

City of Gainesville
 Department of Doing
 Planning Division

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 Gainesville, FL 32627-0490
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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: February 22, 2018

ITEM NO: 3

PROJECT NAME AND NUMBER: Dave Duncan Property Zoning Change; PB-17-113 ZON

APPLICATION TYPE: (include whether application is Legislative vs. Quasi-Judicial)

RECOMMENDATION: Approve petition PB-17-113 ZON

CITY PROJECT CONTACT: Megan Echols

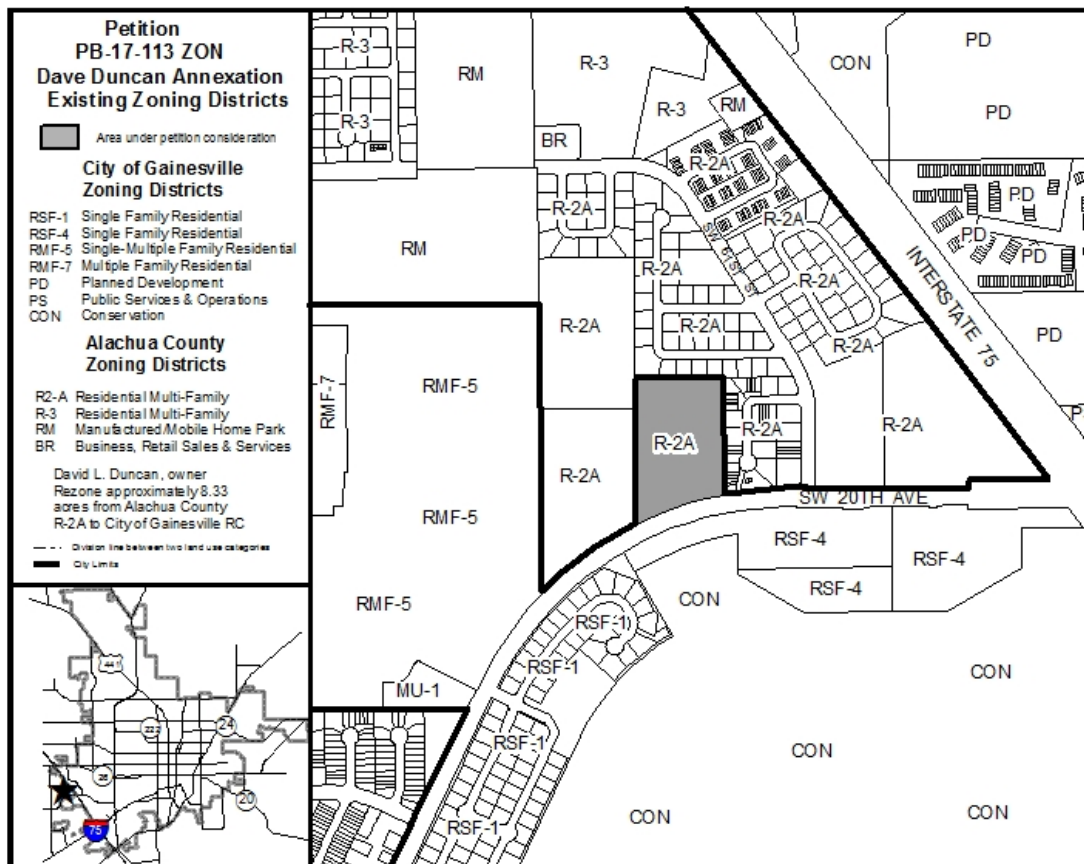


Figure 1: Location Map

APPLICATION INFORMATION:**Agent/Applicant:** City of Gainesville**Property Owner(s):** David Duncan**Related Petition(s):** PB-17-112 LUC, Approved January 25, 2018**Legislative History:** Annexation: 170256, December 19, 2017; Plan Board: continued December 2017 and January 2018**Neighborhood Workshop:** Yes**SITE INFORMATION:****Address:** 6224 SW 20th Avenue**Parcel Number(s):** #06675-006-000**Acreage:** 8.33 acres**Existing Use(s):** Vacant Parcel**Land Use Designation(s):** Alachua County Residential High (existing)/ City of Gainesville Low Density Residential (proposed)**Zoning Designation(s):** Alachua County R-2A (existing)/ City of Gainesville RMF-5 (proposed)**Overlay District(s):** N/A**Transportation Mobility Program****Area (TMPA):** Zone D (upon designation of City Land Use)**Census Tract:** 22.18**Annexed:** 2017

ADJACENT PROPERTY CHARACTERISTICS:

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
North	Multi Family Dwelling Units, mainly duplexes	Res. High Density (14-24 DU/a) Unincorporated Area	R-2A, Unincorporated Area
South	Single Family Residential, Split Rock Conservation Area,	Single Family	RSF 1, RSF 4
East	Multi-Family Dwelling Units	Res. High Density (14-24 DU/a) Unincorporated Area	R-2A, Unincorporated Area
West	Multi-Family Dwelling Units	Res. High Density (14-24 DU/a) Unincorporated Area	R-2A, Unincorporated Area

PURPOSE AND DESCRIPTION:

Description

The petition for rezoning from Alachua County R-2A (Multi-Family Medium-High Density) to City of Gainesville RMF-5 Single/Multi Family pertains to an undeveloped 8.33 +/- acre parcel (06675-006-000) with no paved roads or structures that was voluntarily annexed into the city on November 2, 2017. As a result of the annexation of this property, appropriate land use and zoning designations must be made.

The property is generally located north of SW 20th avenue and south of Sugarfoot Oaks subdivision lots 10-14 (see map on page 1). The property is east of The Grove Villas (tax parcel 00675-004-000) and west of lots 4-8 in Sugarlane Subdivision (on SW 61st Terrace). The property is approximately 2,015 feet (.38 miles) west of I-75 and is 300 feet north of the Split Rock Conservation Area.

The current county zoning of R-2A is a multi-family zoning district that allows 8-14 dwelling units per acre. The proposed Gainesville RMF-5 zoning will allow up to 12 dwelling units per acre. Resultantly, the proposed zoning change would create a maximum change of 2 dwelling units per acre. The proposed zoning district is compatible with the County’s R-2A that allows 8-14 units/acre and allows slightly less density.

Adoption of the RMF-5 zoning will enable future development at a development type and density that is consistent and compatible with the existing and future residential development pattern in the area. With the RMF-5 zoning adoption, this parcel’s development will be able to provide medium density single and multi-family housing in southwest Gainesville in close proximity to I-75, Large Commercial Areas (Butler Plaza, Celebration Pointe, Oaks Mall area), and major employment centers.

There are a variety of adjacent future land uses and zoning designations located in the immediate area of the parcel. See Table above for a tabular summary of adjacent existing uses, zoning, and land use categories.

Provisions and Regulations

- **Sec. 171.062, F.S. – Effects of annexations or contractions.**
 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.

City of Gainesville Land Development Code

Sec. 30-4.3 – Zoning Map. E. Unzoned property generally. If property in newly annexed territory is unzoned; or if the zoning of any property is vacated or invalidated for any reason, either judicially or legislatively, then the classification of any of such properties shall be deemed to be conservation district (CON), unless and until a different zoning is provided...

Sec. 30-4.4 – Annexed Territory. When lands are annexed into the city, such lands shall be rezoned in accordance with this chapter to an appropriate city zoning district(s). The county zoning district and applicable regulations shall apply prior to rezoning to a city zoning district.

Recommendation Criteria

The staff recommendation is based on the five factors below:

1. Conformance with the Comprehensive Plan;
2. Conformance with the Land Development Code;
3. Changed Conditions;
4. Compatibility;
5. Impacts on Affordable Housing.

STAFF ANALYSIS AND RECOMMENDATION:

ANALYSIS

1. Conformance with the Comprehensive Plan

This petition to rezone property from Alachua County R-2A (Multi-Family Medium-High Density) to City of Gainesville RMF-5 (Residential Single/Multi Family) max 12 units per acre is consistent with the City's Comprehensive Plan and supports the various goals of the Comprehensive Plan.

According to the Comprehensive Plan **Policy 1.1.3** *Neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.* By designating this parcel as RMF-5 within proximity of other multifamily and single family zoning uses will diversify the existing neighborhood by housing type and by economic level. See Appendix A, Comprehensive Plan to see more goals, objectives and policies from the Comprehensive Plan that display conformity from the zoning change.

2. Conformance with the Land Development Code

According to Section 30-4.4—Annexed Territory, when lands are annexed into the city, such lands shall be rezoned in accordance with this chapter to an appropriate city zoning district(s).

The proposed rezoning to RMF-5 zoning will implement the RL (Residential Low) land use category proposed by related petition PB-17-112 LUC. The permitted uses and dimensional standards for the RMF-5 district are in Land Development Code Article IV, Division 3. Section 30.4.16 and Section 30.4.17 (see Appendix B, Land Development Code).

Any proposed development or redevelopment will be required to meet all applicable Land Development Code requirements at the time of development plan review.

