



City of Gainesville
Department of Doing
Planning Division

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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: June 27, 2019

ITEM NO: 5

PROJECT NAME AND NUMBER: Sterling Place, PB-19-47 LUC

APPLICATION TYPE: Large-scale Comprehensive Plan Amendment (**Legislative**)

CITY PROJECT CONTACT: Bedez E. Massey, Planner

RECOMMENDATION: Approve

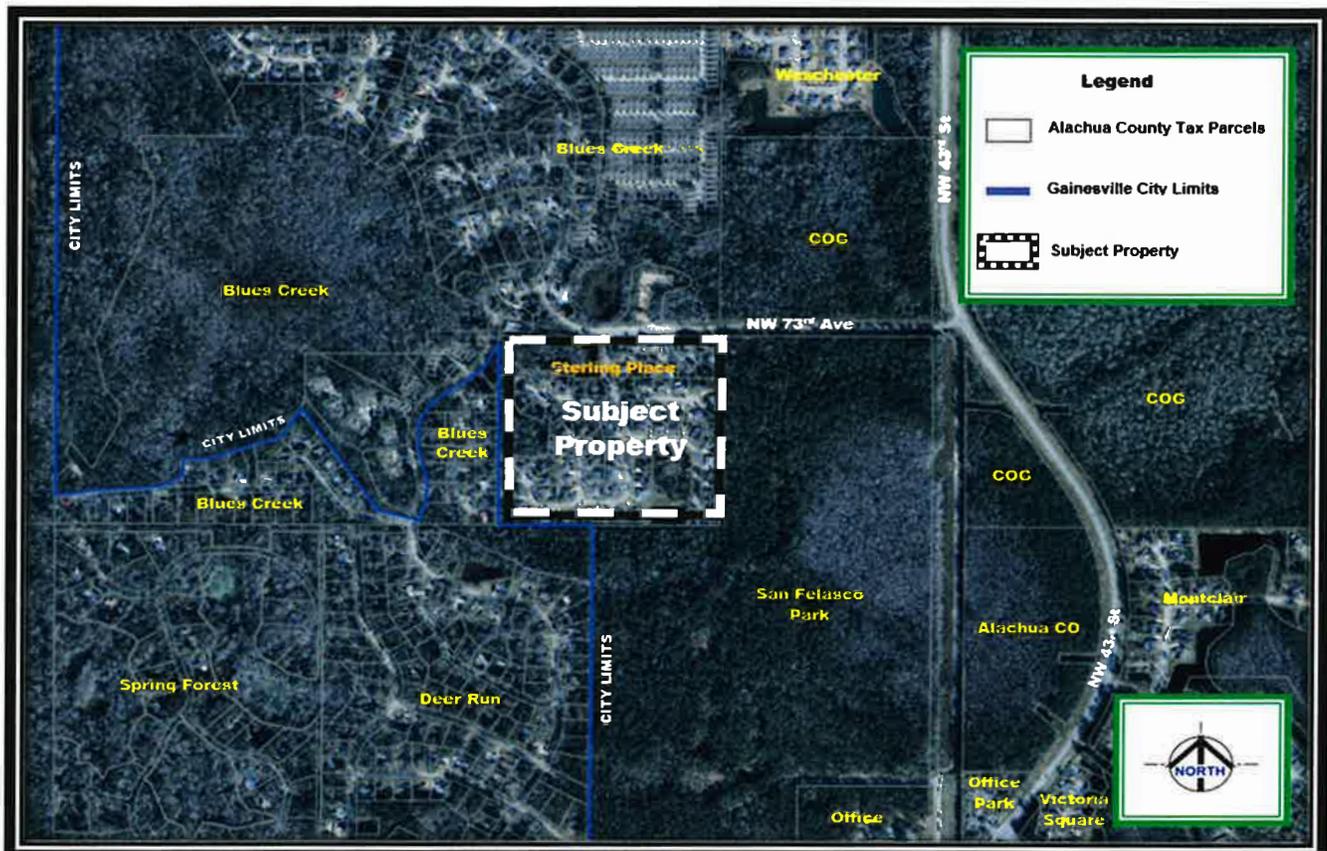


Figure 1. Location Map

APPLICATION INFORMATION:**Agent/Applicant:** City of Gainesville, Florida**Property Owner(s):** Multiple**Related Petition(s):** PB-19-48 ZON: City of Gainesville. Rezone property from Alachua County Single-family, Low Density (R-1a): 1-4 dwelling units per acre to City of Gainesville Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre. Generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace.**Legislative History:** City of Gainesville, Florida, Proclamation of Mayor, Calling Special Election to hold a referendum on the proposed annexation of an area of unincorporated Alachua County into the City of Gainesville, Florida, as provided in Ordinance No. 170520, on April 19, 2018.

Resolution No. 170911: A resolution of the City Commission of the City of Gainesville, Florida, calling a special election to be held on June 12, 2018; submitting a referendum on annexation to a vote of the registered electors of an unincorporated area of Alachua County known as "Sterling Place," as described in detail by Ordinance No. 170520; providing ballot language; providing directions to the Clerk of the Commission; and providing an effective date.

City Commission Action on April 19, 2018 – Approved (Vote: 7-0)

Ordinance No. 170520: An ordinance of the City of Gainesville, Florida, annexing approximately 38.95 acres of property known as "Sterling Place" that is generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace, as more specifically described in this ordinance, pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing a severability clause; and providing effective dates.

City Commission Action on April 19, 2018 – Approved (Vote: 7-0)

Neighborhood Workshop(s): N/A (See Exhibit B-1.)**SITE INFORMATION:**

Address:	Generally located south of NW 73 rd Avenue, west of NW 43 rd Street, north of NW 64 th Boulevard, and east of NW 52 nd Terrace
Parcel Numbers:	Multiple
Acreage:	±38.95
Existing Use:	Sterling Place Subdivision (Units 1, 2 & 3)
Land Use Category:	Alachua County Low Density Residential: 1-4 dwelling units per acre
Zoning District:	Alachua County Single-family, Low Density (R-1a): 1-4 dwelling units per acre
Overlay District:	None

Transportation Mobility Program Area (TMPA):	Zone B (to be assigned when designated a City land use category)
Census Tract:	18.13
Water Management District:	St. Johns River Water Management District
Special Feature:	Wetlands
Annexed:	June 22, 2018
Code Violations:	There are no open cases.

PURPOSE AND DESCRIPTION:

The subject property (see Figure 1) was voluntarily annexed into the City of Gainesville. State and local laws require Alachua County land use, zoning and subdivision regulations to remain in effect on annexed property until the City's Comprehensive Plan is amended (see Exhibits A-1 and C-4). As a result, this application is a City-initiated request for a large-scale amendment to the Future Land Use Map of the City's Comprehensive Plan to change the land use category on the subject property from Alachua County Low Density Residential: 1-4 dwelling units per acre to City of Gainesville Single-Family (SF): up to 8 units per acre (see Table 1, Figures 2 and 3, and Exhibits A-2 and C-5). A concurrent application requesting that the subject property be rezoned from Alachua County Single-family, Low Density (R-1a): 1-4 dwelling units per acre to City of Gainesville Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre is filed under Petition PB-19-48 ZON.

The subject property is a residential subdivision named Sterling Place (see Exhibit C-7). The subdivision is identified in the public records of Alachua County, Florida as a cluster development with 79 platted lots and access to public utilities. Single-family dwelling units are located on 76 of the platted lots. The three remaining platted lots contain stormwater facilities and/or landscaped common areas. The recorded subdivision plat shows that three of the landscaped common areas contain a wetland.

The single-family dwelling units within Sterling Place are detached and located on individual lots. Each single-family lot has a driveway connection to a local street within the subdivision. The local streets are paved and equipped with a curb and gutter drainage system. There are no public sidewalks within the subdivision.

Table 1. Proposed Land Use Change (in acres)

Future Land Use Category	Description	Existing Acres	Proposed Acres
Low Density (1-4 du/acre)	Alachua County Low Density Residential: 1-4 dwelling units per acre	±38.95	0
SF	City of Gainesville Single-Family (SF): up to 8 units per acre	0	±38.95
Total Acres		±38.95	±38.95

Note: The data in Table 1 was obtained from the following sources: City of Gainesville, Department of Doing, Geographic Information Systems (GIS), March 2019; Alachua County Property Appraiser's Office, March 2019; and City of Gainesville, Ordinance No.170520 (adoption date: April 19, 2018; full effective date: June 22, 2018).

