

ORDINANCE NO. 190983

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3       **An ordinance of the City of Gainesville, Florida, amending the Zoning Map**  
4       **Atlas by rezoning approximately 86.64 acres of property generally located**  
5       **south of SW Williston Road, west of SW 29<sup>th</sup> Drive, north of SW 56<sup>th</sup> Avenue,**  
6       **and east of SW 34<sup>th</sup> Street, as more specifically described in this ordinance,**  
7       **from Alachua County Business Highway (BH) district, Alachua County**  
8       **Residential Professional (RP) district, and Alachua County Single Family Estate**  
9       **Residential (RE) district to City of Gainesville General Office (OF) district and**  
10       **City of Gainesville Urban 7 (U7) district; providing directions to the City**  
11       **Manager; providing a severability clause; providing a repealing clause; and**  
12       **providing an effective date.**

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15       **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a  
16       Comprehensive Plan to guide the future development and growth of the city; 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**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or  
25       amend and enforce land development regulations that are consistent with and implement the  
26       Comprehensive Plan and that are combined and compiled into a single land development code  
27       for the city; and

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

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

6   **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
7   the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
8   pursuant to Section 163.3174, Florida Statutes, held a public hearing on February 27, 2020, and  
9   voted to recommend that the City Commission approve this rezoning; and

10   **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a  
11   newspaper of general circulation and provided the public with at least seven days' advance  
12   notice of this ordinance's first public hearing to be held by the City Commission; and

13   **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was  
14   placed in the aforesaid newspaper and provided the public with at least five days' advance  
15   notice of this ordinance's second public hearing to be held by the City Commission; and

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

18   **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
19   consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
20   Comprehensive Plan adopted by Ordinance No. 190982 becomes effective as provided therein.

21   **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

22   **FLORIDA:**

1 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
2 following property from Alachua County Business Highway (BH) district, Alachua County  
3 Residential Professional (RP) district, and Alachua County Single Family Estate Residential (RE)  
4 district to City of Gainesville General Office (OF) district and City of Gainesville Urban 7 (U7)  
5 district;

6 See legal description attached as **Exhibit A** and made a part hereof as if set forth  
7 in full. The location of the property is shown on **Exhibit B** for visual reference.  
8 The individual parcels' zoning districts are shown in **Exhibit C**. In the event of  
9 conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B** and **Exhibit C**.

10  
11 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
12 changes to the Zoning Map Atlas to comply with this ordinance.

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

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

20 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
21 rezoning will not become effective until the amendment to the City of Gainesville  
22 Comprehensive Plan adopted by Ordinance No. 190982 becomes effective as provided therein.

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1 **PASSED AND ADOPTED** this 17th day of September, 2020.

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LAUREN POE  
MAYOR

Attest:

Approved as to form and legality:



OMICHELE D. GAINNEY  
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY  
CITY ATTORNEY

This ordinance passed on first reading this 18th day of June, 2020.

This ordinance passed on second reading this 17th day of September, 2020.

## Legal Description

DESCRIPTION FOR ANNEXATION AT THE SOUTHEAST CORNER OF SW WILLISTON ROAD AND ROCKY POINT ROAD INCLUDING A PORTION OF TAX PARCEL # 07240-000-000 AND TAX PARCELS # 07240-037-000, 07176-012-000, 07176-016-000, 07176-011-000, 07176-010-000, 07176-007-000 & 07176-000-000.

