

**ORDINANCE 18-20**

**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 AGRICULTURE TO MEDIUM DENSITY RESIDENTIAL ON APPROXIMATELY 5.0 ACRES, LOCATED EAST OF THE MERRILLWOOD SUBDIVISION AND HIPPI WAY, NORTH OF THE ALACHUA FOREST SUBDIVISION; TAX PARCEL NUMBER 03204-001-000; 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 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 August 14, 2018 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 August 27, 2018 and \_\_\_\_\_, 2018, 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**

The above recitals are true and correct and incorporated herein by reference.

The proposed Future Land Use Map amendment is consistent with the Comprehensive Plan. 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 Agriculture to Medium Density Residential for Tax Parcel Number 03204-001-000, 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 27<sup>th</sup> day of August, 2018.

**PASSED** and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

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

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Gib Coerper, Mayor  
**SEAL**

**ATTEST:**

**APPROVED AS TO FORM**

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Adam Boukari , City Manager/Clerk

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Marian B. Rush, City Attorney

## **EXHIBIT “A”**

Tax Parcel No. 03204-001-000

### **LEGAL DESCRIPTION:**

That certain tract of land as described in Official Records Book 1004, page 650 of the Public Records of Alachua County, Florida; being described as follows:

A tract of land situated in the NW 1/4 of the NE 1/4 of Section 14, Township 8 South, Range 18 East, Alachua County, Florida, said tract of land being more particularly described as follows:  
Commence at the Northwest corner of the NE 1/4 of Section 14, Township 8 South, Range 18 East, and run S 03°23'20" E, along the West line of the NE 1/4 of said Section 14, 572.31 feet to the Point of Beginning; said Point of Beginning being the Northeast corner of Merrillwood, a subdivision as recorded in Plat Book "H", page 50 of the Public Records of Alachua County, Florida; thence continue S 03°23'20" E, along the East line of said Merrillwood, 460.00 feet; thence run N 86°36'40" E, 473.48 feet; thence run N 03°23'20" W, 460.00 feet; thence run S 86°36'40" W, 473.48 feet to the Point of Beginning, said tract of land containing 5.00 acres, more or less.

## EXHIBIT "B"

