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November 23, 2011

Mr. Erik Bredfeldt, Director
Planning and Development
City of Gainesville
P.O. Box 490
Gainesville, FL 32627-0490

RE: Regional Review of City of Gainesville Comprehensive Plan Amendment Items
PB-11-29-LUC, PB-11-36-LUC, PB-11-47-LUC, PB-11-75-CPA, PB-11-93-CPA,
and PB-11-103-CPA

Dear Erik:

The deadline for Council comments on the above-referenced items occurs prior to the next regularly-scheduled meeting of the Council. Council Procedures provide for the Clearinghouse Committee of the North Central Florida Regional Planning Council to review local government comprehensive plan amendments and forward its findings to the Florida Department of Economic Opportunity as official Council comment for those items which require action prior to its next regularly-scheduled meeting.

Therefore, the Clearinghouse Committee held a meeting on November 21, 2011 and reviewed the above-referenced items under the Clearinghouse Committee Procedures. Subsequent to this review, the Committee voted to adopt the enclosed report for your consideration.

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: D. Ray Eubanks, Florida Department of Economic Opportunity
Anastasia Richmond, Florida Department of Economic Opportunity

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Dedicated to improving the quality of life of the Region's citizens,
by coordinating growth management, protecting regional resources,
promoting economic development and providing technical services to local governments.

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

Regional Planning Council: North Central FL
Review Date: 11/21/11
Amendment Type: Draft Amendments

Regional Planning Council Item No.: 8
Local Government: Gainesville
Local Government Item Nos: PB-11-29-LUC,
PB-11-36-LUC, PB-11-47-LUC,
PB-11-75-CPA, PB-11-93-CPA,
& PB-11-103-CPA
State Land Planning Agency Item No: 11-3

Date Mailed to Local Government and State Land Planning Agency: 11/22/11

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

The amendment package consists of the following six City Comprehensive Plan amendments.

PB-11-29-LUC reclassifies approximately 35 acres of recently annexed land from undesignated County right-of-way and County Rural/Agriculture (up to 1 dwelling unit per 5 acres) to Public Facilities (see attached).

PB-11-36-LUC amends the City Transportation Concurrency Exception Area map to include recently annexed land (see attached).

PB-11-45-LUC reclassifies approximately 27.8 acres from County Commercial to Commercial (see attached).

PB-11-75-CPA amends City Comprehensive Plan Conservation, Open Space and Groundwater Recharge Element Policies 1.1.1, 1.1.1.b, 1.1.1.b.2, 1.1.1.b.3, 1.1.1.b.4, 1.1.1.b.11, 1.1.1.c, 1.1.1.f, Objective 2.4 and Policies 2.4.1, 2.4.2, 2.4.11, and 2.4.12; amends Future Land Use Element Policies 3.1.1 and 3.1.2; by creating and adding a Policy 3.2.4 to the Future Land Use Element; and deletes the Uplands map and replaces it with a Strategic Ecosystems Map in the Environmentally Significant Land and Resources Map Series within the Future Land Use Map Series (see attached).

PB-11-93-CPA amends the City Comprehensive Plan Potable Water and Wastewater Element by updating and amending the Objectives and Policies (see attached).

PB-11-103-CPA amends the City Comprehensive Plan Future Land Use Element by updating and amending the Objectives and Policies relating to the development of the Innovative Economy within non-residential areas of the Gainesville Innovation Zone (see attached).

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

Significant adverse impacts to regional resources and facilities are not anticipated as the amendments do not result in an increase in maximum allowable intensities and/or densities of use or are not located in a Transportation Concurrency Exception Area.

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

Adverse extrajurisdictional impacts are not anticipated to occur as a result of the amendments.

Request a copy of the adopted version of the amendment?

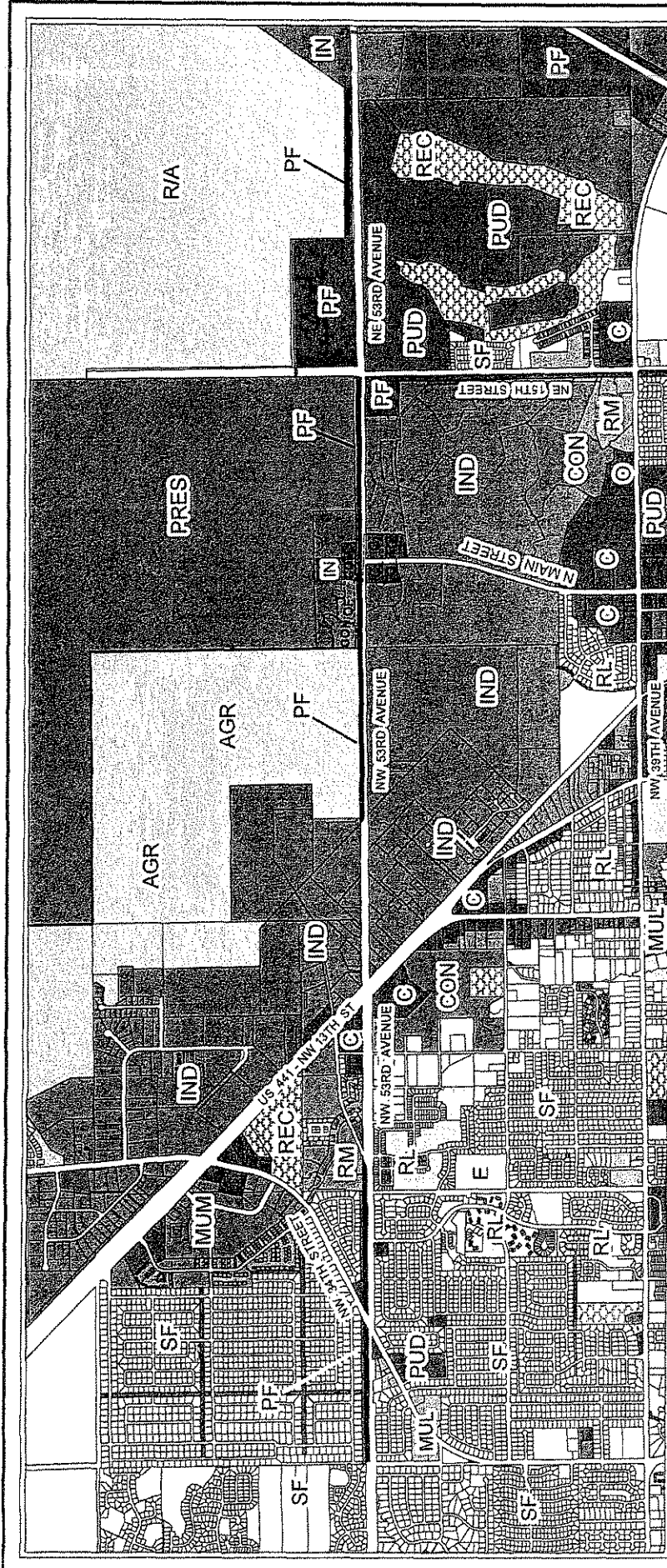
Yes ☒ No ☐

Not Applicable ☐

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

Clearinghouse Committee Action: At its November 21, 2011 meeting, the Committee voted to adopt this report as official Council comment as per Clearinghouse Committee Procedures.