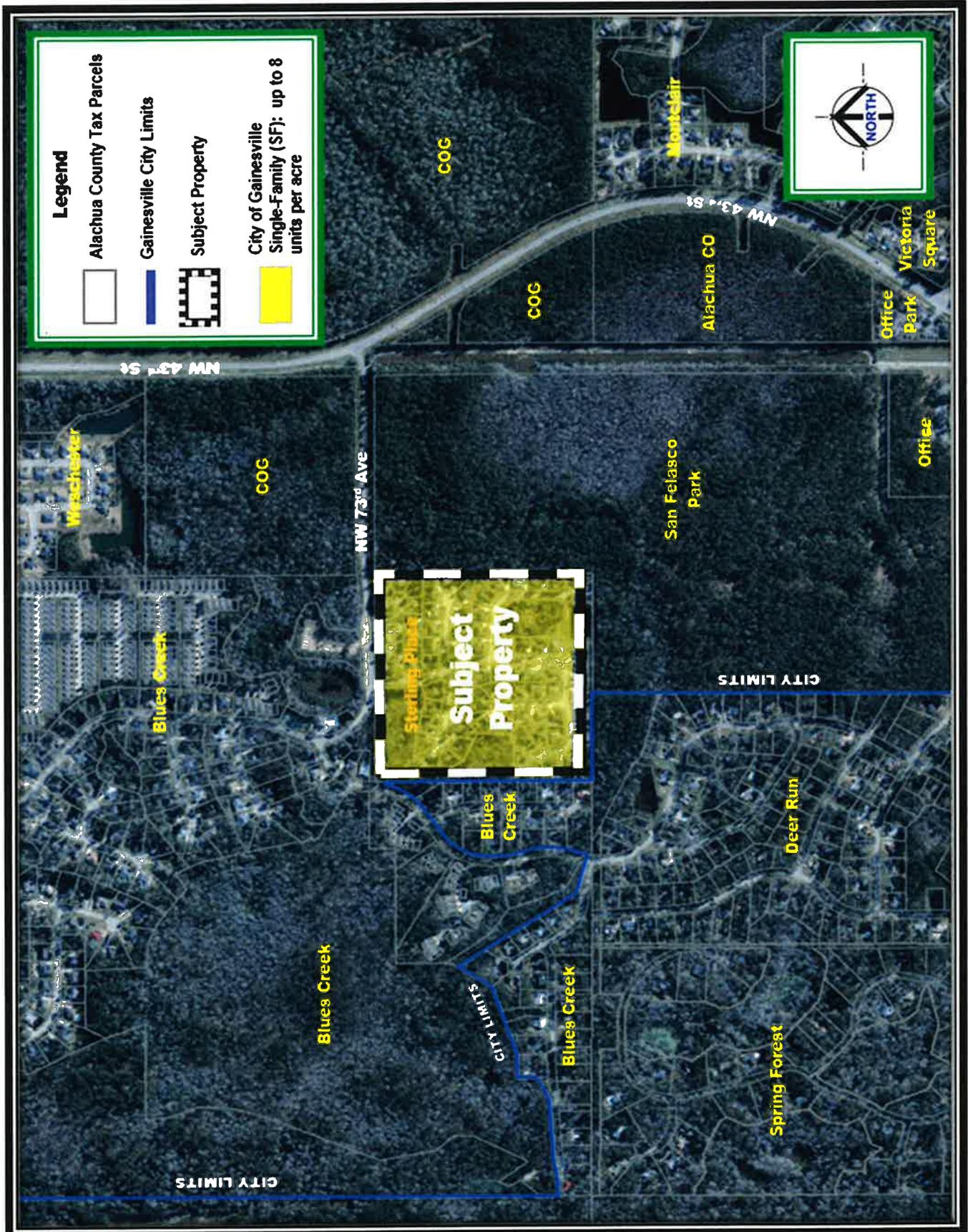


Figure 3. Future Land Use Category (Proposed)

ADJACENT PROPERTY CHARACTERISTICS:

The subject property is located within the City of Gainesville's northwest quadrant, where solid waste collection, fire, police, utilities and other public services are made available. Adjacent properties consist of residential subdivisions and large tracts of open space connected by public right-of-ways. Northwest 73rd Avenue abuts on the north. This two-lane, local right-of-way provides access to and from the subject property, as well as connects to NW 43rd Street – a north-south, County-maintained, arterial. The Deer Run subdivision abuts on the south. San Felasco Park abuts on the south and east. The Blues Creek subdivision, which abuts on the north and west, is also located directly across from the subject property on the north side of NW 73rd Avenue. These and other characteristics of adjacent properties are further depicted in Table 2, Figures 1 through 4, and Exhibit C-7.

Table 2. Use of Adjacent Property by Future Land Use Category and Zoning District

	Existing Use(s)	Future Land Use Category	Zoning District
North	NW 73 rd Avenue Right-of-Way Single-Family Dwelling Units	N/A Single-Family (SF): up to 8 units per acre / Residential Low-Density (RL): up to 15 units per acre	N/A Planned Development (PD)
South	Single-Family Dwelling Units San Felasco Park	Low Density Residential: 1-4 dwelling units per acre (Alachua County) Conservation (CON)	Planned Development District (PD) (Alachua County) Conservation (CON)
East	San Felasco Park	Conservation (CON)	Conservation (CON)
West	Single-Family Dwelling Units	Low Density Residential: 1-4 dwelling units per acre (Alachua County)	Planned Development District (PD) (Alachua County)

Note: The data in Table 2 was obtained from the following sources: City of Gainesville, Department of Doing, Planning Division, Field Survey, 2019; City of Gainesville, Department of Doing, Geographic Information Systems (GIS), March 2019; <<http://www.org/PlanningDepartment/MappingandGIS/MapLibrary.aspx>>; and Alachua County, Growth Management Department, Geographic Information Systems (GIS), March 2019, <<https://growth-management.alachuacounty.us/gis>>.

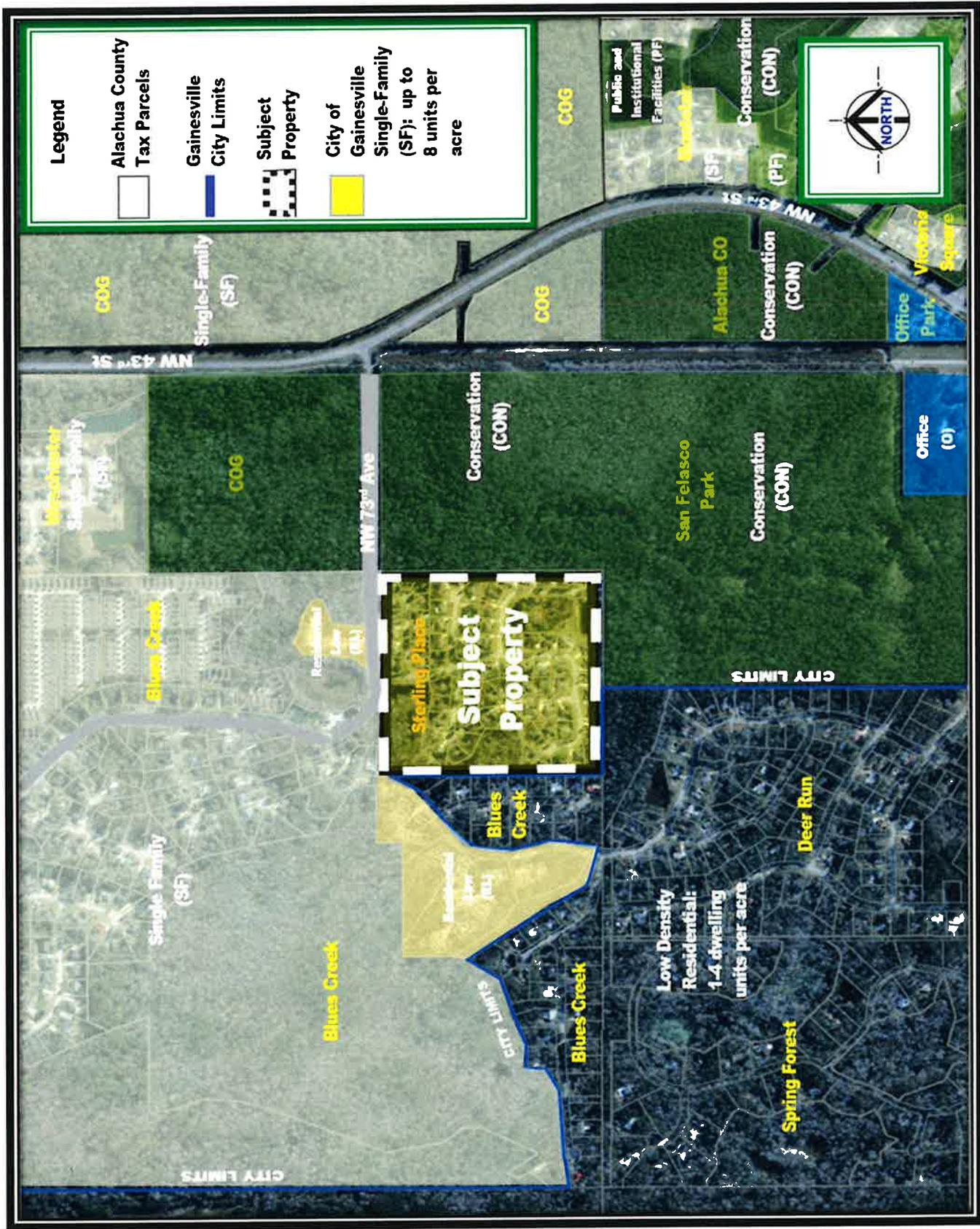


Figure 4. Adjacent Future Land Use Categories

STAFF ANALYSIS AND RECOMMENDATION:**ANALYSIS**

The analysis of this application is based on the following factors stated in the Future Land Use Element and on State criteria, which are discussed below.

1. Consistency with the Comprehensive Plan

This application is consistent with the Comprehensive Plan, as stated in the finding for the following goals, objectives and policies:

Future Land Use Element

GOAL 1 IMPROVE THE QUALITY OF LIFE AND ACHIEVE A SUPERIOR, SUSTAINABLE DEVELOPMENT PATTERN IN THE CITY BY CREATING AND MAINTAINING CHOICES IN HOUSING, OFFICES, RETAIL, AND WORKPLACES, AND ENSURING THAT A PERCENTAGE OF LAND USES ARE MIXED, AND WITHIN WALKING DISTANCE OF IMPORTANT DESTINATIONS.

