# Commission Meeting

November 09, 2026
7:00 PM

25493 NW 1st Avenue, Newberry, Florida 32669

**Agenda**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**
*(Please limit presentations to 15 minutes)*

1. Christmas Proclamation
2. Proclamation Recognizing Veterans' Day

**PUBLIC ANNOUNCEMENTS**
*(Please limit announcements to 2 minutes)*

**CONSENT AGENDA**

3. 10.12.2026 Commission Meeting Minutes
4. SAHM Water System Improvements Engineering Services Agreement

**PUBLIC HEARINGS AND ORDINANCES**

5. Ordinance # 2026-12/CPA 25-04: Large Scale Future Land Use Amendment for Newberry Ridge.

   *Legislative, Second Reading of Ordinance # 2026-12/CPA 25-04. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map in the Comprehensive Plan by changing the Future Land Use category from Mixed Use to Residential Medium Density (8 du/ac) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

6. Ordinance # 2026-27/LDR 25-11: Large Scale Zoning Amendment for Newberry Ridge.

*Quasi-Judicial, Second Reading of Ordinance # 2026-27/LDR 25-11. An ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas by changing the zoning district from Agricultural and Mixed Use to Planned Residential Development (PRD) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; adopting land development regulations for the development commonly referred to as "Newberry Ridge"; providing for applicability; providing for rezoning; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

7. Ordinance # 2026-16/CPA 26-13: Small-scale Future Land Use Amendment for City-owned properties.

   *Legislative, First Reading of Ordinance # 2026-16/CPA 26-13. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map of the City of Newberry Comprehensive Plan by changing the future land use categories from Mixed Use, Agriculture, And Residential Low Density to Public Facilities and Land on 10 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000, and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

8. Ordinance # 2026-17/LDR 26-18: Re-Zoning for City-owned properties.

   *Quasi-Judicial, First Reading of Ordinance # 2026-17/LDR 26-18. An Ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning districts from Mixed Use, Agricultural, Residential Single Family-2, And Residential Single Family/Mobile Home-2 to Public Facilities on 11 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 01988-007-000, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000 and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

**AGENDA ITEMS**

9. City Commission Rules of Procedure

   *Resolution No. 2026-57. A Resolution of the City of Newberry, Florida, adopting City Commission Rules of Procedure; Providing a severability clause; Providing a repealing clause; and Providing an effective date.*

10. Resolution 2026-56 Surplus and Non-Competitive Disposition of Office Space in the Little Red School House

*A Resolution of the City of Newberry, Florida, declaring certain real property as surplus and authorizing the non-competitive disposition of that real property to serve a public purpose; Providing directions to the City Manager; Providing a severability clause; Providing a repealing clause; and Providing an effective date.*

11. SRF Loan Amendment

    *A Resolution Of The City Of Newberry, Florida, Relating To The Clean Water State Revolving Fund Loan Program; Making Findings; Authorizing A Loan Application; Authorizing The Loan Agreement; Designating Authorized City Representatives; Establishing Pledged Revenues; Providing For Conflicts, Severability, And An Effective Date.*

12. Approve Resilient Florida Grant Agreement (27SRP13) - Lift Station 10 Resiliency Project

**COMMENTS**

Citizens
*(Please limit your comments to 5 minutes)*

City Manager

City Attorney

City Clerk

Commission

Mayor

MEETING ADJOURNMENT

Randa K. Paul, City Clerk

If A Person, Firm, or Corporation Desires to Take an Appeal From any Action Taken At the Above Meeting or Hearing, It May Be Necessary to Have A Verbatim Record of the Proceedings and It Is the Person, Firm, or Corporation's Duty to See that Such A Record Is Made. The City of Newberry City Commission Policy Is to End the Public Meeting At 10:30 P.M. the Evening of the Regularly Scheduled Meeting Unless Extended by the City Commission. Any Matter on the Agenda Not Acted upon Shall Be Continued to the Next Regularly Scheduled City Commission Meeting, or a Special Meeting, at the Commission's Discretion. In accordance with the Americans with Disabilities Act (ADA) and Section 286.26, Florida Statutes, persons with disabilities requiring reasonable accommodations to participate in this meeting should contact the City Clerk at 352-472-2161 or ADArequests@newberryfl.gov at least 72 business hours prior to the meeting. Such accommodations may include, but are not limited to, assistive listening devices, alternative formats of meeting materials, sign language interpretation, or physical access arrangements. If you are hearing or speech impaired, please contact the Florida Relay System at 800-955-8770. If you need special accommodations for attendance at this meeting, please contact MV Transportation, Inc. at 352-375-2784, not later than 72 business hours prior to the proceedings. .

**File Attachments for Item:**

1. Christmas Proclamation

# Proclamation of the City of Newberry, FL

## Where Christmas Feels Like Home!

***Whereas,*** Newberry has a long-standing tradition of celebrating the holiday season with warmth, community spirit, and events that bring families and neighbors together; and

***Whereas,*** the City of Newberry hosts a variety of seasonal traditions — including a community tree lighting, a holiday market, a parade, musical performances, and downtown festivities — that showcase Newberry's small-town charm and welcoming character; and

***Whereas,*** Newberry's seasonal programming and community participation celebrate the best of the holidays and reflect our shared commitment to love thy neighbor; and

***Whereas,*** the initiative and volunteer spirit evident each year in planning, decorating, and hosting holiday events have helped Newberry earn recognition as the "Christmas Capital of Alachua County"; and

***Whereas,*** the City of Newberry wishes to invite all residents and visitors to join in on the Weekends of Wonder and experience the many family-friendly holiday events taking place throughout the season; and

***Now, Therefore,*** I, Timothy Marden, Mayor of the City of Newberry, by the authority vested in me, do hereby proclaim Newberry as the "Christmas Capital of Alachua County."

***Be it Further Proclaimed*** that the citizens of Newberry and visitors are warmly invited to experience the sense of welcome and tradition that make our community a special place where Christmas feels like home.

***In Witness Whereof,*** I have hereunto set my hand and caused the seal of the City of Newberry to be affixed this 9th day of November 2026.

_____

Honorable Timothy R. Marden, Mayor

Attest:

_____

Randa K. Paul, City Clerk

**File Attachments for Item:**

2. Proclamation Recognizing Veterans' Day

CITY OF NEWBERRY, FLORIDA

# A Proclamation

## VETERANS DAY 2026

**WHEREAS,** the United States of America was founded on the principles of liberty and self-government, and in 2026 our Nation marks the 250th anniversary of the Declaration of Independence; and

**WHEREAS,** since the earliest days of our Nation, Americans have answered the call to serve, defending our country, our values, and our interests. Veterans have placed their lives, well-being, and the security of others before their own; and

**WHEREAS,** at the 11th hour of the 11th day of the 11th month in 1918, fighting ceased in Europe, ending World War I. November 11 is now observed as Veterans Day, honoring all who have served in the United States Armed Forces in times of war and peace; and

**WHEREAS,** on June 1, 1954, Congress designated November 11th as Veterans Day, so that a grateful nation might pay appropriate homage to the Veterans of all wars; and on November 11, 1954, President Dwight D. Eisenhower called on the Nation to solemnly remember all those who have served to "preserve our heritage of freedom" and to "reconsecrate ourselves to the task of promoting an enduring peace"; and

**WHEREAS,** we enjoy the privileges of peace, prosperity, and freedom because of the service of our veterans. Their courage, sacrifice, and leadership have secured our liberty and helped our community grow and thrive; and

**WHEREAS,** veterans have made immeasurable contributions both during their service and afterward, continuing to serve in ways that strengthen and support our community. We are also grateful to the families whose support and sacrifice are part of that service; and

**WHEREAS,** Newberry's Veterans Memorial stands as a lasting tribute to those who served and a place for our community to remember, reflect, and express our gratitude; and

**WHEREAS,** on Veterans Day, we pause to recognize the selfless service, sacrifice, and steadfast dedication of our veterans and honor the enduring example they set for future generations.

**NOW, THEREFORE,** by the power vested in me as the Mayor of the City of Newberry, Florida, I hereby proclaim November 11, 2026, as **Veterans Day** in the City of Newberry and encourage residents to honor our veterans and their families, reflect on the service and sacrifice that protect our freedoms, and remember the generations of Americans who have served as our Nation celebrates its 250th anniversary.

*Duly proclaimed this _____ day of _____, 2026.*

**Mayor, City of Newberry**

**ATTEST:**
City Clerk, City of Newberry

**File Attachments for Item:**

3. 10.12.2026 Commission Meeting Minutes

# Commission Meeting Minutes

October 12, 2026
7:00 PM

25493 NW 1st Avenue
Newberry, Florida 32669

**QUORUM CHECK**

| | |
|---|---|
| Mayor | Tim Marden |
| Commissioners | Rick Coleman |
| | Mark Clark |
| | Monty Farnsworth |
| | Donald Long |
| | Tony Mazon |
| City Manager | Jordan Marlowe |
| City Clerk | Randa Paul |
| City Attorney | Nicolle Shalley |

**Staff:**

| | |
|---|---|
| Assistant City Manager | Dallas Lee |
| Director of Community Development | Stacey Hectus |
| Director of Utilities and Public Works | Rance Green |
| Fire Chief | Jason Lyman |
| Director of Parks and Recreation | Rod Clark |
| Assistant Director of Community Development | Lauren Yeatter |
| Permit Technician II | Michael Booth |
| Programs Coordinator | Andrew Quiros |
| Staff Assistant | Bailey Fritz |

**CALL TO ORDER**

Mayor Marden called the meeting to order at 7:00 PM.

**ROLL CALL**

Clerk Paul initiated the Roll Call:

**Commissioner Coleman:** **Present**
**Commissioner Clark:** **Present**
**Commissioner Farnsworth:** **Present**
**Commissioner Long:** **Present**
**Commissioner Mazon:** Clerk Paul noted that Commissioner Mazon was expected to arrive shortly.
**Mayor Marden:** **Present**

**APPROVAL OF AGENDA**

**Motion to approve the agenda as published made by Commissioner Clark, Seconded by Commissioner Long.**

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Mayor Marden called for comments from the dais and the public. There were none.

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long**

**MOTION PASSED: 4-0**

**INVOCATION**
Pastor Gary Bracewell provided the Invocation.

**PLEDGE OF ALLEGIANCE**
Commissioner Clark led the Pledge of Allegiance.

Mayor Marden asked Pastor Gary to share upcoming events led by CLF Church with the community. Pastor Gary advised of the events.

**PRESENTATIONS**
*(Please limit presentations to 15 minutes)*

**1. My City Week Proclamation**
Mayor Marden read the proclamation into the record and presented it to Clerk Paul.

**2. Proclaiming October as National Community Planning Month.**
***Proclamation declaring October 2026 as National Community Planning Month, recognizing the importance of community planning in managing change to benefit the residents and businesses of the City of Newberry.***
Mayor Marden read the proclamation into the record.

Director Hectus presented with a PowerPoint.

Mayor Marden presented the proclamation to staff from the Planning Department.

**Commissioner Mazon arrived at 7:21 PM**

**3. Citizens Academy Graduation**
Mayor Marden introduced the item.

Coordinator Quiran presented with a PowerPoint and presented the graduates their award.

Graduates: Gail Watson
Lelia Long
Sheron Cheesborough
Joy Ingram
Mary Richardson
Jennie Park

DRAFT

Valeria Blair

Gail Watson provided comments about the program.

**Mayor Marden and Commissioner Long stepped out of the chambers to take photos with the graduates**

**PUBLIC ANNOUNCEMENTS**
*(Please limit announcements to 2 minutes)*
Mayor Pro-Tempore Farnsworth called for public announcements.

Manager Marlowe made announcements.

**CONSENT AGENDA**
**4. 09.14.2026 Commission Meeting Minutes**

**Motion to approve the Consent Agenda as published made by Commissioner Mazon, Seconded by Coommissioner Clark.**

**Voting Yea:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Mazon**

**MOTION PASSED: 4-0**

**Commissioner Long returned to the chambers**

**PUBLIC HEARINGS AND ORDINANCES**
**5. Ordinance # 2026-13/CPA 26-11: Large-scale Future Land Use Amendment for Easton Newberry Sports Complex.**

***Legislative, Second Reading of Ordinance # 2026-13/CPA 26-11. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map in the Comprehensive Plan by changing the Future Land Use category from Mixed Use and Recreation to Public Facilities and Land on 4 parcels identified as tax parcel numbers 01874-001-004, 01897-005-000, 01897-005-001, and 01897-006-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.***

Mayor Pro-Tempore Farnsworth introduced the item.

Attorney Shalley read Ordinance 2026-13 into the record by title only.

**Mayor Marden returned to the chambers and the gavel was passed back to him**

Assistant Director Yeatter presented with a PowerPoint.

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**Motion to approve Ordinance 2026-13 on second reading made by Commissioner Farnsworth, Seconded by Commissioner Long.**

Mayor Marden called for comments from the dais and the public. There were none.

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

**6. Ordinance # 2026-14/LDR 26-14: Re-Zoning for Easton Newberry Sports Complex**.

***Quasi-Judicial, First Reading of Ordinance # 2026-14/LDR 26-14. An Ordinance of the city of Newberry, Florida, amending the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning districts from Agricultural and Mixed Use to Public Facilities on 5 City-owned properties (identified as tax parcel numbers 01874-001-003, 01874-001-004, 01897-005-000, 01897-005-001 and 01897-006-000) located at 24815 NW 16th Avenue and known as the Easton Sports Complex; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.***

Mayor Marden introduced the item and advised of the Quasi-Judicial procedures.

Mayor Marden called for disclosure of ex-parte communication:

**ROLL CALL:**
**Commissioner Coleman: None**
**Commissioner Clark: None**
**Commissioner Farnsworth: None**
**Commissioner Long: None**
**Commissioner Mazon: None**

Attorney Shalley read Ordinance 2026-14 into the record by title only.

Attorney Shalley provided an overview of updated Quasi-Judicial procedures coming as a Resolution in the near future.

Clerk Paul swore in Jordan Marlowe, Stacey Hectus, and Lauren Yeatter.

Commission Coleman asked a question. Discussion ensued.

Assistant Director Yeatter provided the staff and applicant presentation with a PowerPoint.

Mayor Marden called for public comment. There was none.

Mayor Marden called for questions from the dais. There were none.

DRAFT

**Motion to approve Ordinance 2026-14 on first reading made by Commissioner Mazon, Seconded by Commissioner Coleman.**

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

7. **Ordinance # 2026-35/CPA 26-15: Small-scale Future Land Use Amendment for North Gateway Commercial**.

***Legislative, Second Reading of Ordinance # 2026-35/CPA 26-15. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map of the City of Newberry Comprehensive Plan by changing the future land use category from Agriculture to Commercial on approximately 24.98 acres (Tax Parcel No. 01922-011-000 located north of Newberry Road in the 300-400 block of NW 202nd Street; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.***

Mayor Marden introduced the item.

Clerk Paul swore in Jordan Marlowe, Lauren Yeatter, Stacey Hectus, and Kristi Hawley-Rivero.

Attorney Shalley read Ordinance 2026-35 into the record by title only.

Mayor Marden made comments.

Kristi Hawley-Rivero advised that the applicant rested on their presentation.

**Motion to approve Ordinance 2026-35 on second reading made by Commissioner Coleman, Seconded by Commissioner Clark.**

Mayor Marden called for comments from the dais or public. There were none.

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

8. **Ordinance # 2026-36/LDR 26-22: Small-scale Zoning Amendment for North Gateway Commercial**.

***Quasi-Judicial, Second Reading of Ordinance # 2026-36/LDR 26-22. An Ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas by changing the***

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***Zoning District from Agricultural (A) to Commercial, Intensive (CI) on approximately 24.98 acres (Tax Parcel No. 01922-011-000) located north of Newberry Road in the 300-400 block of NW 202nd Street; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.***

Mayor Marden introduced the item.

Clerk Paul swore in Jordan Marlowe, Lauren Yeatter, Stacey Hectus, Kristi Hawley-Rivero.

Attorney Shalley read Ordinance 2026-36 into the record by title only.

Mrs. Hawley-Rivero rested on the applicant's presentation.

Assistant Director Yeatter presented the staff's overview with a PowerPoint.

Mayor Marden called for public comment. There was none.

Mayor Marden called for disclosure of ex-parte communication:

**Commissioner Mazon:** **None**
**Commissioner Long:** **None**
**Commissioner Farnsworth:** **None**
**Commissioner Clark:** **None**
**Commissioner Coleman:** **None**

**Mayor Marden:** **None**

**Motion to approve Ordinance 2026-36 on second reading made by Commissioner Coleman, Seconded by Commissioner Farnsworth.**

Mayor Marden called for comments from the dais. There were none.

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

**AGENDA ITEMS**

**9. Road Maintenance Assessment**

Mayor Marden introduced the item.

Assistant Manager Lee presented orally.

Peter Napoli, with Stantec, presented with a PowerPoint. Periodic discussion ensued.

DRAFT

Commissioner Coleman, Commissioner Long, and Commissioner Mazon gave a head nod to move forward to the next step in the road maintenance assessment.

Commissioner Coleman made comments.

Commissioner Long made comments.

**10. City Manager and City Clerk Annual Merit Evaluation**

***A Resolution Of The City Of Newberry, Florida, Providing For Merit Pay Increase For City Clerk, Commensurate With An Evaluation By The City Commission; Providing For Merit Pay Increase For City Manager, Commensurate With An Evaluation By The City Commission; Repealing All Resolutions In Conflict; and Providing An Effective Date***

Mayor Marden introduced the item.

Attorney Shalley read Resolution 2026-54 into the record by title only.

Commissioner Farnsworth asked a question. Discussion ensued.

Assistant Manager Lee presented orally.

**Motion to approve a 4% merit increase each for the City Manager and City Clerk by Resolution 2026-54 made by Commissioner Clark, Seconded by Commissioner Long.**

Mayor Marden called for comments from the dais and the public. There were none.

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

**11. City Commission Meeting Holiday Schedule**

Mayor Marden introduced the item.

Assistant Manager Lee presented the item orally.

Discussion ensued.

**Motion to cancel the December 28, 2026 Commission Meeting made by Commissioner Clark, seconded by Commissioner Long.**

Mayor Marden called for comments from the dais and public. There were none.

DRAFT

**Voting YEA:** **Commissioner Coleman, Commissioner Clark, Commissioner Farnsworth, Commissioner Long, Commissioner Mazon**

**MOTION PASSED: 5-0**

**COMMENTS**

**Citizens**

*(Please limit your comments to 5 minutes)*

Dan Thomas made comments.
Sharon Cheesborough made comments.
Crystal Rushing made comments.

**City Manager**

Manager Marlowe made comments.

**City Attorney**

Attorney Shalley had none.

**City Clerk**

Clerk Paul made comments.

**Commission**

Commissioner Coleman had none.
Commissioner Clark made comments.
Commissioner Farnsworth made comments.
Commissioner Long made comments.
Commissioner Mazon made comments.

**Mayor**

Mayor Marden made comments.

**MEETING ADJOURNMENT**

The meeting was adjourned at 8:57 PM.

Signed and approved on this ___ day of _____ 202_.

_____ _____

Timothy R. Marden, Mayor Randa K. Paul, City Clerk

DRAFT

**File Attachments for Item:**

4. SAHM Water System Improvements Engineering Services Agreement

# Commission Agenda Item

| | |
|---|---|
| **Meeting Date:** | November 9, 2026 |
| **Title:** | SAHM Water System Improvements Engineering Services Agreement |
| **Agenda Section:** | Consent |
| **Department:** | Utilities and Public Works |
| **Strategic Goal/Objective:** | GOAL A.1<br>Protect water quality by implementing water and wastewater improvements |
| **Presented By:** | Kevin Willis, Assistant Utilities and Public Works Director |
| **Recommended Actions:** | 1) Authorize the City Manager to execute a contract with Woodard and Curran in the amount of $280,000.<br>2) Authorize the City Manager to approve change orders not to exceed 10% of contract amount. |

**Summary:**

On March 18, 2026, the City of Newberry issued Request for Qualifications (RFQ) 2026-06 for Professional Engineering and Consulting Services associated with projects funded through the Supplemental Appropriation for Hurricanes Helene and Milton and Hawai'i Wildfires (SAHM). Woodard & Curran, Inc. was the sole respondent to the RFQ.

On July 13, 2026, the City Commission authorized the City Manager to execute a professional services agreement with Woodard & Curran to provide engineering and consulting services for eligible grant-funded projects. The agreement establishes the general terms and conditions under which the consultant will provide professional services to assist the City with the planning, design, and implementation of projects associated with this funding.

Under the agreement, individual projects will be authorized through separate written proposals outlining the specific scope of services, compensation, and project requirements. Each proposal must be executed by both parties before becoming effective. The agreement establishes responsibilities for both the City and the consultant, including project coordination, professional standards, invoicing, insurance, and compliance with applicable regulations. This agreement provides the City with a framework to utilize Woodard & Curran's professional engineering and consulting services as needed for SAHM-funded projects while allowing individual project scopes and costs to be reviewed and approved separately.

Staff recommends that the City Commission authorize the City Manager to execute the Professional

Services Agreement with Woodard & Curran, Inc. for engineering and consulting services associated with SAHM-funded projects and authorize the City Manager to approve change orders up to 10% of the applicable contract price.

**Prior Commission Action/Direction:**
On July 13, 2026, the City Commission authorized the City Manager to execute a professional services agreement with Woodard & Curran to provide engineering and consulting services for eligible grant-funded projects.

