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

# MEETING NOTICE

## CLEARINGHOUSE COMMITTEE

There will be a meeting of the Clearinghouse Committee of the North Central Florida Regional Planning Council on **April 27, 2023**. The meeting will be a hybrid meeting in-person at the **Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida**, and via Communications Media Technology at **6:00 p.m.**

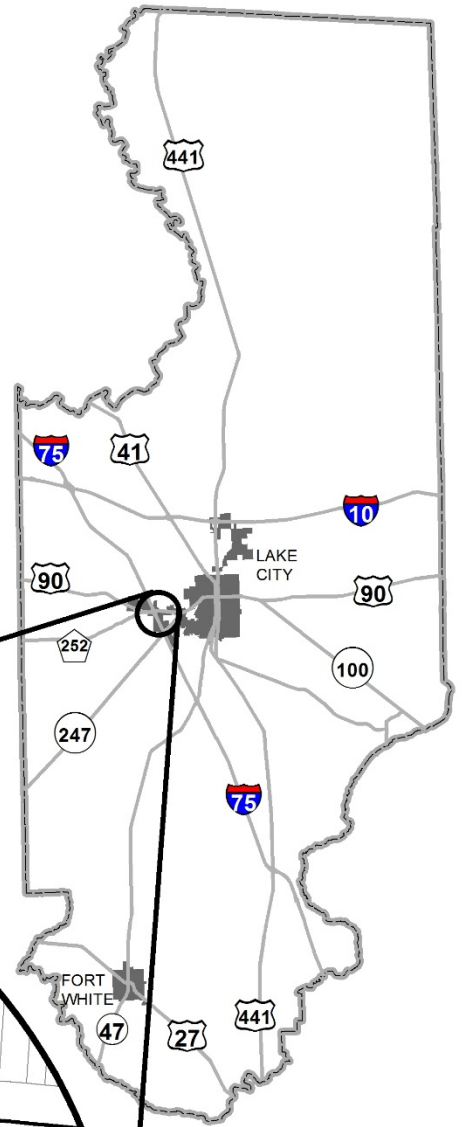
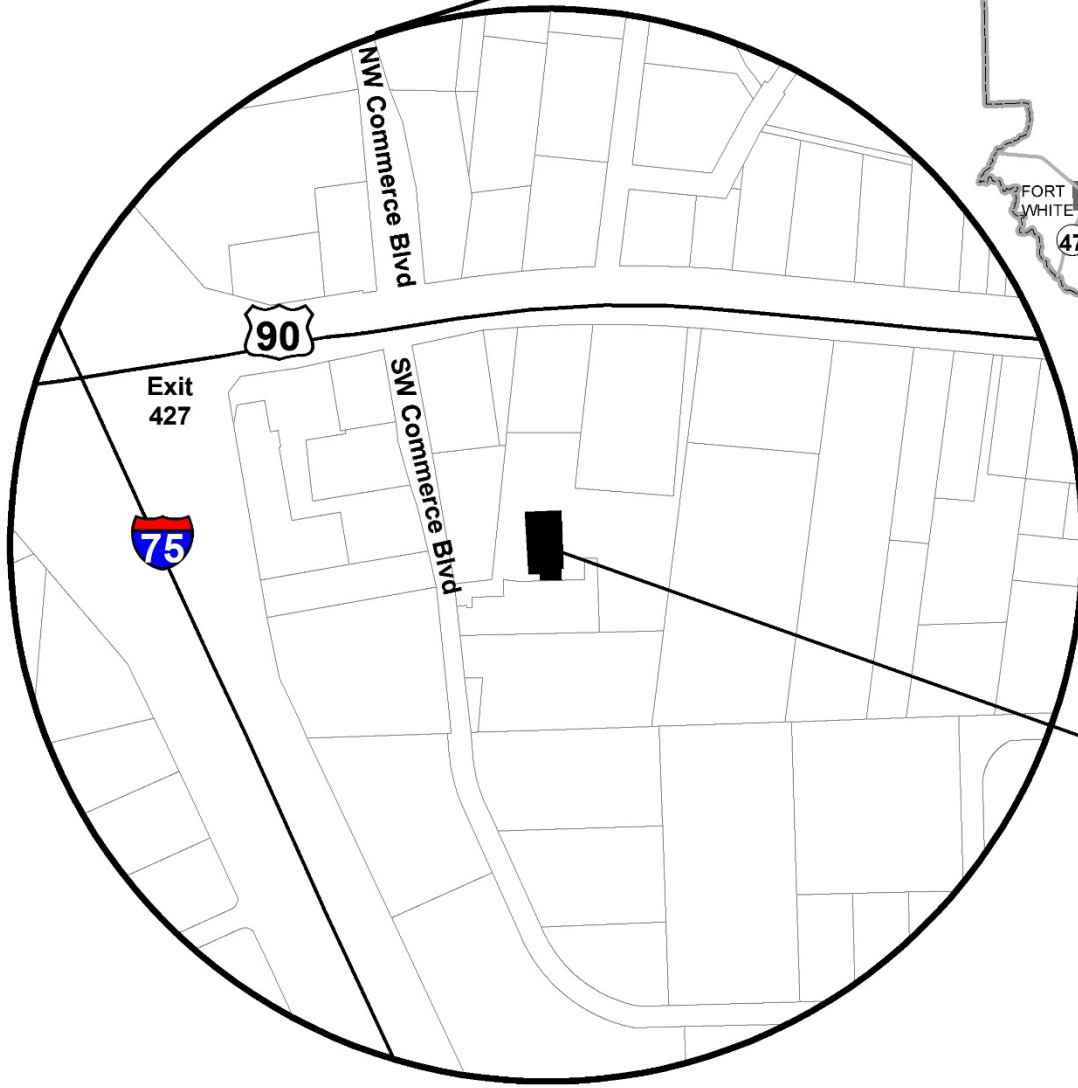
**DIAL IN NUMBER: Toll Free 1.888.585.9008**

**CONFERENCE CODE: 381 777 570**

# Holiday Inn Hotel & Suites

213 SW Commerce Blvd  
Lake City, Florida 32025

Directions: From the intersection of Interstate 75 and U.S. Highway 90 (exit 427) in the City of Lake City turn, East onto U.S. Highway 90, travel approximately 450 feet to SW Commerce Blvd, turn right (South) onto SW Commerce Blvd, travel approximately 720 feet and the Holiday Inn Hotel & Suites is on the left.



1 inch = 500 feet

Holiday Inn  
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## AGENDA CLEARINGHOUSE COMMITTEE

Hybrid Public Meeting  
Holiday Inn & Suites  
213 Southwest Commerce Boulevard  
Lake City, Florida and  
Via Communications Media Technology

April 27, 2023  
6:00 p.m.

### PAGE NO.

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| I.   | APPROVAL OF THE AGENDA                         | 3 |
| II.  | APPROVAL OF THE MARCH 23, 2023 MEETING MINUTES | 5 |
| III. | COMMITTEE-LEVEL REVIEW ITEMS                   |   |

#### Comprehensive Plan Amendments

- |  |   |    |
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|  | #33 - Town of Brooker Comprehensive Plan Draft Amendment (DEO No. 23-1ER)     | 7  |
|  | #34 - City of Lake City Comprehensive Plan Draft Amendment (DEO No. 23-1ESR)  | 23 |
|  | #35 - City of Newberry Comprehensive Plan Adopted Amendment (DEO No. 22-3ESR) | 29 |
|  | #36 - City of Newberry Comprehensive Plan Draft Amendment (DEO No. 23-1ESR)   | 37 |
|  | #37 - City of Alachua Comprehensive Plan Adopted Amendment (DEO No. 22-4ESR)  | 45 |
|  | #38 - Town of Bell Comprehensive Plan Adopted Amendment (DEO No. 22-1ER)      | 51 |

#### IV. STAFF-LEVEL REVIEW ITEMS

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|  | #32 - Town of Otter Creek - Community Development Block Grant-<br>Corona Virus (CV) 22CV-S20 - Final Floodplain Notice | 67 |
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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

Hybrid Meeting  
Holiday Inn Hotel & Suites  
Lake City, Florida and  
Via Communications Media Technology

March 23, 2023  
6:00 p.m.

MEMBERS PRESENT IN PERSON

Patricia Bouie Hutchinson, Chair  
John Meeks, Vice-Chair  
James Catron  
Daniel Riddick  
Donnie Waldrep  
Stephen Witt

MEMBERS ABSENT

James Tallman  
Marihelen Wheeler

MEMBERS PRESENT VIA  
COMMUNICATIONS  
MEDIA TECHNOLOGY

Casey Willits

STAFF PRESENT

Lauren Yeatter - In-Person

Noting the presence of a quorum, the meeting was called to order by Chair Bouie Hutchinson at 6:00 p.m.

I. APPROVAL OF THE AGENDA

Chair Bouie Hutchinson requested approval of the agenda as presented.

**ACTION:** It was moved by Mayor Witt and seconded by Commissioner Catron to approve the March 23, 2023 Clearinghouse Committee Agenda as presented. The motion carried unanimously.

II. APPROVAL OF THE FEBRUARY 23, 2023 MEETING MINUTES

**ACTION:** It was moved by Catron and seconded by Commissioner Riddick to approve the February, 2023 Clearinghouse Committee meeting minutes as circulated. The motion carried unanimously.

III. COMMITTEE-LEVEL REVIEW ITEMS

- #29 - Gilchrist County Comprehensive Plan Adopted Amendment (DEO No. 22-1ESR)
- #30 - Gilchrist County Comprehensive Plan Draft Amendment (DEO No. 23-2ESR)
- #31 - City of Lake Butler Comprehensive Plan Adopted Amendment (DEO No. 22-2ER)

**ACTION:** It was moved by Mayor Witt and seconded by Commissioner Catron to group Committee-Level Review Items #29, #30 and #31 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 Meeks and seconded by Mayor Witt to recommend that the Council approve the staff reports for Items #29, #30 and #31 as circulated. The motion carried unanimously.**

The meeting adjourned at 6:13 p.m.

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Patricia B. Hutchinson, Chair

Date 4/27/23

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

Regional Planning Council: North Central Fl                      Regional Planning Council Item No.: 33  
Review Date: 4/27/23    Local Government: Town of Brooker  
Amendment Type: Draft Amendment                                Local Government Item No.: CPA 23-01  
   State Land Planning Agency Item No.: 23-1ER  
Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 is amending its comprehensive plan based on an evaluation completed by the Town 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; Transportation Element; Housing Element; Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Public School Facilities Element; and adds a Property Rights Element (see attached excerpts).

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

The Town is bisected by State Road 235 and borders State Road 18, which are identified in the North Central Florida Strategic Regional Policy Plan as part of the Regional Road Network. Additionally, a portion of the southwestern part of the Town is located in the floodplain of the Santa Fe River, which is identified and mapped as a Natural Resource of Regional Significance in the Regional Plan. Nevertheless, significant adverse impacts are not anticipated to the regional facility or to the Natural Resource of Regional Significance as the amendment does not result in an increase in allowable 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 <u>  X  </u>	No _____
Not Applicable	_____





**EXCERPTS FROM THE  
TOWN COMPREHENSIVE PLAN AMENDMENT**



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## II

### ~~TRAFFIC CIRCULATION~~ TRANSPORTATION ELEMENT

#### INTRODUCTION

A traffic circulation 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 Town 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 ~~Traffic Circulation~~ 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 is 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 ~~Traffic Circulation~~ Transportation Element is coordinated and consistent with the remaining plan elements as required by the ~~Local Government Comprehensive Planning and Land Development Regulation Act and accompanying Chapter 9J-5, Florida Administrative Code~~ Community Planning Act. Further, the Town's traffic circulation system does not stop at political boundaries. Therefore, coordination between other local governments is a necessary prerequisite to a functional traffic circulation 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 traffic circulation needs. The objectives and policies herein provide a basis for addressing transportation needs within the Town.

#### ~~TRAFFIC CIRCULATION~~ TRANSPORTATION GOAL, OBJECTIVES AND POLICIES

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

OBJECTIVE II.1 The Town shall establish a safe, convenient and efficient level of service standard which shall be maintained for all motorized and non-motorized transportation systems.

Policy II.1.1 Establish Level of Service standard at peak hour as defined within the most recent version of the Florida Department of Transportation "~~Florida Level of Service Standards and Guidelines Manual for Planning, 1989~~" Quality/Level of Service Handbook for the following roadway segments within the Town:

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ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	LEVEL OF SERVICE
1	S. R. 18 (from City's west limits to <del>S.R. 235</del> <u>C.R. 18</u> )	<del>E</del> <u>D</u>
2	C.R. 18 (from S.R. 231/235 to City's east limits)	<del>E</del> <u>D</u>
3	S.R. <del>231/235</del> (from <del>City's north limits</del> to City's south limits to <u>C.R. 18</u> )	<del>E</del> <u>D</u>

Policy II.1.2 The ~~land development regulations of the~~ Town shall include provisions to control the number and frequency of connections and access points of driveways and roads to arterial and collector roads, including minimal distance between access points and limiting the number of access points to parcel of land **to be in conformance with Chapter 14-96 and 14-97, Florida Administrative Code, as amended.**

Policy II.1.3 The ~~land development regulations of the~~ Town shall require the provision of safe and convenient off street parking and loading standards, which includes the provision for non-motorized vehicle parking.

