

**LEGISLATIVE #**

**120209A**



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2009 NW 67th Place, Gainesville, FL 32653-1603 • 352.955.2200

December 17, 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-11-49 LUC, PB-11-51 LUC, PB-12-58 CPA, and PB-12-72 CPA

Dear Dean:

At its regularly scheduled meeting held December 13, 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: 12/13/12  
Amendment Type: Draft Amendments

Regional Planning Council Item No.: 17  
Local Government: Gainesville  
Local Government Items No. PB 11-49 LUC,  
PB 11-51 LUC, PB-12-58 CPA, &  
PB-12-72 CPA  
State Land Planning Agency Item No.: 12-5ESR

Date Mailed to Local Government and State Land Planning Agency: 12/14/12

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 11-49 LUC amends the City Future Land Use Map of the City Comprehensive Plan by reclassifying 24 acres of recently annexed lands from various County residential, and industrial land use categories, as well as County Recreation and County Tourist/Entertainment land use categories to City Commercial and Office land use categories (see attached).

City item PB 11-51 LUC amends the City Future Land Use Map of the City Comprehensive Plan by reclassifying approximately 285 acres of recently annexed lands from various County residential, and industrial land use categories, as well as the County Institutional land use category to City Commercial, Industrial, Business Industrial, Conservation, Public Facilities, and Planned Use District land use categories (see attached).

City item PB 12-58 CPA amends Future Land Use Element Policy 3.1.5 as well as Stormwater Management Element Policies 1.1.1, 1.3.1, 1.3.5, 1.3.8, 1.3.10, 1.5.2. The item also deletes Stormwater Management Element Objective 1.11 as well as its associated policies from the Stormwater Management Element (see attached).

City item PB 12-72 deletes Intergovernmental Coordination Element Policy 1.6.3 (see attached). The local government data and analysis report indicates the policy is duplicative of the existing Recreation Element Policies 1.3.2 and 1.3.3.

**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 a result of the amendments. The subject properties of City items PB 11-49 LUC and PB 11-51 LUC are within one-half mile of Interstate Highway 75 and State Road 121 (Williston Road), both of which are identified in the regional plan as part of the Regional Road Network. The local government data and analysis reports for City items PB 11-49 LUC and PB 11-51 L:UC note that the amendments do not result in a substantial increase in intensity or density of use. Additionally, the subject properties are located within the City Transportation Concurrency Exception Area. Finally, the City Comprehensive Plan contains Transportation Planning Best Practices policies consistent with regional plan Policy 5.1.1. As a result, potential adverse impacts to the Regional Road network are adequately mitigated.

City item PB 12-58 CPA deletes references to obsolete flood control planning maps and updates appropriate state law references regarding stormwater management facility design, performance standards, and water quality regulations. Significant adverse impacts are not anticipated to occur to regional resources or facilities as the City item does not result in an increase in intensity or density of use.

Since City item PB 12-72 CPA deletes Intergovernmental Coordination Element Policy 1.6.3 which duplicates City Recreation Element Policies 1.3.2 and 1.3.3, no change is made to the policy direction of the City plan. Therefore, no significant adverse impacts are anticipated to occur to regional facilities, regional resources as a result of the amendment.

**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.

Request a copy of the adopted version of the amendments?

Yes _____	No _____
Not Applicable	_____X_____

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

**Action: At its December 13, 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).

December 7, 2012

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 #13-1ESR

Dear Mr. Mimms:

St. Johns River Water Management District (District) staff have reviewed the above-referenced proposed comprehensive plan amendment. District staff review, as outlined in *Florida Statutes*, 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 that will be adversely impacted by the amendment if adopted. District staff have no comments on the proposed amendment because no adverse impacts to important state resources and facilities were identified. However, technical assistance related to surface water is provided below.

### Technical assistance

According to District maps, the properties that are the subject of FLUM changes PB-11-49 LUC and PB-11-51 LUC are located within the District's Sensitive Karst Areas Basin. Please note that any environmental resource permit (ERP) application for these properties must meet the District's additional surface water management basin criteria in Rule 40C-41, *Florida Administrative Code*, in addition to the basic ERP criteria in other rules.

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

Sincerely,

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

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

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# Florida Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

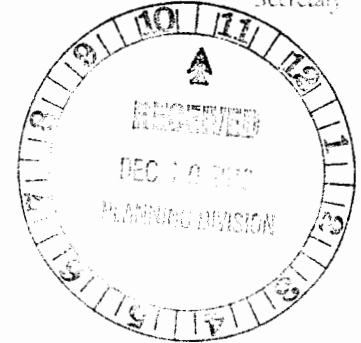
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Secretary

December 7, 2012

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



## **Re: Proposed City of Gainesville 13-1ESR; Comprehensive Plan Amendment Review**

Dear Mr. Mimms:

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment under the procedures 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; water and wastewater treatment; and, where applicable, the Everglades ecosystem.

