

LEGISLATIVE #

120221A

ORDINANCE NO. 120221

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3 **An ordinance amending the Future Land Use Map of the City of Gainesville**
4 **Comprehensive Plan by changing the land use category of approximately 24**
5 **acres of property located in the vicinity of the 3500-3700 blocks of SW**
6 **Williston Road, as more specifically described in this ordinance, from the**
7 **Alachua County land use category of Heavy Industrial (INDH) to the City**
8 **of Gainesville land use category of Office (O); providing directions to the**
9 **City Manager; providing a severability clause; providing a repealing**
10 **clause; and providing an effective date.**

11
12 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the City
13 of Gainesville Comprehensive Plan be amended by changing the land use category of certain
14 property, as more specifically described in this ordinance, from the Alachua County land use
15 category of Heavy Industrial (INDH) to the City of Gainesville land use category of Office (O);
16 and

17 **WHEREAS**, notice was given as required by law and a public hearing was held by the City
18 Plan Board on August 25, 2011; and

19 **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10
20 inches long was placed in a newspaper of general circulation and provided the public with at
21 least seven (7) days advance notice of the first public hearing to be held in the City Hall
22 Auditorium, First Floor, City Hall, City of Gainesville; and

23 **WHEREAS**, pursuant to law, after the public hearing at the transmittal stage, the City of
24 Gainesville transmitted copies of this proposed amendment to the reviewing agencies and any
25 other local government unit or state agency that requested same; and

26 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long
27 was placed in the aforesaid newspaper and provided the public with at least five (5) days advance
28 notice of the second public hearing; and

29 **WHEREAS**, public hearings were held pursuant to the published notices described above

1 at which hearings the parties in interest and all others had an opportunity to be and were, in fact,
2 heard.

3 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered any
4 written comments received concerning this amendment.

5 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
6 **CITY OF GAINESVILLE, FLORIDA:**

7 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
8 amended by changing the land use category of the following property from the Alachua County
9 land use category of Heavy Industrial (INDH) to the City of Gainesville land use category of
10 Office (O):

11 See legal description attached hereto as Exhibit "A" and made a part hereof as
12 if set forth in full. The location of the property is shown on Exhibit "B" for
13 visual reference. In the event of conflict or inconsistency, Exhibit "A" shall
14 prevail over Exhibit "B."
15

16 **Section 2.** Within 10 working days of the transmittal (first) hearing, the City Manager
17 is authorized and directed to transmit a comprehensive plan amendment package, including this
18 ordinance, to the reviewing agencies and to any other local government unit or state agency that has
19 filed a written request for same with the City. Within 10 working days of the adoption (second)
20 hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment
21 package, including this ordinance, to the state land planning agency and to any other reviewing
22 agency, local government unit or state agency that filed written comments with the City.

23 **Section 3.** The City Manager is authorized and directed to make the necessary changes in
24 maps and other data in the City of Gainesville Comprehensive Plan in order to comply with this
25 ordinance.

26 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance

1 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
2 finding shall not affect the other provisions or applications of this ordinance that can be given
3 effect without the invalid or unconstitutional provision or application, and to this end the
4 provisions of this ordinance are declared severable.

5 **Section 7.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
6 such conflict hereby repealed.

7 **Section 8.** This ordinance shall become effective immediately upon passage on second
8 reading; however, the effective date of this plan amendment, if the amendment is not timely
9 challenged, shall be 31 days after the state land planning agency notifies the City that the plan
10 amendment package is complete in accordance with Section 163.3184, F.S. If timely challenged,
11 this amendment shall become effective on the date the state land planning agency or the
12 Administration Commission enters a final order determining this adopted amendment to be in
13 compliance with Chapter 163, F.S. No development orders, development permits, or land uses
14 dependent on this amendment may be issued or commenced before this plan amendment has
15 become effective.

16 **PASSED AND ADOPTED** this _____ day of _____ 2012.

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CRAIG LOWE
MAYOR

Attest:

Approved as to Form and Legality:

KURT M. LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

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This ordinance passed on first reading this _____ day of _____, 2012.

This ordinance passed on second reading this _____ day of _____, 2012.

LEGAL DESCRIPTION

PARCEL ANNEXED TO CITY OF GAINESVILLE

Approximately 23 acre parcel north of and adjacent to Williston Road and West of and adjacent to S. W. 41st Blvd.

A tract of land situated in the Gary Grant, Township 10 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the G. I. F. Clark Grant, Township 10 South, Range 19 East, and run South 39d 54'06" East, 699.83 feet; to the Point of Beginning, thence run North 66d 30'53" East, 545.94 feet; thence run North 53d 48'44" East, 933.64 feet to the Easterly corner of that certain tract of land as described in Official Records Book 2092 Page 33, said corner being on the Westerly right-of-way line of S. W. 41st Blvd., thence run Southeasterly along said Westerly right-of-way line along the arc of a curve through a central angle of 07d 09'58", an arc distance of 292.91 feet, said curve having a radius of 2341.83 and being subtended by a chord having a bearing and distance of South 36d 18'33" East, 292.71 feet, thence run along said Westerly right-of-way line, South 39d 53'32" East to the intersection with the Northerly right-of-way line of S. W. Williston Road (State Road 121), thence run along said right-of-way line, South 43d 30'34" West, 533.47 feet, thence run South 50d 03'40" West to the intersection of the Northerly right-of-way line of S. W. Williston Road with the Northeasterly boundary of the G. I. F. Clark Grant, thence run North 39d 04'56" West, 854.10 feet along said Northeasterly Boundary of the G. I. F. Clark Grant to the Point of Beginning, containing 23.97 acres more or less.

