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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 **May 26, 2022**. 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

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AGENDA CLEARINGHOUSE COMMITTEE

Virtual Public Meeting
Via Communications Media Technology
Gainesville, Florida

May 26, 2022
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.	

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
CLEARINGHOUSE COMMITTEE
MINUTES

Virtual Public Meeting
Via Communications Media Technology

March 24, 2022
6:00 p.m.

MEMBERS PRESENT

Patricia Bouie Hutchinson, Chair
Robert Brown, Vice-Chair
Jim Catron
Reina Saco
Donnie Waldrep
Marihelen Wheeler

MEMBERS ABSENT

John Meeks
James Tallman

STAFF PRESENT

Lauren Yeatter

Chair Bouie Hutchinson requested that Vice-Chair Robert Brown serve as the presiding officer for the meeting. Noting the presence of a quorum, the meeting was called to order by Vice-Chair Robert Brown at 6:05 p.m.

I. APPROVAL OF THE AGENDA

Vice-Chair Brown requested approval of the agenda as presented.

ACTION: It was moved by Commissioner Catron and seconded by Commissioner Saco to approve the March 24, 2022 Clearinghouse Committee Agenda as presented. The motion carried unanimously.

II. APPROVAL OF THE FEBRUARY 24, 2022 MEETING MINUTES

ACTION: It was moved by Commissioner Bouie Hutchinson and seconded by Commissioner Saco to approve the February 24, 2022 Clearinghouse Committee meeting minutes as circulated. The motion carried unanimously.

III. COMMITTEE-LEVEL REVIEW ITEMS

- #65 - Columbia County Comprehensive Plan Adopted Amendment (DEO No. 21-1ESR)
- #66 - City of Archer Comprehensive Plan Adopted Amendment (DEO No. 21-1ER)
- #67 - City of Waldo Comprehensive Plan Draft Amendment (DEO No. 22-1ESR)
- #68 - City of Starke Comprehensive Plan Adopted Amendment (DEO No. 21-1ER)
- #69 - City of Madison Comprehensive Plan Draft Amendment (DEO No. 22-1ER)

ACTION: It was moved by Commissioner Bouie Hutchinson and seconded by Commissioner Wheeler to group Committee-Level Review Items #65, #66, #67, #68, and #69 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 Saco and seconded by Commissioner Wheeler to recommend that the Council approve the staff reports as circulated. The motion carried unanimously.**

The meeting adjourned at 6:16 p.m.

Patricia Bouie Hutchinson, Chair

4/28/22
Date

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

Regional Planning Council: North Central FL Regional Planning Council Item No.: 81
Review Date: 5/26/22 Local Government: City of Alachua
Amendment Type: Draft Amendment Local Government Item No.: Ord. No. 22-06
State Land Planning Agency Item No.: 22-3 ESR

Date Mailed to Local Government and State Land Planning Agency: 5/26/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The amendment reclassifies approximately 162.5 acres from Agriculture to Community Commercial (7.0 acres), Low Density Residential (115.5 acres), and Moderate Density Residential (40.0 acres) (See attached).

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

The subject property is located adjacent to U.S. Highway 41 which is identified and mapped in the regional plan as part of the Regional Road Network. However, the staff report states that there are no transportation facilities that would be deficient as a result of this amendment. Therefore, adverse transportation impacts to the Regional Road Network are not anticipated as a result of the amendment.

The subject property is located in an Area of High Recharge Potential to the Floridan Aquifer, 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.

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.

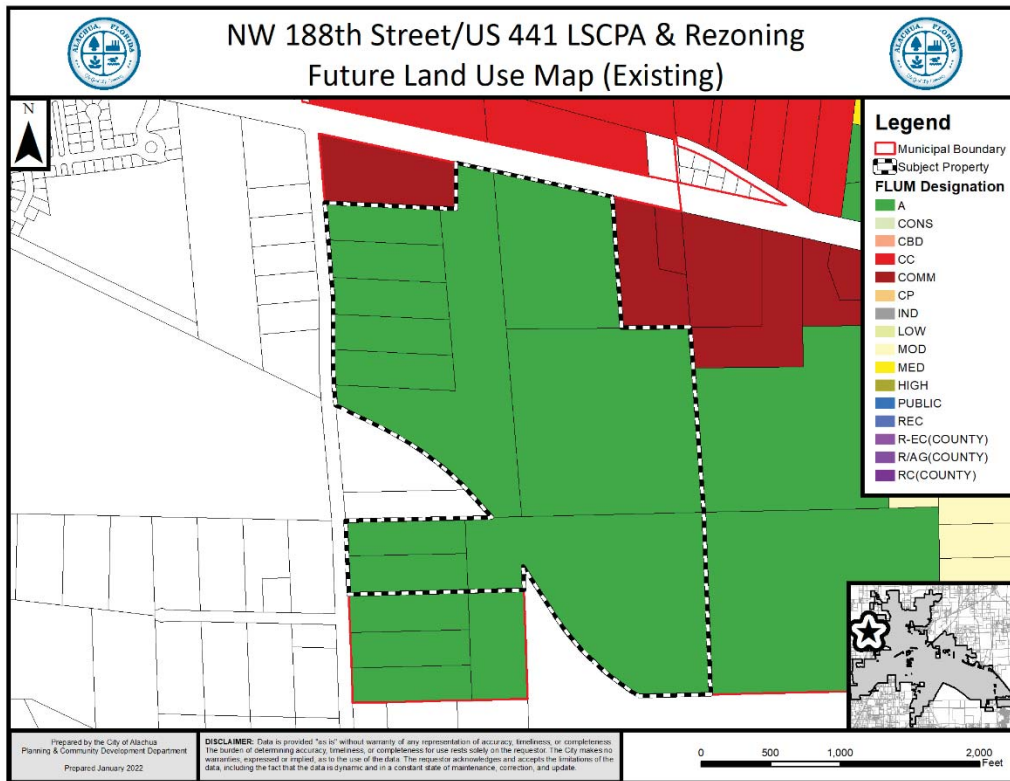
Request a copy of the adopted version of the amendment?

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

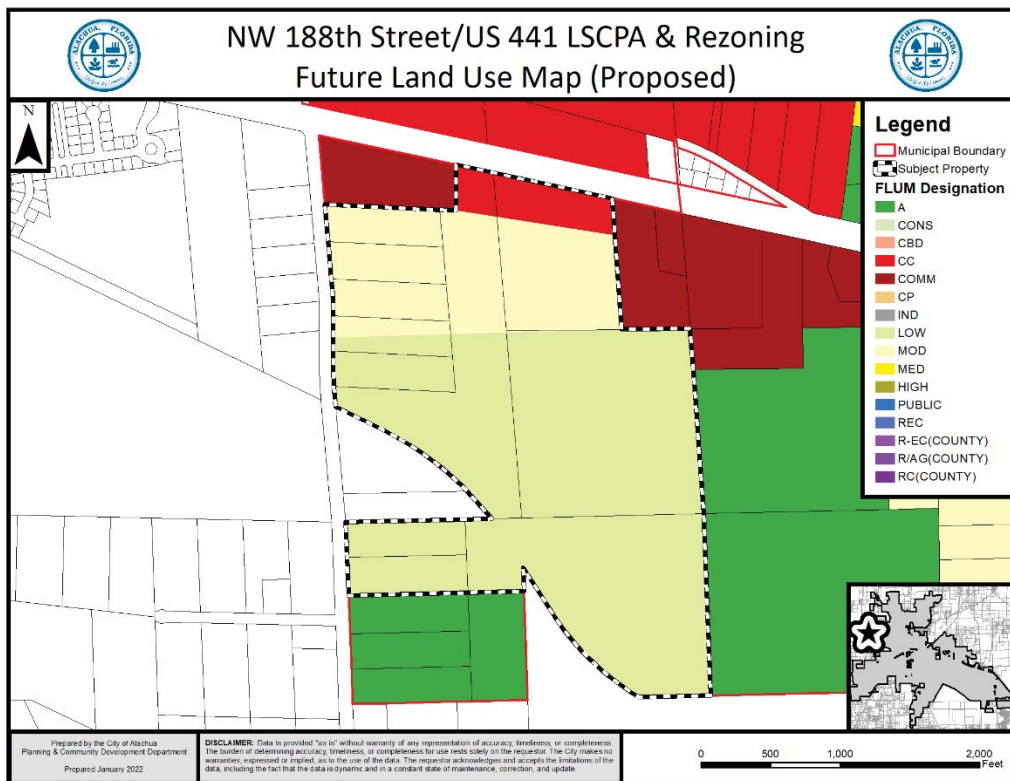
Yes <u> X </u>	No _____
Not Applicable _____	_____

