



# City of Newberry

## City Commission Agenda Item

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<b>Meeting Date:</b>	June 27, 2016
<b>Title:</b>	<b>Ordinance 2016-07/CPA 16-02</b> , an application by the City of Newberry to amend the text of the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, +Economic Development Element and Capital Improvement Element of the City of Newberry Comprehensive Plan. The proposed changes are related to the addition of a new future land use category, “Corporate/Research Park,” modifications to the Urban Services Area, and modifications to the Economic Development and Capital Improvements Elements.
<b>Agenda Section:</b>	VII. A. Business
<b>Department:</b>	Planning & Economic Development
<b>Presented By:</b>	CHW, Inc., Consultants for the City of Newberry
<b>Recommended Action:</b>	Approve on first reading, Ordinance 2016-07/ application CPA 16-01, amending the Comprehensive Plan of the City of Newberry.

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**Summary:** The City of Newberry was awarded a Planning and Technical Assistance grant to amend the City’s Comprehensive Plan. The intent of the amendments is to update the Future Land Use Element and Sub-elements, Future Land Use Plan Map, Economic Development Element, Capital Improvements Program Element, and expand the Urban Services Area boundary of the Comprehensive Plan, ensuring consistency with the Community Planning Act and current planning laws. In addition, the amendments will help the City capitalize on the findings of the recent, “Corridor Economic Development Study,” and better align the Economic Development Element with the City’s adopted Economic Development Strategy. The ultimate goal of the amendments is to enable the City to take advantage of economic development opportunities that arise along the key growth corridors leading into the City.

The City contracted with CHW, Inc., for consulting services to help develop the amendments to the City of Newberry Comprehensive Plan. Representatives of CHW held numerous meetings with staff

and gave presentations to the City's Economic Development Steering Committee. In addition, five public workshops (1/7/16, 1/14/16, 2/9/16, 3/22/16, 5/16/16) were held to receive input and guidance on the proposed amendments from the public and elected officials.

On June 20, 2016, CHW presented the final draft of the Comprehensive Plan amendments to the City of Newberry Planning & Zoning Board. After receiving the presentation from CHW and subsequent discussion, the Planning & Zoning Board unanimously voted to recommend approval of the amendments to the Newberry City Commission.

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**Attachments:**

1. Ordinance 2016-07;
2. Draft Amendment Language CPA 16-02;
3. Proposed Urban Services Area Map;
4. Planning & Zoning Board Minutes, 6/20/16.

ORDINANCE NO. 2016-07

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING ORDINANCE NO. 4-91, AS AMENDED, RELATING TO AMENDMENTS TO THE FUTURE LAND USE PLAN MAP, FUTURE LAND USE ELEMENT AND SUB-ELEMENTS, URBAN SERVICES AREA BOUNDARY, ECONOMIC DEVELOPMENT ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF NEWBERRY COMPREHENSIVE PLAN, UNDER THE REGULAR AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, empowers the City Commission of the City of Newberry, Florida, hereinafter referred to as the City Commission, to prepare, adopt and implement a Comprehensive Plan;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan;

WHEREAS, an application, CPA 16-02, for an amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Economic Development Element and Capital Improvements Element of the City of Newberry Comprehensive Plan, hereinafter referred to as the City's Comprehensive Plan has been filed with the City;

WHEREAS, the Planning and Zoning Board of the City of Newberry, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the City of Newberry Local Planning Agency, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Ordinance No. 4-91, as amended, entitled City of Newberry Land Development Regulations, hereinafter referred to as the City's Land Development Regulations, the Planning and Zoning Board, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan and at said public hearing, the Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan and recommended to the City Commission approval of said application for amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan;

WHEREAS, the City Commission held two public hearings, with public notice having been provided, under the provisions of the regular amendment public hearing procedures established in Sections 163.3161 to 163.3215, Florida Statutes, on said application for amendment, as described

below, to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan and at said public hearings, the City Commission reviewed and considered all comments received during said public hearings, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency;

WHEREAS, the City Commission, found said application for an amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission, found, subsequent to an expedited submittal to the Florida Department of Economic Opportunity, no objections recommendations or comments were submitted by said Department and that said application for an amendment, as described below, to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan to be found by the State Land Planning Agency to be compatible with the other affected elements of the City's Comprehensive Plan; and

WHEREAS, the City Commission, has determined and found that approval of an application for amendment to the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF NEWBERRY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, CPA 16-02 by the City Commission, to amend the Future Land Use Plan Map, Future Land Use Element, Urban Services Area boundary, Economic Development Element and Capital Improvements Element of the City's Comprehensive Plan by amending the text of the Future Land Use Element to reflect the current community vision for the City's development and redevelopment efforts, amending the text of the MIXED USE land use classification, creating a new land use classification, CORPORATE PARK, in the Future Land Use Element and on the Future Land Use Plan Map, amending the Urban Services Area boundary, amending the Capital Improvements Element annual road paving and resurfacing program, and amending the Economic Development Element to more closely align with the adopted City of Newberry Economic Development Strategy. The amended City of Newberry Comprehensive Plan is attached hereto as Attachment "A" and made a part hereof.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This ordinance shall become effective upon adoption. The effective date of this plan amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity, Division of Community Planning and Development, 107 East Madison Street, MSC-160, Tallahassee, FL 32399-4120.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 166.021 and Sections 163.3161 through 163.3215, Florida Statutes.

First reading was held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BY THE MAYOR OF THE CITY OF NEWBERRY, FLORIDA

\_\_\_\_\_  
Honorable William H. Conrad, Mayor

ATTEST, BY THE CLERK OF THE  
CITY COMMISSION OF THE CITY OF  
NEWBERRY, FLORIDA:

\_\_\_\_\_  
Judy S. Rice, City Clerk

APPROVED AS TO FORM AND  
LEGALITY:

\_\_\_\_\_  
S. Scott Walker, City Attorney

# CITY OF NEWBERRY COMPREHENSIVE PLAN



PREPARED BY:

THE CITY OF NEWBERRY PLANNING DEPARTMENT  
THE CITY OF NEWBERRY PLANNING AND ZONING BOARD (LPA)  
25815 S.W. 2<sup>ND</sup> AVENUE, NEWBERRY, FL 32669  
(352) 472-3927

ADOPTED BY:

THE CITY OF NEWBERRY CITY COMMISSION  
25440 W. NEWBERRY ROAD, NEWBERRY, FL 32669  
(352) 472-2161

~~21<sup>st</sup>~~ 22<sup>nd</sup> EDITION – ~~DECEMBER 2012~~ JUNE 2016



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# I

## CITY OF NEWBERRY FUTURE LAND USE ELEMENT

### INTRODUCTION

This Future Land Use Element and Future Land Use Plan map and map series, designates the future general distribution, location and extent of the uses of land within the incorporated areas of the City. The purpose of this Future Land Use Element is to provide for the appropriate distribution of population densities and building and structural densities and intensities. The data collected for this plan element and its analysis, primarily contained in the City's Data and Analysis document, are not part of this plan element but provide a basis for its formulation.

The Future Land Use Element is divided into four portions; (1) The Newberry Visions Sub Element; (2) ~~Rural Development Sub Element;~~ ~~(3) Urban Service Area Sub Element;~~ ~~Supplementary Objectives and Policies;~~ and ~~(4) Objectives and Policies Related to Specific Locations within the City~~ Rural & Urban Sub Element; and ~~(5) Specific Locations~~ Sub Element.

### NEWBERRY VISIONS ~~SUB ELEMENT~~ SUB ELEMENT

#### Introduction

In 2004, the City of Newberry began a visioning process with the help of the Florida Department of Community Affairs and the Florida A&M University's School of Architecture. An aim-goal of the visioning process was to identify aspects of the



City's character that citizens prefer, and to develop a visual depiction of those design elements so they may be reinforced through public policy, funding, and other mechanisms.

As part of the process, participants identified issues within the study area affecting the community. A primary issue was the desire to establish an overall urban development plan for management of future growth and as an equally important task to revitalize Newberry's downtown area to boost the community's economic health and quality of life. The intention of the vision plan was to identify methods to reduce sprawl, protect property values, and increase the community's options for goods and services.

~~Citizen goals~~ Goals of that emerged from the visioning process ~~citizens~~ that emerged from the visioning process were to preserve the city's small-town character, complement the existing historic architecture, enhance the existing pedestrian orientation, encourage streetscape design, and communicate the community's vision for revitalizing the existing core area.

Adoption of an urban service area to concentrate urban development within areas that were logical extensions for urban services; preservation of the current downtown was also a major priority and a downtown overlay district was suggested as one means to achieve these goals. Other suggested methods included creating public/private partnerships, focusing on developing the unique qualities of downtowns, maintaining and developing genuine public spaces, and securing multiple sources of funding. Specific implementation strategies and tools included the following:

Implementing the guidelines through preparation and adoption of zoning provisions that deal directly with the town center's development;  
Adopting an Official Plan Amendment that references the guidelines in general in order to ensure that the physical elements of development occur in a manner that maintains and improves the built environment;

The guidelines can form the basis for a revitalization strategy for public right-of-way enhancement and for small infill projects; and, In order to evaluate new construction, the City could adopt a formal checklist of desired elements to ensure that the preferred character is pursued.

### **Community History**

The history of Newberry can be traced as far back as the late 1880s, when a narrow vein of "hard-rock phosphate" was discovered in the area. Mining companies and prospectors began buying up land. Phosphate processing plants with steam-powered equipment soon dotted the surrounding countryside with railways crossing the area to High Springs and Archer.

In 1893, Henry Plant extended his Savannah, Florida and Western Railroad from High Springs to Archer, and Newberry was established the following year as a railroad stop and trading center at mid-point. In the late 1890s, the Cummer Lumber and Phosphate Company completed the Jacksonville and Southwestern Railroad line from its lumber mill near Jacksonville to Newberry.

Prior to 1900, The Newberry Miner, the local newspaper, reported more than five-hundred men worked at the fourteen mines located within six miles of town. As the mines prospered, so did the fledgling town of Newberry. By 1907, Newberry listed livery stables, restaurants, boarding houses, hotels, barbers, cleaners, pharmacies, meat markets, general merchandise stores, photographers, bicycle shops, pool halls, saloons, side shows and theaters as businesses on the City's occupational license roll.

On the weekends, Newberry's population of 1,500 swelled as the miners came to town for supplies and entertainment. Injuries, such as cuttings and shootings were common - they kept Newberry's three doctors busy. One of the local doctors, W.N. "Doc" Barry, Sr. worked at his mother's

pharmacy during this period. "Doc" described Newberry as "a real wild west town in the East." Despite its wild nature,

Newberry's prosperity also brought the trappings of civilization in the form of churches, schools, and in 1913, an electric light plant. Early electric customers were able to enjoy four hours of light each night. With the discovery of soft-rock phosphate near Dunnellon, Newberry's prosperity began to wane. An increase in soft-rock production meant a reduction in mining the hard-rock phosphate found near Newberry. However, the real blow came with the declaration of war in 1917. World War I ended shipments of phosphate to Germany, the United States' primary buyer. Newberry's economy was brought to a screeching halt.

Many of Newberry's residents left. Those who stayed turned to farming. Vegetables were grown for the table, while crops like watermelons and tobacco were grown for cash. The land boom of 1925-26 brought hordes of tourists to Tampa and Miami. They traveled through the eastern edge of town on a newly paved road known as the Tamiami Trail (US 41). Newberry's population remained stable until the advent of World War II, when many of Newberry's finest were called away to war. These brave men came home filled with energy, fresh ideas and new skills. Most returned to farming and Newberry's economy picked up pace.

After the war the local American Legion, established in 1946, voted to hold a festival in celebration of the town's major income-producing crop - the watermelon. The first Watermelon Festival included a beauty contest and a dance at the skating rink. The Festival has grown and now brings about 10,000 people to Newberry each June.

As the fifties ended and the sixties rolled by, the agriculturally-driven seasonal economy was gradually replaced with steady jobs and regular paychecks. Newberry today is close to the cultural attractions in Gainesville but still retains its rural nature.

Newberry is well-positioned both geographically and economically to take advantage of Alachua County's westward growth. Infrastructure and equipment owned by the City of Newberry provides residents with centralized city water and sewer, cable TV, and within the original city areas - City owned electric power.

Alachua County's school system is generally recognized as one of the top systems in the state and Newberry can further boast that it is one of the few places in the county with true neighborhood schools. The elementary, middle and high schools are all located within one mile of downtown Newberry.

### **Maintenance of Character**

While Downtown Newberry has long been the commercial center of the City, new challenges have threatened the sustainability of the district. As growth pressures from Gainesville continue to drive new development to the East and the prospect of a new highway bypass poses a potential threat to the long-term viability of the Downtown. Discussion involving these issues provided the impetus-momentum for the City's redevelopment planning efforts.

Successful redevelopment planning is integral to achieving the vision of an economically diverse, aesthetically pleasing, and pedestrian-friendly downtown. Furthermore, the type of revitalization envisioned will only be successful when it comes as a result of a partnership between the public and private sectors of Newberry.



## Existing Conditions

The Following conditions were reviewed by the visions committee and were determined to be ~~detriments~~ areas of opportunity for revisions to encourage the future redevelopment of the Downtown Newberry area:

- ~~Faulty lot~~ Lot layout diversity in relation to size, adequacy, accessibility, or usefulness
  - The current layout of the commercial area of the ~~‘Original City’~~ existing city presents a series of problems that has the potential to interfere with redevelopment if not addressed. The city was

originally laid out for residential purposes, which has resulted in a lot layout that does not allow for many commercial options within the original city area.

- Shallow block configuration in Newberry has created land use conflicts along the city's commercial borders. As currently situated, some houses in the residential area are faced with fencing, trucks, sheds, and other aspects of commercial uses that are incompatible with the neighborhood character. This situation can ~~depress~~impact property values in homes adjacent to these commercial structures and can reduce residential interest in the area ~~as a whole~~if not addressed in redevelopment efforts.
- The study area ~~is affected~~ by railroad tracks ~~that, among other effects,~~has create small and irregular parcels that ~~are often of little redevelopment interest.~~can present an opportunity for a designated railroad redevelopment area.

- **Inadequate and outdated building density patterns**

- The current amount of dwelling units per acre has not reached a level that is considered optimal for an urban setting. Currently, the density within the study area is approximately 2.5 dwelling units per acre. To establish a pedestrian-friendly planning framework for the city, this area should be closer to 3.5 dwelling units per acre.

- **Unsafe conditions**

- The current emphasis for SR-26 is the movement of high levels of traffic, which can have a disastrous effect on the continuity of the downtown area. ~~The lack of~~Minimal pedestrian safety features creates a situation that is both an immediately obvious safety hazards but also a potential detriment to the economic prospects of downtown's storefronts.



- Railroad cars have been stored along the active tracks within the Community Redevelopment Area. These cars often are placed close to residential areas, which create an unsafe situation for local residents due to the nature of potentially harmful materials contained in some of the cars and potential for criminal activity related to these cars.
  - Citizens have expressed concern about the need for sidewalks within the area, particularly in the residential section of the Community Redevelopment Area north of SR-26. Without an adequate sidewalk network, residents are left not only without connections to the downtown area but without a safe method of pedestrian travel to local schools.
- **Deterioration of site or other improvements**
    - A windshield survey conducted plan Planning Department staff showed 53 parcels exhibiting some signs of deterioration. These parcels showed signs of deterioration ranging from extensive roof damage to wall cracking and in some cases, the apparent abandonment of the structure.
    - The ‘Original City’ area has an older building stock that indicates great care will need to be taken to ensure the integrity of many of the buildings in the Community Redevelopment Area.
- **A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality**
    - The Community Redevelopment Area represents a very high percentage of the total violations of minimum housing standards and the Florida Building Code in relation to the remainder of the municipality. In the last two years, more than 80% of the building code violations in the city have occurred within the Community Redevelopment Area.

## **Transportation**

Located approximately 20 miles from the City of Gainesville, Newberry faces traffic problems on State Road 26 that are caused primarily by residents of neighboring counties traveling to Gainesville. The congestion on the road, which is the effective ‘Main Street’ of Newberry’s downtown, creates a dangerous situation for pedestrians in the area. When combined with Florida’s Transportation Concurrency requirements, the traffic on the road also has the effect of stifling development opportunities.

The “original city” is located on a traditional grid network, although the area is heavily dependent on county and state roads to move traffic. The other roads in the Community Redevelopment Area are designed to carry residential traffic.

## **Utilities**

The City of Newberry owns, operates, and maintains water treatment and distribution and wastewater collection, treatment and disposal systems which serve residents within the service area of the city. The City of Newberry Public Works Department consists of the water, wastewater, streets and storm water, general services, vehicle maintenance and sanitation divisions. Inherent in this section is the city’s obligation to establish a uniform method of determining charges in efforts to serve the citizens of Newberry uniformly and equitably.

## **Parking**

The City of Newberry has on-street and off-street parking that is marginally adequate to serve the needs of the Newberry community.

Some business owners have expressed concern about the availability of accessibility of parking and its effect on redevelopment efforts.

## **Redevelopment Opportunities and Constraints**

### **Opportunities**

- A historic building stock that dates back to the 1900s that provides Newberry's residents a connection with their past and results in the potential for various historic preservation grants to put money in the downtown.
- A Historic District that includes a variety of historic residential and commercial structures.
- A grid pattern of streets that makes the area accessible and walkable.
- The City Government has shown an interest in redeveloping the Downtown.
- A positive small-town atmosphere.
- Lack of vacancies in the area indicate a stable commercial element.

### **Constraints**

- Traffic on State Road 26 makes pedestrian crossing difficult and creates concurrency issues for local businesses.
- Lack of sidewalk coverage create a lack of connections to the downtown from areas of the city.
- Railroad tracks split the district, which is a constraint to creating a unified district.
- Growth pressures from Gainesville create a situation where development is drawn towards the East, away from the downtown area.
- A discussed bypass of SR-26 could create a situation that diverts crucial traffic from the Downtown area.

## **Newberry Visions and Community Design**

America's urban and downtown areas began a long period of decline in the fifties and sixties. The popularity of the automobile changed individual and commercial behavior, and the focus of commercial activity shifted from the cities to the suburbs. During the late sixties and seventies, cities declined further as white flight accelerated. The result was a vicious cycle as downtown businesses closed (because of population declines), further increasing the rate at which residents and visitors left downtown areas.

In spite of these trends, research shows that a healthy and vibrant downtown boosts the economic health and quality of life in a community. Specifically, it creates jobs, incubates small businesses, reduces sprawl, protects property values, and increases the community's options for goods and services. A healthy downtown is a symbol of community pride and history.

The nineties saw the beginning of downtown revitalization from population increases in urban and downtown areas, particularly among young middle- and upper-class individuals and families, as well as decreases in crime rates. Commercial investment in small cities is also growing, albeit slowly. Community Development Corporations (CDCs), which use community-based strategies to revitalize downtown areas often, aid revitalization..

The most important decision for a small town is to decide what it wants to be, physically, and then ~~derive an approach to~~encourage development ~~regulations~~ that reflect that "vision," while allowing the town to attract economic growth. In other words, regulations should be designed to catalyze or attract certain desirable changes, rather than merely controlling permit-processing procedures. ~~And, the~~The "vision" ~~should plan should be visual, not just verbal~~include a map and other visual representative documents to support the overall theme.

The Florida Department of Community Affairs staff and Florida A&M University (FAMU) School of Architecture (SOA) worked with the City

of Newberry to decide what the city visually wants to be. The FAMU SOA is crafting drawings and images to promote discussion on the kind of development & preservation the residents consider ideal. The pictures of a preferred future provide the first test. If the vision was adopted, would it be legal to build what's shown in those pictures? If the changes to be existing rules were not adopted, might something antithetical to those pictures get approved?

The purpose of the project was to provide the community with graphic tools that will **eventually help** improve the relationship between the private and public realm.



It is important to emphasize that the intentions are not to prescribe any particular architectural style or detail, but rather to layout a framework for buildings that re-emphasize the existing elements and patterns. In general, the **intent of the** vision is **intended** to encourage desirable **economic growth while maintaining the small town character of the city elements**. The City can determine if the urban vision is solely the clarification of the community recommendation or a series of small requirements. If this document is interpreted as requirements, it will be enforced by the City.



## **The Visions Plan**

The following overall goals and sub-goals were drafted by the Newberry Project 2020 Community Visioning Program participants to establish a strategic direction for the future of the City of Newberry. These goals provide a basis for the development goals, objections and policies of the various elements of this comprehensive plan and especially for the development of the urban service areas as designated.

**Goal ~~V-I.1~~ V-I.1.1: Preserve the small-town character**

Objective ~~V-I.1.1~~ V-I.1.1 — Upon the adoption of this Objective the City will strengthen and enhance the downtown district, carefully expanding opportunities for business, shops, restaurants, and housing. New construction should be planned in the context of preserving the historic character of the city core.

Policy ~~V-I.1.1.1~~ V-I.1.1.1 — To implement Objective ~~V-I.1.1~~ V-I.1.1 the City shall (1) encourage the location of a number of ~~small~~ neighborhood centers in the community, where local residents can walk or bike; (2) Establish mixed use development along arterials; and (3) Partner with organizations in the business to preserve and increase the availability of affordable housing at a rate consistent with population growth.



**Goal ~~V-2~~I.2: Complement the existing historic architecture**

Objective ~~V-2.1~~I.2.1 ———The City shall assist in the development and maintenance of a Florida Main Street Program<sup>1</sup> which has its purpose in the preservation of the historic character of the City. The City will endeavor to reach Main Street National Trust certification by December 31, 2007.

Policy ~~V-2.1~~I.2.1.1 —To implement Objective ~~V-I~~I.2.1, the City shall (1) conduct a new historic survey to assist the Historical Architectural Review Board with implementation of the City’s historic district regulations; and (2) ~~The~~ establish design standards to apply to the following:

- Newly constructed buildings  
————— Exterior building improvements and signage changes ~~that require~~that require a building\_————— and/or sign permit
- New or reconstructed parking areas with 5 or more spaces



<sup>1</sup> <http://dos.myflorida.com/historical/preservation/main-street-program/>



## Newberry Main Street Organization<sup>2</sup>



**Goal ~~V-3~~I.3: Enhance the existing pedestrian orientation and encourage streetscape design that is inviting and on a human scale**

Objective ~~V-3.1~~I.3.1 ——— By December 31, 2009, the City shall file a CRA with the Alachua County Board of County Commissioners to address the public side of downtown redevelopment



Policy ~~V-I.3.1.1~~- ——— To assist the development of the Community Redevelopment Area the City shall (+)



**(1) Transportation Improvement Program for multi-modal transportation opportunities; and**

<sup>2</sup> <http://newberrymainstreet.com/about-us/>

(2) ~~establish a~~ “walkable communities” program.

**Goal ~~V-I~~4: Communicate the community's vision for the existing core area**

Objective ~~V-I~~4.1 \_\_\_\_\_—The City by December 31, 2007, shall adopt an urban service area boundary which is subject to clear, measurable targets. ~~for d~~Density, open space, affordable housing, mixed use development, and industrial lands, ~~which~~ will be measured to determine what ~~economically~~is economically feasible to concentrate the development of urban infrastructure within a 10 year planning period.

Policy ~~V-I~~4.1.1 \_\_\_\_\_-The City shall develop a fair, coherent system of taxes, fees and development charges, which will be used to provide~~ing~~ adequate funding to build and maintain quality community infrastructure and provide public services concurrent with growth.

Policy ~~V-I~~4.1.2 \_\_\_\_\_-The City shall continue to develop using the grid roadway pattern to provide an integrated system of auto, bicycle and walking routes, which provide a safe, healthy access to all points within the urban service area.

Policy ~~V-I~~4.1.3 \_\_\_\_\_-The City shall establish an economically feasible comprehensive long term traffic and street improvement program, facilitating internal traffic flow, bypasses and easy connection to all areas of the community.

**Goal ~~V-I~~5: The City shall create Visioning Implementation Strategies**

Objective ~~V-I~~5.1 \_\_\_\_\_-The City shall develop a broad strategy for revitalization of the City core. This strategy shall be incorporated within the next evaluation and appraisal of this Comprehensive Plan.

Policy ~~V-I~~5.1.1 \_\_\_\_\_-~~a~~Any master plans for improving downtown areas must address several areas at once. Downtown revitalization shall include ~~not only~~ new housing and commercial businesses, ~~but also~~also in

addition to after-school programs, anti-crime initiatives, youth development and employment services, arts, recreational opportunities, and public transit.

Policy I.5.1.2 The Complete Streets Program<sup>3</sup> can help to mitigate undesired, existing transportation conditions while also focusing on economic development within the City core. Traffic calming measures can help with the conditions in addition to looking at existing pedestrian pathways. The Complete Streets Program focuses on serving the transportation needs of all the transportation system users, including but not limited to, cyclists, motorists, transit riders, freight handlers, and pedestrians.

Policy I.5.1.3 The Florida Main Street Program uses an approach that is a common-sense, strategy driven effort that guides community based revitalization efforts while maintaining a sense of place for the city and highlighting local place-based activities.

Objective ~~V~~I.5.2 \_\_\_\_\_-The City shall ~~endeavor~~seek to create partnerships to implement this community vision. By December 31, 2008, the City will endeavor to partnership with Alachua County to develop a financially feasible tax increment program to assist with the funding of the Main Street/Historic Section of the City.

Policy ~~V~~I.5.2.1 \_\_\_\_\_—Downtown revitalization shall encompass a wide range of activities. Therefore, in order to implement Objective ~~V~~I.5.2 the City shall ~~foster~~encourage the cooperation of county government, chambers of commerce, the private sectors, civic organizations, and other key institutions; and shall pay particular attention to attracting commercial business.

Objective ~~V~~I.5.3 \_\_\_\_\_—The City shall ~~encourage a diversity of land uses~~aim for a multi-functional within the downtown. This objective

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<sup>3</sup> <http://www.dot.state.fl.us/rddesign/CSI/Default.shtm>

includes the partnering with a Main Street Organization, as well as other taxing authorities and non-profits to create a mix of development that will encourage a multi-faceted and multi-functional central business district. A generalized city-wide master plan will be prepared by December 31, 2007.

Policy ~~V~~I.5.3.1 ~~T~~To implement Objective I.~~V~~5.3 the City shall endeavor to attract a wide range of individuals by affecting housing, work, shopping, culture, entertainment, government, and tourist attractions.

Objective ~~V~~I.5.4 ~~C~~City shall focus on developing the unique quality of the Main Street/Historic Area of the City. This is the core of the Urban Service area and is the centerpiece of the community vision plan.

Policy ~~V~~I.5.4.1 ~~T~~The City shall focus on the historical value and compact, walking-friendly size of the Historical/Main Street area by preserving historical architecture and promoting traditional architecture through zoning and adaptive reuse of existing structures. The City shall also improve pedestrian walkways through installation of attractive lights, benches, and flowers in order to draw shoppers and other traffic to this area.

Objective ~~V~~I.5.5 ~~C~~City as part of the preparation of a generalized master plan for the development of the urban core shall endeavor to identify multiple sources of funding to implement the City vision.

Policy ~~V~~I.5.5.1 ~~T~~The City shall attempt to secure funding from a variety of sources, assistance from local governments is particularly important for long-term project sustainability. The City shall use its regulatory powers to make it easier for a wide variety of small businesses to locate within the Historic/Main Street Area, as well as help preserve existing housing and promote new, affordable housing.



## **FUTURE LAND USE GOAL, OBJECTIVES AND POLICIES**

**GOAL I.6** - IN RECOGNITION OF COMMUNITY VISION FOR NEWBERRY TO ENHANCE THE QUALITY OF LIFE IN THE CITY, DIRECT DEVELOPMENT TO URBAN SERVICE AREAS WHICH HAVE IN PLACE, OR HAVE AGREEMENTS TO PROVIDE, SERVICE CAPACITY TO ACCOMMODATE GROWTH IN A FINANCIALLY FEASIBLE AND AN ENVIRONMENTALLY ACCEPTABLE MANNER.

### RURAL AREA SUB ELEMENT

~~The following goal, objectives and policies provide for distribution of future land use within the rural areas of the City, as well as guidance for such future land use. The Future Land Use classifications permitted within rural areas are listed within this subsection and are designed to prevent the proliferation of urban sprawl through the maintenance of the character of the rural areas of the City.~~

~~OBJECTIVE RI.1—The City upon adoption of this Objective shall provide land use classification within the rural areas of the City which are consistent with the rural character of the area in an effort to prevent the proliferation of urban sprawl and concentrate urban services and facilities to areas designated as urban service areas.~~

~~Policy RI.1.2—The City's land development regulations shall be based on and be consistent with the following rural land use classifications and corresponding standards for densities and intensities primarily but not exclusively for those areas outside of the designated Urban Service Areas as depicted on the Urban Service Area Map of this Comprehensive Plan:~~

~~Lands classified as conservation use are lands devoted to the conservation of the unique natural functions within these lands.~~

~~Conservation uses shall be limited to public access, native vegetative community restoration and non-residential and residential uses necessary to manage such conservation lands (i.e. ranger stations, research stations and park amenities).~~

~~Agriculturally classified lands are lands, which are predominantly used for crop cultivation, specialty farms, dwelling units, silviculture areas, and livestock (except for intensive agricultural uses, described below).~~

~~Intensive agricultural uses shall only be permitted within the Intensive Agriculture Future Land Use Classification within this Comprehensive Plan.~~

~~In addition, the processing storage and sale of agricultural products and commodities which are not raised on the premises, riding or boarding stables, commercial kennels, veterinary clinics and animal shelters, group homes, child care centers, cottage industries (as home occupations), private clubs and lodges, off-site signs, cemeteries and crematories, and other similar uses compatible with agricultural uses may be approved as special exceptions or special permits and be subject to an intensity of less than or equal to 0.25 floor area ratio.~~

~~Agricultural density shall be limited to a density of less than or equal to 1.0 dwelling units per 5 acres. However, within the Agricultural land use classification, notwithstanding the density requirement of 1 dwelling unit per 5 acres stated above, lots equal to or greater than 1 acre and less than 5 acres may be created, as follows:~~

- ~~(a) Individual lots;~~
- ~~(b) Subdivision lots up to 25 lots; or~~



~~(c) Planned Rural Residential Development lots with clustered lots where no lot shall be less than 1 acre and an overall density of 1 dwelling unit per 5 acres shall be maintained on site.~~

~~—Any development which contains more than 25 lots equal to or greater than 1 acre and less than or equal to 3 acres shall be developed as a Planned Rural Residential Development with clustered lots where no lot shall be less than 1 acre and an overall density of 1 dwelling unit per 5 acres shall be maintained on site. All lots, whether within a subdivision or Planned Rural Residential Development, shall have a length to width ratio no greater than 3 to 1.~~

~~—Roads within all such subdivisions and Planned Rural Residential Developments shall comply with the provisions of Policy I.6.3.~~

~~—The total number of lots created equal to or greater than 1 acre and less than or equal to 3 acres, within the Agricultural land use classification shall not exceed 150 lots during any calendar year.~~

~~—Any lots created pursuant to Policy I.1.8 shall not count towards the 150 lot capacity.~~

~~—All Planned Residential Developments shall be developed, as follows:~~

~~(a) —permitted lot sizes shall be greater than or equal to 1 acre, but less than or equal to 3 acres in size. The Planned Rural Residential Development shall maintain the following percentages of the development as undeveloped area.~~



~~addition, if any developed area is located within any such sensitive areas, the development of such area shall be in accordance with Policies V.2.7 and V.2.8;~~

~~(f) — the development shall have direct access to a paved road; and~~

~~(g) — all internal roads shall be so located in order to minimize the number of access points to external roadways.~~

~~Undeveloped area means areas within a Planned Rural Residential Development, as required by this Comprehensive Plan designed and intended for agricultural uses (not to include intensive agricultural uses), silviculture uses and conservation uses. It is not the intent that such undeveloped area be established perpetually. Therefore, at some future time, the Comprehensive Plan may be amended to allow other uses to occur within the undeveloped area.~~

## URBAN SERVICE AREA SUB ELEMENT

The following goal, objectives and policies provide for distribution of future land use, as well as guidance for such future land use. The focal point around which this Future Land Use Element is centered is the City as a designated urban development area and the uses and density of such uses within this designated area.

