



## Legislation Text

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**File #:** 150049., **Version:** 2

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### **LAND USE CHANGE - 3800 BLOCK OF SW 37TH BOULEVARD (B)**

Ordinance No. 150049; Petition No. PB-15-29 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from Commercial (C) and Residential Medium-Density (RM) 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.

The City Commission: (1) approve Petition No. PB-15-29 LUC; and (2) adopt the proposed ordinance.

### **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road from Commercial (C) and Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL). The subject property is currently undeveloped and is surrounded by a mix of existing uses, including multi-family and single-family development, a child care facility, and undeveloped land. Approximately 8.25 acres of the subject property currently has a Commercial (C) land use designation and the remaining 1.65 acres is designated Residential Medium-Density (RM).

This ordinance adheres to state law (i.e., Section 163.3177, F.S.) and the Comprehensive Plan (i.e., FLUE Goal 1; Policy 1.2.3; Objective 1.5) in that it discourages urban sprawl, promotes a sustainable development pattern and encourages a mixed-use development at an appropriate location. The existing Commercial (C) land use designation on a majority of the property limits the future development potential to commercial only and does not allow residential use or a mix of residential and non-residential uses, whereas the proposed MUL designation will allow a broad range of residential and non-residential uses, including offices and retail scaled to serve the surrounding neighborhood.

Planning staff recommended approval of this land use change. After public notice was published in the Gainesville Sun on May 12, 2015, the City Plan Board held a public hearing on May 28, 2015, and voted 6-0 to recommend approval of this land use change.

### **CITY ATTORNEY MEMORANDUM**

This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.

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.