

**ORDINANCE 22-16**

**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 CLASSIFICATION OF A ±27.88 ACRE PROPERTY FROM CORPORATE PARK TO HIGH DENSITY RESIDENTIAL; GENERALLY LOCATED NORTH OF THE US 441/INTERSTATE 75 INTERCHANGE, NORTH OF NW 161<sup>ST</sup> TERRACE, AND WEST OF INTERSTATE 75; A PORTION OF TAX PARCEL NUMBER 03049-000-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, an application for a Small Scale Comprehensive Plan Amendment (“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 June 14, 2022 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 to the City Commission; and,

**WHEREAS**, the City Commission held duly advertised public hearings on July 25, 2022 and August 8, 2022 on the proposed Amendment and provided for and received public participation; 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,

**WHEREAS**, for reasons set forth in this Ordinance that is hereby adopted and incorporated herein as findings of fact, that the 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 transportation, potable water, sanitary sewer, solid waste, stormwater, recreation, or public schools.

**Section 2. Comprehensive Plan Future Land Use Map Amended**

The Comprehensive Plan Future Land Use Map is hereby amended from Corporate Park to High Density Residential on a ±27.88 acre subject property, consisting of a portion of Tax Parcel Number 03049-000-000, 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 become effective immediately upon passage and adoption. The effective date of this plan Amendment, unless timely challenged, shall be 31 days after adoption in accordance with Chapter 163.3187, Florida Statutes. If timely challenged, this Amendment shall become effective on the date the state land planning agency or Administrative Commission enters a final order determining this adopted Amendment to be in compliance in accordance with Chapter 163.3187, Florida Statutes. No

development orders, development permit, or land uses dependent on this Amendment may be issued or commenced before this plan Amendment has become effective.

**PASSED** on first reading the 25<sup>th</sup> day of July 2022.

**PASSED** and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 8<sup>th</sup> day of August 2022.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

\_\_\_\_\_  
Gib Coerper, Mayor  
**SEAL**

**APPROVED AS TO FORM**

**ATTEST:**

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Mike DaRoza, City Manager/Clerk

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Marian B. Rush, City Attorney

## EXHIBIT "A"

### LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN A PORTION OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°42'41" WEST, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1166.41 FEET TO A POINT LOCATED AT THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (300' WIDE RIGHT OF WAY), SAID POINT BEING THE POINT OF BEGINNING AND LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 13°04'09" EAST, 1852.93 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 19°06'58", AN ARC DISTANCE OF 1861.56 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 969.51 FEET; THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 1120.99 FEET TO THE SOUTH LINE OF THE NORTH ¼ OF GOVERNMENT LOT 2 OF AFOREMENTIONED SECTION 9; THENCE SOUTH 89°58'35" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 409.76 FEET TO THE SOUTHEAST CORNER OF SAID NORTH ¼ OF GOVERNMENT LOT 2 OF SECTION 9; THENCE NORTH 00°32'11" WEST, ALONG THE EAST LINE OF SAID NORTH ¼ OF GOVERNMENT LOT 2 OF AFOREMENTIONED SECTION 9, AND ITS NORTHERLY PROJECTION THEREOF, A DISTANCE OF 1014.01 FEET TO AN INTERSECTION OF THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75, LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 24°29'23" EAST, 362.46 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 03°43'07", AN ARC DISTANCE OF 362.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.88 ACRES, MORE OR LESS.

## EXHIBIT "B"

