

City of Gainesville

Inter-Office Communication

Department of Community Development
Phone 334-5022, FAX 334-2282, Station 11

Item No. 9

To: City Plan Board **Date:** October 21, 1999
From: Planning Division Staff
Subject: Petition 147LUC-99 PB. City Plan Board. Amend the Future Land Use Map of the City of Gainesville Comprehensive Plan 1991-2001 by changing County Land Use Designations to City of Gainesville Land Use designations to Office (O), Agriculture (AGR), Single-family (SF), Education (E) and Conservation (CON) for annexed land located in the area west of Northwest 43rd Street.

Recommendation

Planning Division staff recommends approval of Petition 147LUC-99 PB.

Explanation

The City of Gainesville annexed a 371-acre area (the "Ashton Annexation") in the northwest portion of the Gainesville Urban Area on September 28, 1998 (Map 1 on attached report). Existing designations are shown on Map 1A in attached report.

This area must be brought into conformance with the City's Future Land Use Element and Land Development Regulations. This requires amending the City's Comprehensive Plan and zoning map atlas to include the annexed area. This petition amends the Future Land Use Element Map series to include the annexed area as part of the Future Land Use Map and is related to Petition 149ZON-99 PB.

Future Land Use designations were made on a parcel-by-parcel basis. In addition, the Environmentally Significant Lands and Resources maps must be amended to include the annexed area.

The intent is to adopt, to the extent possible, land use designations that match those of the existing Alachua County designations, unless there is a compelling public interest to do otherwise.

Analysis of the need for additional land

Staff believes that in this location, additional conservation and agricultural land serves a beneficial public purpose.

Site Location in Relation to Adjacent Land Uses

The annexed area is adjacent to a GRU substation (Public Facilities land use), Conservation (Conservation land use), and vacant Single-Family residential land use (Single-Family land use, up to 8 units per acre) to the east, vacant Single-Family residential land use to the north (Single-Family land use, up to 8 units per acre), Single-Family residential land use to the west (Single-Family land use), and a shopping center and Office and Residential Medium Density to the south (Mixed Use Low Intensity, Office, and Residential Medium Density land use). The proposed land use categories would be compatible with these land uses.

Impact on Adopted Level of Service Standards

Existing developments are served by potable water, wastewater, stormwater, transportation, recreation, and solid waste facilities within adopted level of service standards. Any new development on vacant lands would be required to meet adopted level of service standards.

Expansion or Creation of Mixed Use, or of Non-residential Areas

No mixed use land use is proposed in the annexed area. Office is proposed along a commercializing corridor, and near an activity center.

Applicable Goals, Objectives and Policies

Future Land Use Element

Goal 2

The Land Use Element shall foster the unique character of the City by directing growth and redevelopment in a manner that uses activity centers to provide goods and services to City residents; protects viable, stable neighborhoods; distributes growth and economic activity throughout the City in keeping with the direction of this element; preserves quality open space and preserves the tree canopy of the City. The Land Use Element shall promote statewide goals for compact development and efficient use of infrastructure.

Objective 2.1

The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

Policy 2.1.1

Land Use Categories on the Future Land Use Map shall be defined as follows:

Single Family (up to 8 units per acre)

This land use category shall allow single family detached dwellings at densities up to eight dwelling units per acre. The single family land use classification identifies those areas within the City that due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single family development. Land Development Regulations shall determine the performance measures and gradations of density. Land Development Regulations shall specify criteria for the siting of low intensity residential facilities to accommodate special need populations and appropriate community level institutional facilities such as places of religious assembly, private schools and libraries. Land Development Regulations shall allow Home Occupations in conjunction with single-family dwellings under certain limitations.

Office

The office land use category identifies areas appropriate for office and residential uses. This category is intended to identify appropriate areas for professional and service uses, hospital and medical uses, compound and residential uses, and appropriate ancillary uses. Office designations shall be applied to compact office development; office designations shall not encroach in viable residential areas nor expand strip development. Residential uses in office districts shall be designed as infill, mixed use, compound use or shall accommodate existing residential development within the district. Densities shall not exceed 20 units per acre. Land Development Regulations shall determine the appropriate scale of uses; and the specific criteria for the siting of private schools and churches. Floor area ratios in this district shall not exceed 2.00.

Education

This category identifies appropriate areas for public and private schools and institutions of higher learning when located outside of activity centers. Land Development Regulations shall address compatibility with surrounding uses and infrastructure needs. Floor area ratios in this district shall not exceed 5.00.

Conservation

This category identifies areas environmentally unsuited to urban development, permanent buffers between land uses, areas used for passive recreation and nature parks. Privately held properties within this category shall be allowed to develop at single family densities of one unit per five acres. Land Development Regulations shall determine the appropriate scale of activities, structures and infrastructure that will be allowed.

Agriculture

This category identifies existing lands which are expected to continue in agricultural production and ancillary uses. Land Development Regulations shall allow single family densities of one unit per five acres. It is not expected that lands designated for urban uses will be converted to agricultural production.

Objective 2.6

Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

Policy 2.6.1

Land use amendments shall be prepared for all annexed properties within one year of annexation.

Policy 2.6.2

Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this Plan.

Applicant Information City Plan Board.

Request Amend the Future Land Use Map to incorporate newly annexed area.

Existing Land Use Plan Classification Recreation, Institutional, Low Density Residential

Existing Zoning BA (business automotive), R-1a (single-family), C-1 (conservation), A (agriculture), Institutional

Location Vicinity of NW 43rd Street and NW 53rd Avenue.

Size 371 acres

Existing Use Public parks, public school, office, single-family residential, conservation, racquetball & tennis club.

Surrounding Land Uses

North Vacant Single-Family Residential
South Shopping Center
East GRU Substation, Conservation and Vacant Residential
West Single-Family Residential Subdivision

Surrounding Controls	Existing Zoning	Land Use Plan
North	RSF-1	SF
South	PD	SF and O
East	OF, CON, RSF-1	CON, O and SF
West	County	County

Recent Zoning History

Not applicable, since properties were outside city limits before the annexation.

Affordable Housing

This petition will have no impact on the supply of affordable housing.

Respectfully submitted,



Ralph Hilliard
Planning Manager

RW:DM:DN

Attachment

Annexed Area Parcel Numbers

06006-000-000
06020-002-000
06021-000-000
06022-000-000
06022-001-000
06022-001-001
06022-002-000
06023-003-001
06023-003-004
06023-040-(001 through 074)

Attachment 1

Ashton Annexation

Future Land Use Element Data and Analysis Report

General Description of Annexation Area

The City of Gainesville annexed a 371-acre area (the "Ashton Annexation") in the northwest portion of the Gainesville Urban Area on September 28, 1998 (Map 1). The area is bounded to the north, south, and east by city limits, and by the Deer Run subdivision to the west. The area falls within the Urban Reserve Area (see Map 1, City of Gainesville Intergovernmental Coordination Data and Analysis Report) adopted by the Alachua County Commission in August of 1991. Ordinance 98046 finalized the annexation. The area has a population density of 0.5 persons per acre. The Ashton Annexation includes two passive public parks: Devil's Millhopper, a 75-acre State Geological Site, and San Felasco Park, a 186-acre, minimally developed county park. The Ashton Annexation also includes the 6-acre Talbot Elementary Public School.

Land Use Analysis

The purpose of this section is to determine the development and redevelopment possibilities of land within the Ashton Annexation area. This addendum to the Gainesville Comprehensive Plan will make this determination based on the availability of transportation, sanitary sewer, solid waste, drainage, potable water, and recreation to serve existing vacant and developed land in the annexed area, and the natural conditions that may affect land development.

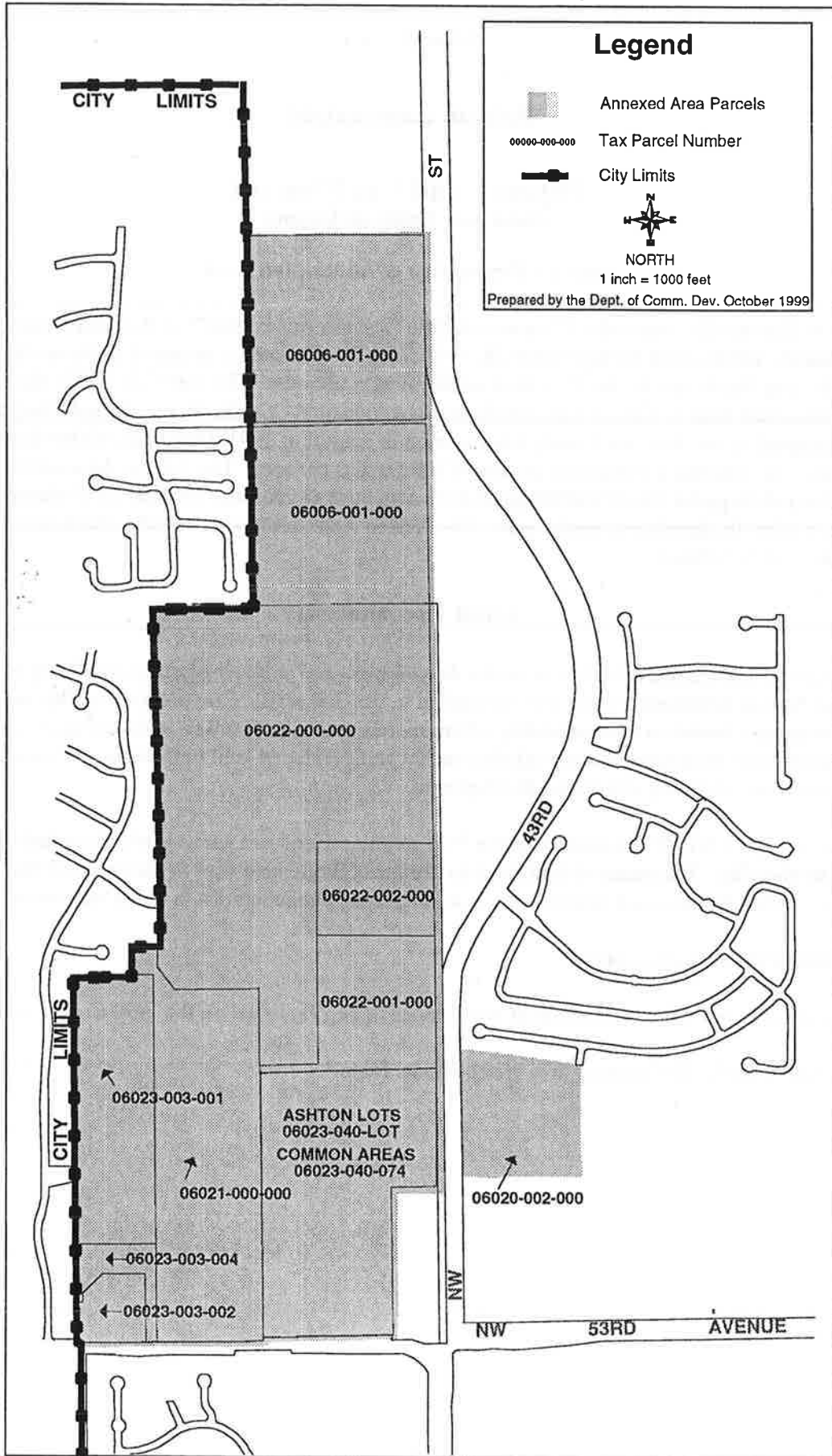
Alachua County's 1991-2011 Comprehensive Plan contains a land use analysis which includes the area annexed by the City. The intent of the City is to designate future land uses in the annexed area consistent with the County's designations, unless there is a compelling public interest in doing otherwise.

