



## Legislation Details (With Text)

**File #:** 210465. **Version:** 3 **Name:**  
**Type:** Ordinance **Status:** Adopted  
**File created:** 9/23/2021 **In control:** City Attorney  
**On agenda:** 4/21/2022 **Final action:** 4/21/2022  
**Title:** Land Use Change - 68.46 Acres of Property Located South of SW Archer Road and West of Interstate 75 (B)

Ordinance No. 210465

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 68.46 acres of property generally located south of SW Archer Road, west of Interstate 75, north of SW 62nd Avenue, and east of SW 44th Street, as more specifically described in this ordinance, from Alachua County Medium Density Residential (MR), Light Industrial (LI), and Heavy Industrial (HI) to City of Gainesville Office (O) and Industrial (IND); 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. 210465A\_draft ordinance\_20220106.pdf, 2. 210465B\_PB-21-133 LUC Fred Bear Health Park Staff Report\_20220106, 3. 210465C\_PB-21-133 LUC Fred Bear Health Park\_20220106, 4. 210465B\_State Review Letters\_20220421.pdf, 5. 210465\_Ordinance Final\_20220421

Date	Ver.	Action By	Action	Result
4/21/2022	3	City Commission	Adopted on Final Reading (Ordinance)	Pass
1/6/2022	2	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)	Pass
10/28/2021	1	City Plan Board	Approved	
9/30/2021	1	City Plan Board		

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The City Commission adopt the proposed ordinance.

### STAFF REPORT

Update since first reading: On January 6, 2022, 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 written communications from the State of Florida Division of Historical Resources, Florida Department of Economic Opportunity, the Office of Intergovernmental Programs of the Florida Department of Environmental Protection Department, and the North Central Florida Regional Planning Council. 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 Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 68.46 acres property located south of SW Archer Road, west of Interstate 75, and east of SW 44th Street, from Alachua County Medium Density Residential (MR), Light Industrial (LI), and Heavy Industrial (HI) to City of Gainesville Office (O) and Industrial (IND). This property was annexed into the city on November 4, 2021. As a result of annexation, the city must now assign appropriate land use and zoning designations. The City Plan Board held a public hearing on October 28, 2021, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

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.