

ORDINANCE 19-01

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 OF A ±97.23 ACRE PROPERTY FROM COMMERCIAL ON ±21.2 ACRES, MEDIUM DENSITY RESIDENTIAL ON ±36.0 ACRES, AND MODERATE DENSITY RESIDENTIAL ON ±40.0 ACRES TO COMMERCIAL ON ±2.11 ACRES, CORPORATE PARK ON ±27.88 ACRES, HIGH DENSITY RESIDENTIAL ON ±27.88 ACRES, AND MODERATE DENSITY RESIDENTIAL ON ±39.36 ACRES; LOCATED WEST OF INTERSTATE 75; NORTH OF US HIGHWAY 441 AND THE HIGHPOINT CROSSING SUBDIVISION; AND EAST OF THE HERITAGE OAKS SUBDIVISION; A PORTION OF TAX PARCEL NUMBER 03049-000-000; 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 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 October 9, 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 November 5, 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 January 14, 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

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 Commercial on ± 21.2 acres, Medium Density Residential on ± 36.0 acres, and Moderate Density Residential on ± 40.0 acres to Commercial on ± 2.11 acres, Corporate Park on ± 27.88 acres, High Density Residential on ± 27.88 acres, and Moderate Density Residential on ± 39.36 acres on a portion of Tax Parcel Number 03049-000-000 the legal descriptions and sketches 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 5th day of November, 2018.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 14th day of January, 2019.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor
SEAL

APPROVED AS TO FORM

ATTEST:

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

PAGE 1 OF 8

A portion of Tax Parcel Number 03049-000-000

LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO COMMERCIAL:

A PARCEL OF LAND SITUATED IN A PORTION OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°42'41" WEST, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1166.41 FEET TO A POINT LOCATED AT THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (300' WIDE RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 08°28'51" EAST, 2727.31 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 28°17'34", AN ARC DISTANCE OF 2755.22 FEET TO THE END OF SAID CURVE; THENCE SOUTH 05°40'35" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 473.49 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 476.53 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 90°00'00" WEST, A DISTANCE OF 430.45 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1040.00 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 01°18'09" EAST, 47.29 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°36'19", AN ARC DISTANCE OF 47.29 FEET TO THE END OF SAID CURVE; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 167.04 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 429.37 FEET; THENCE SOUTH 0°00'00" EAST, A DISTANCE OF 214.31 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2.11 ACRES, MORE OR LESS.

EXHIBIT "A"

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A portion of Tax Parcel Number 03049-000-000

SKETCH OF PORTION TO BE AMENDED TO COMMERCIAL:

