

Northwest 8th Avenue; adopting an additional planned development report; and additional development plan maps; amending the conditions adopted by Ordinance No. 2989; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Donovan, that this matter be Continued (2nd Reading) for September 11, 2006. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan and Jeanna Mastrodicasa
Absent: Edward Braddy and Scherwin Henry

050911. PLANNED DEVELOPMENT AMENDMENT - BUCK BAY (B)

Ordinance No. 0-06-60, Petition No. 12PDA-06PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Buck Bay Planned Development"; located in the vicinity of the 7700 block of Northwest 22nd Avenue; amending the terms, conditions and requirements of the planned development as originally adopted by Alachua County Resolution No. Z-82-43; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan and Jeanna Mastrodicasa
Absent: Edward Braddy and Scherwin Henry

060002. TOWING ADMINISTRATIVE FEE (B)

Ordinance No. 0-06-70

An ordinance of the City of Gainesville amending section 14.5-26(a) of the Gainesville Code of Ordinances relating to trespass towing; providing for pro-rated administrative fees; providing requirements for pro-rated administrative fees; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges by delineating pro-rated fee categories; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Donovan, seconded by Commissioner Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

ORDINANCE NO. 050911
0-06-60

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4 **An Ordinance of the City of Gainesville, Florida; amending the**
5 **Planned Development commonly known as "Buck Bay Planned**
6 **Development"; located in the vicinity of the 7700 block of**
7 **Northwest 22nd Avenue; amending the terms, conditions and**
8 **requirements of the planned development as originally adopted**
9 **by Alachua County Resolution No. Z-82-43; providing a**
10 **severability clause; providing a repealing clause; and providing**
11 **an immediate effective date.**

12
13 **WHEREAS,** the City Plan Board authorized the publication of notice of a Public
14 Hearing, and the petitioner has petitioned the City to amend the planned development commonly
15 known as "Buck Bay Planned Development"; and

16 **WHEREAS,** notice was given and publication made as required by law of a Public Hearing
17 which was then held by the City Plan Board on March 16, 2006; and

18 **WHEREAS,** notice was given and publication made of a Public Hearing which was then
19 held by the City Commission on May 8, 2006; and

20 **WHEREAS,** the City Commission finds that the amendment of the Planned Development
21 District ordinance is consistent with the City of Gainesville 2000-2010 Comprehensive Plan.

22 **WHEREAS,** at least ten (10) days notice has been given once by publication in a
23 newspaper of general circulation prior to the adoption public hearing notifying the public of this
24 proposed ordinance and of a Public Hearing in the City Commission Meeting Room, First Floor,
25 City Hall, in the City of Gainesville; and

CODE: Words ~~striken~~ are deletions; words underlined are additions.

1 **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices
2 described at which hearings the parties in interest and all others had an opportunity to be and were,
3 in fact, heard.

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

6 **Section 1.** The planned development originally adopted by Alachua County Resolution No.
7 Z-82-43, adopted on May 18, 1982 by the Alachua County Board of County Commissioners, is
8 amended as follows:

9 See Exhibit "A" attached hereto and made a part hereof as if set forth in full.

10 **Section 2.** The Alachua County Zoning Application ZOM-15-82 attached as Exhibit "A" to
11 Resolution No. Z-82-43, adopted on May 18, 1982 by the Alachua County Board of County
12 Commissioners, is amended as follows:

13 See Exhibit "B" attached hereto and made a part hereof as if set forth in full.

14
15 **Section 3.** The terms, conditions and limitations provided in Sections 1 and 2 of this
16 ordinance shall regulate and control the use and development of the property described in Exhibit
17 "B".

18 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
19 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
20 the validity of the remaining portions of this ordinance.

21 **Section 5.** All ordinances, or parts of ordinances, resolutions, or parts of resolutions, in
22 conflict herewith are to the extent of such conflict hereby repealed.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

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Section 6. This ordinance shall become effective immediately upon final adoption.

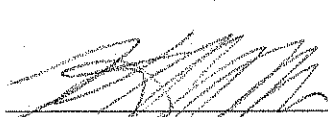
PASSED AND ADOPTED this 28th day of August, 2006.




Pegeen Hanrahan, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Kurt Lanton,
Clerk of the Commission



Marion J. Radson, City Attorney

AUG 29 2006

This ordinance passed on first reading this 14th day of August, 2006.

