

LEGISLATIVE #
170607A

ORDINANCE NO. 170607

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 approximately 1.48 acres of property generally located at 1135 SW 11th Avenue, as more specifically described in this ordinance, from Single-Family (SF) to Urban Mixed-Use (UMU); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

WHEREAS, this ordinance, which was noticed as required by law, will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of the property that is the subject of this ordinance; and

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

4 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
5 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
6 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 25, 2018, and
7 voted to recommend that the City Commission approve this Future Land Use Map amendment;
8 and

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

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

14 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
15 **FLORIDA:**

16 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
17 amended by changing the land use category of the following property from Single-Family (SF)
18 to Urban Mixed-Use (UMU):

19 See legal description attached as **Exhibit A** and made a part hereof as if set forth
20 in full. The location of the property is shown on **Exhibit B** for visual reference.
21 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.
22

1 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
2 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
3 comply with this ordinance.

4 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
5 the application hereof to any person or circumstance is held invalid or unconstitutional, such
6 finding shall not affect the other provisions or applications of this ordinance that can be given
7 effect without the invalid or unconstitutional provision or application, and to this end the
8 provisions of this ordinance are declared severable.

9 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
10 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

11 **SECTION 5.** This ordinance shall become effective immediately upon adoption; however, the
12 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
13 challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this
14 amendment shall become effective on the date the state land planning agency or the
15 Administration Commission issues a final order determining this amendment to be in
16 compliance with Chapter 163, Florida Statutes. No development orders, development permits,
17 or land uses dependent on this amendment may be issued or commenced before this
18 amendment has become effective.

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20 **PASSED AND ADOPTED** this ____ day of _____, 2018.

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Attest:

LAUREN POE
MAYOR

Approved as to form and legality:

OMICHELE GAINEY
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance was passed on Adoption Reading on this _____ day of _____
2018.

DESCRIPTION:

(BY SURVEYOR)

LOT 29, AUDUBON PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS
RECORDED IN PLAT BOOK D, PAGE 45, PUBLIC RECORDS OF ALACHUA
COUNTY, FLORIDA.

AND

(PER O.R.B. 3777, PAGE 921)

AUDUBON PARK PB D-45 AUDUBON PARK REPLAT PB D-78 LOT 34 O.R. 518/36.

**Petition
PB-17-114 LUC
Existing Land Use**

 Area under petition consideration

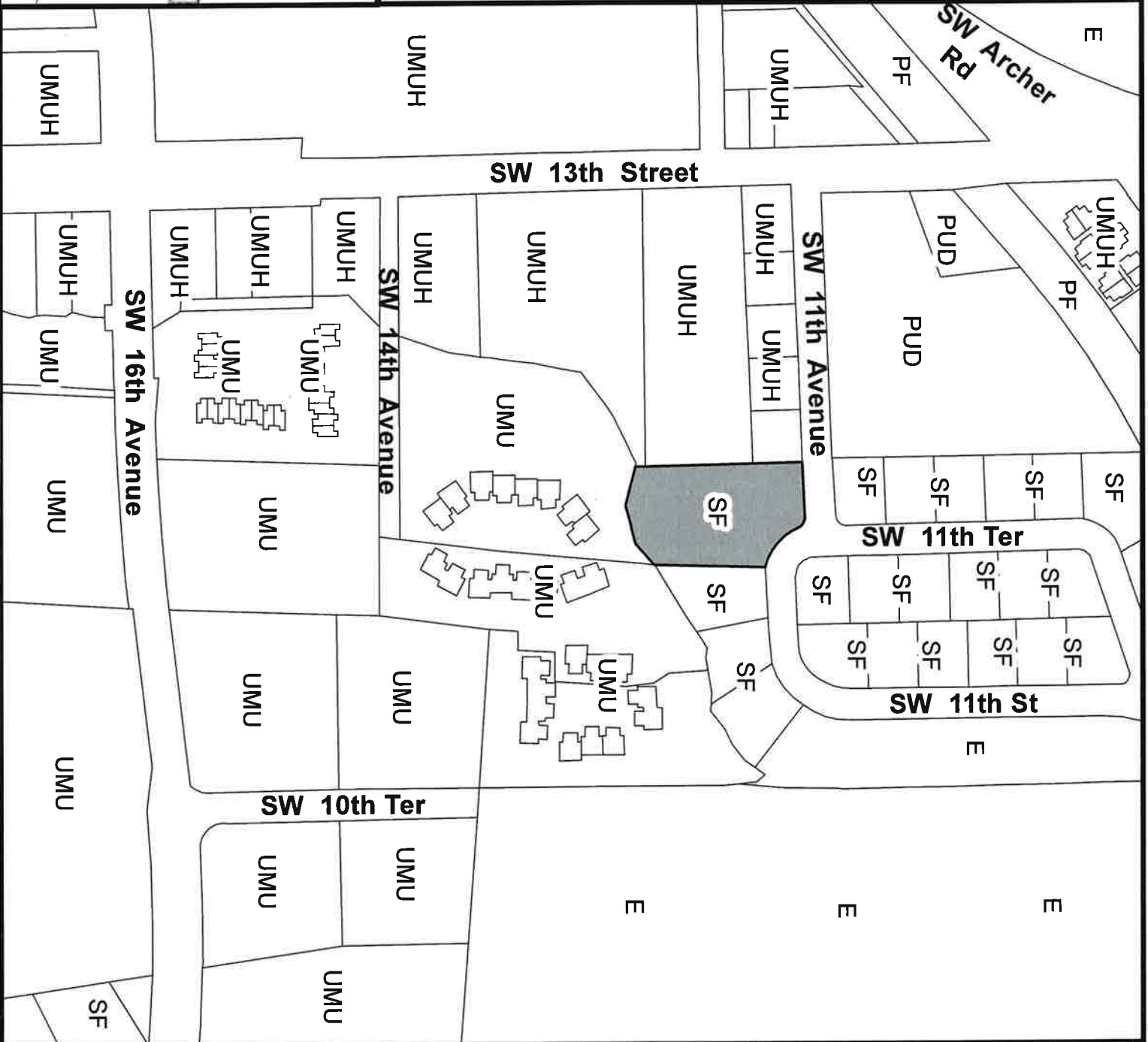
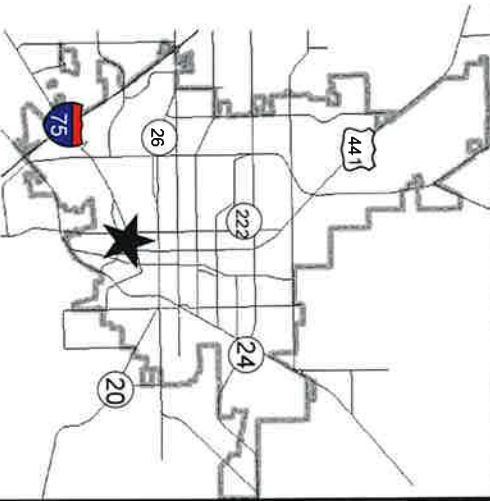
**City of Gainesville
Land Use Categories**

E Education
SF Single-Family
PF Public & Institutional Facilities
PUD Planned Use District
UMU Urban Mixed-Use
UMUH Urban Mixed-Use High Intensity


CHW, Inc. agent for Carolyn H Jordan,
owner

Amend the City of Gainesville Future
Land Use Map from SF: Single Family
to UMU: Urban Mixed-Use

--- Division line between two land use categories
— City Limits



Petition **PB-17-114 LUC** **Proposed Land Use**

 Area under petition consideration

City of Gainesville **Land Use Categories**

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