Population of the Annexed Area

The population of the Ashton Annexation is estimated to be 179, based on the 1990 Census count.

Existing land uses for the annexed area are shown in Table 1.

Map 1 • Locator Map



Map 1A • Existing LUP and Zoning Categories

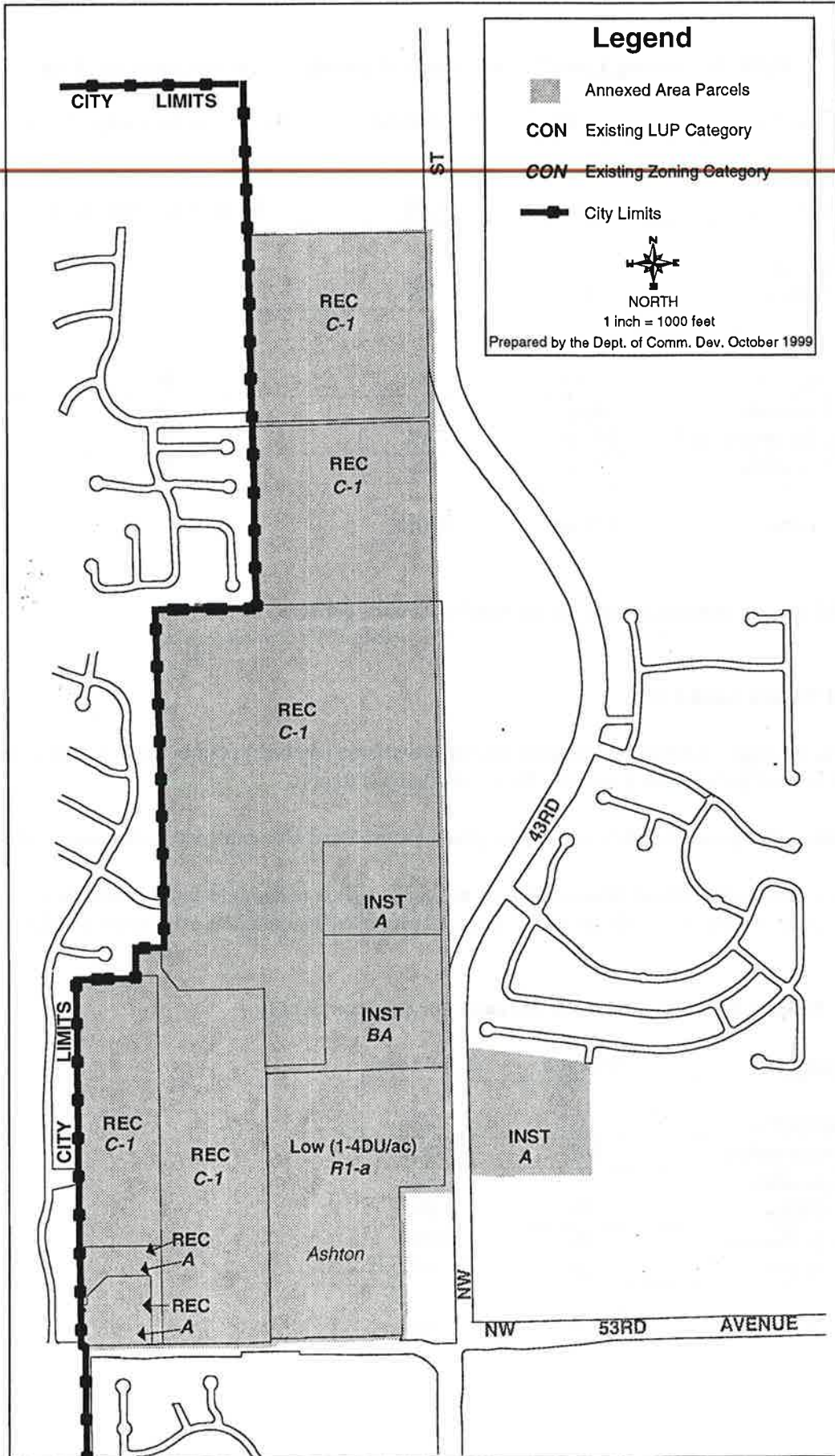


Table 1: Existing Land Use Acreage and Density of Use for Annexed Area

Land Use	Acreage	% of Total	Density or Intensity of Use
Residential Single Family	45 ac	12%	1.6 dwelling units/acre
Business Office	30 ac	8%	Low
Other Education	6 ac	2%	NA
Agriculture	10 ac	3%	NA
Conservation (public pk)	261 ac	70%	NA
Public ROW	19 ac	5%	NA
Total	371 ac	100%	

Residential density was determined by the number of units per acre.

Proposed Future Land Use

The land use categories which will implement the growth management plan in the annexed areas are described in the City's Future Land Use Data and Analysis Report.

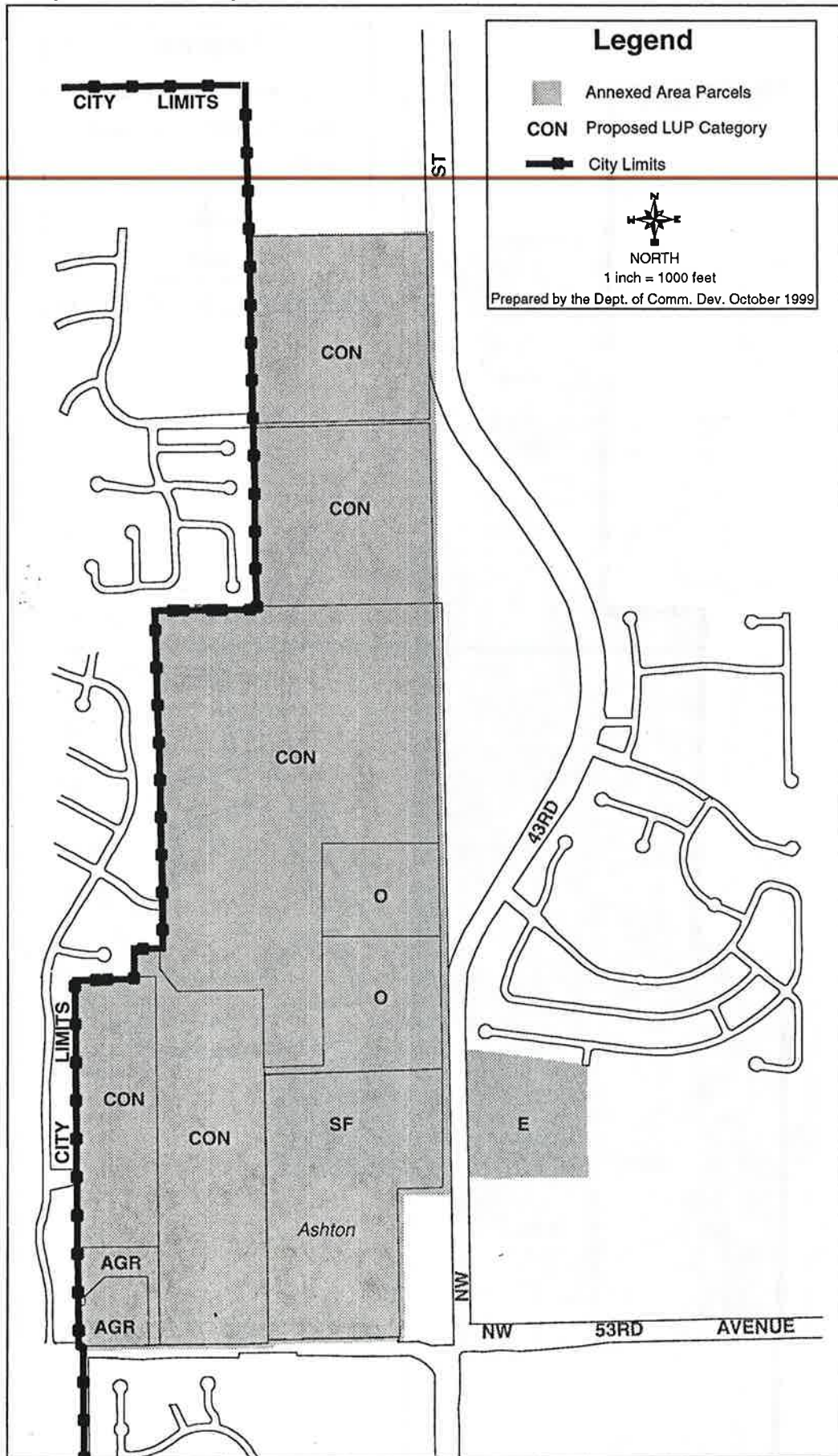
Table 2 shows the acreage distribution by proposed Future Land Use category for the annexed area.

The most prominent proposed future land uses are conservation and single-family residential, for a combined total of 82 percent of future land use. All proposed designations are shown on Maps 2 and 3.