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

Map 1. Existing Future Land Use Map with Subject Property



Map 2. Proposed Future Land Use Map with Subject Property



EXISTING USES

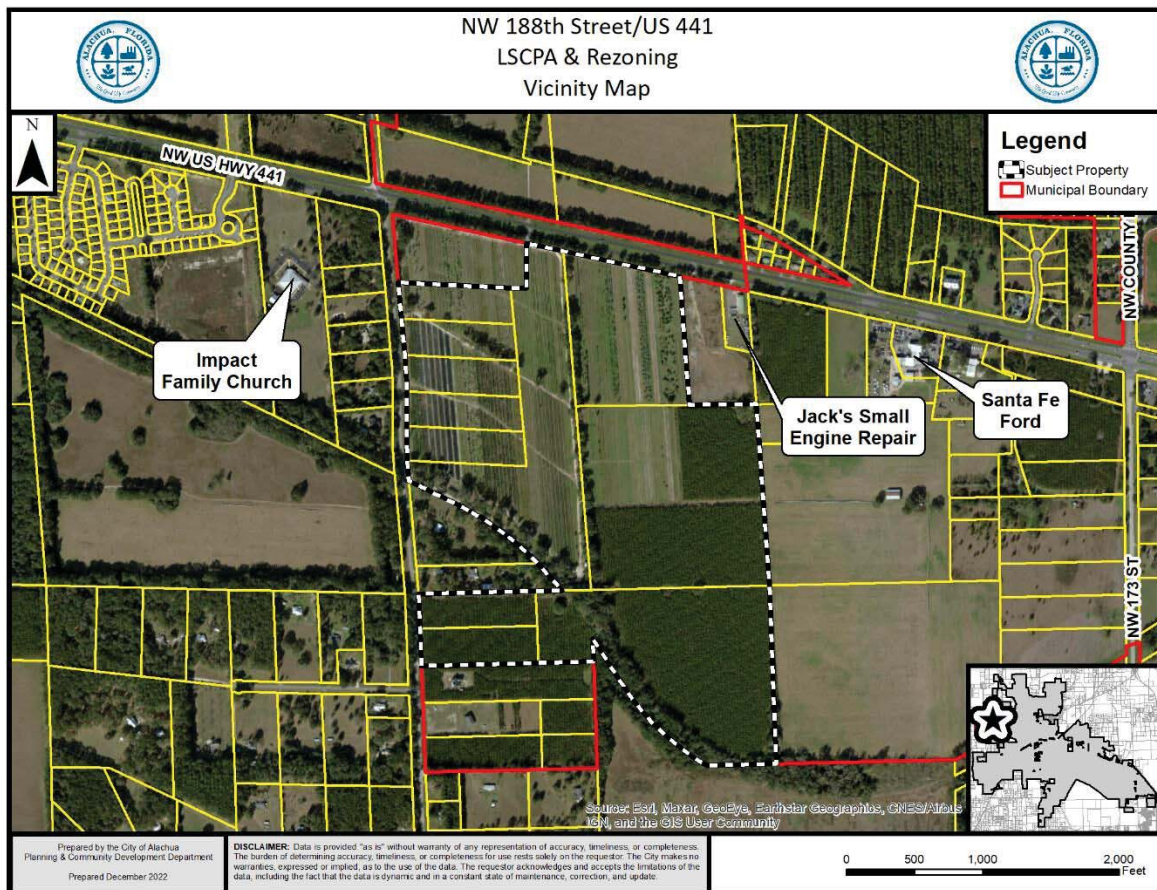
The property is undeveloped and is primarily comprised of lands used as a tree farm and planted pine.

SURROUNDING USES

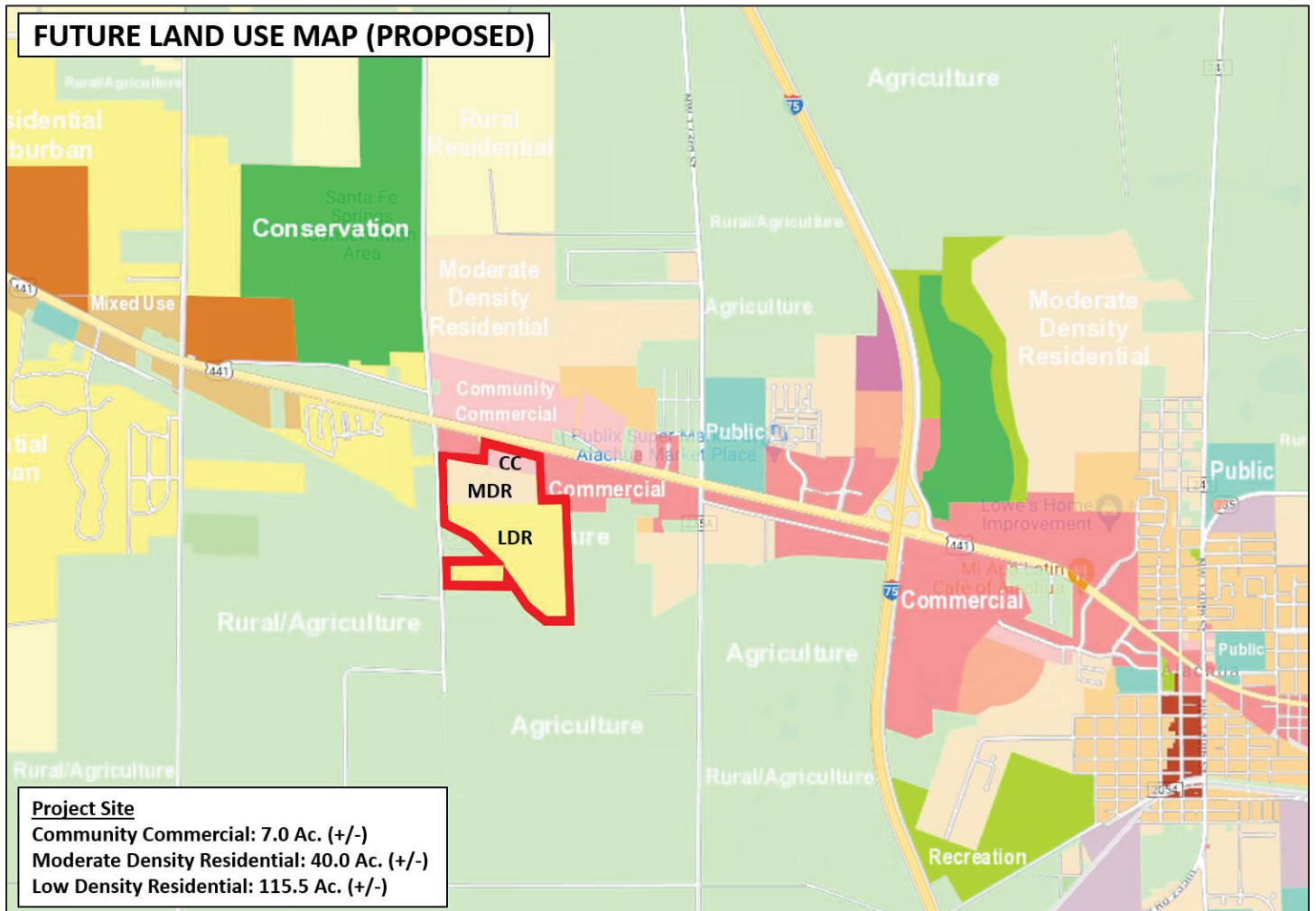
The existing uses, FLUM Designations, and zone districts of the surrounding area are identified in Table 1. Map 3 provides an overview of the vicinity of the subject property.

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.

Map 3. Vicinity Map



The proposed Future Land Use Map for the project site and surrounding area is shown below:



As indicated earlier, this proposed future land use map amendment is related to an application for a rezoning that is being submitted simultaneously (please see the Justification Report for the related application that discusses the rezoning). The proposed rezoning would place a Community Commercial zoning on the property with a proposed Community Commercial future land use designation and Planned Development – Residential (PD-R) zoning on the property that would be consistent with the proposed future land use map designation of Moderate and Low Density Residential on the property.

The Moderate and Low Density Residential future land use designation will allow for use types that are compatible with the surrounding development pattern in the vicinity, including single family detached units and single family subdivisions.

The City of Alachua Comprehensive Plan Future Land Use Element describes the Moderate and Low Density future land use categories as shown below:

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

Regional Planning Council: North Central Fl
Review Date: 5/26/22
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 82
Local Government: Dixie County
Local Government Item Nos.: CPA 22-04
State Land Planning Agency Item No.: 22-2ER

Date Mailed to Local Government and State Land Planning Agency (estimated): 5/27/22

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENTS

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

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

The amendment does not result in a change in allowable uses or intensity of use. Therefore, no significant adverse impacts are anticipated to occur to regional facilities or Natural Resources of Regional Significance.

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 amendments?

It is recommended that these findings be forwarded to the County 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
COUNTY COMPREHENSIVE PLAN AMENDMENTS**

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II TRANSPORTATION ELEMENT

INTRODUCTION

A transportation 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 County 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 Planning and Land Development Regulation Act. Further, the County's transportation system does not stop at political boundaries. Therefore, coordination between other local governments is a necessary prerequisite to a functional transportation 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 transportation needs. The objectives and policies herein provide a basis for addressing transportation needs within the County.

TRANSPORTATION GOAL, OBJECTIVES AND POLICIES

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

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

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

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	AREA TYPE	LEVEL OF SERVICE
1	U.S. 19/98/27A/S.R. 55 from County west boundary to Cross City west limits	4-D	Principal Arterial - Other Highway	Rural	B
2	U.S. 19/98/27A/S.R. 55 from Cross City east limits to S.R. 349	4-D	Principal Arterial - Other Highway	Rural	B
3	U.S. 19/98/27A/S.R. 55 from 349 to County east boundary	4-D	Principal Arterial - Other Highway	Rural	B
4	S.R. 349 from U.S. 19/98/27A/S.R. 55 to County north boundary	2-U	Minor Arterial <u>Highway</u>	Rural	D
5	S.R. 51 from County west boundary to County north boundary	2-U	Minor Arterial <u>Highway</u>	Rural	D
6	C.R. 358 from County north boundary to C.R. 361	2-U	Major Collector	Rural	D
7	C.R. 358 from C.R. 361 to U.S. 19/98/27A/S.R. 55	2-U	Major Collector	Rural	D
8	C.R. 351 from Horseshoe Beach north limits to Cross City south limits	2-U	Major Collector	Rural	D
9	C.R. 351 from Cross City north limits to S.R. 349	2-U	Major Collector	Rural	D
10	C.R. 349 from County west boundary to U.S. 19/98/27A/S.R. 55	2-U	Major Collector	Rural	D
11	C.R. 340 from S.R. 349 to County east boundary	2-U	Major Collector	Rural	D

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	AREA TYPE	LEVEL OF SERVICE
12	Unnamed County Road from County west boundary to C.R. 357	2-U	Minor Collectors	Rural	D
13	Tiger Ridge Road from C.R. 357 to C.R. 353	2-U	Minor Collector	Rural	D
14	C.R. 357 from County north boundary to Tiger Ridge Road	2-U	Minor Collector	Rural	D
15	C.R. 357 from Tiger Ridge Road to C.R. 358	2-U	Minor Collector	Rural	D
16	C.R. 358 from U.S. 19/98/27A/ S.R. 55 to C.R. 357	2-U	Minor Collector	Rural	D
17	C.R. 358 from C.R. 357 to U.S. 19/98/27A/ S.R. 55	2-U	Minor Collector	Rural	D
18	C.R. 353 from Tiger Ridge Road to S.R. 349	2-U	Minor Collector	Rural	D
19	C.R. 353 from C.R. 351 to Tiger Ridge Road	2-U	Minor Collector	Rural	D
20	C.R. 351A from C.R. 351 to S.R. 349	2-U	Minor Collector	Rural	D
21	C.R. 351A from C.R. 351 to U.S. 19/98/27A/S.R. 55	2-U	Minor Collector	Rural	D
22	C.R. 351 from U.S. 19/98/27A/ S.R. 55 to C.R. 351	2-U	Minor Collector	Rural	D
23	C.R. 361 from C.R. 358 to Unnamed County Road	2-U	Minor Collector	Rural	D

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FUNCTIONAL CLASSIFICATION	AREA TYPE	LEVEL OF SERVICE
24	C.R. 361 from Unnamed County Road to County west boundary	2-U	Minor Collector	Rural	D
25	Unnamed County Road from C.R. 361 to C.R. 351	2-U	Minor Collector	Rural	D
26	Unnamed County Road from C.R. 351 to C.R. 357	2-U	Minor Collector	Rural	D
27	C.R. 357 from C.R. 351 to Unnamed County Road	2-U	Minor Collector	Rural	D
28	C.R. 357 from Unnamed County Road to County west boundary	2-U	Minor Collector	Rural	D
29	C.R. 55A from U.S. 19/98/27A/S.R. 55 to C.R. 349	2-U	Minor Collector	Rural	D
30	C.R. 346A from C.R. 349 to C.R. 317	2-U	Minor Collector	Rural	D
31	C.R. 317 from U.S. 19/98/27A/S.R. 55 to C.R. 346A	2-U	Minor Collector	Rural	D

D = Divided
 U = Undivided

Note: U.S. 19/98/27A is a Strategic Intermodal System facility.

