

ORDINANCE NO. 200726

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3 **An ordinance of the City of Gainesville, Florida, amending the Zoning Map**
4 **Atlas by rezoning approximately 4.46 acres of property generally located at**
5 **423 SE Williston Road, as more specifically described in this ordinance, from**
6 **Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1);**
7 **providing directions to the City Manager; providing a severability clause;**
8 **providing a repealing clause; and providing an effective date.**
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10 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
11 Comprehensive Plan to guide the future development and growth of the city; and

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

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

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

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

28 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
29 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
30 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 28, 2021, and
31 voted to recommend that the City Commission approve this rezoning; and

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

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

38 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be
39 consistent with the City of Gainesville Comprehensive Plan when the amendment to the
40 Comprehensive Plan adopted by Ordinance No. 200725 becomes effective as provided therein.

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

43 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
44 following property from Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1):

45 See legal description attached as **Exhibit A** and made a part hereof as if set forth
46 in full. The location of the property is shown on **Exhibit B** for visual reference.
47 In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.
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49 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
50 changes to the Zoning Map Atlas to comply with this ordinance.

51 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
52 the application hereof to any person or circumstance is held invalid or unconstitutional, such

53 finding will not affect the other provisions or applications of this ordinance that can be given
54 effect without the invalid or unconstitutional provision or application, and to this end the
55 provisions of this ordinance are declared severable.

56 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
57 conflict hereby repealed.

58 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
59 rezoning will not become effective until the amendment to the City of Gainesville
60 Comprehensive Plan adopted by Ordinance No. 200725 becomes effective as provided therein.

61 **PASSED AND ADOPTED** this 3rd day of June, 2021.

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LAUREN POE
MAYOR

68 Attest:

Approved as to form and legality:

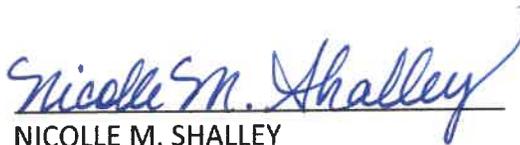
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OMICHELE D. GAIMEY
CITY CLERK



NICOLLE M. SHALLEY
CITY ATTORNEY

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This ordinance passed on first reading the 20th day of May, 2021.

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This ordinance passed on adoption reading the 3rd day of June, 2021.

Exhibit A to Ordinance 200726



Rohatgi of Williston
eda Project No. 2020-0139.S00
November 17, 2020

LEGAL DESCRIPTION

PARCEL I:

That part of the South 1/2 of Section 9, Township 10 South, Range 20 East, Alachua County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 9 for a point of reference; thence North 89 degrees 50'00" West along the South line of said Section 9, a distance of 2967.53 feet; thence North 00 degrees 13'00" West a distance of 811.20 feet to an intersection with the Southwesterly right of way line of Southeast 4th Street (60 foot right of way); thence North 24 degrees 58'00" West along the said Southwesterly right of way line, a distance of 1247.05 feet to an intersection with the Southeasterly right of way line of State Road No. 331 and the Northeast property corner of Huntly Jiffy Stores, Inc., as per description recorded in Official Records Book 1039 at Page 722 of the Public Records of said Alachua County; thence South 51 degrees 26'51" West along the said Southeasterly right of way line and along the Northwesterly property line of the said Huntly Jiffy Stores, Inc., property, a distance of 200.0 feet to the most Westerly corner of said Huntly Jiffy Stores, Inc. Property to a point of beginning; from the said point of beginning continue South 51 degrees 26'51" West along the said Southeasterly right of way line, a distance of 100.0 feet; thence South 24 degrees 58'00" East parallel with the said Southwesterly right of way line, a distance of 200.0 feet; thence North 51 degrees 26'51" East parallel to the said Southeasterly right of way line, a distance of 100.0 feet to the most Southerly corner of said Huntly Jiffy Stores, Inc., Property; thence North 24 degrees 58'00" West parallel with the said Southwesterly right of way line and along the most Westerly property line of said Huntly Jiffy Stores, Inc., Property, a distance of 200.0 feet to an intersection with the said Southeasterly right of way line (which is the said most Westerly corner of the Huntly Jiffy Stores, Inc., Property) and the said point of beginning.

PARCEL II:

That part of Section 9, Township 10 South, Range 20 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 9 for a point of reference; thence run North 89 degrees 50'00" West along the South line of said Section 9, a distance of 2967.53 feet; thence run North 00 degrees 13'00" West a distance of 811.20 feet to a point of intersection with the West right of way line of SE 4th Street, a Gainesville City Street with a 60 foot right of way; thence run North 24 degrees 58'00" West along the said West right of way line, a distance of 877.19 feet to a point of beginning; thence from said point of beginning run South 64 degrees 59'30" West, a distance of 667.24 feet; thence run North 38 degrees 33'09" West, a distance of 203.10 feet to a point of intersection of a curve on the South right of way line of State Road #331; said curve having a radius of 2804.79 feet, and a total central angle of 24 degrees 00'00" and being concave Southeasterly, thence from said point of intersection run Northeasterly along aforementioned curve an arc angle 00 degrees 35'08" and an arc distance of 28.66 feet to a State Road Department right of way monument; thence run North 51 degrees 26'51" East

Exhibit A to Ordinance 200726

along the said South right of way line, a distance of 406.91 feet; thence run South 24 degrees 58'00" East parallel to said West right of way of SE 4th Street, a distance of 200 feet; thence run North 51 degrees 26'51" East parallel to said South right of way line of State Road #331 a distance of 300 feet to point of intersection with the said West right of way line of SE 4th Street; thence run South 24 degrees 58'00" East along the said West right of way line of SE 4th Street, a distance of 169.86 feet to point of beginning.

