

Legislative #

140379A

ORDINANCE NO. 140379

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2
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 **2,327.59 acres of property that is generally located west of State Road 121**
6 **and north and east of the GRU Deerhaven Generating Station, as more**
7 **specifically described in this ordinance, from Alachua County**
8 **Rural/Agriculture (AG) to City of Gainesville Public and Institutional**
9 **Facilities (PF); providing directions to the City Manager; providing a**
10 **severability clause; providing a repealing clause; and providing an effective**
11 **date.**

12
13 **WHEREAS**, notice was given as required by law that the Future Land Use Map of the
14 City of Gainesville Comprehensive Plan be amended by changing the land use category of certain
15 property from Alachua County Rural/Agriculture (AG) to City of Gainesville Public and
16 Institutional Facilities (PF); and

17 **WHEREAS**, on September 25, 2014, a public hearing was held by the City Plan Board,
18 which acts as the local planning agency pursuant to Section 163.3174, Florida Statutes, where it
19 voted to recommend that the City Commission adopt this ordinance; and

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

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

28 **WHEREAS**, a second advertisement no less than two columns wide by ten (10) inches
29 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 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 Rural/Agriculture (AG) 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".

17
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
19

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

2 **PASSED AND ADOPTED** this _____ day of _____, 2015.

3

4

5

6

7

8 Attest:

Approved as to form and legality:

9

10

11

12 _____
KURT LANNON
13 CLERK OF THE COMMISSION

EDWARD B. BRADDY
MAYOR

NICOLLE M. SHALLEY
CITY ATTORNEY

14

15 This ordinance passed on (first) transmittal hearing this ____ day of _____, 2015.

16

17 This ordinance passed on (second) adoption hearing this ____ day of _____, 2015.



LEGAL DESCRIPTIONS

PARCEL A

A tract of land situated in Sections 23, 24, 25, 26, 35 and 36, Township 8 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped GFY LB021 at the Northwest corner of the aforementioned Section 25, Township 8 South, Range 19 East for the POINT OF BEGINNING and run N. 89°01'41" E., along the North line of said Section 25, a distance of 571.40 feet to a ½" steel rod and cap stamped GFY LB021 at the intersection of the South line of Parcel D as described in deed recorded in Official Records Book 2482, page 153 of the Public Records of Alachua County, Florida with said North line of said Section 25; thence run S. 88°56'13" E., along said South line of Parcel D, a distance of 161.39 feet to a 5/8" steel rod and cap stamped LB 6995 at the Southeast corner of said Parcel D; thence run N. 01°45'37" W., a distance of 5.73 feet to a 1/2" steel rod and cap stamped LS 1824 at the Southwest corner of the land as described in Official Records Book 2489, page 1238 of said Public Records; thence run N. 89°01'41" E., along said North line of Section 25, a distance of 601.15 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the S. E. 1/4 of the S. W. 1/4 of the aforementioned Section 24; thence run N.01°01'01"W., along the West line of said S. E. 1/4 of the S. W. 1/4, a distance of 1037.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.87°00'38"E., a distance of 397.37 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120' right of way), said right of way line being a curve concave Northeasterly, said curve having a radius of 11519.16 feet; thence run Southeasterly, along said right of way line, with said curve, through an arc angle of 04°47'26", an arc distance of 963.15 feet (chord bearing and distance of S.33°18'54"E., 962.87 feet respectively) to a 5/8" steel rod and cap stamped FlaDOT at the end of said curve; thence run S.35°42'37"E., continuing along said right of way line, a distance of 3449.99 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of the Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of the Public Records of Alachua County, Florida; thence run S.35°54'37"W., along said Easterly right of way line, a distance of 78.17 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.03°23'37"W., continuing along said Easterly right of way line, a distance of 5109.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.89°11'51"W., a distance of 6155.66 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the West line of the E. 1/2 of the aforementioned Section 35; thence run N.06°43'55"W., along said West line, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped McGriff Co. #509 at the Southwest corner of the E. 1/2 of the aforementioned Section 26; thence run N.01°29'21"W., along the West line of said E. 1/2 of Section 26, a distance of 5294.42 feet to a 4"x4" concrete

