

**Legislative #**

**100760-A**

ORDINANCE NO. 100760

1  
2           **An Ordinance amending the City of Gainesville 2000-2010**  
3           **Comprehensive Plan Future Land Use Map; by changing the land use**  
4           **category of certain property, as more specifically described in this**  
5           **ordinance, from the land use category of “Conservation” to “Business**  
6           **Industrial”;** consisting of approximately 47.8 acres, located in the  
7           **vicinity of 3801 Northeast Waldo Road; providing directions to the**  
8           **City Manager and the codifier; providing a severability clause; and**  
9           **providing an effective date.**  
10

11           **WHEREAS,** publication of notice of a public hearing was given that the Future Land Use  
12 Map be amended by changing the land use category of certain property from the land use category  
13 of “Conservation” to “Business Industrial”; and

14           **WHEREAS,** notice was given and publication made as required by law and a public  
15 hearing was held by the City Plan Board on February 24, 2011; and

16           **WHEREAS,** pursuant to law, an advertisement no less than two columns wide by 10  
17 inches long was placed in a newspaper of general circulation notifying the public of this  
18 proposed ordinance and of the Public Hearing to be held in the City Commission Meeting Room,  
19 First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first  
20 advertisement was published; and

21           **WHEREAS,** pursuant to law, after the public hearing at the transmittal stage, the City of  
22 Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

23           **WHEREAS,** a second advertisement no less than two columns wide by 10 inches long  
24 was placed in the aforesaid newspaper notifying the public of the second Public Hearing to be  
25 held at the adoption stage at least five (5) days after the day the second advertisement was  
26 published; and

1           WHEREAS, public hearings were held pursuant to the published notices described  
2 above at which hearings the parties in interest and all others had an opportunity to be and were,  
3 in fact, heard; and

4           WHEREAS, prior to adoption of this ordinance, the City Commission has considered the  
5 comments, recommendations and objections, if any, of the State Land Planning Agency.

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

8           **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive  
9 Plan is amended by changing the land use category of the following described property from the  
10 land use category of "Conservation" to "Business Industrial";

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

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

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

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

23           **Section 5.** This ordinance shall become effective immediately upon passage on second  
24 reading; however, the effective date of this plan amendment, if the amendment is not timely

1 challenged, shall be 31 days after the state land planning agency notifies the City that the plan  
 2 amendment package is complete in accordance with Chapter 163.3184, F.S. If timely challenged,  
 3 this amendment shall become effective on the date the state land planning agency or the  
 4 Administration Commission enters a final order determining this adopted amendment to be in  
 5 compliance in accordance with Chapter 163.3184, F.S. No development orders, development  
 6 permits, or land uses dependent on this amendment may be issued or commenced before this  
 7 plan amendment has become effective.

8 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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11

\_\_\_\_\_  
 CRAIG LOWE, MAYOR

12

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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\_\_\_\_\_  
 KURT M. LANNON  
 CLERK OF THE COMMISSION

\_\_\_\_\_  
 MARION J. RADSON  
 CITY ATTORNEY

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This Ordinance passed on first reading on this \_\_\_\_ day of \_\_\_\_\_, 2011.

20

This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011.



# ENG, DENMAN & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

January 11, 2011

## Legal Description

For: Gainesville Regional Airport

A portion of Section 26, Township 9 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northwest corner of Section 26, Township 9 South, Range 20 East, Alachua County, Florida and run thence South 89°19'00" East, 873.65 feet to the Point of Beginning; thence run South 31°11'00" West, 1174.28 feet; thence South 89°19'00" East, 2442.71 feet; thence North 27°06'24" East, 45.85 feet; thence North 56°27'45" East, 35.82 feet; thence South 77°07'58" East, 106.44 feet; thence South 62°43'45" East, 80.87 feet; thence South 78°36'56" East, 13.74 feet; thence South 89°19'00" East, 10.12 feet; thence North 00°36'00" East, 92.40 feet; thence North 37°23'00" West, 1166.80 feet; thence North 89°19'00" West, 1377.82 feet to the Point of Beginning.

Containing 47.80 Acres, more or less.

EXHIBIT "A"

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A handwritten signature in black ink, appearing to read 'Robert W. Denman', is written over the bottom right portion of the page.