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MEETING NOTICE

CLEARINGHOUSE COMMITTEE

There will be a meeting of the Clearinghouse Committee of the North Central Florida Regional Planning Council on **August 26, 2021**. Due to the COVID-19 Pandemic, the meeting will be held virtually via communications media technology at **6:00 p.m.**

DIAL IN NUMBER: Toll Free 1.888.585.9008

CONFERENCE CODE: 381 777 570



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AGENDA CLEARINGHOUSE COMMITTEE

Virtual Public Meeting
Via Communications Media Technology
Gainesville, Florida

August 26, 2021
6:00 p.m.

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V. CITIZEN COMMENTS

This agenda item provides an opportunity for citizens to address the Committee on any matter not included on the agenda. The comment period is limited to three minutes for each individual.

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NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
CLEARINGHOUSE COMMITTEE
MINUTES

Virtual Public Meeting
Via Communications Media Technology

July 22, 2021
6:00 p.m.

MEMBERS PRESENT

Patricia Bouie Hutchinson, Chair
Robert Brown, Vice-Chair
Jim Catron
John Meeks
Reina Saco
James Tallman
Donnie Waldrep
Robert Wilford

MEMBERS ABSENT

Marihelen Wheeler

STAFF PRESENT

Lauren Yeatter

Noting the presence of a quorum, the meeting was called to order by Chair Patricia Bouie Hutchinson at 6:02 p.m.

I. APPROVAL OF THE AGENDA

Chair Bouie Hutchinson requested approval of the agenda as presented.

ACTION: It was moved by Commissioner Meeks and seconded by Commissioner Catron to approve the July 22, 2021 Clearinghouse Committee Agenda as presented. The motion carried unanimously.

II. APPROVAL OF THE JUNE 24, 2021 MEETING MINUTES

ACTION: It was moved by Commissioner Tallman and seconded by Commissioner Brown to approve the June 24, 2021 Clearinghouse Committee meeting minutes as circulated. The motion carried unanimously.

III. COMMITTEE-LEVEL REVIEW ITEMS

- #50 - Bradford County Comprehensive Plan Adopted Amendment (DEO No. 21-2ESR)
- #51 - Alachua County Comprehensive Plan Draft Amendment (DEO No. 21-2ESR)

ACTION: It was moved by Commissioner Brown and seconded by Commissioner Catron to group Committee-Level Review Items #50 and #51 for purpose of review. The motion carried unanimously.

Lauren Yeatter, Senior Planner, stated that the staff reports find the comprehensive plans, as amended, are not anticipated to result in significant adverse impacts to Natural Resources of Regional Significance, regional facilities or adjoining local governments.

ACTION: It was moved by Commissioner Wilford and seconded by Commissioner Meeks to recommend that the Council approve the staff reports as circulated. The motion carried unanimously.

The meeting adjourned at 6:15 p.m.

Patricia Bouie Hutchinson, Chair

8/26/21
Date

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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 54
Local Government: City of Newberry
Local Government Item No.: CPA 21-05
State Land Planning Agency Item No.: 21-3ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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 AMENDMENTS

City item CPA 21-05 reclassifies approximately 19.4 acres of recently annexed land from Alachua County Rural/Agriculture (less than or equal to one dwelling unit per five acres) to City Agriculture (less than or equal to one dwelling unit per five acres) (see attached).

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

The subject property is not located within one-half mile of the Regional Road Network identified and mapped in the North Central Florida Strategic Regional Policy Plan.

The subject property is located within an Area of High Recharge Potential to the Floridan Aquifer, a Natural Resource of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Nevertheless, significant adverse impacts are not anticipated to occur as a result of the amendment as the City Comprehensive Plan has adequate policy direction to mitigate adverse impacts to the Floridan Aquifer in a manner consistent with the goals and policies of the North Central Florida Strategic Regional Policy Plan.

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.

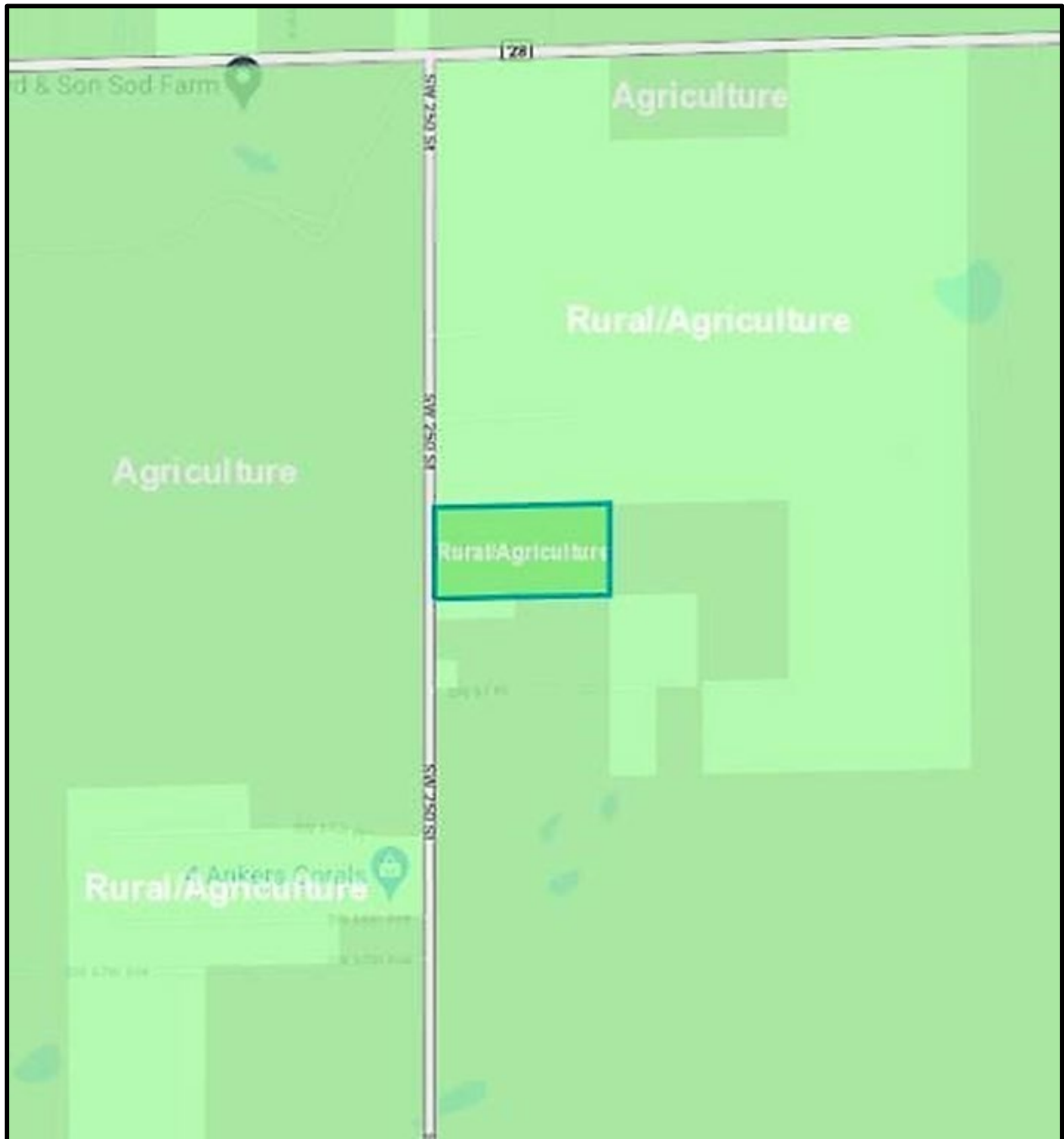
Request a copy of the adopted version of the amendment?

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

Yes _____	No _____
Not Applicable	___X___

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

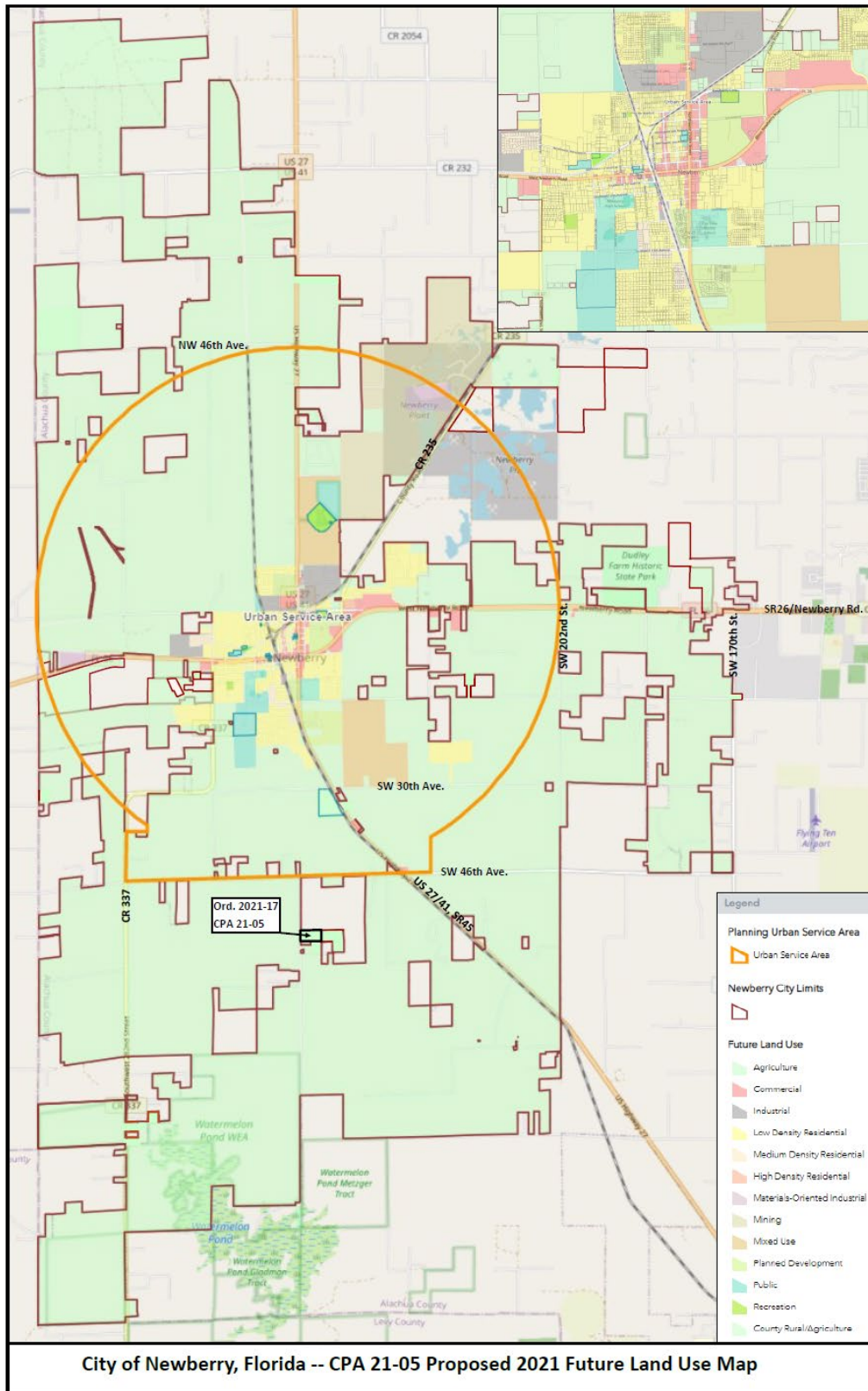
EXISTING FUTURE LAND USE DETAIL



Parcel 02610-000-000, 19.4 acres

Proposed Change from *Alachua County Rural/Agriculture* to *City of Newberry Agriculture*

EXHIBIT B
PROPOSED FUTURE LAND USE MAP



City of Newberry, Florida -- CPA 21-05 Proposed 2021 Future Land Use Map

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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 55
Local Government: City of Newberry
Local Government Item No.: CPA 21-06
State Land Planning Agency Item No.: 21-4ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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 AMENDMENTS

City item CPA 21-06 reclassifies approximately 13.7 acres of recently annexed land from Alachua County Rural/Agriculture (less than or equal to one dwelling unit per five acres) to City Agriculture (less than or equal to one dwelling unit per five acres) (see attached).

