

ORDINANCE NO. 2023-76

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An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 21.71 acres of property generally located at 1300 SE 27th Street, as more specifically described in this ordinance, from Mobile Home (MH) and Residential Single-Family (RSF-3) to Single/Multiple-Family Residential (RMF-5); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the Florida Constitution, including the exercise of any power for municipal purposes not expressly prohibited by law; and

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

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

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

33 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
34 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency
35 pursuant to Section 163.3174, Florida Statutes, held a public hearing on January 26, 2023, to
36 consider this application and provide a recommendation to the City Commission; and

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

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

43 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be
44 consistent with the City of Gainesville Comprehensive Plan when the amendment to the
45 Comprehensive Plan adopted by Ordinance No. 2023-75 becomes effective as provided
46 therein.

47 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
48 **FLORIDA:**

49 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the
50 following property from Mobile Home (MH) and Residential Single-Family (RSF-3) to

51 Single/Multiple-Family Residential (RMF-5):

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

55
56 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary
57 changes to the Zoning Map Atlas to comply with this ordinance.

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

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

65 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the
66 rezoning will not become effective until the amendment to the City of Gainesville
67 Comprehensive Plan adopted by Ordinance No. 2023-75 becomes effective as provided
68 therein.

69 **PASSED AND ADOPTED** this _____ day of _____, 2023.

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HARVEY L. WARD
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. NATTIEL-WILLIAMS
CITY CLERK

DANIEL M. NEE
CITY ATTORNEY

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83

84 This ordinance passed on first reading the _____ day of _____, 2023.

85

86 This ordinance passed on adoption reading the _____ day of _____, 2023.

LEGAL DESCRIPTION

A portion of Section 10, Township 10 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

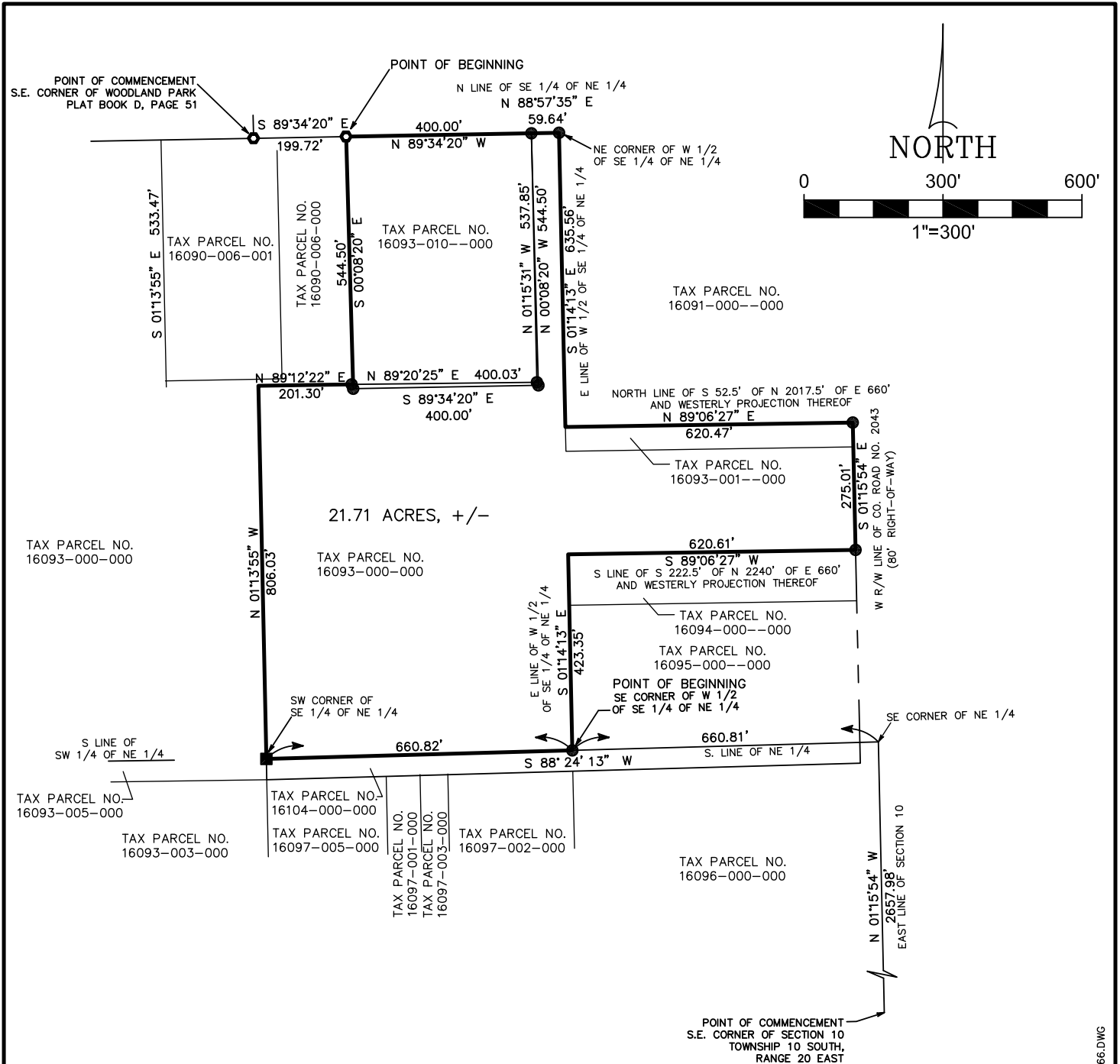
Commence at the Southeast corner of Section 10, Township 10 South, Range 20 East, Alachua County, Florida and run thence North 01°15'54" West, along the East line of said Section 10, a distance of 2657.98 feet to the southeast corner of the Northeast 1/4 of said Section 10; thence South 88°24'13" West, along the South line of said Northeast 1/4, a distance of 660.81 feet to a steel rod and cap at the southeast corner of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 10 and the Point of Beginning; thence continue South 88°24'13" West, along said South line, 660.82 feet to a concrete monument at the southwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 10; thence North 01°13'55" West, 806.03 feet; thence North 89°12'22" East, 201.30 feet to a steel rod and cap; thence North 89°20'25" East, 400.03 feet to a steel rod and cap; thence North 01°15'31" West, 537.85 feet to a steel rod and cap and to a point on the North line of said Southeast 1/4 of the Northeast 1/4 ; thence North 88°57'35" East, along said North line, 59.64 feet to a steel rod and cap at the Northeast corner of said West 1/2 of said Southeast 1/4 of the Northeast 1/4; thence South 01°14'13" East, along the East line of said West 1/2, a distance of 635.56 feet to a point on the Westerly projection of the North line of the South 52.5 feet of the North 2017.5 feet of the East 660 feet of said Section 10; thence North 89°06'27" East, along said Westerly projection and along said North line, 620.47 feet to a steel rod and cap on the West Right-of-Way line of County Road No. 2043 (80' Right-of-Way); thence South 01°15'54" East, along said West Right-of-Way line, 275.01 feet to a steel rod and cap on the South line of the South 222.5 feet of the North 2240 feet of the East 660 feet of said Section 10; thence South 89°06'27" West, along said South line and a Westerly projection thereof, 620.61 feet to the East line of said West 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 10; thence South 01°14'13" East, along said East line, 423.35 feet to a steel rod and cap at the southeast corner of said West 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 10 and the Point of Beginning.

