

**LEGISLATIVE #**

**110925B**

Rick Scott  
GOVERNOR



FLORIDA DEPARTMENT of  
ECONOMIC OPPORTUNITY

Hunting F. Deutsch  
EXECUTIVE DIRECTOR



July 26, 2012

The Honorable Craig Lowe  
Mayor, City of Gainesville  
Post Office Box 490  
Gainesville, Florida 32627-0490

Dear Mayor Lowe:

The State Land Planning Agency has completed its review of the proposed comprehensive plan amendment for the City of Gainesville (Amendment No. 12-4ESR), revising the Capital Improvements Element, updating the Five-year Schedule of Capital Improvements, and changing the land use designation on approximately 24.7 acres of property, which was received on June 26, 2012. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no adverse impacts to important state resources and facilities within the Agency's authorized scope of review.

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is not held and the amendment adopted within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment.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

Florida Department of Economic Opportunity The Caldwell Building 107 E. Madison Street Tallahassee, FL 32399-4120  
866.FLA.2345 850.245.7105 850.921.3223 Fax [www.FloridaJobs.org](http://www.FloridaJobs.org) [www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

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The Honorable Craig Lowe

July 26, 2012

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If you have any questions concerning this review, please contact Valerie Jenkins at (850) 717-8493, or by email at [valerie.jenkins@deo.myflorida.com](mailto:valerie.jenkins@deo.myflorida.com).

Sincerely,



Anastasia Richmond  
Regional Planning Administrator

AR/vj

Enclosure: Procedures for Adoption

cc: Mrs. Onelia Lazzari, AICP, Principal Planner, City of Gainesville  
Mr. Scott R. Koons, Executive Director, North Central Florida Regional Planning Council



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July 3, 2012

Mr. Dean Mimms, AICP, Lead Planner  
City of Gainesville  
P.O. Box 490, Mail Station 11  
Gainesville, FL 32627

RE: Regional Review of City of Gainesville Comprehensive Plan Draft Amendment  
Items PB-11-137-LUC and PB-11-140-CPA

Dear Dean:

At its regularly scheduled meeting held June 28, 2012, 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  
Anastasia Richmond, Florida Department of Economic Opportunity  
Onelia Lazzari, AICP, City of Gainesville

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

Regional Planning Council: North Central FL  
Review Date: 6/28/12  
Amendment Type: Draft Amendments

Regional Planning Council Item No. 78  
Local Government: Gainesville  
Local Government Item No. PB-11-137 LUC &  
PB-1-140 CPA  
State Land Planning Agency Item No. 12-3ESR

Date Mailed to Local Government and State Land Planning Agency: 7/2/12

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 AMENDMENTS**

City item PB-11-137 LUC amends the City Future Land Use Map of the City Comprehensive Plan by reclassifying 24.7 acres of recently annexed lands from County Recreation to City Recreation, Conservation and Public Facilities. (see attached).

City item PB-11-140-CPA amends the Capital Improvements Element of the City Comprehensive Plan by amending Policies 1.1.1 and 1.1.12; by adding Policy 1.1.13; by amending Policies 1.2.1, 1.2.4, 1.2.6, and deleting Policy 1.2.5; by amending Policies 1.3.6 and 1.4.1; by deleting Objective 1.10 and its associated Policy 1.10.1; by updating Table 14, 5-Year Schedule of Capital Improvements; and by deleting Table 15, School Board of Alachua County 5-Year District Facilities Work Program (see attached).

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

Significant adverse impacts are not anticipated to occur to Natural Resource of Regional Significance or regional facilities as the amendments do not result in an increase in intensity or density of use.

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

Adverse extrajurisdictional impacts as a result of the amendments are not anticipated since the amendments do not result in an increase in the intensity or density of use.

**Request a copy of the adopted version of the amendments?**

Yes  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 June 28, 2012 meeting, the Council voted to adopt this report.**



# St. Johns River Water Management District

Hans G. Tanzler III, Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [floridaswater.com](http://floridaswater.com).

