

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 21-

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 MEDIUM-HIGH DENSITY RESIDENTIAL (8 TO 14 DWELLING UNITS/ACRE) TO MEDIUM-DENSITY RESIDENTIAL (4 TO 8 DWELLING UNITS PER ACRE) ON TAX PARCEL NUMBERS 06877-000-000, AND 06877-030-000 ON APPROXIMATELY 20.76 ACRES ALONG SW 69TH TERRACE, EAST OF KIMBALL WILES ELEMENTARY SCHOOL; 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-04-21) for an amendment to the Future Land Use Map 2040 to change the approximately 20.76 acres from Medium-High Density Residential (8 to 14 dwelling units/acre) to Medium-Density Residential (4 to 8 dwelling units per acre); and,

WHEREAS, a duly advertised public hearing was conducted on June 16, 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 finds CPA-04-21 to be in compliance with Chapter 163, Part II of the Florida Statutes; and,

WHEREAS, at its September 14, 2021 public hearing, the Board of County Commissioners provided for and received public participation and adopted the amendment, as embodied in Sections 1 and 2 below;

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 06877-000-000 and 06877-030-000 on approximately 20.76 acres from Medium-High Density Residential (8 to 14 dwelling units/acre) to Medium-Density Residential (4 to 8 dwelling units per acre) as shown on Exhibit A (Legal Description) and 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 14th day of September, 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

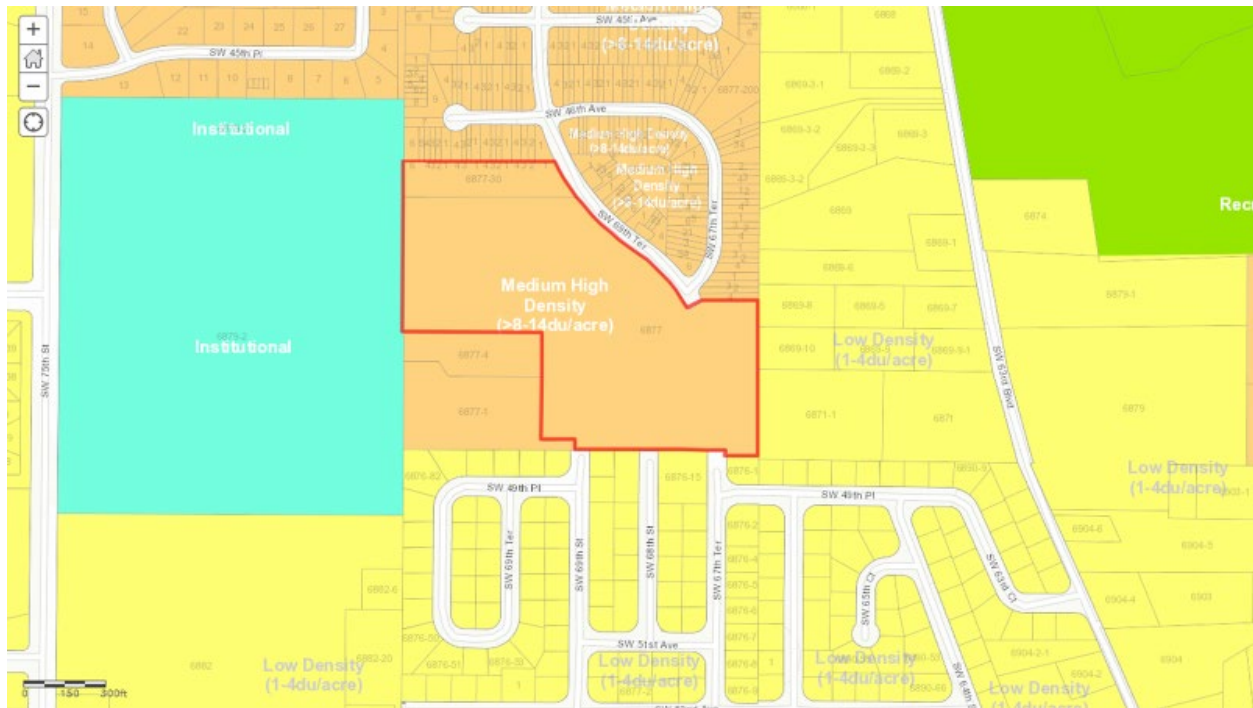
Legal Description

A portion of the Northwest $\frac{1}{4}$ of Section 21, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

