

ORDINANCE NO. 190982

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use categories of approximately 86.64 acres of property generally located south of SW Williston Road, west of SW 29<sup>th</sup> Drive, north of SW 56<sup>th</sup> Avenue, and east of SW 34<sup>th</sup> Street, as more specifically described in this ordinance, from Alachua County Commercial, Alachua County Office/Residential, and Alachua County Residential to City of Gainesville Office (O) and City of Gainesville Urban Mixed-Use (UMU); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

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

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

1 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
2 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
3 pursuant to Section 163.3174, Florida Statutes, held a public hearing on February 27, 2020, and  
4 voted to recommend that the City Commission approve this Future Land Use Map amendment;  
5 and

6 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a  
7 newspaper of general circulation and provided the public with at least seven days' advance  
8 notice of this ordinance's first public hearing (i.e., transmittal hearing) to be held by the City  
9 Commission; and

10 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this  
11 proposed amendment to the reviewing agencies and any other local government unit or state  
12 agency that requested same; 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 (i.e., adoption hearing) to be held by the City  
16 Commission; and

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

19 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written  
20 comments received concerning this Future Land Use Map amendment.

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

1 **SECTION 1.** The Future Land Use Map of the City of Gainesville Comprehensive Plan is  
2 amended by changing the land use categories of the following property from Alachua County  
3 Commercial, Alachua County Office/Residential, and Alachua County Residential to City of  
4 Gainesville Office (O) and City of Gainesville Urban Mixed-Use (UMU);

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

9  
10 **SECTION 2.** Within ten working days of the transmittal (first) hearing, the City Manager or  
11 designee is authorized and directed to transmit this Future Land Use Map amendment and  
12 appropriate supporting data and analyses to the reviewing agencies and to any other local  
13 government or governmental agency that has filed a written request for same with the City.  
14 Within ten working days of the adoption (second) hearing, the City Manager or designee is  
15 authorized and directed to transmit this amendment to the state land planning agency and  
16 any other agency or local government that provided comments to the City regarding the  
17 amendment.

18 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary  
19 changes to maps and other data in the City of Gainesville Comprehensive Plan in order to  
20 comply with this ordinance.

21 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
22 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
23 finding will not affect the other provisions or applications of this ordinance that can be given  
24 effect without the invalid or unconstitutional provision or application, and to this end the  
25 provisions of this ordinance are declared severable.

1 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
2 conflict hereby repealed on the effective date of this amendment to the Comprehensive Plan.  
3 **SECTION 6.** This ordinance will become effective immediately upon adoption; however, the  
4 effective date of this amendment to the City of Gainesville Comprehensive Plan, if the  
5 amendment is not timely challenged, will be 31 days after the state land planning agency  
6 notifies the City that the plan amendment package is complete in accordance with Section  
7 163.3184, Florida Statutes. If timely challenged, this Comprehensive Plan amendment will  
8 become effective on the date the state land planning agency or the Administration Commission  
9 enters a final order determining the amendment to be in compliance with Chapter 163, Florida  
10 Statutes. No development orders, development permits, or land uses dependent on this  
11 Comprehensive Plan amendment may be issued or commenced before this amendment has  
12 become effective.


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

14 

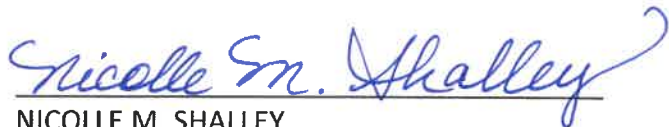
15 \_\_\_\_\_  
16 LAUREN POE  
17 MAYOR

18  
19 Attest:

Approved as to form and legality:

20  
21 

22 \_\_\_\_\_  
23 OMICHELE D. GAINNEY  
24 CLERK OF THE COMMISSION

25  
26 

27 \_\_\_\_\_  
28 NICOLLE M. SHALLEY  
CITY ATTORNEY

26 This ordinance passed on transmittal (first) reading this 18th day of June, 2020.

27  
28 This ordinance passed on adoption (second) reading this 17<sup>th</sup> 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 MACKAY & 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

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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 SUBTENDED 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 SUBTENDED 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.