**Fiscal Impact:**
The agreement will cost the City $280,000, with change orders permitted up to, but not exceeding, an additional 10% of the agreement amount, within the FY 2027 budget.

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**Attachments:**
1. WC SAHMG Agreement
2. 2026.10.13 Newberry DW Facility Plan SAHM Proposal

1511 N Westshore Boulevard
Suite 420
Tampa, Florida 33607
www.woodardcurran.com

T 800.426.4262

Via Electronic Mail

October 13, 2026

Mr. Jamie Jones
Assistant City Manager/Development & Infrastructure
City of Newberry
25493 NW 1st Avenue
Newberry, FL 32669

Re: Proposal Drinking Water Facility Plan Amendment
City of Newberry, FL

Dear Jamie:

Woodard & Curran, Inc. (W&C) appreciates the opportunity to provide this proposal for professional engineering services to complete a Drinking Water Facility Plan to meet the Supplemental Appropriation for Hurricanes Helene and Milton and Hawai'i Wildfires (SAHM) requirements for the City of Newberry.

**BACKGROUND**

The City of Newberry is located in Alachua County with a population of approximately 7,000 people as provided in the 2020 BEBR. An annual 3% population growth is expected to occur within the existing service area. The City has an aging drinking water supply, treatment, storage and distribution system with miles of small diameter pipe with many components beyond their useful life.

In 2024, the City of Newberry experienced water distribution impacts during the Hurricane season. The City struggled with access to critical infrastructure due to flooding and struggled to meet system pressure demands due to undersized pipes, single points of failure, line breaks, pump failures, storage and disposal limitations, power outages, chemical storage limitations and SCADA limitations.

In 2025, the City in securing SAHM funding in order to upgrade the City's drinking water infrastructure in order to limit future storm impacts by increasing redundancy, resiliency, and remote SCADA improvements. In order to meet the requirements of the SAHM program the City needs to produce a Facility Planning document. This task order proposes the scope of work and budget for Woodard & Curran to produce a new Drinking Water Facilities Plan to highlight impacts, identify solutions, evaluate alternatives and demonstrate compliance with the specific requirements of the SAMH funding, to enable its use for design and construction of the eligible water system improvements.

**SCOPE OF SERVICES**

The scope of services is summarized in the tasks listed below. The intent of these tasks is to meet the City's needs, and to develop a document that results in a path to fully

fundable design, permitting, bidding, procurement, and construction of the recommended drinking water capital improvement projects.

Task 1: Gather Existing Data and Information
Task 2: Evaluate Project Alternatives
Task 3: Draft Facilities Plan Report
Task 4: Document SAHM Eligibility
Task 5: Conduct Environmental Review
Task 6: Develop Business Plan
Task 7: Facilitate Public Outreach
Task 8: Finalize and Submit Facilities Plan
Task 9: Funding Compliance and Supplemental Appropriation Administration Support
Task 10: Regulatory Support
Task 11: Project Management

**Task 1: Gather Existing Data and Information**

The Consultant shall begin the project with a kick-off meeting held with our team and key representatives from the City. In this meeting, we will review the scope of work and establish baseline information for technical and administrative project elements and define the focus of the Drinking Water Facilities Plan.

The technical project element discussion of the kickoff meeting includes:

- Describe project goals, objectives, and scope of work;
- Obtain or identify how to obtain available information (e.g., drawings of record, reports, and regulatory agency communication) from the City;
- Discuss the City's preferred approach to prioritization of drinking water improvements; and
- Discuss the implications of the No Action alternative
- The administrative project element discussion of the kickoff meeting includes:
- Communications procedures and contact information,
- Project schedule,
- Meeting schedule,
- Field inspection coordination,
- Deliverables format and review procedures, and
- Invoicing procedures

Using information learned and provided by the City at and following the kickoff meeting, The Consultant will gather, review, and evaluate existing surveys, plans, reports, regulatory agency communications, and other relevant documentation. The Consultant will consolidate and summarize existing information and reports to document the condition of the existing drinking water infrastructure, recommendations for repair or rehabilitation, and planned or ongoing projects to make improvements.

***Task 1 Deliverables:***

- Kickoff Meeting Agenda and Notes
- Existing Conditions Technical Memorandum (TM)

**Task 2: Evaluate Project Alternatives for 20-Year Projections**

The Consultant shall evaluate future conditions including population trends from the US Census Bureau (USCB) and Florida's Bureau of Economic and Business Research (BEBR), proposed development information provided by the City, and planning period growth. Woodard & Curran will also review future Florida regulatory trends for water treatment, water distribution, water storage, and disposal requirements.

The Consultant shall evaluate three (3) alternatives to support the City's development of capital improvement projects needed over the next twenty (20) years. The Consultant shall prepare AACE Class 5 Order-of-Magnitude/Conceptual Cost Estimates for the identified treatment, storage, disposal and distribution system alternative suites.

The recommended alternatives will be further developed in Task 3 for the draft Facilities Plan after Tasks 1 and 2 have been completed.

***Task 2 Deliverable:***

- Alternatives Evaluation TM

**Task 3: Draft Facilities Plan Report**

The Consultant shall prepare and submit a draft Facilities Plan report to satisfy FDEP's deadline for Initial Submittal of Planning Activities (anticipated November 15, 2026). The Facilities Plan shall include the information outlined below. Given the aggressive schedule deadline for the draft submittal, not all of the information below will be complete for the initial draft submittal Any incomplete sections in draft report will be addressed and completed as part of the final report submittal in Task 8.

- Prepare the statement of need and justification for the project. Provide sufficient illustrative detail of the local service region.
- Identify where the project or activity is located.
- Confirm the service area census tracts.
- Describe the existing facilities and recommended facility upgrades, estimated capital costs, estimated operation and maintenance costs, and repair and replacement costs, if applicable
- Evaluate the hydraulics of the distribution system and recommend improvements, estimated capital costs, estimated operation and maintenance costs, and repair and replacement costs, if applicable. The evaluation will also include an analysis of the impact of the addition of any known planned developments.
- Identify environmental and economic impacts and benefits of the project. Identify new distribution areas, if applicable.
- Provide sufficient data to support storage and distribution upgrades, if applicable.
- Prepare a cost comparison that describes at least three alternatives, including the "No Action" alternative and its consequences. The cost comparison summary will

include life cycle cost analysis (LCCA) using CIP cost, 0&M cost, salvage value and R&R cost. Provide the cost breakdown and the total cost reflective of the data used in the cost comparison.

- Discuss the various factors that affected the decision-making process that led to the “selected alternative" and a rationale for selecting that alternative.
- Planning document signed and sealed by a Florida professional engineer. Participate in the public meeting process.
- Complete a Business Plan.
- Develop technical, construction and funding schedules for the design and construction projects.
- Provide justification and support for interest rate reduction.
- Describe the O&M program and the capacity (both managerial and technical) of the existing system.

**Task 3 Deliverable:**

- Draft Facilities Plan

**Task 4: Document SAHM Eligibility**

The Facilities Plan will provide justification for grant eligibility by describing how individual project elements meet the Drinking Water SRF and SAHM program goals and objectives. Additional SAHM eligible project categories will be included as needed during data gathering and discovery. This task will match specific projects identified in the facilities plan to the applicable Projects Eligible under the SA-HWM of the EPA Memorandum dated March 13, 2025, titled *Award and Implementation of the 2025 State Revolving Fund Supplemental Appropriation for Hurricanes Helene and Milton and the Howai’i Wildfires (SA-HMW),* from Jennifer L. McLain (reference “8. Eligible Recipients” and “Attachment 3”).

To support, justify, and reinforce the proposed project’s SAHM eligibility, Consultant will gather and summarize available documentation providing evidence of hurricane impacts on the City and its drinking water system.

This task will compile specific information to include within the Facilities Plan report to align specific projects proposed to meet the SAHM eligibility requirements. Documentation may include pictures of storm damage, report/logs of instances communication loss, pressure deficiencies, inability to access sites, reports of power outages, operator logs of system impact/points of failure, and other damage information. Alignment of Hurricane Impact and demonstrating the projects eligibility under the SAHM program within the Facilities Plan is integral to ensure future Design and Construction phases can use SAHM funding.

Based on SAHM guidance documents the following improvements are eligible:

- Installation of back-up generators (including portable generators) or alternative energy sources (e.g., solar panels, wind turbines, batteries, switch boxes) that service pump stations or other distribution system facilities
- Replacement of damaged equipment with more energy efficient equipment

- Physical “hardening” or waterproofing of pumps and electrical equipment at pump stations and other components of distribution systems (including storage facilities and associated equipment) through upgrade or replacement, including:
- Waterproofing electrical components (e.g., pump motors)
- Waterproofing circuitry
- Dry floodproofing/sealing of structure to prevent floodwater penetration
- Installation/construction of wind resistant features (e.g., wind resistant roofing materials, wind-damage-resistant windows, storm shutters)
- Installation/construction of redundant distribution system components and equipment
- SCADA system projects to allow remote or multiple system operation locations
- Projects that maintain the operation of a drinking water treatment plant, intake or well in the event of a flood or natural disaster, including but not limited to:
- Installation of back-up energy supply or alternative energy sources (e.g., solar panels, wind turbines, batteries, switch boxes) and/or hardening of existing connections to the power grid
- Physical “hardening” or waterproofing of pumps and electrical equipment at pump stations and other components of distribution systems (including storage facilities and associated equipment) through upgrade or replacement, including:
- Waterproofing electrical components (e.g., pump motors)
- Waterproofing circuitry
- Dry floodproofing/sealing of structure to prevent floodwater penetration
- Installation/construction of wind resistant features (e.g., wind resistant roofing materials, wind-damage-resistant windows, storm shutters)
- Installation of larger capacity storage tanks
- Installation of larger capacity chemical storage tanks for continued treatment in absence of delivery service
- Installation of larger capacity fuel storage tanks for back-up generators
- Installation of larger capacity water storage facilities (e.g., raw water reservoirs, backwash tanks, contact basins)
- SCADA system projects to allow remote or multiple system operation locations

The information collected to ensure SAHM eligibility within the facilities plan will require substantial coordination between the City, FDEP, EPA, County, Electricity providers, FEMA, NOAA (National Weather Service), and other stakeholders key to provide essential back up documentation related to proof of hurricane impact. On the City’s behalf, the Consultant will coordinate with these stakeholders to obtain this information and confirm applicability with FDEP representatives for SAHM to receive conditional approval of impact documentation. In the event that FDEP or EPA deems the documentation to be insufficient, the Consultant will continue coordination with the agencies to provide additional data, memorandum, and technical detail to demonstrate hurricane damage and project alignment with SAHM eligible project categories. The Consultant will also respond to any Request for Additional Information from FDEP or EPA related to SAHM impact documentation.

***Task 4 Deliverables:***

- SAHM Eligibility Assessment
- EPA Eligibility and Compliance Matrix
- Benefit and Resiliency Evaluation
- Draft Facility Plan chapter addressing SAHM requirements
- Final Facility Plan chapter incorporating final eligibility determinations

**Task 5: Conduct Environmental Review**

An Environmental Information Document (EID) will be prepared in accordance with FDEP SRF requirements to support future design and construction funding eligibility. The environmental review shall include, at a minimum, the following:

- Identification of threatened, endangered, proposed, and candidate species and designated critical habitats that may occur within the project area utilizing the U.S. Fish and Wildlife Service (USFWS), Florida Fish and Wildlife Conservation Commission (FWC), IPaC Consultation tool, and other applicable resources.
- Evaluation of potential impacts to wetlands, surface waters, floodplains, coastal resources, prime agricultural lands, aquifer recharge areas, conservation lands, and other environmentally sensitive resources.
- Assessment of potential impacts to flora, fauna, threatened or endangered species, and critical habitats, including avoidance, minimizations, and mitigation measures where applicable.
- Evaluations of potential environmental justice impacts, including any disproportionately high and adverse human health or environmental effects on minority, low-income, Tribal, or other underserved populations.
- Review of cultural, archaeological, and historic resources, including coordination with the Florida State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officers (THPOs), as required.
- Documentation of consistency with local watershed management plans, Basin Management Action Plans, and other applicable state and federal environmental programs. Evaluation of project location relative to Federal Emergency Management Agency (FEMA) flood hazard areas, including consideration of floodplain management requirements and project resiliency measures in alignment with the EPA Supplemental Appropriation Hurricanes Helene and Milton Rule.
- Documentation of existing environmental conditions and discussion of the environmental consequences of the no-action alternative, and all feasible project alternatives considered during facility planning.
- Identification of any temporary construction-related impacts, including noise, traffic disruptions, erosion and sedimentation, air quality impacts, and measures to minimize impacts.
- Preparation and submission of the EID and all supporting documentation required for FDEP SRF environmental review and State Environmental Clearinghouse review.

Consultant shall coordinate with applicable federal, state, regional, and local agencies; prepare all required environmental review documentation; and submit the completed EID package to FDEP for review and approval. Environmental review activities shall be completed in a manner

that supports subsequent design and construction funding eligibility through both the FDEP State Revolving Fund Program and EPA — Supplemental Appropriation of Helene and Milton Funding (SAHM).

***Task 5 Deliverables:***

- Documentation of Existing Environmental Conditions
- Environmental Impact Documentation
- Completed EID Package

**Task 6: Develop Business Plan**

Consultant shall develop a Business Plan within the FDEP DWSRF framework, the Business Plan is a required component of the Facilities Plan that demonstrates how a utility will fund, operate, and sustain the proposed project over its lifecycle.

Below is a breakdown of the proposed tasks that align with FDEP expectations and SRF program review practices:

- Total Project Cost breakdown (eligible vs. non-eligible)
- Funding sources and financing structure
- SRF loan terms and amortization schedule
- 20-year financial projections
- Revenue sufficiency and Debt-Service Coverage Ratio (DSCR) analysis
- Rate adjustment plan and affordability analysis
- Cash flow and reserve balance projections
- CIP integration summary
- Sensitivity/risk analysis
- Complete narrative suitable for FDEP review
- A cost and effectiveness analysis of the processes, materials, techniques, and technologies for carrying out the proposed project.
- The selected alternative will maximize the potential for energy efficiency considering the cost of constructing, operating, maintaining, and replacing the project or activity, as necessary
- Identify revenues to be dedicated to any potential future loans, including other funding sources besides SAHM. Identify any gaps between the existing User Charge System and any additional pledged revenues needed to support the proposed capital improvements.
- Complete Business Plan and Implementation Plan

The Consultant shall prepare loan repayment plans for the capital program defined. The Business Plan will also address the debt service coverage ratios and reserve policies required. Woodard & Curran will prepare the required Legal Affidavit for the Business Plan specifically. Woodard & Curran will also prepare an affordability assessment related to demographics of the service area as required for the Business Plan.

***Task 6 Deliverables:***

- Draft Business Plan submittal
- Final Business Plan submittal

**Task 7: Public Participation Support**

Consultant shall partner with the City to satisfy applicable FDEP SRF public participation requirements. Public participation support activities will include:

- Support for the required public hearing, including advertising, presentation materials, and meeting facilitation pursuant to Rule 62-552.700, Florida Administrative Code (F.A.C.).
- Preparation of educational materials, presentations, exhibits, and project summaries explaining project needs, alternatives, costs, benefits, and anticipated impacts.
- Documentation of public comments received during the Facilities Plan development process, including official public meeting minutes.

Consultant will present the findings of the Drinking Water Facilities Plan, including the options evaluated, selected alternative, and associated costs at a Public Meeting. Woodard & Curran will assist the City with developing the meeting notice and advertising the meeting schedule in accordance with FDEP requirements. This meeting will occur in conjunction with a City Commission/Council Meeting, with the objective of concluding with the adoption of the Facilities Plan for submittal to FDEP.

***Task 7 Deliverables:***

- Public Meeting Advertisement
- Legal Affidavit
- Draft Resolution adopting Facilities Plan
- Public Meeting Minutes
- Public Presentation

**Task 8: Finalize and Submit Facilities Plan**

Utilizing work completed in Tasks 1-7, Woodard & Curran will complete and submit the Drinking Water Facilities Plan based upon the outline below, as described by and compliant with the requirements established by FDEP and Rule 62-503, F.A.C. The Facility Plan will also document SAHM eligibility requirements described in Task 4. Proposed sections of the Plan are as follows:

- Introduction
- Background
- Summary of Findings and Recommendations
- Project Need and Justification
- Scope of Study
- Environmental Impacts
- Description of Planning Area
- Environmentally Sensitive Areas
- Flood Plain

- Air Quality
- Socio-economic Conditions
- Development of Alternatives
- Cost Analysis and Cost to Construct
- Selected Alternative Description
- Construction Schedule

The Consultant will provide a final Facilities Plan to the City and to FDEP.

***Task 8 Deliverable:***

- Final Facilities Plan

**Task 9: Funding Compliance and Supplemental Appropriation Administration Support**

Consultant will provide funding compliance, project administration, and documentation support necessary to maintain eligibility under the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) Program and the Supplemental Appropriation for Hurricanes Helene and Milton (SAHM). The Consultant will coordinate closely with the City and FDEP throughout the planning process to ensure all administrative requirements, schedules, and readiness-to-proceed milestones are achieved. Activities include, but are not limited to:

- Coordination with FDEP SRF staff to ensure compliance with applicable provisions of Chapters 62-503 and 62-5S2, Florida Administrative Code, and all associated SRF program guidance and requirements.
- Preparation of funding documentation necessary to support SRF planning, design, and construction funding eligibility.
- Development and maintenance of project schedules and milestone tracking to support compliance with SAHM funding deadlines and readiness-to-proceed requirements.
- Prepare, submit, and coordinate DEP Forms 55-222 (Advanced Payment Request Form) and all supporting documentation required by FDEP to request advanced funding.
- Prepare an Advance Payment Request Letter and support financial hardship justification demonstrating the Owner's need for advance funding.
- Assistance with preparation and review of SRF loan agreement exhibits, schedules, certifications, and readiness-to-proceed documentation.
- Prepare, submit, and file Federal Funding Accountability and Transparency Act (FFATA) forms.
- Prepare, submit, and file Pre-Award Compliance Review Report for AII Applicants and Recipients Requesting EPA Financial Assistance Forms.
- Preparation of documentation demonstrating hurricane-related impacts, loss of mission-essential functions, resiliency needs, redundancy improvements, and public health benefits associated with the proposed project.

- Assistance with documentation supporting principal forgiveness eligibility, disadvantaged community determinations, affordability assessments, and project prioritization.
- Provide support to City staff as needed to coordinate reimbursement requests and reimbursement packages, including gathering and organizing invoices, obtaining and maintaining clear check copies and supporting documentation, reviewing packages for completeness and accuracy, and facilitating submission and follow-up through project closeout.
- Prepare and maintain a Schedule of Values (SOV) to support project budgeting, cost tracking, funding allocation management, reimbursement requests, and compliance with FDEP SRF and Supplemental Appropriation reporting requirements.
- Preparation of supporting documentation required to demonstrate project resiliency, redundancy, flood mitigation, disaster recovery, and hazard mitigation benefits consistent with SAHM eligibility requirements.
- Ongoing coordination with FDEP staff to address comments, requests for information, and administrative requirements throughout project development.

Consultant will provide administrative support necessary to maintain compliance with FDEP SRF requirements and the Supplemental Appropriation for Hurricanes Helene and Milton. Particular emphasis will be placed on meeting the accelerated funding schedules associated with SAHM funding, recognizing that extensions are generally unavailable and that planning, design, and construction approvals must occur within the timelines established by FDEP to preserve funding eligibility.

***Task 9 Deliverables:***

- Advance Payment Package
- Federal Funding Compliance Reporting Package
- Resiliency Eligibility Documentation Package
- Principal Forgiveness Eligibility Documentation
- Procurement Compliance Submittals
- Reimbursement Request Packages
- Schedule of Values (SOV)
- Invoice and Payment Tracking Log
- FDEP Coordination Memoranda

**Task 10: Project Management**

This task consists of activities necessary to inform the City of the project's needs; coordinate information and meetings; coordinate with other project stakeholders; reach timely decisions to meet the project schedule; prepare reports to the City on the progress of the project and status of schedule and budget; and prepare and submit monthly invoices to the City.

The objective of Task 10 is to support general project administration, project management, participation in project calls and meetings, and management of expenses. It includes:

- Leadership of the project kickoff meeting and preparation of kickoff meeting notes;

- Development and submission of a project schedule; Leadership of the project tasks and their deliverables;
- Preparation and submission to the City of weekly progress reports, identifying project progress to date, and schedule and financial updates;
- Preparation and submission to the City of monthly invoices; and
- Facilitation of and attendance at weekly coordination meetings with the City.

***Task 10 Deliverables:***

- *M*eeting agenda and notes
- Project schedule
- Progress update reports
- Monthly invoices

**SCHEDULE**

This scope of work is estimated to be completed over a period of nine (9) months, to commence upon receipt of notice-to-proceed from the City. Woodard & Curran will deliver a draft facility plan within three (3) months and a final within nine (9) months. Woodard & Curran will prioritize the completion of interim deliverables to be completed earlier, especially where possible to accelerate the timeline for commencing design and construction.

