

LEGISLATIVE #

180199A

1 **ORDINANCE NO. 180199**

2
3 **An ordinance of the City of Gainesville, Florida, amending Objective 1.1**
4 **and its policies and Policy 4.1.1 of the Future Land Use Element of the**
5 **City of Gainesville Comprehensive Plan to address and incentivize the**
6 **provision of affordable housing; providing directions to the City**
7 **Manager; providing a severability clause; providing a repealing clause;**
8 **and providing an effective date.**
9

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

15 **WHEREAS,** Sections 163.3167 and 163.3177(1), Florida Statutes, requires the City of
16 Gainesville to maintain a Comprehensive Plan to guide the future development and growth
17 of the city by providing the principles, guidelines, standards, and strategies for the orderly
18 and balanced future economic, social, physical, environmental and fiscal development of
19 the city; and

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

27 shall discourage the proliferation of urban sprawl by promoting an urban form that is
28 walkable, connected, and compact with a mix of uses at densities and intensities that will
29 support a range of housing choices and a multimodal transportation system, including
30 pedestrian, bicycle and transit; and

31 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land
32 Use Element of the Comprehensive Plan as described herein; and

33 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02
34 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
35 pursuant to Section 163.3174, Florida Statutes, held a public hearing on July 26, 2018, and
36 voted to recommend that the City Commission approve this amendment to the
37 Comprehensive Plan; and

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

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

46 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
47 placed in the aforesaid newspaper and provided the public with at least five days' advance

48 notice of this ordinance’s second public hearing (i.e., adoption hearing) to be held by the City
49 Commission; and

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

53 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any
54 written comments received concerning this amendment to the Comprehensive Plan.

55 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
56 **GAINESVILLE, FLORIDA:**

57 **SECTION 1.** Objective 1.1 of the Future Land Use Element of the City of Gainesville
58 Comprehensive Plan is amended as follows.

59 **Objective 1.1. Adopt traditional and successful urban design principles that are**
60 **environmentally sustainable, socially just and desirable, and economically**
61 **sound ~~adhere to timeless (proven successful), traditional principles.~~**

62
63 Policy 1.1.1 To the extent possible, all planning must ~~shall~~ be in the form of complete
64 and integrated communities containing housing, shops, workplaces, schools,
65 parks, and civic facilities essential to ~~the~~ daily life ~~of the residents.~~

66
67 Policy 1.1.2 ~~To the extent possible,~~ Neighborhoods should be sized so that housing,
68 jobs, daily needs, and other activities are within easy walking distance ~~of~~
69 ~~each other.~~

70
71 Policy 1.1.3 Neighborhoods should contain a diversity of housing types to enable people
72 ~~citizens~~ from a wide range of economic levels and age groups to live within
73 its boundaries.

74
75 Policy 1.1.4 The City and its neighborhoods, ~~to the extent possible, shall~~ should have a
76 center focus that combines commercial, civic, cultural, and recreational uses.
77

78 Policy 1.1.5 The City, ~~to the extent possible,~~ should contain an ample supply of squares,
79 greens, and parks with frequent use encouraged through placement,
80 definition, and design.

81
82 Policy 1.1.6 The City shall encourage community-serving facilities, such as government
83 offices, farmers markets, and convention centers to be centrally located,
84 instead of in dispersed, remote, or peripheral locations. Public, community-
85 serving facilities should be developed primarily in the City's central core and,
86 as appropriate, in neighborhood centers. Private, community-serving
87 facilities should be discouraged from locating in peripheral locations.

88
89 Policy 1.1.7 The Land Development Code must include regulations that incentivize the
90 provision of affordable housing by providing density bonus allowances,
91 which may allow densities that exceed the maximum limit of units/acre
92 established in Policy 4.1.1. In lieu of regulating density by units/acre, such
93 incentive provisions may regulate density through building form (such as
94 height and lot coverage) for multi-family or mixed-use buildings or through
95 the allowance of additional lots within subdivisions.

96
97
98 **SECTION 2.** Policy 4.1.1 of the Future Land Use Element of the City of Gainesville
99 Comprehensive Plan is amended as follows.

