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2
3 **ORDINANCE NO. 2023-275**

4 **An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas**
5 **pertaining to approximately 36.7 acres of property referred to as Blues Creek**
6 **Unit 5, Phase 2 located at the 7000-8000 block of NW 57th Drive, as more**
7 **specifically described in this ordinance, by rezoning a certain portion of the**
8 **property from Planned Development (PD) to Conservation (CON) and by**
9 **amending development conditions for the existing Planned Development (PD)**
10 **portion of the property; providing directions to the City Manager; providing a**
11 **severability clause; providing a repealing clause; and providing an effective**
12 **date.**

13 **WHEREAS**, the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, secures for
14 municipalities the broad exercise of home rule powers granted by Article VIII, Section 2 of the
15 Florida Constitution, including the exercise of any power for municipal purposes not expressly
16 prohibited by law; and

17 **WHEREAS**, Section 163.3167, Florida Statutes, requires the City of Gainesville to maintain a
18 Comprehensive Plan to guide the future development and growth of the city; and

19 **WHEREAS**, Section 163.3177(6), Florida Statutes, requires the City of Gainesville
20 Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that
21 designates the future general distribution, location, and extent of the uses of land for
22 residential, commercial, industry, agriculture, recreation, conservation, education, public
23 facilities, and other categories of the public and private uses of land, with the goals of
24 protecting natural and historic resources, providing for the compatibility of adjacent land uses,
25 and discouraging the proliferation of urban sprawl; and

26 **WHEREAS**, the City of Gainesville is required by Section 163.3202, Florida Statutes, to adopt or
27 amend and enforce land development regulations that are consistent with and implement the

28 Comprehensive Plan and that are combined and compiled into a single land development code
29 for the city; and

30 **WHEREAS**, the City of Gainesville Land Development Code (Chapter 30 of the City of Gainesville
31 Code of Ordinances) establishes zoning districts to implement the Comprehensive Plan and land
32 development regulations on specific classifications of land within the city; and

33 **WHEREAS**, Planned Development District (PD) zoning is a zoning category that allows for
34 landowners or developers to submit unique proposals that are not addressed or otherwise
35 provided for in the zoning districts and land development regulations established by the City of
36 Gainesville Land Development Code; and

37 **WHEREAS**, the PD zoning district, including all of its unique and specific land development
38 regulations, is freely negotiated and voluntarily agreed to by the owner/developer of the
39 subject property, thereby precluding any claims or actions under Florida law regarding
40 regulatory takings, the Bert J. Harris, Jr., Private Property Rights Protection Act, development
41 exactions under common law or Section 70.45, Florida Statutes, or the affordable housing
42 provisions in Section 125.01055, Florida Statutes; and

43 **WHEREAS**, on March 2, 2017, the City Commission adopted Ordinance No. 150694, which
44 rezoned to Planned Development District (PD) the property that is the subject of this ordinance;
45 and

46 **WHEREAS**, this ordinance, which was requested by the owner(s) of the property that is the
47 subject of this ordinance and which was noticed as required by law, will amend Ordinance No.
48 150694 and the Planned Development District (PD) zoning applicable to the subject property
49 and rezone a certain portion; and

50 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of
51 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant
52 to Section 163.3174, Florida Statutes, held a public hearing on March 23, 2023, to consider this
53 application and provide a recommendation to the City Commission; and

54 **WHEREAS**, an advertisement no less than two columns wide by ten inches long was placed in a
55 newspaper of general circulation and provided the public with at least seven days' advance
56 notice of this ordinance's first public hearing to be held by the City Commission; and

57 **WHEREAS**, a second advertisement no less than two columns wide by ten inches long was
58 placed in the aforesaid newspaper and provided the public with at least five days' advance
59 notice of this ordinance's second public hearing to be held by the City Commission; and

60 **WHEREAS**, the public hearings were held pursuant to the notice described above at which
61 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;
62 and

63 **WHEREAS**, the City Commission finds that the rezoning of the subject property is consistent
64 with the City of Gainesville Comprehensive Plan.

65 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**

66 **FLORIDA:**

67 **SECTION 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning a certain
68 portion of the following property from Planned Development (PD) to Conservation (CON) while
69 the remainder of the property remains Planned Development (PD) as implemented by
70 Ordinance No. 150694 and as amended by this ordinance.

71 See legal description attached as **Exhibit A** and made a part hereof as if set forth

72 in full. The location of the property is shown on **Exhibit B** for visual reference. In
73 the event of conflict or inconsistency, **Exhibit A** shall prevail over **Exhibit B**.

74
75 **SECTION 2.** The Planned Development (PD) portion of the property described in Section 1 of
76 this ordinance, referred to as Blues Creek Unit 5, Phase 2, will be regulated by the land
77 development regulations included in this section below (which replace the regulations in
78 Section 3 of Ordinance No. 150694) as well as **Exhibit C**, which is attached and made a part
79 hereof as if set forth in full and consists of the PD Report and PD Layout Plan dated January 17,
80 2023. The order of precedence in any event of conflict or inconsistency is as follows, with
81 number 1 taking precedence over number 2 and so on: 1) the City of Gainesville’s
82 Comprehensive Plan; 2) the land development regulations set forth in this section below; 3)
83 **Exhibit C**; and 4) the City of Gainesville Land Development Code.

- 84 A. Lot lines as shown on the PD Layout Plan are conceptual only and when platted all
85 lots must be configured to maintain a minimum 50-foot buffer between the lot line
86 and the landward extent of any regulated wetland. The exterior building materials
87 and design must be consistent with the conceptual elevations attached to the PD
88 Report.
- 89 B. The private drive system in the PD should, to the maximum extent practicable,
90 minimize crossing wetland areas. Where driveways abut or are proximate to these
91 areas, the surface water management system should promote natural drainage
92 patterns.
- 93 C. At the time of final plat approval, the development must meet the City of Gainesville
94 Transportation Mobility Program Area (TMPA) requirements or transportation
95 mobility requirements then in effect.
- 96 D. Stormwater from the development must drain through an existing stormwater pipe
97 system within Parcel Number 06006-052-000 to the 90-acre Drainage Easement,
98 Development Recreation and Conservation Area consistent with Suwannee River
99 Water Management District Permit number 4-87-00067 as it may be amended from
100 time to time.
- 101 E. The 90-acre Drainage Easement, Developed Recreation and Conservation Area and
102 proposed Conservation land use area (32.5 +/-acres) must be managed and
103 maintained in accordance with the provisions of a conservation management plan

104 and conservation easement, as approved by the City at the time of final plat
105 approval. Drainage easements and utility easements are allowed in the
106 conservation areas.

107 F. Allowable uses within the PD are:

108 1. Attached dwellings in the form of zero-lot line single-family attached units on
109 platted lots.

110 2. Accessory garages for the residential units.

111 3. Common area as illustrated on the PD Layout Plan.

112 G. Vehicular access to Lots 1-36 (as conceptually depicted on the PD Layout Plan) must
113 be in the form of a private driveway (which includes diagonal/angle parking) that
114 connects to the stub-out at NW 80th Avenue and NW 57th Drive with a recorded
115 perpetual public ingress/egress easement that includes a public utility easement.
116 Pedestrian access must be in the form of a minimum 5-foot wide sidewalk system
117 that connects all single-family attached units to the public sidewalk on the north side
118 of NW 80th Avenue.