Together with:

A portion of Section 10, Township 10 South, Range 20 East, Alachua County, Florida; being more particularly described as follows:

Commence at an iron pipe at the southeast corner of Woodland Park, as recorded in Plat Book D, page 51 of the Public Records of Alachua County, Florida and run thence South 89°34'20" East, 199.72 feet to an iron pipe and the Point of Beginning; thence South 00°08'20" East, 544.50 feet to a steel rod and cap; thence South 89°34'20" East, 400.00 feet to a steel rod and cap; thence North 00°08'20" West, 544.50 feet to a steel rod and cap; thence North 89°34'20" West, 400.00 feet to the Point of Beginning.

Containing 21.71 Acres, in aggregate, more or less.



THIS IS NOT A BOUNDARY SURVEY

- = CONCRETE MONUMENT
- = IRON PIPE
- = STEEL ROD AND CAP

DRN.	CHKD.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
B.G.	B.G.		11/14/2022	2022-066		

LEGAL DESCRIPTION SKETCH OF

A PORTION OF SECTION 10, TOWNSHIP 10 SOUTH,
RANGE 20 EAST ALACHUA COUNTY, FLORIDA

FOR: GAINESVILLE 60, LLC

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2022), FLORIDA STATUTES.

By: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization
No. LB 2389



eda consultants inc.

LB 2389
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GAINESVILLE, FLORIDA 32601
TEL. (352) 373-3541
www.edafl.com mail@edafl.com

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Existing Zoning
LD22-000122 ZON

