



# Alachua County Development Review Committee Staff Report

Project Number: 2020051105

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## Final Development Plan and Plat for Tara Lane Subdivision

**SUBJECT:** Tara Lane (fka Tara 23<sup>rd</sup>)

**DESCRIPTION:** 19-lot residential subdivision with associated infrastructure and plat

**AGENT/APPLICANT:** eda engineers-surveyors-planners, inc

**PROPERTY OWNER:** Robert Wideman

**PROPERTY DESCRIPTION:**

Location	8000 block of NW 23 <sup>rd</sup> Avenue
Parcel Numbers	06322-000-000
Section/Township/Range	32-T09-R19
Land Use	Low Density Residential
Zoning	R-1a
Acreage	4.83

**CHRONOLOGY:**

Preliminary Dev. Plan Approval	05/25/2020
Application Submittal	05/11/2020
Insufficiency Report Sent	06/05/2020, 07/01/2020
Application Resubmitted	06/15/2020, 07/13/2020
Sufficiency Determination	08/12/2020
Final Development Plan Hearing	09/03/2020

**STAFF RECOMMENDATION:** Recommend approval with conditions of the Final Development Plan and issuance of the Final CLSC. Staff recommends the **DRC recommend approval** of the Plat to the BoCC for Tara Lane.

**DRC ACTION:** Approved with conditions the Final Development Plan and issuance of Final CLSC. Recommended approval of the plat to the BoCC.

**BoCC ACTION:** TBD

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**DESCRIPTION OF PROPOSED PLAN:**

This application proposes a Final Development Plan for a 19-lot subdivision on approximately 4.8 acres with associated infrastructure improvements. This property is located in the Urban Cluster.

The subject parcel is adjacent to existing single-family subdivisions to the east and south, and adjacent to a large single-family lot to the west.

The Development Review Committee (DRC) approved the Preliminary Development Plan for this project on May 25, 2020.

**CONSISTENCY ANALYSIS:**

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan and Land Development Regulations.

**COMPREHENSIVE PLAN:**

**FUTURE LAND USE ELEMENT**

The project proposed 19 lots on 4.8 acres, which is a gross density of 3.95 dwelling units/acre (du/ac). Policy 1.3.2.1 (a) of the Future Land Use Element defines the Low Density Residential Future Land Use category as between 1 and 4 du/ac.

Policy 1.3.7.1 allows for single family attached and detached uses. The proposed Preliminary Development Plan allows for single family detached uses only.

The proposed Final Development Plan is consistent with the Future Land Use Element of the Comprehensive Plan.

**UNIFIED LAND DEVELOPMENT CODE:**

**ZONING DISTRICT AND USE REGULATIONS**

The proposed development carries the R-1A zoning district and the proposed use is consistent with Chapter 404 *Use Table*.

**GENERAL DEVELOPMENT STANDARDS**

Comprehensive Plan Future Land Use Policy 7.1.33 requires all development within the Urban Cluster to be designed in accordance with Traditional Neighborhood Design standards under Future Land Use Element policies and sub-policies in 1.6.6, Site and Building Design, 1.6.7 Transportation Network, and 1.6.8 Parking. The applicable requirements are providing a maximum block perimeter of 2,000 linear feet consistent with ULDC 407.69 *Standards for development areas outside the transit supportive area* and street cross sections consistent with ULDC Table 407.68.4 *Roadway Design Standards for Transit Supportive Area and Village Center*.

The Final Development Plan demonstrates that the block perimeter is 1,071 linear feet

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for Block 1 and 1,100 linear feet for Block 2

**NATURAL AND HISTORIC RESOURCES PROTECTION**

**CONSERVATION MANAGEMENT AREAS AND MANAGEMENT PLAN**

The proposed development site does not have any conservation areas and is outside of flood zones and wetlands.

**OPEN SPACE**

ULDC Section 407.52 - *Minimum open space requirement* requires at least 10 percent of the area of any development to be designated as Open Space and delineated on development plans and plats. ULDC Section 407.54 - *Open Space Areas* requires the following:

- (a) When land development involves a parcel that contains Conservation Management Areas, the Open Space requirement shall first be fulfilled with these areas, which shall be protected in accordance with Chapter 406, Article XVII.
- (b) After the requirements of (a), above, have been met, the Open Space shall be one piece of contiguous land, at the periphery of the development to allow for connection to adjacent Open Space, except as specified in section 407.55. Open Space designated per this section shall have an average width of no less than 50 feet and shall be located within the development in a location that best meets the following goals:
  - 1. Augments Conservation Management Areas or Open Space on adjoining parcels
  - 2. Promotes connectivity to greenways, trails, public parks, and existing or potential Open Space on adjoining parcels.

