

ORDINANCE 18-18

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 FROM RURAL/AGRICULTURE (ALACHUA COUNTY) TO MODERATE DENSITY RESIDENTIAL ON A ±161.14 ACRE PORTION OF THE SUBJECT PROPERTY AND FROM RURAL/AGRICULTURE (ALACHUA COUNTY) TO COMMUNITY COMMERCIAL ON A ±76.44 ACRE PORTION OF THE SUBJECT PROPERTY (± 237.58 ACRES IN TOTAL) ; LOCATED NORTHEAST OF THE INTERSECTION OF US HIGHWAY 441 AND NW 188TH STREET, WEST OF THE MEADOWGLEN SUBDIVISION; TAX PARCEL NUMBERS 03024-000-000, 03024-001-000, 03024-002-000, 03024-003-000, 03024-004-000, 03045-000-000, 03046-000-000, 03046-005-000, 03047-000-000, 03047-001-000, 03047-001-001, 03047-001-002, 03047-001-003, 03047-001-004, 03047-001-005 AND 03048-002-000; 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 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 July 10, 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 hearing on July 23, 2018, 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 September 24, 2018, 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 from Rural/Agriculture (Alachua County) to Moderate Density Residential and Community Commercial on Tax Parcel Numbers 03024-000-000, 03024-001-000, 03024-002-000, 03024-003-000, 03024-004-000, 03045-000-000, 03046-000-000, 03046-005-000, 03047-000-000, 03047-001-000, 03047-001-001, 03047-001-002, 03047-001-003, 03047-001-004, 03047-001-005 and 03048-002-000 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 23rd day of July, 2018.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 24th day of September, 2018.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT "A"

Tax Parcel Numbers 03024-000-000, 03024-001-000, 03024-002-000, 03024-003-000, 03024-004-000, 03045-000-000, 03046-000-000, 03046-005-000, 03047-000-000, 03047-001-000, 03047-001-001, 03047-001-002, 03047-001-003, 03047-001-004, 03047-001-005 and 03048-002-000

LEGAL DESCRIPTION FOR PORTION TO BE AMENDED FROM RURAL/AGRICULTURE (ALACHUA COUNTY) TO COMMUNITY COMMERCIAL:

THE SOUTHERLY 1250 FEET (AS MEASURED PERPENDICULAR TO THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 20 & 25) OF THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER (NW ¼) OF SECTION 8 AND THE SOUTHWEST ONE-QUARTER (SW ¼) OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE NORTH 87°18'09" EAST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 50.02 FEET TO THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK (O.R.B.) 1648, PAGE 184 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE NORTH 01°53'20" WEST, ALONG SAID WEST LINE AND THE WEST LINE O.R.B. 2340, PAGE 236, O.R.B. 1648, PAGE 182, AND O.R.B. 2340, PAGE 235 OF SAID PUBLIC RECORDS, A DISTANCE OF 1327.43 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN O.R.B. 1754, PAGE 0001 OF SAID PUBLIC RECORDS; THENCE NORTH 87°18'46" EAST, ALONG THE SOUTH LINE OF SAID LANDS AND ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF AFOREMENTIONED SECTION 5, A DISTANCE OF 1291.77 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SECTION 5; THENCE NORTH 86°47'33" EAST, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN O.R.B. 1754, PAGE 0001 AND ALONG THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SECTION 5, A DISTANCE OF 1326.39 FEET TO THE NORTHWEST CORNER OF NOELLE ESTATES REPLAT PHASE 1 AND NOELLE ESTATES REPLAT PHASE 2 RECORDED IN PLAT BOOK "S", PAGE 55 OF SAID PUBLIC RECORDS; THENCE SOUTH 02°58'54" EAST, ALONG THE WEST LINES OF SAID NOELLE ESTATES, A DISTANCE OF 1338.34 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 5 AND THE SOUTHWEST CORNER OF SAID NOELLE ESTATES REPLAT PHASE 1; THENCE SOUTH 05°34'24" EAST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 8, A DISTANCE OF 2621.65 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF OLD STATE ROAD 20 & 25 (66 FOOT RIGHT OF WAY); THENCE NORTH 76°12'05" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 8.79 FEET TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE WEST LINE OF THE DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 237, PAGE 347 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 05°32'43" EAST, ALONG SAID NORTHERLY PROJECTION, A DISTANCE OF 34.97 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SAID OLD STATE ROAD 20 & 25; THENCE RUN NORTH 76°12'05" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 203.29 FEET TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1283, PAGE 409 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 05°32'43" EAST, ALONG SAID NORTHERLY PROJECTION AND ALONG SAID WEST LINE, A DISTANCE OF 318.18 FEET TO THE SOUTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1283, PAGE 409 AND THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 20 & 25 (200 FOOT RIGHT OF WAY); THENCE NORTH 79°05'43" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2567.55 FEET TO THE WEST LINE

OF SAID SECTION 8; THENCE NORTH 06°15'45" WEST, ALONG SAID WEST LINE OF SECTION 8, A DISTANCE OF 421.65 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF OLD STATE ROAD NO. 20 & 25; THENCE SOUTH 76°12'05" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 53.22 FEET TO THE INTERSECTION OF SAID RIGHT OF WAY LINE WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF LANDS DESCRIBED IN O.R.B. 2101, PAGE 1397 OF SAID PUBLIC RECORDS; THENCE NORTH 06°15'45" WEST, ALONG SAID SOUTHERLY PROJECTION, A DISTANCE OF 70.30 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE NORTHERLY RIGHT OF WAY LINE OF SAID OLD STATE ROAD NO. 20 & 25; THENCE SOUTH 76°12'05" EAST, ALONG THE SOUTH LINE OF SAID LANDS AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°31'15" EAST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 294.33 FEET TO THE NORTHEAST CORNER OF SAID LANDS, THENCE SOUTH 87°18'29" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 175.99 FEET TO THE NORTHWEST CORNER OF SAID LANDS AND THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. NW 15 (100 FOOT RIGHT OF WAY); THENCE NORTH 06°15'45" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1582.34 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LAND CONTAINS 76.443 ACRES MORE OR LESS.