EXCERPTS FROM CITY COMPREHENSIVE PLAN AMENDMENTS



**City of Gainesville
Land Use Designations**

- SF Single Family (up to 8 du/acre)
- RL Residential Low Density (up to 12 du/acre)
- RM Residential Medium Density (8-30 du/acre)
- MUL Mixed Use Low Intensity (8-30 du/acre)
- MUM Mixed Use Medium Intensity (12-30 du/acre)
- O Office
- C Commercial

PROPOSED LAND USE

- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

**Alachua County
Land Use Designations**

- R/A Rural/Agriculture
- PRES Preservation
- CON Conservation
- OF Office
- COM Commercial
- IN Industrial/Manufacturing

Area under petition consideration (Runs parallel to north side of N 53rd Avenue)

Division line between two land use districts

City Limits

Petition Number	Parcel Number(s)	Petition Request
PB-11-29 LUC	07871-000-000 07874-001-001	Change FLUM from undesignated right-of-way and Alachua County Rural/Agriculture to City of Gainesville Public Facilities (PF).
		Prepared by: Planning and Development Services Department City of Gainesville, Florida 10.20.2011



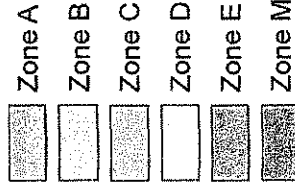
TRANSPORTATION MOBILITY ELEMENT MAP SERIES

Transportation Concurrency
Exception Area

PB-11-36 LUC

Legend

Transportation Concurrency
Exception Area Sub-Zones

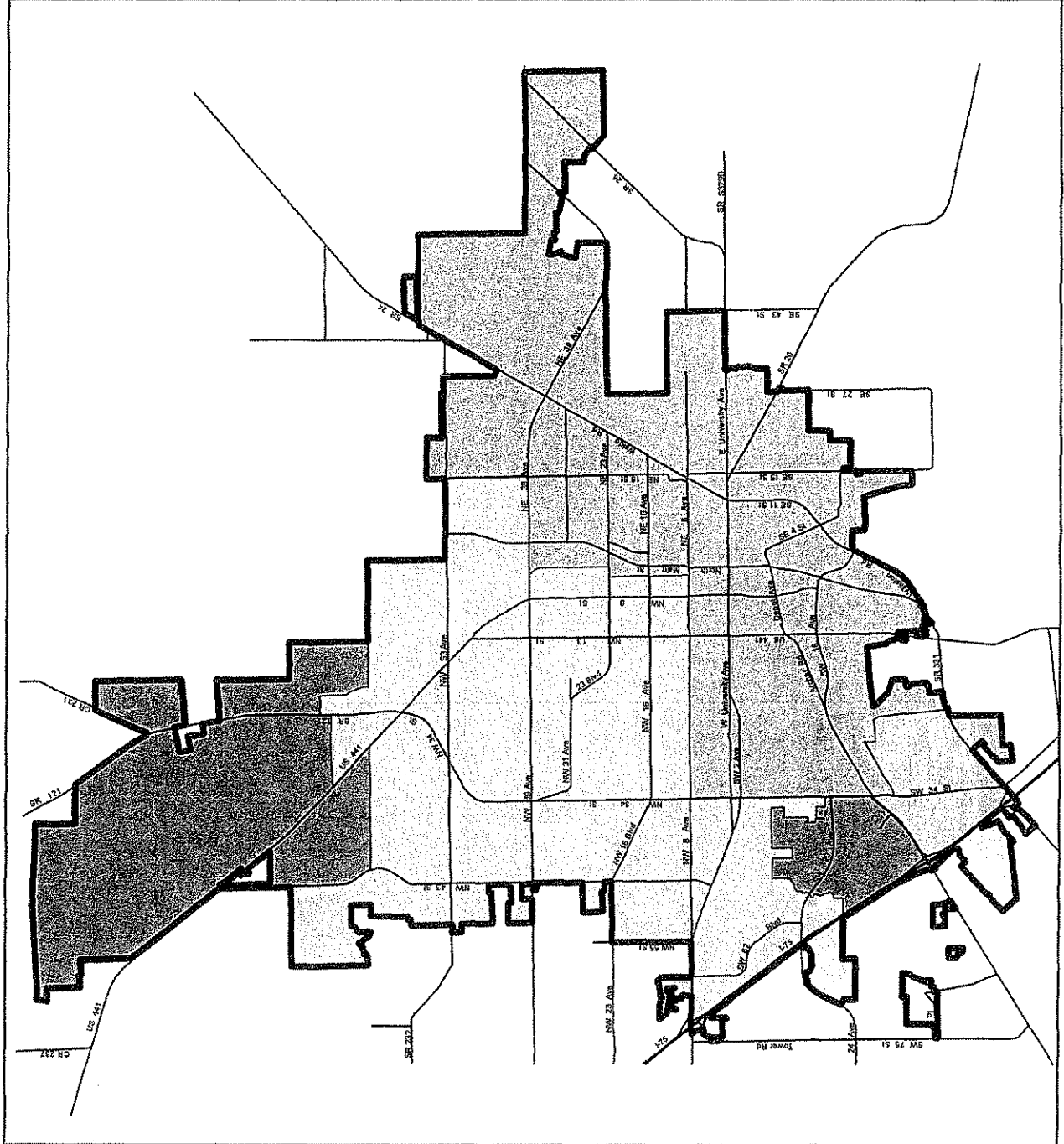


Gainesville City Limits



**City of Gainesville
Gainesville, Florida**

Prepared by the Planning and
Development Services Department
April 2011



City of Gainesville Land Use Categories

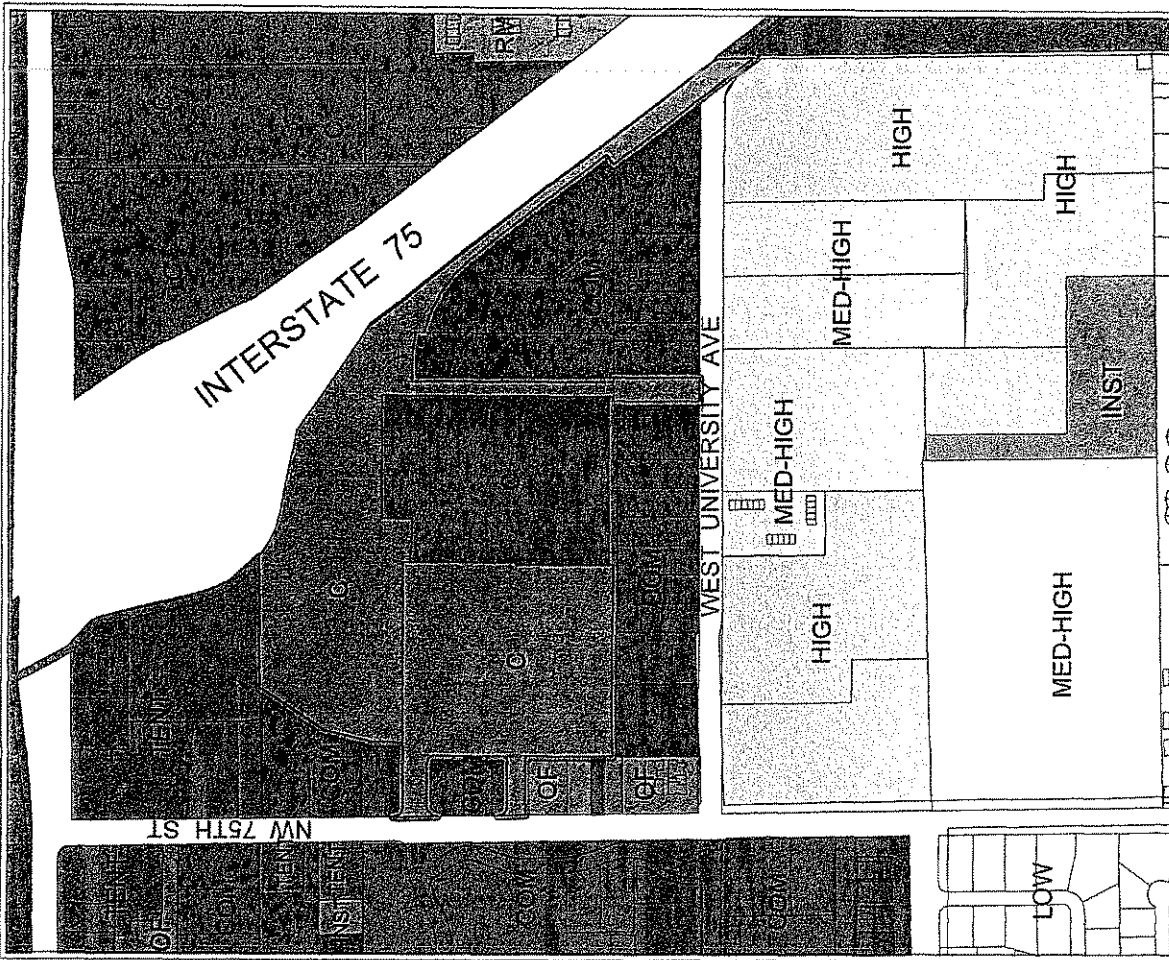
- RM Residential Medium-Densit (8-30 units per acre)
- C Commercial