monument and cap stamped McGriff Co. at the Northwest corner of said E. 1/2 of Section 26; thence continue N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50' wide maintained right of way), said right of way line being a curve concave Northwesterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 23°52'03", an arc distance of 477.35 feet (chord bearing and distance of N.70°42'38"E., 473.91 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run N.58°46'37"E., continuing along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 234.92 feet (chord bearing and distance of N.64°39'00"E., 234.51 feet respectively) to a 1/2" steel rod and cap stamped GFY LB021 at the end of said curve; thence run N.70°31'22"E., continuing along said right of way line, a distance of 156.66 feet to a 4"x4" concrete monument and cap stamped PRM 2115 on the East line of the aforementioned Section 23; thence run S.01°02'09"E., along said East line, a distance of 1398.79 feet to the POINT OF BEGINNING.

PARCEL B-1

A tract of land situated in Sections 21, 22, 23 and 24, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East for a point of reference and run N.01°29'21"W., a distance of 85.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Northerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way) and the POINT OF BEGINNING; thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1095.92 feet, through an arc angle of 05°41'40", an arc distance of 108.92 feet (chord bearing and distance of S.85°13'22"W., 108.88 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 2569.62 feet to a 1/2" steel rod and cap stamped GFY LB021 on the West line of said Section 23; thence continue S.88°04'12"W., along said right of way line, into the aforementioned Section 22, a distance of 2832.53 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 968.36 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 1559.14 feet to a 4"x4" concrete monument with no identification, said concrete monument being the Southwest corner of said Section 22; thence run N.01°49'14"W., along the West line of said Section 22, a distance of 2010.26 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the N. 1/4 of the S. E. 1/4 of the aforementioned Section 21; thence run S.89°51'02"W., along the South line of said N. 1/4 of the S. E. 1/4 of Section 21, a distance of 861.59 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Easterly right of way line of County Road N. W. 59th Drive (80 foot right of way); thence run Northerly, along said Easterly right of way line, with a curve concave Westerly and having a radius of 677.29 feet, through an arc angle of 24°49'35", an arc distance of 293.47 feet (chord bearing and distance of

N.15°11'21"E., 291.18 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run N.02°46'33"E., along said right of way line, a distance of 396.52 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the North line of said S. E. 1/4 of Section 21; thence run S.89°36'37"E., along said North line, a distance of 744.82 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 22; thence run N.86°57'27"E., along the North line of the S. 1/2 of said Section 22, a distance of 5364.16 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 23; thence run S.88°44'09"E., along the North line of the S. 1/2 of said Section 23, a distance of 5395.83 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 24; thence run N.88°17'15"E., along the North line of the S. 1/2 of said Section 24, a distance of 846.24 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120 foot right of way); thence run S.30°02'35"E., along said Westerly right of way line, a distance of 835.90 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the aforementioned Northerly maintained right of way line of County Road N. W. 128th Lane; thence run S.70°31'22"W., along said Northerly right of way line, into said Section 23, a distance of 1492.77 feet to a 1/2" steel rod and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly and having a radius of 1195.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 245.17 feet (chord bearing and distance of S.64°39'00"W., 244.74 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.58°46'37"W., along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Northerly, said curve having a radius of 1095.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 23°35'55", an arc distance of 451.38 feet (chord bearing and distance of S.70°34'34"W., 448.20 feet respectively) to the POINT OF BEGINNING.

