

ORDINANCE 16-06

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM LIGHT AND WAREHOUSE INDUSTRIAL (ILW) TO COMMERCIAL INTENSIVE (CI) ON APPROXIMATELY 2.5 ACRES; LOCATED SOUTH OF NW US HIGHWAY 441, AND EAST AND WEST OF NW 101ST DRIVE; TAX PARCEL NUMBERS 05964-002-001, 05964-002-006, AND PORTION OF 05964-002-000; REPEALING ALL ORDINANCES IN CONFLICT; 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 April 7, 2016; and

WHEREAS, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on April 19, 2016, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation for approval to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on April 28, 2016, and on May 12, 2016; and

WHEREAS, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on May 9, 2016, and May 23, 2016, 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. 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 2. Official Zoning Atlas Amended

The Official Zoning Atlas is hereby amended from Light and Warehouse Industrial (“ILW”) to Commercial Intensive (“CI”) for 2.5 acres consisting of Tax Parcel Number 05964-002-001, 05964-002-006, and portion of 05964-002-000, 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

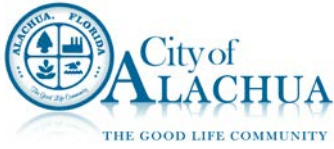
It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity 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

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

PASSED on first reading the 9th day of May, 2016.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 23^d day of May, 2016.



Quasi-Judicial

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Gresham, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

Lots 1 and 6 of Upland Industrial Park, together with that portion of NW 101st Drive, (a 60 foot wide Private Roadway) lying west of and adjacent to said Lot 6, all of which is as recorded in Plat Book 28 at page 61 of the Public Records of Alachua County, Florida.

Being known as Alachua County Tax Parcels numbers 05964-002-001, 05964-002-006 and a portion of 05964-002-000.

EXHIBIT "B"