Alachua County Land Use Categories

- COM Commercial
- LOW Low Density Residential (1-4 DU/acre)
- MED-HIGH Medium-High Density Residential (8-14 DU/acre)
- HIGH High Density Residential (14-24 DU/acre)
- INST Institutional
- OF Office
- TENT Tourist/Entertainment

Area
under petition
consideration

--- Division line between two zoning districts
 — City Limits



PROPOSED LAND USE

Name	Petition Request	Map(s)	Petition Number
City Plan Board, applicant	Change FLUM from Alachua County Commercial (COMM) to City of Gainesville Commercial (C).	3940	PB-11-47 LUC



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9/13/11

to be held at the adoption stage least five (5) days after the day the second advertisement was published; and

WHEREAS, the public hearings were held pursuant to the published notices described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

WHEREAS, prior to adoption of this ordinance the City Commission has considered the written comments, if any were received, concerning this plan amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF
THE CITY OF GAINESVILLE, FLORIDA:

Section 1. Policies 1.1.1, 1.1.1.b, 1.1.1.b.2, 1.1.1.b.3, 1.1.1.b.4, 1.1.1.b.11, 1.1.1.c, 1.1.1.f, of the Conservation, Open Space & Groundwater Recharge Element of the City of Gainesville Comprehensive Plan are amended as stated below. Except as amended herein, Objective 1.1 and its Policies remain in full force and effect.

Objective 1.1 Upon adoption of this Plan, the City shall protect all significant environmental lands and resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series. The City shall continue to identify environmentally significant open space and recreation sites for acquisition.

Policy 1.1.1 At a minimum the following standards and guidelines shall be used to protect environmentally sensitive resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use Map Series: or in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department web site. The Future Land Use Element Environmentally Significant Land and Resources map series shall be updated from time to time to reflect the most current information in the GIS Map Library. In the periods between comprehensive plan updates, the GIS Map Library shall be the reference source. The City shall develop and adopt land development regulations that establish criteria for expansion of the minimum standards addressed below.

- 2 -

Petition No. PB-11-75 CPA

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

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9/13/11

- a. Creeks: Between 35 and 150 feet from the break in slope at the top of the bank, there is a rebuttable presumption that development is detrimental to the regulated creek. Development must conform to applicable provisions of the land development regulations which prohibit development within a minimum of 35 feet of the break in slope at the top of the bank of any regulated creek.
- b. Wetlands: Developments containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority. Where impact is unavoidable, degradation or loss of function that is unavoidable shall be minimized, and the applicant must demonstrate that the project is clearly in the public interest, with final administrative approval by the city commission on appeal, if necessary. The City shall develop and implement land development regulations that at a minimum:
 1. Establish criteria that are at least consistent with the relevant criteria of Section 373.414(1), F.S. for determining whether the project is clearly in the public interest.
 2. ~~Establish mitigation ratios for wetland preservation, enhancement, restoration and creation. The mitigation ratios shall be at least 5:1 (acreage of mitigation area to impacted area) for impacts to natural wetlands or wetlands created as part of a mitigation project; and shall be at least 1:1 for impacts to created wetlands (e.g., livestock watering ponds, borrow pits, drainage ditches, etc.) that were not created as part of a mitigation project. Should there be irreconcilable differences between the mitigation required by the City and that required by the state (water management district or FDEP), then the mitigation requirements of the state will prevail where there are irreconcilable differences.~~ Requires the use of the most current functional assessment methodology that is in use by regulatory agencies in Florida for determining mitigation requirements for impacts to wetlands.
 3. Specifies Wetland creation is presumed to be the least desirable as a mitigation strategy that shall be considered only after substantial evidence, based on the functional assessment referenced in Policy 1.1.1.b.2., indicates that the preservation, enhancement, or restoration of existing wetlands is less desirable or effective as an option.

- 3 -

Petition No. PB-11-75 CPA

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4. Establish bonding, long-term monitoring and enforceable long-term maintenance requirements for wetland mitigation projects to ensure that all the negative impacts have been mitigated. Monitoring reports shall ~~should~~ be reviewed by the ~~Alachua County Environmental Protection Department, the appropriate water management district, the University of Florida, City of Gainesville~~ or other appropriate monitoring agency or reviewing entity to ensure that mitigation criteria are met, with regulatory fees paid by the permitted applicant. The mitigation plan must be approved prior to the approval and initiation of the project.
5. Require off-site mitigation to be performed within the same sub-basin and basin (the basins are depicted on the map entitled Wetland Mitigation Basins that is on file with the Community Development Department and is in the Data & Analysis section of this comprehensive plan element) in which the impact occurred, unless it is shown that mitigation outside the sub-basin is more appropriate. The order of preference for the location of the mitigated area(s) in relation to the impacted areas will be established in the land development regulations (LDRs).
6. Require that development shall not cause hydrological or wetland impacts off-site;
7. A minimum buffer distance of 35 ft. and an average buffer distance of 50 feet shall be required between the landward extent of any wetland or surface water and the developed area. Larger buffers may be warranted. The criteria for buffer expansion will be developed in the land development regulations;
8. Specify that the protections for wetlands shall be extended to all wetlands delineated in accordance with Section 62- 340, F.A.C., regardless of whether they are currently mapped by the City of Gainesville;
9. Require review and approval of wetland mitigation projects by qualified professionals.
10. Outstanding Florida Waters, as listed in Section 62-302.700, F.A.C., shall have a minimum buffer of 200 feet. The City shall develop and implement land development regulations that establish appropriate setbacks for wetlands containing listed

- 4 -

Petition No. PB-11-75 CPA

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9/13/11

plant or animal species. Where these distance requirements preclude all economic development of a parcel, exceptions can be made upon approval by a majority of the city commission and with appropriate mitigation of wetland loss.

11. Wetlands damaged as a result of noncompliance or unauthorized activity on or subsequent to the effective date of this policy shall, at the owner's expense, either be restored to their original function and condition prior to such damage, ~~at the owner's expense~~ or mitigated for, pursuant to the mitigation requirements of the comprehensive plan ~~element~~ or the Land Development Code.

c. Lakes: Developments containing or adjacent to a natural lake (or lakes) must not adversely impact the condition of the lake. Dredge and fill shall be ~~prohibited~~ discouraged and other alternatives considered. Development shall be prohibited within 75 feet of the landward extent of a lake.

d. Wellfields: Development must be consistent with Policies 2.3.2 and 2.3.3 of this Element.

e. Major Natural Groundwater Recharge Areas: Development within this area must be consistent with Policies 2.3.3 and 2.3.5 of this Element.

f. ~~Upland Areas: Developments within an area identified as Upland must submit an ecological inventory of the parcel. Based on the inventory, development may be allowed on up to the maximum of 75% of the parcel.~~ Natural and Archaeological Resource Areas: Developments within or including an upland area identified as a significant natural community, listed species habitat, strategic ecosystem, significant geological resource feature, or an archaeological resource must submit a resource inventory and assessment for the parcel. Based on the inventory and any required verification of the extent of the resource area, land development regulations shall provide for the set-aside of identified resource areas for conservation and resource protection.