**BUDGET**

The project will be completed on a lump-sum basis for an amount not to exceed $280,000. This project is eligible to be funded through the SAHM appropriation and is therefore anticipated to be fully reimbursable to the City. The proposed budget for completion of the work described herein is summarized below:

| TASK | BUDGET |
|---|---|
| Task 1: Gather Existing Data and Information | $17,000 |
| Task 2: Evaluate Project Alternatives | $38,000 |
| Task 3: Draft Facilities Plan Report | $50,000 |
| Task 4: Document SAHM Eligibility | $27,000 |
| Task 5: Conduct Environmental Review | $25,000 |
| Task 6: Develop Business Plan | $22,000 |
| Task 7: Public Participation Support | $15,000 |
| Task 8: Finalize and Submit Facilities Plan | $33,000 |

| | |
|---|---|
| Task 9: Funding Compliance and Supplemental Appropriation Administration Support | $25,000 |
| Task 10: Project Management | $28,000 |
| TOTAL | $280,000 |

**TERMS AND CONDITIONS**

The Scope of Services will be completed in accordance with the terms of the Consultant/Professional Services Agreement between Woodard & Curran, Inc. and the City of Newberry dated_____.

**CLOSING**

We greatly appreciate this opportunity to offer our consulting services. If you accept this proposal and wish to proceed with the Scope of Services, please sign in the space indicated below and return a copy for our files. Please feel free to call me at 863.354.4416 if you have any questions regarding this proposal or require any further information.

Sincerely,

WOODARD & CURRAN, INC.

Justin F. deMello, PE
Vice President

Enclosure(s)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their duly authorized agents as of the date indicated below.

**AUTHORIZATION BY:**

| WOODARD & CURRAN, INC. | | CITY OF NEWBERRY, FL | |
|---|---|---|---|
| Signature | Date | Signature | Date |
| Justin F. deMello, PE | | | |
| Name (printed) | | Name (printed) | |
| Vice President | | | |
| Title | | Title | |

Woodard & Curran

**PROFESSIONAL SERVICES AGREEMENT**
**TERMS & CONDITIONS**

The following Standard Terms and Conditions constitutes a master services agreement for professional and/or engineering services for the specific Projects identified in Section 1 below ("Agreement") between Woodard & Curran, Inc., a Maine corporation authorized to transact business in the State of Florida (referred to herein as "Consultant"), and the City of Newberry, Florida, a municipal corporation ("Client"), with an address of 25493 NW 1st Avenue Newberry, FL 32669. The parties shall be individually and collectively referred to herein respectively as a "Party" or the "Parties".

WHEREAS, on March 18, 2026, the City of Newberry issued Request for Qualifications 2026-06 for Professional Engineering and Consulting Services ("RFQ 2026-06"), which RFQ was supplemented and revised by Addendum No. 1 to clarify the RFQ was not for a general continuing services contract, but rather for professional services specific to the Supplemental Appropriation for Hurricanes Helene and Milton and Hawai'i Wildfires (SAHM) projects;

WHEREAS, the Consultant was the sole respondent to RFQ 2026-06 and on July 13, 2026, the Newberry City Commission authorized the City Manager to execute a contract with the Consultant; and

WHEREAS, it is the desire of the Client to contract with the Consultant for the Services; and Consultant desires to perform the Services.

NOW THEREFORE, the parties hereto agree as follows:

**1. The Services. Consultant shall perform Professional and/or Engineering Services for Projects funded by the Supplemental Appropriation for Hurricanes Helene and Milton and Hawai'i Wildfires (SAHM). Each scope of services will be set forth in separate written proposals that will become effective, and made a part of this Agreement, when executed by both Parties. The scope of services provided under each executed proposal are referred to herein as the "Services."**

1.1 Assumptions. The Consultant's Services and the compensation are conditioned upon, and are subject to, the assumptions set forth in each executed proposal.

1.2 Change in Scope of Services. Client may, at any time, by written order, request changes to the scope of Services or work to be performed. If the scope of Services is changed in a manner that will increase or decrease Consultant's costs or the time required to perform the Services under this Agreement, there will be an equitable adjustment to this Agreement that must be signed by both parties.

1.3 **Incorporation of RFQ. This Agreement expressly incorporates the entirety of RFQ 2026-06 and its Addendum No. 1 and Addendum No. 2, all of which are made a part of this Agreement, only to the extent applicable to Consultant's Services and if required by law, as if set forth in full herein. In the event of conflict with this Agreement, the terms of RFQ 2026-06, Addendum No. 1 and Addendum No. 2 shall prevail, unless otherwise stated herein.**

**2. Consultant's Responsibilities**

2.1 Consultant shall be responsible for the following:

2.1.1 Consultant will perform all work in accordance with the scope of Services set forth in each executed proposal.

2.1.2 Consultant will perform all work in a professional manner that is consistent with other professionals performing similar work in the geographic area at the time services are rendered. No warranty, express or implied, is made or intended by Consultant's undertaking herein or its performance of services, and it is agreed that Consultant is not a fiduciary or municipal advisor to the Client.

2.1.3 Consultant shall make reasonable professional efforts to comply with all applicable laws and regulations applicable to Consultant's performance of the Services.

2.1.4 Consultant shall assign a project manager to act as Consultant's representative with respect to the Services to be rendered under this Agreement.

2.1.5 Consultant shall have and maintain all applicable professional licenses and permits required to perform the Services.

2.1.6 When providing technology-based services, Consultant shall maintain a data-security program that is consistent with industry standards and will use processes and tools readily available in the marketplace. The parties recognize that due to constant advancements and rapidly changing risks inherent in the field of data technology, which are beyond the control of Consultant and Client, as long as Consultant observes the standard of care, Consultant is not responsible for any damages, claims, incidents pertaining to said data-security program.

**3. Client's Responsibilities**

3.1 Client shall do the following in a timely manner so as not to delay the services of Consultant:

3.1.1 Designate in writing a person to act as Client's representative with respect to the Services to be rendered under this Agreement. Such person shall have complete authority to transmit instructions, receive information, and interpret and define Client's policies and decisions with respect to Consultant's Services. Such person shall have complete authority to bind Client financially with respect to the payment of the Services to be rendered under this Agreement.

3.1.2 Provide all criteria and full information as to Client's requirements for the project relative to the scope of Services (the "Project"), including design objectives and constraints, performance requirements, and any budgetary limitations; and furnish copies of all design and construction standards which Client will require to be included in any drawings and specifications.

3.1.3 Provide Consultant with all available information pertinent to the Project including previous reports, cost estimates, and any other documents and data relative to the design or construction of the Project, all of which Consultant shall be entitled to use and rely upon with respect to the accuracy and completeness thereof, in performing the Services under this Agreement.

3.1.4 Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by Consultant, and provide written comments within a reasonable time so as not to delay the Services of Consultant.

3.1.5 Give prompt written notice to Consultant whenever Client observes or otherwise becomes aware of any development that may affect the Services or timing of the Services.

3.1.6 Ensure Consultant, its agents and representatives have safe access to the Project site, buildings thereon, and other locations as required to perform the Services.

3.1.7 If applicable, retain its own Independent Registered Municipal Advisor ("IRMA") pursuant to the Municipal Advisor Rule of the Securities and Exchange Commission, and rely upon such advisor, it being the understanding that Consultant is not providing the services of an IRMA.

**4. Subcontracts**

4.1 If requested by Client, the Consultant will recommend that the Client engage the services of laboratories, testing services, specialized equipment providers, subconsultants, or other such third parties in connection with the Project. Payment to these third parties will be made directly by the Client and the Consultant is not responsible for the Client's use of such third parties or for such third parties' means and methods and will not be liable for their errors or omissions.

4.2 In the alternative, Consultant may subcontract any portion of the Services to a subcontractor, and the Consultant will add a surcharge as stated in the proposal or scope of service, or, if not so stated, a surcharge of 10% on invoices paid directly by the Consultant for laboratories, testing services, specialized equipment providers, subconsultants, or other such third parties, and that surcharge will be reflected on Consultant's monthly invoices submitted to Client.

## 5. Billing and Payment

5.1 Client shall pay Consultant in accordance with the payment methods, rates, and charges set forth in the scope of Services set forth in the proposal or otherwise agreed upon. Consultant will submit monthly invoices for services rendered and expenses incurred during the previous period.

5.2 Payment will be due upon receipt of Consultant's invoice. Payments due Consultant and unpaid under the terms of this Agreement shall bear interest from thirty (30) days after the date payment is due at the rate of one and one half (1.5) percent per month and as permitted by applicable local law until paid in full. In the event that Consultant is compelled to take action to collect past due payments, the Client will reimburse Consultant for all costs and expenses of collection including, without limitation, all court costs and reasonable attorney's fees and costs.

5.3 If applicable, Reimbursable Expenses include actual expenditures made by Consultant, including, but not limited to:

5.3.1 transportation and living expenses incurred in connection with travel on behalf of the Client;

5.3.2 overnight or priority postage and costs for special handling of documents;

5.3.3 renderings and models requested by the Client;

5.3.4 expense of overtime work requiring higher than regular rates;

5.3.5 automobile expenses for personal vehicles at the prevailing Internal Revenue Service (IRS) reimbursement rate, plus toll charges, for travel in conduct of the work, or rental of vehicles plus gasoline and toll charges for traveling to conduct the work;

5.3.6 use of company field vehicle will be charged according to Consultant's current rates;

5.3.7 charges for materials and equipment provided directly by Consultant will be billed according to Consultant's current rates;

5.3.8 purchase or rental of standard equipment and other supplies necessary to conduct the work;

5.3.9 computer, drafting, typing and other services or labor provided by outside contract personnel or vendors.

5.4 If applicable, Miscellaneous Direct Expenses will be billed to the Client's project(s) each month at 3% (or as otherwise set forth in the scope of Services) of the current month's labor fee (including project contract labor fee) to compensate Consultant for expenditures for miscellaneous administrative costs such as production and communication/technological expenses incurred on the Client's project(s).

5.5 If the Project is suspended or abandoned in whole or part, Consultant shall be compensated for all services performed prior to receipt of written notice from the Client of such suspension or abandonment, together with Reimbursable Expenses and Miscellaneous Direct Expenses then due plus Project closeout costs actually incurred. If the Project is resumed after being suspended for more than three (3) months, Consultant's compensation shall be equitably adjusted between the Client and Consultant.

5.6 No deductions shall be made from Consultant's compensation on account of sums withheld from payments to contractors, nor shall payment to Consultant be contingent upon financing arrangements or receipt of payment from any third party.

5.7 If the Client fails to make payment when due Consultant for services, Reimbursable Expenses, or Miscellaneous Direct Expenses, Consultant may, upon seven days' written notice to Client, suspend performance of the Services under this Agreement. Unless payment in full is received by Consultant within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of Services, Consultant shall have no liability to Client for delay or damage caused to Client or others because of such suspension of Services.

5.8 If Client objects to all or part of any invoice, Client shall notify Consultant in writing within two weeks of the date of the invoice and shall pay the portion of the invoice in accordance with Paragraph 5.2. Provided that an objection is made in good faith, the parties shall immediately make every effort to settle the disputed portion of the invoice. If the dispute is resolved in favor of Consultant, interest shall accrue on the unpaid portion of the invoice in accordance with Section 5.2 of this Agreement.

5.9 If circumstances or conditions not originally contemplated or known to Consultant are revealed and affect the Services, compensation, schedule, allocation of risks or other material terms of this Agreement, Consultant shall be entitled to an appropriate adjustment in its schedule, compensation or other terms of the Agreement in accordance with its standard rates. Changed conditions include, but are not limited to, the following: (i) change in the instructions or approvals given by Client that necessitate revisions in the instruments of service; (ii) decisions of the Client not rendered in a timely manner; (iii) significant change in the Project including, but not limited to, size, quality, complexity, Client's schedule or budget, or procurement method; (iv) failure of performance on the part of the Client or the Client's consultants or contractors; (v) revision of documents (drawings and/or specifications) to reflect construction cost modifications; (vi) modifications to any construction phase drawings and specifications due to changes in program, size, quality, complexity, schedule, construction cost, financing, or method of bidding; (vii) additional program, feasibility or planning studies for this or other project sites; or (viii) enactment or revision of codes, laws, regulations, official interpretations, or similar governmental or regulatory changes; or (ix) imposition of tariffs or duties, trade disruptions or raw material shortages that differ from or arise after the date of this Agreement which necessitate scope, schedule and/or compensation changes to the Services.

**6. Ownership and Use of Documents**

6.1 All documents including drawings and specifications prepared or furnished by Consultant (and Consultant's subcontractors and subconsultants) pursuant to this Agreement are instruments of service in respect to the Project and Consultant shall retain an ownership and property interest therein whether or not the Project is completed. Client may take and retain copies for information and reference in connection with the use and occupancy of the Project by Client; however, such documents are not intended nor represented to be suitable for reuse by Client or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to Consultant or to Consultant's independent professional associates, subcontractors and consultants, and Client shall defend and indemnify Consultant from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any verification or adaptation will entitle Consultant to further compensation rates to be agreed upon by Client and Consultant.

6.2 Submission or distribution to meet official regulatory requirements or for other purposes in connection with the Project is not to be construed as publication in derogation of Consultant's rights under this section.

**7. Limitation of Liability**

7.1 The total liability, in the aggregate, of Consultant and Consultant's affiliates, subsidiaries, parent, officers, directors, employees, agents, subcontractors and subconsultants, and any of them, to Client and any one claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to Consultant's Services, the Project or this Agreement, from any cause or causes whatsoever shall not exceed the greater of two times the fee for the applicable Services or the total insurance proceeds paid on behalf of or to Consultant by Consultant's insurers in settlement or satisfaction of Client's claims under Consultant's applicable insurance policies subject to the minimum stated policy limits set forth herein. This limitation shall apply regardless of available insurance coverage, cause(s) or theories of liability, including but not limited to, the negligence, errors, omissions, strict liability, breach of contract, or breach of warranty of Consultant or Consultant's affiliates, subsidiaries, parent, officers, directors, employees, agents or subcontractors or subconsultants, or any of them. Client may negotiate a higher limitation for additional consideration.

7.2 Neither Party shall be responsible or held liable to the other for special, punitive, exemplary, indirect, incidental or consequential damages, including, but not limited to, loss of profit, loss of investment, loss of product, business interruption, or liability for loss of use of facilities or Client's existing property, however the same may be caused.

**8. Insurance**

8.1 Consultant is protected by Workers' Compensation Insurance in statutory amounts; General Liability Insurance of $1,000,000 per occurrence and $2,000,000 in the aggregate; and Professional Liability Insurance of $1,000,000 per claim and in the aggregate. Consultant will furnish client a certificate of insurance, upon written request, evidencing such coverage and limits, and list Client as a certificate holder. The Client and Consultant waive all of their and their respective insurers' rights of subrogation against each other to the extent any loss is covered by their applicable insurance policies. Furthermore, the Client shall require that any of its retained subcontractors list the Consultant as an additional insured on their applicable insurance policies, and that such subcontractors and their insurers waive their rights of subrogation against Consultant.

**9. Indemnification**

9.1 Notwithstanding any other provision to the contrary, Consultant's indemnification obligations shall be limited as follows: Consultant agrees to indemnify Client, its affiliates, subsidiaries, directors, shareholders, and employees for all third-party claims resulting in a judgment or damages ("Losses") to the proportionate extent such Losses are caused by Consultant's negligent acts or negligent omissions.

9.2 Client agrees to indemnify Consultant, its affiliates, subsidiaries, directors, shareholders, and employees for all third-party claims resulting in Losses to the proportionate extent such Losses are caused by Client's negligent acts or negligent omissions. The foregoing shall not constitute a waiver of sovereign immunity beyond the limits as set forth in Section 768.28, Florida Statutes.

**10. Delays/Force Majeure**

10.1 Neither Party shall hold the other Party responsible or liable for damages or delays in performance caused by acts of God, interruptions in the availability of labor, or other events beyond the control of the other Party, or that could not have been reasonably foreseen or prevented. For this purpose, such acts or events shall include but not be limited to weather affecting performance of services, floods, epidemics, pandemics, trade disruptions, tariffs, duties, or similar governmental and/or regulatory changes, war, riots, strikes, lockouts, or other industrial disturbances, protest demonstrations, unanticipated Project site conditions, and inability, with reasonable diligence, to supply personnel, equipment, or material to the Project. Should such acts or events occur, both parties shall use their best efforts to overcome the difficulties arising and to resume as soon as reasonably possible the normal pursuit of the Services. Delays within the scope of this provision which cumulatively exceed thirty (30) days in any six (6) month period shall, at the option of either Party, make this Agreement subject to termination or to renegotiation. Both parties acknowledge that Consultant does not have control over the review and approval times required by any public authorities that may have jurisdiction over the Project and any Project times shall be equitably adjusted by the parties to account for such review and approval process.

**11. Opinions of Probable Project Costs**

11.1 The Client shall be responsible for confirming any cost estimates during each design phase of the Project and the Consultant may rely on the accuracy and completeness of the cost estimates. If any opinions of probable construction costs are provided by Consultant, they are based on Consultant's experience, qualifications, and general familiarity with the construction industry. However, because Consultant has no control over trade disruptions; the regulatory landscape, including tariffs and duties; the cost of labor, materials, equipment or services furnished by others; contractors' methods of determining prices; or over competitive bidding or market conditions, among others, Consultant cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from any opinions of probable construction costs prepared by Consultant. Client agrees to review proposals, bids, actual costs and construction costs from a constructability and cost perspective, and, if Client requires greater assurance as to probable construction costs, Client agrees to obtain an independent cost estimate. Similarly, since Consultant has no control over building operation and/or maintenance costs, Consultant cannot and does not guarantee that the actual building system operating or maintenance costs will not vary from any opinions of such probable costs given by Consultant. Consultant makes no fixed limit of construction, operating, or maintenance costs as part of this Agreement.

11.2 The services, if any, of Consultant with respect to total project costs will be limited to assisting the Client in tabulating the various categories that comprise total project costs. Consultant assumes no responsibility for the accuracy of any opinions of total project costs.

**12. Notice**

12.1 All notices authorized or required between the parties, or required by any of the provisions herein, shall be given in writing and shall be sent by certified mail, return receipt requested, and deposited with an accepted postal service, postage prepaid, and addressed to the other Party at the address set forth in the first paragraph of this Agreement. Notices may also be given by personal delivery or sent via a regionally recognized overnight carrier (i.e. FedEx, UPS). Notices shall be deemed given when delivered.

**13. Dispute Resolution**

13.1 Step Negotiations. The parties shall attempt in good faith to resolve all disputes ("Controversy") promptly by negotiation, as follows. Any Party may give the other Party written notice of any Controversy not resolved in the normal course of business. Managers of both parties at levels at least one level above the Project personnel involved in the Controversy shall, within five business days after delivery of such notice, establish a plan to meet at a mutually acceptable time and place no later than ten business days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the Controversy. If the matter has not been resolved within thirty days from the referral of the Controversy to the managers, or if no meeting has taken place within ten days after such referral, either Party may initiate mediation as provided hereinafter. All negotiations pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and state Rules of Evidence.

13.2 Mediation. In the event that any Controversy arising out of or relating to this Agreement is not resolved in accordance with the procedures provided herein, such Controversy shall be submitted to mediation with a mutually agreed upon mediator. The mediation shall be filed at the regional office of the agreed upon mediator closest to the Project site. The mediation shall take place at a Consultant's office unless otherwise agreed to by the parties. If the mediation process has not resolved the Controversy within thirty days of the submission of the matter to mediation, or such longer period as the parties may agree to, the mediation process shall cease. All mediation documents and discussions pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and state Rules of Evidence. Nothing herein shall limit the rights and remedies that the parties may have under this Agreement or under other legal and equitable proceedings.

**14. Termination**

14.1 Either Party shall have the right to terminate this Agreement with respect to the Project for convenience, at its option, by sending a written notice to the other Party ("Notice of Termination"). The Notice of Termination shall specify when and which services will be discontinued and when termination shall be effective, provided that no termination shall be effective less than ten (10) calendar days after receipt of the Notice of Termination. No later than thirty (30) calendar days after termination, Client shall pay Consultant for all Services satisfactorily performed and charges incurred prior to termination, but shall not be entitled to anticipated profits on work not yet performed or to consequential damages.

14.2 Either Party shall have the right to terminate this Agreement for cause if the other Party commits a material breach of this Agreement and fails to cure such breach within ten (10) days. A notice containing specific reasons for termination ("Notice of Default") shall be sent to the defaulting Party, and both Parties shall cooperate in good faith to cure the default or defaults stated in the Notice of Default. Termination shall not be effective if the breach has been remedied within ten (10) days after the defaulting Party's receipt of the Notice of Default or the later date specified in the Notice of Default, or, if the defaulting Party has begun to cure such default within such period and such default cannot reasonably be cured within such period, if such defaulting Party diligently prosecutes curing such default to completion (provided that such provision shall not apply to Client's failure to timely pay an invoice). In the event of termination for cause, Consultant shall be paid the same as in the case of termination for convenience and the Parties shall have their remedies at law as to any other rights and obligations between them, subject to the other terms and conditions of this Agreement.

**15. Health and Safety**

15.1 Consultant and its employees shall follow health and safety precautions which meet federal, state and local regulations. If asked to conduct any activities which do not conform to said regulations, or which Consultant determines in its sole discretion to be unsafe or unhealthy, Consultant shall have the option to stop work immediately and inform Client of unacceptable health and safety conditions, and both Parties shall enter into good faith negotiations to remedy the

unacceptable conditions. If no remedy can be agreed upon, Consultant may terminate this Agreement in accordance with Paragraph 14.1.