July 25, 2012

Ms. Onelia Lazzari  
Lead Planner  
City of Gainesville  
P.O. Box 490, Station 11  
Gainesville, FL 32627



Re: City of Gainesville Proposed Comprehensive Plan Amendment #12-4ESR

Dear Ms. Lazzari:

St. Johns River Water Management District (District) staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment contains text changes to the Capital Improvements Element (CIE) and one future land use map (FLUM) change. District staff review focused on flood protection and floodplain management, wetlands and other surface waters, and regional water supply as they relate to important state resources and facilities, as outlined in *Florida Statutes* (F.S.). District staff have not identified any adverse impacts to important state resources and facilities that would result from the amendment. However, technical assistance is provided below regarding legislative water supply concurrency requirements and related surface waters.

### Technical assistance

1. Water supply concurrency. Proposed CIE Policy 1.2.4 addresses some of the water supply and facility concurrency requirements of Section 163.3180(2)(a), F.S. To adequately address all of the water supply concurrency requirements, policies providing enabling language for the concurrency management system must address consultation with the applicable water supplier prior to approval of a building permit to determine if adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. Therefore, to ensure that all of the water supply concurrency requirements are addressed, the District recommends CIE Policy 1.2.4 be revised to include the following language as a new paragraph at the end of the policy:

“In addition, prior to approval of a building permit or its functional equivalent, the City shall consult with the applicable water supplier (e.g., GRU) to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent.”

2. Related surface waters. According to District maps, the property that is subject to FLUM change PB-11-137 LUC is located within the District’s Sensitive Karst Area Hydrologic

### GOVERNING BOARD

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			W. Leonard Wood FERNANDINA BEACH

Letter to Onelia Lazzari  
July 25, 2012  
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Basin. Please note that any environmental resource permit (ERP) application for this property must meet the District's additional surface water management basin criteria in Chapter 40C-41, *Florida Administrative Code*, in addition to the basic ERP criteria found in other rules.

If you have any questions or need additional information, please contact me at (386) 312-2369 or [sfitzgib@sjrwmd.com](mailto:sfitzgib@sjrwmd.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Cole", written over a horizontal line.

Jeff Cole  
Chief of Staff

cc: Ray Eubanks, Florida Department of Economic Opportunity  
Ana Richmond, Florida Department of Economic Opportunity  
Scott Koons, North Central Florida Regional Planning Council  
Geoff Sample, St. Johns River Water Management District



August 2, 2012

Mr. Jeff Cole  
St. Johns River Water Management District  
P. O. Box 1429  
Palatka, FL 32178-1429

RE: City of Gainesville Proposed Comprehensive Plan Amendment #12-4ESR

Dear Mr. Cole:

Thank you for your comments on the City of Gainesville Comprehensive Plan Amendment #12-4ESR as concerns the Capital Improvements Element. The City regrets that we missed a portion of the required water supply concurrency requirements as stated in Florida Statutes. To ensure that all water supply concurrency requirements are addressed, Capital Improvements Element Policy 1.2.4 has been amended to include a new sub-policy e. that includes the suggested language provided in your letter.

The City will provide you with the revised ordinance, which contains the new Policy 1.2.4.e. after the final adoption hearing. We appreciate working with the St. Johns Water Management District and have found our interactions with Steve Fitzgibbons to be very helpful in our Comprehensive Plan update process.

Please feel free to contact me if you need further information (352) 393-8694.

Sincerely,

  
Onelia R. Lazzari, AICP  
Principal Planner

xc: Ana Richmond, Department of Economic Opportunity  
Valerie Jenkins, Department of Economic Opportunity



# FLORIDA DEPARTMENT OF EDUCATION



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Commissioner of Education



June 29, 2012

Mr. Dean Mimms, AICP, Lead Planner  
Ms. Onelia Lazzari, AICP, Principal Planner  
City of Gainesville – MS 11  
Post Office Box 490  
Gainesville, Florida 32627  
Via E-mail: [mimmsdl@cityofgainesville.org](mailto:mimmsdl@cityofgainesville.org) and [lazzarior@cityofgainesville.org](mailto:lazzarior@cityofgainesville.org)

Dear Mr. Mimms and Ms. Lazzari:

Re: Gainesville 12-4ESR

Thank you for the opportunity to review the city's proposed 12-4ESR plan amendment package, which the Florida Department of Education received on June 26, 2012. According to the department's responsibilities under Section 163.3184(3)(b), Florida Statutes, I reviewed the amendment package considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have potential to create adverse impacts on public school facilities.