Policy II.1.2

The County shall continue to control the number and frequency of connections and access points of driveways and roads to arterial and collector roads to be in conformance with Chapter 14-96 and 14-97, Florida Administrative Code, **in effect on January 1, 2003, as amended**, and the following requirements for County roads.

1. Permitting 1 access point for ingress and egress purposes to a single property or development;
2. Permitting 2 access points if the minimum distance between the 2 access points exceeds 20 feet;
3. Permitting 3 access points if the minimum distance between each access point is at least 100 feet; or

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4. Permitting more than 3 access points where a minimum distance of 1,000 feet is maintained between each access point.
- Policy II.1.3. The County shall require the provision of safe and convenient on-site traffic flow, which includes the provision for vehicle parking.
- Policy II.1.4. The County 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., Florida Statutes, as amended, the County 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, in accordance with Section 163.3180(5)(h)2., Florida Statutes, as amended, the landowner shall not be held responsible for contributing to deficient transportation facilities.
- OBJECTIVE II.2 The County shall continue to require that all traffic circulation system improvements be consistent with the land uses shown on the future land use plan map by limiting higher density and higher intensity land use locations to be adjacent to collector or arterial roads.
- Policy II.2.1 The County 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 County shall notify such jurisdiction, in writing, if any identified roadway improvement plan is not consistent with the provisions of the Future Land Use Plan Element.
- OBJECTIVE II.3 The County shall continue to 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 County shall, during the capital improvements planning process, review all proposed roadway improvements for consistency with the Florida Department of Transportation's 5-Year Transportation Plan.
- OBJECTIVE II.4 The County shall continue to 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 to be provided for by either the developer or purchased as additional right-of-way.
- Policy II.4.1 The County shall maintain 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. Such additional right-of-way shall be provided by the developer of the land as part of the development review process or shall be purchased by the agency improving the roadway.

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- 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.
- 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 County shall encourage cross-access connections easements and joint driveways, where available and economically feasible.
- Policy II.4.8 The County 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 County's natural resources. The data collected for this plan element and analysis of this data, contained in the County'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 public lands which have been designated "conservation" for the purpose of protecting natural resources or environmental quality.

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 COUNTY TO MAINTAIN THE INTEGRITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The County shall maintain provisions within the site plan review process to protect air quality by requiring the appropriate siting of development and associated public facilities.

Policy V.1.1 The County 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 County.

OBJECTIVE V.2 The County, in order to protect the quality and quantity of current and projected water sources, shall continue to require a 500 foot wellfield protection area around community water system wells. In addition, the County in order to protect high groundwater aquifer recharge areas as designated by the Water Management District and depicted in Appendix A of this Comprehensive Plan, shall continue to limit development in these areas as specified in the groundwater aquifer recharge protection policy contained within the Sanitary Sewer, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan.

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- Policy V.2.1 The County as part of the development review process shall 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 current and projected water sources of the County.
- Policy V.2.2 The County shall protect the present water quality classification established by the Florida Department of Environmental Protection by prohibiting industrial uses, commercial uses and intensive agricultural uses, such as milking barns and chicken houses, to be located adjacent to the County’s surface water bodies. For the purpose of this Comprehensive Plan “surface water” means water above the surface of the ground whether or not flowing through definite channels, and including:
1. A natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernible shoreline; or
 2. A natural or artificial stream, river, creek, channel, ditch, canal, conduit culvert, drain, waterway, gully, ravine, street, roadway swale or wash in which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed or banks; or
 3. Any wetland.
- Policy V.2.3 The County shall review and comment on proposals for the purchase of environmentally sensitive lands by the State of Florida, as part of the Florida Forever Program as listed by the Acquisition and Restoration Council for the Board of Trustees of the Internal Improvement Trust Fund, Water Management District, or U.S. Government, under the programs administered by the U.S. Department of the Interior, Florida Department of Community Florida Department of Environmental Protection or the land acquisition programs of the Water Management District.
- Policy V.2.4 The County 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 agriculture, silviculture and resource-based recreational activities within buffer areas subject to best management practices.
- Policy V.2.5 The County 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 County 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 County shall provide for the regulation of 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.

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- Policy V.2.8 The County shall provide for the conservation of wetlands through prohibiting any development or dredging and filling, which would significantly alter their natural functions and by only allowing non-intensive agricultural, aquaculture and silviculture consistent with best management practices manuals developed by the Florida Forest Service and the Florida Department of Agriculture. For the purposes of this Comprehensive Plan "wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.
- Policy V.2.9 The County shall support the Water Management District in their conducting of water conservation programs.
- Policy V.2.10 The County shall coordinate with the plans of the Water Management District for the emergency conservation of water sources.
- Policy V.2.11 The County shall, as part of the developmental review process, limit development to low density and non- intensive uses in high groundwater aquifer recharge areas designated by the Water Management District and depicted in Appendix A of this Comprehensive Plan, in accordance with the requirements stipulated in the high groundwater aquifer recharge policy contained in the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of this Comprehensive Plan in order to maintain the natural features of these areas.
- Policy V.2.12 The County as part of the development review process shall require the maintenance of the quantity and quality of surface water runoff within natural drainage basins.
- Policy V.2.13 The County 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 County shall require a 75-foot regulated natural buffer adjacent to all perennial rivers, streams and creeks identified as regionally significant areas within Appendix A of this Comprehensive Plan and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow agriculture, silviculture and resource-based recreational activities within buffer areas subject to best management practices.

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- Policy V.2.15 The County shall require a 35-foot regulated natural buffer adjacent to all other perennial rivers, streams and creeks and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow agriculture, silviculture and resource-based recreational activities within buffer areas subject to best management practices.
- Policy V.2.16 The County hereby expands the title of its existing Shores and Estuarine Systems Map in its Comprehensive Plan, Illustration A-II to also represent the County’s Ecological Corridor Map covering the upland areas within a 1/4 mile of the Steinhatchee River and Suwannee River located in its jurisdiction to further the environmental protection goals prepared by the Suwannee River Water Management District, Federal, State or other local governments.
- Policy V.2.17 The County shall establish and maintain a conservation land management program aimed at increasing protection or enhancement of surface water quality by coordinating with regulatory agencies, and enhancing non-point pollution treatment on public lands to require swales in road rights-of-way, install retention areas designed in a park like setting along new roadways, and design future facilities and structures to drain toward natural holding areas for pre-treatment.
- OBJECTIVE V.3 The County shall continue to require special mining permits and that such permits be coordinated with the Florida Department of Environmental Protection; require that all subdivision plats be approved in a manner which will protect and conserve the natural functions of soils; and establishing a coordination process by which adjacent local governments, other governmental entities and research and interest groups have input into the identification and preservation of unique vegetative communities.
- Policy V.3.1 The County shall require that any mining permit be coordinated with the Florida Department of Environmental Protection so that areas disturbed by mining activities are reclaimed to productive and beneficial use.
- Policy V.3.2 The County shall submit proposed subdivision plats to the Soil and Water Conservation District and request the District's review and comments regarding 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 County shall require, during the development review process that multiple use of forest resources, where appropriate, be required to provide for timber production, recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.
- Policy V.3.4 The County shall cooperate with adjacent local governments, other governmental entities, research and interest groups to conserve and protect unique vegetative communities located within the County and adjacent local government jurisdictions.

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- OBJECTIVE V.4 The County shall continue to implement measures to identify and protect native wildlife and their habitats, including state and federally protected plant and animal species (endangered, threatened and species of special concern), within proposed development sites and protect these natural resources from the impacts of development by the use of the Florida Fish and Wildlife Conservation Commission Critical Wildlife Conservation Areas, Florida Natural Areas Inventory, and North Central Florida Strategic Regional Policy Plan Regionally Significant Natural Resources map series to identify habitats which potentially contain endangered, threatened or species of special concern, and rare or unique vegetative communities prior to granting development approval.
- Policy V.4.1 The County shall cooperate with the Florida Fish and Wildlife Conversation Commission in the monitoring and inventorying of wildlife and wildlife habitats within the County.
- Policy V.4.2 The County 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 County 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. All new development will 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 impact and recreation value of these areas is maintained.
- Policy V.4.4 The County shall cooperate with the Florida Department of Environmental Protection in inventorying and monitoring aquaculture activities within the County.
- Policy V.4.5 The County shall address during the development review process the mitigation of development activities within environmentally sensitive areas, which include but are not limited to those areas identified as regionally significant areas, within Appendix A of this Comprehensive Plan to ensure that the possible impacts created by the proposed development activity will not significantly alter the natural functions of the these significant natural resources. All new development will 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 impact and recreation value of these areas is maintained.
- Policy V.4.6 The County shall initiate development and implementation of a local wildlife habitat protection and management program, and shall coordinate with state and federal wildlife programs.
- Policy V.4.7 The County shall implement a public education program on the need to protect and manage the habitat of threatened and endangered species and species of special concern.
- Policy V.4.8 The County shall request the assistance of the Florida Fish and Wildlife Conservation Commission to conduct inventories of State and federally protected plant and animal species in the County.