Section 2. Objective 2.4 and its Policies 2.4.1, 2.4.2, 2.4.11, and 2.4.12 of the

Conservation, Open Space & Groundwater Recharge Element of the City of Gainesville

Comprehensive Plan, are amended as stated below. Except as amended herein, the remainder

- 5 -

Petition No. PB-11-75 CPA

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1 of Objective 2.4 and its Policies remain in full force and effect.

2 Objective 2.4 The City shall amend its land development regulations as necessary to
 3 conserve ~~environmentally significant~~ natural systems of surface waters
 4 and wetlands; major natural groundwater recharge areas subject to high
 5 rates of Floridan aquifer recharge; threatened or endangered or listed
 6 (or candidates for being listed) species of plants; and animals; and
 7 habitats significant natural communities, and other significant natural
 8 and archaeological resource areas, including strategic ecosystems and
 9 significant geological resource features; and prevent minimize the
 10 spread of invasive vegetation. The adopted regulations shall be
 11 designed to maintain viable populations of these existing plant and
 12 animal species these natural characteristics and resources, and the
 13 functions and values which they provide, and allow development
 14 activities which are compatible with the conservation of these resource
 15 areas as identified environmentally significant lands and resources, in
 16 the Comprehensive Plan or by provisions of the Land Development
 17 Code. (See Environmentally Significant Land and Resources map
 18 series within the Future Land Use Map Series).

20 Policy 2.4.1 The City shall maintain an updated inventory of identified
 21 environmentally significant resources in the Geographic Information
 22 System (GIS) Map Library located on the City's Planning and
 23 Development Services Department web site or identified in the
 24 Environmentally Significant Land and Resources map series within the
 25 Future Land Use Map Series. If additional resources are identified or
 26 as annexations occur, these properties shall be subject to regulations
 27 keyed to the resource present at the site. The Future Land Use Map
 28 Series shall be amended to include these properties. In the periods
 29 between comprehensive plan updates, the GIS Map Library shall be
 30 the reference source.

32 Policy 2.4.2 The City shall adopt land development regulations that protect
 33 ~~identified threatened or endangered or listed species of (or candidates~~
 34 ~~for being listed) plants, and animals, or habitats.~~ significant natural
 35 communities, significant geological resource features, and strategic
 36 ecosystems as based on areas identified and described in the
 37 KBN/Golder Associates Report, "Alachua County Ecological
 38 Inventory Project" (1996). These environmentally significant areas
 39 shall be defined in the Land Development Code. These regulations
 40 shall require that applications for developments of on parcels within
 41 the environmentally significant areas to shall include submit an
 42 ecological inventory of the parcel, that meets requirements specified in
 43 the Land Development Code.

- 6 -

Petition No. PB-11-75 CPA

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- 1 Policy 2.4.3 The City shall continue to have guidelines for the design of stormwater
 2 basins that require the use of native vegetation and basin slopes
 3 suitable for stormwater treatment that promote highly diverse plant and
 4 animal habitats, particularly within stream-to-sink basins, and that
 5 enhance the hydrological and ecological functions of related wetland
 6 areas.
 7
- 8 Policy 2.4.4 Future road alignments shall minimize their impact on environmentally
 9 significant animal habitats.
 10
- 11 Policy 2.4.5 The City shall continue to require construction design consistent with
 12 existing terrain by discouraging contouring, cut and fill, or other
 13 practices where they might be shown to cause soil erosion.
 14
- 15 Policy 2.4.6 The City shall continue to have land development regulations for
 16 environmentally significant wetlands, lakes and regulated creeks that
 17 require:
 18
- 19 a. Setbacks from regulated creeks, lakes and wetlands;
 20
 - 21 b. Prohibition of development that would cause erosion and
 22 sediment pollution to regulated creeks, lakes and wetlands;
 23
 - 24 c. No net increase in the rate of runoff from development sites
 25 adjacent to regulated creeks, lakes and wetlands;
 26
 - 27 d. Retention or detention of the first inch of runoff of
 28 developments adjacent to regulated creeks, lakes and wetlands,
 29 through on-site filtration;
 30
 - 31 e. Retention of vegetation integral to the ecological value of
 32 regulated creeks, lakes and wetlands;
 33
 - 34 f. Compliance with the City's adopted criteria for controlling
 35 sediment and erosion;
 36
 - 37 g. Allowance of a transfer of development intensity and density
 38 from lower to higher elevations of a site; and
 39
 - 40 h. Prohibition on the installation of all septic tanks.
 41
- 42 Policy 2.4.7 The City shall periodically conduct an inventory of environmentally
 43 significant plants, animals, and habitats within at least two city-owned
 44 parks or open space parcels; prepare a list of plants, animals, and

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9/13/11

- 1 habitats to protect; and prepare a plan for the maintenance of viable
2 populations of these plants and animals.
3
- 4 Policy 2.4.8 Chemical control efforts by the City to manage pest species shall only
5 include use of chemicals that are safe for wildlife and public health.
6 Chemical control will be used only when non-chemical controls do not
7 abate the pest problem.
8
- 9 Policy 2.4.9 The City shall coordinate with Alachua County, FDEP and the Water
10 Management Districts to conserve environmentally significant plant
11 communities by submitting relevant land development proposals for
12 review to the Alachua County Environmental Protection Department,
13 the applicable Water Management District, and FDEP for comment
14 and recommendation.
15
- 16 Policy 2.4.10 The City shall protect floodplains through existing land development
17 regulations that at a minimum:
18
- 19 a. Prohibit development within the flood channel or floodplain
20 without a City permit;
21
 - 22 b. Prohibit filling in the flood channel by junk, trash, garbage, or
23 offal;
24
 - 25 c. Prohibit permanent structures in the flood channel, except for
26 those necessary for flood control, streets, bridges, sanitary
27 sewer lift stations, and utility lines;
28
 - 29 d. Prohibit the storage of buoyant, flammable, explosive, toxic or
30 otherwise potentially harmful materials in the flood channel;
31
 - 32 e. Prohibit development within the floodplain that would reduce
33 the capacity of the floodplain;
34
 - 35 f. Prohibit development that would cause or create harmful soil
36 erosion, stagnant water, and irreversible harmful impacts on
37 existing flora and fauna;
38
 - 39 g. Limit flood channel uses to agriculture, recreation, lawns,
40 gardens, and parking areas; and
41
 - 42 h. Limit floodplain uses to launching areas for boats and
43 structures at least one foot above the 100-year flood elevation,
44 in addition to those allowed in the flood channel.
45

- 8 -

Petition No. PB-11-75 CPA

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- 1 Policy 2.4.11 The City's land development regulations shall protect environmentally
 2 significant lands and resources by:
 3
 4 ~~a. Controlling permissible uses through regulatory overlay~~
 5 ~~districts;~~
 6
 7 ~~a. b.~~ Providing opportunities for alternative and innovative site
 8 development;
 9
 10 ~~b. e.~~ Providing setback and parking standards;
 11
 12 ~~c. d.~~ Providing mandatory mitigation to ensure no net loss of
 13 ~~aereage and functions and values~~ when wetlands are
 14 unavoidably lost;
 15
 16 ~~d. e.~~ Allowing for, or requiring the clustering of development away
 17 from environmentally significant resources; ~~and~~
 18
 19 ~~e. f.~~ Restricting on-site waste disposal systems; ~~and~~,
 20
 21 ~~f.~~ Allowing transfer of land use density and/or intensity to retain
 22 development potential from set-aside areas that are required to
 23 meet the goals, policies and regulations of this element and the
 24 Land Development Code.

- 25
 26 Policy 2.4.12 At a minimum, conservation strategies for significant natural
 27 communities, listed species habitats, and strategic ecosystem resources
 28 shall include:
 29
 30 a. ~~Required e~~ Conservation of native upland natural resources of uplands,
 31 including areas of significant natural communities, listed species
 32 habitats, significant geological resources features and strategic
 33 ecosystem resource areas, through set-aside, management, and
 34 buffering requirements.
 35
 36 b. Installation of native vegetation landscaping and removal of invasive
 37 trees and shrubs; and
 38
 39 c. Setbacks.

