

LEGISLATIVE #

211357A

1 **ORDINANCE NO. 211357**

2
3 **An ordinance of the City of Gainesville, Florida, amending the Future Land Use**
4 **Element and Map of the Comprehensive Plan by amending the Single-Family (SF)**
5 **land use category and associated property, as more specifically described in this**
6 **ordinance; providing directions to the City Manager; providing a severability**
7 **clause; providing a repealing clause; and providing an effective date.**
8

9 **WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for
10 municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the
11 Florida Constitution, including the exercise of any power for municipal purposes not expressly
12 prohibited by law; and

13 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
14 Comprehensive Plan to guide the future development and growth of the city; and

15 **WHEREAS**, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),
16 Florida Statutes, must provide the principles, guidelines, standards, and strategies for the orderly
17 and balanced future economic, social, physical, environmental, and fiscal development of the city
18 as reflected by the community's commitments to implement such plan; and

19 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville Comprehensive
20 Plan to include a Future Land Use Element with a Future Land Use Map that designates the future
21 general distribution, location, and extent of the uses of land for residential, commercial, industry,
22 agriculture, recreation, conservation, education, public facilities, and other categories of the
23 public and private uses of land, with the goals of protecting natural and historic resources,
24 providing for the compatibility of adjacent land uses, and discouraging the proliferation of urban
25 sprawl; and

26 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land Use
27 Element and Map of the Comprehensive Plan; and

28 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
29 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
30 to Section 163.3174, Florida Statutes, held a public hearing on June 6, 2022, and voted to make
31 a recommendation to the City Commission regarding the subject of this ordinance; and

32 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
33 newspaper of general circulation and provided the public with at least seven days' advance notice
34 of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City Commission
35 in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

36 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this
37 proposed amendment to the reviewing agencies and any other local government unit or state
38 agency that requested same; and

39 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was placed
40 in the aforesaid newspaper and provided the public with at least five days' advance notice of this
41 ordinance's second public hearing (i.e., adoption hearing) to be held by the City Commission; and

42 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
43 the parties in interest and all others had an opportunity to be and were, in fact, heard; and

44 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written
45 comments received concerning this Future Land Use Element and Map amendment.

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

47 **FLORIDA:**

48 **SECTION 1.** Policy 4.1.1 of the Future Land Use Element of the City of Gainesville
49 Comprehensive Plan is amended as follows. Except as amended herein, the remainder of Policy
50 4.1.1 remains in full force and effect.

51 ~~Single-Family (SF)~~ **Neighborhood Residential (NR): up to 8 units per acre**

52
53 This land use category shall allow single-family detached dwellings and neighborhood-scale multi-
54 family development at densities up to 8 dwelling units per acre and no more than four (4) units per
55 building. The ~~Single-Family~~ Neighborhood Residential land use c a t e g o r y identifies those areas
56 within the City that, due to topography, soil conditions, surrounding land uses and development
57 patterns, are appropriate for single-family and neighborhood-scale multi-family development.
58 Land development regulations shall determine the performance measures and gradations of
59 density. Land development regulations shall specify criteria for the siting of low-intensity
60 residential facilities to accommodate special need populations and appropriate community-level
61 institutional facilities such as places of religious assembly, public and private schools other than
62 institutions of higher learning, and libraries. Land development regulations shall allow home
63 occupations in conjunction with single-family and neighborhood-scale multi-family dwellings
64 under certain limitations.

65

66 **SECTION 2.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
67 amended by renaming the land use category of all property currently called Single-Family (SF) to
68 Neighborhood Residential (NR). The amendment and location of the property that is the subject
69 of this ordinance is shown on **Exhibit A** for visual reference. A detailed Future Land Use Map is
70 available for inspection on the City's website or in the City's Department of Sustainable
71 Development.

72 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of
73 this ordinance will become and be made a part of the City of Gainesville Comprehensive Plan
74 and that the sections and paragraphs of the Comprehensive Plan may be renumbered in order
75 to accomplish such intent.

76 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary
77 changes to the City of Gainesville Comprehensive Plan in order to fully implement this ordinance.

78 The City Manager or designee is authorized to correct any typographical errors that do not affect
79 the intent of this ordinance.

80 **SECTION 5.** Within ten working days of the transmittal (first) hearing, the City Manager or
81 designee is authorized and directed to transmit this Future Land Use Map amendment and
82 appropriate supporting data and analyses to the reviewing agencies and to any other local
83 government or governmental agency that has filed a written request for same with the City.
84 Within ten working days of the adoption (second) hearing, the City Manager or designee is
85 authorized and directed to transmit this amendment to the state land planning agency and any
86 other agency or local government that provided comments to the City regarding the
87 amendment.

88 **SECTION 6.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
89 the application hereof to any person or circumstance is held invalid or unconstitutional, such
90 finding will not affect the other provisions or applications of this ordinance that can be given
91 effect without the invalid or unconstitutional provision or application, and to this end the
92 provisions of this ordinance are declared severable.

93 **SECTION 7.** As of the effective date of this amendment to the Comprehensive Plan as
94 described in Section 8 of this ordinance, all ordinances or parts of ordinances in conflict herewith
95 are to the extent of such conflict hereby repealed.

