

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 21-XX

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING THE ALACHUA COUNTY COMPREHENSIVE PLAN 2019-2040, TO CHANGE THE DESIGNATION OF THE FUTURE LAND USE MAP FROM TOURIST/ENTERTAINMENT, RECREATION AND MEDIUM-DENSITY RESIDENTIAL (GREATER THAN 4 TO 8 DWELLING UNITS PER ACRE) TO CELEBRATION POINTE MIXED USE ON TAX PARCEL NUMBER 06800-006-002 AND A PORTION OF TAX PARCEL NUMBER 06820-002-000 LOCATED WEST OF INTERSTATE 75 AND NORTH OF SW ARCHER RD. ON APPROXIMATELY 2.72 ACRES WITHIN A SITE APPROXIMATELY 246 ACRES; AND TO AMEND CERTAIN POLICIES WITHIN OBJECTIVE 1.9 (CELEBRATION POINTE TOD) OF THE FUTURE LAND USE ELEMENT OF THE PLAN; PROVIDING A REPEALING CLAUSE, SEVERABILITY, LIBERAL CONSTRUCTION, MODIFICATION AND EFFECTIVE DATE.

WHEREAS, The Community Planning Act (Section 163.3161, et. seq., Florida Statutes) requires that each local government prepare and adopt a comprehensive plan; and

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, Board of County Commissioners of Alachua County, Florida, has received an application (CPA-01-21) for an amendment to the Future Land Use Map 2040 to change approximately 2.72 acres from Tourist/Entertainment, Recreation and Medium Density Residential (greater than 4, up to 8 dwelling units/acre) to Celebration Pointe Mixed Use land use and to amend certain policies within Objective

1.9 of the Future Land Use Element; and,

WHEREAS, a duly advertised public hearing was conducted on January 20, 2021 after 5:00 p.m. by the Alachua County Planning Commission, acting as the Local Planning Agency (LPA) and the LPA provided its recommendation to the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners considered the recommendations of the LPA at a duly advertised public hearing held on February 23, 2021 and approved this plan amendment for transmittal, as provided in Section 163.3184(3)(b)1., Florida Statutes, to the State Land Planning Agency, other reviewing agencies as defined in Section 163.3184(1)(c), Florida Statutes, and other local governments for review and comment; and,

WHEREAS, pursuant to Section 163.3184(3)(b)2., Florida Statutes, the reviewing agencies and local governments must transmit their comments to the County such that they are received no later than 30 days from the date on which the reviewing agency or local government received the amendment; and,

WHEREAS, the State Land Planning Agency received the proposed amendment, and provided a letter to the County dated March 4, 2021 indicating that the County would receive the State Land Planning Agency's comment letter by April 3, 2021; and,

WHEREAS, the reviewing agencies identified in Section 163.3184(1)(c), F.S. reviewed the proposed comprehensive plan amendment pursuant to Sections 163.3184(3)(b)2, 3, and 4, F.S., and letters were received by the County from the State Land Planning Agency, the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and the St. Johns River Water

Management District, and the Board of County Commissioners has considered those letters; and,

WHEREAS, pursuant to Section 163.3184(3)(b)(c), the County is required to hold a public hearing on whether to adopt the comprehensive plan amendment within 180 days after receipt of agency comments; and,

WHEREAS, the Board of County Commissioners finds CPA-01-21 to be in compliance with Chapter 163, Part II of the Florida Statutes; and,

WHEREAS, at the May 11, 2021 public hearing, the Board of County Commissioners provided for and received public participation and adopted the amendment, as embodied in Section 1 below; and,

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

**SECTION 1. Map Amendments.** That the Future Land Use Map 2040 of the Alachua County Comprehensive Plan 2019-2040, is hereby amended to change the future land use designation on Tax Parcel Number 06800-006-002 and portions of 06820-002-000 from Tourist/Entertainment, Recreation and Medium Density Residential (greater than 4, up to 8 dwelling units/acre) to Celebration Pointe Mixed Use land use as shown on Exhibit A (Legal Description) and Attachment A (map), attached and incorporated herein as a part thereof.

**SECTION 2. Text Amendments.** That the Alachua County Comprehensive Plan 2019-2040, as adopted by Ordinance 19-25, as amended, is hereby amended by amending Objective 1.9 (Celebration Pointe TOD) of the Future Land Use Element as shown on Attachment B (Text) and incorporated herein as apart thereof.

**SECTION 3. 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 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 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 6. 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 7. 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 11<sup>th</sup> day of May, A.D., 2021.