15.2 Consultant will not implement or be responsible for health or safety procedures for any other persons other than for its own employees. Consultant shall not share any responsibility for the acts or omissions of other parties on the Project or have control or charge of, or be responsible for safety precautions and programs of Client or other contractors. Unless otherwise agreed in the scope of Services, Consultant's observation and testing of portions of the work of other parties on a Project site shall not relieve such other parties from their responsibilities for performing their work in accordance with applicable plans, specifications, and health and safety requirements. Client agrees to notify such contractors or other parties accordingly.

**16. Construction Contract Responsibilities**

16.1 Where the scope of Services includes the performance of any Services during the construction phase of the Project, Consultant and Client agree to the following:

16.1.1 It is understood that the purpose of any such services (including any visits to the Project site) will be to enable Consultant to better perform the duties and responsibilities assigned to and undertaken by it as an experienced and qualified design professional, and to provide the Client with a greater degree of confidence that the completed work of Client's construction contractor(s) ("Contractor") will conform generally to the contract documents and has been implemented and preserved by Contractor(s). Consultant shall not, during such visits or as a result of any observations of construction, supervise, direct or have control over Contractor's(s') work nor shall Consultant have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s) or safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing its (their) work. Consultant does not guarantee the performance of the construction contract by the Contractor(s), and does not assume responsibility for Contractor's(s') failure to furnish and perform its (their) work in accordance with the contract documents. Client shall include a requirement in all construction phase contracts requiring that the Contractor(s) shall indemnify, defend and hold the Consultant harmless from any and all claims, demands, causes of action, damages, costs, fines, penalties and expenses, including attorneys' fees, property damage, environmental damage, bodily injury, personal injury, losses, or liability based on, arising out of or alleged to arise from the Contractor's(s') performance of the work described in the construction phase contracts.

16.1.2 If Consultant's contract with the Client so requires, Consultant shall review (or take other appropriate action in respect of) shop drawings, samples and other data which Contractor(s) is (are) required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the contract documents. Such review or other actions shall not extend to means, methods, techniques, sequences or procedures of manufacture (including the design of manufactured products) or construction, or to safety precautions and programs incident thereto. Consultant's review or other actions, as described above, shall not constitute approval of an assembly or product of which an item is a component, nor shall it relieve the Contractor(s) of (a) its (their) obligations regarding review and approval of any such submittals; and (b) its (their) exclusive responsibility for the means, methods, sequences, techniques and procedures of construction, including safety of construction.

**17. Environmental Conditions and Subsurface Risks**

17.1 Where the scope of Services includes or requires on-site work, visits, investigations, or explorations, Consultant and Client agree to the following:

17.1.1 Hazardous Substances. Client acknowledges that Consultant has neither created nor contributed to the creation of any hazardous waste, hazardous substance, radioactive material, toxic pollutant, asbestos, or otherwise dangerous substance (collectively referred to as "Hazardous Substance"), or dangerous condition at the Project site. Consultant shall not, in any circumstance, assume title to any such Hazardous Substances, and is only an agent and is not a generator of any waste materials. Consequently, Client agrees to defend, indemnify and hold Consultant harmless from and against any and all claims, damages, losses, fines, suits or causes of action relating to personal injury, property damage, non-compliance or

liability arising under environmental laws including, but not limited to, RCRA, CERCLA or similar federal or state laws, to the extent that such claims are based on or arise from the existence or release of any Hazardous Substances.

17.1.2 Client's Duty to Notify Consultant of Hazards. Client shall provide Consultant with all information known to Client with respect to the existence or suspected existence of any Hazardous Substances at, on, or in close proximity to the Project site. Client will advise Consultant immediately of any information which comes into Client's possession regarding the existence of any such potentially hazardous substances, or any condition known to Client to exist in, on, under or in the vicinity of the Project site which might present a potential danger to human health or the environment.

17.1.3 Consultant shall take reasonable precautions for the health and safety of its employees while at the Project site with consideration for the available information regarding existing hazards.

17.1.4 Control of Project Site. Client acknowledges that it is now and shall remain in control of the Project site at all times. Consultant shall have no responsibility or liability for any aspect or condition of the Project site, now existing or hereafter arising or discovered. Consultant does not, by entry into an agreement with Client or its performance of services under any such agreements, assume any responsibility or liability with respect to the Project site; nor shall any liability or responsibilities be implied or inferred by reason of Consultant's performance of any work at the Project site.

17.1.5 Right of Entry. Unless otherwise agreed, Client will furnish right-of-entry on the land for Consultant to make the planned borings, explorations, or field tests. Consultant will take reasonable precautions to minimize damage to the land from use of equipment, but has not included in its fee the costs for restoration of damage that may result from Consultant's operations, or the operations of any person or entity engaged by Consultant in the performance of the Services under this agreement. If Consultant is required to restore the land to its former condition, such work will be accomplished and the costs, plus fifteen percent (15%), will be added to Consultant's fee.

17.1.6 Subsurface Risks. Client recognizes that special risks occur whenever engineering or related disciplines are applied to identify subsurface conditions. Even a comprehensive sampling and testing program, implemented with appropriate equipment and experience by personnel under the direction of a trained professional who functions in accordance with a professional standard of practice may fail to detect certain hidden conditions. For similar reasons, actual environmental, geological, and geotechnical conditions that the Consultant properly inferred to exist between sampling points may differ significantly from those that actually exists. The Client acknowledges these risks.

17.1.7 Consultant will exercise reasonable and professional care in seeking to locate subterranean structures in the vicinity of proposed subsurface explorations at the Project site. Consultant will contact public utilities and review plans and information, if any, provided by public utilities, public agencies and Client. So long as Consultant observes such standard of care, Consultant will not be responsible for any unavoidable damage, injury, or interference with any subterranean structures, pipe, tank, cable or any other element or condition if not called to Consultant's attention prior to commencement of services or which is not shown, or accurately located, on plans furnished to Consultant by Client or by any other party, or which could not have been reasonably identified by Consultant.

**18. Samples**

18.1 Where the scope of Services involves the collection of non-hazardous or hazardous samples, Consultant and Client agree to the following:

18.1.1 Non-Hazardous Samples. Consultant will dispose of all soil, rock, water, and other samples thirty (30) days after submission of Consultant's initial report. Client may request, in writing, that any such samples be retained beyond such date, and in such case Consultant will ship such samples to the location designated by Client, at Client's expense. Consultant may, upon written request, arrange for storage of samples at Consultant's offices at mutually agreed storage charges. Consultant will not give Client prior notice of intention to dispose of samples.

18.1.2 Hazardous Samples. Although the Client shall have the obligation to dispose of any "hazardous" samples, if samples collected from the Project site contain substances defined as "hazardous" by federal, state, or local statutes, regulations, codes, or ordinances, Consultant shall, at its option, have the right to: (1) dispose of samples by contract with a qualified waste disposal contractor; (2) in accordance with Client's written directions, ship such samples by an appropriately

licensed transporter to a licensed disposal site; or (3) return such samples by an appropriately licensed transporter, to Client. Client shall pay all costs and expenses associated with the collection, storage, transportation, and disposal of samples. If Client requests in writing, that any such sample be retained for a period in excess of thirty (30) days, Consultant will store such samples at Client's expense and Client will pay an additional fee as charged by Consultant in accordance with its standard laboratory schedule for storage of samples of a "hazardous substance." Consultant shall not, in any circumstance, assume title to any such hazardous substance, and is only an agent and is not a generator of any waste materials.

**19. Miscellaneous**

19.1 This Agreement shall be governed and construed in accordance with the laws of the state where the Project is located, with venue in Alachua County, Florida.

19.2 Any action to enforce or interpret this Agreement shall be commenced or maintained only in the judicial or administrative tribunal in the jurisdiction of the state where the Project is located, and each Party waives any venue, convenient forum, removal, jurisdiction, or other rights to the contrary.

19.3 Section headings in this Agreement are included herein for convenience of reference only, and shall not constitute a part of the Agreement or for any other purpose.

19.4 The Client and Consultant respectively, bind themselves, their partners, successors, assigns and legal representatives to the other Party to this Agreement and to the partners, successors, assigns and legal representatives of such Party with respect to all covenants of this Agreement. Neither the Client nor Consultant shall assign, sublet or transfer any interest in this Agreement without the written consent of the other.

19.5 This Agreement represents the entire and integrated Agreement between the Client and Consultant, and supersedes all prior negotiations, representations or agreements, either written or oral, and may be amended only by written instruments signed by both Client and Consultant.

19.6 If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

19.7 The parties acknowledge and agree that, due to local licensing and other laws and regulations, Consultant may be required to perform services in the name of an affiliate or subsidiary for certain jurisdictions, primarily:

a) Ohio, North Carolina, Virginia, Michigan, Vermont – Woodard & Curran Engineering and Geological Services, P.A.
b) New York – Woodard & Curran Engineering and Geological Services, P.A. P.C.

In the event Client requests services in the states identified above, the parties agree and acknowledge that the requested services may be performed in the name of the affiliate or subsidiary identified above under the terms and conditions of this Agreement.

**19.8. IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CLIENT'S CUSTODIAN OF PUBLIC RECORDS AT [352-472-2446, RPAUL@NEWBERRYFL.GOV, CITY HALL 25493 NW 1ST AVENUE, NEWBERRY, FL 32669].**

(Signatures on next page)

Woodard & Curran

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth below

**CONSULTANT:**

**WOODARD & CURRAN, INC.**

By:

Printed: Justin deMello

Title: Vice President

Thereunto duly authorized

Date: 10/13/2026

**CLIENT:**

**CITY OF NEWBERRY, FLORIDA**

By:

Printed: Jordan Marlowe

Title: City Manager

Thereunto duly authorized

Date: 10/15/2026

**File Attachments for Item:**

5. Ordinance # 2026-12/CPA 25-04: Large Scale Future Land Use Amendment for Newberry Ridge.

*Legislative, Second Reading of Ordinance # 2026-12/CPA 25-04. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map in the Comprehensive Plan by changing the Future Land Use category from Mixed Use to Residential Medium Density (8 du/ac) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

# Commission Agenda Item

| | |
|---|---|
| **Meeting Date:** | November 9, 2026 |
| **Title:** | Ordinance # 2026-12/CPA 25-04: Large Scale Future Land Use Amendment for Newberry Ridge.<br>Legislative, Second Reading of Ordinance # 2026-12/CPA 25-04. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map in the Comprehensive Plan by changing the Future Land Use category from Mixed Use to Residential Medium Density (8 du/ac) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date. |
| **Agenda Section:** | Public Hearings |
| **Department:** | Community Development Department |
| **Strategic Goal/Objective:** | GOAL D.3<br>A strong, diverse local economy |
| **Presented By:** | Stacey Hectus, AICP, Community Development Director |
| **Recommended Actions:** | Approve, Approve with conditions, Deny or Continue Ordinance # 2026-12 |

**Summary:**
A request from Florida Land Development Partners I, LLC, agent, on behalf of FH NEWBERRY LLC, owner, for a large-scale future land use map amendment from Mixed Use to Residential, Medium Density (8 du/ac) for project known as Newberry Ridge, generally located north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45. Analysis of this request is provided in the attached Application and Staff Report. This Large-scale future land use map amendment application is a companion item to change the zoning district from Agricultural (A) to Planned Residential Development (PRD) for the same property.

**Previous Approvals**

The Planning and Zoning Board heard this item at their regularly scheduled April 6, 2026 meeting and voted 4-0 to recommend transmitting this item to the state for expedited state review.

The City Commission approved transmittal by a 3-2 vote at their April 27, 2026 meeting.

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**Attachments:**

1. Ordinance # 2026-12
2. Business Impact Estimate
3. Staff Report
4. State Review
5. Application

**ORDINANCE NO. 2026-12**
Petition# CPA 25-04

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE FUTURE LAND USE MAP IN THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY FROM MIXED USE TO RESIDENTIAL MEDIUM DENSITY (8 DU/AC) ON APPROXIMATELY 225 ACRES (TAX PARCEL NUMBERS 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 AND 02547-001-000) GENERALLY LOCATED NORTH OF SW 30TH AVENUE AND EAST OF US HWY 27/41; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

**WHEREAS,** Part II of Chapter 163, Florida Statutes, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan to guide the future development and growth of the City;

**WHEREAS,** in 1992 the City Commission adopted the City of Newberry Comprehensive Plan, which is now codified with subsequent amendments in Appendix A (the "Comprehensive Plan") of the City Code of Ordinances (the "Code");

**WHEREAS,** as required by Section 163.3177, Florida Statutes, the Comprehensive Plan includes a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of land uses within the City;

**WHEREAS**, an application to amend the Future Land Use Map of the Comprehensive Plan was filed with the City by Florida Land Development Partners I, LLC, a Florida limited liability company, on behalf of FH Newberry, LLC, a Florida limited liability company (the "Property Owner") and was assigned File Number CPA 25-04 (the "Petition");

**WHEREAS**, this amendment to the Future Land Use Map involves 50 contiguous acres or more (large-scale) and must follow the Expedited State Review process set forth in Section 163.3184(3), Florida Statutes;

**WHEREAS,** as required by Section 163.3174, Florida Statutes, the City Planning and Zoning Board (which serves as the City's Local Planning Agency) held a public hearing on April 6, 2026 to review this proposed amendment to the Future Land Use Map and the Planning and Zoning Board recommendation has been forwarded to the City Commission;

**WHEREAS**, pursuant to Section 163.3184(11), Florida Statutes, this proposed Ordinance was first noticed at least seven (7) days prior to the First Reading (Transmittal Stage) Public Hearing and, after First Reading, this Ordinance was transmitted as described in Section 2 below;

**WHEREAS**, after receipt of comments (if any) from the reviewing agencies, pursuant to Section 163.3184(11), Florida Statutes, a second notice was published at least five (5) days prior to the Second Reading (Adoption Stage) Public Hearing and, after Second Reading, this Ordinance was transmitted as described in Section 3 below;

**WHEREAS**, pursuant to Section 50.0311, Florida Statutes, both notices were published on the Alachua County website (alachuacounty.us) and notified the public of each Public Hearing to be held in Newberry City Hall, located at 25493 NW 1st Avenue, Newberry, Florida:

**WHEREAS,** the City Commission held the public hearings pursuant to the notice described above, at which hearings the parties in interest and all others had an opportunity to be heard and the comments (if any) received by the reviewing agencies were considered; and

**WHEREAS,** after due consideration at the public hearings, the City Commission found that these proposed amendments to the Future Land Use Plan Map are consistent with the Comprehensive Plan and that the requirements of Chapter 163, Florida Statutes, have been met.

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

**Section 1. Future Land Use Map Amended.** The Future Land Use Map of the Comprehensive Plan is amended by changing the future land use category of the following properties (collectively, the "Property") from **Mixed Use** to **Residential Medium Density (8 DU/AC):**

A PORTION OF LAND LYING IN SECTIONS 10 & 11, TOWNSHIP 10 SOUTH, RANGE 17 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, ALSO BEING THE SOUTHWEST CORNER OF PARCEL 5 AS DESCRIBED OFFICIAL RECORDS BOOK 4245, PAGE 240 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 01°55'33" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 2640.25 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 10, SAID POINT ALSO BEING THE NORTHWEST CORNER OF PARCEL 6 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4245, PAGE 240 OF SAID PUBLIC

RECORDS; THENCE NORTH 87°50'47" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2630.75 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 10; THENCE NORTH 87°35'53" EAST, A DISTANCE OF 1303.77 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 17 EAST, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 3 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4217, PAGE 2321 OF SAID PUBLIC RECORDS; THENCE SOUTH 02°02'10" EAST, ALONG SAID EAST LINE, A DISTANCE OF 2616.80 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 3, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST 30TH AVENUE; THENCE SOUTH 87°31'58" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 748.86 FEET; THENCE NORTH 02°15'11" WEST, ALONG A LINE 545.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11, A DISTANCE OF 500.01 FEET; THENCE SOUTH 87°31'58" WEST, ALONG A LINE 525.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11, A DISTANCE OF 545.00 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11; THENCE SOUTH 02°15'11" EAST, ALONG SAID WEST LINE, A DISTANCE OF 525.01 FEET TO THE SOUTH LINE OF SAID SECTION 10; THE LAST THREE (3) DESCRIBED COURSES BEING ALONG A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2541, PAGE 1450, OF SAID PUBLIC RECORDS; THENCE SOUTH 87°54'41" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1079.93 FEET; THENCE NORTH 02°05'01" WEST, A DISTANCE OF 685.25 FEET; THENCE SOUTH 87°54'41" WEST, A DISTANCE OF 329.98 FEET; THENCE SOUTH 02°05'01" EAST, A DISTANCE OF 685.25 FEET TO THE SOUTH LINE OF SAID SECTION 10; THE LAST THREE (3) DESCRIBED COURSES BEING ALONG A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3410, PAGE 433 OF SAID PUBLIC RECORDS; THENCE SOUTH 87°54'41" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1235.93 FEET TO THE POINT OF BEGINNING.

The foregoing surveyed legal description includes: Tax Parcel No. 02542-001-000; Tax Parcel No.: 02542-001-001; Tax Parcel No. 02542-001-002; Tax Parcel No. 02542-001-003; Tax Parcel No. 02542-001-004; Tax Parcel No. 02542-001-005; Tax Parcel No. 02542-001-006; Tax Parcel No. 02542-001-007; Tax Parcel No. 02542-001-008; and Tax Parcel No. 02547-001-000.

The location of the Property is shown on **Exhibit A** for visual reference. In the event of conflict or inconsistency, the legal description above shall prevail over **Exhibit A**.

**Section 2. Transmittal Stage.** In accordance with Section 163.3184(3)(b)1., Florida Statutes, within 10 working days after First Reading, the City Manager or designee is authorized and directed to transmit this Ordinance and appropriate supporting data and

analyses to the Reviewing Agencies and any other local government or governmental agency that has filed a written request for same with the City.

**Section 3. Adoption Stage**. In accordance with Sec. 163.3184(3)(c)2., Florida Statutes, within 30 working days after Second Reading, the City Manager or designee is authorized and directed to transmit this Ordinance and appropriate supporting data and analyses to the State Land Planning Agency and to any other reviewing agency or local government that provided timely comments at the Transmittal Stage.

**Section 4. Map Amendment; Not Codified; Correction.** This Ordinance adopts map amendments and shall not be codified in the City of Newberry Code of Ordinances. However, upon the Map Amendment becoming effective in accordance with Section 7 below, the City Manager, or designee, is authorized and directed to update the Future Land Use Map in accordance with Section 1 above. Typographical errors and other matters of a non-substantive nature that do not affect the intent of this Ordinance, as determined by the City Clerk or City Attorney, may be corrected with authorization of the City Manager or their designee without the need for a public hearing.

**Section 5. 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 6. Conflict.** All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance herewith are hereby repealed to the extent of such conflict.

**Section 7. Effective Date; Recording.** This Ordinance shall become effective 10 days after final adoption in accordance with Article V of the Newberry Charter and the City Clerk is directed to record same in the City Ordinance Book. However, pursuant to Section 163.3184(c)4., Florida Statutes, the effective date of the Comprehensive Plan Future Land Use Map amendment, if not timely challenged, shall be 31 days after the State Land Planning Agency notifies the City that the Plan Amendment package is complete. If the Future Land Use Map amendment is timely challenged pursuant to Section 163.3184(5), Florida Statutes, then the effective date of the Map Amendment shall be the date the State Land Planning Agency or the Administration Commission enters a final order determining the adopted Map Amendment to be in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on the Map Amendment may be issued or commence before the Map Amendment has become effective.

**Approved on First Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on April 27, 2026.

**Adopted on Second Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on November 9, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

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

_____
Randa K. Paul, City Clerk

Approved as to form and legality

_____
City Attorney's Office

# Exhibit "A" - Newberry Ridge
## Proposed Area for Land Use and Zoning Change

NEWBERRY Florida

Oak View Middle School

SW 11th Rd

SW 15th Ave

SW 226th St

SW 234th Ter

SW 18th Rd

SW 246th Dr

SW State Road 45

27 41

Newberry Ridge

SW 30th Ave

Champion's Park

N W E S

0 0.1 0.2 0.4 Miles

Sources: Esri, TomTom, Garmin,

Created by Nicki Bailey, March 2026

This map was created for the City of Newberry Community Development Department. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. The maps or drawings are not legal land surveys and cannot be relied on for 100% completion or accuracy. City of Newberry Community Development Department is not responsible for incorrect information.

Please contact the GIS Specialist at NBailey@NewberryFL.gov with any questions regarding this map. All data is subject to change.

**Newberry City Commission**
**Section 166.041(4), F.S. - Business Impact Estimate for Proposed Ordinance**
**For public hearing ON OR AFTER October 1, 2024**

**Instructions:** This form must be completed and signed by the City Manager or Department Head for each proposed ordinance that is placed on a City Commission meeting agenda. If the proposed ordinance falls within one of the exemptions listed below, check the applicable exemption(s) and stop there. If the proposed ordinance does NOT fall within one of the listed exemptions, then complete the Business Impact Estimate. Please email your completed, signed form to the City Clerk's Office at CityClerk@cityofnewberry.fl.gov for publication on the City's website no later than the date the notice of the proposed ordinance is published. If you have questions regarding completion of this form, contact the City Attorney's Office.

