

ORDINANCE 19-10

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/AGRICULTURE (ALACHUA COUNTY) TO AGRICULTURE ON APPROXIMATELY 1.30 ACRES, LOCATED AT 16359 US HIGHWAY 441, TAX PARCEL NUMBER 03068-000-000; 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 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/Agriculture (Alachua County) to Agriculture for Tax Parcel Number 03068-001-000, 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"

Tax Parcel No. 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"

