



## Legislation Text

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**File #:** 110814., **Version:** 2

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### FUTURE LAND USE MAP CHANGE - VICINITY OF 2000 SW 43RD STREET (B)

Ordinance No. 110814; Petition No. PB-11-137 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 24.7 acres of property located in the vicinity of 2000 SW 43rd Street, as more specifically described in this ordinance, from the Alachua County land use category of Recreation to the City of Gainesville land use categories of Recreation (REC), Conservation (CON), and Public Facilities (PF); 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 of "no comment" from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, Florida Department of Education, St. Johns River Water Management District; and (2) adopt the proposed ordinance.

### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

On June 21, 2012, the City Commission approved this ordinance by a vote of 5-0. In accordance with the expedited state review process, city staff transmitted this ordinance as part of the Amendment No. 12-4ESR package to the state reviewing agencies. During the 30 day comment period, the city received 4 letters of "no comment" from the reviewing agencies. The letters from St. Johns River Water Management District and the Florida Department of Education include comments that are not related to this ordinance.

This ordinance amends the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of certain property, as more specifically described in the ordinance, from Alachua County Recreation to City of Gainesville Recreation (REC), Conservation (CON), and Public Facilities (PF). The approximately 24.7 acre property is located in the vicinity of 2000 SW 43rd Street, on the southwest corner of SW 43rd Street and SW 20th Avenue. The property includes Forest Park, a community park with active recreational facilities and an off-leash dog area. Also included is Alachua County Fire Rescue Station #19 and approximately 7.5 acres of land designated as Strategic Ecosystem by Alachua County.

This land use change is required to apply City land use designations on property annexed in 2009. This proposed land use amendment promotes the stable continuation of the existing uses. Specifically, the REC land use designation was chosen for the active recreation portion of the site because it is compatible with the existing Alachua County Recreation designation as well as with the existing active recreation uses. In addition, the PF land use designation is most appropriate for the fire rescue station and the CON land use designation is appropriate for the areas deemed to have sensitive environmental features.

After public notice was published in the Gainesville Sun on February 7, 2012, the City Plan Board held a public hearing on February 23, 2012, and by a vote of 7-0, recommended approval of this petition. On April 19, 2012, the City Commission approved the petition by a vote of 7-0.

### 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 (7) days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five (5) days prior to the hearing.

Within ten (10) 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 (10) working days to the state land planning agency and any party that submitted written comments. If not timely challenged, the amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If the amendment is challenged, the amendment will become effective on the date the state land planning agency or the Administration Commission (Governor and Cabinet) enters a final order determining this adopted 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.