

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 INDUSTRIAL SERVICES AND MANUFACTURING (MP) (ALACHUA COUNTY) TO LIGHT AND WAREHOUSE INDUSTRIAL (ILW) 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.

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 Industrial Services and Manufacturing (MP) (Alachua County) to Light and Warehouse Industrial (ILW) for ±1.03 acres (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

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.

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

DRAFT

EXHIBIT “A”

PROPERTY: A Portion of 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 SOUTH 66°00'17" EAST, DEPARTING SAID EASEMENT LINE, A DISTANCE OF 188.71 FEET; THENCE RUN SOUTH 24°00'13" WEST, A DISTANCE OF 237.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.03 ACRES MORE OR LESS.

DRAFT

EXHIBIT “B”