OBJECTIVE ~~URAI I.6.1~~ —        The City's Urban Service Area(s) are established to create compact, contiguous urban development within a 10 year planning timeframe. The urban service area map is included within the Future Land Use Map Series of this Comprehensive Plan. The lands included within the Urban Service Area are planned to be served at urban densities and intensities by the year 2016. The provisions of Section 163.3177(14) are limited to lands within the Transportation Enhancement Project Area and the subset Historic/Main Street Area designated within the Urban Service Area as identified on the above stated map. **Land areas shall be developed at lower densities and intensities consistent with rural areas, until** ~~Until~~ such time as centralized potable water and sanitary sewer facilities and roads are provided, or a binding development agreement is executed with the City to provide facilities to City standards on lands within the urban service area. ~~land uses as stipulated within rural areas, at lower densities and intensities, which are more in character with the rural areas of the City will remain in force.~~

Policy ~~URAI I.6.1.1~~ —        The City's land development regulations shall limit the location of high density residential, high intensity commercial and heavy industrial uses to areas adjacent to arterial or collector roads where public facilities are available to support such higher density or intensity.

Policy ~~URAI I.6.1.2~~        —        The City's land development regulations shall be based on and be consistent with the following land use

classifications and corresponding standards for densities and intensities which shall be permitted to be located within areas within the Urban Service Area as depicted on the Urban Service Area Map within this Comprehensive Plan:

**Residential land use classifications** provide locations for dwelling units at low, medium and high density within the City. Public, charter, and private elementary and middle schools are permitted within low, medium, and high density residential land use classifications. ~~Public, charter, and private elementary, middle schools and h~~High schools are only permitted in medium and high density residential land use classifications. Also allowed within residentially classified areas on the Future Land Use Plan Map are Family Day Care Homes and Large Family Child Care Homes as defined in Section 402.313 and 402.3131, respectively, as effective upon the adoption of this policy.

In addition, churches and other houses of worship, golf courses, country clubs, racquet and tennis clubs, cemeteries and mausoleums, private clubs and lodges, home occupations, child care centers, group homes, commercial greenhouses and plant nurseries, and other similar uses compatible with residential uses may be approved as special exceptions. All above stated principal uses and special exceptions shall be limited to 40 percent maximum ground coverage for all buildings;

Where a lot, parcel or development is located within more than one residential density category the permitted density shall be calculated separately for each portion of land within the separate density categories;

Residential low density shall be limited to a density of less than or equal to 4.0 dwelling units per acre;

Residential medium density shall be limited to a density of less than or equal to 8.0 dwelling units per acre;

Residential high density shall be limited to a density of less than or equal to 20.0 dwelling units per acre.

The Land Development Regulations may establish a Residential/Office (RO) zoning district, in residentially classified areas on the Future Land Use Plan Map containing functionally classified roadways. The RO zoning district is not a commercial district, but the district is intended to allow the establishment of single family and multiple family residences together with business and professional offices which are ~~not~~ incompatible with residential uses.

~~Lands classified as commercial use~~ **Commercial land use classifications** consist of areas used for the sale, rental and distribution of products, or performance of services as well as public, charter and private elementary, middle and high schools. In addition, off-site signs, churches and other houses of worship, private clubs and lodges, residential dwelling units, which existed within this category on the date of adoption of this Comprehensive Plan, and other similar uses compatible with commercial uses, may be approved as special exceptions. All principal uses and special exceptions shall be limited to an intensity as follows:

less than 5 acres	1.0 floor area ratio
greater than or equal to 5 acres, but less than 10 acres	0.75 floor area ratio
greater than or equal to 10 acres, but less than 20 acres	0.50 floor area ratio
greater than or equal to 20 acres	0.25 floor area ratio
<del>greater than or equal to 20 acres</del>	<del>0.15 floor area ratio</del>

~~Lands classified as Mixed Use~~ Mixed Use land use classifications

consist of residential, business and professional office and medical office and clinic, retail and commercial service, recreation and public, excluding solid waste landfills. In order to promote an interrelated mixture of mutually supportive land uses, a mixed use parcel shall be within a community potable water and sanitary sewer service area.

~~Once the~~ Newly approved Mixed Use classified lands shall have ~~ation is approved and effective as an amendment to the Future Land Use Plan Map,~~ a ~~master~~ Master zoning ~~Zoning plan~~ Plan shall be prepared and submitted to the City for review and approval within 12 months of such effective date. A Master Zoning Plan shall contain a minimum of three of land uses, as categorized below. No single use ~~Residential uses shall not exceed 70% of the permitted uses~~ total land area within a Master Zoning Plan. For purposes of this provision, all residential uses, regardless of type and density, shall be considered as a single use. A minimum 10% of the Master Zoning Plan land area shall be dedicated Open Space. To ensure a mixture of land uses are constructed, no more than 50% of the residential units, as permitted in the adopted Master Zoning Plan, shall be constructed until a minimum of 25% of the non-residential uses are constructed.

The following uses shall be allowed within a Mixed Use land use classification.

1. Residential, which includes single family attached and detached and zero lot line single family dwellings, duplex dwellings and multiple family dwellings.

Single family and duplex dwellings shall have a density of up to 4 dwelling units per acre.

Multiple family dwellings consisting of free standing townhouse type developments shall have a density of up to 8 dwelling units per acre.

Multiple family dwellings, consisting of free standing apartment buildings or units, which are integrated with nonresidential uses shall have a density of up to 20 dwelling units per acre.

2. Public or private schools offering curricula comparable to that of public schools, not exceeding a .25 floor area ratio.

3. Churches and other houses of worship, not to exceed a .25 floor area ratio.

4. Community and neighborhood recreational facilities and parks offering both activity based and resource based recreation activities, such as golf courses, country clubs, and racquet and tennis clubs, not to exceed a .25 floor area ratio.

5. Open space consisting of passive landscaped open space or linear open space, which may include such features as walkways, bike paths, plazas and other similar amenities.

6. Retail and commercial service uses shall not exceed .25 floor area ratio for the nonresidential portion of a structure.

7. Business and professional offices, and medical offices and clinics shall not exceed .25 floor area ratio for the nonresidential portion of a structure.

8. Public buildings and facilities, not to exceed a .25 floor area ratio. However, in no case shall solid waste landfills be located within a Mixed Use land use classification.

9. Homes of 6 or fewer residents, which otherwise meet the definition of a community residential home.



10. Community residential homes of 7 or more residents.

~~A Mixed Use land use classification shall contain the following minimum percentages of land uses based upon gross acreage of land area to assure a mix of uses within the development. No single use shall exceed 70% of the permitted uses within a Mixed Use land use classification. For purposes of this provision, all residential uses regardless of type and density shall be considered as a single use.~~

~~1. Residential single family and duplex dwellings  
—20%~~

~~Residential multiple family dwellings consisting of free standing townhouse type developments—10%~~

~~Residential multiple family dwellings consisting of free standing apartment buildings or units, which are integrated with nonresidential uses—5%~~

~~2. Public or private schools offering curricula comparable to that of public schools—allowable, but not required—0%~~

~~3. Churches and other houses of worship—allowable, but not required—0%~~

~~4. Community and neighborhood recreational facilities and parks offering both activity based and resource based recreation activities, such as golf courses, country clubs, and racquet and tennis clubs—5%~~

~~5. Open space consisting of passive landscaped open space or linear open space, which may include such features as walkways, bike paths, plazas and other similar amenities—10%~~

~~6. Retail and commercial service uses—5%~~

~~7. Business and professional offices, and medical offices and clinics—  
5%~~

~~8. Public buildings and facilities—allowable, but not required——0%~~

~~9. Homes of 6 or fewer residents, which otherwise meet the definition of  
a community residential home—allowable, but not required—  
—0%~~

~~10. Community residential homes of 7 or more residents—allowable, but  
not required——0%~~

**Corporate Park** land use classifications consist of areas used for research and development, technology and biotechnology industries, office, supporting retail, and limited residential uses located near major transportation corridors. This use classification allows for industrial and research usage, which are not permitted in the Mixed use classification. The Corporate Park category is intended to:

1. Provide appropriate locations for mixed use office-oriented development to promote and foster the growth of established industries within the City, including but not limited to research and development and technology and biotechnology, with provisions for a variety of residential uses at a low to medium density; and,
2. Provide a variety of employment opportunities to the citizens of Newberry.

Development within the Corporate Park land use category should be designed in a campus-like setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features, such as buildings placed near the street, sidewalks, and trails leading to nearby uses, such as retail and housing, is encouraged.

The following uses shall be allowed within a Corporate Park land use classification. Such uses shall be developed in a manner compatible with surrounding land uses, and to minimize potential nuisances or damage to the environment.

1. Office/business parks
2. Biotechnology and other technologies
3. Business incubators
4. Supportive retail sales and services
5. Single-family and multi-family residential
6. Accessory storage facilities, including outdoor storage yards either as allowed uses or with a special exception permit

Non-residential and Commercial Corporate Park uses shall be limited to an intensity as follows:

<u>Less than or equal to 5 acre</u>	<u>1.0 floor area ratio</u>
<u>Greater than 5 acres, but less than 10 acres</u>	<u>0.75 floor area ratio</u>
<u>Greater than or equal to 10 acres, but less than 20 acres</u>	<u>0.50 floor area ratio</u>
<u>Greater than or equal to 20 acres</u>	<u>.25 floor area ratio</u>

Development within the Corporate Park land use category that consists of greater than 100 acres of contiguous land may provide clustered residential development. Residential uses within the Corporate Park land use category shall be limited to a gross density of 0.5 dwelling units per gross acre. Clustered residential development must be developed consistent with the specific criteria identified within the Land Development Regulations for clustered residential development in the Corporate Park zoning district. Retail sales and service shall be no more than 15% of the development's total square footage.

Corporate Park uses shall be located and designed in such a manner as to prevent undesirable impacts to adjacent properties.

1. The Corporate Park land use category may include material distribution facilities and manufacturing facilities subject to the following standards and maximums:

<u>Type of Use</u>	<u>Manufacturing Area/Storage</u>	<u>Size of Building</u>	<u>Building Area Coverage</u>
<u>Regional Warehouse</u>	<u>None permitted</u>	<u>100,000 sq. ft.</u>	<u>50%</u>
<u>Manufacturing / Assembly</u>	<u>75% of total area</u>	<u>100,000 sq. ft.</u>	<u>40%</u>

Landscape buffering and screening shall be included to maintain the city's rural and agricultural character.

2. The Corporate Park land use category may include flex facilities or buildings subject to the following standards and maximums:

<u>Type of Flex</u>	<u>Building Size</u>	<u>Manufacturing</u>	<u>Warehousing</u>	<u>Building Area Coverage</u>
<u>Research and Development</u>	<u>150,000 sq. ft.</u>	<u>75% of total area (may include labs and offices)</u>	<u>75% of total area</u>	<u>50%</u>
<u>Office Showroom</u>	<u>150,000 sq. ft.</u>	<u>None permitted</u>	<u>60% warehousing / 20% retail showroom</u>	<u>50%</u>
<u>MultiTenant</u>	<u>120,000 sq. ft.</u>	<u>None permitted</u>	<u>60% retail / 40% warehousing</u>	<u>50%</u>

The City- Land Development Regulations shall develop performance standards for Corporate Park uses in order to address the following:

1. Integration of vehicular and non-vehicular access into the site and access management features addressing driveway cuts, cross access

- between adjacent sites, use of frontage roads, and/or shared access facilities;
2. Buffering from adjacent existing/future uses and use of landscaping to create an integrated design;
  3. Open space provisions and balance of proportion between gross floor area and site size;
  4. Adequacy of pervious surface area in terms of drainage requirements;
  5. Placement of signage;
  6. Adequacy of site lighting and potential impacts of lighting upon the surrounding area. Lighting should be designed to minimize impacts and preserve the ambiance and quality of the nighttime sky by reducing light trespass and light pollution on adjacent properties by utilizing lighting at an appropriate intensity, direction and times to ensure light is not overused or impacting areas where it is not intended;
  7. Safety of on-site circulation patterns (patron, employee, and delivery vehicles), including parking layout and drive aisles, and points of conflict;
  8. Landscaping, as it relates to the requirements of the Comprehensive Plan and Land Development Regulations;
  9. Unique site features and resources which may constrain site development, such as soils, existing vegetation and historic significance;
  10. Performance based zoning requirements, which may serve as a substitute for or accompany land development regulations in attaining acceptable site design.
  11. Clustering of residential uses.

~~Lands classified as~~ **Industrial land use classifications** ~~industrial~~ consist of areas used for the manufacturing, assembly, processing or storage of products as well as public, charter and private schools teaching industrial arts curriculum. Such industrial uses may include the breeding of non-venomous animals, excluding birds and mammals, for wholesale distribution to commercial retailers. ~~All animal activity other than~~

~~loading and unloading of animals, materials and supplies is conducted completely within an enclosed climate controlled building. Further, facilities engaged in such animal breeding shall be further restricted to the operation's ability to completely attenuate the effects of noise, odor, refuse and security of products and by products in a manner that meets all federal, state and local guidelines and requirements.~~ All industrial uses shall be located on centralized potable water and sanitary sewer facility and such centralized system shall completely serve the potable water and wastewater requirements of the industrial use.

In addition, off site signs, truck stops and automobile service stations, and other similar uses compatible with industrial uses may be approved as special exceptions. All principal uses and special exceptions as specified above shall be limited to an intensity as follows:

less than 5 acres	.75 floor area ratio
greater than or equal to 5 acres, but less than 10 acres	0.50 floor area ratio
greater than or equal to 10 acres, but less than 20 acres	0.25 floor area ratio
greater than or equal to 20 acres	0.15 floor area ratio

**Economic<sup>[JK1]</sup> Development** The Economic Development Overlay Classification ~~classification~~ Overlay allows uses and activities to be approved as a Planned Development, as provided in each of the area categories listed in Policies URA-I.6.2.1, URA-I.6.2.2 and URA-I.6.2.3 below, and allows development or activities using the base Future Land Use Plan Map classification assigned to the property by this Comprehensive Plan. The Economic Ddevelopment Classification Overlay is intended to implement an aggressive strategy to attract specific “target industries”, minimize urban sprawl, provide workforce housing opportunities and alternative transportation strategies and is specifically designed to (1) allow a mix of residential densities and

workforce housing within the designated urban service area; (2) maintain compatibility by providing a transition of land use types, densities, intensities and heights to buffer existing neighborhoods from non residential uses; (3) discourage urban sprawl by clustering economic development activities within the designated urban service area; (4) promote the development of target industries that will provide jobs in close proximity to the City's existing residential areas, support multi modal transportation opportunities and make the most efficient use of the City's investment in infrastructure and services; (5) promote redevelopment activities within the core of the urban service area; and (6) Ensure sufficient availability of land to realize the economic development goals of the City as set forth in the Economic Element of this Comprehensive Plan.

Economic District Overlay Areas are identified on the Future Land Use Plan Map and Map Series. The determination for location of any Economic District Overlay Area on the Future Land Use Plan Map shall be based in part on an ~~economic analysis~~evaluation of the particular use or activity which would benefit from such designation.

The economic analysis shall evaluate, without regard to land cost, economies associated with performing the use or activity proposed compared to performing the proposed use or activity generally within the Urban Service Area.

The City Commission shall also consider the following factors in making such determination:

- (1) ~~the~~The impact on the environment and public health;
- (2) Compatibility with surrounding land uses;
- (3) Cost in the provision of public services and infrastructure;
- (4) Effect on the economy of the area; and

(5) ~~consistency~~Consistency with other objectives and policies of the Comprehensive Plan.

Any designation of properties as an Economic Development Overlay Area shall be accompanied by policies addressing standards for the specific type of use or activity, its scale and intensity and other conditions related to matters such as environmental issues, compatibility with surrounding uses, infrastructure and specific form of subsequent development orders that will be required to proceed with development of the properties. These policies may include requirements for any necessary additional studies to be carried out by or for the City at the expense of the Applicant.

All Economic Development Overlay Areas shall be served by City potable water and City centralized sanitary sewer facilities. All new development within an Economic Development Overlay Area shall access a paved road or if accessing a graded roadway such road shall be improved to standards approved by the City or applicable maintenance authority. Responsibility for all road improvements shall be borne by the Applicant..

**OBJECTIVE URA-I.6.2** <sup>[U2]</sup>Planned Development Standards: The City shall utilize innovative design standards to discourage urban sprawl, provide aesthetic standards and promote open space within the Urban Service Area as designated within this Comprehensive Plan. Planned Developments may be approved within the designated Economic Development Overlay areas or as a separate Planned Development (PD) land use classification for lands within the Urban Service Area, but outside the Areas designated as Economic Development Overlay Areas. The City shall prepare implementing regulations for Planned Development (PD) districts for the City's Land Development Regulations, by February 1, 2008.



Policy ~~URA-I.6.2.1~~ **4** — **Planned Developments within the Historic District/Designated Main Street Area** – The area designated on the Urban Service Area Map as the Historic District/Main Street Area may include residential low, medium and high density land uses as classified within his Comprehensive Plan; recreation uses; public uses; and commercial uses. Industrial uses, Material-Oriented Industrial Development, Intensive Agricultural Uses, and Mining Activities shall not be approved as Planned Developments. No minimum development site size shall be required.

Intensities shall not exceed a 3.0 floor area ratio. Building heights shall be restricted to maintain a proportional relationship with surrounding land uses as well as with the Fire Department’s ability to provide adequate fire suppression services.

Policy ~~URA-I.6.2.2~~ **—** **Planned Developments within the Transportation Enhancement Project Area** – The area designated on the Urban Service Area Map as the Transportation Enhancement Project Area may include residential low, medium and high density land uses as described within this Comprehensive Plan; recreation uses; public uses; commercial uses; and light manufacturing uses which are conducted entirely within an enclosed soundproof building. These uses may occur as a mix of uses or as a single use at the discretion of the City Commission. Industrial, Material-Oriented Industrial Development, Intensive ~~—~~ Agricultural Uses, and Mining Activities shall not be approved as Planned Developments within this area.

Intensities shall not exceed a 1.0 floor area ratio. Building heights shall be restricted to maintain a proportional relationship with surrounding land uses as well as with the Fire Department’s ability to provide adequate fire suppression services.

Policy ~~URA-I.6.2.3-~~ **Planned Development within the Designated Urban Service Area outside of the areas described in item (a) and (b) Policies ~~URA-I.16.6.12.1~~ and ~~URA-I.6.12.2~~ above**

This area may include residential low, medium and high density land uses as described within this policy; recreation uses; public uses; commercial uses; and light manufacturing uses which are entirely conducted within an enclosed soundproof building. These uses may occur as mixed uses or as a single use at the discretion of the City Commission. Material-Oriented Industrial Development, Intensive Agricultural Uses, and Mining Activities shall not be approved as Planned Developments within this area.

Intensities shall not exceed a .75 floor area ratio. Building heights shall be restricted to maintain a proportional relationship with surrounding land uses as well as with the Fire Department's ability to provide adequate fire suppression services.

Policy ~~URA-I.6.2.4~~ As provided for in Section 163.3180(5)(c)(2)(e), Florida Statutes, the City's designated Transportation Enhancement Program Area (TEP) , as established under Section 163.3177(14), Florida Statutes within this Comprehensive Plan, is hereby designated as a Transportation Concurrency Exception Area (TCEA). The TCEA is further identified within the Future Land Use Plan Map Series and provisions for its application are stated within the Concurrency Management System of this Comprehensive Plan.

**OBJECTIVE ~~I.6.3.1~~** ———The Urban Service Area shall discourage urban sprawl by containing urban uses at a mix of residential, commercial, industrial, public and recreational uses served by centralized public facilities and road system well integrated with a grid pattern.

Policy ~~URA-I.6.3.21~~ **1** ———The City's Future Land Use Plan Map shall allocate amounts and types of land uses for residential, commercial, industrial, public, and recreation to meet the needs of the existing and

projected future populations and to locate urban land uses in a manner where public facilities may be provided to serve such urban land uses. (Urban land uses shall be herein defined as residential, commercial and industrial land use categories).

Policy ~~URA-I.6.3.32~~—\_\_\_\_\_ The City's Future Land Use Plan Map shall base the designation of residential, commercial and industrial lands upon acreage which can be reasonably expected to develop by the year ~~2011~~2026.

Policy ~~URA-I.6.3.43~~—\_\_\_\_\_ Require the location of public, private and charter school sites to be consistent with the following criteria:

1. The proposed school location shall be compatible with present and projected use of adjacent property;
2. Adequate public facilities and services are, or will be available concurrent with the development of the school;
3. There are no significant environmental constraints that would preclude development of an educational facility on the site;
4. There will be no adverse impacts on archaeological or historic sites or structures listed on the State of Florida Historic Master Site File, which are located on the site;
5. The proposed location is well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements;
6. The proposed site can accommodate the required parking and circulation of vehicles of the site; and
7. Where feasible the proposed site is so located to allow for co-location with parks, libraries and community centers.

Policy I.~~6.3.54~~The City shall require the development of public, private and charter school sites to be consistent with the following standards:

1. Middle and high schools shall be located on collector or arterial roadways (as functionally classified within this comprehensive plan), which have sufficient capacity to carry traffic to be generated by the

school and are suitable for high volume traffic during evening and special events as determined by generally acceptable traffic engineering standards;

2. The location, arrangement and lighting of play fields and playgrounds shall be located and buffered as may be necessary to minimize impacts to adjacent residential property; and

3. All structural setbacks, building heights, and access requirements shall be governed by the City's Land Development Regulation.

~~OBJECTIVES AND POLICIES RELATED TO BOTH RURAL AND URBAN SERVICE AREAS~~ RURAL & URBAN SERVICE AREA SUB ELEMENT

OBJECTIVE ~~URI.6.41~~ \_\_\_\_\_ The City recognizes that there are uses which may be acceptable to both the Rural and Urban areas designated by this Comprehensive Plan, if located consistent the various and collective policies of this plan. the following land uses and activities within both the Rural and Urban Areas of the City as defined by this Comprehensive Plan as provided for and conditioned herein.

Policy ~~URI.6.4.1.1~~ \_\_\_\_\_ The City's land development regulations shall be based on and be consistent with the following urban and rural area classifications and corresponding standards for densities and intensities:

Conservation land use classifications consist of lands devoted to the conservation of the unique natural functions within these lands.

Conservation uses shall be limited to public access, native vegetative community restoration and non-residential and residential uses necessary to manage such conservation lands (i.e. ranger stations, research stations and park amenities).

~~Agriculturally classified lands~~ Agricultural land use classifications consist of areas ~~are lands, which are~~ predominantly used for crop cultivation, specialty farms, dwelling units, silviculture areas, and livestock (except for intensive agricultural uses, described below).

Intensive agricultural uses shall only be permitted within the Intensive Agriculture Future Land Use Classification within this Comprehensive Plan.

In addition, the processing storage and sale of agricultural products and commodities which are not raised on the premises, riding or boarding stables, commercial kennels, veterinary clinics and animal shelters, group homes, child care centers, cottage industries (as home occupations), private clubs and lodges, off-site signs, cemeteries and crematories, and other similar uses compatible with agricultural uses may be approved as special exceptions or special permits and be subject to an intensity of less than or equal to 0.25 floor area ratio.

Agricultural density shall be limited to a density of less than or equal to 1.0 dwelling units per 5 acres. However, within the Agricultural land use classification, notwithstanding the density requirement of 1 dwelling unit per 5 acres stated above, lots equal to or greater than 1 acre and less than 5 acres may be created, as follows:

- (a) Individual lots;
- (b) Subdivision lots up to 25 lots; or
- (c) Planned Rural Residential Development lots with clustered lots where no lot shall be less than 1 acre and an overall density of 1 dwelling unit per 5 acres shall be maintained on site.

Any development which contains more than 25 lots equal to or greater than 1 acre and less than or equal to 3 acres shall be developed as a Planned Rural Residential Development with clustered lots ~~where no lot shall be less than 1 acre and an overall density of 1 dwelling unit per 5 acres shall be maintained on site.~~ All lots, whether within a subdivision or Planned Rural Residential Development, shall have a length to width ratio no greater than 3 to 1.

Roads within all such subdivisions and Planned Rural Residential Developments shall comply with the provisions of Policy UI.6.3.

The total number of lots created equal to or greater than 1 acre and less than or equal to 3 acres, within the Agricultural land use classification shall not exceed 150 lots during any calendar year.

Any lots created pursuant to Policy I.1.8 shall not count towards the 150 lot capacity.

All Planned Rural Residential Developments shall be developed, as follows:

~~—(a)—permitted lot sizes shall be greater than or equal to~~  
~~(a) 1 acre, but less than or equal to 3 acres in size.~~ The Planned Rural Residential Development shall maintain the following percentages of the development as undeveloped area.

<u>Lot Size</u>	<u>Percentage of Undeveloped Area</u>
3 acres	30 percent
2.5 acres	50 percent
2 acres	60 percent
1.5 acres	70 percent
1 acre	80 percent

In addition, the number of lots shall not exceed 75;

(b) the development shall be compact and contiguous and shall not be scattered throughout the development parcel. ~~Building lots shall be located on the highest elevations on the sites;~~

~~(e)~~(c) —development shall provide a minimum of a 25 foot undisturbed buffer from adjacent properties and a minimum 35 foot setback from a lake, pond or wetland. This buffer area may be a portion of the required undeveloped area;

(d) the developed area shall be configured in such a manner as to permit continued non-intensive agriculture (the term intensive agriculture means all areas of concentrated animal density generally associated with milking barns, feed lots, chicken houses and holding pens) or silviculture uses of the undeveloped area;

(e) the developed area of the development shall be located outside of (1) wetlands; (2) floodplains; (3) native upland vegetation; and (4) active agricultural areas, unless the entire development site consists of any or a combination of such areas. If the entire development site consists of any or a combination of such areas, the developed area shall be located in the least sensitive of such areas. Least sensitive areas shall be determined according to the order of priority of the above listing of such areas from most sensitive to least sensitive. In addition, if any developed area is located within any such sensitive areas, the development of such area shall be in accordance with Policies V-2.7 and V-2.8;

~~(h)~~(f) the development shall have direct access to a paved road; and

~~(i)~~(g) all internal roads shall be so located in order to minimize the number of access points to external roadways.

Undeveloped area means areas within a Planned Rural Residential Development, as required by this Comprehensive Plan designed and intended for agricultural uses (not to include intensive agricultural uses), silviculture uses and conservation uses. It is not the intent that such undeveloped area be established perpetually. Therefore, at some future time, the Comprehensive Plan may be amended to allow other uses to occur within the undeveloped area.

~~Lands classified~~ **Recreational land use classifications** ~~as recreation~~ **use** consist of areas used for user based and resource based recreation uses;



Recreation uses shall be limited to an intensity of less than or equal to 0.25 floor area ratio.

~~Lands classified as public~~ **Public land use classifications** consist of areas which are used for public buildings and grounds, other public facilities (including sewer facilities, solid waste facilities, drainage facilities and potable water facilities), public health facilities, and educational uses;

Public uses shall be limited to intensity as follows:

less than 5 acres	1.0 floor area ratio
greater than or equal to 5 acres, but less than 10 acres	0.75 floor area ratio
greater than or equal to 10 acres, but less than 20 acres	0.50 floor area ratio
greater than or equal to 20 acres	0.25 floor area ratio

~~Neighborhood Commercial~~ <sup>(U2)</sup> ~~The City's Land Development regulations shall include a neighborhood commercial district to provide small scale retail and service establishments which will serve the convenience needs of adjacent areas. Neighborhood Commercial activities are not shown on the Future Land Use Plan Map; rather these commercial activities should be accommodated throughout the City as market forces determine the need according to the following criteria:~~

~~—(a)— Neighborhood Commercial activities are intended to be oriented to and compatible with the area to be served. Such activities shall include retail commercial outlets for the sale of food, hardware or drugs, and service establishments such as barber or beauty shops, shoe repair shops, and self-service laundries or dry cleaners. In addition,~~

~~automotive service stations, child care centers and financial institutions and similar uses compatible with neighborhood commercial uses may be allowed as special exceptions and be subject to an intensity of less than or equal to 1.0 floor area ratio.~~

~~—(b)—Neighborhood Commercial activities shall be located on an arterial or collector road;~~

~~—(c)—Floor area for each individual outlet or establishment shall not exceed 5,000 square feet;~~

~~—(d)—Sale, display, preparation and storage shall be conducted completely within an enclosed building and no more than 20 percent of the floor area shall to be devoted to storage; and~~

~~(e) Neighborhood commercial use shall be limited to an intensity of less than or equal to 1.0 floor area ratio.~~

**Industrial resource based uses or activities** shall require a special use permit, as described below, and shall also be limited to the following future land use classifications:

**Material-Oriented Industrial Development,**  
**Intensive Agricultural Uses, and**  
**Mining Activities.**

The determination for location of any industrial resources based use or activity on the Future Land Use Plan Map shall be based in part on an ~~economic analysis~~evaluation of the particular industrial resource based use or activity.

The economic analysis shall evaluate, without regard to land cost, economies associated with performing the industrial resource based use or activity at or near the site of the resources or material, compared to performing the industrial resource based use or activity in a general industrially classified area. The City Commission shall also consider the following factors in making such determination:

- (a)the impact on the environment and public health (baseline monitoring activity to be provided by the applicant, may be placed as a condition for such determination);
- (b)compatibility with surrounding land uses;
- (c)cost in the provision of public services and infrastructure;
- (d)effect on the economy of the area; and
- (e)consistency with other objectives and policies of the comprehensive plan.

Any designation of sites within one of the above stated classifications shall be accompanied by policies addressing standards for the specific type of industrial resource based use or activity, its scale and intensity and other conditions related to matters such as environmental issues, compatibility with surrounding uses, infrastructure and the specific form of subsequent development orders that will be required to proceed with development of the site. These policies may include requirements for any necessary additional special studies to be carried out by or for the City at the expense of the applicant.

**Special Use Permit ~~Required Prior to Activities and~~for Uses within Industrial Resource Based Use Classifications:**

All uses or activities to be located within any of the Industrial Resource Based use classifications shall require a special use permit review and approval prior to commencement of the use or activity.

The City Commission, when reviewing the special use permit, shall require the applicant to provide substantial and competent evidence to demonstrate that the development will comply with the adopted policies addressing standards for the Material-Oriented Industrial Development, Intensive Agricultural, or Mining Activities classifications.

To receive a special use permit for mining uses or activities, the applicant shall provide a mining master plan which shall indicate the approximate acreage of the areas that have been filled and reclaimed at the time of each special use permit approval. The mining master plan shall also outline and indicate areas that are planned for excavation, fill or reclamation during the period approved by the special use permit. Wherever possible, fill shall be placed in a contiguous manner. Upon filling of 5 acres of the site, a soil cap shall be placed and permanent vegetative cover shall be established so that no more than 10 acres of the site is being actively filled. For areas that are not planned for filling in the time established by the special use permit, a 1:4(rise:run) slope shall be created. Under no circumstances shall landfills, as the term is defined in Chapter 62-701.200(64) of the Florida Administrative Code, effective on May 27, 2001, be permitted within the City.

The City of Newberry may consider standards stricter than state and federal standards to minimize the adverse impact of Industrial Resource based activities on the environment and to protect existing air and water quality. Further, the City of Newberry shall review any application for Industrial Resource based activities in relation to the Code of Ordinances. To the extent allowed by state or federal law, all existing and future uses and activities as identified as any of those listed as Industrial Resource Based uses or activities whether or not they are shown on the Future Land Use Plan Map shall conform to the performance requirements described below:

Fire and explosion hazards.

All uses shall comply with applicable standards set forth in the rules and regulations of the

State Fire Marshal.

Smoke, dust, dirt, visible emissions, and open burning. Regulations controlling smoke, dust, dirt, or visible Emissions shall be the same as those contained in Chapter 62-296, Florida Administrative Code. Regulations controlling open burning shall be the same as those contained in Chapter 62-256, Florida Administrative Code.

Fumes, vapors, and gases. Regulations controlling the emissions of any fumes, vapors, or gases of a noxious, toxic, or corrosive nature shall be the same as those contained in Chapter 62-296, Florida Administrative Code.

Activities shall be conducted in a manner which minimize Adverse impacts on the temperature, motion or humidity of the atmosphere beyond the lot line.

Noise.

The permitted level of noise or sound emission at the property line shall not at any time exceed the decibel level for commercial uses as prescribed within the City of Newberry Code of Ordinances

Odor.

