

ORDINANCE 22-06

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE LARGE SCALE AMENDMENT OF THE CITY OF ALACHUA COMPREHENSIVE PLAN FUTURE LAND USE MAP; AMENDING THE FUTURE LAND USE MAP CLASSIFICATION ON ±162.5 ACRES FROM AGRICULTURE TO COMMUNITY COMMERCIAL (±7.00 ACRES), LOW DENSITY RESIDENTIAL (±115.5 ACRES), AND MODERATE DENSITY RESIDENTIAL (±40.0 ACRES) ON A PARCEL OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF US HIGHWAY 441 AND NW 188TH STREET; CONSISTING OF TAX PARCEL NUMBERS 03046-003-001, 03046-003-002, 03046-003-003, 03046-003-004, 03046-002-005, 03042-050-004, 03042-050-005, 03875-001-001, 03875-010-001, 03875-010-002, AND A PORTION OF 03046-003-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a large 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 March 8, 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 for approval to the City Commission; and,

WHEREAS, the City Commission considered the recommendations of the LPA at a duly advertised public hearing on April 25, 2022 provided for and received public participation, and approved the amendment for transmittal to the Florida Department of Economic Opportunity (DEO) and reviewing agencies under the Expedited State Review process; and,

WHEREAS, the City Commission considered the recommendations of the LPA, DEO, and reviewing agencies at a duly advertised public hearing on July 25, 2022 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 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 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 on Tax Parcel Numbers 03046-003-001, 03046-003-002, 03046-003-003, 03046-003-004, 03046-002-005, 03042-050-004, 03042-050-005, 03875-001-001, 03875-010-001, 03875-010-002, and a portion of 03046-003-000 from Agriculture to Community Commercial (± 7.00 acres), Low Density Residential (± 115.5 acres), and Moderate Density Residential (± 40.0 acres) on ± 162.5 acres, in accordance with the legal descriptions 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 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 25th day of April 2022.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 25th day of July 2022.



CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA


Gib Coerper, Mayor
SEAL

ATTEST:


Mike DaRoza, City Manager/Clerk

APPROVED AS TO FORM


Marian B. Rush, City Attorney

EXHIBIT "A"

Community Commercial (CC)

A portion of Section 8, Township 8 South, Range 18 East, Alachua County, Florida; being more particularly described as follows:

Commence at the Southwest corner of Section 8, Township 8 South, Range 18 East, Alachua County, Florida and run thence North 06°12'57" West, along the West line of Section 8, Township 8 South, Range 18 East, Alachua County, Florida, a distance of 856.89 feet to a point on the centerline of the abandoned Atlantic Coastline Railroad 200' Right-of-Way; thence South 65°27'27" East, along said centerline, 58.16 feet to a point on the East Right-of-Way line of N.W. 188th Street (100' Right-of-Way); thence North 06°11'54" West, along said East Right-of-Way line, 79.74 feet to a point lying on the arc of a curve, concave easterly, having a radius of 2241.75 feet; thence northerly, along said East Right-of-Way line and along the arc of said curve, through a central angle of 04°59'50", an arc distance of 195.52 feet, said arc being subtended by a chord, having a bearing and distance of North 03°43'31" West, 195.46 feet; thence North 01°12'11" West, along said East Right-of-Way line, 373.80 feet to a point lying on the arc of a curve, concave westerly, having a radius of 2341.75 feet; thence northerly, along said East Right-of-Way line and along the arc of said curve, through a central angle of 05°00'03", an arc distance of 204.38 feet, said arc being subtended by a chord, having a bearing and distance of North 03°43'11" West, 204.32 feet; thence North 06°12'52" West, along said East Right-of-Way line, 1105.48 feet to a point on the South Right-of-Way line of State Road No. 25 (U.S. Highway No. 441); thence South 79°04'33" East, along said South Right-of-Way line, 1108.86 feet to the Point of Beginning; thence continue South 79°04'33" East, along said South Right-of-Way line, 1049.44 feet; thence South 05°28'46" East, 287.66 feet; thence North 80°43'36" West, 1038.41 feet; thence North 05°56'09" West, 319.61 feet to the Point of Beginning.

Containing 7.00 Acres (304,927 Square Feet), more or less.

