

LEGISLATIVE #

210465A

ORDINANCE NO. 210465

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 68.46 acres of property generally located south of SW Archer Road, west of Interstate 75, north of SW 62nd Avenue, and east of SW 44th Street, as more specifically described in this ordinance, from Alachua County Medium Density Residential (MR), Light Industrial (LI), and Heavy Industrial (HI) to City of Gainesville Office (O) and Industrial (IND); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

29 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
30 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
31 pursuant to Section 163.3174, Florida Statutes, held a public hearing on October 28, 2021, and
32 voted to recommend that the City Commission approve this Future Land Use Map amendment;
33 and

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

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

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

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

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

50 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
51 **FLORIDA:**

52 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
53 amended by changing the land use category of the following property from Alachua County
54 Medium Density Residential (MR), Light Industrial (LI), and Heavy Industrial (HI) to City of
55 Gainesville Office (O) and Industrial (IND):

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

59
60 **SECTION 2.** Within ten working days of the transmittal (first) hearing, the City Manager or
61 designee is authorized and directed to transmit this Future Land Use Map amendment and
62 appropriate supporting data and analyses to the reviewing agencies and to any other local
63 government or governmental agency that has filed a written request for same with the City.
64 Within ten working days of the adoption (second) hearing, the City Manager or designee is
65 authorized and directed to transmit this amendment to the state land planning agency and
66 any other agency or local government that provided comments to the City regarding the
67 amendment.

68 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary
69 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
70 comply with this ordinance.

71 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
72 the application hereof to any person or circumstance is held invalid or unconstitutional, such
73 finding will not affect the other provisions or applications of this ordinance that can be given

74 effect without the invalid or unconstitutional provision or application, and to this end the
75 provisions of this ordinance are declared severable.

76 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
77 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

78 **SECTION 6.** This ordinance will become effective immediately upon adoption; however, the
79 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
80 amendment is not timely challenged, will be 31 days after the state land planning agency
81 notifies the City that the plan amendment package is complete in accordance with Section
82 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment will
83 become effective on the date the state land planning agency or the Administration Commission
84 enters a final order determining the amendment to be in compliance with Chapter 163, Florida
85 Statutes. No development orders, development permits, or land uses dependent on this
86 Comprehensive Plan amendment may be issued or commenced before this amendment has
87 become effective.

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

89

90

91

LAUREN POE

92

MAYOR

93

94 Attest:

Approved as to form and legality:

95

96

97 _____
OMICHELE D. GAINEY

DANIEL M. NEE

98 CITY CLERK

INTERIM CITY ATTORNEY

99

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

101

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

FRED BEAR HEALTH PARK

TAX PARCELS 06974-040-000, 06813-000-000, 06813-001-000, 06800-007-001,
07240-001-008 & 07240-050-000 AND PORTIONS OF SW ARCHER ROAD,
SW 41ST BOULEVARD AND THE 150 FOOT WIDE CITY OF GAINESVILLE
POWER LINE EASEMENT