Regulations controlling the emission of objectionable odorous gases or other odorous matter, except those associated with Normal agricultural practices, shall be the same as those contained in Chapter 62-296, Florida Administrative Code.

Glare.

There shall be no direct glare visible from any residential district caused by unshielded floodlights or other sources of high intensity lighting.

Hazardous Materials and Hazardous Waste Management. Regulations controlling the storage, handling, record keeping, and discharge reporting for hazardous materials and hazardous wastes shall be the same as those contained in Chapter 62-730, Florida Administrative Code, and Article II, Section 353.20, Alachua County Code in effect at the time of adoption of this amendment.

### **Material-Oriented Industrial Development**

Material-Oriented Industrial development shall be defined herein as development, which is dependent on natural resources found in the agriculturally classified areas of the City, or is based on raw agricultural products, materials, or activities at or proximate to the site. The applicant shall ensure that the proximity of the particular industrial resource based use or activity to natural resources or raw materials is so significant a factor that location of the use or conduction of the activity would be inappropriate at a remote location. Further, the applicant shall ensure that the location of the use or conduction of the activity outside of centralized potable water and sanitary sewer service areas is appropriate.

The applicant shall ensure that all uses for activities shall be located or conducted in a manner that minimizes adverse impact on the surface or groundwater quality and quantity of the City and region.

Further, the applicant shall ensure that the location or conduction of such use or activity will be conducted in a manner that minimizes adverse impact on the community due to noise, odors, dust, smoke, dirt, vibration and/or glare.

Material-Oriented Industrial uses shall be limited to the following listed intensities:

.25 floor area ratio – for the first 20 acres of structural development;

.10 floor area ratio – for structural development on the next 20 acres and all subsequent acreage not to exceed 100 acres.

All Ssites larger than 100 acres shall be limited to the total floor area ratio as established above for a 100-acre site of .10 for the entire site.

### **Intensive Agriculture**

Intensive agricultural uses shall be defined herein as those agricultural uses or activities which, by the nature of either the customary operation of the use, or the manner in which such uses customarily utilize a site, are more industrial in nature than typically occurring agricultural pursuits. For the purposes of this Comprehensive Plan, intensive agricultural uses shall include, but not be limited to:

1. agricultural uses or activities meeting the threshold criteria of such uses or activities requiring an industrial waste permit from the Florida Department of Environmental Protection, pursuant to Chapter 62-4 (Permits) of the Florida Administrative Code, as effective on January 1, 2003. Requirement of an industrial waste permit is to be used as a measurement of land use intensity only, for the purposes of this Comprehensive Plan and the Intensive Agriculture Future Land Use Classification, and is not intended to confer authority or jurisdiction to the City to alter any requirements necessary to obtain an Industrial Waste Permit from the Florida Department of Environmental Protection.; and

2. agricultural uses or activities which, due to their intensity in operation or use, are of an industrial nature or impact.

Intensive agricultural uses (structural development) shall be limited to the following listed intensities:

.25 floor area ratio – for the first 20 acres of structural development;

.10 floor area ratio – for structural development on the next 20 acres and all subsequent acreage not to exceed 100 acres.

All sites larger than 100 acres shall be limited to the total floor area ratio of .10 for the entire site.

~~Sites larger than 100 acres shall be limited to the total floor area ratio as established above for a 100-acre site.~~

The applicant shall ensure that all uses or activities shall be located or conducted in a manner that minimizes adverse impact on the surface and groundwater quality and quantity of the City and region. Further, the applicant shall ensure that the location or conduction of such use or activity will be conducted in a manner that minimizes adverse impact on the community due to noise, odors, dust, smoke, dirt, vibration and/or glare.

### **Mining Activities**

Mining activities shall be defined herein as the removal of any materials from the earth, which will be manufactured or processed to another use (i.e. sand or limestone to be used to manufacture cement or concrete, phosphate to be used to manufacture fertilizer, clay to be used to manufacture ceramics, etc.).

Structures constructed within mining activity areas shall be limited to a .01 floor area.



The applicant shall ensure that mining shall be located or conducted in a manner that minimizes adverse impact on the surface and groundwater quality and quantity of the City and the region.

Further, the applicant shall ensure that the location or conduction of such use or will be conducted in a manner that minimizes adverse impact on the community due to noise, odors, dust, smoke, dirt, vibration and/or glare.

OBJECTIVE ~~URI.6.52~~\_\_\_\_\_ The City shall adopt land development regulations by June 1, 1992 which regulate the location of land development consistent with topography and soil conditions and the availability of facilities and services.

Policy ~~UR-I.6.52.1~~\_\_\_\_\_ The City, upon adoption of this Comprehensive Plan, shall restrict development within unsuitable areas due to flooding, improper drainage, steep slopes, rock formations and adverse earth formations, by the following design standards for arrangement of development:

1. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.
2. Local streets shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.
3. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped

streets shall be encouraged where such use will result in a more desirable layout.

4. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the City Commission, such extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.

Policy ~~URI.6.25.2~~ \_\_\_\_\_ The City shall allow the use of a parcel of property solely as a homestead by an individual who is the grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child or grandchild of the person who conveyed the parcel to said individual, notwithstanding the density or intensity of use assigned to the parcel in the Comprehensive Plan. Such a provision shall apply only once to any individual.

OBJECTIVE ~~URI.6.63~~ \_\_\_\_\_ The City shall adopt land development regulations by June 1, 1992, which require that proposed development be approved only where the public facilities meet or exceed the adopted level of service standard.

Policy ~~URI.6.63.1~~ \_\_\_\_\_ The City's land development regulations shall establish procedures for the review of proposed development to determine its impact on level of service standards for public facilities. Building permits shall be issued only when the necessary facilities and services are in place in accordance with the Concurrency Management System found within this Comprehensive Plan.

OBJECTIVE ~~URI.6.74~~ \_\_\_\_\_ The City shall adopt innovative land development regulations to implement the Comprehensive Plan by June 1, 1992 to include provisions for Planned Residential Development regulations.

Policy ~~URI.6.74.1~~—\_\_\_\_\_ The City's land development regulations shall contain specific and detailed provisions to manage future growth and development to implement the Comprehensive Plan which shall contain at a minimum the following provisions to:

- (a) Regulate the subdivision of land;
- (b) Regulate the use of land and water consistent with this Element to maintain the compatibility of adjacent land uses and provide for open space;
- (c) Protect environmentally sensitive lands identified within the Conservation Element;
- (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (e) Protect potable water wellfields and aquifer recharge areas;
- (f) Regulate signage;
- (g) Provide safe and convenient onsite traffic flow and vehicle parking needs; and
- (h) Provide that development orders and permits shall not be issued which result in a reduction of the level of service standards adopted in this Comprehensive Plan.

OBJECTIVE ~~URI.6.85~~—\_\_\_\_\_ The City, upon adoption of this Comprehensive Plan, shall limit the extension of community potable water and community sanitary sewer facility geographic service areas to commercial, industrial, public, recreational and residential land uses within the geographic service area as depicted on the Urban Service Area Map of the City's Comprehensive Plan.

Policy [URI.6.85.1](#)—\_\_\_\_\_ The City shall limit any extension of community potable water and community sanitary sewer facility geographic service areas to commercial, industrial, public, recreational and residential land uses within the geographic service area as depicted on the Urban Service Area Map of the City's Comprehensive Plan.

OBJECTIVE [URI.6.9](#)—\_\_\_\_\_ The City's land development regulations shall include within the portion regarding the report and recommendation of the City's Planning and Zoning Board on amendments to such regulations, that such report shall address whether the proposed amendment will be a deterrent to the improvement or development of adjacent land uses and it shall be concluded by the local governing body, based upon such report and prior to approval of the amendment, that the granting of the amendment will not adversely impact adjacent land uses.

Policy [URI.6.9.1](#)—\_\_\_\_\_ The City's land development regulations shall require a special permit for dredging, filling, excavation and mining (this permit shall be in addition to any federal, state or regional agency required permit).

Policy [URI.6.9.2](#)—\_\_\_\_\_ The City's land development regulations shall include provisions for drainage, stormwater management, open space and safe and convenient on site traffic flow including the provisions of needed vehicle parking for all development.

Policy [URI.6.9.3](#)—\_\_\_\_\_ The City's land development regulations shall limit the intensity of development by requiring that the length of lots does not exceed three times the width of lots for the location of dwelling units. In addition, within all subdivisions, Planned Residential Developments and Planned Rural Residential Developments, containing lots less than ten acres in size, the City's land development regulations shall require that all new roads in subdivisions be paved to City standards.

Policy ~~URI.6.9.4~~—\_\_\_\_\_ The City shall require all structures to be clustered on the non-flood prone portion of a site or where the entire site is in a flood prone area, structures shall be elevated at least 2 feet above the highest adjacent grade.

Policy ~~URI.6.9.5~~—\_\_\_\_\_ The City's land development regulations shall require that where a commercial or industrial use is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer. A masonry or wood opaque structure may be substituted for the planted buffer.

OBJECTIVE ~~URI.6.107~~—\_\_\_ The City shall identify and designate blighted areas which are feasible for redevelopment or renewal, through the updating of the housing condition survey with U.S. Bureau of Census information by November 14, 1996.

Policy ~~URI.6.107.1~~—\_\_\_\_\_ The City shall request federal and state funds to redevelop and renew any identified blighted areas, where the City finds there is a competitive feasibility to receive such funding.

OBJECTIVE ~~URI.6.118~~—\_\_\_\_\_ The City, upon adoption of this Comprehensive Plan, shall reduce inconsistencies in land uses with the provisions of this Comprehensive Plan through the establishment of such inconsistencies as non-conforming land uses.

Policy ~~URI.6.118.1~~—\_\_\_\_\_ -The City hereby establishes the following provisions for nonconforming structures and uses of land or structures:

(a) Nonconforming uses of land or structures may be continued where the lawful use of land existed prior to the adoption of this Comprehensive Plan where such use, is not permitted by this Comprehensive Plan. Such use may be continued, so long as it remains otherwise lawful, subject to its discontinuance, after it ceases to exist for a period of more than 12 months.

(b) Nonconforming structures shall be continued where a structure lawfully existed prior to the adoption of this Comprehensive Plan where such use would not be permitted to be built under this Comprehensive Plan by reason of restrictions on requirements other than use concerning the structure. Such structure may be continued so long as it remains otherwise lawful.

Policy [URI.6.118.2](#)—\_\_\_\_\_ The City hereby establishes the following administrative procedures and standards by which a property owner may demonstrate that private property rights have vested against the provisions of this Comprehensive Plan. These administrative procedures shall provide determination for the consistency of development with the densities and intensities set forth in this Comprehensive Plan.

Applications for vesting determinations shall be evaluated pursuant to the following criteria:

(a) Common law vesting - a right to develop or to continue the development of property notwithstanding this Comprehensive Plan may be found to exist whenever the applicant proves by a preponderance of evidence that the owner or developer, acting in good faith and reasonable reliance upon some act or omission of the City, has made such a substantial change in position or has incurred such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the right to develop or to continue the development of the property.

(b) Statutory vesting - the right to develop or to continue the development of property shall be found to exist if a valid and unexpired final development order was issued by the City prior to adoption of this Comprehensive Plan, substantial development has occurred on a significant portion of the development authorized in the final development order and is completed or development is continuing in good faith as of the adoption of this Comprehensive Plan. A "final development order" shall be any development order which approved the development of land for a particular use of uses at a specified density of

use and which allowed development activity to commence on the land for which the development order was issued. "Substantial development" shall mean that all required permits necessary to commence and continue the development have been obtained; permitted clearing and grading has commenced on a significant portion of the development; and the actual construction of roads and the stormwater management system, on that portion of the development is complete or is progressing in a manner that significantly moves the entire development toward completion.

(c) Presumptive vesting for consistency and concurrency - any structure on which construction has been completed pursuant to a valid building permit shall be presumptively vested for the purposes of consistency and concurrency and shall not be required to file an application to preserve their vested rights status.

(d) Presumptive vesting for density only - the following categories shall be presumptively vested for the purpose of density and shall not be required to file an application to preserve their vested rights in this regard:

(1) all lots of record as of the adoption of this Comprehensive Plan, whether located within a subdivision or without, but only to the extent of one single family residence per lot; however, such lots shall not be contiguous as of the adoption of this Comprehensive Plan to any other lot(s) owned by or under contract for deed to the person(s) applying for the single family residence building permit.

OBJECTIVE ~~URI.6.129~~ \_\_\_\_\_ The City, upon adoption of this Comprehensive Plan, shall protect historic and prehistoric resources identified by the Florida Master Site File or by City Commission designation. The City, by June 1, 1992, shall establish a historic preservation agency to assist the City Commission with the designation of historic landmarks and landmark sites or historic districts within the City. The historic preservation agency shall review applications for historic designation and after conducting a duly noticed public hearing

shall make a recommendation to the City Commission based upon the criteria stated in Policy I.9.1.

Policy ~~URI.6.129.1~~—\_\_\_\_\_ The City shall establish the following standards for the maintenance and adaptive reuse of historic structures and sites:

(a) The effect of the proposed work on the landmark or the property upon which such work is to be done;

(b) The relationship between such work and other structures on the historic housing site;

(c) The extent to which the historic architectural significance, architectural style, design, arrangement, texture, materials, and color of the historic housing will be affected; and

(d) Whether the denial of a certificate would deprive the property owner of reasonable beneficial use of his or her property.

Policy ~~URI.6.129.2~~—\_\_\_\_\_ The City shall maintain a listing of all known prehistoric and historic sites within the City. This list shall be updated by the City Historic Preservation Agency.

OBJECTIVE ~~URI.6.1310~~—\_\_\_\_\_ The City shall adopt regulations to protect natural resources and environmentally sensitive lands (including but not limited to wetlands and flood prone areas) by June 1, 1992.

Policy ~~URI.6.13.140.1~~—\_\_\_\_\_ The City shall protect public potable water supply wells by prohibiting: (1) land uses which require or involve storage, use of manufacture of regulated materials as defined by Chapter 38F-41, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan; Code of Federal Regulations, Title 40, Part 302 and 355 and Title 49, Part 172, in effect upon adoption of this Comprehensive Plan (2) landfills; (3) facilities of bulk storage, agricultural chemicals; (4)



petroleum products (5) toxic and hazardous medical waste; (6) feedlots or other animal facilities; (7) wastewater treatment plants and percolation ponds; and (8) mines, and excavation of waterways or drainage facilities which intersect the water table, within a 300-foot radius around the water well designated by this Comprehensive Plan as a wellfield protection area. In addition, no transportation of such regulated materials shall be allowed in the wellfield protection area, except local traffic serving facilities within the wellfield protection area.

Policy ~~URI.6.1310.2~~— The City shall prohibit the location of any structure, other than permitted docks, piers, or walkways within a wetland. Such permitted docks, piers or walkways shall be elevated on pilings. In addition, the clearing of natural vegetation shall be prohibited, except for a minimum amount associated with the installation of the permitted docks, piers or walkways.

OBJECTIVE ~~URI.6.1411~~— \_\_\_\_\_ The City, upon adoption of this Comprehensive Plan, shall coordinate with agencies responsible for the implementation of any regional resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes.

Policy ~~URI.6.1411.1~~— The City's land development regulations shall require that all proposed development which is subject to the provisions of any regional resource planning and management plan shall be consistent with such plan and that proposed development be reviewed for such consistency during the development review process.

OBJECTIVE ~~URI.6.152~~— \_\_\_\_\_ The City shall coordinate review of all proposed subdivision plats with the Water Management District for subdivisions proposed within the drainage basin of any designated priority water body to provide the Water Management District an opportunity to review such subdivision to determine if the plat is consistent with any approved management plans within that basin.

Policy ~~URI.6.15~~1.1—\_\_\_\_\_ The City's land development regulations shall include a provision which requires the developer to submit development plans for all proposed subdivision plats within the drainage basin of any designated priority water body shall be submitted to the Water Management District for review and comment as to the consistency of the proposed development with any approved management plans within such basin prior to development review by the City.

OBJECTIVE ~~UR1.6.16~~13—\_\_\_\_\_ The Map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, prepared by the Suwannee River Water Management District, as of December 2004. is hereby adopted, and included within Appendix A of this Comprehensive Plan, to identify areas of recharge potential to the Floridan Aquifer. In addition the following policy shall be applied to areas identified on said map as High Groundwater Aquifer Recharge as an overlay protection zone to protect groundwater resources and designate appropriate land uses in this zone.

Policy ~~URI.6.16~~13.1—\_\_\_\_\_ The following uses shall be prohibited if they are located within areas designated as High Groundwater Aquifer Recharge as identified on the map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, prepared by the Suwannee River Water Management District, as of December 2004 and included within Appendix A of this Comprehensive Plan:

1. Wrecking yards (including automobile wrecking yard); junk yards; or yards used for scrap, salvage, second-hand building materials, junk automotive vehicles, or second-hand automotive parts.
2. Bulk storage yards including bulk storage of flammable liquids, subject to provisions of local and state fire codes.

3. Chemical and fertilizer manufacture.
4. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
5. Paper and pulp manufacture.
6. Petroleum refining.
7. Rendering plant.
8. Storage, sorting, collecting or baling of rags, iron or junk (except for a recycling use conducted completely within an enclosed building).
9. Hazardous waste disposal sites.
10. Electric or gas generating plants.
11. Asphalt or concrete batch plants.

**SPECIAL<sup>[K4]</sup> FUTURE LAND USE PLAN SUB-ELEMENT**  
**CONCERNING OBJECTIVES**  
**AND POLICIES RELATED TO SPECIFIC LOCATIONS WITHIN**  
**THE CITY SPECIFIC LOCATIONS SUB ELEMENT**

The following Objective and Policy applies to Future Land Use Plan Map Amendment CPA 03-5 –

OBJECTIVE SP-.1 - Upon adoption of each designation on the Future Land Use Plan Map for CPA 03-5 (DCA 04-1), the following policy for each specifically classified land use shall apply to development which occurs on lands addressed within the above stated amendment.

POLICY SP 1.1 - Densities and intensities of uses identified within the Mixed Use Future Land Use Classifications for CPA 03-5, shall not exceed the following total square footage by classification and number of dwelling units listed as follows:

<b><u>Category</u></b>	<b><u>Minimum Acreage</u></b>	<b><u>Percentage of Total Acreage</u></b>	<b><u>Total Dwelling Units</u></b> (not to exceed)
Single Family Detached	41.2 ac	20.1%	214
Town homes	20.6 ac	10.04%	106
Apartments	10.3 ac	5.02%	120

Retail	20.6 ac	10.04%	249,750
Office	10.3 ac	5.02%	80,000
Recreation	10.3 ac	5.02%	N/A
Open Space	20.6 ac	10.04%	N/A

The following Objective and Policy applies to Future Land Use Plan Map Amendment CPA 03-10

OBJECTIVE SP\_-2 - Upon adoption of the Residential Low Density Classification on the Future Land Use Plan Map for CPA 03-10 (DCA 04-1), the following policy for said Residential Low Density classification shall apply to development which occurs on lands addressed within CPA 03-10.

POLICY SP 2.1 - The number of residential units allowed within lands identified as Residential Low Density Future Land Use Classification For CPA 03-10, shall be limited to 175 dwelling units.

The following Objective and Policy applies to Comprehensive Plan amendment CPA 04-1

OBJECTIVE SP\_-3 Upon adoption of the Residential Low Density Classification and Commercial Classification on the Future Land Use Plan Map for CPA 04-1 (DCA 04-2), the following policy for said Residential Low Density and Commercial classifications shall apply to development which occurs on lands addressed within CPA 04-1.

Policy SP 3.1 The number of residential units allowed within lands identified as Residential Low Density Future Land Use Classification for CPA 04-1, shall be limited to 265 dwelling units. The commercial square

footage allowed within lands identified as Commercial Future Land Use Classification for CPA 04-1, shall be limited to 125,000 gross square feet of development.

OBJECTIVE SP. ~~44~~ — Upon adoption of the Future Land Use Plan Map amendment CPA 06-1 (DCA 06-2), the following policies shall govern the development which occurs on lands addressed within the above stated amendment.

POLICY SP 4.1 The Developer of properties identified within CPA 06-1 shall be financially responsible for the mitigation of all impacts, as a result of the development, where it is determined by the City that portable water, sanitary sewer, solid waste, stormwater management, roads and recreation facilities will not meet or exceed the adopted level of service standard for each facility. Mitigation options include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government or other appropriate entity.

POLICY SP 4.2 The City shall be the sole provider for potable water, reuse water (if available) and sanitary sewer service to any future development on the property addressed under CPA 06-1.

POLICY SP 4.3 The Developer shall be responsible for the financial mitigation of all on site and off site impacts of any development on the property addressed under CPA 06-1.

POLICY SP 4.4 Proportionate fair share payments for S.R. 26 as identified within the Schedule for Improvements within the Capital Improvements Element of the City of Newberry Comprehensive Plan shall be calculated in accordance with the provisions of City of Newberry Ordinance No. 27-06 and the interlocal agreement between the City of Newberry and the Florida Department of Transportation. No further development orders shall be granted by the City for properties addressed

within CPA 06-1 until the above stated interlocal agreement is executed by the parties.

OBJECTIVE SP.5 Upon adoption of the Future Land Use Plan Map amendment CPA 06-4 (DCA 06-2), the following policies shall govern the development which occurs on lands addressed within the above stated amendment.

POLICY SP 5.1 The Developer of properties identified within CPA 06-4 shall be financially responsible for the mitigation of all impacts, as a result of the development, where it is determined by the City that portable water, sanitary sewer, solid waste, stormwater management, roads and recreation facilities will not meet or exceed the adopted level of service standard for each facility. Mitigation options include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government or other appropriate entity.

POLICY SP 5.2 The City shall be the sole provider for potable water, reuse water (if available) and sanitary sewer service to any future development on the property addressed under CPA 06-4.

POLICY SP 5.3 The Developer shall be responsible for the financial mitigation of all on site and off site impacts of any development on the property addressed under CPA 06-4.

POLICY SP 5.4 Proportionate fair share payments for S.R. 26 as identified within the Schedule for Improvements within the Capital Improvements Element of the City of Newberry Comprehensive Plan shall be calculated in accordance with the provisions of City of Newberry Ordinance No. 27-06 and the interlocal agreement between the City of Newberry and the Florida Department of Transportation. No further development orders shall be granted by the City for properties addressed within CPA 06-4 until the above stated interlocal agreement is executed by the parties.

OBJECTIVE SP-6 - Upon adoption of the Future Land Use Plan Map amendment CPA 06-6 (DCA 06-2), the following policies shall govern the development which occurs on lands addressed within the above stated amendment.

Densities and intensities of uses identified within the Mixed Use Future Land Use Classifications for CPA 06-6, shall not exceed the following total square footage by classification and number of dwelling units listed as follows:

Land Use	Minimum Percent Required by Comprehensive Plan	Minimum Acreage Required	Proposed Land Use Acreage	Percent Proposed by Development	Density / Square Footage	Proposed Units
Single Family / Duplex	20%	45.39	112.25	49%	4	449
Multi-Town Home	10%	22.70	31.25	14%	8	250
Multi-Apartment	5%	11.35	16.65	7%	18	300
<b>Residential Total</b>	<b>35%</b>	<b>79.44</b>	<b>160.15</b>	<b>70%</b>		<b>999</b>
Recreational	5%	11.35	18.90	8%		
Open Space	10%	22.70	22.70	10%		
<b>Recreational and Open Space Total</b>	<b>15%</b>	<b>34.05</b>	<b>41.60</b>	<b>18%</b>		
Retail / Commercial	5%	11.35	11.35	5%	0.25	123601.5
Accessory Structures						
<b>Commercial Total</b>	<b>5%</b>	<b>11.35</b>	<b>11.35</b>	<b>5%</b>		<b>123601.5</b>
Business Professional	5%	11.35	11.35	5%	0.14	67239.22
Accessory Structures						
<b>Professional Total</b>	<b>5%</b>		<b>11.35</b>			<b>67239.22</b>
Schools						
Churches						
Public Buildings						
Public Buildings			2.50	1.10%	0.05	5169.48
Group Home (6 or less)						
Group Home (7 or more)						
<b>Total Other</b>						
<b>All Uses Grand Total</b>	<b>60.00%</b>		<b>226.95</b>			



POLICY SP 6.1- The Developer of properties identified within CPA 06-6 shall be financially responsible for the mitigation of all impacts, as a result of the development, where it is determined by the City that portable water, sanitary sewer, solid waste, stormwater management, roads and recreation facilities will not meet or exceed the adopted level of service standard for each facility. Mitigation options include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government or other appropriate entity.

POLICY SP 6.2 The City shall be the sole provider for potable water, reuse water (if available) and sanitary sewer service to any future development on the property addressed under CPA 06-6.

POLICY SP 6.3 The Developer shall be responsible for the financial mitigation of all on site and off site impacts of any development on the property addressed under CPA 06-6.

POLICY SP 6.4 Proportionate fair share payments for S.R. 26 as identified within the Schedule for Improvements within the Capital Improvements Element of the City of Newberry Comprehensive Plan shall be calculated in accordance with the provisions of City of Newberry Ordinance No. 27-06 and the interlocal agreement between the City of Newberry and the Florida Department of Transportation. No further development orders shall be granted by the City for properties addressed within CPA 06-6 until the above stated interlocal agreement is executed by the parties.

POLICY SP 6.5 The Developer shall enter into a Chapter 163 Developers Agreement to formalize the provisions of Policy 6.1 through 6.4, inclusive. In addition the Developer shall enter into a separate Chapter 163 Ordinance Developers Agreement along with the preliminary master plan for the mixed use development. Such development agreement shall specifically address the Developers financial responsibility for the on site and off site impacts created by the

development related to the phasing plan of the preliminary master plan. No further development orders shall be granted by the City for properties addressed within CPA 06-6 until the above stated developers agreements are executed by the parties.

### **SPECIAL POLICIES FOR INDUSTRIAL RESOURCE BASED USES OR ACTIVITIES IDENTIFIED ON THE FUTURE LAND USE PLAN MAP**

OBJECTIVE IR.1 Upon adoption of each designation on the Future Land Use Plan Map of Material-Oriented Industrial; Intensive Agriculture; or Mining Activities, the following policies for each specifically classified industrial resource based use or activity shall provide standards for the specific type of industrial use or activity, its scale and intensity and other conditions related to these matters, i.e. environmental issues, compatibility with surrounding uses, infrastructure and the specific form of subsequent development orders that will be required to proceed with development of the site.

The existing industrial resource based uses or activities, identified on the Future Land Use Map, shall be subject to the standards in IR.1.1 through IR.1.3, as applicable. All other industrial resource based uses or activities shall require a comprehensive plan amendment, including a future land use map amendment, and shall be consistent with the standards set forth in [Policy I.6.1.2<sub>\[U5\]</sub>](#).

Policy IR.1.1 The existing activities, upon adoption of this policy and such agreed upon activities stipulated within the Mediation Agreement, between the City and Watson Construction Corporation, dated May 26, 1998, shall be uses and activities permitted. The existing structures and activities as of the effective date of this Policy, and which form the basis for the land use designation of this property, are those described in the Mediated Stipulation and Settlement Agreement, dated May 26, 1998, in Case No. 97-1413-CA.

Policy IR.1.2 The existing activities upon adoption of this policy and such agreed upon activities stipulated within the Reformed Developer's Agreement, between the City and Florida Rock Industries, dated September 21, 2000, shall be uses and activities permitted. The geographical area for the Florida Rock Industries, Inc., property that is designated as Material-Oriented Industrial Development is the 45.91 acre parcel of property in the legal description attached to the Special Use Permit for the cement plant, which legal description is recorded in Book 2112, Page 2225 of the Official Records of Alachua County, Florida. The existing structures, equipment, uses, and activities as of the effective date of this Policy, and which form the basis for the land use designation of this property, shall be deemed to be vested with regard to all applicable development criteria contained herein, and consist of those described in the above-mentioned Special Use Permit granted by way of Alachua County Resolution Z-95-3 on February 21, 1995; the Final Site Plan approved by the Alachua County Development Review Committee on January 30, 1997, as shown on Drawing Number 5295601.00-SK-001, Rev. A; the Reformed Developer's Agreement between the City of Newberry and Florida Rock Industries, Inc. dated September 21, 2000; and Florida Department of Environmental Protection Permits Nos. FLA178322 issued June 22, 1998; 0010087-006-AC (PSD-FL-228C) issued December 11, 2002; 0010087-002-AV issued January 14, 2002; 01-267311 (PSD-FL-228) issued December 23, 1996; ERP 01-279179 issued April 18, 1996. Modifications to the activities on the 45.91 acre parcel that do not exceed the applicable Floor Area Ratios of Policy I.6.1.2 [U6] will not require a plan amendment.

Policy IR.1.3: The mining authorized by FDEP ERP 0175511-001 issued September 24, 2001, shall be uses and activities permitted. The geographical areas for the Florida Rock Industries, Inc., properties that are designated, as shown on the Future Land Use Plan Map and dated 2011 as of the time of the amendment, as Mining Activities are those areas consisting of the mining site on the west side of County Road 235 adjacent to the Thompson S. Baker Cement Plant in Newberry, Alachua County, Florida, and the mining site on the east side of County Road 235.

Modifications to the activities that do not exceed the applicable Floor Area Ratios of Policy I.6.1.2 [U7] will not require a plan amendment. The existing structures, equipment, uses, and activities as of the effective date of this Policy, and which form the basis for the land use designation of this property, shall be deemed to be vested with regard to all applicable development criteria contained herein.

Policy IR.1.4 As mitigation to the existing activities on the property as subject under CPA 08-01 (Southern Fuelwood), the property owner shall construct a visual landscaped buffer to be established along the full length of the property line parallel with S.R. 26. This buffer shall consist of native trees of a species, which will grow to a height of 10 feet within a five-year period. As a minimum requirement the trees shall be planted in three tiered and staggered rows (cumulative width of rows not to be less than 10 feet) to create the maximum tree cover possible. Existing natural areas maybe be augmented with additional plantings to be the buffering requirements. Fences, walls or berms may be provided for noise abatement or security, but shall not exempt the planted buffer requirement. This buffer area will be maintained by the property owner as long as the activities on the site continue.

Policy IR.1.5 The intensity of development of the subject property (Southern Fuelwood) under CPA 08-01 is limited to .25 F.A.R. for the first 20 acres and .10 F.A.R. for the remaining portion of the property.

Policy IR.1.6 All activities conducted on the subject property of CPA 08-01 (Southern Fuelwood), comply will all federal, state and local regulations for the activities conducted thereon. Further, the property owner will provide as part of an annual assessment to the City, evidence of said compliance. The property owner shall as part of this annual assessment provide evidence that all activities are in compliance with City noise regulations.

Policy IR.1.7 Dwelling units for the housing of employees on the CPA 08-01 subject property shall conform to all minimum housing

requirements as established within the City’s Land Development Regulations. In addition, these units will be provided E 911 addressing and inspected by the City Building Official on an annual basis to ensure compliance with the City regulations.

Policy IR.1.8 The Property owner of the CPA 08-01 (Southern Fuelwood) subject property shall install a water storage tank, or other provisions acceptable to the City to meet the fire flow requirements established by the Newberry Fire Department. This tank shall be installed upon approval and compliance finding of CPA 08-1.

**SPECIAL POLICIES FOR ECONOMIC DEVELOPMENT  
OVERLAY CLASSIFICATIONS**

OBJECTIVE EDA.1 Upon adoption of each designation on the Future Land Use Plan Map of Economic Development Overlay Areas, the following policies for each specifically classified Economic Development Overlay Areas shall provide standards for the specific type of industrial use or activity, its scale and intensity and other conditions related to these matters, i.e. environmental issues, compatibility with surrounding uses, infrastructure and the specific form of subsequent development orders that will be required to proceed with development of the site.