Policy II.1.4 The ~~land development regulations of the~~ Town 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. and 163.3180(5)(h)2. Florida Statutes, as amended, the Town 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, the landowner shall not be held responsible for contributing to deficient transportation facilities.**

OBJECTIVE II.2 The Town shall require that all traffic circulation improvements be consistent with and complement the future land uses on the future land use plan map.

Policy II.2.1 The Town 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 Town shall notify such jurisdiction, in writing, if any identified roadway improvement plans are not consistent with the provisions of the future land use plan element.

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- OBJECTIVE II.3 The Town shall coordinate all local comprehensive planning and land development activities with the Florida Department of Transportation for consistency with the Five-Year Transportation Plan of the Department.
- Policy II.3.1 The Town shall coordinate all local comprehensive planning and land development activities during the capital improvements planning process for roadway improvements, review the proposed roadway improvements which will be completed as part of the implementation of the Florida Department of Transportation Five-Year Transportation Plan so that such capital project planning is complementary and consistent with the state roadway improvement planning.
- OBJECTIVE II.4 The Town shall 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 arterial roadways upon adoption of this plan.
- Policy II.4.1 The Supplementary District Regulations found within the Town's land development regulations shall include the following provisions which require all structures along all new or realigned arterial roadways to provide additional setbacks for the future need of additional right-of-way. For new or realigned arterial roadways, the setback will be 150 feet.
1. All structures shall provide a minimum setback of one-hundred fifty (150) feet as measured from the centerline of the right-of-way for new or realigned arterial roads.
  2. All structures shall provide a minimum setback of fifty (50) feet as measured from the centerline of right-of-way for collector roads.
  3. All structures shall provide a minimum setback of fifty (50) feet as measured from the centerline of right-of-way for local roads.
- 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 Town shall encourage cross-access connections easements and joint driveways, where available and economically feasible.**

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## V

### CONSERVATION ELEMENT

#### INTRODUCTION

Conservation Element providing for the promotion of the conservation, use and protection of the Town's natural resources. The data collected for this plan element and analysis of this data, contained in the Town'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 future conservation areas which consist of land within the Town which is anticipated to have planned management of a natural resource to prevent exploitation, destruction or neglect of that natural resource. At present there are no areas which have planned management of a natural resource within the Town. Therefore, until such time as there are areas which conserve a natural resource through the use of best management programs, this category although listed, will not be shown on the Future Land Use Plan Map.

The Future Land Use Plan Map Series includes the identification of flood prone areas, wetlands, existent 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, objectives and policy statements.

#### GOAL, OBJECTIVES AND POLICIES

GOAL V - CONSERVE, THROUGH APPROPRIATE USE AND PROTECTION, THE RESOURCES OF THE TOWN TO MAINTAIN THE INTENSITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The Town shall protect air quality through the appropriate siting of development and associated public facilities by requiring landscape buffers and setbacks to prevent wind shadows.

Policy V.1.1 The ~~land development regulations of the~~ Town 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 **Regulation Protection** are maintained in the Town.

OBJECTIVE V.2 The Town shall adopt the Florida Division of Forestry best management practices to provide for the conservation, appropriate use and protection of the quality and quantity of current and projected water sources, water recharge areas and potable water wells.

Policy V.2.1 The Town shall as part of the development review process require the coordination of development plans with the Florida Department of Environmental **Regulation Protection** and the Water Management District to assist in monitoring uses which may impact the current and projected water sources of the Town.

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- Policy V.2.2 The land development regulations of the Town shall prohibit uses within or adjacent to the water resources of the Town which would violate water quality anti-degradation rules established by the Florida Department of Environmental **Regulation Protection**. For purposes of this section, water resources include lakes, rivers, creeks and public potable water wells.
- Policy V.2.3 The Town shall identify and make recommendations, where appropriate, for the purchase of environmentally sensitive lands under the Conservation and Recreation Lands Program or Save Our Rivers Program.
- Policy V.2.4 The land development regulations of the Town 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 Town 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 ~~land development regulations of the~~ Town 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 land development regulations of the Town shall regulate 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 and to ensure that the natural function of flood plains are protected.
- Policy V.2.8 The land development regulations of the Town shall conserve wetlands through prohibiting any development or dredging and filling, which would significantly alter their natural functions and by only allowing non-intensive agricultural and silviculture operations consistent with the best management practices manual developed by the Florida Division of Forestry.
- Policy V.2.9 The Town shall support the Water Management District in their conducting of water conservation programs.
- Policy V.2.10 The Town shall comply with the plans of the Water Management District for the emergency conservation of water sources.
- Policy V.2.11 The land development regulations of the Town shall require a 35 foot regulated natural buffer adjacent to all 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.2.12 The Town shall, as part of the development review process, limit development to low density and non-intensive uses including areas designated as conservation, recreation and open space, and public use in prime aquifer recharge areas, designated by the Water Management District, in order to maintain the natural features of these areas.



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- Policy V.2.13 The Town shall, as part of the development review process, require the maintenance of the quantity and quality of surface water runoff within freshwater stream to sink watersheds by prohibiting any development which may diminish or degrade the quality and quantity of surfacewater runoff within the Town.
- Policy V.2.14 The Town, 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 allowing any development plans.
- Policy V.2.15 The Town shall work with the ~~Regional~~ Water Management District to identify **prime high** groundwater recharge areas. Once identified, the Town shall, if necessary, amend its comprehensive plan so as to identify the recharge areas and to establish corresponding objectives and policies for their protection.
- OBJECTIVE V.3 The Town shall require stream bank protection and woodland improvement provisions as best management practices for the conservation, appropriate use and protection of soils, minerals and native vegetative communities, including protection from destruction.
- Policy V.3.1 The Town shall require within the land development regulations that any mining permit ~~by be~~ coordinated with the Florida Department of ~~Natural Resources~~ **Environmental Protection** so that mineral resources are conserved and used appropriately.
- Policy V.3.2 The Town shall review 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 Town shall require within the development review process that multiple use of forest resources where appropriate be required to provide for recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.
- Policy V.3.4 The Town shall require within the development review process the use of minimum open space ratios, establishment of wildlife corridors and the designation of conservation or preservation land uses as means by which to promote the protection and preservation of conservation areas.
- Policy V.3.5 The Town shall cooperate with adjacent local governments and other governmental entities, research and interest groups to conserve and protect, from destruction by development activities, unique vegetative communities located within the Town and adjacent local government jurisdictions.
- OBJECTIVE V.4 The Town shall implement best management practices for the conservation, appropriate use and protection of fisheries, wildlife and wildlife habitats including protection from destruction.
- Policy V.4.1 The Town shall cooperate with the Florida ~~Game and Fresh Water Fish~~ **Fish and Wildlife Conservation** Commission in the monitoring and inventorying of wildlife and wildlife habitats within the Town.
- Policy V.4.2 The Town shall assist in the application and compliance with all Federal and State regulations which pertain to endangered and rare species.

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- Policy V.4.3 The Town shall consult with the Florida ~~Game and Fresh Water Fish~~ **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.
- Policy V.4.3(a) The Town shall, in consultation with the ~~Game and Fresh Water Fish~~ **Florida Fish and Wildlife Conservation** Commission, designate those species of wildlife or native vegetation that are endangered or rare. Prior to issuing a development permit, the Town shall require an inventory of the designated species at the site plan review process. The Town shall require site plan amendment or modification if necessary to preserve an endangered or rare species.
- Policy V.4.4 The Town shall cooperate with the Florida ~~Department of Natural Resources~~ **Division of Aquaculture** in the inventorying and monitoring aquaculture activities within the Town.
- Policy V.4.5 The Town shall protect wetlands and avoid, when possible, adverse impacts on same by development. In the event development is permitted in or near environmentally sensitive areas, the Town shall address during the development review process the mitigation of development activities within environmentally sensitive areas so that the possible impacts created by the proposed development activity will not significantly alter the natural functions of these significant natural resources, especially the natural reservations identified in the recreation and open space element of this Comprehensive Plan.

**OBJECTIVE V.5 The Town, 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 August 23, 2018, hereby adopts the following maps as they apply to the Town as part of the Future Land Use Map Series of this Comprehensive Plan;**

- 1. Regionally Significant Natural Resources - Ground Water Resources, dated August 23, 2018;**
- 2. Regionally Significant Natural Resources - Natural Systems, dated August 23, 2018;**
- 3. Regionally Significant Natural Resources - Planning and Resource Management Areas, dated August 23, 2018;**
- 4. Regionally Significant Natural Resources - Planning and Resource Management Areas (Surface Water Improvement Management Water Bodies), dated August 23, 2018; and**
- 5. Regionally Significant Natural Areas - Surface Water Resources, dated August 23, 2018.**

**The following policies provide direction for the use of these maps in applying the referenced policies of this Comprehensive Plan.**

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- Policy V.5.1**      **The map entitled Regionally Significant Natural Resources - Ground Water Resources, dated 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 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 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 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.**
- Policy V.5.5**      **The map entitled Regionally Significant Natural Areas - Surface Water Resources, dated 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 protection policy of this element.**

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PROPERTY RIGHTS ELEMENT

INTRODUCTION

The following goal, objective and policies constitute the Property Rights Element, in accordance with the legislative intent expressed in Section 163.3161(10), Florida Statutes, as amended, and Section 187.101(3), Florida Statutes, as amended.

PROPERTY RIGHTS GOAL, OBJECTIVE AND POLICIES

GOAL XI - RECOGNIZE AND RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.

OBJECTIVE X.1 In local decision making, the Town shall consider the statement of rights as enumerated in Policy X.1.1, Policy X.1.2, Policy X.1.3, and Policy X.1.4.

Policy X.1.1 In local decision making, the Town shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

Policy X.1.2 In local decision making, the Town shall consider 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.

Policy X.1.3 In local decision making, the Town shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

Policy X.1.4 In local decision making, the Town shall consider 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      Regional Planning Council Item No.: 34  
Review Date: 4/27/23      Local Government: City of Lake City  
Amendment Type: Draft Amendment      Local Government Item No.: CPA 23-01  
State Land Planning Agency Item No.: 23-1 ESR

Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 23-01 reclassifies approximately 93.8 acres of recently annexed land from County Residential, Low Density (less than or equal to 2 dwelling units per acre), County Commercial and City Commercial to City Residential, Moderate Density (less than or equal to 4 dwelling units per acre) (See attached).

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

The subject property is located within one-half mile of State Road 47, which is identified and mapped in the North Central Florida Strategic Regional Policy Plan as part of the Regional Road Network. Nevertheless, significant adverse impacts are not anticipated to occur to the Regional Road Network as a result of the amendment since the City Transportation Element implements Transportation Planning Best Practices contained in the regional plan.

The subject property is located within a Stream to Sink Watershed, a Natural Resource of Regional Significance as identified and mapped in the regional plan. However, the amendment is not anticipated to result in significant adverse impacts to Natural Resources of Regional Significance as the City's Comprehensive Plan contains objectives and policies to protect Natural Resources of Regional Significance in a manner consistent with the goals and policies of the regional plan.