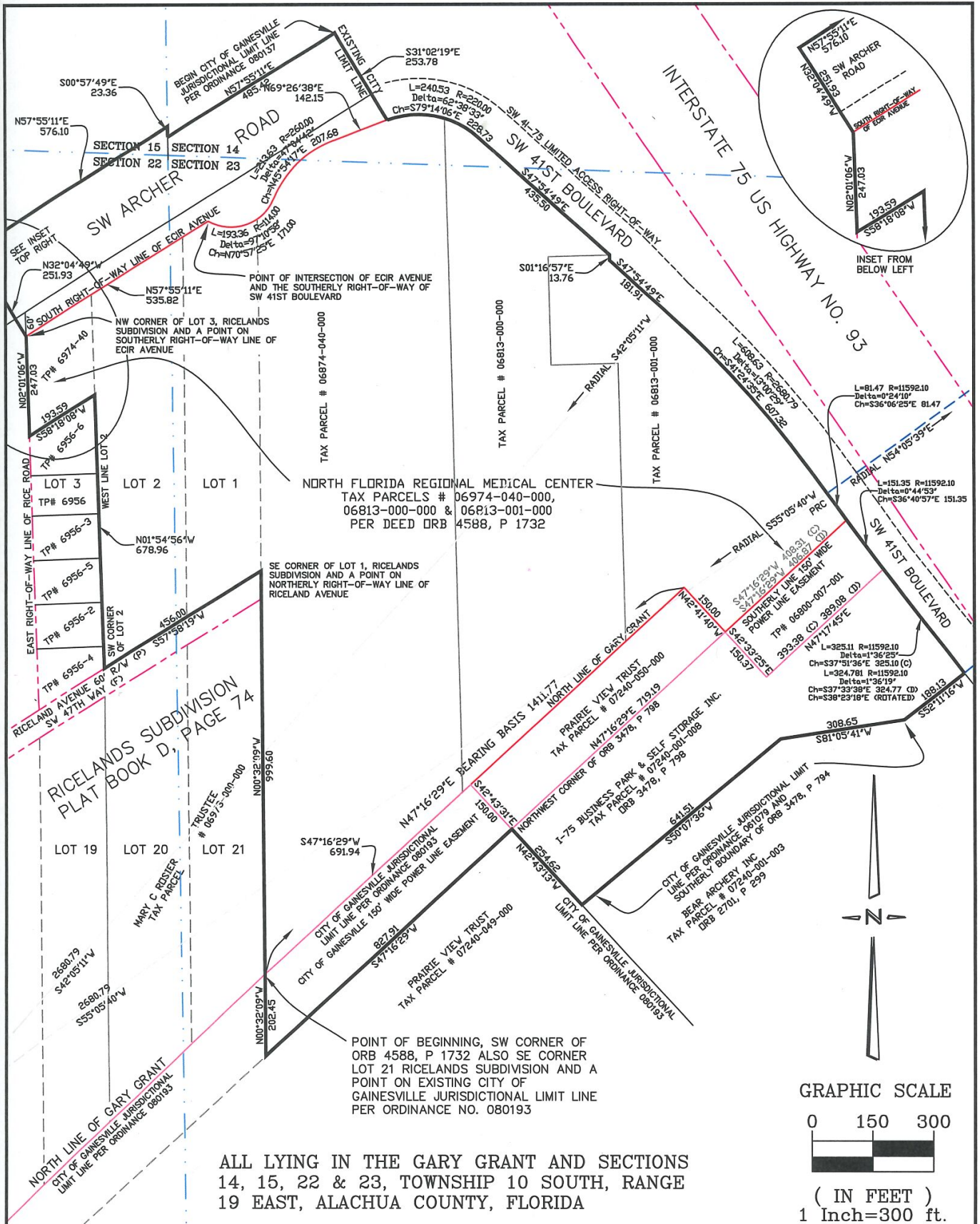
LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS SITUATED IN THE GARY GRANT AND SECTIONS 14, 15, 22 AND 23,
TOWNSHIP 10 SOUTH, RANGE 19 EAST IN ALACHUA COUNTY, FLORIDA, AND IS MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