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

The subject property is not located within one-half mile of the Regional Road Network identified and mapped in the North Central Florida Strategic Regional Policy Plan.

The subject property is located within an Area of High Recharge Potential to the Floridan Aquifer, a Natural Resource of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Nevertheless, significant adverse impacts are not anticipated to occur as a result of the amendment as the City Comprehensive Plan has adequate policy direction to mitigate adverse impacts to the Floridan Aquifer in a manner consistent with the goals and policies of the North Central Florida Strategic Regional Policy Plan.

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?

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

Yes _____	No _____
Not Applicable	___X___

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

Public uses shall be limited to intensity as follows:

Less than 5 acres	1.0 floor area ratio
Greater than or equal to 5 acres, but less than 10 acres	0.75 floor area ratio
Greater than or equal to 10 acres, but less than 20 acres	0.50 floor area ratio
Greater than or equal to 20 acres	0.25 floor area ratio

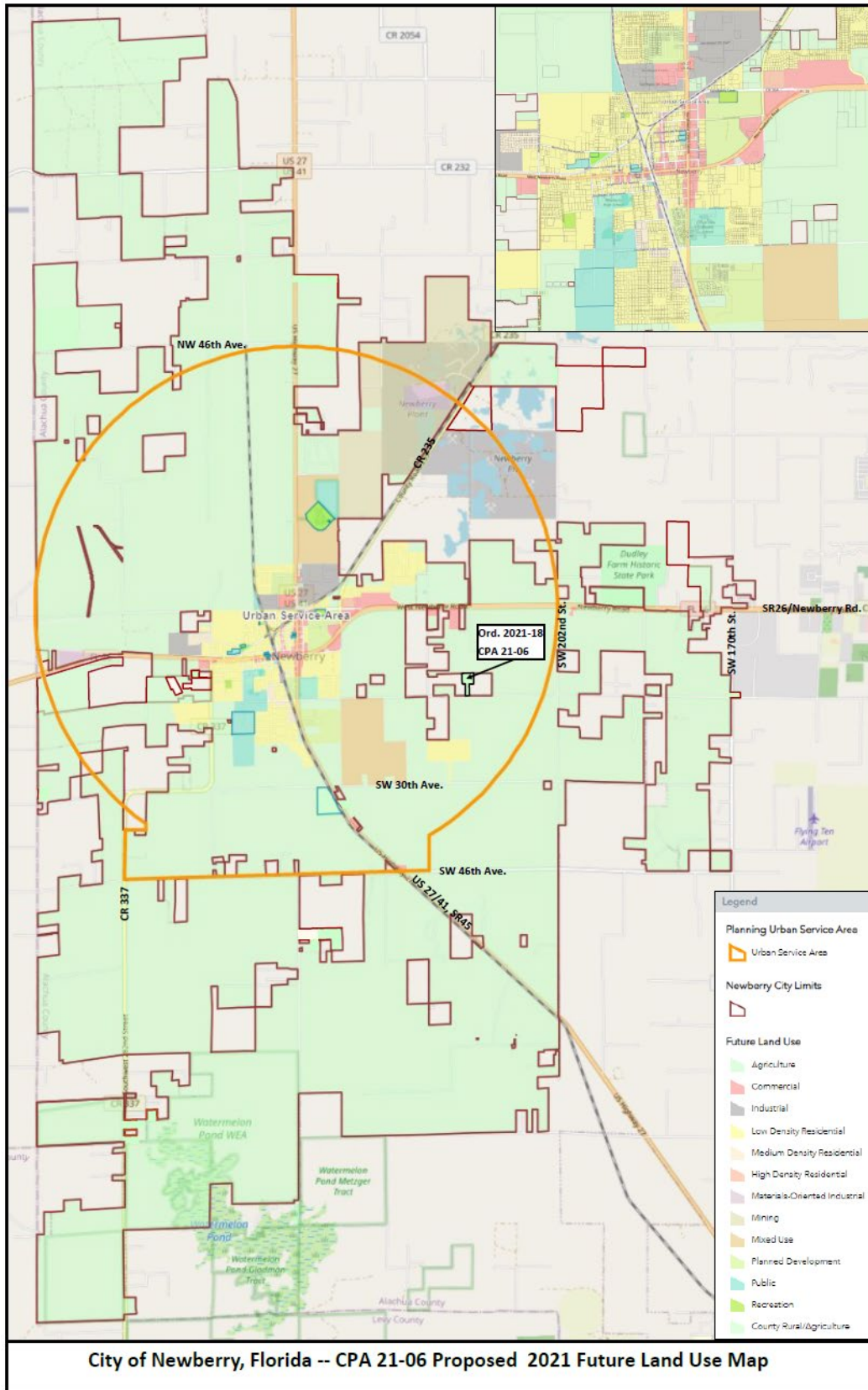
The comparisons between the City’s and County’s Agriculture Future Land use policies show that there will be no additional density allowed based upon the requested classification amendment. In addition, the potential intensities of use are very similar in context and compatible with surrounding Future Land Use designations and existing uses and therefore consistent with uses that may be permitted under the County’s Rural / Agriculture classification.

EXISTING FUTURE LAND USE DETAIL



**Parcels 01926-005-000 and 01926-010-015, totaling 13.7 acres
 Proposed Change from Alachua County Rural/Agriculture to City of Newberry Agriculture**

EXHIBIT B
PROPOSED FUTURE LAND USE MAP



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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 56
Local Government: City of Newberry
Local Government Item No.: CPA 21-07
State Land Planning Agency Item No.: 21-5ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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 AMENDMENTS

City item CPA 21-07 reclassifies approximately 80.87 acres of recently annexed land from Alachua County Rural/Agriculture (less than or equal to one dwelling unit per five acres) to City Agriculture (less than or equal to one dwelling unit per five acres) (see attached).

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

The subject property is located within one-half mile of State Road 26, identified and mapped in the North Central Florida Strategic Regional Policy Plan as part of the Regional Road Network. However, significant adverse impacts to regional facilities are not anticipated as the amendment will not result in an increase in intensity or density of use.

The subject property is located within an Area of High Recharge Potential to the Floridan Aquifer, a Natural Resource of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Nevertheless, significant adverse impacts are not anticipated to occur as a result of the amendment as the City Comprehensive Plan has adequate policy direction to mitigate adverse impacts to the Floridan Aquifer in a manner consistent with the goals and policies of the North Central Florida Strategic Regional Policy Plan.

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?

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

Yes _____	No _____
Not Applicable	___X___

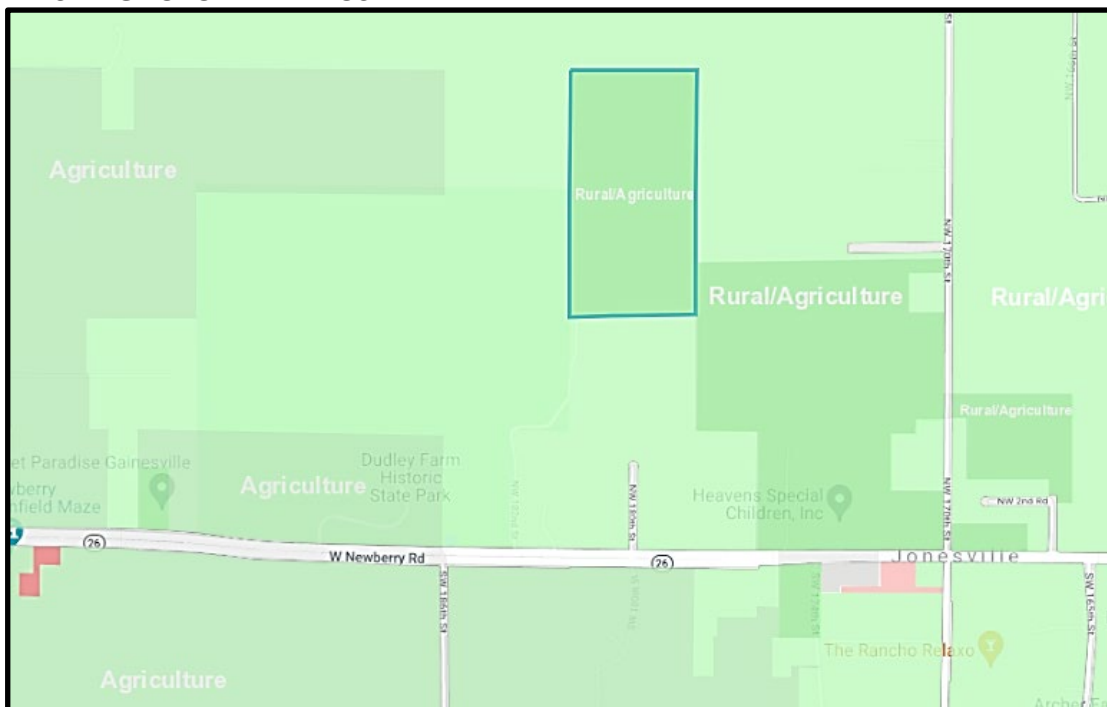
**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

Public uses shall be limited to intensity as follows:

Less than 5 acres	1.0 floor area ratio
Greater than or equal to 5 acres, but less than 10 acres	0.75 floor area ratio
Greater than or equal to 10 acres, but less than 20 acres	0.50 floor area ratio
Greater than or equal to 20 acres	0.25 floor area ratio

The comparisons between the City’s and County’s Agriculture Future Land use policies show that there will be no additional density allowed based upon the requested classification amendment. In addition, the potential intensities of use are very similar in context and compatible with surrounding Future Land Use designations and existing uses and therefore consistent with uses that may be permitted under the County’s Rural / Agriculture classification.