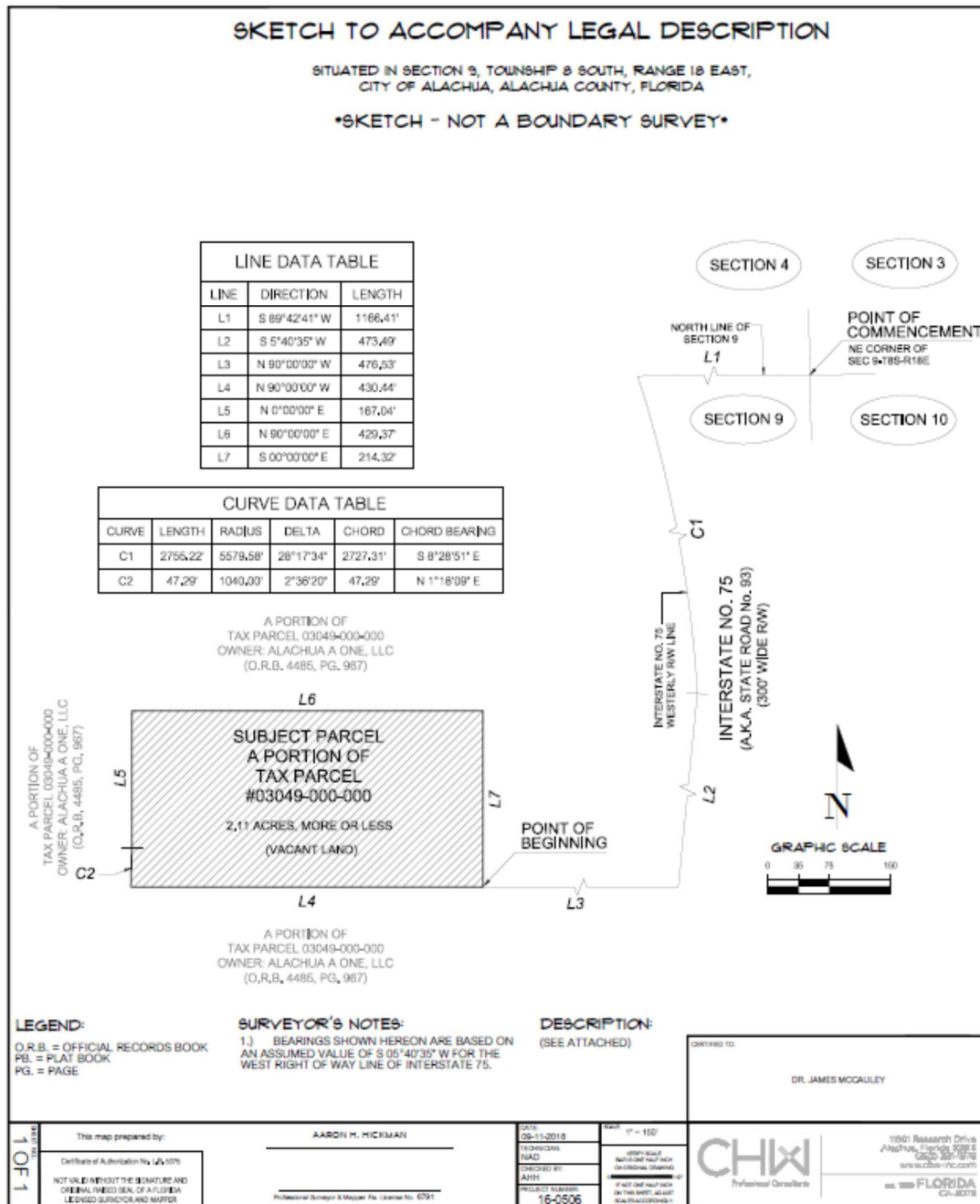


EXHIBIT "A"

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A portion of Tax Parcel Number 03049-000-000

LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO CORPORATE PARK:

A PARCEL OF LAND SITUATED IN A PORTION OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°42'41" WEST, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1166.41 FEET TO A POINT LOCATED AT THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (300' WIDE RIGHT OF WAY), SAID POINT BEING THE **POINT OF BEGINNING** AND LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 13°04'09" EAST, 1852.93 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 19°06'58", AN ARC DISTANCE OF 1861.56 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 969.51 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 1120.99 FEET TO THE SOUTH LINE OF THE NORTH ¼ OF GOVERNMENT LOT 2 OF AFOREMENTIONED SECTION 9; THENCE SOUTH 89°58'35" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 409.76 FEET TO THE SOUTHEAST CORNER OF SAID NORTH ¼ OF GOVERNMENT LOT 2 OF SECTION 9; THENCE NORTH 00°32'11" WEST, ALONG THE EAST LINE OF SAID NORTH ¼ OF GOVERNMENT LOT 2 OF AFOREMENTIONED SECTION 9, AND ITS NORTHERLY PROJECTION THEREOF, A DISTANCE OF 1014.01 FEET TO AN INTERSECTION OF THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75, LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 24°29'23" EAST, 362.46 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 03°43'07", AN ARC DISTANCE OF 362.52 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 27.88 ACRES, MORE OR LESS.

EXHIBIT "A"

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A portion of Tax Parcel Number 03049-000-000

SKETCH OF PORTION TO BE AMENDED TO CORPORATE PARK:

