

**ORDINANCE 15 06**

**AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM RESIDENTIAL MULTIPLE FAMILY - 8 ("RMF-8") TO RESIDENTIAL MULTIPLE FAMILY - 15 ("RMF-15") ON APPROXIMATELY 12.12 ACRES; LOCATED SOUTH OF NW 151ST BLVD AND PARK VEGETARIANA; NORTH OF CLOVER RANCH ESTATES AND WYNDSWEEP HILLS; EAST OF U.S. INTERSTATE HIGHWAY 75 (I-75); AND WEST OF WYNDSWEEP HILLS AND SANTA FE STATION; ALACHUA, FLORIDA. A PORTION OF TAX PARCEL NUMBER 03863-002-001; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, an application for a Site-Specific Amendment to the Official Zoning Atlas (Amendment), as described below, has been filed with the City; and

**WHEREAS**, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency ("LPA"), on May 12, 2015; and

**WHEREAS**, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on May 12, 2015, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

**WHEREAS**, the City advertised public hearings to be held before the City Commission on June 8, 2015, and on June 22, 2015; and

**WHEREAS**, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on June 8, 2015, and June 22, 2015, and provided for and received public participation at both public hearings; and

**WHEREAS**, the City Commission has determined and found the proposed Amendment to be consistent with the City of Alachua Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, for reasons set forth in this Ordinance, the Alachua City Commission finds and declares that the enactment of the proposed Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA:**

**Section 1.     Official Zoning Atlas Amended**

The Official Zoning Atlas is hereby amended from Residential Multiple Family - 8 ("RMF-8") to Residential Multiple Family - 15 ("RMF-15") for a portion of Tax Parcel Number 03863-002-001, in accordance with the legal description found in Exhibit A and map found in Exhibit B attached hereto.

**Section 2. Findings of Fact and Conclusions of Law**

1. The above recitals are true and correct and are incorporated into this ordinance by reference.
2. The proposed Amendment is in compliance with the Land Development Regulations.
3. The Amendment will not cause a reduction in the adopted level of service standards for roads, water, sewer, waste, stormwater, and recreation.

**Section 3. Ordinance to be Construed Liberally**

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of Alachua, Florida.

**Section 4. Repealing Clause**

All ordinance or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 5. Severability**

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

**Section 6.    Effective Date**

This ordinance shall take effect immediately after its passage and adoption.

**PASSED** on first reading the 8<sup>th</sup> day of June, 2015.

**PASSED** and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 22<sup>nd</sup> day of June, 2015.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

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**Gib Coerper, Mayor**

SEAL

**ATTEST:**

**APPROVED AS TO FORM**

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Traci L. Cain, City Manager/Clerk

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Marian B. Rush, City Attorney

## **EXHIBIT "A"**

### LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE WILLIAM GARVIN GRANT, TOWNSHIP 8 SOUTH, RANGE 18 EAST, IN THE CITY OF ALACHUA, ALACHUA COUNTY, FLORIDA, BEING A PORTION OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2314, PAGE 619 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF "CLOVER RANCH ESTATES" AS PER PLAT THEREOF, RECORDED IN PLAT BOOK "F", PAGE 7 OF SAID PUBLIC RECORDS; THENCE NORTH 02 DEGREES 39 MINUTES 49 SECONDS WEST, ALONG THE BOUNDARY OF SAID LANDS, 49.42 FEET; THENCE NORTH 02 DEGREES 27 MINUTES 11 SECONDS WEST, 589.03 FEET TO THE SOUTHERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2256, PAGE 2504 OF SAID PUBLIC RECORDS; THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID SOUTHERLY BOUNDARY; NORTH 85 DEGREES 46 MINUTES 42 SECONDS WEST, 151.78 FEET; THENCE NORTH 72 DEGREES 58 MINUTES 39 SECONDS WEST, 541.25 FEET TO THE **POINT OF BEGINNING**; THENCE DEPARTING SAID SOUTHERLY BOUNDARY SOUTH 32 DEGREES 01 MINUTES 26 SECONDS WEST, 550.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51 DEGREES 51 MINUTES 02 SECONDS, 361.99 FEET TO THE POINT OF TANGENCY, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 57 DEGREES 56 MINUTES 57 SECONDS WEST, 349.76 FEET; THENCE SOUTH 83 DEGREES 52 MINUTES 28 SECONDS WEST, 140.63 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 500.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13 DEGREES 30 MINUTES 04 SECONDS, 117.82 FEET TO THE POINT OF TANGENCY, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 89 DEGREES 22 MINUTES 30 SECONDS WEST, 117.55 FEET; THENCE NORTH 82 DEGREES 37 MINUTES 28 SECONDS WEST, 114.27 FEET; THENCE NORTH 07 DEGREES 22 MINUTES 32 SECONDS EAST, 662.82 TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29 DEGREES 03 MINUTES 55 SECONDS, 253.64 FEET TO THE SOUTHERLY BOUNDARY OF LANDS DESCRIBED IN AFOREMENTIONED OFFICIAL RECORD BOOK 2256, PAGE 2504, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 21 DEGREES 54 MINUTES 30 SECONDS EAST, 250.93 FEET; THENCE SOUTH 72 DEGREES 58 MINUTES 39 SECONDS EAST, ALONG SAID SOUTHERLY BOUNDARY, 816.01 FEET TO THE **POINT OF BEGINNING**;

**LESS AND EXCEPT** PORTIONS OF LOTS 32 THROUGH 45 OF WYNDSWEEP HILLS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 26, PAGE 75 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 12.12 ACRES, MORE OR LESS.

## EXHIBIT "B"