This ordinance passed on second reading this 28th day of August, 2006.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

EXHIBIT "A"

ZONING RESOLUTION
Z-82-43

WHEREAS, Zoning Application ZOM-15-82 has been duly filed and was considered by the Alachua County Planning Commission at its meeting of April 28, 1982; and,

WHEREAS, the application was considered by the Alachua County Board of County Commissioners at its meetings of May 4, 1982, and May 18, 1982;

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

Zoning Application ZOM-15-82, as summarized in Exhibit "A" of this Resolution, is hereby approved, and the real property described within the application shall, unless changed in accordance with law, hereafter bear the zoning district classification of Planned Unit Development, upon the following conditions:

1. There shall be no development within the 100-year flood plain.
2. The maximum development density shall be 4.98 units per acre.
3. The lot and building requirements shall be as stated in the application except that setbacks shall be ~~by RM zoning~~ as shown on the recorded plat.
4. The laundry and maintenance facilities shall be located as shown on the Master Plan. Should these facilities not be constructed and the applicant desires to convert that area to residential lots, this application shall be brought back through the zoning process.

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5. The buffers being provided abutting MS zoning to the South and SR-121 to the West shall remain in their natural state and shall be maintained by the owner.

6. No lots shall be sold until the homeowner's association is in place to provide for road maintenance.

Such homeowner's association documents shall include the following limitation on the size of any "site-built" homes to be constructed: "Excluding typical driveway's and sidewalks, the impervious area on any one lot, including concrete-slab patios, shall not exceed 2,100 square feet."

7. Final Development Plan approval is contingent on the County Engineer assurance that the County road performance standards are being met.

8. Nothing in this resolution shall prevent the continued use of this development as a land-lease manufactured home community or as a location that allows the use of manufactured homes by right.

Upon adoption of this Resolution, the Alachua County Director of Codes Enforcement, his designee or other authorized agent of Alachua County, shall make such change on the Alachua County Zoning Atlas as is necessary to effect this Resolution.

This Resolution shall take effect upon its adoption.

DULY ADOPTED in regular session this 18th day of May,

A.D., 1982.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: Edwin B. Turlington
Edwin B. Turlington, Chairman

ATTEST:

A. Curtis Powers
A. Curtis Powers, Clerk

(SEAL)

REZONING AND LAND USE AMENDMENT

Alachua County Department of Planning and Development
Room 201, County Administration Building
Gainesville, Florida 32601
(904) 374-5249

APPLICATION NO: LU Z-6-82 ZOM-15-82 DATE 3/26/82

NOTE: This application MUST be approved for rezoning by the Development Review Committee (DRC) before filing with the Department of Planning and Development. Application for the Development Review Committee MUST be made through the Department of Codes Enforcement.
Date reviewed by DRC: Feb. 25, 1982

*1. Name of Title Holder(s) Owens-Illinois Forest Products Division

Address P.O. Box 1048 Valdosta, GA Zip 31601 Phone (912)559-7911

*2. Any other persons having any ownership, interest in subject property? Yes X No

If Yes, list such persons: Spain Construct on Co., Inc., Custom Homes by Gene, Kish Construction Co., Inc., & John

*3. Title Holder's Representative(Agent) Tom Spain

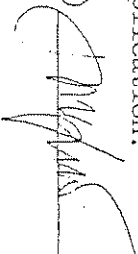
Address 3333 NW 38th Street Gainesville, FL Zip 32606 Phone 376-6372

*4. Notification Representative Tom Spain

Address 3333 NW 38th Street Gainesville, FL Zip 32606 Phone 376-6372

I hereby certify that I understand the Alachua County Zoning Regulations pertaining to the above described property and that I will observe same; that all information supplied in this application is correct to the best of my knowledge; and that permission is granted for the erection of any signs or other material on the subject property, which is deemed necessary to give public notice of this application.

(Signed)



(THIS FORM MUST BE SIGNED BY THE TITLE HOLDER(S) OR AGENT)

CODE: Words stricken are deletions; words underlined are additions.

- * 5. Name of proposed PUD Buck Bay
- * 6. Location or Address of Property East side of State Road 121, 1 mile north
of its intersection with US 441
- * 7. Land Use Category: Present: Ag Cat. 15 Requested: Ag Cat 10
- * 8. Zone Classification: Present: Ag Requested: PUD
- * 9. Previous request for rezoning, land use changes, and variances, (Historical) on the subject property;
NONE

The following information must be supplied in addition to the maps and drawings required by Article VIII of the Alachua County Zoning Regulations.