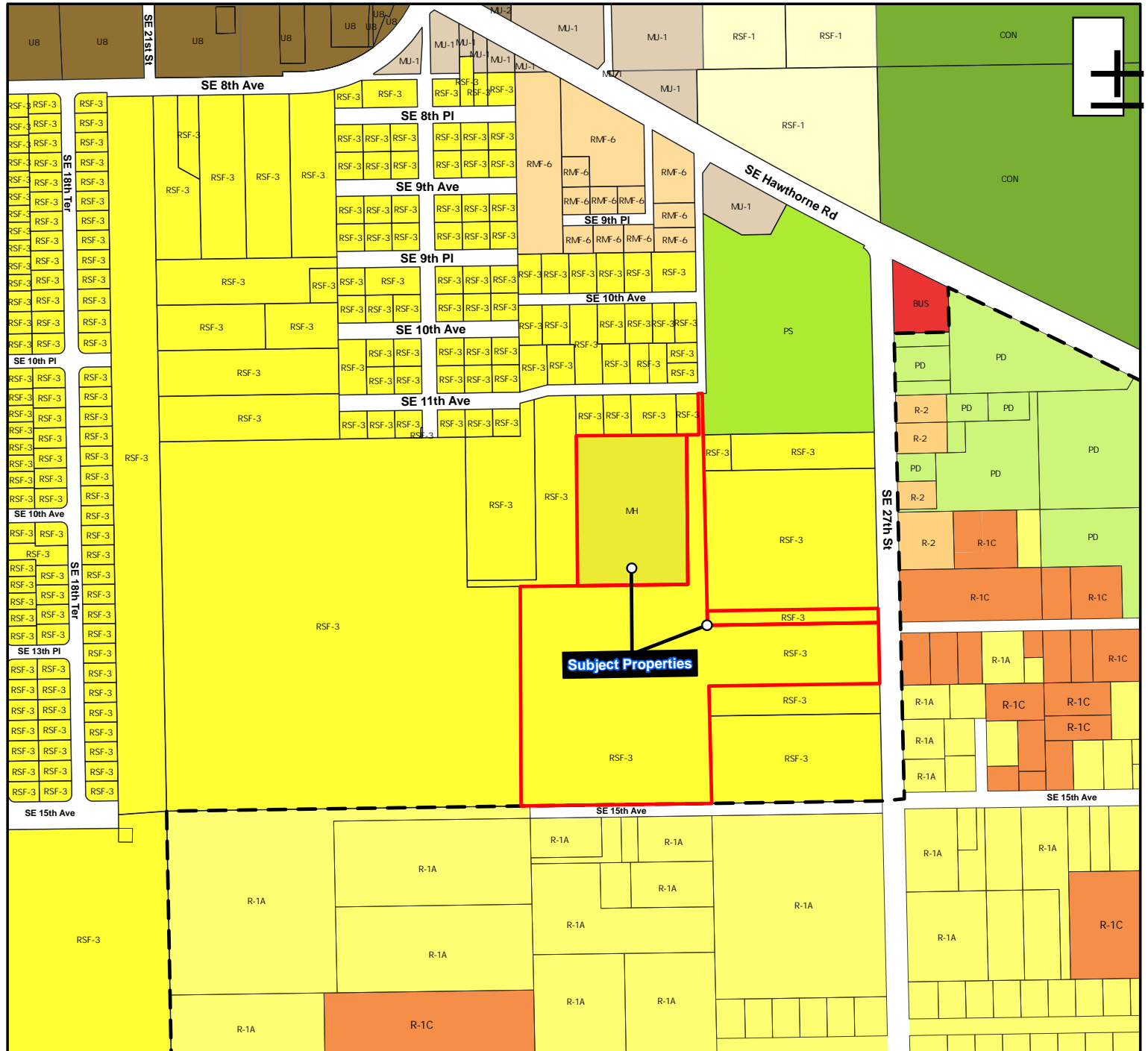
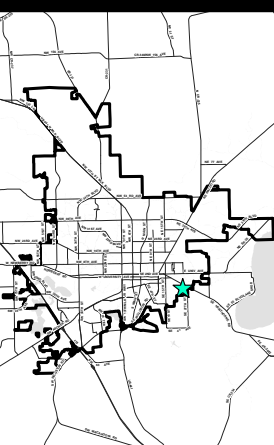
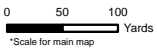
Subject Parcels:

- 16093-000-000
- 16093-001-000
- 16093-010-000

Map Legend

- City Limits
- Subject Parcels
- Parcels
- City of Gainesville Zoning**
- BUS: General Business District
- CON: Conservation
- MH: Mobile Home Residential
- MU-1: Mixed Use Low Intensity
- MU-2: Mixed Use Medium Intensity
- PS: Public Services and Operations
- RMF-6: Multiple-Family Residential
- RSF-1: Single-Family Residential
- RSF-3: Single-Family Residential
- U8: Urban 8
- Alachua County Zoning**
- (PD) Planned Development
- (R-1A) Single Family Residential
- (R-1C) Single Family Residential
- (R-2) Multi-family Residential

Produced By:
GIS Analyst
Dept. of Sustainable Development
March 2023



Proposed Zoning LD22-000122 ZON

Subject Parcels:

- 16093-000-000
- 16093-001-000
- 16093-010-000

Map Legend

- City Limits
 - Subject Parcels
 - Parcels
- ### City of Gainesville Zoning
- BUS: General Business District
 - CON: Conservation
 - MH: Mobile Home Residential
 - MU-1: Mixed Use Low Intensity
 - MU-2: Mixed Use Medium Intensity
 - PS: Public Services and Operations
 - RMF-5: Single-Family/Multiple-Family Residential
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 - RSF-1: Single-Family Residential
 - RSF-2: Single-Family Residential
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- (PD) Planned Development
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Dept. of Sustainable Development
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