**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



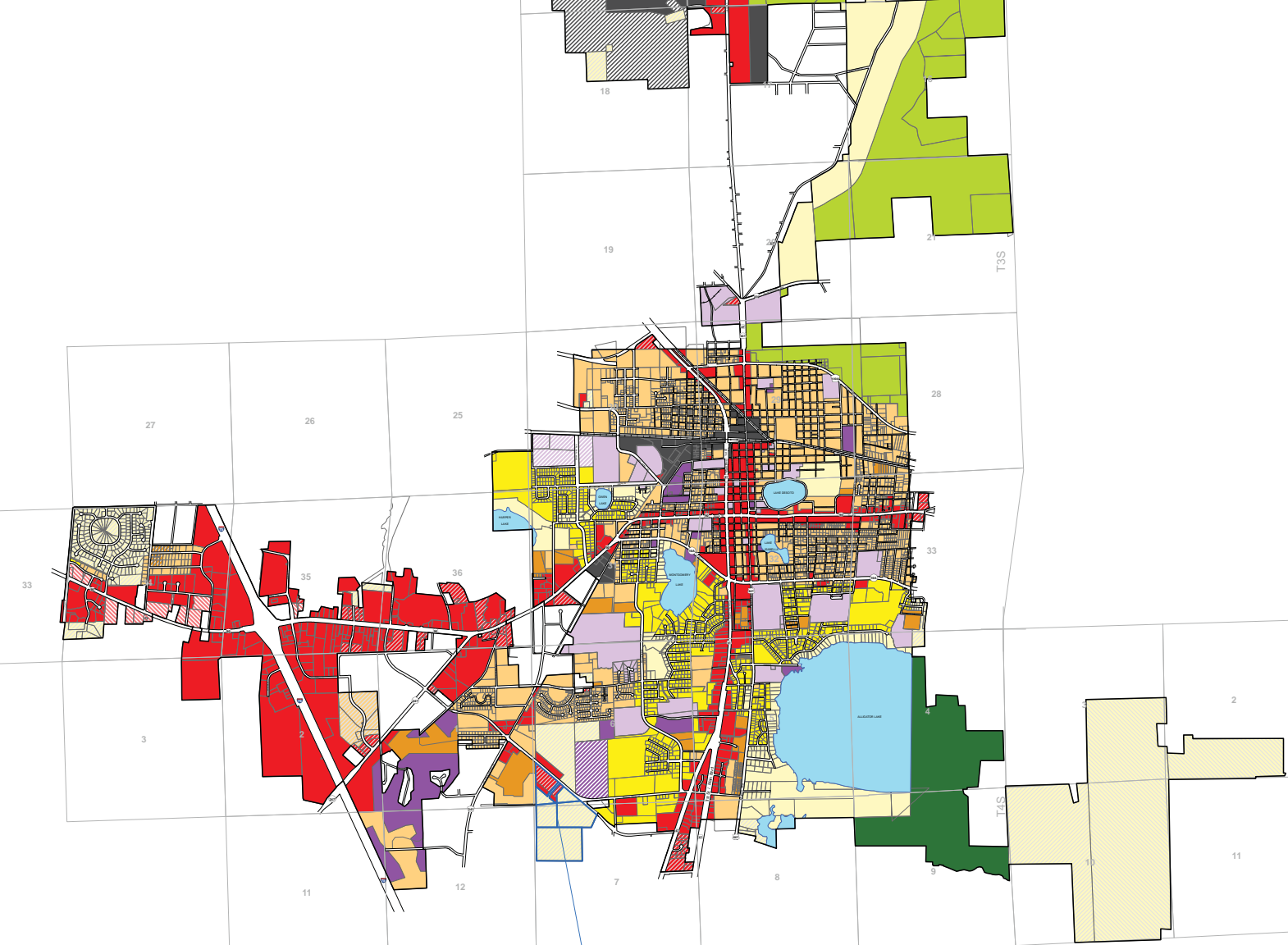


**EXCERPTS FROM THE  
CITY COMPREHENSIVE PLAN AMENDMENT**



# City of Lake City

## Future Land Use Map 2032



- FUTURE LAND USE MAP CLASSIFICATIONS**
- Conservation - Columbia County
  - Recreation
  - Recreation - Columbia County
  - Public
  - Public - Columbia County
  - Agriculture
  - Agriculture - 3 - Columbia County
  - Residential - Very Low - Columbia County
  - Residential - Low Density ( $\leq 2$  d.u. per acre)
  - Residential - Low Density ( $\leq 2$  d.u. per acre) - Columbia County
  - Residential - Moderate Density ( $\leq 4$  d.u. per acre)
  - Residential - Medium Density ( $\leq 8$  d.u. per acre)
  - Residential Medium/High Density ( $\leq 14$  d.u. per acre) - Columbia County
  - Residential - High Density ( $\leq 20$  d.u. per acre)
  - Commercial
  - Commercial - Columbia County
  - Highway Interchange - Columbia County
  - Industrial
  - Light Industrial - Columbia County
- OTHER MAP FEATURES**
- City Limits
  - U.S. Highway
  - State Highway
  - County Road
  - Lakes
  - Railroad

PROPOSED AMENDMENT NO. CPA 23-01  
 CURRENT FUTURE LAND USE:  
 Residential - Low Density ( $\leq 2$  d.u. per acre) - Columbia County  
 Commercial - Columbia County, Commercial - City of Lake City



- ADOPTED JUNE 3, 1993 BY ORDINANCE NO. 91-688
- AMENDED DECEMBER 31, 1992 BY ORDINANCE NO. 92-726
- AMENDED NOVEMBER 21, 1994 BY ORDINANCE NOS. 94-755, 94-757 AND 94-758
- AMENDED JUNE 9, 1995 BY ORDINANCE NOS. 94-759, 94-763, 94-762 AND 94-763
- AMENDED OCTOBER 2, 1995 BY ORDINANCE NO. 95-789
- AMENDED JUNE 1, 1996 BY ORDINANCE NO. 96-815
- AMENDED MAY 19, 1997 BY ORDINANCE NO. 97-820
- AMENDED MARCH 12, 1998 BY ORDINANCE NO. 98-815
- AMENDED MAY 19, 1999 BY ORDINANCE NO. 99-824
- AMENDED DECEMBER 7, 1999 BY ORDINANCE NO. 99-839
- AMENDED JANUARY 4, 1999 BY ORDINANCE NO. 98-844
- AMENDED FEBRUARY 1, 2000 BY ORDINANCE NOS. 00-872, 00-873 AND 00-874
- AMENDED MARCH 1, 2000 BY ORDINANCE NOS. 00-875 AND 00-880
- AMENDED JUNE 19, 2000 BY ORDINANCE NOS. 00-884 AND 00-885
- AMENDED JUNE 19, 2001 BY ORDINANCE NO. 01-811
- AMENDED OCTOBER 12, 2001 BY ORDINANCE NO. 01-821
- AMENDED NOVEMBER 6, 2001 BY ORDINANCE NOS. 01-828, 01-829, 01-832, 01-834, 01-836 AND 01-838
- AMENDED APRIL 15, 2002 BY ORDINANCE NOS. 02-845, 02-846, 02-848, 02-849, AND 02-850
- AMENDED FEBRUARY 18, 2003 BY ORDINANCE NO. 03-871
- AMENDED MAY 19, 2003 BY ORDINANCE NO. 03-882
- AMENDED FEBRUARY 2, 2004 BY ORDINANCE NO. 04-896
- AMENDED JUNE 21, 2004 BY ORDINANCE NO. 04-901
- AMENDED OCTOBER 4, 2004 BY ORDINANCE NO. 04-1012
- AMENDED MARCH 18, 2005 BY ORDINANCE NOS. 05-1024 AND 05-1030
- AMENDED MARCH 4, 2005 BY ORDINANCE NO. 05-1055
- AMENDED MARCH 20, 2005 BY ORDINANCE NO. 05-1046
- AMENDED JUNE 5, 2006 BY ORDINANCE NO. 06-1067
- AMENDED JULY 7, 2006 BY ORDINANCE NO. 06-1074
- AMENDED OCTOBER 2, 2006 BY ORDINANCE NO. 06-1081
- AMENDED DECEMBER 18, 2006 BY ORDINANCE NOS. 06-1095, 06-1091 AND 06-1094
- AMENDED DECEMBER 18, 2007 BY ORDINANCE NO. 07-1100
- AMENDED MAY 7, 2007 BY ORDINANCE NO. 07-1110
- AMENDED JULY 2, 2007 BY ORDINANCE NO. 07-1116
- AMENDED OCTOBER 1, 2007 BY ORDINANCE NO. 07-1114
- AMENDED JANUARY 22, 2008 BY ORDINANCE NO. 07-1118
- AMENDED MARCH 1, 2008 BY ORDINANCE NO. 08-1141
- AMENDED NOVEMBER 3, 2008 BY ORDINANCE NOS. 08-1161, 08-1162 AND 08-1167
- AMENDED FEBRUARY 12, 2009 BY ORDINANCE NO. 09-1189
- AMENDED JULY 6, 2009 BY ORDINANCE NO. 09-1181
- AMENDED AUGUST 17, 2009 BY ORDINANCE NO. 09-1188
- AMENDED SEPTEMBER 8, 2009 BY ORDINANCE NOS. 09-1189 AND 09-1185
- AMENDED DECEMBER 7, 2009 BY ORDINANCE NO. 10-2008
- AMENDED MARCH 21, 2010 BY ORDINANCE NO. 11-2008
- AMENDED OCTOBER 3, 2010 BY ORDINANCE NOS. 11-2014 & 11-2015
- AMENDED FEBRUARY 6, 2012 BY ORDINANCE NOS. 12-2012
- AMENDED FEBRUARY 4, 2013 BY ORDINANCE NO. 13-2008
- AMENDED JUNE 17, 2013 BY ORDINANCE NO. 13-2035
- AMENDED AUGUST 16, 2014 BY ORDINANCE NO. 14-2049
- AMENDED DECEMBER 1, 2014 BY ORDINANCE NO. 14-2049
- AMENDED APRIL 6, 2015 BY ORDINANCE NO. 15-2059
- AMENDED NOVEMBER 18, 2015 BY ORDINANCE NO. 15-2067
- AMENDED DECEMBER 1, 2015 BY ORDINANCE NO. 15-2063
- AMENDED MARCH 4, 2017 BY ORDINANCE NOS. 17-2084
- AMENDED APRIL 1, 2017 BY ORDINANCE NOS. 17-2084
- AMENDED FEBRUARY 4, 2017 BY ORDINANCE NO. 17-2084
- AMENDED JUNE 17, 2017 BY ORDINANCE NOS. 17-2084, 19-2108, 19-2109, 19-2110, AND 19-2111
- AMENDED DECEMBER 8, 2017 BY ORDINANCE NO. 18-2049
- AMENDED NOVEMBER 18, 2018 BY ORDINANCE NOS. 19-2108, 19-2109, 19-2110, AND 19-2111
- AMENDED SEPTEMBER 9, 2019 BY ORDINANCE NO. 19-2104
- AMENDED JULY 6, 2020 BY ORDINANCE NOS. 20-2102, 20-2103 AND 20-2104
- AMENDED APRIL 19, 2021 BY ORDINANCE NO. 20-2162
- AMENDED NOVEMBER 18, 2020 BY ORDINANCE NO. 20-2162
- AMENDED JULY 19, 2021 BY ORDINANCE NO. 20-2162
- AMENDED JUNE 20, 2022 BY ORDINANCE NO. 20-2222
- AMENDED JUNE 21, 2022 BY ORDINANCE NO. 20-2217
- AMENDED JULY 5, 2022 BY ORDINANCE NO. 20-2225

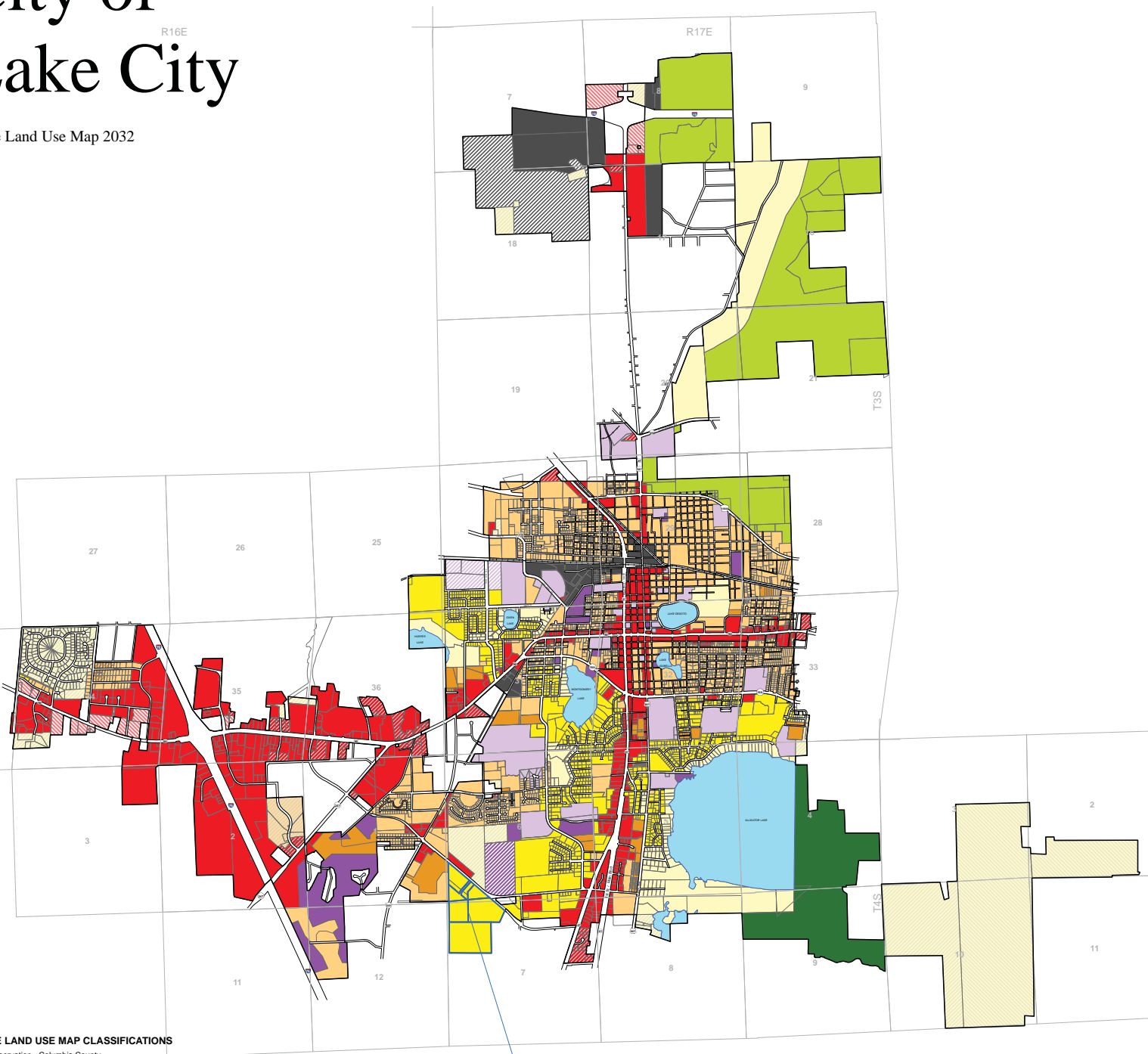
Source: County Property Appraiser, 2017.  
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# City of Lake City