119 H. Encroachment in the intermittent surface water area is allowed and encroachment
120 of the private drive and public utilities into the disturbed wetland and buffer area is
121 allowed in limited areas where site constraints exist in Unit 5, Phase 2. However, a
122 buffer area equivalent in size to an average 50-foot wetland buffer must be
123 maintained.

124 I. Existing trees that are shown to be preserved on the construction plans and that are
125 approved by the Urban Forestry Inspector may be used to meet the shade tree
126 requirements along the private drive in Unit 5, Phase 2. Tree barricades must be
127 used during construction activities to protect existing trees that are shown to be
128 preserved and that will be used to meet the street shade tree requirement along the
129 private drive.

130 J. Each lot in Unit 5, Phase 2 must have a minimum area of 1, 000 square feet and
131 must meet the dimensional requirements provided in this section.

132 K. Dimensional standards for lots in Unit 5, Phase 2:

133 Front setback: 0 feet

134 Rear setback: 0 feet

135 Side setback: 0 feet

136 Side (street) setback: 0 feet

137 Minimum residential density: None

138 Maximum residential density: 8.6 units/acre

139 Maximum number of residential lots: 36

- 140 Maximum number of units per building: 9
141 Maximum number of bedrooms: 2 per unit
142 Minimum lot width: 20 feet
143 Minimum lot depth: 50 feet
144 Maximum building height: 2 stories
145 Common Open Space Area: 0.9+/acres
146 Acreages indicated above are approximate and may be adjusted at the development
147 review stage.
- 148 L. Common mailboxes must be located in the common area as conceptually depicted
149 on the PD Layout Plan. A central dumpster for solid waste and recycling, per the
150 approval of the Public Works Department, must be located in the common area as
151 conceptually depicted on the PD Layout Plan and must be fully screened.
- 152 M. Lighting in the PD must comply with all applicable standards for outdoor lighting in
153 the Land Development Code; however, at all times the mounting height of lighting
154 may not exceed 15 feet.
- 155 N. A Homeowners' Association and associated regulations must be established at the
156 time of final plat approval.

157
158 **SECTION 3.** The conditions and requirements in this ordinance will remain effective until such
159 time as, upon either the City or the property owner(s) filing an application for rezoning, the City
160 adopts an ordinance rezoning the subject property to another zoning district consistent with the
161 Comprehensive Plan and Land Development Code.

162 **SECTION 4.** The City Manager or designee is authorized and directed to make the necessary
163 changes to the Zoning Map Atlas to comply with this ordinance.

164 **SECTION 5.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
165 the application hereof to any person or circumstance is held invalid or unconstitutional, such
166 finding will not affect the other provisions or applications of this ordinance that can be given

167 effect without the invalid or unconstitutional provision or application, and to this end the
168 provisions of this ordinance are declared severable.

169 **SECTION 6.** All other ordinances or parts of ordinances in conflict herewith are to the extent
170 of such conflict hereby repealed.

171 **SECTION 7.** This ordinance will become effective immediately upon adoption; however, the
172 rezoning will not become effective until the amendment to the City of Gainesville Comprehensive
173 Plan adopted by Ordinance No. 2023-273 becomes effective as provided therein.

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175 **PASSED AND ADOPTED** this ____ day of _____, 2023.

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HARVEY L. WARD
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. NATTIEL-WILLIAMS
CITY CLERK

DANIEL M. NEE
CITY ATTORNEY

This ordinance passed on first reading this ____ day of _____, 2023.

This ordinance passed on second reading this ____ day of _____, 2023.



LEGAL DESCRIPTION

PUD / PD Land Use & Zoning Area

A portion of Section 10, Township 9 South, Range 19 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

Begin at a concrete monument (PRM LB 2389) at the Southeast corner of Blues Creek, Unit 5, Phase 1, as per plat thereof recorded in Plat Book 24, page 73 of the public records of Alachua County, Florida, said corner lying on the West boundary of Blues Creek, Unit 4B as per plat thereof recorded in Plat Book "S", page 86 of said public records and run thence South 05°35'07" West, along said West boundary, 72.97 feet to a concrete monument (PLS 4788); thence South 74°06'22" West, along said West boundary, 28.92 feet to a concrete monument (PLS 4788); thence North 74°49'06" West, 8.71 feet; thence South 03°19'55" East, 198.17 feet; thence South 70°22'52" West, 220.86 feet; thence South 90°00'00" West, 313.99 feet; thence North 17°00'12" West, 119.04 feet; thence North 31°50'14" East, 110.36 feet; thence North 07°43'20" West, 80.55 feet; thence North 35°23'52" West, 32.43 feet to a point on the South boundary of said Blues Creek Unit 5, Phase 1; thence North 89°07'48" East, along said South boundary, 26.18 feet to a concrete monument (PCP PLS 2228); thence North 74°24'58" East, along said South boundary, 288.15 feet to a concrete monument (PCP PLS 2228); thence South 80°49'22" East, along said South boundary, 259.62 feet to the Point of Beginning.

Containing 4.19 Acres, more or less.



LEGAL DESCRIPTION

Conservation Land Use & Zoning Area

A portion of Section 10, Township 9 South, Range 19 East, City of Gainesville, Alachua County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Blues Creek, Unit 5, Phase 1 as per plat thereof recorded in Plat Book 24, page 73 of the public records of Alachua County, Florida, said corner lying on the West line of the Northwest 1/4 of Section 10, Township 9 South, Range 19 East and run thence North 82°36'15" East, along the South boundary of said Blues Creek, Unit 5, Phase 1, a distance of 85.49 feet to a concrete monument (PCP PLS 2228); thence North 89°07'48" East, along said South boundary, 174.40 feet; thence South 35°23'52" East, 32.43 feet; thence South 07°43'20" East, 80.55 feet; thence South 31°50'14" West, 110.36 feet; thence South 17°00'12" East, 119.04 feet; thence North 90°00'00" East, 313.99 feet; thence North 70°22'52" East, 220.86 feet; thence North 03°19'55" West, 198.17 feet; thence South 74°49'06" East, 8.71 feet to a concrete monument (PLS 4788) and to a point on the West boundary of Blues Creek, Unit 4B as per plat thereof recorded in Plat Book "S", page 86 of said public records; thence Southeasterly, along said West boundary, through the following three courses and distances:

- 1) South 27°52'17" East, 155.45 feet to a rebar and cap (Steve Owen PLS 4788);
- 2) South 27°54'52" East, 251.86 feet to a concrete monument (PLS 4788);
- 3) South 26°08'15" East, 119.93 feet;