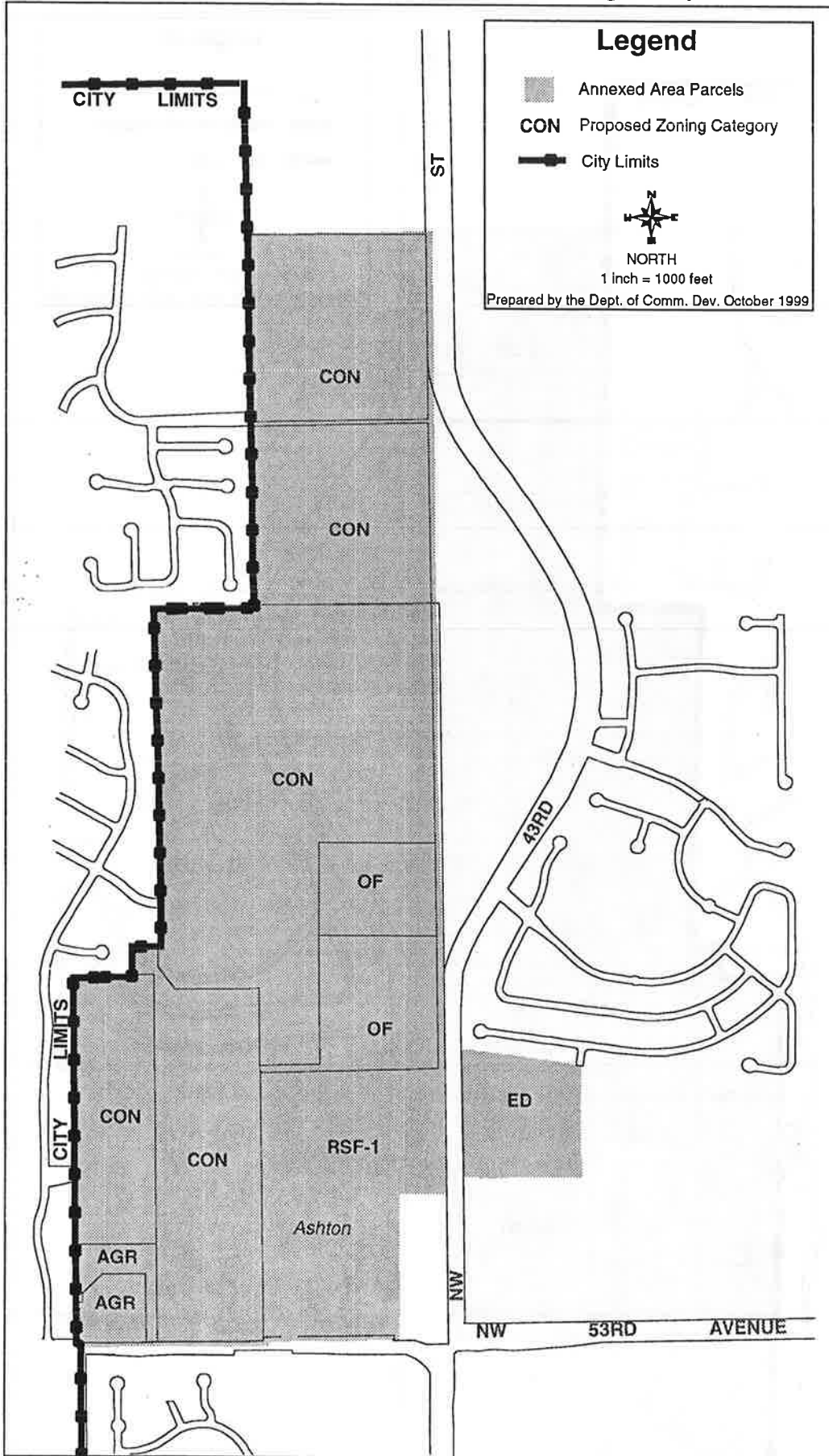
Table 2: Proposed Future Land Use Acreage For Annexed Areas

Land Use	Acreage	% of Total
Agriculture	10	3%
Conservation	261	70%
Education	6	2%
Office	30	8%
Single Family	45	12%
ROW	19	5%
Total	371	100%

Map 2 • Proposed Comprehensive Land Use Map



Map 3 • Proposed Zoning Map



Transportation

The Traffic Circulation Element of Alachua County's 1991-2011 Comprehensive Plan addressed the level of service (LOS) standards of the state highway system roadways and additional collector and arterial roads that serve the annexed area.

All of the other streets that fall within the annexed area are operating at level of service B. MTPO LOS Reports will annually update level of service for roadways in the Gainesville Metropolitan Area. The City shall apply the goals, objectives and policies of the Traffic Circulation Element of the Comprehensive Plan to transportation needs in the annexed areas.

The Gainesville Public Works Department provides basic maintenance and repair services for all City streets within city limits.

The existing and future Regional Transit System main bus service area is identified in Map 4 (from the Transportation Mobility Element). The Regional Transit System does not serve any of the annexed area.

Potable Water

The Murphree Water Treatment Plant, located in northeast Gainesville, serves the annexed area with potable water service. Map 5 (from the Potable Water and Wastewater Data and Analysis Report) shows the existing geographic service area for potable water facilities. Currently, the Murphree Water Treatment Plant has a design capacity of 34 million gallons per day (Table 4, Potable Water and Wastewater Data and Analysis Report). Forecasts of demand and capacity (Tables 9 and 10 of the Potable Water and Wastewater Data and Analysis Report) indicate a surplus capacity through the year 2001. Therefore, potable water demand will not exceed available capacity during the planning time frame.

Natural Groundwater Aquifer Recharge

The primary water supply for Gainesville and the newly annexed area is the Floridan Aquifer. The Floridan Aquifer underlies all of the City, including the annexed area. Map 6 (from the Conservation, Open Space and Groundwater Recharge Data and Analysis Report) shows the degree of confinement of the Floridan Aquifer System for the annexed area. The City will apply the goals, objectives and policies of the Conservation, Open Space and Groundwater Recharge Element to the annexed area.

Sanitary Sewer

The City currently serves the entire annexed area through Gainesville Regional Utilities. Map 7 (from the Potable Water and Wastewater Data and Analysis Report) shows the existing geographic service areas for wastewater facilities. The annexed area is served by the Kanapaha Wastewater Treatment Plant.

EXISTING & FUTURE R.T.S MAIN BUS SERVICE AREA

1991-2001

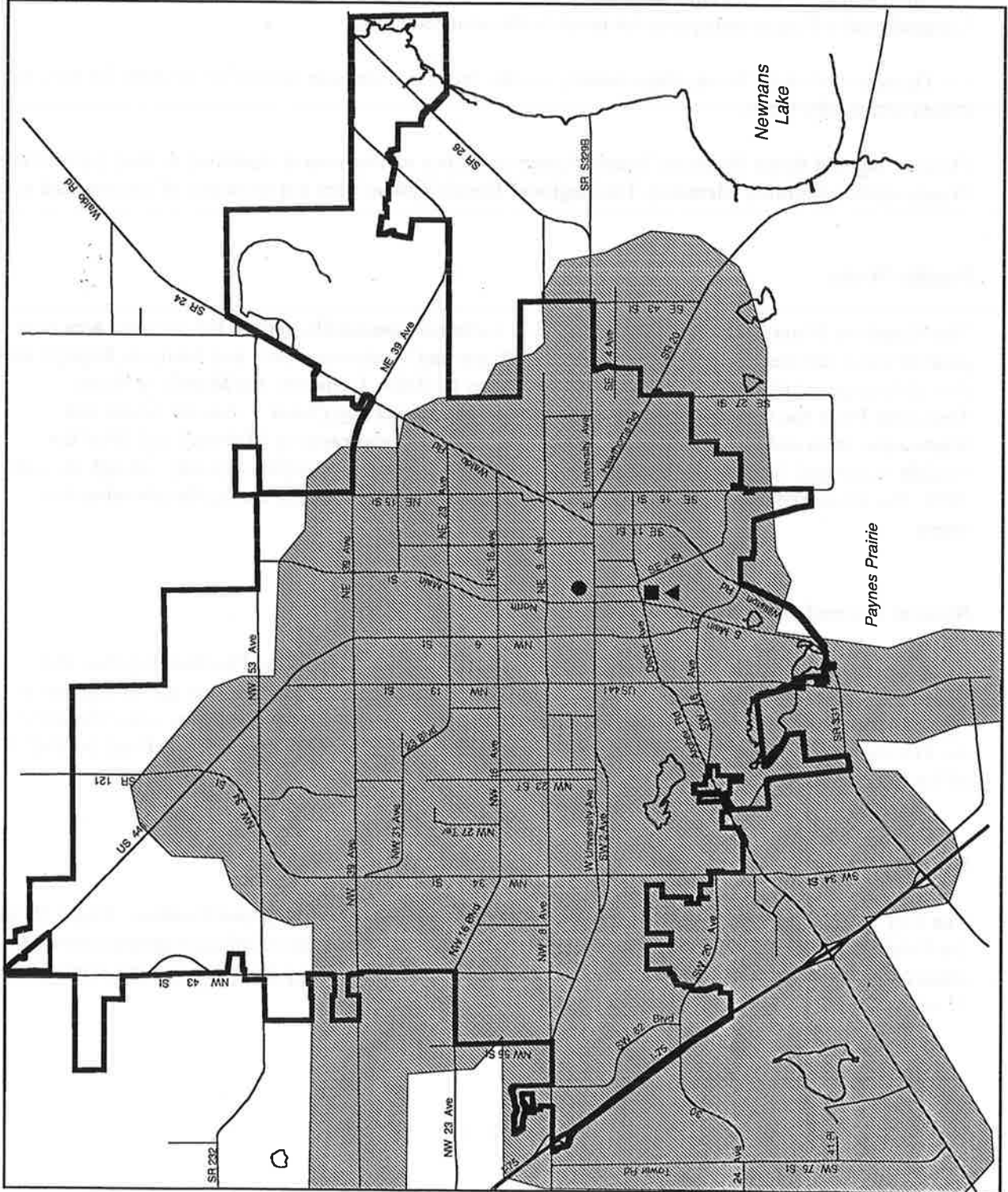
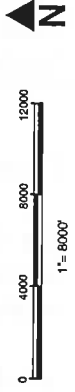
Legend

- Existing Bus Terminal
- Existing R.T.S. Administration
- ▲ Future Bus Terminal & R.T.S. Administration
- ▨ Service Area

Notes: There are no mass transit right-of-ways or exclusive mass transit corridors.

