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April 2, 2025

Ms. Sara S. Samario
Town Administrator/Clerk
Town of Micanopy
P.O. Box 137
Micanopy, FL 32667-0137

TRANSMITTED VIA ELECTRONIC MAIL

RE: Application No. CPA 25-01 (Town Commission)

Ordinance
Concerning an Amendment to the
Future Land Use Plan Map of the Comprehensive Plan

Dear Sara:

Please find enclosed the above referenced ordinance for first reading only. Prior to the second reading of the ordinance, an ordinance for adoption and signature will be sent to the Town.

The Town Attorney should review the ordinance as to legal form and sufficiency.

If you have any questions concerning the matter, please do not hesitate to contact Sandra Joseph, Senior Planner, at 352.955.2200, ext. 111.

Sincerely,

Scott R. Koons, AICP
Executive Director

Enclosure

SRK/cf

xc: Kiersten Ballou, Esq., Attorney
Patty Polk, Deputy Town Clerk
S. Scott Walker, Esq., Town Attorney

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MICANOPY, SEMINOLE CHIEF

TOWN OF MICANOPY, FLORIDA

ORDINANCE NUMBER 2025-02

BEFORE THE TOWN COMMISSION

AN ORDINANCE OF THE TOWN OF MICANOPY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE TOWN OF MICANOPY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF 50 OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, CPA 25-01, BY THE PROPERTY OWNER OF SAID ACREAGE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE FUTURE LAND USE PLAN MAP BY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY, RURAL COMMERCIAL AGRICULTURE TO TOWN CONSERVATION ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MICANOPY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, as amended, empowers the Town Commission of the Town of Micanopy, Florida, hereinafter referred to as the Town Commission, to prepare, adopt and implement a comprehensive plan;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers and requires the Town Commission to prepare, adopt and implement a comprehensive plan;

WHEREAS, an application for an amendment, as described below, has been filed with the Town;

WHEREAS, the Planning and Historic Preservation Board of the Town of Micanopy, Florida, has been designated as the Local Planning Agency of the Town of Micanopy, Florida, hereinafter referred to as the Planning and Historic Preservation Board, serving also as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, as amended, and the Land Development Code, as amended, the Planning and Historic Preservation Board, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Planning and Historic Preservation Board, serving also as the Local Planning Agency; reviewed and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said application for an amendment, as described below, and recommended to the Town Commission approval of said application for an amendment, as described below;

WHEREAS, the Town Commission held the required public hearing, with public notice having been provided, under the procedures established in Sections 163.3161 to 163.3248, Florida Statutes, as amended, on said application for an amendment, as described below, and at said public hearing, the Town Commission reviewed and considered all comments received during said public hearing, including the recommendation of the Planning and Historic Preservation Board, serving also as the Local Planning Agency; and the Concurrency Management Assessment concerning said application for an amendment, as described below;

WHEREAS, the Town Commission has determined and found said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan;

WHEREAS, the Town Commission has determined and found that approval of an application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MICANOPY, FLORIDA, THAT:

Section 1. Pursuant to an application, CPA 25-01, by the Town Commission, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification on certain lands, the land use classification is hereby changed from COUNTY, RURAL COMMERCIAL AGRICULTURE to TOWN CONSERVATION on property described, as follows:

A parcel of land lying in Section 25, Township 11 South, Range 20 East, Alachua County, Florida. Being more particularly described as follows: Commence at the Northwest corner of said Section 25; thence East, along the North line of said Section 25, a distance of 1,518.00 feet; thence South 01°14'18" East 3,119.32 feet to the centerline of Hunter Avenue; thence South 01°14'28" East 969.51 feet to the Point of Beginning; thence South 01°24'14" East 73.97 feet to the North right-of-way line of Southeast 165th Avenue; thence South 82°39'48" East, along the North right-of-way line of said Southeast 165th Avenue, 613.64 feet to the beginning of a curve concave to the Southwest, having a radius of 1,533.05 feet and being subtended by a chord bearing and distance of South 76°54'48" East, 281.45 feet; thence Southeasterly, along the North right-of-way line of said Southeast 165th Avenue and along the arc of said curve, through a central angle of 10°32'01", and an arc length of 281.84 feet to a reverse curve concave to the Northwest, having a radius of 50.00 feet and being subtended by a chord bearing and distance of North 29°33'40" East, 100.00 feet; thence Northeasterly, along the North right-of-way line of said Southeast 165th Avenue and along the arc of said curve, through a central angle of 180°00'00" and an arc length of 157.08 feet to the Southwesterly right-of-way line of U.S. Highway 441 (State Road 25) and to a reverse curve concave to the Northeast, having a radius of 17,188.74 feet and being subtended by a chord bearing and distance of North 40°44'26" West 467.74 feet; thence Northwesterly, along the Southwesterly right-of-way line of said U.S. Highway 441 (State Road 25) and along the arc of said curve, through a central angle of 01°33'33" and an arc length of 467.75 feet to the end of said curve; thence North 40°01'58" West, along the Southwesterly right-of-way line of said U.S. Highway 441 (State Road 25), a distance of 81.46 feet; thence South 49°57'20" West 290.35 feet; thence North 40°03'58" West 150.09 feet; thence the following eight (8) courses; (1) thence North 12°51'16" West 248.96 feet; (2) thence North 03°58'40" West 107.90 feet; (3) thence South 86°20'35" West 48.75 feet; (4) thence South 03°39'06" East 17.70 feet; (5) thence South 86°20'28" West 64.17 feet; (6) thence South 03°39'11" East 90.16 feet; (7) thence North 86°21'26" East 83.18 feet; (8) thence South 12°52'22" East 261.11 feet; thence South 40°00'09" East 137.34 feet; thence South 73°04'30" West 332.54 feet to the Point of Beginning.

Containing 5.59 acres, more or less.

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

The effective date of this plan amendment shall be thirty-one (31) days following the date of adoption of this plan amendment. However, if any affected person files a petition with the Florida Division of Administrative Hearings pursuant to Section 120.57, Florida Statutes, as amended, to request a hearing to challenge the compliance of this plan amendment with Sections 163.3161 through 163.3248, Florida Statutes, as amended, within thirty (30) days following the date of adoption of this plan amendment, this plan amendment shall not become effective until the Florida Department of Commerce or the Florida Administration Commission, respectively, issues a final order determining this plan amendment is in compliance. No development orders, development permits or land uses dependent on this plan amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued, this plan amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Commerce, Division of Community Development, 107 East Madison Street, Caldwell Building, First Floor, Tallahassee, Florida 32399-4120.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

On first reading passed by a vote of ____ to ____ on the 8th day of April 2025.

On second reading passed by a vote of ____ to ____ on this ____ day of ____ 2025.

**TOWN COMMISSION OF THE
TOWN OF MICANOPY, FLORIDA**

Jiana Williams, Mayor

ATTEST:

Sara S. Samario, Town Clerk

Approved as to legal form and content:

S. Scott Walker, Town Attorney