TOGETHER WITH:

A strip of land situated in Sections 22 and 23, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:
 BEGIN at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East and run N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way); thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1145.92 feet, through an arc angle of 05°25'33", an arc distance of 108.52 feet (chord bearing and distance of S.85°21'26"W., 108.48 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 3135.59 feet into the aforementioned Section 22, to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection of said right of way line with the South line of said Section 22; thence run N.88°40'03"E., along said South line of Section 22, a distance of 565.83 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Southwest corner of said Section 23; thence run

N.88°35'44"E., along the South line of said Section 23, a distance of 2677.98 feet to the POINT OF BEGINNING.

PARCEL B-2

A tract of land situated in Sections 35 and 36, Township 8 South, Range 19 East, and in Fractional Sections 1 and 2, Outside the Arredondo Grant, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. RLS 509 at the Northwest corner of the E. 1/2 of the aforementioned Section 35, Township 8 South, Range 19 East for a point of reference and run S.06°43'55"E., along the West line of said E. 1/2 of Section 35, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the lands described in deed recorded in Official Records Book 2400, page 1034 of the Public Records of Alachua County, Florida, and the POINT OF BEGINNING; thence continue S.06°43'55"E., along said West line of the E. 1/2, a distance of 2873.98 feet to a 4"x4" concrete monument and cap stamped McGriff Co. at the Southwest corner of said E. 1/2 of Section 35; thence run N.89°32'46"E., along the North line of the aforementioned Fractional Section 2, a distance of 197.05 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeasterly corner of the Griffis Lumber, Inc. lands as described in Official Records Book 1942, page 445 of said Public Records; thence run S.22°44'25"E., a distance of 231.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.22°55'18"E., a distance of 218.40 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.20°17'27"E., a distance of 253.45 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.64°28'27"E., a distance of 152.77 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the monumented north line of the CHARLES G. WOODBRIDGE UNRECORDED PLAT BY ROBERT E. HARDEE, SURVEYOR, DATED MARCH 1, 1927, being the North line of the Arredondo Grant as monumented; thence run N.89°23'03"E., along said North line, a distance of 1032.26 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 4 and 5 of said unrecorded plat; thence run S.89°57'35"E., along said North line, a distance of 943.29 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 5 and 6 of said unrecorded plat; thence run N.89°02'04"E., along said North line, a distance of 532.77 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeast corner of Fractional Section 2, Inside the Arredondo Grant, Township 9 South, Range 19 East; thence run N.89°01'39"E., along said North line of the Arredondo Grant, a distance of 2499.64 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of The Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of said Public Records; thence run N.03°23'37"E., along said Easterly right of way line, a distance of 3601.84 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the aforementioned lands described in Official Records Book 2400, page 1034 of said Public Records; thence run S.89°11'51"W., along the South line of said lands, a distance of 6155.66 feet to the POINT OF BEGINNING.

All of the above described lands contain a net area of 2327.59 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)
- IND Industrial
- CON Conservation
- PF Public and Institutional Facilities

