

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2023-97

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ACCEPTING THE SPECIAL AREA STUDY FOR THE FCL TIMBER, LAND & CATTLE, LLLP PROPERTY AND HICKORY SINK STRATEGIC ECOSYSTEM AS REQUIRED PURSUANT TO THE ALACHUA COUNTY COMPREHENSIVE PLAN AND UNIFIED LAND DEVELOPMENT CODE; APPROVING CONDITIONS FOR THE ACCEPTANCE OF THE SPECIAL AREA STUDY AND THE PREPARATION OF ANY SUBSEQUENT SPECIAL AREA PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Alachua County Comprehensive Plan designates certain areas within Alachua County as “Strategic Ecosystems”, which include those sites that are identified in the KBN/Golder Associates report, “Alachua County Ecological Inventory Project” (1996) and on Map 4 of the Conservation and Open Space Element of the adopted Comprehensive Plan; and

WHEREAS, the “Hickory Sink” Strategic Ecosystem is one of the Strategic Ecosystems designated pursuant to the KBN/Golder Associates report (1996) and the Alachua County Comprehensive Plan; and

WHEREAS, the Alachua County Comprehensive Plan designates Strategic Ecosystems as conservation areas, which consist of natural resources that, because of their ecological value, uniqueness and particular sensitivity to development activities, require stringent protective measures to sustain their ecological integrity; and

WHEREAS, the Alachua County Comprehensive Plan calls for the County to conserve Strategic Ecosystems that are determined through ground-truthing using the KBN/Golder

Associates Report (1996) as a guide to maintain or enhance biodiversity based on overall assessment of certain natural resource characteristics; and

WHEREAS, the Alachua County Comprehensive Plan, Conservation and Open Space Element Policy 4.10.2 requires the County to create Special Area Plans in cooperation with landowners to establish specific guidelines for Strategic Ecosystems prior to approval of land use change, zoning change, or development approval; and

WHEREAS, the majority of the Hickory Sink Strategic Ecosystem is comprised of lands owned by FCL Timber, Land & Cattle LLLP; and,

WHEREAS, the Alachua County Comprehensive Plan, Conservation and Open Space Element Policy 4.10.3 provides that, if an applicant seeks development prior to the County's creation of a Special Area Plan for a particular Strategic Ecosystem, the applicant may conduct a Special Area Study at the applicant's expense; and

WHEREAS, the Alachua County Unified Land Development Code Chapter 402, Article 16 provides specific procedures and requirements for Special Area Studies and Plans; and

WHEREAS, on May 1, 2020, the applicant and landowner, FCL Timber, Land & Cattle LLLP, submitted a Scope of Work for the Special Area Study to the County, which was approved by the Board of County Commissioners on June 9, 2020; and

WHEREAS, the applicant and landowner, FCL Timber, Land & Cattle LLLP, submitted a Special Area Study for the Hickory Sink Strategic Ecosystem for the County's consideration, including an initial Study report with exhibits on April 11, 2022, a First Supplement to the Special Area Study on July 5, 2022, and a Second Supplement to the Special Area Study on September 19, 2023; and

WHEREAS, pursuant to Section 402.101(f) of the Alachua County Unified Land Development Code, the Special Area Study shall be presented to the Board of County

Commissioners, and the Board shall consider whether to accept the Study and whether to authorize any specific follow-up recommendations or strategies that have been identified as part of the Study.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Acceptance of Special Area Study. The Board of County Commissioners accepts the Special Area Study for the Hickory Sink Strategic Ecosystem and authorizes the preparation of one or more Special Area Plans for the FCL Timber, Land & Cattle, LLLP property subject to the conditions provided in Exhibit A of this Resolution and based on the recommendations contained in the “Second Supplement to Special Area Study FCL Timber, Land & Cattle, LLLP Property” report dated September 19, 2023 (Exhibit E of this Resolution). To the extent that the recommendations in the Second Supplement to the Special Area Study report conflict with any of the conditions in Exhibit A of this Resolution, the conditions in Exhibit A of this Resolution shall prevail.