City of Gainesville
Gainesville, Florida

Prepared by the
Department of Community Development
December 1998









Map 5

POTABLE WATER FACILITIES

Existing Geographic Service Area

Legend

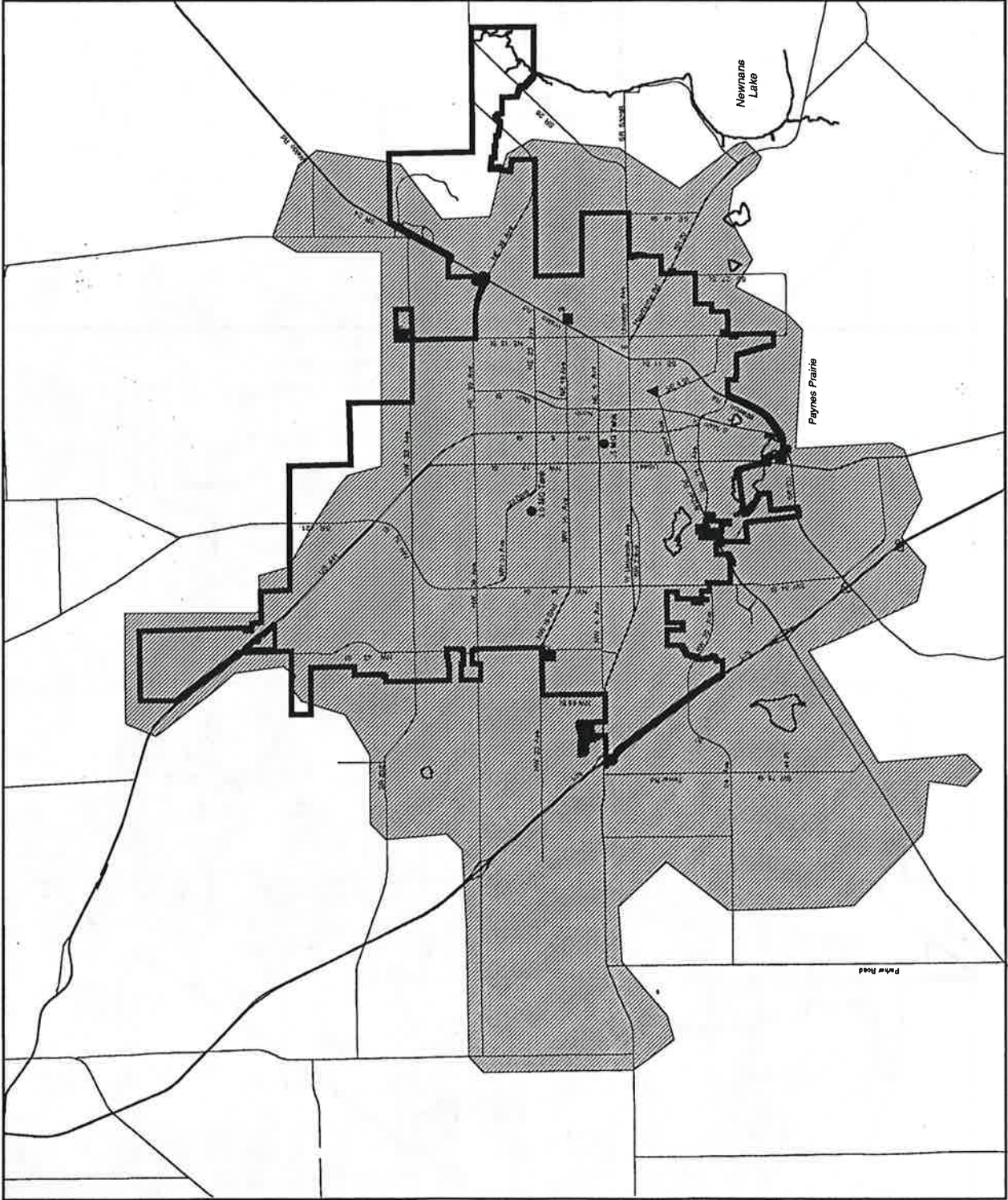
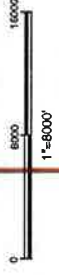
-  Gainesville Regional Utilities Potable Water Service Area
-  1 Gainesville Regional Utilities Murphree Water Plant
-  2 Saint Michael's Child Care Center (Private)
-  3 Tacachale Water System (State), See Map 4
-  Gainesville Regional Utilities elevated water storage tank
-  1 MG Ground Storage Tank

Sources: Gainesville Regional Utilities, Strategic Planning Department, July, 1997

Florida Department of Environmental Regulation, September, 1989 and GRU, 1991.

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Gainesville, Florida**

Prepared by the
Department of Community Development
April, 1999







Map 6

FLORIDAN AQUIFER SYSTEM

Degree of Confinement

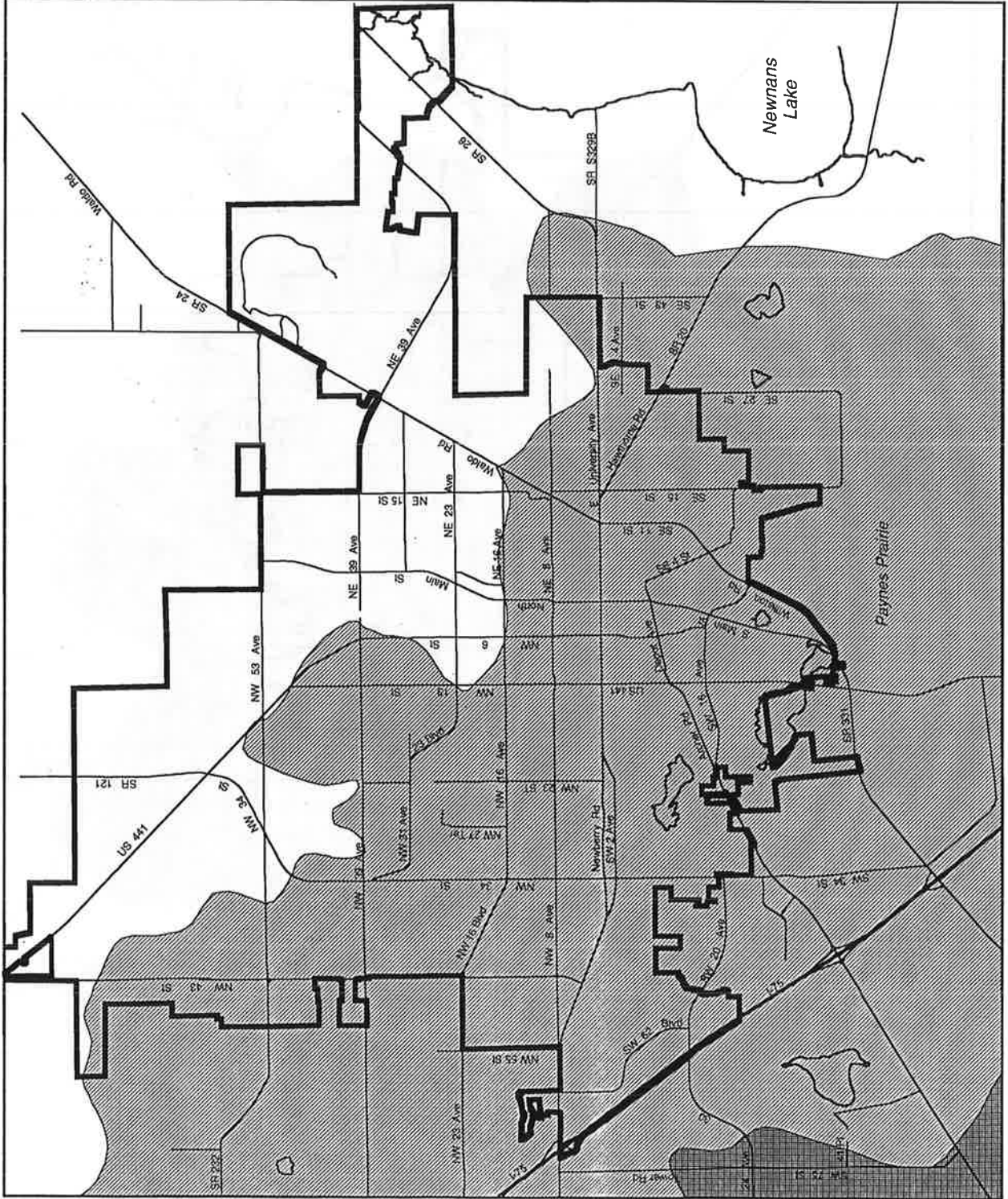
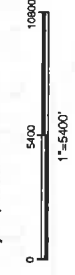
Legend

-  **Confined Zone**
A region of higher elevation underlain by at least 10 feet of clays or clayey sand which form an aquiclude to the Floridan Aquifer System.
-  **Perforated Zone**
A region primarily confined with numerous sinkholes allowing hydrologic access to the Floridan Aquifer System.
-  **Unconfined Zone**
A region of low and flat terrain where porous sands overlie the Floridan Aquifer System.
-  **Gainesville City Limits**

Source: Alachua County Environmental Protection Department, 1995

City of Gainesville, Florida

Prepared by the
Department of Community Development
July 28, 1999



Stormwater

The City's Public Works Department provides stormwater management. Studies within the annexed area are needed to address any existing deficiencies within drainage basins. Map 8 (from the Alachua County Comprehensive Plan Drainage Element) identifies no recurrent drainage problems or proposed drainage improvement projects in the area annexed by the City. The City will apply the goals, objectives and policies of the Stormwater Management Element to the annexed areas.

Solid Waste

Alachua County provides solid waste facilities for the City and the entire county. The City contracts with Waste Management of Central Florida, Inc. to provide residential waste and recycling collection services for all areas within city limits. Boone Waste Industries, Inc. is under contract to collect residential yard waste within city limits. Non-single-family residential property owners contract separately for these services. Refer to the City's Solid Waste Data and Analysis Report for additional information about the future needs for solid waste disposal capacity.

Airport

All of the annexed area falls outside of the 65 LDN airport noise contour. See Map 9 (from the City's Aviation Data and Analysis Report).

Housing

The housing in the annexed area is of standard condition. The City will apply the goals, objectives and policies of the Housing Element to ensure that all housing units in the annexed area meet the City's Minimum Housing Code.

The City Building Inspections Department enforces building and fire codes within city limits. The City Code Enforcement Division of the Department of Community Development enforces codes relating to zoning, housing, vehicles, hazardous lands, and special sales within city limits.

Recreation

Recreation level of service standards were adopted in the Comprehensive Plan based on the 1989 urban area population and facilities. The areas annexed by the City are included in the Gainesville Urban Area. See Map 10 (from the Recreation Data and Analysis Report). Therefore, population from the annexed areas will have no impact on the recreation levels of service during the planning time frame.

The City Recreation and Parks Department provides organized recreation programs for county-wide youth and adults. This Department also maintains city parks, city rights-of-way, and other city properties.

