

LEGISLATIVE #

160981B

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 12, 2017

The Honorable Lauren Poe
Mayor, City of Gainesville
Station 11, P.O. Box 490
Gainesville, Florida 32627-0490

Dear Mayor Poe:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed plan amendment for the City of Gainesville (Amendment No. 17-3ESR), which was received on July 13, 2017. We have reviewed the proposed amendment pursuant to the expedited state review process in Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department’s authorized scope of review that will be adversely impacted by the amendment if adopted.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

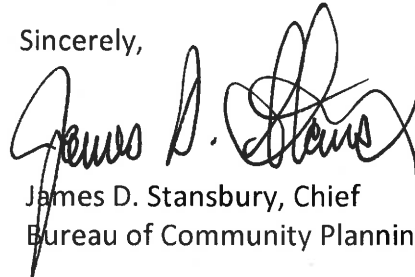
The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(3)(c)1., F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
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An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Robin Branda, Planning Analyst, by telephone at (850) 717-8495 or by email at Robin.Branda@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/rb

Enclosure: Procedures for adoption of comprehensive plan amendments

cc: Mr. Scott Koons, AICP, Executive Director, North Central Florida Regional Planning Council
Mr. Ralph Hilliard, Planning Manager, City of Gainesville

Mimms, Dean L.

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Thursday, August 10, 2017 1:07 PM
To: Hilliard, Ralph W.; Mimms, Dean L.; DCPexternalagencycomments
Cc: Plan_Review
Subject: Gainesville 17-3ESR Proposed

To: Ralph Hilliard, Planning Manager

Re: Gainesville 17-3ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.





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July 31, 2017

Mr. Ralph Hilliard, Planning Manager
City of Gainesville
P.O. Box 490, Mail Station 11
Gainesville, FL 32627

RE: Regional Review of City of Gainesville Comprehensive Plan Draft Amendment
City Item PB-14-28-LUC

Dear Ralph:

At its regularly scheduled meeting held July 27, 2017, the Council reviewed the above-referenced items. Subsequent to their review, the Council voted to adopt the enclosed report.

If you have any questions concerning this matter, please do not hesitate to contact Steven Dopp, Senior Planner of the Planning Council's Regional and Local Government Programs staff, at 352.955.2200, extension 109.

Sincerely,

Scott R. Koons, AICP
Executive Director

Enclosure

xc: Ray Eubanks, Florida Department of Economic Opportunity
Sherry Spiers, Florida Department of Economic Opportunity



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**FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01**

Regional Planning Council: North Central FL
Review Date: 7/27/17
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 97
Local Government: City of Gainesville
Local Government Item No.: PB-17-28 LUC
State Land Planning Agency Item No.: ~~17-2ESR~~
17-3 ESR

Date Mailed to Local Government and State Land Planning Agency: 7/28/17 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

City item PB 17-28-LUC reclassifies approximately 108 acres or recently annexed land from County Low Density Residential (up to 4 dwelling units per acre) to City Single Family (up to 8 dwelling units per acre) (see attached).

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

The subject property is adjacent to State Road 26, which is part of the Regional Road Network as identified and mapped in the North Central Florida Strategic Regional Policy Plan. The City Transportation Mobility Element contains objectives and policies which implement one or more practices consistent with Transportation Planning Best Practices contained in the North Central Florida Strategic Regional Policy Plan. Regional Plan Transportation Element Policy 5.1.1 states that within municipalities where local government comprehensive plans contain goals and policies which implement Transportation Planning Best Practices, adverse impacts to the Regional Road Network are adequately mitigated and local government plans and plan amendments are not subject to a Regional Planning Council determination impacts to the Regional Road Network. Therefore, significant adverse transportation impacts to the Regional Road Network are adequately mitigated.

The subject property of the amendment is located within a Stream-to-Sink Watershed which is identified and mapped in the regional plan as a Natural Resource of Regional Significance. Nevertheless, significant adverse impacts are not anticipated to occur to the natural resources as, the City Comprehensive Plan contains adequate policy direction consistent with the regional plan to mitigate adverse impacts to the natural resources.