SECTION 2. Maps Incorporated into Resolution. The following maps which are referred to in the conditions in Exhibit A are incorporated herein as part of this Resolution:

- a. “Lee Property Scenario 1: Local & State Conservation” Map dated 10-18-2023 (Exhibit B)
- b. “Lee Property Scenario 2: Collaborative Planning” Map dated 10-18-2023 (Exhibit C)
- c. “County Staff Recommended Conservation Management Areas” Map (Exhibit D)

SECTION 3. Documents Incorporated by Reference. The Special Area Study Report documents that were submitted by the applicant to the County, including attachments thereto, are hereby incorporated as part of this Resolution by reference as relevant supporting data that may be utilized in the preparation of subsequent Special Area Plan(s) for the FCL Land, Timber & Cattle, LLLP property, including:

- a. “Second Supplement to Special Area Study FCL Timber, Land & Cattle, LLLP Property” dated 9-19-2023 (Exhibit E)
- b. “FCL Timber, Land & Cattle, LLLP Special Area Study (SAS)” report with exhibits dated 4-11-2022 (Exhibit F)
- c. First Supplement to the Special Area Study report dated 7-5-2022 (Exhibit G)

SECTION 4. Effective Date. This Resolution shall become effective upon approval by the Board of County Commissioners.

DULY ADOPTED in regular session, this 7th day of November, 2023.

**BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA**

ATTEST:

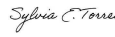


Jess Irby (Oct 2, 2024 21:50 EDT)
J.K. "Jess" Irby, Esq.
Clerk of Court

BY: 

Mary Prizzia (Oct 2, 2024 21:36 EDT)
Anna Prizzia, Chair
Board of County Commissioners

APPROVED AS TO FORM



County Attorney

(SEAL)

Exhibit A

Conditions for Acceptance of Special Area Study

1. The Special Area Plan(s) shall be based on, and generally consistent with data, recommendations, and maps contained in the Special Area Study and conditions in Exhibit A of this Resolution, as well as additional data and analysis that may be produced and submitted during preparation of the Special Area Plan(s). Acceptance of the Special Area Study does not guarantee any specific future land use designations or development program will be approved by the Board of County Commissioners as part of any Comprehensive Plan Amendments at the Special Area Plan stage.
2. The Special Area Plan may be prepared, submitted and approved in two phases. The first phase may include the 580 acres area identified in Exhibits B and C of this Resolution as *Phase 1 SAP Institutional Use UF Property*. The second phase may include the remaining acreage identified in Exhibit C of this Resolution as *Lee Property*. The second phase of the Special Area Plan for the *Lee Property* may be submitted for consideration by the County within 3 years following approval of first phase. If the second phase of the Special Area Plan for the *Lee Property* is submitted more than 3 years following approval of the first phase, an updated natural resources assessment of the property may be required at that time.
3. Exhibit D of this Resolution identifies only the minimum conservation management areas to be set aside based on recommendations in the Special Area Study. Additional open space or conservation areas may be required as part of the Special Area Plan and development review process to meet all County policies, regulations and standards.
4. Conservation Management Areas located within the *Phase 1 SAP Institutional Use UF Property* area depicted in Exhibits B and C of this Resolution shall receive permanent protection and a management plan limiting impacts, uses and the number of crossings prior to any site improvement or as part of the first approved final development plan within the boundaries of the *Phase 1 SAP Institutional Use UF Property*, whichever first occurs.
5. The Conservation Management Areas depicted in Exhibit D of this Resolution and not located within the *Phase 1 SAP Institutional Use UF Property* area, and any additional conservation areas that may be identified during preparation of the second phase of the Special Area Plan, shall be protected consistent with Section 406.103 ULDC prior to any site improvement or as part of the first approved final development plan within the boundaries of the second phase of the Special Area Plan.
6. Any development proposed within areas identified in Exhibit D of this Resolution as ‘Strategic Ecosystem Development Standards Apply’, shall be consistent with the ULDC and governed by subsections 406.03(b)(1) and (2). Alternatively, any proposed development within each of these areas shall be required to be developed in accordance with the Clustered Rural Residential Subdivision standards in Policies 6.2.9 through 6.2.13 of the Alachua County Comprehensive Plan

Future Land Use Element or other alternative protective measures acceptable to the County for ensuring compatibility with the Conservation Management Areas.

