

**ORDINANCE NO. 2023-825**

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**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.16 acres of property generally located at 1222 NW 16<sup>th</sup> Avenue, as more specifically described in this ordinance, from Residential Single-Family (RSF-1) to Urban 4 (U4); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, the City of Gainesville, Florida, is a duly constituted municipality having the broad exercise of home rule authority conferred upon it by Article VIII, Section 2 of the Florida Constitution and the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, 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

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

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

32 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
33 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency  
34 pursuant to Section 163.3174, Florida Statutes, held a public hearing on August 24, 2023, to  
35 consider this application and provide a recommendation to the City Commission; and

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

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

42 **WHEREAS**, the City Commission finds that the rezoning of the subject property will be  
43 consistent with the City of Gainesville Comprehensive Plan when the amendment to the  
44 Comprehensive Plan adopted by Ordinance No. 2023-826 becomes effective as provided  
45 therein.

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

48 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
49 following property from Residential Single-Family (RSF-1) to Urban 4 (U4):

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

54  
55 **SECTION 2.** The City Manager or designee is authorized and directed to make the necessary  
56 changes to the Zoning Map Atlas to comply with this ordinance.

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

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

64 **SECTION 5.** This ordinance will become effective immediately upon adoption; however, the  
65 rezoning will not become effective until the amendment to the City of Gainesville  
66 Comprehensive Plan adopted by Ordinance No. 2023-826 becomes effective as provided  
67 therein.

68 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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71 \_\_\_\_\_  
72 HARVEY L. WARD, JR.  
73 MAYOR

74  
75 Attest: Approved as to form and legality:

76  
77 \_\_\_\_\_  
78 KRISTEN J. BRYANT DANIEL M. NEE  
79 INTERIM CITY CLERK CITY ATTORNEY

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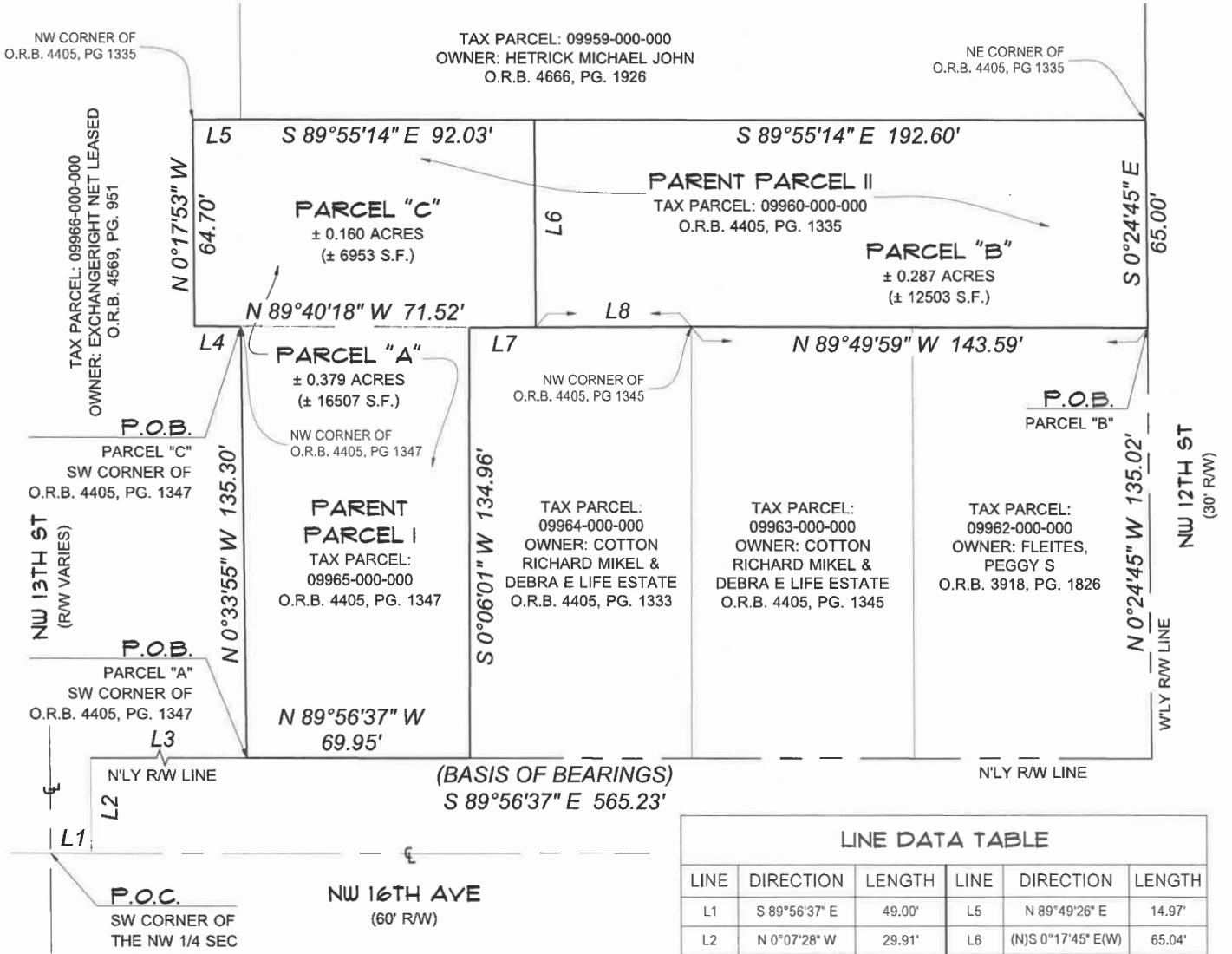
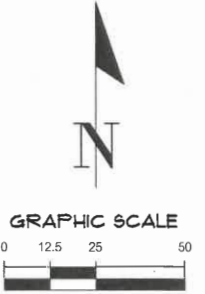
This ordinance passed on first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