**Policy EDA 1.1** <sup>[RT8]</sup> **Historic District/Designated Main Street Economic Development Overlay Area (EDA)** – The area designated on the Urban Service Area Map as the Historic District/Main Street Area is designated as an Economic Development Overlay Area. This EDA may be developed under the base Future Land Use Classifications as identified on the Future Land Use Plan Map of this Comprehensive Plan and underlying zoning as identified within the City of Newberry Land Development Regulations, or as a Planned Development, which may include residential low, medium and high density land uses as classified within this Comprehensive Plan; recreation uses; public uses; and commercial uses. Industrial uses, Material-Oriented Industrial

Development, Intensive Agricultural Uses, and Mining Activities shall not be approved as Planned Developments. No minimum development site size shall be required. Intensities shall not exceed a 3.0 floor area ratio. Building heights shall be restricted to maintain a proportional relationship with surrounding land uses as well as with the Fire Department's ability to provide adequate fire suppression services.

**Policy EDA 1.2** ~~TECHCOM~~<sup>[U9]</sup> **Economic Development Overlay Area (EDA)**—The area designated within the Transportation Enhancement Project Area as Tech Com is designated as an Economic Development Overlay Area. This EDA may be developed under the base Future Land Use Classifications as identified on the Future Land Use Plan Map of this Comprehensive Plan and underlying zoning as identified within the City of Newberry Land Development Regulations, or as a Planned Development, which may include residential low, medium and high density land uses as described within this Comprehensive Plan; recreation uses; public uses; commercial uses; and light manufacturing uses which are conducted entirely within an enclosed soundproof building. These uses may occur as a mix of uses or as a single use at the discretion of the City Commission. Industrial, Material-Oriented Industrial Development, Intensive Agricultural Uses, and Mining Activities shall not be approved as Planned Developments within this area. Intensities shall not exceed a 1.0 floor area ratio. Building heights shall be restricted to maintain a proportional relationship with surrounding land uses as well as with the Fire Department's ability to provide adequate fire suppression services.



## II.

### **CITY OF NEWBERRY TRAFFIC CIRCULATION ELEMENT**

#### INTRODUCTION

A traffic circulation system which provides for the safe and efficient movement of people and goods is needed to support existing and future development. The purpose of this plan element is to identify the types, locations and extent of existing and proposed major thoroughfares and transportation routes in the city and establish a framework for making policy decisions in planning for future transportation needs. The data collected for this plan element and its analysis, contained in the data and analysis document, are not part of this plan element but provide a basis for its formulation.

The Traffic Circulation Element is closely related to the Future Land Use Element. This is due to the inherent two-way relationship between land use and transportation. Land use patterns directly affect the demand for transportation facilities, with more intensive land uses generating more traffic and requiring greater degrees of accessibility. Conversely, the transportation network affects land use in that access provided by transportation facilities (existing or proposed) influences the use of land located adjacent to these facilities.

In addition to the Future Land Use Element, the Traffic Circulation Element is coordinated and consistent with the remaining plan elements as required by the Local Government Comprehensive Planning and Land Development Regulation Act and accompanying Chapter 9J-5, Florida Administrative Code. Further, the city's traffic circulation system does not stop at political boundaries. Therefore, coordination between other local governments is a necessary prerequisite to a functional traffic circulation system. The goal, objectives and policies of the Intergovernmental Coordination Element establish guidelines to be



followed which provide for coordination between various governmental entities.

Transportation affects the quality of life and economic vitality in the City of Newberry. The transportation system is the backbone of the City's economy and a key component to their economic competitiveness. Everyone who lives, works or commutes through Newberry depends on the transportation network. Developing and maintaining a comprehensive transportation system that supports automobile, transit, bicycle, and pedestrian travel is the City's goal, while ensuring that the transportation network functions not only for personal mobility, but also for freight and delivery service circulation, access and for emergency vehicles, and regional connectivity.

The City is currently facing increased development concerns and the need to address these growth issues is vital to ensuring the continued economic viability of the community. Additionally, the lack of capacity on SR 26, which bisects the City and is designated by the Florida Department of Transportation as a Strategic Intermodal System (SIS) facility, serves as a crucial transportation link. Highways designated as SIS facilities are generally part of the Florida Interstate Highway System (FIHS). The FIHS program aims to preserve regional and statewide mobility through the development and improvement of system of highways with specific access management controls. The SR 26 link provides both regional and local mobility to, and within the City.

The City has prepared a transportation study that looked at opportunities to mitigate impacts on this east-west SIS facility, SR 26, including:

- Identification of appropriate traffic data collection based on information provided by the City of Newberry Planning Department and document the existing roadway conditions;
- Identification of future corridors within the City limits, generally formulating a grid system of functionally classified roads to equitably

distribute traffic throughout the City with connections to existing State and county thoroughfares;

- Analyze the Future Land Use and projected population growth in the region, to determine roadway needs, locations, geometry, and intersections; and
- Develop and analyze future roadway options, and select preferred options.

In June 2007, the Center for Urban Transportation Research (CUTR) at the University of South Florida, in conjunction with the Florida Department of Transportation Research Center, published a corridor management practices on selected SIS facilities report. The report included several recommendations including the following:

1. Plan and map parallel roadway and cross street networks along SR 26 to provide a clear framework for implementing alternative access along the corridor.
  - Each jurisdiction should add segments of the parallel roadway system to the capital improvements element of its comprehensive plan and require developer participation in implementing the system through fair share agreements as a condition of development approval for SR 26 concurrency mitigation.
  - Consider establishing a long term concurrency management system plan for accomplishing this supporting network on selected segments of SR 26.
  - Consider establishing a corridor management overlay ordinance for segments of SR 26 to aid in implementing parallel roadways and inter-parcel cross access in selected areas.

The transportation study analyzed the existing roadway system as well as other potential segments, which could provide trip mitigation to SR 26, improve connectivity, mobility and safety, and capitalize the improvement of these roads as part of the Capital Improvements Element (CIE) of this Comprehensive Plan. These findings have been incorporated into a needs assessment, which informs the direction the City will take in developing future transportation system improvements. While the study's primary focus was improving the City's street network

and reducing potential “trip” impacts to SR 26, it is also multi-modal; addressing all forms of transportation in Newberry including non-motorized travel, and transit. Evaluating all modes uniformly enables the City to address the future network needs in a more comprehensive and balanced manner that is fiscally sound. In concert with this, the City has incorporated these needs into the long term concurrency management system.

The following goal, objectives and policies of this plan element are intended to serve as the plan for traffic circulation needs. The objectives and policies herein provide a basis for addressing transportation needs within the city.

#### TRAFFIC CIRCULATION GOAL, OBJECTIVES AND POLICIES

#### GOAL II -- PROVIDE FOR A TRAFFIC CIRCULATION SYSTEM WHICH SERVES EXISTING AND FUTURE LAND USES.

Objective II.1. The city, upon adoption of this Comprehensive Plan, shall establish a safe, convenient and efficient level of service standard which shall be maintained for all roadways beginning June 1, 1992 and as amended in 2009.

Policy II.1.1. Establish the service standards as noted below at peak hour for the following roadway segments within the city, which are located outside of the designated Transportation Concurrency Exception Area (TCEA) as shown on the Future Land Use Plan Map and Future Traffic Circulation Map of this Comprehensive Plan. ~~and~~And the Further, such standards shall be as defined within the Florida Department of Transportation "Level of Service Handbook", 2009.

Roadway Segment Number	Roadway Segment	Number of Lanes	Functional Classification	Area Type	Level of Service
1	U.S. 27, 41/SR 45/beginning of 2-lane, north of S.R. 26, to North City limits	2-U	Principal Arterial	Community Transitioning	C
2	SR 235 (from Newberry's north limits to SR 26)	2-U	Major Collector	Community Transitioning	D
3	W 202nd St. (from Newberry's north limits to SW 30th Ave.)	2-U	Major Collector	Community Transitioning	D
4	SR 26 from West City limits to C.R. 337	2-U	Intrastate Highway System Principal Arterial	As established by FDOT as SIS Facility	C
5	U.S. 27, 41/SR 45/ from 4-lane at SR 26, north to beginning of 2 lane	4-D	Principal Arterial	Community Transitioning	C
6	CR 337/SW 266 th St. (from SR 26 to south city limits)	2-U	Major Collector	Community Transitioning	D
6a	CR 337/SW 266 th St. (from SR 26 to terminus)	2-U	Major Collector	Community Transitioning	D
7	U.S. 27, 41/SR 45/ from SR 26,south to ending of 4 lanes.	4- D	Principal Arterial	Community Transitioning	TCEA
7a	U.S. 27,41/SR 45/ south of SR 26 from ending of 4 lanes to S.W. 30 <sup>th</sup> Avenue	2-U	Principal Arterial	Community Transitioning	TCEA
7b	U.S. 27,41/SR45/south of S.W. 30 <sup>th</sup> Ave, to southern City Limits	2-U	Principal Arterial	Community Transitioning	C
8*	SW 15th Ave. (Newberry's east limits to S.W 202 <sup>nd</sup> Street	2-U	Minor Collector	Community Transitioning	D
8a*	S.W. 15 <sup>th</sup> Avenue from S.W. 202 <sup>nd</sup> Street to S.W. 226 <sup>th</sup> Street	2-U	Minor Collector	Community Transitioning	D

8b	S.W. 15 <sup>th</sup> Avenue from S.W. 226 <sup>th</sup> Street to U.S. 27,41/SR45	2U	Minor Collector	Community Transitioning	TCEA
8-c	SW 15th Ave. (from U.S. 27/41 (SR 45) to SW 260th St.	2-U	Minor Collector	Community Transitioning	TCEA
9	SW 46th Ave. (from CR 337 to U.S. 27,41/SR 45)	2-U	Minor Collector	Community Transitioning	D
9a	S.W. 46 <sup>th</sup> Avenue (from U.S. 27,41/SR 45 to the eastern City Limits	2-U	Minor Collector	Community Transitioning	D
10	SR 26 (from C.R. 337/SW 266th St. to U.S. 27/41/SR 45	2-U	Interstate Highway System Principal Arterial	As established by FDOT as SIS Facility	TCEA
11	SR 26 (from U.S. 27/41/SR 45 to <u>Newberry Lane</u> )	4-D	Interstate Highway System Principal Arterial	As established by FDOT as SIS Facility	<u>TCEA</u>
11a.	SR 26 (from Newberry Lane to East City Limits)	4-D	Interstate Highway System Principal Arterial	As established by FDOT as SIS Facility	C
12	SW 255th St. from SR 26 to SW 15th Ave.	2-U	Minor Collector	Community Transitioning	D
13	SW 260th St. from SR 26 to SW 15th Ave.	2-U	Minor Collector	Community Transitioning	TCEA
14	NW 252nd St. (Martin Luther King, Jr. Blvd.) from SR 26 to NW 7th Ave. and N.W. 7th Ave. to U.S. 27/41	2-U	Minor Collector	Community Transitioning	TCEA
15*	SW 30th Ave. from east City limits to <del>SR-45</del> <u>S.W. 202nd Street</u>	2-U	Major Collector	Community Transitioning	D

15a*	S.W. 30 <sup>th</sup> Avenue from S.W. 202 <sup>nd</sup> s Street to S.W. 226 <sup>th</sup> Street	2-U	Major Collector	Community Transitioning	D
15b*	S.W. 30 <sup>th</sup> Avenue from S.W. 226 <sup>th</sup> Street to U.S. 27, 41/SR 45	2-U	Major Collector	Community Transitioning	D
16*	SW 30 th Ave. from CR 337 to <u>U.S. 27,41/SR 45</u>	2-U	Major Collector	Community Transitioning	D
17*	NW 46th Ave. from west City limits to SR 45	2-U	Major Collector	Community Transitioning	D
18	Doc Karelas Dr.	2-U	Minor Collector	Community Transitioning	TCEA
19	N.W. 260th St. from SR 26 North to NW 3 rd Ave. (this section also includes that portion of NW 3rd Ave. from NW 260th St. to NW 266th St.)	2-U	Minor Collector	Community Transitioning	TCEA
20	N.W. 1st Ave. from U.S. 27/41 to N.W. 260 th St.	2-U	Minor Collector	Community Transitioning	TCEA
21	S.W. 1st Ave. from U.S. 27/41 to S.W. 260 th Ave.	2-U	Minor Collector	Community Transitioning	TCEA
22	Newberry Lane from S.R. 26 to U.S. 27/41	2-U	Minor Collector	Community Transitioning	TCEA
23*	S.W. 226 th St. from S.R. 26 to S.W. 15 th Ave.	2-U	Minor Collector	Community Transitioning	D

U -- Undivided roadway

D -- Divided highway

\*Graded (unimproved unpaved) roads shall have an interim level of service capacity of 20 percent of the rated capacity for the functional classification of the roadway. For the purposes of interpreting interim capacity--if the road is to be considered a paved section, notwithstanding the section designated above, paved sections shall be calculated to the nearest intersection with another road. In lieu of an intersecting roadway, intersecting section lines shall be considered the section terminus.

NOTE: Please refer to TCEA transportation mitigation requirements listed in the Concurrency Management System sub element of the Capital Improvements Element of this Comprehensive Plan.

**OBJECTIVE II.2** Access management is a comprehensive approach to the management and regulation of driveways, medians, median openings, traffic signals and general regulation and control of vehicular ingress to, and egress from, the City's road network, and the State Highway System. The City upon adoption of this objective shall create and implement a classification system and standards is intended to protect public safety and general welfare, provide for the mobility of people and goods, and preserve the functional integrity of these systems.

**Policy II.2.1** the City shall provide a specialized roadway system.

**Policy II.2.2** the City shall limit direct access to major roadways (*major roadways serving regional traffic need more access control to ensure mobility*).

**Policy II.2.3** the City shall promote intersection hierarchy (*interchange, signalized intersection, non-signalized intersection*) and preserve the functional area of intersections and interchanges (*access connections too close to intersections can cause crashes and congestion*).

**Policy II.2.4** the City shall minimize conflict points and ensure safe distance between conflict points to allow drivers adequate response time.

Policy II.2.5 the City shall separate turning lane traffic from through lane traffic to ensure efficiency of the transportation system.

Policy II.2.6 the City shall provide a connected circulation system.

Policy II.2.7 The city shall control the number and frequency of connections and access points of driveways and roads to arterial and collector roads by requiring access points for state roads to be in conformance with Chapter 14-96 and 14-97, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan and the following requirements for county roads:

- (a) Permitting one access point for ingress and egress purposes to a single property or development;
- (b) Permitting two access points if the minimum distance between the two access points exceeds 20 feet;
- (c) Permitting three access points if the minimum distance between each access point is at least 100 feet; or
- (d) Permitting more than three access points where a minimum distance of 1,000 feet is maintained between each access point.

Policy II.2.8 The city shall require the provision of safe and convenient on-site traffic flow, which includes the provision for vehicle parking, which shall be located on the same lot or parcel of land the parking is intended to serve. Each off-street parking space, with the exception of handicapped parking spaces, shall be a minimum of ten feet by 20 feet in size. Each handicapped parking space shall be a minimum of 12 feet by 20 feet in size. The city may allow the establishment of such off-street parking facilities within 300 feet of the premises they are intended to service when the practical difficulties prevent the placing of the facilities on the same lot as the premises they are designed to serve.

Policy II.2.9 The city shall, for any development which is required to provide a site plan or any development requiring platting, include requirements for an additional ten-foot right-of-way width for bicycle



and pedestrian ways to be provided for all proposed collector and arterial roadways, as integrated or parallel transportation facilities.

Policy II.2.10 State Road 26, is designated as part of the State Intermodal System (SIS). For the purposes of this policy, roadways designated as SIS outside of a designated Transportation Concurrency Management Area (TCEA) shall maintain a minimum level of service standard of "C". All maximum service volume (MSV) for roadways designated as SIS shall be determined by the Florida Department of Transportation.

Objective II.3 The city, upon adoption of this Comprehensive Plan, shall require that all traffic circulation system improvements be consistent with the land uses shown on the future land use plan map.

Policy II.3.1. The city shall, as part of the capital improvement scheduling of roadway improvements, review all proposed roadway improvements to determine if such improvement will further the direction of the Future Land Use Plan Element.

Objective II.4. The city, upon adoption of this Comprehensive Plan, shall coordinate all comprehensive planning and land development activities with the Florida Department of Transportation for consistency with the department's five-year transportation plan.

Policy II.4.1. The city shall review all comprehensive plan and land development activity for consistency with the Florida Department of Transportation's Five-Year Transportation Plan.

Objective II.5. In an effort to correct level of service deficiencies on a portion of S.R. 26, which has been established as part of the State Intermodal System the city upon adoption of this objective has entered into an interlocal agreement, memorandum of understanding or similar form of agreement ,with the Florida Department of Transportation as further described within Objective VIII.LR.1 which is part of the Long

Range Concurrency Sub Element of the Capital Improvements Element of this Comprehensive Plan.

Policy II.5.1. The city as part of an effort to correct level of service deficiencies on a two lane portion of a Florida Intrastate Highway System (FIHS) and State Intermodal System (SIS) facility (State Road 26) will subject to the execution by the parties of an interlocal agreement, memorandum of understanding or similar form of agreement with the Florida Department of Transportation, provided within Policy VIII.LR.1.1 as established within this Comprehensive Plan.

Objective II.6 In an effort to assist in the development and redevelopment of the area designated as the Urban Service Area as identified within the Future Land Use Plan Map, the City upon adoption of this objective shall implement the following policies to initiate long term strategies to support and fund mobility within the Urban Service Area, which include alternate modes of transportation.

Policy II.6.1 Phase 2 of the City's Traffic Circulation plan shall develop network connectivity designs for new roads needed to promote urban infill, redevelopment or downtown revitalization. The parallel access facilities shall be so designed to reduce access problems and ensure that new development and/or redevelopment will not further degrade the level of service on S.R. 26 for peak hour trips.

Policy II.6.2 Phase 2 of the City's Traffic Circulation Study provides methodologies and recommendations to (1) preserve right of way and provides recommendations for donation policies and requirements to advance development of arterial and collector streets; and (2) the study also includes recommendations for policies which strengthen and enforce local land division regulations, access regulations, and street network and connectivity standards to reduce reliance on S.R. 26 for short local trips. These recommendations shall be included as part of the City's upcoming Evaluation and Appraisal Report relating to the Traffic Circulation

Element for the revision of existing transportation policy and the development of new transportation policy.

Policy II.6.3 The criteria for ranking new street projects shall include, but not be limited to the following:

- (a) Mobility – The ease with which one can move about the City and the region, including traffic mobility, regional mobility, freight movements and preservation (improvements) of the roads;
- (b) Safety – Traffic safety improvements that reduce travel times for EMS and public safety vehicles;
- (c) Multimodal – Street improvements that support other modes including transit mobility, pedestrian mobility, bicycle mobility and connectedness/accessibility (completing missing links);
- (d) Environment – Environmental preservation (protecting open spaces) and neighborhood street protection; and
- (e) Implementation – Cost effectiveness (per \$1000 investment), funding commitment, project readiness (is the project ready to go forward) and availability of right-of-way;

Policy II.6.4 The City shall use the Transportation Concurrency Exception Area (TCEA) as shown on the Future Land Use Plan Map to encourage redevelopment within the City, and to promote transportation choices.

Policy II.6.5 Development within the TCEA shall be regulated as provided in the Concurrency Management System, within the Capital Improvements Element.

Policy II.6.6 The City shall coordinate the transportation network with the Future Land Uses shown on the Future Land Use Plan Map in order to encourage compact development patterns within the Urban Service Area and provide safe and convenient access for work, school, shopping and service-related trips to protect the cultural and environmental amenities of the City, and to protect the integrity of the Florida Intrastate Highway System.

Policy II.6.7 The transportation concurrency exceptions granted within the TCEA shall not relieve development which occurs outside of the Urban Service Area from meeting the requirements of the level of service established within this Element.

Policy II.6.8 the improvements identified within the City's Traffic Circulation Plan shall be scheduled and filed for adoption as an amendment to the Capital Improvement Element of this Comprehensive Plan. The improvements identified within the Traffic Circulation Plan shall be scheduled and filed for adoption within the City's Long Range Capital Improvement Schedule.

Policy II.6.9 At such time as the Florida Department of Transportation identifies such improvements and schedules to the failing portion of S.R. 26, the City shall schedule such facility improvements within the Capital Improvements Element in order that proportionate fair-share payments may be made towards that portion of the failing section of S.R. 26.

Policy II.6.10 In addition to those roadway improvements identified within the City's Long Range Concurrency Management Schedule on November 14, 2007, the City will endeavor to address roadway improvements which may advance development of arterial and collector streets to strengthen and enforce the diversion of trips from the State Road System. The City shall submit such projects for review of the Florida Department of Transportation in order to reduce traffic impact on the State Road System.

Policy II.6.11 The City will coordinate with other jurisdictions regarding development of regional transit service to serve Newberry area residents commuting to the Gainesville urban area in conjunction with the transportation demand management strategies.

Policy II.6.12 The City shall work with the Florida Department of Transportation to incorporate context sensitive solutions and multi-modal

corridor management strategies into the planning and design of future maintenance and improvements to S.R. 26 within the City.

Policy II.6.13 The City shall coordinate with the affected adjacent counties (Alachua, Gilchrist and Levy) on its mitigation plan as they apply to the extra jurisdictional impacts on S.R. 26 to ensure equitable representation, adequate traffic impact mitigation, and proportionate fair share assessments.

Policy II.6.14 all proposed development or redevelopment within the Transportation Enhancement Project Area, as identified in Objective II.5 designated Urban Service Area, shall comply with the following:

- (a) the proposed development shall be otherwise consistent with this comprehensive plan;
- (b) that the proposed development shall promote public transportation, by incorporating transit oriented design features in a manner that will accommodate public transit facilities as available;
- (c) that the proposed development shall promote the objectives of the City's community redevelopment planning process;
- (d) that all proposed development conform to the City's Site and Design Standards;
- (e) that the proposed development shall encourage walk ability, especially within the Historic District/Main Street Area and design multi modal features into the development; and
- (f) the proposed development shall be designed to reduce impacts to the state road system by incorporating features into the development such as, right of way preservation, right of way donation, limitations of vehicular access, and architectural connectivity to reduce reliance on the state road system for short trips.

Objective II.7 The City upon adoption of this objective shall provide the following policies as strategies in support of the TCEA in an effort to provide effective transportation mobility within the exception area.

Policy II.7.1 Create an environment through urban design that promotes transportation choices, contact development and a liveable city by:

- (a) Establish parallel access facilities to direct local traffic from the state road system, especially SR 26, which is part of the SIS. The first project in this regard shall be the improvement of S.W. 30<sup>th</sup> Avenue from west to east to establish the first parallel access facility;
- (b) The City shall coordinate with the Gainesville Regional Transit System (RTS) to encourage the development of an express bus route from the Gainesville Urban area to downtown Newberry; and
- (c) Further, coordinate with RTS to develop standards which will require new development and redevelopment to implement improvements within the urban design that promotes public transportation, by incorporating transit oriented design features in a manner that will accommodate future public transit.

Policy II.7.2 The City shall work to achieve appropriate land use mixes which provide the density/intensity of uses to support transit through the implementation of Policy II.6.12. and through the improvement of transportation facilities within, as well as to and from the Transportation Enhancement Project Area and the ED overlay areas.

Policy II.7.3 Phase 2 of the City's Traffic Circulation plan shall develop network connectivity designs for new roads needed to promote urban infill, redevelopment or downtown revitalization. The parallel access facilities shall be so designed to reduce access problems and ensure that new development and/or redevelopment will not further degrade the level of service on S.R. 26 for peak hour trips.

Policy II.7.4 Phase 2 of the City's Traffic Circulation Study provides methodologies and recommendations to (1) preserve right of way and provides recommendations for donation policies and requirements to advance development of arterial and collector streets; and (2) the study also includes recommendations for policies which strengthen and enforce local land division regulations, access regulations, and street network and

connectivity standards to reduce reliance on S.R. 26 for short local trips. These recommendations shall be included as part of the City's upcoming Evaluation and Appraisal Report relating to the Traffic Circulation Element for the revision of existing transportation policy and the development of new transportation policy.

Objective II.8 The City within two years of the adoption of this policy shall prepare a transportation mobility plan which shall address methods to fund the transportation improvements needed within the designate TCEA. This plan shall be submitted to the Florida Department of Community Affairs to insure that this requirement is attained.

Policy II.8.1 The mobility plan shall propose land use strategies to support mobility including provisions for energy efficient land use patterns, and requirements for mixture of uses, compact development, transit supportive densities and intensities, and pedestrian and transit friendly urban design. The plan will consider revising the land uses within the TCEA to provide for more mixture of uses and require transit oriented densities and design. The plan will include a bike and pedestrian element for the TCEA that links uses and supports multi-modal to reduce vehicle miles traveled (VMT).

Policy II.8.2 The transportation strategies for mobility shall provide a cohesive, system wide approach for mobility. The transportation strategies shall include network connectivity, intermodal connectivity, and connectivity between related uses. The strategies shall identify projects within the CIE projects which form linkages with the mobility plan for the TCEA and planned transit facilities.





### III.

## CITY OF NEWBERRY HOUSING ELEMENT

### INTRODUCTION

The following goal, objectives and policies constitute the Housing Element providing for decent, safe and sanitary housing at affordable costs and in sufficient quantities to meet the needs of both existing and future city residents. The data collected for this plan element and its analysis, contained in the city's data and analysis document, are not part of this plan element but provide a basis for its formulation.

This plan element of the city's Comprehensive Plan establishes a guide for the city to follow in addressing the housing needs of the incorporated area of the city. The Housing Element addresses the main goal for housing within the city through the year 2011, as well as, measurable objectives which are established to meet the city's housing goal. In addition, each objective is followed by one or more corresponding policies to provide guidance and direction towards the accomplishment of the objective.

### HOUSING GOAL, OBJECTIVES AND POLICIES

**GOAL III -- PROVIDE DECENT, SAFE AND SANITARY HOUSING IN SUITABLE ENVIRONMENTS AT AFFORDABLE COSTS TO MEET THE NEEDS OF THE TOWN'S PRESENT AND FUTURE CITIZENS, INCLUDING THOSE RESIDENTS WITH SPECIAL NEEDS.**

Objective III.1. The city, upon adoption of this Comprehensive Plan, shall provide for the allocation of at least ten percent of the land use allocation which permit dwelling units to be provided to permit affordable housing, such as mobile homes, for the existing and anticipated population.

Policy III.1.1. The city shall include as part of its adopted citizen participation plan a provision to insure that representatives of the local private and nonprofit housing industry be provided opportunities to participate in housing related planning activities conducted by the city.

Policy III.1.2. The city's land development regulations shall permit the construction of government subsidized housing only within areas which are served by public facilities which meet or exceed the adopted level of service standards established in the other elements of this Comprehensive Plan.

Objective III.2. The city shall promote the maintenance of a safe and sanitary housing stock and the elimination of substandard housing conditions, as well as the establishment of provisions for the structural and aesthetic improvement of housing through adoption of minimum housing standards by June 1, 1992.

Policy III.2.1. The city, to address the quality of housing and stabilization of neighborhoods, shall include minimum housing standards for structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of residential buildings within the adopted land development regulations based upon the following criteria:

- (a) Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower and a water closet;
- (b) Every dwelling unit shall have both a cold water and hot water water supply;
- (c) Every dwelling unit shall have heating facilities;
- (d) Every habitable room shall have a window or skylight; and
- (e) All exterior walls and roofs shall be structurally sound and free of defects.

Objective III.3. The city, upon adoption of this Comprehensive Plan, shall make available site opportunities for low-and moderate-income families and mobile homes, by permitting mobile homes on individual lots or mobile home subdivisions and parks consistent with F.S. §§ 320.8285(5) 553.38(2), in effect upon the adoption of this Comprehensive Plan.

Policy III.3.1. The city shall provide for siting for housing for low-and moderate-income persons and mobile homes.

Policy III.3.2. The city's land development regulations shall provide for the location of mobile home developments and standards for mobile home installation consistent with F.S. §§ 320.8285(5) and 553.38(2), in effect upon adoption of this Comprehensive Plan.

Objective III.4. The city, upon adoption of this Comprehensive Plan, shall facilitate the provision of group homes or foster care facilities, as licensed or funded by the Florida Department of Health and Rehabilitative Services, within residential areas or areas of residential character.

Policy III.4.1. The city shall permit homes of six or fewer residents which other wise meet the definition of a community residential home as provided in F.S. ch. 419, in effect upon adoption of the Comprehensive Plan, as a single-family noncommercial use to be allowed in all residential land use districts provided that such homes shall not be located within a radius of 1,000 feet of another existing home with six or fewer residents.

Policy III.4.2. The city shall permit homes of more than six residents which meet the definition of a community residential home as provided in F.S. ch. 419 within medium- and high-density residential land use categories based upon the following criteria:

(a) The city shall approve the siting of a community residential home, unless the city determines that the siting of the home at the site selected:

- (1) Does not meet applicable licensing criteria established and determined by the Florida Department of Health and Rehabilitative Services, including requirements that the home be located to assure the safe care and supervision of all clients in the home;
- (2) Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. (A home that would be located within a radius of 1,200 feet of another existing community residential home shall be considered to be an over concentration of such homes that substantially alters the nature and character of the area. A home that would be located within a radius of 500 feet of a low- or moderate-density residential land use category shall be considered to substantially alter the nature and character of the area).

Objective III.5. The city shall establish programs for the demolition of housing, by June 1, 1992, through the adoption of hazardous building regulations within the unified land development regulations. Further, the city shall rehabilitate 15 substandard dwelling units by November 14, 1996.

Policy III.5.1. The city shall, in addition to the rehabilitation of 15 substandard housing units, include within the land development regulations a hazardous building code which shall require the rehabilitation or demolition and clearance of housing and other structures which pose a threat to public safety.

Policy III.5.2. The city shall apply for federal and state housing assistance when the city can meet the eligibility requirements to receive a program award. In the case of assistance programs which use a scoring system based upon U.S. Bureau of Census data as a factor in determining award, such data shall be reviewed by city staff and a determination shall be made as to the probability of program award prior to application. Where such raw scores provide a low probability of funding, the city may

decline to apply for such assistance program until such time as the raw scores improve the city's standing for award.

Policy III.5.3 The local planning agency shall develop neighborhood plans to study and make recommendations to the local governing body regarding the conservation of such neighborhoods, when existing residential neighborhoods are being considered for Future Land Use Plan amendments.

Objective III.6. The city shall provide for the restoration or rehabilitation for adaptive reuse of historically significant housing by requiring that by June 1, 1992, no person may undertake alteration of the exterior part of city designated historic housing or demolish or relocate such housing without city commission review and approval of such demolition, alteration or relocation.

Policy III.6.1. The city hereby provides that after conducting a public hearing, the city commission shall review an application for a certificate of appropriateness for new construction, alterations, demolition or relocation of city designated historic housing and shall approve or deny such applications based upon the following guidelines:

- (a) The effect of the proposed work on the landmark or the property upon which such work is to be done;
- (b) The relationship between such work and other structures on the historic housing site;
- (c) The extent to which the historic architectural significance, architectural style, design, arrangement, texture, materials, and color of the historic housing will be affected; and
- (d) Whether the denial of a certificate would deprive the property owner of reasonable beneficial use or his or her property.

Policy III.6.2. The city shall include historic sites and structures preservation regulations within the adopted land development regulations, which address the identification and improvement of historically significant housing and shall regulate alterations,

demolitions, relocation and new construction for historically significant housing.

Objective III.7. The city, upon adoption of this Comprehensive Plan, shall, in conformance with policy III.5.2 of this element, assure the availability of relocation housing be available as a prerequisite to housing rehabilitation or neighborhood revitalization activities, which result in the displacement of residents.

Policy III.7.1. The availability of relocation housing shall be researched and verified by city staff prior to commencement of any governmental housing rehabilitation or neighborhood revitalization program to be enacted by the city, which result in the displacement of residents.

Objective III.8. The city, upon adoption of this Comprehensive Plan, shall coordinate information regarding city housing programs with the housing authority so that the authority has the latest information available regarding local housing conditions and needs and in addition the city shall cooperate with the housing authority in the planning of the housing assistance programs of the housing authority.

Policy III.8.1. The city shall coordinate city housing programs with the housing authority and the provide public participation opportunities for private sector in planning for the provision of a supply of housing to accommodate the full range of life stages and economic capabilities of the city's residents.

## **IV.**

### **PUBLIC FACILITIES ELEMENT**

#### **(Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element)**

##### **INTRODUCTION**

The following plan element provides direction for the use, maintenance and location of general sanitary sewer, solid waste, drainage, potable water facilities and natural groundwater aquifer recharge areas in conformance with the future land use element of this Comprehensive Plan.

