



## Legislation Details (With Text)

**File #:** 150441. **Version:** 3 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 10/15/2015 **In control:** City Attorney  
**On agenda:** 3/17/2016 **Final action:** 4/7/2016  
**Title:** COMPREHENSIVE PLAN AMENDMENT - BUTLER DEVELOPMENT PUD (B)

Ordinance No. 150441, Petition No. PB-15-102 CPA

An ordinance of the City of Gainesville, Florida, amending Policy 4.3.6 of the Future Land Use Element of the City of Gainesville Comprehensive Plan relating to a condition about transportation impacts to Florida Department of Transportation facilities resulting from the Butler Development Planned Use District (PUD) that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue; 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. 150441A\_Staff report\_20151022\_20151022.pdf, 2. 150441B\_Exh1\_FOT Letter\_20151022.pdf, 3. 150441C\_Exh2\_Application\_20151022.pdf, 4. 150441A\_Staff report\_20151203.pdf, 5. 150441B\_Exh1\_FOT Letter\_20151203.pdf, 6. 150441C\_Exh2\_Application\_20151203.pdf, 7. 150441D\_CPB minutes draft\_20151203 .pdf, 8. 150441\_draft ordinance\_20160317, 9. 150441\_Ordinance\_20160407.pdf

Date	Ver.	Action By	Action	Result
4/7/2016	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
3/17/2016	3	City Commission	Adopted on First Reading (Ordinance)	Pass
12/3/2015	2	City Commission	Approved (Petition)	Pass

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The City Commission: adopt the proposed ordinance.

## PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends Policy 4.3.6 of the Future Land Use Element in the Comprehensive Plan relating to the Butler Development Planned Use District (PUD) to delete the requirement that the developer shall construct improvements to the Archer Road/I-75 interchange. The elimination of this requirement is because the Florida Department of Transportation (FDOT) has since determined that they will complete the work necessary to the

address this issue. The City Plan Board on October 22, 2015, voted to recommend approval of this amendment to the Comprehensive Plan, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-102 CPA).

#### 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.

None