**I am familiar with the proposed ordinance identified below and completed this form to the best of my knowledge for the sole purpose of compliance with Section 166.041(4), Florida Statutes.**

Stacey Hectus

_____
Printed name: Stacey Hectus
Title: City of Newberry Community Development Director
Date: April 8, 2026

**ORDINANCE NO. 2026-12**
Petition# CPA 25-04

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE FUTURE LAND USE MAP IN THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY FROM MIXED USE TO RESIDENTIAL MEDIUM DENSITY (8 DU/AC) ON APPROXIMATELY 225.29 ACRES (TAX PARCEL NUMBERS 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-008 AND 02547-001-000) GENERALLY LOCATED NORTH OF SW 30TH AVENUE AND EAST OF US HWY 27/41; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

**Exemptions:** Per Section 166.041(4), F.S., the following types of ordinances are exempt from the Business Impact Estimate requirement (check the box for any exemption that applies):

☐ Ordinance required for compliance with the following Federal or State law or regulation:_____;
☐ Ordinance relates to the issuance or refinancing of debt;

☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

☐ Ordinance is required to implement the following contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the County: _____;

☐ Emergency ordinance;

☐ Ordinance relates to procurement; or

☒ Ordinance enacted to implement the following:

a. Development orders (which are defined in s. 163.3164, F.S. to mean any order granting, denying, or granting with conditions an application for a development permit); and Development permits (which are defined in s. 136.3164, F.S. to include any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land); and Development Agreements as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;

b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;

c. Sections 190.005 and 190.046, F.S. regarding community development districts;

d. Section 553.73, F.S. relating to the Florida Building Code; or

e. Section 633.202, F.S. relating to the Florida Fire Prevention Code.

**Business Impact Estimate**

**1. Summary of the proposed ordinance, including a statement of the public purpose (such as serving the public health, safety, morals, and welfare):**

**2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City, including:**

**(a) Estimate of the direct compliance costs that businesses may reasonably incur:**

**(b) Any new charge or fee imposed on businesses:**

**(c) Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:**

**3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

**4. Additional information (if any):**

# Newberry Ridge
## DATA & ANALYSIS REPORT

CPA 25-04

Large Scale Future Land Use Map Amendment
(Parcels 02542-001-000; 02542-001-001; 02542-001-002; 02542-001-003; 02542-001-004; 02542-001-005; 02542-001-006; 02542-001-007, 02542-001-008; and 02547-001-000)

City of Newberry Local Planning Agency Petition Hearing
April 6, 2026

City Of Newberry City Commission Transmittal Hearing
April 26, 2026

City of Newberry City Commission Adoption Hearing
November 9, 2026

# SUPPORTING DATA AND ANALYSIS FOR CPA 25-04

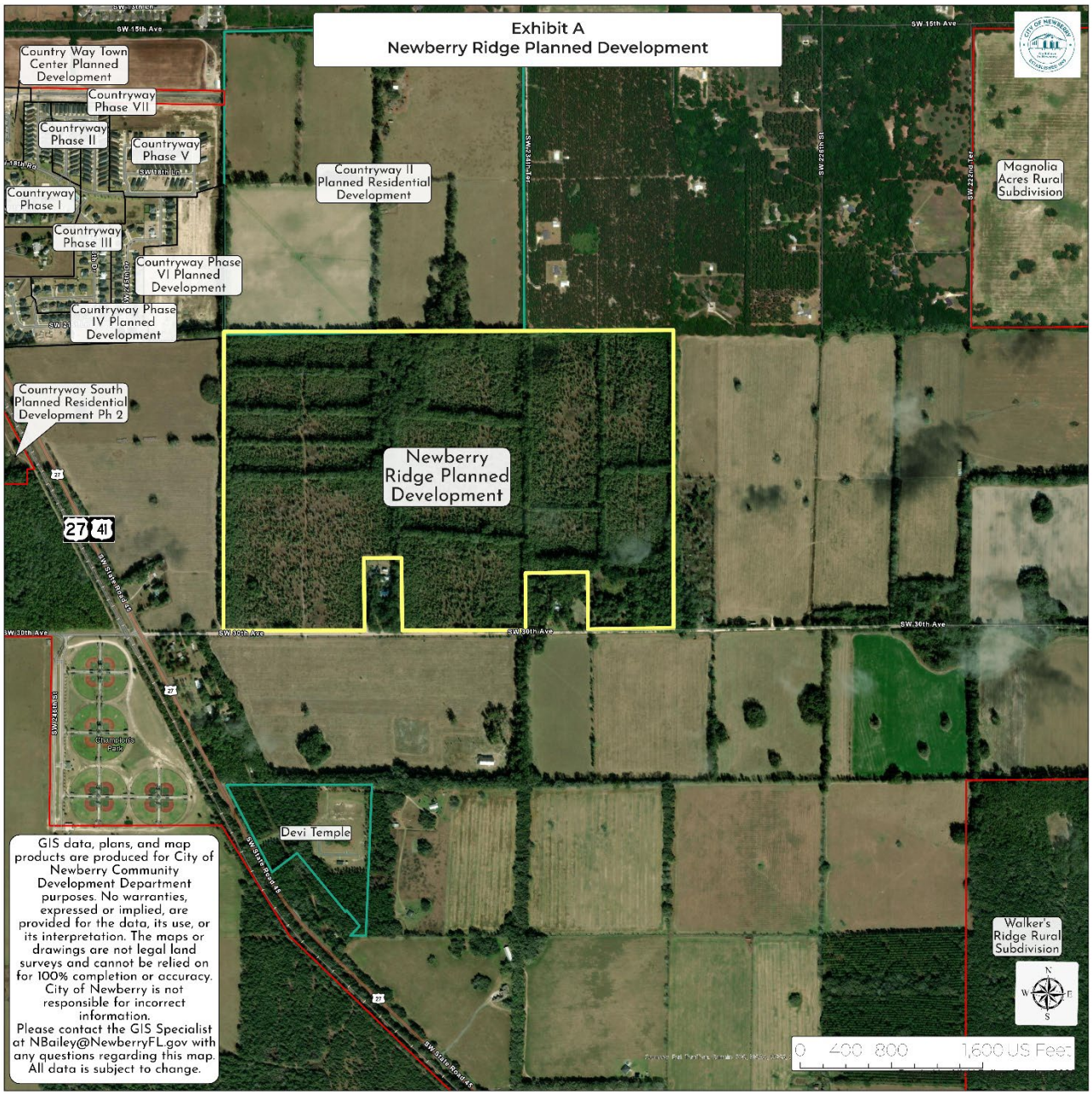
(Parcels 02542-001-000; 02542-001-001; 02542-001-002; 02542-001-003; 02542-001-004; 02542-001-005; 02542-001-006; 02542-001-007, 02542-001-008; and 02547-001-000)
±225.29 acres

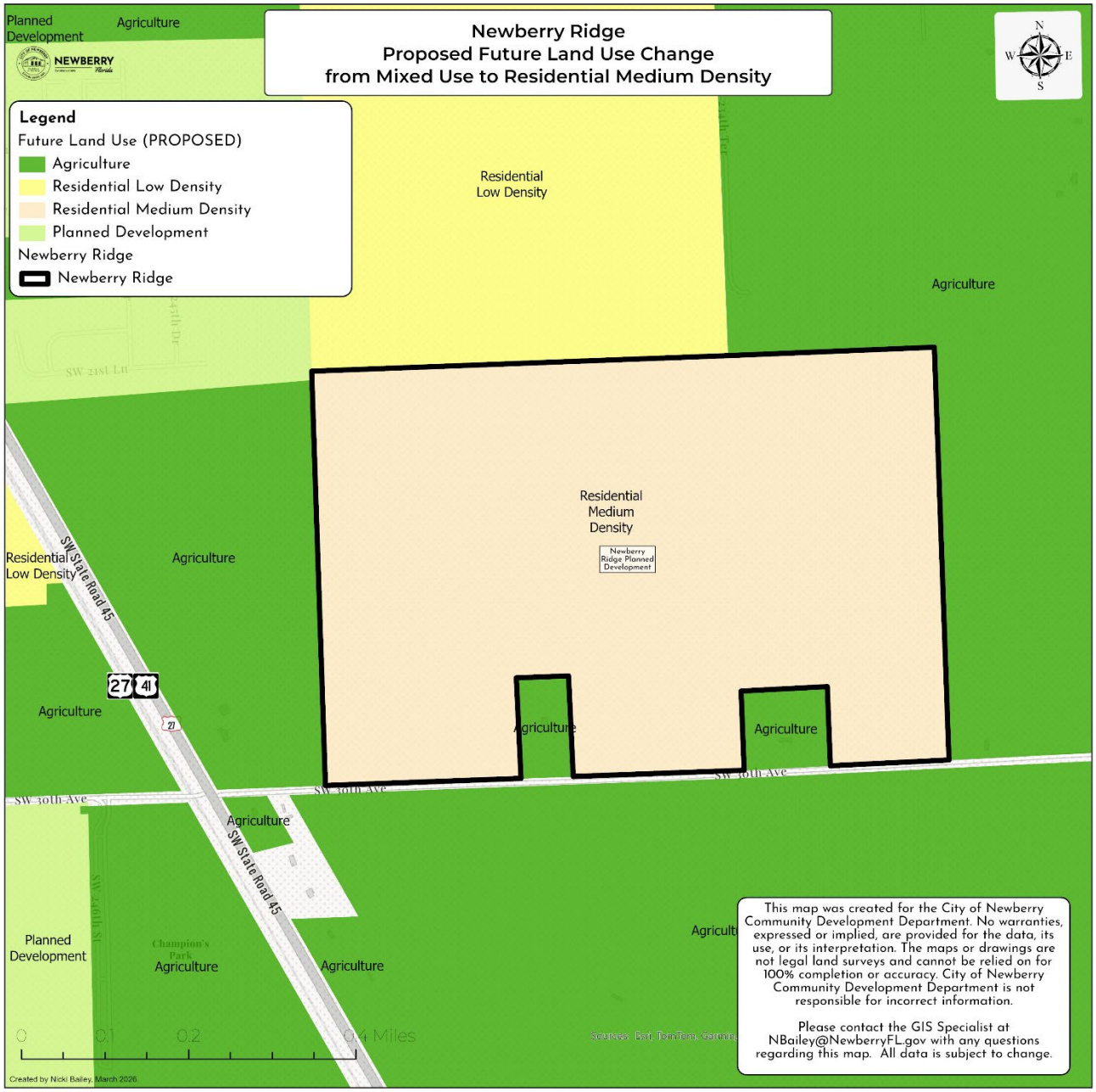
The following data and analysis are provided to support the transmittal of the below proposed large-scale comprehensive plan amendment:

CPA 25-04, a request by Florida Land Development Partners I, LLC ("Agent") on behalf of FH Newberry, LLC ("Owner") to amend the Future Land Use Map of the Comprehensive Plan ("FLUMA") by changing the future land use classification from Mixed Use to Residential, Medium Density Future Land Use Classification (8 DU/AC) on approximately 225.29 acres identified on the map below ("FLUMA"). The project is tentatively named "Newberry Ridge." The property is generally located north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45 and to the southeast of CountryWay Planned Development. The current zoning district is Agricultural (A) and a companion rezoning petition has been submitted (File No. LDR 25-11) which is contingent upon adoption of the FLUMA.

APPLICANT: Florida Land Development Partners I, LLC
OWNER: FH Newberry, LLC
PURPOSE: Large-scale FLUMA for a maximum of 1,250 dwelling units.
LOCATION: Generally located a north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45 and to the southeast of CountryWay Planned Development
PARCELS: 02542-001-000; 02542-001-001; 02542-001-002; 02542-001-003; 02542-001-004; 02542-001-005; 02542-001-006; 02542-001-007, 02542-001-008; and 02547-001-000
ACREAGE: 225.29 acres
EXISTING USES: Vacant land and Non-agricultural acreage.

# BOUNDARY MAP






The Property currently is vacant. The Owner proposes ±850 detached single-family dwelling units and ±400 Multifamily dwelling units, including townhomes, build-for-rent (BFR) and apartments.

The Property is located within the Urban Service Area which allows for land use and zoning designations which encourages suburban/urban development patterns and requires such

services as potable and wastewater connections, improved road surfaces, multi-modal facilities, as well as solid waste removal and other municipal services.

The Residential Medium Density future land use designation, as provided in the Future Land Use Element of the City of Newberry Comprehensive Plan, limits density to 8 dwelling units per acre. Nonresidential Components are not associated with this project.

The companion rezoning application is for Planned Residential Development (PRD). Planned Residential Development, as authorized under the aforementioned section of the Code of Ordinances, are intended to:

> *"(1)Encourage the development of planned residential development of land;(2)Encourage flexible and creative concepts of site planning;(3)Preserve the natural amenities of the land by encouraging scenic and functional open areas;(4)Accomplish a more desirable environment than would be possible through strict application of the minimum requirements of these Land Development Regulations;(5)Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and(6)Provide a stable environmental character compatible with surrounding areas."*

The current Mixed Use Future Land Use classification on the parcel now has a density of 4 Single-family du/1 acre and up to 20 Multifamily du/1 acre. That could permit roughly 3,379 multifamily homes. Under proposed conditions, a potential total of 1,802 lots could be created from 225.29 acres of land, representing an existing potential of 1,802 new single-family and multifamily dwelling units, at 8 du/1 ac. Pursuant to the companion rezoning application, 1,250 dwelling units are proposed. Therefore, the actual dwelling unit per acre calculation will be 5.55 du/1 ac as part of the companion rezoning. This does not imply that current roads, potable and wastewater systems, and other public services and facilities could support this level of development—and only implies that the potential development of the existing land use would be permitted subject to review and with the understanding the public facilities necessary to support the development do not exist today.

## SURROUNDING FUTURE LAND USE CLASSIFICATIONS

Those uses on and abutting the subject property are generally compatible with the proposed FLUMA and the intended use of the site. Directly north of the site lies CountryWay II Planned Development, which has a Future Land Use Classification of Residential, Low Density, allowing up to 4 du/acre. Table 1 below provides the adjacent future land uses and the current use of the lands.

Table 1: List of Adjacent Future Land Uses

| Direction | Future Land Use Designation | Use |
|---|---|---|
| North | Agriculture, Residential Low Density | Vacant, Timber |
| East | Agriculture | Rural residences/field crop/pasture |
| South | Agriculture | Field crop/pasture |
| West | Agriculture | Field crop/pasture |

The uses to the East are agricultural and very-low density rural residences (1du/5ac) or agricultural estates. The parcels to the South and West are currently being used as field crop/pasture.

The City will address concurrency through the rezoning petition via conditions regarding necessary infrastructure improvements and mitigation of impacts generated by the proposed development at the time entitlements are created. These conditions include buffers where the residential uses directly abut active agricultural uses which may be negatively impacted by the proposed development and conflict between rural and suburban uses will occur. On the converse, additional buffering may be required for those properties with the Planned Residential Development abutting the agricultural uses to mitigate nuisance odors, noise, smoke, etc. typical of an agricultural operation.

## COMPREHENSIVE PLAN COMPLIANCE

This section shall analyze the proposed level of development, cite supporting and/or, if applicable, conflicting goals objectives and policies from the City of Newberry Comprehensive Plan. The intent of this section is to demonstrate compliance with the Comprehensive Plan. This review is still on-going, and a full compliance analysis shall be forthcoming. The analysis provided in this section does not contemplate other developments adopted or under review.

> *FLU POLICY 5.6.3:* 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 USA Map in the City's Comprehensive Plan.

The Property lies within the Urban Service Area where water and wastewater services are provided to adjacent development and will make connection possible. As adjacent parcels connect to the municipal water and wastewater services, those lands should eliminate existing well and septic connections which are a concern for regions identified by the Florida Department of Environmental Protection as Outstanding Florida Springs areas.

> *TRAN POLICY 1.2.2:* The city shall limit direct access to major roadways by directing site access to local roadways, requiring cross-access among sites, and encouraging

> frontage roadways to lower local traffic's dependency on the major roadway network. (Major roadways serving regional traffic need more access control to ensure mobility).

The Project directly accesses SW 30th Avenue and connects to US Highway 27/42/SR45. Future connections and access points relative to the proposed development and companion PRD will adhere to Florida Department of Transportation (FDOT) Level of Service standards promoting safe, convenient and efficient transportation systems surrounding the subject site and the overall City transportation needs. A trip generation analysis has been performed in support of the CPA which reflects this CPA and companion PRD application will reduce the thresholds below what is the potential now within the Mixed Use-FLU classification.

Bowman Engineering has coordinated with NV5, the firm completing the PRD rezoning and CPA to the north- CountryWay II of Newberry. This will allow for connectivity between the two developments and will provide for a comprehensive roadway network between the parcels.

> *HOUS POLICY 1.1.5:* The City shall support naturally occurring affordable housing, housing that is affordable without government subsidies, by maintaining and permitting existing building types not commonly produced by the marketplace, such as missing middle, single-room occupancy, co-housing, and shared housing.

The proposed project will allow for the provision of options for homeownership along with multifamily uses such as townhomes, build-for-rent, and apartments that will also increase the rental housing stock of the City. Currently the City is almost exclusively comprised of single family detached housing, and future population growth will require a proactive approach in permitting more multifamily housing options, which the Residential Medium Density FLU can provide.

> ROS OBJECTIVE 1.4: Collaborating with Private and Public Entities to Sustain and Expand Recreation in Newberry

The City has adopted and implemented impact fees, becoming effective November 27, 2023, which shall be utilized for the provision and maintenance of open space and recreational facilities. However, the impact fees have been adopted at a reduced rate in order to not discourage continued investment by the development community. It is understood that impact fees do not represent the complete cost to provide new facilities necessary to adequately serve the proposed development.

## LEVEL OF SERVICE ANALYSIS

The findings below represent a general analysis of potential impacts based on contemplated levels of development as presented in the petition. Concurrency evaluations will be reassessed at application review for each phase of the development.

### Traffic Analysis:

The Institute of Traffic Engineering Traffic Generation Manual 11 Edition ("ITE") provides the below weekday PM peak hour trip rates which apply to the potential uses offered in this petition. The Traffic Impact Analysis will be further reviewed.

Proposed Development

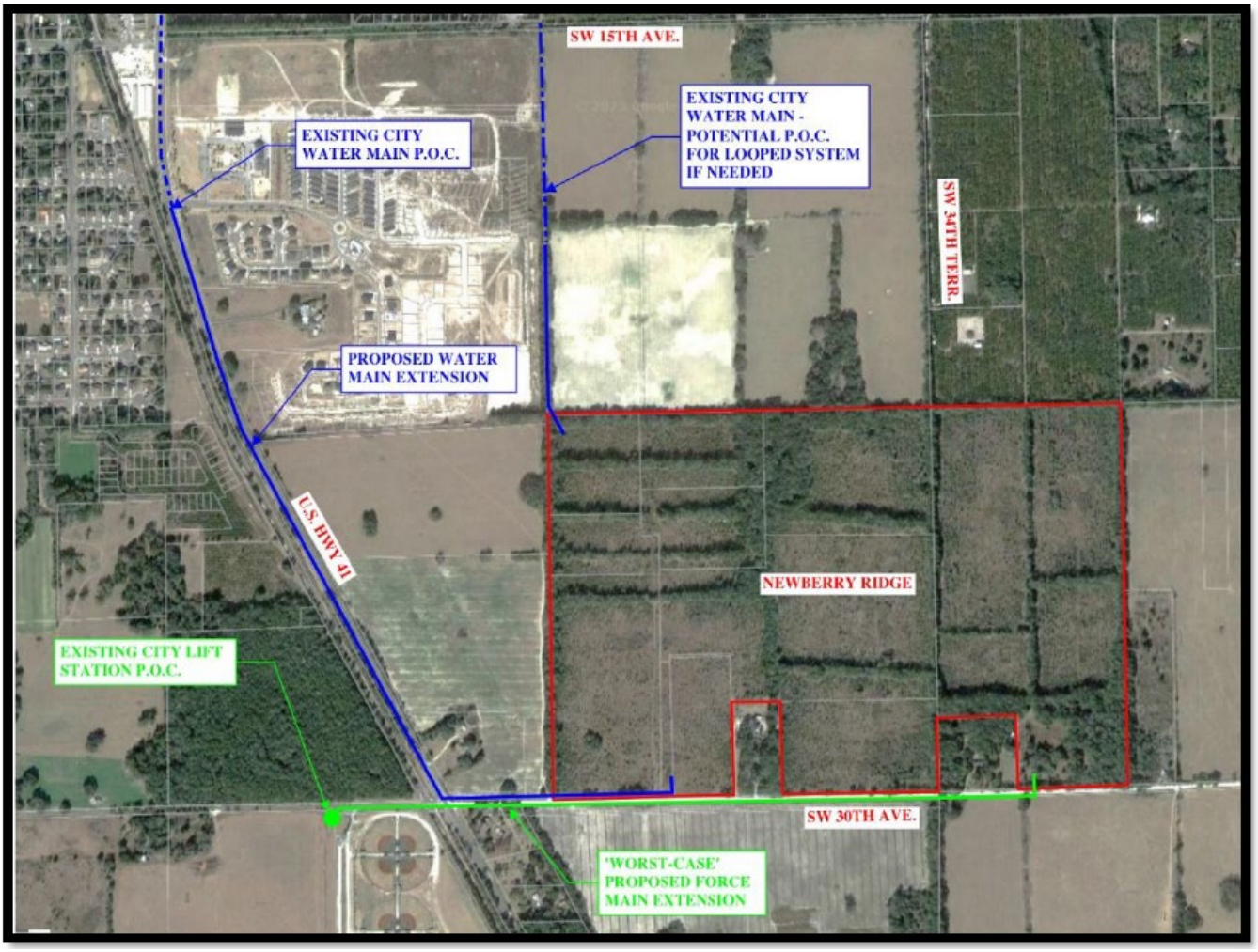
Total Residential Uses

- Single-Family Detached Housing (ITE Code 210)
  - 850 dwelling units
- Multi-Family Housing (ITE Code 220)
  - 400 dwelling units
    - 14,829 Average Annual Daily Trips

## Water Analysis:

This Project will be required to extend potable water infrastructure to the site. Connections to the City's potable water supply will be made at two connection points to provide a looped system to provide both individual demands and fire flow requirements within the proposed development as shown below.

