

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: 6

PROJECT NAME AND NUMBER: Sterling Place, PB-19-48 ZON

APPLICATION TYPE: Rezoning (Quasi-Judicial)

CITY PROJECT CONTACT: Bedez E. Massey, Planner

RECOMMENDATION: Approve

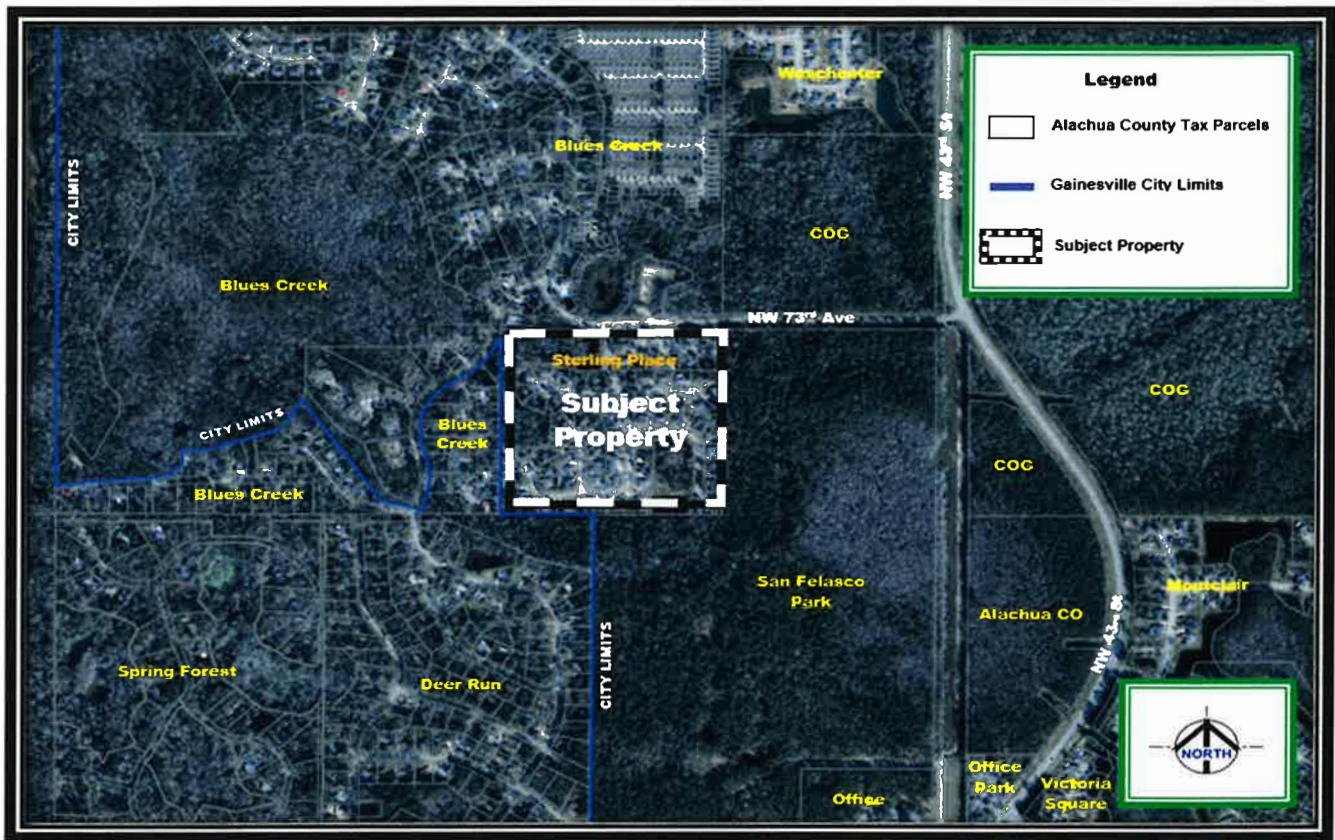


Figure 1. Location Map

APPLICATION INFORMATION:**Agent/Applicant:** City of Gainesville, Florida**Property Owner(s):** Multiple**Related Petition(s):** PB-19-47 LUC: City of Gainesville. Amend the City of Gainesville Future Land Use Map 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. 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-3). A City-initiated application requesting a large-scale amendment to the Future Land Use Map of the City's Comprehensive Plan by changing 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 is filed under Petition PB-19-47 LUC. This City-initiated application is a concurrent request to rezone the subject 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 (see Table 1, Figures 2 and 3, and Exhibits B-2 and C-5).

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 Zoning Change (in acres)

Zoning District	Description	Existing Acres	Proposed Acres
R-1a	Alachua County Single-family, Low Density: 1-4 dwelling units per acre	±38.95	0
RSF-1	City of Gainesville Single-Family Residential: maximum 3.5 dwelling 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).

