

**LEGISLATIVE #**

**110608A**

ORDINANCE NO. 110608

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

**An ordinance amending the Recreation Element of the City of Gainesville Comprehensive Plan; by amending Objective 1.1 and its Policies 1.1.1, 1.1.5; by amending Policies 1.2.2, 1.2.3, 1.3.1, 1.3.2, 1.3.3 and 1.6.1; by amending Objective 1.8 and its Policy 1.8.3; by amending Policies 2.1.2 and 3.1.2; by amending Objective 3.2 and its Policies 3.2.1 and 3.2.2; by amending “Table 1: Service Level Standards for Parks and Facilities”; by amending the Park Design and Function Standards and the Park and Facility Substitution standards; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**WHEREAS**, publication of notice of a public hearing was given that the Recreation Element of the City of Gainesville Comprehensive Plan be amended, as more specifically described in this ordinance; and

**WHEREAS**, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on December 5, 2011; and

**WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearing to be held at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at least seven (7) days after the day the first advertisement was published; and

**WHEREAS**, pursuant to law, after the public hearing at the transmittal stage the City of Gainesville transmitted copies of this proposed change to the Reviewing Agencies and any other local government unit or state agency that requested same; and

**WHEREAS**, a second advertisement an advertisement no less than two columns wide by 10 inches long was placed in the aforesaid newspaper notifying the public of the

1 second public hearing to be held at the adoption stage at least five (5) days after the day the  
2 second advertisement was published; and

3 WHEREAS, the public hearings were held pursuant to the published notices  
4 described above at which hearings the parties in interest and all others had an opportunity to  
5 be and were, in fact, heard; and

6 WHEREAS, prior to adoption of this ordinance the City Commission has considered  
7 the written comments, if any were received, concerning this plan amendment.

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

10 Section 1. Objective 1.1 and its Policies 1.1.1 and 1.1.5 of the Recreation Element  
11 of the City of Gainesville Comprehensive Plan are amended as stated below. Except as  
12 amended herein, the remainder of Objective 1.1 and its Policies remain in full force and  
13 effect.

14 Objective 1.1 The City shall maintain the minimum level of service (LOS) standards,  
15 and the park design standards ~~and the Park and Facility Substitution~~  
16 ~~Standards~~ throughout the planning time frame.

17  
18 Policy 1.1.1 The City shall maintain LOS standards adopted in Table 1 and the park  
19 design standards described in the Recreation Element. ~~and the Park~~  
20 ~~and Facility Substitution Standards of the Recreation Element.~~

21  
22 Policy 1.1.5 ~~In instances where the City or new residential developments are unable~~  
23 ~~to comply with Objective 1.1, compliance with the substitution system~~  
24 ~~described by the "Park and Facility Substitution" portion of the~~  
25 ~~Recreation Element shall be required.~~  
26

27 Section 2. Policies 1.2.2 and 1.2.3 of the Recreation Element of the City of  
28 Gainesville Comprehensive Plan are amended as stated below. Except as amended herein,

1 Objective 1.2 and its Policies remain in full force and effect.

2 Policy 1.2.2 ~~By 2006, t~~The City shall seek to maintain all recreational facilities in at  
3 least “good” condition as defined in the “Condition of City Recreation  
4 Facilities” portion of the data and analysis for the Recreation Element.  
5 The City shall incorporate the capital improvements necessary to attain  
6 this standard into the 5-year Schedule of Capital Improvements  
7 ~~Element~~ for implementation.  
8

9 Policy 1.2.3 New recreational facilities shall be constructed in accordance with  
10 standards described by the “Minimum Facility Design Standards”  
11 portion of the Recreation Element Data and Analysis Report.  
12

13 **Section 3.** Policies 1.3.1, 1.3.2 and 1.3.3 of the Recreation Element of the City of  
14 Gainesville Comprehensive Plan are amended as stated below. Except as amended herein,  
15 Objective 1.3 and its Policies remain in full force and effect.

