



## Legislation Text

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**File #: 031253, Version: 3**

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### COMPREHENSIVE PLAN AMENDMENT - TCEA (B)

Ordinance No. 0-05-17; Petition 79CPA-04 PB

An ordinance of the City of Gainesville, Florida, amending the Concurrency Management Element of the City of Gainesville 2000-2010 Comprehensive Plan; adding Zone C to the Transportation Concurrency Exception Area; adding policies for Zone C; amending other policies to update the Element; amending Capital Improvements Element and Future Land Use Elements to implement the TCEA expansion; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission (1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.

### COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

This petition proposes amendments to the City's Comprehensive Plan to:

1. Amend policies in the Concurrency Management Element to add and implement a Zone C in the City's Transportation Concurrency Exception Area (TCEA). Related petition 78LUC-04PB provides the map amendments needed to add this area to the TCEA.
2. Amend policies in the Future Land Use Element and Capital Improvements Element to implement the Zone C expansion of the TCEA.
3. Change policies in the existing Concurrency Management Element to clarify and update certain policies and add policies to encourage redevelopment in certain areas.

Additions and amendments to the text and maps of the Goals, Objectives and Policies for the Concurrency Management Element, Future Land Use Element, and Capital Improvements Element will be made to implement the Zone C expansion of the TCEA.

Additions and amendments will be made to existing Data and Analysis Report for the Concurrency Management Element that updates it to include information about the proposed Zone C area.

The Plan Board heard the petition and recommended that it be approved, with the modification to the petition that the language of Policy 1.2.6 of the Concurrency Management Element be modified to include Map 14.

Public notice was published in the Gainesville Sun on November 16, 2004 and January 7, 2005. The Plan Board held a public hearing December 2, 2004. The City Commission held a public hearing on this petition on January 24, 2005 and May 23, 2005.

### CITY ATTORNEY MEMORANDUM

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

is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.

If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.

Following second reading, the Plan amendment will not become effective until the DCA 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.

None