3. Changed Conditions

The major changed condition is that this undeveloped property was annexed into the City of Gainesville (second reading/adoption of ordinance expected to be on November 2, 2017). This parcel has existed as undeveloped land, no development plans have been submitted for this parcel. During the process of selection of zoning categories for recently annexed parcels, consideration of existing zoning and context to neighboring parcels is considered.

Comparison of permitted uses shows similar uses between Alachua county R-2A and City of Gainesville RMF-5. RMF-5 has less restrictions or limits of non-residential uses that are cultural and institutional, such as schools and places of worship. Both R-2A and RMF-5 permit single family housing and multifamily housing. RMF-5 generally permits smaller lot sizes and smaller setback sizes than Alachua County R-2A. For an in depth look at uses and dimensional standards from both Alachua County and City of Gainesville Land Development Code see tables in Appendix B.

4. Compatibility

The proposed RMF-5 zoning is compatible with the adjacent residential high density and single family properties and the surrounding mix of urbanized housing. Moreover, RMF-5 zoning is comparable with the current Alachua County zoning R-2A (Multi-Family Medium-High Density). The proposed RMF-5 zoning will add to the mix of single family and medium density multi-family development that is in this area and on adjacent parcels. See Appendix B for a tabular summary of adjacent existing uses and adjacent zoning and land use categories.

5. Impacts on Affordable Housing

The proposed zoning category is primarily a residential zoning designation, which will permit the construction of a range of low intensity housing stock and should have a positive impact for affordable housing in the area if it is developed in the future. Changing the zoning category from Alachua County R-2A to City of Gainesville RMF-5 will have a minimal net decrease of the density by 2 units per acre. If this parcel remains vacant there will be no impact on affordable housing.

Transportation

This property is served by SW 20th Avenue at the southern boundary. This portion of SW 20th Avenue to the west of Interstate 75 is two lane major arterial road, which currently has no bike lanes or sidewalks. Two bus routes, Route 75 and Route 76, service the area along SW 20th Avenue.

Currently there is no proposed development plan for the subject property, so there will be no immediate changes to the transportation network. Upon designation of a City Land Use Category the nearest TMPA zone, Zone D, will be extended to the parcel (see Appendix A).

Environmental Impacts and Constraints

The project site contains one FEMA flood zone A area (100 year flood and has no base flood elevations), located on the southwest corner of the property. The area shall be regulated

through the City's Land Development Code (LDC), Article VIII, *Division 3 - Natural and Archaeological Resources* and *Division 4 - Surface Waters and Wetlands*. The subject parcel does not contain wetlands, swales, ditches or other surface water wetlands.

According to the City's Environmental Coordinator, the subject property's close proximity to the Hogtown Prairie Strategic Ecosystem (across SW 20th Avenue) merits an evaluation of the vegetative and habitat conditions to identify the presence of natural resources that could qualify for potential protection. Review of site conditions concluded there are no resources to justify such classification. However, the site will need to be surveyed for the presence of individual trees of appropriate species and size that achieve regulated status per Article VIII, *Division 2- Trees and Landscape*.

RECOMMENDATION

Staff recommends approval of Petition PB-17-113 ZON rezone of parcel 06675-006-000 from Alachua County R-2a to City of Gainesville RMF-5.

DRAFT MOTION FOR CONSIDERATION

Approve Petition PB-17-113 ZON, rezone of parcel 06675-006-000 from Alachua County R-2a zoning to City of Gainesville RMF-5 zoning.

BACKGROUND:

- November 2, 2017, parcel #06675-006-000 was effectively, voluntarily annexed into the City of Gainesville.
- December 5, 2017- Plan Board #170626 (PB-17-113-ZON) was continued to January Plan Board meeting.
- January 25, 2018- Plan Board #170626 (PB-17-113-ZON) was continued to February Plan Board meeting.

LIST OF APPENDICES:

Appendix A Comprehensive Plan Goals, Objectives and Policies

Appendix B Land Development Code Regulations

Appendix C Maps

Appendix D Supplemental Documents

Appendix A- Comprehensive Plan GOPs

Exhibit A-1 Comprehensive Plan Goals, Objectives, Policies

Future Land Use Elements

- 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.
- Objective 1.5** Discourage the proliferation of urban sprawl.
- Policy 1.5.5** The City recognizes Alachua County's use of the Urban Cluster, as adopted on their Future Land Use Map, as an urban growth boundary.
- Policy 1.5.7** The Future Land Use Map should designate appropriate areas for multi-family residential development in close proximity to neighborhood centers and important transit routes. When appropriate and in a way not detrimental to single-family neighborhoods, the City should encourage the establishment of residential, retail, office, and civic uses within 1/4 mile of the center of neighborhood centers as an effective way to reduce car trips and promote transit, walking, and bicycling.