Finding: This land use application supports an existing housing development that is proximate to existing transportation facilities, schools, parks, civic facilities, workplaces, and commercial uses.

Objective 1.5 Discourage the proliferation of urban sprawl.

Finding: This land use application supports existing infill development within the City's urban area.

Policy 3.6.1 To the extent feasible, all development shall minimize alteration of the existing natural topography.

Finding: The proposed Single-Family (SF): up to 8 units per acre land use category supports the land development regulations of the Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district proposed in the companion rezoning application. The RSF-1 zoning district allows cluster subdivisions on five acres or more in order to protect environmentally sensitive areas, such as the wetlands on the subject property and San Felasco Park to the south and east.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Single-Family (SF): up to 8 units per acre

This land use category shall allow single-family detached dwellings at densities up to 8 dwelling units per acre. The Single-Family land use category identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.

Objective 4.6 The City's Land Development Code shall provide a regulating mechanism to ensure consistency between the land use categories established in this Future Land Use Element and the zoning districts established in the Land Development Code.

Finding: The proposed Single-Family (SF): up to 8 units per acre future land use category allows the Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district proposed in the companion rezoning application. The RSF-1 zoning district provides land development regulations to support the existing single-family detached dwellings on the subject property.

Housing Element

OVERALL GOAL: ENCOURAGE A SUFFICIENT SUPPLY OF ADEQUATE, DECENT, SAFE, SANITARY, HEALTHY AND AFFORDABLE RENTAL AND OWNER-OCCUPIED HOUSING FOR ALL INCOME GROUPS.

Finding: The proposed Single-Family (SF): up to 8 units per acre future land use category supports the existing single-family detached dwellings on the subject property, which contribute to the housing supply within the City. The land development regulations implemented through the companion rezoning application serve to protect the health, safety and welfare of the inhabitants.

Public Schools Facilities Element

Objective 1.1. The City of Gainesville shall consider public school capacity when making future land use decisions, recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for future land use and rezoning for residential development that generate students and impact Alachua County's public school system.

Finding: This land use application is not subject to review for impacts on Alachua County's public school system, since the existing single-family detached dwellings on the subject property have already been considered. (See Exhibit C-3.)

Transportation Element

Objective 2.1 Create an environment that promotes transportation choices, compact development, and a livable city.

Finding: This land use application involves a cluster development that contains single-family detached dwellings within close proximity to existing transportation facilities.

Conservation Element

Policy 2.4.10 The City's land development regulations shall protect environmentally significant resources by:

- d. **Allowing for, or requiring the clustering of development away from environmentally significant resources.**

Finding: The proposed Single-Family (SF): up to 8 units per acre land use category supports the land development regulations of the companion rezoning application. The proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district allows cluster development for the purpose of protecting environmentally significant resources.

2. Compatibility and surrounding land uses

The proposed Single-Family (SF): up to 8 units per acre land use category supports the single-family residential development on the subject property and surrounding land. The land development regulations implemented through the companion rezoning application, such as setbacks, are written to ensure internal and external compatibility between land uses.

3. Environmental impacts and constraints

The subject property contains a cluster development with wetlands. The proposed Single-Family (SF): up to 8 units per acre land use category supports the land development regulations of the companion RSF-1 zoning district, which allows cluster development for the purpose of protecting environmentally significant resources.

4. Support for urban infill and/or redevelopment

This land use application supports the existing single-family residential development on the subject property, which is located within a mostly built-out portion of the City's urban area. The land development regulations implemented through the companion RSF-1 zoning district are designed to protect the single-family residential character of the subject property and surrounding area.

5. Impacts on affordable housing

This land use application supports existing single-family residential dwellings that may be affordable for future populations, such as young, first-time home buyers.

6. Impacts on the transportation system

The subject property contains existing single-family residential development that was constructed in the mid to late 1990s and early 2000s. The impact of existing development on the transportation system is reflected in the traffic data provided below in Table 3, which shows that additional service volume is available on nearby NW 43rd Street. There are no RTS (Regional Transit System) bus routes in the vicinity of the subject property.

Table 3. Automotive Level of Service Characteristics

Roadway	Segment (From South or West)	Segment (To North or East)	Maximum Service Volume	Available Service Volume	2016 AADT	Level of Service	Adopted Level of Service
NW 43 rd Street	NW 53 rd Avenue	US 441	15,930	2,758	13,172	C	E

Note: The data in Table 3 was obtained from the "Multimodal Level of Service Report: Year 2016 Average Annual Daily Traffic", prepared by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area.

7. An analysis of the availability of facilities and services

The subject property has access to public facilities and services that include, but are not limited to, utilities, schools, parks, transportation, fire, police, waste collection, and stormwater management. Gainesville Regional Utilities (GRU) currently serves the subject property with potable water, wastewater, electric, and gas. This land use application is not subject to review for impacts on the adopted level of service (LOS) for schools, since the existing single-family detached dwellings on the subject property have already been considered (see Exhibit C-3).

8. Need for the additional acreage in the proposed future land use category

Based on the data provided in Table 4, this land use application will increase the Single-Family (SF): up to 8 units per acre land use category total acreage within the City. The increase in total acreage is expected to help the City adequately meet future residential needs associated with projected population growth.

Table 4. Future Land Use Category Total Acreage for 2013 and 2019

Future Land Use Category	Description	Total Acres 2013	Total Acres 2019	Total Reduction /Increase	Occupied Acres	Vacant Acres
SF	Single Family Residential, up to 8 units/acre	9,375.62	9,539.62	+ 164.00	8,406.32	1,133.30

Note: The data in Table 4 was obtained from the following sources: City of Gainesville "Future Land Use Element Supplemental Data and Analysis Report for the 2013-2023 Planning Period", prepared by the City of Gainesville, Department of Doing, revised April 2, 2013; and the City of Gainesville, Department of Doing, Graphic Information Systems (GIS) Division, May 2019.

9. Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6) (a) 9.a., F.S.

Urban sprawl is defined in Subsection 163.3164 (51), F.S. as a "development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses". The following analysis is required to determine whether the proposed large-scale land use amendment contributes to urban sprawl, using the indicators as identified in Subsection 163.3177(6) (a) 9.a., F.S. and listed below.

- I. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses. **The proposed large-scale land use amendment affects ±38.95 acres of land currently used for low-intensity, single-family residential development.**
- II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development. **The proposed large-scale land use amendment affects ±38.95 acres of developed land within the City's urban area.**
- III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments. **The proposed large-scale land use amendment involves ±38.95 acres of developed land that is surrounded by residential and non-residential uses within an urban area.**
- IV. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. **The proposed large-scale land use amendment involves ±38.95 acres of land approved as a cluster development to protect existing wetlands.**
- V. Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils. **The proposed large-scale land use amendment does not involve property that is adjacent to agricultural areas and activities.**

- VI. Fails to maximize use of existing public facilities and services. **The proposed large-scale land use amendment involves developed property that uses existing public facilities and services that are available, such as roadways, utilities, and schools.**
- VII. Fails to maximize use of future public facilities and services. **The proposed large-scale land use amendment involves developed property that is proximate to roadways that could be used to provide additional public facilities and services in the future.**
- VIII. Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. **The proposed large-scale land use amendment involves developed property that has access to existing public facilities and services (e.g., roadways, utilities, schools, etc.), which helps to minimize related costs.**
- IX. Fails to provide a clear separation between rural and urban uses. **The proposed large-scale land use amendment involves developed property that is adjacent to residential and non-residential uses within an urban area.**
- X. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities. **The proposed large-scale land use amendment involves developed property within an existing neighborhood.**
- XI. Fails to encourage a functional mix of uses. **The proposed large-scale land use amendment involves ±38.95 acres of land that contain a cluster development consisting of single-family detached dwelling units and common open space areas.**
- XII. Results in poor accessibility among linked or related land uses. **The proposed large-scale land use amendment involves developed property that is linked to other surrounding land uses by NW 73rd Avenue, a local street, and NW 43rd Street, a County-maintained arterial.**
- XIII. Results in the loss of significant amounts of functional open space. **The proposed large-scale land use amendment involves ±38.95 acres of land that contain a cluster development. The cluster development includes wetlands and common open space areas. A ±186.43 acre nature park abuts the subject property on the south and east.**

Additional analysis required to determine whether the proposed large-scale land use amendment discourages the proliferation of urban sprawl, using at least four (4) of the criteria identified in Subsection 163.3177(6)(a)9.b., F.S., is as follows:

- I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems. **The proposed large-scale land use amendment involves ±38.95 acres of land that contain a cluster development to help protect existing wetlands. A ±186.43 acre nature park abuts the subject property on the south and east.**
- II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services. **The proposed large-scale land use amendment involves developed property that is located within the City's urban area, where public services and facilities are available and within close proximity to help reduce costs.**
- III. Promotes walkable and connected communities and provides for compact development and multimodal transportation system, including pedestrian, bicycle, and transit, if available. **The proposed large-scale land use amendment involves an existing cluster development that connects to NW 73rd Avenue. NW 73rd Avenue is a local pedestrian and vehicle corridor that connects the subject property to other developments in the surrounding area.**

- IV. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area. **The proposed large-scale land use amendment is consistent with the existing single-family residential development to be retained on the subject property. Therefore, this land use application will not alter the current land use pattern in the area.**

10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy

The proposed large-scale land use amendment supports existing residential development that created jobs and provided opportunities for capital investment in the local economy.

