

#071188



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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November 6, 2008



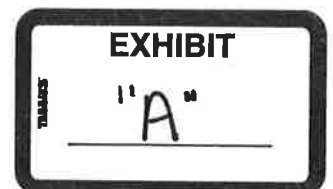
The Honorable Pegeen Hanrahan
Mayor, City of Gainesville
Post Office Box 490, Station 19
Gainesville, Florida 32601-0490

Dear Mayor Hanrahan:

The Department has completed its review of the proposed Comprehensive Plan Amendment for the City of Gainesville (DCA 08-2), which was received on September 10, 2008. Based on Chapter 163, Florida Statutes, we have prepared the attached report, which outlines our findings concerning the amendment. It is particularly important that the City address the 'objections' set forth in our review report so that these issues can be successfully resolved prior to adoption. We have also included a copy of local, regional and state agency comments for your consideration. Within the next 60 days, the City should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The amendment package consists of a three Future Land Use Map Amendments. The Department does not have conceptual issues with the amendments; however, we do have a concern as outlined in the attached report. Our objection relates to the need for the City to include an intensity standard for the Industrial future land use category.

I believe the concerns outlined in our report can be resolved in a straight forward manner. We are available to work with your staff to assist the City in responding to our report and developing a mutually acceptable solution.



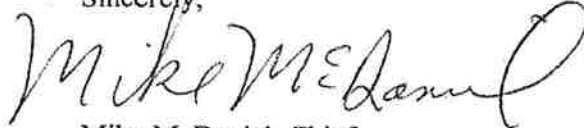
2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-468-7956 (p) 850-922-5623 (f) ♦

The Honorable Pegeen Hanrahan
November 6, 2008
Page 2

If you, or your staff, have any questions or if we may be of further assistance as you formulate your response to this Report, please contact Ana Richmond, Principal Planner, via email at anastasia.richmond@dca.state.fl.us or by phone at (850) 922-1794.

Sincerely,

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

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/ar

Enclosures: Objections, Recommendations and Comments Report
Review Agency Comments

cc: Mr. Scott Koons, AICP, Executive Director, North Central Florida Regional Planning Council
Mr. Dean Mimms, AICP, Chief of Comprehensive Planning City of Gainesville

TRANSMITTAL PROCEDURES

The process for adoption of local comprehensive plan amendments is outlined in s. 163.3184, Florida Statutes, and Rule 9J-11.011, Florida Administrative Code.

Within ten working days of the date of adoption, the City must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Mr. Scott Koons, AICP, Executive Director of the North Central Florida Regional Planning Council.

Please be advised that the Florida legislature amended Section 163.3184(8)(b), F.S., requiring the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish to the Department the names and addresses of the citizens requesting this information. This list is to be submitted at the time of transmittal of the adopted plan amendment.

DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR THE CITY OF GAINESVILLE
COMPREHENSIVE PLAN AMENDMENT 08-2

November 6, 2008
Division of Community Planning
Office of Local Planning

This report is prepared pursuant to Rule 9J-11.010, F.A.C.

INTRODUCTION

The following objections, recommendations and comments are based upon the Department's review of the City of Gainesville's proposed amendment to their comprehensive plan (DCA number 08-2) pursuant to Chapter 163.3184, Florida Statutes (F.S.).

The objections relate to specific requirements of relevant portions of Rule 9J-5, Florida Administrative Code (F.A.C.), and Chapter 163, Part II, F.S. Each objection includes a recommendation of one approach that might be taken to address the cited objection. Other approaches may be more suitable in specific situations. Some of these objections may have initially been raised by one of the other external review agencies. If there is a difference between the Department's objection and the external agency advisory objection or comment, the Department's objection would take precedence.

Each of these objections must be addressed by the local government and corrected when the amendment is resubmitted for our compliance review. Objections, which are not addressed, may result in a determination that the amendment is not in compliance. The Department may have raised an objection regarding missing data and analysis items, which the local government considers not applicable to its amendment. If that is the case, a statement justifying its non-applicability pursuant to Rule 9J-5.002(2), F.A.C., must be submitted. The Department will make a determination on the non-applicability of the requirement, and if the justification is sufficient, the objection will be considered addressed.

The comments, which follow the objections and recommendations section, are advisory in nature. Comments will not form bases of a determination of non-compliance. They are included to call attention to items raised by our reviewers. The comments can be substantive, concerning planning principles, methodology or logic, as well as editorial in nature dealing with grammar, organization, mapping, and reader comprehension.

Appended to the back of the Department's report are the comment letters from the other state review agencies and other agencies, organizations and individuals. These comments are advisory to the Department and may not form bases of Departmental objections unless they appear under the "Objections" heading in this report.

OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

FOR THE CITY OF GAINESVILLE

PROPOSED COMPREHENSIVE PLAN AMENDMENT 08-2

I. CONSISTENCY WITH CHAPTER 163, F.S. and RULE 9J-5, F.A.C.

A. Future Land Use Map

The City has proposed to convert two amendment sites recently annexed from Alachua County from Alachua County Heavy Industrial to City of Gainesville Industrial.

1. Objection: The City has proposed to convert amendment sites 071187 and 071188 to the Industrial future land use category; however the category does not have an intensity standard. Rule 9J-5.006(3)(c), F.A.C., requires the establishment of standards for densities or intensities of use for each future land use category.

[Sections 163.3177(6)(a), F.S. and Rules 9J-5.005(6), 9J-5.006(3)(c)7., F.A.C.]

Recommendation: The City should revise the policy to establish a standard for intensity of land use for the Industrial future land use category. Possible standards for non-residential standards include the use of floor area ratios (FARs) or impervious surface ratios (ISRs), based on square feet per acre, in combination with building height limitations and types of uses allowed.

B. Consistency with the State Comprehensive Plan

1. Objection related to the Institutional future land use category (Ordinances 071187 and 071188): The proposed plan amendments are not consistent with and do not further the following goal and policy of the State Comprehensive Plan [Section 187.201, F.S.]:

(25) Plan Implementation, Goal (a) and Policy (b)7.

Recommendation: Revise the amendments, as necessary, to be consistent with the above referenced goals and policies of the State Comprehensive Plan. Specific recommendations can be found following the objection cited previously in this report



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 3, 2008

Mr. D. Ray Eubanks
Plan Review and DRI Processing Team
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: City of Gainesville; 08-2 Comprehensive Plan Review

Dear Mr. Eubanks:

On behalf of the Department of Environmental Protection, the Office of Intergovernmental Programs has reviewed the above referenced proposed comprehensive plan amendment in accordance with the provisions of Chapter 163, *Florida Statutes*. As required by law, the scope of our comments and recommendations is limited to the environmental suitability of the proposed changes in light of the Department's regulatory and proprietary responsibilities. Based on our review of the proposed amendment, the Department has found no provision that requires comment, recommendation or objection under the laws that form the basis of the Department's jurisdiction and authority.

Thank you for the opportunity to comment on this proposal. If I may be of further assistance, please call me at (850) 245-2182.

Sincerely,

Robin Branda

Robin Branda
Environmental Specialist III
Office of Intergovernmental Programs

rsb



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

10/9/08

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

3 SP

October 8, 2008

Mr. D. Ray Eubanks
Plan Review and Processing Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100



RE: City of Gainesville Proposed Comprehensive Plan Amendment
DCA Amendment #08-2

Dear Mr. Eubanks:

St. Johns River Water Management District (District) planning staff have reviewed the above-referenced proposed comprehensive plan amendment. The proposed amendment consists of three changes to the future land use map. District staff review focuses on water supply availability and related water resource issues in an effort to link land use planning and water supply planning. In the review of water supply availability, District staff consider infrastructure, permitted allocation under District-issued consumptive use permit (CUP), and source. District staff comments are provided below.

Gainesville Regional Utilities (GRU) is identified as the potable water supplier for each land use change. The proposed land use changes will not result in an increase in potable water demand on GRU's potable water system; therefore, no substantial water supply availability or related water resource issues were identified.

According to District maps, the land use changes identified by the City as 23LUC-08PB and 21LUC-08PB are located within the 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 Chapter 40C-41, *Florida Administrative Code*.

We appreciate the opportunity to provide comments. If you have any questions or need additional information, please contact District Policy Analyst Cathleen Foerster, AICP, at (386) 329-4436 or cfoerste@sjrwmd.com.

Sincerely,

Cathleen Foerster, AICP, Policy Analyst
Office of Communications and Governmental Affairs

/cf

GOVERNMENT BOARD

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- Mark G. Lauder III

Letter to D. Ray Eubanks
October 8, 2008
Page 2 of 2

cc: Dean Mims, City of Gainesville
Scott Koons, NCFRPC
Jim Quinn, FDEP
Malissa Dillon, SJRWMD
Geoff Sample, SJRWMD

3 SP



"Chapman, Austin"
<Austin.Chapman@dot.state.fl.us>

10/02/2008 04:20 PM

To "Ray.Eubanks@dca.state.fl.us"
<Ray.Eubanks@dca.state.fl.us>
cc "Hill, Thomas" <Thomas.Hill@dot.state.fl.us>

bcc

Subject Gainesville 08-2

Mr. Eubanks,
Please accept the following comments for Gainesville 08-2. Each attachment is comments to an individual local ordinance. If you have any questions, please contact me.