Transportation Mobility Elements

- Objective 10.1 –** The Gainesville Transportation Mobility Program Area (TMPA) shall include all property within city limits (although the TMPA shall not apply to annexed properties that do not yet have an adopted city land use category)...
- Policy 10.1.1 –** All property within city limits is included in the Gainesville TMPA; however, the TMPA shall not apply to annexed properties that do not yet have an adopted city land use category. When annexed properties are designated with a city land use category, they shall be assigned to the most physically proximate TMPA zone...

Appendix B- Land Development Code

Appendix B

B-1 Governing Principles

- **Sec. 30-4.3 – Zoning Map. E. Unzoned property generally.** If property in newly annexed territory is unzoned; or if the zoning of any property is vacated or invalidated for any reason, either judicially or legislatively, then the classification of any of such properties shall be deemed to be conservation district (CON), unless and until a different zoning is provided...
- **Sec. 30-4.4 – Annexed Territory.** When lands are annexed into the city, such lands shall be rezoned in accordance with this chapter to an appropriate city zoning district(s). The county zoning district and applicable regulations shall apply prior to rezoning to a city zoning district.

B-2 City of Gainesville Land Development Code

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
Single-family dwellings		P	P	P	P	P
Skilled nursing facility		-	-	-	-	S
Social service homes/halfway houses	30-5.26	-	-	-	-	S

LEGEND:

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

B-2 City of Gainesville Land Development Code

Table V - 5: Residential Districts Dimensional Standards.

	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

LEGEND:

- 1 = Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum density requirements.
- 2 = Assumes both units on one lot. Lot may not be split, unless each individual lot meets minimum lot width requirement for single-family.
- 3 = Lots abutting a collector or arterial street shall have a minimum depth of 150 feet and a minimum building setback of 50 feet along that street.

B-3 Alachua County Land Development Code

**Table 403.09.1
Standards for Multifamily Districts**

Standards	Zoning District		
	R-2	R-2a	R-3
Density Range - Dwelling units per acre	4 - 8	8 - 14	14 - 24
Width at front building line, min			
1-2 units (ft)	50	50	50
3 or more units (ft)	100	100	100
Depth, min (ft)	90	90	90
Setbacks around the Perimeter of the Development			
Front, min (ft)	25	25	25
Rear, min (ft)	20	20	20
Interior side, min (ft)	10	10 ¹	10 ¹
Street side, min (ft)	25	25	25
Building Standards			
Units per building, max ²	8	16	Unlimited
Height, max (feet)	35	45	60
Building coverage, max (percent of gross land area)	35%	35%	35%

¹Six additional inches of setback shall be required for each foot of building height over 35 feet.

²This standard does not apply to assisted living facilities.