-EXHIBIT "A" CONTINUES ON NEXT PAGE-

EXHIBIT "A" (CONTINUED)

LEGAL DESCRIPTION FOR PORTION TO BE AMENDED FROM RURAL/AGRICULTURE (ALACHUA COUNTY) TO MODERATE DENSITY RESIDENTIAL:

A PARCEL OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER (NW ¼) OF SECTION 8 AND THE SOUTHWEST ONE-QUARTER (SW ¼) OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE NORTH 87°18'09" EAST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 50.02 FEET TO THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK (O.R.B.) 1648, PAGE 184 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE NORTH 01°53'20" WEST, ALONG SAID WEST LINE AND THE WEST LINE O.R.B. 2340, PAGE 236, O.R.B. 1648, PAGE 182, AND O.R.B. 2340, PAGE 235 OF SAID PUBLIC RECORDS, A DISTANCE OF 1327.43 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN O.R.B. 1754, PAGE 0001 OF SAID PUBLIC RECORDS; THENCE NORTH 87°18'46" EAST, ALONG THE SOUTH LINE OF SAID LANDS AND ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF AFOREMENTIONED SECTION 5, A DISTANCE OF 1291.77 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SECTION 5; THENCE NORTH 86°47'33" EAST, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN O.R.B. 1754, PAGE 0001 AND ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SECTION 5, A DISTANCE OF 1326.39 FEET TO THE NORTHWEST CORNER OF NOELLE ESTATES REPLAT PHASE 1 AND NOELLE ESTATES REPLAT PHASE 2 RECORDED IN PLAT BOOK "S", PAGE 55 OF SAID PUBLIC RECORDS; THENCE SOUTH 02°58'54" EAST, ALONG THE WEST LINES OF SAID NOELLE ESTATES, A DISTANCE OF 1338.34 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SAID SECTION 5 AND THE SOUTHWEST CORNER OF SAID NOELLE ESTATES REPLAT PHASE 1; THENCE SOUTH 05°34'24" EAST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER (NW ¼) OF SAID SECTION 8, A DISTANCE OF 2621.65 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF OLD STATE ROAD 20 & 25 (66 FOOT RIGHT OF WAY); THENCE NORTH 76°12'05" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 8.79 FEET TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE WEST LINE OF THE DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 237, PAGE 347 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 05°32'43" EAST, ALONG SAID NORTHERLY PROJECTION, A DISTANCE OF 34.97 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SAID OLD STATE ROAD 20 & 25; THENCE RUN NORTH 76°12'05" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 203.29 FEET TO THE INTERSECTION WITH THE NORTHERLY PROJECTION OF THE WEST LINE OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1283, PAGE 409 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 05°32'43" EAST, ALONG SAID NORTHERLY PROJECTION AND ALONG SAID WEST LINE, A DISTANCE OF 318.18 FEET TO THE SOUTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1283, PAGE 409 AND THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 20 & 25 (200 FOOT RIGHT OF WAY); THENCE NORTH 79°05'43" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2567.55 FEET TO THE WEST LINE OF SAID SECTION 8; THENCE NORTH 06°15'45" WEST, ALONG SAID WEST LINE OF SECTION 8, A DISTANCE OF 421.65 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF OLD STATE ROAD NO. 20 & 25; THENCE SOUTH 76°12'05" EAST, ALONG SAID SOUTHERLY RIGHT OF

WAY LINE, A DISTANCE OF 53.22 FEET TO THE INTERSECTION OF SAID RIGHT OF WAY LINE WITH THE SOUTHERLY PROJECTION OF THE WEST LINE OF LANDS DESCRIBED IN O.R.B. 2101, PAGE 1397 OF SAID PUBLIC RECORDS; THENCE NORTH 06°15'45" WEST, ALONG SAID SOUTHERLY PROJECTION, A DISTANCE OF 70.30 FEET TO THE SOUTHWEST CORNER OF SAID LANDS AND THE NORTHERLY RIGHT OF WAY LINE OF SAID OLD STATE ROAD NO. 20 & 25; THENCE SOUTH 76°12'05" EAST, ALONG THE SOUTH LINE OF SAID LANDS AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°31'15" EAST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 294.33 FEET TO THE NORTHEAST CORNER OF SAID LANDS, THENCE SOUTH 87°18'29" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 175.99 FEET TO THE NORTHWEST CORNER OF SAID LANDS AND THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. NW 15 (100 FOOT RIGHT OF WAY); THENCE NORTH 06°15'45" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1582.34 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE SOUTHERLY 1250 FEET (AS MEASURED PERPENDICULAR TO THE NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 20 & 25) .

THE ABOVE DESCRIBED LAND CONTAINS 161.129 ACRES MORE OR LESS.

EXHIBIT "B"