11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.

The proposed large-scale land use amendment involves a single-family residential subdivision that was recorded as a cluster development in 1993, and has since been completed. It does not involve an antiquated subdivision, which is defined in Subsection 163.3164(5), F.S., as follows: *"a subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's zoning and land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located"*.

RECOMMENDATION

Staff recommends approval of Petition PB-19-47 LUC based on a finding of compliance with all applicable review criteria. (See Exhibit C-6.)

DRAFT MOTION FOR CONSIDERATION

I move to recommend approval of Petition PB-19-47 LUC based on a finding of compliance with all applicable review criteria.

BACKGROUND:

The subject property was voluntarily annexed into the City of Gainesville by Ordinance No. 170520 (see Exhibit C-2), following a referendum on annexation that was held during a special election on June 12, 2018. The ordinance, which was adopted April 19, 2018 on second reading, came into full effect on June 22, 2018. Since this time, the Alachua County land use and zoning regulations have remained in effect on the subject property.

POST- APPROVAL REQUIREMENTS:

The City Planning Staff must forward the City Plan Board recommendation to a City Commission public hearing, where it will be considered for further action.

LIST OF APPENDICES:**Appendix A City of Gainesville Comprehensive Plan Goals, Objectives and Policies**

- Exhibit A-1: Future Land Use Element, Objective 4.4
- Exhibit A-2: Future Land Use Element, Policy 4.1.1

Appendix B City of Gainesville Land Development Code

- Exhibit B-1: Article III. Section 30-3.7. Neighborhood Workshop

Appendix C Supplemental Documents

- Exhibit C-1: Application
- Exhibit C-2: City Ordinance No. 170520
- Exhibit C-3: Email from Alachua County Public Schools
- Exhibit C-4: Subsection 171.062(2), Florida Statutes
- Exhibit C-5: Alachua County Comprehensive Plan: 2011-2030, Future Land Use Element
Objective 1.3 – DENSITY
- Exhibit C-6: Staff Review Status
- Exhibit C-7: Sterling Place Photos

Appendix A

Comprehensive Plan Goals, Objectives and Policies



the building plate. The tower features, stairs, elevators, and elevator machine room may exceed the maximum height.

- g. The maximum building height of the parking structure is limited to 110 feet measured from grade level to the top of the guard rail. The tower features, accessory recreational facilities, stairs, elevators, and elevator machine room may exceed the maximum height.
- h. The maximum number of stories for all buildings (except the parking structure) is limited to ten (10) stories above grade level.
- i. Vehicular access to the property shall be limited to ingress and egress from Northwest 14th Street, Northwest 3rd Avenue, and Northwest 13th Street (US 441). Pedestrian and bicycle access to the site shall be provided by sidewalks that surround the four sides of the property. There shall be a system of plazas, arcades and sidewalks that will provide access to all uses throughout the site.
- j. The owner/developer shall construct bus shelter(s) that are architecturally compatible with the development at the development site on either West University Avenue or Northwest 13th Street (US 441), or both, at a location(s) coordinated with the City Manager through the Gainesville Regional Transit System (RTS) and the Gainesville Public Works Department.
- k. This ordinance does not vest any development on the property described in Section 1 of this ordinance for concurrency as provided in the City's Comprehensive Plan. The owner/developer shall apply for and meet concurrency management standards at the time of application for development plan approval. An application for a Certificate of Final Concurrency must be submitted with the application for final development plan approval.

Objective 4.4 Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

Policy 4.4.1 Land use amendments should be prepared for all annexed properties within one year of annexation.

Policy 4.4.2 Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this Plan.

Objective 4.5 The City's land development regulations shall provide standards and guidelines that will regulate signage, subdivision of land, vehicle parking, and on-site traffic flow.



Policy 3.6.2 Wherever possible, the natural terrain, drainage, and vegetation of the city should be preserved with superior examples contained within parks or greenbelts.

Policy 3.6.3 To the extent feasible, all development shall minimize alteration of the existing natural topography.

GOAL 4 **THE FUTURE LAND USE ELEMENT SHALL FOSTER THE UNIQUE CHARACTER OF THE CITY BY DIRECTING GROWTH AND REDEVELOPMENT IN A MANNER THAT: USES NEIGHBORHOOD CENTERS TO PROVIDE GOODS AND SERVICES TO CITY RESIDENTS; PROTECTS NEIGHBORHOODS; DISTRIBUTES GROWTH AND ECONOMIC ACTIVITY THROUGHOUT THE CITY IN KEEPING WITH THE DIRECTION OF THIS ELEMENT; PRESERVES QUALITY OPEN SPACE; AND PRESERVES THE TREE CANOPY OF THE CITY. THE FUTURE LAND USE ELEMENT SHALL PROMOTE STATEWIDE GOALS FOR COMPACT DEVELOPMENT AND EFFICIENT USE OF INFRASTRUCTURE.**

Objective 4.1 **The City shall establish land use categories that allow sufficient acreage for residential, commercial, mixed-use, office, industrial, education, agricultural, recreation, conservation, public facility, and institutional uses at appropriate locations to meet the needs of the projected population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites. Land use categories associated with transect zones are intended to encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact area of the City.**

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Single-Family (SF): up to 8 units per acre

This land use category shall allow single-family detached dwellings at densities up to 8 dwelling units per acre. The Single-Family land use category identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.

Appendix B

City Land Development Code

- 1 7. The board shall keep minutes of its proceedings, indicating the attendance of each member, and
2 the decision on every question.

3 **Section 30-3.7. Neighborhood Workshop.**

4 **A. Purpose and intent.** Neighborhood workshops are intended to encourage applicants to be good
5 neighbors and to allow for informed decision making, although not necessarily to produce complete
6 consensus on all applications, by:

- 7 1. Ensuring that applicants pursue early and effective citizen participation in conjunction with their
8 applications, giving the applicants the opportunity to understand and try to mitigate any real or
9 perceived impacts their applications may have on the community;
- 10 2. Ensuring that citizens and property owners have an adequate opportunity to learn about
11 applications that may affect them and to work with the applicant to resolve concerns at an early
12 stage of the process; and
- 13 3. Facilitating ongoing communication among the applicant, interested citizens and property
14 owners, and city staff throughout the application review process.

15 **B. Applicability.** Every application that requires board approval, including future land use map changes,
16 rezonings, Special Use Permits, subdivisions, or development plans shall first hold a neighborhood
17 workshop and shall include in the application a written record of such meeting. Development plans
18 located within a transect zone that meet or exceed the thresholds for intermediate or major
19 development review shall also conduct a neighborhood workshop. The following development
20 applications are exempt from the requirements of this section:

- 21 1. Text changes to the Comprehensive Plan or Land Development Code.
- 22 2. City-initiated amendments to the future land use map of the Comprehensive Plan that change
23 the future land use from Alachua County to City of Gainesville categories.
- 24 3. City-initiated amendments to the zoning map that change the zoning from Alachua County to
25 City of Gainesville districts.
- 26 4. Development plan applications for nonresidential projects of 10,000 square feet or less of floor
27 area when not abutting or adjacent to property zoned for single-family residential use.
- 28 5. Development plan applications for residential projects of 10 units or less.
- 29 6. Environmental remediation or safety improvements required by local, state, and federal
30 agencies.

31 **C. Workshop requirements.**

- 32 1. The applicant shall provide the opportunity for a workshop to inform neighboring property
33 owners of the proposed application. The workshop shall be held in a location generally near the
34 subject property and shall be held in a facility that is ADA compliant. The applicant shall provide
35 notification by mail to all owners of property located within 400 feet of the subject property and
36 to all neighborhood associations registered with the city and located within ½-mile of the
37 property. The City Manager or designee shall provide mailing labels to the applicant. The
38 applicant shall mail these notices with proper postage at least 15 calendar days before the
39 workshop. The applicant shall also advertise the workshop in a newspaper of general circulation
40 at least 15 calendar days before the date of the workshop.

- 1 2. The workshop shall start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m.
 2 and 5:00 p.m. on a weekend. All required workshops shall be held prior to submittal of the
 3 application. The applicant shall be required to schedule an additional workshop if the initial
 4 workshop has occurred more than 6 months prior to submittal of the application.

5 Section 30-3.8. Public Notice.

- 6 A. *General.* The notice provisions in this section shall be required prior to all board hearings and are
 7 supplemental to any notice required by state law. If two public hearings are required, then
 8 supplemental notice shall be provided prior to the first public hearing. A request by the applicant to
 9 continue a board hearing shall require the applicant to incur re-notification and re-advertising costs.
- 10 B. *Mailed notice.* Unless otherwise provided by law, addresses for mailed notice required by this
 11 chapter shall be obtained from the latest ad valorem tax records provided by the county property
 12 appraiser. The failure of any person to receive notice shall not invalidate an action if a good faith
 13 attempt was made to comply with the notice requirements. The notice shall identify the physical
 14 address of the subject property; the date, time, and location of the public hearing; and a description
 15 of the application including the nature and degree of the request, potential uses, and other
 16 information as required by the city. The notice shall be mailed at least 15 calendar days prior to the
 17 date of the board hearing to all real property owners whose land will be affected and whose
 18 property lies within 400 feet of any affected property.
- 19 C. *Posted notice.* Posted notice signs shall be posted by the applicant in accordance with procedures
 20 established by the city, and shall include a description of the application with the nature and degree
 21 of the request, potential uses, and other information as required by the city, and shall identify the
 22 date, time, and location of the public hearing. Signs shall be posted at least 15 calendar days prior to
 23 the date of the board hearing. Properties under consideration for a land use or zoning map change
 24 that involve more than 50 non-contiguous acres shall not be required to post signs when the
 25 application is initiated by the city.
- 26 D. *Failure to perfect supplemental notice.* If an applicant fails to provide supplemental notice in
 27 accordance with this section prior to the public hearing, then the public hearing shall be cancelled to
 28 allow compliance with the notice requirements. The failure to provide the supplemental notice
 29 required by this section shall not be construed to invalidate any final action on a land development
 30 decision, if discovered after final action has been taken.