40
 41
 42 **Section 3.** Policies 3.1.1 and 3.1.2 of the Future Land Use Element of the City of
 43 Gainesville Comprehensive Plan are amended as stated below.

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Policy 3.1.1

At a minimum the following s Standards and guidelines established in Conservation, Open Space, and Groundwater Recharge Element Objective 1.1 and its Policies shall be used to protect environmentally sensitive resources identified in the Environmentally Significant Land and Resources map series within the Future Land Use ~~m~~Map sSeries or in the Geographic Information System (GIS) Map Library located on the City's Planning and Development Services Department web site. The City shall develop and adopt land development regulations that establish criteria for expansion of the minimum standards addressed below. The Future Land Use Element Environmentally Significant Land and Resources map series shall be updated from time to time to reflect the most current information in the GIS Map Library. In the periods between comprehensive plan updates, the GIS Map Library shall be the reference source.

- a. ~~Creeks: Between 35 and 150 from the break in slope at the top of the bank, there is a rebuttable presumption that development is detrimental to the regulated creek. Development must conform to applicable provisions of the land development regulations which prohibit development within a minimum of 35 feet of the break in slope at the top of the bank of any regulated creek.~~
- b. ~~Wetlands: Developments containing wetlands must avoid loss of function or degradation of wetland habitat and/or wetland hydrology as the highest priority.~~
- c. ~~Lakes: Developments containing or adjacent to a natural lake (or lakes) must not adversely impact the condition of the lake. Dredge and fill shall be prohibited. Development shall be prohibited within 75 feet of the landward extent of a lake.~~
- d. ~~Wellfields: Developments must be consistent with Policy 2.3.2 of the Conservation, Open Space and Groundwater Recharge Element.~~
- e. ~~Major Natural Groundwater Recharge Areas: Developments within this area must be consistent with Policies 2.3.3 and 2.3.5 of the Conservation, Open Space and Groundwater Recharge Element.~~
- f. ~~Upland Areas: Developments within an area identified as Upland must submit an ecological inventory of the parcel. Based on the inventory, development may be allowed on up to the maximum of 75 percent of the parcel.~~

- 10 -

Petition No. PB-11-75 CPA

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2 Policy 3.1.2 The City shall regulate development in Floridan high aquifer high
3 recharge areas that, at a minimum, meet the standards and guidelines
4 of the St. Johns River or Suwannee River Water Management Districts
5 as applicable and Policies 2.3.5 and 2.3.6 of the Conservation, Open
6 Space and Groundwater Recharge Element.

7

8 Section 4. Policy 3.2.4 is created and added to the Future Land Use Element of
9 the City of Gainesville Comprehensive Plan as stated below.

10

11 Policy 3.2.4 The City shall include protection of archaeological resources in its land
12 development regulations.

13

14 Section 5. The Environmentally Significant Land and Resources Map Series
15 within the Future Land Use Map Series is amended as stated below. Except as amended
16 herein, the remainder of the Environmentally Significant Land and Resources Map Series
17 remains in full force and effect.

18 The Uplands Map attached as Exhibit "A" to this ordinance is removed from the
19 Comprehensive Plan and is replaced with the Strategic Ecosystems Map attached to
20 this ordinance as Exhibit "B".

21

22 Section 6. It is the intent of the City Commission that the provisions of Sections 1
23 through 5 shall become and be made a part of the City of Gainesville Comprehensive Plan
24 and that the sections and paragraphs of this ordinance may be renumbered in order to
25 accomplish such intentions.

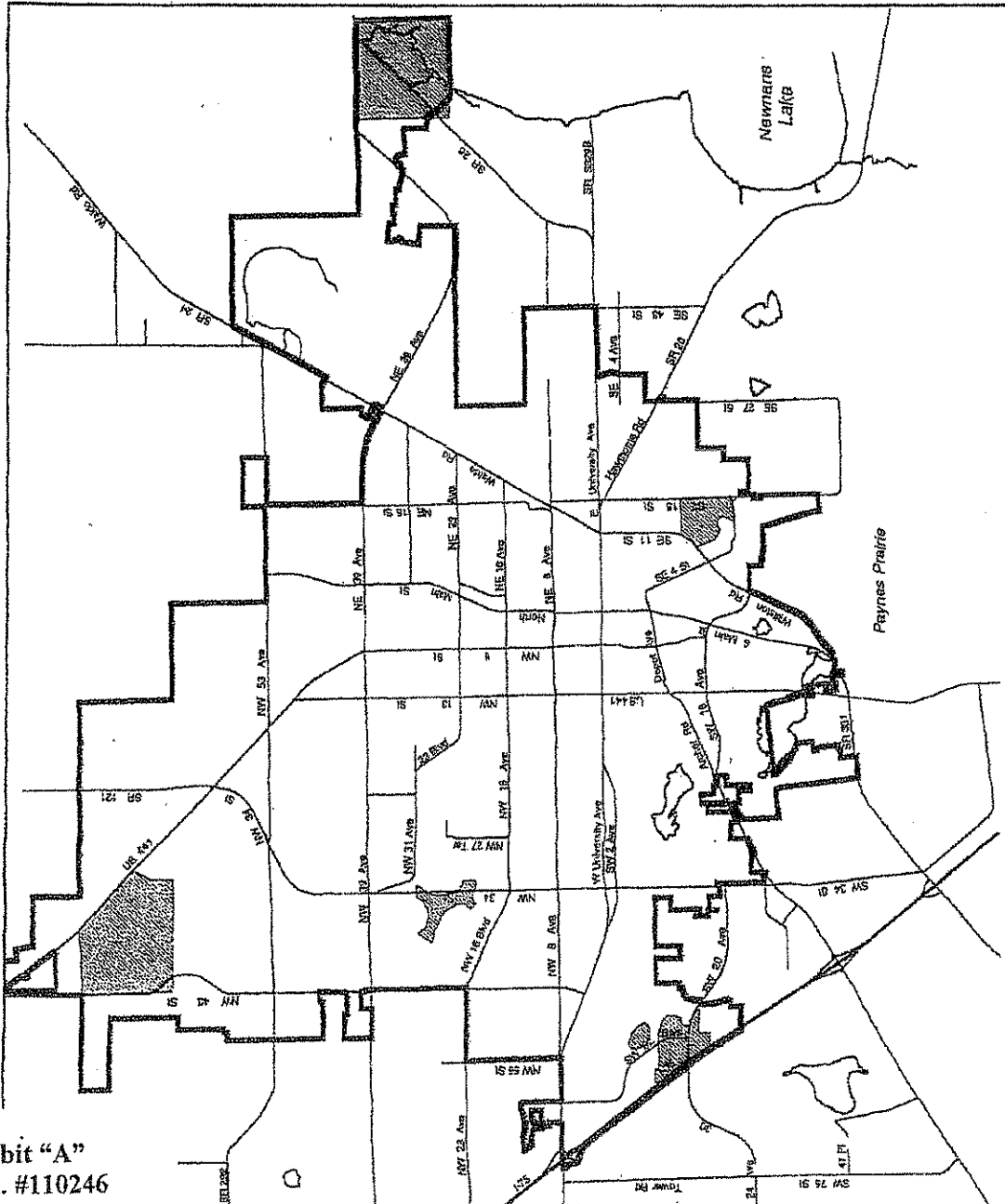
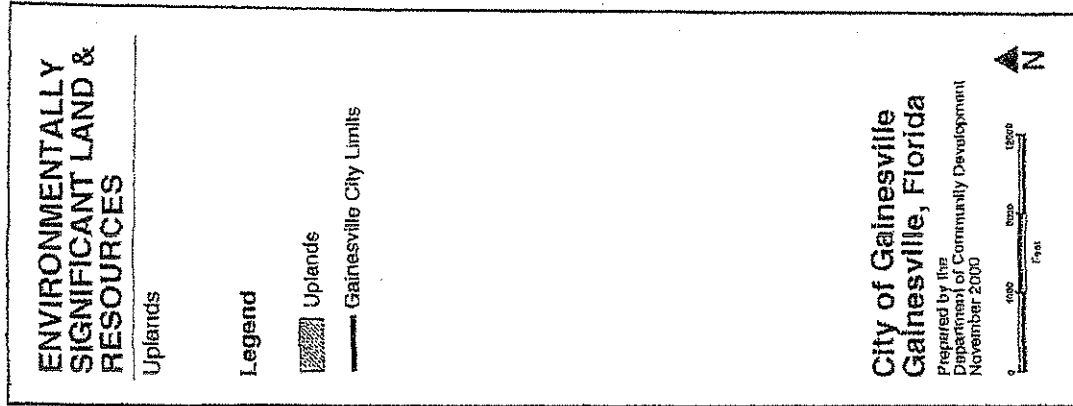
26 Section 7. The City Manager is authorized and directed to make the necessary
27 changes in the text, maps and other data in the City of Gainesville Comprehensive Plan, or
28 element, or portion thereof in order to fully implement this ordinance.

