

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 20-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING THE ALACHUA COUNTY COMPREHENSIVE PLAN, TO CHANGE THE DESIGNATION OF THE FUTURE LAND USE MAP FROM INSTITUTIONAL TO MEDIUM HIGH DENSITY RESIDENTIAL (GREATER THAN 8, UP TO 14 DWELLING UNITS/ACRE) ON TAX PARCEL NUMBER 06326-001-000 LOCATED AT 1404 FORT CLARKE BLVD. (CPA-05-19) ON APPROXIMATELY 25.64 ACRES; 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-05-19) for an amendment to the Future Land Use Map 2030 to change approximately 25.64 acres from Institutional to Medium High Density Residential (greater than 8, up to 14 dwelling units/acre) pursuant to sections 163.3162(4) and 163.3164(4), Florida Statutes; and,

WHEREAS, a duly advertised public hearing was conducted on November 20, 2019 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 December 10, 2019 after 5:00 p.m. 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 December 18, 2019, indicating that the County would receive the State Land Planning Agency's comment letter by January 17, 2020; 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 Transportation, the Florida Department of Environmental Protection, the Florida Department of Agriculture and Consumer Services, the Florida Fish and Wildlife Conservation Commission, the North Central Florida Regional Planning Council and the Florida Department of Economic Opportunity, 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-05-19 to be in compliance with Chapter 163, Part II of the Florida Statutes; and,

WHEREAS, at the February 25, 2020 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 Amendment.** 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 06326-001-000 on approximately 25.64 acres from Institutional to Medium High Density Residential (greater than 8, up to 14 dwelling units/acre) 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 25<sup>th</sup> day of February, A.D., 2020.

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA


By: \_\_\_\_\_  
Robert Hutchinson, 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

*Tax Parcel No. 06326-001-000*

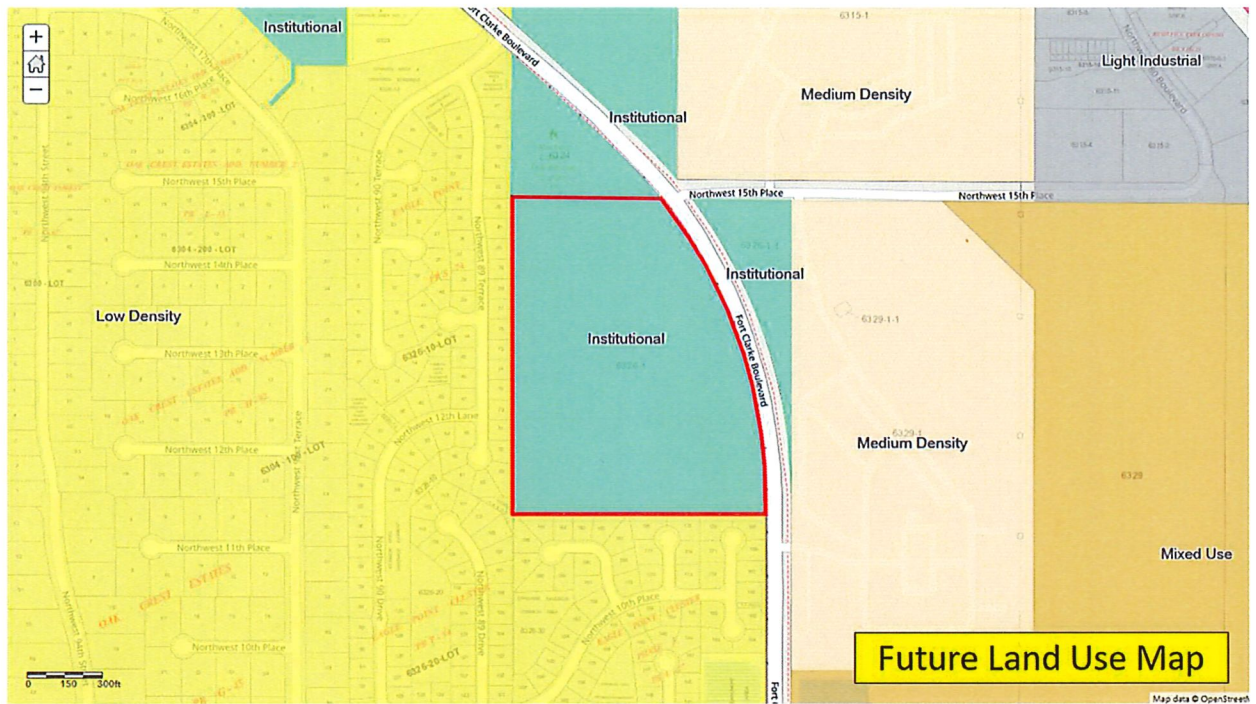
A PARCEL OF LAND LOCATED IN SECTION 32, TOWNSHIP 09 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE NORTHEAST CORNER OF "EAGLE POINT CLUSTER SUBDIVISION PHASE III" AS RECORDED IN PLAT BOOK "U", PAGE 27 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 89°59'00" WEST, ALONG THE NORTH LINE OF SAID "EAGLE POINT CLUSTER SUBDIVISION PHASE III", A DISTANCE OF 1014.86 FEET TO A 4"X4" CONCRETE MONUMENT (NO IDENTIFICATION) MARKING THE NORTHWEST CORNER OF SAID "EAGLE POINT CLUSTER SUBDIVISION PHASE III" AND BEING ON THE EAST LINE OF "EAGLE POINT CLUSTER SUBDIVISION PHASE II" AS RECORDED IN PLAT BOOK "T", PAGE 54 OF SAID PUBLIC RECORDS; THENCE NORTH 00°01'48" WEST, ALONG THE EAST LINE OF SAID "EAGLE POINT CLUSTER SUBDIVISION PHASE II", A DISTANCE OF 71.42 FEET TO A 4"X4" CONCRETE MONUMENT (PLS 4258) MARKING THE NORTHEAST CORNER OF SAID "EAGLE POINT CLUSTER SUBDIVISION PHASE II" AND BEING THE SOUTHEAST CORNER OF "EAGLE POINT CLUSTER SUBDIVISION PHASE I" AS RECORDED IN PLAT BOOK "S", PAGES 74-75 OF SAID PUBLIC RECORDS; THENCE CONTINUE NORTH 00°01'48" WEST, ALONG THE EAST LINE OF SAID "EAGLE POINT CLUSTER SUBDIVISION PHASE I", A DISTANCE OF 1185.52 FEET TO A 4"X4" CONCRETE MONUMENT (PLS 4258) MARKING THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE LEAVING SAID EAST LINE OF "EAGLE POINT CLUSTER SUBDIVISION PHASE I", RUN THENCE SOUTH 89°38'18" EAST, ALONG SAID NORTH LINE OF THE SOUTHWEST 1/4, A DISTANCE OF 595.48 FEET TO A 5/8" IRON ROD (NO IDENTIFICATION) MARKING THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF FORT CLARKE BOULEVARD (100 FOOT WIDE RIGHT-OF-WAY) AND BEING ON A NON-TANGENT CURVE CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 1859.86 FEET, A CENTRAL ANGLE OF 39°16'02", AND A CHORD BEARING AND DISTANCE OF SOUTH 19°38'23" EAST, 1249.84 FEET; THENCE, ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FORT CLARKE BOULEVARD, AN ARC DISTANCE OF 1274.64 FEET TO A 5/8" REBAR & CAP (LB 3759) AND THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°00'52" WEST, A DISTANCE OF 75.75 FEET TO THE POINT OF BEGINNING. CONTAINING 25.64 ACRES, MORE OR LESS.