31 **Table III - 1: Public Notice.**

APPLICATION TYPE	NEWSPAPER AD	MAILED NOTICE	POSTED NOTICE
COMPREHENSIVE PLAN AMENDMENTS/LAND USE CHANGES			
Text changes not including amendments to the list of permitted/prohibited uses.	As required by law.	Not required.	Not required.
Text changes amending the list of permitted/prohibited uses involving less than 5% of the total land	As required by law.	Required.	Not required.

Appendix C
Supplemental Documents



APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY

Petition No. PB-19-00047 Fee: \$ N/A
 1st Step Mtg Date: N/A EZ Fee: \$ N/A
 Tax Map No. 3043 Receipt No. N/A
 Account No. 001-660-6680-3401 []
 Account No. 001-660-6680-1124 (Enterprise Zone) []
 Account No. 001-660-6680-1125 (Enterprise Zone Credit) []

Owner(s) of Record (please print)
Name: Sterling Place Subdivision
Address: (Units 1, 2, & 3)
Phone: Fax:
(Additional owners may be listed at end of applic.)

Applicant(s)/Agent(s), if different
Name: City of Gainesville, FL
Address: PO Box 490, Station 11
Phone: 352-334-5023 Fax:

Note: It is recommended that anyone intending to file a petition for amendments to the future land use map or zoning map atlas, meet with the Department of Community Development prior to filing the petition in order to discuss the proposed amendment and petition process. Failure to answer all questions will result in the application being returned to the applicant.

REQUEST

Check applicable request(s) below:

Future Land Use Map <input checked="" type="checkbox"/>	Zoning Map <input type="checkbox"/>	Master Flood Control Map <input type="checkbox"/>
Present designation: *	Present designation:	Other <input type="checkbox"/> Specify:
Requested designation: **	Requested designation:	

INFORMATION ON PROPERTY

1. Street address: See Staff Report
2. Map no(s): 3043
3. Tax parcel no(s): Multiple
4. Size of property: <u>38.95 (MOL)</u> acre(s)
<i>All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.</i>

Certified Cashier's Receipt:

- * Alachua County Low Density Residential: 1-4 dwelling units per acre
 ** City of Gainesville Single-Family (SF): up to 8 units per acre

5. Legal description (attach as separate document, using the following guidelines):

- a. Submit on 8 1/2 x 11 in. sheet of paper, separate from any other information.
- b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser's Office, etc.
- c. Must correctly describe the property being submitted for the petition.
- d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340'); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

6. INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES (NOTE: All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.)

A. What are the existing surrounding land uses? See Staff Report

North

South

East

West

B. Are there other properties or vacant buildings within 1/2 mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO

YES If yes, please explain why the other properties cannot accommodate the proposed use? See:

See Staff Report

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets

Noise and lighting

D. Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?

NO ___ YES X (If yes, please explain below)

See Staff Report

E. Does this request involve either or both of the following?

a. Property in a historic district or property containing historic structures?

NO X YES ___

b. Property with archaeological resources deemed significant by the State?

NO X YES ___

F. Which of the following best describes the type of development pattern your development will promote? (please explain the impact of the proposed change on the community): See Staff Report

Redevelopment ___

Activity Center ___

Strip Commercial ___

Urban Infill x

Urban Fringe ___

Traditional Neighborhood ___



Explanation of how the proposed development will contribute to the community.

See Staff Report

G. What are the potential long-term economic benefits (wages, jobs & tax base)?

See Staff Report

H. What impact will the proposed change have on level of service standards?

See Staff Report
Roadways

Recreation

Water and Wastewater

Solid Waste

Mass Transit

I. Is the location of the proposed site accessible by transit, bikeways or pedestrian facilities?

NO

YES (please explain)

See Staff Report



CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 3 and 5 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).

Owner of Record	
Name:	N/A
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

Owner of Record	
Name:	
Address:	
Phone:	Fax:
Signature:	

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

To meet with staff to discuss the proposal, please call (352) 334-5022 or 334-5023 for an appointment.

City of Gainesville, FL

 Owner/Agent Signature
 June 27, 2019

 Date

STATE OF FLORIDA
 COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____, by (Name)
 _____.

 Signature – Notary Public

Personally Known ____ OR Produced Identification ____ (Type) _____

ORDINANCE NO. 170520

An ordinance of the City of Gainesville, Florida, annexing approximately 38.95 acres of property known as "Sterling Place" that is generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace, as more specifically described in this ordinance, pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing a severability clause; and providing effective dates.

WHEREAS, the Municipal Annexation or Contraction Act, Part I of Chapter 171, Florida Statutes, (the "Act"), sets forth criteria and procedures for adjusting the boundaries of municipalities through annexations or contractions of corporate limits; and

WHEREAS, the property that is the subject of this ordinance meets the criteria for annexation under the Act; and

WHEREAS, on February 15, 2018, and in accordance with Section 171.042, Florida Statutes, the City Commission of the City of Gainesville approved an Urban Services Report setting forth the plans to provide urban services to the subject property; and

WHEREAS, a copy of the Urban Services Report was filed with the Alachua County Board of County Commissioners; and

WHEREAS, not less than 10 days prior to the date set for this ordinance's first public hearing, written notice was mailed to each person who resides or owns property within the subject property; and

WHEREAS, an advertisement no less than two columns wide by ten inches long was placed in a newspaper of general circulation and provided the public with at least seven days' advance

notice of this ordinance's first public hearing to be held by the City Commission in the City Hall Auditorium, located on the first floor of City Hall in the City of Gainesville; and

WHEREAS, a second advertisement no less than two columns wide by ten inches long was placed in the aforesaid newspaper and provided the public with at least five days' advance notice of this ordinance's second public hearing to be held by the City Commission in the City Hall Auditorium; and

WHEREAS, public hearings were held pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

SECTION 1. The City Commission finds that the property described in Section 2 of this ordinance is reasonably compact and contiguous to the present corporate limits of the City of Gainesville and that no part of the subject property is within the boundary of another municipality or outside of the county in which the City of Gainesville lies. The City Commission finds that annexing the subject property into the corporate limits of the City of Gainesville does not create an enclave of unincorporated property. In addition, the City Commission finds that the subject property meets the general standards provided in Section 171.043, Florida Statutes.

SECTION 2. The following described property is annexed and incorporated within the corporate limits of the City of Gainesville, Florida:

See legal description attached hereto as **Exhibit A** and made a part hereof as if set forth in full. The location of the property is shown on **Exhibit B** for visual reference. In the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

SECTION 3. The corporate limits of the City of Gainesville, Florida, as set forth in Appendix I, Charter Laws of the City of Gainesville, are amended and revised to include the property described in Section 2 of this ordinance.

SECTION 4. Pursuant to the Act, this ordinance shall be submitted to a vote of the registered electors within the proposed annexation area described in Section 2 of this ordinance at a referendum on annexation to be held during a special election on June 12, 2018. The referendum shall be conducted by the Alachua County Supervisor of Elections by mail ballot in accordance with the provisions of the Act, the Mail Ballot Election Act (Sections 101.6101-101.6107, Florida Statutes), and Chapter 9, Gainesville Code of Ordinances, as applicable. The City Manager is authorized and directed to pay all lawful expenses associated with this election.

SECTION 5. The Clerk of the Commission is authorized to publish notice of the referendum on annexation as prescribed by law.

SECTION 6. Pursuant to the Act, the language on the ballot of the referendum on annexation shall be:

"For annexation of property described in ordinance number 170520
of the City of Gainesville"

"Against annexation of property described in ordinance number
170520 of the City of Gainesville"

SECTION 7. In accordance with the Act, the Alachua County land use plan and zoning or subdivision regulations shall remain in full force and effect in the property described in Section 2 of this ordinance until the City adopts a comprehensive plan amendment that includes the annexed area. The City of Gainesville shall have jurisdiction to enforce the Alachua County land use plan and zoning or subdivision regulations through the City of Gainesville's code enforcement and civil citation processes.

SECTION 8. (a) All persons who are, as of the effective date of this ordinance, lawfully engaged in any occupation, business, trade, or profession within the property described in Section 2 of this ordinance shall have the right to continue such occupation, business, trade, or profession, but shall obtain a business tax receipt from the City of Gainesville for the term commencing on October 1, 2018, which tax receipt shall be issued upon payment of the appropriate fee in accordance with the Gainesville Code of Ordinances in effect on October 1, 2018.

(b) All persons who are, as of the effective date of this ordinance, lawfully engaged in any construction trade, occupation, or business within the property described in Section 2 of this ordinance and who possess a valid certificate of competency issued by Alachua County shall have the right to continue the construction trade, occupation, or business within the entire corporate limits of the City of Gainesville, including the subject property, subject to the terms, conditions, and limitations imposed on the certificate by Alachua County, and provided that such persons register the certificate with the Building Inspections Division of the City of Gainesville and the Department of Business and Professional Regulation of the State of Florida, if applicable, on or before 4:00 p.m. of the effective date of this ordinance.