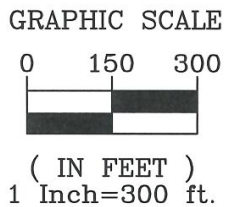
BEGIN AT A POINT ON THE NORTH LINE OF THE GARY GRANT, ALSO BEING THE SOUTHWEST CORNER OF
LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4588, PAGE 1732 (HEREAFTER ABBREVIATED ORB & P) OF
THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF) AND THE
SOUTHEAST CORNER OF LOT 21 AS DISPLAYED ON THE PLAT OF RICELAND SUBDIVISION, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN PLAT BOOK D, PAGE 74, PRACF AND BEING A POINT ON THE EXISTING
CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080193; THENCE
LEAVING SAID JURISDICTIONAL LIMIT LINE RUN NORTH 00°32'09" WEST ALONG THE EAST LINE OF SAID
LOT 21 AND ITS NORTHERLY EXTENSION, A DISTANCE OF 999.60 FEET TO THE SOUTHEAST CORNER OF LOT
1 AND THE NORTHERLY RIGHT-OF-WAY LINE OF RICELAND AVENUE (60' RIGHT-OF-WAY) OF SAID PLAT;
THENCE RUN SOUTH 57°58'19" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY
LINES OF LOT 1 AND LOT 2 A DISTANCE OF 456.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;
THENCE RUN NORTH 01°54'56" WEST ALONG THE WEST LINE OF SAID LOT 2 ALSO BEING THE EAST LINE
OF LOT 3 OF SAID PLAT, A DISTANCE OF 678.96 FEET; THENCE LEAVING SAID WEST LINE OF LOT 2 AND
SAID EAST LINE OF LOT 3, RUN SOUTH 58°18'08" WEST A DISTANCE OF 193.59 FEET TO A POINT LYING ON
THE EASTERLY RIGHT-OF-WAY LINE OF RICE ROAD PER SAID PLAT; THENCE NORTH 02°01'06" WEST ALONG
SAID EASTERLY LINE OF RICE ROAD, AND THE WESTERLY LINE OF SAID LOT 3 A DISTANCE OF 247.03
FEET TO THE NORTHWEST CORNER OF SAID LOT 3, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ECIR
AVENUE PER SAID PLAT; THENCE LEAVING AND PERPENDICULAR TO SAID SOUTHERLY LINE OF ECIR
AVENUE NORTH 32°04'49" WEST A DISTANCE OF 251.93 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY
LINE OF SW ARCHER ROAD ALSO KNOWN AS STATE ROAD NO. 24; THENCE ALONG SAID RIGHT-OF-WAY
LINE THE FOLLOWING THREE (3) COURSES; 1) NORTH 57°55'11" EAST A DISTANCE OF 576.10 FEET TO A POINT
ON THE WEST LINE OF SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST; 2) THENCE SOUTH 00°57'49" EAST
A DISTANCE OF 23.36 FEET; 3) NORTH 57°55'11" EAST A DISTANCE OF 485.42 FEET TO A POINT ON THE
EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER
080137; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID LIMIT
LINE SOUTH 31°02'19" EAST A DISTANCE OF 253.78 FEET TO A POINT ON THE SOUTHWESTERLY
RIGHT-OF-WAY OF S.W. 41ST BOULEVARD, SAID POINT LYING ON A CURVE CONCAVE SOUTHERLY
AND HAVING A RADIUS OF 220.00 FEET; THENCE ALONG SAID SOUTHERLY AND
WESTERLY RIGHT-OF-WAY AND JURISDICTIONAL LIMIT LINE THE FOLLOWING 8
COURSES; (1) NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY 240.53 FEET ALONG THE
ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62°38'33" WITH A CHORD