29 Section 8. Within 10 days of the transmittal (first) hearing, the City Manager is
30 authorized and directed to transmit a comprehensive plan amendment package, including this

- 11 -

Petition No. PB-11-75 CPA





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ENVIRONMENTALLY SIGNIFICANT LAND & RESOURCES

Strategic Ecosystems

Legend

-  Strategic Ecosystems: City Limits
-  Strategic Ecosystems: Urban Reserve
-  Gainesville City Limits
-  Designated Urban Reserve Area

City of Gainesville
Gainesville, Florida

Prepared by Planning
and Development Services
July 2011

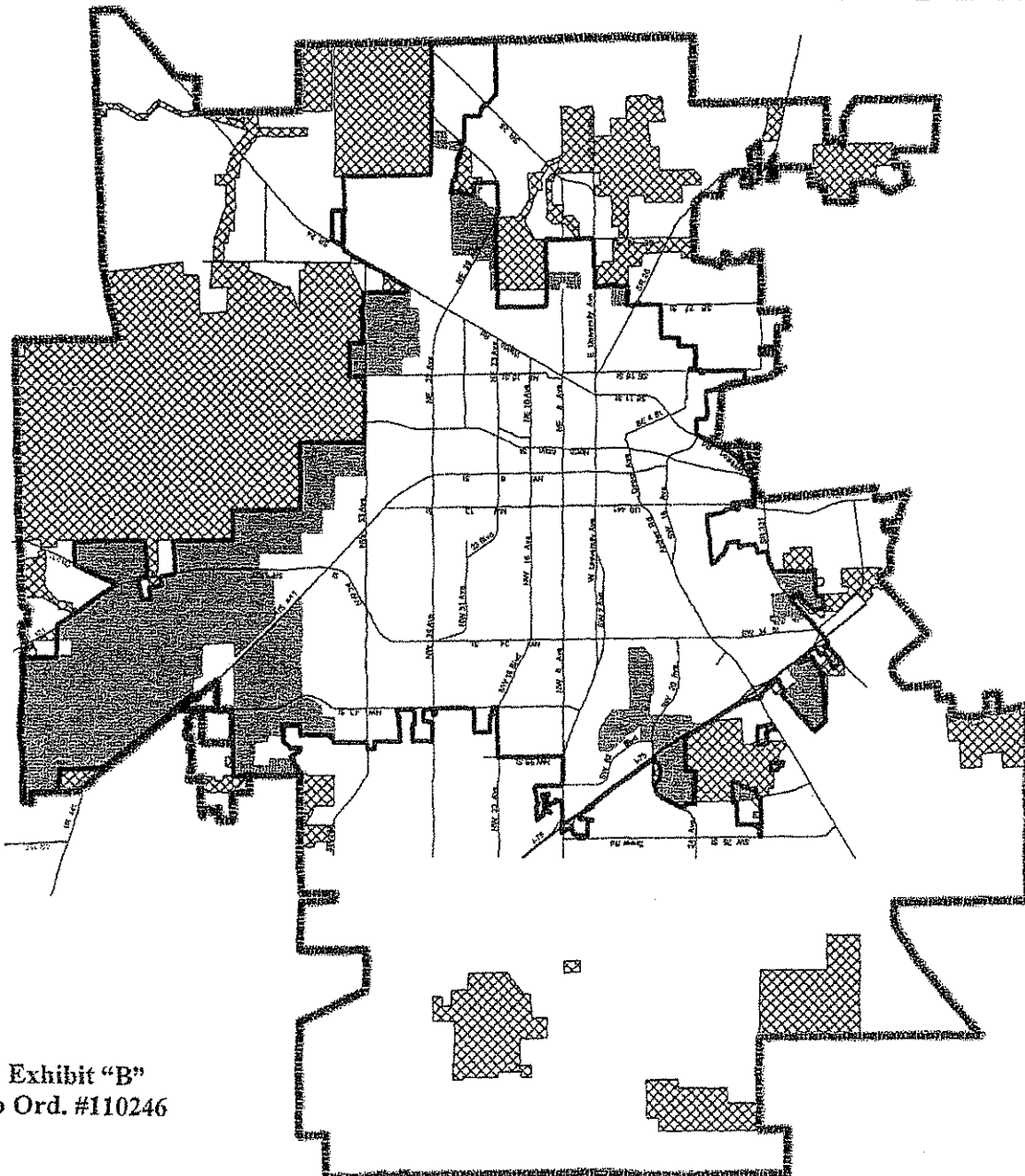


Exhibit "B"
to Ord. #110246

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8/23/2011

1 WHEREAS, public hearings were held pursuant to the published notices described
2 above at which hearings the parties in interest and all others had an opportunity to be and were,
3 in fact, heard; and

4 WHEREAS, prior to adoption of this ordinance, the City Commission has considered
5 written comments, if any were received, concerning this plan amendment.

6 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
7 CITY OF GAINESVILLE, FLORIDA:

8 Section 1. The Potable Water & Wastewater Element of the City of Gainesville 2000-
9 2010 Comprehensive Plan is amended by updating and amending the Objectives and Policies as
10 follows:

11 Potable Water and Wastewater Element

12 GOAL 1.

13 TO PROVIDE ADEQUATE, SAFE, ECONOMIC, RELIABLE AND ENVIRONMENTALLY
14 SOUND WATER AND WASTEWATER UTILITY SERVICES.

15 Objective 1.1 Water and wastewater services shall be provided at adequate levels of service
16 (LOS) to meet the needs of existing and future populations.

17 Policy 1.1.1 The following LOS standards shall be adopted for potable water:
18

- 19 a. Maximum Day (Peak) Design Flow: 200 gallons daily demand per capita
20 per day;
21
22 b. Storage Capacity: 1/2 of peak day volume in gallons. This requirement
23 may be met by a combination of storage and auxiliary power;
24
25 c. Pressure: The system shall be designed for a minimum pressure of 40 psig
26 under normal conditions. The system shall be designed to sustain a
27 minimum of 20 psig system-wide under peak hour conditions with fire
28 demands;
29
30 d. The City shall reserve potable water capacity for the annual water demand

-2-

Petition No. PB-11-93 CPA
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8/23/2011

projected by the City for the University of Florida and the power plants.

Policy 1.1.2 The following LOS standards shall be adopted for wastewater services:

Average Day Standard: 106 ~~143~~ gallons daily flow per capita. ~~Peak Standard:~~
~~123 gallons daily flow per capita;~~

Policy 1.1.3 The following LOS standard shall be adopted for water supply:

Average Daily Flow: 147 gallons per capita per day.

Policy 1.1.4 Within 18 months of the adoption of water supply plans by the St. Johns River Water and Suwannee River Water Management Districts, the City shall amend the Comprehensive Plan to:

- a. identify alternative and traditional water supply projects, and conservation and reuse measures that will meet the water needs identified in the water supply plans;
- b. incorporate a work plan for at least a 10-year planning period for the development of water supply projects that will meet the water needs identified in the water supply plans.

