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ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS

ORDINANCE 19- (Unified Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE IN THE ALACHUA COUNTY CODE OF ORDINANCES, PART III, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; INCLUDING AN AMENDMENT TO CHAPTER 405 SPECIAL DISTRICTS AND ACTIVITY CENTERS ARTICLE VIII PRESERVATION BUFFER OVERLAY DISTRICT; PROVIDING FOR MODIFICATIONS; A REPEALING CLAUSE; SEVERABILITY; INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER'S ERRORS; LIBERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County, Florida, is authorized, empowered and directed to adopt land development regulations to implement the Comprehensive Plan and to guide and regulate the growth and development of the County in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act (Section 163.3161 et seq.,) Florida Statutes; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its 2001-2020 Comprehensive Plan, which became effective on May 2, 2005; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its Unified Land Development Code, which became effective on January 30, 2006; and

WHEREAS, the Board of County Commissioners of Alachua County, Florida, wishes to make amendments to the Alachua County Code of Ordinances Part III, Unified Land Development Code, relating to development of land in Alachua County; and

1 WHEREAS, the Board of County Commissioners, acting as the Land Development
2 Regulation Commission, has determined that the land development regulations that are the
3 subject of this ordinance are consistent with the Alachua County Comprehensive Plan; and,

4 WHEREAS, a duly noticed public hearing was conducted on such proposed amendment
5 on _____ by the Board of County Commissioners, with the hearing being held after
6 5:00 o'clock p.m.;

7 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
8 ALACHUA COUNTY, FLORIDA:

9 Section 1. Legislative Findings of Fact. The Board of County Commissioners of
10 Alachua County, Florida, finds and declares that all the statements set forth in the preamble of
11 this ordinance are true and correct.

12 Section 2. Unified Land Development Code. The Unified Land Development Code of
13 the Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit A and
14 attached hereto.

15 Section 3. Modification. It is the intent of the Board of County Commissioners that the
16 provisions of this ordinance may be modified as a result of considerations that may arise during
17 public hearings. Such modifications shall be incorporated into the final version of the ordinance
18 adopted by the Board and filed by the Clerk to the Board.

19 Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith
20 are, to the extent of the conflict, hereby repealed.

21 Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of
22 County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time
23 as the Development Regulations of Alachua County are codified, the provisions of this ordinance

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shall become and be made part of the Unified Land Development Code of Alachua County, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors that do not affect the intent of the ordinance may be authorized by the County Manager or designee, without public hearing, by filing a corrected or re-codified copy of the same with the Clerk of the Circuit Court.

Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. Severability. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners, and shall take effect upon filing with the Department of State.

1 DULY ADOPTED in regular session, this ____ day of _____, A.D., 2019.

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5 BOARD OF COUNTY COMMISSIONERS OF
6 ALACHUA COUNTY, FLORIDA
7

8 By:_____

9 Charles S. Chestnut, IV, Chair

10 ATTEST:

11 _____ APPROVED AS TO FORM

12 J. K. 'Jess' Irby, Esq.
13

14 _____

15 (SEAL)

Alachua County Attorney

16
17 DEPARTMENT APPROVAL

18 AS TO CORRECTNESS

19
20 _____
21 Department of Growth Management

22 Authorized Designee
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