



Legislation Text

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COMP PLAN AMENDMENT - CONCURRENCY MANAGEMENT, POTABLE WATER AND WASTEWATER, AND STORMWATER MANAGEMENT ELEMENTS (B)

ORDINANCE NO. 0-01-16; PETITION NO. 15CPA-01PB

An ordinance of the City of Gainesville, Florida, amending certain elements of the City of Gainesville 2000-2010 Comprehensive Plan to provide consistency with other elements of that Plan; amending the Concurrency Management Element by adding a certain area annexed into the City to Zone B of the Transportation Concurrency Exception Area; adding a policy to the Potable Water and Wastewater Element to show the addition into the Capital Improvements Element of the water main upgrade along a portion of Archer Road; amending policies of the Stormwater Element to provide consistency with the Capital Improvements Element regarding stormwater projects, to clarify that both public and public master stormwater basins are allowed, and to update the name of the Murphree Wellfield Management Zone; providing directions to the City Manager; stating intent to adopt the amended elements as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission (1) approve Petition 15CPA-01PB and (2) adopt the proposed ordinance.

Amendments to the Concurrency Management, Potable Water and Wastewater, and Stormwater Management Elements are needed in order for these previously updated and adopted comprehensive plan elements to remain consistent with related changes in the draft Future Land Use, Transportation Mobility, Capital Improvements, and Conservation, Open Space and Groundwater Recharge Elements of the proposed City of Gainesville 2000-2010 Comprehensive Plan.

Concurrency Management Element

On January 10, 2000, the City annexed ("Clay Electric annexation") an approximately 3.4-acre property located on the north side of 39th Avenue, west of NW 43rd Street. This property is proposed for inclusion in the Transportation Concurrency Exception Area (TCEA) because it meets the criteria for being in the TCEA. The 3.4-acre property is an appropriate inclusion and will provide for equitable treatment of similar properties within the adopted TCEA.

The proposed 3.4-acre expansion of the TCEA is already reflected in the Future Land Use Map Series and the Transportation Mobility Map Series of the draft updates of the Future Land Use and Transportation Mobility Elements. The map entitled "Transportation Concurrency Exception Area" illustrates the proposed, revised TCEA area that includes the 3.4-acre addition, and is to replace the corresponding map in the adopted Concurrency Management Element. Revised legal descriptions reflect the 3.4-acre expansion and will replace their counterparts in the adopted Element.

Potable Water and Wastewater Element

New Policy 1.2.3--This proposed new policy is needed for consistency with the draft update of the Capital Improvements Element, which includes this project in the 5-Year Schedule of Capital Improvements. Low-pressure problems occurred periodically in the southwest area as a result of high demands during the spring of 2000. In order

to alleviate these problems and continue to maintain adopted LOS (level of service) standards, a water main upgrade along Archer Road between Tower Road and I-75 at a cost of \$665,000 is planned.

Stormwater Management Element

Policy 1.2.2--The proposed changes to Policy 1.2.2 are consistent with the 5-Year Schedule of Capital Improvements in the draft update of the Capital Improvements Element. Estimated project costs are included in the 5-Year Schedule of Capital Improvements. The four projects are the Northeast Boulevard/Duck Pond Improvements, Brownfield Project, Sweetwater Branch-Paynes Prairie Outfall Facilities, and Hogtown Creek Sedimentation Project. No prioritization among the four projects was intended in the current, adopted policy or is suggested in the proposed update, so deletion of "priority for" is appropriate.

Policy 1.5.1--This revision to the Stormwater Management Element is needed in order to make it clear that public and private master stormwater basins are allowed. The deletion in the draft update of the Future Land Use Element (FLUE) of current FLUE Policy 2.7.5 is additional justification for this proposed revision. (Policy 2.7.5 states that "The City hereby adopts the Master Drainage Plan for T.J. Hawes Tract Basin No. 3 as approved by Alachua County and the St. Johns River Water Management District in February, 1986 as regulating stormwater management in the area legally described by the Plan.") The referenced master drainage plan in FLUE Policy 2.7.5 is a private, master stormwater basin plan.

Policy 1.6.2--This proposed change reflects corresponding terminology proposed in the updates of the Conservation Open Space and Groundwater Recharge and the Future Land Use Elements. This change also is consistent with the adopted, Alachua County Murphree Wellfield Protection Code.

Public notice was published in the Gainesville Sun on January 30, 2001. The Plan Board held a public hearing on February 15, 2001. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 15TCH-01 PB. Plan Board vote 6-0.

CITY ATTORNEY MEMORANDUM

The above-referenced ordinance was approved by the Plan Board on December 19, 2000, and the Community Development Department has requested the City Attorney's Office to prepare the appropriate ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan.

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 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.

None