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Ken Cornell, 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**

### **LEGAL DESCRIPTION OF MAP AMENDMENT, CPA-01-21**

#### **PARCEL 11**

A portion of Section 5, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the southeast corner of the Northeast 1/4 of Section 15, Township 10 South, Range 19 East, Alachua County, Florida, and run thence South 89°21'03" West, along the south line of said Northeast 1/4, a distance of 1268.82 feet to a point on the west line of that certain parcel of land described in Official Records Book 3478, page 1017 of the Public Records of Alachua County, Florida; thence North 00°39'43" West, along said west line, 37.50 feet to the Point of Beginning; thence continue North 00°39'43" West, along said west line, 627.10 feet to a point on the north line of the Southwest 1/4 of the Southeast 1/4 of the Northeast 1/4 of said Section; thence North 89°21'24" East, along said north line, 30.00 feet to a point on the east line of said certain parcel of land; thence South 00°39'43" East, along said east line, 627.10 feet; thence South 89°21'03" West, 30.00 feet to the Point of Beginning.

Containing 0.432 Acres (8,813 Square Feet), more or less.

TOGETHER WITH:

#### **PARCEL 12**

A PORTION OF THE SOUTHWEST ¼ OF FRACTIONAL SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A NAIL AND DISK (STAMPED "PRM 2228") FOUND AT THE NORTHWEST CORNER OF SAID SOUTHWEST ¼ OF FRACTIONAL SECTION 14, TOWNSHIP 10 SOUTH, RANGE 19 EAST, AND RUN THENCE SOUTH 00°51'46" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST ¼ A DISTANCE OF 2312.43 FEET; THENCE NORTH 89°08'14" EAST, 61.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°08'14" EAST, 204.87 FEET; THENCE SOUTH 05°44'04" EAST, 140.22 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 24 (ARCHER ROAD); THENCE SOUTH 57°59'54" WEST, ALONG SAID RIGHT-OF-WAY LINE 238.51 FEET TO THE WEST BOUNDARY LINE OF A FLORIDA GAS TRANSMISSION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 893, PAGE 410, ET SEQ. OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 24°03'31" WEST, ALONG SAID WEST BOUNDARY LINE, 35.74 FEET; THENCE NORTH 15°58'20" WEST, ALONG SAID WEST BOUNDARY LINE 52.77 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 149.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°37'09", AN ARC DISTANCE OF 1.61 FEET TO THE END OF SAID CURVE, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 20°16'42" EAST, 1.61 FEET: SAID END OF CURVE BEING THE BEGINNING OF A CURVE

CONCAVE WESTERLY AND HAVING A RADIUS OF 211.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°26'58", AN ARC DISTANCE OF 78.99 FEET TO THE END OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF NORTH 09°51'44" EAST, 78.53 FEET; THENCE NORTH 00°51'46" WEST, PARALLEL WITH AND 61.00 FEET EASTERLY OF (MEASURED PERPENDICULAR) SAID WEST LINE OF THE SOUTHWEST ¼, A DISTANCE OF 100.60 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.02 ACRES, MORE OR LESS.

TOGETHER WITH:

### **PARCEL 13**

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 15 FOR THE POINT OF REFERENCE; THENCE RUN NORTH 89°16'11" EAST, ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 2198.22 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1031, PAGE 755 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°21'55" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 494.26 FEET TO THE INTERSECTION WITH A BOUNDARY LINE OF THE LANDS DESCRIBED IN DEED BOOK 207, PAGE 360 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE RUN NORTH 89°18'21" EAST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 113.36 FEET TO A BOUNDARY CORNER OF SAID LANDS; THENCE RUN SOUTH 09°17'01" WEST, ALONG THE BOUNDARY OF SAID LANDS, A DISTANCE OF 731.07 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1151, PAGE 124; THENCE RUN NORTH 00°21'55" EAST, ALONG SAID EAST LINE AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1031, PAGE 755, A DISTANCE OF 720.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 40,809 SQUARE FEET (0.94 ACRES), MORE OR LESS.

TOGETHER WITH:

