

**RESOLUTION 22-25**

**A RESOLUTION OF THE CITY OF ALACHUA, FLORIDA : REGARDING A REQUEST BY TARA FOREST, LLC, THE OWNER OF THE PROPERTY FOR THE PROJECT KNOWN AS TARA FOREST EAST PHASE 1, FOR OFF-SITE MITIGATION FOR THE REMOVAL OF TREES IN ACCORDANCE WITH SECTION 6.2.1 OF THE CITY'S LAND DEVELOPMENT REGULATIONS; ESTABLISHING THE FEE FOR THE OFF-SITE TREE MITIGATION; APPROVING THE OFF-SITE MITIGATION CONDITIONED UPON THE PAYMENT OF THE ESTABLISHED FEE PRIOR TO THE APPROVAL OF THE PLAT OR SUBDIVIDERS AGREEMENT FOR TARA FOREST EAST PHASE 1; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, Section 6.2.1 of the City of Alachua's ("City") Land Development Regulations ("LDRs") establishes tree protection standards;

**WHEREAS**, Section 6.2.1 the LDRs allows off-site mitigation by payment of money into the City's designated tree bank fund in order to allow for the off-site tree mitigation;

**WHEREAS**, the fee for off-site tree mitigation under Section 6.2.1 is the estimated cost of the replacement tree (including labor and equipment for installation), plus the estimated maintenance for one year along with administrative costs;

**WHEREAS**, the City has received an application for a Final Plat for Tara Forest East Phase 1 Subdivision ("Plat") for the property described in attached exhibit ("A") (the "Property") and a proposed Subdividers Agreement which attached the Plat;

**WHEREAS**, the Owner has requested the City allow off-site tree mitigation for those trees that cannot be accommodated through on-site mitigation on the Property, due to the location of proposed structures, parking, and code-required tree plantings, in accordance with Section 6.2.1(D)(7) of the City's LDRs; and

**WHEREAS**, the Revised Construction Plans related to the Final Plat reflects that a total of 258 trees will be removed as part of the off-site tree mitigation;

**WHEREAS**, the Owner has agreed to pay the City a fee of \$ 46,907.48 for the off-site tree mitigation fee (estimated \$40,908.48 for cost of tree replacements; estimated \$5,999.00 for one year of maintenance and administrative costs) in accordance with Section 6.2.1 of the LDRs; and

**WHEREAS**, the Owner of the Property desires to proceed with the City Commission of the City of Alachua (“Commission”) considering the proposed Site Plan and Subdividers Agreement for Tara Forest East Phase 1.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:**

**Section 1. Findings**

The Commission finds, determines, and declares that the above recitals are true and correct and are incorporated as substantive portions of this Resolution by reference.

**Section 2. Approval of Off-Site Mitigation**

The Commission approves the request of the Owner, Tara Forest, LLC, to provide payment for off-site mitigation for those trees that cannot be accommodated through on-site mitigation on the Plat for the Tara Forest East Phase 1 subdivision described in attached exhibit “A” conditioned upon the Owner paying the Off-Site Mitigation Fee set forth below to the City prior to the Commission considering the Plat or Subdividers Agreement for the Property.

**Section 3. Off-Site Mitigation FEE**

The off-site mitigation fee in the amount \$46,907.48 shall be paid by the Owner by certified check or bank check to the City prior to the Commission approving the Plat, Subdividers Agreement or any other final development order associated with the Property.

**Section 4. Scriveners Errors**

City staff is authorized to correct any scrivener’s errors which do not impact the intent of this Resolution.

**Section 5. Repealing Clause**

All resolutions or parts of resolutions in conflict with this Resolution No. R-22-25 are repealed to the extent of any such conflict.

**Section 6. Severability**

It is the intent of the City Commission of the City of Alachua that if any section, sentence, clause, phrase, or provision of this Resolution R-22-25 is for any reason held or declared

to be unconstitutional, void, or inoperative by court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provision of this resolution, and the remainder of this resolution after the exclusion of such part or parts shall be deemed to be valid.

**Section 7. Effective Date**

This Resolution shall be effective as of the date of its passage and adoption.

**DULY ADOPTED** in regular session, this 25<sup>th</sup> day of July, 2022.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

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**Gib Coerper, Mayor**

SEAL

**ATTEST:**

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Mike DaRoza, City Manager/Clerk

**EXHIBIT "A"**

A PARCEL OF LAND SITUATED IN SECTION 10, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 10; THENCE RUN SOUTH 00°06'27" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF SECTION 10, A DISTANCE OF 2702.92 FEET; THENCE RUN SOUTH 00°05'13" WEST, A DISTANCE OF 353.83 FEET TO THE NORTHWEST CORNER OF TARA BAYWOOD, PER THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4749, PAGE 2301, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 89°25'29" EAST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 576.12 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°06'18" EAST, A DISTANCE OF 603.50 FEET; THENCE RUN SOUTH 89°53'42" EAST, A DISTANCE OF 533.30 FEET; THENCE RUN NORTH 00°06'18" EAST, A DISTANCE OF 43.90 FEET; THENCE RUN SOUTH 89°53'42" EAST, A DISTANCE OF 175.00 FEET; THENCE RUN NORTH 00°06'18" EAST, A DISTANCE OF 240.00 FEET; THENCE RUN SOUTH 89°53'42" EAST, A DISTANCE OF 40.07 FEET TO THE WEST LINE OF ALACHUA REALTY COMPANY ADDITION AS PER THE PLAT RECORDED IN PLAT BOOK "A", PAGE 100 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°05'35" WEST ALONG SAID WEST LINE, A DISTANCE OF 486.56 FEET; THENCE RUN SOUTH 00°05'22" WEST ALONG SAID WEST LINE, A DISTANCE OF 406.98 FEET; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°25'29" WEST, A DISTANCE OF 748.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.86 ACRES, MORE OR LESS.