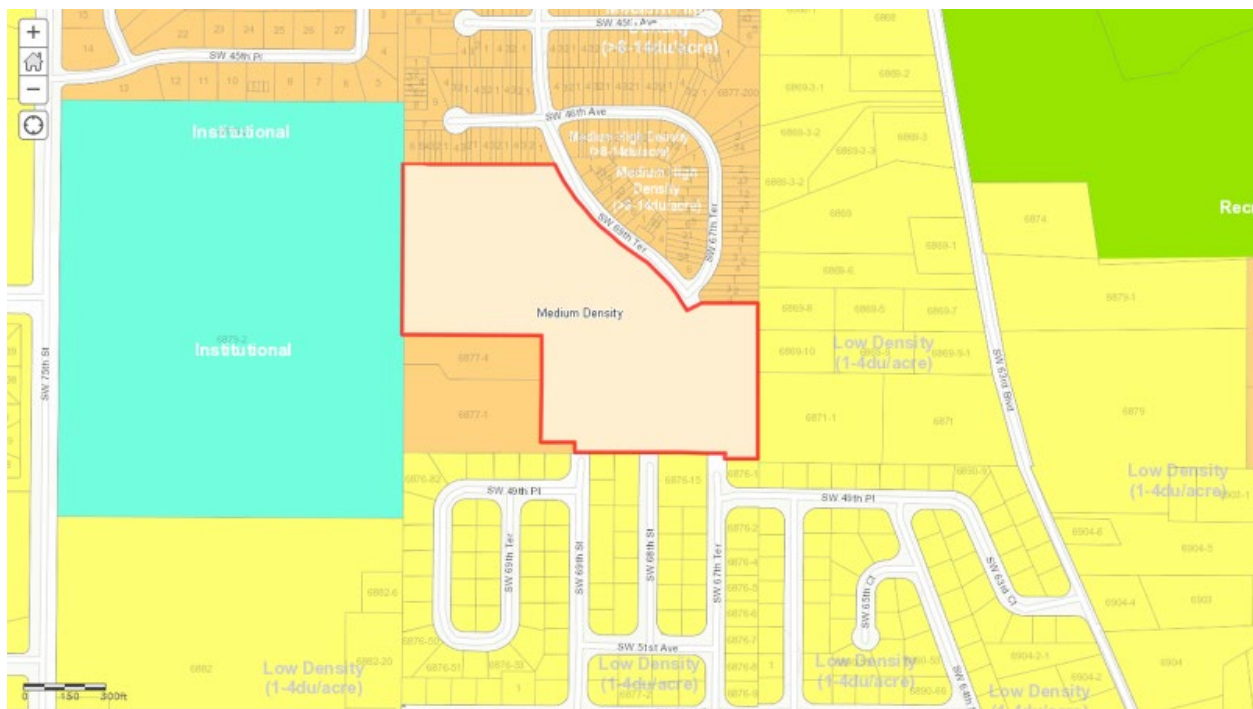
Commence at the southeast corner of the Northwest $\frac{1}{4}$ of Section 21, Township 10 South, Range 19 East, Alachua County, Florida and run thence North $00^{\circ}20'01''$ West, along the east line of said Northwest $\frac{1}{4}$, a distance of 9.29 feet to the Point of Beginning; thence South $89^{\circ}31'58''$ West, 120.37 feet to a point on the north boundary of "Arredonda Estates Unit No. 2-A", a subdivision as per plat thereof, recorded in Plat Book "G", page 58 of the Public Records of Alachua County, Florida; thence North $00^{\circ}20'53''$ West, along said north boundary, 20.00 feet; thence South $89^{\circ}31'58''$ West, along said north boundary, 558.00 feet; thence North $00^{\circ}20'53''$ West, 35.00 feet; thence South $89^{\circ}31'58''$ West, 125.00 feet; thence North $00^{\circ}20'53''$ West, 395.00 feet; thence South $89^{\circ}31'58''$ West, 515.00 feet to a point on the west line of the East $\frac{1}{2}$ of said Northwest $\frac{1}{4}$; thence North $00^{\circ}20'53''$ West, along said west line, 633.80 feet to the southwest corner of "Green Leaf Unit 4", a subdivision as per plat thereof, recorded in Plat Book "M", page 23 of said Public Records; thence North $89^{\circ}31'58''$ East, 561.37 feet to the southeast corner of said "Green Leaf Unit 4" and to a point on the southwest Right of Way line of S.W. 69th Terrace (60' R/W), said point lying on the arc of a curve, concave northeasterly, having a radius of 830.00 feet; thence southeasterly, along said Right of Way line and along the arc of said curve, through a central angle of $27^{\circ}12'45''$, an arc distance of 394.21 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of South $40^{\circ}47'34''$ East, 390.51 feet; thence South $54^{\circ}23'57''$ East, along said Right of Way line, 93.74 feet to the beginning of a curve, concave southwesterly, having a radius of 587.00 feet; thence southeasterly, along said Right of Way line and along the arc of said curve, through a central angle of $24^{\circ}38'25''$, an arc distance of 252.44 feet to the end of said curve, said arc being subtended by a chord having a bearing and distance of South $42^{\circ}04'44''$ East, 250.50 feet; thence North $60^{\circ}14'28''$ East, along the southeast Right of Way line of said S.W. 69th Terrace, 60.00 feet; thence North $89^{\circ}39'59''$ East, along the south boundary of "Green Leaf Unit 5", a subdivision as per plat thereof, recorded in Plat Book "M", page 33 of said Public Records, 208.93 feet to the southeast corner of said "Green Leaf Unit 5" and to a point on said east line of said Northwest $\frac{1}{4}$; thence South $00^{\circ}20'01''$ East, along said east line, 572.47 feet to the Point of Beginning.

Containing 20.76 Acres (904,258 Square Feet), more or less.

ATTACHMENT A



Existing Land Use Designation



Proposed Land Use Designation