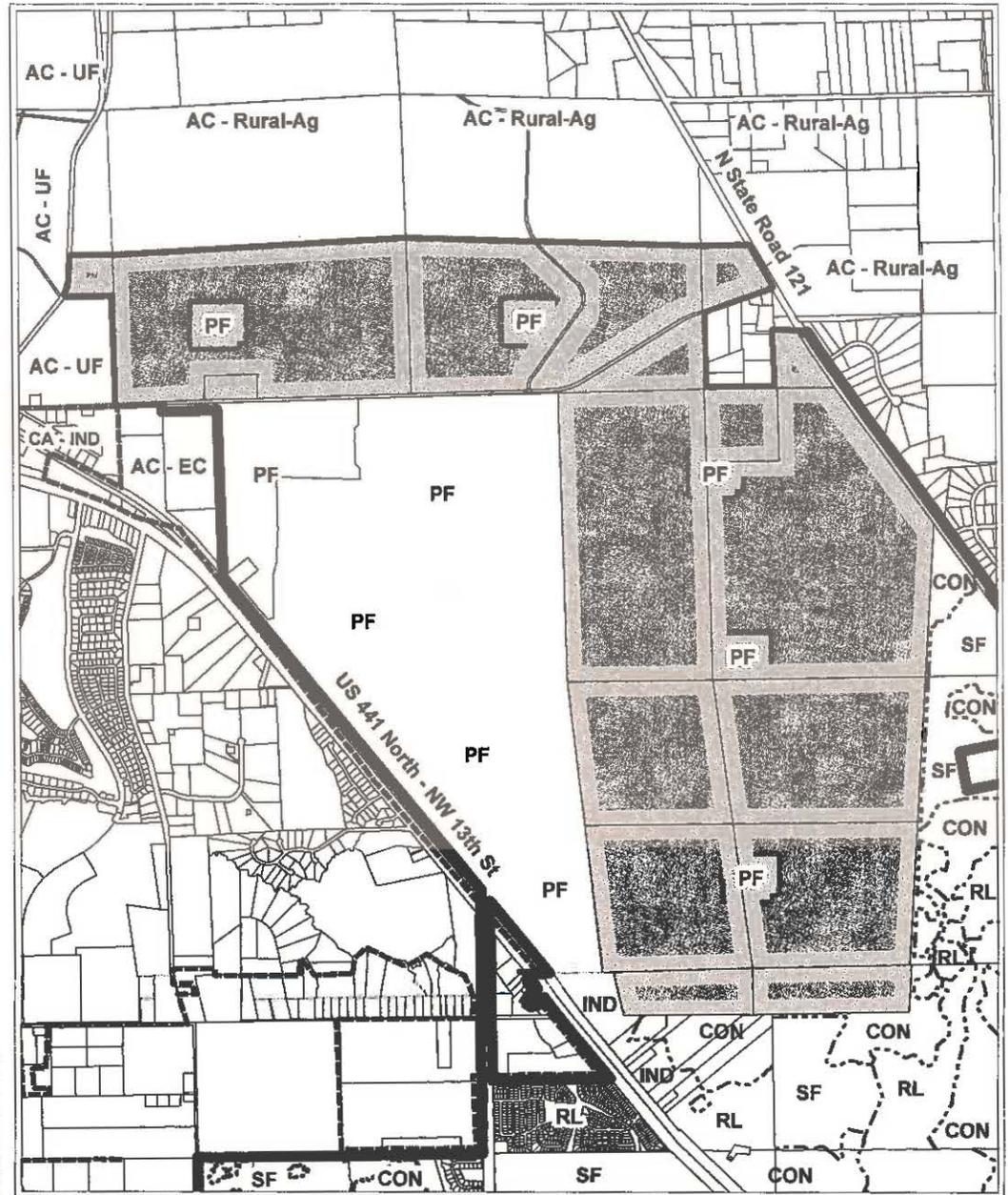
Alachua County Land Use Designations

- AC - EC Rural Employment Center
- AC - RURAL-AG Rural/Agriculture
- AC - UF University of Florida Master Plan

City of Alachua Land Use Designations

- CA - IND Industrial

-  Split Land Use Categories
 -  Gainesville City Limits
 -  Alachua City Limits
- Area under petition consideration*
- 



PROPOSED LAND USE

Name	Petition Request	Petition Number
City of Gainesville, applicant	Amend the City of Gainesville Future Land Use map from Alachua County Rural/Agriculture (AC - RURAL-AG) category to City of Gainesville Public and Institutional Facilities (PF)	PB-14-73 LUC



City of Gainesville Land Use Designations

- SF Single-Family (up to 8 du/acre)
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- IND Industrial
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Alachua County Land Use Designations

