

ORDINANCE NO. 200725

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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 4.46 acres of property generally located at 423 SE Williston**  
6 **Road, as more specifically described in this ordinance, from Residential**  
7 **Medium-Density (RM) to Mixed-Use Low-Intensity (MUL); providing directions**  
8 **to the City Manager; providing a severability clause; providing a repealing**  
9 **clause; and providing an effective date.**

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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 January 28, 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 Residential  
44 Medium-Density (RM) to Mixed-Use Low-Intensity (MUL):

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.**  
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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 20<sup>th</sup> day of May, 2021.

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79 **Attest:**

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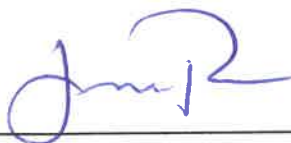
83 **OMICHELE D. GAINES**

84 **CITY CLERK**

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87 This ordinance was passed on Adoption Reading on this 20<sup>th</sup> day of May, 2021.



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

MAYOR

Approved as to form and legality:



\_\_\_\_\_  
NICOLLE M. SHALLEY

CITY ATTORNEY



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 200725

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.

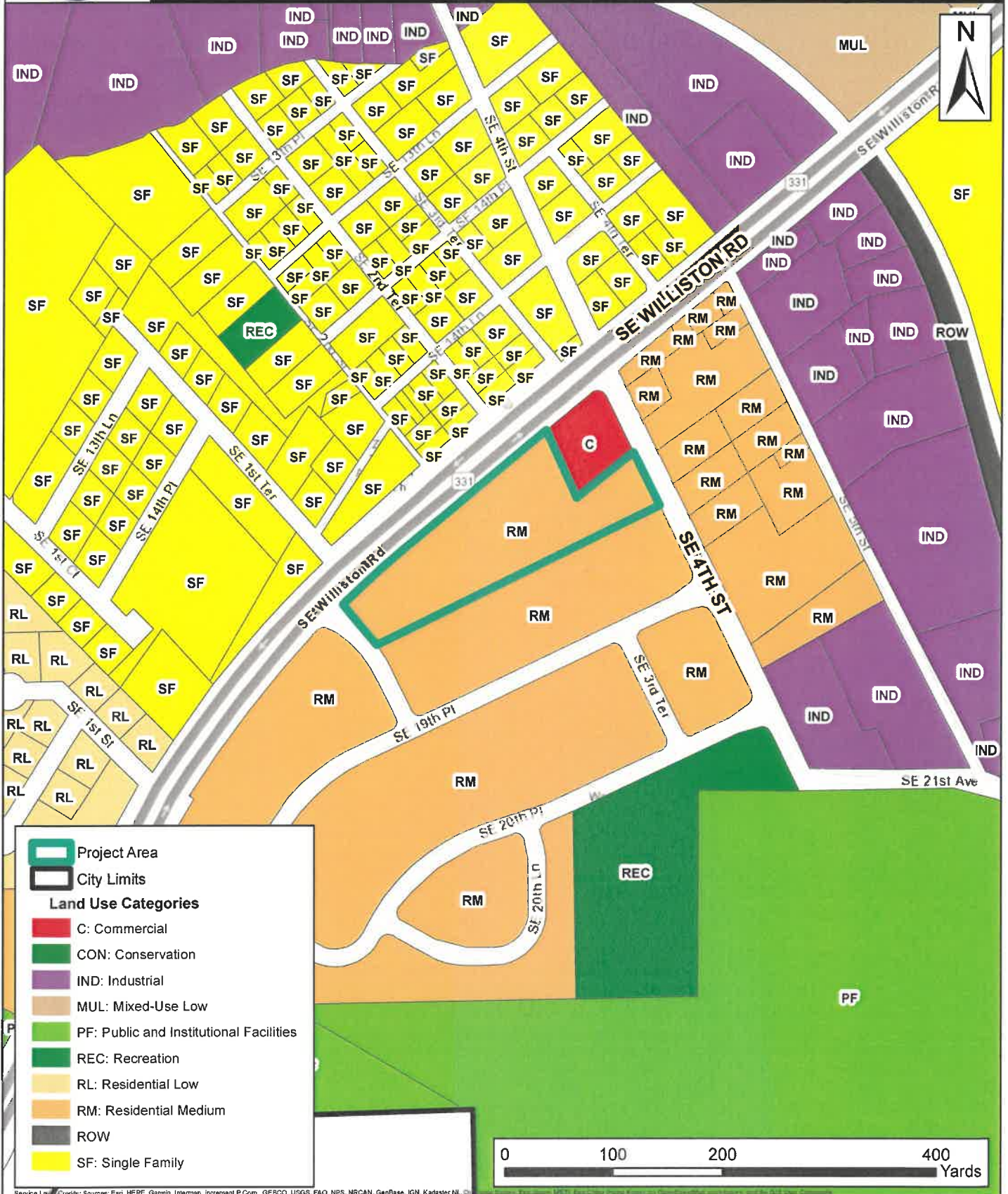
### PARCEL III:

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-20-00115 SE Williston - Existing Land Use





# PB-20-00115 SE Williston - Proposed Land Use

