

Alachua County

Office of Planning and Development Staff Report

Application Number: CPA-05-12 **Staff Contact:** Missy Daniels, Senior Planner
352-374-5249

Planning Commission
Board of County Commissioners

Hearing Date: May 16, 2012
Hearing Date: July 10, 2012 (Transmittal)

SUBJECT:

A large-scale Comprehensive Plan text amendment to amend the Alachua County Comprehensive Plan Future Land Use Element Policy 7.1.22 by deleting the two times per year limit on large-scale Comprehensive Plan amendments and by adding a reference to Section 163.3184 Florida Statutes.

APPLICANT/AGENT:

Alachua County Board of County Commissioners

STAFF RECOMMENDATION:

Approval with Staff Recommended Changes

PLANNING COMMISSION RECOMMENDATION: Approval

BOARD OF COUNTY COMMISSIONERS:

Alachua County
Office of Planning and Development Staff Report: CPA-05-12

ANALYSIS

Background

Chapter 163, Part II, of the Florida Statutes, Section 163.3184 and 163.3187 establishes the process for adoption of Comprehensive Plan amendments. Until 2011, local governments were only allowed to process large-scale comprehensive Plan amendments two times per year. A large-scale comprehensive plan amendment is an amendment to the local comprehensive plan either to the text or to maps involving more than 10 acres of land. In 2011, the Florida Statutes were amended by Chapter 2011-139, Laws of Florida, which revised the process for comprehensive plan amendments, in many cases shortening the state review process, and deleted the restriction that local governments process large-scale amendments no more than twice a year. How often amendments are accepted and processed is now up to the local government.

Chapter 402, Article 7, Section 402.26 of the Unified Land Development Code details the statute and County requirements for processing Comprehensive Plan amendments. In October 2011, at a public workshop on the Unified Land Development Code update, staff presented changes to this section but proposed keeping the twice a year limit for large-scale comprehensive plan amendments. The County Commission gave staff direction to remove the limit. In current drafts of Chapter 402, there is no longer a limit for processing these amendments.

The Comprehensive Plan Future Land Use Element still contains a requirement that the County will not process large-scale amendments more than twice per year. This Comprehensive Plan amendment is proposing to amend the language in Policy 7.1.22 by deleting reference to any limit on processing of large-scale amendments.

Deleting the twice per year limit from the Code and Comprehensive Plan does not mean the County cannot set its own standards for how often the Growth Management Department will accept and process Comprehensive Plan amendments. Currently, the Department establishes a schedule with deadlines and timeframes for processing rezonings and small-scale Comprehensive Plan amendments. Large-scale amendments will be included within this schedule.

Chronology

CPA Application Submitted: March 26, 2012
Original Report Released: May 10, 2012
Planning Commission Hearing: May 16, 2012
BoCC Transmittal Hearing: July 10, 2012

Report Release Date: June 13, 2012

Alachua County
Office of Planning and Development Staff Report: CPA-05-12

COMPREHENSIVE PLAN CONSISTENCY

Staff has proposed the following amendment to Policy 7.1.22 to remove the twice per year limit of processing large-scale comprehensive plan amendments. This policy was based on Florida Statute requirements that have since been amended to also delete this twice per year limit.

This amended policy does not affect other policies in the Comprehensive Plan and is consistent with the Comprehensive Plan.

Effect of Amendment on Affordable Housing

This proposed amendment will not have a negative effect on the provision of affordable housing. It is possible that the elimination of the twice per year limit could have a positive effect on the provision of affordable housing because an applicant wishing to amend a land use designation to provide housing would not have to wait for a cycle to be advertised. Most likely, however, this amendment will have no effect on the affordability of housing, either the initial cost or on-going expenses.

Conclusion

The proposed text amendment eliminating the twice per year limit on large-scale comprehensive plan amendments will give both the County and the public greater flexibility in applying for and processing comprehensive plan amendments. Staff finds that the proposed amendment is consistent with the Comprehensive Plan and recommends approval.

Staff Recommendation

Adoption of **CPA-05-12 as proposed below:**

Policy 7.1.22 It shall be the policy of Alachua County to establish a mechanism for consideration of large-scale Comprehensive Plan Amendments, ~~up to two times a year per criteria in the land development regulations,~~ small-scale Comprehensive Plan Amendments and Plan Amendments due to emergency, and amendments due to any proposed Development of Regional Impact, consistent with Section 163.3184 and 163.3187, Florida Statutes.

Alachua County
Office of Planning and Development Staff Report: CPA-05-12

Exhibit 1: Staff and Agency Comments

Department of Environmental Protection: No comments

Department of Public Works: No comments

Department of Public Safety: No comments