This ordinance passed on adoption reading the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SITUATED IN THE NW 1/4 OF  
SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST,  
CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

**\*SKETCH - NOT A BOUNDARY SURVEY\***



LINE	DIRECTION	LENGTH	LINE	DIRECTION	LENGTH
L1	S 89°56'37" E	49.00'	L5	N 89°49'26" E	14.97'
L2	N 0°07'28" W	29.91'	L6	(N)S 0°17'45" E(W)	65.04'
L3	S 89°56'37" E	280.45'	L7	S 89°46'51" W	20.90'
L4	N 89°40'18" W	14.59'	L8	S 89°46'51" W	49.14'

**LEGEND:**  
O.R.B. = OFFICIAL RECORDS BOOK  
S.F. = SQUARE FEET  
P.O.C. = POINT OF COMMENCEMENT  
P.O.B. = POINT OF BEGINNING  
RW = RIGHT OF WAY  
SEC = SECTION  
T9S = TOWNSHIP 9 SOUTH  
R20E = RANGE 20 EAST

**SURVEYOR'S NOTES:**  
1.) BEARINGS SHOWN HEREON ARE REFERRED TO AN ASSUMED VALUE OF S 89°56'37" E FOR THE NORTHERLY RIGHT-OF-WAY LINE OF NW 16TH AVE, AS SHOWN HEREON.

**DESCRIPTION:**  
(SEE SHEETS 2, 3 & 4 OF 4)

CERTIFIED TO:  
  
MIKE COTTON


SHEET NO. <b>1 OF 4</b>	This map prepared by:	<b>AUSTIN BLAZS</b>	DATE: 06-20-2023	SCALE: 1" = 50'
	CERTIFICATE OF AUTHORIZATION NO. L.B. 5075 NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER	 Austin Blazs Professional Surveyor & Mapper Fla, License No. 7401	TECHNICIAN: LWC CHECKED BY: AB PROJECT NUMBER: 23-0421	VERIFY SCALE 848 P.C. ONE HALF INCH 30" x 42" ORIGINAL DRAWING 6" x 9" SHEET, 12" x 18" PROJECT 1" x 1" SHEET, 12" x 18" PROJECT 1" x 1" SHEET, 12" x 18" PROJECT