## Future Land Use Map 2032

R16E R17E T3S



### FUTURE LAND USE MAP CLASSIFICATIONS

- Conservation - Columbia County
  - Recreation
  - Recreation - Columbia County
  - Public
  - Public - Columbia County
  - Agriculture
  - Agriculture - 3 - Columbia County
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  - Commercial - Columbia County
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  - Light Industrial - Columbia County
- OTHER MAP FEATURES**
- City Limits
  - U.S. Highway
  - State Highway
  - County Road
  - Interstate Highway
  - Lakes
  - Railroad

PROPOSED AMENDMENT NO. CPA 23-01  
 FROM: Residential - Low Density ( $\leq 2$  d.u. per acre) - Columbia County,  
 Commercial - Columbia County, Commercial - City of Lake City  
 TO: Residential - Moderate



ADOPTED JUNE 3, 1993 BY ORDINANCE NO. 91-688  
 AMENDED DECEMBER 31, 1993 BY ORDINANCE NOS. 93-726  
 AMENDED NOVEMBER 21, 1994 BY ORDINANCE NOS. 94-756, 94-757 AND 94-758  
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 AMENDED NOVEMBER 18, 2002 BY ORDINANCE NO. 02-971  
 AMENDED FEBRUARY 18, 2003 BY ORDINANCE NO. 03-977  
 AMENDED MAY 21, 2003 BY ORDINANCE NO. 03-992  
 AMENDED FEBRUARY 7, 2004 BY ORDINANCE NO. 04-096  
 AMENDED OCTOBER 4, 2004 BY ORDINANCE NO. 04-1012  
 AMENDED JULY 18, 2005 BY ORDINANCE NOS. 05-1029 AND 05-1030  
 AMENDED MARCH 8, 2006 BY ORDINANCE NO. 06-1055  
 AMENDED MARCH 20, 2006 BY ORDINANCE NO. 06-1056  
 AMENDED JUNE 5, 2006 BY ORDINANCE NO. 06-1067  
 AMENDED JULY 7, 2006 BY ORDINANCE NO. 06-1074  
 AMENDED OCTOBER 2, 2006 BY ORDINANCE NO. 06-1081  
 AMENDED DECEMBER 18, 2006 BY ORDINANCE NOS. 06-1090, 06-1091 AND 06-1094  
 AMENDED MARCH 5, 2007 BY ORDINANCE NO. 07-1100  
 AMENDED MAY 7, 2007 BY ORDINANCE NO. 07-1110  
 AMENDED JULY 2, 2007 BY ORDINANCE NO. 07-1115  
 AMENDED JANUARY 22, 2008 BY ORDINANCE NO. 07-1136  
 AMENDED MARCH 3, 2008 BY ORDINANCE NO. 08-1141  
 AMENDED FEBRUARY 2, 2008 BY ORDINANCE NO. 08-1141  
 AMENDED JULY 6, 2008 BY ORDINANCE NOS. 08-1161, 08-1162 AND 08-1167  
 AMENDED NOVEMBER 3, 2008 BY ORDINANCE NOS. 08-1161, 08-1162 AND 08-1167  
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 AMENDED AUGUST 17, 2009 BY ORDINANCE NO. 09-1188  
 AMENDED SEPTEMBER 3, 2009 BY ORDINANCE NOS. 09-1189 AND 09-1185  
 AMENDED FEBRUARY 2, 2010 BY ORDINANCE NO. 10-1199  
 AMENDED OCTOBER 4, 2010 BY ORDINANCE NO. 10-2004  
 AMENDED MARCH 2, 2011 BY ORDINANCE NO. 11-2019  
 AMENDED FEBRUARY 6, 2012 BY ORDINANCE NOS. 11-2014 & 11-2015  
 AMENDED FEBRUARY 6, 2012 BY ORDINANCE NOS. 11-2019  
 AMENDED FEBRUARY 4, 2013 BY ORDINANCE NO. 13-2020  
 AMENDED JUNE 17, 2013 BY ORDINANCE NO. 13-2026  
 AMENDED JULY 18, 2014 BY ORDINANCE NO. 14-2046  
 AMENDED OCTOBER 1, 2014 BY ORDINANCE NOS. 14-2049  
 AMENDED APRIL 6, 2015 BY ORDINANCE NO. 15-2067  
 AMENDED NOVEMBER 18, 2015 BY ORDINANCE NO. 15-2067  
 AMENDED OCTOBER 1, 2015 BY ORDINANCE NOS. 15-2067, 15-2070, 15-2108, 15-2109, 15-2110, AND 15-2111  
 AMENDED MAY 20, 2019 BY ORDINANCE NOS. 19-2108, 19-2107, 19-2109, 19-2110, AND 19-2111  
 AMENDED DECEMBER 2, 2019 BY ORDINANCE NO. 19-2114  
 AMENDED JULY 6, 2020 BY ORDINANCE NOS. 20-2125, 20-2125 AND 20-2124  
 AMENDED SEPTEMBER 21, 2020 BY ORDINANCE NO. 20-2160  
 AMENDED NOVEMBER 19, 2020 BY ORDINANCE NO. 20-2162  
 AMENDED JULY 18, 2021 BY ORDINANCE NO. 21-2170  
 AMENDED JUNE 20, 2022 BY ORDINANCE NO. 2022-2217  
 AMENDED JUNE 21, 2022 BY ORDINANCE NO. 2022-2217  
 AMENDED JULY 5, 2022 BY ORDINANCE NO. 2022-2225

Source: County Property Appraiser, 2017.



TRANSMITTED TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY ON MARCH 6, 2023

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

Regional Planning Council: North Central Fl  
Review Date: 4/27/23  
Amendment Type: Adopted Amendment

Regional Planning Council Item No.: 35  
Local Government: City of Newberry  
Local Government Item No.: CPA 22-01  
State Land Planning Agency Item No.: 22-3ESR

Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 AMENDMENTS**

City item CPA 22-01 proposes to amend the Future Land Use Element of the City’s Comprehensive Plan by deleting the Specific Location Sub Element Objective SP.1 and Policy SP 1.1 that places specific limits on the densities and intensities allowed in a previously approved Mixed-Use development (see attached).

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

The subject property is adjacent to U.S. Highway 41, which is identified and mapped in the North Central Florida Strategic Regional Policy Plan as part of the Regional Road Network. The data and analysis report prepared by the City indicates that the amendment will result in a net increase of vehicular trips generated from onsite uses, and any necessary modifications to U.S. Highway 41 will be assessed during Site/Development Plan review, and will be the responsibility of the developer.

Additionally, the subject property is located within an Area of High Recharge Potential to the Floridan Aquifer, a Natural Resource of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Nevertheless, significant adverse impacts are not anticipated to occur as a result of the amendment as the City Comprehensive Plan has adequate policy direction to mitigate adverse impacts to the Floridan Aquifer in a manner consistent with the goals and policies of the North Central Florida Strategic Regional Policy Plan.

**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**

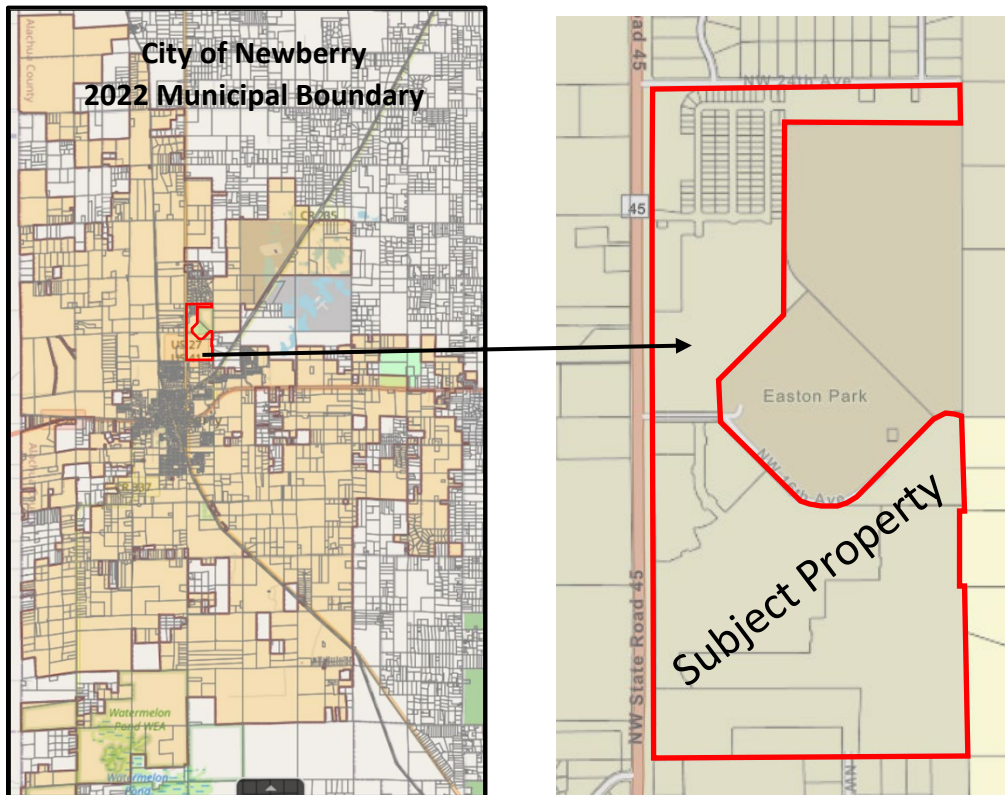




**SUPPORTING DATA AND ANALYSIS  
FOR CPA 22-01  
FUTURE LAND USE ELEMENT**

The following data and analysis are provided to support the transmittal of the below proposed comprehensive plan amendment:

**CPA 22-01**, an application by the City of Newberry, to amend the Future Land Use Element of the City of Newberry Comprehensive Plan by deleting the Specific Location Sub Element Objective SP.1 and Policy SP 1.1. The Specific Location Sub Element pertains to the Avalon Woods (formerly called Lexington Station) Mixed Use development, on ±205-acres, located on State Road 45 and identified by Alachua County Parcel Numbers 01874-000-000 through 01874-300-000, and 01897-000-000 through 01897-008-000.



**Figure 1: Location**

Proposed Change:

**ARTICLE I. CITY OF NEWBERRY FUTURE LAND USE ELEMENT<sup>1</sup>**

**SPECIFIC LOCATIONS SUB ELEMENT**

The following Objective and Policy applies to Future Land Use Plan Map Amendment CPA 03-5-

**OBJECTIVE SP.1** Upon adoption of each designation on the Future Land Use Plan Map for CPA 03-5 (DCA 04-1), the following policy for each specifically classified land use shall apply to development which occurs on lands addressed within the above stated amendment.