Thanks,

Austin Chapman
Professional Engineer Trainee
Urban Area Planning (MS 2812)
Florida Department of Transportation D-2
Austin.Chapman@dot.state.fl.us
(904)360-5653 (office)



Gainesville 08-2;071187.doc Gainesville 08-2;071188.doc Gainesville 08-2;071189.doc



Florida Department of Transportation

District-II

2198 Edison Avenue

Jacksonville, Florida 32204

Comprehensive Plan Amendment Review

To: Department of Community Affairs
Ray Eubanks

From: Austin Chapman for:
Thomas Hill, Growth Management Administrator

Date: October 02, 2008

Local Government: City of Gainesville (Alachua)

Amendment #: DCA-Gainesville 08-2;
Local Ordinance # 071187

Proposed FLUM Amendments

FDOT has reviewed the City of Gainesville Proposed Future Land Use Map and Text Amendments of the Comprehensive Plan in accordance with the requirements of Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5 & Chapter 9J-11, F.A.C. This amendment package contains three (3) proposed Future Land Use Map Amendments. The Department offers the following comments/ recommendations for your consideration in reviewing this amendment package.

Proposed Future Land Use Map Amendment (071187)

Land Use Designation:

The land is currently designated as Alachua County Heavy Industrial with a proposal to change the designation of the site to 51.5 acres of City of Gainesville Industrial.

Location:

The property is located in northeast Gainesville, adjacent and to the east of SR 24 (Waldo Road)

Access:

The current access is expected to remain.

FDOT Comments:

This land-use amendment was necessitated by the annexation of this property into Gainesville. FDOT agrees that the city designation of industrial is the closest land use to the existing county designation of heavy industrial. The FDOT appreciates the applicant's clarification for all involved stating "The subject property is outside the Gainesville Transportation Concurrency Exception Area. Any new development therefore must meet the adopted roadway level of service standards or sign a Proportionate Fair-Share agreement for transportation concurrency."

Thank you for coordinating the review of the above mentioned amendments with FDOT. If you have any questions, please do not hesitate to contact me: Austin Chapman at (904)360-5653 or via e-mail at: austin.chapman@dot.state.fl.us.



Florida Department of Transportation

District-II

2198 Edison Avenue

Jacksonville, Florida 32204

Comprehensive Plan Amendment Review

To: Department of Community Affairs
Ray Eubanks

From: Austin Chapman for:
Thomas Hill, Growth Management Administrator

Date: October 02, 2008.

Local Government: City of Gainesville (Alachua)

Amendment #: DCA-Gainesville 08-2;
Local Ordinance # 071188

Proposed FLUM Amendments

FDOT has reviewed the City of Gainesville Proposed Future Land Use Map and Text Amendments of the Comprehensive Plan in accordance with the requirements of Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5 & Chapter 9J-11, F.A.C. This amendment package contains three (3) proposed Future Land Use Map Amendments. The Department offers the following comments/ recommendations for your consideration in reviewing this amendment package.

Proposed Future Land Use Map Amendment (071188)

Land Use Designation:

The land is currently designated as Alachua County Heavy Industrial with a proposal to change the designation of the site to 25.85 acres of City of Gainesville Industrial.

Location:

The property is located in southwest Gainesville, west of I-75 and between SR 24 (Archer Road) and SR 121 (Williston Road).

Access:

The current access is expected to remain.

FDOT Comments:

This land-use amendment was necessitated by the annexation of this property into Gainesville. FDOT agrees that the city designation of industrial is the closest land use to the existing county designation of heavy industrial. The FDOT appreciates the applicant's clarification for all involved stating "The subject property is outside the Gainesville Transportation Concurrency Exception Area. Any new development therefore must meet the adopted roadway level of service standards or sign a Proportionate Fair-Share agreement for transportation concurrency."

Thank you for coordinating the review of the above mentioned amendments with FDOT. If you have any questions, please do not hesitate to contact me: Austin Chapman at (904)360-5653 or via e-mail at: austin.chapman@dot.state.fl.us.



Florida Department of Transportation

District-II

2198 Edison Avenue

Jacksonville, Florida 32204

Comprehensive Plan Amendment Review

To: Department of Community Affairs
Ray Eubanks

From: Austin Chapman for:
Thomas Hill, Growth Management Administrator

Date: October 02, 2008

Local Government: City of Gainesville (Alachua)

Amendment #: DCA-Gainesville 08-2;
Local Ordinance # 071189

Proposed FLUM Amendments

FDOT has reviewed the City of Gainesville Proposed Future Land Use Map and Text Amendments of the Comprehensive Plan in accordance with the requirements of Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5 & Chapter 9J-11, F.A.C. This amendment package contains three (3) proposed Future Land Use Map Amendments. The Department offers the following comments/ recommendations for your consideration in reviewing this amendment package.