B-3 Alachua County Land Development Code

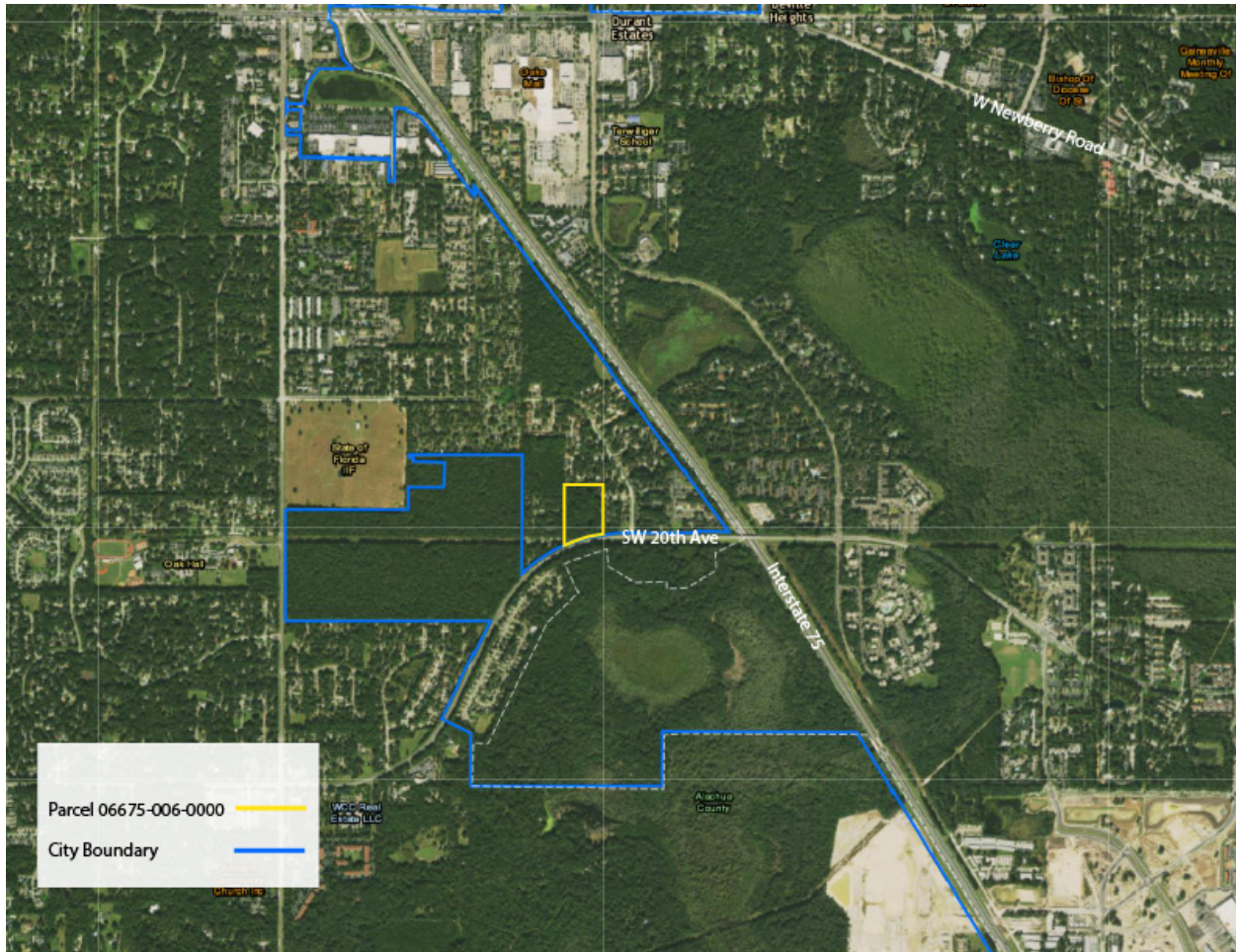
Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3
Key: P = Permitted Use L = Limited Use SE =									
Group Housing	Fraternity or sorority house								P
	Community residential home, small	L			L	L	L	L	L
	Community residential home, large	SE							L
PUBLIC AND CIVIC USES									
Adult and Child Care	Adult or child care center	SE	SE		SE	SE	L	SE	L
	Family child care home	L			L	L	L	L	L
Educational Facilities	Educational facility, private (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA
	Educational facility, public (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA
	Educational facility, vocational, business or technical school; college or university	A							
Community Services	Government Buildings and facilities	SU	SU	SU	L SU	L SU	L SU	L SU	L SU
	Cemetery	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU
	Funeral home								
	Homeless shelter, principal use				SU	SU	SU	SU	SU
	Homeless shelter, accessory	A	A		A	A	A	A	A
	Soup kitchen, principal use				SU	SU	SU	SU	SU

