



City of Gainesville
Department of Sustainable Development
Planning Division

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CITY PLAN BOARD STAFF REPORT

PUBLIC HEARING DATE: September 22, 2022

PROJECT NAME AND NUMBER: LD22-105 LUC & LD22-107 CPA / Gainesville 121

APPLICATION TYPE: Land Use Change (Legislative)

RECOMMENDATION: Approve

CITY PROJECT CONTACT(S): Brittany McMullen, Planner IV
Forrest Eddleton, Acting Director

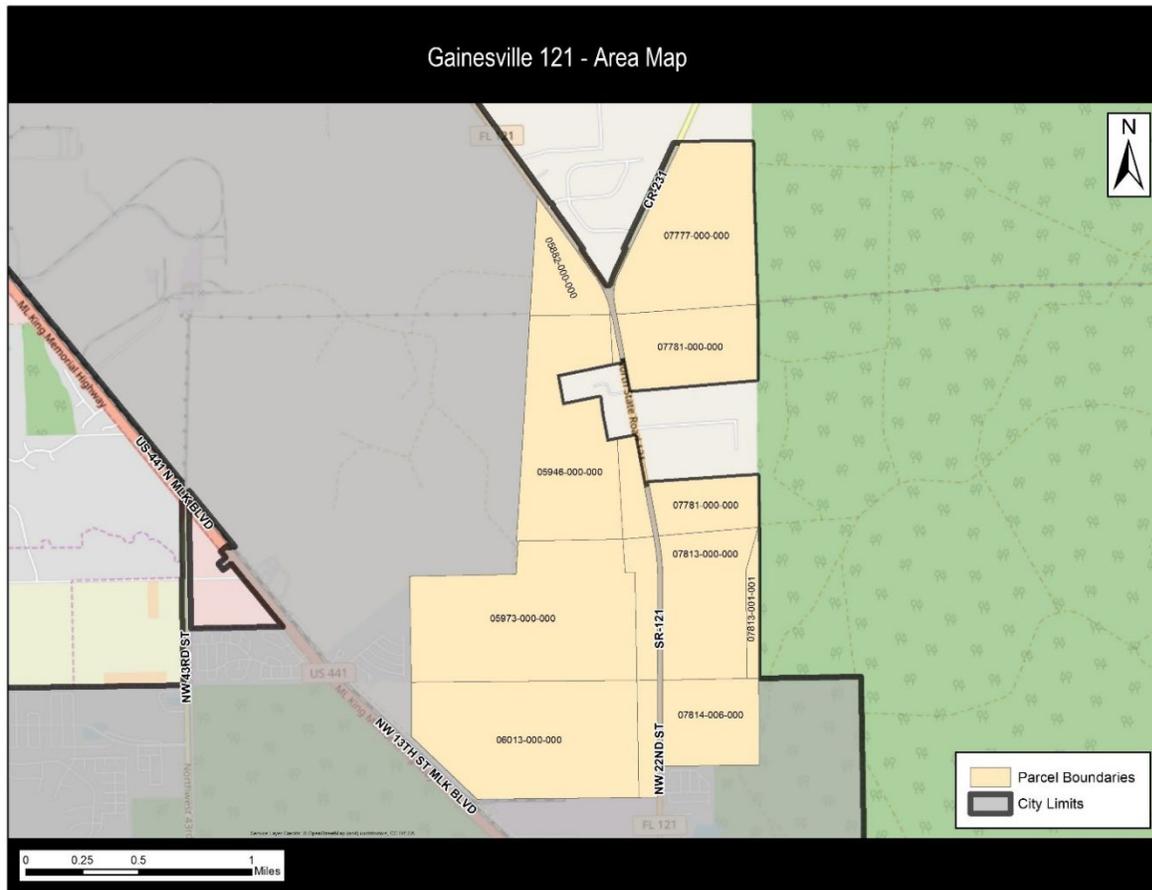


Figure 1: Location Map

APPLICATION INFORMATION:

Agent/Applicant: eda consultants, inc.
Property Owner(s): Weyerhaeuser NR Company
Related Petition(s): LD22-106 ZON

SITE INFORMATION:

Address: None, North State Road 121
Parcel Number(s): 07814-006-000, 06013-000-000, 05973-000-000, 07813-000-000, 07813-001-001, 07781-000-000, 05946-000-000, 07781-000-000, 07777-000-000, 05882-000-000
Acreage: ± 1,778
Existing Use(s): Silviculture
Land Use Designation(s): Planned Use District (PUD), Single Family-Residential (SF), Conservation & Residential Low (RL)
Zoning Designation(s): Alachua County Agriculture (A)
Overlay District(s): Hague Flatwoods Strategic Ecosystem and Buck Bay Flatwoods Strategic Ecosystem
Transportation Mobility Program Area (TMPA): Zone E
Water Management District: St. Johns River Water Management District
Special Feature(s): Wetlands, Special Flood Hazard Areas
Annexed: 1992, 2007

ADJACENT PROPERTY CHARACTERISTICS:

	Existing Use(s)	Future Land Use Category	Zoning District
North	Single-family residential, Silviculture, Undeveloped lands including wetlands	Alachua County Rural/Agriculture	Alachua County Agricultural
South	Single-family residential, Industrial, Silviculture, Undeveloped lands including wetlands	Residential Low-Density, Agriculture, Industrial	Planned Development, Agriculture, General Industrial
East	Silviculture, Undeveloped lands including wetlands	Alachua County Rural/Agricultural, Preservation	Agricultural
West	Deerhaven Generating Station, Mobile home park, Conservation, Warehouse, Wetlands	Public and Institutional Facilities, Conservation, Residential Low-Intensity	Public Services and Operations, Mobile Home, Conservation