SECTION 9. The Clerk of the Commission is directed to: 1) file this ordinance as a revision of the charter boundary article with the Florida Department of State; and 2) submit a copy of this ordinance to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 10. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given

effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 11. Sections 1, 4, 5, 6, 10, and 11 of this ordinance shall become effective immediately upon adoption. Sections 2, 3, 7, 8, and 9 shall become effective at 12:01 a.m. on June 22, 2018, provided there is a majority vote for the annexation at the referendum called pursuant to this ordinance. If there is a tie vote or majority vote against the annexation, Sections 2, 3, 7, 8, and 9 shall not become effective.

PASSED AND ADOPTED this 19th day of April, 2018.



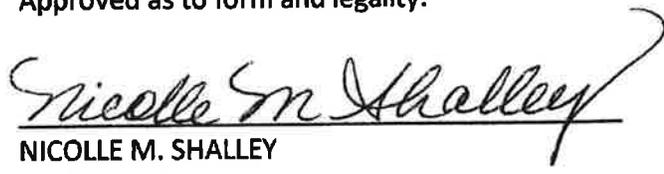
LAUREN POE
MAYOR

Attest:

Approved as to form and legality:



OMICHELE GAINNEY
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY
CITY ATTORNEY

This ordinance passed on first reading this 5th day of April, 2018.

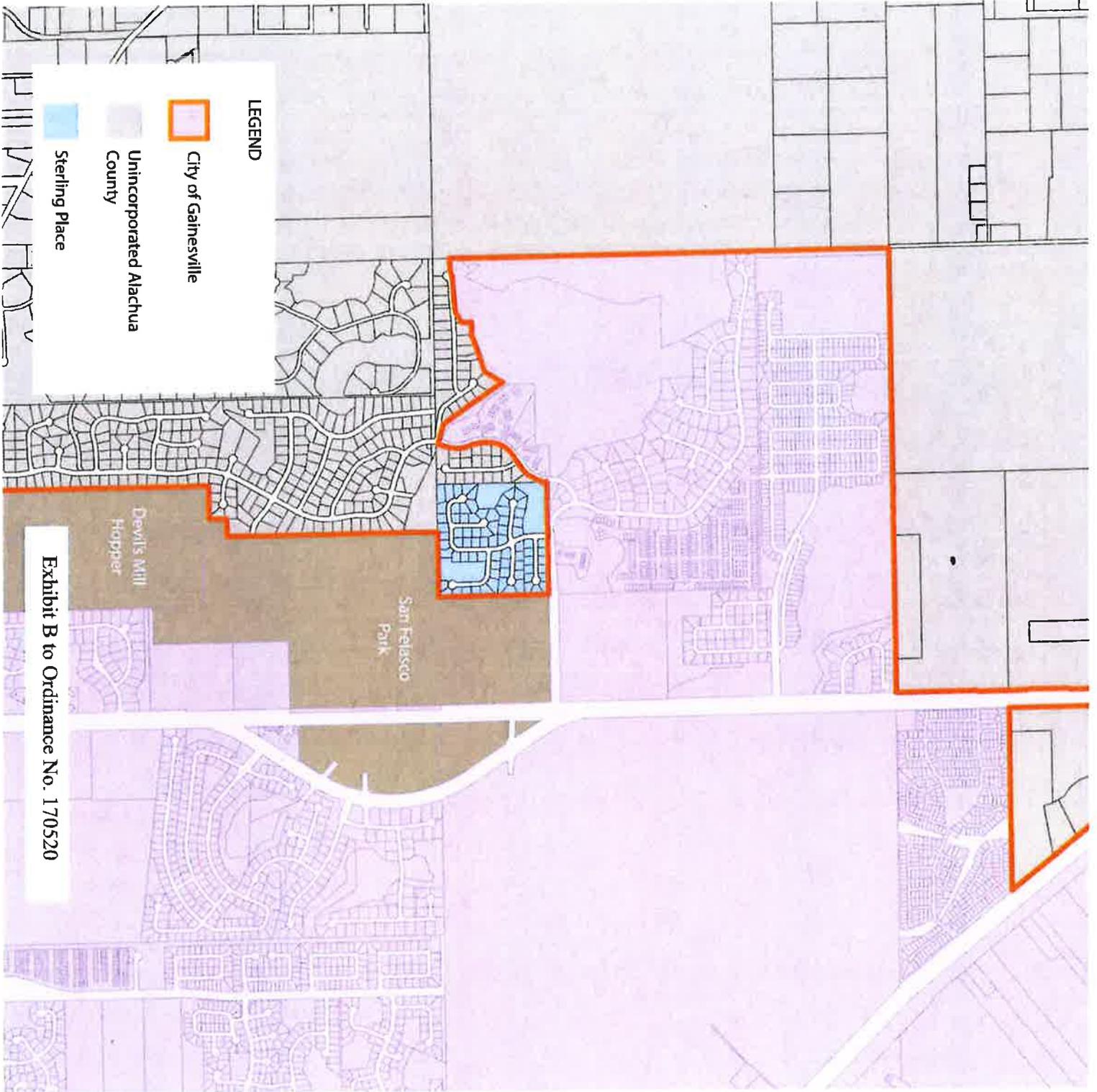
This ordinance passed on second reading this 19th day of April, 2018.

STERLING PLACE UNITS 1, 2 & 3 LEGAL DESCRIPTION FOR PROPOSED ANNEXATION

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA BEING ALL OF STERLING PLACE UNIT – 1 A SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 39 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA (HEREAFTER ABBREVIATED PRACF), STERLING PLACE UNIT – 2, A SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 81 OF THE PRACF AND STERLING PLACE UNIT – 3, A SUBDIVISION AS RECORDED IN PLAT BOOK "T", PAGE 31 OF THE PRACF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF STERLING PLACE UNIT – 1, A SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 39 (PRACF) ALSO BEING A POINT ON THE EXISTING CITY LIMIT LINE AS PER ORDINANCE NO. 002393; THENCE SOUTH 89°37'45" WEST ALONG SAID CITY LIMITS LINE AND THE NORTH LINE OF SAID STERLING PLACE UNIT – 1 A DISTANCE OF 1318.93 FEET TO THE NORTHWEST CORNER OF SAID STERLING PLACE UNIT – 1 ALSO BEING ON THE EAST LINE OF BLUES CREEK UNIT 1, A SUBDIVISION AS RECORDED IN PLAT BOOK "M", PAGE 95 OF THE PRACF AND BEING ON THE EAST RIGHT-OF-WAY LINE OF NW 52ND TERRACE AND THE EXISTING CITY LIMIT LINE AS PER ORDINANCE NO. 040290; THENCE ALONG SAID CITY LIMIT LINE AND EAST RIGHT-OF-WAY LINE OF SAID NW 52ND TERRACE AND BLUES CREEK UNIT 1 ALSO BEING THE WEST LINE OF SAID STERLING PLACE UNIT – 1, S 00° 27' 27" E A DISTANCE OF 61.55 FEET TO A POINT OF INTERSECTION ON THE EAST RIGHT-OF-WAY LINE OF SAID NW 52ND TERRACE; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND EXISTING CITY LIMIT LINE CONTINUE ALONG THE WEST LINE OF SAID STERLING PLACE UNIT – 1 AND THE EAST LINE OF SAID BLUES CREEK UNIT 1, S 00° 27' 27" E A DISTANCE OF 303.36 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID STERLING PLACE UNIT – 1, ALSO BEING THE NORTHWEST CORNER OF STERLING PLACE UNIT – 3, A SUBDIVISION AS RECORDED IN PLAT BOOK "T", PAGE 31 OF THE PRACF; THENCE CONTINUE S 00° 27' 27" E ALONG THE WEST LINE OF SAID STERLING PLACE UNIT – 3 A DISTANCE OF 920.70 FEET TO THE SOUTHWEST CORNER OF SAID STERLING PLACE UNIT – 3, ALSO BEING THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER OF SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST; THENCE ALONG THE SOUTH LINE OF SAID SECTION 10 AND STERLING PLACE UNIT – 3 N 89° 38' 47" E A DISTANCE OF 562.39 FEET TO A POINT OF INTERSECTION ON SAID SOUTH LINE OF STERLING PLACE UNIT – 3, ALSO BEING THE SOUTHWEST CORNER OF STERLING PLACE UNIT – 2, A SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 81 OF THE PRACF; THENCE CONTINUE N 89° 38' 47" E ALONG THE SOUTH LINE OF SAID STERLING PLACE UNIT – 2 A DISTANCE OF 758.05 FEET TO THE SOUTHEAST CORNER OF SAID STERLING PLACE UNIT – 2, ALSO BEING A POINT ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE PER ORDINANCE NO. 980467 AND THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N 00° 31' 28" W ALONG SAID EXISTING CITY LIMIT LINE AND THE EAST LINE OF SAID STERLING PLACE UNIT – 2, ALSO BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 1006.00 FEET TO THE NORTHEAST CORNER OF SAID STERLING PLACE UNIT – 2 ALSO BEING THE SOUTHEAST CORNER OF THE AFOREMENTIONED STERLING PLACE UNIT – 1; THENCE CONTINUE N 00° 31' 28" W ALONG SAID EXISTING CITY LIMIT LINE AND THE EAST LINE OF SAID STERLING PLACE UNIT – 1, EXISTING CITY LIMIT LINE AND EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 280.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL. SAID PARCEL CONTAINING 38.95 ACRES MORE OR LESS.

tabbles





From: Gene Boles, FAICP [mailto:gboles@ufl.edu]
Sent: Monday, March 25, 2019 5:10 PM
To: Massey, Bedez E. <masseybe@cityofgainesville.org>
Cc: wynns@gm.sbac.edu
Subject: RE: School Capacity Review Letter (Sterling Place Residential Subdivision)

Bedez: Existing single family lots are not subject to review. They are considered to be part of the existing inventory. The review would only be necessary if units and / or new single family lots are being added.