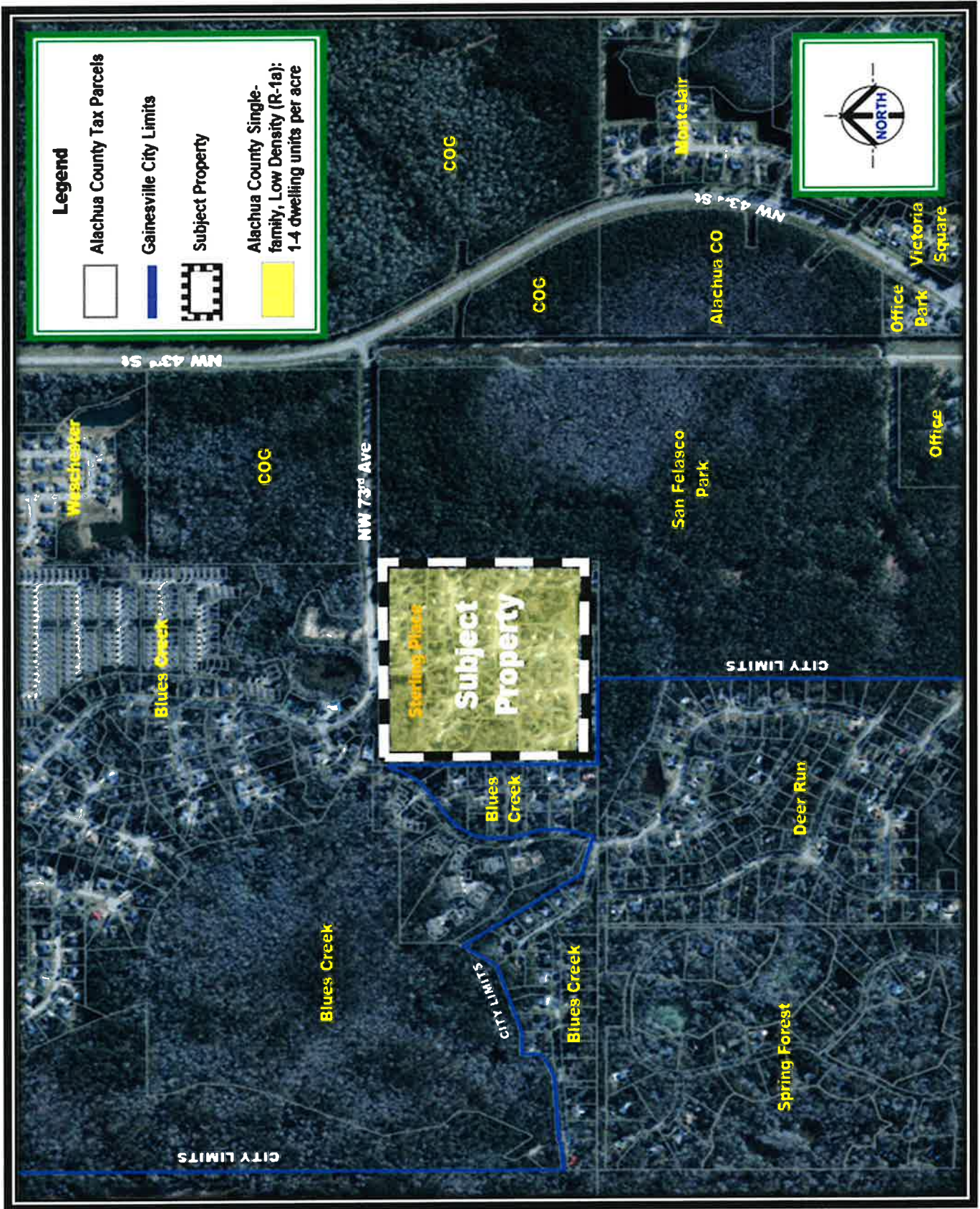


Figure 2. Existing Zoning District

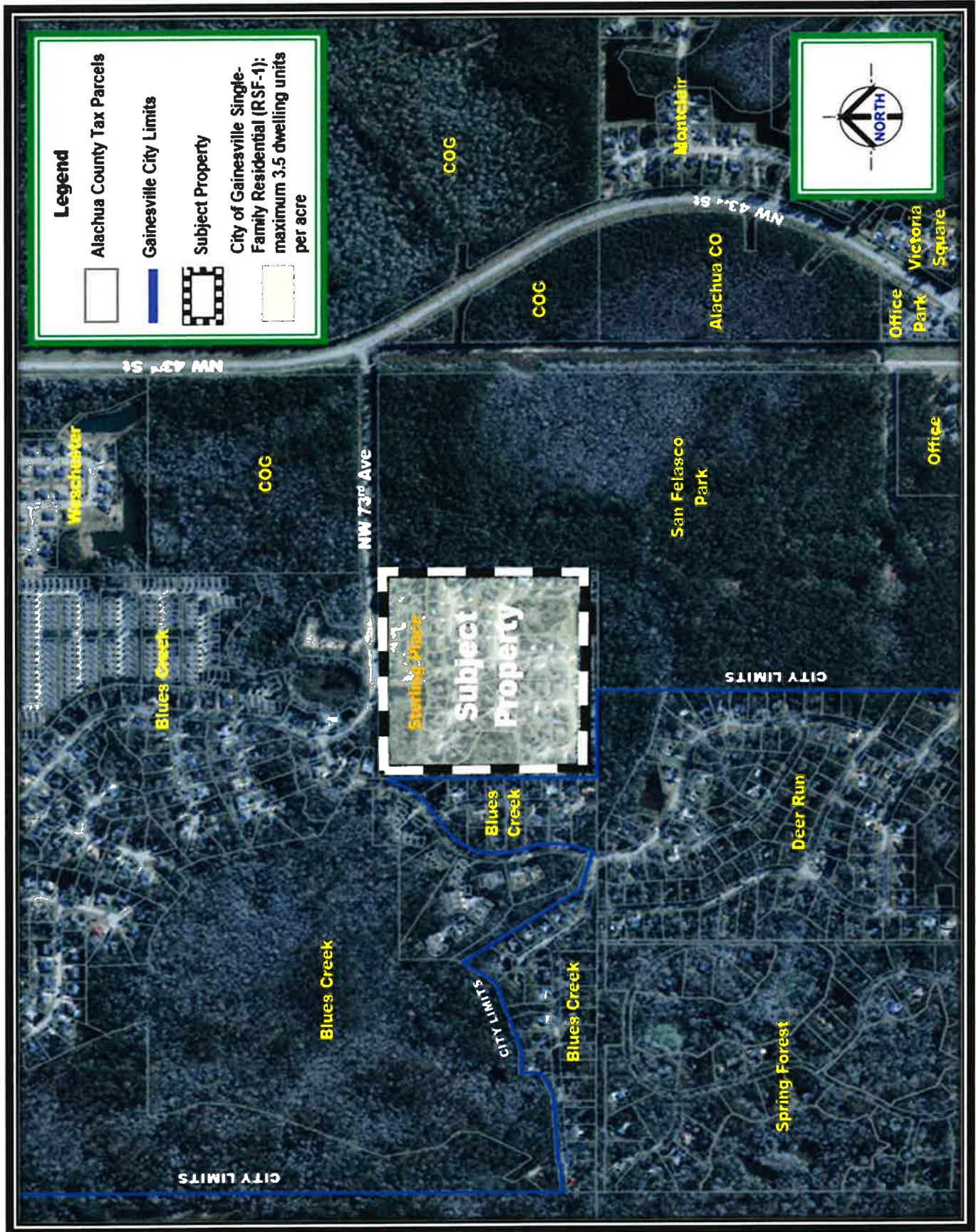


Figure 3. Proposed Zoning District

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 and provides access to and from the subject property. This two-lane, local right-of-way also 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 abuts on the north and west, and it is 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 and Figures 1 through 4.

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 Zoning Districts

STAFF ANALYSIS AND RECOMMENDATION:**ANALYSIS**

The analysis of this application is based on the following rezoning criteria, as required in Section 30-3.14 of the City Land Development Code:

A. Compatibility of permitted uses and allowed intensity and density with surrounding existing development.

The permitted uses within the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district are single-family dwellings, public parks, family child care homes, community residential homes, adult day care homes, places of religious assembly, schools, and bed and breakfast establishments (see Exhibit B-2). These uses are permitted based on having been considered appropriate for single-family residential development. The compatibility of single-family dwellings and public parks, which are permitted by right, is evidenced in the predominance of these uses in surrounding existing development. The compatibility of the remaining permitted uses, which are less prevalent, is accomplished through the special use permit process and/or compliance with use standards (e.g., screening, buffering, access and stormwater management, setbacks, building height, use limitations, and site illumination). The permitted uses must also comply with the City's general performance standards for fire and explosion hazards; radiation; electromagnetic radiation; waste disposal; vibration; sound; heat, cold, dampness or movement of air; odor; air quality; air pollution emissions; toxics; and utility service.

The intensity of development within the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district is controlled by the allowed density and a maximum lot coverage of 35% for nonresidential buildings. The allowed density is compatible with environmental features on and near the subject property, and it falls within the range of residential densities allowed within surrounding existing development. The allowed density within surrounding existing development ranges from 0 to 15 dwelling units per acre. The density on the subject property is 2 dwelling units per acre, which has facilitated the preservation of on-site wetlands and the protection of abutting conservation land to the south and east. The maximum lot coverage for nonresidential buildings is nearly the same as the combined lot coverage of principal and accessory buildings on the subject property and single-family residential lots within surrounding existing development. Although the maximum lot coverage for nonresidential buildings is greater than the 10% maximum lot coverage allowed in the abutting Conservation (CON) zoning district, it is less than the 50% maximum lot coverage allowed within surrounding existing development zoned General Office (OF).