Proposed Future Land Use Map Amendment (071189)

Land Use Designation:

The land is currently designated as Medium Density Residential with a proposal to change the designation of the site to 11 acres of Conservation.

Location:

The property is located west of I-75 and north of SR 24 (Archer Road).

FDOT Comments:

This is a reduction in maximum development potential. FDOT has no comments at this time.

Thank you for coordinating the review of the above mentioned amendments with FDOT. If you have any questions, please do not hesitate to contact me: Austin Chapman at (904)360-5653 or via e-mail at: austin.chapman@dot.state.fl.us.



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

STEPHANIE KOPELOUSOS
SECRETARY

October 2, 2008

Mr. Ray Eubanks
Regional Planning Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: City of Lake Wales Response to Comments (DCA 08-1)

Dear Mr. Eubanks:

The Florida Department of Transportation, District One, has reviewed the revised City of lake Wales 08-1 CPA submittal in accordance with the requirements of Florida Statutes (F.S.) Section 163 and Chapter 9J-11 of the Florida Administrative Code (F.A.C.). The Department offers DCA the following comments and recommendations for your consideration in reviewing the amendments as provided in August 2008.

Please Note: The applicant has tentatively scheduled a meeting with Polk County and FDOT on October 16, 2008, to address the remaining transportation issues with their August 2008 submittal. Based upon the October 16th meeting we may revise the comments, if necessary, and resubmit to DCA on or before October 21, 2008.

Hunt Brothers Packing Plant (D2007-09)

The subject property is located east of CR 17B (Eleventh Street), west of Tangelo Street north of Hunt Brothers Road and south of Florida Midland Railroad in the City of Lake Wales, Polk County. The amendment for this location proposes a change of the Existing Future Land Use designation, from Residential Suburban (RS) to Industrial (IND) and Low Density Residential (LDR) for a total of 172.4 acres. According to the Existing Future Land Use designation, the maximum development that can occur for the 172.4 acres of RS is 517 single family DUs (3 DUs/Acre). This will result in 4,714 daily trips and 470 p.m. peak hour trips. Per the Proposed Future Land Use designations, the maximum development that can occur for the 135.8 acres of IND is 3,549,269 square feet of industrial (0.60 FAR), and the maximum development that can occur for the 36.6 acres of LDR is 110 single family dwelling units (3 DUs/Acre). This will result in 27,546 daily trips and 5,029 p.m. trips. The proposed amendment will result in a net increase of 22,832 more daily trips and 4,559 more p.m. peak hour trips.

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development		Daily Trips ¹	PM Peak Trips ¹
				Acres	Allowed Development		
Adopted	RS	3 DUs/Acre	210	172.4	517	4,714	470
Proposed	IND	0.60 FAR	110	135.8	3,549,269	26,411	4,912
Proposed	LDR	3 DUs/Acre	210	36.6	110	1,135	117
Change in Trips						+22,832	+4,559

District One Headquarters Planning Office
(801) North Broadway Avenue / Post Office Box 1249 / Bartow, Florida 33831
(883) 519-2300

www.dot.state.fl.us

I. Trip generation based on FDOT TIPS Software.

However, the applicant is requesting 7.8 acres of Warehouse, 23.3 acres of Warehouse / Showroom, 91.3 acres of Industrial Park, and 13.3 acres of Packing Plant, and 36.6 acres of LDR resulting in 20,592 daily and 3,075 p.m. peak hour trips. The requested amendment will result in a net increase of 15,878 more daily trips and 2,605 more p.m. peak hour trips.

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development		Daily Trips ¹	PM Peak Trips ¹
				Acres	Allowed Development		
Adopted	RS	3 DUs/Acre	210	172.4	517	4,714	470
Requested	IND	0.60 FAR	150	7.8	203,861	1,100	115
			110	23.3	608,969	4,446	707
			130	91.3	2,386,217	12,583	1,878
			140	13.3	347,609	1,328	258
Proposed	LDR	3 DUs/Acre	210	36.6	110	1,135	117
Change in Trips						+15,878	+2,605

I. Trip generation based on FDOT TIPS Software.

Hunt Brothers SR 60E Property (D2007-11)

The subject property is located on the south side of SR 60, east of Tangelo Street and west of Highland Drive in the City of Lake Wales, Polk County. The amendment for this location proposes a change of the Existing Future Land Use designation, from Residential Suburban (RS) to Community Activity Center (CAC) for a total of 46 acres. The maximum development that can occur for the 46 acres of RS is 138 single family DUs (3 DUs/Acre). This will result in 1,398 daily trips and 143 p.m. peak hour trips. Per the Proposed Future Land Use designation the maximum development that can occur for the 46 acres of CAC is 1,202,256 square feet of commercial (0.6 FAR). This will result in 51,625 daily trips and 4,508 p.m. trips. The proposed amendment will result in a net increase of 50,227 more daily trips and 4,365 more p.m. peak hour trips.