Thanks

Gene Boles, FAICP
Building Livable Communities, Inc
941 350 3989

Select Year: 2018 ▼ Go

The 2018 Florida Statutes

[Title XII](#)
MUNICIPALITIES

[Chapter 171](#)
LOCAL GOVERNMENT BOUNDARIES

[View Entire Chapter](#)

171.062 Effects of annexations or contractions.—

(1) An area annexed to a municipality shall be subject to all laws, ordinances, and regulations in force in that municipality and shall be entitled to the same privileges and benefits as other parts of that municipality upon the effective date of the annexation.

(2) If the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area.

(3) An area excluded from a municipality shall no longer be subject to any laws, ordinances, or regulations in force in the municipality from which it was excluded and shall no longer be entitled to the privileges and benefits accruing to the area within the municipal boundaries upon the effective date of the exclusion. It shall be subject to all laws, ordinances, and regulations in force in that county.

(4)(a) A party that has an exclusive franchise which was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the franchise term, whichever is shorter, if:

1. The franchisee provides, if the annexing municipality requires, a level of quality and frequency of service which is equivalent to that required by the municipality in other areas of the municipality not served by the franchisee, and
2. The franchisee provides such service to the annexed area at a reasonable cost. The cost must include the following as related to providing services to the annexed area:
 - a. Capital costs for land, structures, vehicles, equipment, and other items used for solid waste management;
 - b. Operating and maintenance costs for solid waste management;
 - c. Costs to comply with applicable statutes, rules, permit conditions, and insurance requirements;
 - d. Disposal costs; and
 - e. A reasonable profit.

If the municipality and the franchisee cannot enter into an agreement as to such cost, they shall submit the matter of cost to arbitration.

(b) A municipality, at its option, may allow the franchisee to continue providing services pursuant to the existing franchise agreement.

(c) A municipality may terminate any franchise if the franchisee does not agree to comply with the requirements of paragraph (a) within 90 days after the effective date of the proposed annexation.

(5) A party that has a contract that was in effect for at least 6 months prior to the initiation of an annexation to provide solid waste collection services in an unincorporated area may continue to provide such services to an annexed area for 5 years or the remainder of the contract term, whichever is shorter. Within a reasonable time following a written request to do so, the party shall provide the annexing municipality with a copy of the pertinent portion of the contract or other written evidence showing the duration of the contract, excluding any automatic renewals or so-called “evergreen” provisions. This subsection does not apply to contracts to provide solid waste collection services to single-family residential properties in those enclaves described in s. [171.046](#).

History.—s. 1, ch. 74-190; s. 22, ch. 85-55; s. 1, ch. 88-92; s. 17, ch. 93-206; s. 2, ch. 93-243; s. 2, ch. 2000-304.

Policy 1.2.4 All new residential development in the urban cluster shall:

- (a) be economically and efficiently served by supporting community facilities, and services such as streets, utilities, public educational facilities, and public protection.
- (b) connect to centralized potable water supply and sanitary sewer systems in accordance with Policy 2.1.1 of the Potable Water and Sanitary Sewer Element.

OBJECTIVE 1.3 - DENSITY

Gross residential densities shall be established to serve as a guideline for evaluating development in Alachua County.

Policy 1.3.1 Gross residential densities shall be used for the following reasons:

- (a) In order to plan for public facilities and services such as schools, sewers, fire protection, parks, roads, and storm water management , the total number of persons living in an area must be known; while, the density of specific development sites is less significant.
- (b) For any given area with the same gross residential density, the total number of dwelling units - which relates to population - would remain the same regardless of the type of development or the distribution of land uses in that area. Thus, gross residential density allows greater flexibility of housing types in each area.
- (c) The concept of gross density encourages developers to allocate land for public facilities, such as schools, fire stations, roads, storm water management and parks, without being penalized for reduction in total dwelling units.
- (d) Gross residential density provides the developer with incentives to reduce overall site and housing costs, as well as to provide for more innovative design than is possible under conventional (net density) development.
- (e) Gross density encourages the protection of undevelopable conservation areas through the transfer of dwelling units on the property. However, there may be instances where the resulting net density will be inappropriate for a given site. These proposals shall be reviewed on an individual case basis.

Policy 1.3.2 The following classification of gross residential densities shall serve as a standard for evaluating development in Alachua County, unless specific provisions are otherwise provided in the Plan (DU/Acre = Dwelling Units per Acre), such as for Transit Oriented Developments and Traditional Neighborhood Developments.

Policy 1.3.2.1 Urban Residential Densities - Areas designated on the Future Land Use Map for gross residential densities of one unit per acre or greater shall be considered as urban in character. There shall be four gross residential density ranges as follows:

- (a) Low Density: One to Four dwelling units per acre
- (b) Medium Density: Greater than Four to less than or equal to Eight dwelling units per acre
- (c) Medium-High Density: Greater than Eight to less than or equal to 14 dwelling units per acre
- (d) High Density: Greater than 14 to less than or equal to 24 dwelling units per acre

Policy 1.3.2 Estate Residential - The Estate Residential designation, with a maximum density of one dwelling unit per two acres, shall only be located in the urban cluster on properties adjacent or near Preservation areas, as identified on the Future Land Use Map, as a transitional land use to higher intensity or density urban development.

Policy 1.3.3 A range in urban residential densities should be provided with the highest densities located in or near urban activity centers and transit oriented developments, and lower densities located in outlying areas or areas of the County which have physical limitations to development.

Residential densities above the standard density ranges may be permitted within Traditional Neighborhood Developments and Transit Oriented Developments within Urban Residential areas.

Policy 1.3.4 The gross residential densities of new subdivisions and multi-family developments shall not be less than the urban residential density range for the assigned future land use category except where necessary to protect natural resource conservation areas as identified in Objective 3.1 of the Conservation and Open Space Element. With regard to land designated Low Density Residential (1-4 DU/acre) on the Future Land Use Map, an exception may be made for subdivisions with gross densities of one dwelling unit per two acres with lots as small as one dwelling unit per acre, if it is determined that severe environmental site constraints, infrastructure constraints, or parcels of limited scale preclude achieving a gross density of one unit per acre. However, nothing in this policy shall be interpreted to preclude single-family residential construction on one or two new parcels, each not exceeding 5 acres, where such parcels are divided from a parcel of record (as of October 2, 1991) when such division is not subject to subdivision regulations.

Policy 1.3.5 Within areas designated Low Density Residential (1-4 DU/acre) on the Future Land Use Map, the Agriculture zoning district may be maintained pursuant to the following requirements:

- (a) The parcel contains a minimum of 40 acres;
- (b) The property has a bonafide agricultural use which is evidenced by maintenance of an agricultural exemption for ad valorem tax purposes.
- (c) Two new parcels of 5 acres or less may be created from such Agricultural parcels. Any further division shall be subject to rezoning to an Urban Residential zoning classification, compliance with minimum density requirements, and compliance with applicable subdivision regulations.

ACCESSORY DWELLING UNITS

Policy 1.3.6 To provide for a greater range of choices of housing types in single family residential areas, affordable housing, and the promotion of infill to new and existing neighborhoods while maintaining single family character, one accessory dwelling unit shall be allowed on single family residential lots in the Estate, Low, and Medium Density residential areas without being included in gross residential density calculations. Performance criteria shall be detailed in the land development regulations and include elements such as size, site design, landscaping, access, and parking requirements.



EXAMPLE OF ACCESSORY DWELLING UNIT

Policy 1.3.6.1 Prior to the issuance of a building permit for the construction of an accessory dwelling unit in an existing residential area, the applicant shall provide proof of homestead exemption status establishing ownership and principal residence of the lot. Prior to the issuance of a building permit for the construction of an accessory dwelling unit(s) in a new residential development, the applicant shall provide proof of deed restrictions or covenants requiring that an accessory unit may not be inhabited unless homestead status is maintained on the lot. Permanent occupancy by the owner of either the primary or accessory dwelling unit shall be required for all accessory dwelling units.

Policy 1.3.6.2 All accessory dwelling units shall be required to connect to the municipal potable water and sewer system of the primary residence and shall not have separate services. Where central water and sewer service is not available, the accessory dwelling unit shall be required to connect to the septic system and well of the primary residence in accordance with all applicable requirements of the Florida Department of Health. The septic system shall meet the residential lot requirements for well and septic provided in the land development regulations.

URBAN RESIDENTIAL DENSITIES

Policy 1.3.7 Low Density Residential land use category shall provide for a gross density of one to four dwelling units per acre except as provided for in Cottage Neighborhoods, Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.

Policy 1.3.7.1 Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.

Policy 1.3.7.2 The Low Density residential land use category shall provide for various housing types, such as conventional site-built single family homes, accessory living units, attached structures including townhouses, multi-family developments in planned developments, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, or mobile homes.

