

ORDINANCE NO. 190537

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3 **An ordinance of the City of Gainesville, Florida, amending the Future Land Use**
4 **Map of the Comprehensive Plan by changing the land use category of**
5 **approximately 4.4 acres of property generally located south of Tax Parcel No.**
6 **07240-049-000, west of SW 41st Boulevard and Interstate 75, north of SW**
7 **Williston Road, and east of SW 75th Street, as more specifically described in**
8 **this ordinance, from Alachua County Light Industrial to City of Gainesville**
9 **Industrial (IND); providing directions to the City Manager; providing a**
10 **severability clause; providing a repealing clause; and providing an effective**
11 **date.**

12
13 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
14 Comprehensive Plan to guide the future development and growth of the city; and

15 **WHEREAS**, the City of Gainesville Comprehensive Plan, as required by Section 163.3177(1),
16 Florida Statutes, must provide the principles, guidelines, standards, and strategies for the
17 orderly and balanced future economic, social, physical, environmental, and fiscal development
18 of the city as reflected by the community's commitments to implement such plan; and

19 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville
20 Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that
21 designates the future general distribution, location, and extent of the uses of land for
22 residential, commercial, industry, agriculture, recreation, conservation, education, public
23 facilities, and other categories of the public and private uses of land, with the goals of
24 protecting natural and historic resources, providing for the compatibility of adjacent land uses,
25 and discouraging the proliferation of urban sprawl; and

26 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Future Land
27 Use Map of the Comprehensive Plan by changing the land use category of the property that is
28 the subject of this ordinance; and

1 **WHEREAS**, the amendment to the Future Land Use Map of the City of Gainesville
2 Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a
3 small-scale development amendment as provided in Section 163.3187, Florida Statutes; and
4 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
5 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
6 pursuant to Section 163.3174, Florida Statutes, held a public hearing on October 24, 2019, and
7 voted to recommend that the City Commission approve this Future Land Use Map amendment;
8 and
9 **WHEREAS**, at least five days' notice has been given once by publication in a newspaper of
10 general circulation notifying the public of this proposed ordinance and of a public hearing in
11 the City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and
12 **WHEREAS**, at least thirty (30) days' notice has been given by mail to each real property owner
13 whose land will be redesignated by enactment of this ordinance and whose address is known
14 by reference to the latest ad valorem tax records, notifying such property owners of this
15 proposed ordinance and of a public hearing in the City Hall Auditorium located on the first
16 floor of City Hall in the City of Gainesville; and
17 **WHEREAS**, the public hearing was held pursuant to the notice described above at which
18 hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.
19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
20 **FLORIDA:**

1 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is
2 amended by changing the land use category of the following property from Alachua County
3 Light Industrial to City of Gainesville Industrial (IND):

4 See legal description attached as **Exhibit A** and made a part hereof as if set forth
5 in full. The location of the property is shown on **Exhibit B** for visual reference.
6 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

7
8 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
9 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to
10 comply with this ordinance.

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

16 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
17 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.

18 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
19 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely
20 challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this
21 amendment will become effective on the date the state land planning agency or the
22 Administration Commission issues a final order determining the amendment to be in
23 compliance with Chapter 163, Florida Statutes. No development orders, development permits,

1 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced
2 before this amendment has become effective.

3

4 **PASSED AND ADOPTED** this 6th day of February, 2020.

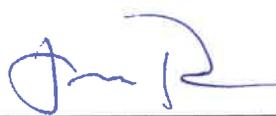
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LAUREN POE
MAYOR

10 Attest:

Approved as to form and legality:

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12

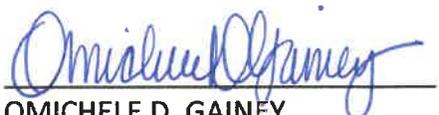
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OMICHELE D. GAINNEY
CLERK OF THE COMMISSION