100 Policy 4.1.1 Land Use Categories on the Future Land Use Map ~~are~~ shall be defined as
101 follows:

102
103 **Single-Family (SF): up to 8 units per acre**
104
105 This land use category ~~shall~~ allows single-family detached dwellings at densities up to 8
106 dwelling units per acre. The Single-Family land use category identifies those areas within
107 the City that, due to topography, soil conditions, surrounding land uses and development
108 patterns, are appropriate for single-family development. Compatible residential housing
109 types are allowable and the Land Development Code must provide criteria for the siting and
110 design of such housing types, including but not limited to bungalow courts, accessory
111 dwelling units, attached single-family, and live/work units. Land development regulations
112 shall determine the performance measures and gradations of density. Land development
113 regulations shall specify criteria for the siting of low-intensity residential facilities to
114 accommodate special need populations and appropriate community-level institutional
115 facilities such as places of religious assembly, public and private schools other than
116 institutions of higher learning, and libraries. Land development regulations shall allow
117 home occupations in conjunction with single-family dwellings under certain limitations.

118

119 **Residential Low-Density (RL): up to 15 units per acre**

120

121 This land use category ~~shall~~ allows dwellings at densities up to 15 units per acre. The
122 Residential Low-Density land use category identifies those areas within the City that, due to
123 topography, soil conditions, surrounding land uses, and development patterns, are
124 appropriate for single-family development, particularly the conservation of existing
125 traditional low-density neighborhoods, single-family attached, ~~and~~ zero lot line
126 development, live/work units, and small-scale multi-family development. Land
127 development regulations shall determine gradations of density, specific uses and
128 performance measures. Land development regulations shall specify criteria for the siting of
129 low-intensity residential facilities to accommodate special need populations and
130 appropriate community level institutional facilities such as places of religious assembly,
131 public and private schools other than institutions of higher learning, and libraries. Land
132 development regulations shall allow home occupations; accessory units in conjunction with
133 single-family dwellings; and bed-and-breakfast establishments within certain limitations.

134

135 **Residential Medium-Density (RM): 8-30 units per acre**

136

137 This land use category ~~shall~~ allows single-family and multi-family development at densities
138 from 8 to 30 dwelling units per acre. Lots that existed on November 13, 1991 and that are
139 less than or equal to 0.5 acres in size shall be exempt from minimum density requirements.
140 The land shown as Residential Medium-Density on the Future Land Use Map identifies
141 those areas within the City that, due to topography, soil conditions, surrounding land uses
142 and development patterns, are appropriate for single-family, and medium-intensity multi-
143 family development. Land development regulations shall determine gradations of density
144 and specific uses. Land development regulations shall specify criteria for the siting of
145 appropriate medium-intensity residential facilities to accommodate special need
146 populations and appropriate community-level institutional facilities such as places of
147 religious assembly, public and private schools other than institutions of higher learning, and
148 libraries. Land development regulations shall allow home occupations within certain
149 limitations.

150

151 **Residential High-Density (RH): 8-100 units per acre**

152

153 This land use category ~~shall~~ allows single-family and multi-family development at densities
154 from 8 to 100 dwelling units per acre. Lots that existed on November 13, 1991 and that are
155 less than or equal to 0.5 acres in size shall be exempt from minimum density requirements.
156 The land shown as Residential High-Density on the Future Land Use Map identifies those
157 areas within the City that, due to topography, soil conditions, surrounding land uses and
158 development patterns, are appropriate for high-intensity multi-family development and
159 secondary retail and office uses scaled to serve the immediate neighborhood. The intensity

160 of secondary retail and office use cannot exceed 25 percent of the residential floor area.
161 Land development regulations shall determine gradations of density, specific uses,
162 percentage of floor area and maximum floor area appropriate for secondary uses. Land
163 development regulations shall specify the criteria for the siting of high-intensity residential
164 facilities to accommodate special need populations and appropriate community level
165 institutional facilities such as places of religious assembly, public and private schools other
166 than institutions of higher learning, and libraries. Land development regulations shall allow
167 home occupations within certain limitations.