There are no conservation areas on the subject property nor on adjacent properties. An area approximately 0.5 acres, or 10.4 percent, of the southern portion of the property is designated as Open Space. This area is at the periphery of the property and could connect to the west or east should those properties develop in the future. The area is 75 feet wide, exceeding the minimum average width of 50 feet.

According to ULDC Sec. 407.56 - *Open Space Uses*, Open Space shall either be left in a natural condition or provide accessible spaces such as community gardens, community fields, greens or pocket parks. Additionally, the following code applies:

- (a) Open Space shall be primarily pervious except for limited impervious surfaces associated with bicycle/pedestrian paths and unconditioned structures that augment the Open Space such as gazebos and picnic pavilions. Impervious surfaces associated with hardscaped Civic Space are an allowable Open Space use within a TND or TOD approved per Article VII of this Chapter.

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- (b) Open Space shall not include stormwater retention or detention areas constructed per Article IX of this Chapter. The integration of Low Impact Design (LID) best management practices to manage stormwater runoff shall not eliminate an otherwise qualifying Open Space within a TND or TOD approved per Article VII of this Chapter.
- (c) Open Space shall not include spoil piles or berms.

The proposed Open Space is coincident with the tree preservation area. A five-foot-wide path with asphalt millings will provide access to the Open Space front the internal sidewalk system. The path goes around the stormwater basin and will stub to the east and west for future pedestrian connectivity should the adjacent parcels develop.

**TREE PRESERVATION**

A minimum of five percent of the current canopy is required to be preserved per ULDC 406.12(a)(3) *Tree Permitting*. The existing tree canopy is fairly uniform throughout the site. The Final Development Plan demonstrates preservation of 11 percent of tree canopy in the southern portion of the site coincident with Open Space.

**LANDSCAPING AND BUFFERING**

No project boundary buffers are required. A 10-foot-wide collector street buffer is provided for along NW 23<sup>rd</sup> Avenue consistent with requirements of ULDC 407.43 (d)2 *Arterial or collector street buffers*. Appropriate landscaping is provided per ULDC 407.43 (d) *Roadway buffers*. The landscape plan demonstrates that the site will have 62.5 percent canopy coverage in 20 years, which exceeds the minimum 30 percent required in 407.41 *Landscape and planting plan objectives*. Additionally, the internal street will have street trees in designated planting strips within the right-of-way meeting the requirement of 407.43.1 (b) *Street trees*.

No final certificate of occupancy shall be issued until the County has granted final approval and acceptance of the installed landscape as well as the protection of existing native vegetation. Final approval shall include as-built landscape plan certification from a registered landscape architect certifying that the landscaping is installed and functioning as intended, that prohibited and discouraged non-native vegetation listed in Table 406.16.2 has been removed, and that all of the provisions of this Chapter have been met. The land owner shall submit a Certificate of Compliance, in a form acceptable by the Director, to the County as a condition of issuance of a Certificate of Occupancy.

Landscape Irrigation Design and Maintenance Standards, Article II of Part II, Title 7, Chapter 79 of the Alachua County Code went into effect 4/1/16. All new irrigation systems installed in unincorporated Alachua County now require County approval prior to installation, which includes a review fee and site plan. All systems will then go through an inspection process. The Alachua County Irrigation Professional Portal has been created to allow irrigation professionals to submit required documents and pay

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fees entirely online. For those who are not online, required information may be submitted on paper in person at the EPD office at 408 West University Ave in Gainesville, 8:30-5:00 Monday through Friday. For more information about the Landscape Irrigation Efficiency Code and for a list of helpful resources, we encourage you to click [HERE](#). For more information, contact Water Resources staff at 352-264-6800 or at [Irrigation@AlachuaCounty.us](mailto:Irrigation@AlachuaCounty.us)

**STREET NETWORK STANDARDS**

The proposed internal street will stub to the western property line to provide for connectivity should the property to the west develop. A 50-foot-wide right-of-way is proposed consistent with Table 407.68.4. There is an 18-foot-wide travel lane and six-foot-wide sidewalks on both sides of the road. On-street parallel parking is also provided on a portion of the internal road.

**WATER AND WASTEWATER SERVICES**

The development is within the Urban Cluster and is therefore will connect to central water and sewer services by Policy 2.1 of the Potable Water and Sanitary Sewer Element of the Comprehensive Plan. Utilities will be provided from NW 23<sup>rd</sup> Avenue.