Exhibit A to Ordinance 2023-825

PARCEL "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, BEING A PORTION OF SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1335 AND PAGE 1347, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST BEING A POINT LOCATED AT THE INTERSECTION OF THE CENTERLINE OF NORTHWEST 13TH STREET (U.S. 441) AND THE CENTERLINE OF NORTHWEST 16TH AVENUE (60' RIGHT-OF-WAY), THENCE ALONG SAID CENTERLINE OF SAID AVENUE SOUTH 89°56'37" EAST, A DISTANCE OF 49.00 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 0°07'28" WEST, A DISTANCE OF 29.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AVENUE; THENCE ALONG SAID NORTHERLY LINE SOUTH 89°56'37" EAST, A DISTANCE OF 280.45 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTHERLY LINE NORTH 0°33'55" WEST, A DISTANCE OF 135.30 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1347; THENCE NORTH 89°40'18" WEST, A DISTANCE OF 14.59 FEET; THENCE NORTH 0°17'53" WEST, A DISTANCE OF 64.70 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4405, PAGE 1335; THENCE NORTH 89°49'26" EAST, A DISTANCE OF 14.97 FEET; THENCE SOUTH 89°55'14" EAST, A DISTANCE OF 92.03 FEET; THENCE SOUTH 0°17'45" EAST, A DISTANCE OF 65.04 FEET; THENCE SOUTH 89°46'51" WEST, A DISTANCE OF 20.90 FEET; THENCE SOUTH 0°06'01" WEST, A DISTANCE OF 134.96 FEET TO SAID NORTHERLY LINE; THENCE ALONG SAID NORTHERLY LINE NORTH 89°56'37" WEST, A DISTANCE OF 69.95 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED PARCEL CONTAINING 0.379 ACRES, MORE OR LESS.

CERTIFIED TO:  
  
SEE SHEET ONE OF FOUR

SHEET NO. 2 OF 4	This map prepared by:	AUSTIN BLAZS	DATE: 06-20-2023
	CERTIFICATE OF AUTHORIZATION NO. I.B. 5075	SEE SHEET ONE OF FOUR	TECHNICIAN: LWC
	NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.	Professional Surveyor & Mapper Fla. License No. 7401	CHECKED BY: AB
			PROJECT NUMBER: 23-0421
			
			11801 Research Drive Alachua, Florida 32615 (352) 331-1976 www.chw-inc.com est. 1988 <b>FLORIDA</b> CA-5075

Exhibit A to Ordinance 2023-825

PARCEL "B"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, BEING A PORTION OF SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1335, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST BEING A POINT LOCATED AT THE INTERSECTION OF THE CENTERLINE OF NORTHWEST 13TH STREET (U.S. 441) AND THE CENTERLINE OF NORTHWEST 16TH AVENUE (60' RIGHT-OF-WAY), THENCE ALONG SAID CENTERLINE OF SAID AVENUE SOUTH 89°56'37" EAST, A DISTANCE OF 49.00 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 0°07'28" WEST, A DISTANCE OF 29.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AVENUE; THENCE ALONG SAID NORTHERLY LINE SOUTH 89°56'37" EAST, A DISTANCE OF 565.23 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF NORTHWEST 12TH STREET (30' RIGHT-OF-WAY); THENCE ALONG SAID WESTERLY LINE NORTH 0°24'45" WEST, A DISTANCE OF 135.02 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WESTERLY LINE NORTH 89°49'59" WEST, A DISTANCE OF 143.59 FEET TO THE NORTHWEST CORNER OF SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1345; THENCE SOUTH 89°46'51" WEST, A DISTANCE OF 49.14 FEET; THENCE NORTH 0°17'45" WEST, A DISTANCE OF 65.04 FEET; THENCE SOUTH 89°55'14" EAST, A DISTANCE OF 192.60 FEET TO SAID WESTERLY LINE; THENCE ALONG SAID WESTERLY LINE SOUTH 0°24'45" EAST, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING.

HEREIN DESCRIBED PARCEL CONTAINING 0.287 ACRES, MORE OR LESS.