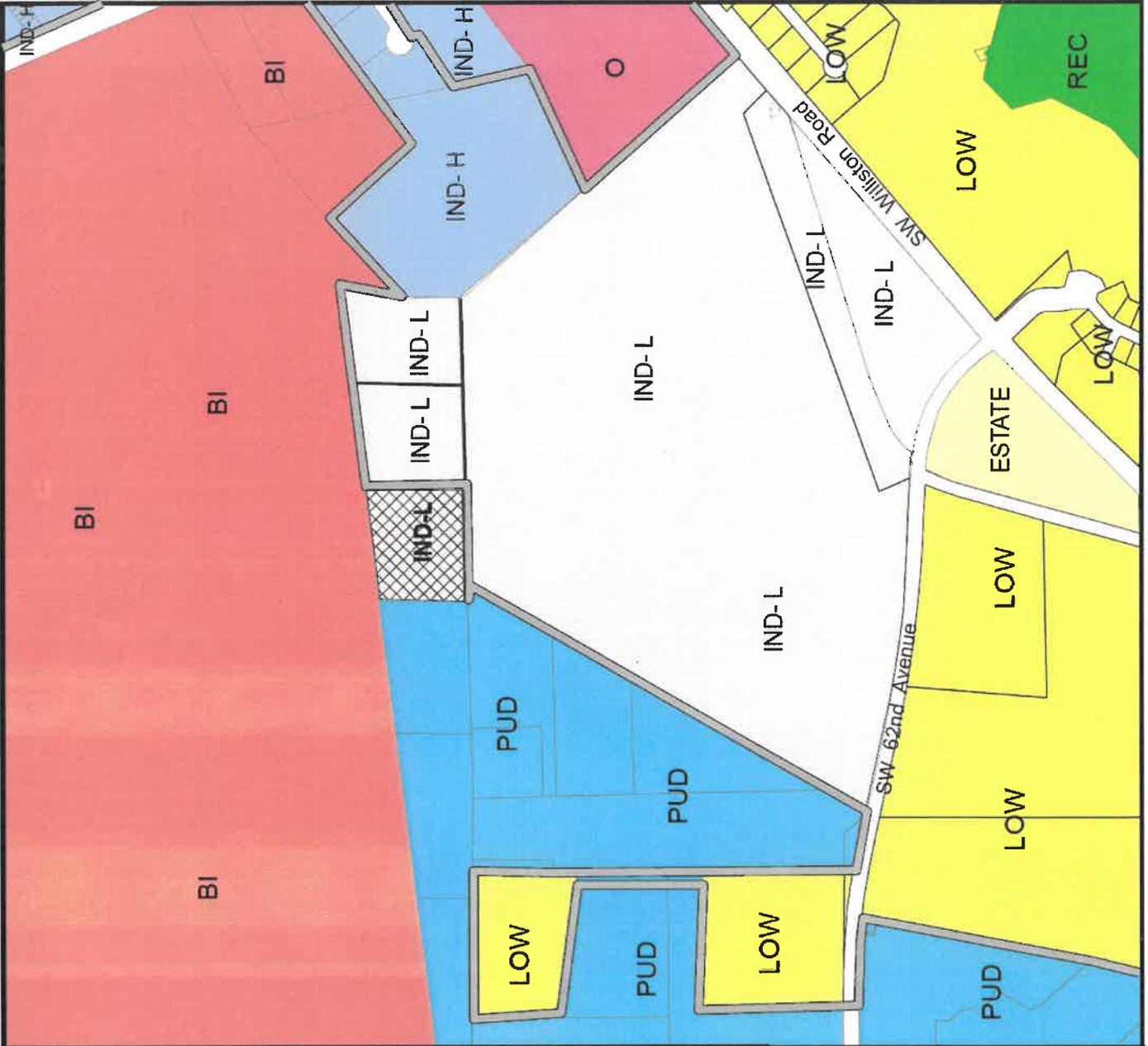
NICOLLE M. SHALLEY
CITY ATTORNEY

18 This ordinance was passed on Adoption Reading on this 6th day of February, 2020.

LEGAL DESCRIPTION

Commence at the Southwest corner of the said Lot 4 of Brooks Estates according to the Plat thereof for a point of reference; thence run North 39 deg. 32 min. 15 sec. West along the Southwesterly line of the said Lot 4, a distance of 104.14 feet; thence run North 83 deg. 57 min. 50 sec. East, a distance of 2451.15 feet to the point of beginning; thence continue North 83 deg. 57 min. 50 sec. East, a distance of 495.00 feet; thence run South 02 deg. 01 min. 17 sec. West, a distance of 412.38 feet to the South line of the said Lot 4; thence along the said South line of Lot 4 the following courses and distances; North 89 deg. 46 min. 22 sec. West, 402.52 feet; thence South 31 deg. 15 min. 08 sec. West, 32.42 feet and South 89 deg. 34 min. 23 sec. West, 59.08 feet; thence leaving the said South line of Lot 4, run North 02 deg. 01 min 17 sec. East a distance of 373.07 feet to the aforementioned point of beginning.

Parcel Identification Number: 07245-003-000



Petition PB-19-107 LUC Existing Land Use

Area under petition consideration

City of Gainesville Land Use Categories

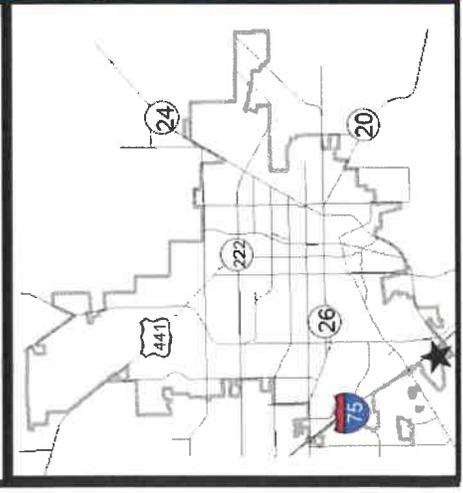
- O Office
- BI Business Industrial
- IND Industrial
- PUD Planned Use District