TWO OF THREE: NOT COMPLETE WITHOUT ALL THREE SHEETS

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

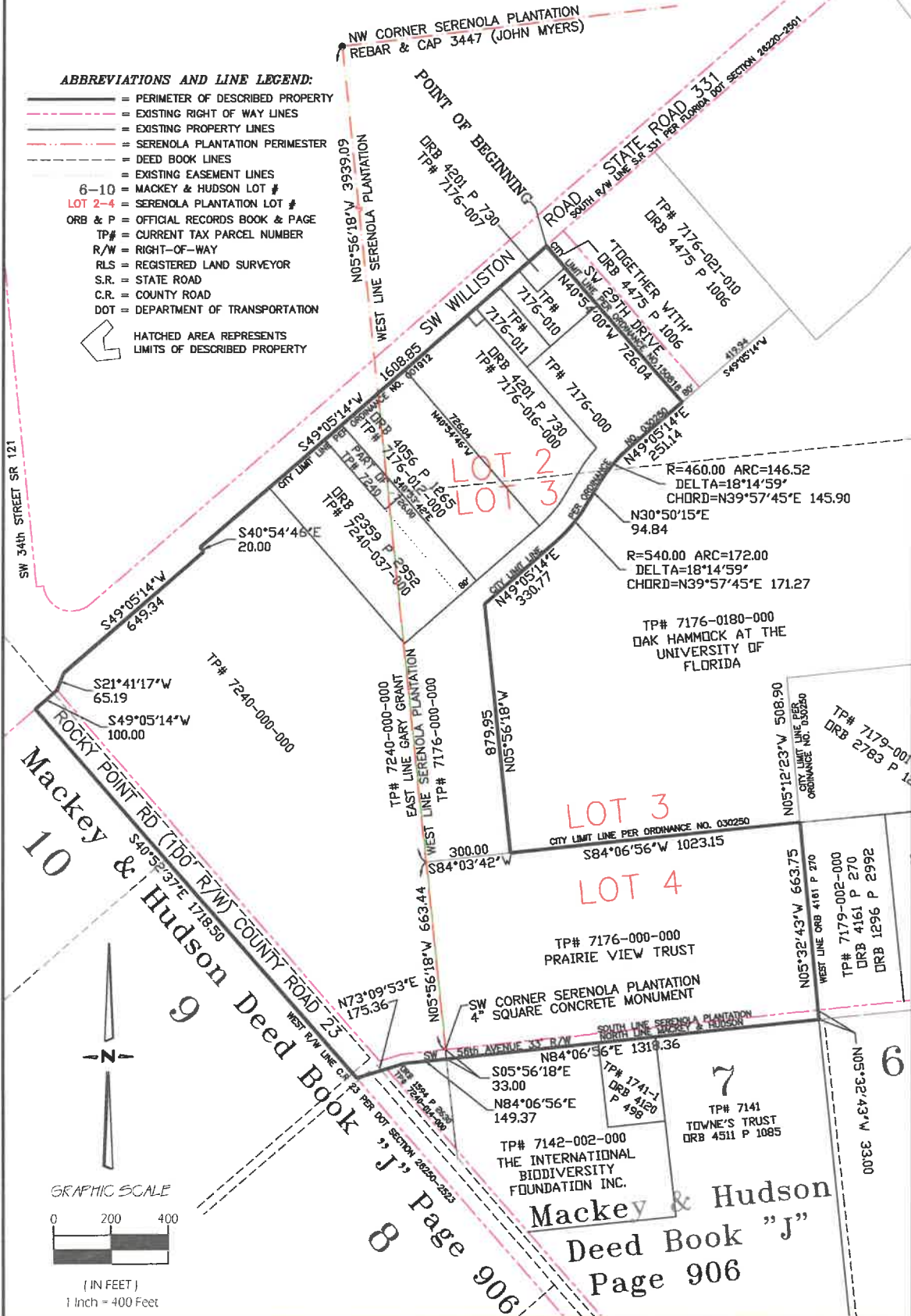
SEE DESCRIPTION ON SHEETS ONE AND TWO

**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 99-136 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 HH GREEN SURVEY FROM 1984 PROVIDED TO THIS SURVEYOR, DEED BOOK "J", PAGE 806 (THE MAP OF MACKEY AND HUDSON LANDS) AND DEED BOOK "I", 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 471 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.02(1), FLORIDA STATUTES.