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Words **~~bolded and struck through~~** have been deleted

- Policy V.4.9 The developer of any proposed development which is equal to or greater than 20 acres and located within areas identified by the Florida Fish and Wildlife Conservation Commission as Strategic Habitat Conservation Areas shall be required to evaluate the impacts to endangered, threatened, or species of special concern and rare or unique vegetative communities; provided, however, if competent and substantial scientific evidence demonstrating that an endangered, threatened or species of special concern, wildlife habitat or rare and unique vegetative community is located within the area of any proposed development which is equal to or greater than 20 acres is presented to the County at the time of a preliminary plat or site and development plan is reviewed by the County, the developer shall evaluate the impacts on such habitats or communities. As a condition of permit approval of any proposed development within these areas, such evaluation shall consist of a survey of the development site conducted by the developer to identify the presence of any state and federally protected plant and animal species.
- If protected species are found on the development site or would be affected by the development, a management plan shall be required from the developer, including necessary modifications to the proposed development, to ensure the preservation of the protected species and their habitat. The County shall require the use of best management practices for the conservation, appropriate use and protection of fisheries, wildlife and wildlife habitats, identify and protect native wildlife and their habitats, including state and federally protected plant and animal species (endangered, threatened and species of special concern), within proposed development sites and protect these natural resources from the impacts of development by the use of the Florida Fish and Wildlife Conservation Commission Strategic Habitat Conservation Areas maps, Florida Natural Areas Inventory, and North Central Florida Strategic Regional Policy Plan Regionally Significant Natural Resources map series to identify habitats which potentially contain endangered, threatened or species of special concern, and rare or unique vegetative communities prior to granting development approval. Both the survey and the management plan shall be done in consultation with the Florida Fish and Wildlife Conservation Commission, but the final approval of the management plan shall be by the County.
- Policy V.4.10 The County shall coordinate with Federal, State and local agencies or nonprofit environmental organizations in managing natural areas and open spaces.
- Policy V.4.11 The County shall develop and implement, in coordination with regulatory agencies and the North Central Florida Regional Planning Council, a Comprehensive Management Plan for public lands to restore or enhance the site's natural hydrology, degraded natural areas or removal of non-native vegetation.
- Policy V.4.12 The County shall continue to implement a program and set of standards to protect natural vegetative communities and listed species habitat from the adverse impacts of development.

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OBJECTIVE V.5 The County, 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 unincorporated areas of the County 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**;
5. Regionally Significant Natural Areas - Surface Water Resources, dated ~~October 27, 2011~~ **August 23, 2018**; and
6. Regionally Significant Natural Resources - Coastal and Marine Resources, dated ~~October 27, 2011~~ **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.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 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.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.

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Words **bolded and struck through** have been deleted

- 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.
- Policy V.5.6 The map entitled Regionally Significant Natural Resources - Coastal and Marine Resources, dated ~~October 27, 2011~~ **August 23, 2018**, included within the Future Land Use Map Series, identifies coastal and marine resources for the application of the provisions of the coastal management policies of the Coastal Management Element.
- OBJECTIVE V.6 The County shall protect the most sensitive resources within the springshed, including the principal areas of ground water contribution and recharge, sinkholes, depressions and stream to sink features, the area immediately adjacent to the spring and spring run.
- Policy V.6.1 The County shall use acquisition funding programs such as the Florida Forever Program, Florida Community Trust, Rural and Family Land Protection Program and other to acquire fee simple or less than fee ownership through conservation easements on land within the delineated springshed that has been identified as critical or sensitive resources.
- Policy V.6.2 The County shall use other innovative approaches to protect sensitive resources, such as the transfer of development rights, performance zoning, open space zoning, on site density transfer and other techniques to maximize the establishment of open space areas.
- OBJECTIVE V.7 The County shall define and delineate environmental overlay protection zones to protect the springshed and spring system resources and designate appropriate land uses in these zones.
- Policy V.7.1 The County shall designate low density and intensity land uses, including conservation lands and recreation areas, on the Future Land Use Plan Map of the Comprehensive Plan in and around critical springshed resources and sensitive springshed areas. Following the preparation and issuance of springshed maps for magnitude one springs by the Florida Geological Survey of the Florida Department of Environmental Protection, the County shall adopt a springshed overlay protection zone map that designates critical springshed resources and sensitive springshed areas for magnitude one springs. The County will also implement structural and nonstructural best management practices for these designated critical springshed resources based on the publication Protecting Florida's Springs: Land Use Planning Strategies and Best Management Practices, November 2002; as follows:
1. Limit impervious surfaces by size of residential lots and for non-residential use;
 2. Develop a list of native and drought tolerant plants and require a percentage of these plants in landscape plans;
 3. Require a protection zone around sinkholes with direct connection to the aquifer;
 4. Require a site analysis for structure location if sinkholes or karst features are present on site;

Words **bolded and underlined** have been added.

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5. Require swales where appropriate;
6. Use alternative stormwater treatment systems such as bio-retention areas that are designed to better treat stormwater in springshed protection zones; and
7. Use best management practices for residential development consistent with the Florida Yards and Neighborhood Program.

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

Regional Planning Council: North Central Fl
Review Date: 5/26/22
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 83
Local Government: Town of Branford
Local Government Item No.: N/A
State Land Planning Agency Item No.: 21-1ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The Town item amends the Town’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 Town 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 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	<u> X </u>

**EXCERPTS FROM THE
TOWN COMPREHENSIVE PLAN AMENDMENT**

THE TOWN OF BRANFORD

COMPREHENSIVE PLAN

Town of Branford Property Rights Element

The Following rights shall be considered in 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.

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

Regional Planning Council: North Central Fl
Review Date: 5/26/22
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 84
Local Government: Levy County
Local Government Item No.: LSTA 21-01
State Land Planning Agency Item No.: 21-4ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

The County item LSTA 21-01 amends Policy 1.2 of the Commercial Future Land Use Element of the Levy County Comprehensive Plan (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 _____	No _____
Not Applicable	___X___

**EXCERPTS FROM THE
COUNTY COMPREHENSIVE PLAN AMENDMENT**

1 **WHEREAS**, on September 7, 2021, the Board heard and approved the Petition and
2 directed its transmittal to the Florida Department of Economic Opportunity (the "DEO") and
3 other state reviewing agencies; and
4

5 **WHEREAS**, by letter dated December 29, 2021, DEO responded that it had no
6 comment on the amendment proposed in the Petition and the County received no
7 comments from other state reviewing agencies; and
8

9 **WHEREAS**, in accordance with Section 163.3184(11), Florida Statutes, the
10 adoption of this amendment must be by ordinance; and
11

12 **WHEREAS**, the Board finds that this proposed ordinance serves a public purpose
13 and benefits the County; and
14

15 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
16 Levy County, Florida that:
17

18 **SECTION 1.** The Commercial Land Use Category within Policy 1.2 of Objective 1 in
19 the Future Land Use Element of the Comprehensive Plan is amended to read as follows.
20 Except as amended herein, the remainder of Objective 1 and Policy 1.2 remain in full force
21 and effect.
22

23 **Policy 1.2** Land use categories on the Future Land Use Map shall be defined as
24 follows:
25

26 **Commercial**

27 This land use category allows for commercial land uses and the development of
28 central business districts. Commercial land uses are described by levels of intensity
29 of Commercial/Professional Office, Neighborhood/Retail Services,
30 Community/Retail and Wholesale Business and Regional/Retail and Wholesale
31 Business. The minimum lot size is one-fourth [1/4] acre and the maximum floor area
32 ratio is 0.5. Lot coverage shall be based on and shall be required to meet all other
33 local and state land development regulations. This land use is only permitted within
34 a Municipal Service Districts and Planned Unit Developments (P.U.D.s), however
35 this designation shall be permitted within rural areas identified on the Future Land
36 Use Map Series as follows: Gulf Hammock, Lebanon Station, Rosewood/Sumner,
37 and the U.S. 19 Corridor between Fanning Springs and Chiefland.

Note: deletions shown ~~stricken~~, additions shown underlined.

1
2 In addition to the above-described commercial uses, one (1) residential dwelling unit
3 may be permitted on a parcel of land that is designated commercial land use,
4 provided that all of the following requirements are satisfied:

5 (1) The parcel was designated commercial land use on December 31, 1989; and

6 (2) The parcel is located within either a recorded residential plat or the boundaries
7 of such parcel are identical to the boundaries of the parcel as it existed on
8 December 31, 1989; and

9 (3) There are no non-residential structures on the parcel; and

10 (4) All applicable requirements of the County's land development regulations are
11 met.

12
13 **SECTION 2. Exclusion from the Code of Ordinances; Direction to County**
14 **Staff.** This Ordinance shall not be included in the Code of Ordinances of Levy County,
15 Florida. However, the provisions of Section 1 of this ordinance shall be incorporated into
16 the official County Comprehensive Plan that is on file with the County Planning and Zoning
17 Department and the Department Director is authorized and directed to accomplish that
18 incorporation.

19
20 **SECTION 3. Severability Clause.** It is declared to be the intent of the Board that if
21 any section, subsection, sentence, clause, phrase, portion or provision of this Ordinance is
22 for any reason declared or held invalid or unconstitutional by any court of competent
23 jurisdiction, such section, subsection, sentence, clause, phrase, portion or provision shall
24 be deemed a separate, distinct and independent provision, and the remainder of this
25 Ordinance shall be not affected by such declaration or holding.

26
27 **SECTION 4. Repealing Clause.** All ordinances or parts of ordinances and all
28 resolutions or parts of resolutions of Levy County in conflict herewith are hereby repealed
29 to the extent of such conflict.

30
31 **SECTION 5. Direction to the Clerk and County Staff.** Within 10 days after
32 adoption of this Ordinance: (1) In accordance with Section 125.66, Florida Statutes, the
33 Clerk to the Board of County Commissioners is directed to file this ordinance with the
34 Florida Department of State, and (2) In accordance with Section 163.3184(c)(3), Florida
35 Statutes, County staff is directed to forward a copy of this ordinance along with supporting
36 data and analysis to the state land planning agency and any other reviewing agencies or
37 local governments that submitted timely comments to the transmittal of the Petition, and to
38 the North Central Florida Regional Planning Council.

Note: deletions shown ~~stricken~~, additions shown underlined.

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

Regional Planning Council: North Central FL Regional Planning Council Item No.: 85
Review Date: 5/26/22 Local Government: City of Archer
Amendment Type: Draft Amendment Local Government Item No.: CPA 22-02
State Land Planning Agency Item No.: 22-1ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

City item CPA 22-02 reclassifies approximately 52.90 acres of land from County Rural/Agriculture (up to 1 dwelling unit per 5 acres) to City Commercial (See attached).