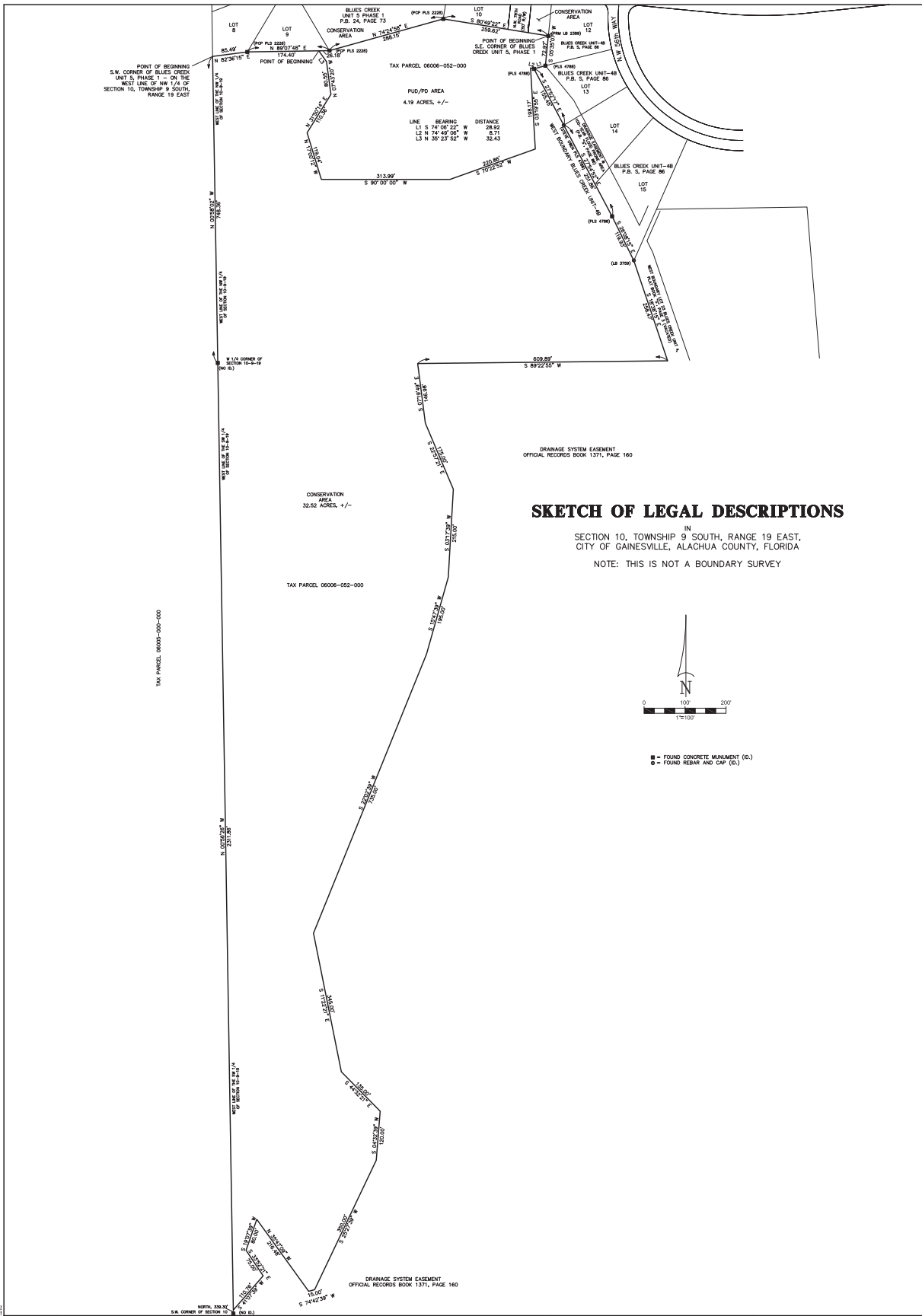
to a rebar and cap (LB 3759) found at the Southernmost corner of Lot 15 of said Blues Creek Unit 4B; thence run South 18°38'15" East, along a line shown as the West boundary of Lot 23 of Blues Creek Unit 4 as originally platted in Plat Book "S", page 3 and vacated by Alachua County Resolution 95-44 as recorded in Official Records Book 2044, page 2038 et seq. of said public records, a distance of 258.47 feet to a point on the North boundary of that certain Easement for a drainage system described in Official Records Book 1371, page 160 et seq. of said public records; thence generally Westerly and Southerly, along the boundary of said Easement through the following fifteen courses and distances:

- 1) South 89°22'55" West, 609.89 feet; 2) South 07°19'49" East, 146.98 feet;
- 3) South 22°57'21" East, 175.00 feet; 4) South 03°17'39" West, 215.00 feet;
- 5) South 15°47'39" West, 195.00 feet; 6) South 22°02'39" West, 735.00 feet;
- 7) South 11°22'21" East, 345.00 feet; 8) South 44°32'21" East, 135.00 feet;
- 9) South 04°32'39" West, 120.00 feet; 10) South 25°27'39" West, 350.00 feet;
- 11) South 74°42'39" West, 15.00 feet; 12) North 35°47'09" West, 216.48 feet;
- 13) South 19°07'39" West, 80.00 feet; 14) South 33°52'21" East, 75.00 feet;
- 15) South 41°07'39" West, 110.76 feet

Exhibit A to Ordinance 2023-275

to a point on the West line of the Southwest 1/4 of said Section 10 lying 339.30 feet North of a concrete monument (no I.D.) found at the Southwest corner of said Section; thence North 00°56'26" West, along the West line of said Southwest 1/4, a distance of 2311.86 feet to a concrete monument (no I.D.) found at the West 1/4 corner of said Section; thence North 00°58'02" West, along the West line of the Northwest 1/4 of said Section 10, a distance of 748.36 feet to the Point of Beginning.

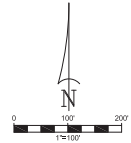
Containing 32.52 acres, more or less



SKETCH OF LEGAL DESCRIPTIONS

IN SECTION 10, TOWNSHIP 9 SOUTH, RANGE 19 EAST, CITY OF GAINESVILLE, ALACHUA COUNTY, FLORIDA

NOTE: THIS IS NOT A BOUNDARY SURVEY



■ = FOUND CONCRETE MONUMENT (C)
 □ = FOUND REBAR AND CAP (R)

100-V	Parcel	Page	12/01/2022	12/02/2022
	Prepared For:	Survey Date	Drawn	Revised
	1)			
	2)			

eda consultants inc
 Corporate Authorization No. 18 2389
 Date: 12/02/2022 By: ROBERT W. GRAVER PLS 4238
 Draw: B.C.
 NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A LICENSED SURVEYOR AND MAPPER, CERTIFICAT 02022



FLOOD INSURANCE RATE MAP STATEMENT
 THE REAL PROPERTY SHOWN HEREON LIES WITHIN ZONE(S) _____ AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP NUMBER _____ COMMUNITY NUMBER: _____ PANEL: _____ EFFECTIVE DATE: _____ AS BEING _____ SAID MAP DESCRIBES ZONE(S) _____