16 Policy 1.3.1 ~~By 2004, t~~The City shall ~~prepare a report describing the feasibility of~~  
17 ~~coordinateing with the City and County on~~ recreation planning and  
18 ~~management services for the urban area. If deemed feasible, such~~  
19 ~~coordination shall be implemented and arranged with Alachua County.~~  
20

21 ~~Policy 1.3.2~~ ~~By June 2004, the City shall adopt and use criteria to evaluate requests~~  
22 ~~for funding by outside agencies engaged in providing recreation~~  
23 ~~services. The criteria shall include (1) assurance that such services do~~  
24 ~~not duplicate services available elsewhere and (2) assurance that such~~  
25 ~~services do not detract from the City’s own recreation program. The~~  
26 ~~City Commission shall refer all such requests to the Public Recreation~~  
27 ~~Board for a recommendation prior to taking action on the funding~~  
28 ~~request.~~  
29

30 Policy 1.3.2~~3~~ ~~By 2004, the City shall reach an inter-local agreement with SBAC~~  
31 ~~regarding~~ To use a public use of specific school facility facilities for  
32 public recreational purposes, the City and SBAC shall first enter into  
33 an individual, facility-specific agreement.  
34

35 **Section 4.** Policy 1.6.1 of the Recreation Element of the City of Gainesville  
36 Comprehensive Plan is amended as stated below.  
37

1 Policy 1.6.1 By 2002, all City eCommunity parks shall ~~provide~~ have bicycle and  
 2 pedestrian access meeting Traffic Engineering standards along all  
 3 arterials that serve the parks, except where right-of-way does not exist  
 4 along such arterials. When justified by transit demand estimates, each  
 5 community park shall also be regularly served by the City bus system.  
 6

7 **Section 5.** Objective 1.8 and its Policy 1.8.3 of the Recreation Element of the City  
 8 of Gainesville Comprehensive Plan are amended as stated below. Except as amended herein,  
 9 the remainder of Objective 1.8 and its Policies remain in full force and effect.

10 Objective 1.8 The City shall strive to provide funding to maintain or exceed the  
 11 minimum level of service standards and create a sustainable economic  
 12 base for recreation. ~~by the year 2010.~~  
 13

14 Policy 1.8.3 The City shall seek various funding sources including, but not limited  
 15 to, general bond issues, recreation impact fees, utility fee transfers and  
 16 recreation park tax districts. The City shall also consider alternative  
 17 means of funding including, but not limited to, park donation boxes  
 18 and park sponsorships.  
 19  
 20

21 **Section 6.** Policy 2.1.2 of the Recreation Element of the City of Gainesville  
 22 Comprehensive Plan is amended as stated below.

23 Policy 2.1.2 The City shall ~~continue to~~ enforce Land Development Regulations and  
 24 Comprehensive Plan policies that promote the establishment of the  
 25 trail network described in Objective 2.1. Private developments falling  
 26 within the network shall be required to promote the linear integrity of  
 27 the network.  
 28

29 **Section 7.** Policy 3.1.2 of the Recreation Element of the City of Gainesville  
 30 Comprehensive Plan is amended as stated below.

31 Policy 3.1.2 ~~By June 2002, the Public Recreation Board and the Nature Centers~~  
 32 ~~Commission~~ City staff shall submit an annual report to the City  
 33 Commission prior to the annual update of the capital improvements  
 34 program. The report shall assess progress toward implementation of  
 35 this Element and make recommendations for the coming fiscal year.  
 36

1           **Section 8.** Objective 3.2 and its Policies 3.2.1 and 3.2.2 of the Recreation Element of  
 2 the City of Gainesville Comprehensive Plan are amended as stated below. Except as  
 3 amended herein, the remainder of Objective 3.2 and its Policies remain in full force and  
 4 effect.

5 Objective 3.2           Develop recreation plans consistent with neighborhood desires for  
 6 each throughout the City quadrant.

7  
 8 Policy 3.2.1           ~~Minimum LOS standards described in Objective 1.1 shall be adapted~~  
 9 The City shall develop recreation plans to that meet the needs and  
 10 desires of neighborhood residents. ~~the residents of affected~~  
 11 ~~neighborhoods. This shall be attained, in part, by~~ Upon approval by the  
 12 City Commission, the findings of the Parks, Recreation and Cultural  
 13 Affairs Master Plan shall be incorporated in the Recreation Element  
 14 ~~using the facility substitution criteria as described by the “Facility~~  
 15 ~~Substitution” portion of the Recreation Element.~~

16  
 17 Policy 3.2.2           ~~The Recreation and Parks Department of Parks, Recreation and~~  
 18 Cultural Affairs shall continue to use two-way communication tools  
 19 including park user surveys, design charrettes and public hearings to  
 20 design parks and programs meeting the needs of park users.  
 21

22           **Section 9.** Table 1: Service Level Standards for Parks and Facilities of the  
 23 Recreation Element of the City of Gainesville Comprehensive Plan is amended as stated  
 24 below.

