

November 21, 2024

The Honorable Charles Chestnut
Chair, Alachua County
Board of County Commissioners
12 Southeast 1st Street, 2nd Floor
Gainesville, Florida 32601

Dear Chair Chestnut:

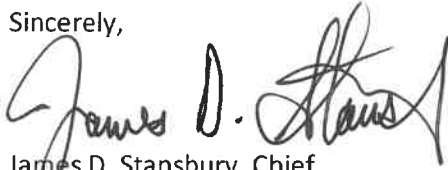
FloridaCommerce has reviewed the proposed comprehensive plan amendment for Alachua County (Amendment No. 24-01ESR) received on October 28, 2024. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County 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 County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County 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plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section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 County 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: Ben Chumley, Principal Planner, Alachua County Department of Growth Management
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/cpl/>) **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.



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

November 22, 2024

Ben Chumley, Principal Planner
Alachua County Department of Growth Management
10 SW 2nd Ave., 3rd Floor
Gainesville, FL 32601-6294

Alachua County 24-01ESR Proposed Comprehensive Plan Amendment Expedited Review

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The Department's review of the proposed policies focused on important state resources and facilities that would be adversely impacted if the amendment is adopted, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment; and the Everglades ecosystem restoration.

PROPOSED AMENDMENTS

The proposed amendment updates the Potable Water & Sanitary Sewer Element and Capital Improvements Element of the Alachua County (County) Comprehensive Plan to address the sanitary sewer feasibility analysis required by s. 163.3177(6)(c)3, F.S., and the inclusion of the list of projects necessary to achieve the pollutant load reductions required by s. 163.3177(3)(a)4.b, F.S. The Department is providing technical assistance comments in response to the proposed Potable Water & Sanitary Sewer Element Policy 2.1.8, which directs the County to conduct a feasibility analysis for the provision of sanitary sewer services to applicable developments within a 10-year planning horizon by April 2026, and further states that the County shall identify the information required by statute "...If the analysis determines that it is feasible and otherwise consistent with the Comprehensive Plan to provide sanitary sewer services to an applicable development within a 10-year planning horizon".

DEPARTMENT COMMENTS

During the 2023 legislative session, the Florida Legislature passed House Bill (HB) 1379, Laws of Florida Chapter No. 2023-169, which revised s. 163.3177, F.S., requiring local government comprehensive plans to address the following:

- Within the schedule of capital improvements, any county or municipality with a Basin Management Action Plan (BMAP) within its jurisdiction must include a list

of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP (s. 163.3177(3)(a)4.b, F.S.)

- Within the general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element, local governments must address the upgrading of wastewater treatment facilities and prioritize advanced waste treatment (AWT), and, for local governments not included within a designated Rural Area of Opportunity, a section considering the feasibility of providing sanitary sewer services within a 10-year planning horizon to any development of more than 50 built or unbuilt residential lots with a density of more than one onsite sewage treatment and disposal system (OSTDS; aka septic system) per acre must be included by July 1, 2024 (s. 163.3177(6)(c)3, F.S.)

To be consistent with s. 163.3177(6)(c)3, F.S., the County's Potable Water & Sanitary Sewer Element must include a feasibility analysis that identifies the wastewater facilities (name and location) that could receive sanitary sewer flows after connection, the current capacity of the identified wastewater facilities and any transmission facilities, the projected wastewater flows for the next 20 years, including expected future new construction and connections of OSTDSs to sanitary sewer, and a timeline for the construction of any sanitary sewer determined to be feasible.

The County's proposed Policy 2.1.8(d) appears to be inconsistent with the statute as it conditions the inclusion of the required information (listed in the policy as items 1-4) on additional factors (e.g. potential costs to the County and property owners, other applicable goals, objectives and policies of the County's Comprehensive Plan). As the statutory deadline (July 1, 2024) has passed, the County should include or adopt by reference a feasibility analysis that addresses the above information within their Potable Water & Sanitary Sewer Element as soon as possible to address the existing noncompliance with s. 163.3177(6)(c)3, F.S.

CONCLUSION

The Department is providing technical assistance comments consistent with s. 163.3168(3), F.S. The comments will not form the basis of a challenge. If you should require assistance or additional information, please contact me at (850) 717-9037 or Lindsay.Weaver@FloridaDEP.gov.