The package includes two amendments, including an annexation-related future land use map amendment and text amendments to the capital improvements element. Because the future land use map amendment would designate the affected parcel for recreation, conservation, and public facilities, it does not appear to affect public school facilities. Therefore, I offer no comment on the proposed amendment.

The second amendment would complete the annual update to the capital improvements element and include new policy 1.1.13 to adopt the Alachua County School Board's 5-year district facilities work plan by reference. The policy as proposed does not address the requirement of Section 163.31777(1)(b), F.S., that "[t]he adoption by reference must identify the title and author of the document and indicate clearly what provisions and edition of the document is being

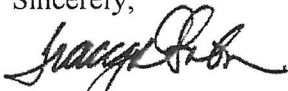
THOMAS H. INSERRA  
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES

Mr. Dean Mimms  
Ms. Onelia Lazzari  
June 29, 2012  
Page 2

adopted.” As a technical comment, the city should revise the policy to include the title and date of the work plan it proposes to incorporate by reference to address the statutory requirement.

Again, thank you for the opportunity to review and comment. If you have questions about this letter, please contact me at (850) 245-9312 or [Tracy.Suber@fldoe.org](mailto:Tracy.Suber@fldoe.org).

Sincerely,



Tracy D. Suber  
Growth Management and Facilities Policy Liaison

TDS/

cc: Mr. Terry Tougaw, Alachua County Public Schools  
Ms. Ana Richmond and Ms. Valerie Jenkins, DEO



**Planning & Development Services**

Station 11  
PO Box 490  
Gainesville, FL 32627-0490  
352-334-5022  
352-334-2648 (fax)  
[www.cityofgainesville.org](http://www.cityofgainesville.org)

August 2, 2012

Ms. Tracy Suber  
Florida Department of Education  
325 W. Gaines Street  
Suite 1014  
Tallahassee, FL 32399-0400

RE: City of Gainesville Proposed Comprehensive Plan Amendment #12-4ESR

Dear Ms. Suber:

Thank you for your comments on the City of Gainesville Comprehensive Plan Amendment #12-4ESR as concerns the Capital Improvements Element Policy 1.1.13 (in your letter dated 6/29/12). Capital Improvements Element Policy 1.1.13 has been amended to better state the information about the Alachua County School Board 5-Year District Facilities Work Program. We have made this change as a good faith effort to address your comments.

The City will provide you with the revised ordinance, which contains the revised language in Policy 1.1.13, after the final adoption hearing. We believe this will happen in early September.

However, the City does believe that the original policy language provided enough information for an interested party to locate the document as updated annually. Since this is a work program and not a published book, aside from putting the title of the work program in quotation marks, we are unable to provide a better title. The City had clearly indicated that we were referencing the document as it was updated annually (since this is required of school boards by State law), and that is why there is not a single date for the work plan identified in the policy.

In addition, the previous wording of proposed Capital Improvements Element Policy 1.1.13 mirrored Objective 2.6 in the Public Schools Facilities Element (adopted by the City in January 2012 after submittal for State review). At that time, no comments or objections were raised. Finally, a review of local government comprehensive plans has indicated that several governments have adopted the school board's 5-Year District Facilities Work Program by reference with language similar to the original City text.

Please feel free to contact me if you need further information (352) 393-8694.

Sincerely,

A handwritten signature in cursive script that reads "Onelia R. Lazzari". The signature is written in black ink and is positioned above the printed name and title.

Onelia R. Lazzari, AICP  
Principal Planner

xc: Ana Richmond, Department of Economic Opportunity  
Valerie Jenkins, Department of Economic Opportunity