

LEGISLATIVE #
190537A

ORDINANCE NO. 190537

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

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

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

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

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

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

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

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

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

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

SECTION 5. This ordinance will become effective immediately upon adoption; however, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this amendment will become effective on the date the state land planning agency or the Administration Commission issues a final order determining the amendment to be in 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.

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4 **PASSED AND ADOPTED** this ____ day of _____, 2020.

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11 Attest:

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15 _____
16 OMICHELE D. GAINNEY
17 CLERK OF THE COMMISSION

18

19

LAUREN POE
MAYOR

Approved as to form and legality:

NICOLLE M. SHALLEY
CITY ATTORNEY


19 This ordinance was passed on Adoption Reading on this ____ day of _____ 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

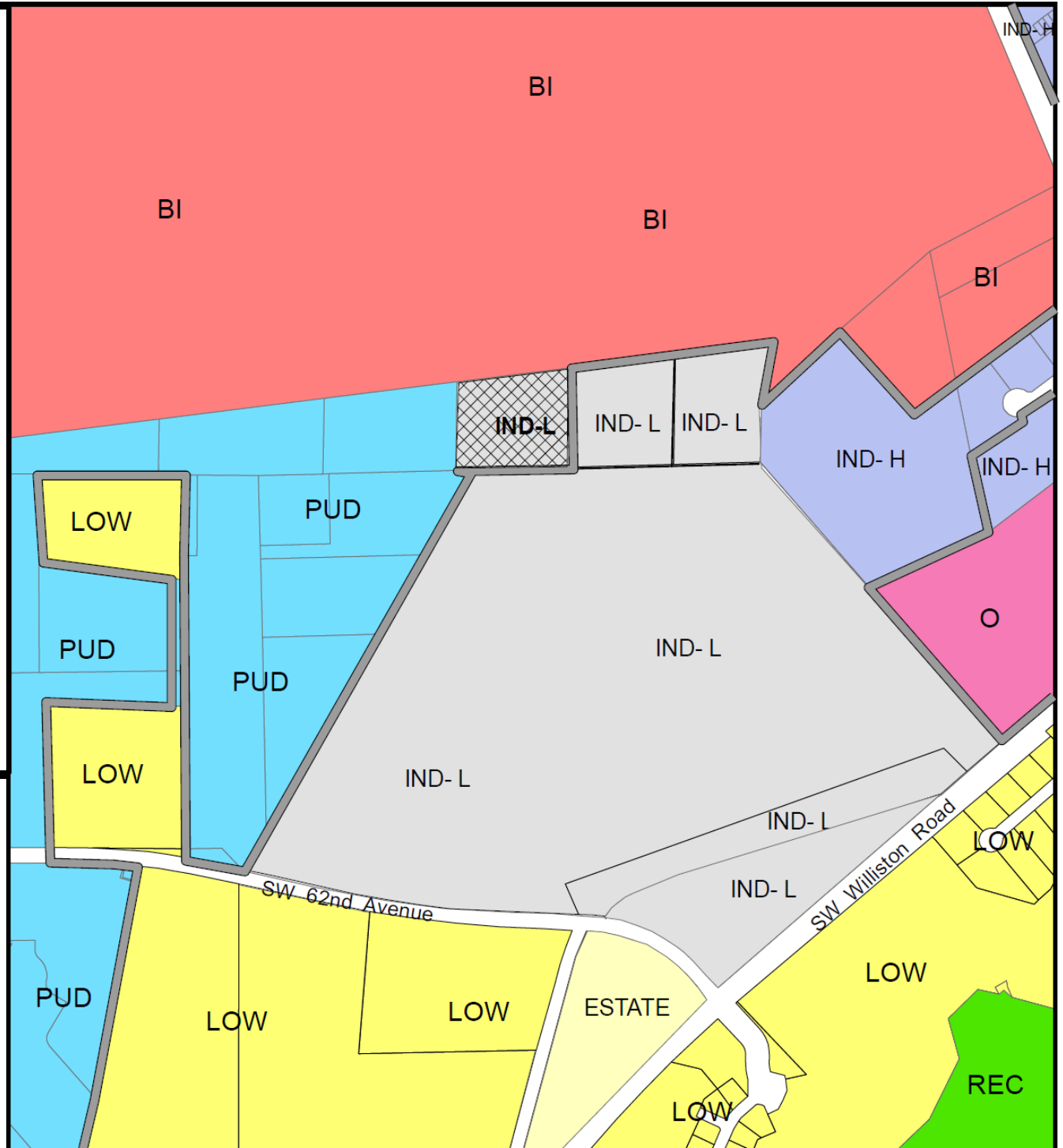
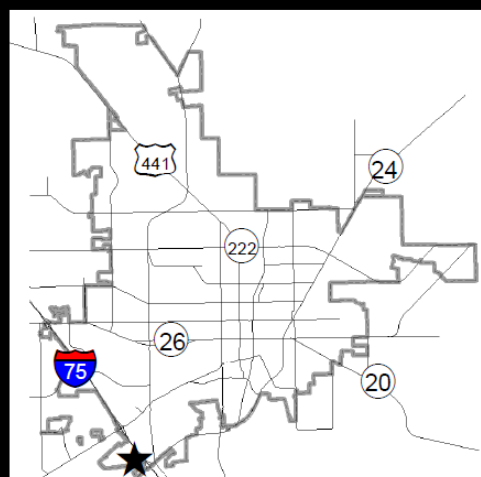
**City of Gainesville
Land Use Categories**

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**

O Office
BI Business Industrial
IND Industrial
PUD Planned Use District

**Alachua County
Land Use Categories**

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