B-3 Alachua County Land Development Code

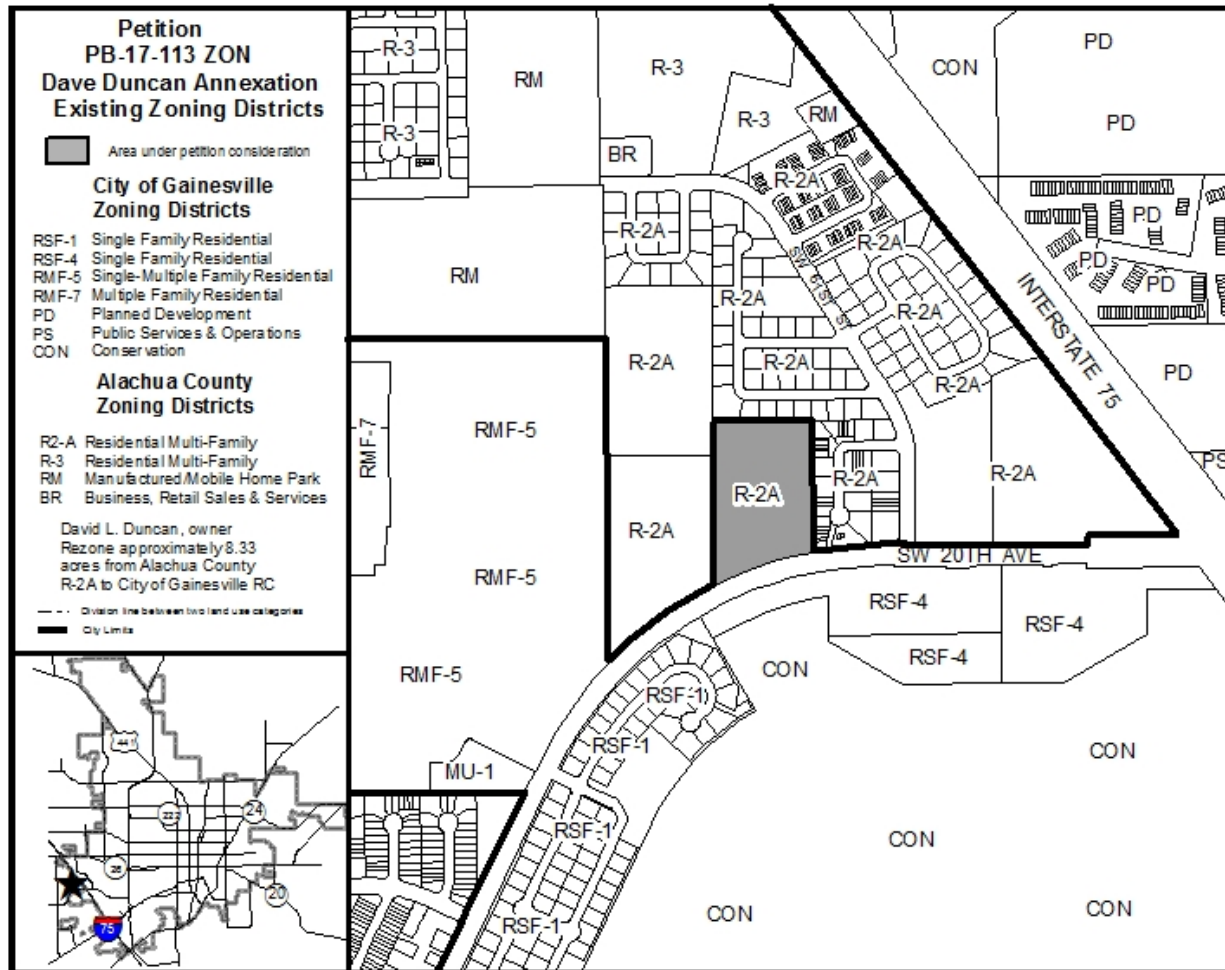
Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3
Key: P = Permitted Use L = Limited Use SE:									
Community Services	Soup kitchen, accessory	A	A		A	A	A	A	A
	Civic organizations and places of worship	L	P	SE	L	L	L	L	L
	Museum	L	L		L	L	L	L	L
	Commercial Animal Boarding or Training Facility		SE						
	Pet rescue organization	L							
Health and Medical Facilities	Hospital								
	Medical clinic or lab	SE	P						
	Medical marijuana dispensary								
	Veterinary clinic or hospital	SE	L						
	Massage therapist								
Transportation Terminals	Bus or train station								
	Airport								
	Helicopter landing pad								
	Private landing strip	SE							
Utilities	Major Utilities, except as listed below	SE	SE		SE	SE	SE	SE	SE
	Minor Utilities, except as listed below	P	P		L	L	L	L	L
	Broadcasting or communications tower	SE							
	Amateur radio tower	A	A		A	A	A	A	A

