



Legislation Details (With Text)

File #: 140380. **Version:** 3 **Name:**
Type: Ordinance **Status:** Adopted
File created: 10/2/2014 **In control:** City Attorney
On agenda: 6/18/2015 **Final action:** 6/18/2015
Title: QUASI-JUDICIAL - REZONING - GRU DEERHAVEN GENERATING STATION AREA (B)

Ordinance No. 140380; Petition No. PB-14-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2,327.59 acres of property that is generally located west of State Road 121 and north and east of the GRU Deerhaven Generating Station, as more specifically described in this ordinance, from Alachua County Agriculture District (A) to City of Gainesville Public Services and Operations District (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 140380A_draft ordinance_20150402.pdf, 2. 140380B_Staff report_20150402.pdf, 3. 140380C_Exh A Comp Plan GOPs_20150402.pdf, 4. 140380D_Exh B Supplemental Documents_20150402.pdf, 5. 140380E_Exh C1_Application_20150402.pdf, 6. 140380F_CPB minutes_20150402.pdf, 7. 140380G_staff ppt_20150402.docx.pdf, 8. 140380A_draft ordinance_20150618.pdf, 9. 140380_Ordinance_20150618.pdf

Date	Ver.	Action By	Action	Result
6/18/2015	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
4/2/2015	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass

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The City Commission adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will rezone approximately 2,327.59 acres of property adjacent to the GRU Deerhaven Generating Station from Alachua County Agriculture District (A) to City of Gainesville Public Services and Operations District (PS). This subject property is City-owned and GRU-managed, undeveloped, commercially

forested property that is generally located in the northern periphery of the City west of State Road 121 and north and east of the Deerhaven Generating Station (which is immediately east of US 441). The subject property is located within a regulated Floridan Aquifer High Recharge Area, with a majority of the property also located within a regulated Strategic Ecosystem (Hague Flatwoods), and contains extensive wetlands and several listed species throughout.

The property was incrementally acquired by the City in 2001, 2002, 2003 and 2005, and the majority of the property was annexed in 2007 (except for two relatively small parcels that were annexed in 2013). The purchase of the land did not include the underlying timber rights (except for a 50.8-acre portion) that were retained in perpetuity by Plum Creek Timberlands, L.P., although the City does have the option to purchase these timber rights.

The proposed PS zoning district is what is currently assigned to the adjacent 1,061-acre GRU Deerhaven Generating Station, and is a zoning district that seeks to accommodate utilities, recreation and public facilities at appropriate locations that are compatible with surrounding land uses. PS zoning ordinances must specify what uses may be allowed on the property. Although GRU has indicated that there are no immediate plans for the use of the property for utilities, this ordinance will allow the following uses on the 2,327.59-acre property:

1. Electric power generating plants and ancillary systems and buildings as required for steam and combustion turbines, solar photovoltaic arrays, fuel cells, energy storage systems and other technologies as required to produce and manage electric power for retail consumption using fossil and renewable energy sources. Ancillary systems include water treatment and stormwater management, cooling systems, air emission controls, electric substations and transmission facilities, security management, water management and storage facilities, warehousing and maintenance facilities.
2. Green industries that: 1) assist in reducing society's reliance on fossil fuels, 2) would benefit from the availability of waste heat or by-products of power generation, or 3) may have by-products that are beneficial to the production of electricity. Examples include but are not limited to: a facility that would use steam and electricity to produce ethanol from cellulosic materials with waste by-products able to be dewatered and used as a fuel; a facility that would sequester and compress carbon dioxide for a variety of industrial and food-use applications; or a facility that would make ice from steam.
3. Fuel and chemical transportation, loading, storage and handling systems as required for power generation or the management of power generation by-products, including rail and truck conveyance, unloading and loading facilities, conveyor belts, pipelines and metering stations.
4. Long-term storage and disposal of power generation by-products.
5. Communication towers and facilities, including monopole towers, in accordance with the provisions of the wireless communication facilities and antenna regulations of the Land Development Code.
6. Silviculture operations.
7. Wildlife management.
8. Training areas for municipal police and fire agencies.
9. Outdoor storage, as defined and regulated by the Land Development Code.

All future development within this property will be subject to the appropriate development review process and to any applicable regulations in this ordinance or the Land Development Code, including those pertaining to natural and archaeological resources and regulated surface waters and wetlands.

After public notice was published in the Gainesville Sun on September 9, 2014, the City Plan Board held a public hearing on September 25, 2014, and voted 4-0 to recommend approval of this ordinance.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings. This ordinance shall become effective immediately upon adoption; however, the rezoning implemented by this ordinance shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 140379 becomes effective as provided therein.