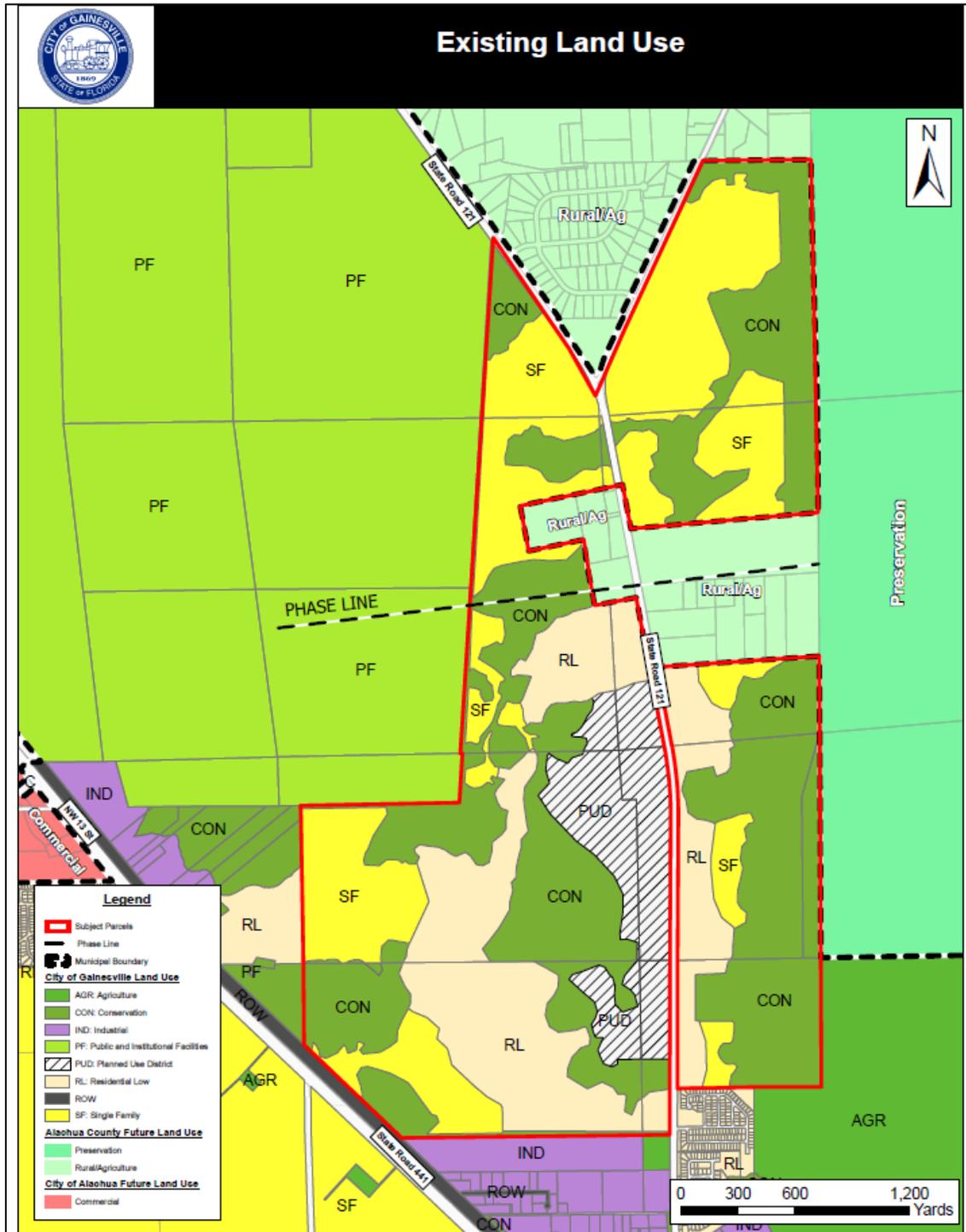


Figure 2: Subject Property and Adjacent Future Land Use Designations

PURPOSE AND DESCRIPTION:

These petitions propose to amend the Future Land Use Map of the Comprehensive Plan by amending the land use category and policy 4.3.4 of the Comprehensive Plan Future Land Use Element pertaining to approximately 1,778 acres of property located north of U.S. 441 and both east and west of SR 121. The future land use map is proposed to be amended from RL (Residential Low-Density, up to 15 dwelling units per acre), SF (Single-Family, up to 8 dwelling units per acre) to MOR (Mixed-Use Office/Residential, up to 20 dwelling units per acre).

Brief History

The southernmost portion of the property (approximately 460 acres) was annexed in 1992, and the remaining acreage (approximately 1,319 acres) was annexed in 2007 (Ord. 060731). At the time of annexation the property had a future land use designation of Alachua County Rural/Agricultural and a zoning designation of Alachua County Agriculture.

In 2009, the City adopted Ordinance No. 070447 and assigned the following four City land use designations with conditions to specified portions of the subject property: 1) Planned Use District (PUD) overlay, with an underlying land use designation of City Agriculture); 2) Single-Family; 3) Residential Low-Density; and 4) Conservation. This 2009 ordinance included a requirement that the subject property be assigned City Planned Development (PD) zoning on the PUD portion, which makes up an area of approximately 744 acres of the total property.

In 2017, the property owner submitted to the City a rezoning application to rezone the approximately 744-acre subject property in accordance with the City's 2009 land use Ordinance No. 070447. On December 5, 2019, the City Commission held a quasi-judicial hearing and voted to deny the rezoning application, citing concerns about silvicultural activity near wetlands and an insufficient development density and intensity pattern that encouraged lower density and spread out development.

Proposed Change

The property owner now proposes to amend the Future Land Use Map of the Comprehensive Plan for properties designated Residential Low-Density and Single-Family Residential to Mixed-Use Office/Residential and amend related Policy 4.3.4 of the Future Land Use Element. The associated rezoning petition (LD-22-106 ZON) proposes to designate Planned Development (PD) zoning to the portion of the property south of the phase line as described in the Gainesville 121 PD Report, attached as part of LD-22-106 ZON.

Additionally, this application proposes to amend existing Comprehensive Plan Section 4.3.4 to modify the name of the development area as well as address density, transit, affordable housing, Low Impact Development (LID), and conservation land use area requirements and allowances. This land use change, along with the corresponding PD zoning proposal, aims to address concerns expressed of the prior application by promoting denser and clustered development to establish an efficient and non-sprawling land use pattern

that protects wetlands and environmentally-sensitive areas.