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

The subject property is located adjacent to State Road 24 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.

The subject property is located in an Area of High Recharge Potential to the Floridan Aquifer, 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.

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

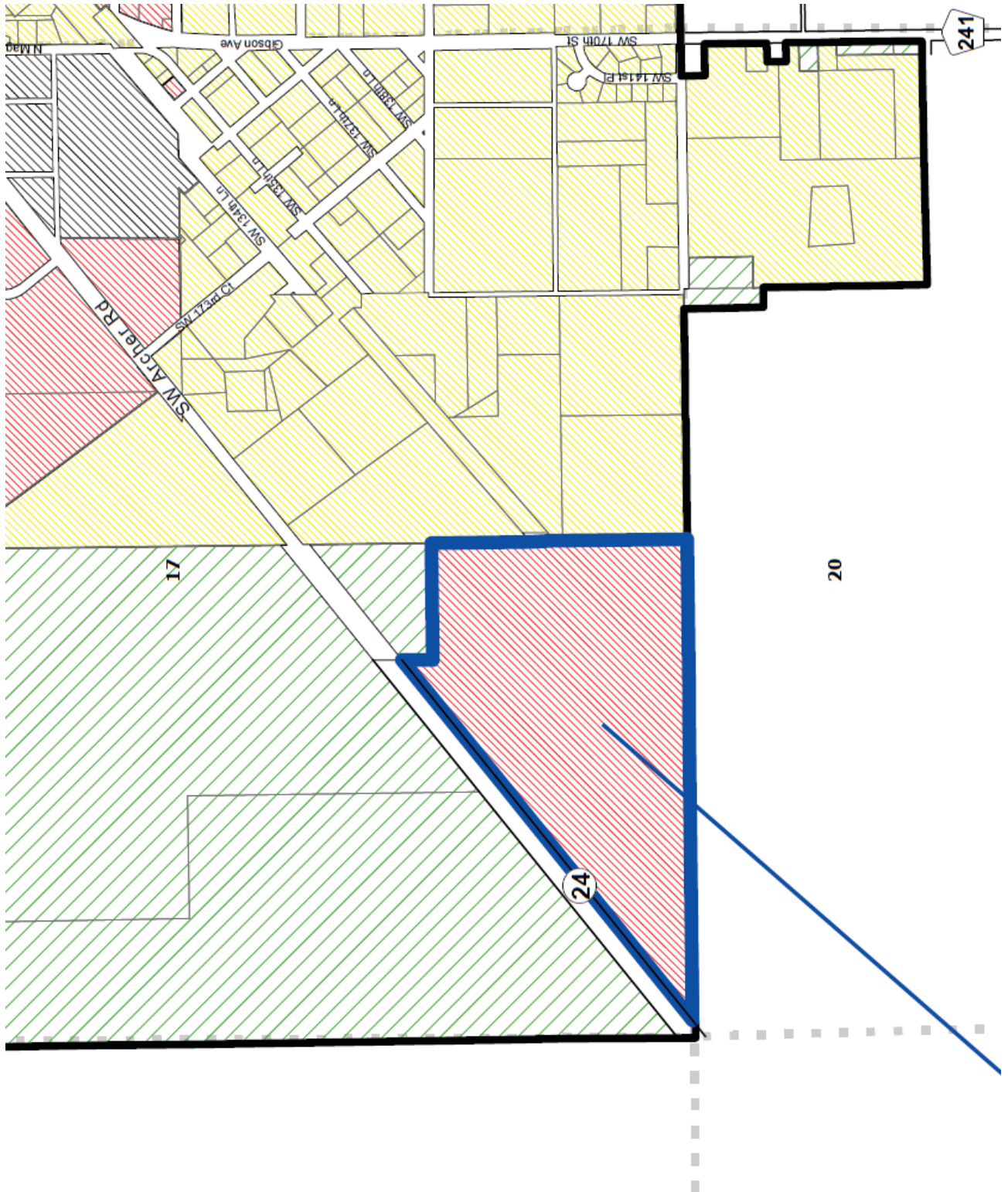
The City Comprehensive Plan, as amended, is not anticipated to create significant adverse impacts to adjoining local governments.

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**



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

Regional Planning Council: North Central Fl
Review Date: 5/26/22
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 86
Local Government: City of Gainesville
Local Government Item No.: PB-20-152 LUC
State Land Planning Agency Item No.: 21-1ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

City item PB-20-152-LUC reclassifies approximately 83.79 acres of property located on the 755-1100 block on the South side of NE 39th Boulevard from Planned Use District (PUD) to Residential Low-Density (RL), Commercial (C), and Urban Mixed-Use (UMU) (See attached.)

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

City item PB-20-152-LUC is adjacent to State Road 222, which is part of the Regional Road Network as identified and mapped in the North Central Florida Strategic Regional Policy Plan. The City Transportation Mobility Element contains objectives and policies which implement one or more practices consistent with Transportation Planning Best Practices contained in the North Central Florida Strategic Regional Policy Plan. Regional Plan Transportation Element Policy 5.1.1 states that within municipalities where local government comprehensive plans contain goals and policies which implement Transportation Planning Best Practices, adverse impacts to the Regional Road Network are adequately mitigated and local government plans and plan amendments are not subject to a Regional Planning Council determination impacts to the Regional Road Network. Therefore, significant adverse transportation impacts to the Regional Road Network are adequately mitigated.

City item PB-20-152-LUC is located within an Area of High Recharge Potential to the Floridan Aquifer, which is identified and mapped in the regional plan as a Natural Resource of Regional Significance. Nevertheless, significant adverse impacts are not anticipated to occur to the natural resources as, the City Comprehensive Plan contains adequate policy direction consistent with the regional plan to mitigate adverse impacts to the natural resources.

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

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

Request a copy of the adopted version of the amendment?

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

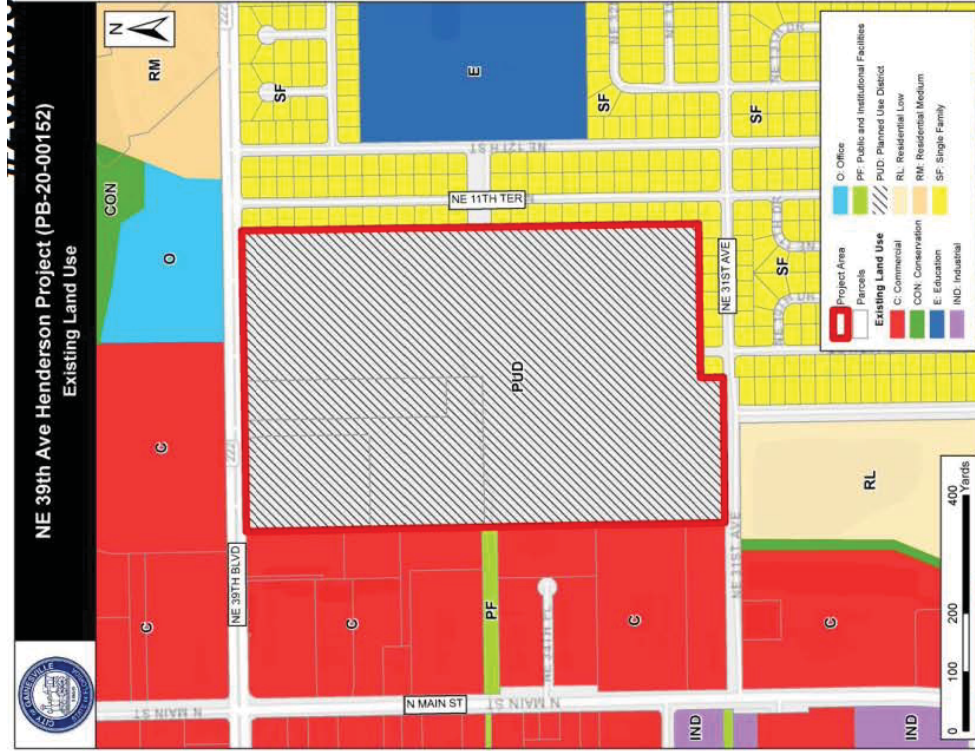
Yes _____	No _____
Not Applicable _____	<u> X </u>

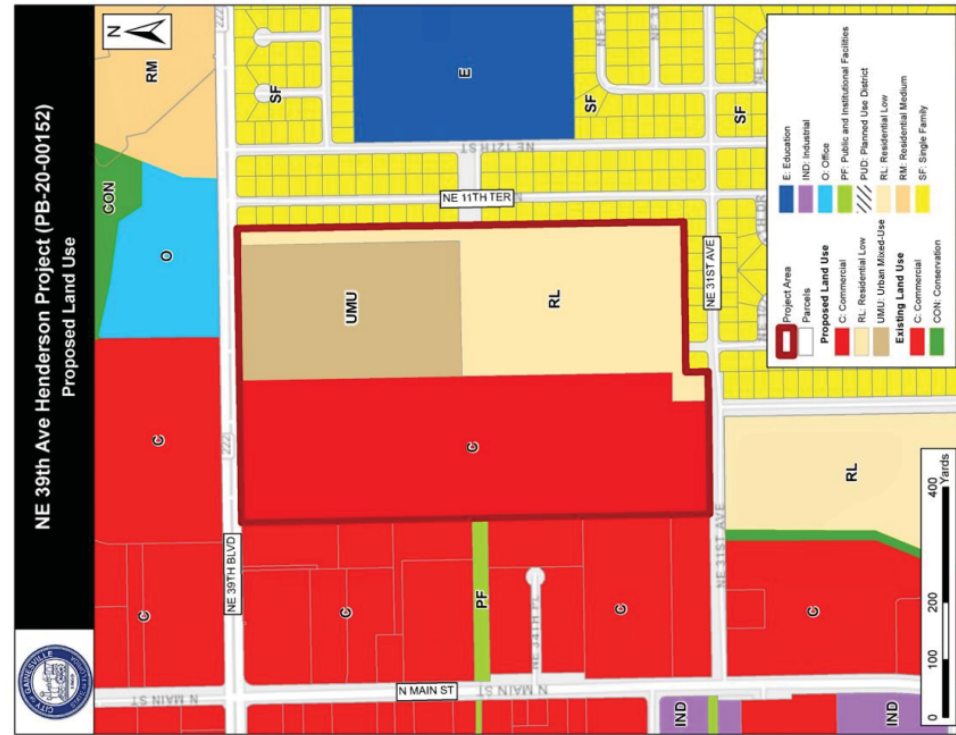
**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENTS**

