

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 19-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING THE ALACHUA COUNTY COMPREHENSIVE PLAN: 2011-2030, TO CHANGE THE DESIGNATION OF THE FUTURE LAND USE MAP FROM RURAL/AGRICULTURE (1 DWELLING UNIT PER 5 ACRES) TO RURAL COMMERCIAL-AGRICULTURE ON TAX PARCEL NUMBER 16392-001-000 LOCATED AT 13118 S. HIGHWAY 441 (CPA-01-19) ON APPROXIMATELY 1.5 ACRES; PROVIDING A REPEALING CLAUSE, SEVERABILITY, LIBERAL CONSTRUCTION, MODIFICATION AND EFFECTIVE DATE.

WHEREAS, Section 163.3184(11)(a), Florida Statutes, requires that any amendment to the Comprehensive Plan or any element or portion thereof be made by ordinance; and,

WHEREAS, the Board of County Commissioners of Alachua County, Florida, wishes to make a small-scale amendment (Application CPA-01-19) to approximately 1.5 acres of the Alachua County Future Land Use Map 2030; of the Alachua County Comprehensive Plan; and,

WHEREAS, as required by Section 163.3187(1)(b), Florida Statutes, the cumulative total acreage of small-scale plan amendments will not exceed one hundred twenty (120) acres for this year; and,

WHEREAS, pursuant to Section 163.3187(2), Florida Statutes, small scale plan amendments require only one public hearing before the governing board which shall

be an adoption hearing as described in Section 163.3184(11); and,

WHEREAS, duly advertised public hearings were conducted on such proposed amendment (CPA-01-19) on March 20, 2019 by the Alachua County Planning Commission, acting as the Local Planning Agency (LPA) and on August 13, 2019 by the Board of County Commissioners, both hearings being held after 5:00 p.m.;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF ALACHUA, FLORIDA:

SECTION 1. That the Alachua County Comprehensive Plan 2011-2030, as adopted by Ordinance 11 -01, as amended, is hereby amended to designate parcel 16392-001-000 totaling approximately 1.5 acres described in Exhibit A (legal description) from Rural/Agriculture (1 dwelling unit per 5 acres) to Rural Commercial-Agriculture as shown on Attachment A and incorporated herin as a part thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY:

SECTION 1. Map Amendment. That the Future Land Use Map 2030 of the Alachua County Comprehensive Plan 2011-2030, is hereby amended to change the future land use designation on Tax Parcel Number 16392-001-000 on approximately 1.5 acres from Rural/Agriculture (1 dwelling unit per 5 acres) to Rural Commercial-Agriculture as shown on Attachment A (map), attached and incorporated herein as a part thereof.

SECTION 2. Ordinance to be Liberally Construed. 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 County, Florida.

SECTION 3. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

SECTION 4. Severability. It is the declared intent of the Board of County Commissioners that, if any section, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be valid.

SECTION 5. Effective Date. This plan amendment shall become effective 31 days after the state land planning agency notifies the County that the plan amendment package is complete pursuant to Section 163.3184(3)(c)4, Florida Statutes. If the amendment is timely challenged pursuant to Section 163.3184(5), Florida Statutes, then it will become effective upon the state land planning agency or the Administration Commission entering a final order determining the adopted amendment to be in compliance.

SECTION 6. Modification. It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed by the Clerk to the Board.

Duly adopted in regular session, this 13th day of August, A.D., 2019.

BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA

By: _____
Charles S. Chestnut IV, Chair
Board of County Commissioners

ATTEST:

Jesse K. Irby II, Clerk

(SEAL)

DEPARTMENT APPROVAL
AS TO CORRECTNESS:

Director of Growth Management
or designee

APPROVED AS TO FORM:

Alachua County Attorney

EXHIBIT A

LEVY GRT--LEITNER S/D OF LOTS 8 & 9 DB J-645 LOT 21 N OF HWY OR 2792/487 & OR 3591/0841

Commence at the Northeast corner of Lot Twenty-One (21) of the LEITNER TRACT of Lots 8 and 9, of the LEVY GRANT, Alachua County, Florida, and run North 86 degrees 00 minutes 44 seconds West along the North line of said Lot Twenty-One (21) 464.25 feet to the Northeasterly right of way of State Road No. 25 (U.S. 441); thence run South 52 degrees 09 minutes 14 seconds East along said right of way 561.55 feet to the East line of Lot Twenty-One (21); thence run North 03 degrees 35 minutes 46 seconds East along said East line 312.85 feet to the Northeast corner of Lot Twenty-One (21) and the Point of Beginning all lying and being in the Northeast one-quarter (NE $\frac{1}{4}$) of Lot Twenty-One (21) of the LEITNER TRACT of Lots 8 and 9, of the LEVY Grant, Alachua County, Florida

Figure 1: Image of Legal Description

ATTACHMENT A



Figure 2: Existing Land Use Designation



Figure 3: Proposed Land Use Designation

CPA-01-19: Change Future Land Use Map for parcel 16392-001-000 outlined in red from Rural/Agriculture (1 dwelling unit per 5 acres) to Rural Commercial-Agriculture.