The data collected for this plan element and its analysis, contained in the city's data and analysis document, are not part of this plan element but provide a basis for its formulation.

The future growth of the city depends upon the safe, adequate and economical means for the provision of public facilities and services. This portion of the Comprehensive Plan provides a goal, objectives and policies which direct the implementation and use of such public facilities in a logical and economic fashion, as well as, in a manner which is consistent with the State of Florida Comprehensive Plan, the North Central Florida Regional Comprehensive Policy Plan and the various elements of this Comprehensive Plan.

**GOAL IV-1 -- ENSURE THE PROVISION OF PUBLIC FACILITIES IN A TIMELY, ORDERLY EFFICIENT AND ENVIRONMENTALLY SOUND MANNER AT AN ACCEPTABLE LEVEL OF SERVICE FOR THE CITY'S POPULATION.**

**Objective IV.1.** The city, upon adoption of this Comprehensive Plan, shall correct existing deficiencies by undertaking capital improvement

projects in accordance with the schedule contained in the Capital Improvements Element of this Comprehensive Plan.

Policy IV.1.1. The city shall provide that within the schedule contained in the Capital Improvements Element, that capital improvement projects needed for replacement or correction of existing deficiencies in public facilities be given priority over providing for future facilities needs: (1) if they are imminently needed to protect the public health and safety, which shall be given the highest priority; and (2) if existing facilities are not meeting maintenance or operation level of service standards adopted herein, which shall be given the second order of priority.

Objective IV.2. The city, upon adoption of this Comprehensive Plan, shall coordinate the extension of, or increase in the capacity of facilities by scheduling the completion of public facility improvements and require that they are concurrent with projected demand.



## POLICIES FOR SANITARY SEWER

Policy IV.2.1. The city hereby establishes the following level of service standards for sanitary sewer facilities.

Facility Type	Level of Service Standard
Individual Septic Tanks	Standards as specified in FAC Ch. 17-22, in effect upon adoption of this Comprehensive Plan
Residential Sanitary Sewer System	85 gallons per capita per day
Non-Residential Sanitary Sewer System	2,000 gallons per acre per day

Policy IV.2.2. The city shall prohibit the installation of septic tanks in locations with soils which do not meet installation requirements of F.A.C. ch.10D-6, in effect upon adoption of this Comprehensive Plan.

Policy IV.2.3. The city's land development regulations shall allow existing septic tanks to remain in service until such time as a centralized sanitary sewer system is accessible, conditioned on the following requirements:

- (a) The city shall not issue a building permit for construction of a building or facility where sanitary sewage is proposed to be disposed using an onsite sewage disposal system in an area zoned industrial on the city's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, where the city's centralized sanitary sewer system is available within one-quarter mile of the area used or zoned

industrial or manufacturing, or where a likelihood exists that the onsite sewage disposal system may receive toxic, hazardous or industrial waste; and

(b) The city shall not issue an occupational license to the owner or tenant of a building located in an area zoned industrial on the city's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, when such site is served by an onsite sewage disposal system without first obtaining an annual operating permit from the county health department; and

(c) The city shall not issue a certificate of land development regulation compliance to a new owner or tenant of a building located in an area zoned industrial on the city's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, or who operates a business which has the potential to generate toxic, hazardous or industrial wastewater, when such site is served by an onsite sewage disposal system without first obtaining an annual operating permit for an onsite sewage disposal system from the county health department.

The siting of new package sewage treatment plants within 200 feet of a community sanitary system collection line shall be prohibited, unless service demand by a possible connector exceeds the capacity of the community sanitary sewer facility. The siting of new septic tanks shall be limited to areas outside the community sanitary sewer system geographic service area, as described in the data and analysis document for the city's Comprehensive Plan. The provision of community sanitary sewer service shall be in accordance with policy I.5.1 of chapter I of this Comprehensive Plan.

## POLICIES FOR SOLID WASTE DISPOSAL

Policy IV.2.4. The city hereby establishes the following level of service standards for solid waste disposal facilities:

Facility Type	Level of Service Standard
Solid Waste Landfill	0.63 tons per capita per year for 1991 and 1992 for Class I solid waste, 0.61 tons per capita per year for 1993 and thereafter for Class I solid waste.

## POLICIES FOR DRAINAGE

Policy IV.2.5. The city shall maximize the use of solid waste facilities through implementation of a strategy for separation of solid waste for recycling as recycling programs are developed pursuant to F.S. § 403.706, in effect upon adoption of this Comprehensive Plan.

Policy IV.2.6. The city hereby establishes the following water quantity and quality level of service standards for drainage facilities:

### LEVEL OF SERVICE STANDARD

For all projects which fall totally within a stream, or open lake watershed, detention systems must be installed such that the peak rate of post-development runoff will not exceed the peak-rate of pre-development runoff for storm events up through and including either:

1. A design storm with a 10-year, 24-hour rainfall depth with Soil Conservation Service type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation, or recreational uses; or
2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

All other stormwater management projects shall adhere to the standards as specified in F.A.C. ch. 17-25 (rules of the Florida Department of Environmental Regulation), and F.A.C. ch. 40B-4 (rules of the Suwannee

River Water Management District), as effective on the date of adoption of this Comprehensive Plan.

**Editor's note:** F.A.C. ch. 17-25, rules of the Florida Department of Environmental Regulation, is also referenced in policy V.2.8, but cited there as F.A.C. ch. 17-312. Any development exempt from F.A.C. chapter 17-25 or 40B-4 as cited above, and which is adjacent to, or drains into a surface water, canal, or stream, or which empties into a sinkhole, shall first allow the runoff to enter a grassed swale designed to percolate 80 percent of the runoff from a three year, one hour design storm within 72 hours after a storm event.

Policy IV.2.7. The city, upon adoption of this Comprehensive Plan, shall prohibit the construction of structures or landscape alterations which would interrupt natural drainage flows, including sheet flow and flow to isolated wetland systems.

#### POLICIES FOR POTABLE WATER

Policy IV.2.8. The city hereby establishes the following level of service standards for potable water.

Facility Type	Level of Service Standard
Private Individual Water Wells	Standards as specified in FAC Ch.17-22, in effect upon adoption of this Comprehensive Plan
Residential Potable Water System	150 gallons per capita per day
Non-Residential Potable Water System	2,750 gallons per acre per day

Objective IV.3. The city, upon adoption of this Comprehensive Plan, shall require that residential densities greater than one dwelling unit per acre be directed to areas which are served by centralized potable water systems and sanitary sewer systems.

Policy IV.3.1. The city's land development regulations shall permit residential densities in excess of one dwelling unit per acre only within areas served by centralized potable water and sanitary sewer systems.

Objective IV.4. The city, upon adoption of this Comprehensive Plan, shall require that no sanitary sewer facility have any discharge into designated high groundwater aquifer recharge areas as designated by the map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, dated February 11, 2000, prepared by the Suwannee River Water Management District.

Policy IV.4.1. The city's land development regulations shall provide that during the development review process, all proposed development within the drainage basin of any designated priority water body shall be coordinated with the water management district and ensure that any proposed development is consistent with any approved management plans within that basin.

Objective IV.5. The city, upon adoption of this Comprehensive Plan, shall coordinate with the water management district to protect the functions of natural groundwater recharge areas and natural drainage features, by requiring that all developments requiring subdivision approval be reviewed by the water management district prior to approval of the plat.

Policy IV.5.1. The city's land development regulations shall prohibit the discharge of hazardous materials to all soils, groundwaters and surfacewaters of the city. Should the city be identified as a potential site for a hazardous waste treatment facility, the city will cooperate with the

regional planning council by coordinating adjacent land uses with the facility, and amending the Comprehensive Plan to further address the protection of natural resources, emergency response and appropriate land uses related to the facility.

Policy IV.5.2. The city will cooperate with the county in the county's establishment of a local listing of all producers of industrial, hazardous and toxic materials and waste, as provided by the Water Quality Assurance Act of 1983, F.S. § 403.7225, by 1993.

Policy IV.5.3. The city, by June 1, 1996, will cooperate with the county in its preparation of a five-year assessment and update the county's hazardous materials plan, as provided by the Water Quality Assurance Act of 1983, F.S. § 403.7225, and the county's monitoring of small quantity producers of industrial, hazardous and toxic materials identified by such plan to be operating within the city.

Policy IV.5.4. The city will participate in the county's Amnesty Day program as provided by the Water Quality Assurance Act of 1983, F.S. § 403.7225, by June 1, 1992.

Policy IV.5.5. The city shall provide for the limitation of development and associated impervious surfaces in high groundwater aquifer recharge areas, as designated by the map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, dated February 11, 2000, prepared by the Suwannee River Water Management District to protect the functions of the recharge area through requirement of the following:

(a) Stormwater management practices shall not include drainage wells and sinkholes for stormwater disposal where recharge is into potable water aquifers. Where development is proposed in areas with existing wells, these wells shall be abandoned, including adequate sealing and plugging according to F.A.C. 17-28, in effect upon adoption of this Comprehensive Plan;

- (b) Well construction, modification, or closure shall be regulated in accordance with the criteria established by the water management district and the Florida Department of Health and Rehabilitative Services;
- (c) Abandoned wells shall be closed in accordance with the criteria established in F.A.C. 17-28, in effect upon adoption of this Comprehensive Plan;
- (d) No person shall discharge or cause to or permit the discharge of a regulated material as listed in F.S. ch. 442, in effect upon adoption of this Comprehensive Plan, to the soils, groundwater, or surfacewater; and
- (e) No person shall tamper or bypass or cause or permit tampering with or bypassing of the containment of a regulated material storage system, except as necessary for maintenance or testing of those components.

Objective IV.6. The city, upon adoption of this Comprehensive Plan, shall assist the water management district, with the implementation of its water conservation rule, when water shortages are declared by the district. Whereby, during such shortages, water conservation measures shall be implemented for the use and reuse of water of the lowest acceptable quality for the purposes intended. In addition, the city shall assist the water management district with the dissemination of educational materials regarding the conservation of water prior to peak seasonal demand.

Policy IV.6.1. The city shall assist in the enforcement of water use restrictions during a water management district declared water shortage and in addition, assist the water management district with the dissemination of educational materials regarding the conservation of water prior to peak seasonal demand.

Objective IV.7. The city, by June 1, 1992, shall include within the land development regulations a requirement that construction activity undertaken shall protect the functions of natural drainage features.

Policy IV.7.1. The city's land development regulations shall include a provision which requires a certification, by the preparer of the permit

plans, that all construction activity undertaken shall incorporate erosion and sediment controls during construction to protect the functions of natural drainage features.



## V.

### CONSERVATION ELEMENT

#### INTRODUCTION

The following goal, objectives and policies constitute the Conservation Element providing for the promotion of the conservation, use and protection of the city's natural resources. The data collected for this plan element and its analysis, contained in the city's data and analysis document, are not part of this plan element but provide a basis for its formulation.

Conservation uses are defined as activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and within this plan includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, or protection of vegetative communities or wildlife habitats.

The Future Land Use Plan map addresses conservation future land use as defined above. The conservation future land use category shown on the Future Land Use Plan map identifies lands which have been designated "conservation" for the purpose of protecting natural resources or environmental quality. At present, there are no conservation uses within the city. Therefore, until such time as there are areas designated for the protection of a natural resource, this category, although listed, will not be shown on the Future Land Use Plan Map.

The Future Land Use Plan map series includes the identification of flood prone areas, wetlands, existing and planned waterwells, rivers, bays, lakes, minerals and soils, which are land cover features, but are not land uses. Therefore, although these natural resources are identified within the Future Land Use Plan map series, they are not designated on the Future Land Use Plan map as conservation areas. However, the constraints on

future land uses of these natural resources are addressed in the following goal, objective and policy statements.

## CONSERVATION GOAL, OBJECTIVES AND POLICIES

### **GOAL V -- Conserve, through appropriate use and protection, the resources of the city to maintain the integrity of natural functions.**

Objective V.1. The city's land development regulations, by June 1, 1992, shall protect air quality through the appropriate siting of development and associated public facilities.

Policy V.1.1. The city's land development regulations shall require that all appropriate air quality permits are obtained prior to the issuance of development orders, so that minimum air quality levels established by the Florida Department of Environmental Regulation are maintained in the city.

Objective V.2. The city, in order to protect the quality and quantity of current and projected water sources, hereby establishes a 300 foot wellfield protection area around community water system wells. In addition, the city in order to protect high aquifer recharge areas, as designated by the map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, dated February 11, 2000, prepared by the Suwannee River Water Management District shall limit development in these areas as specified in policy IV.5.5 of this Comprehensive Plan.

Policy V.2.1. The city shall as part of the development review process require the coordination of development plans with the Florida Department of Environmental Regulation and the water management district to assist in monitoring uses which may impact the city's current and projected water sources.

Policy V.2.2. The city shall protect the present water quality classification established by the Florida Department of Environmental Regulation by prohibiting industrial uses, commercial uses and intensive agricultural uses, such as milking barns and chicken houses, to be located adjacent to the city's surface water bodies.

Policy V.2.3. The city shall identify and make recommendations, where appropriate, for the purchase of environmentally sensitive lands under the Conservation and Recreation Lands Program or Save Our Rivers Program.

Policy V.2.4. The city's land development regulations shall require a 35-foot natural buffer around all wetlands and prohibit the location of residential, commercial and industrial land uses within the buffer areas, but allow resource-based recreational activities within buffer areas.

Policy V.2.5. The city, by June 1, 1992, shall, through the development review process, require that post-development runoff rates and pollutant loads do not exceed pre-development conditions.

Policy V.2.6. The city's land development regulations shall require all new development to maintain the natural functions of natural flood storage, pollution attenuation, in wetlands and 100-year flood prone areas.

Policy V.2.7. The city shall require all structures to be clustered on the non-flood prone portion of a site or where the entire site is in a flood prone area, structures shall be elevated at least two feet above the highest adjacent grade.

Policy V.2.8. The city shall conserve wetlands by prohibiting, where alternatives for development exist, any development or dredging and filling which would alter their natural functions. If no other alternative for development exists, mitigation will be considered as a last resort using criteria established within F.A.C. chapter 17-312, rules of the

Florida Department of Environmental Regulation, in effect upon adoption of this Comprehensive Plan.

Policy V.2.9. The city shall support the water management district in their conducting of water conservation programs by assisting with public information programs for water use restrictions in the case of a water shortage.

Policy V.2.10. The city shall comply with the plans of the water management district for the emergency conservation of water sources through assisting the water management district with public information programs for any water use restrictions in the case of water shortage.

Policy V.2.12. The city shall, as part of the development review process, prohibit the use of drainage wells and sinkholes for stormwater disposal in high aquifer recharge areas, as designated by the map entitled Recharge Potential of the Floridan Aquifer System, Alachua County, Florida, dated February 11, 2000, prepared by the Suwannee River Water Management District in order to maintain the natural features of these areas.

Policy V.2.13. The city shall as part of the development review process require the maintenance of the quantity and quality of surface water runoff within natural drainage basins by prohibiting any development which may diminish or degrade the quality and quantity of surfacewater runoff within the city.

Policy V.2.14. The city, prior to granting approval of a site and development plan, for construction or expansion shall require that all hazardous waste generators and facilities are duly permitted as required by F.S. ch. 403, by the Florida Department of Environmental Regulation. In addition, the city, prior to the issuance of a certificate of land development regulation compliance, shall require that all existing hazardous waste facilities or uses which generates hazardous waste show proof of such permit prior to a change in occupancy.

Policy V.2.15. The quality and quantity of ground and surface water shall not be significantly altered through extraction operations. The city's land development regulations shall include provisions that specify when water quality and quantity monitoring activities at extraction sites shall be required for review by the city. Costs for providing water quality and quantity monitoring at extraction sites shall be borne by the extractor.

Objective V.3. The city shall include within the land development regulations for development review, provisions for the conservation, use and protection of soils, minerals, and native vegetative communities, by June 1, 1992.

Policy V.3.1. The city shall require within the land development regulations that any mining permit be coordinated with the Florida Department of Natural Resources so that mineral resources are conserved and used appropriately.

Policy V.3.2. The city shall review topographic, hydrologic and vegetative cover factors during the development review process in order to protect and conserve the natural functions of soils.

Policy V.3.3. The city shall require that forest resources be managed as provided in Silviculture Best Management Practices Manual, published by the Florida Department of Agriculture and Consumer Services, Division of Forestry, Revision, May 1990, for the multiple uses of recreation, wildlife habitat, watershed protection, erosion control and maintenance of water quality.

Objective V.4. The city shall, upon adoption of this Comprehensive Plan, identify as provided in policy V.4.3, and protect native wildlife and their habitats, including state and federally protected plant and animal species (endangered, threatened and species of special concern), within proposed development sites and protect these natural resources from impacts of development.

Policy V.4.1. The city shall cooperate with the Florida Game and Fresh Water Fish commission in the monitoring and inventorying of wildlife and wildlife habitats within the city.

Policy V.4.2. The city shall assist in the application and compliance with all federal and state regulations which pertain to endangered and rare species.

Policy V.4.3. The city shall require the evaluation of impacts to endangered, threatened, or species of special concern by requiring as a condition of permit approval of all proposed subdivisions of land into 25 or more lots and multifamily, commercial and industrial developments of 50 acres or more a survey of the site for the presence of state and federally protected plant and animal species. In addition, if protected species are found on the site or would be affected by the development, a specific management plan shall be required from the developer, including necessary modifications to the proposed development, to ensure the preservation of the protected species and their habitat. The inventory and management plan shall be done in consultation with the Game and Freshwater Fish Commission, but the final approval of the management plan shall be by the city.

Policy V.4.4. The city shall address, during the development review process, the mitigation of development activities within environmentally sensitive areas by prohibiting any development or dredging and filling which would alter their natural functions. If no other alternative for development exists, mitigation will be considered as a last resort using criteria established within F.A.C. chapter 17-312, rules of the Florida Department of Environmental Regulation.

## VI.

### RECREATION AND OPEN SPACE ELEMENT

#### INTRODUCTION

Recreation is the pursuit of leisure time activities in an outdoor or indoor setting. The proper relationship in size, number, type and location of different park and recreation areas is the primary objective for achieving a well balanced recreation system. The policies included within this plan element for resource based and user oriented recreational facilities are based upon the information contained within the city's data and analysis document.

The data collected for this plan element and its analysis, contained in the city's data and analysis document, are not part of this plan element but provide a basis for its formulation.

The following goal, objectives and policies for resource based and activity based recreation facilities within the city and surrounding environs establish guidelines for the proper relationship of size, number, type and location of the different park and recreation needs for the city. The level of service standards established within the policies provide guidelines for determining the acceptable quantities of recreational resources and facilities for the city's population.

Within these level of service standard policies, "persons to be served" is the population of the city or the actual population demand upon the facility, whichever is greater; "access points" are any public or privately owned access which is available to the public at large; and the resource and user based facilities which are not listed are considered to be exceeding an appropriate level of service for such activity based upon the limited demand for the activity within the city.

## GOAL, OBJECTIVES AND POLICIES

GOAL VI -- Secure the provision and maintenance of recreation facilities and open space for citizens and visitors and access to these facilities for all persons, regardless of special need or condition.

Objective VI.1. The city, upon adoption of this Comprehensive Plan, shall continue to provide vehicular and pedestrian access to city owned activity and resource based recreation facilities.

Policy VI.1.1. The city shall maintain the number of access points to recreational resources for the city which will meet or exceed the level of service standards, contained herein.

Objective VI.2. The city, by June 1, 1992, shall maintain accurate recreation activity/facility inventories so that accurate levels of service can be determined, based upon the recreation resources available to the city.

Policy VI.2.1. The city shall establish cooperative policies with other units of government, the Florida Department of Natural Resources, water management district, school board and community organizations to maintain accurate recreation activity/facility inventories in order to determine the need for recreation facilities.

Objective VI.3. The city shall establish requirements within the land development regulations, by June 1, 1992, to require new subdivisions or resubdivisions to allocate land, as determined by standards within the regulations, for parks and recreation facilities so that the city's recreation facilities are provided in quantities to maintain the adopted level of service standards for recreation contained herein.

Policy VI.3.1. The city hereby establishes the following level of service standards for resource based recreation facilities.



Activity	Level of Service Standard
Swimming (non-pool)	A 25,000 person threshold for the initial access point at a beach, stream, spring, river, lake or pond, with a 25,000 person increment for each additional access point at a beach, stream, spring, river, lake or pond, within a 25 mile radius of the city.
Fishing (non-boat)	A 2,500 person threshold for the initial access point, with a 2,500 person increment for each additional access point, within a 25 mile radius of the city.
Fishing (boat)	A 4,300 person threshold for the initial boat ramp, with a 4,300 person increment for each additional boat ramp, within a 25 mile radius of the city.
Camping (recreation vehicle and tent)	A 5,600 person threshold for the initial acre of camping area, with a 5,600 person increment for each additional acre of camping area, within a 25 mile radius of the city.
Picnicking	A 500 person threshold for the initial picnic table, with a 500 person increment for each additional picnic table.
Bicycling	A 1,000 person threshold for the initial mile of local roadway, with a 1,000 person increment for each additional mile of local roadway.
Hiking	A 7,000 person threshold for the initial mile of available hiking trail, with a 7,000 person increment for each additional mile of available hiking trail, within a 25 mile radius of the city.

Nature study	A 2,500 person threshold for the initial 7.0 acres of wildlife management area, with a 2,500 person increment for each additional 7.0 acres of wildlife management area, within a 25 mile radius of the city.
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Policy VI.3.2. The city hereby establishes the following level of service standards for user based recreation facilities.

Activity	Level of Service Standard
Golf	A 32,500 person threshold for the initial nine-holes of golf course, with a 32,500 person increment for each additional nine-holes of golf course.
Equipped play area	A 2,500 person threshold for the initial equipped play area, with a 2,500 person increment for each additional equipped play area.
Tennis	A 3,000 person threshold for the initial tennis court, with a 3,000 person increment for each additional tennis court.
Baseball/softball	A 6,000 person threshold for the initial ball field, with a 6,000 person increment for each additional ball field.
Football/soccer	A 15,000 person threshold for the initial multi-purpose field, with a 15,000 person increment for each additional multi-purpose field.

Handball/racquetball	A 10,000 person threshold for the initial court, with a 10,000 person increment for each additional court.
Basketball	A 2,500 person threshold for the initial goal, with a 2,500 person increment for each additional goal.
Swimming (pool)	A 25,000 person threshold for the initial pool, with a 25,000 person increment for each additional pool.
Shuffleboard	A 10,000 person threshold for the initial court, with a 10,000 person increment for each additional court.

Policy VI.3.3. The city shall through the annual capital improvements budgeting process, identify funding sources to correct or improve existing deficiencies in city-owned parks and recreation facilities in accordance with the level of service standards contained herein.

Objective VI.4. The city shall establish provisions within the land development regulations, by June 1, 1992, which shall include requirements for the provision and maintenance of open space by public agencies and private enterprise.

Policy VI.4.1. The city's land development regulations shall include specific standards for the provision of open spaces by development or redevelopment.

Policy VI.4.2. The city shall, as part of the procedure for monitoring and evaluation of the Comprehensive Plan, recommend lands for the purchase

of open space by public agencies and subsequent to such land purchase support such agencies in the management of such lands.

## **VII.**

### **INTERGOVERNMENTAL COORDINATION ELEMENT**

#### **INTRODUCTION**

The purpose of this plan element is to establish a goal and planning objectives with corresponding policies for the coordination process and procedures with adjacent local governments, regional and state agencies.

The data collected for this plan element identifies the process of intergovernmental coordination. In addition, the corresponding analysis reviews the effectiveness of the intergovernmental coordination instruments which are in force to implement agreements for services between the city and its governmental counterparts. Although the data and corresponding analysis are not part of this plan element, they provide a basis for its formulation.

The following goal, objectives and policies provide a plan which as implemented will provide guidelines for coordination between the city and adjacent local governments and other governmental and service agencies.

#### **INTERGOVERNMENTAL COORDINATION GOAL, OBJECTIVES AND POLICIES**

**GOAL VII --** Establish processes among the various governmental entities to achieve coordination of comprehensive planning, ensure compatible development, provide adequate public services and promote the efficient use of available resources among governmental entities.

**Objective VII.1.** The city, upon adoption of this Comprehensive Plan, shall coordinate its comprehensive planning with the school board, water management district, adjacent local government comprehensive plans and

other units of local government providing services but not having regulatory authority over the use of the land.

Policy VII.1.1. The city shall establish a procedure, as part of the Comprehensive Plan review and amendment process, that all plan amendments proposed within the Comprehensive Plan are coordinated with other units of local government, the school board, and other units of government providing services but not having regulatory authority over the use of land.

Policy VII.1.2. The city shall use the regional planning council's informal mediation process to resolve conflicts with other units of government.

Policy VII.1.3. The city shall establish interlocal agreements for the provision of services across jurisdictional boundaries.

Policy VII.1.4. The city shall use the regional planning council's informal mediation process to resolve annexation issues.

Policy VII.1.5. Annexations shall be governed by the standards and procedures established within the stipulated settlement agreement between the city, Florida of Community affairs, and Alachua County, dated April 25, 2005. (Ord. No. 30-05, § 2, 1-5-2006)

Objective VII.2. The city shall provide adjacent units of local government, the regional planning council and the Florida Department of Community Affairs the opportunity to comment on Comprehensive Plan amendments.

Policy VII.2.1. The city, as part of the subdivision, multifamily, commercial and industrial review process, shall review the relationship of proposed development to the existing comprehensive plans of adjacent local governments.

Policy VII.2.2. The city, as part of the monitoring and evaluation process of the Comprehensive Plan shall review the relationship of the Comprehensive Plan to the existing comprehensive plans of adjacent local governments.

Policy VII.2.3. The city's administrative officer shall provide preliminary plats and site and development plans for multifamily residential, commercial and industrial development within the city for review and comment to adjacent local governments.

Objective VII.3. The city shall coordinate the establishment and amendment of level of service standards for public facilities with state and local entities having operational and maintenance responsibility for such facilities prior to the adoption or any amendment of such level of service standards.

Policy VII.3.1. The city, as part of the Comprehensive Plan monitoring and evaluation process, shall coordinate amendments of any level of service standards with appropriate state, regional and local agencies, such as the Florida Department of Transportation, Florida Department of Environmental Regulation, Florida Department of Natural Resources, water management district, regional planning council, adjacent local governments and the school board prior to such amendment.

Objective VII.4. The city, upon adoption of this Comprehensive Plan, shall coordinate with the water management district regarding all development proposals with the potential for impacting the water resources of the city.

Policy VII.4.1. The city through the development review process shall coordinate all development proposals with the water management district for all development proposals within the watershed of any designated Surface Water Management and Improvement Act [Surface Water Improvement and Management Act, F.S. § 373.453 et seq.] priority water body.

Objective VII.5. The city, upon adoption of the Comprehensive Plan, shall ensure that the impacts of development proposed in the Comprehensive Plan are coordinated with development in the county, region and state.

POLICY VII.5.1. The city, through the development review process, shall coordinate with the county, regional agencies and state agencies to ensure that impacts of development proposed in the Comprehensive Plan are consistent and compatible with adjacent development.

OBJECTIVE VII.6 The City shall upon adoption of this objective, coordinate the Comprehensive Plan with the School Board Five-Year Facilities Plan.

Policy VII.6.1 The SBAC of Alachua County shall locate sites for new public schools consistent with the criteria in the Future Land Use Element for siting new public school facilities. In order to facilitate coordination between the SBAC and the City:

(a) the City shall continue to participate at a staff level in the School Acquisition Committee or other such committees of the Alachua County SBAC to ensure coordination of their comprehensive development plans with the City of Newberry Comprehensive Plan. Determinations of the consistency of new school sites proposed by the SBAC of Alachua County as required by S. 235.193, F.S., shall be made in accordance with procedures identified in an inter-local agreement between the SBAC and the City.

(b) the City shall coordinate with the SBAC of Alachua County to explore the expanded use of public school facilities for recreation and to develop and implement a standard use agreement.

(c) City staff shall coordinate with the SBAC staff on methodologies for population projections, from which public school enrollment projections



are made. City staff shall also coordinate with SBAC staff on the geographic distribution of enrollment projections as part of the SBAC's annual Enrollment Projections & Capacity Analysis Report.

(d) the City shall solicit specific comments from the SBAC on public schools that could be attended by children in proposed new residential developments, including the current and projected capacity and enrollment of such schools. This information shall be included in staff reports on items before the Local Planning Agency and Development Review Committee.

(e) The City Commission and the SBAC shall meet periodically to address issues of mutual concern including consideration of impact fees for schools.

**Policy VII.6.2** The SBAC of Alachua County shall locate sites for new public schools consistent with the criteria in the Future Land Use Element for siting new public school facilities. In order to facilitate coordination between the SBAC and the City:

(a) the City shall continue to participate at a staff level in the School Acquisition Committee or other such committees of the Alachua County SBAC to ensure coordination of their comprehensive development plans with the City of Newberry Comprehensive Plan. Determinations of the consistency of new school sites proposed by the SBAC of Alachua County as required by S. 235.193, F.S., shall be made in accordance with procedures identified in an inter-local agreement between the SBAC and the City.

(b) the City shall coordinate with the SBAC of Alachua County to explore the expanded use of public school facilities for recreation and to develop and implement a standard use agreement.

(c) City staff shall coordinate with the SBAC staff on methodologies for population projections, from which public school enrollment projections

are made. City staff shall also coordinate with SBAC staff on the geographic distribution of enrollment projections as part of the SBAC's annual Enrollment Projections & Capacity Analysis Report.

(d) the City shall solicit specific comments from the SBAC on public schools that could be attended by children in proposed new residential developments, including the current and projected capacity and enrollment of such schools. This information shall be included in staff reports on items before the Local Planning Agency.

(e) The City Commission and the SBAC shall meet periodically to address issues of mutual concern including consideration of impact fees for schools.

Policy VII.6.3 In order to address the extension of public facilities to existing or new schools, subject to concurrency, all expansions or new construction of public, charter and private schools shall be subject to site and development plan review and approval.

Policy VII.6.4 In order to coordinate the effective and efficient provision and siting of educational facilities with associated infrastructure and services within the City, representatives of the City and the School Board shall meet by the end of the year 2000 to develop mechanisms for coordination of educational facilities planning.

Policy VII.6.5 The City shall focus on the following coordinating mechanisms when discussing the interlocal agreement, required by Chapter 163, Part II and Chapter 235, Florida Statutes, with the School Board:

1. Coordinate the review of the annual update of the Capital Improvements Element of the City and the annual educational facilities report and Five-Year School Facilities Plan of the School Board;

2. Coordinate the review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure;
3. Coordinate the review of land uses that increase residential density;
4. Use a unified data base, including population forecasts (student population), land use and facilities; and
5. Use recreational and physical plant facilities in a manner which fosters the coordination of use of the facilities consistent with their multi-function design.

Objective VII.7. The city shall provide all other units of local government located within the county, the opportunity to comment on the siting of facilities with countywide significance, including locally unwanted land uses.

Policy VII.7.1. The city, as part of the development review process, shall review the relationship of any facilities with countywide significance, including locally unwanted land uses, to the existing comprehensive plans of all other units of local governments located within the county.



## VIII

### CAPITAL IMPROVEMENTS ELEMENT

#### **INTRODUCTION**

The following goal, objectives and policies for capital improvement provide strategic planning for the financing and construction of improvements identified as part of the capital improvements Data and Analysis document.

The data collected for this plan element and its analysis, contained in the City's Data and Analysis document, are not part of this plan element but provide a basis for its formulation.

This element is not intended to be a capital improvement program for the City and, therefore, considers only those public facilities which are planned for under the requirements of Chapter 163, Florida Statutes, Part II and Rule 9J-5, Florida Administrative Code, in effect upon adoption of this Comprehensive Plan.

#### **CAPITAL IMPROVEMENTS GOAL, OBJECTIVES AND POLICIES**

**GOAL VIII - THE CITY SHALL ADOPT AND IMPLEMENT A CAPITAL IMPROVEMENTS PROGRAM WHICH COORDINATES THE TIMING AND PRIORITIZES THE DELIVERY OF THE NEEDS ADDRESSED WITHIN THE OTHER ELEMENTS OF THIS COMPREHENSIVE PLAN.**

**OBJECTIVE VIII.1** The City shall provide capital improvements to correct the existing and projected deficiencies as identified within the schedule of improvements and funding of this plan element, by adopting an annual capital improvements budget in fiscal year 1992 and every year

thereafter which is consistent with the schedule of improvements and funding.