Low Density Residential (LDR)

A portion of Sections 8 and 17, Township 8 South, Range 18 East, Alachua County, Florida; being more particularly described as follows:

Commence at the Southwest corner of Section 8, Township 8 South, Range 18 East, Alachua County, Florida and run thence North 87°26'55" East, along the South line of said Section 8, a distance of 50.03 feet to the Point of Beginning; thence continue North 87°26'55" East, along said South line, 1048.29 feet to a point on the centerline of the abandoned Atlantic Coastline Railroad 200' Right-of-Way; thence northwesterly along said centerline through the following 4 courses: 1) North 43°09'42" West, 399.88 feet; 2) North 52°00'43" West, 291.19 feet; 3) North 59°55'23" West, 150.38 feet; 4) North 65°09'00" West, 556.94 feet to a point on the East Right-of-Way line of N.W. 188th Street (100' Right-of-Way); thence North 06°11'54" West, along said East Right-of-Way line, 79.74 feet to a point lying on the arc of a curve, concave easterly, having a radius of 2241.75 feet; thence northerly, along said East Right-of-Way line and along the arc of said curve, through a central angle of 04°59'50", an arc distance of 195.52 feet, said arc being subtended by a chord, having a bearing and distance of North 03°43'31" West, 195.46 feet; thence North 01°12'11" West, along said easterly Right-of-Way line, 219.22 feet; thence North 87°00'59" East, 2076.04 feet; thence North 88°18'49" East, 491.25 feet; thence South 05°28'46" East, 2646.72 feet to a point on the South line of the North 1/4 of Section 17, Township 8 South, Range 18 East; thence South 87°27'46" West, along said South line of the North 1/4, a distance of 563.44 feet to a point on said centerline of the abandoned Railroad Right-of-Way, said point lying on the arc of a curve, concave northeasterly, having a radius of 1903.25 feet; thence northwesterly, along said centerline of the abandoned Railroad Right-of-Way and along the arc of said curve, through a central angle of 26°22'58", an arc distance of 876.38 feet, said arc being subtended by a chord having a bearing and distance of North 47°05'05" West, 868.66 feet; thence North 33°53'26" West, along said centerline of the abandoned Railroad Right-of-Way, 387.32 feet to a point on the East line of the Northwest 1/4 of the Northwest 1/4 of said Section 17; thence South 03°10'53" East, along said East line of the Northwest 1/4 of the Northwest 1/4, a distance of 167.35 feet; thence South 87°25'30" West, 1199.80 feet; thence North 82°03'26" West, 64.91 feet to a point on said East Right-of-Way line of N.W. 188th Street; thence North 03°27'31" West, along said East Right-of-Way line, 516.54 feet to the Point of beginning.

Containing 115.49 Acres (5,030,775 Square Feet), more or less.

Moderate Density Residential (MDR)

A portion of Section 8, Township 8 South, Range 18 East, Alachua County, Florida; being more particularly described as follows:

Commence at the Southwest corner of Section 8, Township 8 South, Range 18 East, Alachua County, Florida and run thence North 06°12'57" West, along the West line of said Section 8, a distance of 856.89 feet to a point on the centerline of the abandoned Atlantic Coastline Railroad 200' Right-of-Way; thence South 65°27'27" East, along said centerline, 58.16 feet to a point on the East Right-of-Way line of N.W. 188th Street (100' Right-of-Way); thence North 06°11'54" West, along said East Right-of-Way line, 79.74 feet to a point lying on the arc of a curve, concave easterly, having a radius of 2241.75 feet; thence northerly, along said East Right-of-Way line and along the arc of said curve, through a central angle of 04°59'50", an arc distance of 195.52 feet, said arc being subtended by a chord, having a bearing and distance of North 03°43'31" West, 195.46 feet; thence North 01°12'11" West, along said East Right-of-Way line, 219.22 feet to the Point of Beginning; thence continue North 01°12'11" West, along said East Right-of-Way line, 154.58 feet to a point lying on the arc of a curve, concave westerly, having a radius of 2341.75 feet; thence northerly along said East Right-of-Way line and along the arc of said curve, through a central angle of 05°00'03", an arc distance of 204.38 feet, said arc being subtended by a chord, having a bearing and distance of North 03°43'11" West, 204.32 feet; thence North 06°12'52" West, along said East Right-of-Way line, 603.83 feet; thence South 88°25'34" East, 1067.92 feet; thence South 80°43'36" East, 1038.41 feet; thence South 05°28'46" East, 657.00 feet; thence South 87°00'59" West, 2076.04 feet to the Point of Beginning.

Containing 40.01 Acres (1,742,790 Square Feet), more or less.

EXHIBIT "B"