No.	Date	Comment

Exhibit B to Ordinance 2023-275

Existing Zoning
LD22-00003 ZON

Subject Parcel:
-06006-052-000

Map Legend

- City Limits
- Subject Parcel
- Parcels

City of Gainesville Zoning

- CON: Conservation
- PD: Planned Development
- RSF-1: Single-Family Residential

Alachua County Zoning

- (A) Agricultural
- (PD) Planned Development
- (RE) Residential-Estate

City of Alachua Zoning

- (A) Agriculture

Produced By:
GIS Analyst
Dept. of Sustainable Development
March 2023

0 75 150
Yards
*Scale for main map

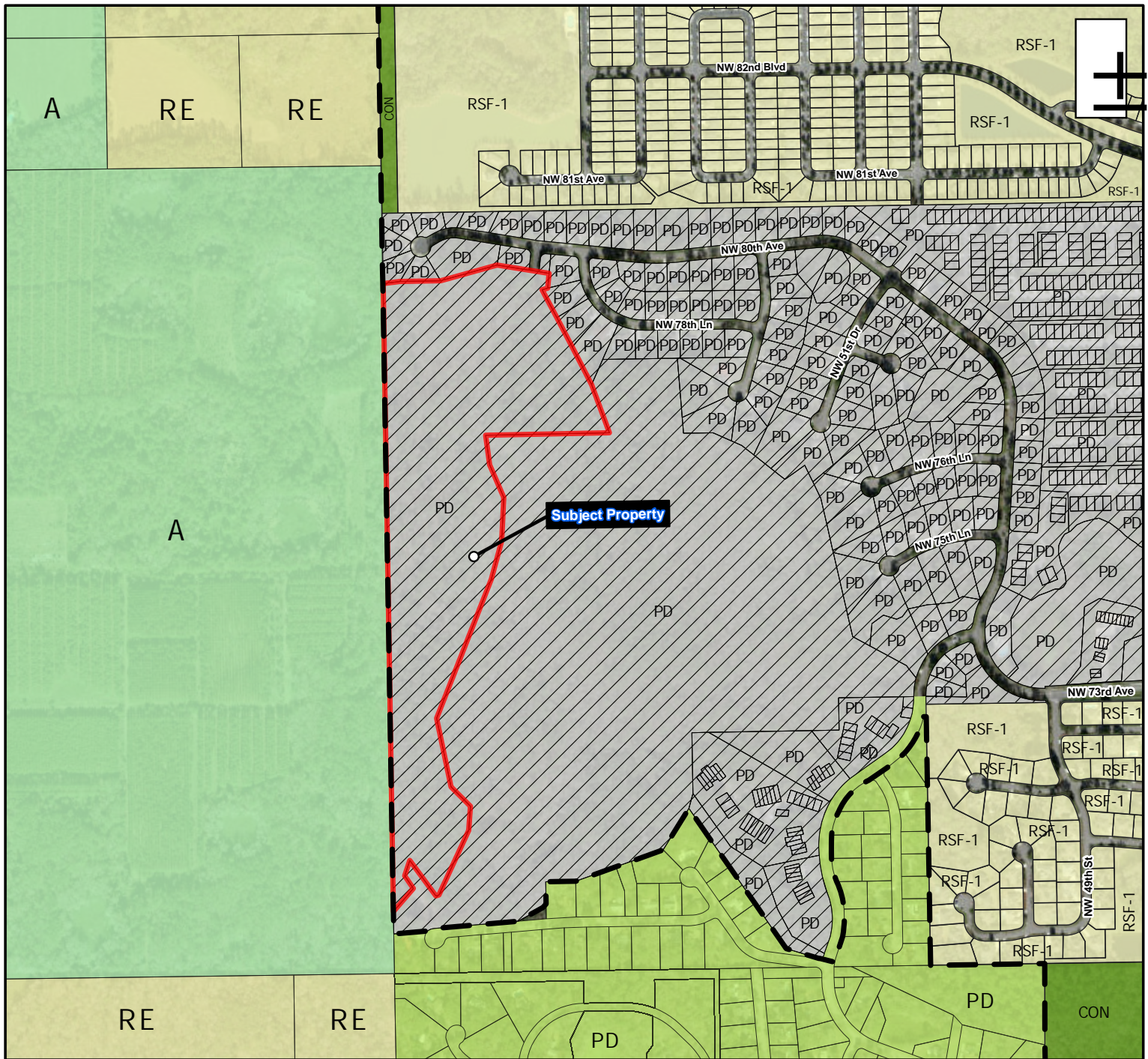
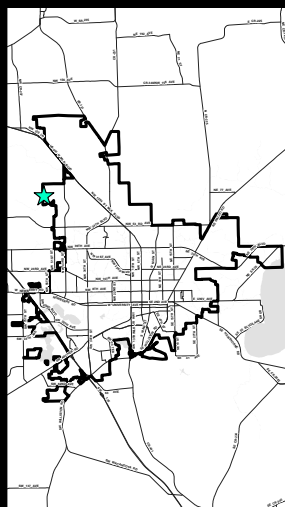


Exhibit B to Ordinance 2023-275

Proposed Zoning
LD22-00003 ZON

Subject Parcel:
-06006-052-000

Map Legend

- City Limits
- Subject Parcel
- Parcels

City of Gainesville Zoning

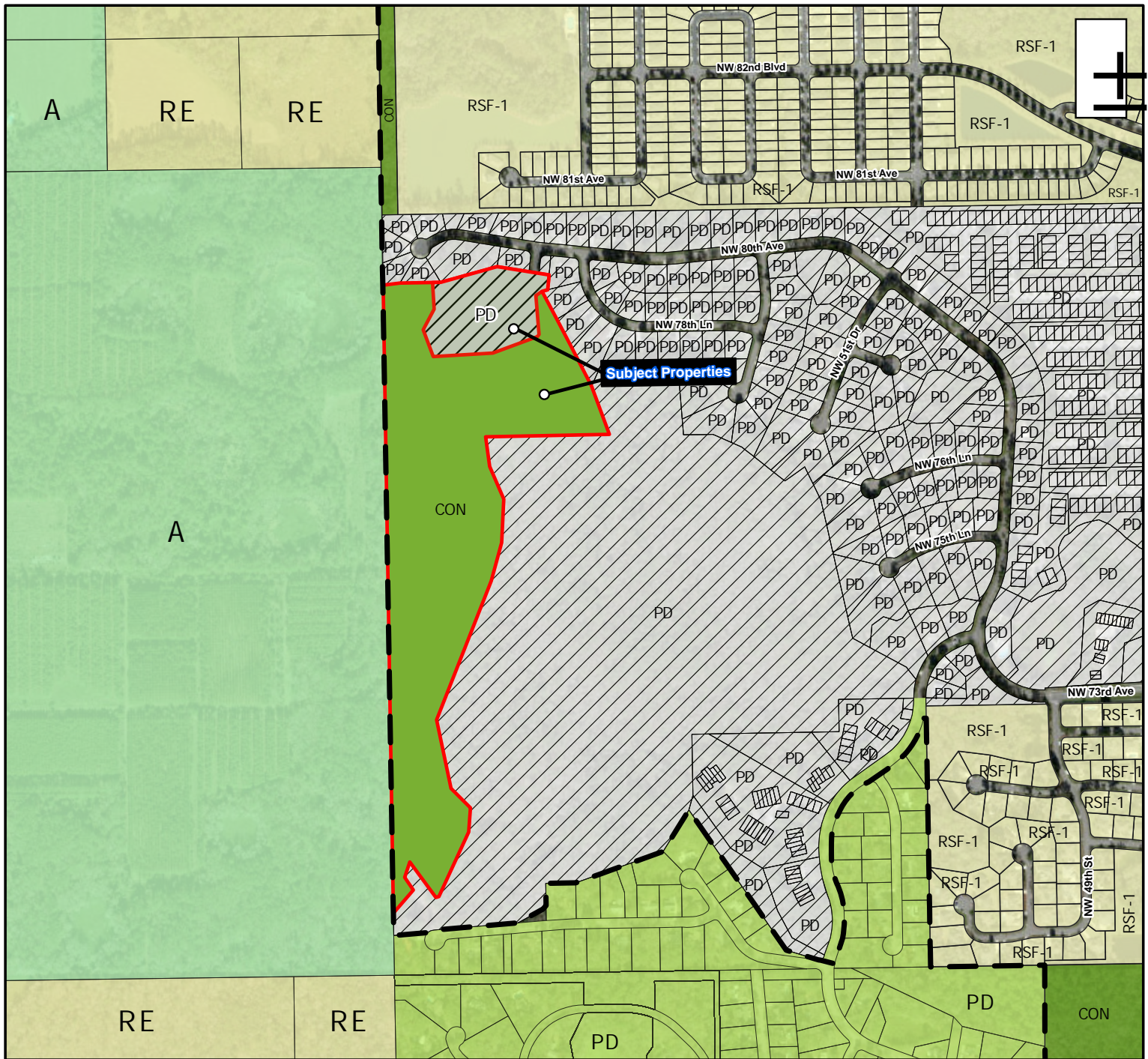
- CON: Conservation
- PD: Planned Development
- RSF-1: Single-Family Residential