DRAINAGE

Problem Areas & Proposed Improvement Projects

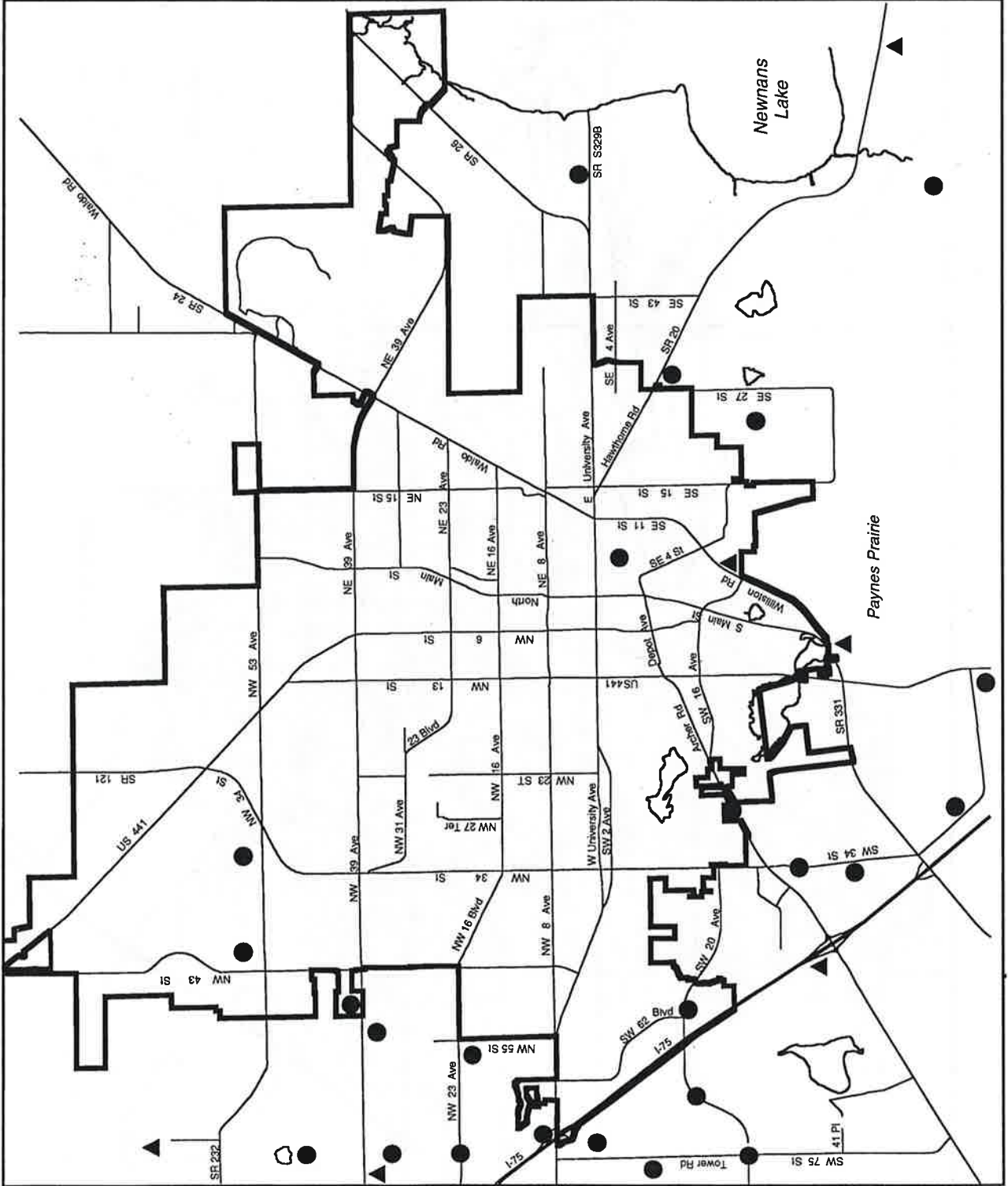
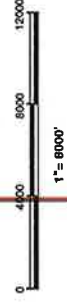
Legend

- Recurrent Drainage Problem Area
- ▲ Proposed Drainage Improvement Project

Source: "Figure 2, Locations of Problem Areas and Proposed Capital Improvement Projects,"
Law Environmental Inc.,
Alachua County, Florida

**City of Gainesville
Gainesville, Florida**

Prepared by the
Department of Community Development
October 1999



Map 9

AIRPORT NOISE ZONE

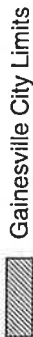
Gainesville Regional Airport

Legend



Decibel Contours for Airport Noise

- Subzone A (75 Ldn)
- Subzone B (70 Ldn)
- Subzone C (65 Ldn)

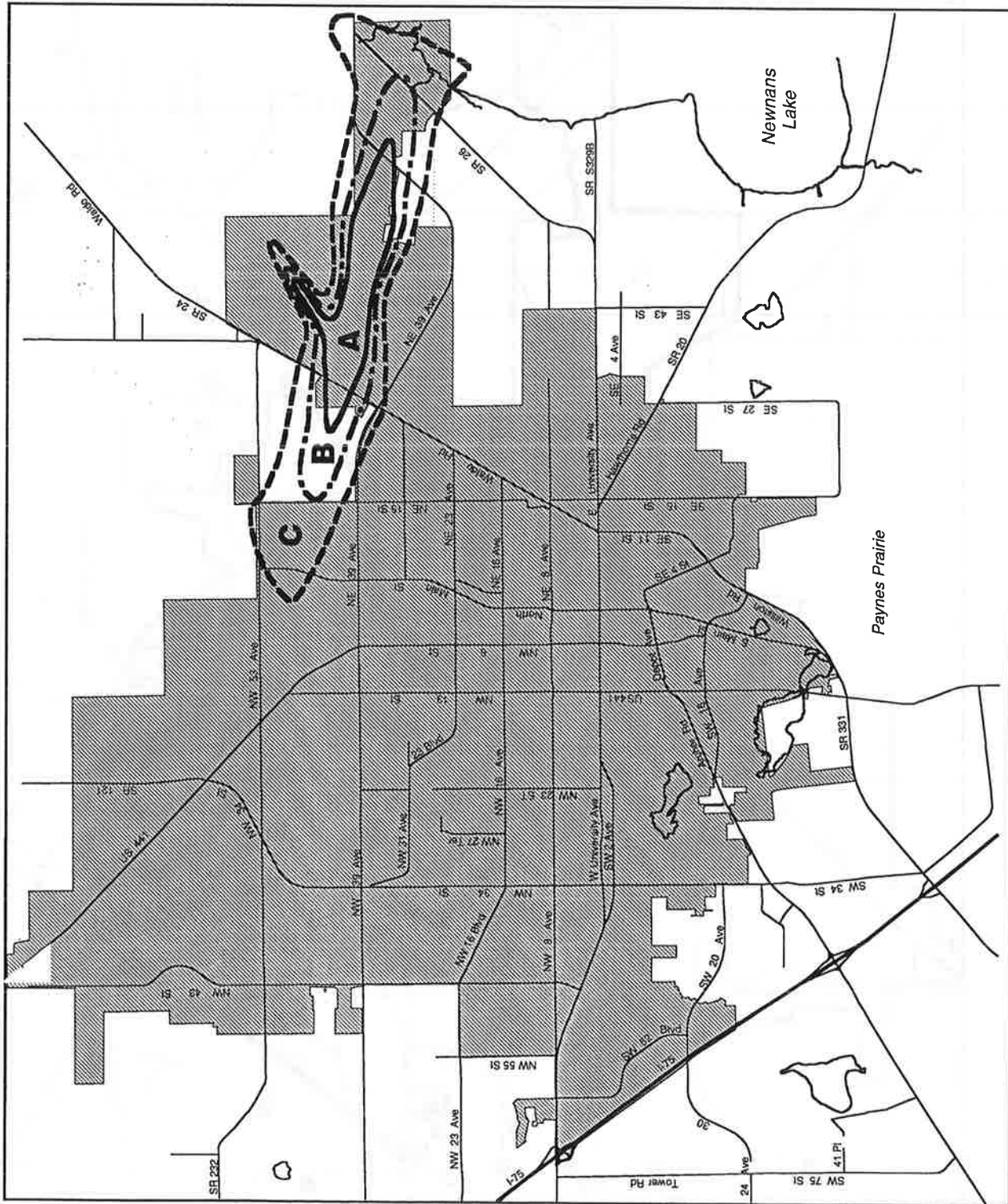


Gainesville City Limits

Source: CH2MHill, Drawing 4,
Gainesville Regional Airport Master Plan

City of Gainesville Gainesville, Florida



Prepared by the
Department of Community Development
October 1999



QUADRANTS

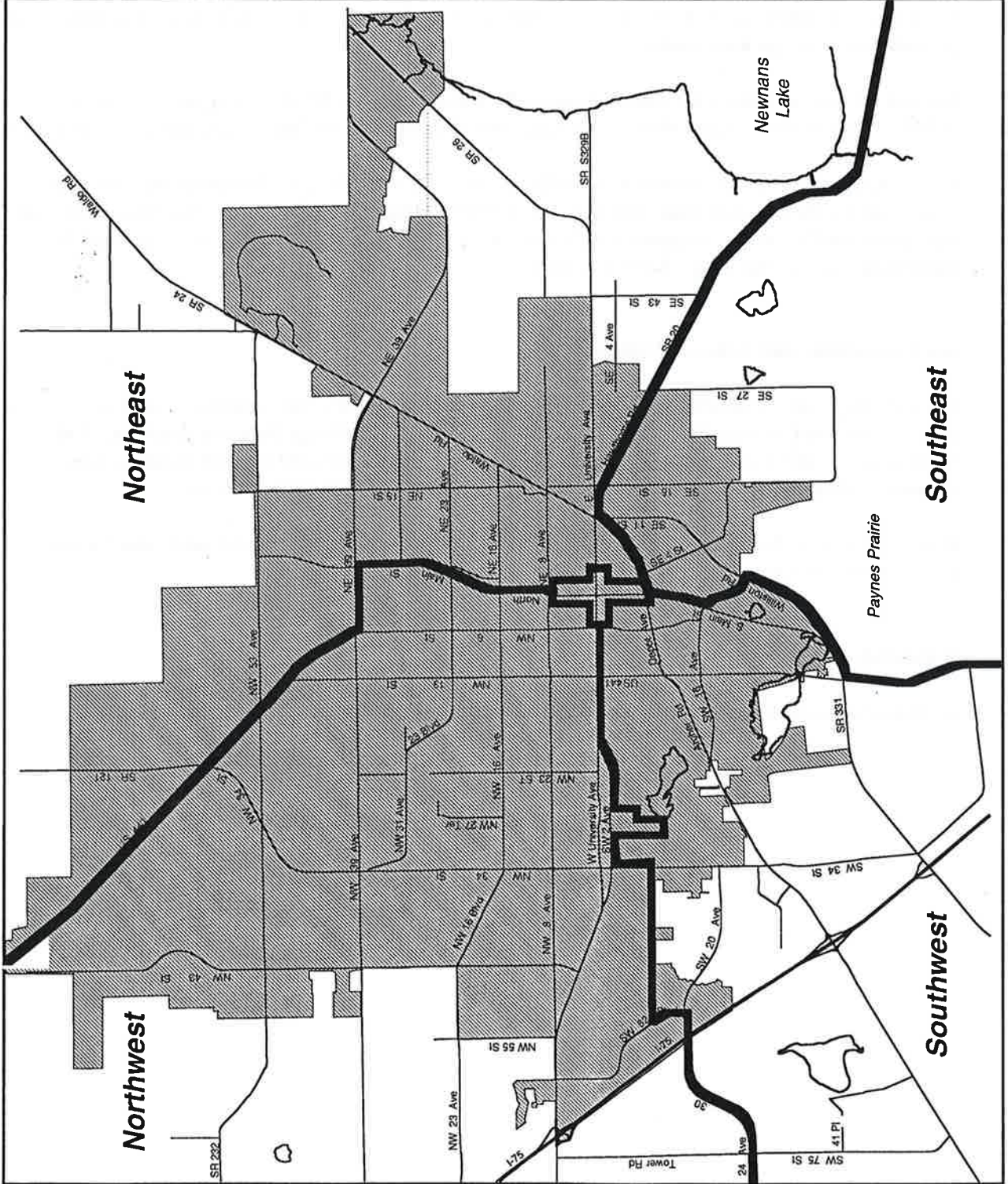
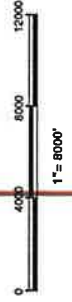
City of Gainesville

Legend

-  Quadrant Boundaries
-  City of Gainesville

City of Gainesville Gainesville, Florida

Prepared by the
Department of Community Development
October 1999



Capital Improvements

No capital improvements are foreseen to be needed for the annexed area.