A PORTION OF THE MAP OF PROPERTY BELONGING TO MACKEY & HUDSON AS RECORDED IN DEED BOOK "J", PAGE 906 AND A PORTION OF LOTS 2, 3, AND 4 OF SERENOLA PLANTATION, AS RECORDED IN DEED BOOK "L", PAGES 480 AND 481 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND A PORTION OF THE GARY GRANT, ALL LYING AND BEING IN TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 001912 MARKING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SW WILLISTON ROAD ALSO KNOWN AS STATE ROAD 331 AND THE NORTHWEST CORNER OF THE "TOGETHER WITH" PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1006 ALSO BEING THE SOUTHWEST CORNER OF THE INTERSECTION OF SAID WILLISTON ROAD AND SW 29<sup>TH</sup> DRIVE AND THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL; THENCE ALONG SAID EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 001912 THE FOLLOWING 5 COURSES: 1.) S 09°05'14" W, 1,608.85 FEET 2.) S 40°54'46" E, 20.00 FEET; 3.) S 49°05'14" W, 649.34 FEET; 4.) S 21°41'17" W, 65.19 FEET TO THE EAST LINE OF ROCKY POINT ROAD; 5.) S 49°05'14" W, 100.00 FEET TO THE WEST LINE OF ROCKY POINT ROAD; THENCE LEAVING SAID EXISTING CITY OF GAINESVILLE LIMIT LINE S 40°52'37"E ALONG THE WEST RIGHT-OF-WAY LINE OF SAID ROCKY POINT ROAD ALSO BEING KNOWN AS COUNTY ROAD NUMBER 23, A DISTANCE OF 1,718.50 FEET TO A POINT ON A SOUTHWESTERLY PROJECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SW 56<sup>TH</sup> AVENUE; THENCE N 73°09'53 E ALONG SAID PROJECTION AND RIGHT-OF-WAY LINE A DISTANCE OF 175.36 FEET TO A POINT OF INTERSECTION ON SAID RIGHT-OF-WAY; THENCE N 84°06'56" E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 149.37 FEET TO A POINT LYING S 05°56'18" E, 33.00 FEET ON A SOUTHERLY EXTENSION OF THE WEST LINE OF SAID SERENOLA PLANTATION FROM A CONCRETE MONUMENT AT THE SOUTHWEST CORNER OF SAID SERENOLA PLANTATION ALSO BEING THE SOUTHWEST CORNER OF LOT 4 OF SAID SERENOLA PLANTATION; THENCE CONTINUE N 84°06'56" E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 1318.36 FEET TO A POINT ON A SOUTHERLY PROJECTION OF THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4161, PAGE 270; THENCE N 05°32'43" W ALONG SAID SOUTHERLY PROJECTION 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SW 56<sup>TH</sup> AVENUE ALSO BEING THE SOUTHWEST

ONE OF THREE: NOT COMPLETE WITHOUT ALL THREE SHEETS

Exhibit A to Ordinance No. 190983

page 1 of 3

CORNER OF SAID PARCEL; THENCE CONTINUE N 05°32'43" W ALONG SAID WEST LINE A DISTANCE OF 663.75 FEET TO THE NORTHWEST CORNER OF SAID PARCEL ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NUMBER 030250; THENCE CONTINUE ALONG SAID EXISTING CITY LIMIT LINE THE FOLLOWING 7 COURSES; 1.) SOUTH 84°06'56" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SERENOLA PLANTATION, 1023.15 FEET TO A POINT LYING 300 FEET PERPENDICULAR TO THE WEST LINE OF SAID SERENOLA PLANTATION, AT A POINT WHICH LIES NORTH 05°56'18" WEST, 663.44 FEET FROM THE CONCRETE MONUMENT FOUND AT THE SOUTHWEST CORNER OF SAID SERENOLA PLANTATION, AND SOUTH 05°56'18" EAST, 3939.09 FEET FROM A REBAR AND CAP (JW MYERS, PLS 3447) FOUND AT THE NORTHWEST CORNER OF SAID SERENOLA PLANTATION; 2.) NORTH 05°56'18" WEST, PARALLEL TO THE WEST LINE OF SAID SERENOLA PLANTATION, 879.95 FEET; 3.) NORTH 49°05'14" EAST, 330.77 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 540.00 FEET; 4.) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 172.00 FEET THROUGH A CENTRAL ANGLE OF 18°14'59" TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDEDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 39° 57' 45" EAST, 171.27 FEET; 5.) NORTH 30°50'15" EAST 94.84 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 460.00 FEET; 6.) NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°14'59" AN ARC DISTANCE OF 146.52 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDEDED BY A CHORD HAVING A BEARING AND DISTANCE OF N 39°57'45" E, 145.90 FEET; 7.) NORTH 49°05'14" EAST, 251.14 FEET TO A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO.150818 ALSO BEING THE SOUTHWEST CORNER OF THE "TOGETHER WITH" PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 4475, PAGE 1006; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL AND EXISTING CITY LIMIT LINE NORTH 40°54'00" WEST, 726.04 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 86.64 ACRES, MORE OR LESS.