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development		Daily Trips ¹	PM Peak Trips ¹
				Acres	Allowed Development		
Adopted	RS	3 DUs/Acre	210	46	138	1,398	143
Proposed	CAC	0.60 FAR	820	46	1,202,256	51,625	4,508
Change in Trips						+50,227	+4,365

I. Trip generation based on FDOT TIPS Software.

However, the applicant is requesting 400,000 square feet of commercial (0.2 FAR) resulting in 16,722 daily and 1,563 p.m. peak hour trips. The requested amendment will result in a net increase of 15,324 more daily trips and 1,420 more p.m. peak hour trips.

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development		Daily Trips ¹	PM Peak Trips ¹
				Acres	Allowed Development		
Adopted	RS	3 DUs/Acre	210	46	138	1,398	143
Requested	CAC	0.20 FAR	820	46	400,000	16,722	1,563
Change in Trips						+15,324	+1,420

I. Trip generation based on FDOT TIPS Software.

District One Headquarters Planning Office
 (801) North Broadway Avenue / Post Office Box 1249 / Bartow, Florida 33831
 (863) 519-2300

US 27 and SR 60 are state roads in the vicinity of the study area and is designated as a Florida Intrastate Highway System (FIHS) facility with Level of Service (LOS) "C" as the adopted LOS standard. SR 17 is a state road in the vicinity of the study area with Level of Service (LOS) "C" as the adopted LOS standard. US 27 is a 4 lane facility north of Central Avenue and currently carries approximately 30,500 trips per day and is found to operate at LOS "C". SR 60 is a 4 lane facility east of 7th Street and currently carries approximately 26,500 trips per day and is found to operate at LOS "B". SR 17 is a 2 lane facility north of Central Avenue and currently carries approximately 9,800 trips per day and is found to operate at LOS "D".

FDOT recommends that the traffic study be revised for D2007-09 and D2007-11 to establish that adequate capacity will be available for project trips that will impact US 27, SR 60 and SR 17 in the horizon year of 2030 and the interim year of 2013. We offer the following comments on the study submitted:

- Future year volumes for 2030 are still lower than existing 2007 volumes in many cases. Please provide justification and support for the lower volumes or insure future volumes maintain a minimum 2% of growth per year.
- The directionality of the entering and exiting trips are reversed for various segments of SR 17 and SR 60. Please insure that the appropriate trips entering or exiting the site are applied correctly to the roadways segments. For example, the directions of the project traffic In/Out along SR 17 from CR 630 to Seminole Avenue are reversed.
- Please use field verified values for the ARTPLAN analysis for SR 60 from South 3rd Street to Stokes Road and High-Plan Analysis for SR 60 from CR 655 to US 27. Supporting documentation for values used should be provided for review.

Please revise the analysis based on the comments provided and provide requested documentation where applicable. Funding sources must be identified for improvements required to alleviate all short term failures. For long term failures, appropriate policies should be identified in the Capital Improvement Element or Transportation Element of the local comprehensive plan and the needed improvements should be added to the appropriate plans and programs.

If you have any questions please free to contact me at (863) 519-2395 or bob.crawley@dot.state.fl.us.

Sincerely,



Bob Crawley
Growth Management Coordinator
FDOT District One



3 SP
9/29/08

FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

September 25, 2008

Mr. Ray Eubanks
Department of Community Affairs
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Gainesville (08-2) Comprehensive Plan Amendment
(Alachua County)

Dear Mr. Eubanks:

According to this agency's responsibilities under Sections 163.3177 and 163.3178, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources have been given sufficient consideration in the request to amend the Gainesville Comprehensive Plan.

We reviewed three proposed amendments to the Future Land Use Map, apparently the result of recent annexations, to consider the potential effects of these actions on historic resources. Our cursory review suggests that the proposed changes should have no adverse effects on historic resources as the land use changes reflect existing conditions, i.e., previously developed industrial uses or a Conservation use.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at (850) 245-6333.

