

ORDINANCE 19-XX

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM AGRICULTURAL- RURAL BUSINESS (A-RB) (ALACHUA COUNTY) TO AGRICULTURE (A) ON APPROXIMATELY 1.30 ACRES ; LOCATED AT 16539 NW US HIGHWAY 441; TAX PARCEL NUMBER 03068-000-000; 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 November 29, 2018; and

WHEREAS, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on December 11, 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 December 27, 2018, and on January 17, 2019; and

WHEREAS, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on January 14, 2019, and January 28, 2019, 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- Rural Business (A-RB) (Alachua County) to Agriculture (A) for ±1.30 acres (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.

DRAFT

Section 6. Effective Date

This ordinance shall take effect immediately after its passage and adoption.

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.

DRAFT

ATTEST:

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

Gib Coerper, Mayor
SEAL

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT "A"

PROPERTY: 03046-004-000

LEGAL DESCRIPTION:

A tract of land situated in Section 8, Township 8 South, Range 18 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at the Southwest corner of Lot 7 of Oakmont Estates, a subdivision as per plat recorded in Plat Book "E", page 64 of the Public Records of Alachua County, Florida for the point of reference and run Westerly, along the North right of way line of State Road No's. 20 and 25 (200 feet right of way) also known as U. S. Highway No. 441, a distance of 20 feet more or less to the intersection of said North right of way line with the Westerly line of a State Road Department Drainage right of way and the True Point of Beginning; thence continue Westerly, along said North right of way line, a distance of 210.00 feet; thence run Northwesterly, parallel with the aforementioned Westerly right of way line of the State Road Department Drainage right of way, a distance of 286 feet more or less to the South right of way line of Old State Road No's. 20 and 25; thence run Easterly, along said South right of way line, a distance of 210 feet more or less to the intersection of said South right of way line with the aforementioned Westerly line of the State Road Department Drainage right of way; thence run Southeasterly, along said Westerly line, a distance of 270 feet more or less to the True Point of Beginning, containing 1.2 acres more or less.

EXHIBIT “B”

