

ORDINANCE 16-14

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 9.32 ACRES; SOUTH OF NORTHWEST US HIGHWAY 441 AND POLARIS OF GAINESVILLE, AND WEST OF THE TURKEY CREEK SUBDIVISION; A PORTION OF TAX PARCEL NUMBER 05920-001-002; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

R E C I T A L S

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 June 30, 2016; and

WHEREAS, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on July 12, 2016, 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 July 28, 2016, and on August 11, 2016; and

WHEREAS, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on August 8, 2016, and August 22, 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, recreation, and public schools.

Section 2. Official Zoning Atlas Amended

1. The Official Zoning Atlas is hereby amended from Light and Warehouse Industrial (ILW) to Commercial Intensive (CI) and for a portion of Tax Parcel Number 05920-001-002, in accordance with the legal description found in Exhibit “A” and map found in Exhibit “B” attached hereto and incorporated herein.

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 Ordinances 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. The effective date of this Amendment shall be concurrent with the effective date of Ordinance 16-13. No development orders, development permit, or land uses dependent on this Amendment may be issued or commenced before this Amendment has become effective.

PASSED on first reading the 8th day of August, 2016.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 22nd day of August, 2016.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

Traci L. Gresham, City Manager/Clerk

EXHIBIT "A"

A PORTION OF TAX PARCEL NUMBER 05920-001-002

A portion of fractional Section 29, Township 8 South, Range 19 East, City of Alachua, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of fractional Section 29, Township 8 South, Range 19 East, Alachua County, Florida and run thence South 00°42'41" East, along the east boundary of said fractional Section 29, a distance of 393.87 feet to the northeast corner of that certain parcel of land as described in Official Records Book 1577, page 2244 of the Public Records of Alachua County, Florida; thence continue South 00°42'41" East, along the east line of said certain parcel of land and along said east boundary of fractional Section 29, a distance of 479.40 feet to the Point of Beginning; thence continue South 00°42'41" East, along said east boundary, 940.46 feet to the southeast corner of said certain parcel of land; thence North 58°30'45" West, along the southerly line of said certain parcel of land and along the northerly line of the Fernandez Grant, 523.11 feet to the southeast corner of that certain parcel of land as described in Official Records Book 1590, page 2082 of said Public Records; thence North 10°19'10" West, along the east line of said certain parcel of land (Official Records Book 1590, page 2082), a distance of 711.62 feet; thence North 89°17'19" East, 285.87 feet; thence North 89°59'37" East, 30.51 feet; thence South 66°17'50" East, 95.68 feet; thence North 89°17'19" East, 157.93 feet to the Point of Beginning.

Containing 9.32 acres, more or less.

EXHIBIT "B"