Appendix C- Maps

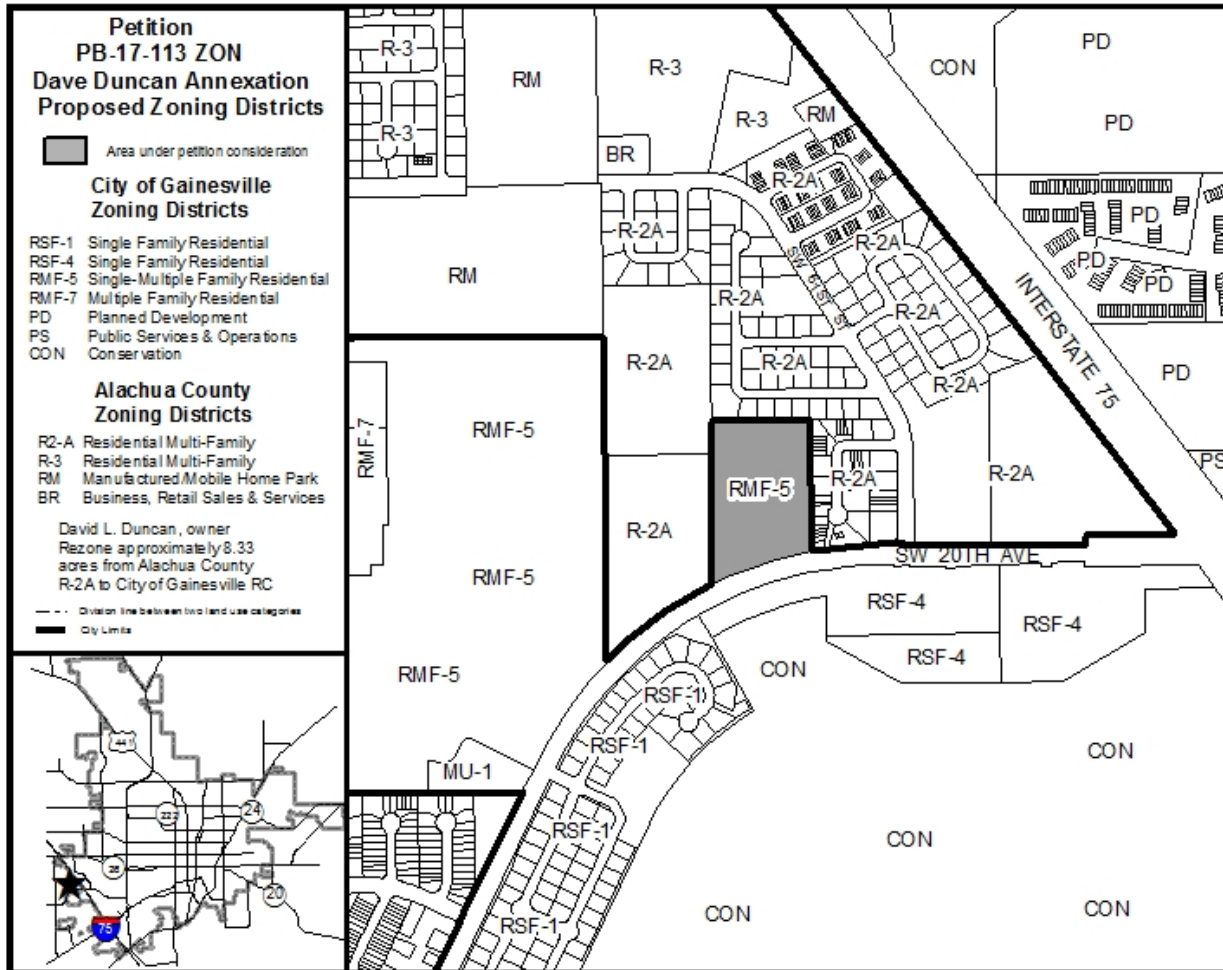
C-1 Parcel Location



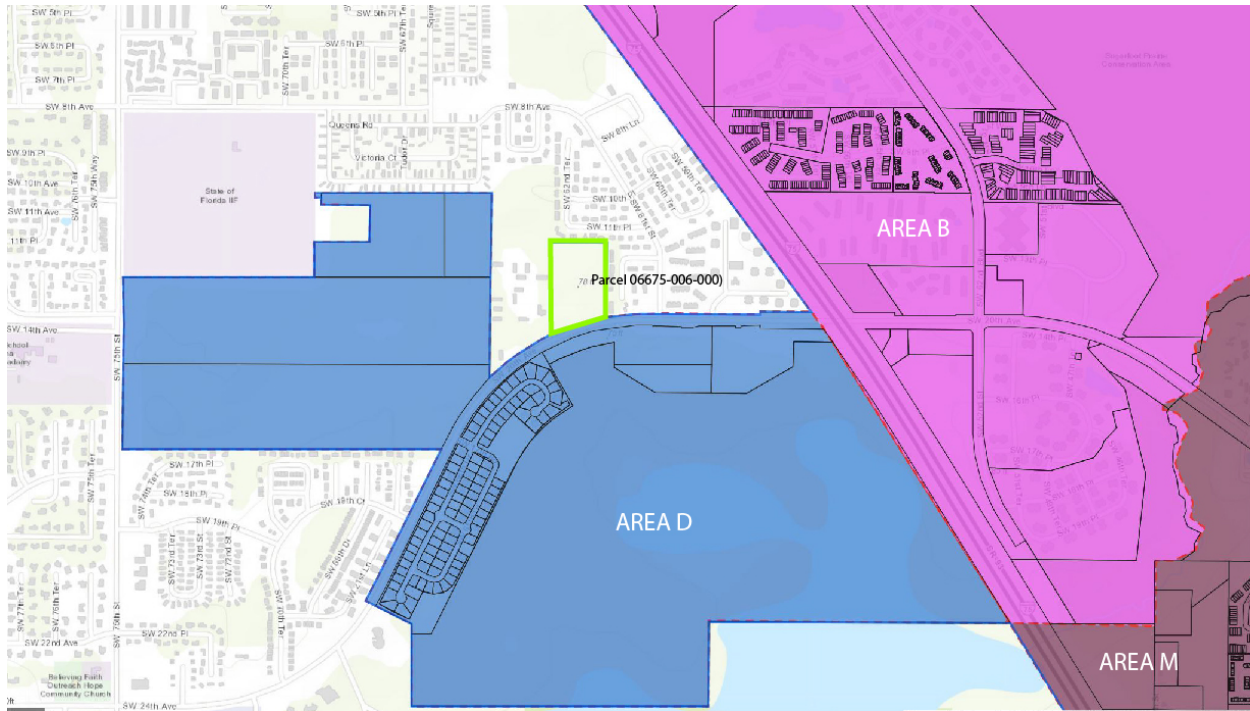
C-2 Existing Zoning District



C-3 Proposed Zoning District



C-4 TMPA zones





Department of Doing
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TO: Megan Echols, Planner

FROM: Mark Brown, Environmental Coordinator

DATE: November 1, 2017

**SUBJECT: Environmental Memorandum
Petition – Duncan Property
Small-scale Comprehensive Plan Amendment (Ss-CPA) and Rezoning
Applications
6224 SW 20th Avenue, (PB-17-112 LUC, PB-17-113 ZON)**

The subject property (Tax Parcel 06675-006-000) is 8.3 acres and located west of the intersection of SW 20th Avenue and SW 61st Street (figure below). The subject CPA application requests to change the Residential High Density (RH) Future Land Use (FLU) designation to Residential Low (RL). The rezoning application requests changing the zoning designation from Multi-family Medium-High Density (Alachua County R-2A) to Residential Low (RC).

The subject property has been reviewed for considerations relating to the presence of environmental resources regulated through the City's Land Development Code (LDC), **Article VIII, Division 3 - Natural and Archaeological Resources and Division 4 - Surface Waters and Wetlands.**

Natural and Archaeological

Resources - The subject property is dominated by a canopy of upland hardwood tree species with an understory of various native as well as nuisance shrub and ground cover vegetative species. Directly south of SW 20th Avenue from the property, the area has been designated within the "Hogtown Prairie" strategic ecosystem (right figure). Even though the subject property isn't included in the delineated strategic ecosystem, review of the vegetative and habitat conditions requires evaluation whether there is presence of natural resources that could qualify for potential protection; particularly related to areas



