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7/17/2008

ORDINANCE NO. _____
0-08-18

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4 **An Ordinance amending the City of Gainesville 2000-2010**
5 **Comprehensive Plan; by changing the land use category of**
6 **certain property, as more specifically described in this**
7 **ordinance, from the Alachua County land use category of**
8 **“Heavy Industrial” to the City of Gainesville land use category**
9 **of “Industrial” consisting of approximately 51.5 acres, located in**
10 **the vicinity of 5901 Northeast Waldo Road; providing a**
11 **severability clause; providing a repealing clause; and providing**
12 **an immediate effective date.**

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15 **WHEREAS,** publication of notice of a public hearing that the Future Land Use Map be
16 amended by changing the land use category of certain lands annexed within the City from the
17 Alachua County land use category of “Heavy Industrial” to the City of Gainesville land use
18 category of “Industrial”; and

19 **WHEREAS,** notice by the Plan Board was given and publication made as required by law
20 and a public hearing was held by the City Plan Board on March 20, 2008; and

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

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

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

4 **WHEREAS**, public hearings were held pursuant to the published and mailed notices
5 described above at which hearings the parties in interest and all others had an opportunity to be and
6 were, in fact, heard.

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

9 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
10 **CITY OF GAINESVILLE, FLORIDA:**

11 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
12 Plan is amended by changing the land use category of the following described property from the
13 Alachua County land use category "Heavy Industrial" to the City of Gainesville land use category
14 of "Industrial";

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

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

21 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
22 or the application hereof to any person or circumstance is held invalid or unconstitutional, such

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1 finding shall not affect the other provisions or applications of the ordinance which can be given
2 effect without the invalid or unconstitutional provisions or application, and to this end the
3 provisions of this ordinance are declared severable.

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

6 **Section 5.** This ordinance shall become effective immediately upon passage on second
7 reading; however, the effective date of this plan amendment shall be the date a final order is issued
8 by the Department of Community Affairs finding the amendment to be in compliance in accordance
9 with Section 163.3184, F.S.; or the date a final order is issued by the Administration Commission
10 finding the amendment to be in compliance in accordance with Section 163.3184, F.S.

11 **PASSED AND ADOPTED** this ____ day of _____, 2008.

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Pegeen Hanrahan, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

Kurt Lannon,
Clerk of the Commission

Marion J. Radson, City Attorney

This ordinance passed on first reading this ____ day of _____, 2008.

This ordinance passed on second reading this ____ day of _____, 2008.

MJR/jls
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LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN SECTIONS 13 AND 14, TOWNSHIP 9 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 9 SOUTH, RANGE 20 EAST AND RUN NORTH ALONG THE WEST LINE OF SAID SECTION 13 1,713.87 FEET TO THE SOUTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-2 AND THE POINT OF BEGINNING, SAID CORNER BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL AND SAID CITY LIMIT LINE TO THE SOUTHWEST CORNER OF SAID TAX PARCEL, SAID CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SEABOARD COAST LINE RAILROAD; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE RUN WEST ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF TAX PARCEL NUMBER 7872-14-2 AND SAID CITY LIMIT LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 24 (NORTHEAST WALDO ROAD); THENCE LEAVING SAID CITY LIMIT LINE RUN NORTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE WESTERLY EXTENSION OF THE NORTH LINE OF TAX PARCEL NUMBER 7872-3-1; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN EAST ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF SAID TAX PARCEL; THENCE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL TO THE SOUTHEAST



CORNER OF SAID TAX PARCEL; THENCE RUN WEST ALONG THE SOUTH LINE OF SAID TAX PARCEL TO THE SOUTHWEST CORNER OF SAID TAX PARCEL, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-3; THENCE RETURNING TO THE EXISTING CITY OF GAINESVILLE LIMIT LINE RUN SOUTH ALONG THE EAST LINE OF SAID TAX PARCEL TO THE SOUTHEAST CORNER OF SAID TAX PARCEL, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NUMBER 7872-14-2 AND THE POINT OF BEGINNING.