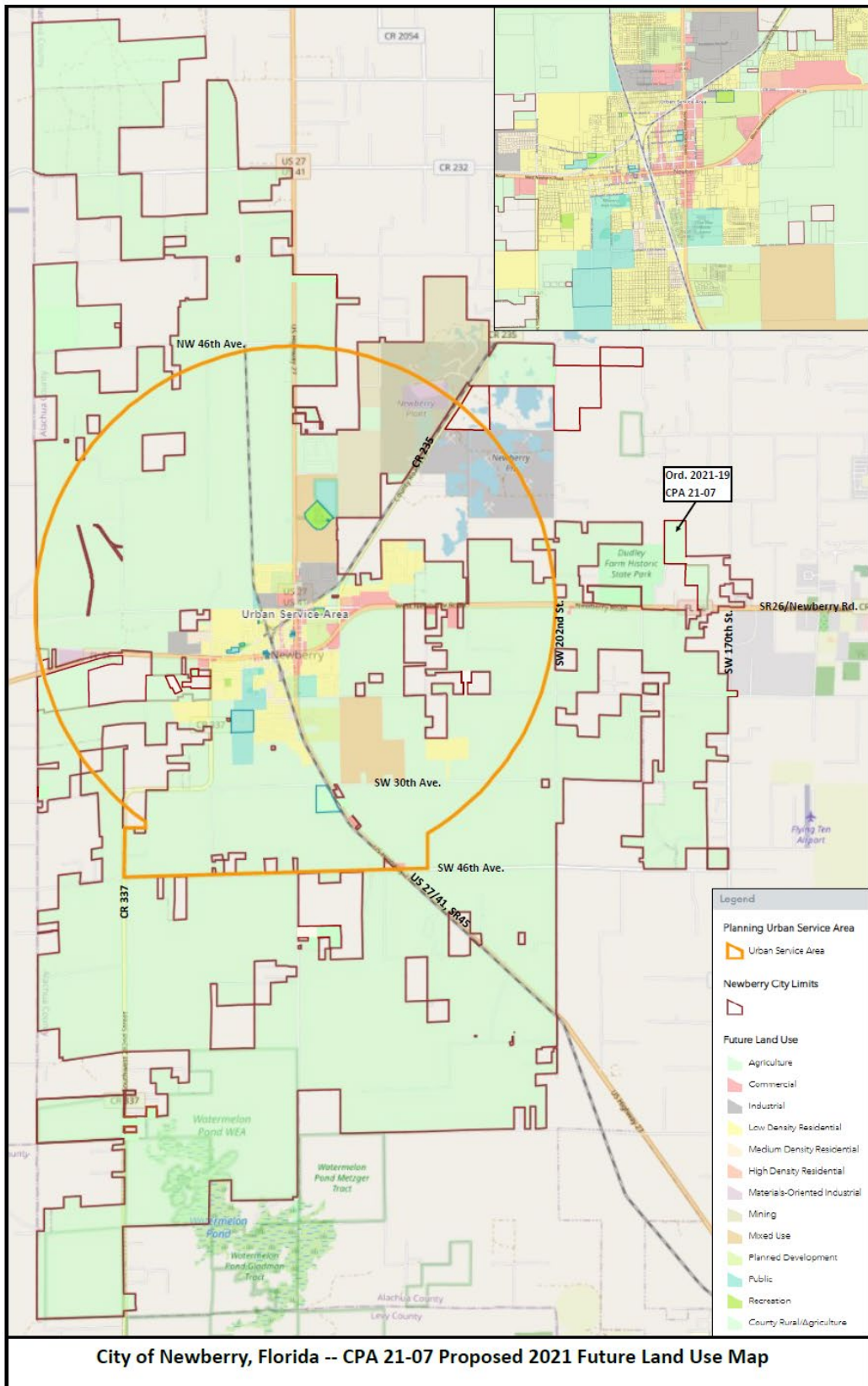
EXISTING FUTURE LAND USE DETAIL



Parcel 04270-000-000, 80.87 acres

Proposed Change from Alachua County Rural/Agriculture to City of Newberry Agriculture

EXHIBIT B
PROPOSED FUTURE LAND USE MAP



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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 57
Local Government: City of Alachua
Local Government Item No.: Ord. No. 21-08
State Land Planning Agency Item No.: 21-2 ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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

The amendment updates the Vision Statement and the Goals to Implement the Vision in the Vision Element in the City’s Comprehensive Plan. (See attached).

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

The City item is not anticipated to result in significant adverse impacts to the Regional Road Network or to Natural Resources of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan, as the amendment does not result in any change in density or intensity of use. The City Transportation Element implements Transportation Planning Best Practices contained in the regional plan, and the City’s objectives and policies protect Natural Resources of Regional Significance in a manner consistent with the goals and policies of the regional plan.

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?

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

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Not Applicable <input type="checkbox"/>	<input type="checkbox"/>

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE 21-08

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE CITY'S COMPREHENSIVE PLAN; AMENDING THE CITY'S COMPREHENSIVE PLAN VISION ELEMENT TO AMEND THE VISION STATEMENT AND THE GOALS TO IMPLEMENT THE VISION; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Community Planning Act (Section 163.3161 et. seq), Florida Statutes, requires each local government to maintain a comprehensive plan; and,

WHEREAS, the City Commission of the City of Alachua adopted its Comprehensive Plan on January 22, 1992, by Ordinance No. 0-91-23 and last updated its Comprehensive Plan on July 31, 2020; and,

WHEREAS, a duly advertised public hearing was conducted on the proposed amendment on May 11, 2021, by the Planning and Zoning Board, sitting as the Local Planning Agency (LPA) and the LPA reviewed and considered comments received during the public hearing concerning the application and made its recommendation to the City Commission; and,

WHEREAS, the City Commission considered the recommendation of the LPA at a duly advertised public hearing on June 28, 2021, provided for and received public participation, and approved the amendment for transmittal to the Florida Department of Economic Opportunity (DEO) and reviewing agencies; and

WHEREAS, the DEO has reviewed the proposed amendment and issued its comment letter on _____, 2021; and,

WHEREAS, the City Commission considered the comments received from the DEO and reviewing agencies; and

WHEREAS, the City Commission held a duly advertised public hearing on adoption of the proposed amendment and provided for and received public participation, and approved the amendment on _____ 2021 with no changes since the transmittal hearing; and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

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

Section 1. Interpretation of Recitals

The above recitals are true and correct and incorporated in this ordinance.

Section 2. Findings of Fact and Conclusions of Law

The authority for the enactment of this ordinance is Chapter 163, Part I, Florida Statutes; Sections 166.021 and 166.041; and the City's Comprehensive Plan.

Section 3. Comprehensive Plan Amendment to the Vision Element

The Vision Element of the Comprehensive Plan is hereby amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed):

VISION ~~2020~~ 2030

I. INTRODUCTION

The City of Alachua has adopted a vision statement and goals to achieve the vision. ~~The City of Alachua held a Visioning Charrette on May 14, 2011 in order to update the Vision Element.~~ The goals, objectives and policies of the Comprehensive Plan are constructed in an effort to help achieve the long-term vision of the City.

II. VISION STATEMENT

~~The City of Alachua will be a vibrant, growing, economically and culturally diverse community, which takes great pride in the fact that it has maintained its strong sense of community, its small town atmosphere, a strong recreation program, the charm of its downtown, and has preserved and protected its heritage and environment. It is proud of the state of the art educational facilities, which work hand in hand with Alachua's employers to make certain that its young people have challenging career opportunities at home. Alachua will become a leader in innovative techniques to ensure quality, well-planned growth and provide for a safe and convenient transportation environment. Alachua will be a place where housing choices are available to meet the needs of all citizens. Alachua will strive to be continually recognized by its peers as an example of what can happen when citizens, business communities, schools and government work together for the common good. The City has a strong image as the "Good Life Community." The image is woven throughout the work of the City with a commitment to premium service delivery and a high quality of life. The City will be a business friendly community, encouraging economic development and the establishment and expansion of major job centers in the industries of logistics, manufacturing, high-tech and bio-tech. The City will continue to invest in providing high quality recreational and cultural arts facilities and programs that create a sense of community. Alachua will be a place where housing choices are available to meet the needs of all citizens. Alachua will be a leader in fostering quality well-planned growth and redevelopment. Alachua will be a community where citizens can safely choose one of several multi-modal transportation options, including cycling, walking, and innovative options such as ride shares. Alachua will strive to be continually known for its collaboration between citizens, business communities, schools and government and will continue working together for the common good.~~

III. GOALS TO IMPLEMENT THE VISION

Goal 1: Economic Development

The City of Alachua has a unique business climate. The City is home to corporations, technology incubators, local businesses and start-up companies. The City will maintain its focus on a welcoming business environment and encourage business development in the downtown area and along the US 441 corridor. The City supports a sustainable, thriving Main Street with a variety of businesses and a downtown area that attracts shoppers and patrons through cutting edge marketing strategies. The City will continue to support the redevelopment and revitalization of the historic center of the community. Alachua desires to continue to be a home to innovative businesses and an employment center where jobs are available to citizens of all educational and skill levels and ages, provided at every level. The City will continue to encourage the growth and development of established industries,

such as the life sciences, technologies and emerging industries biotechnology and encourage the diversification and expansion of commercial businesses which provide integral services to the City's residents. The City will encourage a sustainable use of natural resources to ensure that economic growth and development will responsibly continue within the community. The City will build strong relationships with local, regional and state-wide economic development organizations in order to work together to retain existing businesses and attract future businesses. The City will pursue business incentives that encourage additional private investment from new or existing businesses that will enhance employment opportunities and the quality of life of residents.

GOAL 2: Community, Educational, Cultural and Recreational Development

The City of Alachua has a very strong sense of community involvement, as evidenced by community events and festivals which promote cultural arts and recreational activities, including art festivals, musical performances, sporting events and holiday events such as the Springs Arts Festival, fall Harvest Festival, 4th of July Celebration, the Girl's Babe Ruth World Series of Softball Tournament. The City will foster ~~the~~ cultural growth, outreach and cultural tourism and enhancement of the community by supporting cultural arts programs ~~and outreach~~. The City will maintain its strong recreation program and encourage a diversity of recreational programs to meet the needs of citizens. The City will strengthen partnerships to make educational opportunities in Alachua of the highest quality in order to attract families and produce graduates who positively contribute to the community and the world.

Goal 3 Transportation Mobility

The City of Alachua transportation system includes a heavily traveled US 441 corridor and a walkable downtown Main Street. ~~The City will promote a safe, convenient and aesthetically pleasing transportation environment that provides for various modes of transportation. The City will provide efficient traffic circulation that is safe and convenient, while maintaining or improving the level of service on roadways. The City will encourage multi-modal enhancement and trail systems, and provide for an aesthetically pleasing gateway between the I-75 interchange and downtown. The City will further a safe and connected pedestrian network that helps ensure a high quality of life for residents and visitors of all ages and abilities. New roadway construction and significant reconstruction projects will incorporate the principles embodied by the Complete Streets approach whenever possible. The expansion of sidewalks and sidewalk continuity will be directed to areas where pedestrian walkability is desirable with particular focus upon providing greater pedestrian connectivity within and between the downtown commercial and residential areas.~~ The City will explore opportunities for public transportation for Alachua residents, including innovative options such as ride shares and other emerging and technology-based options. The City will continue to pursue the interconnectivity of development in order to limit access points onto roadways thereby reducing negative impacts upon the transportation infrastructure network. The City will strengthen connections between major hubs within the community, such as those between the historic core and Progress Park and Legacy Park.

Goal 4: ~~Housing~~ Residential Opportunities

The City of Alachua recognizes that residential development is tied to growth and employment opportunities and supports a diversity of housing types in order to enhance the City's physical and social fabric. The City will encourage the provision of housing types to serve a wide range of people, from those moving to Alachua to work and/or to raise families to those seeking senior housing and assisted living options ~~has a variety of housing options, from historic downtown neighborhoods to large lot agrarian developments.~~ The City supports the provision of safe, affordable housing for all income levels. The City will encourage the construction of housing types including single-family conventional dwelling units, duplexes and quadraplexes, apartments and town homes, traditional mixed use neighborhood planned development, live/work units, conservation subdivisions, and other innovative housing options that respond to societal changes and needs and are appropriate for the character of the City mixed-use development with affordable housing, workforce housing, senior housing, housing for disabled and. The City

~~supports enhancements that strengthen and upgrade~~ improve existing neighborhoods, thereby maintaining a livable community for all ~~age groups demographics~~.