168

169 **Mixed-Use Residential (MUR): up to 75 units per acre**

170

171 This land use category provides for a mixture of residential and office uses. Office uses that
172 are complementary to and secondary to the residential character of the district are allowed
173 as home occupations. Additional office uses may be allowed through a Special Use Permit
174 process established in the Land Development Code. An essential component of the district
175 is orientation of structures to the street and the pedestrian character of the area. Office
176 uses located within this district should be scaled to surrounding neighborhoods and
177 institutions. Land development regulations shall set the appropriate densities (up to 75
178 dwelling units per acre); the allowable uses; appropriate height (up to a maximum of 4
179 stories); design criteria; and landscaping requirements. Land development regulations shall
180 specify the criteria for the siting of public and private schools, places of religious assembly
181 and community facilities within this category.

182

183 **Mixed-Use Office/Residential (MOR): up to 30 ~~20~~ units per acre**

184

185 This land use category allows residential uses and, depending on the implementing zoning
186 district, may allow office, professional, service, and ancillary uses either as stand-alone uses
187 or combined in a mixed-use development format. Some non-office type uses, such as
188 restaurants, may be allowed through a Special Use Permit process established in the Land
189 Development Code. Structures in this category must ~~shall~~ be oriented to the street and
190 encourage multi-modal transportation through the development design. Developments
191 located within this category must ~~shall~~ be scaled to fit the character of the area. Residential
192 density is ~~shall be~~ limited to 30 ~~20~~ units per acre. Maximum building height is ~~shall be~~
193 limited to 3 stories. Land development regulations must ~~shall~~ establish the appropriate
194 uses, design criteria, landscaping, and pedestrian/vehicular access for this category. Public
195 and private schools, places of religious assembly, and community facilities are appropriate
196 within this category.

197

198 **Mixed-Use Low-Intensity (MUL): 8-30 units per acre**

199

200 This land use category allows a mixture of residential and non-residential uses such as
201 standard lot single-family houses, small-lot single-family houses, duplex houses,

202 townhouses (attached housing), accessory dwelling units, group homes, multi-family
203 housing (if compatible in scale and character with other dwellings in the proposed
204 neighborhood), offices scaled to serve the surrounding neighborhood, retail scaled to serve
205 the surrounding neighborhood, public and private schools, places of religious assembly and
206 other community civic uses. Light assembly, fabrication, and processing uses within fully
207 enclosed structures may be allowed as specially regulated uses through a Special Use
208 Permit process established in the Land Development Code. Residential development shall
209 be limited to 8 to 30 units per acres. Lots that existed on November 13, 1991 and that are
210 less than or equal to 0.5 acres in size shall be exempt from minimum density requirements.
211 Unified developments that include a residential and non-residential component (either
212 horizontally or vertically mixed) shall not be required to meet the minimum density
213 requirements. Intensity will be controlled, in part, by adopting land development
214 regulations that establish height limits of 5 stories or less; however, height may be
215 increased to a maximum of 8 stories by Special Use Permit. Land development regulations
216 shall establish the thresholds for the percentage of mixed uses for new development or
217 redevelopment of sites 10 acres or larger. At a minimum, the land development regulations
218 shall encourage that: at least 10 percent of the floor area of new development or
219 redevelopment of such sites be residential; or, that the surrounding area of equal or
220 greater size than the development or redevelopment site, and within 1/4 mile of the site,
221 have a residential density of at least 6 units per acre. Residential use shall not be a required
222 development component for public and private schools, institutions of higher learning,
223 places of religious assembly and other community civic uses. Buildings in this category shall
224 face the street and have modest front setbacks.

225

226 This category shall not be used to extend strip commercial development along a street.
227 Land development regulations shall ensure a compact, pedestrian-friendly environment for
228 these areas, and provide guidelines or standards for the compatibility of permitted uses.

