



# Alachua County Development Review Committee Staff Report

**Project Number: 2014012901\_F**

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## ***Final Development Plan and Replat for Archer Farms Rural Subdivision***

**SUBJECT:** Archer Farms Rural Subdivision and replat

**DESCRIPTION:** 4-lot rural subdivision and replat

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

**PROPERTY OWNER:** AF Equestrian, LLC

**PROPERTY DESCRIPTION:**

<u>Location:</u>	16525 SW 5 <sup>th</sup> Place
<u>Parcel Numbers:</u>	04360-028-000, 04360-030-000, 04360-030-001
<u>Section/Township/Range:</u>	4/10/18
<u>Land Use:</u>	Rural/Ag
<u>Zoning:</u>	PD
<u>Acreage:</u>	45.0

**RELATED ZONING:** **ZOM-12-13**

**CHRONOLOGY:**

Preliminary Development Plan Hearing:	03/20/2014
Application Submittal:	05/05/2014
Insufficiency Report Issued:	05/23/2014
Application Resubmitted:	06/02/2014
Minor Insufficiency Issued	06/18/2014
Application Resubmitted:	06/23/2014
Sufficiency Determination:	07/02/2014
Final Development Plan Hearing:	07/17/2014

**STAFF RECOMMENDATION:** **Approval of the Final Development Plan and issuance of a Final CLSC and recommend approval of the replat to the Bocc**

**DRC RECOMMENDATION:** **TBD**

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## **DESCRIPTION OF PROPOSED PLAN:**

The proposed Final Development Plan is for a four lot subdivision and replat.

A Planned Development including a Special Exception was approved by the Board of County Commissioners for these parcels on December 10, 2013 (ZOM-12-13; Z-13-17). This property was previously part of the Marlboro Farms Planned Development. The rezoning for the Archer Farms PD established a separate PD that allows a subdivision up to 6 lots. The Special Exception allowed for an agricultural event arena with 4 events per year. However, this arena has not been included as part of this final development plan and will required separate development plan approval by the DRC.

The preliminary development plan was approved by the Development Review Committee (DRC) on 03/20/2014.

## **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**

Policy 6.2.14 (c) allows a maximum gross density of one dwelling unit per five acres in the Rural/Agriculture Future Land Use category. The proposed development complies with this policy and 4 lots on 44.9 acres having a density of 1 dwelling unit per 11.23 acres.

### **ADEQUACY OF SCHOOLS**

Comprehensive Plan Public School Facilities Element Policy 2.4.7 states that a determination of adequate school capacity shall indicate a temporary commitment of capacity of necessary school facilities for the purposes of development review and approval for a period not to exceed one year from Preliminary Development Plan approval or until a Final Development Order is issued, whichever occurs first. Phased projects may obtain approval for a longer period, provided the development order is in accordance with an agreement.

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The Alachua County School Board has indicated that there is sufficient capacity to accommodate the proposed 4 lots.

## **UNIFIED LAND DEVELOPMENT CODE:**

ULDC 407.73 (d) states that no subdivision may be created without paved public road access and all subdivisions created must have internal paved roads that meet county standards, except as provided in 407.75 (Family Homestead Subdivision) and 407.76 (Rural-Ag subdivision). Section 407.76 states that the DRC may approve a development plan for a subdivision with the construction of a private, unpaved road in the Rural/Ag area. A private easement road internal to the subdivision may be utilized where such internal subdivision road provides a direct connection to a public road.

The proposed Final Development Plan is essentially two separate subdivisions, but reviewed as one. Two of the lots are proposed to be developed as a regular subdivision fronting SW 165<sup>th</sup> Street, which is a paved, public road per 407.73 (d), and two lots are proposed to be developed under the subdivision regulations with unpaved road standards 407.76 and will be accessed from an internal easement road that has direct connection to SW 165<sup>th</sup> Street. Providing direct access onto the existing paved road for Lots 1 and 2 will provide consistency with the existing Marlboro Farms subdivision.

## **ZONING DISTRICT**

The proposed development was approved as a Planned Development and Special Exception by the Board of County Commissioners on December 10, 2013 (Resolution Z-13-17). Following are the approved conditions:

1. The Marlboro Farms PD is amended to remove parcels 04360-030-001, 04360-028-000 and 04360-030-000.
2. The twenty-seven (27) residential lots on Tract A of the Marlboro Farms PD have been found to meet the statutory vesting requirements of Section 402.169, Statutory Vested Rights, Unified Land Development Code, and are therefore vested from the density requirements of the Comprehensive Plan.
3. Approval is granted for a residential PD (Planned Development) district for 44.9 acres located on parcels 04360-030-001, 04360-028-000 and 04360-030-000

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and identified as Archer farms on the Zoning Master Plan (ZMP). Allowable uses in the PD are outlined on the Zoning Master Plan.