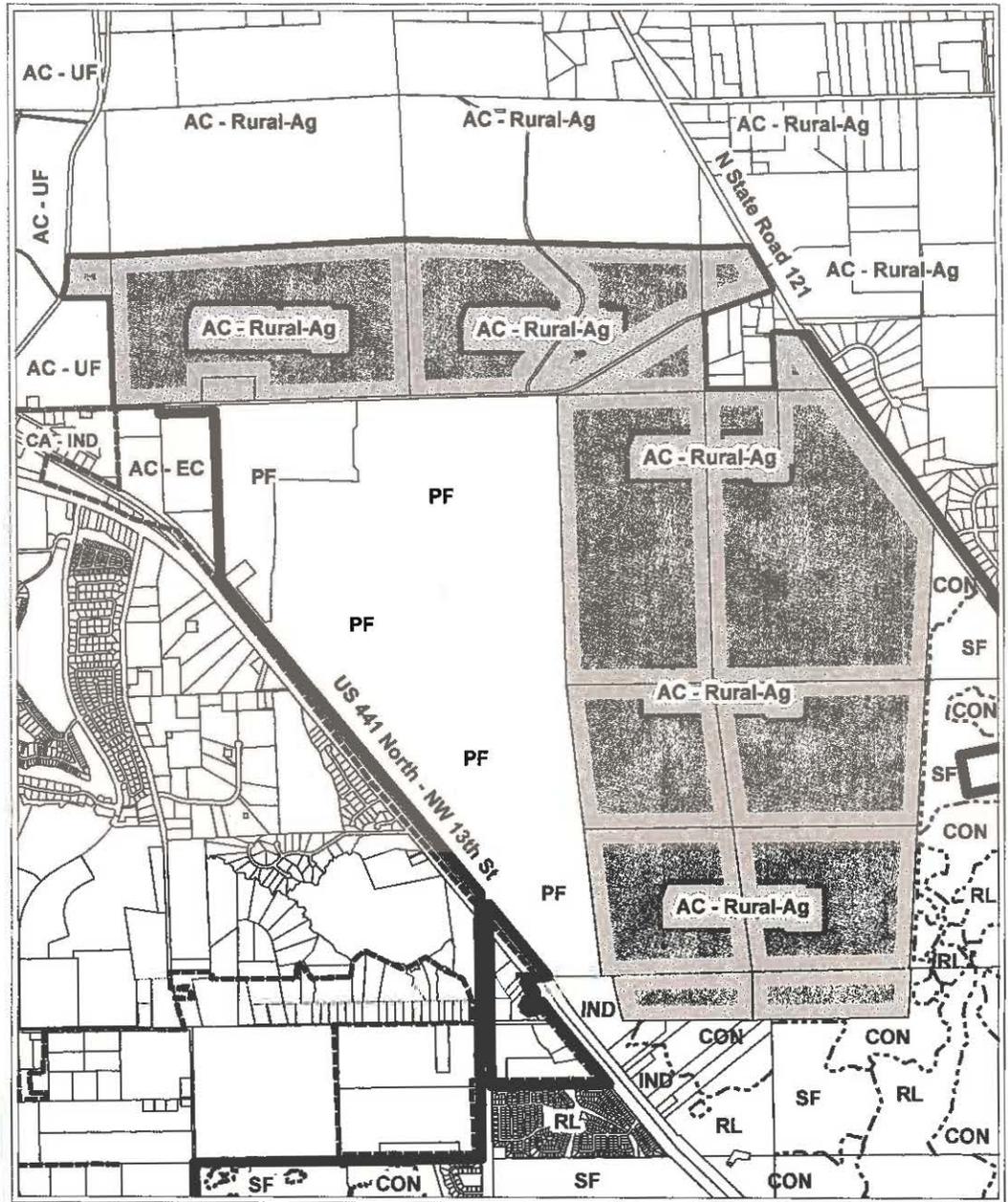
- AC - EC Rural Employment Center
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City of Alachua Land Use Designations

- CA - IND Industrial

-  Split Land Use Categories
-  Gainesville City Limits
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Area
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EXISTING LAND USE

Name	Petition Request	Petition Number
City of Gainesville, applicant	Amend the City of Gainesville Future Land Use map from Alachua County Rural/Agriculture (AC - RURAL-AG) category to City of Gainesville Public and Institutional Facilities (PF)	PB-14-73 LUC

