



## Legislation Details (With Text)

**File #:** 190287. **Version:** 4 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 8/16/2019 **In control:** City Attorney  
**On agenda:** 2/6/2020 **Final action:** 2/6/2020  
**Title:** Land Use Change - 5.07 Acres of Property Located at 4551 NW 39th Avenue (B)  
Ordinance No. 190287

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 5.07 acres of property generally located at 4551 NW 39th Avenue, as more specifically described in this ordinance, from Alachua County Low Density Residential to City of Gainesville Mixed-Use Low-Intensity (MUL); 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. 190287A\_PB-19-77 Staff Report\_20191205, 2. 190287B\_PB-19-77 Staff Presentation\_20191205, 3. 190287C\_PB-19-77 Property Owner Developable Area Map\_20191205, 4. 190287\_PRES\_191205\_NIMBA\_CC 1\_20191205.pdf, 5. 190287A\_draft ordinance\_20200206.pdf, 6. 190287B\_PB-19-77 Staff Report\_20200206, 7. 190287C\_PB-19-77 Property Owner Developable Area Map, 8. 190287D\_CPB 190109 Minutes\_20200206, 9. 190287E\_PB-19-77 Staff Presentation\_20200206, 10. 190287\_Ordinance\_20200206.pdf

Date	Ver.	Action By	Action	Result
2/6/2020	4	City Commission	Adopted on Final Reading (Ordinance)	Pass
12/5/2019	3	City Commission	Approved (Petition)	Pass
10/9/2019	1	City Plan Board		
8/22/2019	1	City Plan Board		

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The City Commission adopt the proposed ordinance.

### STAFF REPORT

This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use

category of approximately 5.07 acres of property located at 4551 NW 39th Avenue. This property was voluntarily annexed into the City on February 21, 2019. As a result of annexation, the City must now assign appropriate land use and zoning designations. The property's current land use category is Alachua County Low Density Residential and this ordinance will change the land use category to City of Gainesville Mixed-Use Low-Intensity (MUL).

The City Plan Board held a public hearing on October 9, 2019, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan. On December 5, 2019, the City Commission heard a presentation on this application, gave direction to City staff, and authorized the drafting of this ordinance. This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment, which allows the City Commission to adopt this ordinance with a single public hearing.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after adoption. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.