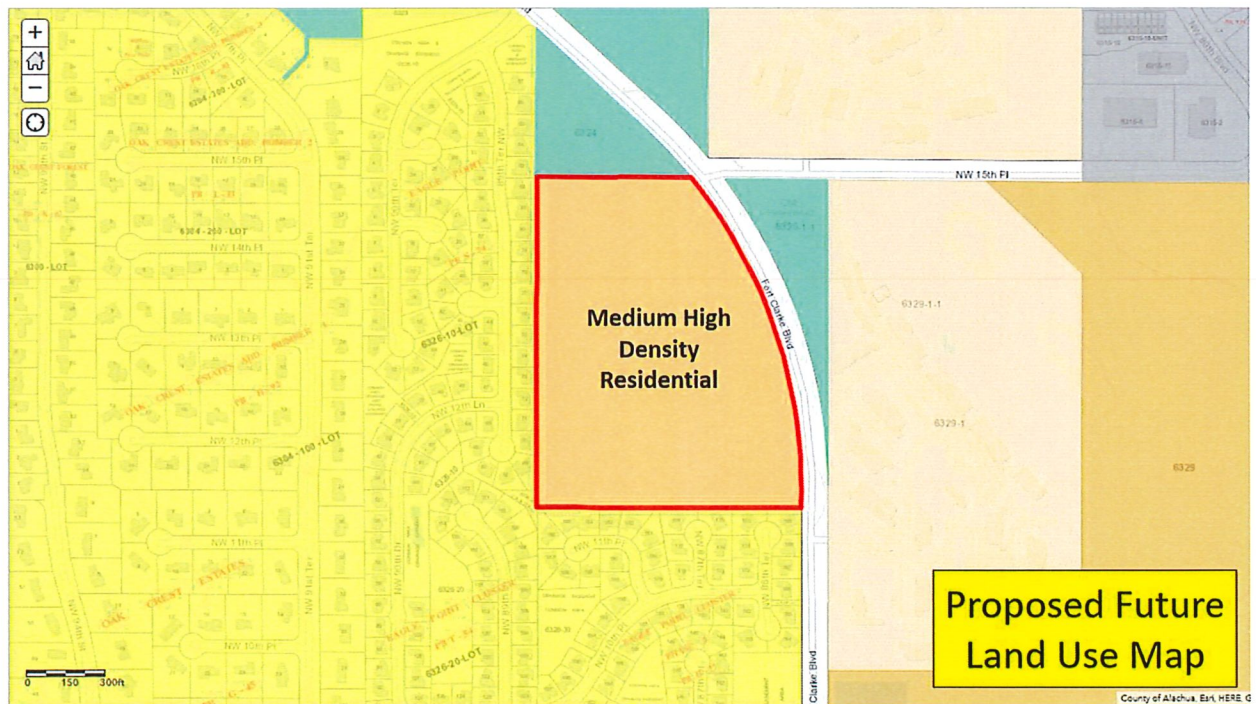
**Figure 1: Image of Legal Description**



# ATTACHMENT A



**Figure 2: Existing Land Use Designation**



**Figure 3: Proposed Land Use Designation**

CPA-05-19: Change Future Land Use Map for parcel 06326-001-000 outlined in red from Institutional to Medium High Density Residential (greater than 8, up to 14 dwelling units/acre).

