



Legislation Text

File #: 050766, Version: 2

LAND USE CHANGE - 900 BLOCK OF SW 34 STREET (WEST SIDE) (B)

Ordinance No. 0-06-56, Petition 172LUC-05PB

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property annexed into the City from the Alachua County land use category of "LOW, Low Density Residential" to the City of Gainesville land use category of "Conservation"; consisting of approximately 13 acres, located in the vicinity of the 900 block of Southwest 34th Street, west side, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: 1) receive the report of the Department of Community Affairs; and 2) adopt the proposed ordinance.

STAFF REPORT

The subject property is located west of Southwest 34th Street in the 900 block. The property proposed for the land use change is approximately 13 acres in size and is composed of three tax parcels. This property was annexed into city limits on November 14, 2005. This petition is being proposed in order to bring the parcel under the City's land use and zoning regulations (as is required for all annexed properties).

The property is vacant, and all three parcels are located in the 10-year Flood Channel. The Land Development Code (Sec. 30-286) prohibits permanent structures or fills in the flood channel district except structures and fills designed for flood prevention and control, streets, bridges, and sanitary sewer lift stations and utility lines. There is currently no vehicular access to these parcels.

The current Future land use category designation on this parcel is Alachua County Low Density Residential. The existing zoning is Alachua County Agriculture; see related Petition 173ZON-05PB. The petition proposal is to change the Future Land Use category to City of Gainesville category Conservation.

The parcels to the north of the subject parcels are designated PF (Public Facilities) and CON (a portion of the Hogtown Greenway). To the south and east, properties have an E (Education) land use category consistent with the University of Florida ownership of the land. To the west, the land is designated Alachua County Low Density Residential.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on April 4, 2006. Letters were mailed to surrounding property owners on April 5, 2006. The Plan Board held a public hearing April 20, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 172LUC-06 PB. Plan Board vote 7-0.

CITY ATTORNEY MEMORANDUM

Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The second

hearing will be held at the adoption stage of the ordinance and must be advertised approximately five (5) days after the day that the second advertisement is published.

The State of Florida Department of Community Affairs issued a letter dated September 22, 2006, stating that the Department raises no objections to the proposed amendment. A copy of their letter is attached to this memorandum. Therefore, the City may now proceed with the final adoption of this ordinance.

The Plan amendment will not become effective until the State Department of Community Affairs issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.