Land Use Change – Large Scale

Agent of Applicant: eda consultants, inc.
 Address: 755-1100 block on the south side of NE 39th Ave
 Current Use: Vacant
 Current Zoning: Planned Development (PD)
 Current Land Use: Planned Use District (PUD)
 Property Size: 83.79 +/- acres
 Related Petitions: PB-20-00153 ZON

	EXISTING USE(S)	LAND USE DESIGNATION(S)
North	Immediate North: NE 39 th Ave North of NE 39 th Ave: Vacant	Commercial (C); Office (O)
South	Single-family dwellings; Vacant	Single-Family (SF); Residential Low (RL)
East	Single-family dwellings	Single-Family (SF)
West	Vehicle Sales (automobile dealerships)	Commercial (C); Public and Institutional Facilities (PF)





#ZUUUUU Staff recommends **Approval** of

Petition PB-20-00152 LUC NE 39th

Meets Review Criteria ✓

1. Consistent with Land Development Code and Comprehensive Plan
2. Compatibility with surrounding land uses
3. Environmental impacts or constraints
4. Support for urban infill and redevelopment
5. Impacts on affordable housing
6. Impacts on the transportation system
7. Availability of facilities and services
8. Need for additional acreage in the proposed future land use category
9. Discouragement of urban sprawl
10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy
11. Need to modify land use categories and development patterns within antiquated subdivisions (N/A)

Date	Action
2/25/2021	Petition approved by City Plan Board
6/3/2021	Petition transmitted to 7/15 City Commission Meeting
8/5/2021	Petition heard by City Commission

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

Regional Planning Council: North Central FL
Review Date: 5/26/22
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 87
Local Government: City of Gainesville
Local Government Item No.: PB-21-116, 21-133 LUC
State Land Planning Agency Item No.: 22-1ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

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

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

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

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

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

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

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

Request a copy of the adopted version of the amendment?

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

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

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENTS**

26 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this proposed
27 amendment to the reviewing agencies and any other local government unit or state agency that
28 requested same; and

29 **WHEREAS**, a second advertisement no less that two columns wide by ten (10) inches long was
30 placed in the aforesaid newspaper and provided the public with at least five (5) days' advance notice
31 of this ordinance's second public hearing (i.e., adoption hearing) to be held by the City Commission;
32 and

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

35 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written
36 comments received concerning this amendment to the Comprehensive Plan.

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

39 **SECTION 1.** A Property Rights Element is added to the City of Gainesville Comprehensive Plan to
40 read as follows:

41 **PROPERTY RIGHTS ELEMENT**

42 **Objective:** The City of Gainesville will respect constitutionally protected and judicially
43 acknowledged private property rights, and will consider private property rights as part of the
44 local decisionmaking process.

45 **Policy:** The following rights shall be considered in local decisionmaking:

- 46 a. The right of a property owner to physically possess and control the owner's interests in the
47 property, including easements, leases, or mineral rights.
- 48 b. The right of a property owner to use, maintain, develop, and improve the owner's property
49 for personal use of for the use of any other person, subject to state law and local ordinances.

50 c. The right of the property owner to privacy and to exclude others from the property to protect
51 the owner's possessions and property.

52 d. The right of a property owner to dispose of owner's property through sale or gift.

53
54 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
55 ordinance will become and be made a part of the City of Gainesville Comprehensive Plan and
56 that the sections and paragraphs of the Comprehensive Plan may be renumbered in order to
57 accomplish such intent.

58 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary
59 changes to the City of Gainesville Comprehensive Plan in order to fully implement this ordinance.
60 The City Manager or designee is authorized to correct any typographical errors that do not affect
61 the intent of this ordinance.

62 **SECTION 4.** Within ten (10) working days of the transmittal (first) hearing, the City Manager or
63 designee is authorized and directed to transmit this plan amendment and appropriate supporting
64 data and analyses to the reviewing agencies and to any other local government or governmental
65 agency that has filed a written request for same with the City. Within ten (10) working days of
66 the adoption (second) hearing, the City Manager or designee is authorized and directed to
67 transmit this plan amendment and appropriate supporting data and analyses to the state land
68 planning agency and any other agency or local government that provide timely comments to the
69 City.

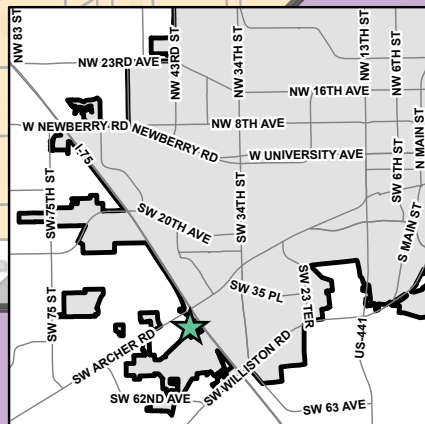
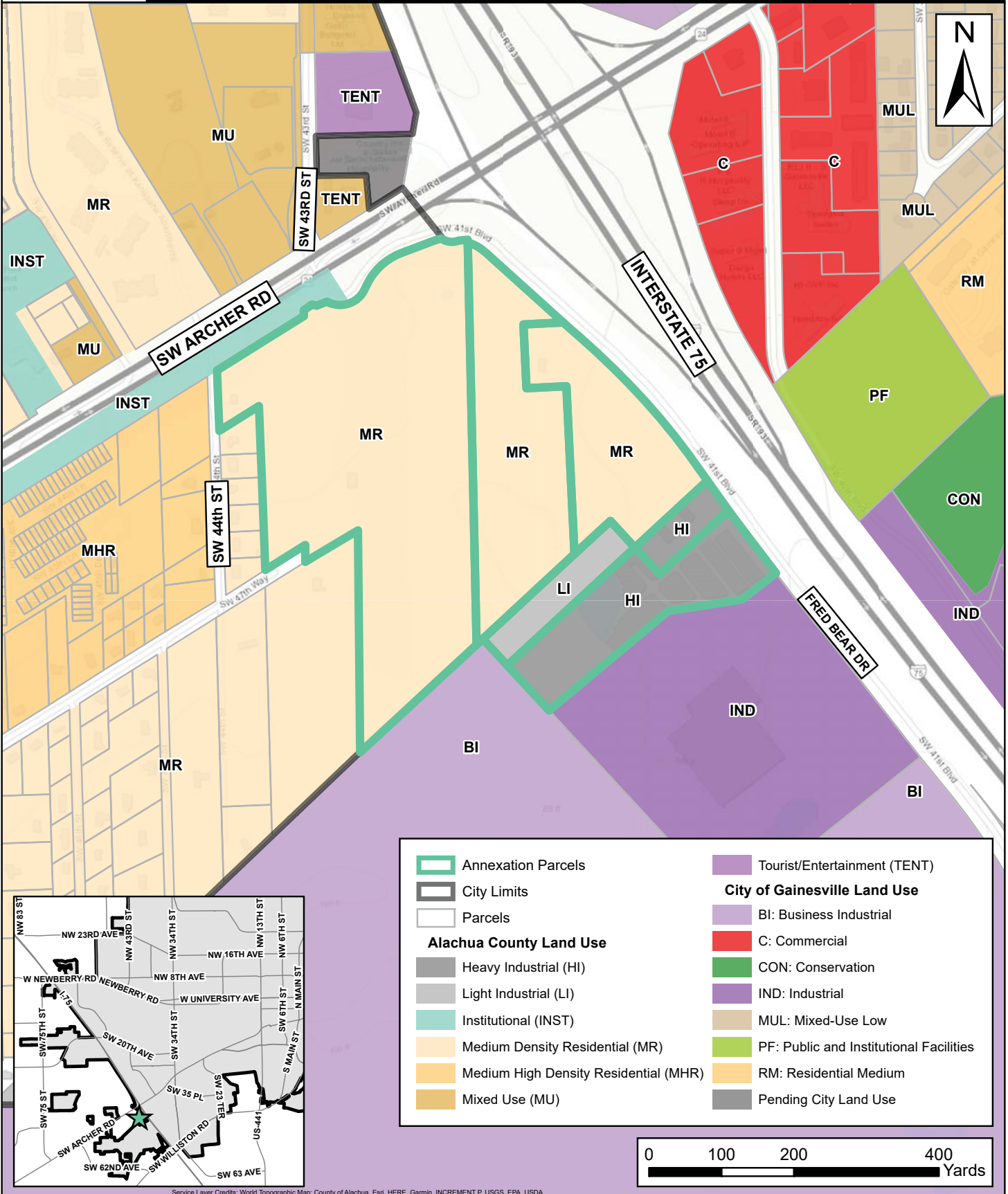
70 **SECTION 5.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or the
71 application hereof to any person or circumstance is held invalid or unconstitutional, such finding
72 will not affect the other provisions or applications of this ordinance that can be given effect



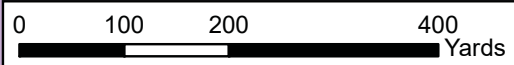
Fred Bear Health Park - Urban Services Report

LUC - Existing Land Use

Parcels 06800-007-001, 06813,000-000, 06813-001-000, 06974-004-000, 07240-001-008, & 07240-050-000 | Voluntary Annexation



	Annexation Parcels		Tourist/Entertainment (TENT)
	City Limits	City of Gainesville Land Use	
	Parcels		BI: Business Industrial
Alachua County Land Use			C: Commercial
	Heavy Industrial (HI)		CON: Conservation
	Light Industrial (LI)		IND: Industrial
	Institutional (INST)		MUL: Mixed-Use Low
	Medium Density Residential (MR)		PF: Public and Institutional Facilities
	Medium High Density Residential (MHR)		RM: Residential Medium
	Mixed Use (MU)		Pending City Land Use



