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

March 1, 2022

Mr. Andrew Persons, AICP, Director  
Department of Sustainable Development  
City of Gainesville  
P.O. Box 490, Mail Station 12  
Gainesville, FL 32627-0490

RE: Regional Review of City of Gainesville Comprehensive Plan  
Draft Amendments City Item Nos. PB-21-116 LUC and PB 21-133 LUC  
DEO No. 22-1ESR

Dear Andrew:

At its regularly scheduled meeting held February 24, 2022, the Council reviewed the above-referenced item. 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 Lauren Yeatter, AICP, Senior Planner, at 352.955.2200, extension 113.

Sincerely,

Scott R. Koons, AICP  
Executive Director

Enclosure

xc: Ray Eubanks, Florida Department of Economic Opportunity

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Dedicated to improving the quality of life of the Region's citizens,  
by enhancing public safety, 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: 2/24/22  
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 63  
Local Government: City of Gainesville  
Local Government Item Nos.: PB-21-116 LUC,  
PB 21-133 LUC  
State Land Planning Agency Item No.: 22-IESR

Date Mailed to Local Government and State Land Planning Agency: 2/25/22 (estimated)

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 AMENDMENT**

City item PB-21-116-LUC amends the City's Comprehensive Plan to add a new Property Rights Element. City item PB-21-133-LUC reclassifies approximately 68.46 acres of property from Alachua County Medium Density Residential (MR), Light Industrial (LI), and Heavy Industrial (HI) to City of Gainesville Office (O) and Industrial (IND); (See attached.)

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

City item PB-21-116-LUC is not anticipated to result in significant adverse impacts to regional facilities or Natural Resources of Regional Significance as the amendment will not result in an increase in density or intensity of use.

City item PB-20-133-LUC is adjacent to I-75 and State Road 24, which are part of the Regional Road Network as identified and mapped in the North Central Florida Strategic Regional Policy Plan. The City Transportation Mobility Element contains objectives and policies which implement one or more practices consistent with Transportation Planning Best Practices contained in the North Central Florida Strategic Regional Policy Plan. Regional Plan Transportation Element Policy 5.1.1 states that within municipalities where local government comprehensive plans contain goals and policies which implement Transportation Planning Best Practices, adverse impacts to the Regional Road Network are adequately mitigated and local government plans and plan amendments are not subject to a Regional Planning Council determination impacts to the Regional Road Network. Therefore, significant adverse transportation impacts to the Regional Road Network are adequately mitigated.

City item PB-20-133-LUC is located within an Area of High Recharge Potential to the Floridan Aquifer and a Stream-to-Sink watershed area, which are identified and mapped in the regional plan as a Natural Resource of Regional Significance. Nevertheless, significant adverse impacts are not anticipated to occur to the natural resources as, the City Comprehensive Plan contains adequate policy direction consistent with the regional plan to mitigate adverse impacts to the natural resources.

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

The City Comprehensive Plan, as amended, is not anticipated to create significant adverse impacts to adjoining local governments.

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

**Council Action: At its February 24, 2022 meeting, the Council voted to adopt this report**

Yes	<u>  X  </u>	No	<u>          </u>
Not Applicable			<u>          </u>

**Ron DeSantis**  
GOVERNOR



**Dane Eagle**  
SECRETARY

March 10, 2022

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

Dear Mayor Poe:

The Department of Economic Opportunity (“Department”) has reviewed the proposed comprehensive plan amendment for the City of Gainesville (Amendment No. 22-01ESR) received on February 16, 2022. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

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

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
(850) 245.7105 | [www.FloridaJobs.org](http://www.FloridaJobs.org) | [www.Twitter.com/FLDEO](https://www.Twitter.com/FLDEO) | [www.Facebook.com/FLDEO](https://www.Facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

The Honorable Lauren Poe, Mayor

March 10, 2022

Page 2 of 2

If you have any questions concerning this review, please contact Benjamin Naselius, Planning Analyst, by telephone at (850) 717-8421 or by email at Benjamin.Naselius@deo.myflorida.com.

Sincerely,



Barbara Powell, Regional Planning Administrator  
Bureau of Community Planning and Growth

BP/bn

Enclosure(s): Procedures for Adoption

cc: Andrew Persons, Director, City of Gainesville Department of Doing  
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 electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

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

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

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

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

\_\_\_\_\_ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**From:** [Chazulle, Elizabeth A](#)  
**To:** [Chan, Nathaniel](#); [Castillo, Juan](#); [McMullen, Brittany A](#); [Eddleton, Forrest K](#)  
**Cc:** [Persons, Andrew W.](#)  
**Subject:** FW: Gainesville 22-01ESR Proposed  
**Date:** Thursday, March 17, 2022 9:18:30 AM  
**Attachments:** [image001.png](#)

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FYI Team. Here is the environmental review for you to include in your submittal to legal.

**Elizabeth Chazulle** | Staff Specialist  
Department of Sustainable Development  
City of Gainesville  
PO Box 490 Station 11  
Gainesville, FL 32627  
desk 352-393-8620  
email [chazulleea@cityofgainesville.org](mailto:chazulleea@cityofgainesville.org)  
[www.cityofgainesville.org/planningdepartment](http://www.cityofgainesville.org/planningdepartment)

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**From:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Sent:** Wednesday, March 16, 2022 5:34 PM  
**To:** Persons, Andrew W. <personsaw@cityofgainesville.org>; Chazulle, Elizabeth A <ChazulleEA@cityofgainesville.org>; dcpexternalagencycomments@deo.myflorida.com  
**Cc:** Plan\_Review <Plan.Review@dep.state.fl.us>  
**Subject:** Gainesville 22-01ESR Proposed

To: Andrew Persons, AICP, LEED GA, Director

Re: Gainesville 22-01ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions 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; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to [Plan.Review@FloridaDEP.gov](mailto:Plan.Review@FloridaDEP.gov). If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



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Department of Sustainable Development  
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PO Box 490 Station 11  
Gainesville, FL 32627  
desk 352-393-8620  
email [chazulleea@cityofgainesville.org](mailto:chazulleea@cityofgainesville.org)  
[www.cityofgainesville.org/planningdepartment](http://www.cityofgainesville.org/planningdepartment)

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