



Legislation Details (With Text)

**File #:** 120222.      **Version:** 4      **Name:** Large-scale Land Use Amendment from AC Heavy Industrial, Light Industrial and Low Density Residential to City of Gainesville BI (B)

**Type:** Ordinance      **Status:** Filed

**File created:** 9/20/2012      **In control:** City Attorney

**On agenda:** 11/15/2012      **Final action:** 3/26/2013

**Title:** LAND USE CHANGE - 4600-5000 BLOCKS OF SOUTHWEST 41st BOULEVARD (B)

Ordinance No. 120222; Petition No. PB-11-51 LUC  
 An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, as more specifically described in this ordinance, from the Alachua County land use categories of Heavy Industrial (INDH), Light Industrial (INDL), and Low Density Residential (1-4 DU/acre)(LOW) to the City of Gainesville land use category of Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 120222A\_draft ordinance\_20121115.pdf, 2. 120222B\_staff report\_20121115.pdf, 3. 120222C\_Comprehensive Plan GOPx\_20121115.pdf, 4. 120222D\_Land Development Code\_20121115.pdf, 5. 120222E\_Supplement Docs\_20121115.pdf, 6. 120222F\_Application\_20121115.pdf, 7. 120222G\_CPB minutes\_20121115.pdf, 8. 120222H\_staff ppt\_20121115.pdf, 9. 120222A\_Letters from State Reviewing Agencies\_20130221.pdf, 10. 120222\_ordinance\_20130221.pdf

Date	Ver.	Action By	Action	Result
2/21/2013	4	City Commission	Adopted on Adoption Reading (Ordinance) and Approved the Recommendation	Pass
11/15/2012	2	City Commission	Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing	Pass

**LAND USE CHANGE - 4600-5000 BLOCKS OF SOUTHWEST 41st BOULEVARD (B)**

Ordinance No. 120222; Petition No. PB-11-51 LUC  
 An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, as more specifically described in this ordinance, from the Alachua County land use categories of Heavy Industrial (INDH), Light Industrial (INDL), and Low Density Residential (1-4 DU/acre) (LOW) to the City of Gainesville land use category of Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission (1) receive letters of "no comment" from North Central Florida Regional Planning Council, St. Johns River Water Management District and Florida Department of Environmental Protection; (2)

receive "comment" letters from Florida Department of Economic Opportunity and Florida Department of Education; and, (3) adopt the proposed ordinance.

## PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

On November 15, 2012, the City Commission approved this ordinance at first hearing by a vote of 6-0. City staff then transmitted this ordinance to the state reviewing agencies, in accordance with the expedited state review process for comprehensive plan amendments. During the 30-day comment period, the City received 3 letters of "no comment" and 2 "comment" letters from the reviewing agencies. The "comment" letters from Florida Department of Economic Opportunity and Florida Department of Education include comments that are not related to this ordinance. Therefore, this ordinance remains the same as when approved on November 15, 2012.

This ordinance amends the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of certain property, as more specifically described in the ordinance, from Alachua County Heavy Industrial, Light Industrial, and Low Density Residential (1-4 DU/acre) to the City of Gainesville Business Industrial (BI) designation. The approximately 285 acre vacant property is located in the vicinity of 4600 - 5000 blocks of SW 41st Blvd, on the west side of the road. This ordinance is related to Ordinance No. 120223, which changes the Alachua County zoning on the property to the appropriate City of Gainesville zoning category, and which is scheduled for petition hearing and first reading on February 21, 2013.

The land use change and related zoning change are needed to apply City of Gainesville land use and zoning designations on property annexed in 2008. The proposed BI land use category was selected to provide an opportunity for development of certain office, business and industrial uses in a combined setting and is compatible with the BI land use on adjacent land across Interstate 75 to the east. The BI land use supports businesses involved in light manufacturing, processing or fabrication of products and machinery, research and development operations, business retail, medical uses and wholesale or storage distribution concerns. In addition, the BI land use offers the opportunity for development in a business park setting, which can be designed around the sensitive environmental areas on the site (this includes Strategic Ecosystem area as delineated in the Future Land Use map series).

After public notice was published in the Gainesville Sun on August 9, 2011, the City Plan Board held a public hearing on August 25, 2011, and by a vote of 4-0, recommended approval of this petition.

## CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven (7) days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five (5) days prior to the hearing.

Within ten (10) working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing.

If adopted on second reading, the City will forward the amendment within ten (10) working days to the state land planning agency and any party that submitted written comments. If not timely challenged, the amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment

package is complete. If the amendment is challenged, the amendment will become effective on the date the state land planning agency or the Administration Commission (Governor and Cabinet) enters a final order determining this adopted amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.