229

230 **Mixed-Use Medium-Intensity (MUM): 12-30 units per acre**

231

232 This land use category allows a mixture of residential, office, and business uses
233 concentrated in mapped areas. When implemented by the Corporate Park zoning district,
234 this category is appropriate for corporate office facilities and mixed-use office oriented
235 development. Light assembly, fabrication, and processing uses within fully enclosed
236 structures may be allowed as specially regulated uses through a Special Use Permit process
237 established in the Land Development Code. Public and private schools, institutions of
238 higher learning, places of religious assembly and community facilities shall be appropriate
239 in this category. Such development shall function as a neighborhood center serving multiple
240 neighborhoods or a community-serving retail and/or office center. It is not expected that
241 these areas shall be expanded significantly during this planning period. Land development
242 regulations shall ensure a compact, pedestrian environment for these areas and provide
243 guidelines for the compatibility of permitted uses. Residential development shall be limited

244 to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or
245 equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified
246 developments that include a residential and non-residential component (either horizontally
247 or vertically mixed) shall not be required to meet the minimum density requirements.
248 Intensity will be controlled, in part, by adopting land development regulations that
249 establish height limits of 5 stories or less; however, height may be increased to a maximum
250 of 8 stories by Special Use Permit. Land development regulations shall establish the
251 thresholds for the percentage of mixed uses for new development or redevelopment of
252 sites 10 acres or larger. At a minimum, the land development regulations shall encourage
253 that: at least 10 percent of the floor area of new development or redevelopment of such
254 sites be residential; or, that the surrounding area of equal or greater size than the
255 development or redevelopment site, and within 1/4 mile of the site, have a residential
256 density of at least 6 units per acre. Residential use shall not be a required development
257 component for public and private schools, institutions of higher learning, places of religious
258 assembly and community facilities. Buildings in this land use category shall face the street
259 and have modest front setbacks.

260

261 **Urban Mixed-Use (UMU): up to 60 units per acre; and up to 20 additional units per acre**
262 **by Special Use Permit**

263

264 This land use category allows residential, office, retail and service uses either as stand-alone
265 uses or combined in a mixed-use development format. Light assembly, fabrication, and
266 processing uses within fully enclosed structures shall be allowed in specified zoning districts
267 as specially regulated by the Land Development Code. Structures in this category shall be
268 oriented to the street and encourage multi-modal transportation through the development
269 design. Developments located within this category shall be scaled to fit the character of the
270 area. Residential density shall be limited to 60 units per acre with provisions to add up to 20
271 additional units per acre by Special Use Permit as specified in the land development
272 regulations. Maximum building height shall range between 4 to 5 stories, depending upon
273 the implementing zoning district, with provisions to add up to an additional 1 to 2 stories by
274 a height bonus system as established in the Land Development Code. Land development
275 regulations shall set the appropriate densities; the types of uses; design criteria;
276 landscaping, and pedestrian/vehicular access. Public and private schools, places of religious
277 assembly and community facilities are appropriate within this category.

278

279 **Urban Mixed-Use High-Intensity (UMUH): 10-100 units per acre; and up to 25 additional**
280 **units per acre by Special Use Permit**

281

282 This land use category allows residential, office/research, retail, and service uses either as
283 stand-alone uses or combined in a mixed-use development format. Light assembly,
284 fabrication, and processing uses within fully enclosed structures shall be allowed as
285 specially regulated by the Land Development Code. The Urban Mixed-Use High-Intensity

286 category is distinguished from other mixed-use categories in that it is specifically
287 established to support research and development in close proximity to the University of
288 Florida main campus. An essential component of the category is orientation of structures to
289 the street and the multi-modal character of the area. Developments located within this
290 category shall be scaled to fit the character of the area. Residential density shall be limited
291 to 10 to 100 units per acre with provisions to add up to 25 additional units per acre by
292 Special Use Permit as specified in the land development regulations. Lots that existed on
293 November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from
294 minimum density requirements. Unified developments that include a residential and non-
295 residential component (either horizontally or vertically mixed) shall not be required to meet
296 the minimum density requirements. Building height shall be limited to 6 stories and up to 8
297 stories by a height bonus system as established in the Land Development Code. Land
298 development regulations shall set the appropriate zoning densities; the types of uses;
299 design criteria; landscaping, and pedestrian/vehicular access. Public and private schools,
300 places of religious assembly and community facilities are appropriate within this category.