25                           **Table 1: Service Level Standards for Parks and Facilities**

26	Facility	2000 LOS Standard	Current LOS:
27	Swim Pool (50 M)	1 per 85,000	1 per 50,702
28	Swim Pool (25 Yd)	1 per 75,000	1 per 33,802
29	Softball Field (adult)	1 per 14,000	1 per 8,450
30	Soccer Field	1 per 11,000	1 per 7,800
31	Trail/Linear Corridor/	1 mi. per 4,500	1 mi. per 3,900
32	Greenway		
33	Basketball Court	1 per 4,500	1 per 4,507
34			
35			

1	Tennis Court	1 per 6,000	1 per 4,609
2	Racquetball Court	1 per 12,000	1 per 7,243
3	Equipped Play Area	1 per 10,000	1 per 3,900

5	Park <sub>2</sub>	2000 <u>Adopted</u> LOS Standard	<del>Current 2011</del> Existing LOS <sub>1</sub>
7	Local Nature/Conservation	6.00 acres	<del>17.02 acres</del> <u>15.71 acres</u>
8	Sports Complex	0.50 acres	1.01 acres
9	Community Park	2.00 acres	<del>2.27 acres</del> <u>2.13 acres</u>
10	Neighborhood Park	0.80 acres	<del>1.51 acres</del> <u>1.33 acres</u>
11	Total Acres Per 1,000 people	<del>9.30</del> <u>8.80</u> acres	<del>11.01 acres</del> <u>19.73 acres</u>

12  
13 <sup>1</sup>Current- Existing LOS is based on ~~1999~~ 2011 City population estimate and available facilities.

14 <sup>2</sup>Park standards are in acres per 1,000 people.

15 Source: City of Gainesville, ~~Department of Community Development~~ May 2000 Planning and Development Services and the Department  
16 of Parks, Recreation and Cultural Affairs, 2011.

17  
18 **Section 10. Park Design and Function Standards of the Recreation Element of the**

19 City of Gainesville Comprehensive Plan are amended as stated below.

20 **Park Design and Function Standards**

21  
22 **Mini-Parks**

23  
24 Small recreation areas within relatively high-density residential areas. Include benches, child  
25 play areas, shade trees, and picnic facilities. Size is one-quarter acre to five acres. Service  
26 radius is 1/4 mile. Access is by local streets, with facilities for pedestrians and bicycles. An  
27 example is Roper Park, located in the 400 block of N.E. 2nd Street. There is no LOS standard  
28 for this park type.

29  
30 **Neighborhood Parks**

31  
32 Moderately-sized recreation areas located to provide convenient access (no more than 1/2  
33 mile) from neighborhoods served. Include tennis courts, racquetball courts, shade trees,  
34 picnic facilities, child play areas, and a limited number of soccer and baseball fields. Size  
35 ranges from 5 to 20 acres, although the presence of certain types of facilities may classify  
36 certain sites less than 5 acres as neighborhood parks. (These smaller sites must provide at  
37 least two facilities of different types from the following list: basketball courts, tennis courts,  
38 racquetball courts, baseball/softball fields, gymnasium or recreation center, and soccer  
39 fields.) Service radius is 1/2 mile. Access is by local streets, with facilities for pedestrians and

1 bicycles. An example is ~~Woodland~~ Woodlawn Park.

### 2 3 **Community Parks**

4  
5 “Intensive-use,” activity-based recreation areas which serve an entire geographic quadrant.  
6 Include a wide range and large concentration of facilities: lighted tennis courts, racquetball  
7 courts, soccer and baseball fields, a swimming pool, off-street parking, playgrounds, and  
8 picnic facilities. Sites 20 acres or larger are classified as “undeveloped” if the site does not  
9 contain at least two different types of these facilities. If LOS standards require community  
10 park acres, but the quadrant is not deficient in any of these facilities, the following facilities  
11 may be substituted: basketball courts, tennis courts, or racquetball courts. Size ranges from  
12 20 to 100 acres, although certain types of facilities may classify certain sites less than 20  
13 acres as community parks. (Parks between 10-20 acres can be classified as a community park  
14 if at least two different types of the following facilities are provided: baseball/softball fields,  
15 swimming pool, gymnasium, recreation center, and/or soccer or football fields.) Service  
16 radius is 1½ miles. Access is by collector or arterial streets, with facilities for pedestrians,  
17 bicycles, autos, and buses. An example is Albert “Ray” Massey Westside Park.

