



## Legislation Text

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**File #:** 200732., **Version:** 2

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### **Ordinance - Comprehensive Plan Amendment - Transportation Mobility Element (B)**

Ordinance No. 200732

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by amending Transportation Element Policy 10.2.1 relating to vacating City Rights-of-Way; 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

This ordinance amends Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan to clarify that a mixed-use project is only a required condition for street vacations where the street abuts property within the U4-U9 or mixed-use zoning districts. The current provision requires that all requests for the vacation of streets, regardless of location or zoning districts, be conditioned on the construction of high density, mixed-use projects.

Section 163.3177(6), 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.