

LEGISLATIVE #

180111B

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

December 13, 2018

The Honorable Lauren Poe
Mayor, City of Gainesville
200 East University Avenue
Gainesville, Florida 32601

Dear Mayor Poe:

The Department of Economic Opportunity (“Department”) has reviewed the City of Gainesville’s proposed comprehensive plan amendment (Amendment No. 18-03ESR), received on November 13, 2018, pursuant to the expedited state review process in Section 163.3184(2)(3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within the Department’s authorized scope of review.

We are, however, providing two technical assistance comments consistent with Section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the City’s comprehensive plan in order to foster a vibrant, healthy community or are technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are:

Comment 1. Underlying land use designation. The PUD designation for the property is an overlay. The City should consider assigning its own underlying future land use designation to the property instead of retaining the Alachua County future land use designation.

Comment 2. Adoption of zoning regulations. The City’s proposed adoption ordinance adopts both the comprehensive plan amendment and the zoning for the subject parcel. Under the effective date language in the proposed ordinance, the zoning designation will become effective before the plan amendment on which the zoning is based. The City should consider providing an effective date for the zoning that is after the effective date of the plan amendment.

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. In addition, the City is reminded that:

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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.

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or 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 pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at dan.evans@deo.myflorida.com.

Sincerely,



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

JDS/ de

Enclosure(s): Procedures for Adoption

cc: Wendy Thomas, Planning Director, City of Gainesville
Andrew Persons, Planning Consultant, City of Gainesville
Scott R. Koons, Executive Director, North Central Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

From: Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>
Date: December 10, 2018 at 7:52:11 AM EST
To: "Persons, Andrew W." <personsaw@cityofgainesville.org>, "ThomasWS@cityofgainesville.org" <ThomasWS@cityofgainesville.org>
Cc: "DCPexternalagencycomments@deo.myflorida.com" <DCPexternalagencycomments@deo.myflorida.com>
Subject: City of Gainesville proposed comprehensive plan amendment 18-4ESR

Dear Mr. Persons and Ms. Thomas,

St. Johns River Water Management District (District) staff have reviewed City of Gainesville proposed comprehensive plan amendment 18-4ESR 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
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Jacksonville, FL 32256
Office (386) 312-2369
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Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/e/permitting

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](#)



Florida Department of Transportation

RICK SCOTT
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

ERIK R. FENNIMAN
INTERIM SECRETARY

December 6, 2018

Mr. Andrew Persons, AICP, LEED GA
Ms. Wendy Thomas, AICP
City of Gainesville
PO Box 490, Station 11
Gainesville, FL, 32627

SUBJECT: *City of Gainesville Proposed Comprehensive Plan Amendment (DEO 18-3ESR)*

Dear Mr. Persons and Ms. Thomas,

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 Future Land Use Map (FLUM) amendment is proposed to overlay the City of Gainesville Planned Unit Development land use category on approximately 118 acres off of SW 62nd Avenue near SW 43rd Terrace in Gainesville. This amendment reflects the existing Planned Development land use category while it was under the jurisdiction of Alachua County. The subdivision, Finley Woods, was approved by Alachua County in 2007 and consists of 321 single-family dwelling units (ITE 210) and 150 multi-family dwelling units (ITE 220). The proposed land use amendment will not increase the number of dwelling units or number of trips previously approved by Alachua County. The closest state facilities to the affected parcels are SR-121 (SW Williston Road) and I-75.

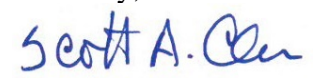
Comments

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: scott.clem@dot.state.fl.us or call: (904) 360-5681.

Sincerely,



Scott A. Clem, AICP
FDOT D2 Growth Management Coordinator