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

PATRICK R. DURBIN, RLS FL CERT.# 6363

# Petition PB-19-175 LUC Existing Land Use

Area Under Petition Consideration

City Limits

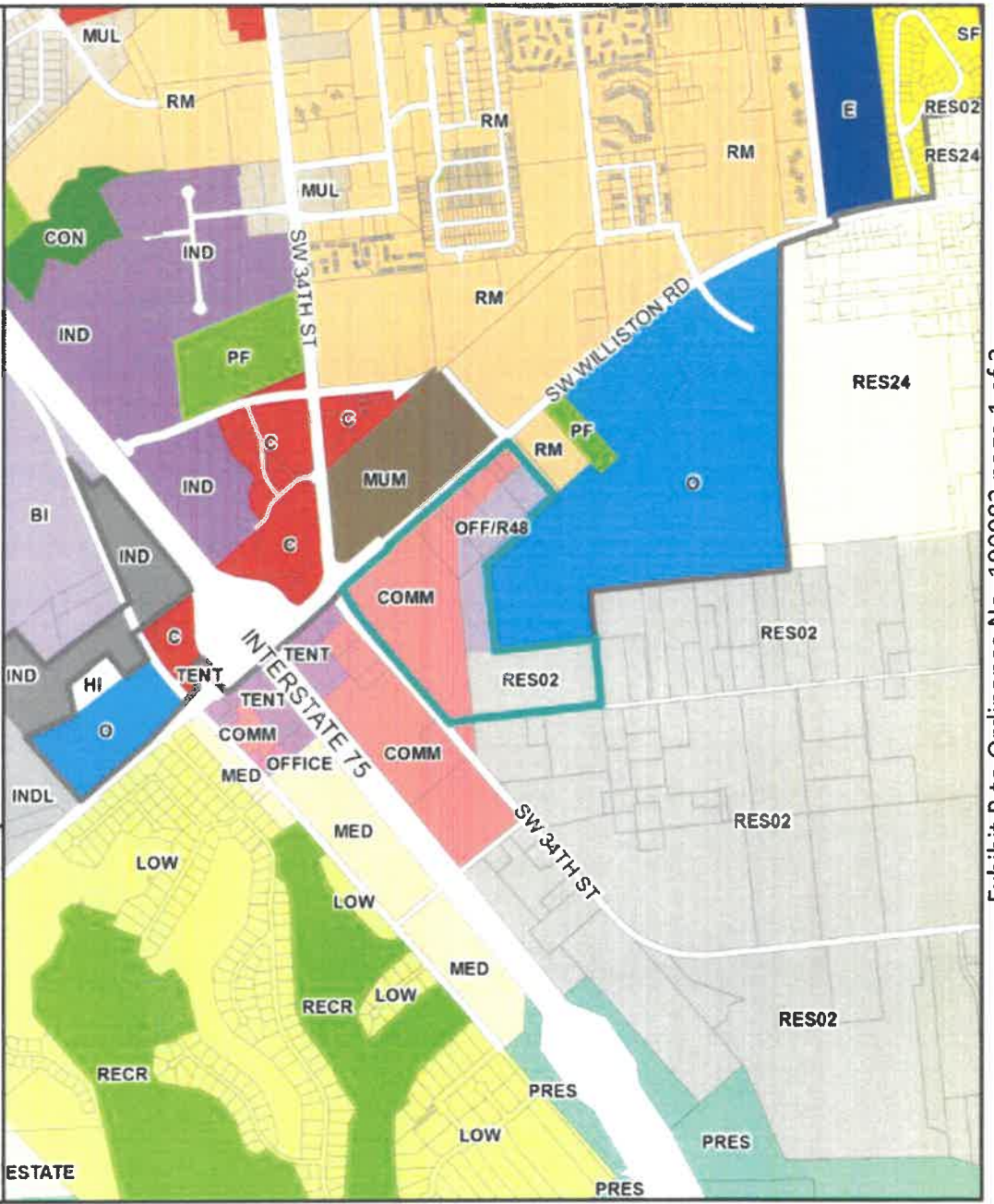
Parcels

### Gainesville Land Use Categories

- BI Business Industrial
- C Commercial
- CON Conservation
- E Education
- IND Industrial
- M/L Mixed-Use Low
- M/M Mixed-Use Medium
- O Office
- PF Public and Institutional Facilities
- REC Recreation
- RM Residential Medium
- SF Single Family

### Alachua County Land Use Categories

- COMM Commercial
- ESTATE Estate (0.5+ acre)
- HI Heavy Industrial
- IND Light Industrial
- LOW Low Density (1-4 du/acre)
- MED Medium Density (4-8 du/acre)
- OFFICE Office
- OFF R48 Office Residential (4-8 acre)
- PRES Preservation
- RECR Recreation
- RES24 Residential (2-4 acre)
- RES02 Residential (0.2+ acre)
- TENT Tours/Entertainment







# Rocky Point Road Annexation

## Proposed Land Use Categories

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



UMU: Urban Mixed-Use

O: Office

**City Limits**  
 [Symbol] City Limits  
 [Symbol] Parcels  