Policy 1.3.7.3 The County's Land Development Regulations shall allow Low or Medium density residential land use to include flexible and mixed minimum lot sizes, relying on design standards and gross density. Such provisions shall address the need for affordable housing, compatibility with transit alternatives, and open space preservation including greenway corridors.

Policy 1.3.8 Medium Density Residential land use category shall provide for a gross density of four to eight dwelling units per acre except as provided for in Cottage Neighborhoods, Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.

Policy 1.3.8.1 Medium Density residential development shall provide for small lot single family residential detached and attached dwellings, and multi-family residential dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) may include mixed housing types and mixed uses.

Policy 1.3.8.2 Multi-family development outside a TND or TOD in the Medium Density Residential land use category shall:

- (a) have direct access to an arterial or collector, or alternate access if the access meets the following requirements and is approved by the Board of County Commissioners:
 - (1) The character of the primary access street should not be single family residential in nature and use of the street for multi-family development shall not create an adverse impact on surrounding properties.
 - (2) The access street shall generally meet the criteria for an arterial or collector street in an Urban Activity Center including the design elements found in the Alachua County Corridor Design Manual.
- (b) provide natural and landscaped open spaces, or transitional development and design practices, to adequately integrate the development along the edges of different land use categories.
- (c) provide common open space as part of pervious open space requirements established in the Conservation and Open Space Element.
- (d) provide adequate developed recreation at the scale of the development, according to criteria in the land development regulations.

Policy 1.3.8.3 The Medium Density residential land use category shall provide for various housing types, such as conventional, site-built single family dwellings, accessory living units, attached structures including townhouses, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, mobile homes, or multi-family dwellings.

Policy 1.3.8.4 Medium density residential areas shall be located in the urban cluster.

Policy 1.3.9 Medium High Density Residential land use category shall provide for a gross density of eight to 14 dwelling units per acre, except as provided for in Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.

Policy 1.3.9.1 The Medium-High Density residential land use category shall provide for small lot single family residential detached and attached dwellings, and multiple family residential dwellings. In addition, traditional neighborhood developments (TND) and transit oriented developments (TOD) may include mixed housing types and mixed uses.

Policy 1.3.9.2 Multi-family development outside a TND or TOD in the Medium-High Density Residential, land use category shall:

- (a) Have direct access to an arterial or collector, or alternate access if the access meets the following requirements and is approved by the Board of County Commissioners:
 - (1) The character of the access street should not be single family residential in nature and use of the street for multi-family development shall not create an adverse impact on surrounding properties.
 - (2) The access street shall generally meet the criteria for an arterial or collector street in an Urban Activity Center including the design elements found in the Alachua County Corridor Design Manual.
 - (3) The land development regulations have been updated with specific criteria to be met for approval of an alternate access road.

- (b) Provide natural and landscaped open spaces, or transitional development and design practices, to adequately integrate the development along the edges of different land use categories.
- (c) Provide common open space as part of pervious open space requirements established in the Conservation and Open Space Element.
- (d) Provide adequate developed recreation at the scale of the development, according to criteria in the land development regulations

Policy 1.3.10 High Density Residential shall provide for a gross density of 14 to 24 dwelling units per acre.

Policy 1.3.10.1 High Density Residential development should occur within transit oriented developments in activity centers and immediately adjacent to Santa Fe Community College to reduce the length and number of automobile trips. High density residential areas shall be located in the urban cluster.

Policy 1.3.10.2 The High Density Residential land use category shall provide for small lot single family residential detached and attached dwellings, and multiple family residential dwellings. In addition, transit oriented developments (TOD) may include mixed housing types and mixed uses.

Policy 1.3.10.3 High Density Residential outside of a TOD development shall:

- (a) Have access to an arterial or collector.
- (b) Provide natural and landscaped open spaces, or transitional development and design practices, to adequately integrate the development along the edges of different land use categories.
- (c) Provide common open space as part of pervious open space requirements established in the Conservation and Open Space Element.
- (d) Provide adequate developed recreation at the scale of the development, according to criteria in the land development regulations.
- (e) Provide transit facilities, if warranted based on existing or planned transit service determined through consultation with the appropriate transit provider, and connect pedestrian facilities into the nearest pedestrian network and available or planned mass transit facility.

Policy 1.3.10.4 Densities higher than 24.00 DU/Acre may be considered in activity centers and within developments that meet the standards for Transit Oriented Development as provided in Objective 1.7 and subsequent policies. A comprehensive plan amendment will be required to establish additional policies to ensure compatibility with surrounding land uses and identify areas appropriate for these higher densities.

Additional policies relating to Urban Residential densities apply within Traditional Neighborhood Developments, Transit Oriented Developments, and development within the Urban Service Area.

OBJECTIVE 1.4 – NEIGHBORHOOD DESIGN AND SITE STANDARDS

Encourage the use of innovative concepts for residential development to allow for appropriate mixes of housing types and mixed-use development within Traditional Neighborhood and Transit Oriented Development, adequately served by necessary supporting facilities, in an efficient, environmentally sensitive, and attractive manner.

Project Name and Number:		Sterling Place, PB-19-48 ZON	
Application Type:		Rezoning	
Public Hearing Date:		June 27, 2019	
Cycle	Department	Reviewer	Status
1	Alachua County EPD	Gus Olmos	Approved
	Building Coordinator	John Freeland	Approved
	Gainesville Fire Rescue Department	Tom Burgett	Approved
	GRU New Services Department	Wendy Mercer	Approved
	Planners	Bede Massey	Approved
	Public Works – Design	Rick Melzer	Approved
	Public Works Constructability	Matt Williams	No Review Required
	Public Works Solid Waste	Steve Joplin	Approved
	Public Works Stormwater	Gail Mowry	Approved
	Public Works Survey	Pat Durbin	No Review Required
	Transportation Mobility	Jason Simmons	No Review Required
	Urban Forestry	Liliana Kolluri	Approved
	Department of Mobility	Scott Wright	No Review Required
	Public Works Stormwater Management Utility	Mary Frieg	No Review Required

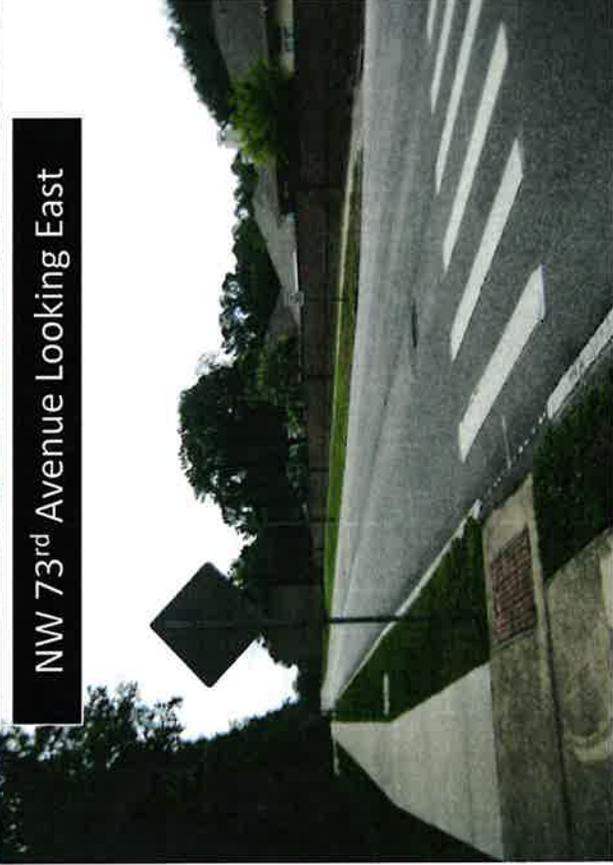
Sterling Place



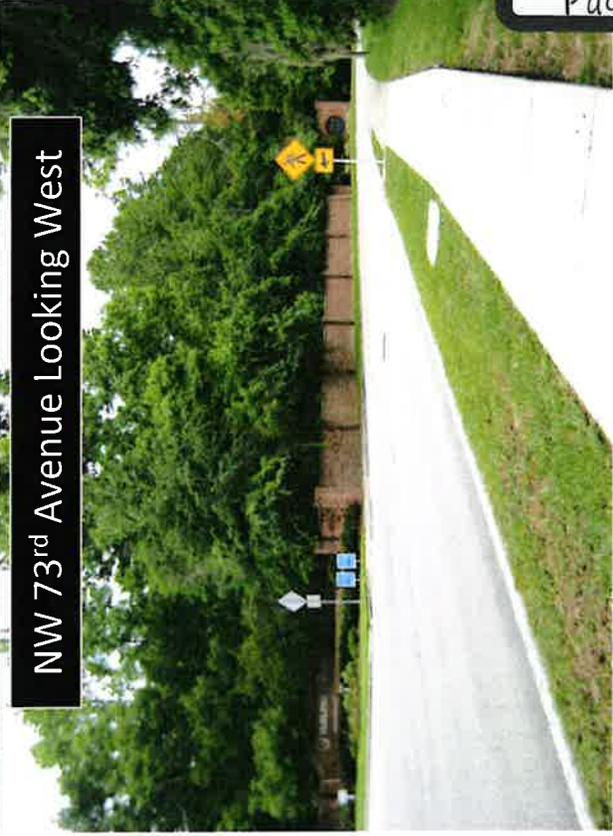
Aerial View



Entrance Looking South



NW 73rd Avenue Looking East



NW 73rd Avenue Looking West