

**LEGISLATIVE #**

**200878A**

ORDINANCE NO. 200878

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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 4.82 acres of property generally located at 1015 South Main**  
6 **Street, as more specifically described in this ordinance, from Industrial (IND) to**  
7 **Urban Core (UC); providing directions to the City Manager; providing a**  
8 **severability clause; providing a repealing clause; and providing an effective**  
9 **date.**

10  
11 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a  
12 Comprehensive Plan to guide the future development and growth of the city; and

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

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

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

27 **WHEREAS**, this amendment to the Future Land Use Map of the City of Gainesville  
28 Comprehensive Plan proposed herein involves a use of 10 acres or fewer and qualifies as a  
29 small-scale development amendment as provided in Section 163.3187, Florida Statutes; and

30 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
31 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
32 pursuant to Section 163.3174, Florida Statutes, held a public hearing on March 25, 2021, and  
33 voted to recommend that the City Commission approve this Future Land Use Map amendment;  
34 and

35 **WHEREAS**, at least five days' notice has been given once by publication in a newspaper of  
36 general circulation notifying the public of this proposed ordinance and a public hearing held by  
37 the City Commission; and

38 **WHEREAS**, the public hearing was held pursuant to the notice described above at which  
39 hearing the parties in interest and all others had an opportunity to be and were, in fact, heard.

40 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
41 **FLORIDA:**

42 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
43 amended by changing the land use category of the following property from Industrial (IND) to  
44 Urban Core (UC):

45 See legal descriptions attached as **Exhibit A** and made a part hereof as if set  
46 forth in full. The location of the property is shown on **Exhibit B** for visual  
47 reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over  
48 **Exhibit B.**  
49

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

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

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

60 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
61 effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely  
62 challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this  
63 amendment will become effective on the date the state land planning agency or the  
64 Administration Commission issues a final order determining the amendment to be in  
65 compliance with Chapter 163, Florida Statutes. No development orders, development permits,  
66 or land uses dependent on this Comprehensive Plan amendment may be issued or commenced  
67 before this amendment has become effective.

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72 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

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\_\_\_\_\_  
LAUREN POE

77

MAYOR

78

79 Attest:

Approved as to form and legality:

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\_\_\_\_\_

\_\_\_\_\_

83 OMICHELE D. GAINEY

NICOLLE M. SHALLEY

84 CITY CLERK

CITY ATTORNEY

85

86

87 This ordinance was passed on Adoption Reading on this \_\_\_\_ day of \_\_\_\_\_, 2021.

## Exhibit A to Ordinance 200878

A Parcel of land located in Fractional Section 8, Township 10 South, Range 20 East, more particularly described as follows:

Commence at the Northeast corner of said Section 8, thence run South  $89^{\circ}35'25''$  West, along the North line of said Section 8, a distance of 756.21 feet to the centerline of State Road Number 329 (South Main Street) having a right-of-way width of 100.00 feet; thence run South  $16^{\circ}00'42''$  West along said centerline, 509.96 feet to the point of curvature of a curve concave to the East, having a radius of 2864.79 feet and a central angle of  $8^{\circ}54'20''$ ; thence run along the arc of said curve, a distance of 445.28 feet to the point of tangency of said curve; thence run south  $82^{\circ}53'38''$  East, 67.00 feet to the Point of Beginning and the Easterly right-of-way line of said State Road Number 329 and the Point of Curvature of a curve concave to the East, having a radius of 2797.79 feet and a central angle of  $0^{\circ}03'55''$ , thence run Northeasterly along the arc of said curve, a distance of 3.19 feet; thence run South  $83^{\circ}28'20''$  East, 52.51 feet; thence run North  $1^{\circ}39'06''$  West, 30.00 feet; thence run South  $52^{\circ}27'39''$  East, 5.21 feet; thence run South  $74^{\circ}27'04''$  East, 120.00 feet; thence run South  $21^{\circ}41'08''$  East, 114.72 feet; thence run South  $28^{\circ}41'36''$  East, 50.00 feet; thence run South  $28^{\circ}08'06''$  East, 107.08 feet, thence run South  $36^{\circ}45'36''$  East, 108.42 feet; then run South  $41^{\circ}31'06''$  East, 159.20 feet; thence run South  $47^{\circ}08'21''$  East, 50.00 feet; thence run South  $53^{\circ}19'36''$  East, 50.00 feet; thence run South  $61^{\circ}45'51''$  East, 50.00 feet; thence run South  $57^{\circ}58'06''$  East, 75.46 feet, thence run South  $41^{\circ}16'04''$  West, 75.00 feet, to the Northerly right-of-way line of the Seaboard Coastline Railroad (now CSX); thence run North  $74^{\circ}22'49''$  West, along said Northerly right-of-way line, 509.88 feet to a right-of-way change; thence run North  $7^{\circ}34'29''$  West, 21.09 feet; thence run North  $74^{\circ}22'49''$  West, along said Northerly right-of-way line, 161.20 feet to the Easterly right-of-way line of State Road Number 329; thence run North  $7^{\circ}06'22''$  East, along said Easterly right-of-way line, 269.06 feet; thence run North  $78^{\circ}39'52''$  East, 42.21 feet; thence run South  $82^{\circ}46'46''$  East, 38.99 feet; thence run North  $2^{\circ}55'11''$  West, 40.66 feet; thence run North  $82^{\circ}46'46''$  West, 54.95 feet; thence run North  $45^{\circ}24'59''$  West, 21.42 feet to said Easterly right-of-way line; thence run North  $7^{\circ}06'22''$  East, along said Easterly right-of-way line, a distance of 109.33 feet to the Point of Beginning.

Parcel Identification Numbers: 15704-004-000, 15704-002-000, and 15646-000-000

Exhibit A to Ordinance 200878

A 0.08 acre parcel of land located in Section 8 Township 10 South, Range 20 East, being bounded on the North, East and South side by property described in Official Records Book 1921, Pages 0372 and 0373, and bounded on the West side by State Highway 329 (South Main Street). Being more particularly described as follows:

For a point of reference commence at the Northeast corner of Section 8, Township 10 South, Range 20 East; thence South  $89^{\circ}35'40''$  East, along the North line of said Section 8, a distance of 756.11 feet to the center line of State Road Number 329 (South Main Street) having a right of way width of 100.00 feet; thence South  $16^{\circ}00'42''$  West along said center line, a distance of 509.96 feet to the point of curvature of a curve concave to the East, having a radius of 2864.79 feet and a central angle of  $08^{\circ}54'20''$ ; thence Southerly along the arc of said curve, a distance of 445.28 feet to the point of tangency of said curve; thence South  $82^{\circ}53'38''$  East, 67.00 feet to the easterly right of way of State Road Number 329 (South Main Street), thence South  $07^{\circ}05'16''$  West, along said easterly right of way, a distance of 109.07 feet to a #5 Rebar & Cap LB #3759 and the Point of Beginning; thence South  $45^{\circ}27'46''$  East, a distance of 21.48 feet to a #5 Rebar & Cap PLS #2228; thence South  $82^{\circ}49'33''$  East, a distance 54.89 feet to a concrete monument no identification; thence South  $02^{\circ}59'21''$  East, a distance of 40.70 feet to a Nail & Disk PLS #3765; thence North  $82^{\circ}47'55''$  West, a distance of 38.99 feet to a Nail & Disk PLS #3765; thence South  $78^{\circ}47'09''$  West, a distance of 42.21 feet to a #5 Rebar & Cap LB #244 and an intersection with said easterly right of way of State Road Number 329 (South Main Street); thence North  $07^{\circ}05'16''$  East, along said easterly right of way line, a distance of 66.40 feet to the Point of Beginning. Containing 0.08 acres, more or less or 3,402 square feet, more or less.

Parcel Identification Number: 15704-008-000

Exhibit B to Ordinance 200878





# Exhibit B to Ordinance 200878