Alachua County Zoning

- (A) Agricultural
- (PD) Planned Development
- (RE) Residential-Estate
- (A) Agriculture

Produced By:
GIS Analyst
Dept. of Sustainable Development
March 2023

0 75 150
Yards
*Scale for main map





Blues Creek Unit 5, Phase 2 PD Report

Parcel: 06006-052-000

Prepared for Submittal to:
City of Gainesville

Prepared by:
eda consultants, inc.



January 17, 2023

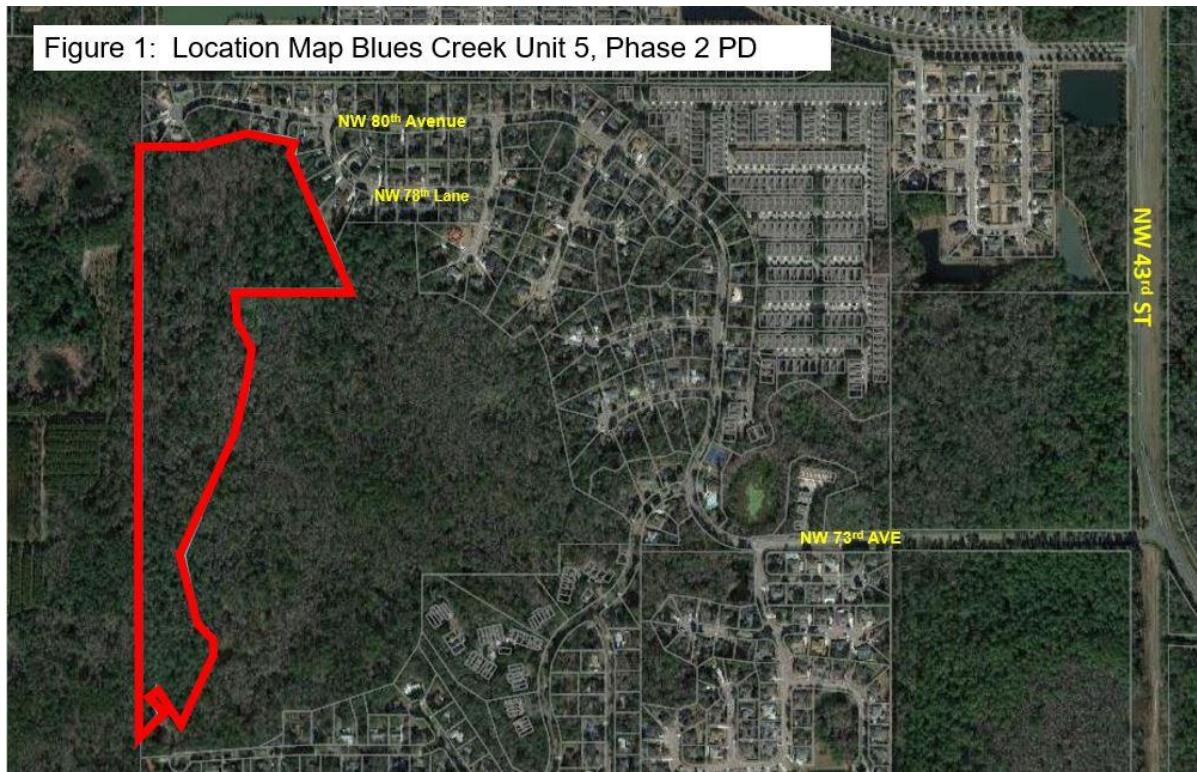
720 SW 2nd Avenue, South Tower, Suite 300, Gainesville, FL 32601 • Phone: (352) 373-3541
www.edafl.com

Blues Creek Unit 5, Phase 2 Planned Development

The Blues Creek Unit 5, Phase 2 Planned Development (PD) is an amendment to the existing Blues Creek Unit 5, Phase 2 PD Ordinance 150694; adopted March 2, 2017 (see Exhibit 1 in the Appendix) for Parcel 06006-052-000 located in northwest Gainesville in the 7000 – 8000 blocks of NW 57th Drive. The parcel is currently vacant.

The western boundary of the parcel forms the western boundary of the City of Gainesville in that area. The total size of the existing Blues Creek Unit 5, Phase 2 PD is 36.7 +/- acres. The new PD will reduce the size of the existing PD by 32.5 +/- acres for a total of 4.2 +/- acres.

Figure 1 below illustrates the area under consideration for the PD amendment.



This new PD proposes to amend the existing PD Ordinance 150694 as follows:

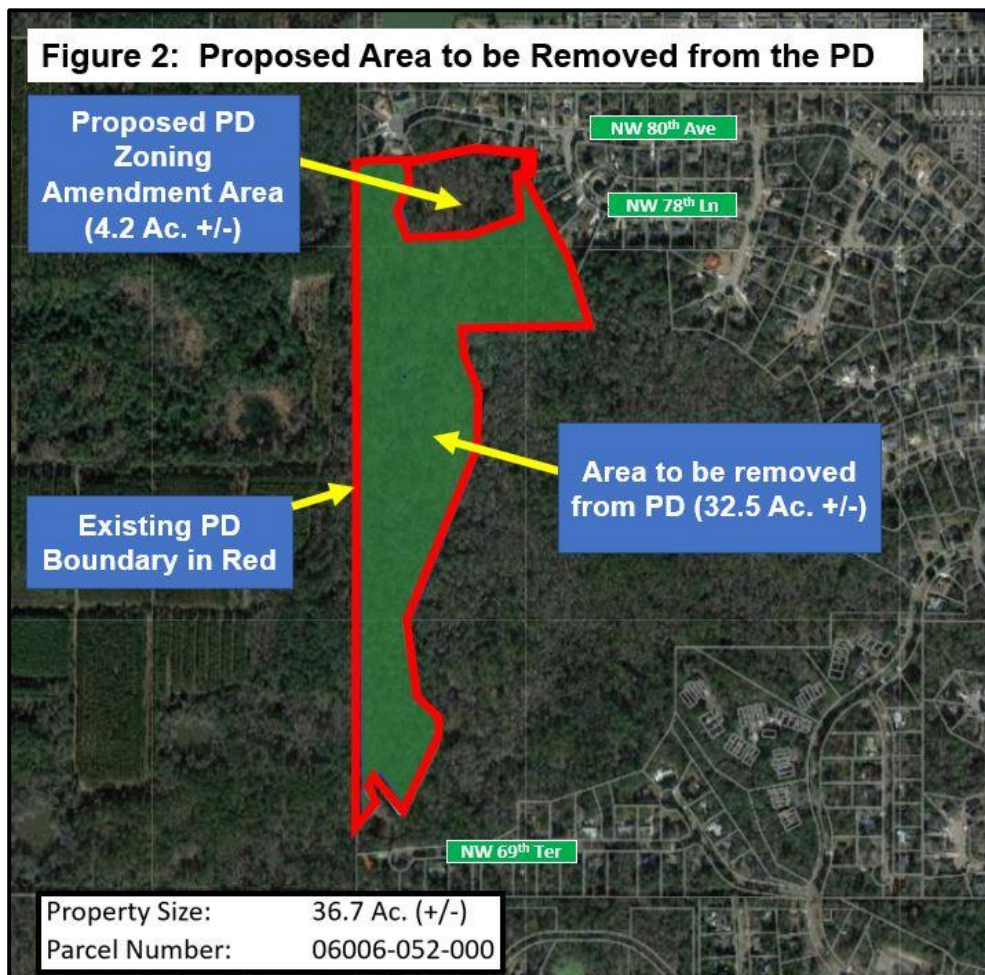
1. Reduce the size of the PD to 4.2 +/- acres by removing 32.5 +/- acres of land in the southern portion of the PD and changing that portion of the parcel to the Conservation future land use category and Conservation zoning district.
2. Adopt a new PD Layout Plan that reflects the new land area and layout for the PD.
3. Delete and/or amend several conditions in the existing PD that are no longer applicable. And add new conditions that: allow single-family attached dwellings on individual platted lots; allow accessory garages for the single-family attached dwellings; and adopt new dimensional standards for the revised PD.

Exhibit C to Ordinance 2023-275

The site is located in an existing urbanized section of northwest Gainesville. There is surrounding residential development to the north, east and south of the PD. Existing public infrastructure serves the adjacent Blues Creek overall development. Vehicular access to the Blues Creek Unit 5, Phase 2 is available from a stub-out off NW 80th Avenue (local street) that connects to NW 73rd Avenue and NW 43rd Street (a County-maintained roadway).

The parcel is located in Zone B of the Transportation Mobility Program Area (TMPA). Any future development proposal for the site would require a subdivision plat (as required in the PD Conditions) at the time of application. At the final plat stage, the applicant would be required to meet the Zone B TMPA criteria for mitigation of traffic impacts and would be required to meet other level of service standard requirements as established in the Comprehensive Plan.

Figure 2 below illustrates the land area to be removed (that will be rezoned to Conservation) from the Blues Creek Unit 5, Phase 2 PD. As indicated earlier, this application proposes to remove 32.5 +/- acres from the PD. The resulting PD acreage after the proposed amendment is 4.2 +/- acres.



History of Blues Creek Development

The development of Blues Creek was originally approved as an Alachua County Planned Unit Development (PUD) by Zoning Resolution Z-81-68 that was adopted on July 21, 1981. The County PUD was further amended by a revised Master Plan for Blues Creek adopted and approved by Alachua County dated November 1999.

The entire Blues Creek development consists of approximately 300 acres. Portions of the overall Blues Creek PUD were annexed by the City of Gainesville by Ordinances 001161, 001162, 001163, 002393, and 040290. These annexations occurred in 2001, 2002, and 2005. At this time, approximately 91% (273.6 acres) of the development lies within Gainesville city limits.

Subsequent to the annexations, the City of Gainesville applied City future land use and zoning designations to the property. Consistent with the Alachua County PUD zoning designation, the City applied Planned Development (PD) zoning to the property via Ordinances 030472 (adopted 10/27/03) and 041187 (adopted 11/28/05). The Alachua County development regulations and conditions approved by Alachua County through Resolution Z-81-68 and the revised Master Plan for Blues Creek (dated November 1999) were adopted by the City as the regulating documents for the City PD. The PD allowed for single-family detached and single-family attached units.

The 1999 Master Plan for Blues Creek allowed up to 615 residential dwelling units with a mix of single-family attached units and single-family detached units in multiple unit phases. To date, the Blues Creek development has substantially built out the phases originally approved in the Alachua County PUD. Units 1-4 and 6 are mostly built out and are shown on the 1999 Master Plan for 305 single-family attached units and 170 single-family detached units. Unit 7 is platted for 16 lots (PB 28, PG 15) but is not developed/built. Unit 5 is partially completed with 10 single-family detached units (this is Phase 1 of Unit 5); the 1999 Master Plan allowed up to 82 single-family detached units in Unit 5.

On March 2, 2017, the Gainesville City Commission adopted Ordinance 150694, which created a new PD ordinance regulating Blues Creek Unit 5, Phase 2, which is separate from the existing Blues Creek development. This ordinance is attached as Exhibit 1 in the Appendix. This existing (and still valid) ordinance allows a maximum of 44 single-family detached units with associated conditions.

Statement of Proposed PD Zoning Change

The property currently is designated with the Single Family (SF) future land use (FLU) category. The northern portion (4.2 +/- acres) of Parcel 06006-052-000 is proposed to be changed from SF to the Planned Use District (PUD) future land use category designation. The southern 32.5 +/- acres of the parcel are proposed to be changed from SF to the Conservation future land use category.

The proposed PUD future land use amendment ensures that the area will be limited to specific residential uses with implementation by a Planned Development (PD) zoning district. PD zoning is required for all properties with the PUD future land use category (as stated in the City's Future

Land Use Element). The proposed Conservation future land use area helps ensure that development will not occur in and around environmentally sensitive areas and will aid in preserving existing natural resources located on-site.

Figure 3 below, illustrates the proposed PUD and Conservation areas future land use areas.