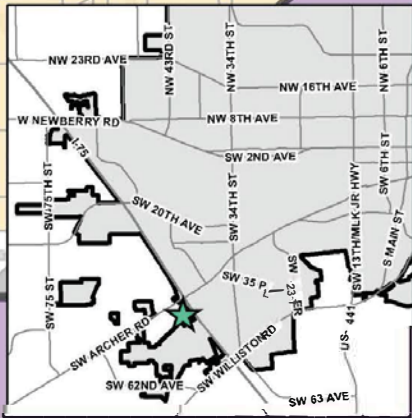
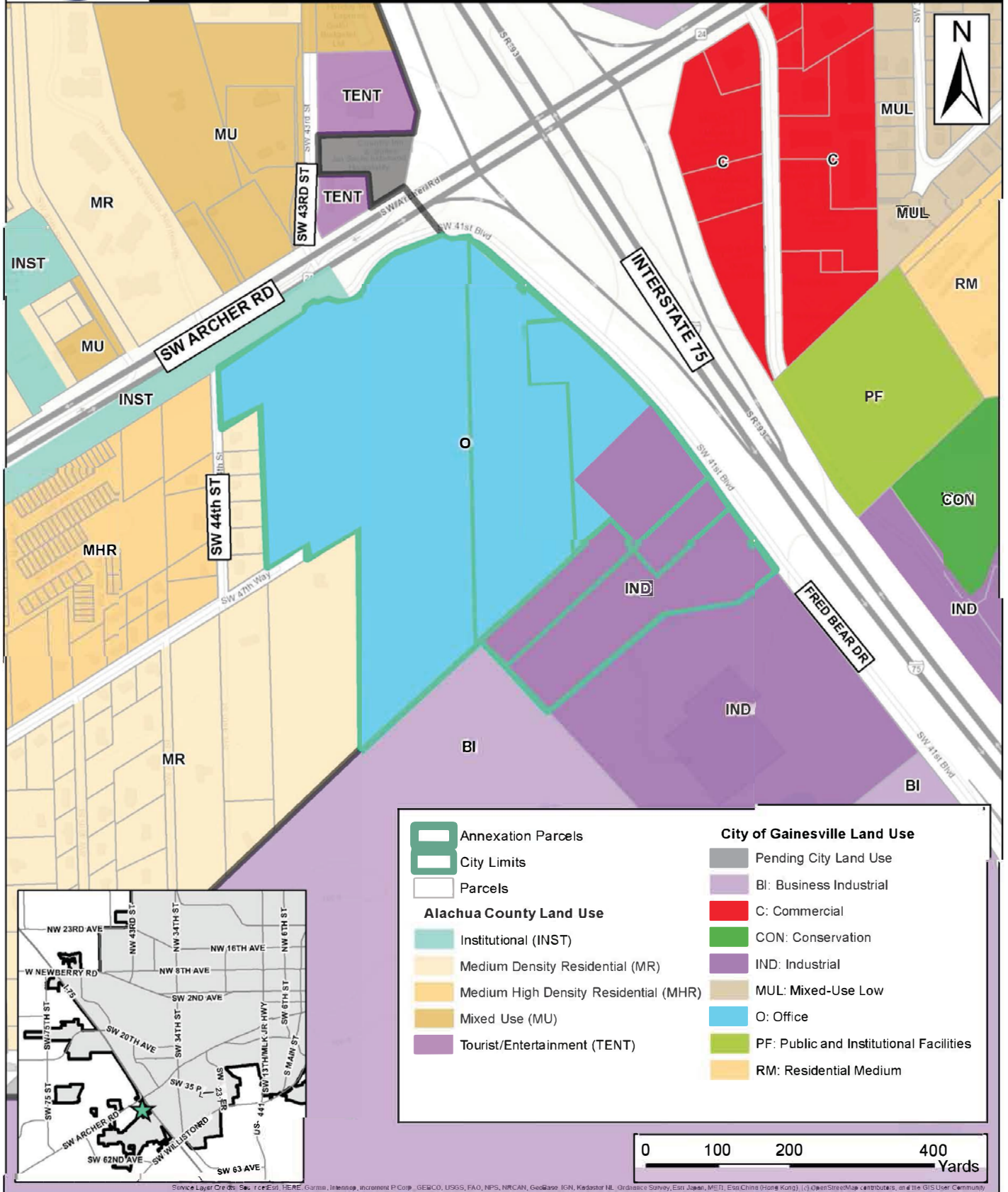
Service Layer Credits: World Topographic Map; County of Alachua, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



PB-21-133 LUC – Fred Bear Health Park Land Use Change

Proposed Future Land Use Categories

Parcels 06800-007-001, 06813,000-000, 06813-001-000, 06974-004-000, 07240-001-008, & 07240-050-000 | Voluntary Annexation



	Annexation Parcels		Pending City Land Use
	City Limits		BI: Business Industrial
	Parcels		C: Commercial
Alachua County Land Use			CON: Conservation
	Institutional (INST)		IND: Industrial
	Medium Density Residential (MR)		MUL: Mixed-Use Low
	Medium High Density Residential (MHR)		O: Office
	Mixed Use (MU)		PF: Public and Institutional Facilities
	Tourist/Entertainment (TENT)		RM: Residential Medium



Source Layer Credits: Source Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox Contributors, and the GIS User Community

FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01	
Regional Planning Council: North Central Fl Review Date: 5/26/22 Amendment Type: Draft Amendment	Regional Planning Council Item No.: 88 Local Government: City of Gainesville Local Government Item No.: PB-21-07 CPA State Land Planning Agency Item No.: 22-2ESR
Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)	

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

City item PB-21-07 CPA amends Policy 10.2.1 of the City’s Comprehensive Plan Transportation Mobility Element regarding review criteria for right-of-way vacations (See attached.)

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

City item PB-21-07 CPA is not anticipated to result in significant adverse impacts to regional facilities or Natural Resources of Regional Significance as the amendment will not result in an increase in density or intensity of use.

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 AMENDMENTS**

25 notice of this ordinance’s first public hearing (i.e., transmittal hearing) to be held by the City
26 Commission; and

27 **WHEREAS**, after the first public hearing, the City of Gainesville transmitted copies of this
28 proposed amendment to the reviewing agencies and any other local government unit or state
29 agency that requested same; and

30 **WHEREAS**, a second advertisement no less that two columns wide by ten (10) inches long was
31 placed in the aforesaid newspaper and provided the public with at least five (5) days’ advance
32 notice of this ordinance’s second public hearing (i.e., adoption hearing) to be held by the City
33 Commission; and

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

36 **WHEREAS**, prior to adoption of this ordinance, the City Commission has considered any written
37 comments received concerning this amendment to the Comprehensive Plan.

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

40 **SECTION 1.** Policy 10.2.1 of the Transportation Mobility Element of the City of Gainesville
41 Comprehensive Plan is amended to read as follows:

42 **Policy 10.2.1** The City shall not close or vacate an improved streets except under the following
43 conditions:

- 44
- 45 a. the loss of the street will not foreclose reasonable foreseeable future
46 bicycle ~~or~~ or pedestrian use;
 - 47
 - 48 b. the loss of the street will not foreclose non-motorized access to adjacent
49 land uses or transit stops;

- 50
- 51 c. for public right-of-way abutting any property located within the U4 through
52 U9 transect zones or any property within a mixed-use zoning district, the loss
53 of the street is necessary for development that includes the construction of
54 a high density, mixed-use project containing both residential and non-
55 residential uses or creating close proximity of residential and non-residential
56 uses; and
- 57
- 58 d. there is no reasonably foreseeable need for any type of transportation
59 corridor for the area.
- 60

61 **SECTION 2.** It is the intent of the City Commission that the provisions of Section 1 of this
62 ordinance will become and be made a part of the City of Gainesville Comprehensive Plan and
63 that the sections and paragraphs of the Comprehensive Plan may be renumbered in order to
64 accomplish such intent.

65 **SECTION 3.** The City Manager or designee is authorized and directed to make the necessary
66 changes to the City of Gainesville Comprehensive Plan in order to fully implement this
67 ordinance. The City Manager or designee is authorized to correct any typographical errors that
68 do not affect the intent of this ordinance.

69 **SECTION 4.** Within ten (10) working days of the transmittal (first) hearing, the City Manager or
70 designee is authorized and directed to transmit this plan amendment and appropriate
71 supporting data and analyses to the reviewing agencies and to any other local government or
72 governmental agency that has filed a written request for same with the City. Within ten (10)
73 working days of the adoption (second) hearing, the City Manager or designee is authorized and
74 directed to transmit this plan amendment and appropriate supporting data and analyses to the
75 state land planning agency and any other agency or local government that provide timely
76 comments to the City.

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

Regional Planning Council: North Central Fl Regional Planning Council Item No.: 89
Review Date: 5/26/22 Local Government: City of Waldo
Amendment Type: Adopted Amendment Local Government Item No.: CPA 22-01
State Land Planning Agency Item No.: 21-1 ESR

Date Mailed to Local Government and State Land Planning Agency: 5/27/22 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENT

City item CPA 22-01 amends the text of the City 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

Significant adverse impacts are not anticipated to occur to the Regional Road Network or to 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 _____	No _____
Not Applicable	___X___

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

ATTACHMENT “A”
CITY OF WALDO
PRIVATE PROPERTY RIGHTS ELEMENT
OF THE CITY OF WALDO COMPREHENSIVE PLAN

Supporting Documentation for the Private Property Rights Element

The Fifth Amendment to the Constitution of the United States protects the right to private property in two ways. First, it states that a person may not be deprived of property by the government without “due process of Law,” or fair procedures. In addition, it sets limits on the traditional practice of eminent domain, such as when the government takes private property to build a public road. Under the Fifth Amendment, such taking must be for a public use and require just compensation at market value for the property seized. In *Kelo v. City of New London* (2005), the Supreme Court interpreted public use broadly to include a public purpose of economic development that might directly benefit private parties. Land use and zoning regulations have been a part of this nation earlier than the Declaration of Independence. As the United States became more urbanized there was a need for government to regulate and control land use and property markets to ensure complementary uses. To avoid slum conditions that were occurring due to incompatible uses being located together (i.e., industrial, and residential), which in turn caused a devaluation of private property. The Supreme Court recognized the validity of land use and zoning regulations to address these incompatible situations. The key is the balance between the regulation of private property and the complete deprivation of the rights of the property owner to use property. The total deprivation of the private property rights of use is called a taking.

The Supreme Court has recognized regulatory takings in two situations: (1) when a regulation leaves the landowner with no economically viable use of the land, known as a categorical taking; and (2) based on the balancing test established in *Penn Central Transportation Co. v. New York City*, 438 U.S. 104 (1978).

With respect to the first category, a categorical taking only occurs when a regulation “denies all economically beneficial or productive use of land.” For example, the Supreme Court held that a law prohibiting the owner of beach front property from erecting any permanent structures on the property rendered the property valueless, and therefore constituted a categorical taking under the Fifth Amendment.