301
302 **Urban Core (UC): up to 150 units per acre; and up to 25 additional units per acre by**
303 **Special Use Permit**

304
305 This land use category allows residential, office, and business uses concentrated in the
306 urban core area. Light assembly, fabrication, and processing uses within fully enclosed
307 structures shall be allowed as specially regulated by the Land Development Code.
308 Development in this category shall function as a center serving the urban area.
309 Development within the urban core shall ensure the compact, pedestrian character of this
310 area. Residential densities up to 150 units per acre shall be permitted with provisions to
311 add up to 25 additional units per acre by Special Use Permit as specified in the land
312 development regulations. Buildings in this category shall face the street and meet build-to
313 lines established in the Land Development Code. Building height shall be limited to 12
314 stories, with up to 14 stories by a height bonus system as established in the Land
315 Development Code. Public and private schools, government offices, institutions of higher
316 learning, places of religious assembly and community facilities are appropriate in this
317 category.

318
319 **Office (O)**

320
321 The Office land use category identifies areas appropriate for office, residential, professional
322 and service uses, hospital and medical uses, and appropriate ancillary uses. Office
323 designations shall be applied to compact office development. Residential uses in office
324 districts shall be designed as new in-town development, mixed-use, live-work, compound
325 use or shall accommodate existing residential development within the Office zoning district.
326 Some non-office type uses such as restaurants may be allowed in this land use category by
327 a Special Use Permit process established in the Land Development Code. Densities shall not

328 exceed 20 units per acre. Land development regulations shall determine the appropriate
329 scale of uses; and the specific criteria for the siting of private schools and churches.
330 Intensity will be controlled by adopting land development regulations that establish height
331 limits of 5 stories or less, that require buildings to face the street, and modest build-to lines,
332 instead of a maximum floor area ratio; however, height may be increased to a maximum of
333 8 stories by Special Use Permit. For hospital and large-scale medical office facilities that are
334 located in a Medical Services zoning district, the height may be increased to 14 stories by
335 Special Use Permit.

336

337 **Commercial (C)**

338

339 The Commercial land use category identifies those areas most appropriate for large-scale
340 highway-oriented commercial uses. Land development regulations shall determine the
341 appropriate scale of uses. This category is not appropriate for neighborhood centers.
342 Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings
343 to face the street, and modest build-to lines instead of a maximum floor area ratio;
344 however, height may be increased to a maximum of 8 stories by Special Use Permit.

345

346 **Business Industrial (BI)**

347

348 This land use category is appropriate for those areas near the Gainesville Regional Airport
349 for office, business, commercial and industrial uses. This category is distinguished from
350 other industrial and commercial categories in that it is designed specifically to allow only
351 uses that are compatible with the airport. Intensity will be controlled by adopting land
352 development regulations that establish height limits consistent with the Airport Hazard
353 Zoning Regulations. When not located within an airport zone of influence as mapped in the
354 Land Development Code, this category is also appropriate to designate areas for office,
355 business, commercial and industrial uses, with a maximum height of 5 stories, and a
356 maximum floor area ratio of 4.0. Land development regulations shall specify the type and
357 distribution of uses, design criteria, landscaping, pedestrian and vehicular access.

358

359 **Industrial (IND)**

360

361 The Industrial land use category identifies those areas appropriate for manufacturing,
362 fabricating, distribution, extraction, wholesaling, warehousing, recycling, and other ancillary
363 uses. Other uses may be allowed in this land use category as specified in an adopted
364 ordinance rezoning property to Planned Development District (PD). Land development
365 regulations shall determine the appropriate scale of uses and consider the externalities of
366 such uses. Intensity will be controlled by adopting land development regulations that
367 establish height limits of 5 stories or less.

368

369

370 **Education (E)**

371

372 This land use category identifies appropriate areas for public and private schools and
373 institutions of higher learning. This category includes University of Florida (UF) properties
374 designated in the UF Campus Master Plan as part of the main campus. Land development
375 regulations shall address compatibility with surrounding uses and infrastructure needs.

376

377 **Recreation (REC)**

378

379 This land use category identifies appropriate areas for public and private leisure activities.
380 Land development regulations shall address the scale, intensity and buffering of structures
381 and outdoor improvements.

382

383 **Conservation (CON)**

384

385 This land use category identifies areas environmentally unsuited to urban development,
386 permanent buffers between land uses, areas used for passive recreation and nature parks.
387 Privately held properties within this category shall be allowed to develop at single-family
388 densities of 1 unit per 5 acres. Land development regulations shall determine the
389 appropriate scale of activities, structures and infrastructure that will be allowed.