# SW WILLISTON & ROCKY POINT ROADS VICINITY SKETCH & DESCRIPTION FOR PROPOSED ANNEXATION

SEE DESCRIPTION ON SHEETS ONE AND TWO

**SURVEYOR'S NOTES:**

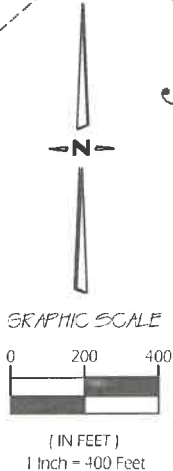
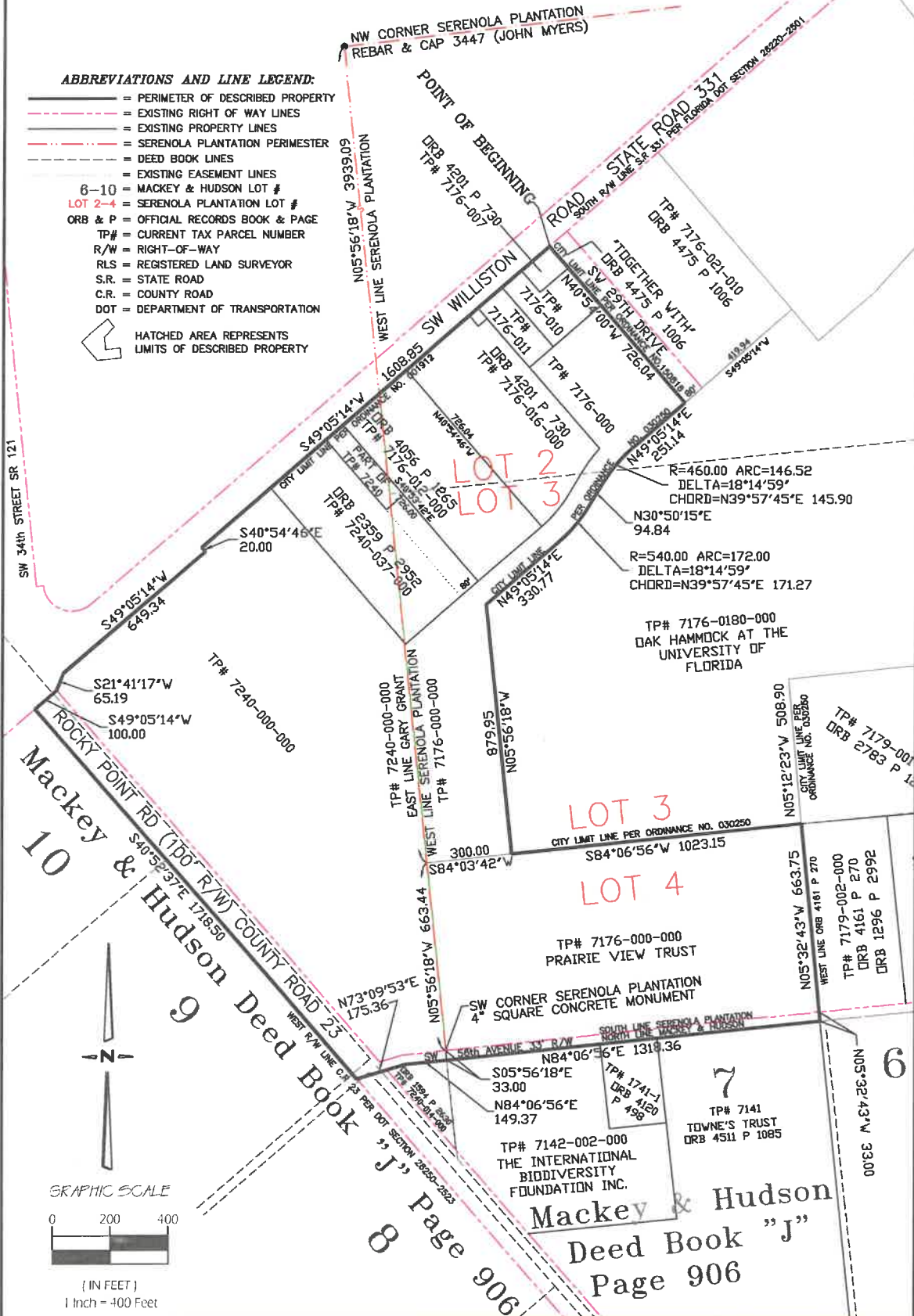
1. THE BEARING BASIS FOR THIS SKETCH & DESCRIPTION IS THE SOUTH LINE OF WILLISTON ROAD ACCORDING TO A SURVEY BY ENG, DENMAN AND ASSOCIATES, PROJECT NUMBER 99-186 S08, DATED 08/09/2002 OF THE OAK HAMMOCK AT THE UNIVERSITY OF FLORIDA.
2. INFORMATION FROM THE PROPERTY APPRAISER'S WEB SITE, DEEDS OF RECORD, AN EH GREEN SURVEY FROM 1964 PROVIDED TO THIS SURVEYOR, DEED BOOK "J", PAGE 906 (THE MAP OF MACKEY AND HUDSON LANDS) AND DEED BOOK "L", PAGES 480 & 481 WERE ALSO USED TO BEST REPRESENT THE INTENT OF THE LANDS TO BE INCLUDED IN THIS SKETCH AND DESCRIPTION.

