

ORDINANCE NO. 150089

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 258 acres of property that is generally located in the 3400 block of SW Williston Road and contains the Paynes Prairie Sheetflow Restoration Project and Sweetwater Wetlands Park, as more specifically described in this ordinance, from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, notice was given as required by law that the Future Land Use Map of the City of Gainesville Comprehensive Plan be amended by changing the land use category of certain property from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF); and

WHEREAS, the City Plan Board, which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, held a public hearing on May 28, 2015, and voted to recommend that the City Commission approve this Future Land Use Map amendment; and

WHEREAS, an advertisement no less than two columns wide by ten (10) inches long was placed in a newspaper of general circulation and provided the public with at least seven (7) days' advance notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

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

WHEREAS, a second advertisement no less than two columns wide by ten (10) inches long was placed in the aforesaid newspaper and provided the public with at least five (5) days'

1 advance notice of this ordinance’s second public hearing (i.e., adoption hearing) to be held by the
2 City Commission; and

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

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

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

10 **Section 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
11 amended by changing the land use category of the following property from Alachua County
12 Preservation to City of Gainesville Public and Institutional Facilities (PF):

13 See legal description attached as Exhibit "A" and made a part hereof as if set forth
14 in full. The location of the property is shown on Exhibit “B” for visual reference.
15 In the event of conflict or inconsistency, Exhibit “A” shall prevail over Exhibit
16 “B”.

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18 **Section 2.** Within ten (10) working days of the transmittal (first) hearing, the City
19 Manager or designee is authorized and directed to transmit this amendment and appropriate
20 supporting data and analyses to the reviewing agencies and to any other local government or
21 governmental agency that has filed a written request for same with the City. Within ten (10)
22 working days of the adoption (second) hearing, the City Manager or designee is authorized and
23 directed to transmit this amendment to the state land planning agency and any other agency or
24 local government that provided comments to the City regarding the amendment.

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

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

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

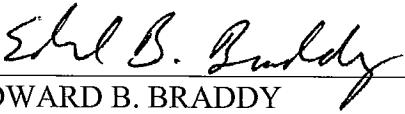
11 **Section 6.** This ordinance shall become effective immediately upon adoption; however,
12 the effective date of this amendment to the City of Gainesville Comprehensive Plan, if the
13 amendment is not timely challenged, shall be 31 days after the state land planning agency notifies
14 the City that the plan amendment package is complete in accordance with Section 163.3184,
15 Florida Statutes. If timely challenged, this Comprehensive Plan amendment shall become
16 effective on the date the state land planning agency or the Administration Commission enters a
17 final order determining the amendment to be in compliance with Chapter 163, Florida Statutes.
18 No development orders, development permits, or land uses dependent on this Comprehensive

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1 Plan amendment may be issued or commenced before this amendment has become effective.

2 **PASSED AND ADOPTED** this 19th day of November, 2015.

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EDWARD B. BRADDY
MAYOR

8 Attest:

Approved as to form and legality:

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14


KURT LANNON
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

15 This ordinance passed on (first) transmittal hearing this 3rd day of September, 2015.

16

17 This ordinance passed on (second) adoption hearing this 19th day of November, 2015.



PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT
LEGAL DESCRIPTIONS PROVIDED BY TERRENCE BRANNAN LAND SURVEYOR, INC.

LAND DESCRIPTION FOR CITY OF GAINESVILLE ANNEXATION AREA:

A PARCEL OF LAND LOCATED IN THE D.L. CLINCH GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE D.L. CLINCH GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, AND BEING THE POINT OF BEGINNING; THENCE NORTH 84°05'09" WEST, ALONG THE SOUTH LINE OF THE D.L. CLINCH GRANT AND ALONG THE SOUTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, A DISTANCE OF 2480.58 FEET TO A FOUND RAIL ROAD RAIL MARKING THE SOUTHWEST CORNER OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238; THENCE NORTH 84°03'27" WEST, A DISTANCE OF 14.85 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE SOUTHEASTERLY LINE OF LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 3442, PAGE 1090; THENCE NORTH 63°16'54" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 230.15 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWEST, SAID CURVE HAVING A RADIUS OF 5701.88 FEET, A CENTRAL ANGLE OF 12°31'39" AND A CHORD BEARING AND DISTANCE OF NORTH 57°04'16" EAST, 1244.21 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 1246.69 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE NORTH 26°41'47" WEST, A DISTANCE OF 58.25 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING A POINT ON A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 118.00 FEET, A DELTA OF 42°28'35", AND A CHORD BEARING AND DISTANCE OF NORTH 50°59'40" WEST, 85.49 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 87.48 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE POINT ON A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 130.65 FEET, A DELTA OF 28°51'48", AND A CHORD BEARING AND DISTANCE OF NORTH 63°49'55" WEST, 65.12 FEET; THENCE ALONG THE ARC OF SAID CURVE, 65.82 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE POINT ON A CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 33.64 FEET, A DELTA OF 40°43'00", AND A CHORD BEARING AND DISTANCE OF NORTH 81°20'39" WEST, 23.40 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 23.90 FEET TO A SET 5/8" REBAR & CAP (#3524) ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD No. S-331 AND 24; THENCE NORTH 55°21'48" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 257.63 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE POINT ON A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2924.79 FEET, A DELTA OF 20°25'35", AND A CHORD BEARING AND DISTANCE OF NORTH 45°06'50" EAST, 1037.20 FEET; THENCE ALONG THE ARC OF SAID CURVE, 1042.71 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 55°05'40" EAST A DISTANCE OF 60.06 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE POINT ON A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2924.79 FEET, A DELTA OF 10°53'18", AND A CHORD BEARING AND DISTANCE OF SOUTH 40°26'09" WEST, 554.99 FEET; THENCE ALONG