390

391 **Agriculture (AGR)**

392

393 This land use category identifies existing lands which are expected to continue in
394 agricultural production and ancillary uses. Land development regulations shall allow single-
395 family densities of 1 unit per 5 acres. It is not expected that lands designated for urban uses
396 will be converted to agricultural production.

397

398 **Public and Institutional Facilities (PF)**

399

400 This land use category identifies lands used for: administrative, operational, and utility
401 governmental functions; private utilities; cemeteries; and public-private partnerships or
402 other legal arrangements where the land title is vested in a government and the use(s)
403 serves a public purpose. Maximum lot coverage in this category shall not exceed 80
404 percent, except in areas where lot coverage is not limited by land development regulations.

405

406 **Planned Use District (PUD)**

407

408 This land use category is an overlay land use category that may be applied on any specific
409 property in the City. The land use regulations pertaining to this overlay district shall be
410 adopted by ordinance in conjunction with an amendment to the Future Land Use Map of
411 this Comprehensive Plan. The category is created to allow the consideration of unique,

412 innovative or narrowly construed land use proposals that, because of the specificity of the
413 land use regulations, can be found to be compatible with the character of the surrounding
414 land uses and environmental conditions of the subject land. This category allows a mix of
415 residential and nonresidential uses and/or unique design features which might otherwise
416 not be allowed in the underlying land use category. Each PUD overlay land use category
417 adopted shall address: density and intensity; permitted uses; access by car, pedestrians,
418 bicycle, and transit; trip generation, trip distribution, and trip capture; environmental
419 features; and, when necessary, buffering of adjacent uses. Planned Development zoning
420 shall be required to implement a PUD land use category.

421

422

423 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2
424 of this ordinance shall become and be made a part of the City of Gainesville
425 Comprehensive Plan and that the sections and paragraphs of the Comprehensive Plan may
426 be renumbered in order to accomplish such intent.

427 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary
428 changes to the City of Gainesville Comprehensive Plan in order to fully implement this
429 ordinance. The City Manager or designee is authorized to correct any typographical errors
430 that do not affect the intent of this ordinance.

431 **SECTION 5.** Within ten working days of the transmittal (first) hearing, the City Manager or
432 designee is authorized and directed to transmit this plan amendment and appropriate
433 supporting data and analyses to the reviewing agencies and to any other local government
434 or governmental agency that has filed a written request for same with the City. Within ten
435 working days of the adoption (second) hearing, the City Manager or designee is authorized
436 and directed to transmit this plan amendment and appropriate supporting data and
437 analyses to the state land planning agency and any other agency or local government that
438 provide timely comments to the City.

439 **SECTION 6.** If any word, phrase, clause, paragraph, section, or provision of this ordinance
440 or the application hereof to any person or circumstance is held invalid or unconstitutional,
441 such finding shall not affect the other provisions or applications of this ordinance that can
442 be given effect without the invalid or unconstitutional provision or application, and to this
443 end the provisions of this ordinance are declared severable.

444 **SECTION 7.** All ordinances or parts of ordinances in conflict herewith are to the extent of
445 such conflict hereby repealed on the effective date of this plan amendment.

446 **SECTION 8.** This ordinance shall become effective immediately upon adoption; however,
447 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
448 plan amendment is not timely challenged, shall be 31 days after the state land planning
449 agency notifies the City that the plan amendment package is complete in accordance with
450 Section 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan
451 amendment shall become effective on the date the state land planning agency or the
452 Administration Commission enters a final order determining the plan amendment to be in
453 compliance with Chapter 163, Florida Statutes. No development orders, development
454 permits, or land uses dependent on this Comprehensive Plan amendment may be issued or
455 commenced before this plan amendment has become effective.

456 **PASSED AND ADOPTED** this _____ day of _____, 2018.

457
458
459
460
461
462

LAUREN POE
MAYOR

463

464 Attest:

Approved as to form and legality:

465

466

467

468 _____
OMICHELE D. GAINNEY
469 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

470

471

472

473 This ordinance passed on (first) transmittal hearing this ____ day of _____, 2018.

474 This ordinance passed on (second) adoption hearing this ____ day of _____, 2018.