

ORDINANCE 19-XX

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE CITY'S LAND DEVELOPMENT REGULATIONS ("LDRS"); AMENDING SUBPART B OF THE CITY OF ALACHUA CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 5.1.2, TABLE 5.1-2, RELATED TO DIMENSIONAL STANDARDS WITHIN RESIDENTIAL ZONING DISTRICTS; AMENDING SECTION 7.3.1 (B) (1) RELATING TO REQUIRED STANDARD STREET IMPROVEMENTS FOR SUBDIVISIONS; AMENDING SECTION 7.3.1 (B)(2) RELATING TO DESIGN REQUIREMENTS FOR STREETS UTILIZING TRANSITIONAL SWALES; AMENDING SECTION 10.2 CREATING A DEFINITION FOR "TRANSITIONAL SWALE"; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, a Text Amendment ("Amendment") to the City's Land Development Regulations ("LDRs"), as described below, has been proposed; and

WHEREAS, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency ("LPA"), on March 28, 2019; and

WHEREAS, the LPA conducted a public hearing on the proposed Amendment on April 16, 2019, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on _____, and on _____; and

WHEREAS, the City Commission conducted public hearings on the proposed Amendment on _____, and _____, and provided for public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the Amendment to be consistent with the City's Comprehensive Plan and City's LDRs; and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Interpretation of Recitals

The above recitals are true and correct and incorporated in this ordinance.

Section 2. Findings of Fact and Conclusions of Law

The authority for the enactment of this ordinance is Chapter 163, Part I, Florida Statutes; Sections 166.021 and 166.041; and the City's Comprehensive Plan.

Section 3. Amendment to the Land Development Regulations

The proposed Amendment to the City Land Development Regulations are attached as Exhibit "A" and are hereby incorporated herein by reference.

Section 4. Codification of and Correction of Scrivener's Errors

The City Manager or designee, without public hearing, is authorized to correct any typographical errors which do not affect the intent of this ordinance. A corrected copy shall be posted in the public record.

Section 5. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of the City of Alachua, Florida.

Section 6. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 7. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 8. Effective Date

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

Passed on First Reading the ____ day of ____, 2019.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this ____ day of ____, 2019.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Adam Boukari, City Manager/Clerk

Marian B. Rush, City Attorney

DRAFT

EXHIBIT “A”

Section 5.1.2 of the City’s LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 5.1.2 remains in full force and effect:

5.1.2 *Dimensional standards in Residential Districts.* All primary and accessory structures in the residential zoning districts are subject to the dimensional standards set forth in Table 5.1-2, Table of Dimensional Standards in the Residential Zoning Districts. These standards may be further limited or modified by other applicable sections of these LDRs. Rules of measurement and permitted exceptions are set forth in Sections 5.2.1, Lots; 5.2.2, Setbacks and required yards; 5.2.3, Height; and 5.2.4, Bulk.

Table 5.1-2. Table of Dimensional Standards in the Residential Zoning Districts									
District and Use	Lots		Minimum Yards and Setbacks				Max. Height (ft.)	Max. Lot Cover (incl. accessory structures)	Max. Gross Density (DU/acre) [3]
	Min. Area (sq. ft.)	Min. Width (ft.)	Front (ft.) [4]	Side (ft.)	Rear (ft.)	Wetland and Water-course (ft.)			
RSF-1									
Dwelling, single-family, detached	40,000	100	30	15 for each	15	Sec. 5.2.2(B)	65	40%	1
All other uses	None	None	35	25 for each	35			35%	N/A
RSF-3 (District permitted only in areas with community water and sewer systems)									
Dwelling, single-family detached	10,000	50/75 ¹	20	7.5 for each	15	Sec. 5.2.2(B)	65	40%	3
All other uses	None	None	35	25 for existing; 30 for	35			50%	