The estimated daily water demand per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day.




Currently, the nearest viable Point of Connection ("POC") to the source of supply is a 12" diameter main located on the west side of SR 27/41 at the entrance to the Newberry Town Center Phase 1, approximately 6,000 linear feet. However, there is also a 12" water main running north-south from SW 242nd Terrace from the intersection of SW 15th Avenue and SW 242nd Terrace to a terminus at SW 18th Road. This is a potential future connection, pending acquisition of any easements, to provide a greater looped potable water system.

## Wastewater Analysis:

There is an existing lift station on 30th that takes the waste to the west to City treatment facility.

The estimated daily wastewater flow per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day.

In accordance with the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of the Comprehensive Plan, the City shall safely,

efficiently, and in an environmentally sound manner provide an acceptable level of service for its population. Available capacity to serve new development will be evaluated at the time of construction plan review and/or prior to the commencement of each phase of a development. For all proposed development, capacity is reserved on a first-come, first-served basis. To reserve wastewater capacity it is necessary to execute a Wastewater Capacity Development Agreement. This agreement gives you three options to secure your capacity. Due to the fact that no Wastewater Capacity Development Agreement has been executed to date for this project, wastewater capacity is neither guaranteed or reserved.

## Parks and Open Spaces Analysis

The City's adopted Recreation and Open Space Element utilizes total population counts to trigger desired facilities in the Level of Service table included therein. The Level of Service table is included in the Comprehensive Plan Element.

The Bureau of Economic and Business Research at the University of Florida published 2025 population projections for the City of Newberry. The total projected population is 9,553 residents. The 2020 U.S. Census provides a 2.79 persons per household in the City of Newberry. The Development represents a potential of 3,488 new residents. The 7+ acres of recreational areas dedicated by the applicant or payment of fees in lieu of dedication of land will meet the City's Recreation and Open Space Level of Service.

## School Concurrency Analysis:

School capacity is reserved at time of platting and conceptually accounted for in the 5-year school facilities plan at time of transmittal of the school concurrency form to the School Board of Alachua County (SBAC). At this time, this petition has not been transmitted to the SBAC. Deficiencies and mitigation measures shall be the responsibility of the SBAC to resolve with the Developer.

## Electrical Services Analysis:

The Development lies within the Clay Electric Co-op service area. Capacity to serve the additional residential uses will be determined by the utility purveyor at time of construction plan or building permit approval.

## Solid Waste Analysis:

Pursuant to the Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element of the Comprehensive Plan, a level of service of 0.80 tons per capita is established for solid waste disposal. Available capacity for solid waste disposal is expected to be available. The Development is estimated to generate 1,000 tons of waste. At this time, there is not an established limit to capacity for regional waste facilities that will serve the Development. If mitigation is necessary, those measures will need to be determined.

## FINDINGS

This project is consistent with the City of Newberry Comprehensive Plan goals, objectives, and policies. Based on these findings, staff requests authorization to transmit to Florida Commerce for the 45-day expedited review of this large-scale amendment. Under no circumstance does approval of this land use amendment guarantee and/or reserve capacity.

## STATE RESPONSES

None, except for FDOT that requests traffic analysis be competed at development plan stages to show impacts on state road.

## Previous Approvals

The Planning and Zoning Board heard this item at their regularly scheduled April 6, 2026 meeting and voted 4-0 to recommend transmitting this item to the state for expedited state review.

The City Commission approved transmittal by a 3-2 vote at their April 26, 2026 meeting.

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*Staff report updated October 30, 2026 by Stacey Hectus, Community Development Department*

Bowman

December 12, 2025

Jean-Paul Perez, Principal Planner
Department of Community Development
City of Newberry
25815 SW 2nd Avenue
Newberry, FL, 32669

**Project Location:** North side of Southwest 30 Avenue
**Project No.:** 0527070-01-001
**City of Newberry:** CPA 25-04
**Reference:** Newberry Ridge Large Scale Comprehensive Plan

Dear Mr. Perez,

This letter is in response to your letter dated 7/24/2025.

## APPLICATION COMMENT 1

Provide traffic impact analysis.

a) Methodology review is encouraged prior to commencing study. Review of methodology may be transmitted by email and review may take one (1) week to return. Road segments affected include city and state rights-of-way, and FDOT District 2 urban and rural planning offices should accept methodology.

**Response:** a TIS methodology letter was submitted to the city on November 20, 2025.

b) Study should include an initial signal warrant evaluation at the intersection of US27/41 and Southwest 30 Avenue.

**Response:** Comment noted, the study will include the signal warrant analysis at the intersection of U.S. 27/41 & SW 30$^{TH}$ Ave.

## APPLICATION COMMENT 2

Application includes Parcel No. 02568-003-002 which is not located within the municipal corporate limits of the City of Newberry, Florida. Annexation or an interlocal agreement between the city, developer, and Alachua County must be contemplated in order to achieve incorporation of the property within the development. At this time, the city is not prepared to enter an interlocal agreement discussion with Alachua County.

**Response:** This parcel has been removed from the narrative as it will be dedicated as right of way.

## APPLICATION COMMENT 3

Application includes Parcel No. 02544-001-001 which lacks substantial and logical continuity with the development to be included on the land use map amendment application.

6751 North Sunset Boulevard, Suite 325, Glendale, Arizona 85305
P: 623.299.8980 | F: 602.800.5103
**bowman.com**

**Response:** This parcel has been removed from the narrative as it will be dedicated as right of way.

## APPLICATION COMMENT 4

Application includes Parcel No. 02549-002-000 which is encumbered by a prescriptive right-of-way easement and lacks sufficient depth to provide meaningful development opportunities.

**Response:** This parcel has been removed from the narrative as it will be dedicated as right of way.

## APPLICATION COMMENT 5

Generally, the above-mentioned parcels represent a transfer of development rights which would require a unique declaration of restrictive covenants or restrictions on the face of a plat. Further discussion is necessary to determine intent and impacts of such an action.

**Response:** As discussed at the comment resolution meeting, these parcels will be dedicated as roadway right of way and have been removed from the narrative.

## APPLICATION COMMENT 6

Justification Report:

a. **Advisory**: Pages referenced herein refer to the PDF page number and not the unique page numbers within the document.

**Response:** Noted

b. Page 1 and throughout document:
   i. Revise request of proposed land use from Planned Development to Residential Medium Density (8 du/ac). The Planned Development future land use classification is reserved for the Planned Development zoning district providing maximum densities and intensities; where the companion rezoning application, File No. LDR 25-11, proposes a Planned Residential Development zoning district—limited to residential densities only.

**Response:** Narrative has been revised to reflect Residential Medium Density

   ii. Maps throughout the document may need to be revised depending on direction regarding the abovementioned parcels.

**Response:** Noted

## APPLICATION COMMENT 7

Level of service for wastewater collection, treatment, and disposal may be met by entering into a wastewater capacity reservation agreement. You may contact Jamie Jones, Assistant City Manager, jjones@newberryfl.gov, or Rance Green, Director of Public Works, rgreen@newberryfl.gov, for more information.

a. Revise calculated ERU total from 1150 to 1250 ERUs on Page 10 of Justification Report PDF.

**Response:** Text has been modified to reflect 1250 ERUs.

## APPLICATION COMMENT 8

Level of service for potable water is presumed to be satisfied based on no objection received from the Public Works Department.

a. Revise calculated ERU total from 1150 to 1250 ERUs on Page 9 of Justification Report PDF.

**Response:** Text has been modified to reflect 1250 ERUs.

## APPLICATION COMMENT 9

Revise level of service for solid waste at 0.8 tons per household.

**Response:** Text has been revised

## APPLICATION COMMENT 10

Level of service for traffic has not been determined to be satisfied. Insufficient data and analysis is available and a traffic impact analysis report is needed. See Comment 1 regarding methodology.

a. While the proposed FLUMA represents a decrease in intensity, the existing Developer's Agreement contained conditions to mitigate the impacts to Southwest 30 Avenue, required reconstruction of the road to city standards from the intersections US27/41 to Southwest 202 Street. A similar obligation has not been voluntarily offered in this petition, so if the proposed mitigation is less than the current obligation, additional data and analysis is necessary to ensure sufficient mitigation is provided for the overburdened rights-of-way.

**Response:** A traffic Impact Analysis will be performed. Bowman is currently working on the scope/methodology coordination of the TIA.

b. Improvements on US27/41 our outside the purview of the City of Newberry who will rely on Florida Department of Transportation District 2 guidance for mitigation, if deemed necessary.

**Response:** Final engineering plans for the intersection will be processed through FDOT.

c. Proposed AADT generation will exceed capacity on affected segment of Southwest 30 Avenue.

**Response:** The capacity of SW 30$^{th}$ Ave will be evaluated as part of the Traffic Impact Analysis.

d. Proposed AADT generation may exceed capacity at intersection US27/41 and Southwest 30 Avenue for passive through traffic, right-turn movements, passive left turn movements, and may require improvements and traffic control improvements.

**Response:** The Traffic Impact Analysis will evaluate the need for improvements at the intersection of U.S. 27/41 and Southwest 30 Avenue.

e. Requested traffic impact analysis should include recommendations on improvements for the above identified concerns.

**Response:** The Traffic Impact Analysis will evaluate the need for improvements at above mentioned intersections and roadway segments.

## APPLICATION COMMENT 11

Level of service for parks and open spaces:

a. 1,250 dwelling units will generate 3,488 new residents.

**Response:** Text added to reflect 3488 residents.

b. Per the Recreation and Open Space Element, Comprehensive Plan ("ROS Element"), a combination of neighborhood, community, and district park facilities on not less than ±7 acres must be provided. The developer may volunteer land and improvements which will be memorialized in the development order.

**Response:** Revised text to show that 7 acres will include 5 acre park and integration within each development with each of the residential parcels to independently provide 15%.

c. Park spaces should be scattered throughout the development to provide pedestrian accessibility to park areas, not requiring vehicular trips.

**Response:** Recreation plan will be included.

d. The park areas must be shown on the preliminary development plan and must be accounted for in the land use distribution table.

**Response:** Recreation & Amenity areas will be reflected on the Development Plan.

e. A copy of the ROS Element is attached for your reference.

**Response:** Noted

## APPLICATION COMMENT 12

Level of service for schools is under the purview of the Alachua County School Board. A concurrency form will be sent to the ACSB at time of final plat review. The ACSB will be copied on the FLUMA transmittal to the state for student station and facility planning purposes.

**Response:** Noted.

## ADVISORY COMMENT 13

Rezoning petition comments are provided separate from this application and acceptance of the future land use map amendment petition shall not be construed as scheduling for public hearing. Scheduling shall

occur once both petitions, submitted as companions of one another, have demonstrated consistency with the land development regulations and comprehensive plan unless otherwise moved to public hearing.

**Response:** Noted.

## ARCHETECTURAL PLAN SET COMMENT 14

**Advisory**: Model home elevations must be included in the construction plan submittal.

**Response:** Noted.

## LANDSCAPE PLAN SET COMMENT 16

**Advisory**: Landscape plans must be included with the construction plan submittal. Tree disposition plan requires approval prior to clearing and grubbing.

**Response:** Noted.

## FIRE COMMENT 17

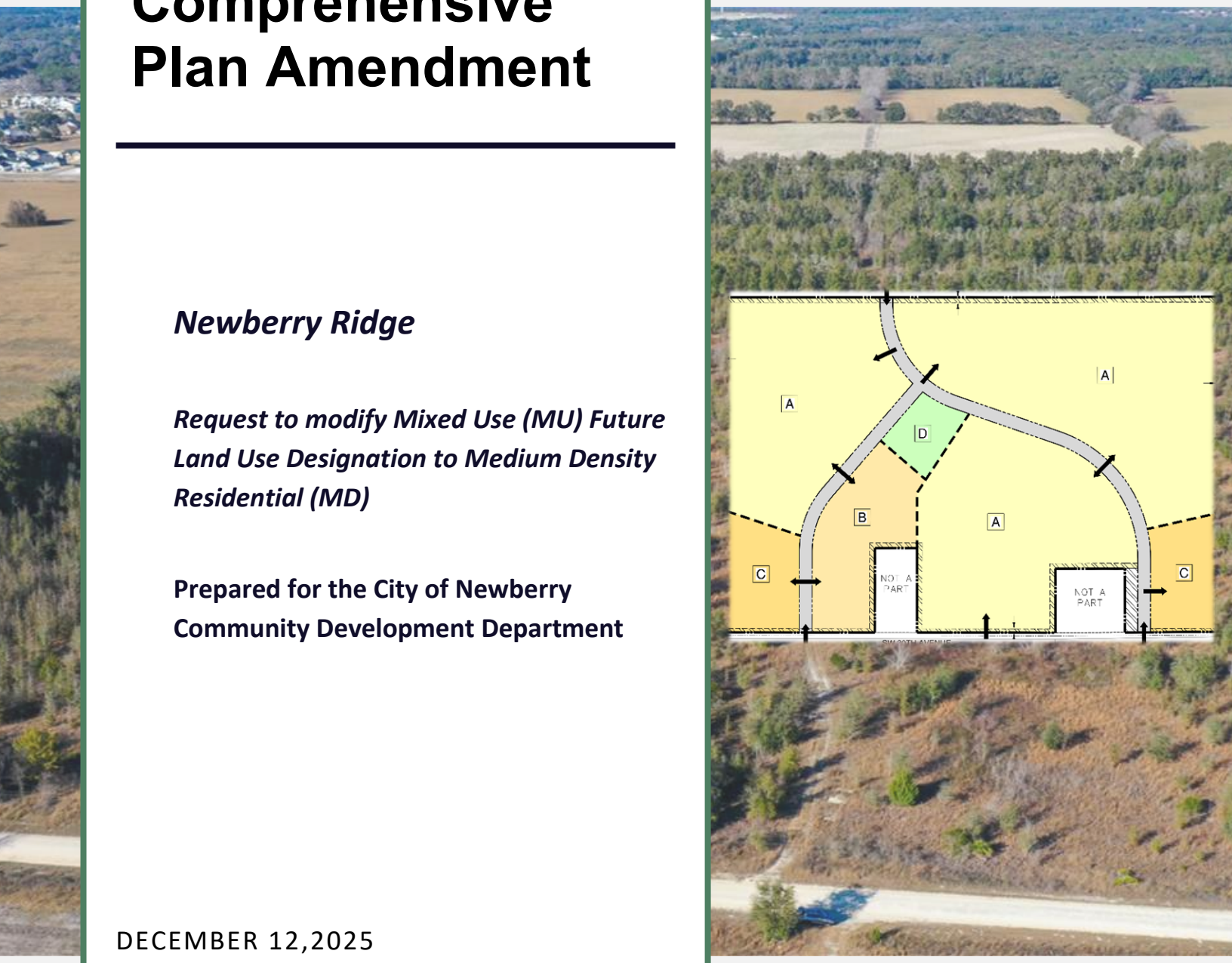
**Advisory**: A development of this density will require an installed fire hydrant system that meets the demand prior to accumulation of flammables on the project site. Additionally, multi-family units, and/or townhomes may require fire sprinkler and alarm systems depending on their construction type, separation between units, number of units per structure, number of floors, and exit arrangements. Streets and traffic calming devices per code and as approved by our Utilities Director.

**Response:** Understood.

Thank you,

Dawn Marie Fortuna, AICP – Principal Planner
Bowman
Phone: (623) 200-5656
Email: dfortuna@bowman.com

# Large-Scale Comprehensive Plan Amendment




## *Newberry Ridge*

***Request to modify Mixed Use (MU) Future Land Use Designation to Medium Density Residential (MD)***

**Prepared for the City of Newberry**
**Community Development Department**

DECEMBER 12,2025
**(2ND SUBMITTAL)**

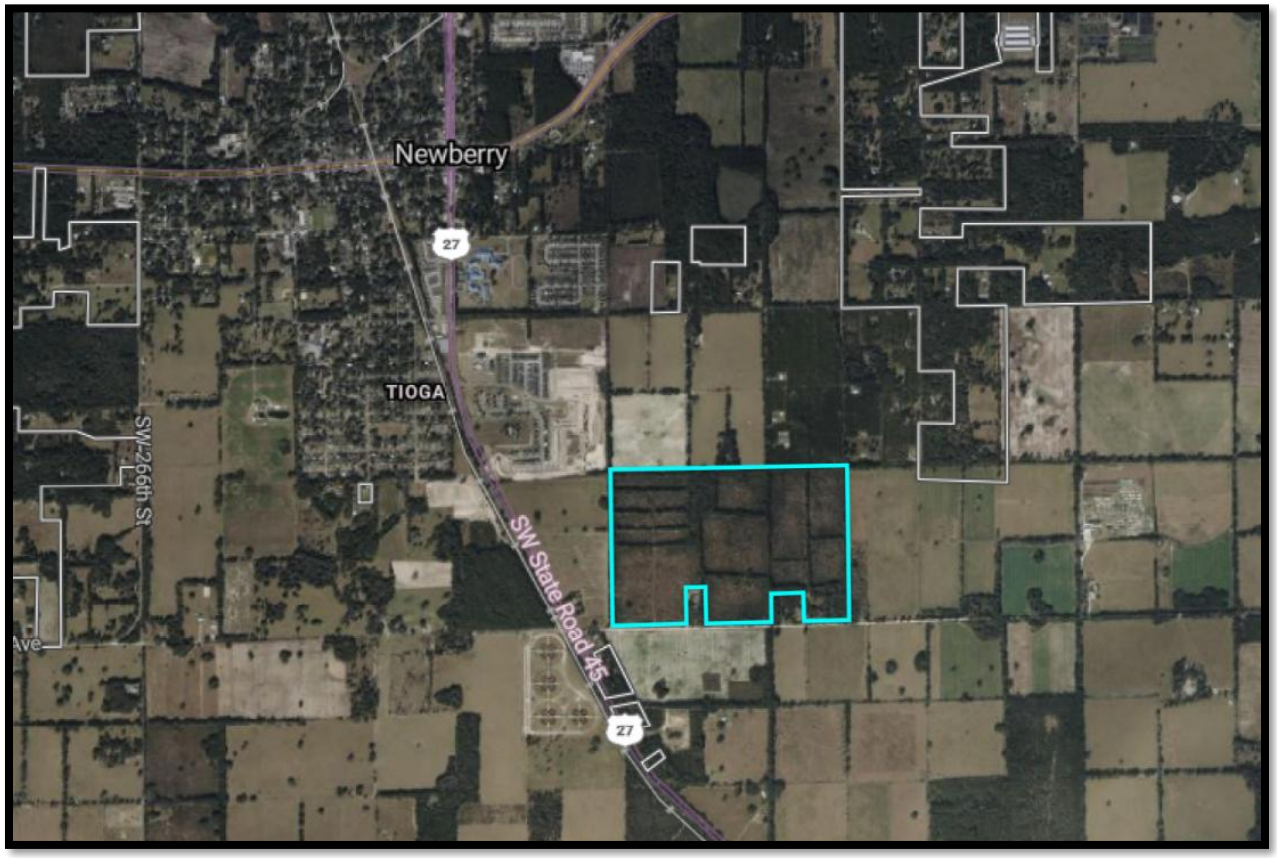
**Florida Land Development Partners I, LLC**
**Prepared by: Bowman**

# 1. Introduction

Florida Land Development Partners I, LLC (FLDP) has long been committed to providing residential opportunities for communities across the country. As the City of Newberry grows, the need to create housing for current and future residents will contribute to the City's future success. We approach development in communities as a partnership to establish thoughtful and meaningful places that residents want to call home.

Our application requests redesignation of the Subject Property from the City of Newberry Mixed Use (MU) Future Land Use (FLU) to Medium Density Residential (MD) Future Land Use. This Large-Scale Comprehensive Plan Amendment is submitted concurrently with a Planned Residential Development (PRD) Rezone Application under a separate application.

The approximate ±225-acre subject site is located east of Highway 27 on the north side of SW 30th Avenue and is within the jurisdictional limits of the City of Newberry, FL.




**Vicinity Map**

The site is further identified by the Alachua County Assessor Parcel Numbers (APN's) 02542-001-000, 02542-001-001, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008, 02547-001-000, and, located in Section 10, Township 10 South, Range 17 East in Alachua County, FL and reflected below in the Context Map.