Development Suitability of Vacant and Undeveloped Land

This section analyzes the development potential of vacant and undeveloped land in the annexation area. The analysis is based on locations of floodplains, creeks, lakes, wetlands, wellfield management zones, groundwater recharge areas and soil types.

None of the annexed area falls within the secondary and tertiary wellfield management zones as shown on Map 11 (from the Conservation, Open Space and Groundwater Recharge Data and Analysis Report).

Map 11A shows the lakes and wetlands within the annexed area. Map 12 illustrates the 100-Year Floodplain for the annexed area. The City's Land Development Regulations and the State's associated regulations will be utilized to protect critical areas. Some of these areas have been designated for conservation use on the Future Land Use Map.

Soil Limitations and Erosion Problems

The soils map series indicate soil limitations on development for the annexation area, and is derived from the Conservation, Open Space and Groundwater Recharge Data and Analysis. Soil types were classified into two categories -- Areas of Soil Limitations and Erosion Problem Areas -- based on their impact on development. Map 13 shows Areas of Soil Limitations.

Map 14 illustrates that there are no areas within the annexed area where erosion problems lead to development limitations.

Redevelopment

No redevelopment needs are foreseen for the annexed area.

COMMUNITY WELLFIELDS




Alachua County

Legend

Community Water Systems

- 1** Murphree Treatment Plant
- 2** Tacachale Treatment Plant

Alachua County Wellfield Management Zones

-  Murphree Treatment Plant
-  Tacachale Treatment Plant
-  Zone Boundaries
(Primary, Secondary, Tertiary)

Notes:
 Gainesville Regional Utilities is expanding the Murphree wellfield to meet anticipated demand in the 1990's.

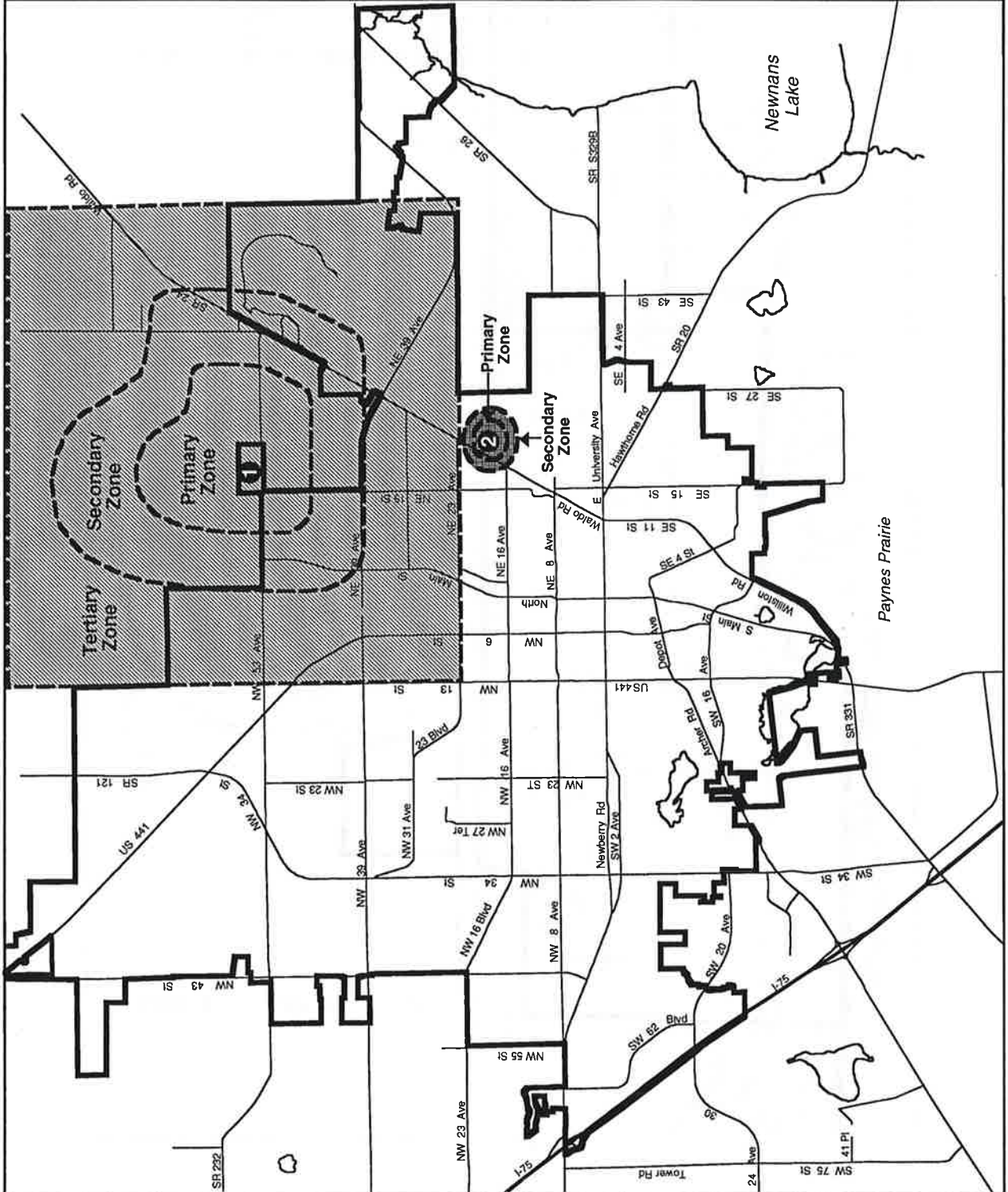
Chlorinated Water System is defined as a public water system which serves at least 15 service connections used by year-round residents or regularly services at least 25 non-residential accounts.
 (Rule 17-550.0007, F.A.C.)

The Management zones are not an exact reflection of the wellfields cone of depression. These capture zones were delineated by using the EP TRAC module of EPA's wellfield Protection Area Made prepared by SURWMD.

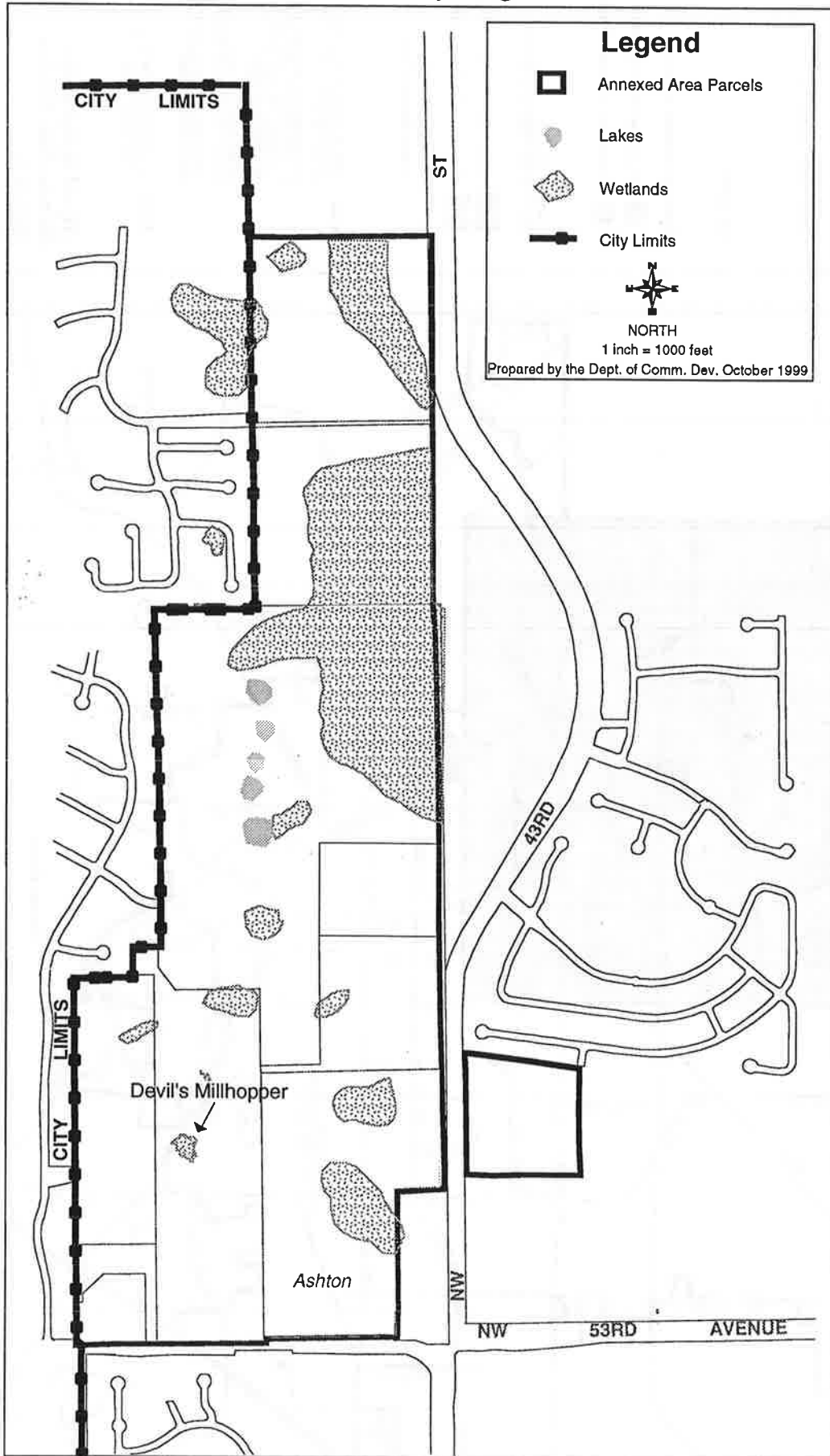
Source: Environmental Overlay Districts Regulated Districts 1998, Ord. 0-84-52, Ord. 0-95-73, Ord. 0-95-56.

