

ORDINANCE NO. 2024-261

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 12.50 acres of property generally located at 4329 SW 47th Way and 4301 SW 47th Way, as more specifically described in this ordinance, from Alachua County Medium Density Residential to Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the City of Gainesville, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and the Municipal Home Rule Powers Act; and

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

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

28 facilities, and other categories of the public and private uses of land, with the goals of
29 protecting natural and historic resources, providing for the compatibility of adjacent land uses,
30 and discouraging the proliferation of urban sprawl; and

31 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land
32 Use Map of the Comprehensive Plan by changing the land use category of the property that is
33 the subject of this ordinance; and

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

37 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
38 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
39 to Section 163.3174, Florida Statutes, held a public hearing on March 28, 2024, and voted to
40 recommend that the City Commission approve this Future Land Use Map amendment; and

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

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

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

47 **FLORIDA:**

48 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
49 amended by changing the land use category of the following property from Alachua County
50 Medium Density Residential to Residential Low-Density (RL):

51 See legal descriptions attached as **Exhibit A** and made a part hereof as if set
52 forth in full. The location of the property is shown on **Exhibit B** for visual
53 reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over
54 **Exhibit B.**

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56 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
57 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
58 comply with this ordinance.

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

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

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

72 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced
73 before this amendment has become effective.

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75 **PASSED AND ADOPTED** this ____ day of _____, 2024.

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82 Attest:

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86 KRISTEN J. BRYANT

87 CITY CLERK

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90 This ordinance was passed on Adoption Reading on this ____ day of _____, 2024.

HARVEY L. WARD, JR.
MAYOR

Approved as to form and legality:

DANIEL M. NEE
CITY ATTORNEY

LEGAL DESCRIPTION

Parcel ID: 06973-000-000

Lots Twenty (20) and Twenty-One (21), of RIDGELANDS SUBDIVISION, a subdivision as per plat thereof recorded in Plat Book "D", Page 74 of the Public Records of Alachua County, Florida.

Together with that Mobile Home described as follows: Vehicle Identification Number 0673553097; Title Number 279-3020, being a 1967 Cam Mobile Home, 13 ft. wide and 52 feet long, Class 51, type HS.

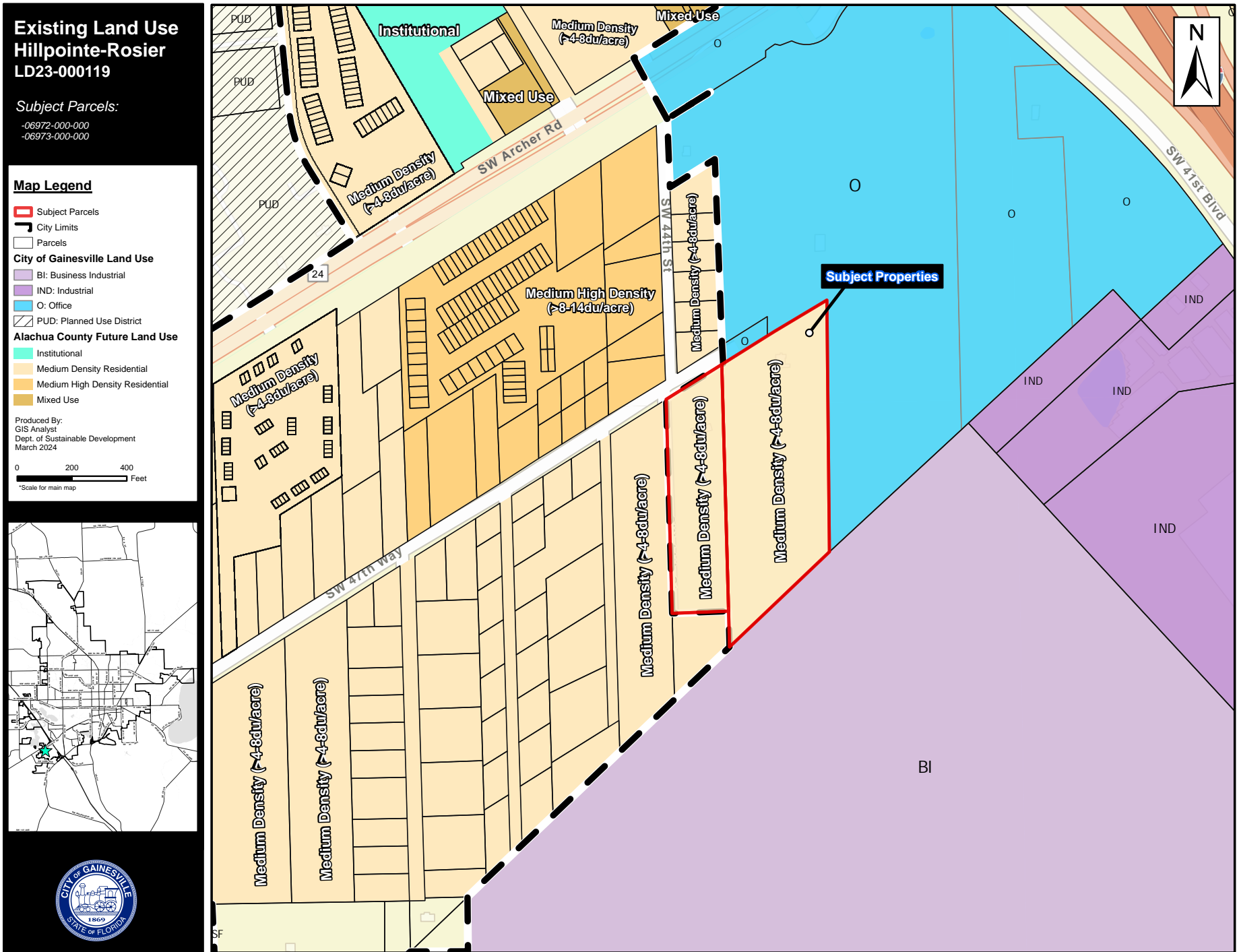
Parcel ID: 06972-000-000

Commence at the Southwest corner of Lot 19 of RICELANDS SUBDIVISION, as recorded in Plat Book "D", Page 74, of the Public Records of Alachua County, Florida, and run North 0 Degrees 02 Minutes East 301.5 feet, along the West line of said Lot 19, to the Point Of Beginning; thence continue North 0 Degrees 02 Minutes East, along said West line, 778.1 feet to the Southerly right-of-way line of Riceland Road (60' R/W), thence run North 60 Degrees 00 minutes East 240.2 feet, along said right-of-way line to the East line of said Lot 19, thence run South 0 Degrees 02 Minutes West 900 feet, along the East line of said Lot 19; thence run North 88 Degrees 34 Minutes West 208 feet to the point of beginning, all being and lying in Section 22, Township 10 South, Range 19 East, Alachua County, Florida.

Parcel No. 06972-000-000

Property Address: 4329 SW 47th Way, Gainesville, FL 32608

Exhibit B to Ordinance No. 2024-261



Proposed Land Use Hillpointe-Rosier LD23-000119

Subject Parcels:
 -06972-000-000
 -06973-000-000

Map Legend

- Subject Parcels
- City Limits
- Parcels

City of Gainesville Land Use

- BI: Business Industrial
- IND: Industrial
- O: Office
- PUD: Planned Use District

Alachua County Future Land Use

- Institutional
- Medium Density Residential
- Medium High Density Residential
- Mixed Use

Produced By:
 GIS Analyst
 Dept. of Sustainable Development
 March 2024

0 200 400
 Feet
 *Scale for main map