B. The character of the district and its suitability for particular uses.

The proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district is primarily characterized by single-lot, single-family dwellings built at a low density. The purpose of the zoning district is to provide areas for low density single-family residential development that are convenient to appropriate urban services and facilities. The uses permitted in the RSF-1 zoning district are identified above and in *Article IV. Division 3. Residential* of the City Land Development Code (see Exhibit B-2). Variances from the requirements of this section are not allowed.

The character of the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district is consistent with the single-family residential development located on the subject property. The detached, single-family dwelling units on the subject property are a permitted use. The single-family dwelling units on the subject property are located on individual lots at a low density of 2 dwelling units per acre. The subject property has access to urban services, such as roadways and utilities. The subject property is also conveniently located near appropriate community-level facilities, such as schools, parks, and places of religious assembly.

C. The proposed zoning district of the property in relation to surrounding properties and other similar properties.

The location of the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district relative to surrounding properties is illustrated in Figures 1 through 4. The majority of surrounding properties are similar to the subject property in that they contain and/or are zoned for single-family residential development. Attached and detached single-family residential dwellings in the Blues Creek subdivision are located to the north and west. Detached single-family dwellings in the Deer Run subdivision are located to the south. San Felasco Park is located to the south and east, where there is also office development along NW 43rd Street. The exceptions are properties to the far east that are zoned Public Services and Operations (PS), which does not permit single-family residential development unless it is designated by the ordinance rezoning the property.

D. Conservation of the value of buildings and encouraging the most appropriate use of land throughout the city.

The proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district is consistent with existing single-family residential development on the subject property and surrounding land, and, therefore, is not expected to have an adverse effect on the value of buildings. Historically, the value of single-family residential buildings is enhanced by the RSF-1 zoning classification and zoning regulations designed to protect the character of single-family residential neighborhoods.

E. The applicable portions of any current city plans and programs such as land use, traffic ways, recreation, schools, neighborhoods, stormwater management and housing.

This rezoning application has been analyzed in consideration of applicable portions of the City Land Development Code, City Comprehensive Plan and other relevant sources noted in the staff report.

F. The needs of the city for land areas for specific purposes to serve population and economic activities.

According to statistics taken from the City of Gainesville, Five-Year Consolidated Plan for Program Years 2018-2022, the majority of the City's housing units are units within multiple-unit structures (31,487 or 54%). This rezoning application will increase the land area within the City available for one-unit detached structures, and will help to sustain a diverse selection of housing types within the City.

G. Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.

The last unit of the Sterling Place cluster subdivision was approved in 1997. Since this time, single-family dwellings and public parks have remained the predominant uses in the surrounding area. The most recent development to occur near the subject property is Phase IV of the Weschester cluster subdivision, which received final plat approval for 139 lots in 2015. This residential development is located on NW 43rd Street, just north of the subject property and Blues Creek subdivision.

H. The goals, objectives, and policies of the Comprehensive Plan.

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

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 existing single-family residential development on the subject property contributes to the housing supply within the City. The land development regulations of the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district are designed 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 rezoning 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-4.)

Transportation Element

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

Finding: The proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district will be applied to 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 land development regulations of the proposed Single-Family Residential (RSF-1): maximum 3.5 dwelling units per acre zoning district are designed to protect existing wetlands within the cluster development on the subject property.

I. The facts, testimony, and reports presented at public hearings.

No other facts, testimony or reports regarding this application, or the companion large-scale land use amendment application, have been presented at a public hearing. According to *Section 30-3.7. Neighborhood Workshop*. of the City Land Development Code (see Exhibit B-1), City-initiated amendments to the zoning map that change the zoning from Alachua County to City of Gainesville districts, and City-initiated amendments to the Future Land Use Map of the City's Comprehensive Plan that change the future land use from Alachua County to City of Gainesville categories are exempt from having to conduct neighborhood workshops.

J. Applications to rezone to a transect zone shall meet the following additional criteria:

Not Applicable. The subject property is not located within a transect zone.

RECOMMENDATION

Staff recommends approval of Petition PB-19-48 ZON 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-19-48 ZON 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 Comprehensive Plan Goals, Objectives and Policies**

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

Appendix B City Land Development Code

Exhibit B-1: Article III. Section 30-3.7. Neighborhood Workshop
Exhibit B-2: Article IV. Division 3. Residential

Appendix C Supplemental Documents

Exhibit C-1: Application
Exhibit C-2: City Ordinance No. 170520
Exhibit C-3: Subsection 171.062(2), Florida Statutes
Exhibit C-4: Email from Alachua County Public Schools
Exhibit C-5: Alachua County Unified Land Development Code, Article 3 Residential Zoning Districts
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.

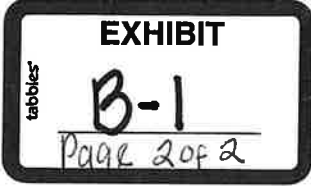
Appendix B

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.