City of Gainesville Land Use Categories

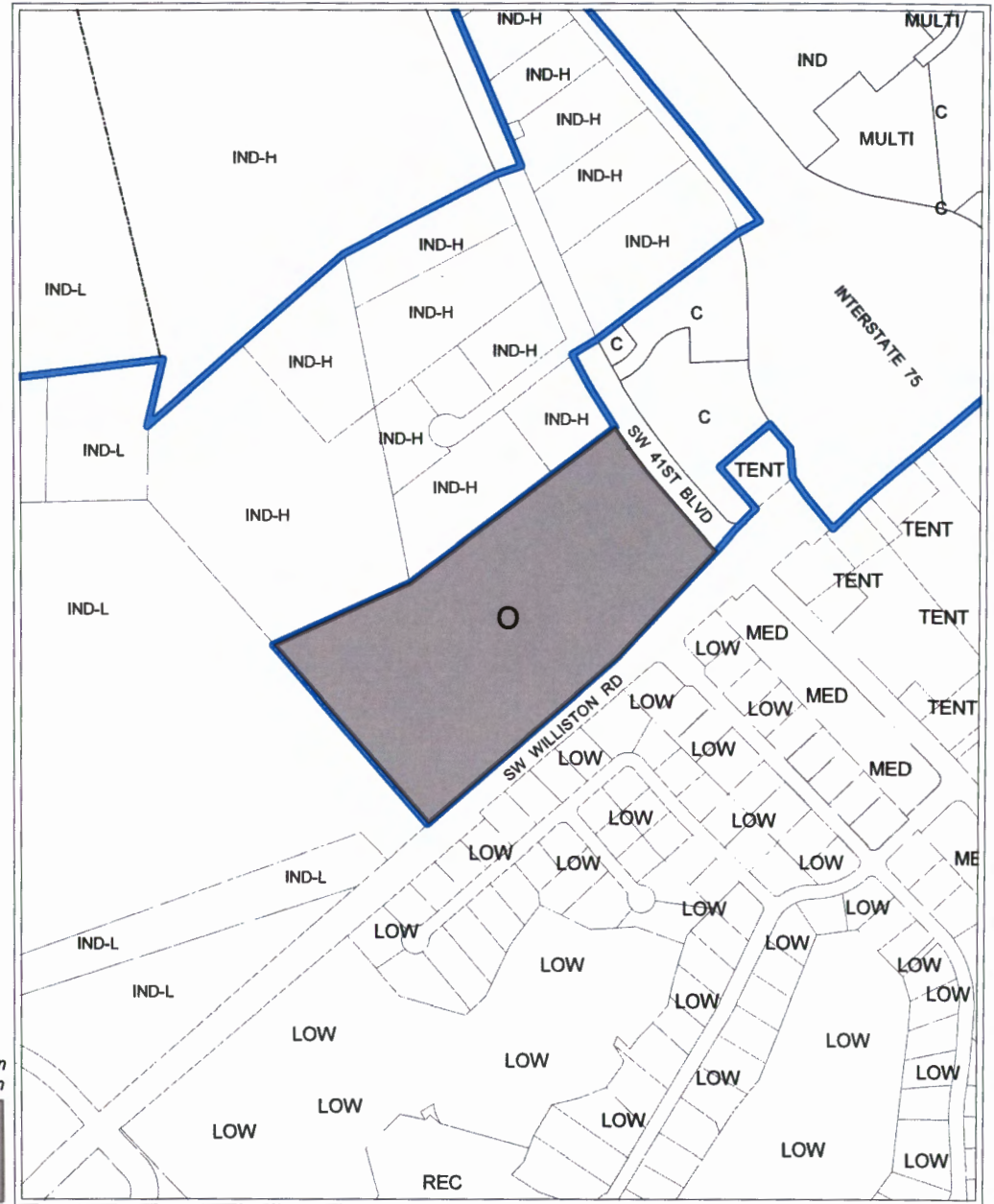
- SF Single-Family (up to 8 units per acre)
- R-L Residential Low-Density (up to 12 units per acre)
- R-M Residential Medium-Density (8-30 units per acre)
- R-H Residential High-Density (8-100 units per acre)
- MU-R Mixed-Use Residential (up to 75 units per acre)
- MU-L Mixed-Use Low Intensity (8-30 units per acre)
- MU-M Mixed-Use Medium Intensity (12-30 units per acre)
- MU-H Mixed-Use High Intensity (up to 150 units per acre)
- UMU-1 Urban Mixed-Use 1 (up to 75 units per acre)
- UMU-2 Urban Mixed-Use 2 (up to 100 units per acre)
- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

- Historic Preservation/Conservation District
- Special Area Plan
- - - - - Division line between two zoning districts
- ▬▬▬▬ City Limits

Alachua County Land Use Categories

- LOW Low Density Residential (1-4 DU/acre)
- MED Medium Density Residential (4-8 DU/acre)
- HIGH High Density Residential (14-24 DU/acre)
- IND-L Light Industrial
- IND-H Heavy Industrial
- INST Institutional
- REC Recreation
- TENT Tourist/Entertainment

Area under petition consideration



PROPOSED LAND USE

Exhibit "B" to Ordinance No. 120221

| | Name | Petition Request | Map(s) | Petition Number |
|--|--------------------------------|--|--------|-----------------|
| | City of Gainesville, applicant | Amend the FLUM from Alachua County Heavy Industrial to City of Gainesville Office (O). | 4745 | PB-11-49 LUC |