**STORMWATER MANAGEMENT**

Location of the stormwater management facility is shown on the Final Development Plan. It meets the requirements of Chapter 407 Article 9 *Stormwater Management* and is landscaped appropriately per requirements of ULDC 407.43.2 *Landscape design of stormwater management facilities*.

**TRANSPORTATION**

The developer has entered into a Multi-Modal Transportation Mitigation (MMTM) agreement with Alachua County in order to mitigate the transportation impact of the proposed development. The project will receive a Final Certificate of Level of Service Compliance (CLSC) upon approval of the Final Development Plan.

**PUBLIC SCHOOL FACILITIES**

The Alachua County School Board staff has reviewed the proposed development for student impacts for compliance with the school concurrency management program in accordance with the Inter Local Agreement and determined that adequate school facilities are available in the affected School Concurrency Service Areas (SCSA). This capacity determination dated May 28, 2020 is based on findings that this project will require 3 elementary school student stations in the Southwest Urban SCSA, 2 middle school student stations in the Ft. Clarke SCSA, and 2 high school student stations in the High Buchholz SCSA.

**ADEQUACY OF SCHOOLS**

The School Board in accordance with their Policy 5120-Assignment Within District will determine specific school assignment for students living in the development area. Student Assignment Rules states "The Superintendent may assign or reassign students

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on a case by case basis to schools or programs located in or out of their assigned zone, for the health, safety, or welfare of the students, other students or staff.” No assurances are given that the assignments will be made to the most closely located, or currently zoned, facilities. The provision of services to students in the development area may require redrawing of attendance zone lines, reassignment and busing to facilities elsewhere in the District, the use of temporary facilities, and/or the relocation of specific educational programs.

**CONCURRENCY**

A Final Certificate of Levels of Service Compliance (CLSC) for all public facilities will be issued upon Final Development Plan Approval and will be valid for one year. Provided that construction has commenced within the allowable period, the project shall have reserved capacity for a period of no more than two years from commencement of construction.

**PLAT REQUIREMENTS**

The plat document meets the minimum requirements set forth in Chapter 177 of Florida State Statutes and Chapter 402 Article 12 of the Unified Land Development Code of Alachua County.

**STATE AND FEDERAL PERMIT**

The issuance of a state or federal permit shall not obligate the County to grant approval of any local permit and shall not be deemed to satisfy the requirements of the ULDC. As well, the issuance of this permit does not indicate that Alachua County believes that the applicant has all federal and state permits necessary prior to commencing construction.

Because §125.022(4), F.S. makes it hard for local governments to coordinate their permitting activities with state and federal permitting agencies, the applicant is advised that conflict with a subsequently issued state or federal permit may cause a need to apply for an amendment to this development plan approval.

Upon approval of a development plan, the applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department.

**DEVELOPMENT PLAN EXPIRATION:**

According to Section 402.47(b), an approved final development plan or phase of a development plan shall expire unless a construction, building or other required permit has been issued within 12 months of the date of final approval. Applications for extension of time limit may be processed pursuant to Article 6 of Chapter 402 of the ULDC.

**STAFF RECOMMENDATION**

Staff has found the proposed Final Development Plan to be consistent with the Comprehensive Plan and requirements of the Unified Land Development Code.

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Staff **recommends approval with conditions of the Final Development Plan** for Tara Lane and issuance of Final CLSC.

Staff recommends the **DRC recommend approval** of the Plat to the BoCC for Tara Lane.

**DRC ACTION/RECOMMENDATION**

The DRC approved with conditions the Final Development Plan issuance of the Final CLSC.

The DRC recommended approval of the plat to the BoCC.

**CONDITIONS**

1. The construction permit shall not be issued until the onsite wells have been properly plugged and abandoned and ACEPD has received documentation of that action in the form of a completed well registration form or well completion report (406.66(b), 406.67, ULDC). This information can be submitted to Eliana Bardi, ebardi@alachuacounty.us.
2. Removal of prohibited and discouraged non-native vegetation shall be completed prior to final inspection in accordance with 406.12(a)2, ULDC. No final certificate of occupancy shall be issued until all invasive exotic and discouraged non-native vegetation has been removed [407.49(a)].
3. The applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department.
4. Any utility changes that affect the approved development plan will require additional approvals by Alachua County subject to the Unified Land Development Code.
5. Prior to the installation of a new permanent irrigation system or substantial modification to an existing system, an irrigation plan must be submitted to and approved by the Alachua County Environmental Protection Department through the online Alachua County Irrigation Professional Portal. The irrigation system shall comply with Article II of Part II, Title 7, Chapter 79 of the Alachua County Code.