

LEGISLATIVE #

120222A

ORDINANCE NO. 120222

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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**
5 **285 acres of property located in the vicinity of the 4600-5000 blocks of SW**
6 **41st Boulevard, as more specifically described in this ordinance, from the**
7 **Alachua County land use categories of Heavy Industrial (INDH), Light**
8 **Industrial (INDL), and Low Density Residential (1-4 DU/acre)(LOW) to the**
9 **City of Gainesville land use category of Business Industrial (BI);**
10 **providing directions to the City Manager; providing a severability clause;**
11 **providing a repealing clause; and providing an effective date.**
12

13 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the City
14 of Gainesville Comprehensive Plan be amended by changing the land use categories of certain
15 property, as more specifically described in this ordinance, from the Alachua County land use
16 categories of Heavy Industrial (INDH), Light Industrial (INDL), and Low Density Residential (1-4
17 DU/acre) (LOW) to the City of Gainesville land use category of Business Industrial (BI); and

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

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

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

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

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

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

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 Comprehensive Plan is
9 amended by changing the land use categories of the following property from the Alachua County
10 land use categories of Heavy Industrial (INDH), Light Industrial (INDL), and Low Density
11 Residential (1-4 DU/acre) (LOW) to the City of Gainesville land use category of Business
12 Industrial (BI):

13 See legal description attached hereto as Exhibit "A" and made a part hereof as
14 if set forth in full. The location of the property is shown on Exhibit "B" for
15 visual reference. In the event of conflict or inconsistency, Exhibit "A" shall
16 prevail over Exhibit "B."
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18 **Section 2.** Within 10 working days of the transmittal (first) hearing, the City Manager
19 is authorized and directed to transmit a comprehensive plan amendment package, including this
20 ordinance, to the reviewing agencies and to any other local government unit or state agency that has
21 filed a written request for same with the City. Within 10 working days of the adoption (second)
22 hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment
23 package, including this ordinance, to the state land planning agency and to any other reviewing
24 agency, local government unit or state agency that filed written comments with the City.

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

1 ordinance.

2 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
3 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
4 finding shall not affect the other provisions or applications of this ordinance that can be given
5 effect without the invalid or unconstitutional provision or application, and to this end the
6 provisions of this ordinance are declared severable.

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

9 **Section 6.** This ordinance shall become effective immediately upon passage on second
10 reading; however, the effective date of this plan amendment, if the amendment is not timely
11 challenged, shall be 31 days after the state land planning agency notifies the City that the plan
12 amendment package is complete in accordance with Section 163.3184, F.S. If timely challenged,
13 this amendment shall become effective on the date the state land planning agency or the
14 Administration Commission enters a final order determining this adopted amendment to be in
15 compliance with Chapter 163, F.S. No development orders, development permits, or land uses
16 dependent on this amendment may be issued or commenced before this plan amendment has
17 become effective.

18

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

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CRAIG LOWE
MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

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KURT M. LANNON
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

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

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

EXHIBIT "A"

LEGAL DESCRIPTION

**A TRACT OF LAND SITUATED IN SECTIONS 22 AND 23,
TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY,
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:**

**COMMENCE AT A POINT AT THE INTERSECTION OF THE
NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF
THAT CERTAIN TRACT OF LAND AS DESCRIBED IN OFFICIAL
RECORDS BOOK 2824 PAGE 1263 OF THE OFFICIAL RECORDS
OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED
AS ORB__ PAGE__ ACR) AND THE WEST RIGHT-OF-WAY LINE
OF INTERSTATE 75 (US 93) FOR THE POINT OF BEGINNING,
SAID POINT BEING ON THE EXISTING CITY OF GAINESVILLE
LIMIT LINE PER ORDINANCE #061079; THENCE RUN
SOUTHEASTERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO
THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND
AS DESCRIBED IN ORB 3242 PAGE 404 ACR; THENCE LEAVING
SAID CITY LIMIT LINE RUN SOUTHWESTERLY AND**

NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41ST BOULEVARD; THENCE RUN WESTERLY, PERPENDICULAR TO SAID RIGHT-OF-WAY LINE, TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID SOUTHWEST 41ST BOULEVARD; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2267 PAGE 1441 ACR; THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINE OF SAID TRACT AND THE NORTH LINES OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2246 PAGE 1343 ACR AND THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1736 PAGE 2672 ACR TO A POINT ON THE EAST LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1418 ACR; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTHEAST CORNER OF SAID TRACT; THENCE RUN SOUTHWESTERLY ALONG THE NORTH LINES OF THE 6 TRACTS OF LAND AS DESCRIBED IN THE FOLLOWING

OFFICIAL RECORDS: 1) ORB 3051 PAGE 1418 ACR; 2) ORB 3051 PAGE 1419 ACR; 3) ORB 2537 PAGE 389 ACR; 4) ORB 3051 PAGE 1420 ACR; 5) ORB 3051 PAGE 1422 ACR; 6) ORB 3051 PAGE 1421 ACR TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3051 PAGE 1421 ACR, SAID CORNER BEING ON THE WEST LINE OF THE GARY GRANT; THENCE RUN NORTHWEST ALONG THE WEST LINE OF SAID GARY GRANT TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 1821 PAGE 2875 ACR; THENCE RUN NORTHEAST ALONG THE NORTH LINE OF SAID GARY GRANT TO THE WEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 2507 PAGE 1285 ACR; THENCE LEAVING SAID NORTH LINE OF THE GARY GRANT RUN EAST ALONG THE SOUTH LINE OF SAID TRACT TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE RUN NORTH ALONG THE EAST LINE OF SAID TRACT TO THE NORTH CORNER OF SAID TRACT, SAID CORNER BEING ON THE NORTH LINE OF THE GARY GRANT; THENCE RUN NORTHEAST ALONG SAID NORTH LINE OF THE GARY GRANT TO A POINT LYING ON A NORTHWESTERLY

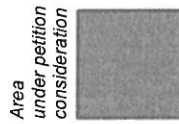
EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN ORB 3478 PAGE 798 ACR, SAID POINT ALSO BEING ON THE NORTH LINE OF A 150' WIDE CITY OF GAINESVILLE POWER LINE EASEMENT; THENCE LEAVING THE NORTH LINE OF THE GARY GRANT AND SAID POWER LINE EASEMENT RUN SOUTHEASTERLY ALONG SAID EXTENSION TO THE WEST MOST CORNER OF SAID TRACT DESCRIBED IN 3478 PAGE 798 ACR (BEING THE SAME TRACT DESCRIBED IN ORB 2824 PAGE 1263 ACR); THENCE RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID TRACT TO THE SOUTH CORNER OF SAID TRACT BEING ON THE EXISTING CITY LIMIT LINE AS PER ORDINANCE #061079; THENCE RUN NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTHWEST 41ST BOULEVARD; THENCE CONTINUE NORTHEASTERLY ALONG THE NORTHEASTERLY PROJECTION OF THE SOUTHERLY LINE OF SAID TRACT AND SAID CITY LIMIT LINE TO THE POINT OF BEGINNING.

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
- BI Business 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 to 4 units per acre)
- MED Medium Density Residential (4 to 8 units per acre)
- MED-HIGH Medium-High Density Res (8 to 14 units per acre)
- RE Estate Residential (1 unit per 2 acres)
- INDL Light Industrial
- INDH Heavy Industrial



PROPOSED LAND USE

Name	Petition Request	Map(s)	Petition Number
City of Gainesville, applicant	Amend FLUM from Alachua County Heavy Industrial, Light Industrial and Low Density Residential to City of Gainesville Business Industrial (BI)	4644	PB-11-51 LUC



No Scale