Sincerely,

Frederick P. Gaske, Director

xc: Ms. Susan Poplin

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6436

Archaeological Research
(850) 245-6444 • FAX: 245-6452

Historic Preservation
(850) 245-6333 • FAX: 245-6437

3-3P
9/308

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

August 28, 2008

**Clearinghouse Item #173 - City of Gainesville Comprehensive Plan Draft Amendments
(DCA No. 08-2)**

INTRODUCTION

Clearinghouse Item #173 consists of three map amendments to the City Comprehensive Plan. Council review of draft amendments are limited to the effects they may have on regional resources, regional facilities, and extrajurisdictional impacts. A written report containing any objections, recommendations for modification, and comments as defined in Chapter 9J-11, Florida Administrative Code, is to be provided to the Florida Department of Community Affairs within 30 calendar days of receipt of the amendments.

Under the provisions of Chapter 163, Florida Statutes, local government comprehensive plans will not be subject to the Objections, Recommendations, and Comments report process unless: 1) specifically requested by the local government; 2) deemed necessary by the Florida Department of Community Affairs; or 3) requested by the Council or an affected person.

EVALUATION

DESCRIPTION OF THE AMENDMENTS

City item 23LUC-08 PB amends approximately 25.85 acres from County Heavy Industrial to City Industrial (see attached).

City item 24LUC-08 PB reclassifies approximately 11.00 acres from County Medium Density Residential (8 to 14 dwelling units per acre) to City Conservation (see attached).

City item 33LUC-08 PB reclassifies approximately 51.50 acres from County Heavy Industrial to City Industrial (see attached).

APPLICABLE STRATEGIC REGIONAL POLICY PLAN GOALS AND POLICIES

The subject property of City item 23LUC-08 PB is located within one-half mile of State Road 24 (SW Archer Road) as well as Interstate Highway 75. The subject property of City item 24LUC-08 PB is located within one-half mile of State Road 24 (SW Archer Road). The subject property of City item 33LUC-08 PB is located within one-half mile of State Road 24 (Waldo Road). All of the identified roads are part of the Regional Road Network as identified in the regional plan. None of the subject properties are located within a City Transportation Concurrency Exception Area. Applicable regional transportation goals and policies include the following:

REGIONAL GOAL 5.1. Maintain a Regional Road Network which operates at or above the minimum level of service standard contained in local government comprehensive plans for those segments located outside Transportation Concurrency Exception Areas.

Policy 5.1.9. Mitigate impacts created by development so as to maintain the minimum adopted level of service standard on non-FIHS roads identified in this plan as significant regional transportation facilities as established in local government comprehensive plans.

IMPACTS TO SIGNIFICANT REGIONAL RESOURCES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN INCLUDING, BUT NOT LIMITED TO IMPACTS ON GROUNDWATER RECHARGE AND THE AVAILABILITY OF WATER SUPPLY

The subject properties are not located within or adjacent to a Natural Resources of Regional Significance, as identified and mapped in the regional plan. Therefore, adverse impacts to Natural Resources of Regional Significance are not anticipated as a result of the amendments.

Adverse impacts are not anticipated to occur to the availability of the regional water supply as a result of the amendments. The St. Johns River Water Management District 2005 Water Supply Plan does not designate any portion of the County as a priority water resource caution area as per subsection 373.0361(1), Florida Statutes. Priority water resource caution areas are areas where existing and reasonably anticipated sources of water and conservation efforts may not be adequate to both supply water for all existing legal uses and reasonably anticipated future needs, and to sustain the water resources and related natural systems.

COMPATIBILITY WITH REGIONAL TRANSPORTATION CORRIDORS AND FACILITIES, INCLUDING BUT NOT LIMITED TO ROADWAYS, SEAPORTS, AIRPORTS, PUBLIC TRANSPORTATION SYSTEMS, HIGH SPEED RAIL FACILITIES, AND INTERMODAL FACILITIES

City item 23LUC-08 PB. The subject property is located within one-half mile of the intersection of Interstate Highway 75 and State Road 24 (SW Archer Road), both of which are part of the Regional Road Network. Additionally, the subject property is not located within a City Concurrency Transportation Exception Area. Council review of County and City Comprehensive Plan Industrial policies indicate that the City and County land use categories allow approximately the same uses and intensities of use. Therefore, adverse impacts are not anticipated to occur to the Regional Road Network as a result of the City item.

City item 24LUC-08 PB. The subject property is located within one-half mile of State Road 24 (SW Archer Road). Nevertheless, adverse impacts are not anticipated to occur to this segment of the Regional Road Network as a result of the City item as the proposed use represents a decrease in the maximum allowable intensity of use.