7. An historical/archaeological resources assessment shall be completed for the Special Area Plan and address any historical/archaeological resources requiring protection prior to or as part of the development of the property.
8. Any Comprehensive Plan amendments proposed as part of the Special Area Plan for the Phase 2 areas shown on the Collaborative Planning Scenario Map as *Residential Future SAP Lee Property* that would allow land use types that are not generally allowable pursuant to the Rural/Agriculture future land use designation, or gross residential densities greater than those allowable pursuant to the Rural/Agriculture future land use designation, shall be based on the following parameters and address the following considerations through appropriate goals, objectives, policies, maps, or data & analysis:
 - a. Such Comprehensive Plan amendments shall provide for the arrangement and clustering of proposed development areas in a manner that, (1) prioritizes the protection of Conservation Management Areas and (2) clusters any areas of urban development in as close proximity as possible to the Urban Cluster in order to minimize the geographic extent of necessary expansions of urban infrastructure, facilities, and services; minimize areas of urban/rural land use interaction; and ensure that land uses, densities and intensities are consistent and compatible with surrounding existing and future land uses.
 - b. Such Comprehensive Plan amendments shall address, with appropriate data and analysis, the requirements of Policy 7.1.3 of the Future Land Use Element regarding evaluation and expansion of the Urban Cluster.
 - c. Proposed development areas shall be served by urban infrastructure, facilities, and services, including roads, transit, centralized potable water and sanitary sewer, fire and EMS, recreation, solid waste collection, stormwater management, public schools and law enforcement at the same levels of service that are provided within the Urban Cluster in accordance with the Comprehensive Plan's Capital Improvements Element. Data and analysis shall be provided on needs and costs for all necessary capital improvements to serve any proposed development areas. Necessary capital improvements and their funding sources shall be proposed for inclusion in the Comprehensive Plan.
 - d. Proposed development areas shall be served by centralized potable water and sanitary sewer services in order to minimize proliferation of individual wells and septic systems, subject to approval of the extension of potable water and sanitary sewer lines outside the Urban Cluster by the Board of County Commissioners in accordance with Policy 3.1.5 of the Comprehensive Plan, Potable Water and Sanitary Sewer Element.
 - e. The transportation system for proposed development areas shall be designed consistent with the Urban Transportation Mobility District policies in the Transportation Mobility Element, including connectivity with the surrounding road network and existing development within the Urban Cluster.

- f. Proposed development areas shall provide for urban design concepts that are supportive of non-automotive modes of transportation in addition to automotive modes.
 - g. As part of the Special Area Plan, a percentage of the total proposed residential units shall be designated as affordable in accordance with the County Comprehensive Plan affordable housing requirements in effect at the time of submittal of any Special Area Plan phase that includes residential units.
9. Any phase of the Special Area Plan which proposes extension of potable water and sanitary sewer lines outside the Urban Cluster, shall address the requirements of Policy 6.2.2 of the Future Land Use Element and Policies 3.1.5 and 3.1.6 of the Potable Water and Sanitary Sewer Element regarding the extension of potable water and sanitary sewer lines outside the Urban Cluster.
10. The Special Area Plan shall identify water conservation and low-water use landscaping practices for all phases of the Special Area Plan and Phase 1 Institutional Uses (e.g., accessory clubhouse amenity, cottages, and maintenance area, excluding the golf course) such as, but not limited to:
- a. Set specific limits on permanent landscape irrigation (including reclaimed water), irrigable area, and adherence to a water budget
 - b. Prohibit permanently irrigated private residential lots
 - c. Retain existing vegetation and design landscapes to mitigate impacts of climate change
 - d. Use of native vegetation in landscaping and promote no-mow landscaping
11. The Special Area Plan shall identify nutrient management practices for Institutional Uses (e.g., accessory clubhouse amenity, cottages, and maintenance area) such as, but not limited to:
- a. Nutrient management shall be consistent with Chapter 77, Article IV, recognizing that the use of reclaimed water should result in reduced fertilizer application.
 - b. Minimize clearing of existing vegetation, soil compaction, and earthwork during construction.
12. The Special Area Plan shall address the requirements of Sections 404.66.5 and 406.59.1(e), ULDC, for the UF Golf Course and identify best management practices, utilizing *Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses* (www.flgolfbmp.com) as a guide, such as but not limited to:
- a. Address how the golf course design and associated facilities conserve sensitive habitat and karst topography, retain native vegetation, protect wildlife corridors and habitat connectivity and protect natural drainage patterns.
 - b. Limit excavation and fill throughout the site to protect the shallow karst topography and prevent sinkhole formation.
 - c. Evaluate the feasibility of stormwater reuse for irrigation, and limit irrigation need for all water sources and specifically the supplemental well water.
 - d. Account for all nutrient (e.g., fertilizer, reclaimed water, soil amendments, etc.) and chemical (pesticides, herbicides, fungicides, etc.) inputs in a comprehensive nutrient and chemical

management plan for the golf course, with the goal of minimizing such inputs. Use soil and tissue tests to establish nutrient baseline levels and deviations from reported reference ranges when available.