**City of Gainesville
 Gainesville, Florida**

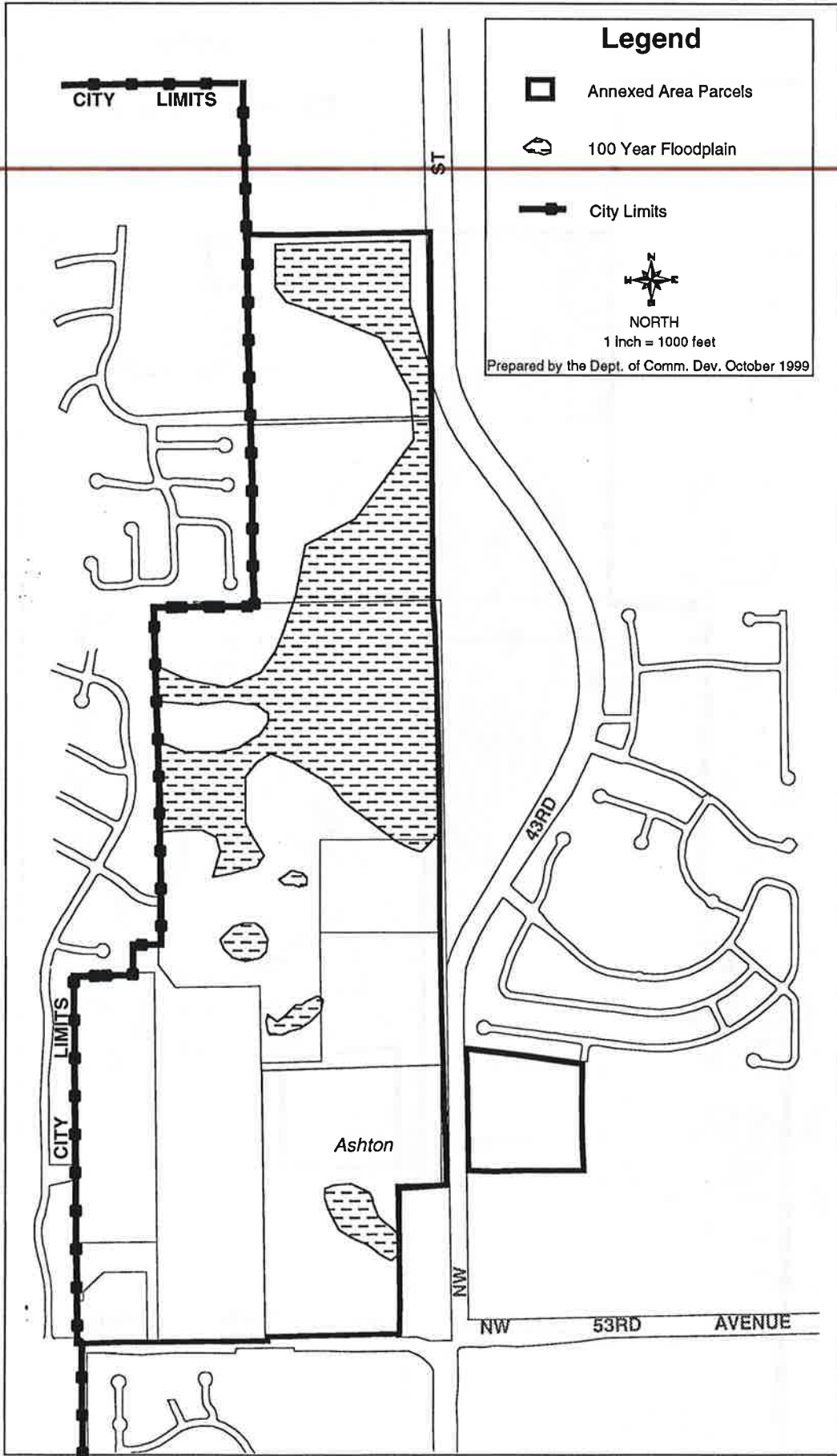
Prepared by the Department of Community Development
 July 28, 1988



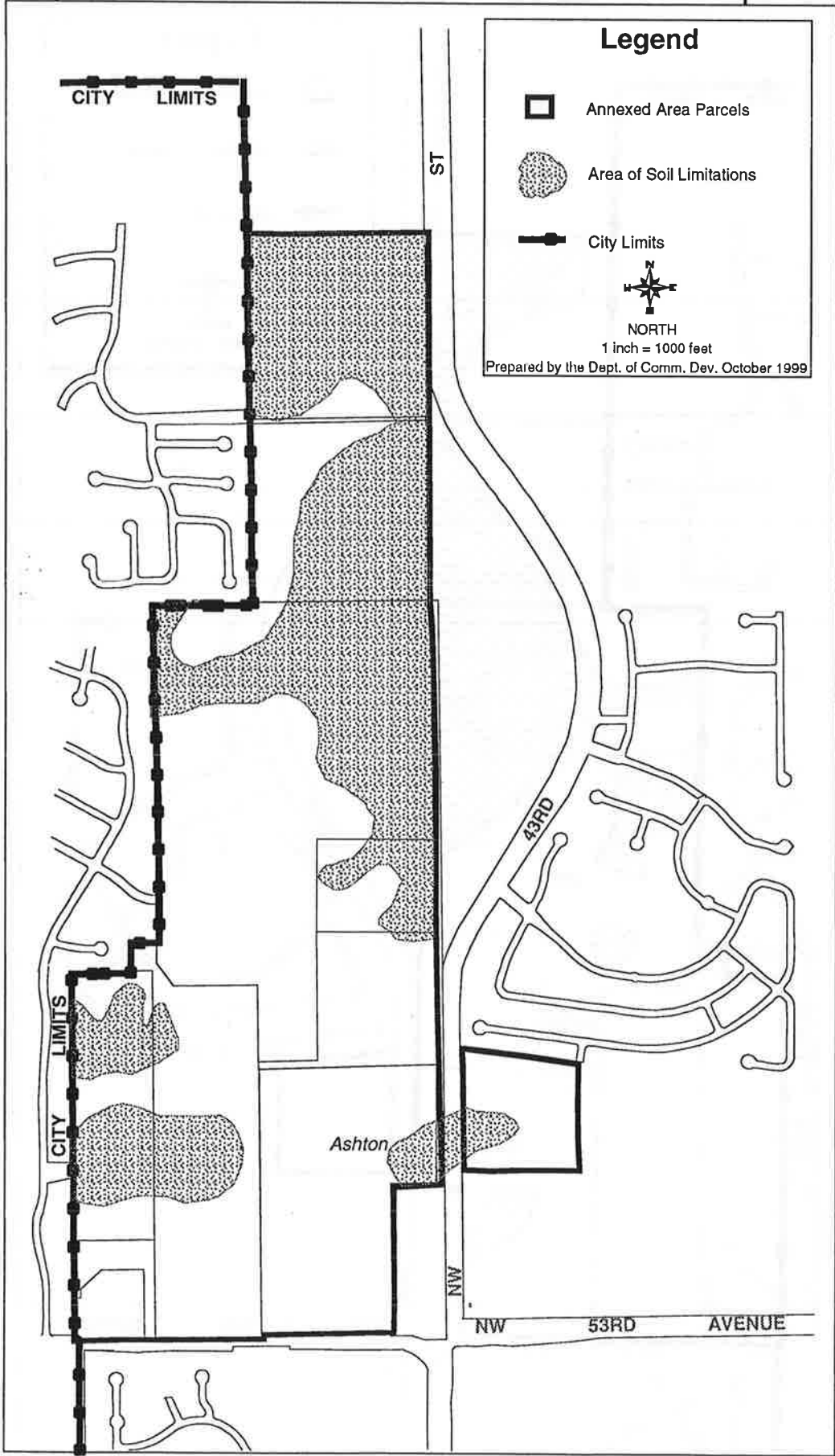
Map 11A • Environmentally Significant Natural Areas



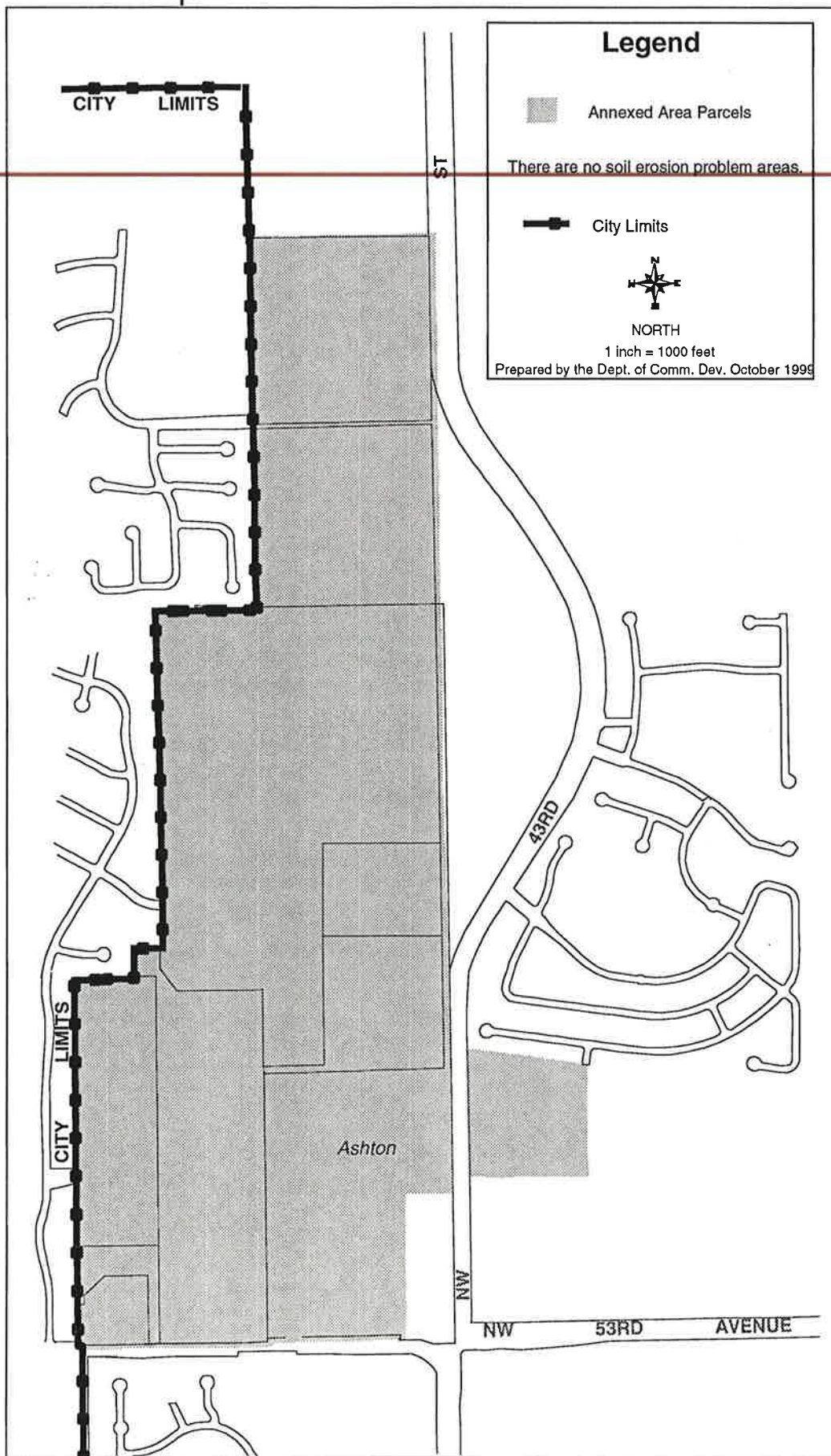
Map 12 • 100 Year Floodplain Map



Map 13 • Soil Limitations for Urban Development



Map 14 • Erosion Problem Areas



9. **Petition 147LUC-99 PB** City Plan Board. Amend the Future Land Use Map of the City of Gainesville Comprehensive Plan 1991-2001 by changing County Land Use Designations to City of Gainesville Land Use designations to Office (O), Agriculture (AGR), Single-family (SF), Education (E) and Conservation (CON) for annexed land located in the area west of Northwest 43rd Street.
-

Mr. Dom Nozzi was recognized. Mr. Nozzi presented maps showing the area of the zoning and land use changes. He explained that the 371 acre area had been recently annexed into the City. He noted that the changes would bring the property under regulation by the City's Land Development Code and Comprehensive Plan. Mr. Nozzi noted that most of the properties had a County land use designation of Recreation. He pointed out the land use and zoning of the parcels subject to the petition. He described the proposed changes on each parcel in detail.

