

Appendix B – Existing Policy 4.3.4



- r. The planned use district land use category does not vest the development for concurrency. The owner/developer is required to apply for and meet concurrency management certification requirements, including transportation mitigation if necessary, at the time of application for planned development rezoning.

Policy 4.3.4

The property governed by this policy shall be known as the Plum Creek Development Company ("Plum Creek") for land use purposes. Due to the unique infrastructure and environmental constraints of "Plum Creek" as depicted on the map labeled "Plum Creek SR 121 Overall Site" in the Future Land Use Map Series A, Plum Creek shall be governed by the following policies:

- a. Within all land use areas of Plum Creek:
 1. Maximum residential development of the entire 1,778 acres shall not exceed 1,890 residential units and 100,000 square feet of non-residential uses of which a maximum of 80,000 square feet shall be permitted as Commercial, and these densities and square footage may be less unless the developer establishes to the City at the time of rezoning by competent substantial evidence, that the development meets the criteria and standards of this Policy 4.3.4 and the Land Development Code.
 2. Development shall be clustered to inhibit encroachment upon the environmentally significant features of Plum Creek; and
 3. Wetlands shall not be impacted other than where necessary to achieve interconnectivity between upland properties; and
 4. Wetlands shall be protected by wetland buffers that shall be a minimum of fifty (50) feet and an average of seventy-five (75) feet wide. The minimum and average buffer widths shall not apply to those portions of the wetlands that are impacted consistent with 4.3.4.a.3 above; and
 5. Stormwater treatment facilities shall not be permitted within the wetland buffers established pursuant to Section 4.3.4.a.4. above, except that outfall structures shall be allowed within these buffers; and
 6. Areas within the floodplain district, as defined in the City's Land Development Code, shall be protected so that at least ninety (90%) percent of existing floodplain areas shall not be altered by development, except that recreation and stormwater



management may occur within not more than twenty percent (20%) of the floodplain district, and the existing floodplain storage volume will be maintained; and

7. Stormwater best management practices and/or low impact development (LID) practices shall be used to the maximum extent practicable to maintain or replicate the pre-development hydrologic regime, as determined by the City, and consistent with state requirements; and
8. Existing functioning ecological systems within Plum Creek shall be retained to the maximum extent practicable while accommodating the uses and intensity of uses authorized by the land use policies governing Plum Creek, as determined by the City.
9. Maintain and enhance plant and animal species habitat and distribution by protecting significant plant and animal habitats, provide for habitat corridors, prevent habitat fragmentation by requiring a detailed survey of listed species, identify habitat needs for maintaining species diversity and sustainability; preserve wetlands and at least forty percent (40%) and up to fifty percent (50%) of the upland area, inclusive of the wetland buffers established pursuant to 4.3.4.a.4. above. Listed species are those species of plants and animals listed as endangered, threatened, rare, or species of special concern by the state and federal plant and wildlife agencies, or species ranked as S1, S2, or S3 the Florida Natural Areas Inventory (FNAI).
10. 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.
11. Planned Developments adopted by zoning ordinances within Plum Creek shall impose standards that address minimum required setback from SR 121 and CR 231, retention of existing vegetation and supplemental vegetative plantings, fencing and other forms of screening. Except where access to the property is provided, a minimum 50 foot vegetative buffer shall be retained along both sides of SR 121 and CR 231 within Plum Creek.



12. A natural and/or planted buffer with a minimum average width of 100 feet that at no location is less than 25 feet wide, shall be retained along the entire western boundary property line beginning at SR 121 at the north and ending at US 441 at the south, but shall not include the southwesterly property line abutting US 441.
13. A natural and/or planted buffer with a minimum average width of 200 feet that at no location is less than 50 feet wide, shall be retained along the southern boundary of Plum Creek, west of SR 121, between industrial and residential uses.

b. Conservation Land Use Areas

All areas designated Conservation land use shall receive a zoning district designation of Conservation and are not permitted to have any residential units. There shall be no transfer of density to other areas.