Sincerely,



Lindsay Weaver, Environmental Specialist II
Office of Intergovernmental Programs

cc: Donna Harris, Florida Department of Commerce



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

JARED W. PERDUE, P.E.
SECRETARY

October 30, 2024

Ben Chumley, AICP
Principal Planner
Department of Growth Management
Alachua County
10 SW 2nd Ave
Gainesville, FL 32601

SUBJECT: Alachua County 24-01ESR Amendment

Dear Mr. Chumley,

Pursuant to Section 163.3184(3), Florida Statutes, (F.S.) in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT) reviewed the proposed Text Amendments to the Alachua County Comprehensive Plan.

Amendment Summary

The proposed Text Amendments adds Potable Water & Sanitary Sewer element and Capital Improvement to the Alachua County Comprehensive Plan to add policies that enable the implementation of new comprehensive planning requirements enacted through Florida House Bill 1379 (2023) related to the feasibility of providing sanitary sewer services to certain developments and the inclusion of Basin Management Action Plan (BMAP) projects as part of the Five-Year Schedule of Capital Improvements, alongside a language revision of Policy 1.2.5(a) in the Alachua County Comprehensive Plan Capital Improvements Element to better clarify existing Level of Service guidelines for fire service response times. There are no anticipated traffic impacts from the adoption of this amendment.

Comments

FDOT District 2 has no comments.

We appreciate the opportunity to review the proposed comprehensive plan amendment and request that a copy of the adopted amendment, along with the supporting data and analysis be transmitted within ten working days after the second public hearing for FDOT review.

If you have any questions, please do not hesitate to contact me by email: jacob.linton@dot.state.fl.us or call: (904) 360-5547.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Linton', with a stylized flourish at the end.

Jacob Linton
Planner I
FDOT District Two

From: [DiGruttolo, Laura](#)
To: [Ben Chumley](#)
Cc: DCPexter@Commerce.fl.gov; scott.rogers@commerce.fl.gov; [Benedict, Melissa](#); [Conservation Planning Services](#)
Subject: FWC's Comments on Alachua County 24-01ESR (Z24-000004 and Z24-000005)
Date: Monday, November 18, 2024 4:50:28 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Chumley:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

FWC staff appreciates the opportunity to review this project. Please send any requests for further information to ConservationPlanningServices@MyFWC.com.

Sincerely,

Laura DiGruttolo
Land Use Planning Program Supervisor
Office of Conservation Planning Services
Florida Fish and Wildlife Conservation Commission
1875 Orange Avenue East
Tallahassee, FL 32311
(850) 728-5147

Alachua County 24-01ESR_60300

From: [Steve Fitzgibbons](#)
To: [Ben Chumley](#)
Cc: DCPexter@commerce.fl.gov
Subject: Alachua County proposed comprehensive plan amendment 24-01ESR
Date: Thursday, November 7, 2024 5:43:07 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Chumley,

St. Johns River Water Management District (SJRWMD) staff have reviewed Alachua County proposed comprehensive plan amendment 24-01ESR in accordance with the provisions of Chapter 163, *Florida Statutes*. Based on review of the submitted materials, District staff have no comments on the proposed amendment.

If you have any questions or need additional information, please contact me. Please note that all proposed and adopted comprehensive plan amendments can be submitted to the District by email at sfitzgibbons@sjrwmd.com.

Sincerely,
Steve Fitzgibbons

Steven Fitzgibbons, AICP
Intergovernmental Planner
St. Johns River Water Management District
7775 Baymeadows Way, Suite 102
Jacksonville, FL 32256
Office (386) 312-2369
Email: sfitzgib@sjrwmd.com
Website: www.sjrwmd.com
Connect with us: [Newsletter](#), [Facebook](#), [Twitter](#), [Instagram](#), [YouTube](#), [Pinterest](#)



www.sjrwmd.com/ePermit

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking this [link](#)

Notices

- Emails to and from the St. Johns River Water Management District are archived and, unless exempt or confidential by law, are subject to being made available to the public upon request. Users should not have an expectation of confidentiality or privacy.
- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida)

Statutes). Details, applicability and the registration form are available at <http://www.sjrwm.com/lobbyist/>