



Legislation Details (With Text)

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On agenda:	7/20/2017	Final action:		7/20/2017	
Title:	COMPREHENSIVE PLAN AMENDMENT - DELETE CERTAIN EXISTING AND CREATE NEW LAND USE CATEGORIES IN FUTURE LAND USE ELEMENT AND UPDATE TRANSPORTATION MOBILITY ELEMENT (B)				

Ordinance No. 140817

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by deleting certain existing and creating new land use categories in the Future Land Use Element and by updating the Transportation Mobility Element to coordinate with the revisions to the Future Land Use Element, as more specifically described in this ordinance; amending Objective 4.1 and Policy 4.1.1 of the Future Land Use Element to delete certain existing land use categories and create new land use categories; amending Policy 4.3.7 of the Future Land Use Element relating to the Urban Village; amending Objective 4.6 and Policy 4.6.1 of the Future Land Use Element relating to consistency between land use categories and zoning districts; amending Objective 10.3 and its policies of the Transportation Mobility Element relating to design standards within the Transportation Mobility Program Area; amending Objective 10.4 and its policies of the Transportation Mobility Element relating to automotive-oriented developments within the Transportation Mobility Program Area; 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. 140817A_Staff report_20150330.pdf, 2. 140817B_ExA-1_Proposed text changes to Comp Plan_20150330.pdf, 3. 140817C_Exh B-1_Application to amend the text of the Comp Plan_20150330.pdf, 4. 140817D_CPB minutes_20150330 .pdf, 5. 140817E_staff ppt_20150330.pdf, 6. 140817A_Staff report_20150416.pdf, 7. 140817B_ExA-1_Proposed text changes to Comp Plan_20150416.pdf, 8. 140817C_Exh B-1_Application to amend the text of the Comp Plan_20150416.pdf, 9. 140817D_CPB minutes_20150416 .pdf, 10. 140817E-MOD_staff ppt_20150416.pdf, 11. 140817F-MOD_4-16-15 CCOM Discussion Topics_20150416.pdf, 12. 140817G-MOD_Supplemental Information for the April 16_20150416.pdf, 13. 140817H-MOD_4-16-15 Draft amended Permitted Uses within Transect Zones_20150416.pdf, 14. 140817I-MOD_Matrix Comparisons_20150416.pdf, 15. 140817J-MOD_Maps_Existing and Proposed Zoning_20150416.pdf, 16. 140817A_revised staff report_20150512.pdf, 17. 140817B_Exhbit A-1_20150512.pdf, 18. 140817C_Exh B-1_Application to amend the text of the Comp Plan_20150512.pdf, 19. 140817D_CPB minutes_20150512 .pdf, 20. 140817E_4-16-15 CCOM Discussion Topics_20150512.pdf, 21. 140817F_Supplemental Information for the April 16_20150512.pdf, 22. 140817G_4-16-15 Draft amended Permitted Uses within Transect Zones_20150512.pdf, 23. 140817H_Matrix Comparisons_20150512.pdf, 24. 140817I_Maps_Existing and Proposed Zoning_20150512.pdf, 25. 140817A_revised staff report_20150618.pdf, 26. 140817B_Exhbit A-1_20150618.pdf, 27. 140817C_Exh B-1_Application to amend the text of the Comp Plan_20150618.pdf, 28. 140817D_CPB minutes_20150618 .pdf, 29. 140817E_4-16-15 CCOM Discussion Topics_20150618.pdf, 30. 140817F_Supplemental Information for the April 16_20150618.pdf, 31. 140817G_4-16-15 Draft amended Permitted Uses within Transect Zones_20150618.pdf, 32. 140817H_Matrix Comparisons_20150618.pdf, 33. 140817I_Maps_Existing and Proposed Zoning_20150618.pdf, 34. 140817_petition_20151806.pdf, 35. 140817A_staff report_20150930.pdf, 36. 140817B_Exhbit A-1_20150930.pdf, 37. 140817C_Exh B-1_Application to

amend the text of the Comp Plan__2015930.pdf, 38. 140817D_CPB minutes_20150930 .pdf, 39. 140817E_4-16-15 CCOM Discussion Topics_20150930.pdf, 40. 140817F_Supplemental Information for the April 16_20150930.pdf, 41. 140817G_4-16-15 Draft amended Permitted Uses within Transect Zones_20150930.pdf, 42. 140817H_Matrix Comparisons_20150930.pdf, 43. 140817I_Maps_Existing and Proposed Zoning_20150930.pdf, 44. 140817A_draft ordinance_20170518.pdf, 45. 140817B_state review letters_20170720.pdf, 46. 140817_ordinance_20170720

Date	Ver.	Action By	Action	Result
7/20/2017	6	City Commission	Adopted on Final Reading (Ordinance) and Approved the Recommendation	Pass
5/18/2017	4	City Commission	Adopted (Ordinance) on Transmittal Hearing	Pass
9/24/2015	3	City Commission	Approved as Recommended	Pass
6/18/2015	2	City Commission	Approved as Recommended	Pass
5/12/2015	1	City Commission	Approved as Amended	Pass
4/16/2015	1	City Commission	Continued (Petition)	Pass
3/30/2015	1	City Commission	Continued (Petition)	Pass

COMPREHENSIVE PLAN AMENDMENT - DELETE CERTAIN EXISTING AND CREATE NEW LAND USE CATEGORIES IN FUTURE LAND USE ELEMENT AND UPDATE TRANSPORTATION MOBILITY ELEMENT (B)

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The City Commission: (1) receive letters from the Florida Department of Economic Opportunity, Florida Department of Environmental Protection, North Central Florida Regional Planning Council, St. Johns River Water Management District, Suwannee River Water Management District, and Florida Department of Transportation; and (2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Update since first reading: On May 18, 2017, the City Commission approved this ordinance on first reading. City staff then transmitted this 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, North Central Florida Regional Planning Council, St. Johns River Water Management District, Suwannee River Water Management

District, and Florida Department of Transportation. 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, and therefore did not necessitate any changes to the ordinance.

This ordinance amends the City's Comprehensive Plan to provide for a comprehensive revision to the Land Development Code, by deleting certain existing and creating new land use categories in the Future Land Use Element and by updating certain objectives and policies of the Future Land Use Element and the Transportation Mobility Element. The backup material contains all of the proposed text changes to the Comprehensive Plan.

Several new land use categories are being proposed to form the basis for the new zoning districts being added in the Land Development Code update. Some existing land use categories are proposed for deletion because they are being replaced by the new categories. In addition, several policies in the Future Land Use and Transportation Mobility Elements are being amended or deleted to reflect the City's new direction related to zoning districts and new regulations for auto-oriented uses such as drive-through facilities and gas stations.

The City Plan Board, which acts pursuant to the authority granted in Section 4.02 of the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant to Section 163.3174, Florida Statutes, held a series of public hearings and on December 3, 2014, voted to recommend that the City Commission approve this Future Land Use Map amendment. Subsequently, the City Commission held a series of public hearings and on September 30, 2015, approved the petition associated with this amendment to the Comprehensive Plan and authorized the drafting of this ordinance.

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 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.