No development, other than minimum crossings necessary to achieve interconnectivity between upland properties, and passive recreational uses is allowed within the Conservation Areas, as determined by the City.

c. Single-Family, Residential Low-Density and Planned Use District Land Use Areas

1. All areas designated Single-Family, Residential Low-Density and Planned Use District land use shall be implemented by Planned Development (PD) zoning. The required rezoning to PD of the areas designated Single-Family and Residential Low-Density may occur in increments over time upon request of the property owner and approval by the City; however, rezoning of the Planned Use District (PUD) area to PD shall occur as provided in Paragraph F below entitled “Planned Use District Land Use Area”. Until such rezonings to PD are effective, the zoning district designations shall remain Agriculture for all areas designated Single-Family, Residential Low-Density and Planned Use District land use; and
2. All areas that are rezoned to PD shall be designed to be traffic-calmed and pedestrian friendly; and
3. The PD rezonings for Plum Creek shall ensure that allowed uses are integrated within the existing site landscape in a way that reasonably assures the following:



- a. Preservation of the ecological integrity of the ecosystems of Plum Creek by creating and maintaining connectivity between habitats, minimizing natural area fragmentation, and protecting wetlands, associated uplands, and floodplains as indicated in Policy 4.3.4.a. above; and
 - b. Preservation or enhancement of existing wetlands with approved treated stormwater to wetlands, limiting impacts to such wetlands to crossings necessary to achieve interconnectivity between upland properties, and requiring that any such crossings be designed to minimize wetland impacts.
4. The PD rezonings for Plum Creek shall require that appropriate “low impact development” (LID) techniques for the site must be implemented. Prior to second and final reading of each ordinance that rezones property within the PUD to PD, the owner/developer shall provide legally enforceable documents to the City that establish that a responsible entity (e.g., community development district, developer and/or homeowner’s association) will permanently provide for proper maintenance of the LID functional landscape. LID is a site design strategy for maintaining or replicating the pre-development hydrologic regime through the use of design techniques that create a functionally equivalent hydrologic landscape. Hydrologic functions of storage, infiltration, and ground water recharge, plus discharge volume and frequency shall be maintained by integrated and distributed micro-scale stormwater retention and detention areas, by the reduction of impervious surfaces, and by the lengthening of flow paths and runoff time. Other LID strategies include, but are not limited to, the preservation/protection of environmentally sensitive site features such as wetlands, wetland buffers and flood plains. Each rezoning to PD shall include conditions requiring appropriate LID practices, subject to the approval of the City. Such practices shall include, but are not limited to:
- a. Development that adheres to the principles of “New Urbanism” or “Traditional Neighborhood Development”.
 - b. Clustering of development.
 - c. Bioretention areas or ‘rain gardens.’



- d. Grass swales
 - e. Permeable pavements
 - f. Redirecting rooftop runoff to functional landscape areas, rain barrels or cisterns.
 - g. Narrowing street widths to the minimum width required to support traffic, on-street parking where appropriate, and emergency vehicle access.
 - h. Elimination of curb and gutter where appropriate.
 - i. Minimization of impervious surfaces through use of shared driveways and parking lots.
 - j. Reduction in impervious driveways through reduced building setbacks.
frontages for lots.
 - l. Permanent educational programs to ensure that future owners and residents of the site have an opportunity to fully understand the purpose, function, and maintenance of each LID component.
 - m. Limitations on the amount of turf allowed within the site and standards for implementation of best management practices for such turf, including minimum fertilizer applications.
 - n. Reuse of stormwater.
 - o. Use of “Florida Friendly” plant species and preferably native species for landscaping.
 - p. Use of low-volume irrigation technologies and soil moisture sensors if potable water supply is used for irrigation.
5. Implementation of appropriate “firewise” community planning practices shall be identified during the rezoning process and required by the PD zoning ordinances.
 6. A master storm water management plan for each geographic



area proposed for rezoning to PD must be prepared and submitted to the City for review and approval before final development orders can be approved.

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d. Single-Family Land Use Areas

1. All areas designated Single-Family land use shall be rezoned to PD prior to undertaking any development for single-family use within the rezoned area; and

2. All of the areas designated Single-Family land use within Plum Creek (Future Land Use Map, Series A) shall be limited to a total maximum gross residential density of 1 residential unit per 2.5 acres (0.4 residential units per acre) up to a maximum of 218 residential units; and

e. Residential Low-Density Land Use Areas

All areas designated Residential Low-Density land use shall be rezoned to PD prior to undertaking any development for multi-family or single-family use or any other housing type.

2. Development of a range of housing types, including, but not limited to single-family detached, single-family attached, townhomes and apartments is allowed. The mix of housing types shall be specifically provided in the PD zoning ordinances. Clustering of residential uses to allow for greater environmental sensitivity is allowed.

