

June 27, 2025

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 Alachua County proposed comprehensive plan amendment (Amendment No. 25-03ESR), received on May 28, 2025, pursuant to the expedited state review process in Section 163.3184(2) and (3), Florida Statutes (F.S.). We have identified no comments related to adverse impacts to important state resources and facilities within FloridaCommerce's authorized scope of review.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the County'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 comment is:

Technical Assistance Comment: Policy 7.1.37: The proposed Policy 7.1.37 states, in part, the easternmost 200 feet of the proposed map change area shall not include roadways or residential lots and will be limited to a combination of green spaces, stormwater management areas, tree preservation areas and necessary utility infrastructure and shall not be fenced to contribute to a larger off-site north-south greenway/wildlife corridor. The eastern property boundary of the amendment area does not run directly north-south but traverses an irregularly shaped line with various areas of the property located farther east than other areas along this line. The County should consider revising the proposed Policy 7.1.37 to establish a meaningful and predictable measurement that clarifies that the 200-foot area shall extend westward from and along the entire eastern property boundary of the Future Land Use Map amendment adopted by Ordinance Number (*insert #*). Alternatively, the County should consider revising the proposed Policy 7.1.37 to adopt by reference a map depicting the location of the 200-foot area.

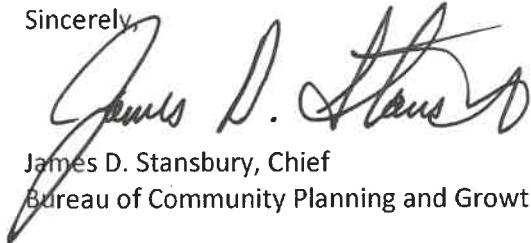
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- 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 final adoption hearing or the amendment shall be deemed withdrawn pursuant to section 163.3184(4)(e)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://flcom.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.

Alachua County 25-03ESR Proposed

From Plan_Review <Plan.Review@dep.state.fl.us>

Date Wed 6/25/2025 5:23 PM

To Mehdi J. Benkhatar <mbenkhatar@alachuacounty.us>; dcpextex@commerce.fl.gov
<dcpextex@commerce.fl.gov>

Cc Plan_Review <Plan.Review@dep.state.fl.us>

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To: Mehdi Benkhatar, Planner III

Re: Alachua County 25-03ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

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

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



Florida Department of Transportation

RON DESANTIS
GOVERNOR

2198 Edison Avenue MS 2806
Jacksonville, FL 32204-2730

JARED W. PERDUE, P.E.
SECRETARY

June 18, 2025

Mehdi Benkhatar, AICP
Planner III
Alachua County Department of Growth Management
10 SW 2nd Ave., 3rd Floor
Gainesville, FL 32601-6294

SUBJECT: Alachua County Proposed Comprehensive Plan Amendment (25-03ESR)

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 proposed amendment, Alachua County 25-03ESR.

Amendment Summary

The proposed amendment consists of a Future Land Use Map (FLUM) amendment with a matching text amendment reflecting the map amendment change, which consists of an approximately 82 acre property being redesignated from Low Density Residential, Estate Residential and Commercial to Low Density Residential & Conservation.

This amendment is anticipated to increase the maximum permitted dwelling units on the project site by 90 while reducing commercial intensity by 124,000 sq. ft. As such, it is expected that such a newly proposed buildout can result in approximately 10,000 fewer daily trips compared to current land-use standards. The project site is adjacent to SR-20 Segment 20,14, which currently has an LOS rating of "B", with an maximum service volume (MSV) of 4,350 vehicles & a peak service volume of 941 vehicles in 2023. As the maximum proposed build-out would only generate an approximate of 209 daily trips alongside the adjacent state facility, this amendment is not anticipated to adversely impact any state facilities.

Comments

FDOT has no comments or technical recommendations.

We appreciate the opportunity to review the proposed comprehensive plan amendments and request that a copy of the adopted amendments, 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 II
FDOT District Two



Florida Fish and Wildlife Conservation Commission

Commissioners

Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Preston Farrior
Tampa

Gary Lester
Oxford

Albert Maury
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Office of the
Executive Director
Roger A. Young
Executive Director

Charles "Rett" Boyd
Assistant Executive Director

George Warthen
Chief Conservation Officer

Jessica Crawford
Chief of Staff

Division of Habitat and
Species Conservation
Melissa Tucker
Director

850-488-3831

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: 850-488-4676

Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

June 27, 2025

Mehdi Benkhatar
Alachua County Department of Growth Management
10 SW 2nd Ave., 3rd Floor
Gainesville, Florida, 32601-6294
mbenkhatar@alachuacounty.us

Re: Alachua County 25-03ESR (County Amendment Z25-000003), Comprehensive Plan Amendment

Dear Mr. Benkhatar:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the above-referenced comprehensive plan amendment package and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184, Florida Statutes. While there are no objections to the amendment, the following technical assistance information is provided to assist the Department of Commerce, the County, and any applicants during the amendment review and future project planning.