**POLICY SP 1.1** – Densities and intensities of uses identified within the Mixed Use Future Land Use Classifications for CPA 03-5, shall not exceed the following total square footage by classification and number of dwelling units listed as follows:

Category	Minimum Acreage	Percentage of Total Acreage	Total Dwelling Units (not to exceed)
Single Family Detached	41.2 ac	20.1%	214
Town homes	20.6 ac	10.04%	106
Apartments	10.3 ac	5.02%	120
Retail	20.6 ac	10.04%	249,750
Office	10.3 ac	5.02%	80,000
Recreation	10.3 ac	5.02%	N/A
Open Space	20.6 ac	10.04%	N/A

**SUMMARY**

CPA 22-01 is an application to remove the Specific Location Sub Element which relates to the Avalon Woods (formerly Lexington Station) Mixed Use development. Objective SP.1 and Policy SP 1.1. place specific limits the densities and intensities allowed in the Mixed-Use development. The developer wants to develop at an overall higher residential density than the Sub Element currently allows, and the City desires to allow the change. The desired residential density will remain below a gross density of four units per acre (Residential Low Density as defined by the Newberry Comprehensive Plan), with a final gross density of approximately 3.8 units per acre or less

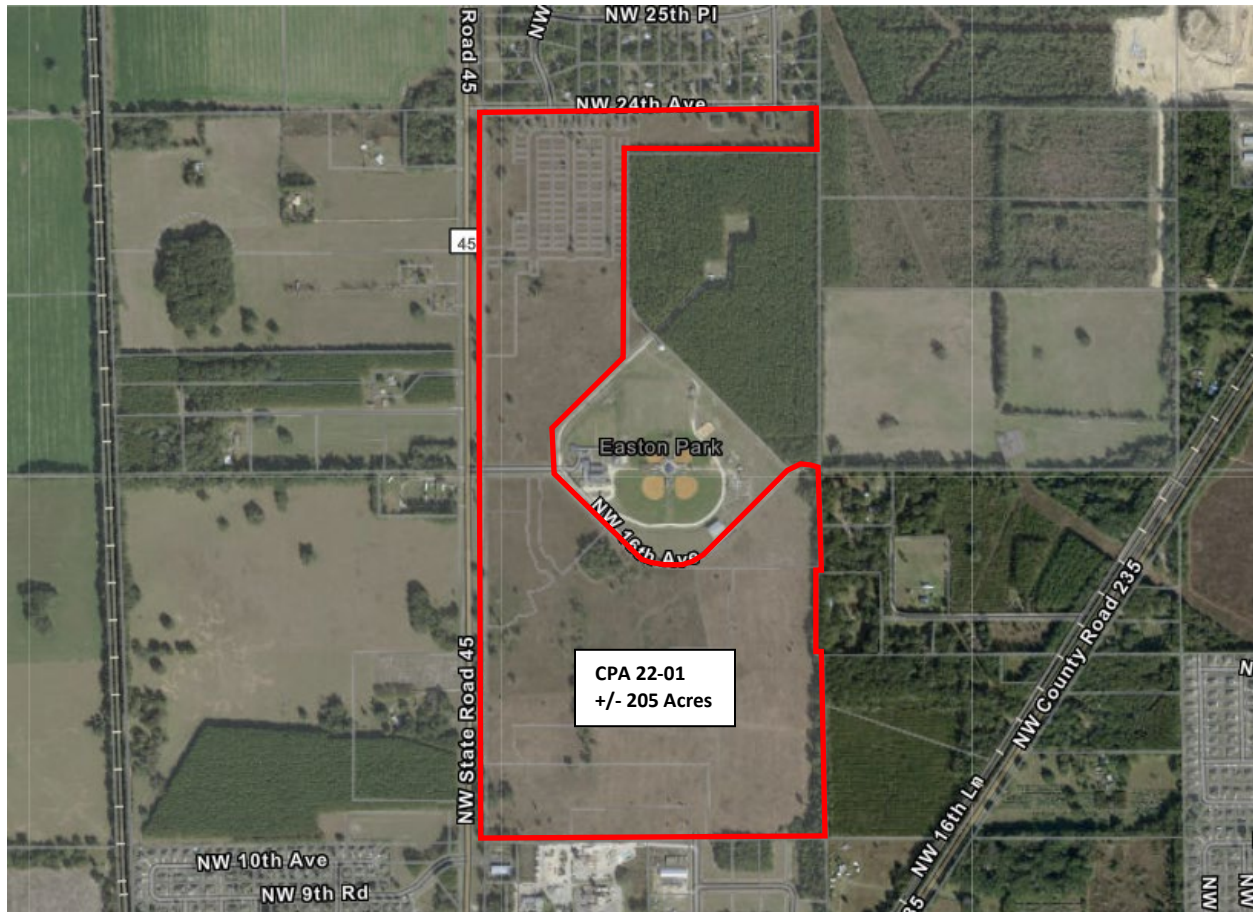
The site has Mixed Use Future Land Use (FLU) and Mixed Use (MU) Zoning District designations, permitting a mix of residential and commercial uses. The Land Use and Zoning designations will not be changed should the proposed amendment to the Comprehensive Plan be adopted.

**APPLICANT:** City of Newberry

**PURPOSE:** Amending the Future Land Use Element, deleting Specific Location Sub Element Objective SP.1 and Policy SP 1.1.

**LOCATION:** North of Newberry Road/State Road 26 (SR 26) on SR 45, on the east side of SR 45 adjacent to the Easton-Newberry Sports Complex.

**EXISTING USES:** The subject property has traditionally been used for active agriculture but is currently under development for residential use and commercial. Surrounding existing uses include large-lot (one-acre +) residential, public recreation, and industrial.



**Figure 2: Aerial View**

**SURROUNDING FUTURE LAND USE CLASSIFICATIONS:** The Subject parcels are primarily surrounded on the east, north and west by Agriculture Future Land Uses, with Industrial to the south.

**COMPREHENSIVE PLAN:** The property is within the urban service area, outside of the City's Transportation Enhancement Project Area and Economic Development overlay areas. The property will be served by City centralized potable water, and sanitary sewer prior to development. Electric is served by Clay Electric Cooperative. The amendment request is consistent with the goals, objectives and policies of the City of Newberry Comprehensive Plan (see Comprehensive Plan excerpts below).

**CONCURRENCY:** Concurrency evaluations will be conducted when a revised preliminary master plan and development order presented prior to development.

**PUBLIC UTILITIES:** The property is within the City of Newberry electric service area, City potable water and sanitary sewer facilities and the New River Solid Waste Facility.

**PUBLIC SERVICES:** The site will be served by the City of Newberry Fire Department for Fire/EMS services. The Alachua County Sheriff's Department will provide police protection to the site. It is anticipated that



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

Regional Planning Council: North Central Fl  
Review Date: 4/27/23  
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 36  
Local Government: City of Newberry  
Local Government Item No.: CPA 23-05  
State Land Planning Agency Item No.: 23-1ESR

Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 AMENDMENTS**

City item CPA 23-05 reclassifies approximately 96.0 acres of land from Agriculture (less than or equal to one dwelling unit per five acres) to Public for the expansion of wastewater treatment facility and other essential public services (see attached).

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

The subject property is not located within one-half mile of the Regional Road Network as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Therefore no adverse impacts are anticipated to occur to the Regional Road Network.

The subject property is located within an Area of High Recharge Potential to the Floridan Aquifer, a Natural Resource of Regional Significance as identified and mapped in the North Central Florida Strategic Regional Policy Plan. Nevertheless, significant adverse impacts are not anticipated to occur as a result of the amendment as the City Comprehensive Plan has adequate policy direction to mitigate adverse impacts to the Floridan Aquifer in a manner consistent with the goals and policies of the North Central Florida Strategic Regional Policy Plan.

**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**





## SUPPORTING DATA AND ANALYSIS FOR CPA 23-05

(Parcel(s) 02538-008-000 and 02538-009-001)  
±96 acres

The following data and analysis are provided to support the transmittal of the below proposed large scale comprehensive plan amendment:

**CPA 23-05**, an application by the City of Newberry to amend the Future Land Use Map of the Comprehensive Plan by changing the future land use classification from Agriculture to Public on approximately 96 acres (Alachua County Parcel Identification Numbers 02538-008-000 and 02538-009-001) identified on the maps below. The property is generally located at the southeast corner of Southwest 18 Road and CR 337/Southwest 266 Street and has a zoning designation of Agricultural (A). Rezoning of the property is proposed under a companion ordinance and is contingent upon the adoption of the future land use map amendment.

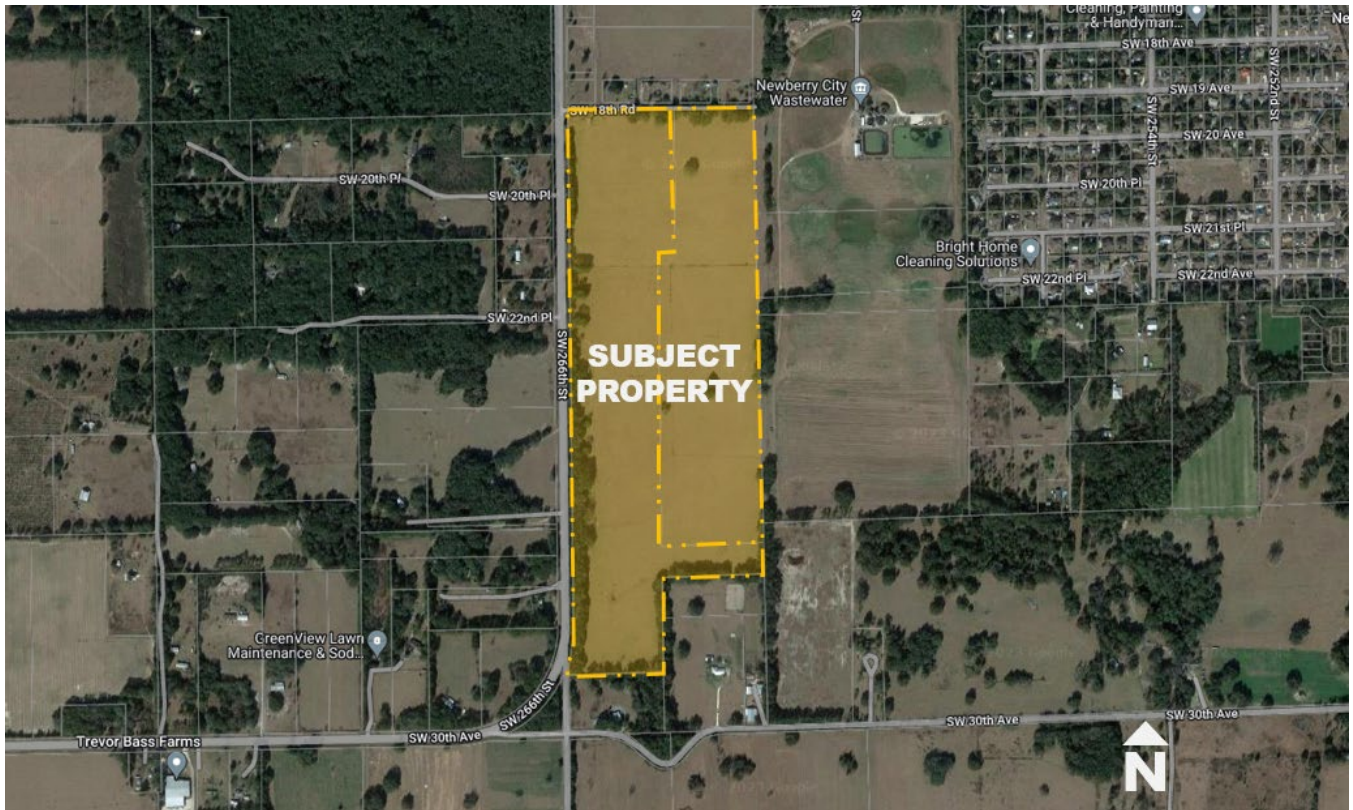
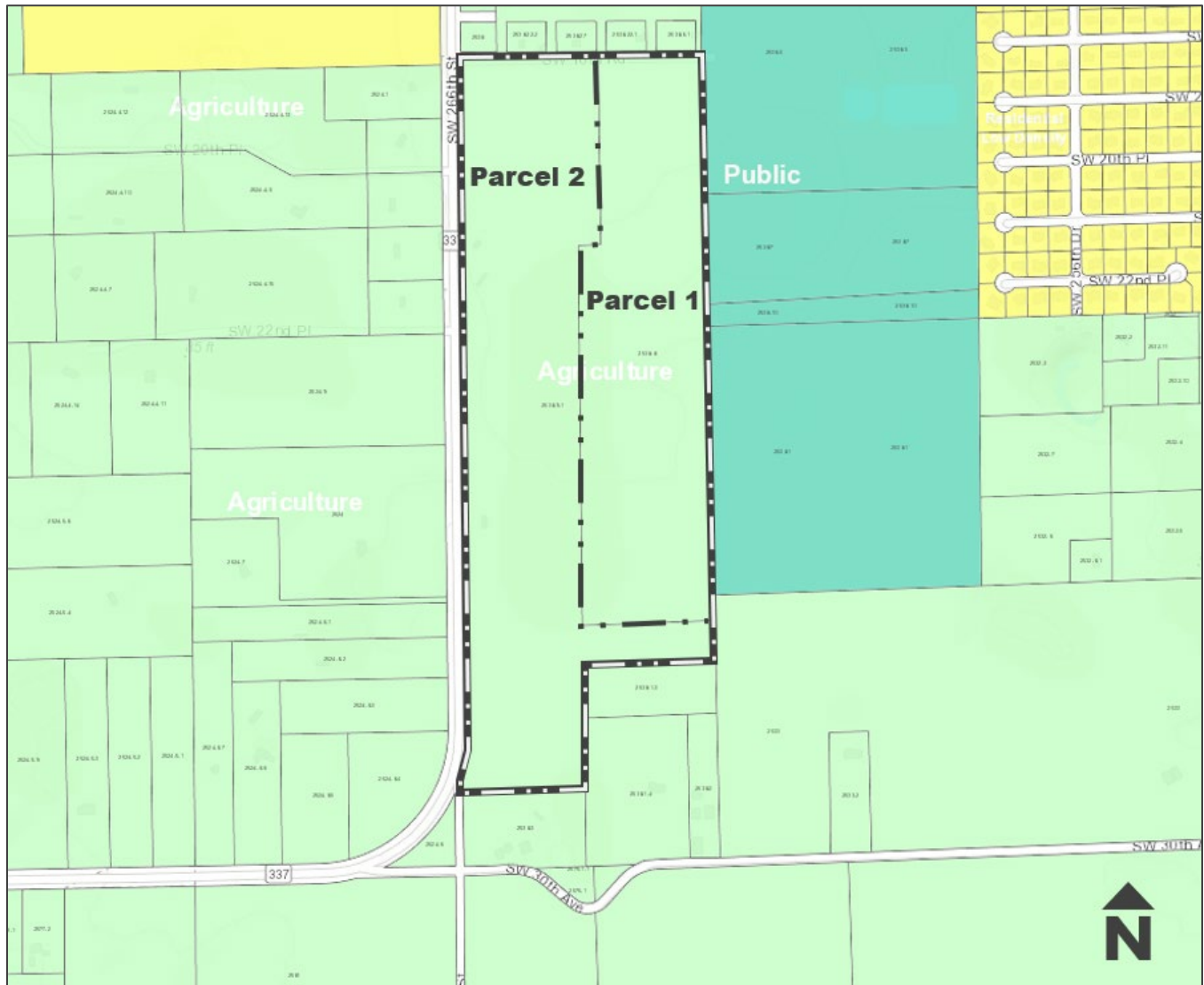