CERTIFIED TO:  
  
SEE SHEET ONE OF FOUR

SHEET NO. 3 OF 4	This map prepared by:	AUSTIN BLAZS	DATE: 06-20-2023	 11801 Research Drive Alachua, Florida 32615 (352) 331-1976 www.chw-inc.com est. 1988 <b>FLORIDA</b> CA-5075
	CERTIFICATE OF AUTHORIZATION NO. I.B. 5075	SEE SHEET ONE OF FOUR	TECHNICIAN: LWC	
NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER	Professional Surveyor & Mapper Fla. License No. 7401	CHECKED BY: AB	PROJECT NUMBER: 23-0421	

Exhibit A to Ordinance 2023-825

PARCEL "C"

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA, BEING A PORTION OF SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1335 AND PAGE 1347, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 20 EAST BEING A POINT LOCATED AT THE INTERSECTION OF THE CENTERLINE OF NORTHWEST 13TH STREET (U.S. 441) AND THE CENTERLINE OF NORTHWEST 16TH AVENUE (60' RIGHT-OF-WAY), THENCE ALONG SAID CENTERLINE OF SAID AVENUE SOUTH 89°56'37" EAST, A DISTANCE OF 49.00 FEET; THENCE DEPARTING SAID CENTERLINE NORTH 0°07'28" WEST, A DISTANCE OF 29.91 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID AVENUE; THENCE ALONG SAID NORTHERLY LINE SOUTH 89°56'37" EAST, A DISTANCE OF 280.45 FEET; THENCE DEPARTING SAID NORTHERLY LINE NORTH 0°33'55" WEST, A DISTANCE OF 135.30 FEET TO THE POINT OF BEGINNING, BEING THE NORTHWEST CORNER OF LANDS DESCRIBED IN SAID COUNTY OFFICIAL RECORDS BOOK 4405, PAGE 1347; THENCE NORTH 89°40'18" WEST, A DISTANCE OF 14.59 FEET; THENCE NORTH 0°17'53" WEST, A DISTANCE OF 64.70 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4405, PAGE 1335; THENCE NORTH 89°49'26" EAST, A DISTANCE OF 14.97 FEET; THENCE SOUTH 89°55'14" EAST, A DISTANCE OF 92.03 FEET; THENCE SOUTH 0°17'45" EAST, A DISTANCE OF 65.04 FEET; THENCE SOUTH 89°46'51" WEST, A DISTANCE OF 20.90 FEET; THENCE NORTH 89°40'18" WEST, A DISTANCE OF 71.52' TO THE POINT OF BEGINNING.

HEREIN DESCRIBED PARCEL CONTAINING 0.160 ACRES, MORE OR LESS.

CERTIFIED TO:  
  
SEE SHEET ONE OF FOUR

SHEET NO. 4 OF 4	This map prepared by:	AUSTIN BLAZS	DATE: 06-20-2023	 11801 Research Drive Alachua, Florida 32615 (352) 331-1976 www.chw-inc.com est. 1988 <b>FLORIDA</b> CA-5075
	CERTIFICATE OF AUTHORIZATION NO. L.B. 5075	SEE SHEET ONE OF FOUR	TECHNICIAN: LWC	
	NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR ELECTRONIC DIGITAL SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER	Professional Surveyor & Mapper Fla. License No. 7401	CHECKED BY: AB	
			PROJECT NUMBER: 23-0421	