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

The City Comprehensive Plan, as amended, is not anticipated to create significant adverse impacts to adjoining local governments.

Request a copy of the adopted version of the amendments?

Yes X No

Not Applicable

It is recommended that these findings be forwarded to the City and the Florida Department of Economic Opportunity.

Council Action: At its July 27, 2017 meeting, the Council voted to adopt this report.

**City of Gainesville
Land Use Categories**

- BI Business Industrial
- CON Conservation
- PUD Planned Use District

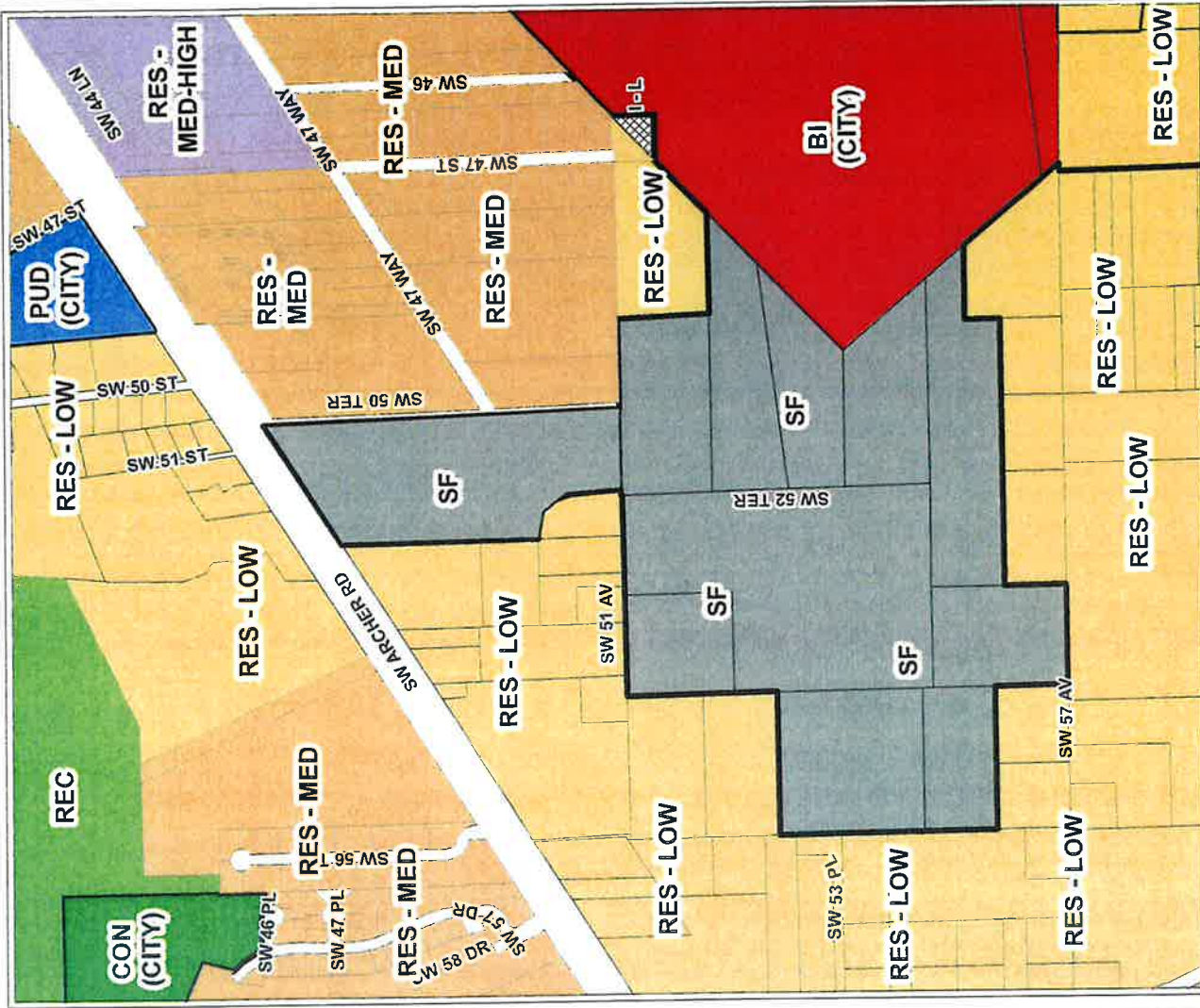
**Alachua County
Land Use Categories**

- RES - LOW Residential Low Density (1-4 units/acre)
- RES - MED Residential Medium Density (4-8 units/acre)
- RES - MED/HIGH Residential Medium-High Density (8-14 units/acre)
- REC Recreation
- I - L Light Industrial

**City of Gainesville—DEO 17-3ESR
Petition No. PB-17- 28 LUC
Legislative Matter No. 160981**

Area under petition consideration

City Limits



PROPOSED LAND USE

Name	Petition Request	Petition Number
City of Gainesville	Amend the City of Gainesville FLUM from Alachua County Low Density Residential (1-4 du/acre) to City of Gainesville Single Family (up to 8 units per acre)	PB-17-28 LUC



Mimms, Dean L.

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Sent: Friday, August 04, 2017 2:45 PM
To: Hilliard, Ralph W.; Mimms, Dean L.
Cc: DCPexternalagencycomments@deo.myflorida.com; Sherry.Spiers2@deo.myflorida.com
Subject: City of Gainesville proposed comprehensive plan amendment 17-3ESR

Dear Mr. Hilliard,

St. Johns River Water Management District (District) staff have reviewed City of Gainesville proposed comprehensive plan amendment 17-3ESR in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment. If you have any questions or need additional information, please contact me.

Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
Governmental Affairs Program
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
E-mail: sfitzgibbons@sjrwmd.com
Website: www.sjrwmd.com
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www.sjrwmd.com/epermitting