- e. Provide a plan for water quality monitoring consistent with Section 404.66.5(b). The plan should include appropriate parameters and sampling frequency to provide critical information on potential chemical impacts to groundwater and adjacent and downgradient property owners. An annual report shall be submitted to the County documenting water quality monitoring.
13. The Special Area Plan shall identify stormwater treatment and management practices such as, but not limited to:
- a. Employ LID, as required by Chapter 77, Article 3 (Stormwater Treatment Code) distributed throughout the project. LID that stores and infiltrates runoff to meet the requirements of the Stormwater Treatment Code should, at minimum, preserve the underlying in-situ soil or be backfilled with on-site soils with sufficient fines to retain moisture and encourage denitrification. Where high nitrogen loads are expected in runoff, the use of engineered media/soil designed for denitrification is encouraged.
 - b. LID approaches that reduce runoff, such as disconnecting impervious surfaces, rain gardens or rainwater harvesting on lots, pervious pavements, vegetated natural buffers, and filter strips should be used to the greatest extent possible.
14. For the Phase 1 SAP Institutional Use UF Property, the “potential project entrance” at SW 46th Blvd. and the Lee property boundary as shown on the maps in Exhibit B and Exhibit C shall be limited to a service entrance and bicycle and pedestrian path only, and shall not be a construction entrance.
15. Community access to the Phase 1 SAP Institutional Use UF Property shall be considered, with specific details to be negotiated, as part of the Special Area Plan.

