



Legislation Details (With Text)

File #: 150089 **Version:** 3 **Name:**
Type: Ordinance **Status:** Passed
File created: 9/3/2015 **In control:** City Attorney
On agenda: 11/19/2015 **Final action:** 11/19/2015
Title: LAND USE CHANGE - PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)

Ordinance No. 150089; Petition No. PB-15-13 LUC
An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 258 acres of property that is generally located in the 3400 block of SW Williston Road and contains the Paynes Prairie Sheetflow Restoration Project and Sweetwater Wetlands Park, as more specifically described in this ordinance, from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF); 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. 150089A_draft ordinance_20150903.pdf, 2. 150089B_staff report_20150903.pdf, 3. 150089C_Append A_Comprehensive Plan GOPs_20150903.pdf, 4. 150089D_Append B_Supplemental Docs_Exh B-1thruExh B-10_20150903.pdf, 5. 150089E_Append C_Application_ExhC-1_20150903.pdf, 6. 150089F_CPB minutes_20150903.pdf, 7. 150089G_staff ppt_20150903.pdf, 8. 150089_Ordinance_20151119.pdf

Date	Ver.	Action By	Action	Result
11/19/2015	3	City Commission	Adopted on Final Reading (Ordinance) and Approved the Recommendation	Pass
9/3/2015	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass

LAND USE CHANGE - PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)

Ordinance No. 150089; Petition No. PB-15-13 LUC
An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 258 acres of property that is generally located in the 3400 block of SW Williston Road and contains the Paynes Prairie Sheetflow Restoration Project and Sweetwater Wetlands Park, as more specifically described in this ordinance, from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF); 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 from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, Florida Department of Environmental Protection, and Florida Department of Education, and (2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Update since first reading: On September 3, 2015, the City Commission approved this ordinance on first

reading. City staff then transmitted this ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, Florida Department of Environmental Protection, and Florida Department of Education. The comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of the Paynes Prairie Sheetflow Restoration Project (PPSRP) and Sweetwater Wetlands Park property (approximately 258 acres) from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF). The property is at the southern edge of the City, in the 3400 block of SW Williston Road. The City and State-owned land was voluntarily annexed on April 16, 2015, by Ordinance No. 140618.

The property is adjacent to undeveloped land (wooded uplands, wetlands) to the north and east, and undeveloped land (wetlands) to the south. Paynes Prairie Preserve State Park is to the east, south and north (also to the north is the 125-acre Sweetwater Preserve, an Alachua County nature park). Undeveloped land (wooded uplands) is to the west. The adjacent lands to the north, south, east and west are in the Alachua County Preservation future land use category.

The proposed Public and Institutional Facilities (PF) land use category allows for public utilities (e.g., stormwater treatment) and other uses that serve a public purpose (e.g., public use areas for bird watching and nature study), and is an appropriate land use category for the PPSRP. The PPSRP is a unique public utility project of the City of Gainesville and Gainesville Regional Utilities (GRU) that provides stormwater treatment, water quality enhancement and Floridan aquifer protection, wetland enhancement and creation, and passive recreation amenities at Sweetwater Wetlands Park. Many components of the PPSRP have been completed, and Sweetwater Wetlands Park opened in May 2015 and provides public access to its trails, boardwalks and overlooks.

All future development within this property will be subject to the appropriate development review process and other applicable regulations in the Land Development Code. At its public hearing on May 28, 2015, the City Plan Board recommended approval to the City Commission by a vote of 7-0.

None.

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. Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become

effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this 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.