Table 1. Proposed Land Use Change (in acres)

Future Land Use Category	Description	Existing Acres	Proposed Acres
PUD	Planned Use District	167	167
RL	Residential Low Density	365	0
SF	Single-Family Residential	545	0
CON	Conservation	701	701
MUR	Mixed Use Office/Residential	0	910
Total Acres		1,778	1,778

STAFF ANALYSIS AND RECOMMENDATION:

ANALYSIS

1. Consistency with the Comprehensive Plan

The designation of the Mixed-Use/Office Residential land use category is consistent with the Goals, Objectives, and Policies of the Comprehensive plan which promote a sustainable development pattern in the city by creating and maintaining choices in housing, offices, retail, and workplaces, ensuring that a percentage of land uses are mixed (Goal 1, Future Land Use Element). The following objectives and policies are supported by the land use change and corresponding PD zoning category, which will be enabled by the land use change:

Objective 1.1 Adopt urban design principles that adhere to timeless (proven successful), traditional principles.

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.

Policy 1.1.4 The City and its neighborhoods, to the extent possible, shall have a center focus that combines commercial, civic, cultural, and recreational uses.

Policy 1.2.2 The City should use design standards in the Land Development Code to ensure that higher densities are livable.

Policy 1.2.3 The City should encourage mixed-use development, where appropriate.

2. Compatibility and surrounding land uses

The proposed PUD component, with its mix of commercial and residential uses, is generally compatible with the surrounding land uses, which consists of low-density, single-family homes, and environmental conservation areas.

3. Environmental impacts and constraints

The site is a headwaters for Rocky Creek, Hatchet Creek, and Turkey Creek. It is in a moderate to high recharge area for the Floridan Aquifer, as identified by the Suwannee River and St. Johns River Water Management Districts. The Comprehensive Plan and Land Development Code require that any development must be particularly sensitive to the protection of groundwater, especially when the water table is as close to the surface as it is on this site. The site is adjacent to the conservation easement surrounding the Murphree Wellfield. Numerous wetlands are found on the site that may serve as habitat for listed species, waterfowl, and amphibians. Large acreages of uplands on the site may provide habitat for upland listed species.

The portion of the property west of State Road 121 falls within the Hague Flatwoods Strategic Ecosystem and the eastern portion of the property is within the Buck Bay Flatwoods Strategic Ecosystem. These designations triggered a more detailed Environmental Resource Assessment and establishment of wetland boundaries in 2009 and 2017 which formed the basis for the establishment of the existing Conservation land use areas. The intent was to provide the basis for establishing environmentally suitable and sensitive uses while providing further detail through the establishment of zoning designations and Conservation Management Areas.

In addition to within Conservation land use areas, wetlands, wetland buffers, floodplain and upland habitat areas that are to be protected shall be identified as Conservation Management Areas and protected by a perpetual conservation easement in favor of the City, or a tax exempt land trust doing business within Alachua County, Florida, as determined by the City. Activities within the Conservation Management Areas shall be as set forth in a Conservation Management Plan approved by the City (see attached Conservation Management Plan, Appendix D).

A primary feature of the proposed Conservation Management Plan and areas is the treatment of silviculture, its timing, and its continued operation within Conservation land use areas. Comprehensive Plan Policy 4.3.4 will be amended to state that existing silvicultural use within

planted pine plantations will be allowed one final timber harvest and will be allowed to continue as a temporary and transitional use until terminated following a final harvest. As proposed, areas that are not in planted pine plantations (wetland areas roughly) will transition out of silviculture use with the establishment of the CMP. For areas that are currently in planted pine plantation (see Conservation Future Land Use Acreage In Transition Areas Within CMA, Appendix A) the applicant is proposing to transition out of silviculture use as development applications, within a distance specified by the CMP, are submitted over time. It is important to note that in some cases, particularly in areas that have been recently harvested and replanted, this will allow current on-going bona fide silviculture practices to continue within wetland buffer areas and Conservation land use areas for a full harvest cycle.