Exhibit B

Lee Property Scenario 1. Local & State Conservation Map

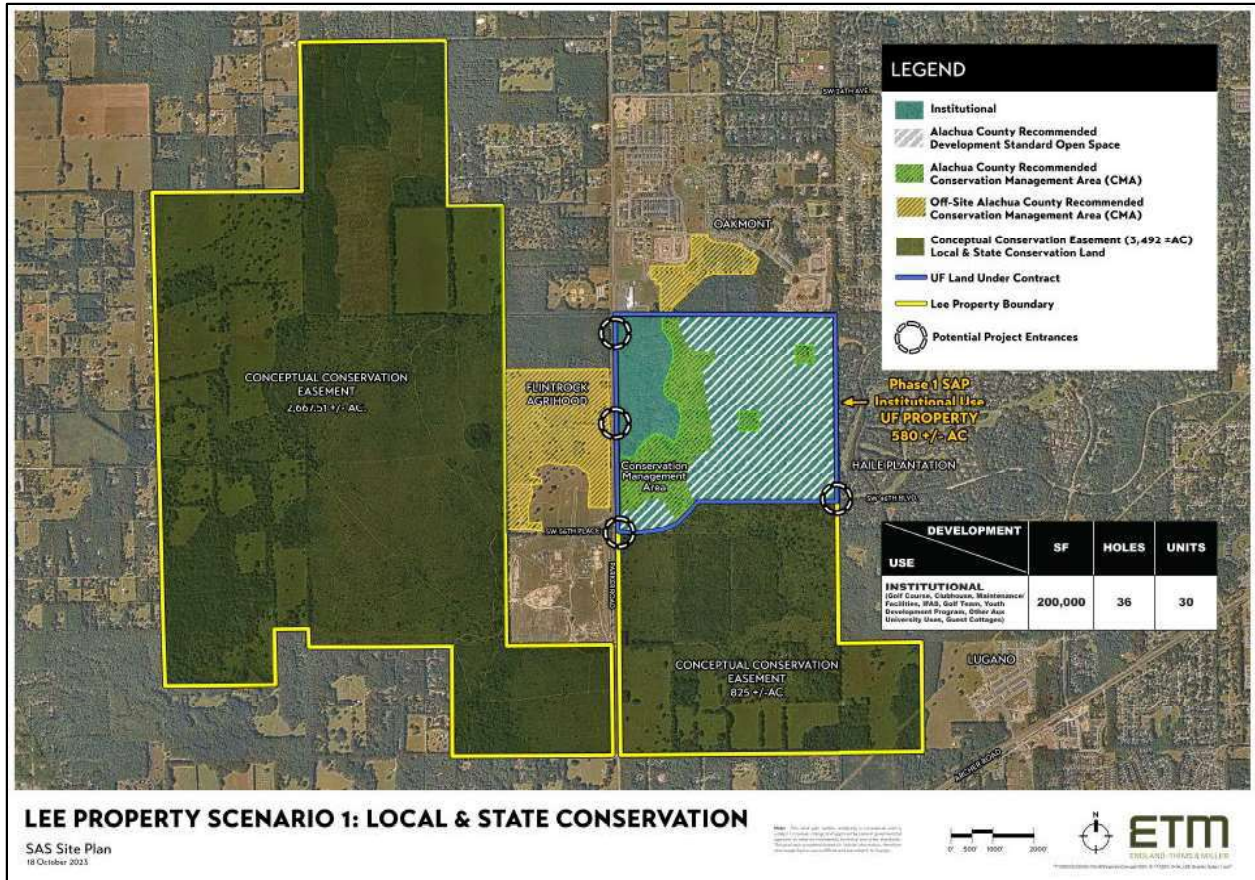


Exhibit C

Lee Property Scenario 2. Collaborative Planning Map

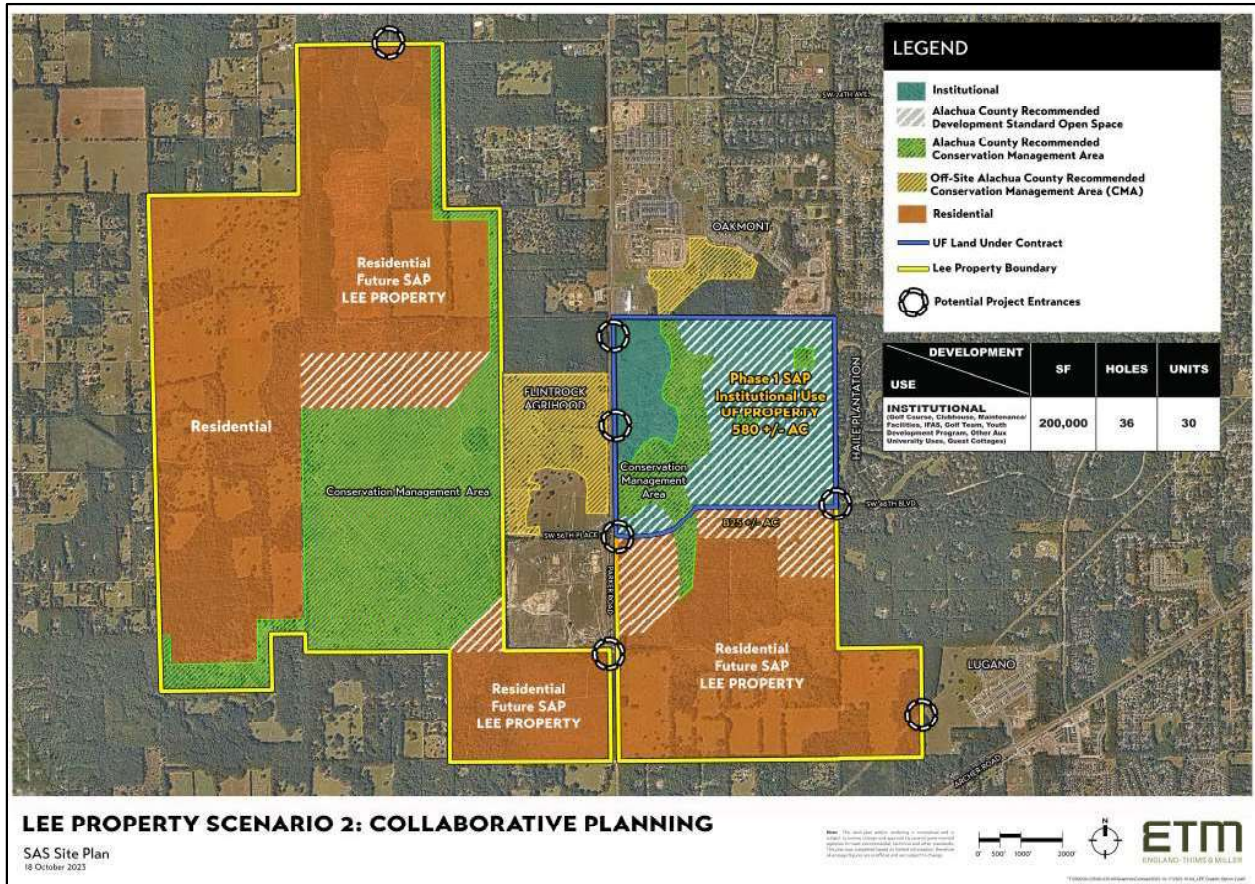


Exhibit D

County Staff Recommended Conservation Management Areas Map

This map depicts proposed Conservation Management Areas (Green hatching) to be set aside and additional areas (salmon/pink hatching), that if developed, are recommended by staff to follow specific development