**ABBREVIATIONS AND LINE LEGEND:**

- = PERIMETER OF DESCRIBED PROPERTY
- = EXISTING RIGHT OF WAY LINES
- = EXISTING PROPERTY LINES
- = SERENOLA PLANTATION PERIMETER
- = DEED BOOK LINES
- = EXISTING EASEMENT LINES
- 6-10 = MACKEY & HUDSON LOT #
- LOT 2-4 = SERENOLA PLANTATION LOT #
- ORB & P = OFFICIAL RECORDS BOOK & PAGE
- TP# = CURRENT TAX PARCEL NUMBER
- R/W = RIGHT-OF-WAY
- RLS = REGISTERED LAND SURVEYOR
- S.R. = STATE ROAD
- C.R. = COUNTY ROAD
- DOT = DEPARTMENT OF TRANSPORTATION



HATCHED AREA REPRESENTS  
LIMITS OF DESCRIBED PROPERTY



**THIS IS NOT A BOUNDARY SURVEY**

**SHEET THREE OF THREE: NOT COMPLETE WITHOUT ALL SHEETS**

CITY OF GAINESVILLE PUBLIC WORKS DEPARTMENT  
ENGINEERING SUPPORT SERVICES  
405 NW 39th AVENUE P.O. BOX 490 GAINESVILLE, FL 32627  
OFFICE (352) 393-8194

I HEREBY CERTIFY THAT THIS SKETCH & DESCRIPTION MEETS OR EXCEEDS THE  
STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND  
SURVEYORS IN CHAPTER 50-47 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT  
TO SECTION 472.027, FLORIDA STATUTES.