Policy VIII.1.1 The City shall establish as part of the annual budgeting process the following criteria for the evaluation of proposed capital improvement projects:

#### Criteria

A. The City shall assess the level of service for the public facilities which have adopted level of service standards established by the Comprehensive Plan, on an annual basis, prior to or concurrent with the City's budget process;

B. The City shall schedule only those projects which are consistent with the goals, objectives and policies of this Comprehensive Plan and which do not exceed the City's fiscal capacity;

C. The City shall identify those existing or projected public facility needs, which occur or are projected to occur, due to deficiencies in the maintenance of adopted levels of service standards;

D. The capital improvement projects identified which are imminently needed to protect the public health and safety shall be given the highest priority;

E. The capital improvements projects related to the maintenance and operation of existing facilities, which due to existing or projected needs, do not or are not expected to meet the adopted level of service standard for such facility shall be given the second order of priority;

F. The capital improvement projects with the greatest deficiencies based upon the established level of service standards within the Comprehensive Plan shall be given the third order of priority;

G. The capital improvement projects, which due to deficiencies based upon the established level of service standard within the Comprehensive Plan, are needed to provide public facilities to areas which have received development approval prior to the adoption of this Comprehensive Plan shall be given the fourth order of priority; and

H. All other capital improvement projects shall be given the fifth order of priority.

Policy VIII.1.2 The City shall, upon identification of a need for drainage facility improvements due to deficiencies based upon the established level of service standards within the Comprehensive Plan, coordinate plans for improvements with the Water Management District prior to scheduling such drainage facility improvement.

Policy VIII.1.3 The City shall review the effectiveness of the capital improvements planning program through the Procedure for Monitoring and Evaluation of the Capital Improvements Element, within this plan element.

OBJECTIVE VIII.2 The City, upon adoption of this Comprehensive Plan, shall require that all decisions regarding the issuance of development permits shall be consistent with the established level of service standards adopted for public facilities within the Comprehensive Plan.

Policy VIII.2.1 The City shall use the level of service standards as identified within the Traffic Circulation Element; Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element; Recreation and Open Space Element; and Public School Facilities Element of this Comprehensive in reviewing impacts of new development and redevelopment upon the provision of public facilities.

Policy VIII.2.2 The City's land development regulations shall contain provisions which require that public facilities which serve such development have a capacity which meets or exceeds the adopted level of service standard in accordance with the requirements as specified for each facility within the Concurrency Management System of this Comprehensive Plan.

Policy VIII.2.3 The City shall, upon adoption of this policy, require that an amendment to this Comprehensive Plan be required for the elimination, deferral or delay of construction of any transportation capital improvements project, which is needed to maintain the adopted level of service standard and which has been listed in the City's 10-year Schedule for the Capital Improvements Element.

OBJECTIVE VIII.3 The City shall, by June 1, 1992, include subdivision improvement standards within the land development regulations which require that the subdivider, at his or her expense, shall provide paved streets, street name signs, stormwater facilities and, where community sanitary sewer and potable water service is available, install sanitary sewer, water mains and fire hydrants connected to the mains.

Policy VIII.3.1 The City's land development regulations shall require that all proposed subdivisions which include an existing street shall be required to improve the street to conform to the standards established within the land development regulations.

OBJECTIVE VIII.4 The City, by June 1, 1992, shall establish a capital improvements budgeting process to manage the fiscal resources of the City, so that needed capital improvements, identified within the Comprehensive Plan, are provided for existing and future development and re-development.



Policy VIII.4.1 The City shall incorporate within the City's annual budgeting process, a capital improvements budget which addresses the needed projects found in the schedule of improvements and funding of this plan element.

Policy VIII.4.2 The City's land development regulations shall limit the issuance of development orders and permits to areas where the adopted level of service standards for the provision of public facilities found within the Comprehensive Plan are maintained. This provision shall also include areas where development orders were issued prior to the adoption of the Comprehensive Plan.

Policy VIII.4.3 The City shall establish a policy as part of the annual capital improvements budgeting process to issue revenue bonds only when the maximum total of the annual payment for all revenue bonds does not exceed 20 percent of the City's annual non-ad valorem operating revenues.

Policy VIII.4.4 The City shall establish a policy as part of the annual capital improvements budgeting process to request issuance of general obligation bonds only when the maximum general obligation bonding capacity does not exceed 20 percent of the property tax base.

Policy VIII.4.5 The City shall apply for federal or state grant funding for projects which recognize the policies of other elements of this comprehensive plan whenever available and where it has been determined that the City has competitive standing in any ranking process for determining program award.

Policy VIII.4.6 The City shall limit any extension of public facility geographic service areas into surrounding areas to commercial, industrial, public, recreational, and residential land uses contiguous to the existing geographic service

area as described in the Data and Analysis document for the City's Comprehensive Plan.

Policy VIII.4.7 The City shall replace or renew community facility plants damaged due to storm surge or flood only where such facility can meet minimum requirements for flood proofing.

#### PROPORTIONATE SHARE PROVISIONS SUB-ELEMENT

GOAL VIII.PS.1 The City will establish a proportionate share program the purpose of which is to establish a method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate Fair-Share Program, as required by and in a manner consistent with §163.3180(16), F.S.

OBJECTIVE VIII.PS.1 Upon adoption of this Objective the City shall provide a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors;

Policy VIII.PS.1 The City of Newberry CIE shall be reviewed annually and updated as necessary to reflect proportionate fair-share contributions.

Policy VIII.PS.2 The City of Newberry is responsible for ensuring the financial feasibility of all capital improvements in the adopted CIE.

## LONG RANGE CONCURRENCY MANAGEMENT SUB-ELEMENT

**OBJECTIVE VIII.LR.I** In an effort to correct deficiencies created by a backlogged roadway segment, which will be ultimately corrected through the construction of a by-pass facility and in an effort to direct development within the City's Urban Services Area and prevent urban sprawl, the City shall upon adoption of this objective establish a long term concurrency management backlogged corridor for the two lane section of SR 26, which is a portion of the Florida Intrastate Highway System (FIHS) and the Strategic Intermodal System (SIS) for the interim period as provided by an interlocal agreement, memorandum of understanding or other similar agreement entered into between the City and the Florida Department of Transportation in accordance with the proportionate share provisions of Chapter 163, Florida Statutes. Said segments shall operate at a level of service that is consistent with said agreement and this Comprehensive Plan.

**Policy VIII.LR.1.1** The 2 lane section of SR 26, from US 27/41 west to the City limits, is part of the Florida Intrastate Highway System, as well as, the Strategic Intermodal System and shall be designated in this Comprehensive Plan as a Long Term Concurrency Management Corridor in two phases, The first phase for a 5 year period (2006-2011) and the second phase for a five year period (2012-2016). The following subsections of this policy shall be applied to this facility in the interim period.

For the purposes of issuing development orders and permits, interim requirements for the two-lane section of SR 26 in the City, shall be as follows;

- (a) The Capital Improvements Element shall be amended as necessary to eliminate, defer or delay construction of any improvement project included in the long-term schedule of capital improvements for the SR 26 corridor from US 27/41 to the western City limits;
- (b) The implementation of long term concurrency management shall be monitored to evaluate the effectiveness of the implemented

improvements and strategies toward improving the level of service conditions in SR 26. Evaluations of long term concurrency management on SR 26 shall be conducted as needed with the resultant findings being incorporated in an amendment to the Comprehensive Plan. At a minimum the evaluations of long term concurrency management un SR 26 shall be conducted in 2011 with the results being analyzed and address as recommended actions as applicable in the Evaluation and Appraisal Report of the Comprehensive Plan prepared in 2011;

- (c) The level of service conditions on the section of SR 26 designated as a long term concurrency corridor shall be re-analyzed within one year of the completion of the PD&E being prepared by the Florida Department of Transportation.
- (d) The effectiveness of this policy shall be contingent upon the execution of an interlocal agreement, memorandum of understanding or similar form of agreement by the parties to direct proportionate fair share contributions to this project and therefore addressing the financial feasibility component of the long term concurrency management designation.

#### TRANSPORTATION ENHANCEMENT PROJECT AREA

Objective VIII . TEP 1 In an effort to assist in the development and redevelopment of the area designated as the Transportation Enhancement Project Area as identified within the Urban Service Area Map, which is part of the Future Land Use Map Series, the City shall develop a financially feasible transportation planning program, which upon completion shall assist the City in development of a urban service area strategy for the development of improved access management, roadway networking and a thoroughfare plan to provide parallel access routes that are intended to improve traffic circulation and assist in the alleviation of impacts to the state road system. The transportation planning program shall be completed by December 31, 2008 and policies to assist with the

implementation of the program shall be included as part of the upcoming evaluation and appraisal of this Comprehensive Plan.

Policy VIII. EA 1 In an effort to further the intent of the provisions of Objective VIII.TEP.1 the City will prepare and consider for adoption transportation impact fees.

## IMPLEMENTATION

### LONG RANGE SCHEDULE OF IMPROVEMENTS

The five-year and long range schedule of improvements shown in Table VIII-1 provides the implementation mechanism for the capital improvements elements to stage the timing, location, projected cost and revenue sources for any capital improvement needs identified within the other elements of the Comprehensive Plan. The following schedules document the economic feasibility of any projects listed.

**TABLE VIII-1**  
**CITY OF NEWBERRY 10 YEAR SCHEDULE OF CAPITAL IMPROVEMENTS**  
**INFRASTRUCTURE (IRI)**  
**PROJECTS SCHEDULED FOR FY 2009-FY 2017 BY FUNDING SOURCE**

#### GENERAL FUND – 5 year Program

Project Number	Project Name	Department	FY 2013-2014	FY 2014-2015	FY 2015-2016	FY 2016-2017	FY 2017-2018	Total
<i>GF-1</i>	<i>Mobility Plan</i>	<i>Planning</i>		<i>\$40,000</i>	<i>\$50,000</i>			<i>\$90,000</i>
<b>TOTAL</b>				<b>\$40,000</b>	<b>\$50,000</b>			<b>\$90,000</b>

*GF-1 – General Fund*

Project Number	Project Name	Department	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021	Total
<b>GF -1</b>	<b>*Annual Road Paving and Resurfacing Program</b>	<b>Public Works</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$300,000</b>
<b>TOTAL</b>			<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$60,000</b>	<b>\$300,000</b>
<b>Funding Source</b>	<b>New Local Option Gas Tax</b>							

**\* The City of Newberry performed a Class 1–3 Road Inventory of all City Streets in 2015. As part of the annual capital improvement budgeting process, roads classified as Class 1–2 will be selected from the inventory for paving and/or resurfacing to include all necessary drainage, striping, signage or other necessary appurtenances/improvements to improve these roads to the Class 3 designation.**

#### ENTERPRISE FUNDS – 5 Year Program

**Water Dept – 5 Year Program**

Project Number	Project Name	Department	FY 2013— 2014	FY 2014— 2015	FY 2015— 2016	FY 2016— 2017	FY 2017— 2018	Total
WF-1 Imp. #5	Install 1600 LF, 12 in. W. M.	Utilities	\$116,886		-	-	-	\$116,886
WF-2 Imp. #6	Upgrade 3300 LF to 12 in W.M.	Utilities	-	\$552,345		-	-	\$552,345
WF-3 Imp. #1, 2, 3	Install 460 LF 6 in W.M.	Utilities	-	-	\$38,709		-	\$38,709
WF-4 Imp. #4	Install 1850 LF 6 in W.M.	Utilities	-	-	-	\$129,996		\$129,996
WF-5 Imp #12	Install 2500 LF 12 in. W.M.	Utilities					\$416,415	\$416,415
Yearly Totals			\$116,886	\$552,345	\$38,709	\$129,996	\$416,415	\$1,254,351

**Notes:** Notes: WF 1, WF 5 funded by development fee fund. qd WF-2, 3, and 4 funded from depreciation fund.

**WasteWater Dept – 5 Year Program**

Project Number	Project Name	Department	FY 2013— 2014	FY 2014— 2015	FY 2015— 2016	FY 2016— 2017	FY 2017— 2018	Total
WWF-1 Imp. #5	Pump Upgrade LS#10	Utilities	\$46,368		-	-	-	\$46,368
WWF-2 Imp. #7	Install 8000 LF 6 in. F M	Utilities	\$766,590		-	-	-	\$766,590
WWF-3 Imp. #7	Install 3500 LF F.M.	Utilities	-		\$205,068		-	\$205,068

WWF-4 Imp. #2	Install 1400 LF 6 in. F M	Utilities	-	-	-	\$76,464		\$76,464
WWF-5 Imp #8	Pump upgrade LS #2	Utilities					\$46,368	\$46,368
WWF-6 Imp. #8	Pump Upgrade LS #12	Utilities					\$46,368	\$46,368
Yearly Totals			\$1,511,390	\$0	\$205,068	\$76,464	\$92,736	\$1,885,658

Notes: WWF-1, WWF-5 funded thru development fee fund. qa WWF-2, WWF-3. WWF-4, WWF-5 and WWF-6 funded from depreciation fund.

**ENTERPRISE FUNDS**  
**Water Department – Years 6-10**

Project Number	Project Name	Department	FY 2018— 2019	FY 2019— 2020	FY 2020— 2021	FY 2021— 2022	FY 2022— 2023	Total
WF-6 Imp. #7, 8	Install 3900 LF, 12 in. PVC Main	Utilities	\$273,000		-	-	-	\$273,000
WF-7 Imp. #9	Install 4800 LF 12 in. PVC Main	Utilities	-	\$336,000				\$336,000
WF-8 Imp. #10	Install 10k of 12 in. pvc main	Utilities			\$700,000	-	-	\$700,000
WF-9 Imp. #13	Elevated Storage Tank	Utilities				\$750,000		\$750,000
WF-10 Imp #15	New WTP	Utilities					\$1,000,000	\$1,000,000
Yearly Totals			\$273,000	\$336,000	\$700,000	\$750,000	\$1,000,000	\$3,059,000



Notes: WF-6, WF-10 funded from depreciation fund.

**WasteWater Dept – Years 6-10**

Project Number	Project Name	Department	FY 2018—2019	FY 2019—2020	FY 2020—2021	FY 2021—2022	FY 2022—2023	Total
WWF-6 Imp. #4	Pump upgrade LS #13	Utilities	\$46,386	-	-	-	-	\$46,386
Yearly Totals								\$46,368

**SPECIAL FUNDING MECHANISMS-GRANTS-LOANS-PROPORTIONATE SHARE**  
(refer to notes)

Project Number	Project Name	Department	FY 2018—2019	FY 2019—2020	FY 2020—2021	FY 2021—2022	FY 2022—2023	TOTAL
SF-1	S.W. 30 <sup>th</sup> Avenue East From S.R. 45	GSA			\$2,000,000			\$2,000,000
SF-2	Water Storage Tank	Utilities		\$1,950,000				\$1,950,000
TOTAL				\$1,950,000	\$2,000,000			\$3,950,000

SF-1 Proportionate fair share; general fund; FOOT funding {intersection}. qa SF-2 Rural infrastructure fund (FL).

**SBAC FIVE-YEAR DISTRICT FACILITIES WORK PLAN**

The School Board of Alachua County's Five-Year District Facilities Work Plan is added to this Capital improvements element Five-Year Schedule by Reference— Note that the city will have neither the obligation nor responsibility for funding the five-year district facilities work program by adoption the SBAC five-year district facilities work plan by reference into this element.

## **PROCEDURE FOR MONITORING AND**

### **EVALUATION OF CAPITAL IMPROVEMENTS ELEMENT**

The role of monitoring and evaluation of the Capital Improvements Element is important to the effectiveness of the City's planning program. This is due to the fluctuations in the revenues and expenditures of the City due to market and economic conditions.

The revenues and expenditures of the City will be used to predict fiscal trends in order to maintain the City's adopted level of service standards for public facilities and recreation. Therefore, the Capital Improvements Element requires a continuous program for monitoring and evaluation, and pursuant to Chapter 163, Part II, Florida Statutes, this element will be reviewed on an annual basis to ensure that the fiscal resources are available to provide the public facilities needed to support the established level of service standards.

The annual review is the responsibility of the City's Local Planning Agency. City staff, designated by the City Clerk will serve as advisory counsel to the Local Planning Agency dealing with all fiscal issues.

The Local Planning Agency shall consider the following points during the annual review to assist in the determination of findings and recommendations to the City Commission:

- (1) The review of the criteria used to evaluate capital improvement projects in order to ensure that projects are being ranked in their appropriate order of priority;
- (2) The City's effectiveness in maintaining the adopted level of service standards;

(3) The impacts of service provisions of other local, regional or state agencies upon the City's ability to maintain the adopted level of service standards;

(4) Efforts by the City to secure grants or private funds, whenever available, to finance the provision of needed capital improvements;

(5) The consideration of any corrections, updates and modifications concerning costs, and revenue sources;

(6) The consistency of the Capital Improvements Element with the other elements of the Comprehensive Plan and most particularly its support of the Future Land Use Element;

(7) The City's ability to provide public facilities within respective geographic service areas in order to determine any need for boundary modification or adjustment; and

(8) The appropriateness of including within the 10-Year Schedule of Improvements those identified improvements needed for the latter part of the planning period.

The findings and recommendations of the Local Planning Agency will be transmitted to the City for review at a scheduled public hearing. Subsequent to review of the findings and recommendations of the Local Planning Agency, the City Commission shall direct City staff to provide the Local Planning Agency with an updated 10-Year schedule of Improvements and any drafts for amendments to the Capital Improvements Element as deemed necessary by the City Commission.

The Local Planning Agency shall consider the annual amendment of the 10-Year Schedule of Improvements at the first scheduled date for consideration of amendments to the City's Comprehensive Plan. All amendments to the Schedule or elements except for corrections, updates,

and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications which are consistent with the plan; or the date of construction of any facility enumerated in this Capital Improvements Element, shall be adopted in accordance with Chapter 163.3187, Florida Statutes, as amended.

## **CONCURRENCY MANAGEMENT SYSTEM**

### **INTRODUCTION**

Florida Statutes require the adoption of a concurrency management system to ensure that facilities and services needed to support development are available concurrent with the impacts of such development and that there is a financially feasible mechanism in place to address costs of facility improvement due to the impacts of approved development. This concurrency management system is designed to ensure that the adopted level of service standards required within this Comprehensive Plan for roads, potable water, sanitary sewer, solid waste, drainage and recreation and open space will be maintained.

The City has adopted policies within this Comprehensive Plan, which establish level of service standards for public facilities, the concurrency management system in turn provides a mechanism for which the City can ensure the maintenance of the standards concurrent with the impacts of development.

### **PURPOSE AND OVERVIEW**

The City shall require a concurrency review be made with applications for development approvals and a Certificate of Concurrency issued prior to development. If the application is deemed concurrent, a Certificate of Concurrency will be issued by the Land Development Regulation Administrator. If the development requires any other development permit, a copy of the Certificate of Concurrency shall be included with any future application for a development permit. A separate concurrency review shall not be required for each development permit for the same project. Concurrency review addresses only the availability of public facilities and capacity of services and a Certificate of Concurrency does not represent overall development approval.

If the application for development is not concurrent, the applicant shall be notified that a certificate cannot be issued for the development. The burden of showing compliance with the adopted levels of service and meeting the concurrency test shall be upon the applicant.

The City shall review applications for development and a development approval shall be issued only if the proposed development does not lower the existing level of service of public facilities and services below the adopted level of service in this Comprehensive Plan.

The minimum requirements for concurrency within this management system are, as follows:

(A) For Sanitary Sewer, Solid Waste, Drainage and Potable Water Facilities

1. A development order or permit may be issued at the time of issuance of a certificate of occupancy or its functional equivalent, if the necessary facilities and services are in place and available to serve the new development; or

2. At the time the development order or permit is issued, the necessary public facilities and services are guaranteed in an enforceable development agreement, pursuant to general law, or Section 163. 3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place and available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent.

(B) For Parks and Recreation Facilities

1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or

2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the City, or funds in the amount of the developer's fair share are committed; and

a. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the City's adopted 10 Year Schedule of the Capital Improvements Element; or

b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or

c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to general law, or Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

#### C. For Transportation Facilities

1. At the time a development order or permit is issued the necessary facilities and services are in place or under construction; or

2. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development

are scheduled to be in place or under actual construction nor more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the City's 10 Year Schedule of the Capital Improvements Element, unless the roadway improvements are scheduled as part of a long term concurrency management provision as provided within Chapter 163, Florida Statutes. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable , adopted Florida Department of Transportation five year work program; or

3. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than three years after the issuance of a certificate of occupancy or its functional equivalent, unless the roadway improvements are scheduled as part of a long term concurrency management provision as provided within Chapter 163, Florida Statutes; or
4. At the time a development order or permit is issued the necessary facilities and services are guaranteed on an enforceable development agreement, pursuant to general law, or Section 163.3220, Florida Statutes, which is part of a long term concurrency management provision established within this Capital Improvements Element, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction as specified within said development agreement, development order and as scheduled within the Capital Improvements Element.

NOTE: The City may address financial feasibility of projects scheduled within the 10 year schedule of capital improvements as a method which the impacts of development on transportation facilities be mitigated by the cooperative efforts of the public and private sectors. This shall be accomplished as provided within an adopted proportionate fair share



ordinance and any associated interlocal agreements established by the City and other governmental entities.

D. For public schools, the concurrency requirement may be satisfied by:

1. Adequate school facilities will be in place or under construction within three years, as provided in the School Board 5-Year District Facilities Plan for School Concurrency adopted as part of this element, after the issuance of the final subdivision, final plat or final site plan for residential development; or
2. Adequate school facilities are available in the adjacent SCOSA, and when adequate capacity at adopted LOS Standards will be in place or under construction in adjacent SCOSA within three years, as provided in the School Board 5-Year District Facilities Plan for School Concurrency, after the issuance of the final subdivision, final plat or final site plan approval; or
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by development of the property subject to the final subdivision, plat or site plan (or functional equivalent) as provided in the Public School Facilities Element.

## CONCURRENCY DETERMINATION PROCEDURES

A concurrency test shall be made of the following public facilities and services for which level of service standards have been established in this Comprehensive Plan, which are (1) traffic circulation, (2) sanitary sewer, (3) solid waste, (4) drainage, (5) potable water and (6) recreation and open space.

The concurrency test for facilities and services will be determined by comparing the available capacity of a facility or service to the demand created by the proposed project. Available capacity will be determined by adding together the total excess capacity of existing facilities and the total capacity of any new facilities which meet the previously defined concurrency standards and subtracting any capacity committed through concurrency reservations or previously approved development orders.

1. For development orders and permits, the following determination procedures shall apply;

a. If an applicant desires to determine whether there is sufficient capacity to accommodate their proposed project, the Land Development Regulation Administrator shall make an informal nonbinding determination of whether there appears to be sufficient capacity in the public facilities and services to satisfy the demands of the proposed project.

If there appears to be insufficient capacity, the Land Development Regulation Administrator shall then make a determination of what public facilities or services would be deficient if the proposed project were approved.

b. There are certain development approvals that are ineligible to receive concurrency reservation because they are too conceptual and, consequently, do not allow an accurate assessment of public facility impacts. These development approvals are land use amendments to the

Comprehensive Plan and rezoning requests. Those development approvals shall receive a nonbinding concurrency determination.

c. Any concurrency determination, whether requested as part of an application for development approval or without an application for development approval, is a nonbinding determination of what public facilities and services are available at the date of inquiry. The issuance of

A Certificate of Concurrency Compliance shall be the only binding action, which reserves capacity for public facilities and services.

2. For Roadways the following determination procedures shall apply:

- a. The City shall provide level of service information as set forth in the most recent Data and Analysis Report in support of the Comprehensive Plan. If this level of service information indicates a level of service failure, the applicant may either (1) accept the level of service information as set forth in the most recent Data and Analysis Report supporting the Comprehensive Plan, or (2) prepare a more detailed Highway Capacity Analysis as outlined in the Highway Capacity Manual, Special Report 209 Third Edition, 1998 or a speed and delay study following the procedures outlined by the Florida Department of Transportation, Traffic Engineering Office in its Manual for Uniform Traffic Studies.
- b. If the applicant chooses to do a more detailed analysis the (1) applicant shall submit the completed alternative analysis to the Land Development Regulation Administrator for review, and (2) Land Development Regulation Administrator shall review the alternative analysis for accuracy and appropriate application of the methodology.
- c. If the alternative methodology, after review and acceptance by the Land Development Regulation Administrator, indicates an acceptable level of service, the alternative methodology shall be

used in place of the most recent Data and Analysis to support the Comprehensive Plan.

- d. The City establishes the Urban Service Area Transportation Concurrency Exception Area (TCEA) which is coincident with the Transportation Enhancement Project Area;

All land uses and development located within the TCEA, shall be excepted from transportation concurrency for roadway level of service standards. Developments outside of the TCEA shall be required to meet transportation concurrency standards.

Transportation concurrency exception granted within the TCEA shall not relive development from meeting the policy requirements set within this

element to address transportation needs within the TCEA, except as delineated within this element.

**DEVELOPMENT RESPONSIBILITIES** - In order to promote orderly development within the Transportation Enhancement Project Area/Transportation Concurrency Exception Area all development within this area shall meet the following standard

Level A – For all development within the TCEA

1. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage;
2. Cross-access connections/easements or joint driveways, where available and economically feasible;
3. Deeding of land or conveyance of required easements along the property frontage to the City, as needed, for the construction of public sidewalks, bus turn-out facilities and/or bus shelters;

4. Closure of existing excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the development site;
5. Provision of safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site;
6. Provision of shading through awnings or canopies over public sidewalk areas to promote pedestrian traffic and provide protection from the weather;
7. Funding of streetscaping/landscaping (including pedestrian scale lighting) on public rights of way or medians as coordinated with General Services Department;
8. Business operations that can be proved to have limited or no peak hour roadway impact shall be exempt from these requirements;

Level B- For all development generating 80 P.M. Peak Hour Trips or greater as determined by the City of Newberry. The City shall apply requirements as demonstrated by a needs analysis of the City General Services Administration, based upon the Department's determination of the impacts of the development

1. Intersection and/or signalization modifications to improve level of service and safety and address congestion management;
2. Addition of dedicated turn lanes into and out of the development;
3. Construction of bus shelters built to City specifications;
4. Construction of bus turn out facilities;
5. Provision of a new transit route (operations and capital costs);
6. Payments to a transit service provider as selected by the City to provide or to increase existing bus service

7. Construction of public sidewalks to increase pedestrian mobility and safety;
8. Deed of land for the addition and construction of bicycle lanes or construction of bicycle lanes to City specifications
9. Provisions of park and ride facilities
10. Construction of new road facilities which provide alternate routes to reduce congestion
11. Addition of lanes on existing road facilities, where acceptable to the City; and
12. An innovative transportation related modification or standard submitted by the developer, where acceptable to and approved by the City.

**CITY RESPONSIBILITIES** - In order to promote orderly development within the Transportation Enhancement Project Area/Transportation Concurrency Exception Area the City shall undertake the following:

1. The City by the end of 2011 shall have prepared a transportation mobility plan which shall address methods to fund the transportation improvements needed within the designate TCEA. This plan shall be submitted to the Florida Department of Community Affairs to insure that this requirement is attained.
2. The City has identified this mobility plan and funding for the plan within the current 5 year schedule of capital improvements.
3. The City has identified specific roadway projects within the 5 year and the long term schedule of capital improvements to address projects that will divert local traffic from the TCEA.
4. In the intervening period and during the preparation of the Mobility Plan, the City will continue working with Regional Transit Systems to encourage the earliest provision of transit service to the City that is economically feasible.
5. The City will work to encourage new and the expansion of existing park and ride facilities within the TCEA.

3. For sanitary sewer, solid waste, drainage, potable water, and recreation and open space the following determination procedures shall apply:

a. The City shall provide level of service information as set forth in the most recent Data and Analysis Report in support of the Comprehensive Plan.

b. If such level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available.

c. If such level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application or inquiry.

4. For public schools, the following determination procedures shall apply:

a. Adequate school facilities will be in place or under construction within three years, as provided in the School Board 5-Year District Facilities Plan for School Concurrency adopted as part of this element, after the issuance of the final subdivision, final plat or final site plan for residential development; or

b. Adequate school facilities are available in the adjacent SCOSA, and when adequate capacity at adopted LOS Standards will be in place or under construction in adjacent SCOSA within three years, as provided in the School Board 5-Year District Facilities Plan for School Concurrency, after

the issuance of the final subdivision, final plat or final site plan approval; or

- c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by development of the property subject to the final subdivision, plat or site plan (or functional equivalent) as provided in the Public School Facilities Element.

In such cases where there are competing applications for public facility capacity, the following order of priority shall apply:

1. Issuance of a building permit based upon previously approved development orders permitting redevelopment;
2. Issuance of a building permit based upon previously approved development orders permitting new development;
3. Issuance of new development orders permitting redevelopment; and
4. Issuance of new development orders permitting new development.

In addition, the following conditions apply to the City's concurrency management system.

1. Amendments to the Comprehensive Plan can be made twice each year and as otherwise permitted as small scale developments. In addition, changes can be made to the Capital Improvements Element by ordinance if the changes are limited to the technical matters listed in Chapter 163, Part II, Florida Statutes.
2. No development order or development permit shall be issued which would require the City Commission to delay or suspend construction of



any of the capital improvements on the 10-Year schedule of the Capital Improvements Element.

3. If by issuance of a development order or development permit a substitution of a comparable project on the 10-Year schedule is proposed, the applicant may request the City to consider an amendment to the 10-Year schedule in one of the twice annual amendment reviews.

4. The result of any development not meeting adopted level of service standards for public facilities shall be cessation of the affected development or the reduction of the standard for level of service, which requires an amendment to the Comprehensive Plan.

### **CERTIFICATE OF CONCURRENCY COMPLIANCE**

A Certificate of Concurrency Compliance shall only be issued upon final development approval. The Certificate of Concurrency Compliance shall remain in effect for the same period of time as the development order or permit granting final development approval. If the development approval does not have an expiration date, the Certificate of Concurrency Compliance shall be valid for twelve months from the date of issuance, or as provided within a Development Agreement per Chapter 163, Florida Statutes.



## IX

### ECONOMIC DEVELOPMENT ELEMENT

#### INTRODUCTION

The following goal, objectives and policies for economic development provide strategic planning for the economic development of the City of Newberry.

The data collected for this plan element and its analysis, contained in the City's Data and Analysis document, are not part of this plan element but provide a basis for its formulation.

#### **ECONOMIC DEVELOPMENT GOALS, OBJECTIVES AND POLICIES**

OVERALL GOAL IX - The overall goal of the City of Newberry Economic Development Element is to provide policy assistance to the City Commission for the recruitment ~~or enablement~~ and retention of more primary industries, which pay higher than the average local wages (Primary industries are defined as contributory industries to the local economy and are contributors to an increase in the standard of living of the community at large); and to provide a basis for plans and programs which are intended to ensure the ~~maintenance~~ maintenance and enhancement of the current level of quality of life of the citizens ~~of in~~ the community, ~~while increasing their standard of living~~ by fostering the health and growth of existing businesses.

GOAL IX.1 ~~1~~ — Accommodate ~~an broad~~ extensive mix of jobs, while actively seeking a greater proportion of living wage higher earning potential jobs that will have greater benefits to a broad cross-section of the people of the City.

OBJECTIVE IX.1—\_\_\_\_\_ Diversify the economy of the City by creating an economic climate conducive to attracting new development and businesses which yield net social and economic benefits to the City.

Policy IX.1.1—\_\_\_\_\_ Encourage economic development activities which provide, either through initial stages or through expansion, the opportunity for employment of local residents and/or increased municipal revenues.

Policy IX.1.2—\_\_\_\_\_ Require the equitable sharing of the full cost of public improvements between the public and private sectors.  
~~Improvements specifically and originally attributed to a single development, development area, or business shall be borne by those entities.~~

Policy IX.1.3—\_\_\_\_\_ The City shall place particular emphasis on activities which increase economic opportunities for persons at or near the poverty level and to activities which eliminate blighted commercial and industrial uses.

