

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 EMPLOYMENT CENTER (ALACHUA COUNTY) TO INDUSTRIAL ON APPROXIMATELY 1.03 ACRES, LOCATED IN THE 12000 BLOCK OF US HIGHWAY 441; A PORTION OF TAX PARCEL NUMBER 05855-004-000; 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 a duly advertised public hearings on January 14, 2019 and January 28, 2019, 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 Employment Center (Alachua County) to Industrial for a portion of Tax Parcel Number 05855-004-000, 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”

Portion of Tax Parcel No. 05855-004-000

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: (PREPARED BY THIS FIRM)

A PARCEL OF LAND LOCATED IN SECTION 20, TOWNSHIP 8 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3527 AT PAGE 1217 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA SAID CORNER BEING ON THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY 441, (STATE ROAD NUMBER 25/20, 200 FOOT WIDE RIGHT OF WAY); THENCE RUN NORTH 66°00'17"WEST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 101.41 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 66°00'17"WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 188.59 FEET TO THE EASTERLY EASEMENT LINE OF A DUKE ENERGY 160 FOOT WIDE RIGHT OF WAY, (FORMERLY FLORIDA POWER CORPORATION) AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 219 AT PAGE 571, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN NORTH 23°58'26"EAST, DEPARTING FROM SAID RIGHT OF WAY LINE AND ALONG SAID EASEMENT LINE, A DISTANCE OF 237.92 FEET; THENCE RUN SOUTH66°00'17"EAST, DEPARTING SAID EASEMENT LINE, A DISTANCE OF 188.71 FEET; THENCE RUN SOUTH24°00'13"WEST, A DISTANCE OF 237.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.03 ACRES MORE OR LESS.

EXHIBIT “B”