Figure 1: Aerial Image of Subject Property

**APPLICANT:** City of Newberry, a Florida Municipal Corporation  
**OWNER:** City of Newberry, a Florida Municipal Corporation  
**PURPOSE:** Expansion of wastewater treatment facility and other essential public services  
**LOCATION:** Southeast corner of Southwest 18 Road and County Road 337/Southwest 266 Street  
**EXISTING USES:** Vacant agricultural field/pasture

### CURRENT FUTURE LAND USE MAP



**Figure 2: Existing Future Land Use Map Classification of Agriculture**

The City has acquired the subject property in order to expand its existing wastewater treatment facility. Conceptually, this site may also host several other public and semi-public uses in a comprehensive environmental park as follows:

- Natural stormwater basin and passive educational component.
- Regional rural collection center.
- Potential composting facility.
- Potential small farm meat processing center.
- Fire training facility.

This amendment is being requested to reclassify the subject property, Alachua County Tax Parcels 02538-008-000 and 02538-009-001, as Public use. The amendment from Agriculture to Public represents an intensification from the existing vacant site that exists today. Demand on public utilities and infrastructure may increase. Because the proposed site development is in a very conceptual stage, exact facility sizes have not been determined and are contingent upon securing grants and other potential contracts and funding opportunities. The adjacency of this

In order to ensure efficient operation and maintenance of the city's sanitary treatment services, expansion of the wastewater treatment facility is necessary to prevent system failures typical of an overburdened sewer and treatment facility. And to also protect from environmental anomalies such as floods that have affected sanitary sewer systems in the Florida.

### PROPOSED FUTURE LAND USE MAP

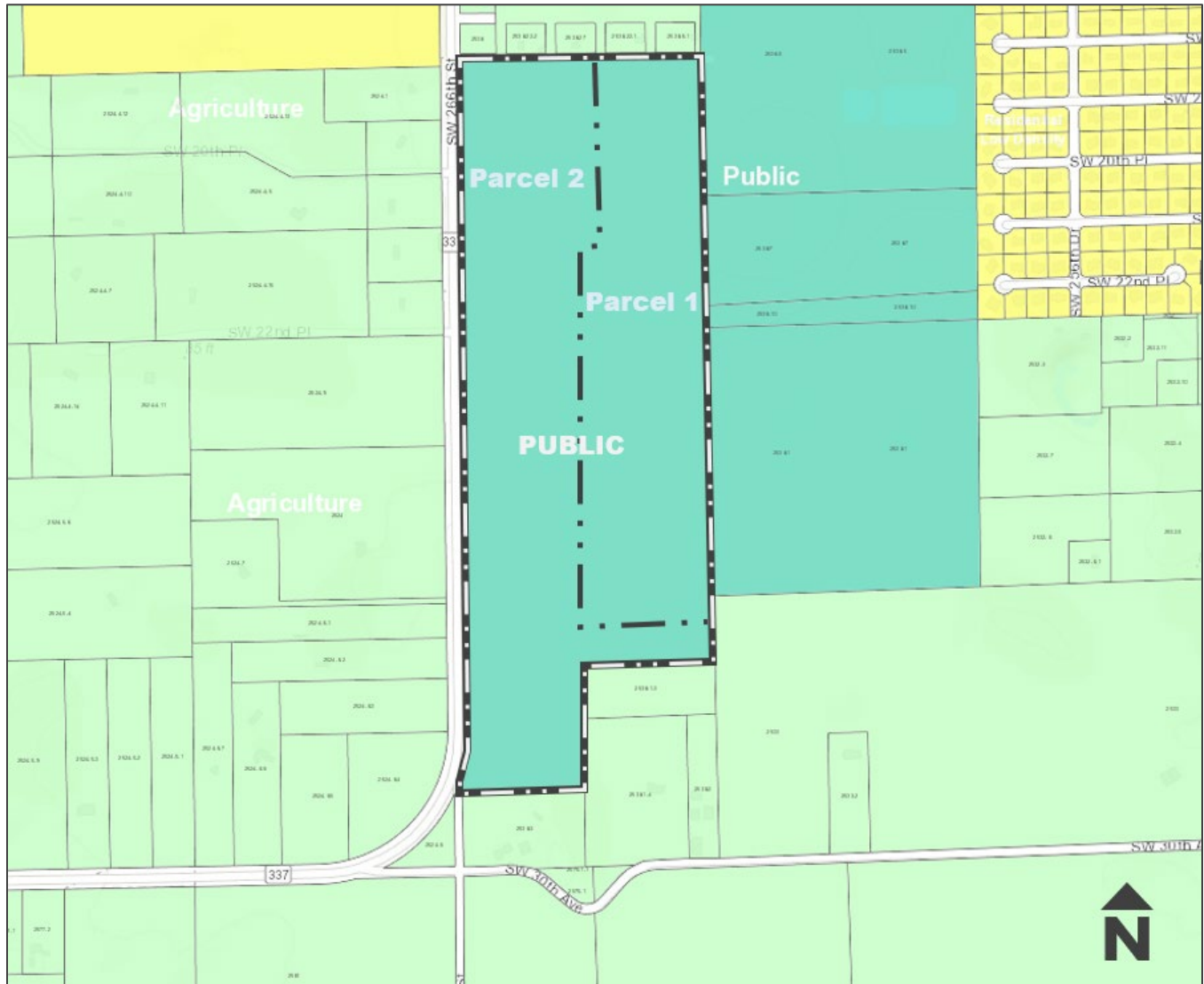


Figure 3: Proposed Future Land Use Map Classification of Public

#### ARTICLE XI - PROPERTY RIGHTS ELEMENT

In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3), Florida Statutes (F.S.), that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision-making. The following statement of rights, as provided in s. 163.3177(6)(i), F.S., shall be considered in City of Newberry local decision-making:

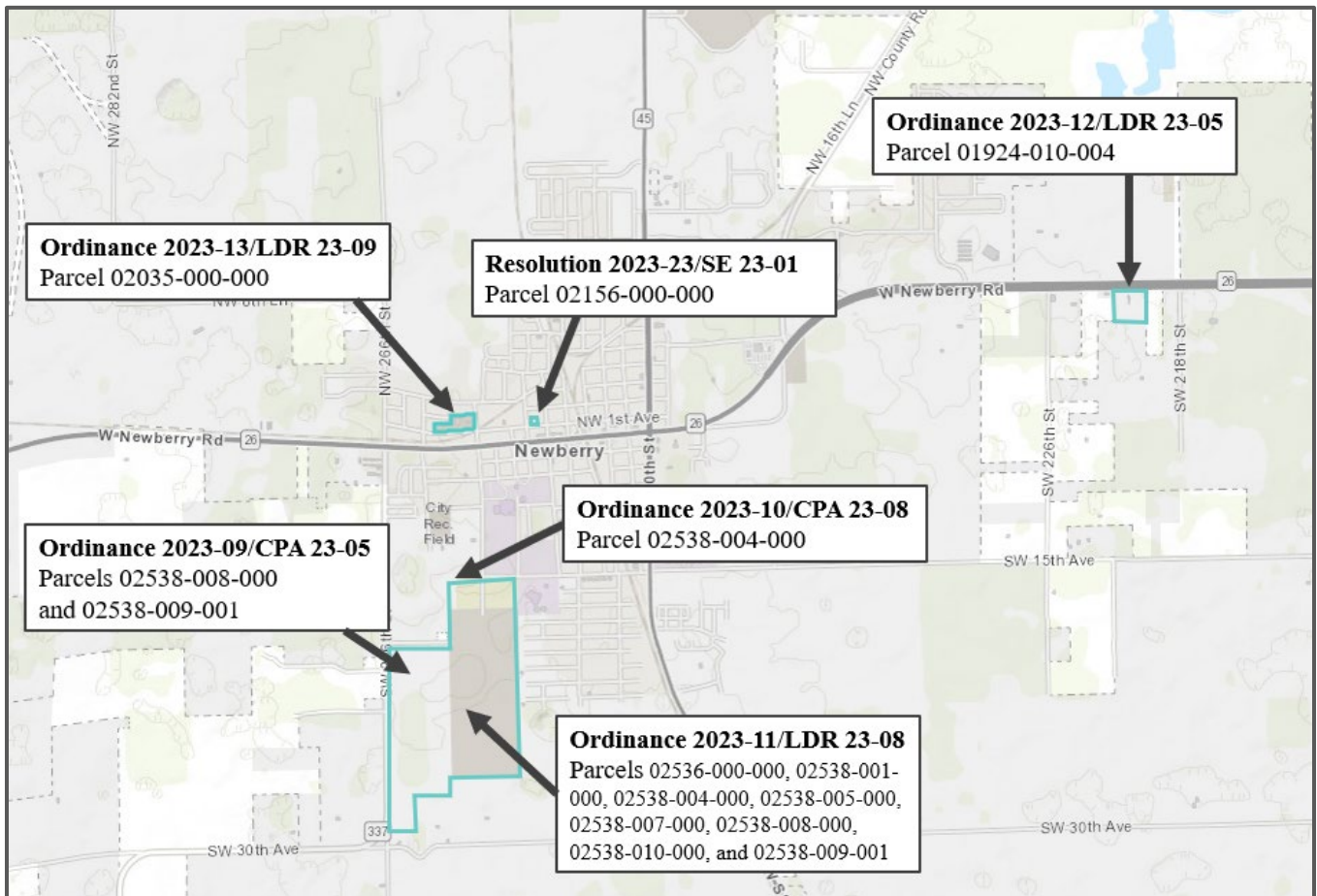
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, RELATING TO THE REZONING OF APPROXIMATELY 8.28 CONTIGUOUS ACRES, MORE OR LESS, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER OF SAID ACREAGE; AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF NEWBERRY LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REZONING FROM THE COMMERCIAL GENERAL (CG) ZONING DISTRICT TO THE COMMERCIAL INTENSIVE (CI) ZONING DISTRICT ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEWBERRY, FLORIDA; TAX PARCEL 01924-010-004; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

**ITEM 6: Resolution 2023-23/SE 23-01**, an application by Arraelieus Garrison, Agent, for Pat M. Post, Owner, for a Special Exception in the RESIDENTIAL, SINGLE FAMILY (RSF-2) Zoning District, as provided for in section 4.4.5. of the City of Newberry Land Development Regulations, to allow for the operation of a church on approximately 0.24 acres, located at 145 NW 257<sup>th</sup> St.. (Tax Parcel 02156-000-000).

RESOLUTION NO. 2023-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NEWBERRY, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF THE CITY OF NEWBERRY, FLORIDA, CONSIDERING AN APPLICATION FOR A SPECIAL EXCEPTION WITHIN A RESIDENTIAL (RSF-2) ZONING DISTRICT, AS AUTHORIZED UNDER SECTION 4.4.5. OF THE CITY OF NEWBERRY LAND DEVELOPMENT REGULATIONS, TO ALLOW AN EXISTING STRUCTURE TO BE USED AS A CHURCH ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF NEWBERRY, FLORIDA; TAX PARCEL NUMBER 02156-000-000 CONSISTING OF APPROXIMATELY 0.24 ACRES; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.