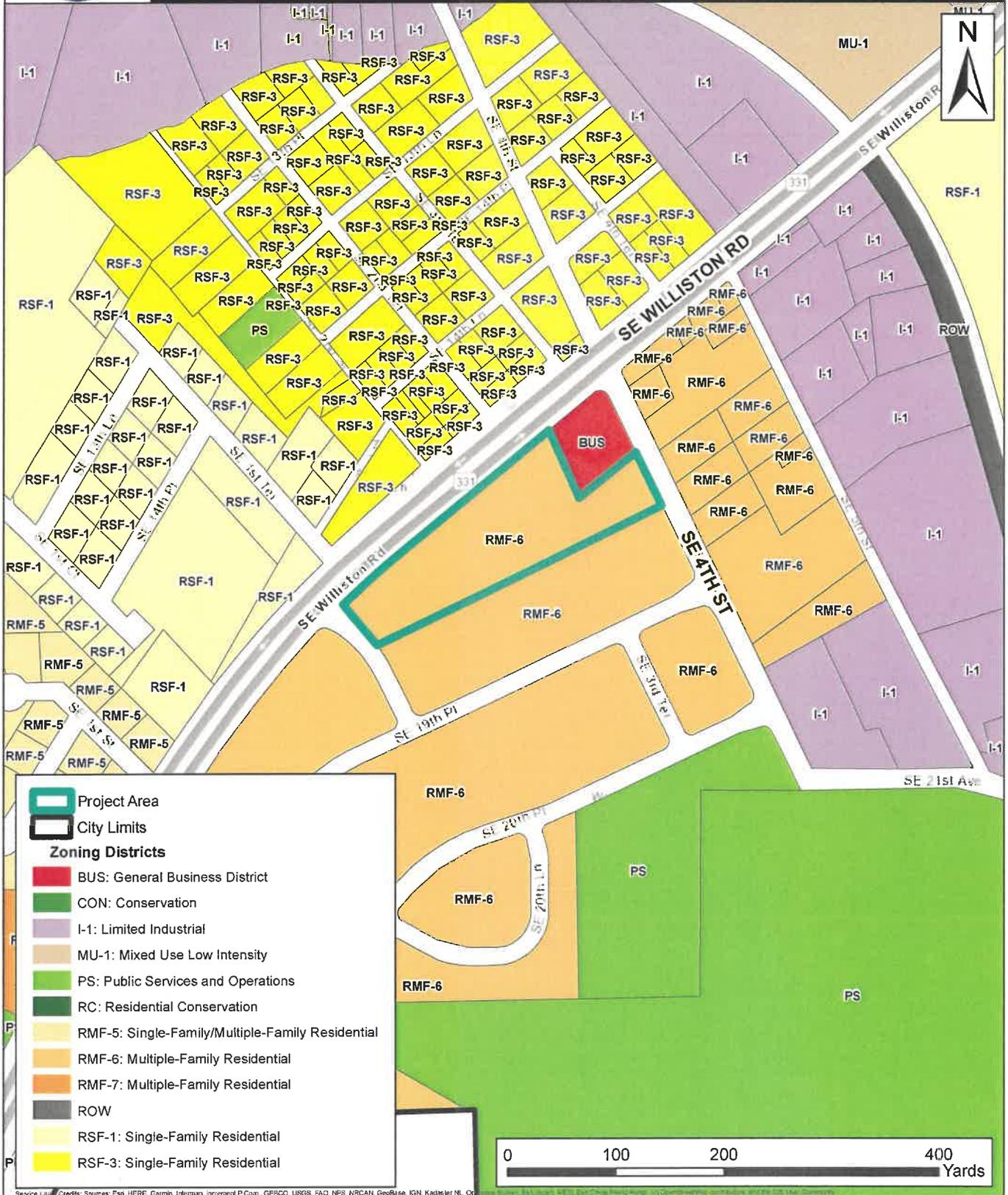
PARCEL III:

That part of Section 9, Township 10 South, Range 20 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

COMMENCE at the SE corner of said Section 9 for a point of reference; thence run North 89 deg. 50 min. 00 sec. West along the South line of said Section 9, a distance of 2967.53 feet; then run North 00 deg. 13 min. 00 sec. West a distance of 811.20 feet to a point of intersection with the West right of way line of SE 4th Street, a Gainesville City Street with a 60 foot right of way; thence run North 24 deg. 58 min. 00 sec. West along the said West right of way line, a distance of 877.17 feet; thence run South 64 deg. 59 min. 30 sec. West, a distance of 667.24 feet to a point of beginning; thence from said point of beginning continue South 64 deg. 59 min. 30 sec. West, a distance of 205.55 feet; thence run North 38 deg. 33 min. 09 sec. West, a distance of 145.82 feet to a point of intersection with a curve on the South right of way line of State Road No. 331; the said curve having a radius of 2804.79 feet a total central angle of 24 deg. 00 min. 00 sec. and being concave Southeasterly; thence from said point of intersection run Northeasterly along the said curve an arc angle 04 deg. 05 min. 14 sec. and an arc distance of 200.04 feet; thence run South 38 deg. 33 min. 09 sec. East, a distance of 200.08 feet to the point of beginning.



PB-20-00003 SE Williston - Existing Zoning





PB-20-00003 SE Williston - Proposed Zoning

