

**ORDINANCE 20-XX**

**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 COMMUNITY COMMERCIAL (CC) ON ±18 ACRES AND RESIDENTIAL SINGLE FAMILY – 4 (RSF-4) ON ±10.2 ACRES ON A ±28.2 ACRE PROPERTY; LOCATED SOUTH OF NW US HIGHWAY 441, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF NW US HIGHWAY 441 AND TURKEY CREEK BOULEVARD AND APPROXIMATELY 800 FEET EAST OF THE INTERSECTION OF NW US HIGHWAY 441 AND COUNTY ROAD 237; CONSISTING OF TAX PARCEL NUMBER 05898-005-000; 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 May 28, 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 June 9, 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 \_\_\_\_\_, 2020, and on \_\_\_\_\_, 2020, the City advertised public hearings to be held before the City Commission; and

**WHEREAS**, on \_\_\_\_\_, 2020, and on \_\_\_\_\_, 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 Agricultural (A) (Alachua County) to Community Commercial (CC) on ±18 acres and to Residential Single Family – 4 (RSF-4) on ±10.2 acres for Tax Parcel Number 05898-005-000, 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 \_\_\_\_\_ 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:

A tract of land situated in Section 28, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the aforementioned Section 28, Township 8 South, Range 19 East and thence run S.88°13'12"W. (Grid Bearings- Florida North Zone), along the North line of said Section 28, a distance of 2008.32 feet; thence run S.01°49'01"E., along the East line of the West Half (W 1/2) of Government Lot 2 of said Section 28, a distance of 479.50 feet to a 4 inch square concrete monument and cap stamped PRM LB5075 lying on the Southerly right of way line of Old State Road No. 25 (66 foot wide right of way); thence, leaving said right of way line, run S.01°49'01"E., along said East line, a distance of 676.24 feet to a 4 inch square concrete monument and cap stamped PLS 940 lying on the Northerly right of way line of U. S. Highway No. 441 - State Road No. 20-25 (200 foot wide right of way); thence, leaving said right of way line, run S.01°52'09"E., along said East line, a distance of 209.78 feet to a 4 inch square concrete monument and cap stamped PLS 940 lying on the Southerly right of way line of said U. S. Highway No. 441 and the POINT OF BEGINNING; thence, leaving said right of way line, run S.01°49'35"E., along said East line, a distance of 1199.97 feet to a 4 inch square concrete monument and cap stamped PLS 940; thence run S.89°16'09"W., along the South line of said Government Lot 2 and along the South line of Government Lot 3 of Section 28, a distance of 1233.50 feet to a 4 inch square concrete monument and cap stamped PLS 940; thence run Northerly, along the Easterly line of the land described in Official Records Book 1197, page 575, and along the Easterly line of Turkey Creek Unit No. 8, a planned unit development as per plat thereof recorded in Plat Book "L", page 24, and along the Easterly line of the land described in Official Records Book 1797, page 2414, all of the Public Records of Alachua County, Florida, the following eight courses: (1) thence North 1751°24"W., a distance of 20.45 feet to an unidentified 5/8 inch iron rod; (2) thence North 09°05'43"W., a distance of 70.52 feet to an unidentified 5/8 inch iron rod; (3) thence N.12°18'08"W., a distance of 111.04 feet to a 4 inch square concrete monument and cap stamped PRM 2742; (4) thence N.12°18'08"W., a distance of 304.79 feet to an unidentified 5/8 inch iron rod; (5) thence N.29°12'26"E., a distance of 141.58 feet to a 4 inch square concrete monument and cap stamped PLS 940; (6) thence N.04°08'12"E., a distance of 136.74 feet to a 4 inch square concrete monument and cap stamped PLS 940; (7) thence N.03°48'09"E., a distance of 252.83 feet to a 4 inch square concrete monument and cap stamped PLM 2742; (8) thence N.03°52'56"E., a distance of 544.90 feet to a 4 inch square unidentified concrete monument on the aforementioned Southerly right of way line of U. S. Highway No. 441; thence run S.73°57'04"E., along said Southerly right of way line of U. S. Highway No. 441, a distance of 1215.95 feet to close on the POINT OF BEGINNING.

## EXHIBIT "B"