3. Development shall provide for pedestrian and bicyclist safety and comfort.

4. All of the areas designated Residential Low-Density land use within Plum Creek (Future Land Use Map, Series A) shall be limited to a total maximum gross residential density of 2.75 residential units per acre, up to a maximum of 1,004 residential units, or less, as transfers of density may occur as provided in Paragraph f.3.c. below.

f. Planned Use District Land Use Area

1. Development within the Planned Use District area shall maximize pedestrian/bicycle connections among all uses (residential and non-residential) and shall maximize pedestrian and bicyclist safety and comfort. A network of sidewalks and street trees shall be provided on all internal streets. Sidewalk connections shall be made from the internal sidewalk system to the public right-of-way adjoining the Planned Use District. To



minimize traffic impacts on SR 121, the implementing PDs shall maximize internal roadway connectivity between residential and areas with mixed uses.

2. The PDs associated with the Planned Use District shall provide for transit access approved by the City's Regional Transit System (RTS), and the owner/developer shall be required to provide comfortable, multi-use transit stations when transit service is made available to Plum Creek. The owner/developer

shall 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 shall 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 shall be for a minimum period of 3 years.

Transit service shall be phased at the development to maximize successful transit routes consistent with population and density standards set by RTS as Plum Creek develops. The transit phasing plan for the required transit service shall be provided in the associated PD ordinance and shall be subject to RTS approval.

3. The implementing PDs district zoning for the Planned Use District area shall be subject to the following standards:
 - a. The Planned Use District area shall allow mixed uses such as residential, office, business retail, professional and financial services, schools, places of religious assembly and community facilities. The area shall be implemented by PD zoning which shall generally adhere to the requirements of the City's Traditional Neighborhood Development District standards.
 - b. A minimum gross density of 4 residential units per acre (668 residential units) is required for the 166.89 acres of Planned Use District (PUD) land use. A transfer of density from the Residential Low-Density Land Use Areas or the Single-Family Residential Land Use Areas into the PUD area may be approved during PD rezonings. Any transfers of density from the Residential Low-Density Land Use Areas and the Single-Family Land Use Areas to PUD shall reduce the overall number of units for the Residential Low-Density Land Use Areas and Single-Family Residential Land Use Area, respectively, allowed by



the number of residential units transferred.

- c. Residential uses that are located above non-residential uses are allowed and encouraged. Residential types allowed include townhouses, apartments, plus attached and detached single-family homes.

- d. A maximum of 100,000 square feet of non-residential use shall be allowed within the Planned Use District

land use, of which a maximum of 80,000 square feet shall be permitted as commercial use. Except as may be otherwise provided in the implementing PD zoning ordinance, each building within this zone shall be allowed to be mixed with residential located above non-residential uses. Each implementing PD shall

provide detailed and specific design standards governing all aspects of development within the PD.

- e. Urban design standards that ensure compatibility among the various allowed uses shall be included as part of the PD ordinance. Additional standards may be required to address noise and lighting to further assure compatibility.

- f. The PD zoning ordinance shall, through design and performance measures, assure the neighborhood, pedestrian quality of Plum Creek by regulating building type and scale, overall building appearance and orientation, placement and function of parking, loading, waste disposal, access points, outdoor uses and mechanical equipment, signage and landscaping.

- g. Open space shall be provided, where appropriate, as common open space serving conservation, recreation and civic needs of the Planned Use District Area, subject to approval of the City.

g. Miscellaneous Provisions

- 1. The developer has signed a binding agreement acknowledging owner/developer responsibility for mitigation of transportation impacts associated with the maximum amount of development identified in the future land use amendment. Prior to the second reading of the first PD rezoning ordinance(s) for Plum Creek, the owner/developer shall sign an agreement associated with the transportation mobility program in effect at the time of PD



rezoning submittal for the first phase of the development as shown in the PD ordinance. At a minimum, prior to adoption of the second reading of the ordinance for any PD rezoning for any portion of Plum Creek, the owner/developer shall make a payment to the City or sign a binding agreement for construction of an acceptable project, which shall include bonding requirements or other assurance acceptable to the City Attorney for the required transportation mobility project (consistent with the transportation mobility program in effect at the time of PD rezoning) associated with the trip generation for the first phase as shown in the PD. Subsequent to the first agreement associated with the transportation mobility agreement program in effect at the time of PD rezoning, additional transportation mobility agreements shall be executed prior to the issuance of final site plan or subdivision final plat development orders for the relevant phases of the development.

2. At the time of filing an application for the first planned development rezoning, the developer shall submit to the City recommended transportation mobility modifications needed to address the full build-out of residential and nonresidential uses authorized by Policy 4.3.4.a.1. and identify funding of such modifications pursuant to the Agreement required for Policy

4.3.4.g.1. herein, subject to approval by the City. Such transportation modifications shall be consistent with the City's transportation mobility requirements in effect at that time.

