

ORDINANCE 20-04

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM PLANNED UNIT DEVELOPMENT (PUD) (ALACHUA COUNTY) TO INDUSTRIAL GENERAL (IG) ON A ±34.63 ACRE PROPERTY; LOCATED WITHIN MCGINLEY INDUSTRIAL PARK, SOUTH OF NW 128TH LANE AND NORTH OF COUNTY ROAD 25A (ALSO KNOWN AS NW 120TH LANE) AND THE A.C.L. RAILROAD; CONSISTING OF TAX PARCEL NUMBERS 05893-000-000, 05893-001-000, 05893-010-001, 05893-010-004 THROUGH 05893-010-007, 05893-010-009, 05893-010-010, 05893-020-001, 05893-020-002, AND 05893-020-005 THROUGH 05893-020-009; 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, on January 2, 2020 the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”); and

WHEREAS, on January 14, 2020 the LPA conducted a quasi-judicial public hearing on the proposed Amendment and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, on January 30, 2020 and on February 13, 2020, the City advertised public hearings to be held before the City Commission; and

WHEREAS, on February 10, 2020 and on February 24, 2020 the City Commission conducted quasi-judicial public hearings on the proposed Amendment 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’s Comprehensive Plan and the City’s Land Development Regulations (“LDRs”); and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, 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 CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Findings of Fact and Conclusions of Law

1. The above recitals are true and correct and are incorporated herein by reference.
2. The proposed Amendment is in compliance with the City's LDRs.
3. The proposed Amendment will not cause a reduction in the adopted level of service standards for transportation, water, sewer, waste, stormwater, recreation, and public schools.

Section 2. Official Zoning Atlas Amended

The Official Zoning Atlas is hereby amended from Planned Unit Development (PUD) (Alachua County) to Industrial General (IG) for Tax Parcel Numbers 05893-000-000, 05893-001-000, 05893-010-001, 05893-010-004, 05893-010-005, 05893-010-006, 05893-010-007, 05893-010-009, 05893-010-010, 05893-020-001, 05893-020-002, 05893-020-005, 05893-020-006, 05893-020-007, 05893-020-008, and 05893-020-009, in accordance with the legal description found in Exhibit "A" and map found in Exhibit "B" attached hereto and incorporated herein.

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 ordinances 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 upon its adoption by the City Commission and the signature of the Mayor.

PASSED on First Reading the 10th day of February 2020.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 24th day of February 2020.

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”

LEGAL DESCRIPTIONS:

Tax Parcel 05893-000-000

The NW 1/4 of the NE 1/4 lying North of the A.C. L. R. R-R/W and the NE 1/4 of the NE 1/4 lying North of the A.C. L. R.R. R/W less the North 55 feet for road R/W and less; Commence at the NE corner of Section 28 T8S – R19E, thence run S 1 degree 15 feet E 55 feet, thence run S 88 degrees 42 feet W 660.0 feet to the point of beginning, thence run S 1 degree 15 feet E 155 feet, thence run S 88 degrees 42 feet W 210 feet, thence run N 1 degree 15 feet W 155 feet, thence run N 88 degrees 42 feet E 210 feet to the point of beginning. All being and lying in the NE 1/4 of Sec. 28 - T8S – R19E Also described as that part of Gov't Lots 1 & 2 lying North of the A.C. L. R. R. R/W less the North 55 feet for Road R/W and less; Commence at the NE corner of Sec. 28 - T8S – R19E, thence run S 1 degree 15 feet E 55 feet, thence run S 88 degrees 42 feet W 660.0 feet, to the point of beginning, thence run S 1 degree 15 feet E 15 5 feet, thence run S 88 degrees 42 feet W 210 feet, thence run N 1 degree 15 feet W 15 5 feet; thence run N 88 degrees 42 feet E 210 feet to the point of beginning. All being and lying in the NE 1/4 of Sec. 28 - T8S – R19E.
Alachua County, Florida.

Less and except McGinley Industrial Park, Units No. 1 and 2 as recorded in Plat Book K, Page 48 and Plat Book N, Page 8, Public- Records of Alachua County, Florida.

Tax Parcel 05893-001-000

Beginning 10 chains West of the NE corner of Sec 28, Township 8 South, Range 19 East, on the northern boundary line of said section, run thence south 210 feet, thence east 210 feet, thence north 210 feet, thence west 210 feet to the point of beginning in the NW corner of NE ¼ of NE ¼ of NE ¼ of Sec 28, T 8 S, R 19 E Alachua County, Florida
LESS AND EXCEPT the north 55 feet thereof.

Tax Parcel 05893-010-001

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 LOT 1 OR 2221/2413

Tax Parcel 05893-010-004

MCGINLEY INDUSTRIAL PARK UNIT NO 1 A REPLAT OF LOT 4 PB P-88 OR 3881/0335

Tax Parcel 05893-010-005

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 LOT 5 OR 3690/0112

Tax Parcel 05893-010-006

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 LOT 6 OR 1937/2821

Tax Parcel 05893-010-007

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 LOTS 7 & 8 OR 1937/2821

Tax Parcel 05893-010-009

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 LOT 9 OR 1612/699

Tax Parcel 05893-010-010

MCGINLEY INDUSTRIAL PARK UNIT NO 1 PB K-48 COMMON AREA STREETS OR 2812/1068

Tax Parcel 05893-020-001

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 1 OR 4585/0190

Tax Parcel 05893-020-002

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 2 OR 4160/0219

Tax Parcel 05893-020-005

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 5 OR 2416/1527

Tax Parcel 05893-020-006

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 6 OR 2446/0340

Tax Parcel 05893-020-007

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 7 OR 4423/1316

Tax Parcel 05893-020-008

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 LOT 8 OR 4439/1794

Tax Parcel 05893-020-009

MCGINLEY INDUSTRIAL PARK UNIT NO 2 PB N-8 COMMON AREA ROAD OR 2812/1068

EXHIBIT "B"