It is also important to note that the Conservation zoning designation does not allow silviculture as a permitted continuous use. However, staff recognizes the environmental value of appropriately managing the land in such a way as to aid in the ultimate establishment and restoration of well-protected resources and conservation management areas. In addition, all areas designated with conservation land use must receive a zoning designation of Conservation and will be regulated in accordance with the Conservation zoning district except that no residential units may be allowed and no transfer of density may be allowed to other areas. Existing language in Policy 4.3.4 requires that the PD rezonings shall ensure that allowed uses are integrated within the existing site landscape in a way that reasonably assures preservation of the ecological integrity of existing ecosystems by creating and maintaining connectivity between habitats, minimizing natural area fragmentation, and protecting wetlands, associated uplands, and floodplains (Policy 4.3.4.c.3.a).

Additionally, Policy 4.3.4 is proposed to be amended to add language to clarify that the Alachua County Countywide Wetland Protection and Natural Resource Protection Codes apply to the subject property and to the extent that resources protected by said codes are determined to exist on the property, the requirements of said codes must be met.

4. Support for urban infill and/or redevelopment

The land use designations and Comprehensive Plan text update will not support urban infill or redevelopment due to the property's location and its undeveloped state.

5. Impacts on affordable housing

The proposed change will have a positive impact on the provision of affordable housing within the community. Existing Policy 4.3.4.g.6 requires that Planned Development areas provide 5 percent of residential units at affordable rates, being defined as households earning between 80% and 120% of the median income for Alachua County for a family of four as established by the U.S. Department of Housing and Urban Development. The current proposal refines this language to require that the units are perpetually affordable and further defines legal mechanisms by which this requirement must be met.

6. Impacts on the transportation system

At the time of development the owner/developer will be required to submit a traffic study to analyze issues related to trip generation, trip distribution, operational and safety concerns, and must propose appropriate transportation mobility modifications consistent with the transportation impacts of development.

Future development at the property will be subject to requirements of the City's Transportation Mobility Program. Additionally, proposed language in Policy 4.3.4 requires that the owner/developer construct a paved multi-use trail along the west side of SR 121 from the north end of the development south to the existing trail at US 441. All costs incurred by the owner/developer for this multi-use trail will be credited by the City against the applicable owner/developer obligations required pursuant to the City's Transportation Mobility Program. Should construction of the paved multi-use trail not be permitted or otherwise feasible within the rights-of-way of FDOT or CSX railroad, alternative improvements and/or payments may be substituted in accordance with the City's Transportation Mobility Program.

Also proposed with this change is amended language to Comprehensive Plan Policy 4.3.4 to address future transportation needs related to the Regional Transit System (RTS):

“Planned Developments adopted pursuant to this Policy may require that Weyerhaeuser provide for transit access when approved by the City's Regional Transit System (RTS), and the owner/developer may be required to provide comfortable, multi-use transit stations when transit service is made available to Weyerhaeuser. The owner/developer may be required to fund transit service (capital and operations) for the development with minimum 15-minute frequencies in the a.m. and p.m. peak hours for RTS. If the funding is for a new route to serve the development, the funding for transit must be for a minimum period of 5 years. If the funding is for expansion of an existing route to serve the development, the funding for transit must be for a minimum period of 3 years.

If transit service to Weyerhaeuser is approved by RTS, transit service must be phased at the development to maximize successful transit routes consistent with population and density standards set by RTS as Weyerhaeuser develops. The transit phasing plan for the required transit service must be provided in the associated PD ordinances and will be subject to RTS approval.”
(Proposed Policy 4.3.4.a.14)

7. An analysis of the availability of facilities and services

The change from single-family low density land use to a higher density mixed-use designation, along with clustering the more intense development at the core of the development site, will promote a more efficient use of public facilities and services. Future development will be evaluated based on the availability of facilities and the developer will be responsible for extending services if necessary.

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

The city is steadily growing with an inadequate supply of housing units, types, and geographic disbursement, and is experiencing a corresponding and growing housing affordability problem. Specifically, Gainesville had a 54% increase in population between 1990 and 2018, and almost 30,000 additional people will be living in Gainesville by 2050. With the need for additional housing being well established, it can be concluded that the change of land use from Residential Low Density (up to 15 units per acre) and Single Family Residential (up to 8 units per acre) to Mixed-Use Office/Residential (up to 20 units per acre) will increase the allowable residential development potential, addressing this need. An amendment to Policy 4.3.4 will change the allowable maximum density in the Mixed-Use Office/Residential land use areas from 2.75 dwelling units per acre to 20 dwelling units per acre.