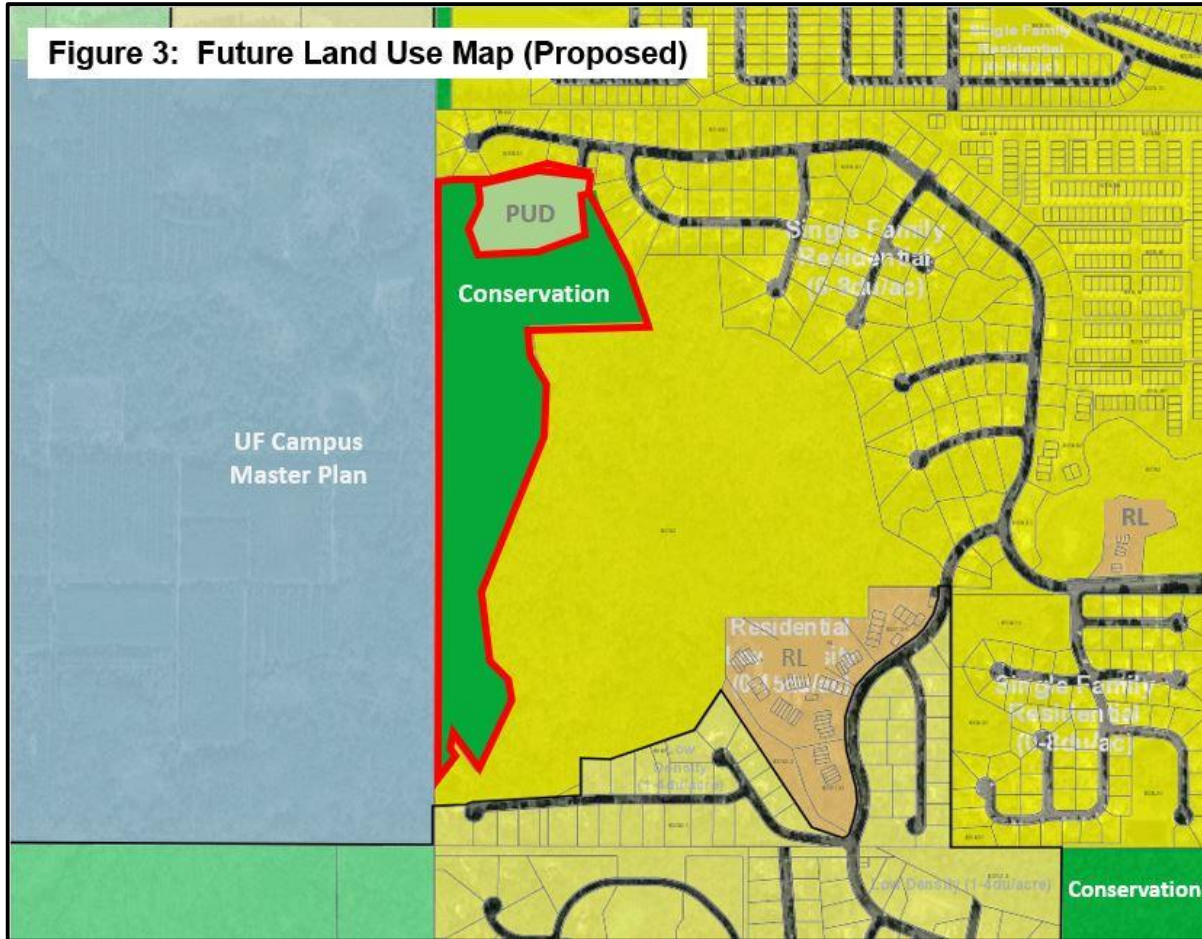
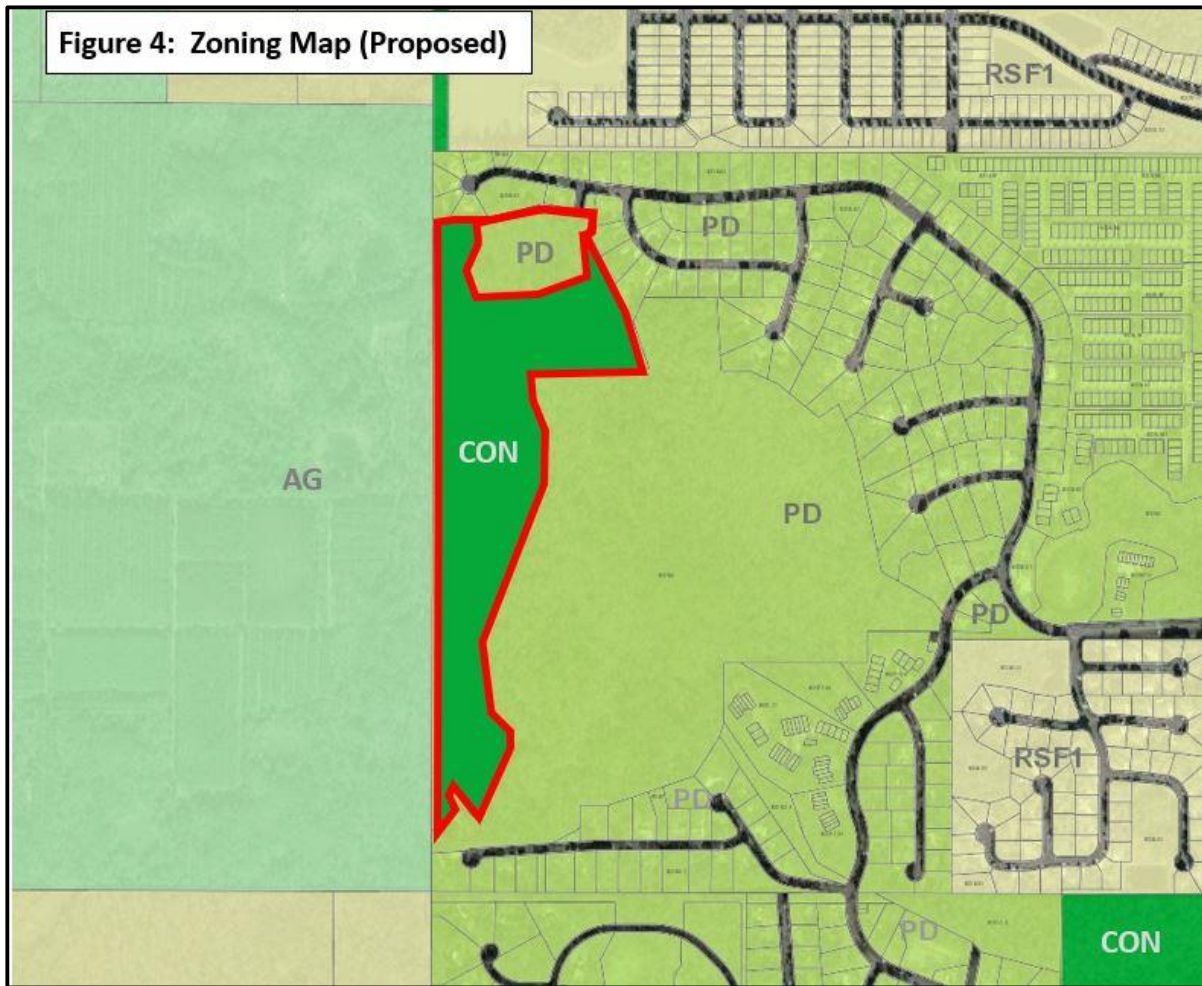


Figure 4 below illustrates the proposed new PD zoning boundary (4.2 +/- acres) with the removal of the 32.5 +/- acres from the PD. The 32.5-acre area is proposed to be changed from PD to Conservation zoning as illustrated on Figure 4 below.

