

ORDINANCE NO. 2022-384

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 21.69 acres of property generally located at the 2100 block of SE Hawthorne Road, south side, as more specifically described in this ordinance, from Mixed-Use Office/Residential (MOR) to Urban Mixed-Use (UMU) and Public and Institutional Facilities (PF); 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

28 **WHEREAS**, this amendment to the Future Land Use Map of the City of Gainesville
29 Comprehensive Plan proposed herein involves a use of 50 acres or fewer and qualifies as a
30 small-scale development amendment as provided in Section 163.3187, Florida Statutes; and

31 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
32 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
33 pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 25, 2022, and
34 voted to recommend that the City Commission approve this Future Land Use Map amendment;
35 and

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

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

41 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
42 **FLORIDA:**

43 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
44 amended by changing the land use category of the following property from Mixed-Use
45 Office/Residential (MOR) to Urban Mixed-Use (UMU) and Public and Institutional Facilities (PF):

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

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

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

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

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73 **PASSED AND ADOPTED** this ____ day of _____, 2022.

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LAUREN POE

78

MAYOR

79

80 Attest:

Approved as to form and legality:

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82

83

84 _____
OMICHELE D. GAINES

DANIEL M. NEE

85 CITY CLERK

INTERIM CITY ATTORNEY

86

87

88 This ordinance was passed on Adoption Reading on this ____ day of _____, 2022.

Exhibit A to Ordinance 2022-384

1.

PARCEL ID 11299-000-000

OWNER - SOUTHEASTERN HEALTHCARE

CURRENT ZONE- URBAN 3 (U3) LEGAL DESCRIPTION

LOT 102, THAT PORTION OF LOT 90, LYING SOUTH OF THE HAWTHORNE ROAD; AND LOT 91, LESS THE NORTH 287.5 FEET OF THE WEST 180 FEET THEREOF, OF NEW GAINESVILLE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGES 65 AND 66, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

CONTAINING 12.04 ACRES (524,462.04 SQUARE FEET), MORE OR LESS.

2.

PARCEL: 11338-000-000

OWNER - WHITE ELECTRIC & BATTERY SERVICE

CURRENT ZONE - URBAN 3 (U3)

NEW GAINESVILLE PLAT BOOK A-66 LOT 103 SUBJECT TO PERPETUAL EASEMENT OVER SOUTH 150 FEET OF LOT 103 BEING 1.14 ACRES FOR CITY UTILITIES PER OFFICIAL RECORDS BOOK 702, PAGE 224

CONTAINING 5.04 ACRES (219,542.4 SQUARE FEET), MORE OR LESS.

3.

PARCEL: 11339-000-000

OWNER - CITY OF GAINESVILLE

CURRENT ZONE - URBAN 4 (U4)

LOT 104 OF NEW GAINESVILLE, AS PER PLAT THEREOF RECORDED IN PLAT BOOK A, PAGE 66, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LESS THOSE LANDS DESCRIBED IN O.R. BOOK 16, PAGE 363 (11339-1); O.R. BOOK 247, PAGE 607 (11339-2); O.R. BOOK 248, PAGE 69 (11339-3); O.R. BOOK 674, PAGE 26 (11339-5); O.R. BOOK 674, PAGE 29 (11339-6); O.R. BOOK 708, PAGE 38 (11339-4); O.R. BOOK 1199, PAGE 494 (11339-7); O.R. BOOK 1352, PAGE 887 (11339-8); AND LESS ROAD RIGHT OF WAY ALONG THE EAST SIDE OF SAID LOT 104.

CONTAINING 4.200 ACRES (182,952 SQUARE FEET), MORE OR LESS.

Exhibit A to Ordinance 2022-384

4.

PARCEL ID 11339-004-000

OWNER - WILLIAM BROWN

CURRENT ZONE - URBAN 4 {U4}

COMMENCE AT NORTHEAST CORNER OF LOT 104, NEW GAINESVILLE, A SUBDIVISION IN PLAT BOOK A, PAGE 66, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, THENCE RUN SOUTH 270 FEET, WEST 20 FEET TO THE POINT OF BEGINNING, THENCE RUN SOUTH 100 FEET, WEST 100 FEET, NORTH 100 FEET, EAST 100 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.22 ACRES (9,583.2 SQUARE FEET), MORE OR LESS.

5.

PARCEL ID 11339-007-000

OWNER - WILLIE BROWN AND DONNA BROWN

CURRENT ZONE - URBAN 4 {U4}

NEW GAINESVILLE PLAT BOOK A-66 COMMENCE AT THE NORTHEAST CORNER OF LOT 104 AND RUN WEST 20 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 85.06 FEET; THENCE WEST 100 FEET; THENCE NORTH 85.06 FEET; THENCE EAST 100 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.19 ACRES (8,276.4 SQUARE FEET), MORE OR LESS.