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

Regional Planning Council: North Central Fl      Regional Planning Council Item No.: 37  
Review Date: 4/27/23      Local Government: City of Alachua  
Amendment Type: Adopted Amendment      Local Government Item No.: Ord. No. 22-18  
State Land Planning Agency Item No.: 22-4 ESR

Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 51.7 acres from Agriculture and Rural/Agriculture (Alachua County) to Moderate Density Residential (City) (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 Interstate 75, 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 and a Stream-to-Sink Watershed area, 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 _____	No _____
Not Applicable	_____ X _____

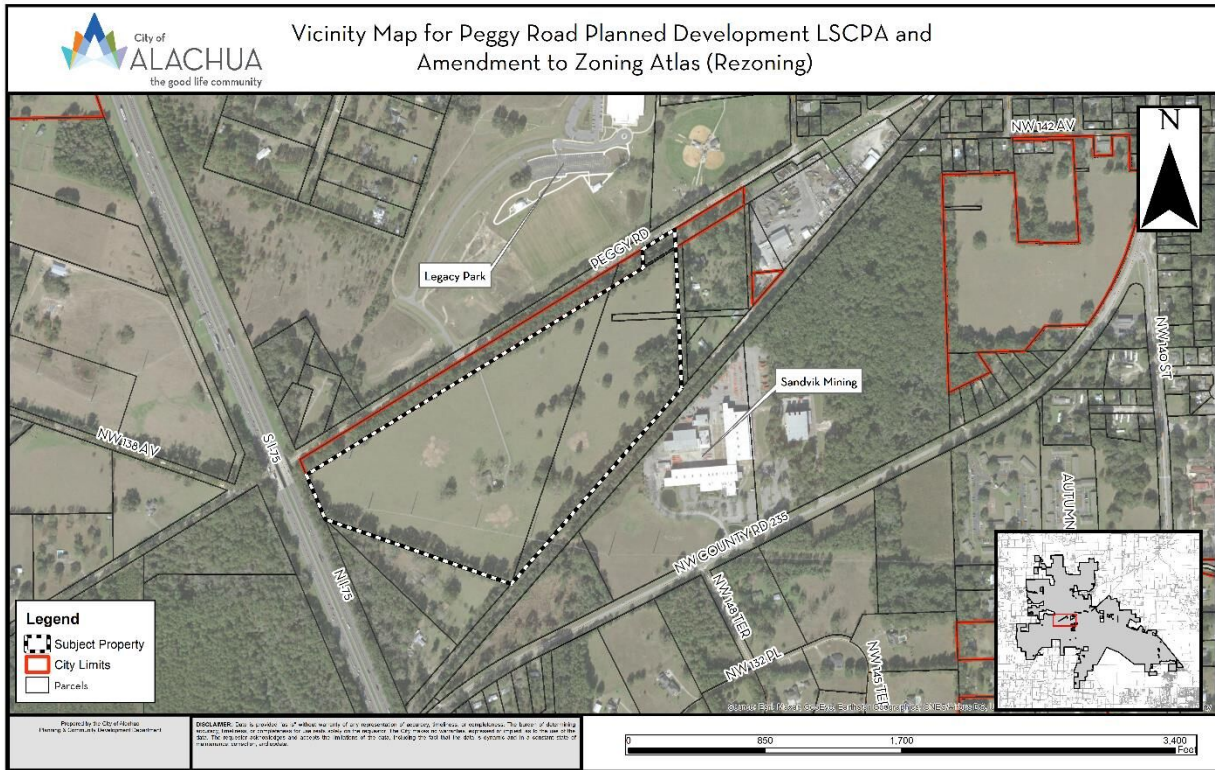


**EXCERPTS FROM THE  
CITY COMPREHENSIVE PLAN AMENDMENT**

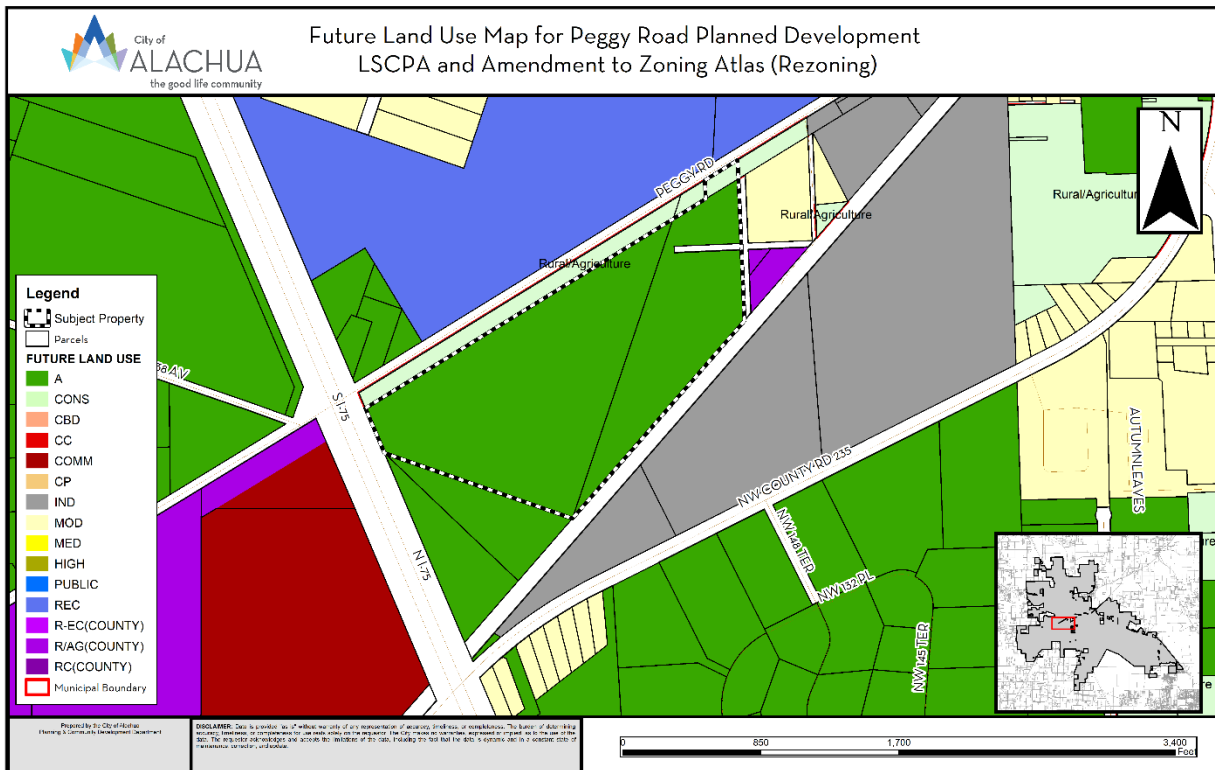




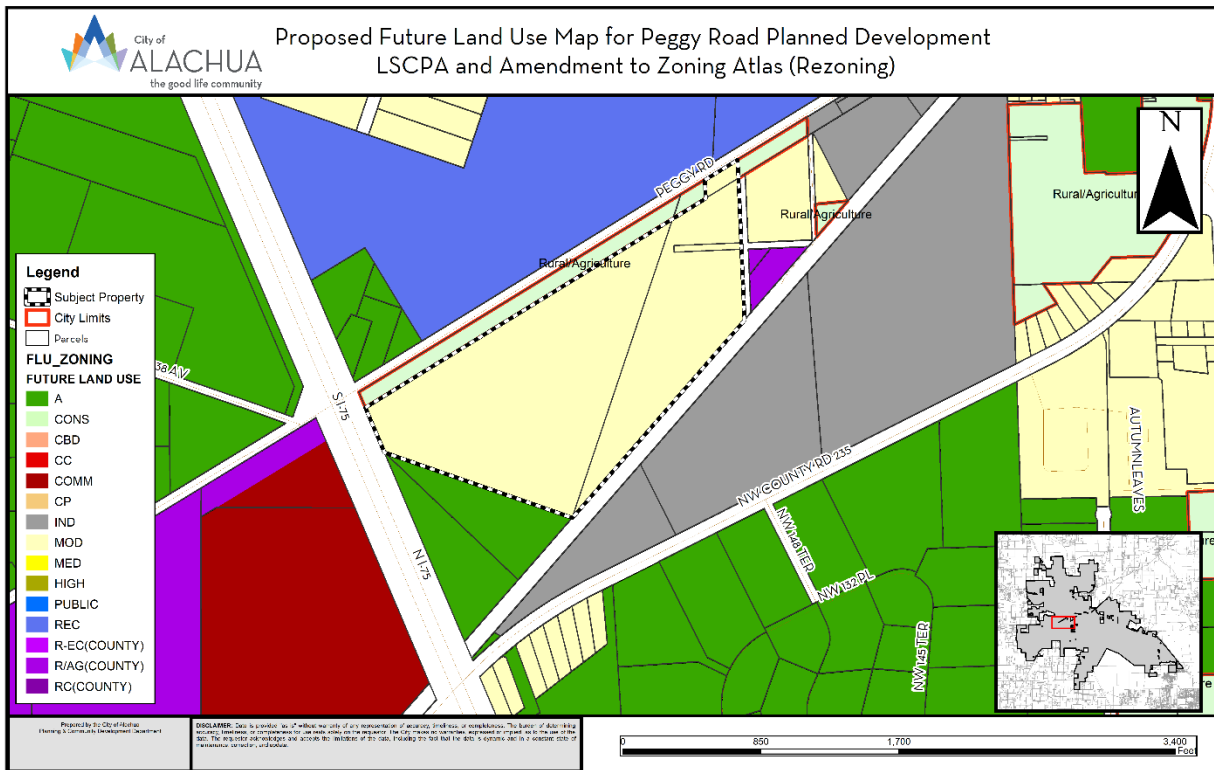
# Map 1. Vicinity Map



# Map 2. Future Land Use Map with Subject Property



### Map 3. Proposed Amendment to the Future Land Use Map



Policy 1.2.a of the City of Alachua Comprehensive Plan Future Land Use Element (FLUE) establishes the Moderate Density Residential FLUM Designation, and states the following:

**Policy 1.2.a: Moderate density residential (0 to 4 dwelling units per acre):** The moderate density residential land use category allows residential development at a maximum density of 4 dwelling units per acre. The following uses are allowed in the moderate density residential land use category:

1. Single family, conventional dwelling units;
2. Accessory dwelling units;
3. Manufactured or modular homes meeting certain design criteria
4. Mobile homes only within mobile home parks;
5. Duplexes and quadplexes;
6. Townhomes;
7. Residential Planned Developments;
8. Supporting community services, such as schools, houses of worship, parks, and community centers

<b>FLORIDA REGIONAL COUNCILS ASSOCIATION LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01</b>	
Regional Planning Council: North Central Fl	Regional Planning Council Item No.: 38
Review Date: 4/27/23	Local Government: Town of Bell
Amendment Type: Adopted Amendment	Local Government Item No.: CPA 22-01
	State Land Planning Agency Item No.: 22-1ER
Date Mailed to Local Government and State Land Planning Agency: 4/28/23 (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 is amending its comprehensive plan based on an evaluation completed by the Town 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 Public School Facilities Element; and the Economic Development Element, and adds a Property Rights Element. (see attached excerpts).

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

The Town is bisected by U.S. Highway 129, which is identified in the North Central Florida Strategic Regional Policy Plan as a Regional Transportation Facility. Additionally, the Town is located within an Area of High Aquifer Recharge Potential, which is identified and mapped as a Natural Resource of Regional Significance in the Regional Plan. Nevertheless, significant adverse impacts are not anticipated to the regional facility or to the Natural Resource of Regional Significance as the amendment does not result in an increase in allowable 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**



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## II TRANSPORTATION ELEMENT

### INTRODUCTION

A traffic circulation 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 Town and establish a framework for making policy decisions in planning for future transportation needs.

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

### TRANSPORTATION ELEMENT GOAL, OBJECTIVES AND POLICIES

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

**OBJECTIVE II.1** The Town shall establish a safe, convenient and efficient level of service standard which shall be maintained for all motorized and non-motorized transportation systems.

**Policy II.1.1** Establish Level of Service Standard at peak hour as defined within the most recent version of the Florida Department of Transportation, Quality/Level of Service Handbook for the following roadway segments within the Town:

ROADWAY SEGMENT NUMBER	ROADWAY SEGMENT	NUMBER OF LANES	FACILITY TYPE	AREA TYPE	LEVEL OF SERVICE
1	C.R. <del>341-342</del> (from <b>U.S. 129/S.R. 49</b> to Town's west limits)	2	Collector	Community	D
2	U.S. 129/S.R. 49 (from Town's north limits to Town's south limits)	2	Arterial	Community	D

**Policy II.1.2** The Town shall control the number and frequency of connections and access points of driveways and roads to arterial and collector roads. For State Roads, the number and frequency of connections and access points shall be in conformance with Chapter 14-96 and 14-97, Florida Administrative Code.