THE ARC OF SAID CURVE, 555.82 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE SOUTH 44°39'59" EAST, A DISTANCE OF 103.13 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE EASTERLY LINE OF A 150 FOOT WIDE ELECTRICAL TRANSMISSION LINE EASEMENT AS PER OFFICIAL RECORDS BOOK 824, PAGE 28; THENCE SOUTH 47°10'02" WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 174.19 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE, LEAVING SAID EASTERLY LINE, SOUTH 43°46'29" WEST, A DISTANCE OF 56.15 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE SOUTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3442, PAGE 1090; THENCE NORTH 79°07'18" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 198.07 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE, LEAVING SAID SOUTH LINE, SOUTH 16°51'25" EAST, A DISTANCE OF 80.74 FEET TO A SET 5/8" REBAR & CAP (#3524) MARKING THE INTERSECTION WITH THE NORTH LINE OF PARCEL 1A AS DESCRIBED IN OFFICIAL RECORDS BOOK 932, PAGE 380; THENCE SOUTH 73°08'35" WEST, ALONG SAID NORTH LINE OF PARCEL 1A, A DISTANCE OF 374.09 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID PARCEL 1A; THENCE SOUTH 49°29'10" WEST, ALONG THE WEST LINE OF SAID PARCEL 1A, A DISTANCE OF 217.62 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238 AND MARKING THE INTERSECTION WITH THE EAST LINE OF SAID 150 FOOT WIDE ELECTRICAL TRANSMISSION EASEMENT AS PER OFFICIAL RECORDS BOOK 824, PAGE 28; THENCE SOUTH 32°37'46" WEST, ALONG SAID EAST LINE, A DISTANCE OF 620.04 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE, LEAVING SAID EAST LINE, NORTH 82°09'01" EAST, A DISTANCE OF 1517.96 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE NORTH 18°07'33" EAST, A DISTANCE OF 557.54 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE NORTH 33°20'23" EAST, A DISTANCE OF 293.39 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE SOUTH 56°41'40" EAST, A DISTANCE OF 99.96 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE SOUTH 33°18'24" WEST, A DISTANCE OF 280.28 FEET TO A SET 5/8" REBAR & CAP (#3524); THENCE SOUTH 18°10'12" WEST, A DISTANCE OF 555.25 FEET TO A FOUND 4"x4" CONCRETE MONUMENT; THENCE SOUTH 00°40'03" WEST, A DISTANCE OF 719.00 FEET TO A FOUND 4"x4" CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238; THENCE NORTH 89°20'32" WEST, A DISTANCE OF 82.29 FEET TO THE POINT OF BEGINNING.
CONTAINING ±36.00 ACRES, MORE OR LESS.

LAND DESCRIPTION FOR STATE OF FLORIDA ANNEXATION AREA:

BEGINNING AT THE SOUTHEAST CORNER OF THE D.L. CLINCH GRANT, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°20'27" EAST, A DISTANCE OF 82.29 FEET TO A FOUND CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF THAT CITY OF GAINESVILLE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238; THENCE NORTH 00°38'19" EAST, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 718.99 FEET TO A POINT; THENCE NORTH 18°12'12" EAST, A DISTANCE OF 555.37 FEET TO A POINT; THENCE NORTH 33°17'10" EAST, A DISTANCE OF 280.08 FEET TO A POINT; THENCE NORTH 56°42'50" WEST, A DISTANCE OF 100.00 FEET TO A POINT; THENCE SOUTH 33°17'10" WEST, A