### 18 19 **Sports Complex Parks**

20  
21 “Intensive-use” recreation areas which provide a concentration of facilities for leagues and  
22 tournaments. One or more of the following facilities are necessary but not necessarily  
23 sufficient to classify a site as a “sports complex”: (1) at least four adult-size or youth-size  
24 baseball/softball fields; (2) at least six regulation-size soccer fields; (3) a professional or  
25 semi-professional sports stadium; (4) a combination of at least one gymnasium, four tennis  
26 courts, and four racquetball courts; and/or (5) a region-serving water theme park. Size ranges  
27 from 15 to 100 acres. Service radius is urban area-wide. Access is by arterial streets, with  
28 facilities for bicycles, autos, and buses. There are no examples in Gainesville as of May 2000  
29 November 2011, ~~although the City had acquired acreage adjacent to Boulware Springs that~~  
30 ~~was planned to be developed as a sports complex.~~

### 31 32 33 **Local Nature Parks**

34  
35 Moderately-sized, resource-based parks that offer physical or visual access to  
36 environmentally significant open spaces. Such parks include trails, benches, picnic facilities,  
37 boardwalks, and exhibits. Size is generally less than 100 acres. (All resource-based parks  
38 owned by the city or county are designated local nature parks, regardless of size.) Service  
39 radius is urban area-wide. Access is variable. Motorized vehicles are prohibited from  
40 pedestrian/bicycle corridors. Examples are Morningside Nature Center and Bivens Arm  
41 Nature Parks. Public properties containing environmentally significant features that have not  
42 been developed to accommodate passive recreation are known as “conservation areas.”

### 43 44 **Linear Corridors**

45  
46 Provide a recreational travel corridor for such users as bicyclists, hikers, horseback riders,  
47 canoeists, and joggers. Typically, a narrow strip of land developed along a creek, or along a  
48 utility or abandoned railroad right-of-way. Often link parks, schools, commercial or  
49 residential areas, and natural features to each other. While staging areas typically provide  
50 auto parking, the corridors themselves allow only non-motorized travel. Examples are the  
51 Gainesville-to-Hawthorne Rail Trail. Service radius is urban area-wide.



1 **Special-Use Parks**

2  
3 Provide unique or unusual facilities for specialized recreational users. Support facilities  
4 dependent on the primary purpose of the park. An example is the Thomas Center. There is no  
5 LOS standard for this park type.  
6

7 **Section 11.** The Park and Facility Substitution standards of the Recreation

8 Element of the City of Gainesville Comprehensive Plan are deleted in their entirety.

9 **~~Park and Facility Substitution~~**

10  
11 ~~It is possible that a LOS standard for a recreational facility will result in facility deficiencies~~  
12 ~~in certain areas which do not have vacant land sufficient to accommodate such a facility. For~~  
13 ~~example, a quadrant may need 15 acres of neighborhood park, 3 tennis courts and 2~~  
14 ~~racquetball courts. However, this hypothetical quadrant may contain an insufficient amount~~  
15 ~~of vacant land to accommodate a new neighborhood park.~~

16  
17 ~~In addition, socioeconomic and age differences between neighborhoods often mean~~  
18 ~~differences in recreational facility preferences between neighborhoods. For example, a~~  
19 ~~neighborhood may prefer 4 tennis courts, rather than the 2 tennis courts and 2 basketball~~  
20 ~~courts called for by the LOS standards (or they may prefer a passive park rather than an active~~  
21 ~~park).~~

22  
23 ~~Both of the above problems indicate a need for a mechanism to increase the flexibility of~~  
24 ~~LOS standards without abandoning the benefits of such quantitative standards. There are two~~  
25 ~~broad areas of flexibility:~~

26  
27 *~~Park Substitution~~*

28  
29 ~~Used when needed park land is unavailable in a neighborhood, or when residents prefer a~~  
30 ~~type of park other than a neighborhood park.~~

31  
32 *~~Facility Substitution~~*

33  
34 ~~Used when a determination is made that residents of one or several neighborhoods prefer~~  
35 ~~recreational facility improvements that differ from what is called for by LOS standards.~~

36  
37 **~~Park Substitution~~**

38  
39 ~~In certain neighborhoods, a determination may be made that the area does not contain acreage~~  
40 ~~suitable and available for a new neighborhood park.~~

41  
42 ~~In the event that a neighborhood does not contain suitable and available land for a new~~  
43 ~~neighborhood park, or when residents desire another park type, the following alternatives are~~  
44 ~~considered sufficient to meet neighborhood park acreage needs within the area:~~

45  
46 ~~• **Nature Center** — One center for every 10 acres of neighborhood park.~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