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

July 14, 2017

Mr. Ray Eubanks
Plan Review Administrator
Florida Department of Economic Opportunity
107 East Madison Street, MSC 160
Tallahassee, FL 32399-4120

Subject: City of Gainesville Proposed Comprehensive Plan Amendment 17-3ESR

Dear Mr. Eubanks:

The Suwannee River Water Management District (District) staff review of the above-referenced proposed comprehensive plan amendment was done in accordance with Florida Statutes. District staff review of the proposed amendment determined that no comments are necessary.

Should you have any questions or would like additional information, please contact me at 386.362.0434 or sam@srwmd.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Minnis", is written over a horizontal line.

Steve Minnis
Director of Governmental Affairs

cc: Ralph Hilliard, City of Gainesville
Dean Mimms, City of Gainesville
Steve Fitzgibbon, SJRWMD
Suzanne Ray, FDEP
Scott Koons, NCFRPC

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Monticello, Florida

DARRELL SMITH
Interim Executive Director



Florida Department of Transportation

RICK SCOTT
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

MIKE DEW
SECRETARY

August 2, 2017

Messrs. Ralph Hilliard and Dean Mimms
City of Gainesville
Department of Doing
PO Box 490, Station 11
Gainesville, FL 32627

SUBJECT: *City of Gainesville Proposed Comprehensive Plan Amendment (DEO 17-3ESR)*

Dear Messrs. Ralph Hilliard and Dean Mimms,

The Florida Department of Transportation (FDOT) has reviewed the proposed Comprehensive Plan amendment submitted by the City of Gainesville according to Chapter 163 of the Florida Statutes.

Amendment Summary

The proposed Comprehensive Plan amendment to the City's Future Land Use Map (FLUM) re-designates approximately 108 acres from Alachua County Low-Density Residential (RL) to City of Gainesville Single-Family (SF). The property is located south of SW Archer Road, west of SW 50th Terrace, north of SW 57th Avenue, and east of SW 53rd Place. Access to the site currently occurs by way of SR-24 (SW Archer Road) and SW 47th Way.

