

ORDINANCE 15-13

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE LARGE SCALE AMENDMENT OF THE CITY OF ALACHUA COMPREHENSIVE PLAN FUTURE LAND USE MAP: 2015; AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM RURAL EMPLOYMENT CENTER (ALACHUA COUNTY) TO INDUSTRIAL ON APPROXIMATELY 45.42 ACRES; AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM RURAL EMPLOYMENT CENTER (ALACHUA COUNTY) TO COMMERCIAL ON APPROXIMATELY 18.02 ACRES; AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM RURAL EMPLOYMENT CENTER (ALACHUA COUNTY) TO COMMUNITY COMMERCIAL ON APPROXIMATELY 1 ACRE; LOCATED NORTH OF UNITED STATES HIGHWAY 441; SOUTH OF THE SEABOARD COASTLINE RAILROAD, EAST OF NORTHWEST 98th STREET, AND ADJACENT TO THE PHOENIX COMMERCIAL PARK, ALACHUA, FLORIDA. TAX PARCEL NUMBERS 05855-002-000, 05855-003-000, 05962-001-000, AND 05962-002-000; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

R E C I T A L S

WHEREAS, an application for a large scale comprehensive plan amendment, as described below, to the Comprehensive Plan Future Land Use Map has been filed with the City; and,

WHEREAS, a duly advertised public hearing was conducted on the proposed amendment on October 13, 2015 by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered comments received during the public hearing concerning the application and made its recommendation for approval to the City Commission; and,

WHEREAS, the City Commission considered the recommendations of the LPA at a duly advertised public hearings on November 9, 2015 and January 25, 2016, provided for and received public participation, and approved the amendment for submittal to the Florida Department of Economic Opportunity (DEO) and reviewing agencies under the Expedited State Review process; and,

WHEREAS, the City Commission has determined and found said application for the amendment, to be consistent with the City of Alachua Comprehensive Plan and Land Development Regulations; and,

WHEREAS, for reasons set forth in this Ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this 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. Findings of Fact and Conclusions of Law

1. The above recitals are true and correct and incorporated herein by reference.
2. The proposed Future Land Use Map amendment is consistent with the Comprehensive Plan.
3. The amendment will not cause a reduction in the adopted level of service standards for roads, water, sewer, waste, stormwater, and recreation.

Section 2. Comprehensive Plan, Future Land Use Map Amended

The Comprehensive Plan Future Land Use Map is hereby amended from Rural Employment Center to Commercial for Tax Parcel Numbers 05855-003-000, 05855-002-000, and a \pm 10 acre portion of Tax Parcel Number 05962-002-000, in accordance with the legal description found in Exhibit A and map found in Exhibit B attached hereto.

The Comprehensive Plan Future Land Use Map is hereby amended from Rural Employment Center to Community Commercial for Tax Parcel Number 05962-002-000, in accordance with the legal description found in Exhibit A and map found in Exhibit B attached hereto.

The Comprehensive Plan Future Land Use Map is hereby amended from Rural Employment Center to Industrial for a 45.42 acre portion of Tax Parcel Number 05962-002-000, in accordance with the legal description found in Exhibit A and map found in Exhibit B attached hereto.

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

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete in accordance with Chapter 163.3184 F.S. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted amendment to be in compliance in accordance with Chapter 163.3184 F.S. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this plan amendment has become effective.

PASSED on first reading the 9th day of November, 2015.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 25th day of January , 2016.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Cain, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT "A"

A portion of Tax Parcel Number 05962-002-000

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, THENCE WEST, A DISTANCE OF 1313.40 FEET; THENCE NORTH, A DISTANCE OF 218.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (200-FOOT RIGHT OF WAY); THENCE NORTH 72°51'47" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 171.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 11424.66 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 69°24'13" WEST, 1368.62 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 6°52'04", AN ARC DISTANCE OF 1369.44 FEET TO THE END OF SAID CURVE; THENCE NORTH 65°59'42" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1310.28 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY, NORTH 22°09'10" EAST, A DISTANCE OF 158.74 FEET; THENCE NORTH 66°13'12" WEST, A DISTANCE OF 305.43 FEET; THENCE NORTH 1°33'26" EAST, A DISTANCE OF 169.02 FEET; THENCE NORTH 23°50'23" EAST, A DISTANCE OF 474.49 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 23°50'23" EAST, A DISTANCE OF 1540.14 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD (200-FOOT RIGHT OF WAY); THENCE NORTH 58°44'53" WEST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 624.24 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 0°37'49" EAST, A DISTANCE OF 70.66 FEET; THENCE NORTH 58°44'53" WEST, A DISTANCE OF 547.93 FEET TO THE BEGINNING OF AN ARC CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2712.57 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 63°45'03" WEST, 473.11 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°00'21", AN ARC LENGTH OF 473.71 FEET TO THE END OF SAID CURVE; THENCE SOUTH 0°08'45" WEST, A DISTANCE OF 1798.54 FEET; THENCE SOUTH 66°09'37" EAST, A DISTANCE OF 883.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 45.422 ACRES OF LAND, MORE OR LESS.

