



Legislation Details (With Text)

File #: 160981. **Version:** 3 **Name:**
Type: Ordinance **Status:** Second Reading
File created: 4/24/2017 **In control:** City Attorney
On agenda: 9/21/2017 **Final action:** 9/21/2017
Title: LAND USE CHANGE - 108 ACRES OF PROPERTY SOUTH OF SW ARCHER ROAD AND WEST OF I-75 (B)

Ordinance No. 160981; Petition No. PB-17-28 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 108 acres of property that is generally located south of SW Archer Road, west of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, north of SW 57th Avenue, and east of SW 63rd Boulevard, as more specifically described in this ordinance, from Alachua County Low-Density Residential (RL) to City of Gainesville Single-Family (SF); 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. 160981_Staff Report w Appendices A-C_20170427, 2. 160981_petition response_20170427.pdf, 3. 160981A_draft ordinance_20170706.pdf, 4. 160981B_Staff Report w Appendices A-C_20170706.pdf, 5. 160981C_petition response_20170706.pdf, 6. 160981D_CPB minutes_20170706.pdf, 7. 160981E_Staff PPT_20170706.pdf, 8. 160981_Archer OaksPPT City Commission_20170706.pdf, 9. 160981B_State Review Letters_20170921.pdf, 10. 160981_Ordinance_20170921.pdf

Date	Ver.	Action By	Action	Result
9/21/2017	3	City Commission	Adopted (Ordinance) on Adoption Reading	Pass
7/6/2017	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass
4/27/2017	1	City Plan Board		

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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, Florida Department of Transportation, and Alachua County; and 2) adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Update since first reading: On July 6, 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, Florida Department of Transportation, and Alachua County. 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 will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 108 acres of property that is generally located south of SW Archer Road and west of I-75 from Alachua County Low-Density Residential (RL) to City of Gainesville Single-Family (SF). The subject property was voluntarily annexed into the City on June 1, 2017, by Ordinance No. 160744. Following annexation, the city is required to assign city land use and zoning on the subject property.

The 108-acre subject property is generally located south of SW Archer Road, west of SW 50th Terrace, north of SW 57th Avenue, and east of SW 53rd Place. It consists of 11 parcels and is a mix of dispersed single-family residential development (seven of the 11 parcels have residential structures) and undeveloped parcels, and it contains no paved roads. The property abuts SW 47th Way to the east, which is part of the SW 47th Way Extension (which traverses the property and is an important corridor in the Alachua County Mobility Plan). In addition, the property is approximately one mile west of Butler Plaza and 2,200 feet west of SW 45th Street (multi-lane road to Celebration Pointe that is north of Archer Road and on the west side of I-75).

Adoption of SF land use (and related RSF-4 zoning) will enable future development of the property that will provide additional single-family housing in southwest Gainesville in close proximity to major arterial roadways (I-75 and Archer Road), large commercial centers (Butler Plaza and Celebration Pointe), and major employment centers (including University of Florida, UF Health, and Veterans Administration Hospitals).

This ordinance is consistent with the City's Comprehensive Plan and supports residential development in the urban area. The developer will be required to construct a portion of the SW 47th Way Extension through the property, consistent with the County's Mobility Plan and the County's Capital Improvement Element. The 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan will need to be updated to include future construction of a portion of the SW 47th Way Extension through the property.

On April 27, 2017, the City Plan Board held a public hearing and voted to recommend that the City Commission approve this Future Land Use Map amendment.

None.

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 written comments to the City, which the City must then consider 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 the amendment, 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.