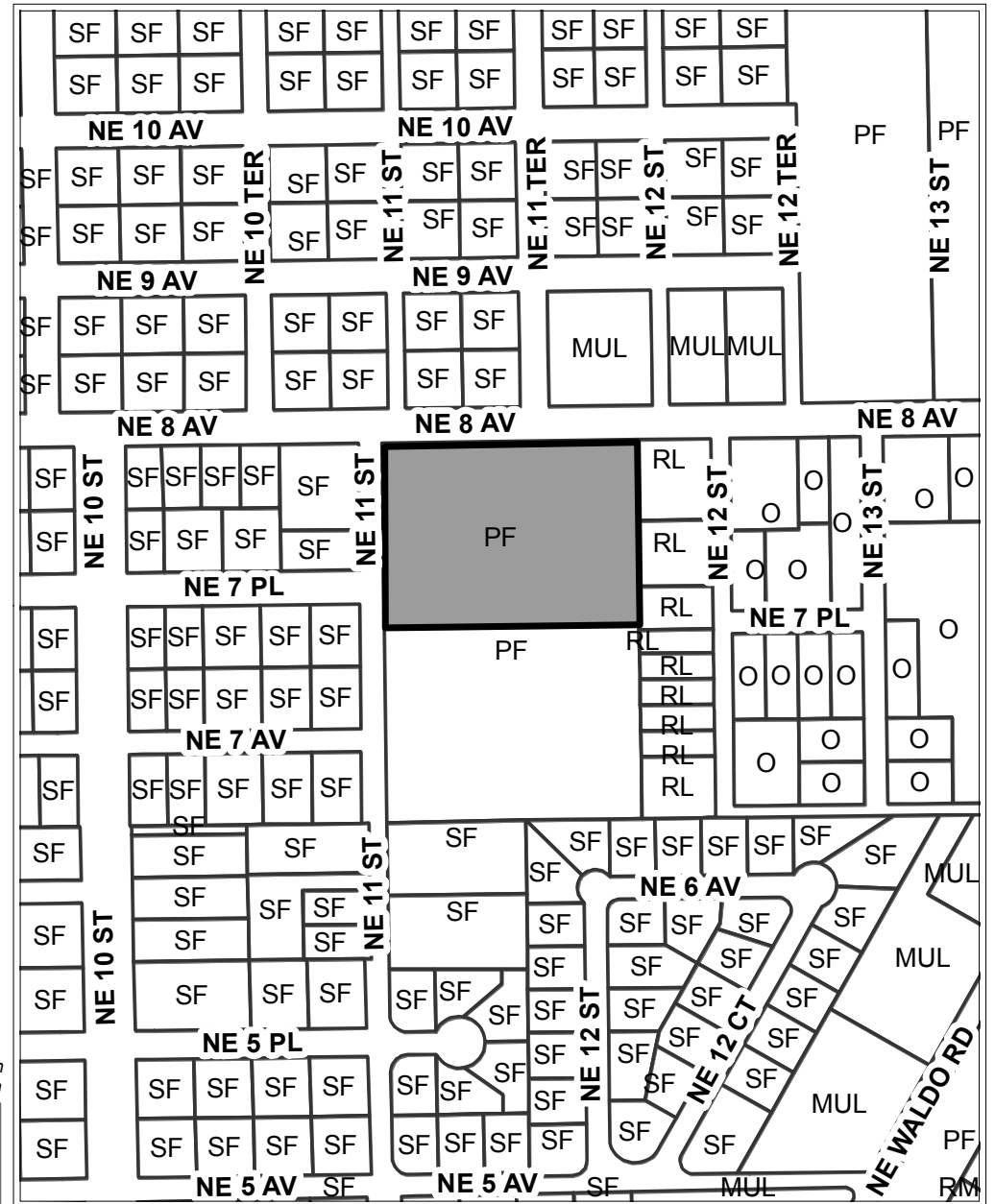
COMMENCE AT A RAILROAD SPIKE FOUND AND ACCEPTED AS MARKING THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 10 SOUTH, RANGE 20 EAST; THENCE S 89°15'13" W ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 1409.39 FEET TO A 5/8" IRON ROD AND CAP STAMPED "ACLS INC.", BEING ON THE SOUTH RIGHT-OF-WAY LINE OF NE 8<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING; THENCE LEAVING SAID SECTION LINE AND SOUTH RIGHT-OF-WAY LINE S 00°36'53" E A DISTANCE OF 310.33 FEET; THENCE S 89°15'13" W PARALLEL TO THE NORTH LINE OF SAID SECTION 4 AND SOUTH RIGHT-OF-WAY LINE OF NE 8<sup>TH</sup> AVENUE A DISTANCE OF 449.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NE 11<sup>TH</sup> STREET; THENCE N 00°36'53" W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 310.33 FEET TO A NAIL AND DISC STAMPED ""PSM 5368" ON THE SOUTH RIGHT-OF-WAY LINE OF NE 8<sup>TH</sup> AVENUE AND THE NORTH LINE OF SAID SECTION 8; THENCE N 89°15'13" E ALONG SAID RIGHT-OF-WAY AND SECTION LINE A DISTANCE OF 449.81 FET TO THE POINT OF BEGINNING; ALL LYING AND BEING IN THE NORTHEAST ONE QUARTER (1/4) OF SECTION 4, TOWNSHIP 10 SOUTH RANGE 20 EAST, ALACHUA COUNTY, FLORIDA AND CONTAINING 139,591 SQUARE FEET (3.20 ACRES), MORE OR LESS.