A portion of Tax Parcel Number 05962-002-000

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, THENCE WEST, A DISTANCE OF 1313.40 FEET; THENCE NORTH, A DISTANCE OF 218.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (200 FOOT RIGHT OF WAY); THENCE NORTH 72°51'47" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 171.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 11424.66 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 69°24'13" WEST, 1368.62 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 6°52'04", AN ARC DISTANCE OF 1369.44 FEET TO THE END OF SAID CURVE; THENCE NORTH 65°59'42" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1310.28 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY, NORTH 22°09'10" EAST, A DISTANCE OF 158.74 FEET; THENCE NORTH 66°13'12" WEST, A DISTANCE OF 305.43 FEET; THENCE NORTH 1°33'26" EAST, A DISTANCE OF 169.02 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 23°50'23" EAST, A DISTANCE OF 474.49 FEET; THENCE NORTH 66°09'37" WEST, A DISTANCE OF 883.06 FEET; THENCE SOUTH 0°08'45" WEST, A DISTANCE OF 859.25 FEET TO THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 441; THENCE SOUTH 66°00'09" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 209.40 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 1°07'22" EAST, A DISTANCE OF 340.98 FEET; THENCE SOUTH 65°57'29" EAST, A DISTANCE OF 460.05 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 10.000 ACRES OF LAND, MORE OR LESS.

Tax Parcel Number 05855-002-000

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, THENCE WEST, A DISTANCE OF 1313.40 FEET; THENCE NORTH, A DISTANCE OF 218.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (200 FOOT RIGHT OF WAY); THENCE NORTH $72^{\circ}51'47''$ WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 171.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 11424.66 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $72^{\circ}28'39''$ WEST, 143.66 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF $0^{\circ}43'14''$, AN ARC LENGTH OF 143.66 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF $6^{\circ}08'51''$, AN ARC LENGTH OF 1225.79 FEET, BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH $69^{\circ}02'37''$ WEST, 1225.20 FEET; THENCE NORTH $65^{\circ}59'43''$ WEST, A DISTANCE OF 58.07 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, NORTH $23^{\circ}58'58''$ EAST, A DISTANCE OF 267.73 FEET; THENCE SOUTH $66^{\circ}02'07''$ EAST, A DISTANCE OF 549.33 FEET; THENCE SOUTH $24^{\circ}03'59''$ WEST, A DISTANCE OF 13.30 FEET; THENCE SOUTH $65^{\circ}40'40''$ EAST, A DISTANCE OF 731.31 FEET; THENCE SOUTH $23^{\circ}41'21''$ WEST, A DISTANCE OF 185.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7.019 ACRES OF LAND, MORE OR LESS.

Tax Parcel Number 05855-003-000

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, THENCE WEST, A DISTANCE OF 1313.40 FEET; THENCE NORTH, A DISTANCE OF 218.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (200-FOOT RIGHT OF WAY); THENCE NORTH 72°51'47" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 56.11 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 72°51'47" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 115.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 11424.66 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 72°28'39" WEST, 143.66 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 0°43'14", AN ARC LENGTH OF 143.66 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 23°41'21" EAST, A DISTANCE OF 185.61 FEET; THENCE SOUTH 65°40'40" EAST, A DISTANCE OF 255.00 FEET; THENCE SOUTH 22°54'48" WEST, A DISTANCE OF 154.26 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 7.019 ACRES OF LAND, MORE OR LESS.

Tax Parcel Number 05962-001-000

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, THENCE WEST, A DISTANCE OF 1313.40 FEET; THENCE NORTH, A DISTANCE OF 218.99 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 441 (200-FOOT RIGHT OF WAY); THENCE NORTH 72°51'47" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 171.11 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 11424.66 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 69°24'13" WEST, 1368.62 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 6°52'04", AN ARC DISTANCE OF 1369.44 FEET TO THE END OF SAID CURVE; THENCE NORTH 65°59'42" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1310.28 FEET TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID NORTHERLY RIGHT OF WAY: (1) NORTH 65°59'42" WEST, A DISTANCE OF 79.08 FEET; (2) THENCE NORTH 65°51'21" WEST, A DISTANCE OF 16.35 FEET; THENCE NORTH 66°04'53" WEST, A DISTANCE OF 150.00 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 1°33'25" EAST, A DISTANCE OF 170.57 FEET; THENCE SOUTH 66°13'12" EAST, A DISTANCE OF 305.43 FEET; THENCE SOUTH 22°09'10" WEST, A DISTANCE OF 158.74 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1.000 ACRES OF LAND, MORE OR LESS.

EXHIBIT "B"