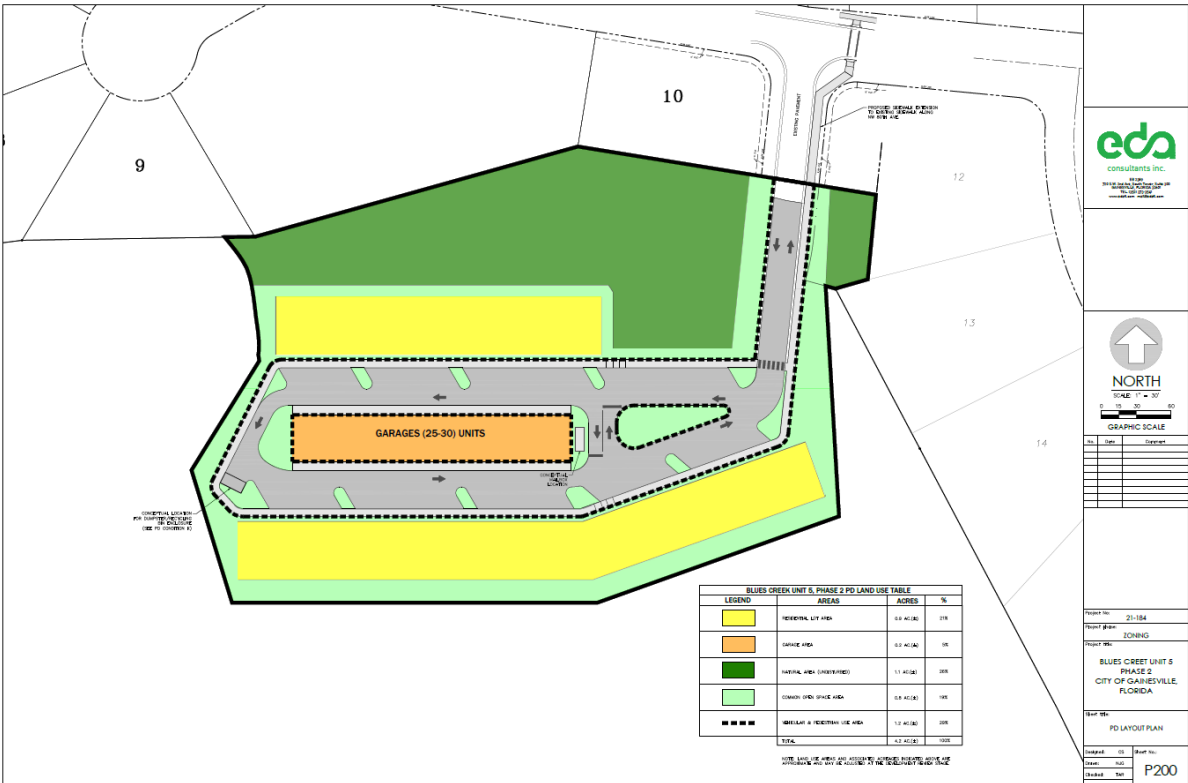
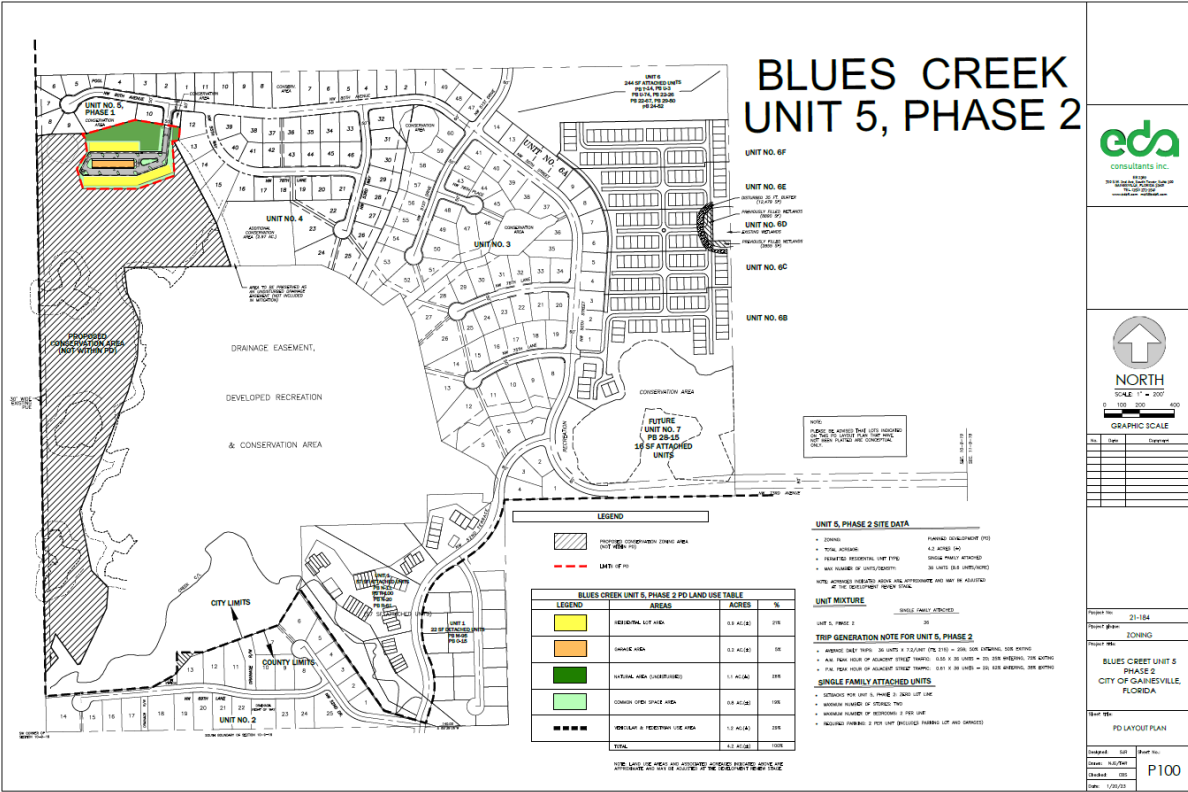


The proposed PD boundary change reflects the proposed new Conservation zoning and land use designations on the 32.5 +/- acres being removed from the PD. Because of the proposed land use and zoning changes for the 32.5 +/- acres, it is no longer appropriate for that acreage to remain under the Blues Creek Unit 5, Phase 2 PD regulations.

In comparing the proposed PD with the currently regulating PD (Ordinance 150694), it should be noted that the existing PD allows up to a maximum of 44 single-family lots on the entire 36.7 +/- acre area. The proposed PD reduces the maximum number of lots from 44 to 36 single-family lots in a significantly smaller area that provides for enhanced environmental protection by clustering the single-family attached units and preserving 32.5 +/- acres in the Conservation land use category and zoning district.

As part of the application to amend the PD zoning for Blues Creek, Unit 5 Phase 2, the applicant has submitted a PD Layout Plan that reflects the new boundary of the PD and the proposed development area at the site. Figure 5 below illustrates the PD Layout Plan sheets:

Figure 5: PD Layout Plan Sheets



NOTE: Separate PDF versions of these PD Layout Plan sheets are provided as Exhibit 2.

Conceptual Single Family Attached Unit Front Elevation