Section 4. Codification of and Correction of Scrivener's Errors

The City Manager or designee, without public hearing, is authorized to correct any typographical errors which do not affect the intent of this ordinance. A corrected copy shall be posted in the public record.

Section 5. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of the City of Alachua, Florida.

Section 6. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 7. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 7. Effective Date

This ordinance shall become effective immediately upon passage and adoption. The effective date of these plan amendments shall be at the time the state land planning agency issues its Notice of Intent, if the plan amendment is found to be in compliance and no challenge has been filed by an effective party at the time that the Notice of Intent is posted to the state land planning agency's website. If timely challenged, this plan amendment shall become effective on the date the state land planning agency or Administrative Commission enters a final order determining this adopted amendment to be in compliance in accordance with Chapter 163.3184, Florida Statutes. No development orders, development permit, or land uses dependent on this amendment may be issued or commenced before this plan amendment has become effective.

Passed on First Reading the ___ day of ____ 2021.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this ____ day of ____ 2021.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01	
Regional Planning Council: North Central Fl Review Date: 8/26/21 Amendment Type: Draft Amendment	Regional Planning Council Item No.: 58 Local Government: City of Newberry Local Government Item No.: CPA 21-14 State Land Planning Agency Item No.: 21-6ESR
Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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 AMENDMENTS

City item CPA 18-05 amends the City’s Comprehensive Plan to add a new Property Rights Element. (see attached).

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

The City item is not anticipated to result in significant adverse impacts to regional facilities or Natural Resources of Regional Significance as the amendment does not result in an increase in intensity or density of use.

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 amendments?

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

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

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE NO. 2021-34
CPA 21-14

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE CITY OF NEWBERRY COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT PURSUANT TO SECTION 163.3177, FLORIDA STATUTES, UNDER THE EXPEDITED AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3184 (2) AND (3), FLORIDA STATUTES, AND IN CONFORMANCE WITH SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan;

WHEREAS, Section 163.3177, Florida Statutes, as amended, requires revisions and modifications to the text of the City of Newberry Comprehensive Plan, hereinafter referred to as the Comprehensive Plan, in accordance with the procedures and requirements set forth in said section and to adopt these revisions as a new Property Rights Element added to the City's Comprehensive Plan;

WHEREAS, an application, CPA 21-14, for an amendment, adding a Property Rights Element as described below, to the City of Newberry Comprehensive Plan, hereinafter referred to as the City's Comprehensive Plan has been filed with the City;

WHEREAS, the Planning and Zoning Board of the City of Newberry, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the City of Newberry Local Planning Agency, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Ordinance No. 9-92, as amended, entitled City of Newberry Land Development Regulations, hereinafter referred to as the City's Land Development Regulations, the Planning and Zoning Board, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the City's Comprehensive Plan and at said public hearing, the Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application, as described below, for an amendment to the City's Comprehensive Plan, and recommended to the City Commission approval of said application, as described below, for amendment to the City's Comprehensive Plan;

WHEREAS, the City Commission held two public hearings, with public notice having been provided, under the provisions of the regular amendment public hearing procedures established in Sections 163.3161 to 163.3215, Florida Statutes, on said application for amendment, as described below, to the City's Comprehensive Plan and at said public hearings, the City Commission reviewed and considered all comments received during said public hearings, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency;

WHEREAS, the City Commission, found said application for an amendment, as described below, to the City's Comprehensive Plan to be compatible with all elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission, found, subsequent to the expedited submittal to the Florida Department of Economic Opportunity pursuant to the Expedited State Review Process provided in Section 163.3184 (2) and (3), Florida Statutes, no objections recommendations or comments were submitted by said Department and that said application for an amendment to add a Property Rights Element, as described below, to the City's Comprehensive Plan to be found by the State Land Planning Agency to be compatible with the other affected elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission, has determined and found that approval of an application for amendment to the City's Comprehensive Plan, providing for a Property Rights Element, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF NEWBERRY, FLORIDA, AS FOLLOWS:

Section 1. Comprehensive Plan Amended. Pursuant to an application, CPA 21-14, a request by the City of Newberry to amend the Comprehensive Plan to add a new Property Rights Element, as required by Section 163.3177, Florida Statutes, the City of Newberry Comprehensive Plan is hereby amended to include the additional Property Rights Element as follows (words ~~stricken~~ are deletions; words underlined are additions):

CODE OF ORDINANCES OF THE CITY OF NEWBERRY, FLORIDA

APPENDIX A – COMPREHENSIVE PLAN

ARTICLE XI - PROPERTY RIGHTS ELEMENT

In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3), Florida Statutes (F.S.), that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision-making. The following statement of rights, as provided in s. 163.3177(6)(i), F.S., shall be considered in City of Newberry local decision-making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This ordinance shall become effective upon adoption. The effective date of this plan amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. 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, 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 Department of Economic Opportunity, Division of Community Planning and Development, 107 East Madison Street, MSC-160, Tallahassee, FL 32399-4120.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 166.021 and Sections 163.3161 through 163.3215, Florida Statutes.

DONE THE FIRST READING, by the City Commission of the City of Newberry, Florida, at a regular meeting, this ___ day of _____, 2021.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Newberry, Florida, by the City Clerk of the City of Newberry, Florida, on the ___ day of _____, 2021.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this _____ day of _____, 2021.

BY THE MAYOR OF THE CITY OF NEWBERRY, FLORIDA

Honorable Jordan Marlowe, Mayor

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
NEWBERRY, FLORIDA:

Judy S. Rice, City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Attorney's Office

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

Regional Planning Council: North Central Fl Regional Planning Council Item No.: 59
Review Date: 8/26/21 Local Government: Town of Horseshoe Beach
Amendment Type: Adopted Amendment Local Government Item No.: CPA 21-1
State Land Planning Agency Item No.: 21-1ER

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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

The Town is amending the text and the Future Land Use Plan Map Series of the Town Comprehensive Plan based on an evaluation completed by the Town to reflect changes in state requirements pursuant to Section 163.3191, Florida Statutes. More specifically, the amendment amends the text of the Land Use Element; Transportation Element; Housing Element; Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Coastal Management Element; Public School Facilities Element and the Future Land Use Plan Map Series of the Town Comprehensive Plan and adds a new Property Rights Element (see attached excerpts).

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

Significant adverse impacts are not anticipated to regional transportation facilities or Natural Resources of Regional Significance as the amendment does not result in an increase in density or intensity of use.

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

The Town 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?

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

Yes _____	No _____
Not Applicable	_____ X _____

**EXCERPTS FROM THE
TOWN COMPREHENSIVE PLAN AMENDMENT**

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II

TRAFFIC CIRCULATION TRANSPORTATION ELEMENT

INTRODUCTION

A traffic circulation system which provides for the safe and efficient movement of people and goods is needed to support existing and future development. The purpose of this plan element is to identify the types, locations and extent of existing and proposed major thoroughfares and transportation routes in the Town and establish a framework for making policy decisions in planning for future transportation needs. The data collected for this plan element and analysis of this data, contained in the Data and Analysis document, are not part of this plan element, but serve to provide a foundation and basis for this portion of the Comprehensive Plan.

The ~~Traffic Circulation~~ **Transportation** Element is closely related to the Future Land Use Element. This is due to the inherent two-way relationship between land use and transportation. Land use patterns directly affect the demand for transportation facilities, with more intensive land uses generating more traffic and requiring greater degrees of accessibility. Conversely, the transportation network affects land use in that access provided by transportation facilities (existing or proposed) influences the use of land located adjacent to these facilities.

In addition to the Future Land Use Element, the ~~Traffic Circulation~~ **Transportation** Element is coordinated and consistent with the remaining plan elements as required by the ~~Local Government Comprehensive Community Planning and Land Development Regulation Act and accompanying Chapter 9J-5, Florida Administrative Code~~. Further, the Town's traffic circulation system does not stop at political boundaries. Therefore, coordination between other local governments is a necessary prerequisite to a functional traffic circulation system. The goal, objectives and policies of the Intergovernmental Coordination Element establish guidelines to be followed which provide for coordination between various governmental entities.

The following goal, objectives and policies of this plan element are intended to serve as the plan for traffic circulation needs. The objectives and policies herein provide a basis for addressing transportation needs within the Town.

GOAL, OBJECTIVES AND POLICIES

GOAL II - PROVIDE FOR A ~~TRAFFIC CIRCULATION~~ **TRANSPORTATION** SYSTEM WHICH SERVES EXISTING AND FUTURE LAND USES.

OBJECTIVE II.1 The Town shall establish a safe, convenient and efficient level of service standard which shall be maintained for all roadways ~~by 1990~~.

Policy II.1.1 Establish "C" Service Standard at peak hour as defined within **the most recent version of** the Florida Department of Transportation ~~"Daily Service Volumes Level of Service, A-E, 1987"~~ **Quality/Level of Service Handbook** for all roads within the areas of the Town.

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- Policy II.1.2 The Town's ~~land development regulations~~ shall ~~include provisions to~~ control the number and frequency of connections and access points of driveways and roads to arterial and collector roads. **For State Roads, the number and frequency of connections and access points shall be in conformance with Chapter 14-97 and 17-97, Florida Administrative Code.**
- Policy II.1.3 The Town's ~~land development regulations~~ shall require the provision of safe and convenient on-site traffic flow, which includes the provision for vehicle parking.
- Policy II.1.4 The Town's ~~land development regulations~~ shall, for any development which is required to provide a site plan or any development requiring platting, ~~include requirements for~~ additional right-of-way width for bicycle and pedestrian ways to be provided for all proposed collector and arterial roadways, as integrated or parallel transportation facilities.
- Policy II.1.5** **In accordance with Section 163.3180(5)(h)1.c. and 163.3180(5)(h)2. Florida Statutes, as amended, the Town shall provide a means by which the landowner will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. However, the landowner shall not be held responsible for contributing to deficient transportation facilities.**
- OBJECTIVE II.2 The Town shall, ~~by 1990, adopt a policy which~~ requires that all traffic circulation improvements be consistent with and complement the future land uses on the future land use plan map.
- Policy II.2.1 The Town shall, as part of the capital improvement scheduling of roadway improvements, review all proposed roadway improvements to determine if such improvement will further the direction of the Future Land Use Plan Element. Where the roadway is operated and maintained by another jurisdictional authority, the Town shall notify such jurisdiction, in writing, if any identified roadway improvement plans are not consistent with the provisions of the future land use plan element.
- OBJECTIVE II.3 The Town shall ~~adopt a policy, by 1990, to~~ coordinate its traffic circulation planning efforts with the Florida Department of Transportation for consistency with the Department's Five-Year Transportation Plan.
- Policy II.3.1 The Town shall, during the capital improvements planning process for roadway improvements, review the proposed roadway improvements which will be completed as part of the implementation of the Florida Department of Transportation Five-Year Transportation Plan so that such capital project planning is complementary and consistent with the state roadway improvement planning.

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OBJECTIVE II.4 The Town shall provide for the protection of existing and future right-of-ways from building encroachment by establishing right-of-way setback requirements for all structures along new or realigned collector and arterial roadways **by 1990**.