### **PARCEL 14**

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

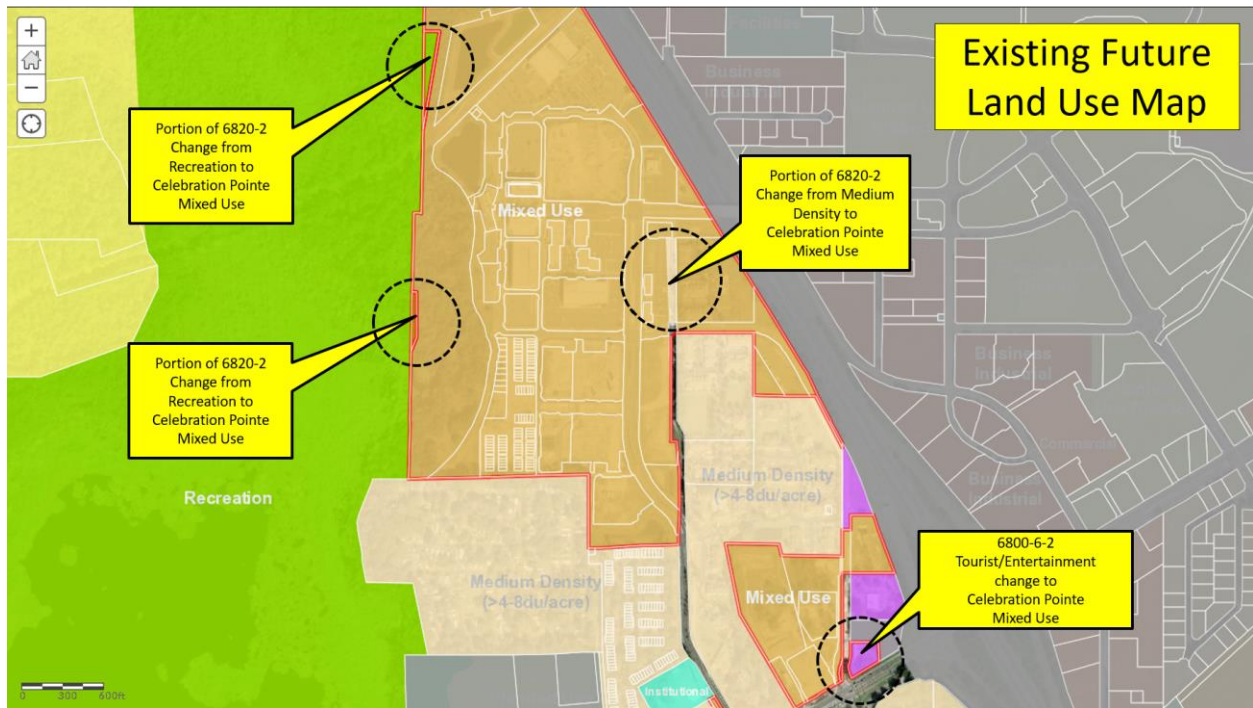
COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 15 FOR THE POINT OF REFERENCE; THENCE RUN NORTH 89°16'11" EAST, ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 2198.22 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1031, PAGE 755 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE RUN SOUTH 00°21'55" WEST, ALONG THE EAST LINE OF SAID LANDS AND THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1151, PAGE 124 OF SAID PUBLIC RECORDS, A DISTANCE OF 1825.14 FEET TO A FENCE LINE; THENCE RUN SOUTH 77°51'27" WEST,

ALONG SAID FENCE LINE, A DISTANCE OF 17.67 FEET; THENCE RUN NORTH  $89^{\circ}20'53''$  WEST, CONTINUING ALONG SAID FENCE LINE, A DISTANCE OF 18.48 FEET; THENCE RUN SOUTH  $76^{\circ}07'00''$  WEST, CONTINUING ALONG SAID FENCE LINE, A DISTANCE OF 24.19 FEET TO THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 935, PAGE 279 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH  $00^{\circ}21'06''$  WEST, ALONG THE EAST LINE OF SAID LANDS AND ALONG A FENCE LINE, A DISTANCE OF 580.62 FEET TO THE INTERSECTION WITH THE BOUNDARY OF SAID LANDS DESCRIBED IN DEED BOOK 207, PAGE 360 AND THE POINT OF BEGINNING; THENCE RUN NORTH  $89^{\circ}16'11''$  EAST, ALONG SAID BOUNDARY, A DISTANCE OF 33.37 FEET; THENCE RUN SOUTH  $00^{\circ}43'49''$  EAST, ALONG SAID BOUNDARY, A DISTANCE OF 330.00 FEET; THENCE RUN SOUTH  $21^{\circ}16'05''$  WEST, ALONG SAID BOUNDARY, A DISTANCE OF 112.29 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 935, PAGE 279 AND A FENCE LINE; THENCE RUN NORTH  $00^{\circ}25'02''$  EAST, ALONG SAID EAST LINE AND SAID FENCE LINE, A DISTANCE OF 434.20 FEET TO THE POINT OF BEGINNING.

