

ORDINANCE NO. 190981

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3 An ordinance of the City of Gainesville, Florida, amending the Zoning Map  
4 Atlas by rezoning approximately 20.73 acres of property generally located  
5 northwest of the intersection of SW 43<sup>rd</sup> Street and SW 24<sup>th</sup> Avenue, as more  
6 specifically described in this ordinance, from Residential Multi-Family (RMF-8),  
7 Residential Multi-Family (RMF-7), and Single/Multi-Family (RMF-5) to Urban 9  
8 (U9); providing directions to the City Manager; providing a severability clause;  
9 providing a repealing clause; and providing an effective 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**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville  
14 Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that  
15 designates the future general distribution, location, and extent of the uses of land for  
16 residential, commercial, industry, agriculture, recreation, conservation, education, public  
17 facilities, and other categories of the public and private uses of land, with the goals of  
18 protecting natural and historic resources, providing for the compatibility of adjacent land uses,  
19 and discouraging the proliferation of urban sprawl; and

20 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or  
21 amend and enforce land development regulations that are consistent with and implement the  
22 Comprehensive Plan and that are combined and compiled into a single land development code  
23 for the city; and

24 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville  
25 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and  
26 land development regulations on specific classifications of land within the city; and

27 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the Zoning Map  
28 Atlas by rezoning the property that is the subject of this ordinance; and

29 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
30 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
31 pursuant to Section 163.3174, Florida Statutes, held a public hearing on April 22, 2021, and  
32 voted to recommend that the City Commission approve this rezoning; and

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

36 **WHEREAS**, the public hearings were held pursuant to the notice described above at which  
37 hearings the parties in interest and all others had an opportunity to be and were, in fact,  
38 heard; and

39 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
40 consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
41 Comprehensive Plan adopted by Ordinance No. 190980 becomes effective as provided therein.

42 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
43 **FLORIDA:**

44 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
45 following property from Residential Multi-Family (RMF-8), Residential Multi-Family (RMF-7),  
46 and Single/Multi-Family (RMF-5) to Urban 9 (U9):

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

50  
51 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
52 changes to the Zoning Map Atlas to comply with this ordinance.

53 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or

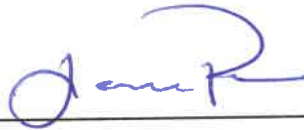
54 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
55 finding will not affect the other provisions or applications of this ordinance that can be given  
56 effect without the invalid or unconstitutional provision or application, and to this end the  
57 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.

60 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
61 rezoning will not become effective until the amendment to the City of Gainesville  
62 Comprehensive Plan adopted by Ordinance No. 190980 becomes effective as provided therein.

63 **PASSED AND ADOPTED** this 2<sup>nd</sup> day of December, 2021.

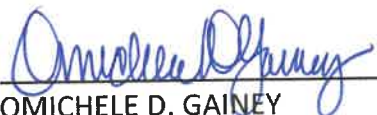
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\_\_\_\_\_  
LAUREN POE  
MAYOR

70 Attest:

Approved as to form and legality:

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\_\_\_\_\_  
OMICHELE D. GAINNEY  
CITY CLERK

  
\_\_\_\_\_  
DANIEL M. NEE  
INTERIM CITY ATTORNEY

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This ordinance passed on first reading the 18<sup>th</sup> day of November, 2021.

This ordinance passed on adoption reading the 2<sup>nd</sup> day of December, 2021.

