

**ORDINANCE 18-21**

**AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM AGRICULTURAL (A) TO RESIDENTIAL MULTIPLE-FAMILY 8 (RMF-8) ON APPROXIMATELY 5.00 ACRES AND FROM RESIDENTIAL SINGLE FAMILY-3 (RSF-3) TO RESIDENTIAL MULTIPLE FAMILY-8 (RMF-8) ON APPROXIMATELY 15.47 ACRES; LOCATED EAST OF HIPPI WAY AND NW 133RD TERRACE, NORTH OF NW 151ST LANE, INCLUDING TAX PARCEL NUMBERS 03214-001-000 CONSECUTIVELY NUMBERED THROUGH AND INCLUDING TAX PARCEL NUMBER 03214-069-000 FOR A TOTAL OF 69 PARCELS WHICH ARE LOTS 1 THROUGH 69 LOCATED IN THE MERRILLWOOD SUBDIVISION THE PLAT OF WHICH IS RECORDED IN PLAT BOOK H PAGE 50 OF ALACHUA COUNTY, FLORIDA, AND ALSO INCLUDING PARCEL NO. 03204-001-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, an application for a Site-Specific Amendment to the Official Zoning Atlas (“Amendment”), as described below, has been filed with the City; and

**WHEREAS**, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”), on August 2, 2018; and

**WHEREAS**, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on August 14, 2018, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation for approval to the City Commission; and

**WHEREAS**, the City advertised public hearings to be held before the City Commission on August 16, 2018, and on August 30, 2018; and

**WHEREAS**, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on August 27, 2018, and September 10, 2018, and provided for and received public participation at both public hearings; and

**WHEREAS**, the City Commission has determined and found the proposed Amendment to be consistent with the City of Alachua Comprehensive Plan and Land Development Regulations; and

**WHEREAS**, for reasons set forth in this Ordinance, the Alachua City Commission finds and declares that the enactment of the proposed 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 are incorporated into this ordinance by reference. The proposed Amendment is in compliance with the Land Development Regulations. The Amendment will not cause a reduction in the adopted level of service standards for roads, water, sewer, waste, stormwater, and recreation.

**Section 2. Official Zoning Atlas Amended**

The Official Zoning Atlas is hereby amended from Agricultural (A) to Residential Multiple Family - 8 (RMF-8) for ±5.0 acres (Tax Parcel Number 03204-001-000) and from Residential Single Family -3 (RSF-3) for ±15.47 acres (Tax Parcel Numbers 03214-001-000 through 03214-069-000, including each parcel consecutively numbered in between) 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 take effect immediately after its passage and adoption.

**PASSED** on first reading the 27<sup>h</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 10<sup>th</sup> day of September, 2018.

CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA

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

**APPROVED AS TO FORM**

**ATTEST:**

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Adam Boukari, City Manager/Clerk

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Marian B. Rush, City Attorney

## EXHIBIT “A”

PROPERTY: Parcel No. 03204-001-000 (from A to RMF-8)

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.

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**PROPERTY:** Parcel Nos. 03214-001-000 through 03214-069-000, including each parcel consecutively numbered in between (from RSF-3 to RMF-8)

**LEGAL DESCRIPTION:**

That part of the Northwest 1/4 of Section 14, Township 8 South, Range 18 East, Alachua, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Northwest 1/4 of said Section 14, for a point of reference; from the point of reference run South 03 deg. 23 min. 20 sec. East, along the East line of the Northwest 1/4 of the said Section 14, said line being the East City Limits Line of Alachua, a distance of 572.31 feet To the point of beginning; from the point of beginning continue South 03 deg. 23 min. 20 sec. East along the said East line of the Northwest 1/4, a distance of 1426.00 feet; thence run South 87 deg. 46 min. 45 sec. West, a distance of 739.24 feet to an intersection with the Easterly Right of Way line of N.E. 7<sup>th</sup> Street; thence run North 01 deg. 45 min. 00 sec. West along said Right of Way line, a distance of 640.07 feet, to an intersection with the Southeasterly Right of Way line of College Avenue; thence run North 27 deg. 15 min. 45 sec. East along the said Southeasterly Right of Way line of College Avenue, a distance of 902.54 feet; thence run North 87 deg. 46 min. 45 sec. East, a distance of 260.71 feet to an intersection with the said East Line of the Northwest 1/4 and the said point of beginning.

**Less:**

The Public dedicated Street Right of Ways located within the boundaries of the Parcel described above. ( Located within the boundaries of "Merrillwood", a subdivision as per plat thereof, recorded in Plat Book "H", page 50 of the Public Records of Alachua County, Florida)

Containing 15.465 Acres ( 673,644 Square Feet), more or less.

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# EXHIBIT "B"

