## **ORDINANCE NO. 160122**

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An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of property generally located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street, and east of NE 11th Street, as more specifically described in this ordinance, from Public Facilities (PF) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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WHEREAS, notice was given as required by law that the Future Land Use Map of the 12 City of Gainesville Comprehensive Plan be amended by changing the land use category of the 13 subject property; and 14

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

WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to 18 Section 163.3174, Florida Statutes, held a public hearing on June 30, 2016, and voted to 19 recommend that the City Commission approve this Future Land Use Map amendment; and 20

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

WHEREAS, at least thirty (30) days' notice has been given by mail to each real property 25 owner whose land will be redesignated by enactment of this ordinance and whose address is 26 known by reference to the latest ad valorem tax records, notifying such property owners of this 27 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
- 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.
- 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
- 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.
- 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.
- 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
- 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.
- 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.

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PASSED AND ADOPTED this 21st day of July, 2016.

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13 Attest:

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7 KURT LANNON

18 CLERK OF THE COMMISSION

LAUREN POE

MAYOR

Approved as to form and legality:

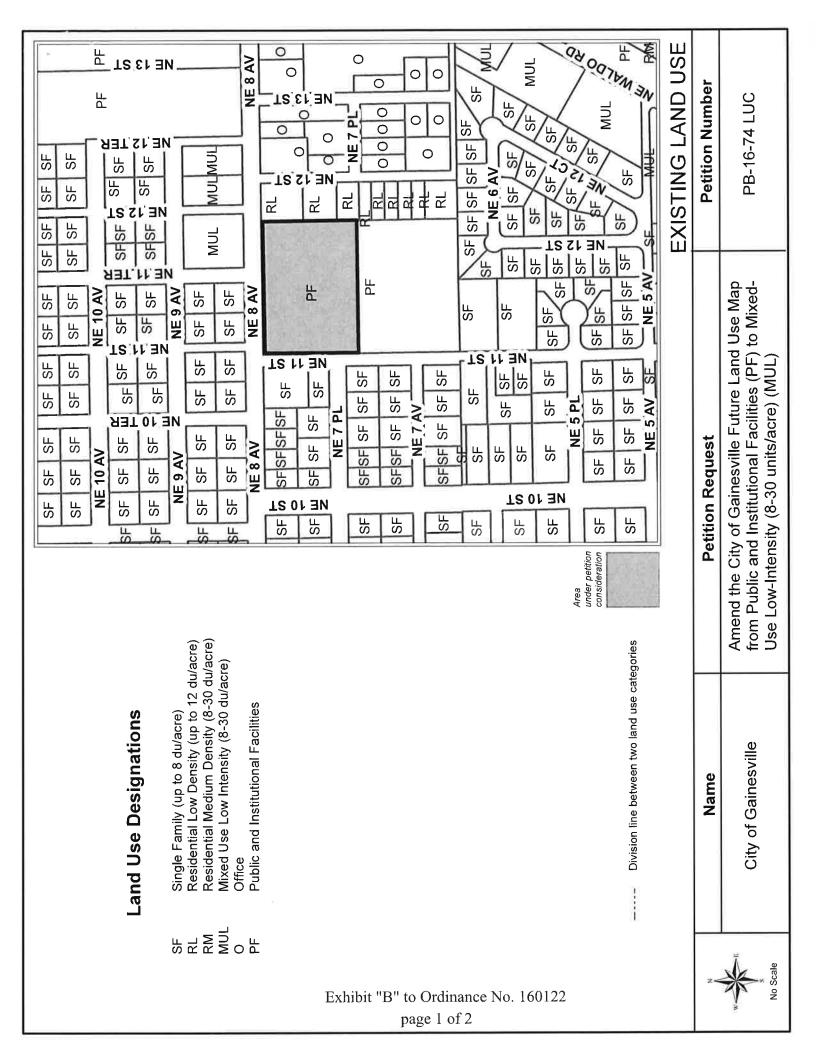
NICOLLE M. SHALLEY

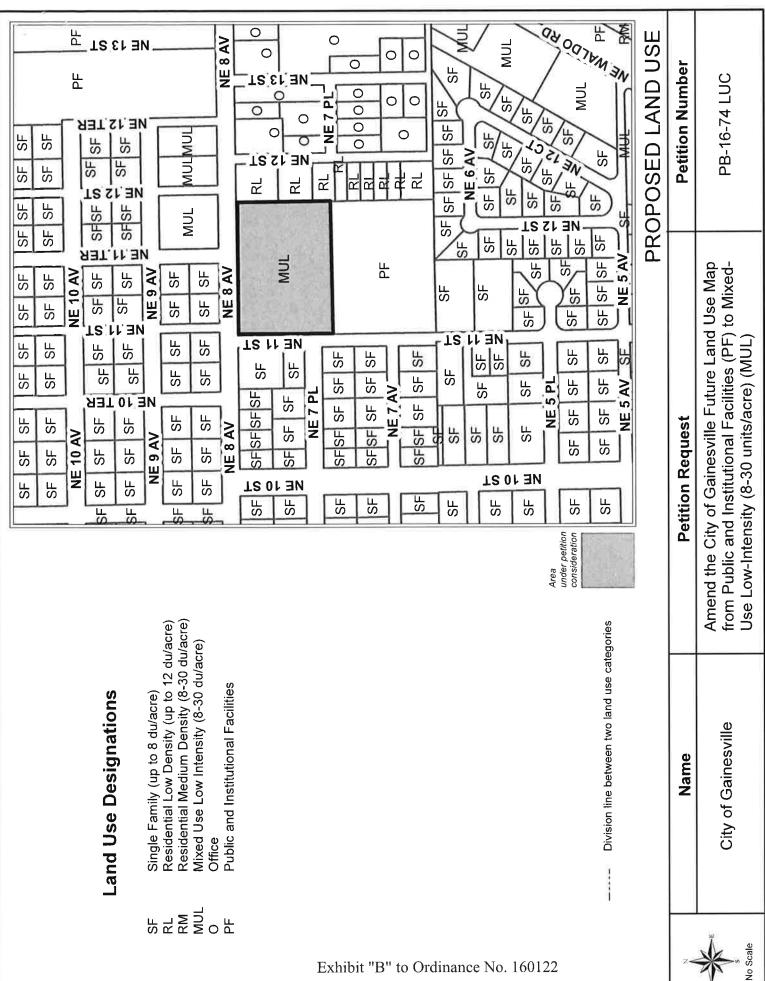
**CITY ATTORNEY** 

This ordinance was passed on Adoption Reading on this 21st day of July, 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.





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