



Legislation Text

File #: 161008., **Version:** 1

Administrative challenge by Alachua County to Comprehensive Plan Amendments adopted by City of Gainesville Ordinance No. 160398 (B)

On April 3, 2017, Alachua County filed a Petition for Formal Administrative Hearing to Challenge Comprehensive Plan Amendment alleging that the City's Future Land Use amendments adopted by Ordinance No. 160398 on March 2, 2016 are not "in compliance" under Section 163.3184, Florida Statutes. Ordinance No. 160398 placed City land use categories on property generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of S.W. 20th Avenue that was annexed into the City on June 16, 2016. The essence of the County's challenge is that the City did not adequately consider and account for the transportation impacts of the land use changes, particularly upon the County's transportation system.

At the April 6, 2017 City Commission meeting, the City Attorney advised the Commission that her Office would represent the City in-house and would timely file a demand for informal mediation in accordance with the statutory process. Because the underlying issue (transportation impacts) in this challenge is largely the same issue in dispute in the County's recent challenge to the City's Finley Woods annexation, City staff and County staff are meeting to discuss and address the underlying issue in an effort to resolve both pending challenges and avoid future disputes concerning the same issue.

If a tentative resolution is reached, the matter will be brought before the City Commission and the County Commission for approval in accordance with the statutory procedure regarding settlement of challenges to comprehensive plan amendments. If a settlement is not reached, the parties will schedule a formal administrative hearing and proceed to conduct discovery and prepare for administrative litigation.

Receive this written update.