Exhibit B to Ordinance 2023-825

**Existing Zoning  
1222 NW 16th Ave**

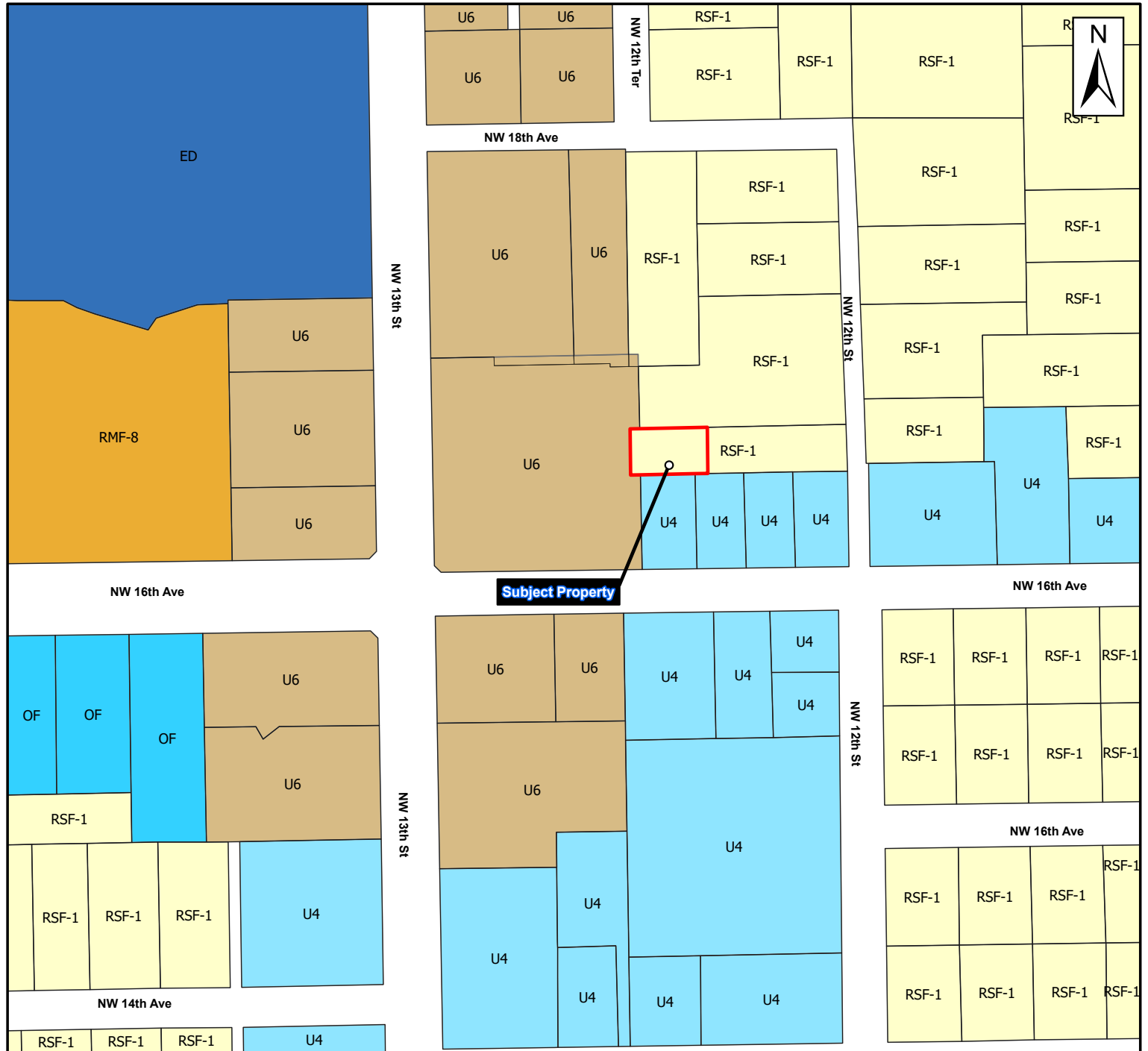
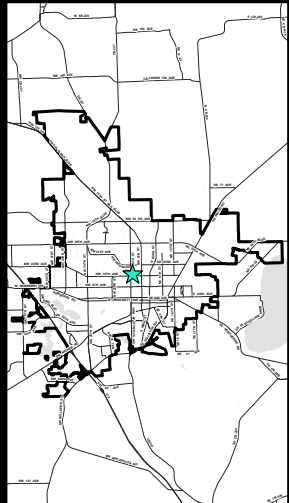
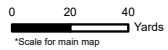
Subject Parcels:

-09965-000-000

**Map Legend**

- Subject Parcel
- City Limits
- Parcels
- City of Gainesville Zoning**
- ED: Educational Services
- OF: General Office
- RMF-8: Multiple-Family Residential
- RSF-1: Single-Family Residential
- U4: Urban 4
- U6: Urban 6

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



# Exhibit B to Ordinance 2023-825

## Proposed Zoning 1222 NW 16th Ave

Subject Parcels:

-09965-000-000

### Map Legend

- Subject Parcel
- City Limits
- Parcels
- City of Gainesville Zoning**
- ED: Educational Services
- OF: General Office
- RMF-8: Multiple-Family Residential
- RSF-1: Single-Family Residential
- U4: Urban 4
- U6: Urban 6

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