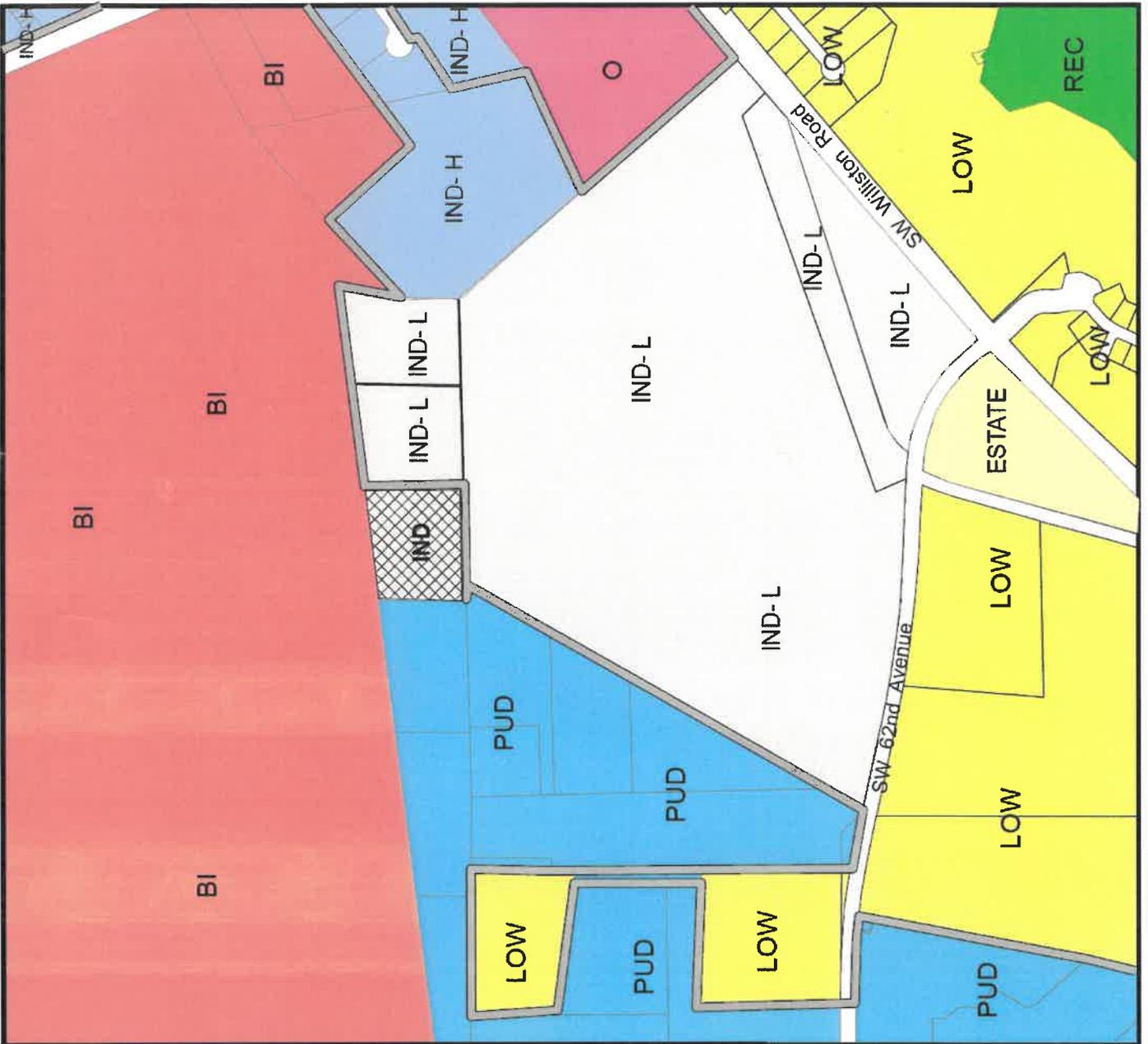
Alachua County Land Use Categories

- ESTATE Estate Residential
- LOW Low Density Residential
- REC Recreation
- IND-L Light Industrial
- IND-H Heavy Industrial

--- Division line between two land use categories

— City Limits





**Petition
PB-19-107 LUC
Proposed Land Use**

 Area under petition consideration

**City of Gainesville
Land Use Categories**

-  Office
-  BI Business Industrial
-  IND Industrial
-  PUD Planned Use District

**Alachua County
Land Use Categories**

- ESTATE Estate Residential
- LOW Low Density Residential
- REC Recreation
- IND-L Light Industrial
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 City Limits