If the regulation does not deprive the property of all economic value, courts will analyze the regulation under the *Penn Central* balancing test. *Penn Central* involved a challenge to New York City’s Landmark Preservations Law, which prevented the Penn Central Transportation Company from constructing a skyscraper on top of Grand Central Station. The Court held that the application of the law did not constitute a taking based on a three-part balancing test. This test requires courts to consider (1) the character of the state action; (2) the economic impact of the regulation; and (3) the extent to which the regulation has interfered with a distinct investment-backed expectation.

Penn Central has been interpreted to place a high burden of proof on landowners challenging a regulation under the takings clause.

Introduction

In 2021 the Florida Legislature adopted Section 163.3177(6)(i), Florida Statutes, to require local governments to adopt their own property rights element which is tailored to identify that the following rights be considered in 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.

Each of the four identified provisions of Section 163.3177(6)(i) are the objectives identified to be accomplished as stated within this element. These objectives will be implemented by the following policies pertaining to each objective.

GOAL OF PRIVATE PROPERTY RIGHTS (PPR) ELEMENT

The inclusion of this property rights element is intended to protect private property rights and to ensure they are considered in local decision-making.

PPR Objective 1. *Decisions by the Waldo City Council will consider the protection of the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.*

PPR Policy 1.1 *Vested rights provisions shall be included within the Land Development Regulations to consider common law, statutory and prescriptive vesting standards.*

PPR Policy 1.2 *The provisions of Lucas v. South Carolina Coastal Council (1992) shall be the measure of land use regulation related to a taking, whereby owners are entitled to compensation only if regulations restrict uses to a point where all value is lost.*

PPR Objective 2. *Establish policies to protect 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.*

PPR Policy 2.1 *Property owner's rights under Article 5 and 14 of the United States Constitution shall not be abridged by regulations that are not supported by statute or case law.*

PPR Policy 2.2 Prohibit the requiring of notices, applications, approvals, permits, fees, or mitigation for pruning, trimming, or removal of trees on residential property.

PPR Objective 3. The following policies are established to protect the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

PPR Policy 3.1 The decisions of the Waldo City Council shall recognize the property owners right to privacy and the ability to exclude others from the property to protect the owner's possessions and property.

PPR Objective 4. Ensure that City regulations will protect the right of a property owner to dispose of his or her property through sale or gift.

PPR Policy 4.1 The Land Development Regulations shall exempt the transfer of property through testate succession from the definition of a subdivision and therefore exempt from the requirements of the subdivision regulations.

PPR Policy 4.2 The provisions of future land use and zoning shall be attached to the land and not the property owner. This provision does not preclude sunset provisions to be required for the establishment of conditional uses.



#90

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

REGIONAL CLEARINGHOUSE INTERGOVERNMENTAL COORDINATION AND RESPONSE

Date: 5/26/22

PROJECT DESCRIPTION

#90 - Taylor County - Community Development Block Grant - Mitigation -
Concurrent Notice -
Contract No. I10179

TO: Florida State Clearinghouse

XC: Community Development Block Grant
Florida Department of Economic Opportunity
107 E. Madison Street, MSC-400
Tallahassee, FL 32399-6508

Jami Evans, Grants Coordinator
Taylor County Grants Department
401 Industrial Park Drive
Perry, FL 32348

 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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TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS

SKL

GARY KNOWLES, Clerk of Court
Post Office Box 620
Perry, Florida 32348
(850) 838-3506 Phone
(850) 838-3549 Fax

LAWANDA PEMBERTON, County Administrator
201 East Green Street
Perry, Florida 32347
(850) 838-3500, extension 7 Phone
(850) 838-3501 Fax

CONRAD C. BISHOP, JR., County Attorney
Post Office Box 167
Perry, Florida 32348
(850) 584-6113 Phone
(850) 584-2433 Fax

RECEIVED

October 4, 2021

OCT 25 2021

North Central Florida Regional Planning Council
Attn: Scott R. Koons
2009 Northwest 67th Place
Gainesville, FL 32653

NORTH CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL

Subject: Taylor County Florida
Community Development Block Grant (CDBG) - Mitigation Program
Broad-Level Tiered Environmental Review for Activity/Project that is Categorically
Excluded Subject to Section 58.5
Rebuild Florida's Critical Hardening Facility Program
DEO Agreement No.: I0179
Request for Comments

Dear Environmental Review Contact,

Taylor County Board of County Commissioners is preparing a broad-level environmental review record for the above referenced project. We request your review of this proposed project to determine the potential for any adverse environmental and/or community impacts.

The Taylor County Board of County Commissioners may supply Community Development Block Grant (CDBG) - Mitigation funds as part of Rebuild Florida's Critical Hardening Facility Program for the replacement of a generator at the Taylor County Jail located at 589 E. US 27, Perry, Florida 32347 to ensure the resilience and full operation of a critical facility during a power outage or a catastrophic weather event.

Enclosed you will find applicable maps with the overall area identified. The County seeks to complete an Unspecified Site Strategy Broad-Level Tier 1 review to allow for use of CDBG funding for this activity as needed.

All necessary construction permits will be obtained before notice to proceed. If you feel there will be any other impacts, or have questions or comments please contact Jami Evans, Grants Coordinator at (850) 838-3553, Taylor County Grants Department, 401 Industrial Park Drive, Perry, FL 32348 or by email at jevans@taylorcountygov.com. Please also copy Melody Cox, Grant Writer, Taylor County at (850) 371-0377 or by e-mail at melody.cox@taylorcountygov.com.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Demps". The signature is written in a cursive style with a large, stylized initial "T".

Thomas Demps

Chairman – Taylor County Board of County Commissioners



#91

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

**REGIONAL CLEARINGHOUSE
INTERGOVERNMENTAL COORDINATION AND RESPONSE**

Date: 5/26/22

PROJECT DESCRIPTION

#91 - Town of Worthington Springs - Community Development Block Grant - No. 22DB-OP-03-73-02-N02
Neighborhood Revitalization - Concurrent Notice

TO: Florida State Clearinghouse

XC: Small Cities Community Development Block Grant
Florida Department of Economic Opportunity
107 E. Madison Street, MSC-400
Tallahassee, FL 32399-6508

Andy Easton
Andy Easton & Associates
203 Ridgeland Road
Tallahassee, FL 32303

 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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**CONCURRENT NOTICE
NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

Date of Publication: **April 28, 2022**

Name of Responsible Entity: Town of Worthington Springs

Address: P.O. Box 150 (11933 SW 36th Drive)

Town, State, Zip Code: Worthington Springs, Florida 32697

Telephone Number (386) 496-1006

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the Town of Worthington Springs.

REQUEST FOR RELEASE OF FUNDS

On or about **May 17, 2022** the Town of Worthington Springs will submit a request to the Florida Department of Economic Opportunity (DEO) for the release of Community Development Block Grant funds under Title I of the Housing and Community Development (HCD) Act of 1974, as amended, to undertake a project within the Town of Worthington Springs that will include the use of up to \$600,000 in CDBG funds for the construction of parking and street repaving improvements that will take place in the following locations:

Service Area (SA) 1 – Activities within SA 1 consist of paving the existing vacant lot next to the Worthington Springs Community Center/Emergency Shelter which is located at the intersection of Southwest 36th Drive and State Road 121. The paved lot will serve as a parking area for the community center/emergency shelter and will be used for community center/emergency shelter activities. The parking area will allow residents to access the emergency shelter in the event of a weather or manmade disaster. CDBG funds in the amount of \$135,000 have been budgeted for parking lot construction activities. Non-HUD funds that are being contributed to the project include the value of the land for the parking area that was previously purchased by the Town for \$30,000.

Service Area (SA) 2 – Street Improvements - Repaving Activities within SA 2 consist of repaving approximately 6,300 LF of asphalt roadway spot improvements, right of way tree removal, street resurfacing, complementary drainage improvements, and street reconstruction. The following streets will be resurfaced: Southwest 37th Lane; Sierra Drive; Southwest 116th Circle; Southwest 117th Run; Cardline Drive; Southwest 37th Terrace; Southwest 36th Way; Southwest 117th Road; Southwest 36th Path; Southwest 115th Road; Southwest 36th Terrace; and Southwest 118th Place. CDBG funds in the amount of \$322,000 have been budgeted for street repaving activities. There are no non-HUD funds being contributed to the project for repaving activities.

Grant administration activities will include complete management and reporting for each project activity. Engineering costs will include project inspection and construction contract administration. CDBG funds in the amount of \$95,000 have been budgeted for engineering, while \$48,000 has been budgeted administration.

FINDING OF NO SIGNIFICANT IMPACT

The Town of Worthington Springs has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Town of Worthington Springs, Clerk's office located at 11933 SW 36th Drive, Worthington Springs, Florida 32687. The Environmental Review Record (ERR) can be examined at this location and/or copied on Wednesdays and Thursdays between the hours of 9:00 a.m. and 3:00 p.m., or by appointment by contacting Pat Harrell, Town Clerk at (386) 496-1006.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Town of Worthington Springs (Attention: Pat Harrell, Town Clerk, P. O. Box 150, Worthington Springs,

Florida 32697). All comments must be received by **May 16, 2022**. Comments will be considered prior to the Town of Worthington Springs requesting a release of funds. Comments should specify which notice they are addressing.

RELEASE OF FUNDS

The Town of Worthington Springs certifies to the Florida Department of Economic Opportunity and HUD that Joan Douglas in her capacity as Mayor consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Town of Worthington Springs to use the CDBG funds.

OBJECTIONS TO RELEASE OF FUNDS

DEO will accept objections to its release of funds and the Town of Worthington Springs certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Town of Worthington Springs; (b) the Town of Worthington Springs has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by the State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures at 24 CFR Part 58, Sec. 58.76 and shall be addressed to the Florida Department of Economic Opportunity, CDBG Program, MSC-400, 107 East Madison Street, Tallahassee, FL 32399-6508. Potential objectors should contact the Town of Worthington Springs to verify the actual last day of the objection period. Contact information: Pat Harrell, Town Clerk, P. O. Box 150, Worthington Springs, Florida 32697. Ms. Harrell can also be reached by email at clerk.harrell@worthingtonsprings.org or by phone at (386) 496-1006.

Joan Douglas, Mayor, and Certifying Officer