## 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)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- O Office
- PF Public and Institutional Facilities

----- Division line between two land use categories

Area  
under petition  
consideration



## EXISTING LAND USE

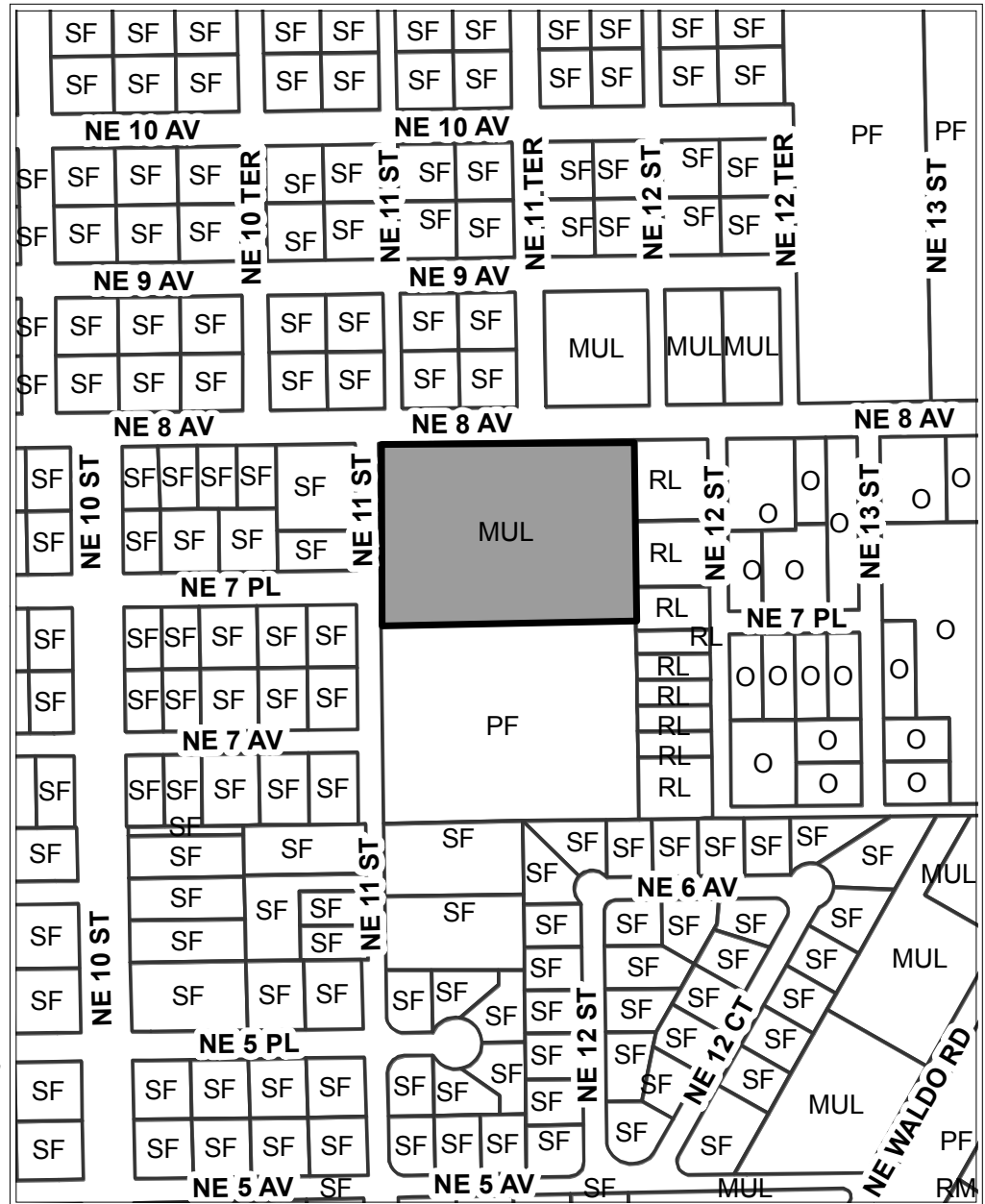


No Scale

Name	Petition Request	Petition Number
City of Gainesville	Amend the City of Gainesville Future Land Use Map from Public and Institutional Facilities (PF) to Mixed-Use Low-Intensity (8-30 units/acre) (MUL)	PB-16-74 LUC

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Area under petition consideration

----- Division line between two land use categories

## PROPOSED LAND USE



Name	Petition Request	Petition Number
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