

ORDINANCE 19-18

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 ±11.20 ACRE PROPERTY FROM AGRICULTURE (ALACHUA COUNTY) TO AGRICULTURE; LOCATED SOUTH OF COUNTY ROAD 232 (MILLHOPPER ROAD), EAST OF COUNTY ROAD 241 (NW 143RD STREET); TAX PARCEL NUMBERS 04119-016-000 AND 04119-016-003; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

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 January 8, 2019 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 February 11, 2019, 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 April 8, 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 Agriculture (Alachua County) to Agriculture on Tax Parcel Numbers 04119-016-000 and 04119-016-

003as described by 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 this 11th day of February, 2019.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 8th day of April, 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”

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LEGAL DESCRIPTION OF PORTION TO BE AMENDED TO AGRICULTURE:

LAND DESCRIPTION: (TAX PARCEL #04119-016-000)(OFFICIAL RECORDS BOOK 4015, PAGE 105) (TAX PARCEL #04119-016-003)(OFFICIAL RECORDS BOOK 3039, PAGE 1432)

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND SITUATED IN SECTION 15, TOWNSHIP 9 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, SAID, TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE N.E. CORNER OF SECTION 14, TOWNSHIP 9 SOUTH, RANGE 18 EAST, FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°38'17" WEST ALONG THE NORTHERLY LINE OF SAID SECTIONS 14 AND 15, A DISTANCE OF 6899.11 FEET; THENCE RUN SOUTH 00°09'28" WEST, A DISTANCE OF 40.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-232, AND THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 00°09'28" WEST, A DISTANCE OF 739.77 FEET; THENCE RUN NORTH 89°38'17" WEST, A DISTANCE OF 659.96 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-241; THENCE RUN NORTH 00°13'28" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 739.77 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-232, THENCE RUN SOUTH 89°38'17" EAST ALONG SAID RIGHT-OF-WAY LINE OF STATE ROAD NO. S-232, A DISTANCE OF 659.09 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