- *10. Attach a Statement of Objectives of the PUD, including: (a) General purpose, (b) General character, and (c) Unique characteristics of the PUD which make it differ from conventional zoning districts and/or subdivisions.
- *11. Attach a legal description of the property.
- *12. Surrounding Land Uses: East Ag
West Ag
North Ag
South MS
- *13. From the PUD Plan, provide the following information:
(a) TABLE 1: Complete for each category of land use.

LAND USE	ACRES	% TOTAL SITE	NO. OF UNITS	DENSITY
Developed Recreation	3.78	12.1		
Common Open Space	8.10	26.0		
Detention Areas	3.93	12.6		
Natural Areas, Buffers	2.01	6.4		
Streets	5.18	16.7		
Other Land Uses:*				
Mobile Home Lots	17.68	56.8		155
Laundry	0.17	0.5		
Note: Acreages included in items 1, 3 & 4 above are also included in item 2.				
TOTAL	31.13	100%		4.98

*Provide subtotals for categories such as single family, duplex, multi-family, commercial, etc.

* (b) TABLE 2: Complete for each category of land use (see next page).

* (c) Name the facilities which are to be provided in the developed recreation area(s): Existing lake available for fishing & canoeing.

* (d) Roads or Streets are to be private? Yes Roads or Streets are to be dedicated to the County? No
Length and Acreage of roads or streets:
Length 5100 ft. Acreage 5.18 acres
Type of roadway to be constructed: 22 ft. inverted crown

* (e) Storm Water Drainage: Increased runoff will flow to: existing detention area or existing lake
via easements ditches canals basins X other(explain)
a system of inlets and culverts

* (f) State or attach list of Development Commitments not otherwise covered which will be important to the success of the project: Not Applicable

* (g) Attach economic justification for Proposed Commercial PUD's. Not Applicable

* (h) TABLE 3: Complete the following:

	AVAILABLE	SUPPLIER
Central Water	Yes	City of Gainesville
Central Sewer	Yes	Same
Natural Gas	No	
Telephone	Yes	Southern Bell
Electricity	Yes	City of Gainesville
Other:		

* 14. What type of legal instruments will be created for the management of common use areas? Management of the common use areas shall be by an Owners Association, and will be so noted in the Restrictive Covenants.

TABLE 2

ITEM ¹	SINGLE FAMILY	MULTI-FAMILY BY TYPE	CLUSTER	PATIO	OTHER RES.	COMMERCIAL	OFFICE	INDUSTRIAL	OTHER NON-RES. (Laundry)
min. lot area (in sq. feet)	4500	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7400
min. lot width (at bldg line)	50'								50'
min. lot depth	90'								90'
min. front yard	15'								15'
min. rear yard	15'								15'
min. side yard (interior)	7'								7'
min. side yard (street)	14'								14'
max. % lot coverage	16%								30%
max. % rear yard coverage	N/A								N/A
max. bldg height	15'								15'
# living units/bldg.	1								N/A
min. setback/accessory bldgs:									
-rear	15'								N/A
-side	7'								N/A
building spacing:									
-front to front	62'								N/A
-front to rear	38'								N/A
-rear to rear	14'								N/A
-front to side	46'								N/A
-rear to side	22'								N/A
-side to side	30'								N/A
building setbacks from:									
-centerline of rivers, streams or canals	N/A								N/A
-high waterline of lakes	50'								N/A
-other man-made or natural features which would be affected by encroachment	12 inches vertically								N/A
floor area ratios ²									30%
maximum ground coverage ²									30%
area in 100 year flood plain	N/A								N/A

*NOTES: 1. If an item is not applicable to your proposed PUD, please mark "N/A"
 2. For non-residential uses only.

- * 15. Specify and explain what requirements of regular zoning districts, as specified by the Alachua County Zoning Ordinance, that are different in your proposed PUD (such as height, building spacing, setbacks, parking requirements, etc.):

The PUD zoning allows us to limit the number of units per acre to five rather than the eight allowed under regular mobile home zoning. It also allows us to use narrower streets (2') and narrower rights-of-ways (8') thereby keeping more of the trees. (The entire sight is heavily wooded in pines and hardwoods.) The PUD will also facilitate the development of the recreation areas which will consist of a wooden walkway down to the edge of the lake, a small fishing dock, and a series of tables near the lake with bar-b-que grills. ~~We also may want to provide laundry facilities as the project is completed, which would be easier with PUD zoning.~~

*LAND USE PLAN AMENDMENT APPLICATION SUPPLEMENT

NOTE: This sheet MUST be filled out the by applicant if this PUD request requires an amendment to the Land Use Element of the Comprehensive Plan.