The property was previously annexed into the City by Ordinance No. 160744, and requires land use and zoning assignment. The current Alachua County Low-Density Residential (RL) land use allows 1-4 dwelling units per acre. The proposed City of Gainesville Single-Family (SF) land use would allow up to 8 dwelling units per acre.

Comments

FDOT has no comments.

We appreciate the opportunity to review the proposed comprehensive plan amendment and request that a copy of the adopted amendment, along with the supporting data and analysis be transmitted within ten working days after the second public hearing for FDOT review.

If you have any questions, please do not hesitate to contact me by email:
Karen.Taulbee@dot.state.fl.us or call: (904) 360-5652.

Sincerely,



Karen Taulbee, AICP
FDOT D2 Urban Planning Manager

CC: Ray Eubanks, DEO
Dana Reiding, FDOT



Alachua County Growth Management Department

Steven Lachnicht, Director

August 4, 2017

Mr. Ralph Hilliard
City of Gainesville Planning Manager
P.O. Box 490, Station 11
Gainesville, FL, 32627



**RE: Proposed Comprehensive Plan Amendment PB-17-28 LUC
(FDEO Reference Number: Gainesville 17-3ESR)**

Dear Mr. Hilliard,

Thank you for the opportunity to review and comment on the proposed Comprehensive Plan Amendment referenced above, which was approved for transmittal by the Gainesville City Commission on July 6, 2017. The County received the transmitted amendment and related information on July 12, 2017. In the interest of intergovernmental coordination, County staff offers the following comments on the proposed amendment for your consideration.

The proposed Comprehensive Plan amendment would amend the Future Land Use Map by changing the designation of approximately 108 acres of land generally located south of SW Archer Road and west of I-75 from the Alachua County designation of Low-Density Residential (1 to 4 residential units per acre) to the City of Gainesville designation of "Single-Family" (up to 8 residential units per acre). The subject property was annexed into the City of Gainesville effective June 1, 2017.

County Transportation System Impacts

The City has adopted amendments to its Capital Improvements Element (CIE) to include the County's planned two lane collector roadway that will run roughly parallel to and south of SR 24 (identified as "SW 47th Way Extension" in City CIE). This project has been identified in the City's CIE as developer funded. It is the County's understanding that the developer of the residential uses proposed by this amendment has agreed to construct the portion of this collector roadway on the subject property, concurrent with the development of the property. The construction of this roadway project by the developer serves to mitigate the County's concerns regarding the transportation impacts that will be associated with any development of this property. As County staff discussed at the City Commission meeting on July 6th, the appropriate alignment of this corridor should stub to Parcel 07240-049-000 to

the east of the subject properties before making its way north to SR 24 (Archer Road). County staff recommends coordination by City staff with County staff prior to development plan review regarding the design and final alignment of this road segment, to be shown in the development plans for the subject property.

Although in this case, the construction of the collector roadway would have likely satisfied the developer's Multimodal Transportation Mitigation responsibility to the County if the properties had developed in the unincorporated area, the County remains concerned about the general lack of coordination between the City's and the County's long range transportation plans and transportation mitigation programs. The County utilizes the mitigation payments from new development as a primary funding source for transportation capacity improvements needed to maintain adopted levels of service within the unincorporated urban areas. The absence of participation and collaboration by the City in the funding of needed infrastructure and transportation services within newly annexed areas will require additional resources from County taxpayers or a degraded level of service in the urban area transportation network. The County would like to see joint planning approaches with the City in order to address transportation planning and funding concerns regarding annexations.

b) Natural Resource Protection

In an effort to assist the City in the evaluation of environmental concerns associated with the subject property, the Alachua County Environmental Protection Department (ACEPD) has identified the following natural resources on the subject property, with recommendations to help avoid and/or minimize potential impacts from future development.