DISTANCE OF 293.41 FEET TO A POINT; THENCE SOUTH 18°05'52" WEST, A DISTANCE OF 557.47 FEET TO A POINT; THENCE SOUTH 82°09'45" WEST, A DISTANCE OF 1518.15 FEET TO A FOUND CONCRETE MONUMENT; THENCE NORTH 32°34'32" EAST, A DISTANCE OF 620.01 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238, AND THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF OLD T & J RAILROAD; THENCE NORTH 49°29'10" EAST ALONG SAID LINE, A DISTANCE OF 217.62 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF PARCEL 1A AS DESCRIBED IN OFFICIAL RECORDS BOOK 932, PAGE 380: THENCE LEAVING SAID T & J RAILROAD LINE NORTH 73°08'35" EAST, ALONG THE NORTH LINE OF SAID PARCEL 1A, A DISTANCE OF 1145.09 FEET TO A FOUND CONCRETE MONUMENT; THENCE, LEAVING SAID NORTH LINE OF PARCEL 1A, NORTH 03°14'27" EAST, ALONG THE EAST LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3442, PAGE 1090, A DISTANCE OF 179.86 FEET TO A POINT; THENCE, LEAVING SAID EAST LINE, NORTH 57°35'59" EAST, A DISTANCE OF 276.17 FEET TO A POINT; THENCE NORTH 42°51'59" EAST, A DISTANCE OF 280.13 FEET TO A POINT; THENCE NORTH 38°14'58" EAST, A DISTANCE OF 602.53 FEET TO A POINT; THENCE NORTH 56°03'11" EAST, A DISTANCE OF 645.89 FEET TO A POINT; THENCE NORTH 35°20'49" EAST, A DISTANCE OF 237.93 FEET TO A POINT; THENCE NORTH 65°27'13" EAST, A DISTANCE OF 88.05 FEET TO A POINT ON THE NORTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 932, PAGE 384; THENCE SOUTH 85°23'27" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 169.72 FEET TO A POINT; THENCE, LEAVING SAID NORTH LINE, SOUTH 54°28'56" WEST, A DISTANCE OF 203.31 FEET TO A POINT; THENCE SOUTH 33°10'05" WEST, A DISTANCE OF 172.42 FEET TO A POINT; THENCE SOUTH 58°02'29" WEST, A DISTANCE OF 710.37 FEET TO A POINT; THENCE SOUTH 37°12'37" WEST, A DISTANCE OF 545.69 FEET TO A POINT; THENCE SOUTH 30°13'40" EAST, A DISTANCE OF 652.71 FEET TO A POINT ON THE SOUTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 932, PAGE 384; THENCE SOUTH 86°28'46" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 218.07 FEET TO A POINT; THENCE, LEAVING SAID SOUTH LINE, SOUTH 41°48'36" EAST, A DISTANCE OF 367.13 FEET TO A POINT; THENCE SOUTH 72°32'01" EAST, A DISTANCE OF 298.54 FEET TO A POINT; THENCE SOUTH 68°49'22" EAST, A DISTANCE OF 994.39 FEET TO A POINT; THENCE SOUTH 65°55'47" EAST, A DISTANCE OF 1201.44 FEET TO A POINT; THENCE SOUTH 16°22'33" EAST, A DISTANCE OF 907.31 FEET TO A POINT; THENCE SOUTH 01°37'24" EAST, A DISTANCE OF 359.66 FEET TO POINT; THENCE SOUTH 87°25'03" WEST, A DISTANCE OF 987.18 FEET TO A POINT; THENCE NORTH 86°00'58" WEST, A DISTANCE OF 659.82 FEET TO A POINT; THENCE NORTH 80°14'21" WEST, A DISTANCE OF 884.89 FEET TO A POINT; THENCE NORTH 83°23'39" WEST, A DISTANCE OF 908.93 FEET TO A POINT; THENCE SOUTH 82°45'26" WEST, A DISTANCE OF 679.28 FEET TO A POINT; THENCE NORTH 73°10'19" WEST, A DISTANCE OF 1424.29 FEET TO A POINT; THENCE NORTH 88°25'14" WEST, A DISTANCE OF 424.34 FEET TO A POINT; THENCE NORTH 05°51'33" EAST, A DISTANCE OF 559.23 FEET TO A POINT ON THE SOUTH LINE OF THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 848, PAGE 238; THENCE, ALONG THE SOUTH LINE OF SAID PARCEL, SOUTH 84°04'42" EAST, A DISTANCE OF 1839.44 FEET TO THE POINT OF BEGINNING. CONTAINING ±222.18 ACRES, MORE OR LESS.