NOT COMPLETE WITHOUT ALL THREE PAGES

BEARING AND DISTANCE OF SOUTH 79°14'06" EAST, 228.73 FEET TO THE POINT OF TANGENCY OF SAID CURVE; (2) SOUTH 47°54'49" EAST A DISTANCE OF 435.50 FEET; (3) SOUTH 01°16'57" EAST A DISTANCE OF 13.76 FEET; (4) SOUTH 47°54 '49" EAST A DISTANCE OF 181.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2680.79 FEET; (5) SOUTHEASTERLY 608.63 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°00'29" WITH A CHORD BEARING AND DISTANCE OF SOUTH 41°24'35" EAST, 607.32 FEET TO A POINT OF REVERSE CURVATURE OF A NON TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 11,592.10 FEET WITH A RADIAL BEARING OF NORTH 54°05' 39" EAST; (6) SOUTHEASTERLY 81.47 FEET ALONG THE ARC OF SAID CURVE AND EAST LINE OF LANDS DESCRIBED IN ORB 4588, P 1732 OF THE PRACF THROUGH A CENTRAL ANGLE OF 0°24'10" WITH A CHORD BEARING AND DISTANCE OF SOUTH 36°06'25" EAST, 81.47 FEET TO A POINT ON THE SOUTHERLY LINE OF A 150 FOOT WIDE POWER LINE EASEMENT; (7) CONTINUE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 11,592.10 FEET AN ARCDISTANCE OF 151.35 FEET THROUGH A CENTRAL ANGLE OF 0°44'53" WITH A CHORD BEARING AND DISTANCE OF SOUTH 36°40'57" EAST, 151.35 TO THE INTERSECTION OF THE NORTH LINE OF LANDS DESCRIBED IN ORB 3478, P 798 OF THE PRACF AND THE WEST RIGHT-OF-WAY LINE OF SAID SW 41ST BOULEVARD; (8) CONTINUE SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 11,592.10 FEET AN ARC DISTANCE OF 325.11 FEET THROUGH A CENTRAL ANGLE OF 01°36'25" WITH A CHORD BEARING AND DISTANCE OF SOUTH 37°51'36" EAST, 325.10 FEET TO THE EAST MOST CORNER OF SAID LANDS ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 061079; THENCE LEAVING SAID CURVE AND WESTERLY RIGHT-OF WAY LINE, RUN ALONG SAID LIMIT LINE AND THE SOUTHERLY BOUNDARY OF SAID LANDS THE FOLLOWING 3 COURSES: (1) SOUTH 52°11'16" WEST A DISTANCE OF 188.13 FEET; (2) SOUTH 81°05'41" WEST A DISTANCE OF 308.65 FEET; (3) SOUTH 50°07'36" WEST A DISTANCE OF 641.51 TO THE SOUTHWEST CORNER OF SAID LANDS AND A POINT ON THE EXISTING CITY OF GAINESVILLE JURISDICTIONAL LIMIT LINE PER ORDINANCE NUMBER 080193; THENCE ALONG SAID LIMIT LINE ALSO BEING THE WESTERLY LINE SAID LANDS NORTH 42°43'13" WEST A DISTANCE OF 254.62 FEET TO THE NORTHWESTCORNER OF SAID LANDS; THENCE LEAVING SAID CITY LIMIT LINE ALONG THE SOUTHERLY LINE OF A 150 FOOT WIDE CITY OF GAINESVILLE POWER LINE EASEMENT ALSO BEING THE NORTH LINE OF WHAT IS CURRENTLY KNOWN AS PRAIRIE VIEW TRUST TAX PARCEL NO. 07240-049-000, SOUTH 47°16'29" WEST A DISTANCE OF 827.91 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF LOT 21 OF THE AFOREMENTIONED RICELANDS SUBDIVISION; THENCE LEAVING SAID CITY OF GAINESVILLE EASEMENT LINE NORTH 00°32'09" WEST ALONG SAID EXTENSION A DISTANCE OF 202.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 68.458 ACRES MORE OR LESS.



ALL LYING IN THE GARY GRANT AND SECTIONS 14, 15, 22 & 23, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA

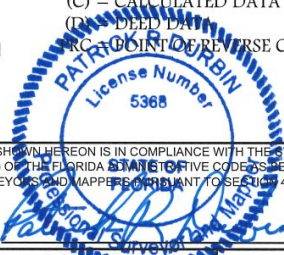


SURVEYOR'S NOTES

1. THE BEARING BASIS FOR THIS DESCRIPTION IS NORTH 47°16'29" EAST FOR THE NORTH LINE OF THE GARY GRANT AS FOUND IN OFFICIAL RECORDS BOOK 4588, PAGE 1732.
2. THE BEARING STRUCTURE FOR CITY OF GAINESVILLE JURISDICTIONAL LINE LIMIT ORDINANCE NO. 080137 IS CONSISTENT WITH THIS SKETCH & DESCRIPTION.
3. THE PERIMETER BOUNDARY FOR THIS ANNEXATION IS BASED ON THE SAME DEED, DEEDS FOR THE ADJACENT PARCELS ADJUSTED TO FIT AND THE ANNEXATIONS SHOWN HEREON AND INFORMATION FROM THE STRATEGIC PLANNING OFFICE.
4. TAX PARCEL DATA AS SHOWN HEREON WAS TAKEN FROM THE ALACHUA COUNTY PROPERTY APPRAISER'S WEBSITE AND WAS CURRENT AT THE TIME OF THIS SKETCH.
5. ROTATE THE DEED FOUND IN ORB 3478, PAGE 798 AND THE CITY OF GAINESVILLE JURISDICTIONAL LINE LIMIT ORDINANCE NO. 061079 COUNTERCLOCKWISE 01°03'16" TO MATCH THE DEED USED AS THE BASIS FOR THIS SKETCH AND DESCRIPTION.
6. NOT COMPLETE WITHOUT DESCRIPTION FOUND ON PAGES ONE & TWO