1) Protection of Conservation Areas

The Alachua County Comprehensive Plan identifies certain "conservation areas" that, because of their ecological value, uniqueness and particular sensitivity to development activities, require protective measures to sustain their ecological integrity (Policy 3.1.1, Conservation and Open Space Element). The designated "conservation areas" that are protected under the County's Comprehensive Plan include wetlands, surface waters, 100-year floodplains, Strategic Ecosystems, significant geologic features, and listed species habitat. Some of these conservation areas are present on the subject property, as discussed below. County staff generally recommends that the City provide for equivalent levels of protection for "conservation areas" on the subject property to those which are provided under the Alachua County Comprehensive Plan.

The subject property contains isolated wetlands, ponds and floodplain systems, as well as geologic features. In order to protect these resources, County staff recommends that any future development on the subject property avoid wetland impacts unless necessary to access the property, maintain a 75-foot average buffer to wetlands, prohibit stormwater ponds in wetland buffers, and minimize on-site infrastructure within "conservation areas".

Based on its location, the subject property may support rare and endangered species, including Gopher tortoise (*Gopherus polyphemus*) and associated commensals, Indigo snake (*Drymarchon corais*

couperi), Poppy Mallow (*Callirhoe papaver*) and Florida milkweed (*Matelea floridana*). County staff recommends that, prior to any future development of the subject property, the City should require an environmental resources evaluation of the property and survey for listed species. County staff also recommends that, as part of the development design process, the City should identify habitat needs for maintaining species diversity and sustainability, require conservation easements and management plans (including exotic control and prescribed fire) for areas to be preserved, and require connectivity between preserved habitat areas and minimize fragmentation of such areas.

It is also noted that the southeastern boundary of the subject property abuts an area that is designated as a "Strategic Ecosystem" (Fred Bear Hammock) under the Alachua County Comprehensive Plan. The adopted policies for strategic ecosystems (Objective 4.10 and subsequent policies of the Conservation and Open Space Element) require that strategies be implemented for such areas through the land use planning and development review process to ensure that each strategic ecosystem is evaluated and protected based on the integrity of the ecological unit. Although much of this Strategic Ecosystem area has been annexed into the City of Gainesville, County staff recommends coordination between City and County staff in the development review process in order to ensure appropriate strategies for protection of natural resources within the Fred Bear Hammock Strategic Ecosystem, with a particular emphasis on the areas of the subject property that abut the Strategic Ecosystem.

2) Archaeological Resources

There are 6 documented prehistoric archaeological sites, 34 documented historic structures and 1 resource group (Florida Railroad Corridor) within one-half mile of the subject property. The subject property has never been subjected to a professional subsurface survey, though most of the area is considered to have moderate potential to harbor as-yet undocumented resources. Additionally, according to the Property Appraiser data there are 3 historic structures within the subject property boundary ((parcel 06949-000-000 [year built = 1946], parcel 06952-000-000 [year built = 1963], parcel 06952-002-002 [year built = 1965]). The Patterson Community Cemetery is adjacent to parcel 06949-002-000.

County staff recommends appropriate professional cultural resource management surveys consistent with federal and state standards and guidelines on all properties within the subject property prior to development. A professional archeological survey should be conducted as early as possible to aid in the planning and design of any future development. County staff recommends that any future development approval by the City should require protection or mitigation of significant archaeological sites found, consistent with federal and state standards and guidelines.

3) Alachua Property Appraiser's records indicate that approximately 6.65 acres of Tax Parcel Number 06951-000-000 is or was used as a "borrow pit/landfill". Additionally, there is evidence indicating that this parcel contains or contained a limestone quarry. Prior to any development of the site, County staff recommends that an assessment of any earlier resource extraction and filling operation(s) should be performed. Any plans for development should address the stability of the former quarry area, and groundwater quality.

If you have any questions or would like to discuss the matters detailed in the comments above, please contact me.

Sincerely,



Steven Lachnicht, AICP
Director of Growth Management

cc:

Board of County Commissioners
Dr. Lee Niblock, County Manager
Michele Lieberman, County Attorney
James Harriott, Deputy County Manager
Ray Eubanks, Department of Economic Opportunity
Scott Koons, North Central FL Regional Planning Council
Dean Mimms, City of Gainesville