

ORDINANCE 19-XX

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 RURAL/AGRICULTURE (ALACHUA COUNTY) TO MODERATE DENSITY RESIDENTIAL ON APPROXIMATELY 0.36 ACRES, LOCATED AT 14212 NW 167TH PLACE; TAX PARCEL NUMBER 03068-000-000; 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 December 11, 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 duly advertised public hearings on January 14, 2019 and January 28, 2019, 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

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 Rural/Agriculture (Alachua County) to Moderate Density Residential for Tax Parcel Number 03068-000-000, 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 14th day of January, 2019.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 28th day of January, 2019.

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 No. 03068-000-000

LEGAL DESCRIPTION:

**SUBJECT PROPERTY
(PREPARED BY GEOLINE SURVEYING, INC.)**

THAT PART OF THE WEST 1/2 OF LOT 2, BLOCK 2, ALACHUA REALTY COMPANY ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 100 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 2, BLOCK 2, ALACHUA REALTY COMPANY ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK "A", PAGE 100 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 88°23'39" WEST ALONG THE NORTH LINE OF SAID LOT 2 FOR 81.98 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID LOT 2 AND THE POINT OF BEGINNING; THENCE SOUTH 00°06'41" WEST ALONG THE EAST LINE OF SAID WEST 1/2 FOR 207.84 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NORTHWEST 167TH PLACE (40 FEET WIDE RIGHT-OF-WAY) AND THE SOUTHEAST CORNER OF SAID WEST 1/2; THENCE SOUTH 88°24'36" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID WEST 1/2 FOR 81.98 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 142ND TERRACE (60 FEET WIDE RIGHT-OF-WAY) AND THE SOUTHWEST CORNER OF SAID WEST 1/2; THENCE NORTH 00°07'48" EAST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID WEST 1/2 FOR 57.67 FEET TO THE SOUTHERLY CORNER OF THE PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1797, PAGE 1044 OF SAID PUBLIC RECORDS; THENCE NORTH 12°32'06" EAST ALONG THE EASTERLY LINE OF SAID PARCEL FOR 73.95 FEET; THENCE NORTH 11°25'41" WEST ALONG SAID EASTERLY LINE FOR 79.48 FEET TO AN INTERSECTION WITH SAID EAST RIGHT-OF-WAY LINE AND SAID WEST LINE, AND THE NORTHWEST CORNER OF SAID WEST 1/2; THENCE NORTH 89°23'39" EAST ALONG THE NORTH LINE OF SAID WEST 1/2 FOR 81.92 FEET TO SAID POINT OF BEGINNING.

CONTAINING 15,829 SQUARE FEET (0.363 ACRES), MORE OR LESS.

EXHIBIT "B"