Policy IX.1.4—\_\_\_\_\_ Encourage the expansion and attraction of small and medium sized firms with good growth potential, through special programs, including grants in aid, ~~the expansion and attraction of small and medium sized firms with good growth potential~~, SBA partnership programs, and other initiatives. Support the creation and operation of a local farmer’s market, and “Farm to Table” and “Farm to School” projects.

GOAL IX.2—\_\_\_\_\_ Encourage increased activity in the sectors of the economy mentioned below:

- ~~that~~ Industries that P pay higher-than average wage levels
- ÷ Industries that B bring new capital into the local economy, reflecting multiplier effects other than high wage
- ÷ Industries that H have reasonably good future growth prospects

~~Industries that~~ involve a cluster of businesses engaging in similar activities

~~and Industries that~~ Use quality environmental practices.

OBJECTIVE IX.2— \_\_\_\_\_ Encourage a mix of large and small industries and businesses to support a strong and diverse economic base. This mix should create ~~large~~ a significant number of jobs, generate substantial public revenues and involve high levels of private enterprise.

Policy IX.2.1— \_\_\_\_\_ Identify and mitigate, where appropriate, obstacles to the formation and expansion of local businesses. Partner with the local chamber of commerce, local banks, and the SBA to offer support to navigate the mitigation process.

GOAL IX.3— \_\_\_\_\_ Implement policies and incentives to support the development of a highly trained local work force that can better compete for meaningful and productive employment, earn a living wage and meet the needs of business.

~~trained local work force that can better compete for meaningful and productive employment, earn a living wage and meet the needs of business.~~

OBJECTIVE IX.3.1— \_\_\_\_\_ By 2007 the Economic Development Committee will prepare a labor attraction and retention management plan, with emphasis on networking with available educational and vocational institutions that are willing to participate in the training local citizens to support the needed labor pool for area business and industry.

Policy IX.3.1— \_\_\_\_\_ Businesses and industries that are willing to participate in the training of local citizens to fill needed skilled positions, such as participation within the local Workforce Investment Act (WIA) and other similar programs, shall be eligible for such programs as the Community Development Block Grant Program.

GOAL IX.4\_ ——— Create a positive business climate, with high-quality customer service to business and access to working capital and other forms of financial assistance, in order to build a stronger economic future for all Newberry citizens and to nurture entrepreneurship, innovation and business growth. Pursue opportunities to attract business graduating from area business incubator programs, such as the Innovation Hub at UF.

OBJECTIVE IX.4 ——— By<sup>[JK10]</sup> December 2006 the Economic Development Committee shall prepare a community revitalization plan in an effort and as a first step to establish a Community Redevelopment Agency (CRA) for the City.

Policy IX.4.1 ——— As part of the development of the CRA the City shall also incorporate programs such as the **Main Street Program and Complete Streets Program** into its planning and development strategies. The Main Street Program uses an approach that is a common-sense, strategy driven effort that guides community based revitalization efforts while maintaining a sense of place for the city and highlighting local place-based activities. The Complete Streets Program aims to provide safer, context-sensitive roads by putting “the right street in the right place” while improving the quality of life and economic development in the focused area. The Complete Streets Program focuses on serving the transportation needs of all the transportation system users, including but not limited to, cyclists, motorists, transit riders, freight handlers, and pedestrians.

GOAL IX.5 5 ——— Ensure that the infrastructure needed to support the economy is in place, or plans are developed to ensure it is developed within a short-term timeline.

OBJECTIVE IX.5—\_\_\_\_\_ Select commercial and industrial locations which are ~~convenient, while~~ compatible with the growth and future service needs of the City.

Policy IX.5.1—\_\_\_\_\_ Support new business development which ~~does not overburden~~ can operate within the current infrastructure capacities. Provide adequate infrastructure capacity to support new business development, ~~while not negatively~~ while minimizing any or all impacting operations of the existing business base.

Policy IX.5.2—\_\_\_\_\_ Support development projects which broaden and enhance the City's economic base and produce viable ~~long~~ term land use patterns.

Policy IX.5.3—\_\_\_\_\_ Establish areas to be identified in the Comprehensive Plan as planned unit development business parks, which provide for a mix of industrial assembly, research and development, office and general commercial service and retail uses.

Policy IX.5.4—\_\_\_\_\_ New commercial areas are encouraged to cluster in identified areas to prevent and discourage strip development.

Policy IX.5.5—\_\_\_\_\_ Prepare and adopt design standards and best development practices to maintain and improve property values in and adjacent to commercial districts.

GOAL IX.6-\_\_\_\_\_ Recognize Newberry's cultural resources including institutions, art organizations, traditions, historic resources and creative people as important contributors to the City's economic vitality.

OBJECTIVE IX.6—\_\_\_\_\_ By 2007<sup>[JK11]</sup> the City's Historic Sites and Structures shall be resurveyed in a manner that will support the amendment of the Comprehensive Plan and Land Development

Regulations to identify those sites and structures to be protected by historic preservation plan provisions and land development regulations.

Policy IX.6.1—\_\_\_\_\_ The City shall endeavor to coordinate the planning of the Community Revitalization Area and Main Street Program with the amendment of the Historic Preservation Regulations and establishment of the Community Design Standards.

GOAL IX.7\_———Encourage vitality and growth of clean and low impact industries in order to support retention of existing businesses, including small firms and attract such new industries that will expand close-in employment and training opportunities for Newberry’s residents.

OBJECTIVE IX.7——\_\_\_\_\_ The City shall evaluate and ensure that the types of new businesses and industries developing and locating in the Newberry will contribute to maintaining a clean environment and be located in areas with suitable infrastructure and compatible land uses.

Policy IX.7.1—\_\_\_\_\_ Discourage business that have a net negative impact to the community. This includes Bbusinesses that create minimal and/or mitigatable levels of noise, fumes, odors hazardous waste, traffic and other negative factors for the City as a whole and their location in particular.





X.

CITY OF NEWBERRY PUBLIC SCHOOL FACILITIES ELEMENT  
GOALS, OBJECTIVES & POLICIE

GOAL 1: THE CITY SHALL COLLABORATE WITH THE SBAC TO PLAN FOR PUBLIC SCHOOL CAPACITY TO ACCOMMODATE PROJECTED ENROLLMENT DEMAND WITHIN THE FIVE YEAR, TEN YEAR AND TWENTY YEAR PLANNING PERIODS

OBJECTIVE PSFE 1.1: LAND USE AND SCHOOL CAPACITY COORDINATION [9J-5.025(3)(b)(4)(5), and (6) F.A.C.]

It is the objective of the City of Newberry to coordinate land use decisions [see definition] with school capacity planning. This objective will be accomplished recognizing the SBAC's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for future land use, rezoning, and subdivision and site plans for residential development that generate students and impact the Alachua County school system.

Policy PSFE 1.1.1 Coordinated Map Series [9J-5.025(3)(c)(6), (4)(a) and (4)(b) F.A.C.]

The City, in conjunction with the SBAC and Alachua County local governments, shall annually update and maintain a public school facilities map series as supporting data and analysis. This map series including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period, will be coordinated with the City's Future Land Use Map or Map Series,. The Map Series shall include at a minimum:

- (a) A map or maps which identify existing location of public school facilities by type and existing location of ancillary plants
- (b) A future conditions map or map series which depicts the planned general location of public school facilities and ancillary plants and renovated facilities by year for the five year planning period, and for the end of the long range planning period of the host county.
- (c) A map or map series which depicts School Concurrency Service Areas (SCSAs) for high schools, middle schools and elementary schools.

**POLICY PSFE 1.1.2: Coordinating School Capacity with Growth**

The City of Newberry shall coordinate land use decisions rezonings with the SBAC's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods.

**POLICY PSFE 1.1.3: Geographic Basis for School Capacity Planning.**

For purposes of coordinating land use decisions with school capacity planning, the School Concurrency Service Areas (SCSAs) that are established for high, middle and elementary schools as part of the Interlocal Agreement for Public School Facility Planning shall be used for school capacity planning. The relationship of high, middle and elementary capacity and students anticipated to be generated as a result of land use decisions shall be assessed in terms of its impact (1) on the school system as a whole and (2) on the applicable SCSA(s). For purposes of this planning assessment, existing or planned capacity in adjacent SCSAs shall not be considered.

**POLICY PSFE 1.1.4: Criteria for Evaluating Land Use and Development Applications [ILA Section 6.5] [Sec 163.3177(6)(a) F.S.]**

In reviewing land use decisions, the SBAC may address the following issues as applicable:

- a. Available school capacity or planned improvements to accommodate the enrollment resulting from the land use decision;
- b. The provision of school sites and facilities within neighborhoods;
- c. The co-location of parks, recreation and neighborhood facilities with school sites;
- d. The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks for safe access;
- e. Traffic circulation, in the vicinity of schools including the provision of off-site signalization, signage, access improvements, sidewalks to serve schools and the inclusion of school bus stops and turnarounds;
- f. Encouraging the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments;
- g. Whether the proposed location is consistent with any local government's school design and planning policies.

#### POLICY PSFE 1.1.5: SBAC Report to City

The SBAC shall report its findings and recommendations regarding the land use decision to the City. If the SBAC determines that capacity is insufficient to support the proposed land use decision, the SBAC shall include its recommendations to remedy the capacity deficiency including estimated cost and financial feasibility. The SBAC shall forward the Report to all local governments within Alachua County.

#### POLICY PSFE 1.1.6 City to Consider SBAC Report

The City shall consider and review the SBAC's comments and findings regarding the availability of school capacity in the evaluation of land use decisions.

#### POLICY PSFE 1.1.7: Capacity Enhancement Agreements

Where feasible and agreeable to the City, SBAC, affected jurisdictions and the applicant, Capacity Enhancement Agreements shall be encouraged to ensure adequate capacity is available at the time the school impact is created, The SBAC's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods shall be amended to incorporate capacity modification commitments established by Capacity Enhancement Agreements.

Policy 1.1.8 Educational Facilities Benefit District Funding Option. The School Board and local governments may consider establishment of Educational Facilities Benefit Districts [Section 1013.355-357, F.S] as a funding option if needed to achieve or maintain financial feasibility. [Moved from Section 2.5.1(4)]

Policy 1.1.9 SBAC to Report to the Elected Officials Group. The SBAC will annually provide a cumulative report of land use decisions and the effect of these decisions on public school capacity to the Elected Officials Group – comprised of representatives of the School Board,

County and the municipalities within the County – established by the Interlocal Agreement for Public School Facility Planning.

**GOAL 2: PROVIDE ADEQUATE PUBLIC SCHOOL CAPACITY TO ACCOMMODATE ENROLLMENT DEMAND WITHIN A FINANCIALLY FEASIBLE FIVE-YEAR DISTRICT FACILITIES WORK PROGRAM [9J-.025(3)(b)(1)F.A.C.]**

**OBJECTIVE PSFE 2.1 IMPLEMENTATION OF SCHOOL CONCURRENCY**

The City shall coordinate with the SBAC to assure the future availability of adequate public school facility capacity through its authority to implement school concurrency.

**POLICY PSFE 2.1.1 Amendment of Interlocal Agreement**

By July 1, 2008, the City shall amend the Interlocal Agreement for Public School Facility Planning to implement school concurrency in concert with the SBAC and the municipalities. The Interlocal Agreement shall be consistent with the goals, objectives and policies of the Element.

**POLICY PSFE 2.1.2 Ordinance Implementing School Concurrency [9J-5.025(3)(c)(4) F.A.C.]**

Policy 2.1.2 The City shall amend its Land Development Regulations to include provisions for public school concurrency management.

**OBJECTIVE PSFE 2.2: LEVEL OF SERVICE STANDARDS**

The City shall ensure that the capacity of public schools is sufficient to support new residential subdivisions, plats and/or site plans at the adopted level of service LOS standards within the period covered by the five-year schedule of capital improvements and the long range planning period. After the first 5-year schedule of capital improvements, capacity

shall be maintained within each year of subsequent 5-year schedules of capital improvements.

**POLICY PSFE 2.2.1: Uniform Application of LOSS**

The LOS standards established herein shall be applied consistently by all the local governments within Alachua County and by the SBAC district-wide to all schools of the same type.

**POLICY PSFE 2.2.2: LOS Standards [9J-5.025(3)(c)(7)F.A.C.]**

The uniform, district-wide LOS standards shall be 100% of permanent program capacity for elementary, middle, and high schools. This LOS standard shall apply to all concurrency service areas (CSA) as adopted in the Interlocal Agreement, except on an interim basis for the three elementary school concurrency service areas listed below. For combination schools, the School Board shall separately determine the capacity of each school to accommodate elementary, middle and high students and apply the LOS Standard prescribed above for elementary, middle and high levels respectively. The interim LOS standards for these three elementary school concurrency service areas shall be as follows for the periods specified below:

High Springs CS – 120% of permanent Program Capacity through 2010-2011;

Newberry CSA – 115% of Permanent Program Capacity through 2010-2011; and

West Urban CSA – 115% of Permanent Program Capacity through 2010-2011.

**OBJECTIVE PSFE 2.3: SCHOOL CONCURRENCY SERVICE AREAS [9J-5.025(3)(c)(1) F.A.C.]**

The City shall, in coordination with the SBAC and municipalities, establish School Concurrency Service Areas (SCSA's), as the areas within which an evaluation is made of whether adequate school capacity is available based on the adopted LOS standards.

#### POLICY PSFE 2.3.1: School Concurrency Service Areas Maps

SCSAs for high, middle and elementary schools shall be as adopted in the Interlocal Agreement . SCSA boundaries shall be included as a part the Data and Analysis supporting this Element and included in the PSFE Map Series as part of that supporting data

#### POLICY PSFE 2.3.2: Criteria for School Concurrency Service Areas

SCSAs shall be established to maximize available school capacity and make efficient use of new and existing public schools in accordance with the LOS standards, taking into account minimization of transportation costs, limitations on maximum student travel times, the effect of court approved desegregation plans, and recognition of the capacity commitments resulting from the local governments' within the City's development approvals within the SCSA and contiguous SCSAs.

SCSA boundaries shall consider the relationship of school facilities to the communities they serve including of urban reserve and extra-territorial designations under the "Boundary Adjustment Act" and the effect of changing development trends.



POLICY PSFE 2.3.3 Modifying School Concurrency Service Areas [9J-5.025(3)(c)(1) F.A.C.]

The City, in coordination with the SBAC and Alachua County local governments shall require that prior to adopting a modification to SCSAs, the following standards will be met:

- a. Potential modifications to the SCSAs may be considered annually. Supporting data & analysis for modified SCSA's shall be included in the annual update to the SBAC's 5 -Year Work Program
- b. Modifications to SCSA boundaries shall be based upon the criteria as provided in Policy PSFE 2.3.2.
- c. SCSA boundaries shall be modified based on supporting data and analysis showing that the amended SCSA's are financially feasible within the five year period described by the five year schedule of capital improvements.
- d. Any party to the adopted Interlocal Agreement may propose a modification to the SCSA boundary maps.
- e. At such time as the SBAC determines that a SCSA boundary change is appropriate considering the above criteria, the SBAC shall transmit the proposed SCSA boundary modification with data and analysis to support the changes to the Elected Officials Group.
- f. The Elected Officials Group shall review the proposed SCSA boundary modifications and send its comments to the SBAC.

Modifications to a SCSA shall become effective upon final approval by the SBAC and amendment of the Interlocal Agreement for Public School Facility Planning.

## OBJECTIVE PSFE 2.4: SCHOOL CONCURRENCY REVIEW PROCESS

In coordination with the SBAC, the City will establish a joint process for implementation of school concurrency which includes applicability, capacity determination, availability standards, and school capacity methodology.

### POLICY PSFE 2.4.1 Development Review

The issuance of final subdivisions or plats and site plan approvals for residential development shall be subject to the availability of adequate school capacity based on the Level of Service (LOS) standards adopted in this Element.

### POLICY PSFE 2.4.2: Exemptions

The following residential developments are exempt from the school concurrency requirements:

1. Single family lots of record that received final subdivision or plat approval prior to the effective date of the PSFE, or single family subdivisions or plats actively being reviewed at the time of adoption of the PSFE that have received preliminary development plan approvals and in the development approval has not expired.
2. Multi-family residential development that received final site plan approval prior to the effective date of the PSFE, or multi-family site plans actively being reviewed at the time of adoption of the PSFE that have received preliminary development plan approvals and in the development approval has not expired.

3. Amendments to subdivisions or plat and site plan for residential development that were approved prior to the effective date of the PSFE, and which do not increase the number of students generated by the development.
4. Age restricted developments that prohibit permanent occupancy by persons of school age Such restrictions must be recorded, irrevocable for a period of at least thirty (30) years and lawful under applicable state and federal housing statutes. The applicant must demonstrate that these conditions are satisfied
5. Group quarters that do not generate students that will be housed in public school facilities, including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

#### POLICY PSFE: 2.4.3 Student Generation Rates and Costs per Student Station

Student generation rates used to determine the impact of a particular development application on public schools, and the costs per student station shall be determined in accordance with professionally accepted methodologies and adopted annually by the SBAC in the 5-Year Work Program.

#### POLICY PSFE 2.4.4: School Capacity and Enrollment

The uniform methodology for determining if a particular school is meeting adopted LOS standards, shall be determined by the SBAC. The SBAC shall use permanent program capacity as the methodology to determine the capacity of elementary, middle, and high school facilities. School enrollment shall be based on the enrollment of each individual

school based on counts reported by the SBAC to the Department of Education.

**POLICY PSFE 2.4.5: Determination of Adequate Capacity [9J-5.025(3)(c)(8) F.A.C.]**

The SBAC [staff] shall conduct a concurrency review for all development plan approval subject to school concurrency. This review shall include findings and recommendations to the City whether there is adequate school capacity to accommodate the proposed development.

1. Adequate school capacity means there is sufficient school capacity at the adopted LOS standards to accommodate the demand created by a proposed development for each type of school within the affected CSA.
2. The SBAC's findings and recommendations shall address whether adequate capacity exists for each type of school, based on the level of service standards. If adequate capacity does not exist, the SBAC shall identify possible mitigation options that may be considered consistent with the policies set forth within Objective 2.5.

The City will issue a concurrency determination based on the SBAC written findings and recommendations.

**POLICY PSFE 2.4.6: Concurrency Availability Standard**

School concurrency applies only to residential development or a phase of residential development requiring a subdivision or plat approval, site plan, or its functional equivalent, proposed or established after the effective date of the Public School Facilities Element (PSFE).

The City shall amend the concurrency management systems in its land development regulations to require that all new residential development

be reviewed for school concurrency no later than the time of final subdivision, final plat or final site plan. The City shall not deny a final subdivision, final plat or final site plan for residential development due to a failure to achieve and maintain the adopted LOS standards for public school capacity where:

1. Adequate school facilities will be in place or under construction within three years after the issuance of the final subdivision, final plat or final site plan for residential development; or,
2. Adequate school facilities are available in an adjacent SCSA, and when adequate capacity at adopted LOS Standards will be in place or under construction in the adjacent SCSA within three years after the issuance of the final subdivision, final plat or final site plan approval; or,
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by development of the property subject to the final subdivision, plat or site plan (or functional equivalent) as provided in this element.

#### Policy 2.4.7 Reservation of Capacity

The City shall not issue a Final Certificate of Level of Service Compliance for any non-exempt residential development application until the School District has issued a School Capacity Availability Determination Letter verifying capacity is available to serve the development. The School Capacity Determination Letter shall indicate a temporary commitment of capacity of necessary school facilities for a period not to exceed one year from Preliminary Development Plan Approval or until a Final Development Order is issued, whichever occurs first.

(a) Once the City reserves school capacity for concurrency purposes as a part of the Final Development Order, the school capacity necessary to serve the development shall be considered reserved for a period not to exceed three (3) years or until completion of construction of development infrastructure required by the Development Order as specified in the City's Land Development Regulations.

(b) Phased projects, as provided for in the City land development regulations, may obtain approval for a longer period, provided the development order is in accordance with a development agreement entered into by the School Board, City, and the developer, which may include a phasing schedule or other timing plan for development plan approvals, capacity reservation fees, capacity enhancement agreements, or other requirements as determined by the School Board.

(c) The City shall notify shall notify the SBAC within fifteen (15) days of the approval or expiration of a concurrency reservation for a residential development. No further determination of school capacity availability shall be required for the residential development before the expiration of the Final Certificate of Level of Service Compliance, except that any change (that would increase student generation requires review).

## Policy 2.4.8 Subdivision and Site Plan Standards

In the event that the SBAC determines that there is not sufficient capacity in the affected concurrency service area or an adjacent concurrency service area to address the impacts of a proposed development, the following standards shall apply. Either (1) the site plan or final subdivision must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation in Objective PSFE 2.5; or (2) the final site plan or final subdivision must be delayed to a date when capacity enhancement and level of service can be assured

## POLICY PSFE 2.4.9: Capacity Availability

In evaluating a subdivision plat or site plan for concurrency, any relevant programmed improvements in years 2 or 3 of the 5-year schedule of improvements shall be considered available capacity for the project and factored into the level of service analysis. Any relevant programmed improvements in years 4 or 5 of the 5 year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through SBAC funding to accelerate the project, through proportionate share mitigation, or some other means of assuring adequate capacity will be available within 3 years. The SBAC may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed.

## OBJECTIVE PSFE 2.5: PROPORTIONATE SHARE MITIGATION

The City, in coordination with the SBAC, shall provide for mitigation alternatives that are determined by the SBAC to be financially feasible and will achieve and maintain the adopted LOS standard consistent with the adopted SBAC's financially feasible 5-Year Work Program.

## Policy 2.5.1 Mitigation Options

Mitigation may be allowed for those developments that cannot meet the adopted LOS Standards. Mitigation options shall include options listed below for which the SBAC assumes operational responsibility through incorporation in the adopted SBAC's financially feasible Five-Year Work Program and which will maintain adopted LOS standards.

1. The donation, construction, or funding of school facilities or sites sufficient to offset the demand for public school facilities created by the proposed development;
2. The creation of mitigation banking within designated areas based on the construction of a public school facility in exchange for the right to sell capacity credits; and
3. The establishment of a charter school with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF); and,

**POLICY PSFE 2.5.2: Mitigation Must Enhance Permanent Capacity**

Mitigation must be directed toward a permanent capacity improvement identified in the SBAC's financially feasible 5-Year Work Program, which satisfies the demands created by the proposed development consistent with the adopted LOS standards. Relocatable classrooms will not be accepted as mitigation.

**POLICY PSFE 2.5.3: Mitigation to Meet Financial Feasibility**

Mitigation shall be directed to projects on the SBAC's financially feasible 5-Year Work Plan that the SBAC agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the SBAC, the City, and the applicant



which shall be executed prior to the City's issuance of the final subdivision plat or the final site plan approval. If the SBAC agrees to the mitigation, the SBAC must commit in the agreement to placing the improvement required for mitigation on its 5-Year Work Program.

#### POLICY PSFE 2.5.4: Calculating Proportionate Share

The applicant's total proportionate share obligation to resolve a capacity deficiency shall be based on the following:

Number of Student Stations (by School Type) = Number of Dwelling Units by Housing Type X Student Generation Multiplier (by Housing Type and School Type)

Proportionate Share Amount = Number of Student Stations (by School Type) X Cost per Student Station for School Type.

The above formula shall be calculated for each housing type within the proposed development and for each school type (elementary, middle or high) for which a capacity deficiency has been identified. The sum of these calculations shall be the proportionate share amount for the development under review.

The SBAC average cost per student station shall only include school facility construction and land costs, and costs to build schools to emergency shelter standards when applicable.

The applicant's proportionate-share mitigation obligation shall be credited toward any other impact or exaction fee imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

**OBJECTIVE 2.6 ADOPTION OF SBAC FIVE-YEAR WORK PROGRAM [9J-5.025(3)(b)(1) and (3)F.A.C.]**

Effective July 1, 2008 and no later than December 1st of each year thereafter, the City shall adopt by reference in its Capital Improvements Element, the SBAC's annually updated 5-Year Work Program.

Policy 2.6.1 Development, Adoption and Amendment of the SBAC 5-Year Work Program. The SBAC shall annually update and amend the Five-Year Work Program to reflect the (LOS) standards for schools to add a new fifth year, which continues to achieve and maintain the adopted LOS for schools. The Five-Year Work Program ensures the level of service standards for public schools are achieved and maintained within the period covered by the 5-year schedule. The Five-Year Work Program shall also address the correction of existing facility deficiencies and facilities needed to meet future needs. After the first 5-year schedule of capital improvements, annual updates to the schedule shall ensure levels of service standards are achieved and maintained within the subsequent 5-year schedule of capital improvements necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standards. The City shall have neither obligation nor responsibility for funding the Five-Year Work Program by adopting the SBAC's Five-Year Work Program into the Capital Improvements Element.

GOAL 3: Provide safe and secure schools sited within well designed communities.

Objective PSFE 3.1 School location (ILA Section 4.2) – The City shall establish standards and criteria to guide the location of future schools.

POLICY PSFE 3.1.1 Coordination of Existing School Facilities and Sites Existing schools and sites acquired prior to July 1, 2008, shall be considered consistent with the Comprehensive Plan. If the SBAC of Alachua County submits an application to expand an existing school site, the City may impose reasonable development standards and conditions on the expansion only, and in a manner consistent with Florida Statutes.

Standards and conditions may not be imposed which conflict with those established in chapter 1013, F.S., or the State Uniform Building Code, and Policy URA 1.3.5 of this Comprehensive Plan, unless mutually agreed. In accordance with chapter 1013, F.S., and Policy URA 1.3.5., site plan review or approval shall not be required for:

- a. The placement of temporary or portable classroom facilities; or;
- b. Proposed renovation or construction on existing school sites, with the exception of construction that changes the primary use of a facility, includes stadiums, or results in a greater than 5 percent increase in student capacity, or as mutually agreed.

#### POLICY PSFE 3.1.2 Coordination of Future School Facilities and Sites [ILA Section 4.5]

As of July 1, 2008 all new public schools built within the City will be coordinated with the SBAC to verify consistency between the location of public school with the City's Future Land Use Map, ensure that the new schools are proximate and consistent with existing and proposed residential areas, serve as community focal points, are co-located with other appropriate public facilities when possible, and shall have the on-site and off-site infrastructure necessary in place to support the new school.

#### POLICY PSFE 3.1.3 Future Land Use Map to Designate Land Use Classifications Where Schools Are Permitted

- a. Public educational facilities shall be allowable uses within the designated Urban Service Area: Low density, Medium density, and High density ranges, as well as, Mixed Use and Planned Developments and industrial arts curriculum in industrial land use classifications.

POLICY PSFE 3.1.4: Schools Prohibited in Specified Areas. The following areas shall be avoided when locating future educational facilities in the City of Newberry:

- a. Noise Attenuation Area or Noise Sensitive District, and other airport impact areas as prohibited by Chapter 333, Florida Statutes.
- c. Areas within the designated Rural Area of the City, as well as lands classified on the Future Land Use Plan Map as Agricultural.
- d. Existing or designated industrial districts (except for schools teaching industrial arts curriculum).
- e. Any area where the nature of existing or proposed adjacent land uses would endanger the safety of students or decrease the effective provision of education.

**OBJECTIVE PSFE 3.2 ENCOURAGE SCHOOLS AS FOCAL POINTS OF COMMUNITY PLANNING AND DESIGN. [9J-5.025(3)(b)(4), (5) and (6)]**

**POLICY PSFE 3.2.1 ENHANCE COMMUNITY/NEIGHBORHOOD DESIGN**

The City, in conjunction with the SBAC, shall promote the neighborhood concept in new developments or redevelopment by encouraging the use of existing schools as neighborhood centers or focal points.

**POLICY PSFE 3.2.2 Location of Elementary and Middle Schools**

Policy 5.3.2 - Elementary and middle schools are encouraged to locate:

- a. within existing or proposed residential areas or village centers, and
- b. near existing or designated public facilities such as parks, recreational areas, libraries, and community centers to facilitate the joint use of these areas.

**OBJECTIVE 3.3 STANDARDS FOR SCHOOL SITE DESIGN**

The City will establish standards for school siting and site design to provide security and safety of children and to provide a functional educational environment

#### POLICY PSFE 3.3.1 Land Development Regulations to Provide Reasonable Standards

Land development regulations for public and private educational facilities shall include reasonable development standards and conditions, and shall provide for consideration of the site plan's adequacy as it relates to environmental concerns, health, safety, and general welfare, promotion of safe pedestrian and bicycle access with interconnections to related uses, and effects on adjacent property

#### POLICY PSFE 3.3.2 Compatibility of Adjacent Uses

The City shall review development proposals for compatibility of uses adjacent to existing schools and known future school sites.

#### POLICY PSFE 3.3.3 School Accessibility

The City shall coordinate with the SBAC to require that both existing school facilities and proposed school sites are accessible from and integrated into a planned system of sidewalks, bike trails, and bikeways.

#### POLICY PSFE 3.3.4 Bus Stops

The City shall, in cooperation with the SBAC, develop and adopt design standards for school bus stops and turnarounds in new developments and re-development projects.

#### POLICY PSFE 3.3.5 – Safe Ways to School

To reduce hazardous walking conditions consistent with Florida's safe ways to school program, the City of Newberry, in coordination with the SBAC, shall implement the following strategies:

- a. New developments adjacent to school properties shall be required to provide a right-of-way and a direct safe access path for pedestrian travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network;
- b. For new development and redevelopment within 2 miles of an existing or planned school, the City shall require sidewalks along the property for the corridor that directly serves the school, or qualifies as an acceptable designated walk or bicycle route to the school;
- c. To ensure continuous pedestrian access to public schools, priority will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year
- d. Evaluate school zones to consider safe crossing of children along major roadways, including possible speed limit reductions from 25 mph to 15 mph in school zones; and prioritize areas for sidewalk improvements including: schools with a high number of pedestrian and bicycle injuries or fatalities, schools requiring courtesy busing for hazardous walking conditions, schools with significant walking populations, but poor pedestrian and bicycle access, and schools needing safety improvements;

#### OBJECTIVE PSFE 3.4 SCHOOL SITING STANDARDS

The City will establish siting standards for schools.

POLICY PSFE 3.4.1 Evaluation of Potential School Sites [ILA Section 4.4]

Potential school sites shall be consistent with the following school siting standards, to the extent practicable:

- a. The location of schools proximate to urban residential development and contiguous to existing school sites, and which provide potential focal points for community activities, including opportunities for shared use and co-location with other community facilities;
- b. The location of elementary schools proximate to and, within walking distance of the residential neighborhoods served;
- c. Elementary schools should be located on local or collector streets;
- d. Middle and high schools should be located near arterial streets;
- e. Compatibility of the school site with present and future land uses of adjacent property considering the safety of students or the effective provision of education;
- f. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization, efficient use of existing infrastructure, and the discouragement of urban sprawl;
- g. Site acquisition and development costs;
- h. Safe access to and from the school site by pedestrians, bicyclists and motor vehicles;
- i. Existing or planned availability of adequate public facilities and services to support the School;
- j. Environmental constraints that would either preclude or render infeasible the development or significant expansion of a public school on the site

- k. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archaeological resource;
- l. The proposed location is consistent with the local government comprehensive plan, storm water management plans, or watershed management plans;
- m. The proposed location is not within a velocity flood zone or floodway, as delineated on pertinent maps identified or referenced in the applicable comprehensive plan or land development regulations;
- n. The proposed site can accommodate the required parking, circulation and queuing of vehicles; and
- o. The proposed location lies outside the area regulated by Section 333.03, F.S., regarding the construction of public educational facilities in the vicinity of an airport.

#### **OBJECTIVE PSFE 3.5: SCHOOL DEVELOPMENT STANDARDS**

The City shall establish development standards for schools to achieve compatibility with surrounding neighborhoods and the community.

##### **POLICY PSFE 3.5.1 School Development Standards**

The City shall require the development of school sites to be consistent with the following standards provided these provisions are not in conflict with the SREF or unless the Newberry City Commission approves changes or modifications:

- a. The location, arrangement, and lighting of play fields and playgrounds shall be located and buffered as may be necessary to minimize impacts to adjacent residential property.