Policy II.4.1 The Town's ~~land development regulations~~ shall ~~include provisions which~~ require all structures along new or realigned collector or arterial roadways to provide additional setbacks for the future need of additional right-of-way.

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V

CONSERVATION ELEMENT

INTRODUCTION

The following goal, objectives and policies constitute the Conservation Element providing for the promotion of the conservation, use and protection of the Town's natural resources. The data collected for this plan element and analysis of this data, contained in the Town's Data and Analysis document, are not part of this plan element, but serve to provide a foundation and basis for the formulation of this portion of the Comprehensive Plan.

Conservation uses are defined as activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and within this plan includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, or protection of vegetative communities or wildlife habitats.

The Future Land Use Plan map addresses conservation future land use as defined above. The conservation future land use category shown on the Future Land Use Plan map identifies future conservation areas which consist of land within the Town which is anticipated to have planned management of a natural resource to prevent exploitation, destruction or neglect of that natural resources. At present there are no areas which have planned management of a natural resource within the Town. Therefore, until such time as there are areas which conserve a natural resource through the use of best management programs, this category although listed, will not be shown on the Future Land Use Plan Map.

The Future Land Use Plan map series includes the identification of flood prone areas, wetlands, existing and planned waterwells, rivers, bays, lakes, minerals and soils, which are land cover features, but are not land uses. Therefore, although these natural resources are identified within the Future Land Use Plan map series, they are not designated on the Future Land Use Plan map as conservation areas. However, the constraints on future land uses of these natural resources are addressed in the following goal, objective and policy statements.

GOAL, OBJECTIVES AND POLICIES

GOAL V - CONSERVE, THROUGH APPROPRIATE USE AND PROTECTION, THE RESOURCES OF THE TOWN TO MAINTAIN THE INTEGRITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The Town shall ~~establish~~ **continue to maintain** provisions within the land development regulations ~~by 1990~~ to protect air quality through the development review process by requiring the appropriate siting of development and associated public facilities.

POLICY V.1.1 The Town's ~~land development regulations~~ shall require that all appropriate air quality permits are obtained prior to the issuance of development orders, so that minimum air quality levels established by the Florida Department of Environmental ~~Regulation~~ **Protection** are maintained in the Town.

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- OBJECTIVE V.2 The Town shall **include continue to maintain** within the land development regulations, ~~by 1990~~, applicable provisions of the Florida **Division of Forestry-Department of Environmental Protection** best management practices to provide for the conservation, appropriate use and protection of the quality and quantity of current and projected water sources, water recharge areas and potable water wells.
- Policy V.2.1 The Town shall as part of the development review process require the coordination of development plans with the Florida Department of Environmental **Regulation Protection** and the Water Management District to assist in monitoring uses which may impact the Town's current and projected water sources.
- Policy V.2.2 The Town's ~~land development regulations~~ shall prohibit uses within or adjacent to the water resources of the Town which would violate water quality anti-degradation rules established by the Florida Department of Environmental **Regulation Protection**.
- Policy V.2.3 The Town shall identify and make recommendations, where appropriate, for the purchase of environmentally sensitive lands under the Conservation and Recreation Lands Program.
- Policy V.2.4 The Town's ~~land development regulations~~ shall require a 35-foot natural buffer around all wetlands and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow resource-based recreational activities within buffer areas subject to best management practices.
- Policy V.2.5 The Town shall, through the development review process, require that post-development runoff rates and pollutant loads do not exceed pre-development conditions.
- Policy V.2.6 The Town's ~~land development regulations~~ shall require all new development to maintain the natural functions of environmentally sensitive areas, including but not limited to wetlands and 100-year floodplains so that the long term environmental integrity and economic and recreational value of these areas is maintained.
- Policy V.2.7 The Town's ~~land development regulations shall~~ regulate development within 100-year floodplains in order to maintain the flood-carrying and flood storage capacities of the floodplains and reduce the risk of property damage and loss of life.
- Policy V.2.8 The Town's ~~land development regulations~~ shall conserve wetlands through prohibiting any development or dredging and filling, which would significantly alter their natural functions and by only allowing non-intensive agriculture, aquaculture and silviculture consistent with the best management practices manual developed by the Florida **Forest Service Division of Forestry**.
- Policy V.2.9 The Town shall support the Water Management District in conducting water conservation programs.

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- Policy V.2.10 The Town shall comply with the plans of the Water Management District for the emergency conservation of water sources.
- Policy V.2.11 The Town shall as part of the development review process limit development to low density and non-intensive uses in prime aquifer recharge areas, designated by the Water Management District, in order to maintain the natural features of these areas.
- Policy V.2.12 The Town shall as part of the development review process require the maintenance of the quantity and quality of surface water runoff within freshwater stream to sink watersheds by prohibiting any development which may diminish or degrade the quality and quantity of surfacewater runoff within the Town.
- Policy V.2.13 The Town as part of the development review process shall require that all hazardous waste generators properly manage their own wastes and require that new hazardous waste generators comply with all applicable federal and state permitting requirements before approving any development plans.
- Policy V.2.14 The Town shall protect critical natural habitat through acquisition, the public or private conservation easements, purchase of development rights, or through other available means as deemed appropriate.
- Policy V.2.15 The Town shall protect and conserve wildlife and its habitat including marine habitat, and maintain the natural functions of the Town's ecological zones by continued implementation of **a minimum thirty-five (35) foot natural buffer from all wetlands and perennial rivers, streams and creeks and prohibit structures within the buffer in order** ~~the adopted development regulations and performance standards established in the land development code.~~
- OBJECTIVE V.3 The Town shall adopt applicable provisions of the Florida Department of Agriculture best management practices for the conservation, appropriate use and protection of soils ~~by 1990~~.
- Policy V.3.1 The Town shall require within the land development regulations that any mining permit be coordinated with the Florida Department of ~~Natural Resources~~ **Environmental Protection** so that areas disturbed by mining activities are reclaimed to productive and beneficial use.
- Policy V.3.2 The Town shall review topographic, hydrologic and vegetative cover factors during the development review process in order to protect and conserve the natural functions of soils.
- Policy V.3.3 The Town shall require within the development review process that multiple use of established conservation areas where appropriate, be required to provide for recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.

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- Policy V.3.4 The Town shall cooperate with adjacent local governments and other governmental entities, research and interest groups to conserve and protect unique vegetative communities and open space located within the Town and adjacent local governments jurisdictions.
- Policy V.3.5 The Town shall participate in intergovernmental activities to appropriately conserve and manage native vegetation and viable wildlife habitat.
- OBJECTIVE V.4 The Town shall include within the land development regulations, ~~by 1990,~~ best management practices for the conservation, appropriate use and protection of fisheries, wildlife and wildlife habitats.
- Policy V.4.1 The Town shall cooperate with the Florida ~~Game and Fresh Water Fish Fish~~ **and Wildlife Conservation** Commission in the monitoring and inventorying of wildlife and wildlife habitats within the Town.
- Policy V.4.2 The Town shall assist in the application and compliance with all Federal and state regulations which pertain to endangered and rare species.
- Policy V.4.3 The Town shall consult with the Florida ~~Game and Fresh Water Fish Fish~~ **and Wildlife Conservation** Commission prior to the issuance of a development order where there is an indication that such issuance would result in an adverse impact to any endangered or rare species.
- Policy V.4.4 The Town shall cooperate with the Florida Department of ~~Natural Resources~~ **Environmental Protection** in the inventorying and monitoring aquaculture activities within the Town.
- Policy V.4.5 The Town shall address during the development review process the mitigation of development activities within environmentally sensitive areas so that the possible impacts created by the proposed development activity will not significantly alter the natural functions of the these significant natural resources.
- OBJECTIVE V.5 The Town shall protect, preserve, and enhance environmentally sensitive lands, natural areas and open space.
- Policy V.5.1 The Town shall assure the protection and preservation of these lands through public acquisition of fee title, conservation easement, development rights and other desired methods.
- OBJECTIVE V.6 The Town, in order to protect significant natural resources in a manner which is in conformance with and furthers the North Central Florida Strategic Regional Policy Plan, as amended August 23, 2018, hereby adopts the following maps as they apply to the Town as part of the Future Land Use Map Series of this Comprehensive Plan;**
- 1. Regionally Significant Natural Resources - Ground Water Resources, dated August 23, 2018;**
 - 2. Regionally Significant Natural Resources - Natural Systems, dated August 23, 2018;**

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- 3. Regionally Significant Natural Resources - Planning and Resource Management Areas, dated August 23, 2018;**
- 4. Regionally Significant Natural Resources - Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated August 23, 2018; and**
- 5. Regionally Significant Natural Areas - Surface Water Resources, dated August 23, 2018.**

The following policies provide direction for the use of these maps in applying the referenced policies of this Comprehensive Plan.

- Policy V.6.1** **The map entitled Regionally Significant Natural Resources - Ground Water Resources, dated August 23, 2018, included within the Future Land Use Map Series, identifies groundwater resources for the application of the provisions of the high groundwater aquifer protection policy of the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan.**
- Policy V.6.2** **The map entitled Regionally Significant Natural Resources - Natural Systems, dated August 23, 2018, included within the Future Land Use Map Series, identifies listed species for the application of the provisions the critical wildlife habitat policy of this element.**
- Policy V.6.3** **The maps entitled Regionally Significant Natural Resources - Planning and Resource Management Areas, dated August 23, 2018, included within the Future Land Use Map Series, identifies publicly owned regionally significant lands for application of the provisions of the conservation land use policy of the Future Land Use Element of this Comprehensive Plan.**
- Policy V.6.4** **The maps entitled Regionally Significant Natural Resources - Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated August 23, 2018, included within the Future Land Use Map Series, identifies surface water management improvement water bodies for the application of the provisions of the surface water runoff policy of this element.**
- Policy V.6.5** **The map entitled Regionally Significant Natural Areas - Surface Water Resources, dated August 23, 2018, included within the Future Land Use Map Series, identifies surface water resources for the application of the provisions of the surface water protection policy of this element.**

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

Regional Planning Council: North Central Fl Regional Planning Council Item No.: 60
Review Date: 8/26/21 Local Government: City of Perry
Amendment Type: Draft Amendment Local Government Item No.: CPA 21-01
State Land Planning Agency Item No.: 21-1ER

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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

The City is amending the text and the Future Land Use Plan Map Series of the City Comprehensive Plan based on an evaluation completed by the City to reflect changes in state requirements pursuant to Section 163.3191, Florida Statutes. More specifically, the amendment amends the text of the Future Land Use Element; Transportation Element; Housing Element; Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Public School Facilities Element; the Future Land Use Plan Map Series; and adds a new Property Rights Element of the City Comprehensive Plan (see attached excerpts).

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

Significant adverse impacts are not anticipated to regional transportation facilities or Natural Resources of Regional Significance as the amendment does not result in an increase in density or intensity of use.

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?

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

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

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

Words **bolded and underlined** have been added.
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II TRANSPORTATION ELEMENT

INTRODUCTION

A traffic circulation system which provides for the safe and efficient movement of people and goods is needed to support existing and future development. The purpose of this plan element is to identify the types, locations and extent of existing and proposed major thoroughfares and transportation routes in the City and establish a framework for making policy decisions in planning for future transportation needs. The data collected for this plan element and analysis of this data, contained in the Data and Analysis document, are not part of this plan element, but serve to provide a foundation and basis for this portion of the Comprehensive Plan.