- 1 4. Parking structures shall meet setback, height, and façade articulation standards applicable to
 2 the transect, but are exempt from the minimum floor-to-ceiling height requirement and the
 3 building frontage zone requirement.

4 DIVISION 3. RESIDENTIAL

5 Section 30-4.16. Permitted Uses.

6 The following table contains the list of uses allowed, and specifies whether the uses are allowed by right
 7 (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the
 8 use is not allowed. No variances from the requirements of this section shall be allowed.

9 **Table V - 4: Permitted Uses in Residential Districts.**

USES	Use Standards	RSF-1 to 4	RC	MH	RMF-5	RMF-6 to 8
Accessory dwelling units	30-5.33	-	A	A	A	A
Adult day care homes	30-5.2	P	P	P	P	P
Assisted living facilities		-	-	-	P	P
Attached dwellings (up to 6 attached units)		-	-	-	P	P
Bed and breakfast establishments	30-5.4	S	P	P	P	P
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	P
Community residential homes (7 to 14 residents)	30-5.6	-	-	-	-	P
Community residential homes (over 14 residents)	30-5.6	-	-	-	-	P
Day care centers	30-5.7	-	P	P	P	P
Dormitory, small	30-5.8	-	-	-	-	P
Dormitory, large	30-5.8	-	-	-	-	S
Emergency shelters		-	-	-	-	P
Family child care homes	30-5.10	P	P	P	P	P
Fowl or livestock (as an accessory use)	30-5.36	-	-	-	-	-
Mobile homes		-	-	P	-	-
Multi-family dwellings		-	-	-	P	P
Multi-family, small-scale (2-4 units per building)		-	P ¹	-	P	P
Places of religious assembly	30-5.21	S	P	P	P	P
Libraries		-	S	S	S	S
Public parks		P	P	P	P	P
Schools (elementary, middle and high)		S	P	P	P	P
Simulated gambling establishments		-	-	-	-	-
Single-family dwellings		P	P	P	P	P
Skilled nursing facility		-	-	-	-	S
Social service homes/halfway houses	30-5.26	-	-	-	-	S

10 **LEGEND:**

11 P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

12 1 = No more than 2 dwellings units per building are permitted in the RC district.

13

1
2 **Section 30-4.17. Dimensional Standards.**

3 The following tables contain the dimensional standards for the various uses allowed in each district.

4 Table V - 5: Residential Districts Dimensional Standards.

5

	RSF- 1	RSF- 2	RSF- 3	RSF- 4	RC	MH	RMF- 5	RMF- 6	RMF- 7	RMF- 8
DENSITY/INTENSITY										
Residential density (units/acre)										
Min	None	None	None	None	None	None	None	8 ¹	8 ¹	8 ¹
Max by right	3.5	4.6	5.8	8	12	12	12	10	14	20
With density bonus points	-	-	-	-	-	-	-	See Table V-6	See Table V-6	See Table V-6
Nonresidential building coverage	35%	35%	40%	40%	50%	50%	50%	50%	50%	50%
LOT STANDARDS										
Min lot area (sq. ft.)	8,500	7,500	6,000	4,300	3,000	3,000	3500	None	None	None
Min lot width (ft.)										
Single-family	85	75	60	50	35	35	40	40	40	40
Two-family ²	NA	NA	NA	NA	70	NA	75	75	75	75
Other uses	85	75	60	50	35	35	85	85	85	85
Min lot depth (ft.)	90 ³	90 ³	90 ³	80 ³	None	None	90	90	90	90
MIN SETBACKS (ft.)										
Front	20 ³	20 ³	20 ³	20 ³	10 ⁴	15	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max
Side (street)	10	10	7.5	7.5	NA	NA	15	15	15	15
Side (interior) ^{5,6}	7.5	7.5	7.5	7.5	5	5	10	10	10	10
Rear ^{6,7}	20	20	15	10	20	15	10	10	10	10
Rear, accessory	7.5	7.5	5	5	5	5	5	5	5	5
MAXIMUM BUILDING HEIGHT (stories)										
By right	3	3	3	3	3	3	3	3	3	3
With building height bonus	NA	NA	NA	NA	NA	NA	NA	5	5	5

6 **LEGEND:**

7 1 = Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum density
8 requirements.

9 2 = Assumes both units on one lot. Lot may not be split, unless each individual lot meets minimum lot
10 width requirement for single-family.

11 3 = Lots abutting a collector or arterial street shall have a minimum depth of 150 feet and a minimum
12 building setback of 50 feet along that street.