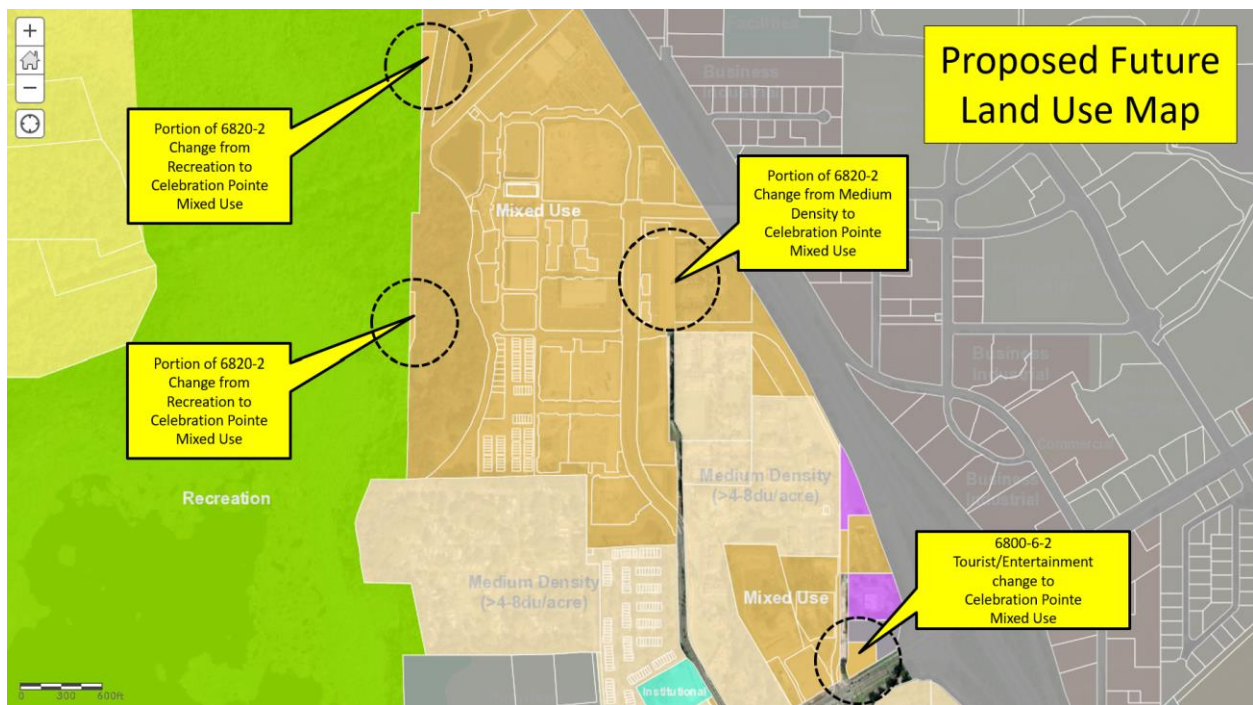
CONTAINING 14,183 SQUARE FEET (0.33 ACRES), MORE OR LESS.



# ATTACHMENT A



**Existing Land Use Designations**



**Proposed Land Use Designations**

# ATTACHMENT B

## Text Amendments to Objective 1.9, Future Land Use Element

1. **Policy 1.9.1 (a)** ~~Allowed 750 square feet of non-residential land uses for every dwelling unit. Allowed 2,000 dwelling units and 1.5 million square feet of nonresidential uses. Upon entering into an agreement with the County that guarantees 10% of additional units over 2,000 are affordable to households earning up to 50% of the Area Median Income, an additional 500 units may be approved. Additional units over 2,000 will require a reduction of 750 sq. ft. of non-residential per dwelling unit. The maximum number of permitted units shall not exceed 2,500. Notwithstanding Policy 1.9.2(c), additional development beyond 2,000 units may be located anywhere within the development.~~
2. **Policy 1.9.1. (g)** Allowed a multisport and entertainment events center. The events center shall be considered a civic use and shall not have a maximum building footprint size. The multisport floor area and ancillary facilities such as locker rooms, offices and restrooms shall not be calculated toward the total non-residential square footage allowance for the development. The events center shall be located within the village center and the front of the center shall be screened along the pedestrian promenade by buildings with various permitted uses, except for the venue entrance. Public pedestrian entrances are not required along the sides and rear of the events center. Non-commercial wall murals may substitute for otherwise required glazing or architectural articulation and material change requirements. Off-street areas for service delivery and pick-up, drop-off and loading zones shall be exempted from shading requirements.
3. **Policy 1.9.2 (f)** Densities of residential uses and intensity of non-residential uses that encourages walking, bicycling, micromobility devices, low speed electric transport such as bikes, vehicles such as, golf-carts, Segways, trolleys, autonomous transit shuttles and short vehicular trips.
4. **Policy 1.9.2 (h)** A centrally located multimodal center that allows for bike, micromobility, and car share programs, a park and ride, drop-off and loading areas for ride share programs, transit and autonomous transit, charging stations for electric vehicles, bikes and personal e-transport, and structured parking to promote a park- once environment.
5. **Policy 1.9.3 (c)** Buffers within the development and along external boundaries are only required when adjacent to external single family detached dwellings on individual lots, or as required for outdoor storage. Arterial and collector road buffers for SW 45th St., SW 43rd St. and SW 32nd Rd. are not required.
6. **Policy 1.9.3 (p)** Mini-storage land uses are prohibited within the VC. Mini-storage uses are permitted within the TSA and outside the TSA so long as they are located along the periphery. The square footage of mini-storage units shall be excluded from allowable non-residential development.