## Exhibit A to Ordinance 190981



### LEGAL DESCRIPTION

June 7, 2021

For: Tax Parcel 06686-000-000

A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 10, THENCE SOUTH 89°20'13" WEST ALONG THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 660.16 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF (W. 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 10 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH LINE, NORTH 0°46'38" WEST ALONG THE EAST LINE OF SAID WEST ONE-HALF, A DISTANCE OF 1166.32 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 50°54'02" WEST, A DISTANCE OF 419.51 FEET TO THE INTERSECTION WITH THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2352, PAGE 2255 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 0°40'55" EAST ALONG SAID EAST LINE, A DISTANCE OF 245.90 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE SOUTH 89°20'13" WEST ALONG THE SOUTH LINE OF SAID LANDS A DISTANCE OF 330.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS, SAID CORNER LYING ON THE WEST LINE OF SAID WEST ONE-HALF OF THE SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE SOUTH 0°40'55" EAST ALONG SAID WEST LINE, A DISTANCE OF 59.87 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4300, PAGE 2031 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 89°20'08" EAST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 210.14 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE SOUTH 0°41'00" EAST ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 390.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS, LYING ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1586, PAGE 86 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 89°20'37" EAST ALONG THE NORTH LINE OF SAID LANDS AND ITS EASTERLY PROJECTION THEREOF, A DISTANCE OF 240.20 FEET TO THE NORTHWEST CORNER OF THE SOUTH 210 FEET OF THE EAST 210 FEET OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 10; THENCE SOUTH 0°45'30" EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 209.73 FEET TO THE AFOREMENTIONED SOUTH LINE OF SECTION 10; THENCE NORTH 89°20'13" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.

LESS:

Parcel No. 105

Section No. 26000

F.P. No. 2113657 (2113656)

S.W. 62<sup>nd</sup> Blvd. Arterial Connector

A Part of Section 10, Township 10 South, Range 19 East, Alachua County, Florida; Being More Particularly Described As Follows:

## Exhibit A to Ordinance 190981

Commence At The Northeast Corner Of The Northeast One-Quarter of Section 15, Township 10 South, Range 19 East, Alachua County, Florida; Thence South 00°37'50" East, Along The East Line Of Said Northeast One-Quarter, A Distance Of 561.68 Feet To The Baseline Of Survey Of Clark Butler Boulevard (A Variable Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section 26000, F.P. No. 2113656); Thence North 89°11'12" West, Along Said Baseline Of Survey, A Distance Of 154.94 Feet To The Point Of Curvature Of A Curve To The Right, Having A Radius Of 2083.00 Feet; Thence Along Said Baseline Of Survey And Curve, Through A Angle Of 20°09'51", An Arc Distance Of 733.07 Feet And A Chord Bearing And Distance Of North 79°06'17" West, 729.29 Feet; Thence North 00°45'41" West, A Distance Of 411.60 Feet To The South Line Of The Southeast One-Quarter of Section 10, Township 10 South, Range 19 East, Alachua County, Florida And To The Point Of Beginning; Thence North 00°45'41" West, A Distance Of 209.74 Feet; Thence South 89°20'45" West, A Distance Of 14.28 Feet; Thence North 00°46'42" West, A Distance Of 158.06 Feet; Thence North 89°14'12" East, A Distance Of 224.24 Feet; Thence South 00°46'30" East, A Distance Of 368.20 Feet To The South Line Of Said Southeast One-Quarter; Thence South 89°20'21" West, Along The South Line Of Said Southeast One-Quarter A Distance Of 210.00 Feet To The Point Of Beginning.

For: Tax Parcel 06687-001-000

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 OF SE 1/4) OF SECTION TEN (10), TOWNSHIP TEN (10) SOUTH, RANGE NINETEEN (19) EAST, THENCE RUN NORTH 70 YARDS, THENCE RUN EAST 140 YARDS, THENCE RUN SOUTH 70 YARDS, THENCE RUN WEST 140 YARDS TO THE POINT OF BEGINNING, CONTAINING TWO (2) ACRES MORE OR LESS.

For: Tax Parcel 06687-002-000

BEGIN AT THE SW CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, THENCE RUN NORTH 70 YARDS TO THE POINT OF BEGINNING, THENCE CONTINUE NORTH 130 YARDS, THENCE EAST 70 YARDS, THENCE SOUTH 130 YARDS, THENCE WEST 70 YARDS TO THE POINT OF BEGINNING, ALL LYING AND BEING IN THE WEST HALF OF THE SE 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA.