Applicaition No.: LUZ - 6 - 82

Applicant: Timber Properties

Name of Proposed PUD: Buck Bay

Location of Address of Property: East side of State Road 121, 1 mile north of its intersection with US 441

Request: _____

*The applicant is of the opinion that this request would be an appropriate land use for the above-described property for the following reasons:

The property immediately to the south is zoned for industrial,
(as is the property across 121 and to the south) and this would
be a good step-down zoning from industrial. There is a need for
lower cost housing in the northwest, and this is a good location
because it is not close to any neighborhood of conventional
homes, the owner's of which might object to mobile homes near by.
With the building of the beer can lid plant and rapid growth of
the entire area as a commercial center will come the need for
lower cost housing. There are no other areas that allow mobile
homes in the northwest quadrant of the urban area.

Prepared by; Tom Spain DATE 3/23/82

ALACHUA COUNTY PLANNING COMMISSION

Room 201 - County Administration Building
Gainesville, Florida 32601
Phone #374-5249

Planning Commission Members:

John A. Nattress, Chairman
W.T. Coran, Jr.
Herb R. Edwards
Ann B. Green
Karl R. Owens, Jr.
Dale Thompson
Jane B. Walker

Board of County Commissioners:

Jack Durrance, Chairman
Edwin B. Turlington
Thomas Coward
Walter "Sonny" Lee
John Schroepfer

Director of Planning & Development

Alvin H. Lewis

Director of Codes Enforcement

Robert Holton.

Notice is hereby given that the Alachua County Planning Commission will hold a public hearing at 7:30 p.m., on Wednesday, April 28, 1982 in Room 209 of the Alachua County Administration Building to consider the following:

Application #LUZ-6-82: A request by Spain Construction Company, Inc., Custom Homes by Gene, Inc., Barry Rutenberg & Associates, Inc., & John Kish Construction Company, Inc., as agent for Owens-Illinois Forest Products Division, owner to amend the Land Use Element of the Comprehensive Plan from Category 15 (Agriculture 1 unit/AC) to Category 10 (Medium Density Mobile Home 8 units/AC).

Application # ZOM-15-82: A request by Spain Construction Company, Inc., Custom Homes by Gene, Inc., Barry Rutenberg & Associates, Inc., & John Kish Construction Company, Inc., as agent for Owens-Illinois Forest Products Division, owner, to rezone from "Agr" (Agriculture 1 unit/AC) to "PUD" (Planned Unit Development) District.

Legal Description of Property: A parcel of land situated in Section 7, Township 9 South, Range 20 East, Alachua County, Florida; said parcel of land more particularly described as follows: Commence at the Southwest corner of Section 7, T9S, R20E, and run N 00 deg. 07' 20" E along the west line of said Section 7, 1521.49 feet; thence run S 89 deg. 56' 58" E. 536.09 feet to a point on the easterly right of way line of State Road 121; thence run northerly along said easterly right of way line with a curve concave easterly, said curve having a central angle of 01 deg. 30' 09", a radius of 11,399.16 feet, an arc length of 298.92 feet and a chord bearing and distance of N 00 deg. 23' 39" E. 298.94 feet; thence continue along said easterly right of way line N 01 deg. 08' 44" E, 437.78 feet to the Point of Beginning; thence continue along said easterly right of way line N 01 deg. 08' 44" E, 1,000 feet; thence run S 89 deg. 56' 58" E, 1,200 feet; thence S 01 deg. 00' 59" W, 1,736.68 feet; thence run N 80 deg. 56' 58" W, 204.32 feet; thence run N 00 deg. 03' 02" E, 736.62 feet; thence run N 89 deg. 56' 58" W, 985.52 feet to the point of beginning; said parcel of land containing 31.13 acres more or less.

Location of Property East side of State Road 121, 1 mile north of its intersection with US 441.

Permitted Use -Existing Zoning:

"Agriculture" Single family dwellings and mobile homes on basis of one dwelling per acre. Public parks and recreation areas, golf courses, game preserves, historical areas, churches, and private schools. General agricultural uses.