

ORDINANCE 19-09

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM RURAL/AGRICULTURAL (A) (ALACHUA COUNTY) TO INDUSTRIAL GENERAL (IG) ON APPROXIMATELY 5.91 ACRES; LOCATED AT 14606 NW 129TH TERRACE, SOUTH OF US HIGHWAY 441 AND NORTH OF RACHAEL BOULEVARD; TAX PARCEL NUMBER 03213-000-000; 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 (A) (Alachua County) to Industrial General (IG) for ±5.91 acres (Tax Parcel Number 03213-000-000) 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

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

APPROVED AS TO FORM

ATTEST:

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

PROPERTY: Parcel No. 03213-000-000

LEGAL DESCRIPTION:

Legal Description
Tax Parcel 03213-000-000
Annexation into City of Alachua

A PORTION OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, AND RUN THENCE NORTH $01^{\circ}13'55''$ WEST, ALONG THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, AND ALONG THE EAST LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 14, A DISTANCE OF 1067.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD (200 FOOT RIGHT OF WAY) AND TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $01^{\circ}13'55''$ WEST, ALONG THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 101.43 FEET TO A POINT ON THE CENTERLINE OF SAID ABANDONED RAILROAD RIGHT OF WAY; THENCE SOUTH $81^{\circ}35'24''$ EAST, ALONG SAID CENTERLINE, 138.75 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 11 OF WOODBRIDGE'S SUBDIVISION AS PER PLAT THEREOF, RECORDED IN PLAT BOOK "C", PAGE 68A OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH $00^{\circ}28'44''$ EAST, ALONG SAID SOUTHERLY EXTENSION, 100.97 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED RAILROAD; THENCE SOUTH $81^{\circ}35'24''$ EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 1216.75 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF SAID WOODBRIDGE'S SUBDIVISION; THENCE SOUTH $01^{\circ}03'59''$ EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 14, A DISTANCE OF 202.76 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF SAID ABANDONED RAILROAD; THENCE NORTH $81^{\circ}35'24''$ WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 1357.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.914 ACRES, MORE OR LESS.

EXHIBIT "B"