The Transportation Element is closely related to the Future Land Use Element. This is due to the inherent two-way relationship between land use and transportation. Land use patterns directly affect the demand for transportation facilities, with more intensive land uses generating more traffic and requiring greater degrees of accessibility. Conversely, the transportation network affects land use in that access provided by transportation facilities (existing or proposed) influences the use of land located adjacent to these facilities.

In addition to the Future Land Use Element, the Transportation Element is coordinated and consistent with the remaining plan elements as required by the ~~Local Government Comprehensive Community Planning and Land Development Regulation~~ Act. Further, the City's traffic circulation system does not stop at political boundaries. Therefore, coordination between other local governments is a necessary prerequisite to a functional traffic circulation system. The goal, objectives and policies of the Intergovernmental Coordination Element establish guidelines to be followed which provide for coordination between various governmental entities.

The following goal, objectives and policies of this plan element are intended to serve as the plan for traffic circulation needs. The objectives and policies herein provide a basis for addressing transportation needs within the City.

TRANSPORTATION GOAL, OBJECTIVES AND POLICIES

GOAL II - PROVIDE FOR A TRANSPORTATION SYSTEM WHICH SERVES EXISTING AND FUTURE LAND USES.

OBJECTIVE II.1 The City shall establish a safe, convenient and efficient level of service standard which shall be maintained for all roadways

Policy II.1.1 Establish Service Standard at peak hour as defined within the **most recent version of** Florida Department of Transportation **2013** Quality/Level of Service Handbook for the following roadway segments within the City:

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	SEGMENT LEVEL OF SERVICE
1	U.S. 19 / 27 from City's north limits to U.S. 98 / S.R. 30	4	Arterial I Transition	C
2	U.S. 221 / S.R. 55 from City's north limits to U.S. 27/S.R. 20	2	Arterial II Transition	C
3	C.R. 361C from City's north limits to College Street	2	Urban Major Collector	D
4	C.R. 356 from U.S. 19 to U.S. 221	2	Urban Major Collector	D
5	C.R. 356 from U.S. 221 to C.R. 361C	2	Urban Major Collector	D
6	C.R. 356 from City's west limits to U.S. 19	2	Urban Major Collector	D
7	College Street from U.S. 221 to Clark Street	2	Urban Major Collector	D
8	Clark Street from College Street to C.R. 356	2	Urban Minor Collector	D
9	C.R. 356 from U.S. 10 to U.S. 221	2	Urban Major Collector	D
10	C.R. 356 from U.S. 221 to County Road Department	2	Urban Major Collector	D
11	U.S. 27/ S.R. 20 from U.S. 221 / S.R. 55 to J. Tom Moore	2	Arterial II Transition	C
12	U.S. 27/ S.R. 20 from J. Tom Moore to City's east limits	4	Arterial I Transition	C
13	U.S. 27/ S.R. 20 from U.S. 19 / 27 to U.S. 221/S.R. 55	2	Arterial I Transition	C

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	SEGMENT LEVEL OF SERVICE
14	U.S. 98/ S.R. 30 from City's west limits to U.S. 19 / 27	2	Arterial I Transition	C
15	U.S. 98/ S.R. 30 from U.S. 19 / 27 to U.S. 221/ S.R. 55	2	Arterial I Transition	C
15	U.S. 19/ 27 from U.S. 27 to U.S. 221	4	Arterial I Transition	C
16	U.S. 221/ S.R. 55 from U.S. 27/98 to U.S. 98 /19	4	Arterial I Transition	C
17	S.R. 30 from U.S. 221/ S.R. 55 to City's south limits	2	Arterial I Transition	C
18	Church Street from U.S. 19 to U.S. 221	2	Urban Major Collector	D
19	Church Street from U.S. 221 to S.R. 30	2	Urban Major Collector	D
20	C.R. 361A from U.S. 19 to City's south limits	2	Urban Major Collector	D
21	U.S. 19 from U.S. 221 to City's south limits	4	Arterial I Transition	C
22	C.R. S361 from U.S. 19 to City's north limits	2	Urban Major Collector	D

Policy II.1.2 The City shall ~~include provisions to~~ control the number and frequency of connections and access points of driveways and roads to arterial and collector roads. **For State Roads, the number and frequency of connections and access points shall be in conformance with Chapter 14-97 and 17-97, Florida Administrative Code, as amended.**

Policy II.1.3 The City shall require the provision of safe and convenient on-site traffic flow, which includes the provision for non-motorized vehicle parking.

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- Policy II.1.4 The City's Planning and Zoning Board shall consider the need for the purchase of additional right-of-way width for bicycle and pedestrian ways as integrated or parallel transportation facilities for any development which is required to provide a site plan or any development requiring platting, which faces a collector and arterial roadways.
- Policy II.1.5 In accordance with Section 163.3180(5)(h)1.c. and 163.3180(5)(h)2. Florida Statutes, **as amended**, the City shall provide a means by which the landowner will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. However, the landowner shall not be held responsible for contributing to deficient transportation facilities.
- OBJECTIVE II.2 The City shall require that all traffic circulation improvements be consistent with and complement the future land uses on the future land use plan map.
- Policy II.2.1 The City shall, as part of the capital improvement scheduling of roadway improvements, review all proposed roadway improvements to determine if such improvement will further the direction of the future Land Use Plan Element. Where the roadway is operated and maintained by another jurisdictional authority, the City shall notify such jurisdiction, in writing, if any identified roadway improvement plans are not consistent with the provisions of the future land use plan element.
- OBJECTIVE II.3 The City shall on an annual basis coordinate its traffic circulation planning efforts with the Florida Department of Transportation for consistency with the Department's 5-year Transportation Plan.
- Policy II.3.1. The City shall, during the capital improvements planning process for roadway improvements, review the proposed roadway improvements which will be completed as part of the implementation of the Florida Department of Transportation 5 - Year Transportation Plan so that such capital project planning is complementary and consistent with the state roadway improvement planning.
- OBJECTIVE II.4 The City shall provide for the protection of existing and future right-of-ways from building encroachment by identifying the need to purchase additional right of way where new development is being established along new or realigned collector and arterial roadways
- Policy II.4.1 The Planning and Zoning Board shall identify the need for the purchase of additional right-of-way where new development is being established along new or realigned collector and arterial roadways.
- Policy II.4.2 Properties under the same ownership or those consolidated for development shall be treated as one property for the purposes of access management and shall not receive the maximum potential number of access points for that frontage indicated under minimum access spacing standards.
- Policy II.4.3 Large commercial developments shall be required to provide and/or extend nearby local and collector streets and provide street connections with surrounding residential areas so residents may access the development without traveling on arterial streets.

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- Policy II.4.4 Shopping centers shall be required to provide a unified access and circulation plan and require any out parcels to obtain access from the unified access and circulation system.
- Policy II.4.5 Existing lots unable to meet the access spacing standards for arterials shall obtain access from platted side streets, parallel streets, service roads, joint and cross-access or the provision of easements;
- Policy II.4.6 Adequate corner clearance shall be maintained at crossroad intersections with arterials.
- Policy II.4.7 The City shall encourage cross-access connections easements and joint driveways, where available and economically feasible.
- Policy II.4.8 The City shall encourage closure of existing excessive, duplicative, unsafe curb cuts or narrowing of overly wide curb cuts at the development site.

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V

CONSERVATION ELEMENT

INTRODUCTION

The following goal, objectives and policies constitute the Conservation Element providing for the promotion of the conservation, use and protection of the City's natural resources. The data collected for this plan element and analysis of this data, contained in the City's Data and Analysis document, are not part of this plan element, but serve to provide a foundation and basis for the formulation of this portion of the Comprehensive Plan.

Conservation uses are defined as activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and within this plan includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, or protection of vegetative communities or wildlife habitats.

The Future Land Use Plan map addresses conservation future land use as defined above. The conservation future land use category shown on the Future Land Use Plan map identifies future conservation areas which consist of land within the City which is anticipated to have planned management of a natural resource to prevent exploitation, destruction or neglect of that natural resources. At present there are no areas which have planned management of a natural resource within the City. Therefore, until such time as there are areas which conserve a natural resource through the use of best management programs, this category although listed, will not be shown on the Future Land use Plan map.

The Future Land Use Plan map series includes the identification of flood prone areas, wetlands, existing and planned waterwells, rivers, bays, lakes, minerals and soils, which are land cover features, but are not land uses. Therefore, although these natural resources are identified within the Future Land Use Plan map series, they are not designated on the Future Land Use Plan map as conservation areas. However, the constraints on future land uses of these natural resources are addressed in the following goal, objective and policy statements.

CONSERVATION GOAL, OBJECTIVES AND POLICIES

GOAL V - CONSERVE, THROUGH APPROPRIATE USE AND PROTECTION, THE RESOURCES OF THE CITY TO MAINTAIN THE INTEGRITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The City shall protect air quality through the development review process by requiring the appropriate siting of development and associated public facilities and by requiring landscape buffers and setbacks.

POLICY V.1.1 The City's ~~land development regulations~~ shall require that all appropriate air quality permits are obtained prior to the issuance of development orders, so that minimum air quality levels established by the Florida Department of Environmental Protection are maintained in the City.

OBJECTIVE V.2 The City shall establish applicable provisions of the Florida Forest Service best management practices to provide for the conservation, appropriate use and protection of the quality and quantity of current and projected water sources, water recharge areas and potable water wells.

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- Policy V.2.1 The City shall as part of the development review process require the coordination of development plans with the Florida Department of Environmental Protection and the Water Management District to assist in monitoring uses which may impact the City's current and projected water sources.
- Policy V.2.2 The City's ~~land development regulations~~ shall prohibit uses within or adjacent to the water resources of the City which would violate water quality anti-degradation rules established by the Florida Department of Environmental Protection.
- Policy V.2.3 The City shall identify and make recommendations, where appropriate, for the purchase of environmentally sensitive lands under the Conservation and Recreation Lands Program or Save Our Rivers Program.
- Policy V.2.4 The City's ~~land development regulations~~ shall require a 35-foot natural buffer around all wetlands, except isolated wetlands less than one-half acre in size, consistent with Section 12.2.2.1 of the Suwannee River Water Management District's Environmental Resource Permit Applicant's Handbook, and shall prohibit the location of residential, commercial and industrial land uses within the buffer areas.
- Policy V.2.5 The City prior to granting approval of a site and development plan, for the construction or expansion shall require that all hazardous waste generators and facilities are duly permitted as required by Chapter 403, Florida Statutes, **as amended**, by the Florida Department of Environmental Protection. In addition, the City, prior to the issuance of a certificate of land development regulation compliance, shall require that all existing hazardous waste facilities or uses which generate hazardous waste show proof of such permit prior to a change in occupancy.
- Policy V.2.6 The City shall, through the development review process, require that post-development runoff rates and pollutant loads do not exceed pre-development conditions.
- Policy V.2.7 The City shall require all new development to maintain the natural functions of environmentally sensitive areas, including but not limited to wetlands, except isolated wetlands less than one-half acre in size, consistent with Section 12.2.2.1 of the Suwannee River Water Management District's Environmental Resource Permit Applicant's Handbook, and 100-year floodplains so that the long term environmental integrity and economic and recreational value of these areas are maintained.
- Policy V.2.8 The City shall regulate development within 100-year floodplains in order to maintain the flood-carrying and flood storage capacities of the floodplains and reduce the risk of property damage and loss of life.
- Policy V.2.9 The City's ~~land development regulations~~ shall conserve wetlands by prohibiting, where other alternatives for development exist, any development or dredging and filling which would alter their natural functions. Where no other alternative for development exists, mitigation will be considered as a last resort using criteria established within Chapters 40B-4 and 40B-400, Florida Administrative Code, Rules of the Suwannee River Water Management District, **as amended**. Fish and wildlife values of isolated wetlands less than one-half acre in size, consistent with Section 12.2.2.1 of the Suwannee River Water Management District's Environmental Resource Permit Applicant's Handbook, are de minimis and no mitigation of such de minimis values shall be required.