standards consistent with the County's Strategic Ecosystem policies.

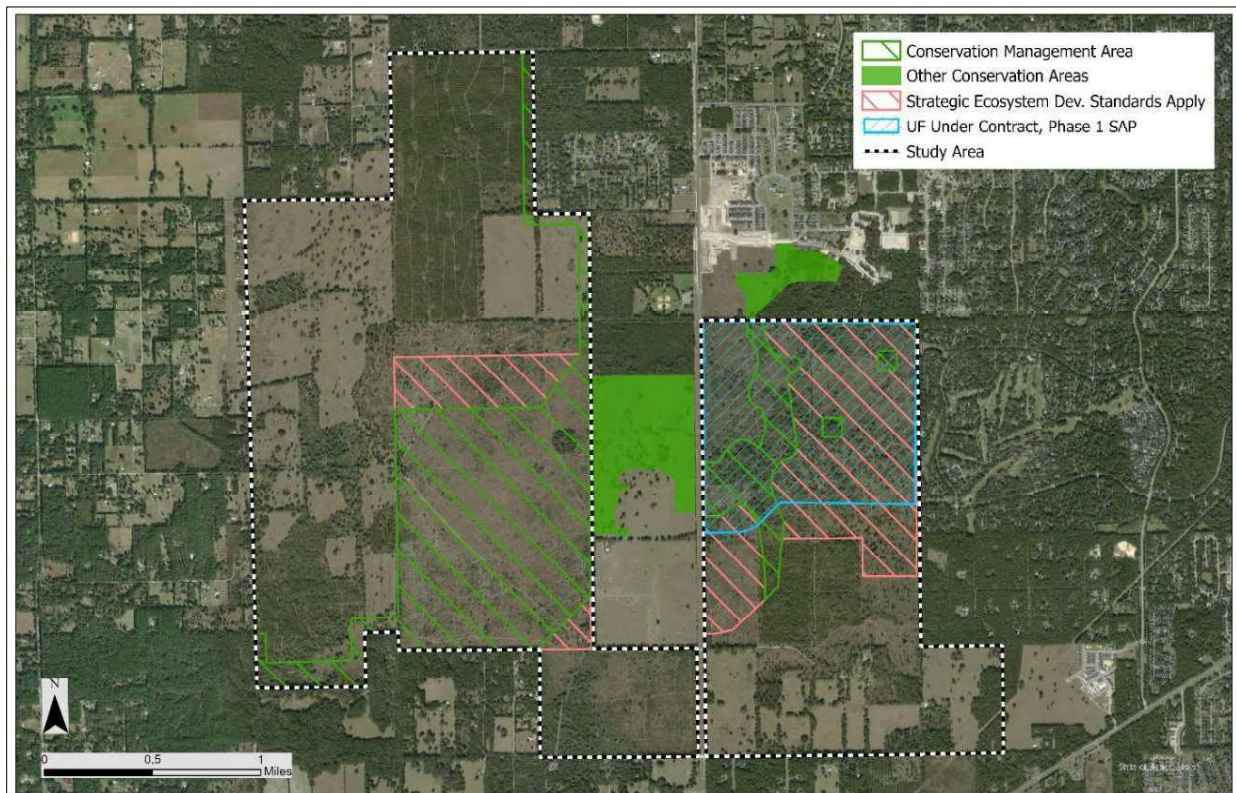


EXHIBIT E

Second Supplement to Special Area Study FCL Timber, Land & Cattle, LLLP Property

September 19, 2023

Incorporated by reference

EXHIBIT F

FCL Timber, Land & Cattle, LLLP Special Area Study (SAS) Report with Exhibits

April 11, 2022

Incorporated by Reference

EXHIBIT G

First Supplement to the Special Area Study Report

July 5, 2022

Incorporated by Reference