DRAWN BY PRO  
CHECKED BY TGH  
DATE: 11/6/2019  
CAD FILE NAME  
Nov 2019 Annex

PATRICK R. DURBIN, RLS FL CERT. # 5368



# Petition PB-19-176 ZON Existing Zoning

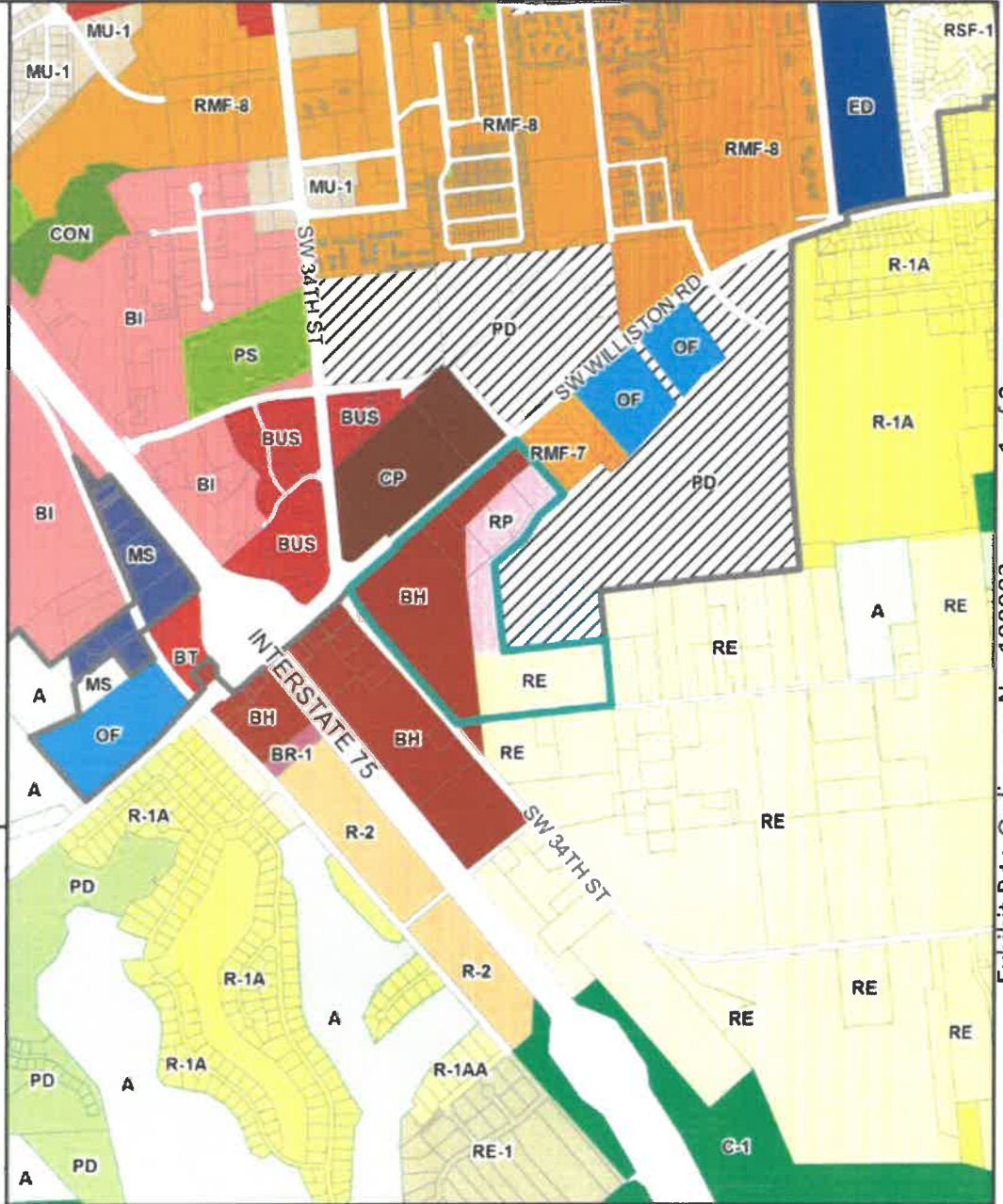
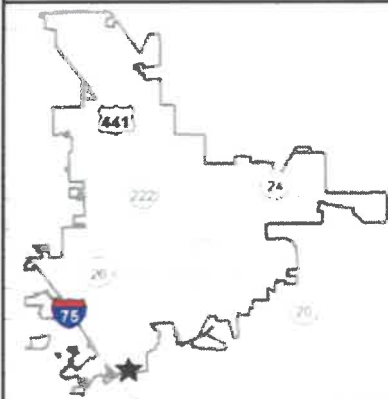
- Area Under Petition Consideration
- City Limits
- Parcels

## Gainesville Zoning Districts

- BI Business Industrial
- BT Town-Oriented Business
- BUS General Business District
- CON Conservation
- CP Corporate Park
- ED Educational Services
- MU-1 Mixed Use Low Intensity
- OF General Office
- PD Planned Development
- PS Public Services and Operations
- RMF-7 Multiple-Family Residential
- RMF-8 Multiple-Family Residential
- RSF-1 Single-Family Residential

## Alachua County Zoning Districts

- (BH) Highway-Oriented Business
- (BR-1) Business-Retail Sales/Service
- (C-1) Conservation
- (MS) Manufacturing/Services
- (PD) Planned Development
- (R-1A) Single-Family Residential
- (R-1B) Single-Family Residential
- (R-2) Multi-Family Residential
- (RE) Residential-Estate
- (RE-1) Residential-Estate
- (RP) Residential/Professional



