

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2020-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS WITHIN THE CAPITAL IMPROVEMENT ELEMENT OF THE ALACHUA COUNTY COMPREHENSIVE PLAN FOR FISCAL YEARS 2021 THROUGH 2025; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 12, 2019, the Alachua County Board of County Commissioners (“Board”) adopted Ordinance 19-25, the Alachua County Comprehensive Plan 2019-2040 (“Comprehensive Plan”); and

WHEREAS, Section 163.3177(3)(b), Florida Statutes, requires the County to annually review the Capital Improvement Element of the Comprehensive Plan and to adopt modifications to the 5-Year Capital Improvement schedules (“Schedule”) by ordinance at a duly noticed public hearing; and

WHEREAS, pursuant to Section 163.3177(3)(b), Florida Statutes, modifications to the 5-Year Capital Improvement Schedule may not be deemed to be amendments of the Comprehensive Plan and the Board hereby opts to amend the Schedules by ordinance pursuant to 163.3177(3)(b), Florida Statutes, not by formal amendment of the Comprehensive Plan; and

WHEREAS, on September 22, 2020 at 5:01 PM, and pursuant to sections 125.66 and 163.3177(3)(b), Florida Statutes, the Board held a public hearing to consider adoption of the annual update to the Schedules for Fiscal Years 2021 through 2025.

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

SECTION 1. Authorization and Legislative Findings. This ordinance is authorized by sections 125.66 and 163.3177(3)(b), Florida Statutes, and other applicable laws. The

Board of County Commissioners of Alachua County finds and declares that all statements set forth in the preamble of this ordinance are true and correct.

SECTION 2. Amendment of Capital Improvement Element Schedules of Ordinance 19-25. The Board adopts this update to Fiscal Years 2021 through 2025 of the Capital Improvement Element schedules of the Comprehensive Plan as set forth in **Exhibit A**. Except as amended by this update, the remaining portions of the Capital Improvement Element schedules of the Comprehensive Plan, including but not limited to Fiscal Years 2026 and beyond, shall be and remain unchanged and in full force and effect.

SECTION 3. Modification. It is the intent of the Board that the provisions of this ordinance may be modified as a result of consideration of that may arise during the public hearing. Such modifications, if any, which are approved by the Board shall be incorporated into the final version of this ordinance.

SECTION 4. Effective Date of Ordinance. 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. This ordinance shall take effect upon filing with the Department of State.

SECTION 6. Severability. It is the declared intent of the Board of County Commissioners of Alachua County that if any section, subsection, 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 constructed as to render invalid or unconstitutional the remaining provisions of this ordinance.

DULY ADOPTED by the Board of County Commissioners this 22nd day of September, 2020.

ATTEST:

**BOARD OF COUNTY
COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA**

J.K. "Jess" Irby, Esq.
Clerk of Court

By: _____
Robert Hutchinson, Chair

APPROVED AS TO FORM



County Attorney's Office