

**ORDINANCE 16- 05**

**AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE SMALL SCALE AMENDMENT OF THE CITY OF ALACHUA COMPREHENSIVE PLAN FUTURE LAND USE MAP; AMENDING THE FUTURE LAND USE MAP FROM INDUSTRIAL TO COMMERCIAL 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 small 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 April 19, 2016 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 May 9<sup>th</sup>, 2016 and May 23<sup>d</sup>, 2016, provided for and received public participation; and,

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**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 Industrial to Commercial for Tax Parcel Numbers 05964-002-001, 05964-002-006, and a 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**


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 9<sup>th</sup> 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<sup>d</sup> day of May, 2016.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA



Gib Coerper, Mayor

ATTEST:



Traci L. Gresham, City Manager/Clerk

APPROVED AS TO FORM



Marian B. Rush, City Attorney



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**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"