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- Policy V.2.10 The City shall support the Water Management District in their conducting of water conservation programs, by assisting with public information programs for water use restrictions in the case of water shortage.
- Policy V.2.11 The City shall comply with the plans of the Water Management District for the emergency conservation of water sources through assisting the Water Management District with public information programs for any water use restrictions in the case of water shortage.
- Policy V.2.12 The City's ~~land development regulations~~ shall require a 35-foot regulated natural buffer adjacent to all perennial rivers, streams and creeks and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow resource-based recreational activities within buffer areas.
- Policy V.2.13 The City shall as part of the development review process limit development to low density and non-intensive uses in prime aquifer recharge areas, designated by the Water Management District, in order to maintain the natural features of these areas.
- Policy V.2.14 The City shall as part of the development review process require the maintenance of the quantity and quality of surface water runoff within freshwater stream to sink watersheds by prohibiting any development which may diminish or degrade the quality and quantity of surfacewater runoff within the City.
- Policy V.2.15 The City prior to granting approval of a site and development plan, for construction or expansion shall require that all hazardous waste generators and facilities are duly permitted as required by Chapter 403, Florida Statutes, **as amended** by the Florida Department of Environmental Protection. In addition, the City, prior to the issuance of a certificated of land development regulation compliance, shall require that all existing hazardous waste facilities or uses which generate hazardous waste show proof of such permit prior to a change in occupancy.
- OBJECTIVE V.3 The City shall provide for the conservation, use and protection of soils, minerals and native vegetative communities.
- Policy V.3.1 The City shall require that any mining permit be coordinated with the Florida Department of Environmental Protection so that mineral resources areas disturbed by mining activities are reclaimed to productive and beneficial use.
- Policy V.3.2 The City shall review topographic, hydrologic and vegetative cover factors during the development review process in order to protect and conserve the natural functions of soils.
- Policy V.3.3 The City shall require within the development review process that multiple use of forest resources where appropriate, be required to provide for recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.
- OBJECTIVE V.4 The City shall include within the site and development plan approval Process, provisions for the location and use of screens and buffers to preserve wildlife and wildlife habitats.

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- Policy V.4.1 The City shall cooperate with the Florida Fish and Wildlife Conservation Commission in the monitoring and inventorying of wildlife and wildlife habitats within the City.
- Policy V.4.2 The City shall assist in the application and compliance with all Federal and state regulations which pertain to endangered and rare species.
- Policy V.4.3 The City shall consult with the Florida Fish and Wildlife Conservation Commission prior to the issuance of a development order where there is an indication that such issuance would result in an adverse impact to any endangered or rare species.
- Policy V.4.4 The City shall cooperate with the Florida Department of Environmental Protection in the inventorying and monitoring aquaculture activities within the City.
- Policy V.4.5 The City shall address, during the development review process, the mitigation of development activities within environmentally sensitive areas by prohibiting, where other alternatives for development exist, any development or dredging and filling which would alter their natural functions. Where no other alternative for development exists, mitigation will be considered as a last resort using criteria established within the rules of the Florida Department of Environmental Protection.
- Policy V.4.6 The City shall cooperate with the Florida Fish and Wildlife Conservation Commission in the inventorying and monitoring aquaculture activities within the City.
- Policy V.4.7 The City shall address during the development review process the mitigation of development activities within environmentally sensitive areas so that the possible impacts created by the proposed development activity will not significantly alter the natural functions of the these significant natural resources.
- OBJECTIVE V.5 The City, in order to protect significant natural resources in a manner which is in conformance with and furthers the North Central Florida Strategic Regional Policy Plan, as amended ~~October 27, 2011~~ **August 23, 2018**, hereby adopts the following maps as they apply to the City as part of the Future Land Use Map Series of this Comprehensive Plan;
1. Regionally Significant Natural Resources - Ground Water Resources, dated ~~October 27, 2011~~ **August 23, 2018**;
 2. Regionally Significant Natural Resources - Natural Systems, dated ~~October 27, 2011~~ **August 23, 2018**;
 3. Regionally Significant Natural Resources - Planning and Resource Management Areas, dated ~~October 27, 2011~~ **August 23, 2018**;
 4. Regionally Significant Natural Resources - Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated ~~October 27, 2011~~ **August 23, 2018**; and
 5. Regionally Significant Natural Areas - Surface Water Resources, dated ~~October 27, 2011~~ **August 23, 2018**.

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The following policies provide direction for the use of these maps in applying the referenced policies of this Comprehensive Plan.

- Policy V.5.1 The map entitled Regionally Significant Natural Resources - Ground Water Resources, dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies groundwater resources for the application of the provisions of the high groundwater aquifer protection policy of the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan.
- Policy V.5.2 The map entitled Regionally Significant Natural Resources - Natural Systems, dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies listed species for the application of the provisions the critical wildlife habitat policy of this element.
- Policy V.5.3 The maps entitled Regionally Significant Natural Resources - Planning and Resource Management Areas, dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies state owned regionally significant lands for application of the provisions of the conservation land use policy of the Future Land Use Element of this Comprehensive Plan.
- Policy V.5.4 The maps entitled Regionally Significant Natural Resources - Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies surface water management improvement water bodies for the application of the provisions of the surface water runoff policy of this element.
- Policy V.5.5 The map entitled Regionally Significant Natural Areas - Surface Water Resources, dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies surface water resources for the application of the provisions of the surface water and riverbank protection policies of this element.

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X

PROPERTY RIGHTS ELEMENT

INTRODUCTION

The following goal, objective and policies constitute the Property Rights Element, in accordance with the legislative intent expressed in Section 163.3161(10) , Florida Statutes, as amended, and Section 187.101(3), Florida Statutes, as amended.

PROPERTY RIGHTS GOAL, OBJECTIVE AND POLICIES

GOAL X - RECOGNIZE AND RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

OBJECTIVE X.1 In local decision making, the City shall consider the statement of rights as enumerated in Policy X.1.1, Policy X.1.2, Policy X.1.3, and Policy X.1.4.

Policy X.1.1 In local decision making, the City shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy X.1.2 In local decision making, the City shall consider the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

Policy X.1.3 In local decision making, the City shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy X.1.4 In local decision making, the City shall consider the right of a property owner to dispose of his or her property through sale or gift.

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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 61
Local Government: City of Alachua
Local Government Item No.: Ord. No. 21-09
State Land Planning Agency Item No.: 21-3 ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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

The amendment reclassifies approximately 16.10 acres from Agriculture to Commercial on 6.26 acres and from Agriculture to Industrial on 9.84 acres. (See attached).

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

The subject property is located in a Stream to Sink area identified and mapped as a Natural Resource of Regional Significance in the North Central Florida Strategic Regional Policy Plan. Nevertheless, no significant adverse impacts to Natural Resources of Regional Significance are anticipated as the City comprehensive plan contains adequate policy direction to prevent significant adverse impacts to the natural resources.

The subject property is located within one-half mile of U.S. Highway 441 which is identified and mapped in the regional plan as part of the Regional Road Network. The City Transportation Element contains objectives and policies which implement of 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.

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?

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

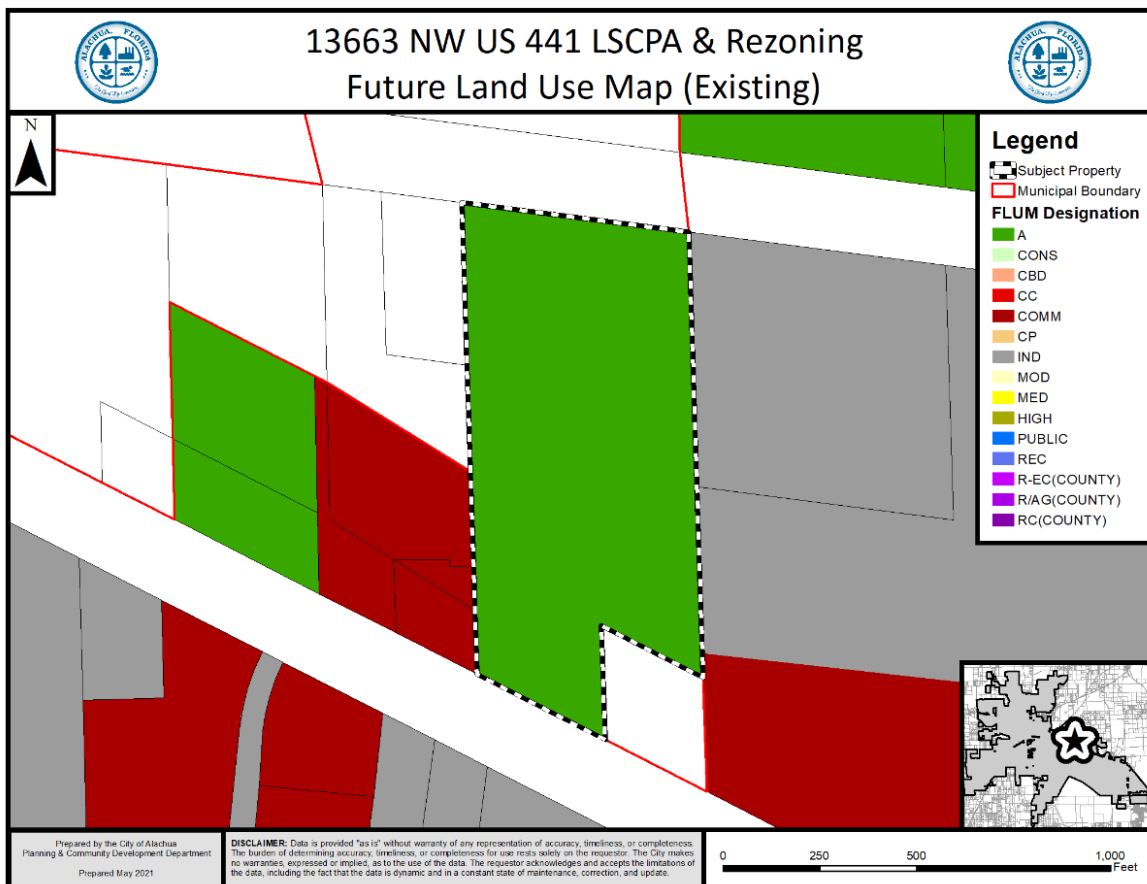
Yes <u> X </u>	No _____
Not Applicable	_____