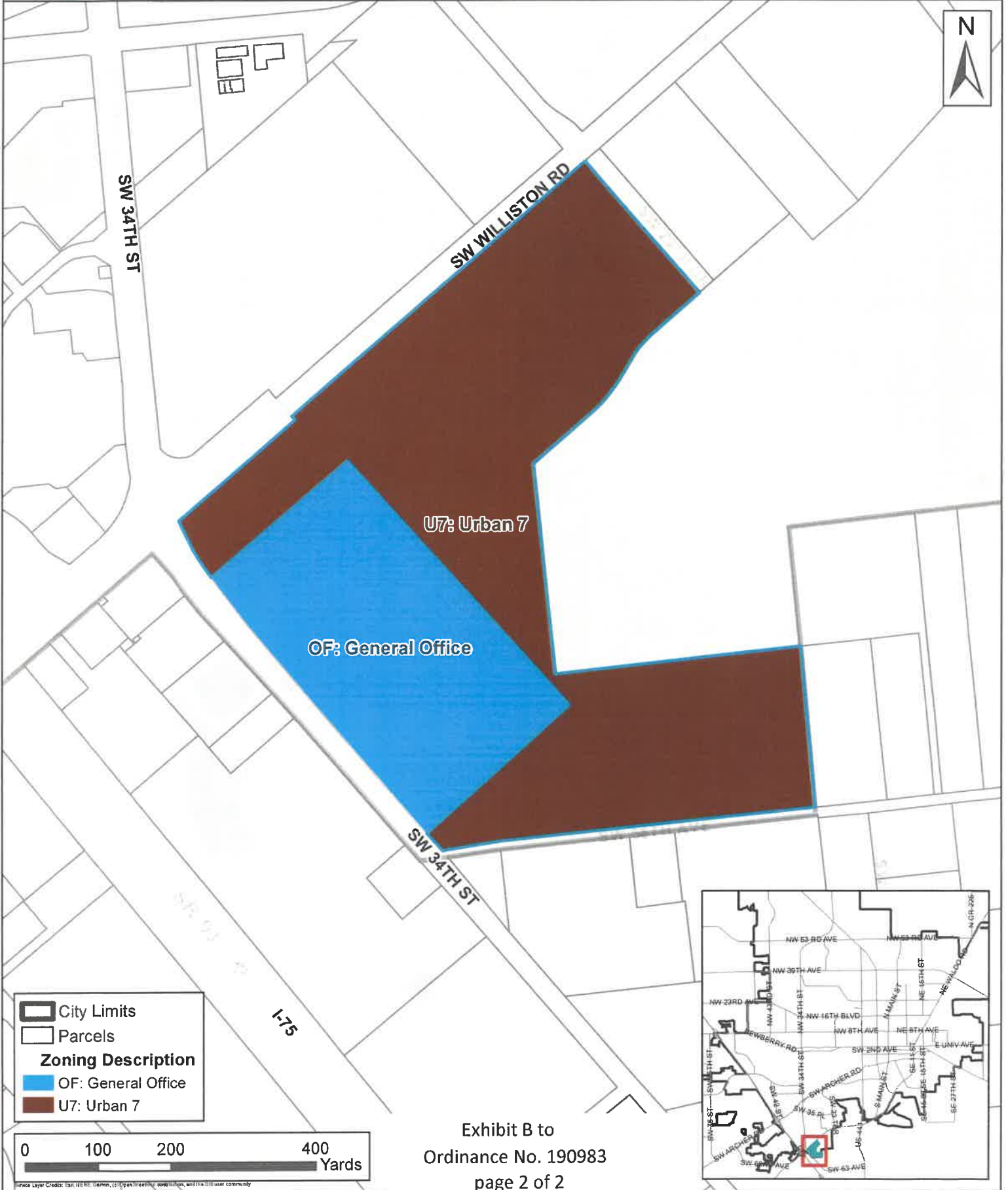




# Rocky Point Road Annexation

## Proposed Zoning Districts

Parcels 07176-007-000, 07176-010-000, 07176-011-000, 07176-012-000, 07176-016-000, & 07240-037-000; Portions of Parcels 07176-000-000 & 07240-000-000



## ZONING DISTRICTS

| Parcel Number                 | Existing Zoning Districts | Proposed Zoning Districts      |
|-------------------------------|---------------------------|--------------------------------|
| 07176-007-000                 | BH                        | <del>BUS</del> <u>U7</u>       |
| 07176-010-000                 | BH                        | <del>BUS</del> <u>U7</u>       |
| 07176-011-000                 | BH                        | <del>BUS</del> <u>U7</u>       |
| 07240-037-000                 | BH, RP                    | <del>OF</del> <u>U7</u>        |
| 07176-016-000                 | BH, RP                    | <del>OF</del> <u>U7</u>        |
| 07176-012-000                 | BH, RP                    | <del>OF</del> <u>U7</u>        |
| 07240-000-000<br>A PORTION OF | BH                        | <del>BUS</del> <u>U7</u> , OF  |
| 07176-000-000<br>A PORTION OF | BH, RP, RE                | <del>OF, RSF-1</del> <u>U7</u> |

Key – Zoning Districts

U7 – City of Gainesville Urban 7

OF – City of Gainesville Office

~~BUS~~ – ~~City of Gainesville General Business~~

~~RSF-1~~ – ~~City of Gainesville Single Family Residential~~

BH – Alachua County Highway Oriented Business

RP – Alachua County Residential/Professional

RE – Alachua County Residential Estate