



## Legislation Text

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**File #:** 190982., **Version:** 4

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### **Land Use Change - 86.64 Acres of Property Located near SW Williston Road & SW 34th Street (B)**

Ordinance No. 190982

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use categories of approximately 86.64 acres of property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street, as more specifically described in this ordinance, from Alachua County Commercial, Alachua County Office/Residential, and Alachua County Residential to City of Gainesville Office (O) and City of Gainesville Urban Mixed-Use (UMU); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

#### STAFF REPORT

Update since first reading: On June 18, 2020, the City Commission approved this ordinance with amendments (all property to have a Land Use category of Urban Mixed-Use) on first reading. After discussing concerns with the applicant, City staff revised the ordinance to reflect a portion of the property with a Land Use category of Office and the remainder of Urban Mixed-use. City staff then transmitted the 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, Florida Department of Environmental Protection, and St. Johns River Water Management District. 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.

This ordinance amends the Future Land Use Map of the City of Gainesville by changing the land use categories of approximately 86.64 acres of property generally located at south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street from Alachua County Commercial, Alachua County Office/Residential, and Alachua County Residential to City of Gainesville Office (O) and City of Gainesville Urban Mixed-Use (UMU) . This property was voluntarily annexed into the city on February 6, 2020 (Ordinance No. 190419). As a result of annexation, the city must now assign appropriate land use and zoning designations. The City Plan Board held a public hearing on February 27, 2020, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

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 written comments to the City, which the City must then consider 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 the amendment, 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.