



Legislation Text

File #: 170749., **Version:** 4

Comprehensive Plan Amendment - Water Supply Planning Per State Law (B)

Ordinance No. 170749

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville to provide for water supply planning by adding Policy 2.3.12 to the Conservation, Open Space and Groundwater Recharge Element; amending Objective 1.1 and its policies of the Potable Water and Wastewater Element; amending Objective 1.5 and its policies of the Potable Water and Wastewater Element; amending Policy 1.6.2 of the Intergovernmental Coordination Element; 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, St. Johns River Water Management District, Suwannee River Water Management District, and Florida Department of Transportation; and (2) adopt the proposed ordinance.

STAFF REPORT

Update since first reading: On May 17, 2018, 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, St. Johns River Water Management District, Suwannee River Water Management District, and Florida Department of Transportation. 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 amends the City of Gainesville Comprehensive Plan to provide for water supply planning as required by state law. The St. Johns River Water Management District and the Suwannee River Water Management District, which are the two water management districts with jurisdiction in Alachua County and the City of Gainesville, began water supply planning efforts in 2005 that led to the designation of Water Resource Caution Areas for the region. Water Resource Caution Areas are geographic areas identified as having existing water resource problems or areas in which water resource problems are projected to develop during the next 20 years. As a result, the Water Management Districts prepared the North Florida Regional Water Supply Plan (NFRWSP), which was adopted on January 17, 2017. The NFRWSP is a regional framework for water supply planning based on projected population growth and associated water demand, and also identifies essential water resource, water conservation, and water supply development options that need to be implemented to address future water demand and water supply goals.

Within 18 months of the adoption of the NFRWSP, local governments within the Water Management Districts are required to prepare a Water Supply Facilities Work Plan to cover a minimum 10-year planning period, and to amend their comprehensive plans to adopt the Water Supply Facilities Work Plan and to implement the NFRWSP. The City of Gainesville and Alachua County together developed the Joint Alachua County/City of Gainesville Water Supply Facilities Work Plan (2018-2028). The plan will be adopted by both the City and the

County together with associated comprehensive plan amendments.

The City Plan Board held a public hearing on February 22, 2018, where it voted to recommend approval of this amendment to the Comprehensive Plan.

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 days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten 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 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 to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance 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.