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

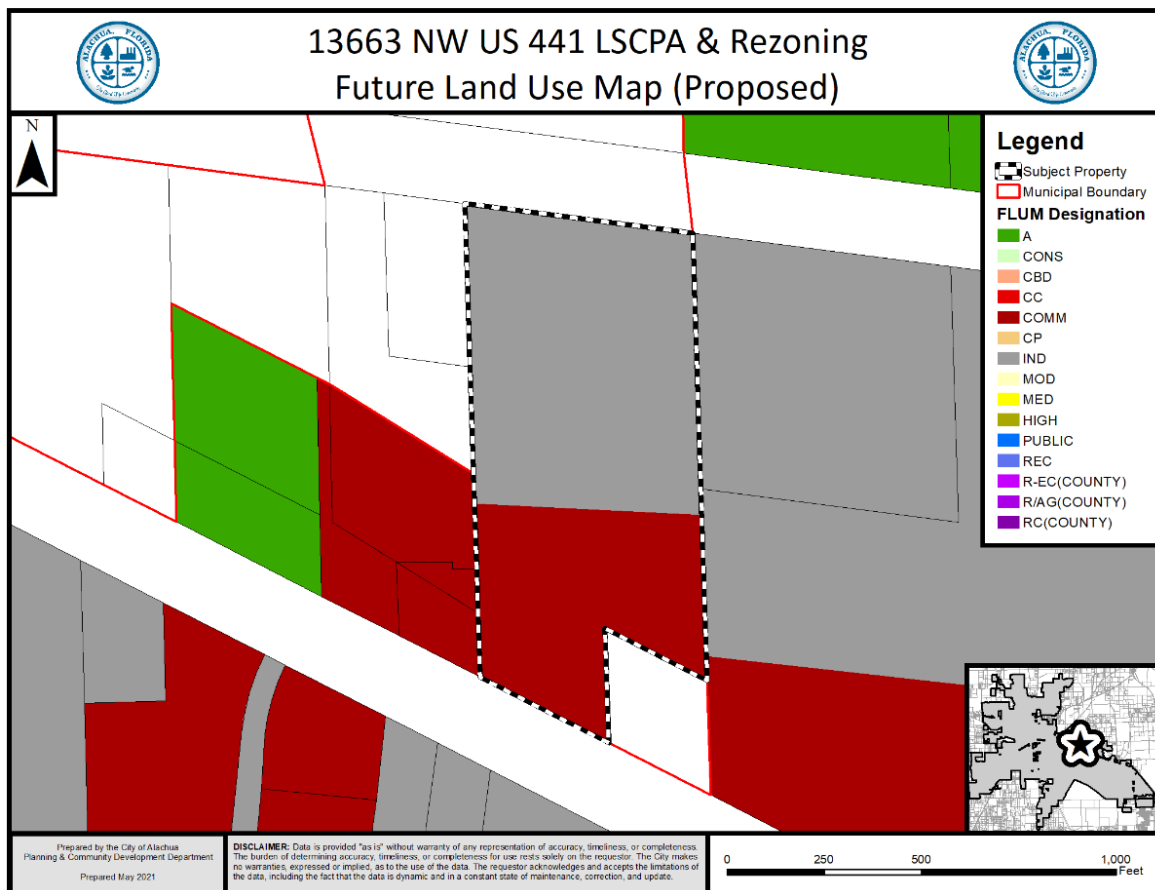
Table 1. Comparison of Existing / Proposed FLUM Designations

	Existing FLUM Designation	Proposed FLUM Designation	Proposed FLUM Designation
FLUM Designation:	Agriculture (±16.10 acres)	Commercial (±6.26 acres)	Industrial (±9.84 acres)
Max. Gross Density:	3 dwellings	N/A	N/A
Max. Floor Area:	N/A	136,342 square feet	214,315 square feet
Typical Uses:	Agricultural Activities; Limited Commercial Uses on a Limited Scale Serving or Ancillary to Agricultural Uses; Rural Residential Uses	Retail sales and services; Personal services; Tourist-related uses; Hotels and motels; Commercial shopping centers; Auto-oriented uses; Office/business parks; Eating establishments	Warehouse / Distribution; Manufacturing Facilities; Flex Facilities (Research & Development, Office Showrooms, Limited Retail)
Net Increase/Decrease:	<p style="text-align: center;"><i>Decrease of 3 dwelling units</i> <i>Increase of 136,342 square feet commercial uses</i> <i>Increase of 214,315 square feet industrial uses</i></p>		

Map 1. Existing Future Land Use Map with Subject Property



Map 2. Proposed Future Land Use Map with Subject Property



EXISTING USES

The property is comprised of natural wooded vegetation and cleared pasture. There is an existing single-family dwelling located on the subject property.

SURROUNDING USES

The existing uses, Future Land Use Map ("FLUM") Designations, and zone districts of the surrounding area are identified in Table 1. Map 5 provides an overview of the vicinity of the subject property.

NOTE: The information below is intended to provide a general overview of the area surrounding the subject property and to generally orient the reader. It is not intended to be all-inclusive, and may not identify all existing uses, FLUM Designations, and/or zoning districts surrounding the subject property.

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

Regional Planning Council: North Central Fl
Review Date: 8/26/21
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 62
Local Government: Levy County
Local Government Item No.: LSTA 21-02
State Land Planning Agency Item No.: 21-2ESR

Date Mailed to Local Government and State Land Planning Agency: 8/27/21 (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

The County item LSTA 21-02 amends the County’s Comprehensive Plan to add a new Property Rights Element (see attached)..

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

The County item is not anticipated to result in significant adverse impacts to regional facilities or Natural Resources of Regional Significance as the amendment is not anticipated to result in an increase in density or intensity of use.

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

The County 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?

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

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

**EXCERPTS FROM THE
COUNTY COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE NO. 2021 - 013

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA CREATING A NEW ELEMENT OF THE COMPREHENSIVE PLAN ENTITLED “PROPERTY RIGHTS ELEMENT”; ESTABLISHING GOALS, OBJECTIVES AND POLICIES TO ENSURE PRIVATE PROPERTY RIGHTS ARE CONSIDERED IN COUNTY DECISION-MAKING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Art. I, Section 2 of the Florida Constitution declares that all-natural persons are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property; and

WHEREAS, the United States Constitution amendment V, Florida Constitution Article I, Section 9, and, among others, chapters 70, 73 and 74 of the Florida Statute establish due process rights of property owners to ensure the protection of private property; and

WHEREAS, in furtherance of ensuring the protection of private property interests, the Community Planning Act, s. 163.3161(10), Fla. Stat. expressly establishes the intent of the Florida Legislature that all governmental entities the state recognize, and respect judicially acknowledged or constitutionally protected private property rights in its decision making; and

WHEREAS, all counties of the state are required to establish a comprehensive plan that shall provide the principles, guidelines, standards and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements (Section 163.3177(1), Fla. Stat.); and

WHEREAS, the Florida Legislature establishes in general law specific mandatory and optional elements that a local government must include in its comprehensive plan such as a future land use element and a capital improvements element (see Section 163.3177, Fla. Stat.); and

WHEREAS, during the 2021 Florida Legislative Session, the Legislature adopted new legislation signed into law by the Governor that created chapter 2021-195, Laws of Florida; and

WHEREAS, section 2 of chapter 2021-195, Laws of Florida adds an additional mandatory element to be included by local governments in their Comprehensive Plans known as the “Property Rights Element;” and

WHEREAS, the new element must be adopted by each local government by the earlier of the date of its adoption of its next proposed plan amendment that is initiated after July 1, 2021 or

the date of the next scheduled evaluation and appraisal of its comprehensive plan pursuant to s. 163.3191, Fla. Stat. Currently, the County has a proposed plan amendment that was initiated after July 1, 2021, triggering the necessity of presenting the Board with a new Property Rights Element; and

WHEREAS, the Florida Legislature has set forth in chapter 2021-195, Laws of Florida a minimum standard statement of rights within the Legislation which may be taken verbatim and included into the Property Rights Element or may be altered so long as the element does not conflict with the statement of rights established by the Legislature; and

WHEREAS, County Staff and County Legal have met and drafted the Property Rights Element maintaining the standard statement of rights with additional clarification and explanation as to its applicability in the community and these additions do not conflict with the minimum standard statement of rights established by the Legislature; and

WHEREAS, the County now finds it in the best interest of the citizens of the County to create the Property Rights Element in the Levy County Comprehensive Plan.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Levy County, Florida (“Board”) as follows:

Section 1. The above recitals are true and correct and are hereby included and incorporated by reference as the findings of the Board in the adoption of the Real Property Element to the Levy County Comprehensive Plan.

Section 2. The Board hereby creates a new Chapter to the Levy County Comprehensive Plan entitled “Property Rights Element” as follows:

PROPERTY RIGHTS ELEMENT

Goal: Ensure private real property rights are considered in local decision-making and that judicially acknowledged and constitutionally protected private property rights are respected through the inclusion of a Property Rights Element within the Levy County Comprehensive Plan. For purposes of the Property Rights Element, the term “property owner” or “real property owner” means the person who holds legal title to the real property that is the subject of and directly impacted by the action of the County in its local decision-making. The term does not include another governmental entity.

Objective 1 Implement and maintain mechanisms to ensure that private property rights are considered in local decision-making. Provided, nothing in this Property Rights Element is intended to grant additional rights not already in existence or to supersede existing rights in accordance with the law. Further, nothing herein shall require the County to ascertain or determine the existence of any purported private interest in real property, which when disputed is within the jurisdiction of the circuit courts (see s. 26.012(g), Florida Statutes (2021), and Art. V, Sec. 20(c)(3), Fla. Const.).

Policy 1.1 The right of a real property owner to physically possess and control his or her interests in the real property, including easements, leases, or mineral rights.

Policy 1.2 The right of a real property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to applicable federal, state, and local law.

Policy 1.3 The right of a real property owner to privacy and to exclude others from the property to protect the property owner's legal interests in such real property, subject to applicable federal, state, and local law.

Policy 1.4 The right of a real property owner to dispose of his or her real property interest through sale or gift.

Section 3. This Ordinance shall become effective in accordance with the law.

PASSED, ADOPTED AND APPROVED THIS ____ day of _____, 2021.

**BOARD OF COUNTY
COMMISSIONERS
OF LEVY COUNTY, FLORIDA**

ATTEST: Clerk of the Court and
Ex-Officio Clerk to the Board

Danny J. Shipp, County Clerk

John Meeks, Chairman

Approved for Form and Correctness:

By: _____
Interim County Attorney



#52

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**REGIONAL CLEARINGHOUSE
INTERGOVERNMENTAL COORDINATION AND RESPONSE**

Date: 8/3/21

PROJECT DESCRIPTION

#52 - Florida Power & Light/Gulf Power Company -
2020 Ten-Year Site Plan

TO: Donald Phillips
Engineering Specialist
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

 COMMENTS ATTACHED

 X **NO COMMENTS REGARDING THIS PROJECT**

IF YOU HAVE ANY QUESTIONS REGARDING THESE COMMENTS, PLEASE CONTACT
LAUREN YEATTER, SENIOR PLANNER AT THE NORTH CENTRAL FLORIDA REGIONAL
PLANNING COUNCIL AT 352.955.2200, EXT 113

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#53

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**REGIONAL CLEARINGHOUSE
INTERGOVERNMENTAL COORDINATION AND RESPONSE**

Date: 8/3/21

PROJECT DESCRIPTION

#53 - Duke Energy Florida -
2020 Ten-Year Site Plan

TO: Donald Phillips
Engineering Specialist
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

COMMENTS ATTACHED

NO COMMENTS REGARDING THIS PROJECT

IF YOU HAVE ANY QUESTIONS REGARDING THESE COMMENTS, PLEASE CONTACT
LAUREN YEATTER, SENIOR PLANNER AT THE NORTH CENTRAL FLORIDA REGIONAL
PLANNING COUNCIL AT 352.955.2200, EXT 113

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