				new					
RSF-4 (District permitted only in areas with community water and sewer systems)									
Dwelling, single-family, detached	7,500	50/75 ¹	20	7.5 for each	15			45%	
Dwelling townhouse, and two- to four-family	7,500 per unit for the first 2 units; 2,000 per unit for each additional	50	15	5 for each building side	10	Sec. 5.2.2(B)	65	60%	4
All other uses	None	None	35	25 for existing; 30 for new	35			60%	
RSF-6 (District permitted only in areas with community water and sewer systems)									
Dwelling, single-family detached	6,000	50	20	7.5 for each	15	Sec.		50%	
Dwelling, single-family attached, townhouse, and	6,000 per unit for	40	15	5 for each building side	10	5.2.2(B)	65	60%	6

two- to four-family	first 2 units; 2,000 per unit for each additional								
All other uses	None	None	35	25 for existing; 30 for new	35			60%	
RMH-5									
Dwelling, mobile home	7,500 with public utilities; 20,000 without public utilities	50 with public utilities; 100 without public utilities	20	7.5 for each	15	Sec. 5.2.2(B)	65	40%	5 with public utilities; 2 without public utilities
All other uses	None	None	35	25 for each	35			35%; 40% for manufac-	

								tured homes	
RMH-P									
Mobile home park ⁴² , dwelling, mobile home	10 acres for park site; 5,445 per DU; 3,500 per park stand	400 for site; 40 average for park stand	35 at site perim.; 20 between homes and from access drives	25 at site perim.; 20 between homes and from access drives	15	Sec. 5.2.2(B)	65	30%	8
All other uses	None	None	35	25 for each	35			35%	N/A
RMF-8									
Dwelling, single- family detached	6,000	50	20	7.5 for each	15	Sec. 5.2.2(B)	65	40%	8
Dwelling, single- family attached, townhouse, and two- to four- family	10,000	40	15	5 for each building side	10				
Dwelling, multiple-family, group living	16,335 for site	80	30 at site perim.	15 at site perim.; 20 between build-	20 at site perim.				

				ings					
All other uses	None	None	35	25 for each	35			35%	
RMF-15									
Dwelling, single-family detached	5,000	50	20	7.5 for each	15				
Dwelling, single-family attached, townhouse, and two- to four-family	5,000	40	15	5 for each building side	10				
Dwelling, multiple-family, group living	16,335 for site	80	30 at site perim.	15 between building and lot line; 20 between buildings	20 at site perim.	Sec. 5.2.2(B)	65	40%	15
All other uses	None	None	35	25 for each	35			35%	
PD-R									
See Section 3.6.3(A)									
[1] Minimum lot area and width standards may be reduced to the minimum extent necessary in the RSF-4, RSF-6, RMF-8, and RMF-15 districts to accommodate deed-restricted affordable housing units.									

- [2] Minimum yards and setbacks may be reduced to the minimum extent necessary in the RSF-4, RSF-6, RMF-8, and RMF-15 districts to accommodate deed-restricted affordable housing units.
- [3] Maximum gross residential density may be increased by up to 20 percent in the RSF-6, RMF-8, and RMF-15 districts to accommodate deed-restricted housing units designated as affordable for low income residents.
- [4] Front setbacks shall be consistent with the definition of "yard, front" as provided in Subsection 5.2.2(A)(7).

¹ Note. Where the use of Transitional Swales is proposed for subdivisions with lots between 10,000 square feet and 20,000 square feet the minimum lot width shall be 75ft.

¹² Note. There are also use-specific regulations for such parks found in Article 4.

Section 7.3.1 (B)(1) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 7.3.1(B)(1) remains in full force and effect:

7.3.1 (B)(1) *Wearing surface width and right-of-way width standards*

(c) *Local streets.*

(i) For street types/standards A, B and C.

a. 24-foot wearing surface. The minimum street wearing surface width for local streets may be reduced by two feet on each side served by a sidewalk or multipurpose trail with a minimum width of eight feet.

b. Minimum right-of-way width or easement width of 50 feet for streets with curb and gutter, or 60 feet for streets with swale.

c. For street type/standard B that incorporate Transitional Swales the minimum right-of-way width shall be 50 feet plus an additional 20 feet (10 feet for each side of the roadway) of private easement width for each Transitional Swale facility.