- 1 4 = Attached stoops or porches meeting the standards in Sections 30-4.13 and 30-4.14 are permitted to
2 encroach up to 5 feet into the minimum front yard setback.
- 3 5 = Except where the units are separated by a common wall on the property line of two adjoining lots. In
4 such instances, only the side yard setback for the end unit is required.
- 5 6 = Accessory pre-engineered or pre-manufactured structures of 100 square feet or less and one story in
6 height may be erected in the rear or side yard as long as the structure has a minimum yard setback
7 of three feet from the rear or side property line, is properly anchored to the ground, and is
8 separated from neighboring properties by a fence or wall that is at least 75% opaque.
- 9 7 = Accessory screened enclosure structures, whether or not attached to the principal structure, may be
10 erected in the rear yard as long as the enclosure has a minimum yard setback of three feet from the
11 rear property line. The maximum height of the enclosure at the setback line shall not exceed eight
12 feet. The roof and all sides of the enclosure not attached to the principal structure shall be made of
13 screening material.

Section 30-4.18. Density Bonus Points.

Development criteria described in the density bonus points manual, when met, shall allow increases in development intensity based upon the limits in this section. These increases in intensity shall be allowed should a developer propose to undertake a project that will result in a development sensitive to the unique environmental and developmental needs of the area. For each criterion met by the developer, certain points shall be credited to the project. Those points, calculated in accordance with the Density Bonus Points Manual, shall determine the maximum allowable density.

Table V - 6: Permitted Density Using Density Bonus Points

RMF-6		RMF-7		RMF-8	
Points	Max residential density (du/ac)	Points	Max residential density (du/ac)	Points	Max residential density (du/ac)
0	10	0	14	0	20
26	11	20	15	16	21
52	12	39	16	30	22
79	13	59	17	46	23
108	14	79	18	59	24
138+	15	98	19	75	25

9

DIVISION 4. MIXED-USE AND NONRESIDENTIAL

Section 30-4.19. Permitted Uses.

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
RESIDENTIAL													
Single-family house		P	-	P	P	-	-	-	-	-	P	-	-
Attached dwellings		P	P	P	P	-	-	-	-	-	-	-	-
Multi-family dwellings		P	P	P	P	S	-	-	-	-	P	-	-
Accessory dwelling units	30-5.33	A	A	A	A	-	-	-	-	-	P	-	-
Adult day care homes	30-5.2	P	P	P	P	P	P	-	-	P	-	-	-
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (more than 14 residents)	30-5.6	-	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (7 to 14 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-

Appendix C

Supplemental Documents



APPLICATION—CITY PLAN BOARD
Planning & Development Services

OFFICE USE ONLY	
Petition No. <u>PB-19-00048</u>	Fee: \$ <u>N/A</u>
1 st Step Mtg Date: <u>N/A</u>	EZ Fee: \$ <u>N/A</u>
Tax Map No. <u>3043</u>	Receipt No. <u>N/A</u>
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: <u>Starling Place Subdivision</u>	
Address: <u>(Units 1, 2, & 3)</u>	
Phone: _____	Fax: _____
(Additional owners may be listed at end of applic.)	

Applicant(s)/Agent(s), if different	
Name: <u>City of Gainesville, FL</u>	
Address: <u>PO Box 490, Station 11</u>	
Phone: <u>352-334-5023</u>	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 []	Zoning Map [x]	Master Flood Control Map []
Present designation: _____	Present designation: *	Other [] Specify: _____
Requested designation: _____	Requested designation: **	

INFORMATION ON PROPERTY

1. Street address: <u>See Staff Report</u>
2. Map no(s): <u>3043</u>
3. Tax parcel no(s): <u>Multiple</u>
4. Size of property: <u>38.95 (MOL)</u> acre(s)

*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.*

Certified Cashier's Receipt:

- * Alachua County Single-family, Low Density: 1-4 dwelling units per acre
- * * City of Gainesville Single-Family Residential: maximum 3.5 dwelling 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

Application—City Plan Board

- 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 X (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.

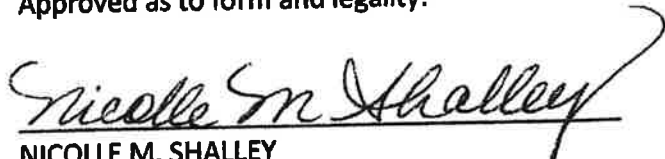


LAUREN POE
MAYOR

Attest:

Approved as to form and legality:


OMICHELE GAINÉY
CLERK OF THE COMMISSION


NICOLLE M. SHALLEY
CITY ATTORNEY

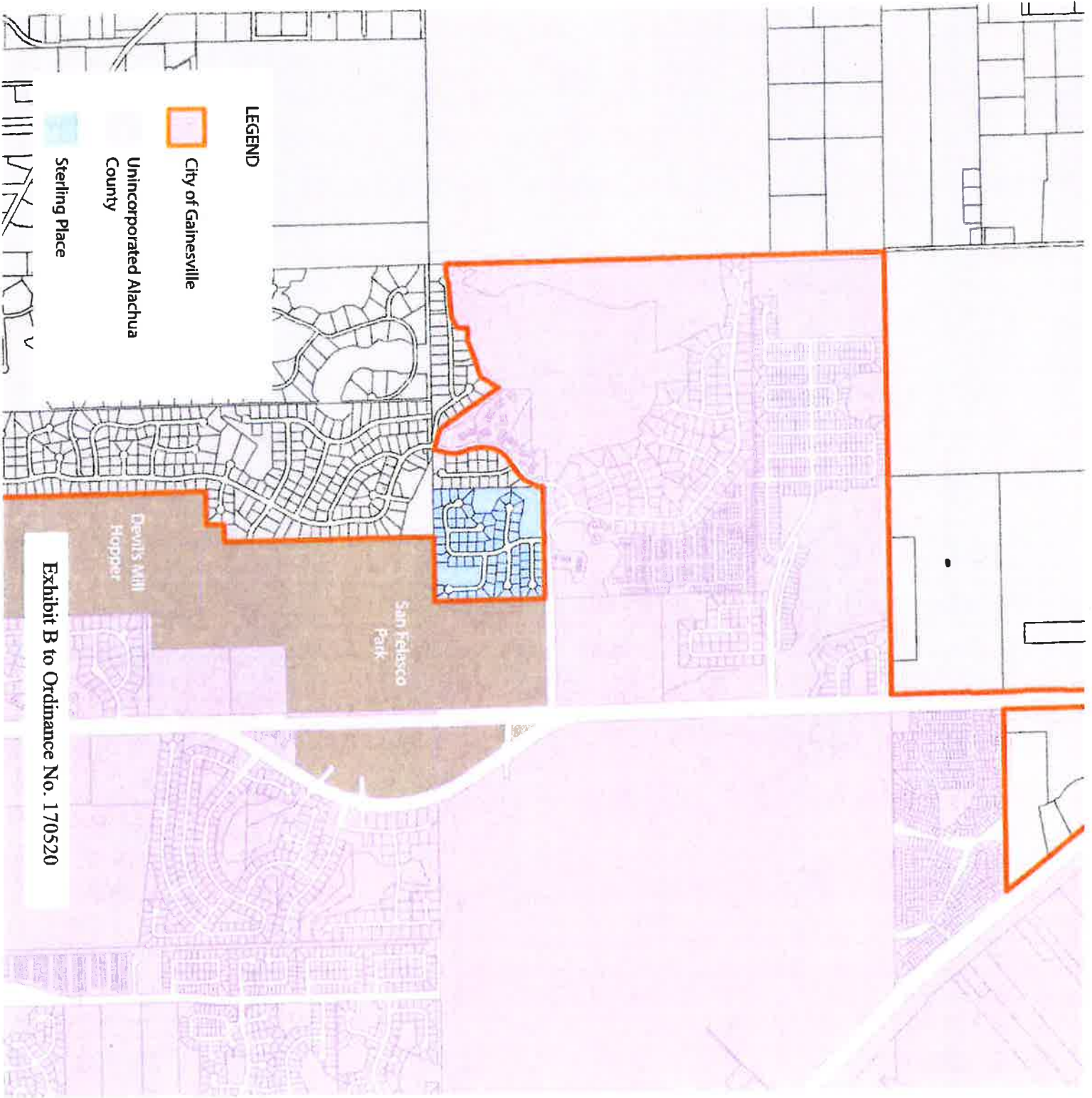
This ordinance passed on first reading this 5th day of April, 2018.

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 $89^{\circ}37'45''$ 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 $00^{\circ}27'27''$ 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 $00^{\circ}27'27''$ 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 $00^{\circ}27'27''$ 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 $89^{\circ}38'47''$ 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 $89^{\circ}38'47''$ 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 $00^{\circ}31'28''$ 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 $00^{\circ}31'28''$ 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.



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.



From: Gene Boles, FAICP [mailto:gboles@ufl.edu]
Sent: Monday, March 25, 2019 5:10 PM
To: Massey, Bedez E. <masseybe@cityofgainesville.org>
Cc: wynnsn@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



Chapter 403. Zoning Districts

Article 3. Residential Zoning Districts

Article 3 Residential Zoning Districts

Within the single-family residential districts (RE, RE-1, R-1aa, R-1a, R-1b and R-1c) and multifamily residential districts (R-2, R-2a and R-3), as shown on the zoning map of Alachua County, the following shall apply.

403.05 Single Family Residential Zoning Districts

The single family residential districts implement the Estate Residential, Urban Residential, and Rural Cluster policies of the Comprehensive Plan and the associated designations on the Future Land Use Map. Permitted uses are found on the Use Table in Chapter 404 Article 2 of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of §404.08 for similar uses is prohibited.

403.06 Single Family Residential Subdivision Requirements

This Section provides for adequate future urban residential development enabling development to include a full range of housing types, lot sizes and densities to serve different segments of the housing market, designed to be integrated and connected with surrounding neighborhoods and the community. New developments shall comply with §403.02.5. All subdivisions shall meet the requirements of Article 8, Subdivision Regulations, of Chapter 407 of this ULDC.