Ms. Dowling asked if there was much of a change in zoning and land use regulations from the County to City.

Mr. Hilliard indicated that he did not believe there were major differences in the County land use and zoning and the proposed City land use and zoning. He described the differences in detail.

Mr. Nozzi pointed out the zoning and land use of the property surrounding the site. He noted that staff had received comment from Park Rangers at the Devil's Millhopper State Park concerning the sensitivity of the area of the park to possible development.

Mr. McGill asked if the former County zoning and land use offered protection that would be different under City regulation.

Mr. Nozzi indicated that he did not believe zoning would provide the kind of protection about which the Park Rangers were concerned. He noted that there was concern about the level of review development projects would receive.

Mr. Hilliard noted that the City had contracted with Alachua County to provide any additional environmental review on projects. He noted that the entire area was considered a nature park area. He discussed the regulations placed on development within those areas.

Mr. Polshek asked for a definition of ancillary as they applied to Agriculture zoned property.

Mr. Nozzi suggested it could include fertilizers, pesticides, farm equipment repair and parts.

Mr. Polshek asked if pesticides could be stored next to Devil's Millhopper.

Mr. Nozzi indicated he was unsure.

Mr. Hilliard explained that, if the property was in agriculture production, fertilizer and other materials could be stored on site. He pointed out that the parcel in question was a little less than five acres.

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.

Mr. Polshek suggested that a land use and zoning that allowed pesticide and fertilizer storage so close to the park was not appropriate. He asked if the City had the option to change the designation.

Mr. Nozzi replied that it did.

Chair Guy asked if there was any public comment on the petition.

Mr. Sam Cole, agent for the Department of Environmental Protection, Division of Recreation and Parks, was recognized. Mr. Cole discussed the history and landscape of the Devil's Millhopper State Park. He cited concerns about development in the area around the Park, especially in the areas of flora, fauna, stormwater management and seepage flow from the surface. He indicated that he supported staff's recommendations for the proposed land use and zoning change.

Dr. Fried asked if Mr. Cole believed there would be more or less protection for the park ecosystem with the changes. He noted specifically the change from recreation to conservation. He suggested that the proposed changes seemed to be more protective.

Mr. Cole indicated that changes in zoning could change the protection of the area. He suggested that, according to the plan for the park, uses of conservation and recreation would be compatible. He noted that there were concerns about fertilizer and pesticide use on nearby properties.

Mr. Craig Parento, Biologist with the Florida Park Service, was recognized. Mr. Parento stressed that the site was vulnerable and there was concern about adjacent development. He indicated that he did support staff's recommendation for the agricultural zoning based upon his current understanding of the restrictions that applied under that designation. He stated that he would be happy with additional restrictions but would not recommend them. He indicated that he could support City staff's recommendation.

Mr. Mark Stow, a biologist, was recognized. Mr. Stow, referring to the four acre parcel between the racquet ball court and the park, suggested that the property could serve as a buffer. He noted that the parcel was undeveloped and biologically much like the Park itself. He suggested that the property, owned by the University of Florida Foundation, be zoned Conservation rather than Agriculture. Mr. Stow urged the board not to make any of the property easier to develop.

Mr. Mark Spiller, resident near the site was recognized. Mr. Spiller cited concerns about the zoning of the parcel referred to by Mr. Stow. He noted that the property was for sale and the price indicated that it would not be for a single-family residence. He noted that he had spoken to the land agent who indicated it could be developed for commercial or office space.

Chair Guy closed the public portion of the petition.

Mr. Polshek made the motion to approve the petition.

Dr. Fried seconded the motion.

Ms. Dowling asked if the property owner needed to be notified about the proposed change.

Mr. Hilliard explained that the property owner was notified of the meeting and that the meeting involved zoning and land use changes. He noted that the change from agriculture to conservation did not change any major use of the property.

~~Mr. Carter asked what restrictions were being placed on the property as far as development possibilities.~~

Mr. Hilliard explained that there was no change between the Agricultural district in the County or the Conservation District in the City. He indicated that both allowed one dwelling unit per five acres. He pointed out that more than one unit would require a zoning and land use change whether the property was agricultural or conservation. He indicated that staff was trying to keep the zoning as close as possible to the County zoning and land use categories.

Mr. Carter cited a concern about changing the land use and zoning without the owner of the property being present.

Chair Guy noted that the petition would go before the City Commission for final approval.

<u>Motion By:</u> Mr. Polshek	<u>Seconded By:</u> Dr. Fried
<u>Moved to:</u> Approve Petition 147LUC-99 PB as recommended by staff except changing the land use on Parcel 06023-003-004 to CON.	<u>Upon Vote:</u> Motion Carried 5-1 Yeas: Guy, Fried, Dowling, Polshek, McGill Nay: Carter

9. **Petition 147LUC-99 PB** City Plan Board. Amend the Future Land Use Map of the City of Gainesville Comprehensive Plan 1991-2001 by changing County Land Use Designations to City of Gainesville Land Use designations to Office (O), Agriculture (AGR), Single-family (SF), Education (E) and Conservation (CON) for annexed land located in the area west of Northwest 43rd Street.
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Mr. Dom Nozzi was recognized. Mr. Nozzi presented maps showing the area of the zoning and land use changes. He explained that the 371 acre area had been recently annexed into the City. He noted that the changes would bring the property under regulation by the City's Land Development Code and Comprehensive Plan. Mr. Nozzi noted that most of the properties had a County land use designation of Recreation. He pointed out the land use and zoning of the parcels subject to the petition. He described the proposed changes on each parcel in detail.

Ms. Dowling asked if there was much of a change in zoning and land use regulations from the County to City.

Mr. Hilliard indicated that he did not believe there were major differences in the County land use and zoning and the proposed City land use and zoning. He described the differences in detail.

Mr. Nozzi pointed out the zoning and land use of the property surrounding the site. He noted that staff had received comment from Park Rangers at the Devil's Millhopper State Park concerning the sensitivity of the area of the park to possible development.

Mr. McGill asked if the former County zoning and land use offered protection that would be different under City regulation.

Mr. Nozzi indicated that he did not believe zoning would provide the kind of protection about which the Park Rangers were concerned. He noted that there was concern about the level of review development projects would receive.

Mr. Hilliard noted that the City had contracted with Alachua County to provide any additional environmental review on projects. He noted that the entire area was considered a nature park area. He discussed the regulations placed on development within those areas.

Mr. Polshek asked for a definition of ancillary as they applied to Agriculture zoned property.

Mr. Nozzi suggested it could include fertilizers, pesticides, farm equipment repair and parts.

Mr. Polshek asked if pesticides could be stored next to Devil's Millhopper.

Mr. Nozzi indicated he was unsure.

Mr. Hilliard explained that, if the property was in agriculture production, fertilizer and other materials could be stored on site. He pointed out that the parcel in question was a little less than five acres.

These minutes are not a verbatim account of this meeting. Tape recordings from which the minutes were prepared are available from the Community Development Department of the City of Gainesville.

Mr. Polshek suggested that a land use and zoning that allowed pesticide and fertilizer storage so close to the park was not appropriate. He asked if the City had the option to change the designation.

Mr. Nozzi replied that it did.

Chair Guy asked if there was any public comment on the petition.

Mr. Sam Cole, agent for the Department of Environmental Protection, Division of Recreation and Parks, was recognized. Mr. Cole discussed the history and landscape of the Devil's Millhopper State Park. He cited concerns about development in the area around the Park, especially in the areas of flora, fauna, stormwater management and seepage flow from the surface. He indicated that he supported staff's recommendations for the proposed land use and zoning change.

Dr. Fried asked if Mr. Cole believed there would be more or less protection for the park ecosystem with the changes. He noted specifically the change from recreation to conservation. He suggested that the proposed changes seemed to be more protective.

Mr. Cole indicated that changes in zoning could change the protection of the area. He suggested that, according to the plan for the park, uses of conservation and recreation would be compatible. He noted that there were concerns about fertilizer and pesticide use on nearby properties.

Mr. Craig Parento, Biologist with the Florida Park Service, was recognized. Mr. Parento stressed that the site was vulnerable and there was concern about adjacent development. He indicated that he did support staff's recommendation for the agricultural zoning based upon his current understanding of the restrictions that applied under that designation. He stated that he would be happy with additional restrictions but would not recommend them. He indicated that he could support City staff's recommendation.

Mr. Mark Stow, a biologist, was recognized. Mr. Stow, referring to the four acre parcel between the racquet ball court and the park, suggested that the property could serve as a buffer. He noted that the parcel was undeveloped and biologically much like the Park itself. He suggested that the property, owned by the University of Florida Foundation, be zoned Conservation rather than Agriculture. Mr. Stow urged the board not to make any of the property easier to develop.

Mr. Mark Spiller, resident near the site was recognized. Mr. Spiller cited concerns about the zoning of the parcel referred to by Mr. Stow. He noted that the property was for sale and the price indicated that it would not be for a single-family residence. He noted that he had spoken to the land agent who indicated it could be developed for commercial or office space.

Chair Guy closed the public portion of the petition.

Mr. Polshek made the motion to approve the petition.

Dr. Fried seconded the motion.

Ms. Dowling asked if the property owner needed to be notified about the proposed change.

Mr. Hilliard explained that the property owner was notified of the meeting and that the meeting involved zoning and land use changes. He noted that the change from agriculture to conservation did not change any major use of the property.

~~Mr. Carter asked what restrictions were being placed on the property as far as development possibilities.~~

Mr. Hilliard explained that there was no change between the Agricultural district in the County or the Conservation District in the City. He indicated that both allowed one dwelling unit per five acres. He pointed out that more than one unit would require a zoning and land use change whether the property was agricultural or conservation. He indicated that staff was trying to keep the zoning as close as possible to the County zoning and land use categories.

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