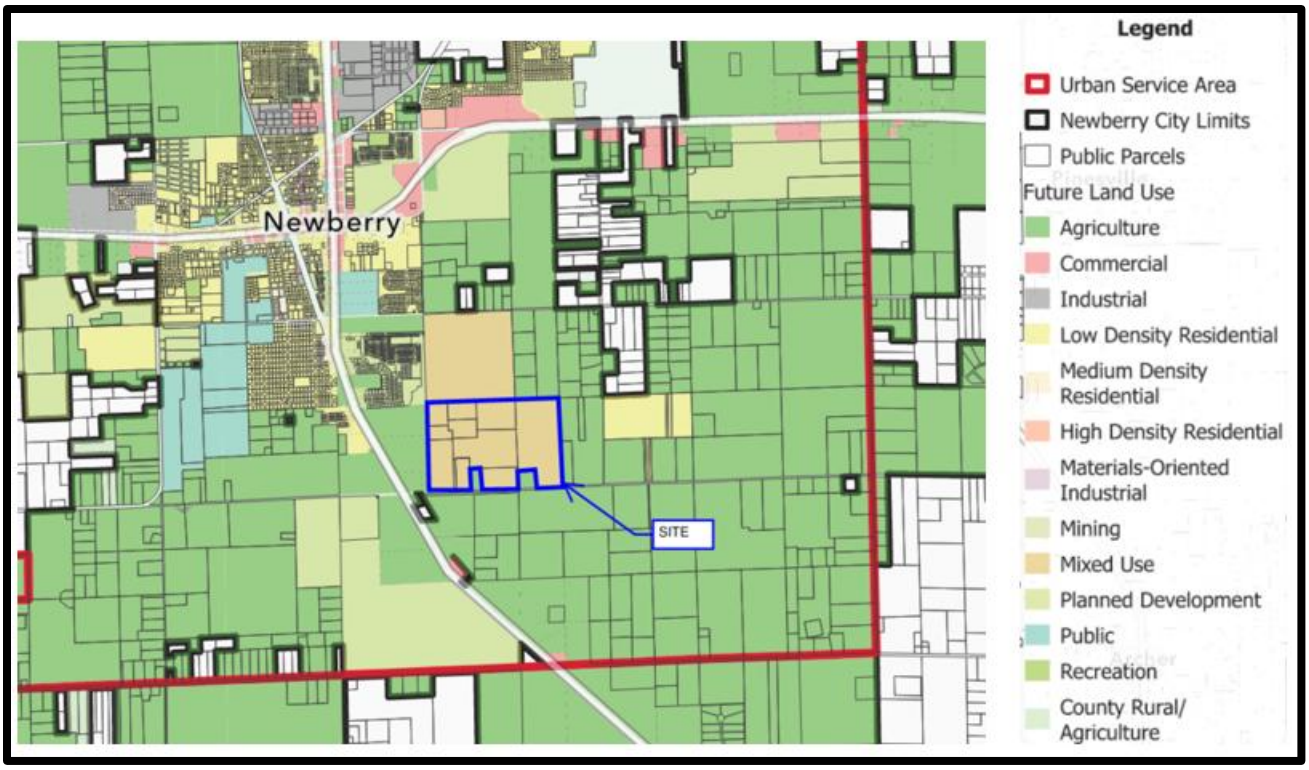



**Context Map**

## 2. Statement of Proposed Change

This Large-Scale Comprehensive Plan Amendment application requests amending the Future Land Use (FLU) classification on the Subject Property. This proposed modification will allow a greater number of residential dwelling units which is currently limited to 70% under the existing Mixed-Use FLU and diversity of housing with opportunity for multifamily, townhomes, and build-for rent (BFR) in addition to single family detached dwellings.

Approval of a Medium Density Residential (MD) FLU supports maximizing available, developable land for residential use with the City of Newberry's Urban Service Area. By permitting this amendment from Mixed Use (MU) to Medium Density Residential (MD), it allows the City of Newberry to provide flexible and diversified housing to support a more sustainable and economical future for the region.

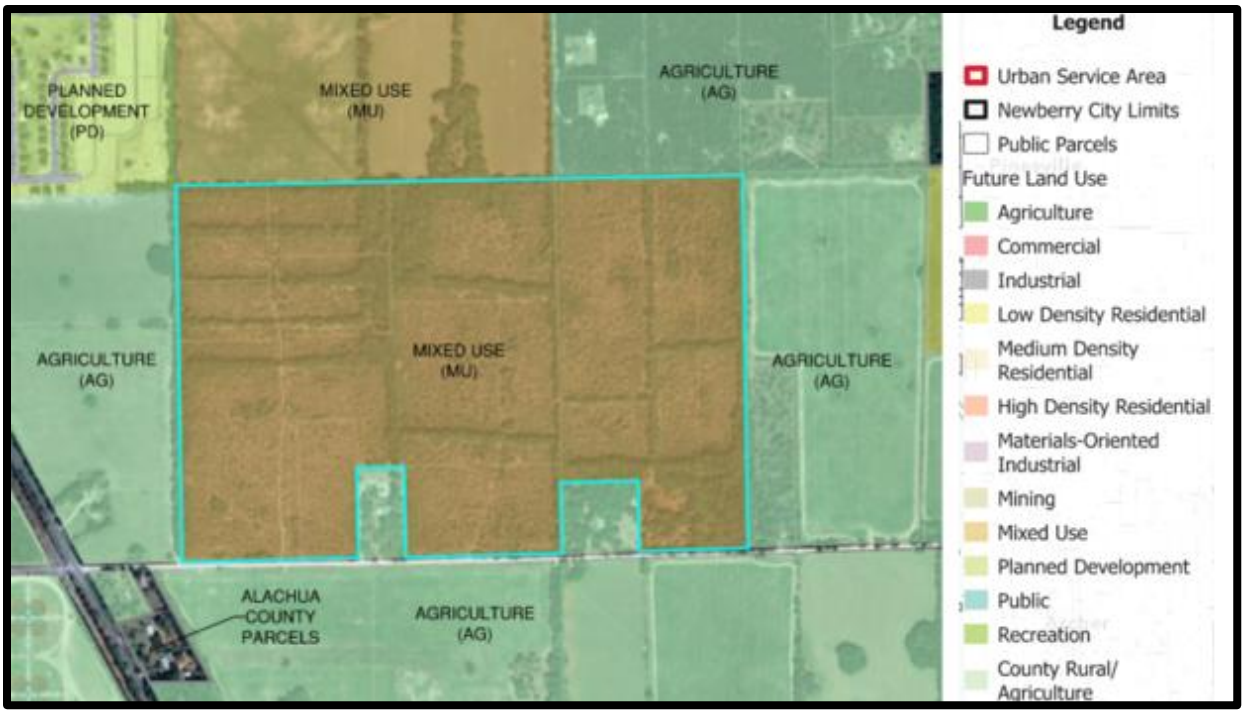



**City of Newberry Future Land Use Map:2045**

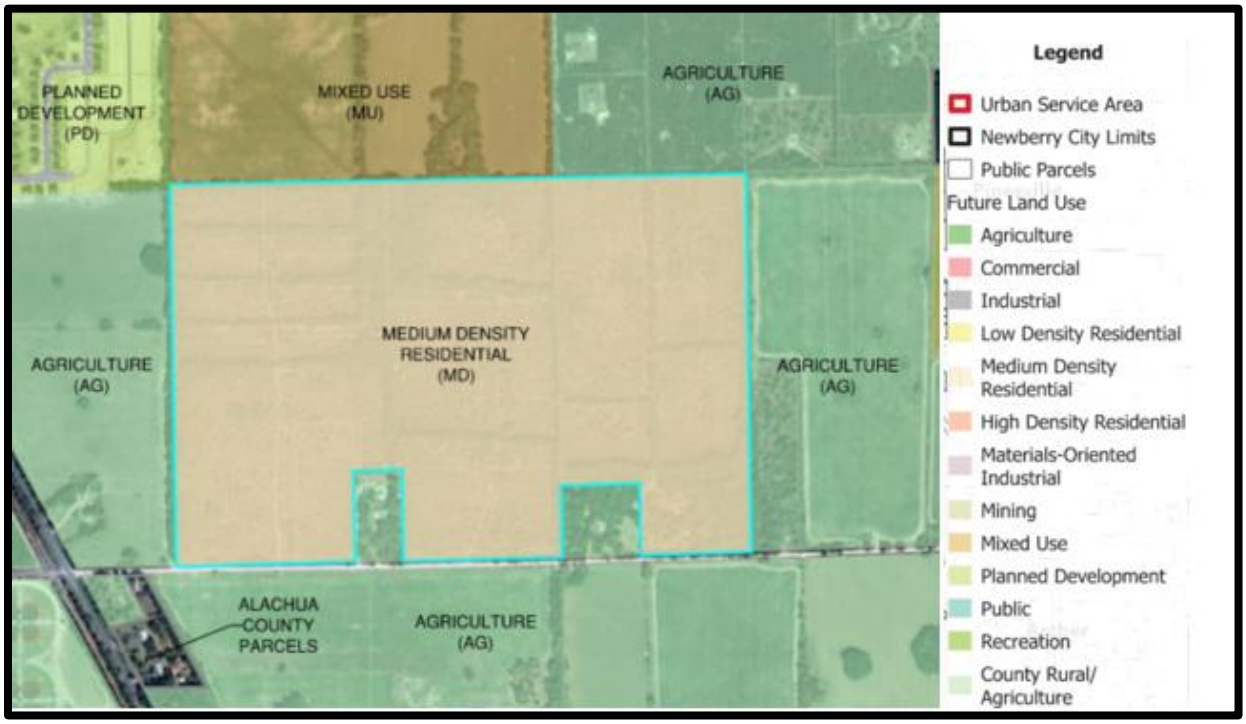
**Project Location and Surrounding Land Uses**

Below reflects the current Future Land Use, Zoning District, and Existing Use for the subject and surrounding properties.

| Identification | Future Land Use | Zoning | Existing Use |
|---|---|---|---|
| Subject Parcels | Mixed Use | AG | Vacant |
| North | Mixed Use | AG | Vacant |
| South | AG | AG | Vacant |
| East | AG | AG | Vacant |
| West | AG | AG | Vacant |




**Existing Future Land Use Map**




**Proposed Future Land Use Map**

# 3. Impact Analysis

***Level of Service (LOS) Planning Analysis***

As part of this Large-Scale Comprehensive Plan Amendment (Ls-CPA) and Rezone application, we have outlined the level of service for this development against the City's existing and future resources.

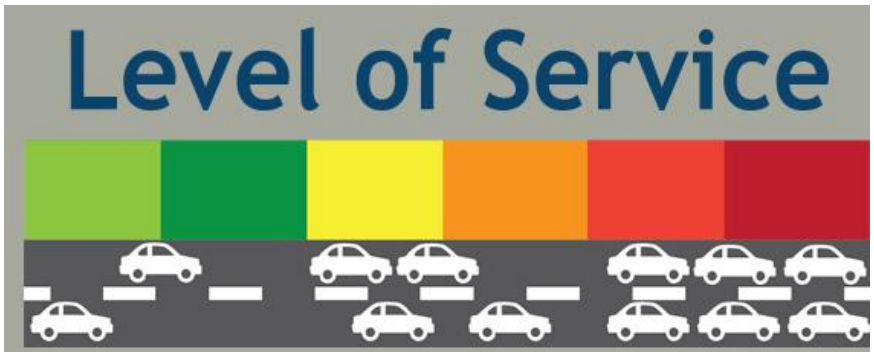
Potential impacts on public services are analyzed using the Residential Medium Density's proposed maximum development potential:

- Residential
  - Single Family Detached Residential: ± 850 dwelling units (DU)
  - Multifamily including townhomes, build-for-rent (BFR) and apartments: ± 400 dwelling units (DU)

The proposed site will be designed, engineered, and permitted in a minimum of four phases through the companion PRD schedule. The first phase will provide infrastructure connections including water, sewer and transportation to public facilities.

Transportation Analysis

Bowman has been retained by the applicant to perform a Future Land Use (FLU) Amendment and Rezone Traffic Analysis for the subject property. This project is proposing primary access points along SW 30th Avenue and potential future cross access connections to the properties on the north side.




Consistent with Objective II.1. of the City of Newberry Comprehensive Plan, the purpose of this analysis is to determine the potential traffic impacts, if any, caused by the increase in trip generation between the maximum density under the existing and proposed future land use designation.

Highest and Best Use

Per the Newberry Code of Ordinances, Appendix A, Article I, Policy I.6.1.2, the Mixed-Use land use classification allows for a combination of residential and commercial uses to promote an interrelated mixture of mutually supportive land uses. Under the existing FLU mix use the following requirements must be met:

- The maximum amount of land that can be dedicated to residential use is 70%.
- The required minimum amount of land that must be dedicated to open space is 10%.
- The following residential dwelling unit densities are permitted:

- Single family and duplex dwellings: 4 dwelling units per acre
- Free-stranding townhouses and build-for-rent (BFR): 8 dwelling units per acre
- Free-standing apartment buildings: 20 dwelling units per acre

- Other land uses must not exceed a 0.25 floor area ratio.

The breakdown of the maximum intensity of the subject property is presented below.

**Existing FLU-Mixed Use Land Use Area Densities Table**

| Land Use | Land Use Code[1] | Intensity | Units | Daily Trips | | | AM Peak Hour[2] | | | PM Peak Hour[2] | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Total | In | Out | Total | In | Out | Total | In | Out |
| General Office Building | 710 | 150 | KSF | 1,135 | 567 | 568 | 188 | 165 | 23 | 180 | 29 | 151 |
| Shopping Center (40-150k) | 820 | 120 | KSF | 4,367 | 2,183 | 2,184 | 106 | 65 | 41 | 391 | 192 | 199 |
| Multifamily Housing (Low-Rise) - Not Close to Rail Transit | 220 | 2,400 | DU | 14,904 | 7,452 | 7,452 | 853 | 205 | 648 | 1,159 | 719 | 440 |
| | | | Sub Total | 20,406 | 10,202 | 10,204 | 1,147 | 435 | 712 | 1,730 | 940 | 790 |
| | AM | | PM | | | | | | | | | |
| *Internal Capture*[3] | In | Out | In | Out | | | | | | | | |
| General Office Building | 7% | 26% | 72% | 12% | 332 | 224 | 108 | 18 | 12 | 6 | 39 | 21 | 18 |
| Shopping Center (40-150k) | 18% | 27% | 18% | 28% | 994 | 393 | 601 | 23 | 12 | 11 | 91 | 35 | 56 |
| Multifamily Housing (Low-Rise) - Not Close to Rail Transit | 2% | 2% | 8% | 8% | 746 | 373 | 373 | 17 | 4 | 13 | 93 | 58 | 35 |
| | | | | Sub Total | 2,072 | 990 | 1,082 | 58 | 28 | 30 | 223 | 114 | 109 |
| | | | | **External Trips** | 18,334 | 9,212 | 9,122 | 1,089 | 407 | 682 | 1,507 | 826 | 681 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street
(3) Internal Capture Calculated using NCHRP 684 Internal Trip Capture Estimating Tool

The following intensities were considered for a "reasonable" Highest and Best Use based on the existing FLU of the property:

- 2,400 Residential multifamily residential units
- 150 KSF Office
- 120 KSF Commercial

The proposed Medium Density Residential uses, areas and densities are presented below.

**Medium Density Residential Land Uses Table**

| Phase/Lot | Land Use[1] | ITE Code[1] | Intensity | Units | Daily Trips | | | AM Peak Hour[2] | | | PM Peak Hour[2] | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Total | In | Out | Total | In | Out | Total | In | Out |
| Phase 1 lot D | Single-Family Detached Housing | 210 | 535 | DU | 4,583 | 2,291 | 2,292 | 364 | 98 | 266 | 450 | 279 | 171 |
| Phase 2 lot F | Single-Family Detached Housing | 210 | 378 | DU | 3,316 | 1,658 | 1,658 | 259 | 70 | 189 | 327 | 203 | 124 |
| Phase 3 lot E | Single-Family Detached Housing | 210 | 387 | DU | 3,389 | 1,694 | 1,695 | 265 | 72 | 193 | 334 | 207 | 127 |
| Phase 4 lot A | Single-Family Detached Housing | 210 | 103 | DU | 1,097 | 548 | 549 | 75 | 20 | 55 | 99 | 61 | 38 |
| Phase 5 lot C | Single-Family Detached Housing | 210 | 148 | DU | 1,460 | 730 | 730 | 105 | 28 | 77 | 138 | 86 | 52 |
| Phase 6 lot B | Single-Family Detached Housing | 210 | 89 | DU | 984 | 492 | 492 | 65 | 18 | 47 | 86 | 54 | 32 |
| **Sub Total** | | | | | 14,829 | 7,413 | 7,416 | 1,133 | 306 | 827 | 1,434 | 890 | 544 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street

| Land Use Type | % of Area | Acres | Land Use Density |
|---|---|---|---|
| Residential (Apartment Buildings) | 10% | 23.92 | ~17 Dwelling Units Per Acre (400 Units) |
| Residential (Townhomes) | 8% | 18.52 | ~15.4 Dwelling Units Per Acre (285 Units) |
| Residential (Single Family) | 71% | 162.25 | ~4.5 Dwelling Units Per Acre (740 Units) |
| Open Space | 10% | 24.06 | - |

The intensities presented in the above table were considered the Highest and Best Use based on the proposed FLU of the property.

The proposed FLU amendment is not expected to increase the trip generation of the site by comparison, furthermore, the amendment represents a reduction in the potential trip generation as reflected in the table below which shows a potential to decrease the trip generation by 3,505 daily trips.

**Net Increase**

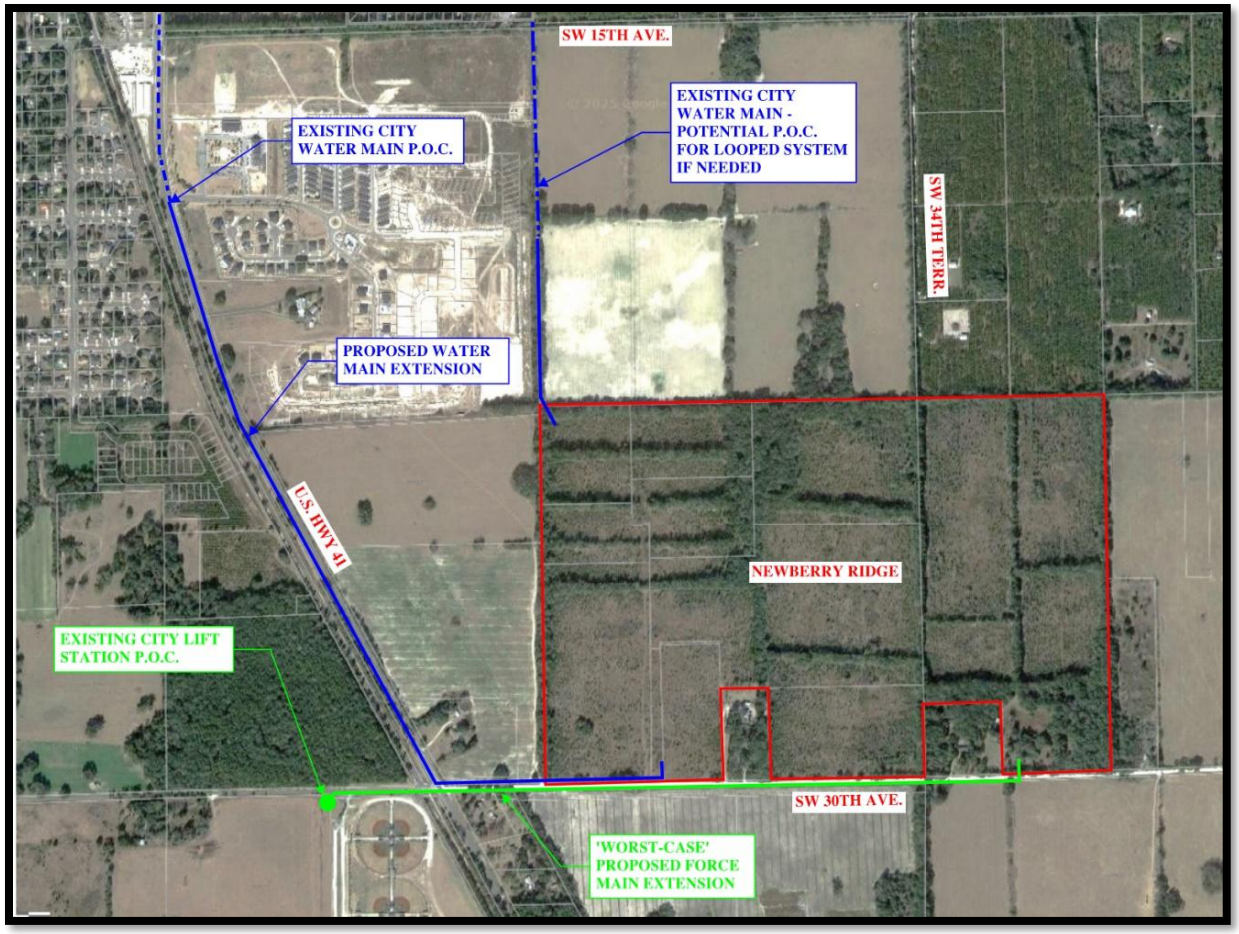
| Future Land Use | Daily Trips | | | AM Peak Hour(2) | | | PM Peak Hour(2) | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | In | Out | Total | In | Out | Total | In | Out |
| Existing Future Land Use | | | | | | | | | |
| Mixed Use | 18,334 | 9,212 | 9,122 | 1,089 | 407 | 682 | 1,507 | 826 | 681 |
| Proposed Future Land Use | | | | | | | | | |
| Planned Development | 14,829 | 7,413 | 7,416 | 1,133 | 306 | 827 | 1,434 | 890 | 544 |
| Difference | | | | | | | | | |
| Net New Trips | -3,505 | -1,799 | -1,706 | 44 | -101 | 145 | -73 | 64 | -137 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street

The proposed access points of the site along SW 30th Ave and any significantly impacted intersections and roadways shall be evaluated at the Site Development stage by means of a Traffic Impact Analysis, all necessary modifications and improvements to these roadways and intersections will be assessed during Site/Development Plan review.