(d) *Marginal access streets.*

(i) For street types/standards A, B and C.

a. 20-foot minimum wearing surface.

b. Minimum right-of-way width or easement width of 40 feet for streets with curb and gutter, or 60 feet for streets with swales.

c. For street type/standard B that incorporate Transitional Swales the minimum right-of-way width shall be 40 feet plus an additional 20 feet (10 feet for each side of the roadway) of private easement width for each Transitional Swale facility.

(e) *Wearing surface and right-of-way width summary table.* These standards are summarized in the following Table 7.3-1, Wearing Surface standards, and Table 7.3-2, Minimum Right-of-Way Width Standards:

Table 7.3-1. Wearing Surface Standards

Classification	Street Type Standard	Minimum Wearing Surface Width (in feet) [1]	Number of Travel Lanes [2]
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Arterial	All	2 × 24	4
Collector	All	24	2
Local	All	24	2
Marginal access	All	20	2

[1] The minimum street wearing surface width for local streets may be reduced by two feet on each side served by a sidewalk or multipurpose trail with a minimum width of eight feet.

[2] Individual travel lanes for streets shall be 12 feet wide, except for marginal access streets, which shall be a minimum ten feet in width.

Table 7.3-2. Minimum Right-of-Way Width Standards

Classification	Street Type	Curb and Gutter Right-of-Way Minimum Width (ft.)	<u>Transitional Swale Right-of-Way Minimum Width (private easement minimum width)(ft.)</u>	<u>Standard Swale Right-of-Way Minimum Width (ft.)</u>
Arterial	All	100	N/A	120
Collector	All	60	N/A	80
Local	A, B, C	50	<u>50 (20 total – 10 on each side of roadway)</u>	60
Local	D	40	N/A	60
Marginal access	All	40	<u>40 (20 total- 10 on each side of roadway)</u>	60

Section 7.3.1 (B)(2) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 7.3.1(B)(2) remains in full force and effect:

7.3.1 (B)(2) *Curb and gutter.*

(a) Curb and gutter shall be provided on type A and B streets, but is not required on type C and D streets.

~~(b) For lots including and between 10,000sf and 20,000sf~~ Transitional Swales may be provided as an alternative to providing Curb and Gutter for Type B streets that are designated Local or Marginal Access.

~~(i) If Transitional Swales are utilized the subdivider shall provide data-analysis from a licensed stormwater engineer demonstrating that performance measures outlined in the definition of Transitional Swale will be met by the Transitional Swale system.~~

~~(ii) In all cases where Transitional Swales are provided swale facilities shall be located within a minimum 10 foot wide private easement on each side of any proposed roadway. Such easements and all associated swales, culverts, and other features of the Transitional Swale shall be privately maintained and will be the sole responsibility of the subdivider or any successive Home Owner's Association. The Transitional Swale facility must be owned in its entirety by a single entity.~~

~~(iii) In all cases where Transitional Swales are provided, an F-type, or similar style, curbing is required to line the outer edge of an associated paved roadway. Curb breaks allowing for spillway connections to the swale system are permitted.~~

~~(b)~~ (c) If curb and gutter is not required, the subdivider shall comply with the right-of-way width requirements for streets with swales in accordance with the following Table 7-3.2, Minimum Right-of-Way Width Standards:.

Section 10.2 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~striketrough~~ is to be removed). The new defined term, *Transitional Swale*, shall be added at the appropriate alphabetical location within Section 10.2. Except as amended herein, the remainder of Section 10.2 remains in full force and effect:

10.2. – Definitions

Transitional Swale means a swale, designed as a part of a stormwater management system that meets the pollutant removal goals of Chapter 62-40 of the Florida Administrative Code through the following criteria:

(1) The average treatment efficiency of the areas treated and the areas not treated must achieve at least 80% reduction of the average annual load of pollutants that would cause or contribute to violations of state water quality standards for Class III waters.

(2) The average treatment efficiency of the areas treated and the areas not treated must achieve at least 95% reduction of the average annual load of pollutants that would cause or contribute to violations of state water quality standards for Class I, Class II, Outstanding Florida Waters, or Class III waters which are approved, conditionally approved, restricted, or conditionally restricted for shellfish harvesting.