



## Legislation Text

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**File #:** 140471., **Version:** 2

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### **LAND USE CHANGE - PAYNES PRAIRIE SWEETWATER PRESERVE, WILLISTON ROAD AND SE 16TH AVENUE (B)**

Ordinance No. 140471; Petition No. PB-14-120 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 4.4 acres of property generally located northeast of the intersection of Williston Road and SE 16th Avenue, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission: (1) approve Petition No. PB-14-120 LUC; and (2) adopt the proposed ordinance.

#### PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 4.4 acres of property located northeast of the intersection of Williston Road and SE 16th Avenue from Residential Medium-Density (RM) to Conservation (CON). The subject property is owned by Alachua County and is currently undeveloped, with no current plan for development. The property is part of the Paynes Prairie Sweetwater Preserve, which is a 113.5-acre preserve that was purchased in 2006 as part of the Alachua County Forever (ACF) land acquisition program. The subject property is part of the nature preserve, which is intended to conserve, protect, and enhance the natural resources on the land and to provide for public outdoor recreation that is compatible with the conservation, protection and enhancement of the site. The preserve is generally located north of Paynes Prairie Preserve State Park, south of the Evergreen Cemetery, west of Boulware Springs Park, and east of Williston Road. The 4.4 acre portion of the property that is within city limits is the northernmost piece of the preserve property.

This ordinance is consistent with the Comprehensive Plan and will apply the most appropriate land use designation on this property and will match as closely as possible the Alachua County land use and zoning designations (i.e., Preservation) that have been applied to the bulk of the adjacent property. The city is proposing Conservation because this land use designation identifies areas environmentally unsuited to urban development, provides permanent buffers between land uses, and assigns areas used for passive recreation and nature parks. Conservation uses on this property will support and expand the natural resource base and recreational assets associated with the extensive parklands and nature preserves existing in this area of Gainesville and Alachua County, and ensure the best option for maintenance and enhancement of the resource values intended for protection under the City's Comprehensive Plan and land development regulations.

Planning Division staff has recommended approval of this ordinance. After public notice was published in the Gainesville Sun on October 7, 2014, the City Plan Board held a public hearing on October 23, 2014, and voted 5-0 to recommend adoption of this ordinance.

CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.

Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.