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

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

I. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

The proposal designates substantial amounts of lands for high-density, mixed-use development.

II. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

The land use change will promote a significant amount of land within the urban boundaries to be developed with a mix of uses.

III. Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

The land use designations do not promote or allow radial, strip, isolated or ribbon patterns emanating from existing urban developments.

IV. Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation environmentally sensitive areas, natural

groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

A large portion of the overall property under ownership of the applicant which makes up the remainder of the area under consideration is already designated and will remain conservation land use, and extensive language within the PD report for the companion rezoning petition is devoted to planning to avoid undue adverse impacts to environmental resources.

V. **Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.**

The properties have existing future land use designations which allow for single-family development. The change to allow for increased density and a mix of uses will allow for a more efficient development of the property, and a significant portion of the overall development area, which borders adjacent agricultural areas, will be set aside in conservation, providing for a natural buffer between uses.

VI. **Fails to maximize use of existing public facilities and services.**

The change from single-family low density land use to a higher density mixed-use designation, along with clustering the more intense development at the core of the development site, will promote a more efficient use of public facilities and services. Future development will be evaluated based on the availability of facilities and the developer will be responsible for extending services if necessary.

VII. **Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, storm water management, law enforcement, education, health care, fire and emergency response, and general government.**

The proposed land use amendment involves property that has access to existing public facilities and services (e.g., roadways, utilities, schools, etc.), which helps to minimize related costs. Required improvements will be at the expense of the developer.

VIII. **Fails to provide a clear separation between rural and urban uses.**

The existence of conservation land use on portions of the subject property will work towards preserving a large portion of the natural resources existing at the property and the areas will act as natural buffers between the proposed urban uses and the surrounding rural area.

IX. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

The subject land use designations are not expected to have a direct impact on infill development or the redevelopment of existing neighborhoods and communities as the properties are vacant.

X. Fails to encourage a functional mix of uses.

The proposed land use designation of Mixed-Use Office/Residential allows for and encourages a mix of uses.

XI. Results in poor accessibility among linked or related land uses.

Amendment of the future land use element from Residential Low Intensity and Single-Family Residential to a district that allows for a mix of uses will promote the provision of additional and complementary resources in a developing area and likely result in enhanced accessibility among linked or related land uses.

XII. Results in the loss of significant amounts of functional open space.

Amending the land use from Residential Low Intensity and Single-Family Residential to Mixed-Use Office/Residential will not necessarily result in the loss of significant amounts of open space as both existing and proposed categories allow for development of the properties. Additionally, the implementing PD zoning category will require the preservation of a significant amount of open space.

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

I. Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The properties are currently designated with low-density future land use categories, and large portions of the subject property which surround these designated areas are protected by conservation land use. The change from low-density residential to a higher density mixed-use category will not reduce the areas designated as conservation.

II. Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The proposed clustering of development will promote an efficient and cost-effective provision or extension of public services, and any future utility extensions will be at the cost of the developer.

III. Promotes walkable and connected communities and provides for compact development and multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The development and design standards established in the implementing PD zoning will promote a walkable and connected community with clustered density that will promote multimodal transportation.

IV. Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The change from single-family land uses to a mixed-use land designation will promote a balance of uses and allow for the future development of uses based on the residential population of the area.

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

Approval of the proposed land use change will facilitate development of the subject property which will promote capital investment in the area and create both temporary and permanent jobs.

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

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

CONCLUSION AND RECOMMENDATION:

Staff has evaluated the land use change according to criteria in the Land Development Code and Comprehensive Plan and recommends **approval**.

LIST OF APPENDICES:

Appendix A Maps – Existing Land Use, Proposed Land Use, Conservation Future Land Use Acreage In Transition Areas Within CMA

Appendix B Comprehensive Plan Policy 4.3.4 (Existing)

Appendix C Natural Area Resource Assessment

Appendix D Draft Ordinance and Attachments