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- Policy II.1.3 The Town shall require the provision of safe and convenient off street parking and loading standards, which includes the provision for non-motorized vehicle parking.
- Policy II.1.4 The Town 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 For state facilities, the Town shall coordinate with the Florida Department of Transportation in developing transportation mitigation and agreements ensuring that state facilities function at acceptable levels of service in accordance with Section 163.3180(5)(h)1.c., Florida Statutes, as amended.
- OBJECTIVE II.2 The Town shall require that all traffic circulation improvements be consistent with and complement the future land uses on the future land use plan map.
- Policy II.2.1 The Town shall 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 Town shall notify such jurisdiction, in writing, if any identified roadway improvement plans are not consistent with the provisions of the future land use plan element.
- OBJECTIVE II.3 The Town shall 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 Town shall, during the capital improvements planning process for roadway improvements, review the proposed roadway improvements which will be completed as part of the implementation of the Florida Department of Transportation 5-Year Transportation Plan so that such capital project planning is complementary and consistent with the state roadway improvement planning.
- OBJECTIVE II.4 The Town shall 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.
- Policy II.4.1 The Supplementary District Regulations found within the Town's land development regulations shall include the following provision which requires a structure to provide a minimum setback of seventy-five (75) feet as measured from the centerline of the right-of-way for new or realigned arterial roads.
- OBJECTIVE II.5 The Town will attempt to ensure that transportation plans made by other units of government do not have a detrimental effect on town residents.
- Policy II.5.1 The Town shall encourage that future neighborhoods be shaped around cul-de-sacs, and that houses built on strips along the road be discouraged.
- Policy II.5.2 The Town shall require developers who put in anything more intensive than one dwelling per four acres and with more than two units, be required to pave the roads into and through the development.



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Policy II.5.3 In accordance with Section 163.3180(5)(h)1.c. and 163.3180(5)(h)2. Florida Statutes, as amended, the Town 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, the landowner shall not be held responsible for contributing to deficient transportation facilities.

Policy II.5.4 **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.5.6 **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.5.7 **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.5.8 **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.5.9 **Adequate corner clearance shall be maintained at crossroad intersections with arterials.**

Policy II.5.10 **The Town shall encourage cross-access connections easements and joint driveways, where available and economically feasible.**

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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 Town's natural resources.

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. At present there are no areas which have planned management of a natural resource within the Town. Therefore, until such time as there are areas which require conservation of a natural resource through the use of best management programs, this category although listed, will not be shown on the Future Land use Plan map.

The Future Land Use Plan map series includes the identification of existing waterwells 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 ELEMENT GOAL, OBJECTIVES AND POLICIES

GOAL V - CONSERVE, THROUGH APPROPRIATE USE AND PROTECTION, THE RESOURCES OF THE TOWN TO MAINTAIN THE INTEGRITY OF NATURAL FUNCTIONS.

OBJECTIVE V.1 The Town's land development regulations, ~~upon adoption of this comprehensive plan,~~ shall protect air quality through the appropriate siting of development and associated public facilities by requiring landscape buffers and setbacks to prevent wind shadows.

Policy V.1.1 The Town 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 Town.

OBJECTIVE V.2 The Town shall include within the land development regulations, applicable provisions of the Florida Forest Service best management practices to provide for the conservation, appropriate use and protection of the quality and quantity of current and projected water sources, water recharge areas and potable water wells.

Policy V.2. 1 The Town shall as part of the development review process 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 Town's current and projected water sources.

Policy V.2.2 The Town does not have specific hydrological information that would be helpful in developing regulations to protect potable water well fields. Studies are presently being done by the Water District which will form the basis for review and re-evaluation of existing well field regulations. In the interim, between the time of adoption of the Comprehensive Plan and the availability of the Water District study, the following measures shall be taken:

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1. The first 200 foot radius around the well shall remain a zone of exclusion where no development activities shall be permitted except that the footprint of a residential building may be located between 150-200 feet from the well. However, the septic tank shall be 200 or more feet from the well.
2. From a radius of 1,000 feet around the well, land uses shall be regulated to prohibit:
  - a. Landfills;
  - b. Facilities for the bulk storage, handling or processing of materials on the Florida Substance List;
  - c. Activities that require the storage, use or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, etc.;
  - d. Feedlots or other commercial animal facilities;
  - e. Waste-water treatment plants, percolation ponds, and similar facilities;
  - f. Mines; and
  - g. Excavation of waterways or drainage facilities which intersect the water table.

Policy V.2.3 The Town shall identify and make recommendations, where appropriate, for the purchase of environmentally sensitive lands under the Conservation and Recreation Lands Program or Save Our Rivers Program.

Policy V.2.4 The Town shall, through the development review process, require that post-development runoff rates and pollutant loads do not exceed pre-development conditions.

Policy V.2.5 The Town 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.2.6 The Town shall regulate development within the 100 year to 25 year riverine floodplain. The following standards shall apply for the protection of this area.

**CRITERIA:**

1. Residential land uses may be considered up to a maximum density of two dwelling units per acre.
2. Development within the 25 to 100 year floodplain shall not negatively impact adjoining properties.
3. Parking areas in commercial and industrial areas shall not be filled to the 100 year flood elevation.
4. The following specific uses will not be allowed in the 25 to 100 year floodplain:
  - a. Placing, depositing, or dumping of solid waste;
  - b. Commercial processing; and

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- c. Storing, or disposal of pesticides, herbicides, domestic waste, (except for residential on-site sewage disposal systems), industrial waste, toxic bio hazardous or hazardous materials or radioactive materials.
- 5. Industrial uses shall not be permitted.

Policy V.2.7 The Town shall regulate development within the 10 to 25 year floodplain. The following standards shall apply:

**CRITERIA:**

- 1. Residential densities may be considered at a maximum density of one dwelling unit per 2.5 acres.
- 2. Development within floodplain shall not result in the loss of the flood storage capacity.
- 3. Industrial uses shall not be permitted.
- 4. Commercial uses other than recreation oriented business shall not be allowed.
- 5. The uses not allowed in Policy V.2.6(4) of this plan will not be allowed in the 25 to 10 year floodplain.

Policy V.2.8 The Town shall protect the area below the 10 year floodplain. The following standards shall apply below the 10 year floodplain:

**CRITERIA:**

- 1. The annual floodplain shall be left in its natural state.
- 2. Residential land uses may be considered up to a maximum density of one dwelling per ten acres.
- 3. Permitted uses include:
  - a. Passive recreation (with no impervious surfaces except existing boat ramps);
  - b. Forestry and non-animal agricultural pursuits;
  - c. Open space and other low intensity uses which maintain the function of the floodplain.
- 4. Commercial and industrial uses shall not be permitted.

Policy V.2.9 In accordance with the Water Management District policies, the Town shall set forth a development setback from the ordinary high water line as specified.

Policy V.2.10 The Town shall support the Water Management District in their conducting of water conservation programs.

Policy V.2.11 The Town shall comply with the plans of the Water Management District for the emergency conservation of water sources.

Policy V.2.12 The Town shall as part of the development review process limit development to low density and non-intensive uses in prime aquifer recharge areas, designated by the Water Management District, in order to maintain the natural features of these areas.

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Policy V.2.13 The Town shall as part of the development review process require the maintenance of the quantity and quality of surface water runoff within freshwater stream to sink watersheds by prohibiting any development which may diminish or degrade the quality and quantity of surface water runoff within the Town.

Policy V.2.14 The Town 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.

OBJECTIVE V.3 The Town shall include within the land development regulations stream bank protection and woodland improvement provisions as best management practices for the conservation, appropriate use and protection of soils, minerals and native vegetative communities.

Policy V.3.1 The Town shall review topographic, hydrologic and vegetative cover factors during the development review process in order to protect and conserve the natural functions of soils.

Policy V.3.2 The Town shall require within the development review process that multiple use of forest resources where appropriate, be required to provide for recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.

Policy V.3.3 The Town shall cooperate with adjacent local governments and other governmental entities, research and interest groups to conserve and protect, from destruction by development activities, unique vegetative communities located within the Town and adjacent local government jurisdictions.

Policy V.3.4 Mining shall not be permitted in the Town because:

1. There are no known minerals of commercial value located in the Town to be mined, and
2. Responsible mining development would require expertise not economically available to the Town.

If minerals of commercial value are discovered and a proposal for development of those minerals is submitted, the Town may address that need and all of the foregoing concerns with regulations which:

1. Require special buffers and setbacks;
2. Eliminate/regulate blasting;
3. Require and assure reclamation;
4. Require and evaluate environmental impact reports; and
5. Evaluate transportation needs and impacts created by heavy equipment transporting materials.

OBJECTIVE V.4 The Town shall protect all endangered and threatened Flora and Fauna from adverse impacts due to loss of critical habitat.

Policy V.4.1 The Town shall identify those areas containing endangered plant or animal species through the requirement of site specific surveys of undeveloped parcels by the developer prior to issuance of building permits.

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Policy V.4.2 The Town shall protect those areas containing endangered plant or animal species by requiring the natural habitat or vegetative community be protected. Sixty percent of the community shall remain undisturbed. The following measures shall be considered depending upon specific circumstances:

1. Off-site mitigation;
2. Setback requirement adjustments;
3. Buffers; and
4. Clustering.

Evidence shall include an assessment based on size, location and viability of a natural or vegetative community.

Policy V.4.3 The Town shall assist in the application and compliance with all Federal and state regulations which pertain to endangered and rare species.

Policy V.4.4 The Town 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.

Policy V.4.5 The Town shall address, during the development review process, the mitigation of development activities within environmentally sensitive areas so that the possible impacts created by the proposed development activity will not significantly alter the natural functions of these significant natural resources, especially the natural reservations identified in the recreation and open space element of this Comprehensive Plan.

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**XI**  
**PROPERTY RIGHTS ELEMENT**

**INTRODUCTION**

**The following goal, objective and policies constitute the Property Rights Element, in accordance with the legislative intent expressed in Section 163.3161(10), Florida Statutes, as amended, and Section 187.101(3), Florida Statutes, as amended.**

**PROPERTY RIGHTS GOAL, OBJECTIVE AND POLICIES**

**GOAL XI - RECOGNIZE AND RESPECT JUDICIALLY ACKNOWLEDGED AND CONSTITUTIONALLY PROTECTED PRIVATE PROPERTY RIGHTS.**

**OBJECTIVE XI.1**     **In local decision making, the Town shall consider the statement of rights as enumerated in Policy XI.1.1, Policy XI.1.2, Policy XI.1.3, and Policy XI.1.4.**

**Policy XI.1.1**     **In local decision making, the Town shall consider the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.**

**Policy XI.1.2**     **In local decision making, the Town shall consider 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.**

**Policy XI.1.3**     **In local decision making, the Town shall consider the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.**

**Policy XI.1.4**     **In local decision making, the Town shall consider the right of a property owner to dispose of his or her property through sale or gift.**

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

**REGIONAL CLEARINGHOUSE  
INTERGOVERNMENTAL COORDINATION AND RESPONSE**

Date: 4/27/23

**PROJECT DESCRIPTION**

#32 - Town of Otter Creek - Community Development Block Grant - Corona Virus (CV) 22 CV-S20-Final Floodplain Notice

---

TO: Mary DeGroot, Town Manager  
Town of Otter Creek  
P.O. Box 65  
Otter Creek, FL 32683-0065

XC: Fred D. Fox, President  
Fred Fox Enterprises, Inc.  
P.O. Box 840338  
St. Augustine, FL 32080-0338

       **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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## **Project Narrative**

### **Otter Creek**

#### **Broadband #22CV-S20**

The Otter Creek Broadband System Project will benefit all residents in the Town of Otter Creek. According to Census Place data (GEOID 53500), the Town of Otter Creek has 135 residents, of which 90 (66.67%) are from Low- to Moderate-Income households, thus the LMI National Objective is met. Additionally, the project will connect an estimated 33 LMI households (based on a household size of 2.72 per Census data) up at no charge and will provide the same households six months of broadband Internet service at no charge.

The Town of Otter Creek will utilize CDBG-CV assistance to address historical broadband deficiencies experienced during the 2020 Covid-19 pandemic and beyond, by installing town-wide broadband Internet service for the residents of Otter Creek. Additionally, the project will connect approximately 33 LMI homes in Otter Creek to broadband Internet service and provide the LMI residents with six (6) months of service at no cost. The broadband Internet will provide all residents of the Town of Otter Creek with resources to safely meet the COVID pandemic challenges, by empowering them with ability to remotely accomplish many of the necessary day to day requirements of life, while at the same time allowing them to do these things without the threat of contracting and or spreading the virus.

This project will connect the Town's, predominately low- to moderate income, residents to broadband Internet access. This critical infrastructure is essential to providing Otter Creek's residents with the means to remotely learn, work, shop, see their doctors, stay informed, enjoy entertainment and socialize, with the outcome goals of restoring some normalcy, promoting better health through conducting these day-to-day activities from home, providing access for the underserved, and relieving some of the pandemic stress levels for the community as a whole.

