## **DRAFT** 3-31-08

1 2	ORDINANCE NO
3 4 5 6 7 8 9	An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan by adding a new land use category, "Business Industrial," to policy 4.1.1, specifying conditions and limitations; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.
10 11	WHEREAS, the City Plan Board authorized the publication of notice of a Public
12	Hearing that the text of the City of Gainesville 2000-2010 Comprehensive Plan be amended;
13	and
14	WHEREAS, notice was given and publication made as required by law and a Public
15	Hearing was then held by the City Plan Board on November 15, 2007; and
16	WHEREAS, pursuant to law, an advertisement was placed in a newspaper of general
17	circulation notifying the public of this proposed ordinance and of the Public Hearing to be held
18	at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at
19	least 7 days after the day the first advertisement was published; and
20	WHEREAS, pursuant to law, after the public hearing at the transmittal stage the City
21	of Gainesville transmitted copies of this proposed change to the State Land Planning Agency;
22	and
23	WHEREAS, a second advertisement was placed in the aforesaid newspaper notifying
24	the public of the second Public Hearing to be held at the adoption stage at least 5 days after the
25	day the second advertisement was published; and
26	WHEREAS, the two Public Hearings were held pursuant to the published notices
27	described at which hearings the parties in interest and all others had an opportunity to be and
28	were, in fact, heard; and

Petition No. 116CPA-07 PB 1 CODE: Words stricken are deletions; words <u>underlined</u> are additions.

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1	WHEREAS, prior to adoption of this ordinance, the City Commission has considered
2	the comments, recommendation and objections, if any, of the State Land Planning Agency.
3	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF
4	THE CITY OF GAINESVILLE, FLORIDA:
5	Section 1. Policy 4.1.1 of the Future Land Use Element of the City of Gainesville
6	2000-2010 Comprehensive Plan, is amended by adding the "Business Industrial" land use
7	category, to read as follows:
8 9 10 11 12 13 14 15 16 17 18	<b>Business Industrial</b> . This land use category is primarily intended to identify those areas near the Gainesville Regional Airport appropriate for office, business, commercial and industrial uses. This district is distinguished from other industrial and commercial districts in that it is designed specifically to allow only uses that are compatible with the airport. Intensity will be controlled by adopting land development regulations that establish height limits consistent with the Airport Hazard Zoning Regulations. When not located within an airport zone of influence, this category may be used to designate areas for office, business, commercial and industrial uses, with a maximum height of 5 stories. Land development regulation(s) shall specify the type and distribution of uses, design criteria, landscaping, pedestrian and vehicular access.
19	Section 2. The City Manager is authorized and directed to make the necessary changes
20	in maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element,
21	or portion thereof in order to fully implement this ordinance.
22	Section 3. It is the intent of the City Commission that this amended element will
23	become part of the City of Gainesville 2000-2010 Comprehensive Plan.
24	Section 4. If any word, phrase, clause, paragraph, section or provision of this
25	ordinance or the application hereof to any person or circumstance is held invalid or
26	unconstitutional, such finding shall not affect the other provisions or applications of the
27	ordinance which can be given effect without the invalid or unconstitutional provisions or
28	application, and to this end the provisions of this ordinance are declared severable.
29	Section 5. All ordinances or parts of ordinances in conflict herewith are to the extent

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of such conflict hereby repealed.		
Section 6. This ordinance shall become effective immediately upon final adoption;		
however, the effective date of this plan amendment shall be the date a final order is issued l		
the Department of Community Affairs finding the amendment to be in compliance in		
accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the		
Administration Commission finding the amendment to be in compliance in accordance with		
Chapter 163.3184, F.S.		
PASSED AND ADOPTED this	s day of, 2008.	
	PEGEEN HANRAHAN MAYOR	
ATTEST:	Approved as to form and legality	
KURT M. LANNON CLERK OF THE COMMISSION	MARION J. RADSON CITY ATTORNEY	
	his day of, 2008. ag this day of, 2008.	