ABBREVIATIONS:

- TP = TAX PARCEL
- ORB & P = OFFICIAL RECORDS BOOK AND PAGE
- R/W = RIGHT-OF-WAY
- (C) = CALCULATED DATA
- (D) = DEED DATA
- PC = POINT OF CURVE
- PRC = POINT OF REVERSE CURVE



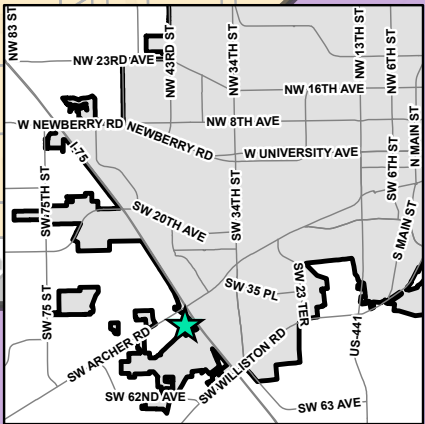
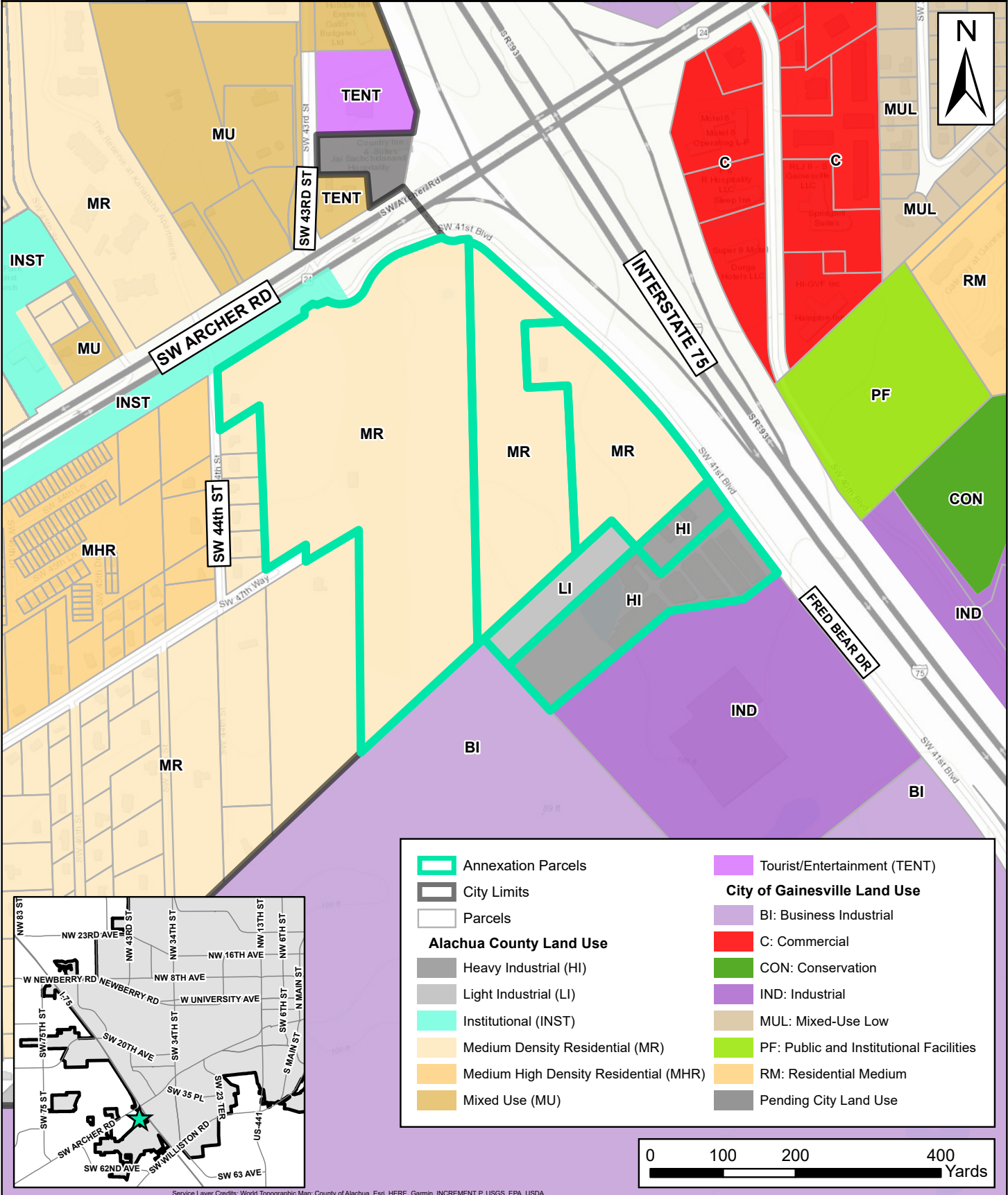
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| ACAD FILENAME: BEAR HEALTH PARK ANNEX | FOR REFERENCE ONLY - NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. | THE SKETCH AND DESCRIPTION SHOWN HEREON IS IN COMPLIANCE WITH THE STANDARDS OF PRACTICE FOUND IN CHAPTER 5J-176.052 (6) OF THE FLORIDA STATUTES AND THE FIVE CODES SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES. PATRICK R. DURBIN, PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATION NUMBER 5368 |
| - THIS IS NOT A BOUNDARY SURVEY - | | DATE: 9/7/21 |
| CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT ENGINEERING SUPPORT SERVICES 405 NW 39TH AVENUE P.O. BOX 490 GAINESVILLE, FL 32627 (352) 334-5070 SURVEY OFFICE (352) 393-8194 | SKETCH & DESCRIPTION FRED BEAR HEALTH PARK ANNEXATION TAX PARCELS 06974-040-000, 06813-000-000, 06813-001-000, 06800-007-001, 07240-001-008 & 07240-050-000 | CHECKED BY: TGH DATE: SEPT. 7, 2021 DRAWN BY: PRD PAGE 3 OF 3 |