- ~~• **Recreation (or Cultural) Center** — One center for every 10 acres of neighborhood park and 16 facility units (see below for discussion of units).~~
- ~~• **Mini Park** — 1.5 acres of mini park for every acre of neighborhood park.~~
- ~~• **Botanical (or Vegetable) Garden** — 1.5 acres of garden for every acre of neighborhood park deficiency.~~
- ~~• **Local Nature Park** — One acre of nature park for every acre of neighborhood park deficiency. However, nature park must contain at least one acre of land outside of floodprone areas and suitable for development as determined by the City Manager or designee.~~

~~**Facility Substitution**~~

~~There are instances where LOS standards will indicate a deficiency for certain recreational facilities, yet the neighborhood may not have the acreage or desire by its population to accommodate the new facilities. These are instances where:~~

- ~~• The neighborhood does not have enough unused space at existing parks to accommodate facility deficiencies, yet meets park acreage standards;~~
- ~~• The neighborhood does not have suitable and available vacant acreage to acquire for siting the new facilities; or~~
- ~~• One or several neighborhoods to be served by a new neighborhood park express a desire to be served by facilities other than those called for by the Recreation Element.~~

~~The following alternatives are considered sufficient to meet facility deficiencies within a quadrant:~~

- ~~• The construction of the needed facility at an SBAC school within the deficient quadrant, and appropriate joint-use agreements secured by the City from SBAC;~~
- ~~• Developing a joint agreement between the City and SBAC for increased public access to existing school facilities within the deficient quadrant; or~~
- ~~• Basketball, tennis and racquetball court deficiencies exchanged for different facilities (for example, two volleyball courts may be preferred over 2 tennis courts). Neighborhoods can also request a different mix of these three facilities. (For example, 2 tennis courts and 2 racquetball courts may be preferred over 4 basketball courts.)~~

~~For neighborhoods seeking different types or mixes of facilities not called for by the Recreation Element, the list of facilities below can be substituted. Each facility is assigned a “substitution unit” based on the relative cost to build the facility. (One unit is worth approximately \$25,000.)~~

~~**Facility** ————— **Substitution Units**~~

1	Basketball Court	0.5
2	Tennis Court	1.0
3	Racquetball Court	1.0
4	Volleyball Court	0.2
5	Picnic/Pavilion/Playground	0.8
6	Mulched Trail	0.2
7	Interpretive Pavilion	1.0
8	Recreation Center	20.0
9	Boardwalk Trail (1/2 mile)	4.8
10	Greenway Trail (1/4 mile)	0.4
11	Picnic Area	0.4

12  
13  
14

**Section 12.** It is the intent of the City Commission that the provisions of Sections 1 through 11 shall become and be made a part of the City of Gainesville Comprehensive Plan and that the sections and paragraphs of this ordinance may be renumbered in order to accomplish such intentions.

**Section 13.** The City Manager is authorized and directed to make the necessary changes in the text, maps and other data in the City of Gainesville Comprehensive Plan, or element, or portion thereof in order to fully implement this ordinance.

**Section 14.** Within 10 days of the transmittal (first) hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment package, including this ordinance, to the Reviewing Agencies and to any other local government unit or state agency that has filed a written request for same with the City. Within 10 days of the adoption (second) hearing, the City Manager is authorized and directed to transmit a comprehensive plan amendment package, including this ordinance, to the State Land Planning Agency and to any

1 other Reviewing Agency, local government unit or state agency that filed written comments  
2 with the City.

3 **Section 15.** If any word, phrase, clause, paragraph, section or provision of this  
4 ordinance or the application hereof to any person or circumstance is held invalid or  
5 unconstitutional, such finding shall not affect the other provisions or applications of the  
6 ordinance which can be given effect without the invalid or unconstitutional provisions or  
7 application, and to this end the provisions of this ordinance are declared severable.

8 **Section 16.** All ordinances or parts of ordinances in conflict herewith are to the  
9 extent of such conflict hereby repealed.

10 **Section 17.** This ordinance shall become effective immediately upon passage on  
11 second reading; however, the effective date of this plan amendment, if the amendment is not  
12 timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that  
13 the plan amendment package is complete in accordance with Chapter 163.3184, F.S. If timely  
14 challenged, this amendment shall become effective on the date the State Land Planning Agency  
15 or the Administration Commission enters a final order determining this adopted amendment to  
16 be in compliance in accordance with Chapter 163.3184, F.S. No development orders,  
17 development permits, or land uses dependent on this amendment may be issued or  
18 commenced before this plan amendment has become effective.

19

20 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

21

22

23

24

\_\_\_\_\_  
CRAIG LOWE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

MAYOR

ATTEST:

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
KURT M. LANNON  
CLERK OF THE COMMISSION

\_\_\_\_\_  
MARION J. RADSON  
CITY ATTORNEY

11 This Ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

12 This Ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.