Policy 1.1.5~~3~~The City shall maintain forecasts of plant flow requirements and provide for plant capacity and other facility expansions in GRU's annually-updated, five-year capital budget to meet the LOS standards.

Policy 1.1.6~~4~~The City shall perform ongoing evaluations and studies to determine the water and wastewater systems' needs to meet the requirements of existing and future customers, with the LOS standards to be employed as minimum criteria. The City shall provide financial resources in GRU's operating and annually-updated, five-year capital budgets to renew, replace, improve and maintain the systems in accordance with prudent utility practice as defined in the Utilities System Revenue Bond Resolution (adopted June 6, 1983).

Policy 1.1.7~~5~~The City shall not commit to provide water or wastewater service if sufficient capacities or facilities to serve the proposed project cannot be made available at the time that the system impacts of the project will occur. The City shall maintain, as part of its Concurrency Management System, records of the expected amount of system demand from projects to which commitments are made and expected project lead and completion times in order to monitor capacity and facility requirements.

Policy 1.1.8~~6~~Every five years, the City shall hire independent and qualified consulting firms to

-3-

Petition No. PB-11-93 CPA

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8/23/2011

1 evaluate the condition of the water and wastewater systems and the adequacy of
2 the financial and facilities planning performed to maintain the system.

3
4 Objective 1.2

5
6 The City shall continue to upgrade and expand water/wastewater facilities, as shown in the
7 policies below and in the 5-Year Schedule of Capital Improvements, to meet established LOS
8 standards. The City shall give priority to correcting existing deficiencies in levels of service
9 prior to expanding facilities to new, unserved areas.
10

11 ~~Policy 1.2.1 The Kanapaha Water Reclamation Facility capacity shall be increased to 14.9~~
12 ~~mgd by the end of FY 2002/2003, as shown in the 5-Year Schedule of Capital~~
13 ~~Improvements~~

14
15 Objective 1.3

16
17 The City shall provide potable water and wastewater services throughout the urban area in an
18 efficient and economical manner, with the cost of service expansion being borne by those
19 requiring such expansion. Upon Plan adoption, the City of Gainesville, as the urban area service
20 provider of potable water and wastewater through Gainesville Regional Utilities, shall coordinate
21 the extension and increases in capacity of potable water and wastewater facilities outside of city
22 limits through policies established in the Alachua County Comprehensive Plan.
23

24 Policy 1.3.1 In order to discourage urban sprawl, Gainesville Regional Utilities shall extend
25 potable water and wastewater facilities outside city limits in accordance with
26 policies in the Alachua County Comprehensive Plan.
27

28 Policy 1.3.2 The City shall encourage development of property in close proximity to existing
29 service areas through the continued use of appropriate economic incentives
30 concerning the extension of water and wastewater services as listed below:
31

32 a. The City shall continue its policy of having all new water and wastewater
33 service connections pay the fully allocated cost of the treatment facilities
34 required to serve them in the form of plant connection fees, and the cost of
35 distribution or collection facilities, unless the service is on a developer-
36 installed system;
37

38 b. The City shall continue its policy of having development contribute the water
39 and wastewater distribution and collection system internal to a development.
40 Contributions in aid of construction are paid if the City does not project an
41 adequate return on investment for water distribution or wastewater collection
42 system extensions;
43

-4-

Petition No. PB-11-93 CPA

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8/23/2011

- 1 c. The City shall continue its policy that all facilities constructed and
2 contributed to the utility system must be approved, inspected and built to
3 City standards.
4

5 Policy 1.3.3 The City shall not reserve potable water or wastewater capacity outside of city
6 limits without a determination that the development order is consistent with the
7 Future Land Use Element of Alachua County.
8

9 Objective 1.4

10
11 The use of existing water and wastewater facilities shall be maximized by adopting the following
12 policies:
13

14 Policy 1.4.1 All new developments at equivalent residential densities greater than 2 units per
15 acre that require potable water, within the City of Gainesville, shall be required to
16 connect to the centralized potable water system except as specified in Policy
17 1.4.5. Equivalent development densities shall be determined as estimated by
18 Gainesville Regional Utilities.
19

20 Policy 1.4.2 All new developments at equivalent residential densities greater than 2 units per
21 acre that require wastewater treatment, within the City of Gainesville, shall be
22 required to connect to the centralized wastewater system except as specified in
23 Policies 1.4.4 and 1.4.5. Equivalent development densities shall be determined as
24 estimated by Gainesville Regional Utilities. Non-residential development
25 proposed to be on septic tanks must demonstrate that it will not dispose of toxic,
26 hazardous, or industrial waste in the septic tank.
27

28 Policy 1.4.3 Industrial pre-treatment plants shall be allowed.
29

30 Policy 1.4.4 New construction of package wastewater plants must meet the relevant standards
31 established by the State of Florida and the Federal government and must connect
32 to central wastewater treatment facilities within 5 years of central wastewater
33 facilities becoming available. New package plants shall be permitted only when:
34

- 35 a. The developer of such temporary package treatment plant is required to enter
36 into a legally binding agreement that dedicates and assigns responsibility for
37 the proper maintenance and operation of the plant to an appropriate agency of
38 local government; and
39

- 40 b. Such agreement shall provide adequate compensation by the developer to the
41 local government agency for the proper operation and maintenance of the
42 plant; and
43

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8/23/2011

- c. The package plant is approved by the appropriate government agency assigned plant operation and maintenance as meeting standards for design, operation and maintenance.

Policy 1.4.5 New development of existing lots in platted subdivisions and other existing legal lots of record shall be excluded from the requirements stated in Policies 1.4.1 and 1.4.2 unless there are existing distribution or collection facilities in the right-of-way or easements abutting the property.

Policy 1.4.6 The City shall continue its connection charge installment program, as outlined in the Code of Ordinances, to encourage users to abandon wells and/or package or on-site wastewater treatment systems and to connect to the centralized potable water and wastewater systems.

Objective 1.5

Recognizing the importance of potable water supplies, the City shall encourage water conservation through the programs and methods listed below:

Policy 1.5.1 The City shall continue to offer water conservation education and information to residential and non-residential customers through its Energy/Water Survey Program.

Policy 1.5.2 The City shall continue to minimize water losses from unaccounted sources through its ongoing water loss reduction program.

Policy 1.5.3 The City shall continue its policy of conservation rate structure ~~inverted block rate residential water charges during the peak irrigation months of April through October,~~ as an economic means of promoting water conservation throughout the year.

~~Policy 1.5.4 The City shall continue its policy of providing lists of vegetation classified by water demand to public agencies, residents and developers.~~

Policy 1.5.45 The City shall continue to include water conservation techniques, including "Florida Friendly" landscaping ~~water saving~~, in the City's landscape ordinance.

Policy 1.5.56 The City shall continue to offer free water conservation information as part of at least one utility billing statement per year.

Policy 1.5.67 The City shall require ~~encourage~~ the use of reclaimed water in reclaimed water service areas ~~where it is economically feasible.~~

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8/23/2011

~~Policy 1.5.8 By September 2000, Gainesville Regional Utilities shall create a guide to reclaimed water use that includes information about how to plan and design for reclaimed water distribution systems.~~

Policy 1.5.7 The City shall continue to require low-volume plumbing devices, consistent with applicable building codes.

Policy 1.5.8 The City will work with Alachua County and the water management districts to develop a model ordinance or plan to better regulate private irrigation wells.

Policy 1.5.9 The City will conserve water on City properties by maximizing the use of "Florida Friendly" landscaping to the extent feasible in new landscaping projects.

Section 2. The City Manager is authorized and directed to make the necessary changes in the text, maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or portion thereof in order to fully implement this ordinance.

Section 3. It is the intent of the City Commission that the provisions of Section 1 shall become and be made a part of the City of Gainesville 2000-2010 Comprehensive Plan and that the sections and paragraphs of this ordinance may be renumbered in order to accomplish such intentions.