All recreation facilities that are required to ensure that the City's Recreation LOS standards are maintained shall be specified in the PD rezoning application and ordinance. Many of the single-family areas along with portions of the PUD area

shall be built around pocket parks of various types, subject to approval by the City. At the development stage for each phase and section of the project, recreational acreage necessary to meet the demands of the residential units will be provided by the owner/developer as required by the Gainesville Comprehensive Plan Recreation Element. All recreational amenities will be provided at the cost of the owner/developer. Recreation facilities shall be provided on-site to ensure that the needs of the residents of Plum Creek are met on-site, provided that a portion of the recreation need may be met through the development of active recreation facilities on the adjacent property (tax parcel 07781-002-000) owned by the City of Gainesville, subject to approval by the City.

3. All proposed access points to CR 231 are subject to approval



by the Alachua County Public Works Department. All proposed access points onto SR 121 are subject to approval by the FDOT.

4. Due to the roadway operation and safety concerns of SR 121, the owner/developer shall provide a traffic study acceptable to the City, Alachua County, and the Florida Department of Transportation prior to the application for each PD rezoning. The study shall analyze issues related to trip generation, trip

distribution, operational and safety concerns, and shall propose appropriate transportation mobility modifications, consistent with the transportation impacts of the development. The development shall be required to meet any transportation mobility requirements in effect at the time of application for development review. The developer shall provide any transportation modifications that are site related and required for operational or safety reasons, such as, but not limited to, new turn lanes into the development, driveway modifications, or new traffic signals, and such operational and safety modifications shall be unrelated to the Transportation Mobility Program requirements.

5. Land use changes for Plum Creek do not vest future development for concurrency. The owner/developer is required to apply for and meet concurrency management certification requirements, including public school facilities and recreation mitigation at the time of filing any PD rezoning application.
6. The Plum Creek development shall include in any Planned Development Report the requirement that five percent of the residential units shall be affordable to households earning between 80% and 120% of the median income for Alachua County for a family of four as established from time to time by the U.S. Department of Housing and Urban Development. Each implementing PD zoning ordinance shall provide all required methods for ensuring implementation of this requirement, including the requirement that the owner/developer enter into a binding agreement that specifies the number of affordable units that must be constructed on an approved time schedule.
7. No rezonings to PD within the area of the map labeled “Plum Creek SR 121 Overall Site” in the Future Land Use Map Series A shall be adopted on final reading of the ordinance for areas north of the line labeled “Phase Line” until all areas south of the same line have been rezoned to PD zoning, and at least 75 percent of the infrastructure (e.g., roads, sidewalks, stormwater



facilities, utilities) south of the “Phase Line” has been constructed and completed.

- 8. In accordance with Policy 1.1.5 of the Public School Facilities Element and School Concurrency–Alachua County, FL, Updated Interlocal Agreement for Public School Facility Planning (December 23, 2008), the Alachua County School Board submitted a school facilities capacity report. The report

concludes that projected student demand resulting from Plum Creek Development at the elementary, middle and high school levels can reasonably be accommodated for the five, ten and twenty year planning periods and is consistent with the Public School Facilities Element based upon School District not constitute a school capacity availability determination or concurrency certification, it does not reserve school capacity for Plum Creek, and it does not vest Plum Creek for school concurrency. At the time of application for a development order for Plum Creek, the developer shall apply for and obtain concurrency certification in compliance with the City Comprehensive Plan, Code of Ordinances and state law. Prior to approval of any development order, the City shall coordinate with the School Board and determine availability of school capacity within the applicable School Concurrency Service Area. A Capacity Enhancement Agreement or other mitigation option as provided for in Policies 1.1.7 and 2.5.1 through 2.5.4 of the Public School Facilities Element may be required at that

time to ensure continued compliance with all applicable provisions of the City Comprehensive Plan, Code of Ordinances and state law. In the absence of a Capacity Enhancement Agreement or other mitigation option being approved fulfilling the concurrency requirement, the City will not issue a concurrency certification if capacity is unavailable, and such circumstance can result in a delay or denial of a development order for Plum Creek.

Policy 4.3.6 This policy shall regulate the Planned Use District (PUD) known as the “Butler Development.” The Butler Development PUD, including its division into four (4) subareas, is depicted on the map titled “Butler Development PUD Future Land Use Overlay” in the Future Land Use Map Series located in this element. The properties within the Butler Development PUD have underlying future land use categories as shown on the map titled “Butler Development Underlying Future Land Use” in the Future Land Use Map Series located in this element.

Comprehensive Plan policies of general applicability shall apply to the Butler Development PUD. In the event of express conflict or inconsistency between