

**ORDINANCE 19-27**

**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 CLASSIFICATION OF A ±0.95 ACRE PROPERTY FROM RURAL / AGRICULTURE (ALACHUA COUNTY) TO MODERATE DENSITY RESIDENTIAL; LOCATED SOUTH OF THE INTERSECTION OF STATE ROAD 235 AND NW 134<sup>TH</sup> DRIVE; TAX PARCELS NUMBERS 03130-007-001, 03130-008-000, 03130-009-000, AND A PORTION OF 03130-004-000; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, an application for a Small Scale Comprehensive Plan Amendment (“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 May 14, 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 to the City Commission; and,

**WHEREAS**, the City Commission held duly advertised public hearings on June 10, 2019 and June 24, 2019 on the proposed Amendment 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,

**WHEREAS**, for reasons set forth in this Ordinance that is hereby adopted and incorporated herein as findings of fact, that the 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 Rural / Agriculture (Alachua County) to Moderate Density Residential on a ±0.95 acre subject property, consisting of Tax Parcel Numbers 03130-007-001, 03130-008-000, 03130-009-000, in accordance with the legal descriptions 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 become effective immediately upon passage and adoption. The effective date of this plan Amendment, unless timely challenged, shall be 31 days after adoption in accordance with Chapter 163.3187, Florida Statutes. If timely challenged, this Amendment shall become effective on the date the state land planning agency or Administrative Commission enters a final order determining this adopted

Amendment to be in compliance in accordance with Chapter 163.3187, Florida Statutes. No development orders, development permit, or land uses dependent on this Amendment may be issued or commenced before this plan Amendment has become effective.

**PASSED** on first reading the 10<sup>th</sup> day of June, 2019.

**PASSED** and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 24<sup>th</sup> day of June, 2019.

**CITY COMMISSION OF THE  
CITY OF ALACHUA, FLORIDA**

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Gib Coerper, Mayor  
**SEAL**

**APPROVED AS TO FORM**

**ATTEST:**

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Adam Boukari, City Manager/Clerk

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Marian B. Rush, City Attorney

## EXHIBIT “A”

### **LEGAL DESCRIPTION:**

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE RUN S89°12'14"W ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1496.73 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN N00°06'04"W, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1343.16 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE POINT OF BEGINNING; THENCE CONTINUE N00°06'04"W, ALONG THE SAID WEST LINE, A DISTANCE OF 65.31 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 235 (100 FOOT RIGHT-OF-WAY); THENCE RUN N89°25'36"E, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 621.61 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, RUN S00°21'14"E, A DISTANCE OF 67.55 FEET TO THE NORTH LINE OF THE PREVIOUSLY MENTIONED SOUTHEAST 1/4; THENCE RUN S89°37'50"W, ALONG SAID NORTH LINE, A DISTANCE OF 621.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.948 ACRES, MORE OR LESS.

## EXHIBIT "B"