determined to qualify as “significant upland habitat.” Review of site conditions concluded there are not resources present to justify such classification or specific set-aside requirements. However, it’s noted the presence of individual trees of appropriate species and size that achieve regulated status per **Article VIII, Division 2 – Trees and Landscape**. As part of the planning of proposed facilities within the property, it will be necessary to conduct a tree survey and incorporate tree preservation and/or appropriate mitigation into the design plans.

Surface Waters and Wetlands – The subject parcel doesn’t possess wetlands, drainage swales, ditches or other surface water wetlands; therefore the proposed project is exempt from criteria stipulated in the LDC Division 4. However, as depicted within the aerial figure, there is a small area determined to be located within the 100-year flood zone.



GAINESVILLE REGIONAL UTILITIES
New Services - Email or Fax Communication

November 17, 2017

Re: PB-17-112 LUC

Parcel numbers: **06675-004-000**

To Whom It May Concern:

The lots referenced in this petition are currently served by water or wastewater utilities, but these utilities can be made available. According to GRU policy, the developer of the property will be responsible for the cost of extending water and wastewater service connections and for any off-site system improvements that may be necessary to provide service. An allowance to provide water supply capacity for future population growth is included in GRU's Consumptive Use Permit. No issues with providing sufficient water supply capacity or impacts due to the proposed land use are anticipated at this time, but this statement does not constitute a reservation or guarantee of water supply to the property.

GRU Electric infrastructure is available to the site in question.

GRUCom (GatorNet) service is available to the site in question.

GRU Natural Gas facilities are not currently in the general vicinity, but can be made available through extensions. Costs for extensions would depend on proposed gas usage and would be determined with the GRU Gas department's assistance, if requested.

Sincerely,

Neal Beery

Technical Support Specialist III
Gainesville Regional Utilities
352-393-1413
beerynw@gru.com