City of Gainesville Land Use Designations

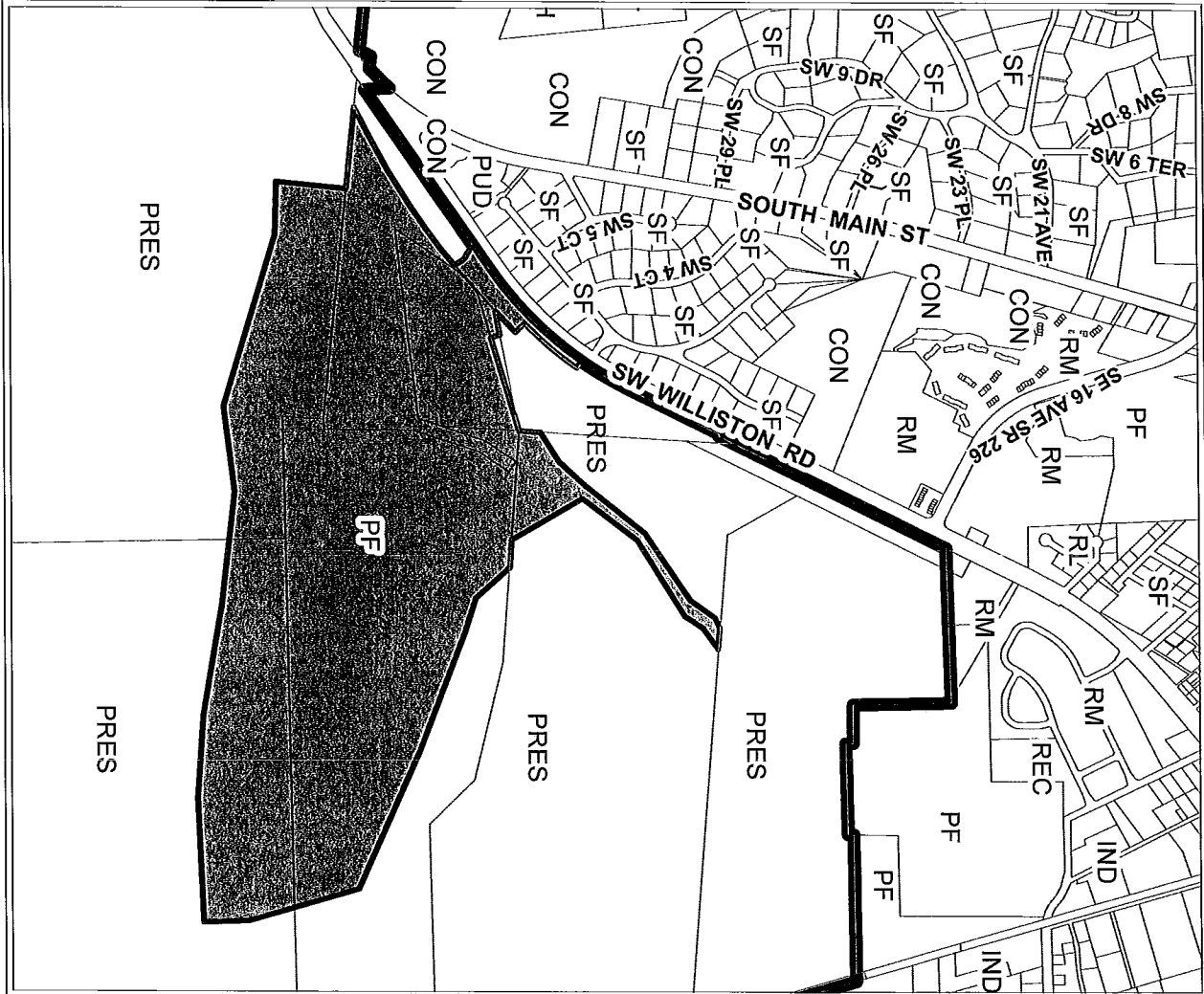
- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- IND Industrial
- REC Recreation
- CON Conservation
- PF Public Facilities
- PUD Planned Use District

Alachua County Land Use Designations

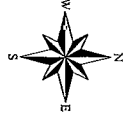
- PRES Preservation

----- Division line between two land use categories
 _____ City Limits

 Area under petition consideration



PROPOSED LAND USE

 No Scale	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Name</th> <th style="width: 50%;">Petition Request</th> <th style="width: 50%;">Petition Number</th> </tr> <tr> <td style="text-align: center;">City Plan Board</td> <td style="text-align: center;">Amend the City of Gainesville Future Land Use Map from Alachua County Preservation to City of Gainesville Public and Institutional Facilities</td> <td style="text-align: center;">PB-15-13 LUC</td> </tr> </table>	Name	Petition Request	Petition Number	City Plan Board	Amend the City of Gainesville Future Land Use Map from Alachua County Preservation to City of Gainesville Public and Institutional Facilities	PB-15-13 LUC	
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City of Gainesville Land Use Designations