City item 33LUC-08 PB. The subject property is located within one-half mile of State Road 24 (Waldo Road), which is part of the Regional Road Network. Additionally, the subject property is not located within a City Concurrency Transportation Exception Area. Council review of County and City Comprehensive Plan Industrial policies indicate that the City and County land use categories allow approximately the same uses and intensities of use. Therefore, adverse impacts are not anticipated to occur to the Regional Road Network as a result of the City item.

COMPATIBILITY AMONG LOCAL PLANS AND MILITARY BASES

The amendments are anticipated to be compatible with the comprehensive plans of nearby local governments and military bases. See Compatibility with Regional Transportation Corridors, above.

ANALYSIS OF THE EFFECTS OF THE AMENDMENTS ON NON-TRANSPORTATION REGIONAL FACILITIES

Adverse impacts to non-transportation regional facilities are not anticipated as a result of the amendments.

ADEQUATE TREATMENT OF AFFORDABLE HOUSING ISSUES AND DESIGNATION OF ADEQUATE SITES FOR AFFORDABLE HOUSING

Adverse impacts to affordable housing are not anticipated as a result of the amendments.

EFFECTIVENESS AND ENHANCEMENT OF ECONOMIC DEVELOPMENT WITHIN THE REGION INCLUDING, BUT NOT LIMITED TO PRESERVATION OF MILITARY BASES

The amendments are not anticipated to adversely impact economic development within the region or the preservation of military bases.

ADEQUACY OF AND COMPATIBILITY WITH EMERGENCY PREPAREDNESS PLANS AND LOCAL MITIGATION STRATEGIES (PLANS) INCLUDING, BUT NOT LIMITED TO THE IMPACTS ON AND AVAILABILITY OF HURRICANE SHELTERS, MAINTENANCE OF HURRICANE EVACUATION CLEARANCE TIMES, AND HAZARD MITIGATION

Impacts to local emergency preparedness plans are not anticipated as a result of the amendments.

ANALYSIS OF THE EFFECTS OF EXTRAJURISDICTIONAL IMPACTS WHICH MAY BE CREATED BY THE AMENDMENTS

Adverse extrajurisdictional impacts are not anticipated to occur as a result of the amendments. See Compatibility with Regional Transportation Corridors, above.

OBJECTIONS, RECOMMENDATIONS FOR MODIFICATION AND COMMENTS

None.

COUNCIL REQUEST FOR AN OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

The Council does not request the preparation of an Objections, Recommendations and Comments report for the amendments.

