

D R A F T

8/21/08

ORDINANCE NO. 0-08-30

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An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of “Heavy Industrial” to the City of Gainesville land use category of “Public Facilities”; generally located adjacent to the southern boundary of the Gainesville Regional Airport, and more specifically described as that area comprised of City-owned Tax Parcel 17731-002-000, generally located north of the City limits and Tax Parcel 17732-000-000, east of Tax Parcel 08178-000-000 and 08180-000-000, south and west of Tax Parcel 17730-000-000; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing was given that the Future Land Use Map be amended by changing the land use category of certain property from the Alachua County land use category of “Heavy Industrial” to City of Gainesville land use category of “Public Facilities”; and

WHEREAS, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on July 17, 2008; and

WHEREAS, the amendment to the land use category of the City of Gainesville 2000-2010 Comprehensive Plan proposed herein directly relates to a small scale development activity as provided in Chapter 163, Florida Statutes; and

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1 **WHEREAS**, the City of Gainesville will transmit copies of the public notice and this
2 proposed ordinance to the State Land Planning Agency, the regional planning council, and any
3 other person or entity who has requested a copy; and

4 **WHEREAS**, at least ten (10) days notice has been given of a public hearing once by
5 publication in a newspaper of general circulation notifying the public of this proposed ordinance
6 and of a Public Hearing in the City Commission meeting room, First Floor, City Hall in the City of
7 Gainesville; and

8 **WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose
9 property will be regulated by the adoption of this Ordinance, at least thirty (30) days prior to the
10 date set for a public hearing on this ordinance; and

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

14 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
15 **CITY OF GAINESVILLE, FLORIDA:**

16 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
17 Plan is amended by changing the land use category of the following described property from the
18 Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use
19 category of "Public Facilities":

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1 See legal description attached hereto as Exhibit "A", and made a part
2 hereof as if set forth in full.

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4 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
5 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
6 portion thereof in order to comply with this ordinance.

7 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
8 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
9 finding shall not affect the other provisions or applications of the ordinance which can be given
10 effect without the invalid or unconstitutional provisions or application, and to this end the
11 provisions of this ordinance are declared severable.

12 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
13 such conflict hereby repealed.

14 **Section 5.** This ordinance shall become effective immediately upon passage; however, the
15 amendment to the City of Gainesville 2000-2010 Comprehensive Plan shall become effective thirty
16 one (31) days after passage and adoption of this Ordinance unless a petition is filed with the
17 Division of Administrative Hearings pursuant to § 163.3187(3), F.S. In this event this Ordinance
18 shall not become effective until the state land planning agency issues a final order determining the
19 adopted amendment to be in compliance in accordance with § 163.3187, or until the Administration

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1 Commission issues a final order determining the adopted amendment to be in compliance in
2 accordance with § 163.3187, F.S.

3 **PASSED AND ADOPTED** this _____ day of _____, 2008.

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PEGEEN HANRAHAN, MAYOR

9 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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12 _____
13 KURT LANNON,
14 CLERK OF THE COMMISSION

MARION J. RADSON, CITY ATTORNEY

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This ordinance passed this _____ day of _____, 2008.

34 MJR/jls
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LEGAL DESCRIPTION
AREA 2
PARCEL # 17731-002-000

A TRACT OF LAND SITUATED IN THE SOUTHWEST ¼ OF THE NORTHWEST ¼
OF SECTION 30, TOWNSHIP 9 SOUTH, RANGE 21 EAST ALACHUA COUNTY,
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 9
SOUTH, RANGE 21 EAST AND RUN SOUTH 00° 17' 40" EAST ALONG THE WEST
LINE OF SAID SECTION 2094.288 FEET TO SOUTHWEST CORNER OF TAX
PARCEL NUMBER 17732-002-000 AND THE POINT OF BEGINNING; THENCE
RUN SOUTH 89° 48' 40" EAST 474.95 FEET TO THE SOUTHEAST CORNER OF
TAX PARCEL NUMBER 17732-002-000 AND THE EXISTING CITY OF GAINESVILLE
LIMIT LINE; THENCE RUN NORTH 00° 20' 36" WEST 177.272 FEET ALONG THE
EAST LINE OF SAID TAX PARCEL AND EXISTING CITY LIMIT LINE TO THE
NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN NORTH 89° 46' 09"
WEST ALONG THE NORTH LINE OF SAID TAX PARCEL AND EXISTING CITY LIMIT
LINE 474.95 FEET TO THE WEST LINE OF SAID TAX PARCEL AND THE WEST LINE
OF SECTION 30; THENCE RUN SOUTH 00° 17' 40" EAST ALONG SAID WEST
LINES AND EXISTING CITY LIMIT LINE AND THE SOUTHERLY EXTENSION
THEREOF 178.236 FEET TO THE POINT OF BEGINNING.

