

## **ORDINANCE 19-19**

**AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM AGRICULTURAL (A) (ALACHUA COUNTY) TO AGRICULTURAL (A) ON A ±11.20 ACRE PROPERTY; LOCATED SOUTH OF COUNTY ROAD 232 (MILLHOPPER ROAD), EAST OF COUNTY ROAD 241 (NW 143<sup>RD</sup> 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 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 December 27, 2018; and

**WHEREAS**, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on January 8, 2019, 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 January 31, 2019, and on March 28, 2019; and

**WHEREAS**, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on February 11, 2019, and April 8, 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 Agricultural (A) 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.

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**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**

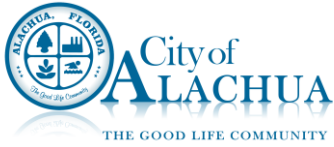
It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity 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 11<sup>th</sup> 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 8<sup>th</sup> day of April, 2019.



## Quasi-Judicial

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”

### LEGAL DESCRIPTION:

**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”