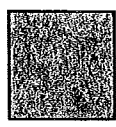
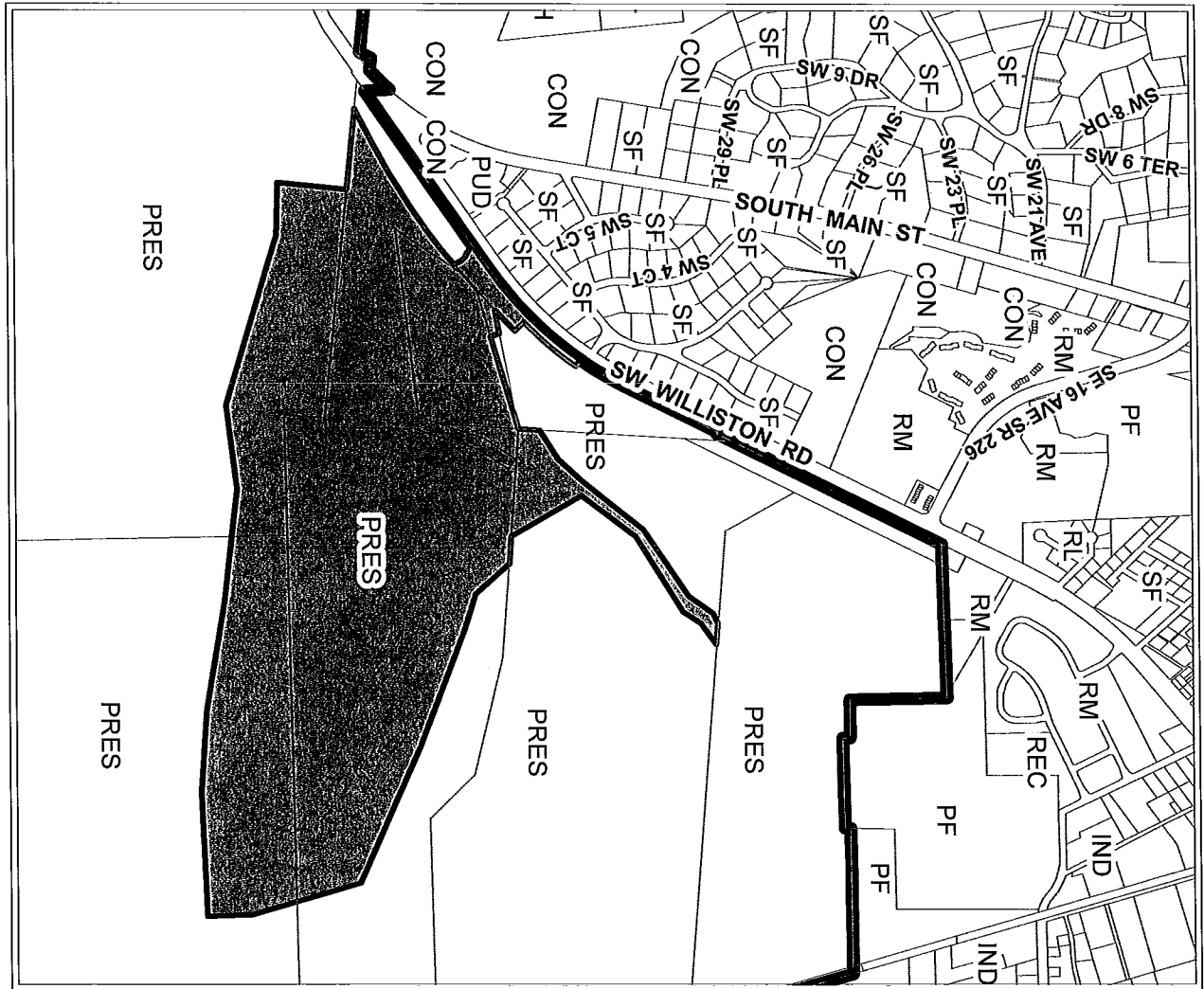
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Alachua County Land Use Designations

- PRES Preservation

----- Division line between two land use categories
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EXISTING LAND USE

Name	Petition Request	Petition Number
City Plan Board	Amend the City of Gainesville Future Land Use Map from Alachua County Preservation to City of Gainesville Public and Institutional Facilities	PB-15-13 LUC