**Proposed Land Use**  
 [Symbol] O: Office  
 [Symbol] UMU: Urban Mixed-Use

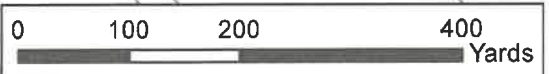
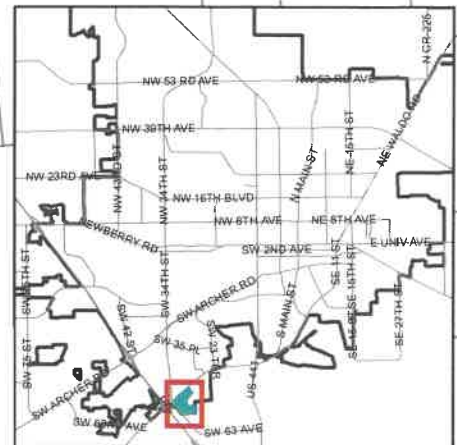


Exhibit B  
Ordinance No. 190982  
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Source: Layer 130015, Esri, HERE, DeLorme, (c) OpenStreetMap contributors, and the GIS user community

**LAND USE CATEGORIES**

Parcel Number	Existing LUC	Proposed LUC
07176-007-000	COMM	<del>C</del> <u>UMU</u>
07176-010-000	COMM	<del>C</del> <u>UMU</u>
07176-011-000	COMM	<del>C</del> <u>UMU</u>
07240-037-000	COMM, OFF/R	<del>O</del> <u>UMU</u>
07176-016-000	COMM, OFF/R	<del>O</del> <u>UMU</u>
07176-012-000	COMM, OFF/R	<del>O</del> <u>UMU</u>
07240-000-000 A PORTION OF	COMM	<del>C</del> <u>UMU</u> , O
07176-000-000	COMM, OFF/R, RES	<del>O, SF</del> <u>UMU</u>

**Key – Land Use Categories**

UMU – City of Gainesville Urban Mixed Use

O – City of Gainesville Office

~~C~~ – City of Gainesville Commercial

~~SF~~ – City of Gainesville Single Family

COMM – Alachua County Commercial

OFF/R – Alachua County Office/Residential

RES – Alachua County Residential