

August 29, 2024

The Honorable Harvey Ward
Mayor, City of Gainesville
Post Office Box 490, Station 19
Gainesville, Florida 32627

Dear Mayor Ward:

The Florida Department of Commerce (FloridaCommerce) has reviewed the City of Gainesville proposed comprehensive plan amendment (Amendment No. 24-01ESR), received on July 30, 2024, pursuant to the expedited state review process in Section 163.3184(2) and (3), Florida Statutes (F.S.). We have identified no comment related to adverse impacts to important state resources and facilities within FloridaCommerce's authorized scope of review.

We are, however, providing two technical assistance comments consistent with Section 163.3168(3), F.S. The technical assistance comments will not form the basis of a challenge. They are offered either as suggestions which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S. The technical assistance comments are:

(Technical Assistance Comment: Density Bonus Guidelines and Standards): Amendment 24-01ESR proposes to amend various future land use categories in Future Land Use Element Policy 4.1.1 to allow residential use density bonuses "... for developments that meet or exceed affordable housing or tree preservation requirements as may be established in the Land Development Code." The City should consider revising Amendment 24-01ESR to establish meaningful and predictable guidelines and standards in the Comprehensive Plan that define the requirements for affordable housing and tree preservation that are intended to be the basis for allowing the density bonuses.

(Technical Assistance Comment: Public Facilities): The City should support Amendment 24-01ESR with data and analysis of the quantitative demand upon and availability of public facilities to serve the development that may result from the density bonuses, and revise the Comprehensive Plan to reflect any public facilities that may be needed to support the potential development. Based on the Florida Department of Transportation's (FDOT) analysis, the proposed Amendment 24-01ESR could add up to 915,677 daily trips to the transportation network. The parcels potentially affected by Amendment 24-01ESR are also spread throughout the City of Gainesville, potentially impacting every State Highway System road segment. Therefore, FDOT expects that the State Highway System will be significantly and adversely affected by proposed Amendment 24-01ESR. In order to comprehensively assess the transportation impacts of Amendment 24-01ESR, FDOT recommends that the City provide the appropriate supporting data and analysis as required by Section 163.3184(3)(b)1., F.S. Due to the potential adverse impacts, FDOT recommends the regional transportation model be updated to factor in the higher densities and to model the impacts to the road network, and this

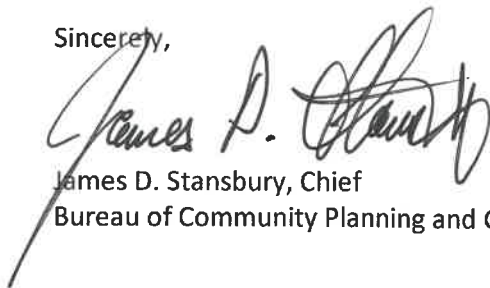
should identify the road segments that will be significantly and adversely impacted and lead to the development of a mitigation plan. The City should coordinate with FDOT in analyzing and addressing the transportation facilities that may be impacted and needed to support Amendment 24-01ESR.

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

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

If you have any questions concerning this review, please contact Scott Rogers, Regional Planning Administrator, by telephone at (850)-717-8510 or by email at scott.rogers@commerce.fl.gov.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/sr

Enclosure(s): Procedures for Adoption

cc: Forrest Eddleton, Director, Gainesville Department of Sustainable Development
Scott Koons, Executive Director, North Central Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce’s electronic amendment submittal portal “**Comprehensive Plan and Amendment Upload**” (<https://fideo.my.salesforce-sites.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

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

_____ State Land Planning Agency identification number for adopted amendment package;

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

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

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

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

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