

ORDINANCE 20-XX

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 ±6.98 ACRE PROPERTY FROM AGRICULTURE TO INDUSTRIAL; LOCATED NORTH OF COUNTY ROAD 235, APPROXIMATELY 600 FEET WEST OF THE INTERSECTION OF COUNTY ROAD 235 AND NW 148TH TERRACE; TAX PARCEL NUMBER 03918-003-000; 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 June 9, 2020 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 _____, 2020 and _____, 2020 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 Agriculture to Industrial on a ±6.98 acre subject property, consisting of Tax Parcel Number 03918-003-000, 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 ____ day of _____, 2020.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this ____ day of _____, 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 DESCRIPTION:

Part of Government Lots 1, 2 and 3, lying in Section 22, Township 8 South, Range 18 East, lying South of A.C.L. Railroad (now Seaboard Coastline Railroad), and North of State Road No. 235 described as: starting at the NW corner of the NE quarter of Section 22, Township 8 South, Range 18 East, thence run South 00°20'48" West, 2,407.72 feet to the Northerly right of way line of S.R. 235; thence run South 68°15'11" West along said right of way a distance of 992.31 feet to the point of beginning; from the Point of Beginning run North 21°44'49" West a distance of 482.44 feet to the Southerly right of way line of the Seaboard Coastline Railroad; thence run South 46°03'11" West along said right of way a distance of 1340.58 feet; thence run South 52°15'41" East 46.31 feet to the Northerly right of way of S.R. 235 said point being on a curve; thence run Easterly along said right of way and curve, said curve having a radius of 2914.79 feet, a central angle of 12°01'38", an arc length of 611.86 feet to the P.C. of said curve, thence continue along said right of way 610.32 feet to the point of beginning.

EXHIBIT “B”