For: Tax Parcel 06684-001-000

A PARCEL OF LAND SITUATED IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING A PART OF LOT 7, AS SHOWN ON PLAT BOOK "A", PAGE 10, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN NORTH 89 DEG. 58 MIN. 20 SEC. WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 10, A DISTANCE OF 1,320.70 FEET TO A CONCRETE MONUMENT (NO I.D.) AND THE POINT OF BEGINNING; THENCE RUN NORTH 89 DEG. 57 MIN. 45 SEC. WEST ALONG THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 10, A DISTANCE OF 460.94 FEET TO A ONE AND ONE-HALF ( 1 1/2) INCH IRON PIPE AT THE

## Exhibit A to Ordinance 190981

INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF I-75, (U.S. NO. 93) (A 300 FOOT RIGHT-OF-WAY); THENCE RUN NORTH 31 DEG. 58 MIN. 50 SEC. WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY, A DISTANCE OF 897.50 FEET TO A FOUND REBAR AND P.L.S. CAP #3628. AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 7; THENCE RUN SOUTH 89 DEG. 52 MIN. 52 SEC. EAST ALONG SAID NORTH LINE A DISTANCE OF 936.27 FEET TO A SET REBAR AND P.L.S. CAP #2228; THENCE RUN SOUTH 00 DEG. 00 MIN. 05 SEC. EAST, A DISTANCE OF 759.64 FEET TO THE POINT OF BEGINNING. CONTAINING 12.190 ACRES, MORE OR LESS.

BEING SUBJECT TO A GAINESVILLE REGIONAL UTILITY EASEMENT OVER AND ACROSS THE WESTERLY 100 FEET THEREOF AS RECORDED IN OFFICIAL RECORDS BOOK 1606 PAGE 2983-2985. ALSO BEING SUBJECT TO A 100 FOOT FLORIDA CORPORATION EASEMENT OVER AND ACROSS SAID PROPERTY; SAID FLORIDA CORPORATION EASEMENT BEING RECORDED IN DEED BOOK 327, PAGE 430 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

LESS:

Parcel No. 109  
Section 26000  
F.P. 2113657 (2113656)  
S.W. 62<sup>nd</sup> Blvd. Arterial Connector

A Part Of Section 10, Township 10 South, Range 19 East, Alachua County, Florida, Being More Particularly Described As Follows:

Commence At The Southwest Corner Of The Southeast One-Quarter Of Section 10, Township 10 South, Range 19 East, Alachua County, Florida; Thence North Thence North 00°41'50" West, Along The West Line Of Said Southeast One-Quarter, A Distance Of 1660.19 Feet To The Baseline Survey Of S.W. 52<sup>nd</sup> Street (A 100' Width Right Of Way, As Per Florida Department Of Transportation Right Of Way Map, Section No. 26000, F.P. No. 2113656); Thence South 32°39'59" East, Along Said Baseline Of Survey, A Distance Of 1064.06 Feet To The Point Of Beginning; Thence North 89°19'53" East, A Distance Of 58.96 Feet; Thence South 32°39'59" East, A Distance Of 424.28 Feet To A Curve To The Left, Having A Radius Of 2045.67 Feet; Thence Along Said Curve, Through An Angle Of 04°40'44", An Arc Distance Of 167.06 Feet And A Chord Bearing And Distance Of South 35°00'21" East, 167.01 Feet To A Curve To The Left, Having A Radius Of 2230.00 Feet; Thence Along Said Curve, Through An Angle Of 09°21'17", An Arc Distance Of 354.10 Feet And A Chord Bearing And Distance Of South 44°58'58" East, 363.69 Feet To The South Line Of Said Southeast One-Quarter; Thence South 89°20'21" West, Along The South Line Of Said Southeast One-Quarter A Distance Of 198.61 Feet To A Point On A Curve To The Right, Having A Radius Of 2154.00 Feet; Thence Along Said Curve, Through An Angle Of 02°16'33", An Arc Distance Of 85.56 Feet And A Chord Bearing And Distance Of North 43°25'52" West, 85.55 Feet; Thence North 32°39'59" West, A Distance Of 819.64 Feet; Thence North 89°19'53" East, A Distance Of 58.96 Feet To Said Baseline Of Survey And To The Point Of Beginning.