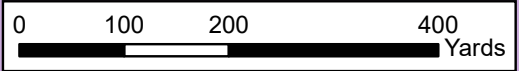
Fred Bear Health Park - Urban Services Report

LUC - Existing Land Use

Parcels 06800-007-001, 06813,000-000, 06813-001-000, 06974-004-000, 07240-001-008, & 07240-050-000 | Voluntary Annexation



| | |
|---------------------------------------|---|
| Annexation Parcels | Tourist/Entertainment (TENT) |
| City Limits | City of Gainesville Land Use |
| Parcels | BI: Business Industrial |
| Alachua County Land Use | C: Commercial |
| Heavy Industrial (HI) | CON: Conservation |
| Light Industrial (LI) | IND: Industrial |
| Institutional (INST) | MUL: Mixed-Use Low |
| Medium Density Residential (MR) | PF: Public and Institutional Facilities |
| Medium High Density Residential (MHR) | RM: Residential Medium |
| Mixed Use (MU) | Pending City Land Use |



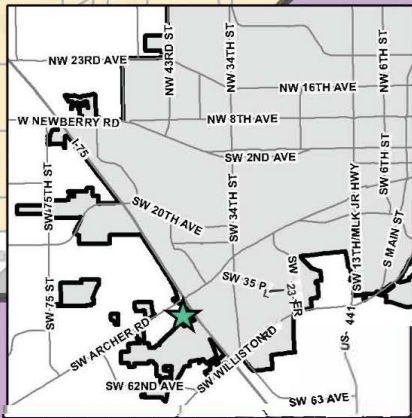
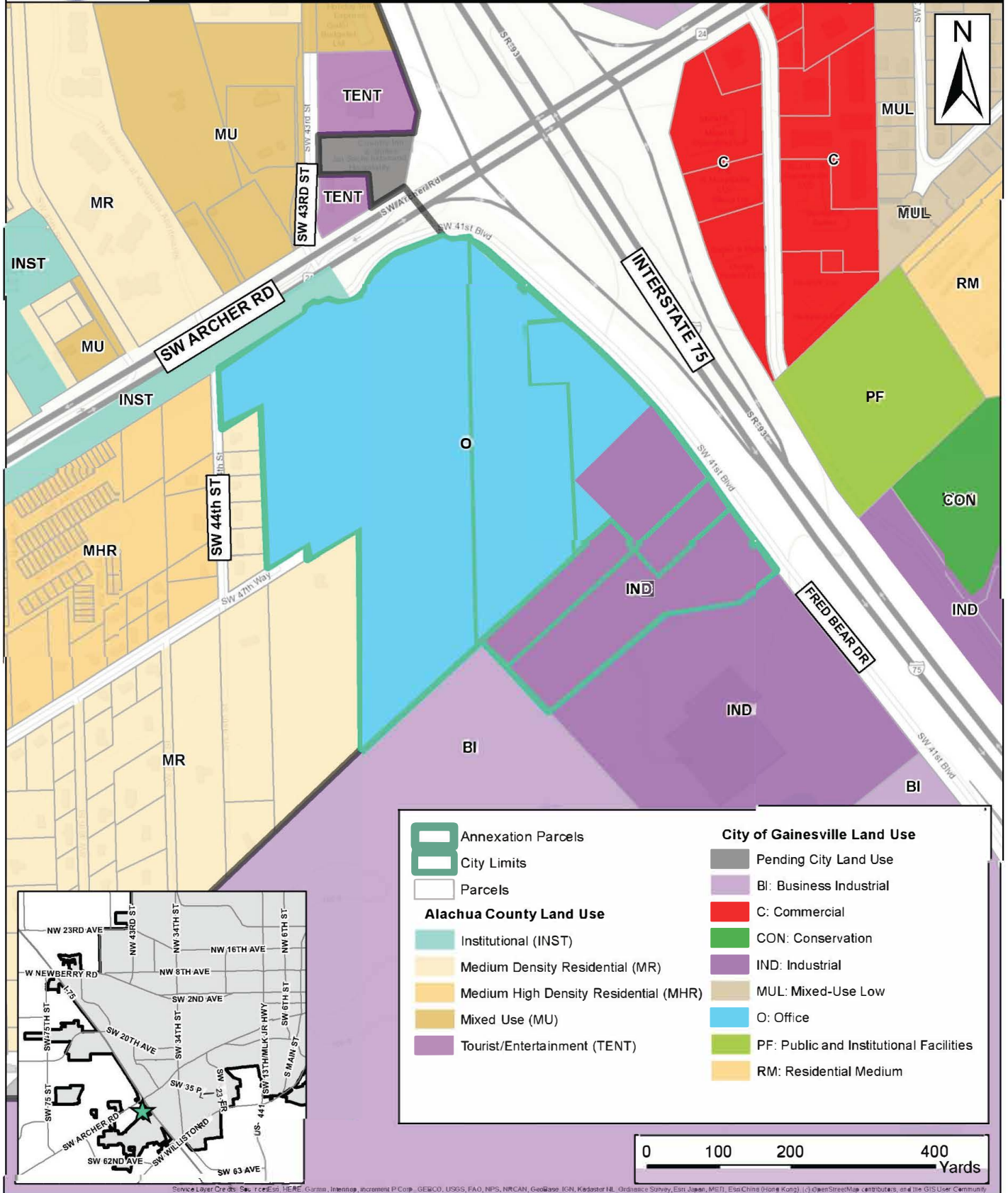
Service Layer Credits: World Topographic Map; County of Alachua, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



PB-21-133 LUC – Fred Bear Health Park Land Use Change

Proposed Future Land Use Categories

Parcels 06800-007-001, 06813,000-000, 06813-001-000, 06974-004-000, 07240-001-008, & 07240-050-000 | Voluntary Annexation



| | | | |
|--------------------------------|---------------------------------------|--|---|
| | Annexation Parcels | | City of Gainesville Land Use |
| | City Limits | | Pending City Land Use |
| | Parcels | | BI: Business Industrial |
| Alachua County Land Use | | | C: Commercial |
| | Institutional (INST) | | CON: Conservation |
| | Medium Density Residential (MR) | | IND: Industrial |
| | Medium High Density Residential (MHR) | | MUL: Mixed-Use Low |
| | Mixed Use (MU) | | O: Office |
| | Tourist/Entertainment (TENT) | | PF: Public and Institutional Facilities |
| | | | RM: Residential Medium |



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