- b. The following minimum size guidelines have been recommended by the SBAC: Elementary School - 15 25 acres, Middle School - 30 35 acres, High School - 65 acres
- c. Maximum height of the school structure shall adhere to the height requirements established for the zoning district for the school site zoning district.
- d. Building setbacks from property lines for all schools shall adhere to the minimum building setback requirements established for the zoning district for the school site zoning district.
- e. All parking areas on school sites shall adhere to the minimum setback requirements established for the zoning district.
- f. Access to school sites shall be governed by the City's and FDOT's access management regulations, including installation by the SBAC, or other party as determined by the City, of all access-related improvement required by such regulations. All school sites shall be connected to the existing network by existing paved roads.
- g. The site shall be required to provide bicycle/pedestrian connections to sidewalks, trails, and bikeways internal or adjacent to residential neighborhoods, including the provision of safe roadway crossings.
- h. Development of the site shall be consistent with applicable wetland policies contained within the Conservation and Open Space Element of this plan.

**OBJECTIVE PSFE 3.6 COORDINATION OF SUPPORTING  
INFRASTRUCTURE [9J-.025(3)(c)(5)]**

The City shall coordinate with the SBAC plans for supporting infrastructure.

#### **POLICY PSFE 1.5.1 Coordination of Planned Improvements**

The City shall annually update and amend the Capital Improvements Element to include the SBAC's 5-Year Work Program to reflect the infrastructure required to support new school facilities.

#### **GOAL 4: PROMOTE AND OPTIMIZE INTERGOVERNMENTAL COOPERATION FOR EFFECTIVE FUTURE PLANNING OF PUBLIC SCHOOL SYSTEM FACILITIES.**

#### **OBJECTIVE PSFE 4.1 SCHOOL BOARD REPRESENTATION**

##### **POLICY PSFE 4.1.1 Appointed LPA Members. [Section 163.3174(1) F.S.]**

The City will include a representative appointed by the School Board on the Local Planning Agency (LPA) to attend those meetings at which the agencies consider comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. (ILA Section 6.2)

##### **POLICY PSFE 4.1.2 Development Review Representative**

The School Board will appoint a representative to advise the Local Government review committee, or equivalent body on development and redevelopment which could have a significant impact on student enrollment or school facilities. [ILA Section 6.2]

#### **OBJECTIVE PSFE 4.2 JOINT MEETINGS**

The City shall participate in meetings and other actions established to promote coordination and the sharing of data and information.

#### POLICY PSFE 4.2.1 Staff Working Group [ILA Section 1.1]

A staff working group of the County, SBAC and municipalities will meet on a semi-annual basis to identify issues and assemble and evaluate information regarding coordination of land use and school facilities planning including population and student projections, development trends, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access. A staff representative from the Regional Planning Council will also be invited to attend. A designee of the School Board shall be responsible for coordinating and convening the semi-annual meeting.

#### POLICY PSFE 4.2.2 Annual Meeting of Elected Officials

One or more representatives of the City each Alachua County local government and the School Board will meet at least annually in joint workshop sessions. A representative of the Regional Planning Council will also be invited to attend. The joint workshop sessions will be opportunities for the City Commission, the other Alachua County City/County Commissions or Councils, and the School Board to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The Superintendent of Schools, or designee, shall be responsible for making meeting arrangements and providing notification to the general public of the annual meeting. [ILA Section 1.2]

## OBJECTIVE PSFE 4.3 STUDENT ENROLLMENT & POPULATION PROJECTIONS [ILA Section 2]

The City will coordinate with the SBAC and the municipalities to maintain and update student enrollment and population projections.

### POLICY PSFE 4.3.1 Annual Revision and Distribution.

The City will coordinate and base its plans upon consistent projections of the amount, type, and distribution of population growth and student enrollment. Countywide 5-year population and student enrollment projections shall be revised annually. [ILA Section 2.1]

### POLICY 4.3.2 Enrollment Projections.

The School Board shall use student population projections based on information produced by the demographic and education estimating conferences pursuant to Section 216.136, Florida Statutes and the DOE Capital Outlay Full-Time Equivalent (COFTE). The School Board may request adjustment to the projections based on actual enrollment and development trends. In formulating such a request the SBAC will coordinate with the Cities and County regarding development trends, enrollment projections and future population projections. [ILA Section 2.2]

### POLICY PSFE 4.3.3 Planning Data.

The School Board will consider City generated data on growth and development to allocate the projected student enrollment into school attendance zones. [ILA Section 2.3]

### POLICY PSFE 4.3.4 The School District's Five-Year Facilities Work Program.

No later than August 15th of each year, the School Board shall submit to the City the district's tentative Five Year Facilities Work Program. The program will be consistent with the requirements of Sections 1013.33 and 1013.35, F.S., and include projected student populations apportioned geographically, an inventory of existing school facilities, projections of facility space needs, information on relocatables, general locations of new schools for the 5, 10, 20 year time periods, and options to reduce the need for additional permanent student stations. The program will be financially feasible for a five-year period. The City shall review the program and provide comments to the School Board within 30 days on the consistency of the program with the local comprehensive plan, including the capital improvements element and whether a comprehensive plan amendment will be necessary for any proposed educational facility. [ILA Section 3.1]

#### POLICY PSFE 4.3.5 Educational Plant Survey.

At least one year prior to preparation of each Educational Plant Survey, the Staff Working Group established Policy PSFE 4.2.1 will assist the School Board in an advisory capacity in preparation of the survey. The Educational Plant Survey shall be consistent with the requirements of Section 1013.33, F.S., and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with local government comprehensive plans. The Staff Working Group will evaluate and make recommendations regarding the location and need for new schools, significant expansions of existing schools, and closures of existing facilities, and the consistency of such plans with the local government comprehensive plan. [ILA Section 3.2]

#### POLICY PSFE 4.3.6 Growth and Development Trends. [ILA Section 3.3]

The City will provide to the SBAC on an annual basis and in accordance with a schedule described in the Interlocal Agreement, a report on growth

and development trends for the preceding calendar year within their jurisdiction. These reports will include the following:

- (a) The type, number, and location of residential units which have received development plan approval;
- (b) Information regarding comprehensive land use amendments which have an impact on school facilities;
- (c) Residential building permits and / or certificates of occupancy issued for the preceding year and their location;
- (d) The identification of any development orders issued which contain a requirement for the provision of a school site as a condition of development approval.
- (e) Other information relevant to monitoring for school concurrency.

#### OBJECTIVE PSFE 4.4 SCHOOL SITE SELECTION, EXPANSIONS AND CLOSURES [ILA Section 4]

The City, in conjunction with the SBAC, shall implement an effective process for identification and selection of school sites and for the review of significant expansions and closures

##### POLICY 4.4.1 Advisory Committee. [ILA Section 4.1]

The SBAC will establish a School Planning Advisory Committee (SPAC) for the purpose of reviewing potential sites for new schools, proposals for significant school expansions and potential closure of existing schools. Based on information gathered during the review, the SPAC will submit recommendations to the Superintendent of Schools. The SPAC will be a standing committee and will meet on an as needed basis. In addition to appropriate representatives of the School Board staff, the SPAC will include at least one staff member of the County, a staff representative from each of the Cities, and a diverse group of community members.

##### POLICY 4.4.2 New School Sites. [ILA Section 4.2]

When the need for a new school site is identified in the Five Year Facilities Work Program, the SPAC will develop a list of potential sites in the area of need. The list of potential sites for new schools will be submitted to the City with jurisdiction for an informal assessment regarding consistency with this Element, Based on the information gathered during this review, and the evaluation criteria set forth in this Element, the SPAC will make a recommendation to the Superintendent of one or more sites in order of preference.

#### POLICY 4.4.3 Expansions and Closures.

For significant expansions and potential closures, the SPAC will make appropriate recommendations to the Superintendent.

#### POLICY PSFE 4.4.4 Expeditious Consistency Review [ILA Section 4.5]

At least 60 days prior to acquiring or leasing property that may be used for a new public educational facility, the SBAC shall provide written notice of its intent to the City. The City shall notify the SBAC within 45 days of receipt of this notice if the proposed new public education facility site is consistent with the local government's comprehensive plan. This notice does not constitute the local government's determination of consistency of any proposed construction pursuant to Section 1013.33 (12), (13), (14), (15), F.S.

#### OBJECTIVE PSFE 4.5 CAPITAL FUNDING MANAGEMENT

The City will support SBAC of efforts to effectively and efficiently manage capital funds and resources.

#### POLICY PSFE 4.5.1 Alternative Funding Strategies

The City shall support the SBAC in its efforts to research and support alternative funding for school capital needs, including, but not limited to, educational benefit units, and Community Development Districts

**POLICY PSFE 4.5.2 Private Partnering**

The City shall coordinate with the SBAC to encourage the private sector to identify and implement creative solutions, such as joint use facilities and alternative design, as well as requiring land dedication and requiring adequate school facilities in residential developments.

**POLICY PSFE 4.5.3 Support for Creative Partnerships**

The City shall support the SBAC by giving priority consideration for development approvals when property owners provide donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovations to existing facilities, and provide transportation alternatives.

**OBJECTIVE PSFE 4.6      MAXIMIZE CO-LOCATION OPPORTUNITIES**

The City shall maximize co-location opportunities between the County, the SBAC, and other jurisdictions.

**POLICY PSFE 4.6.1 Co-location of Facilities**

The City of Newberry shall co-locate public facilities such as parks, recreational areas, libraries, and community centers with schools to the extent possible. The City will look for opportunities to co-locate and share use of City facilities when preparing updates to the Comprehensive



plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities.

#### POLICY PSFE 4.6.2 Collaboration on Co-location

Upon notice by the SBAC that it is considering acquisition of a school site, the City shall promptly notify the SBAC of the City's interest, if any, in joint acquisition or co-location for other public facilities.

#### POLICY PSFE 4.6.3 Joint Use Agreements

The City and the SBAC shall, where feasible, enter into agreements for joint-use facilities, to include but not be limited to, schools, community centers, libraries and parks.

#### POLICY PSFE 4.6.4 Emergency Preparedness

##### Policy 5.3.11 – Emergency Shelters

To build new school facilities, and rehabilitate existing facilities and expansions, to be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes, The City of Newberry will coordinate with the SBAC and adjacent municipalities on requirements for such efforts.

#### OBJECTIVE 4.7 SCHOOL SITE IDENTIFICATION

The City, in conjunction with the SBAC, shall implement an effective process for identification of school sites.

#### POLICY PSFE 4.7.1 School Site Identification

The City shall coordinate with the SBAC to identify and acquire future school sites prior to or concurrent with changes in urban service lines, land use, zoning or approval of projects generating new students.

#### POLICY PSFE 4.7.2 Use of Dedicated Property

Require within any developer agreement, zoning condition, or development order condition that any property required to be conveyed for public services to the City may be transferred to the SBAC, with or without consideration except that, as applicable, to develop educational facilities, and conversely, if the SBAC deems any donated property through a developer agreement, zoning condition or development order condition unsuitable for a school site, then it may transfer or lease said property to the City for any public use with or without consideration, as applicable. Said agreements and conditions may provide that any such properties may be transferred directly to the SBAC.

#### POLICY PSFE 4.7.3 Use of Surplus Property

Before disposing of surplus property, the City shall notify the SBAC and conversely, the SBAC shall notify the City.

#### POLICY PSFE 4.7.5 Conveyance of School Sites

The City shall facilitate the conveyance of land, as required by the SBAC and consistent with this Element, to address the impact of residential dwelling units on the school system.

#### POLICY PSFE 4.7.6 Density Transfer

The City shall, consistent with this Comprehensive Plan, allow for the transfer of the entitled density of a school site, onto existing developable areas of the parent site proposed for residential development or redevelopment.

GOAL PSFE 5: monitoring and evaluation of public school facilities element

OBJECTIVE PSFE 5.1: Coordinate the Comprehensive Plan with School Facilities Plans On an ongoing basis, the City of Newberry shall evaluate the comprehensive plan with the school facilities plans of the SBAC to ensure consistency with the comprehensive plan.

POLICY PSFE 5.1.1: Coordination of Plan Amendments

The City of Newberry and the SBAC will coordinate during updates or amendments to the City's Comprehensive Plan and updates or amendments for long-range plans for School Board facilities. Amendments to the Public School Facilities Element will be initiated following the procedures of the Interlocal Agreement and amendments to the Capital Improvements Element to incorporate the School Board's adopted Work Program shall occur prior to December 1st of each year

POLICY PSFE 5.1.2: Annual Meeting of the School Working Group

Consistent with the Interlocal Agreement, the School Working Group will meet at least once per year to discuss issues related to the effectiveness of implementing the Public School Facilities Element and Interlocal Agreement and discuss recommendations for change.

POLICY PSFE 5.1.3: Annual Meeting of the City and the SBAC

On an annual basis, the City of Newberry and the School Board will conduct a workshop on implementing the Public School Facilities Element and Interlocal Agreement

Definitions. The terms used in this subsection shall be defined as follows:[ILA Section 8.1]

1. Adequate school capacity - the circumstance where there is sufficient school capacity by school type, based on adopted Level of Service (LOS) standards, to accommodate the demand created by a proposed residential development.
2. Affected Jurisdictions – Local governments that are parties to the Interlocal Agreement for Public School Facilities Planning and are physically located within the same SCSA(s) as the area affected by a land use decision that may increase public school enrollment.
3. Capacity - "capacity" as defined in the FISH Manual.
4. Capacity Enhancement Agreement – An agreement between the SBAC, affected jurisdictions and a private entity (land owner, developer, applicant, etc) for the mitigation of school capacity deficiencies that are anticipated to result from a land use decision.
5. Existing school facilities - school facilities constructed and operational at the time a completed application for residential development is submitted to the County and Cities.
6. Final Subdivision or Plat / Final Site Plan – The stage in residential development where permits or development orders are approved authorizing actual construction of infrastructure, the recording of a final plat or the issuance of building permits.
7. FISH Manual - the document entitled "Florida Inventory of School Houses (FISH)," 2006 edition, and that is published by the Florida Department of Education, Office of Educational Facilities (hereinafter the "FISH Manual"). [ <http://www.fldoe.org/edfacil/> ]
8. Land Use Decisions – future land use amendments, developments of regional impact, rezonings and other residential development

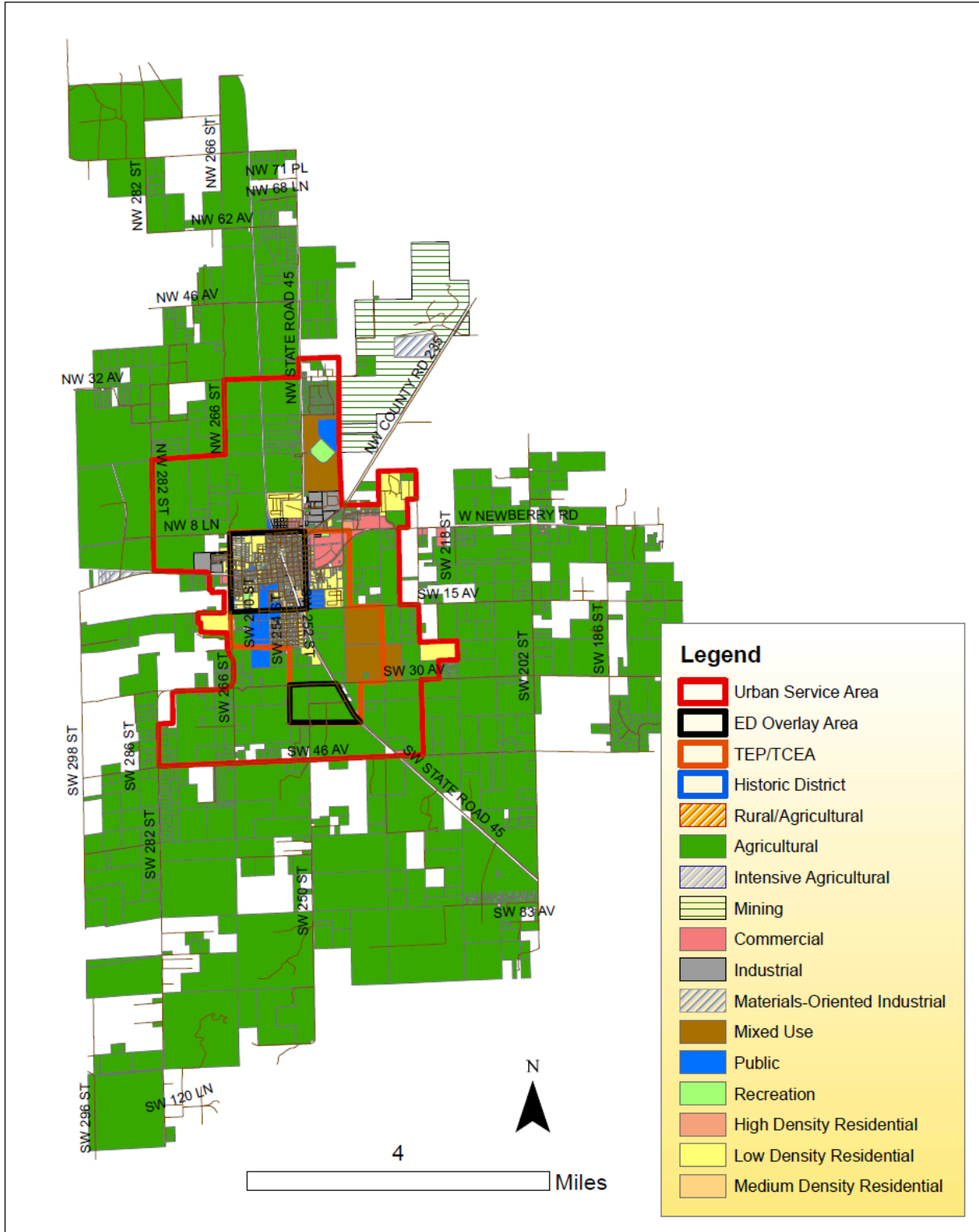
approvals under the Land Development Code that precede the application of school concurrency and do not require a Certificate of School Concurrency.

9. Permanent FISH Capacity - capacity that is provided by "permanent buildings," as defined in the FISH Manual.
10. Permanent Program Capacity – capacity that is provided by “permanent buildings” as defined in the FISH Manual and modified by the SBAC to reflect measurable programmatic changes
11. Planned school facilities - school facility capacity that will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, pursuant to the School Board’s adopted Five Year Facilities Work Program.
12. Preliminary Subdivision or Plat / Preliminary Site Plan – Any conceptual approval in residential that precedes the review of detailed engineering plans and/or the commencement of actual construction of infrastructure.
13. State Requirements for Educational Facilities – Standards established by the State of Florida for the design and construction of public educational facilities. [<http://www.fldoe.org/edfacil/sref.asp>]
14. Total school facilities - Existing school facilities and planned school facilities.
15. Utilization of capacity - current enrollment at the time of a completed application for residential development.
16. Work Program - the financially feasible School District’s Five Year Facilities Work Program adopted pursuant to section 1013.35, F.S.

17. Measurable programmatic change - means a change to the operation of a school or the use of the school facility that has consistently and measurably modifies the capacity such as the use of classrooms for special education or other special purposes.

18. School Type - Elementary Schools are grades Pre Kindergarten Exceptional Student Education (PK- ESE) through 5; Middle Schools are grades 6 through 8; and High School are grades 9 through 12.

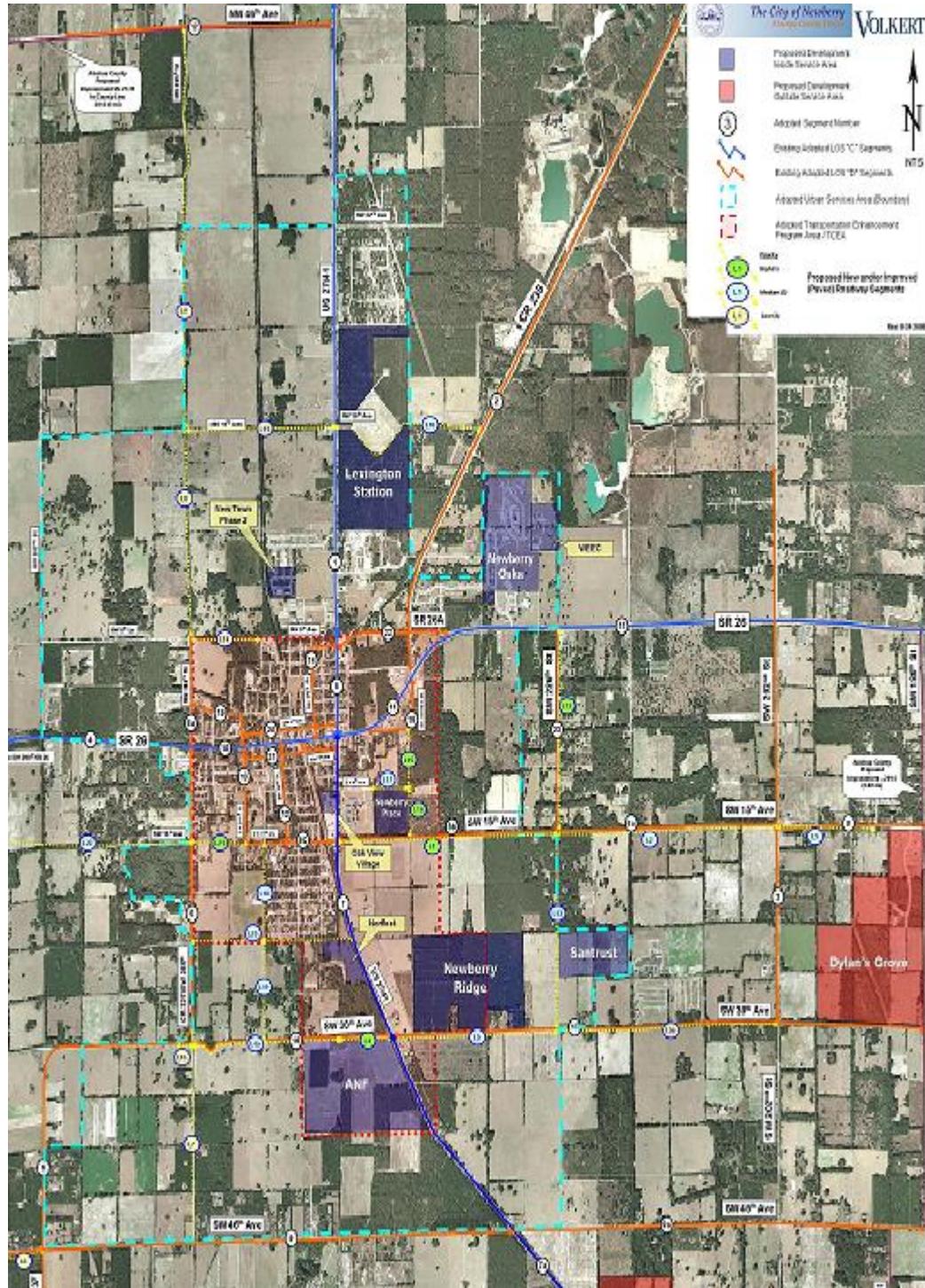
# FUTURE LAND USE PLAN MAP



CPA 09-1 TEP/TCEA Adopted by Ordinance No. 16-09  
 CPA 09-3 Agricultural Amendment Adopted by Ordinance No. 18-09



# FUTURE TRAFFIC CIRCULATION MAP





## FUTURE LAND USE MAP SERIES

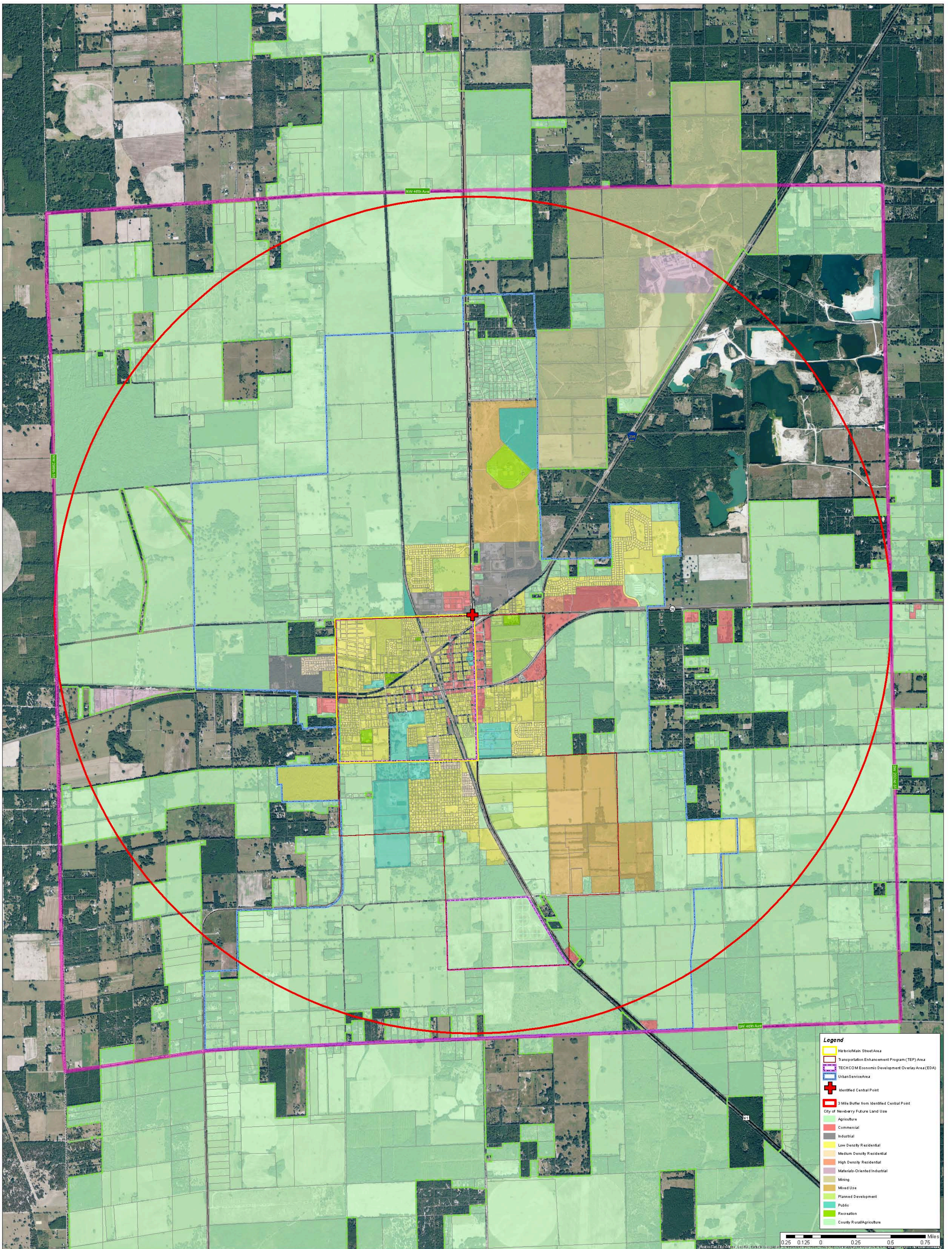
The Future Land Use Map Series (including Historic District Maps)  
may be obtained at the City of Newberry Planning Department

Geographic Maps may be obtained at the

~~Word Wide Web~~ Internet Address:

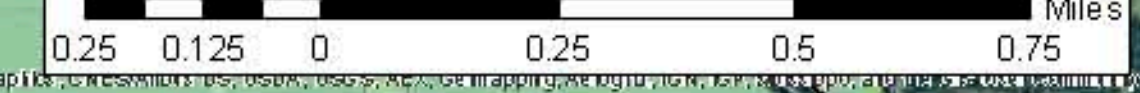
<https://growth-management.alachuacounty.us/gis/maps/>~~http://growth-~~  
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**Legend**

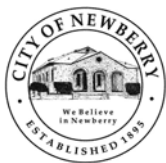
- Historic/Main Street Area
- Transportation Enhancement Program (TEP) Area
- TECHCOM Economic Development Overlay Area (EDA)
- Urban Service Area
- Identified Central Point
- 3 Mile Buffer from Identified Central Point
- City of Newberry Future Land Use
- Agriculture
- Commercial
- Industrial
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Materials-Oriented Industrial
- Mining
- Mixed Use
- Planned Development
- Public
- Recreation
- County Rural/Agriculture



**City of Newberry, FL  
New Urban Service Area Boundary**







# CITY OF NEWBERRY

## Planning & Economic Development Department

25815 S.W. 2<sup>nd</sup> Avenue, P.O. Box 369 Newberry, Florida 32669 (352) 472-5440

MINUTES  
PLANNING AND ZONING BOARD MEETING  
MONDAY, JUNE 20, 2016 AT 6:00 PM  
NEWBERRY CITY HALL  
25440 WEST NEWBERRY ROAD  
NEWBERRY, FLORIDA

I. CALL TO ORDER

Chair Glanzer called the meeting to order at 6:05 p.m. and read the agenda in its entirety.

QUORUM CHECK

MEMBERS PRESENT:

Joy Glanzer, Chair  
Pastor Lewis King  
Wanda Laird

CITY STAFF PRESENT:

Bryan Thomas, Director of Planning  
Jean Marie Evans, Planning Administrative Assistant

II. APPROVAL OF AGENDA

Wanda Laird made a motion to approve the agenda as presented; Lewis King seconded the motion.

MOTION CARRIED; 3-0.

III. APPROVAL OF MINUTES OF THE MAY 02, 2016 PLANNING AND ZONING BOARD MEETING

Wanda Laird made a motion to approve the minutes; Lewis King seconded the motion

MOTION CARRIED; 3-0.

IV. OLD BUSINESS – NONE

V. NEW BUSINESS

A. **CPA 16-02** - Bryan Thomas introduced Ryan Thompson and Gerry Dedenbach of CHW, Inc., the consulting firm engaged by the City of Newberry to assist in the crafting of amendments to the City of Newberry Comprehensive Plan. Gerry Dedenbach gave a presentation on the proposed amendments to the text of the Future Land Use Element, Future Land Use Plan Map, Economic Development Element and Capital Improvement Element of the City of Newberry Comprehensive Plan. The proposed changes are related to the addition of a new Future Land Use category, "Corporate/Research Park," modifications to the Urban Services Area boundary, and modifications to the Economic Development and Capital Improvements Element. Gerry described the evolution of the amendments to the Comp Plan that were made during the five public workshops held over the last several months, and the input from the public and the City Commission. Gerry explained the changes to the Future Land Use Element and sub-elements, Economic Development Element and the expansion of the Urban Service Area boundary on the Map. He also explained that the City Commission

and community expressed a strong desire to preserve Newberry's agricultural heritage and rural feel. Another core concept derived during the workshops was that growth should emanate from the city's core, where water & sewer infrastructure is more readily available.

Gerry discussed adding the Corporate/Research Park land use category to the Future Land Use Element, which would include advanced manufacturing and R&D, as well as supporting uses, such as retail and housing. Other amendments to the Future Land Use Element would provide appropriate locations for mixed use office oriented development to promote and foster the growth of established industries within the City. Land developed in the Corporate/Research Park land use category should be designed in a campus-like setting to maximize value, with ample pedestrian friendly features.

Gerry explained that another recommendation from the public workshops was the revision of the Urban Services Area boundary. The new Urban Services Area boundary will extend from the center of the city to a three-mile radius. The revised Urban Services Area extends north to NW 46<sup>th</sup> Avenue, east to NW/SW 202<sup>nd</sup> Street, south to SW 46<sup>th</sup> Avenue, and west to the Alachua County boundary.

Bryan asked the Board to consider an additional amendment to the Capital Improvement Element which would allow the City to use funds from the New Local Option Gas Tax for paving and resurfacing projects. A complete inventory of streets and roads in the City was completed in 2015 which categorizes the condition of each road segment from 1 to 3, 1 being the worst, 3 the best, condition. The amendment to the CIE would allow for gas tax funds to be used to either pave or resurface roads in categories 1 or 2, bringing them up to level 3 standard.

A MOTION WAS MADE BY Lewis King and seconded by Wanda Laird to recommend approval of application CPA 16-02, amending the Future Land Use, Economic Development, and Capital Improvements Elements of the City of Newberry Comprehensive Plan, to the City Commission.

MOTION CARRIED 3-0.

VI. TOPICS FROM MEMBERS FOR DISCUSSION - None.

**ADJOURN** – The meeting adjourned at 6:54 p.m.

**ATTEST:**

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**Joy Glanzer, Chair**