Project Description

The applicants, Gator Country LLC and Bentley Properties, Inc., propose to amend the future land use designation from Low Density Residential, Estate Residential, and Commercial, to Low Density Residential and Conservation designations on an 82-acre property in Alachua County. The proposed change would increase the maximum number of residential units from approximately 131 to 221. The site is located on the north side of Southeast Hawthorne Road, and on the west side of Lake Shore Drive. The proposed project site contains approximately 48.6 acres of mixed hardwood-coniferous, 23.2 acres of oak-pine-hickory, 5.3 acres of bottomland forest, and 2.4 acres of mixed wetland hardwoods. The remaining approximately 2.5 acres include transportation, commercial and services, and low density residential landcovers.

Potentially Affected Resources

The applicants provided results of site evaluations conducted by ECS Florida, LLC, December 17-23, 2024. The survey results indicated the site contains potentially occupied gopher tortoise (*Gopherus polyphemus*, State Threatened [ST]) burrows. ECS Florida, LLC recommends the applicant conduct 100% pre-construction surveys for gopher tortoise, and to obtain a relocation permit if tortoises are present. FWC staff conducted a geographic information system (GIS) analysis of the project area. The analysis found that the project area is located near, within, or adjacent to:

- U.S. Fish and Wildlife Service (USFWS) Consultation Area for the red-cockaded woodpecker (*Picoides borealis*, Federally Threatened [FT])
- Potential habitat for the tricolored bat (*Perimyotis subflavus*, Proposed Federally Endangered) and eastern indigo snake (*Drymarchon couperi*, FT)
- Potential habitat for the Florida black bear (*Ursus americanus floridanus* – Central Management Unit)

- Existing Conservation Areas: Paynes Prairie Preserve State Park (Florida Department of Environmental Protection) and Palm Point Nature Park (City of Gainesville)

Comments and Recommendations

Gopher Tortoise

Due to the documented presence of gopher tortoises on site, FWC staff recommends that the applicant refer to the *Gopher Tortoise Permitting Guidelines* (revised April 2023) (<http://www.myfwc.com/license/wildlife/gopher-tortoise-permits/>) for permitting guidance. Specifically, the permitting guidelines include methods for avoiding impacts (such as preservation of occupied habitat) as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. Any commensal species observed during burrow excavation should be handled in accordance with Appendix 9 of the *Guidelines*. For questions regarding gopher tortoise permitting, contact Jessica Folsom by phone at (850) 921-1020 or at Jessica.Folsom@MyFWC.com.

Florida Black Bear

The FWC has received 21 reports of human-bear conflicts within a 5-mile radius of the project site since 2015. Florida black bears are frequent in this area which is within the Central BMU identified in the 2019 Bear Management Plan. While black bears tend to shy away from people, they are adaptable and will take advantage of human-provided food sources. This includes sources that are currently available near this site, sources that may be available during construction, and sources available after construction including unsecured garbage, pet food, and bird seed. Once bears become accustomed to finding food around people, their natural wariness is reduced to the point that there can be an increased risk to public safety or private property.

Proactive planning may help prevent or reduce future conflicts with bears. Site designs for larger developments should locate conservation areas along the borders of developed areas, to avoid encouraging bears to forage within developed areas (<http://myfwc.com/wildlifehabitats/managed/bear/crossings/>). If a homeowners' association or community covenants are planned, by-laws that would require residents to take measures to prevent attracting bears into the neighborhood are recommended. Sample by-law language used by other Florida communities is available at (<http://myfwc.com/wildlifehabitats/managed/bear/living/community-group/bylaw/>).

During construction, construction sites should be kept clean, with refuse that might attract bears kept separate from construction debris and stored securely in bear-resistant containers or removed daily from the construction site before dark. Refuse that might attract bears includes all food and drink-related materials, as well as any items with strong scents like cleaning agents. Once the development is completed, residents should be provided with bear-resistant garbage cans as part of their regular waste service and any larger waste storage containers should also be bear-resistant. Providing residents with information on how to avoid human-bear conflicts is also recommended. This information can include:

- Options for keeping garbage secure which can include using bear-resistant garbage containers, modifying regular containers to be bear-resistant, or keeping containers secure in a garage or sturdy shed and then placing garbage on the curb the morning of pick-up rather than the night before (<http://myfwc.com/wildlifehabitats/managed/bear/living/attractants/>);
- Removing bird and wildlife feeders, or modifying them to exclude bears (<http://myfwc.com/wildlifehabitats/managed/bear/wildlife-feeders/>);

- Using electric fencing to secure outdoor attractants like fruiting trees/shrubs, gardens, compost, and small livestock (<https://myfwc.com/media/1886/electricfence.pdf>);
- Proper composting in bear range (<https://myfwc.com/media/1888/howtocompostinbearcountry.pdf>);
- Keeping pets safe (<https://myfwc.com/wildlifehabitats/wildlife/bear/living/protect-pets/>); and
- Cleaning and securing barbeque grills.