Total Containing - 21.69 Acres (944,816.4) MORE OR LESS

Exhibit B to Ordinance 2022-384

Petition LD22-000056 LUC Existing Land Use

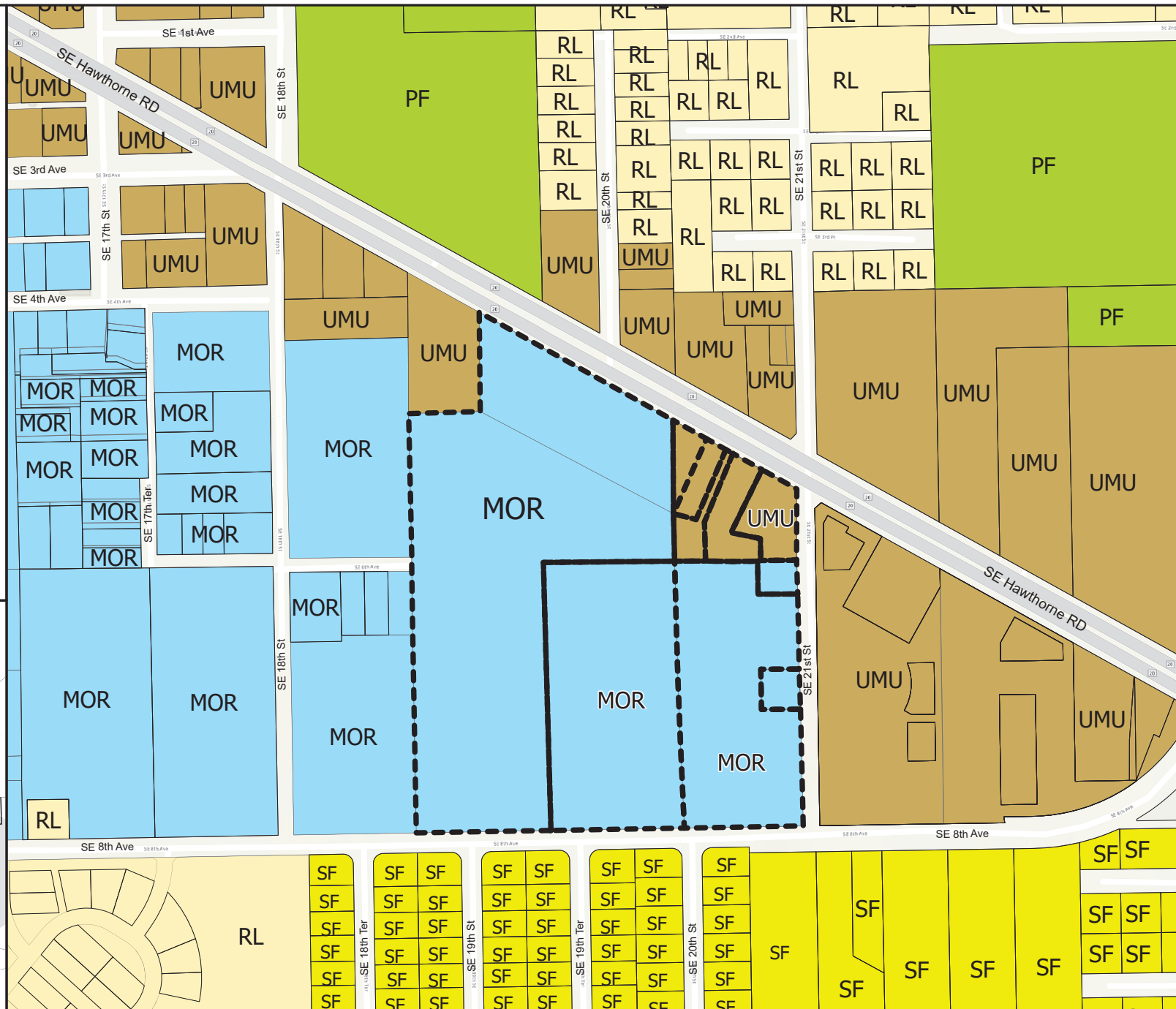
 Areas under petition consideration

Included Parcels: 11339-007-000, 11339-004-000,
11339-000-000, 11299-000-000, 11298-000-000,
11297-002-000, 11297-001-000, 11297-000-000,
11296-000-000

City of Gainesville Land Use Categories

MOR Mixed-Use Office/Residential
PF Public and Institutional Facilities
RL Residential Low
SF Single Family
UMU Urban Mixed-Use

 Parcels



Petition
LD22-000056 LUC
Proposed Land Use

 Subject Property

Subject Parcels: 11339-007-000,
11339-004-000, 11339-000-000, 11299-000-000,
11298-000-000, 11297-002-000, 11297-001-000,
11297-000-000, 11296-000-000

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