



Legislation Details (With Text)

**File #:** 120524.      **Version:** 3      **Name:**  
**Type:** Ordinance      **Status:** Filed  
**File created:** 10/31/2012      **In control:** City Commission  
**On agenda:** 1/17/2013      **Final action:** 2/7/2013  
**Title:** LAND USE CHANGE - SMALL SCALE - APPROXIMATELY .04 ACRES OF PROPERTY  
 GENERALLY LOCATED AT 1126 NW 7TH AVENUE (B)

Ordinance No. 120524; Petition No. PB-12-110 LUC  
 An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately .04 acres of property generally located at 1126 NW 7th Avenue, as more specifically described in this ordinance, from Public Facilities (PF) to Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 120524B\_Staff report\_20130117.pdf, 2. 120524C\_Maps\_20130117.pdf, 3. 120524D\_Comprehensive Plan GOPs\_20130117.pdf, 4. 120524E\_Neighborhood Workshop info\_20130117.pdf, 5. 120524F\_CHW Justification Report\_20130117.pdf, 6. 120524G\_Petition application\_20130117.pdf, 7. 120524H\_CPB Minutes\_20130117.pdf, 8. 120524I\_staff ppt\_20130117.pdf, 9. 120524A\_draft ordinance\_20130117.pdf, 10. 120524\_ordinance\_20130117.pdf

Date	Ver.	Action By	Action	Result
1/17/2013	3	City Commission	Adopted on Adoption Reading (Ordinance) and Approved the Recommendation	Pass

**LAND USE CHANGE - SMALL SCALE - APPROXIMATELY .04 ACRES OF PROPERTY  
 GENERALLY LOCATED AT 1126 NW 7TH AVENUE (B)**

**Ordinance No. 120524; Petition No. PB-12-110 LUC**  
**An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately .04 acres of property generally located at 1126 NW 7th Avenue, as more specifically described in this ordinance, from Public Facilities (PF) to Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

The City Commission: (1) approve Petition PB-12-110 LUC and (2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition/ordinance is a small-scale future land use map amendment that changes the land use designation for approximately .04 acres of property from Public Facilities (PF) to Residential Low-Density (RL). The property is generally located at 1126 NW 7th Avenue and is a portion of Tax Parcel

No. 13861-000-000, which is currently developed with an existing single-family residence.

In 1979, the City of Gainesville acquired the adjacent parcel (Tax Parcel No. 13862-000-000), which originally included the sliver of property under consideration by this petition/ordinance. That parcel was designated with the PF future land use category in 1991 and was zoned PS in 1992. The .04-acre portion was then split and sold in 2009 to the adjacent property owner (Legistar No. 090488) and is now a portion of the tax parcel that is developed with a single-family residence. Although this tax parcel otherwise has a RL future land use designation, the .04-acre portion has retained the PF future land use designation. Amending the land use designation for the .04-acre portion of the property to RL will create a single unified land use designation that is consistent with the current use of the site for residential purposes.

This petition/ordinance is related to Petition PB-12-111 ZON (Legistar No. 120525), which proposes to rezone the .04-acre portion of Tax Parcel No. 13861-000-000 from Public services and operations district (PS) to Single-family residential district (RSF-4).

After public notice was published in the Gainesville Sun on October 9, 2012, the City Plan Board held a public hearing on October 25, 2012, and by a vote of 6-0, recommended approval of this petition.

#### CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan is treated as a small-scale development amendment. Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes.

If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.