Information should also include guidelines for how residents should respond to bears in the area, such as:

- What to do if they encounter a bear, whether from a distance or at close range,
- How to keep pets and livestock safe in bear range, and
- When and how to contact the FWC regarding a bear issue.

FWC staff is available to assist with residential planning to incorporate the above features. Additional information about Florida black bears can be found on FWC's website at <http://www.myfwc.com/wildlifehabitats/managed/bear>.

Invasive Species Management

The proposed amendment indicates that approximately 26.5 acres of land are being considered for conservation land. The *Transmittal Package* indicates arrowhead vine (*Syngonium podophyllum*) and coral ardisia (*Ardisia crenata*) are present within the proposed conservation lands, which are both Class I invasive plants as categorized by the Florida Invasive Species Council (FISC).

Category I plants disrupt the native plant community, and removal and/or treatment are recommended. The University of Florida's Institute of Food and Agricultural Science's (IFAS) publishes helpful guides for identification and control of exotic, invasive plants within Florida, that may assist in control of these species. The guide to *Identification and Control of Coral Ardisia (Ardisia crenata): A Potentially Toxic Plant* can be found at:

<https://edis.ifas.ufl.edu/publication/AG281> and the guide to *Wildland Weeds: Arrowhead Vine, Syngonium podophyllum* can be found at: <https://edis.ifas.ufl.edu/publication/IN530>.

To reduce the potential for negative effects of invasive plants on the site and to adjacent properties, FWC staff recommends:

- Decontamination of equipment before performing management activities onsite,
- Development of a vegetation management plan to guide invasive, nonnative plant management that includes the use of herbicides, mechanical treatments, groundcover restoration and fire,
- Consideration of an early detection and rapid response (EDRR) approach to controlling nonnative, invasive plant species. FWC's invasive plant resources (<http://myfwc.com/wildlifehabitats/invasive-plants/>) may assist the applicant in developing this plan. An EDRR increases the likelihood that localized invasive populations will be found, contained, and eradicated before they become widely established, avoiding the need for costly long-term control efforts, and
- Coordination with managers of adjacent conservation lands to encourage collaborative resource sharing and synchronized management.

Wildlife Friendly Fencing

Fencing serves an important function for wild spaces including controlling the movement of wildlife, delineating property boundaries, and preventing trespassing. For the proposed conservation lands, the *Transmittal Package* did not indicate whether or what type of site fencing

will be used. The installation of excessive fencing that impedes wildlife movement across the landscape is discouraged. FWC staff recommends the following design considerations, where fencing is necessary, to minimize the potential for wildlife entrapment, injury, or death:

- Avoid the use of woven wire fencing or maintain 12 inches between the top and adjacent barbwire strand,
- Adjust the height of the top wire so that it is no more than 40 to 42 inches high,
- Replace the top one or two strands and the bottom strand with smooth wire or a wood rail,
- Leave 12 inches between the top two wires and at least 18 inches between the bottom wire and the ground, and
- Increase visibility of smooth/barbwire by adding small sections of white PVC pipe or metal tags which will alert wildlife to the barrier.

Additional information on wildlife-friendly fencing can be found in the FWC Landowner Assistance Program guide to *Wildlife-Friendly Fencing* at (<https://myfwc.com/media/26928/wildlife-friendly-fencing.pdf>).

Federal Species

This site may also contain habitat suitable for the federally listed species identified above. FWC staff recommends coordination with the USFWS Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species. The USFWS ESO can be contacted at FW4FLESRegs@fws.gov.

FWC staff appreciates the opportunity to provide input on this project and look forward to working with the applicant throughout the permitting process. For specific technical questions regarding the content of this letter, please contact Melissa Lannan by phone at (850) 274-3039, or by email at Melissa.Lannan@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,



Josh Cucinella
Land Use Planning Program Administrator
Office of Conservation Planning Services

jc/ml

Alachua County 25-03ESR_63107_06272025

cc: Donna Harris, Florida Department of Commerce, donna.harris@commerce.fl.gov
DCPexter@Commerce.fl.gov
Chrissy Carr, ECS Florida, LLC, CCarr@ecslimited.com
Jason Adams, ECS Florida, LLC, JAdams2@ecslimited.com

Alachua County proposed comprehensive plan amendment 25-03ESR

From Steve Fitzgibbons <SFitzgibbons@sjrwmd.com>

Date Mon 6/23/2025 10:01 AM

To Mehdi J. Benkhatar <mbenkhatar@alachuacounty.us>; Chris Dawson <cdawson@alachuacounty.us>

Cc dcpexter@commerce.fl.gov <dcpexter@commerce.fl.gov>

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Dear Mehdi Benkhatar,

St. Johns River Water Management District (District) staff have reviewed Alachua County proposed comprehensive plan amendment 25-03ESR 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.

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

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- Individuals lobbying the District must be registered as lobbyists (§112.3261, Florida Statutes). Details, applicability and the registration form are available at <http://www.sjrwmd.com/lobbyist/>