

ORDINANCE 13-07

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, ADOPTING AN AMENDED COMMUNITY REDEVELOPMENT PLAN WHICH CONTAINS NEW, UPDATED OR RECONFIGURED TEXT, ORGANIZATION, SECTIONS, SUBSECTIONS, MAPS, PROGRAMS, POLICIES, INFORMATION, AND ACTIVITIES, EXTENDS THE TIME CERTAIN OF THE PLAN, REMOVES CERTAIN PARCELS THAT ARE LOCATED PARTIALLY WITHIN THE EXISTING COMMUNITY REDEVELOPMENT AREA AND CORRECTS SCRIVENER'S ERRORS; PROVIDING SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Section 163.330 through 163.450, Florida Statutes, empowers the governing authority of a municipality to prepare, adopt and amend and implement a Community Redevelopment Plan; and

WHEREAS, Section 163.330 through 163.450, Florida Statutes, empowers the governing authority of the municipality to exercise certain functions and powers related to redevelopment of slum and blighted areas; and

WHEREAS, pursuant to the Community Redevelopment Act of 1969, Section 163.3.55 Florida Statutes, the City Commission of the City of Alachua adopted Resolutions 82-4, and 98-46, as amended by Resolution 99-02, finding that a slum or blight area exists within the City of Alachua Florida, hereinafter referred to as the City, and that the rehabilitation, conservation or redevelopment, or combination thereof, of such area is necessary and in the interest of the public health, safety, morals or welfare of the residents of the City; and

WHEREAS, pursuant to the Community Redevelopment Act of 1969, Section 163.356 Florida Statutes, the City Commission on December 7, 1981, adopted Resolution 82-4, finding that there is a need for a Community Redevelopment Agency to function in the City to carry out the community development purposes of said Act; and

WHEREAS, pursuant to the Community Redevelopment Act of 1969, Section 163.357 Florida Statutes, the City Commission on April 5, 1982 adopted Ordinance No. 82-5 establishing the membership and terms of the agency hereinafter referred to as the CRA, to function in the City and carry out the community redevelopment purposes of said Act; and

WHEREAS, pursuant to the Community Redevelopment Act of 1969, Section 163.360, Florida Statutes, the City Commission on May 1, 2000, adopted Ordinance 00-18, adopting and approving the City of Alachua Community Redevelopment Plan, hereinafter referred to as the Plan, for the rehabilitation, conservation, and redevelopment of the areas found in Resolution 99-02 to be in need of such rehabilitation, conservation, and redevelopment and contained the contents required by Section 163.362 Florida Statutes; and

WHEREAS, the City's Community Redevelopment Agency (the Downtown Redevelopment Board referred to herein as the "CRA") has determined that there is a need to review and update the Community Redevelopment Plan including amending the boundaries of the Community Redevelopment Area solely by deleting certain lands lying within it, extending the term certain of the Plan through 2043, including new, updated or reconfigured text, organization, sections, subsections, maps, programs, policies and activities, and correcting scrivener's errors; and as such, has authorized the preparation of a proposed Amended Community Redevelopment Plan (Amended Plan), pursuant to the Community Redevelopment Act of 1969, Section 163.361, Florida Statutes, and

WHEREAS, on June 11, 2013, the Planning and Zoning Board (the City's Local Planning Agency) held a public hearing, after public notice was provided, during which it reviewed the proposed Amended Plan and found it to be in conformity with the City's Comprehensive Plan; and

WHEREAS, on June 19, 2013, the CRA held a public hearing after public notice was provided, and has reviewed and considered the Amended Plan, and all comments received during said public hearing, and has approved and recommended the Amended Plan to be forwarded to the City Commission with the CRA's recommendation to adopt the Amended Plan; and

WHEREAS, the CRA, pursuant to the Community Redevelopment Act of 1969, Section 163.346, prior to the City Commission as the CRA's governing body adopting an ordinance amending a community redevelopment plan, provided to its taxing authority, Alachua County, a courtesy copy of the proposed Amended Plan by letter sent via registered mail dated July 10, 2013; and

WHEREAS, the City Commission finds that the removal of certain parcels that are partially within the existing Community Redevelopment is a necessity in order to facilitate proper tax assessment;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Purpose and Intent

This Ordinance to adopt an Amended Plan is enacted to carry out the purpose and intent of, and exercise the authority provided by, and set out in, and enacted pursuant to the Community Redevelopment Act of 1969, Section 163.330 to 164.450, Florida Statutes, and Section 166.021, Florida Statutes, as amended.

Section 2. Finding of Facts

The City Commission makes the following findings of facts:

1. The above RECITALS are true and correct and are incorporated into this Ordinance by reference;
2. The amended version of the Plan is based on a reorganization of the existing Plan, as previously amended; to remove or update outdated, inapplicable, or erroneous sections; to include new or updated sections, subsections, maps, graphics, programs and activities for the Redevelopment Area and extend the time certain of the of 2043.

Section 3. Community Redevelopment Plan Amendment

The Amended Community Redevelopment Plan which is attached hereto as Exhibit "A" is incorporated herein and made a part of this ordinance by reference.

Section 4. Codification of and Correction of Scrivener's Errors

The City Manager or designee, without public hearing, may authorize the correction of scrivener's errors which do not affect the intent of this ordinance. A corrected copy shall be posted in the public record.

Section 5. Ordinance to be Construed Liberally

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 the City of Alachua, Florida.

Section 6. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 7. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 8. Effective Date

This ordinance shall become effective immediately upon passage and adoption.

PASSED on first reading the 12th day of August, 2013.

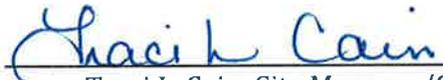
PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 26th day of August, 2013.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA



Gib Coerper, Mayor

ATTEST:



Traci L. Cain, City Manager/Clerk

APPROVED AS TO FORM



Marian B. Rush, City Attorney