(a) Calculation of Residential Subdivision Densities

Unless otherwise provided in this ULDC, the calculation of number of units per acre shall be based upon the gross residential density. Density of a new subdivision shall be within the ranges shown in §403.07(a). In the R-1b Zoning District, the 4-8 density range may only be applied in the Medium Density Future Land Use Designation.

(b) Density Exemption

1. Exemptions to the minimum density of a parcel may be approved by the DRC if it is determined that environmental site constraints, infrastructure constraints, or parcels of limited scale preclude achieving the gross density.
2. For the purposes of determining compliance with minimum and maximum density requirements, accessory living units meeting the standards provided in §404.24, shall be exempt from such calculations.

403.07 Single Family Residential Standards

Within all single family residential zoning districts, unless otherwise provided in this ULDC, the principal building and accessory buildings shall be located and constructed in accordance with Table 403.07.1, Setback Requirements for Residential Lots, and the following standards shall apply.

(a) Lot sizes

Lot sizes may vary in the single family residential zoning districts provided the following density requirements are met.

Table 403.07.1
Density of Single Family Residential Districts

Density Range	Zoning Districts				
	RE	RE-1	R-1aa	R-1a or R-1c	R-1b
Dwelling units	1 per 2 acres or less	1 per 2 acres to 2 per acre	1-3 per acre	1-4 per acre	4-8 per acre

NOTE: Permitted housing types in each district are established in Chapter 404. In Rural Clusters, the minimum lot size within any single family residential zoning district shall be 1 acre for development on private wells and septic tanks.

(b) Maximum Height

The maximum height for all structures within the single family residential zoning districts is 35 feet.

Table 403.07.2
Setback Requirements for Residential Lots

Setbacks ¹	Front or Street	Garage Front ³	Rear	Side	Accessory buildings
Lots less than 1 acre in size, Minimum Principal Building (ft.)	10	20	10	5 ²	Same as principal building except rear is 7.5 ft.
Lots 1 acre or greater in size, Minimum Principal Building (ft.)	15	20	15	10 ²	Same as principal building except rear is 10 ft.

¹Minimum side setbacks do not apply to zero lot line developments provided the building spacing requirements of the Florida Building Code, Table 600, are met.

²Minimum side setbacks do not apply to single family attached units.

³The Garage Front setback applies only to the garage portion of the structure when the garage opening faces the front of the street.

403.08 Multifamily Residential Districts

The multiple family residential zoning districts implement the Urban Residential policies of the Future Land Use Element of the Comprehensive Plan. Multifamily districts shall be allowed only in those areas designated Medium, Medium-High or High Density Residential on the Future Land Use Map. Exemptions to the minimum density of a parcel may be approved by the DRC if it is determined that environmental site constraints, infrastructure constraints, or parcels of limited scale preclude achieving the gross density. Permitted uses are found on the Use Table in Article 2 of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of §404.08 for similar uses is prohibited.

Project Name and Number:		Sterling Place, PB-19-48 ZON	
Application Type:		Rezoning	
Public Hearing Date:		June 27, 2019	
Cycle	Department	Reviewer	Status
1	Achua 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	Bedez 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

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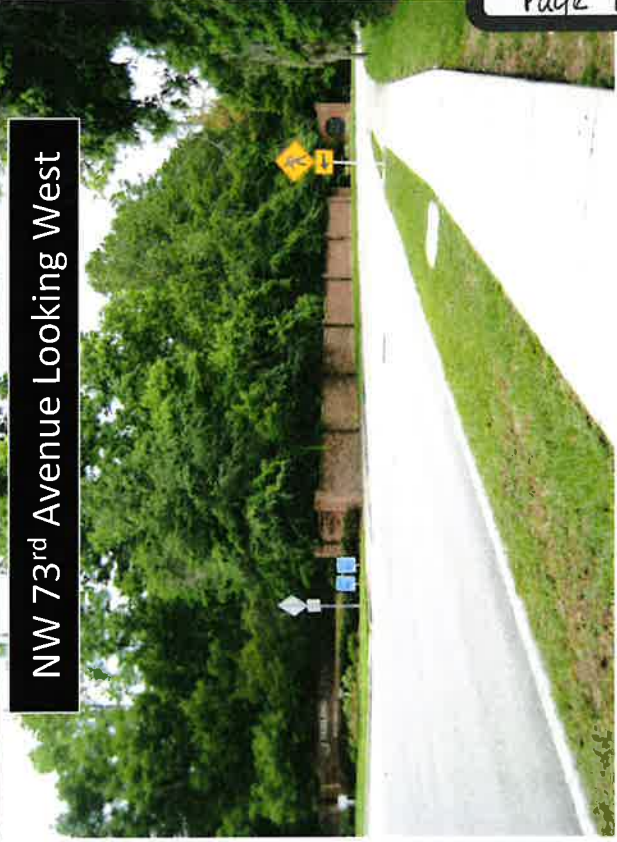
Aerial View



Entrance Looking South



NW 73rd Avenue Looking East



NW 73rd Avenue Looking West