96 **SECTION 8.** This ordinance will become effective immediately upon adoption; however, the
97 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
98 amendment is not timely challenged, will be 31 days after the state land planning agency notifies
99 the City that the plan amendment package is complete in accordance with Section 163.3184,

100 Florida Statutes. If timely challenged, this Comprehensive Plan amendment will become effective
101 on the date the state land planning agency or the Administration Commission enters a final order
102 determining the amendment to be in compliance with Chapter 163, Florida Statutes. No
103 development orders, development permits, or land uses dependent on this Comprehensive Plan
104 amendment may be issued or commenced before this amendment has become effective.

105 **PASSED AND ADOPTED** this _____ day of _____, 2022.

106

107

108

LAUREN POE

109

MAYOR

110

111 Attest:

Approved as to form and legality:

112

113

114 _____
OMICHELE D. GAINEY

DANIEL M. NEE

115 CITY CLERK

CITY ATTORNEY

116

117 This ordinance passed on transmittal (first) reading this ____ day of _____, 2022.

118

119 This ordinance passed on adoption (second) reading this ____ day of _____, 2022.



Q1 Existing Single Family (SF) Land Use

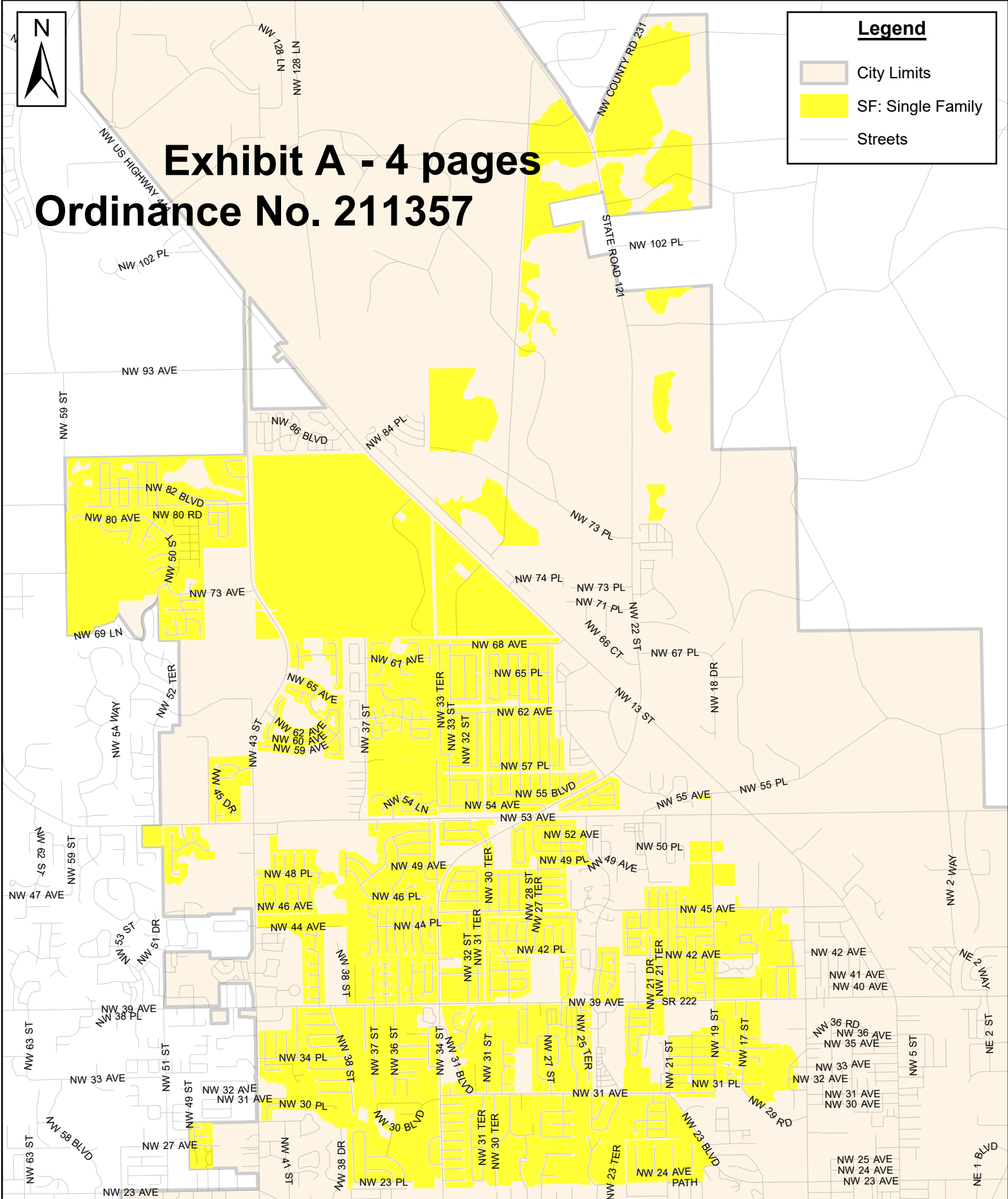
June 2022



Legend

- City Limits
- SF: Single Family
- Streets

Exhibit A - 4 pages Ordinance No. 211357








Q4 Existing Single Family (SF) Land Use

June 2022



Legend

-  City Limits
-  Streets
-  SF: Single Family

