

ORDINANCE NO. 200883

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 0.99 acres of property generally located at 2020 West University Avenue, as more specifically described in this ordinance, from Residential Low-Density (RL) to Mixed-Use Office/Residential (MOR); 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

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

30 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
31 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
32 pursuant to Section 163.3174, Florida Statutes, held a public hearing on February 25, 2021, and  
33 voted to recommend that the City Commission approve this Future Land Use Map amendment;  
34 and

35 **WHEREAS**, at least five days' notice has been given once by publication in a newspaper of  
36 general circulation notifying the public of this proposed ordinance and a public hearing held by  
37 the City Commission; and

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

40 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

41 **FLORIDA:**

42 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
43 amended by changing the land use category of the following property from Residential Low-  
44 Density (RL) to Mixed-Use Office/Residential (MOR):

45 See legal descriptions attached as **Exhibit A** and made a part hereof as if set  
46 forth in full. The location of the property is shown on **Exhibit B** for visual  
47 reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over  
48 **Exhibit B.**  
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50 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
51 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to  
52 comply with this ordinance.

53 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
54 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
55 finding will not affect the other provisions or applications of this ordinance that can be given  
56 effect without the invalid or unconstitutional provision or application, and to this end the  
57 provisions of this ordinance are declared severable.

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

60 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
61 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely  
62 challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this  
63 amendment will become effective on the date the state land planning agency or the  
64 Administration Commission issues a final order determining the amendment to be in  
65 compliance with Chapter 163, Florida Statutes. No development orders, development permits,  
66 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced  
67 before this amendment has become effective.

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72 **PASSED AND ADOPTED** this <sup>19th day</sup> 15<sup>th</sup> day of July, 2021.

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79 Attest:

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83 OMICHELE D. GAINES

84 CITY CLERK

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87 This ordinance was passed on Adoption Reading on this 15<sup>th</sup> day of July, 2021.



LAUREN POE

MAYOR

Approved as to form and legality:



NICOLLE M. SHALLEY

CITY ATTORNEY

## **LEGAL DESCRIPTIONS**

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DESCRIPTION: (O.R.B. 1691, PAGE 1811) (SHOWN HEREON AS PARCEL "A")

LOTS ONE (1) AND TWO (2), LESS THE NORTH 5.00 FEET THEREOF, LYING AND BEING IN BLOCK 2 OF COLLEGE COURT, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK "A", PAGE 134 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; SAID COLLEGE COURT BEING A RESURVEY AND SUBDIVISION OF LOT 7 OF VOYLE'S SURVEY OF THE NORTH HALF (N 1/2) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 20 EAST, AS RECORDED IN DEED BOOK "P", PAGE 500.

DESCRIPTION: (O.R.B. 1716, PAGE 0207) (SHOWN HEREON AS PARCEL "B")

LOTS ONE (1), TWO (2) AND THREE (3) OF RAY'S SUBDIVISION IN THE EAST PART OF LOT 8, OF VOYLES SURVEY OF THE NORTH HALF (N 1/2) OF SECTION 6, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ACCORDING TO PLAT OF SAME RECORDED IN PLAT BOOK "C", PAGE 51, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LESS RIGHT OF WAY DESCRIBED IN DEED BOOK 346, PAGE 468, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.