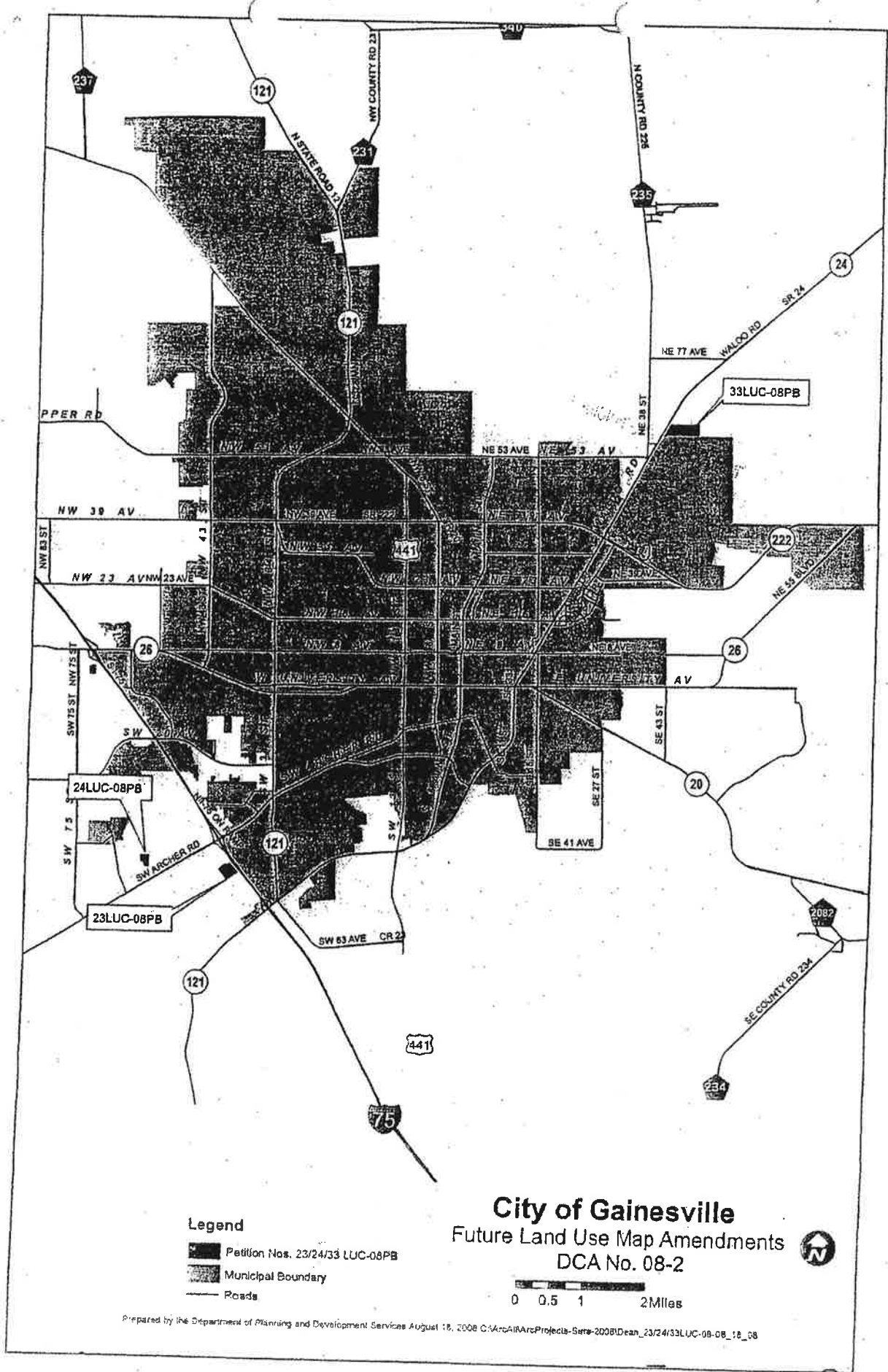
DETERMINATION OF CONSISTENCY WITH THE STRATEGIC REGIONAL POLICY PLAN

Should the City Comprehensive Plan be amended as proposed, it will remain consistent with the North Central Florida Strategic Regional Policy Plan.

RECOMMENDATION

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

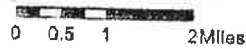
Council Action: At its August 28, 2008 meeting, the Council voted to adopt this report.



Legend

- Petition Nos. 23/24/33 LUC-08PB
- Municipal Boundary
- Roads

City of Gainesville
 Future Land Use Map Amendments
 DCA No. 08-2



January 6, 2009

City Staff Responses to:

OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT (issued 11/6/08)

FOR THE CITY OF GAINESVILLE

PROPOSED COMPREHENSIVE PLAN AMENDMENT 08-2

I. CONSISTENCY WITH CHAPTER 163, F.S. and RULE 9J-5, F.A.C.

A. Future Land Use Map

The City has proposed to convert two amendment sites recently annexed from Alachua County from Alachua County Heavy Industrial to City of Gainesville Industrial.

1. **Objection:** The City has proposed to convert amendment sites 071187 and 071188 to the Industrial future land use category; however the category does not have an intensity standard. Rule 9J-5.006(3)(c), F.A.C., requires the establishment of standards for densities or intensities of use for each future land use category.

[Sections 163.3177(6)(a), F.S. and Rules 9J-5.005(6), 9J-5.006(3)(c)7., F.A.C.]

Recommendation: The City should revise the policy to establish a standard for intensity of land use for the Industrial future land use category. Possible standards for non-residential standards include the use of floor area ratios (FARs) or impervious surface ratios (ISRs), based on square feet per acre, in combination with building height limitations and types of uses allowed.

City Response: The subject comprehensive plan amendments (Ordinance Nos. 071187 and 071188) are amendments to the City's Generalized Future Land Use Map. No text amendments to the Industrial future land use category were submitted as part of Proposed Comprehensive Plan Amendment 08-2, and the Objection cannot be addressed in an amendment of the Future Land Use Map. The City will address the above Objection and Recommendation in the Evaluation and Appraisal Report (EAR) that must be adopted in 2010.

B. Consistency with the State Comprehensive Plan

1. **Objection related to the Institutional future land use category (Ordinances 071187 and 071188):** The proposed plan amendments are not consistent with and do not further the following goal and policy of the State Comprehensive Plan [Section 187.201, F.S.]:

(25) Plan Implementation, Goal (a) and Policy (b)7.

Recommendation: Revise the amendments, as necessary, to be consistent with the above referenced goals and policies of the State Comprehensive Plan. Specific recommendations can be found following the objection cited previously in this report

City Response: Please see the response to Objection A.1., above.