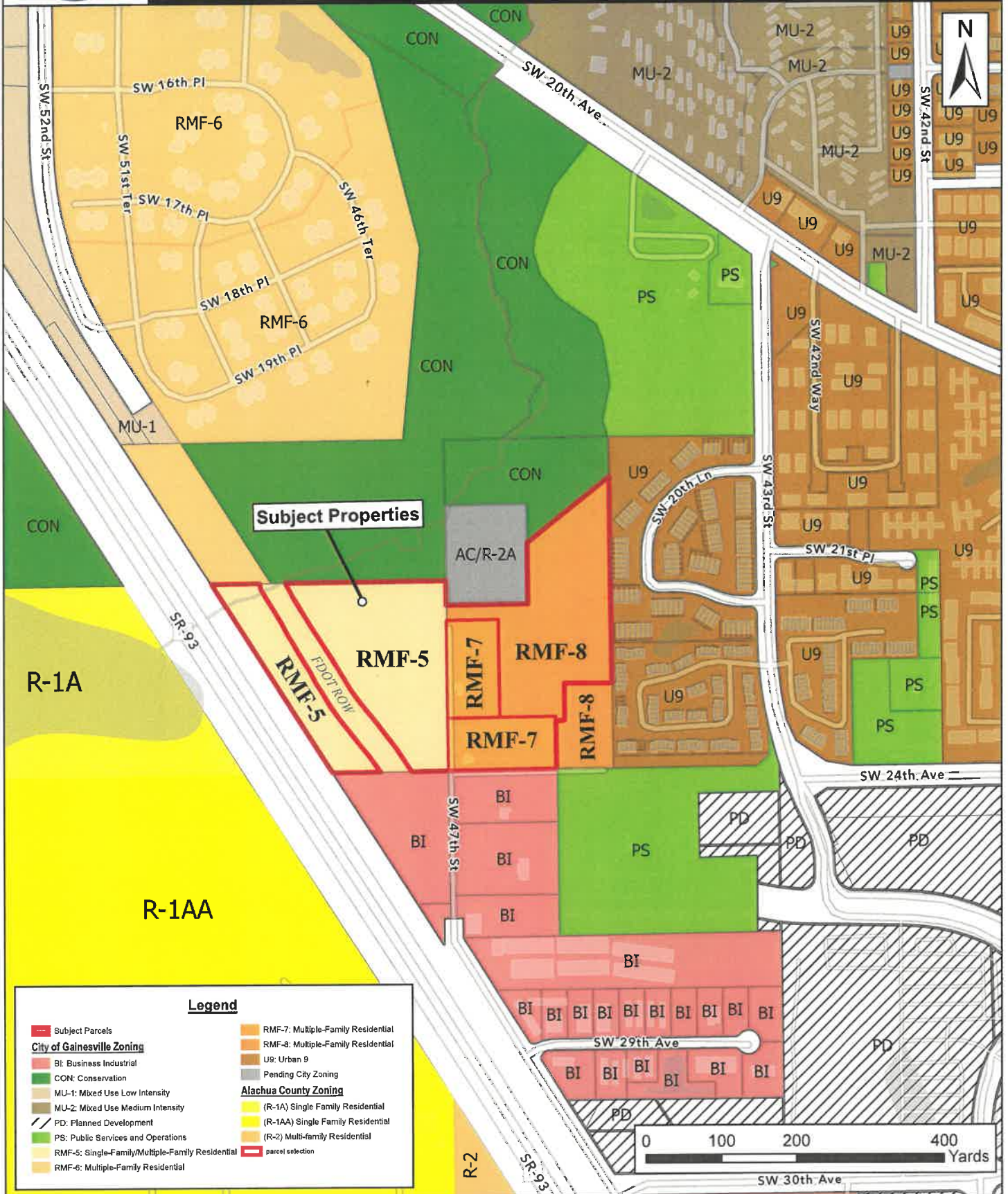
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# Existing Zoning - Ordinance 190981

Parcels: 066841-100-000, 06686-000-000, 06687-100-000 & 06687-200-000 | PB-19-146 ZON

