



## Legislation Details (With Text)

**File #:** 180111. **Version:** 3 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 6/20/2018 **In control:** City Attorney  
**On agenda:** 1/17/2019 **Final action:** 1/17/2019  
**Title:** Land Use Change - Finley Woods 118 Acres on SW 62nd Avenue (B)

Ordinance No. 180111

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 118 acres of property generally located near the 4500 block of SW 62nd Avenue near SW 43rd Terrace, as more specifically described in this ordinance; providing land development regulations; 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. 180111\_Staff Report\_w Appendices A-B\_20180628.pdf, 2. 180111B\_Staff Report\_w Appendices A-B\_20181101.pdf, 3. 180111C\_CPB minutes\_20181101.pdf, 4. 180111D\_Staff PPT\_20181101.pdf, 5. 180111A\_draft ordinance\_20181101.pdf, 6. 180111A\_draft ordinance\_20181115.pdf, 7. 180111A\_draft ordinance\_20190117.pdf, 8. 180111B\_State Review Letters\_20190117.pdf, 9. 180111\_Ordinance\_20190117.pdf, 10. 180111 zoning master plan\_20190117.pdf

Date	Ver.	Action By	Action	Result
1/17/2019	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
11/1/2018	2	City Commission	Adopted on First Reading (Ordinance)	Pass
6/28/2018	1	City Plan Board		

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The City Commission adopt the proposed ordinance.

### STAFF REPORT

Update since first reading: On November 1, 2018, the City Commission approved this ordinance with amendments 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, St. Johns 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 will amend the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 118 acres of property that is generally located in the 4500 block of SW 62nd Avenue at SW 43rd Terrace. This land use change reflects the existing regulations established while under Alachua County jurisdiction prior to annexations into the city in February 2017 and June 2018.

Together, the properties comprise the entire Finley Woods subdivision and include both developed and undeveloped portions of the master planned community. In accordance with Comprehensive Plan Policy 4.4.1 of the Future Land Use Element, the City must facilitate incorporation of annexed property by establishing City land use designations and implementing zoning subsequent to annexation.

The City Plan Board held a public hearing on June 28, 2018, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

#### **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.