Section 4. Within 10 days of the transmittal (first) hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment package, including this ordinance, to the Reviewing Agencies and to any other local government unit or state agency that has filed a written request for same with the City. Within 10 days of the adoption (second) hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment package, including this ordinance, to the State Land Planning Agency and to any other Reviewing Agency, local government unit or state agency that filed written comments with the City.

-7-

Petition No. PB-11-93 CPA

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9/12/2011

1 held at the adoption stage at least five (5) days after the day the second advertisement was
2 published; and

3 WHEREAS, public hearings were held pursuant to the published notices described
4 above at which hearings the parties in interest and all others had an opportunity to be and were,
5 in fact, heard; and

6 WHEREAS, prior to adoption of this ordinance, the City Commission has considered
7 written comments, if any were received, concerning this plan amendment .

8 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
9 CITY OF GAINESVILLE, FLORIDA:

10 Section 1. The Future Land Use Element of the City of Gainesville 2000-2010
11 Comprehensive Plan is updated and amended by adopting a new Objective 2.2 and Policies 2.2.1
12 thru 2.2.5, to read as follows:

Future Land Use Element

GOAL 2

15 REDEVELOP AREAS WITHIN THE CITY, AS NEEDED, IN A MANNER THAT PROMOTES
16 QUALITY OF LIFE, TRANSPORTATION CHOICE, A HEALTHY ECONOMY, AND
17 DISCOURAGES SPRAWL.

Objective 2.2

21 The City shall work with community partners such as the University of Florida, Santa Fe
22 Community College, the Gainesville Area Chamber of Commerce, Alachua County, and the School
23 Board of Alachua County to help develop the Innovative Economy within the non-residential areas
24 of the Gainesville Innovation Zone (Note: The Innovation Zone map is part of the Future Land Use
25 Map Series). For purposes of this objective, Innovative Economy means those technology firms
26 and/or entities that bring a new process or technique to the production process and that are often, but
27 not exclusively, related in some manner to University driven research, and are generally represented
28 by sectors such as Agritechnology, Aviation and Aerospace, Information Technology, Life Sciences
29 and Medical Technology.
30

-2-

Petition No. PB-11-103 CPA

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9/12/2011

- 1 2.2.1 The City shall use the City's Strategic/Action Plan for Economic Development and shall
2 work with its community partners on the Economic Development University Community
3 Committee (EDUCC) to encourage development of the Gainesville Innovation Zone.
4
- 5 2.2.2 The City shall review the comprehensive plan and the land development code on a bi-annual
6 basis with respect to the appropriate development of the Gainesville Innovation Zone.
7 Should such review conclude that any amendments to the comprehensive plan or land
8 development code pertaining to the Gainesville Innovation Zone are needed, the City shall
9 draft such amendments and present them to the City Plan Board.
10
- 11 2.2.3 The City shall work to ensure that adequate public infrastructure is in place for development
12 of the Gainesville Innovation Zone.
13
- 14 2.2.4 The City shall work to ensure that pertinent local, state and federal incentive programs are
15 made available to those seeking Innovative Economy development opportunities.
16
- 17 2.2.5 The City shall work to ensure that negative impacts resulting from Innovative Economy
18 development within the Gainesville Innovation Zone are minimized, particularly with
19 respect to adjacent residential areas.
20

21 **Section 2.** The City Manager is authorized and directed to make the necessary changes
22 in the text, maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or
23 element, or portion thereof in order to fully implement this ordinance.

24 **Section 3.** It is the intent of the City Commission that the provisions of Section 1 shall
25 become and be made a part of the City of Gainesville 2000-2010 Comprehensive Plan and that
26 the sections and paragraphs of this ordinance may be renumbered in order to accomplish such
27 intentions.

28 **Section 4.** Within 10 days of the transmittal (first) hearing, the City Manager is authorized
29 and directed to transmit a comprehensive plan amendment package, including this ordinance, to the
30 Reviewing Agencies and to any other local government unit or state agency that has filed a written
31 request for same with the City. Within 10 days of the adoption (second) hearing, the City Manager
32 is authorized and directed to transmit a comprehensive plan amendment package, including this

-3-

Petition No. PB-11-103 CPA

CODE: Words underlined are additions.



St. Johns River Water Management District

Hans G. Tanzler III, Executive Director • David W. Fisk, Assistant Executive Director

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

November 10, 2011

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

Re: City of Gainesville Proposed Comprehensive Plan Amendment #11-3ESR

Dear Mr. Mimms:

St. Johns River Water Management District (District) staff have reviewed the above-referenced proposed comprehensive plan amendment. The amendment consists of three future land use map (FLUM) changes and numerous text changes. 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*. District staff did not identify any adverse impacts to important state resources and facilities. However, technical assistance comments relative to FLUM change PB-11-47 LUC are provided below regarding surface water.

Technical assistance – surface water

According to District maps, the property that is subject to FLUM change PB-11-47 LUC is located within the District's Sensitive Karst Area Hydrologic 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Fitzgibbons', written over a horizontal line.

Steve Fitzgibbons, AICP, Intergovernmental Planner
Office of Communications and Intergovernmental Programs

cc: Ray Eubanks, Florida Department of Economic Opportunity
Ana Richmond, Florida Department of Economic Opportunity
Scott Koons, North Central Florida Regional Planning Council
Jim Quinn, Florida Department of Environmental Protection

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Commissioner of Education



November 16, 2011

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 and lazzarior@cityofgainesville.org

Dear Mr. Mimms and Ms. Lazzari:

Re: Gainesville 11-3ESR

Thank you for the opportunity to review the city's proposed 11-3 ESR plan amendment package, which the Florida Department of Education received on October 26, 2011. 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.

Because the amendments include proposed map and policy revisions that do not appear to adversely impact public school facilities capacity or sites, I offer no comment.

Again, thank you for the opportunity to review and comment. If you have questions about this letter, or if I may be of assistance in the future, please contact me at (850)245-9312 or 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

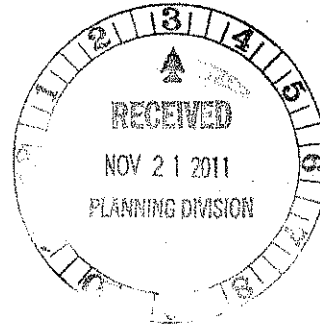
THOMAS H. INSERRA
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES

Rick Scott
GOVERNOR



Doug Darling
EXECUTIVE DIRECTOR

November 16, 2011



The Honorable Craig Lowe
Mayor, City of Gainesville
Post Office Box 490, Station 19
Gainesville, Florida 32627-0490

Dear Mayor Lowe:

The State Land Planning Agency (the Agency) has completed its review of the proposed comprehensive plan amendment for the City of Gainesville (Amendment No.11-3ESR) which was received on October 26, 2011. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Agency'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 regarding the proposed amendment. These reviewing agency comments could form the basis for a challenge by this Agency.

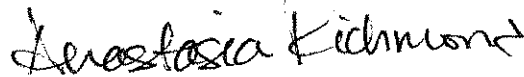
If other reviewing agencies provide comments, we recommend that the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments may form the basis for a challenge to the amendment after adoption. The City should act by choosing to adopt, adopt with changes, 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 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 attached procedures for adoption and transmittal of the comprehensive plan amendment.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120
850.245.7105 TTY/TDD 1-800-955-8771 Voice 1-800-955-8770 FloridaJobs.org

The Honorable Craig Lowe
November 16, 2011
Page 2 of 2

If you have any questions, please call Valerie Jenkins, at (850) 717-8493, or by email at valerie.jenkins@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink that reads "Anastasia Richmond". The signature is written in a cursive, flowing style.

Anastasia Richmond
Regional Planning Administrator

AR/vj

Enclosure: Procedures for Adoption

cc: Ms. Onelia Lazzari, AICP, Principal Planner, City of Gainesville
Mr. Scott 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;

_____ 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 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. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ 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.