Based on our review of the proposed amendment, the Department has found no provision that requires comment under laws that form the basis of the Department's jurisdiction. Thank you for the opportunity to comment on the proposed amendment package. Should you have any questions or require further assistance, please call me at (850) 245-2182.

Sincerely,

*Robin Branda*

Robin Branda  
Environmental Specialist III  
Office of Intergovernmental Programs

/rsb

Rick Scott  
GOVERNOR



Darrick D. McGhee  
INTERIM EXECUTIVE DIRECTOR

**FLORIDA DEPARTMENT *of*  
ECONOMIC OPPORTUNITY**

December 20, 2012

The Honorable Craig Lowe  
Mayor, City of Gainesville  
Post Office Box 490, Station 11  
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. 13-1ESR), amending the Future Land Use Element, Stormwater Management Element, Intergovernmental Coordination Element, and the Future Land Use Map which was received on November 26, 2012. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments 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.

We are, however, providing an advisory comment regarding an amendment to the Future Land Use Map. The proposed Office land use category designated for the 24-acre property is not consistent with Section 163.3177(6)(a), F.S., because it does not establish the intensity standard to be used to control development in this land use category. Therefore, the City should consider either a floor area ratio or impervious surface ratio with building height.

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 reviewing agency 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.

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

Sincerely,

A handwritten signature in black ink that reads "Anastasia Richmond". The signature is written in a cursive style with a large initial 'A'.

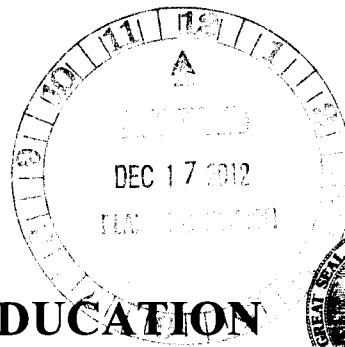
Anastasia Richmond  
Regional Planning Administrator

AR/vj

Enclosure: Procedures for Adoption

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





# FLORIDA DEPARTMENT OF EDUCATION

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December 11, 2012

Ms. Onelia Lazzari, AICP, Principal Planner  
Mr. Dean Mimms, AICP, Lead 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 Ms. Lazzari and Mr. Mimms:

Re: Gainesville 13-1ESR

Thank you for the opportunity to review the City of Gainesville's 13-1 ESR amendment package, which the Florida Department of Education received on November 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 the potential to create adverse effects on public school facilities.

The package includes four amendments, three of which do not appear to have the potential to affect public school facility capacity or sites. The department offers no comment on the following amendments: PB-11-51-LUC/120222; PB 12-58-CPA/120209; and PB-12-72-CPA/120234.

The amendment numbered PB-11-49LUC/120221 appears to have the potential to increase residential density by up to 460 dwelling units. The transmittal package does not document prior coordination with the Alachua County school district or include an analysis of the potential effects on public school facilities as required by Sections 163.3177(6)(a)2.d. and 8.b., and 163.31777, F.S.; Section 3.b. of the draft Public Schools Interlocal Agreement dated October 30, 2012; and Objective 1.1, policy 1.1.2 of the city's public school facilities element.

THOMAS H. INSERRA  
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES

Ms. Onelia Lazzari, AICP  
Mr. Dean Mimms, AICP  
December 11, 2012  
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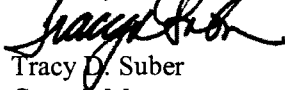
Supplemental information provided by Ms. Lazzari by e-mail correspondence on November 27, 2012, indicates a low probability of development for residential uses due to interest in office development as a buffer and the presence of a strategic ecosystem on the parcel. Nevertheless, the support documentation establishes for the record that residential use at up to 20 units per acre is permissible and does not evidence the city's or applicant's intent to restrict future residential development of the parcel. Therefore, to meet the requirements of Sections 163.3177(6)(a)2.d. and 163.3177(6)(a)8.a., F.S., analysis of the adequacy of educational facility capacity is appropriate.

Based on the potential maximum density allowed by the proposed amendment, student generation rates, and school capacity data provided by the Alachua County school district on November 30, 2012, it appears that sufficient school capacity can reasonably be expected to be available to meet the potential increase in demand through the end of the short-term planning period. Prior to adoption, the city and the Alachua County school district should complete analysis of the effects of the amendment on public school capacity to confirm this conclusion.

To assist the department in providing an expedited review of future proposed plan amendments that may affect public school capacity or sites, please complete coordination with the school district prior to transmitting amendments for state review. By including the school district's analysis with the support documents, the city will further assist the department in providing a timely review.

If I can be of assistance, please call (850) 245-9312 or write to [Tracy.Suber@fldoe.org](mailto:Tracy.Suber@fldoe.org).

Sincerely,



Tracy D. Suber  
Growth Management and Facilities Policy Liaison

TDS/

cc: Ms. Vicki McGrath, Alachua County School District  
Dr. Gene Boles, FAICP  
Ms. Ana Richmond and Ms. Valerie Jenkins, DEO/State Land Planning Agency