4. The minimum lot size for residential uses in the Archer Farms PD shall be three acres.
5. A special exception is granted to the Archer Farms PD (parcels 04360-030-001, 04360-028-000 and 04360-030-000) for an agricultural events arena as shown on the approved zoning master plan. Conditions for approval of the special exception shall be as follows:
  - a. The arena shall be wholly contained on one lot that shall be a minimum of 5 acres.
  - b. The arena lot shall be located on a paved, publicly-maintained road.
  - c. Only equestrian uses shall be permitted at the arena.
  - d. Events shall be limited to no more than 4 per calendar year.
  - e. Events shall be limited to no more than one day in duration.
  - f. Event hours shall be from 8 am to 6 pm.
  - g. No off-site signage shall be allowed.
  - h. No more than 40 horses and 150 people (inclusive of participants and non-participants) shall be allowed at any one event.
  - i. Events shall be limited to those areas designated on the zoning master plan.
  - j. All parking for events shall occur on the lot designated for the event arena.
  - k. There shall be a minimum 25 foot medium density buffer along the eastern boundary of the parcel containing the event arena.
  - l. All events shall adhere to Chapter 110 of the Alachua County Code (Noise Ordinance).
  - m. The property owner shall notify the Alachua County Office of Codes Enforcement in writing 30 days prior to each event.
6. The subdivision and agricultural event arena shall require preliminary and final development plan approval. Development shall be in accordance with conditions of approval and the attached zoning master plan adopted as part of this resolution.

Staff has reviewed all of the special exception conditions and finds the final development plan to be in compliance with the applicable conditions. The lot sizes range from 3.19 acres to 14.77 acres and therefore meet the minimum acreage

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requirement. The area for the agriculture events arena was provided for on the preliminary development plan. However, details are not included with the final development plan and separate approval will be required.

The preliminary development plan staff report stated that there was an existing duplex on the property that was not properly permitted. This structure has been brought into compliance.

## **NATURAL AND HISTORIC RESOURCES PROTECTION**

### **Conservation Areas**

There are no conservation areas associated with this site. There are natural areas containing existing trees which will be set aside as primary open space.

### **Tree Preservation**

The final development plan demonstrates that 43.9 percent of the existing tree canopy will be preserved. The tree canopy retention areas are located in the designated open space areas.

## **GENERAL DEVELOPMENT STANDARDS**

### **Setbacks and Height Restrictions**

Building setbacks were approved with the Zoning Master Plan and are provided for correctly on the development plan and plat. Additionally there are half-section lines along the eastern and southern property lines. A 75-foot half-section line setback is provided for on the development plan and plat in compliance with ULDC 407.03

### **Open Space**

Open space is provided on 21.3 percent of the site. It consists of existing natural areas in the northern and southern portions of the property which is considered primary open space. The designated open space is consistent with areas shown as open space on the approved Zoning Master Plan.

### **Landscaping**

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The zoning master plan states that there needs to be a minimum 25-foot-wide buffer along the eastern boundary of the lot containing the event arena. No arena is provided for on this plan, and therefore no buffer is required. There is a 40-foot wide area designated as open space and this will be evaluated for the medium density buffer requirement if application is made for the arena. The applicant has satisfied the 30% future tree canopy coverage requirement per ULDC Sec. 407.41(n).

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.

## **Street Network Standards**

Two lots (Lots 1 and 2 on development plan) are proposed to access the existing paved SW 165<sup>th</sup> Street. This will provide consistency with the existing Marlboro Farms subdivision that has existing homes accessing this street. Lots 3 and 4 will be accessed via a 40-foot wide private easement road from SW 165<sup>th</sup> Street that meets the standards outlined in ULDC 407.76.

## **Concurrency Management**

The subject application proposes a new residential subdivision on approximately 44.9 acres and allowing up to a total of 4 single-family dwelling units (one currently existing). The property was previously part of the Marlboro Farms Planned Development. The proposed development would generate 38 AADT.

Newberry Road (State Road 26) is a four lane divided highway. Based upon the 2013 FDOT Q/LOS Handbook, this roadway has a Maximum Service Volume of 35,300 AADT at Level of Service B. Information available from FDOT indicates that Newberry Road currently carries 14,400 AADT. With the addition of project traffic the roadway will continue to operate at its adopted Level of Service.

Mitigation for development resulting from this development plan will be through

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payment of impact fees prior to issuance of a Certificate of Occupancy.

A Final CLSC for all applicable 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.

## **Stormwater**

There are two existing stormwater basins that were constructed for SW 165<sup>th</sup> Street. These are proposed to remain and will be on private lots and appropriate easements have been provided.

## **Water and Wastewater Services**

Well and septic systems will be proposed for the development. The issuance of the well and septic system permits by the Health Department will be contingent upon the development meeting minimum standards of Chapters 64E-6 and 64E-8 of the Florida Administrative Code, and Chapter 381 of the Florida Statutes.

## **PLAT REQUIREMENTS**

There is an existing underlying plat for this property for Marlboro Farms. Therefore, this application includes a replat in order to establish the new subdivision. The replat 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.

## **DEVELOPMENT PLAN EXPIRATION:**

According to Section 402.47(b), an approved final development plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith.

## **STAFF RECOMMENDATION:**

Staff has found the proposed **Final Development Plan and Replat** to be consistent

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with the Comprehensive Plan, requirements of the Unified Land Development Code and the approved Zoning Master Plan.

Staff recommends **approval** of the Archer Farms PD Subdivision and **recommends the DRC recommend approval of the replat to the BoCC**, project number 2014012901\_F, with the following conditions:

## **Conditions:**

1. The agricultural events arena shall be approved with a separate development plan by the DRC prior to commencing any events granted with the special exception.
2. 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 appropriate County department.