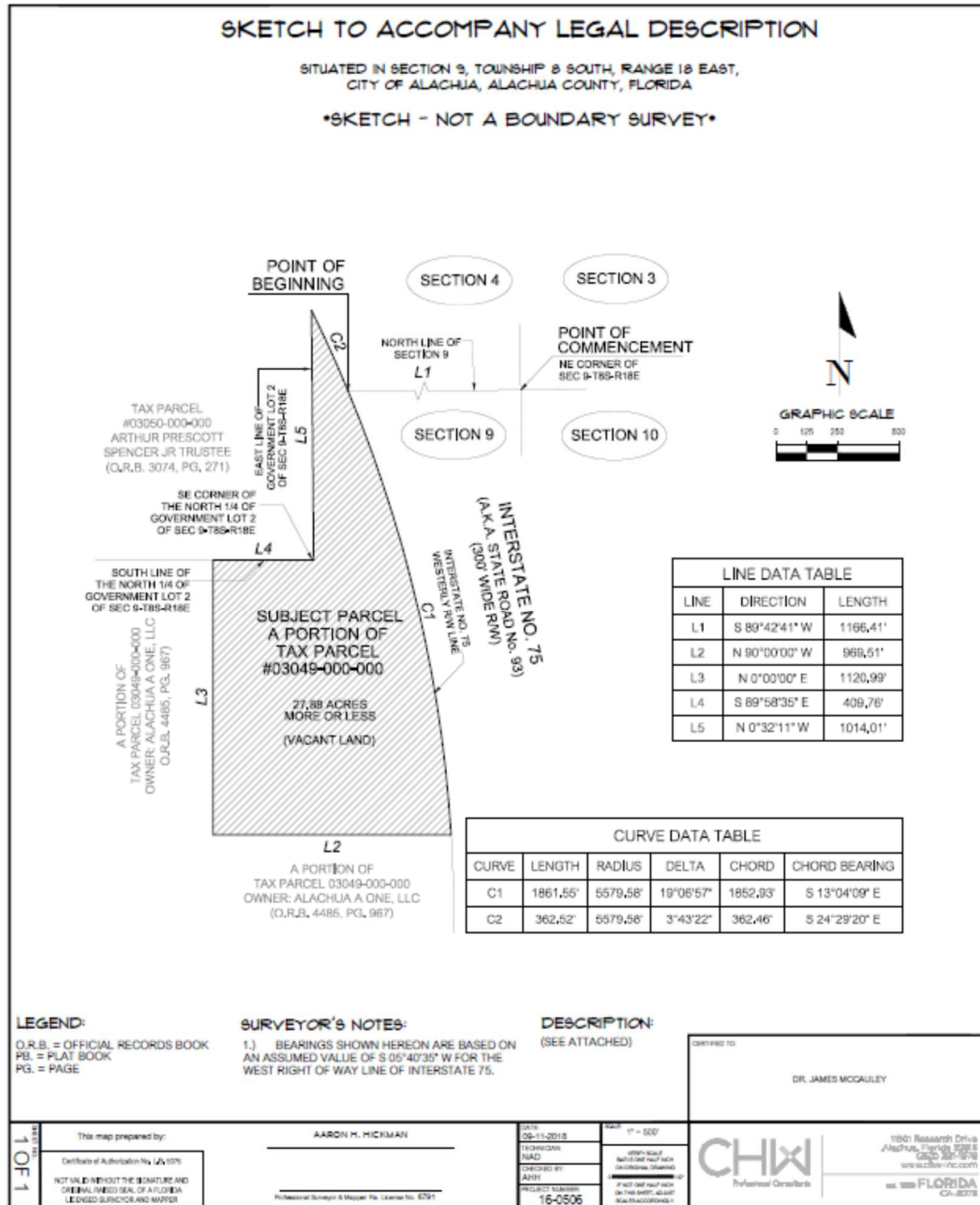


EXHIBIT “A”

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A portion of Tax Parcel Number 03049-000-000

LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO HIGH DENSITY RESIDENTIAL:

A PARCEL OF LAND SITUATED IN A PORTION OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°42'41" WEST, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1166.41 FEET TO A POINT LOCATED AT THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (300' WIDE RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5579.58 FEET, AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 13°04'09" EAST, 1852.93 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 19°06'58", AN ARC DISTANCE OF 1861.56 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE ALONG SAID CURVE AND WESTERLY RIGHT OF WAY THROUGH A CENTRAL ANGLE OF 09°10'37", AN ARC LENGTH OF 893.67 FEET (CHORD BEARING AND DISTANCE OF SOUTH 01°04'37" WEST, 892.71 FEET) TO THE END OF SAID CURVE; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, NORTH 90°00'00" WEST, A DISTANCE OF 476.53 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 214.31 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 429.37 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 1149.40 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 969.51 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 27.88 ACRES, MORE OR LESS.

EXHIBIT "A"

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A portion of Tax Parcel Number 03049-000-000

SKETCH OF PORTION TO BE AMENDED TO HIGH DENSITY RESIDENTIAL:

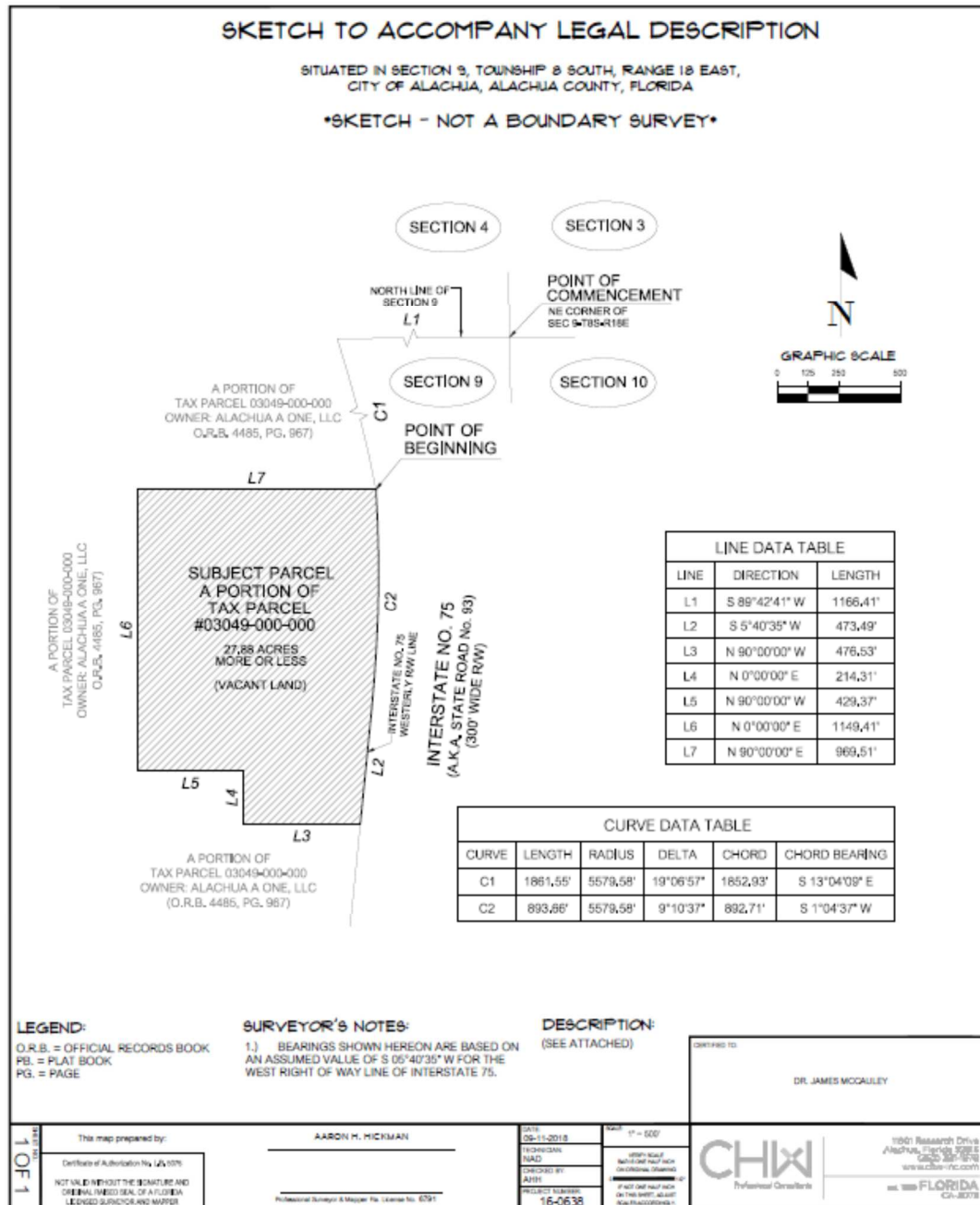


EXHIBIT “A”

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A portion of Tax Parcel Number 03049-000-000

LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO MODERATE DENSITY RESIDENTIAL:

A PARCEL OF LAND SITUATED IN A PORTION OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF REFERENCE, COMMENCE AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89°42'41" WEST, ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 1313.57 FEET TO THE NORTHEAST CORNER OF GOVERNMENT LOT 2 OF SAID SECTION 9; THENCE SOUTH 00°32'11" EAST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 683.40 FEET TO THE SOUTHEAST CORNER OF THE NORTH ¼ OF SAID LOT 2; THENCE NORTH 89°58'35" WEST, ALONG THE SOUTH LINE OF THE NORTH ¼ OF SAID LOT 2, A DISTANCE OF 409.76 FEET TO THE **POINT OF BEGINNING**; THENCE DEPARTING SAID SOUTH LINE, SOUTH 00°00'00" EAST, A DISTANCE OF 2437.43 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1040.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 01°18'09" WEST, 47.29 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°26'19", AN ARC DISTANCE OF 47.29 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 588.93 FEET TO THE EAST LINE OF HERITAGE OAKS PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 24, PAGE 79 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 01°51'21" WEST, ALONG THE SAID EAST LINE OF HERITAGE OAKS PHASE 1 AND THE EAST LINE OF HERITAGE OAKS PHASE 2 (RECORDED IN PLAT BOOK 31, PAGE 59), DISTANCE OF 1612.13 FEET TO THE NORTHEAST CORNER OF SAID HERITAGE OAKS PHASE 2; THENCE SOUTH 86°09'13" WEST, ALONG THE NORTH LINE OF HERITAGE OAKS PHASE 2, A DISTANCE OF 179.58 FEET TO THE EAST LINE OF LOT 14 OF AN UNRECORDED SUBDIVISION BY THE PERRY C. MCGRIF COMPANY DATED NOVEMBER 15, 1963; THENCE NORTH 00°29'04" WEST, ALONG THE EAST LINE OF SAID LOT 14, AND ITS NORTHERLY PROJECTION THEREOF, A DISTANCE OF 885.84 FEET TO THE AFOREMENTIONED SOUTH LINE OF THE NORTH ¼ OF GOVERNMENT LOT 2 OF SECTION 9; THENCE SOUTH 89°58'35" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 828.87 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 39.36 ACRES, MORE OR LESS.

EXHIBIT "B"