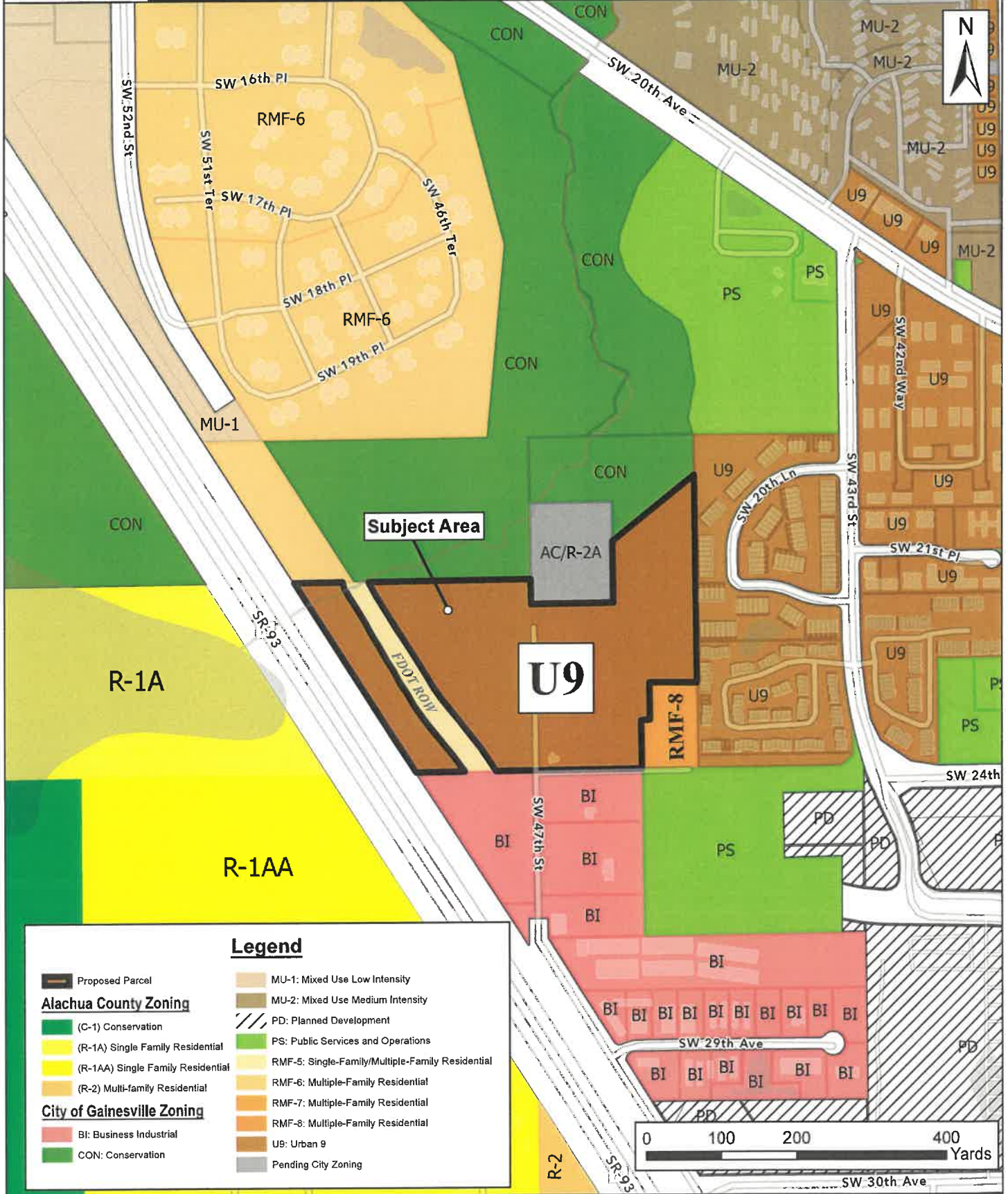






# Proposed Zoning - Ordinance 190981

Parcels: 066841-100-000, 06686-000-000, 06687-100-000 & 06687-200-000 | PB-19-146 ZON



**Legend**

Proposed Parcel	MU-1: Mixed Use Low Intensity
<b>Alachua County Zoning</b>	MU-2: Mixed Use Medium Intensity
(C-1) Conservation	PD: Planned Development
(R-1A) Single Family Residential	PS: Public Services and Operations
(R-1AA) Single Family Residential	RMF-5: Single-Family/Multiple-Family Residential
(R-2) Multi-family Residential	RMF-6: Multiple-Family Residential
<b>City of Gainesville Zoning</b>	RMF-7: Multiple-Family Residential
BI: Business Industrial	RMF-8: Multiple-Family Residential
CON: Conservation	U9: Urban 9
	Pending City Zoning