Water and Wastewater

The subject property is within the City of Newberry's Urban Service Area and the future development will connect to existing public facilities as reflected below.




**Map of Water & Wastewater Utilities Points of Connection:**

**Potable Water Impacts**

This Project will be required to extend potable water infrastructure to the site. Connections to the City's potable water supply will be made at two connection points to provide a looped system to provide both individual demands and fire flow requirements within the proposed development as shown above.

Pursuant to discussions with City staff, currently the nearest viable Point of Connection ("POC") to the source of supply is a 12" diameter main located on the west side of SR 27/41 at the entrance to the Newberry Town Center Phase 1, approximately 6,000 linear feet. However, there is also a 12" water main running north-south from SW 242nd Terrace from the intersection of SW 15th Avenue and SW 242nd Terrace to a terminus at SW 18th Road. This is a potential future connection, pending acquisition of any easements, to provide a greater looped potable water system.



The water modeling required by the City will identify any necessary looping, and there is a new water main and elevated tank under design on the west side of 27/41 adjacent to Champions Park to be constructed as a requirement of the Sandia project, a sizable Mixed-Use development. It is assumed that the developer is required to fund this new water supply system.

The estimated daily water demand per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day, or 1250 ERU's.

**Sanitary Sewer Impacts**

Currently the City has a 560,000-gallon Wastewater Treatment Plant ("WWTP"). Flow commitments are regulated by the Florida Department of Environmental Protection ("FDEP"). The FDEP permitted capacity is currently at full allocation. Therefore, the City is required to build a new WWTP with enhanced treatment by FDEP Administrative Order.

There is an existing Master Lift Station at SR 27/41 that was sized for future development. There is no interim onsite treatment option allowed by the City.



The City has planned, designed and permitted a 1.2 MGD WWTP. The City has alternative funding for $29M of the estimated $90M total WWTP cost. Flows for future capacity for this proposed WWTP are estimated at 60%. The City needs Developers to provide the revenue stream to guarantee future capacity. This will be done via Developer Agreements, the framework of which includes the language for: fee payment; reservation of capacity; timeframe for payment and reservation; and system development charges payment.

The estimated wastewater flow per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day, or 1250 ERU's.

**Solid Waste Analysis**

Potential Solid Waste Impact Table

| Land Use | Maximum Units (1) | Generation Rate (2) | Estimated Demand (GPD) |
|---|---|---|---|
| **Current Potential under Existing Adopted Mixed Use FLU** | | | |
| Residential | 999 | 0.80 tons/person/year | 799.2 |
| Non-Residential | 428,303 SF | (12lbs/1,000 SF/day*SF*365)/2,000 | 937.98 |
| Total: | | | 1737.18 |
| **Medium Density Residential FLU** | | | |
| Residential | 1,250 | 0.80 tons/person/year | 1000.00 |

*(1) Units: Residential based on maximum density allowed in the proposed development*

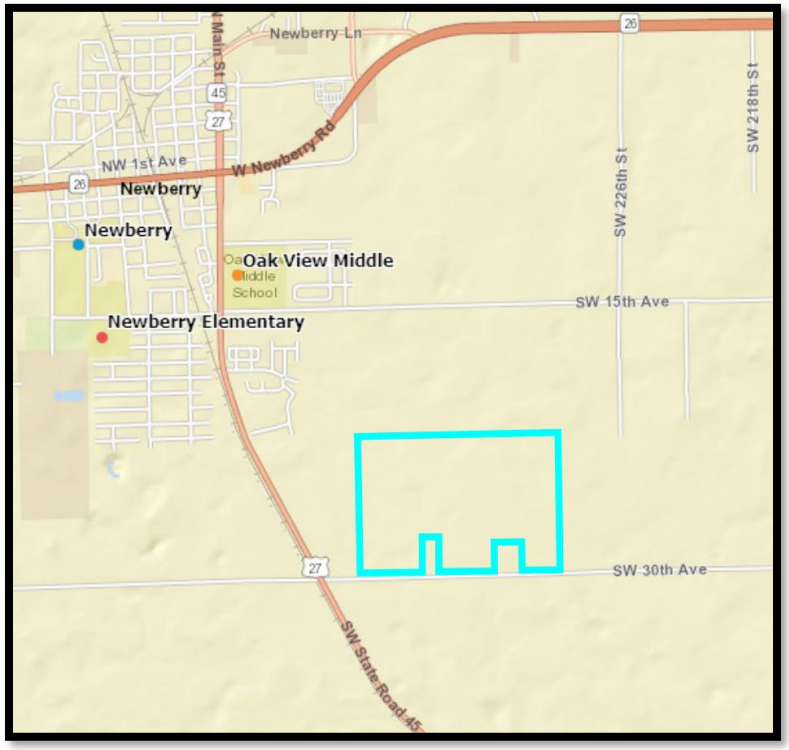
*(2) Generation Rate Sources*

*a. City of Newberry Comprehensive Plan Policy IV.2.4*

*b. US Census Bureau estimated 2.79 persons per household for City of Newberry, FL.*

**Educational Facilities Analysis**

The Subject site is within Alachua County Public School District and within the Newberry Zone for elementary schools with Newberry Elementary being the closest elementary school. Additionally, the site is within the Oak View Zone for middle schools with Oak View Middle School being the closest middle school to the site. Oak View Middle School also has elementary services to supplement the proposed impact on public schools. Lastly, the subject site is located within the Newberry Zone for high schools with Newberry Highschool being the closest high school to the subject site. All schools are within a 2-mile radius of the subject site.




**Public School Locations**

| Land Use | Estimated Units | Elementary School | | | | |
|---|---|---|---|---|---|---|
| | | Rate[1] | Total | Newberry Elementary Projected 2027-2028 Available Capacity[2] | Impacts to Capacity | Remaining Available Capacity |
| Single-Family Residential | 850 | 0.14 | 119 | 140 | 155 | -15 |
| Multi-Family Residential | 400 | 0.09 | 36 | | | |
| **Land Use** | **Estimated Units** | **Middle School** | | | | |
| | | **Rate[1]** | **Total** | **Oakview Middle Projected 2027-2028 Available Capacity[2]** | **Impacts to Capacity** | **Remaining Available Capacity** |
| Single-Family Residential | 850 | 0.06 | 51 | 280 | 63 | 217 |
| Multi-Family Residential | 400 | 0.03 | 12 | | | |
| **Land Use** | **Estimated Units** | **High School** | | | | |
| | | **Rate[1]** | **Total** | **Newberry High Projected 2027-2028 Available Capacity[2]** | **Impacts to Capacity** | **Remaining Available Capacity** |
| Single-Family Residential | 850 | 0.09 | 77 | 120 | 89 | 31 |
| Multi-Family Residential | 400 | 0.03 | 12 | | | |

1. *Rate: Student generation calculations: Alachua County Public School Student Generation Calculation Form*
2. *Available Capacity: Available capacity at nearby public schools: Available Alachua County Public Schools 2022-2027 Five Year District Facilities Plan*

Additionally, during development review, a Public-School Student Generation Calculation Form must be submitted and reviewed by ACPS for determination that the public schools will be able to accommodate the new students from this proposed development.

Approval of this application may result in a potential increase in impact on public schools. The maximum potential increase in the number of students generated from the proposed development is 155 elementary, 63 middle and 89 high school students.

**Recreational Facilities and Open Space Analysis**

The City's Comprehensive Plan currently requires new development, particularly within Planned Development and Mixed Use (MU) districts—to designate 25% of the total project area for open and recreational space. While Residential Medium Density was not a specified land use, Newberry Ridge understands the importance of providing functional and common open space. This requirement may include both active and passive recreational uses, with up to 50% of the designated space allowed for stormwater management features. Additionally, a minimum of 20% of the project area must be maintained as common open space or facilities, with incentives and density bonuses available for projects incorporating active recreational amenities such as trails, greenways, and sidewalks.

In practice, however, this requirement has shown to be more restrictive than necessary, particularly in developments that blend single-family and multifamily housing types and incorporate internal amenities within their development. In comparison, the City of Newberry's Planned Residential Development zoning standards require only 15% of the total project area as usable, common open space for most residential communities, and as little as 5% for developments consisting solely of individually deeded single-family homes.

With 1,250 potential dwelling units, it is anticipated that this project could generate 3,488 new residents for the City. Per the Recreation and Open Space Element, a combination of neighborhood, community and district park facilities on not less than 7 acres will be memorized in the development order.

In exchange for permitting a reduction in the Comprehensive Plan requirement of 25% open space this project will dedicate a 5-acre to the City for a future public neighborhood park. Up to 50% of this space would be reserved for storm water retention to serve the Master development. As outlined below, additional recreational opportunities will be provided within each parcel resulting in exceeding the minimum 7-acre required by the City.

This proposed amendment and rezone requests adjusting the City's open space requirement from 25% to 15% for developments that incorporate a mix of single-family and multifamily components, provided the following conditions are met:

- Open space must remain accessible and functional for recreational purposes.
- A cohesive, connected open space network should be established, supporting both passive and active recreational activities throughout the overall PRD
- A significant portion of the space should encourage community interaction and neighborhood connectivity, such as through walking paths, communal greens, playgrounds, or small gathering areas.
- Each individual single-family development will be required to provide a minimum of one of the following amenity items internally to their site:
    - Tot Lot or pocket park
    - Sport Court
    - Dog Park

- Community Garden



- Ramadas with Barbecue Grills
- Active Recreation Field
- Permanent game tables/areas including games such as ping pong, chess tables, cornhole, bocci.



- Tot lots



- Sport Courts such as basketball and pickleball



Items for consideration in the Master Community development may include:

- A centralized open space with ramadas and dog park to connect neighbors.



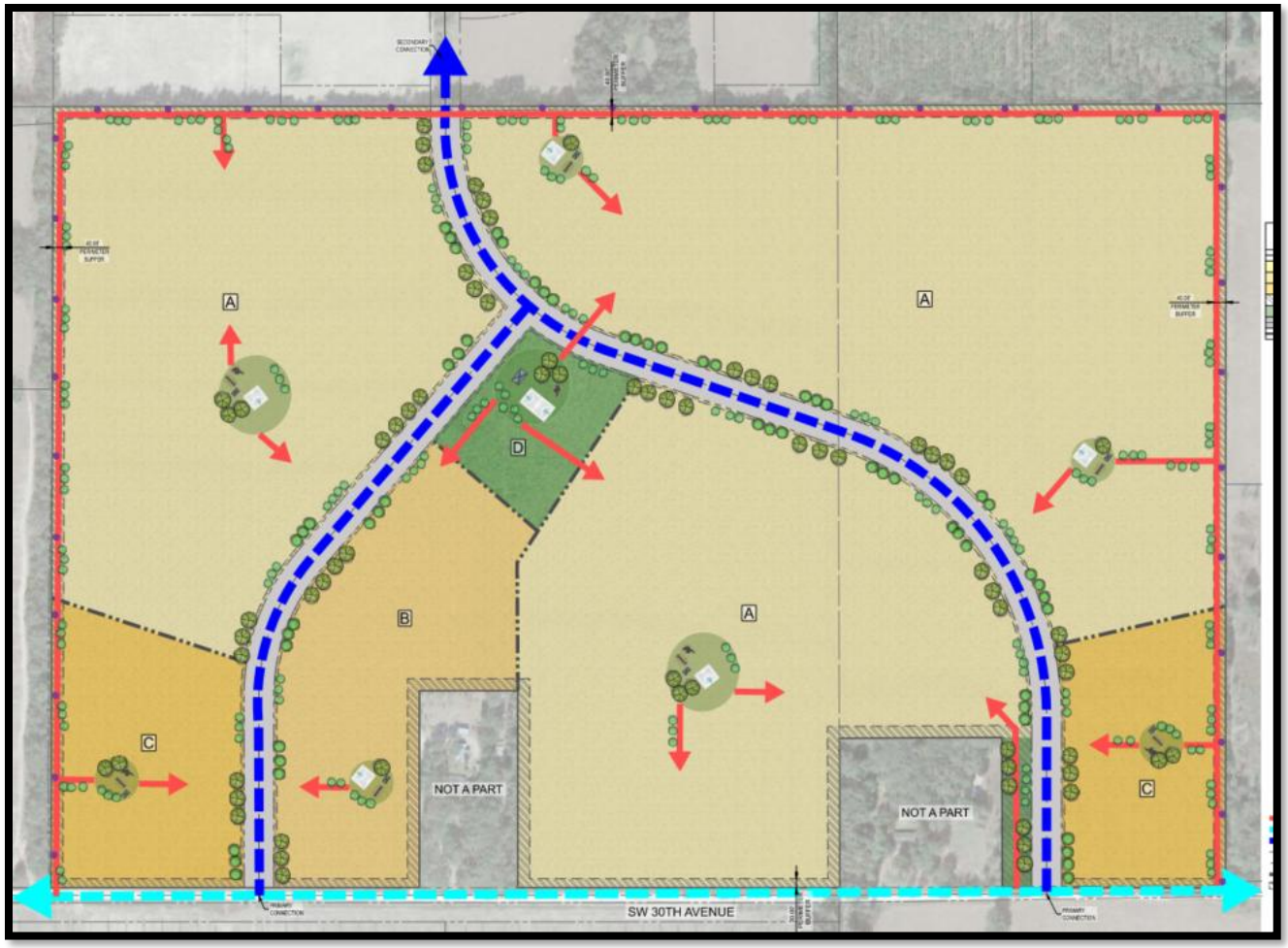
- Walking trails connecting neighborhoods and perimeter.

- Connected community space that allow for gathering in small and large groups with centralized event lawn.



This adjustment reflects a more modern and flexible planning approach that balances land efficiency with community livability. It allows for more compact development patterns while still fostering social cohesion, public health, and environmental benefits through thoughtfully designed recreational space. The ability to be socially connected with neighbors—through shared amenities and green spaces—is foundational to strong, resilient communities. This amendment will ensure that developments maintain a high standard of livability while better aligning with regional planning practices and accommodating a diversity of housing types.

The below reflects the centralized 5-acre park area and potential internal recreation nodes for each residential parcel as well as perimeter trail system. Parcels will provide internal pedestrian connections to perimeter trail system and park site to provide off street connections.




**Recreation and Amenity Plan**

# 4. Consistency with City of Newberry Comprehensive Plan and Land Development Regulations

With the need to provide adequate housing options within the City's boundaries, developers' ability to foster quality and livable residences is a necessity in the City's vision. This CPA supports this vision by implementing innovative housing opportunities that are consistent with the City's goals to administer a sustainable and functional residential community. Given the Developer intends to remove the commercial designation and focus solely on residential needs, a Large-Scale Comprehensive Plan Amendment will be required to transition to Residential Medium Density.




This project reflects the following conformance with the City's goals, objects and strategies from the Comprehensive Plan adopted on November 14, 1991, and has added subsequent amendments through March 25, 2005.

The following text will serve to justify the proposed amendment using the adopted Comprehensive Plan Goals, Objectives, Policies in various categories that are of concern to the City and its constituents.

**FUTURE LAND USE ELEMENT**

*FLU GOAL 1: Promote the City's community character and small-town charm.*

FLU OBJECTIVE 1.2: The City shall promote the value of rural spaces, including community spaces; activity, usable open space; and civic space.

The proposed MD Land Use designation will maintain the rural feel to the area by providing ample open space dedication throughout the individual parcels along with varying densities and products.

*FLU GOAL 2: Support a strong, diverse local economy.*

FLU OBJECTIVE 2.1: The City shall ensure appropriate land use allocations, LDRs, and permitting processes to encourage land development aligned with the City's Strategic Plan.

The allocation of the Newberry Ridge site as MD will allow flexibility for various residential uses that will meet housing needs within the City relating to density and variety along with efficient land use practices.

*FLU GOAL 3: Establish and deploy land use categories that optimize the efficient, economical, and equitable use of land in the City of Newberry and effectively guide the future development.*

FLU POLICY 3.1.2: The City shall evaluate permitted uses within existing FLU categories and associated zoning districts to ensure a variety of housing options are permitted throughout the USA.

By utilizing MD, it will permit detached single family homes, townhomes, build-for-rent (BFR) and garden style apartments creating the diversity of housing the City of Newberry desires.

FLU POLICY 3.2.1: The City's Land Development Regulations (LDRs) shall contain design and development standards based on and consistent with the following FLU categories and corresponding general ranges of densities and intensities. The allocation of FLU categories shall be depicted in the Comprehensive Plan FLUM's series:

Table identifying FLU categories and compatible zoning districts classifications:

| FLU Category | Zoning District Classification | Typical Uses | Maximum Density | Maximum Intensity |
|---|---|---|---|---|
| Residential Medium Density | RSF-3; RSF/MH-1, RSF/MH-2, RSF/MH-3; RMF-1, PRD, RO | Residential, Single-Family; Residential, Multiple-Family, Manufactured Home | 8 du/ac | 40% maximum ground cover |

The MD FLU category will allow for flexibility of residential uses allowing the developer to provide the appropriate use and density within each parcel that will best serve the City of Newberry.

*FLU GOAL 5: Reinforce the USA as a template, vehicle, and principle to focus growth and prevent suburban sprawl.*

The proposed Newberry site is within the Urban Service Area (USA) and is a testament to the appropriate nature of the FLU designation of MD which will help guide conscious and necessary growth within city limits. Proximity of the variety of residential land uses to the downtown area will also maximize the benefits to residents and their access to amenities, shopping, and schools, for example. Maintaining the higher density growth within the USA will continue to foster the rural town feel that Newberry residents admire.

FLU OBJECTIVE 5.1: The City's USA is established to create compact contiguous urban densities and intensities served by public utilities and services within the planning horizons, 2035 or 2045, established by the Comprehensive Plan. The USA map is included within the Comprehensive Plan's FLUM series. To the extent public facilities are not available by this date, the plan shall rely on the timing and phasing policies contained herein to limit development and ensure that the adopted Level Of Service (LOS) standards are maintained. Land areas shall be developed at lower densities and intensities consistent with rural areas, until such time as centralized potable water and sanitary sewer facilities and roads are provided, or a binding Developers Agreement is executed with the City to provide facilities to City standards on lands within the USA.

The development of the subject property will require the extension of potable water, sanitary sewer, and roads to serve the proposed development as part of the anticipated Development Agreement.

FLU POLICY 5.2.1: The City's FLUM shall allocate amounts and types of land uses for residential, commercial, industrial, agricultural, institutional, 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).

The proposed site for MD designation is within the City's USA which will serve the primary area poised for growth and will aid in providing additional density for the projected future population growth of the City. The adopted comprehensive plan details the City's average annual growth rate of 5.21%.

FLU POLICY 5.6.3: 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 USA Map in the City's Comprehensive Plan.

The Newberry Ridge site is within the USA, which will not hinder the City's goals in keeping infrastructure extensions within the urban area.

**TRANSPORTATION ELEMENT**

*TRAN GOAL 1: Provide for a transportation system that serves existing and future residents, patrons, employees, and visitors.*

TRAN OBJECTIVE 1.1: The city has established a safe, convenient and efficient Level of Service (LOS) standard which shall be maintained for all roadways.

TRAN POLICY 1.1.1: The City shall establish and maintain the Level of Service (LOS) standards as noted below at peak hour for the following roadway segments within the city. Further, such standards shall be defined within the current FDOT "Multimodal Quality/Level of Service Handbook", 2023. The City impact fees shall address roadway segments severely impacted, roadways that fail to operate at the adopted LOS.

| Roadway Segment Number | Roadway Segment | Number of Lanes | Functional Classification | Area Type | Level of Service |
|---|---|---|---|---|---|
| 15 | SW 30th Avenue (from east city limits to US 27/41 / SR 45) | 2-U | Major Collector | Community Transitioning | D |

U-Undivided Roadway

The Project directly accesses SW 30th Avenue and connects to US Highway 27/42/SR45. Future connections and access points relative to the proposed development and companion PRD will adhere to Florida Department of Transportation (FDOT) Level of Service standards promoting safe, convenient and efficient transportation systems surrounding the subject site. and the overall City transportation needs. A trip generation analysis has been performed in support of the Ls-CPA which reflects this Ls-CPA and companion PRD application will reduce the thresholds below what is the potential now within the Mixed Use-FLU classification.

TRAN OBJECTIVE 1.3: The City shall require that all transportation system improvements be consistent with the land uses shown on the FLUM.

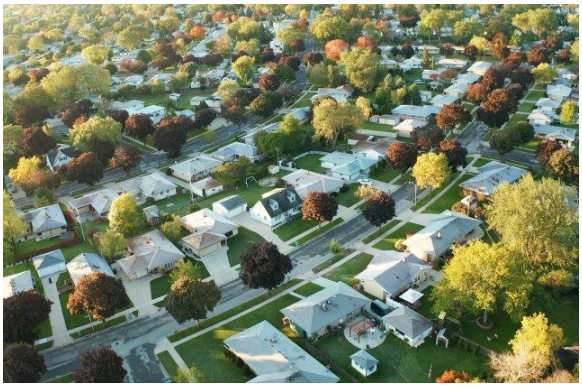
TRAN POLICY 1.3.3: The city shall require new development and redevelopment that are compatible abutting uses to interconnect with existing development through the extension of public or private streets, cross access agreements, and/or shared driveways. Cross access may include parking lot drive-aisles, sidewalks, and/or multi-use paths. Where new development and redevelopment abut vacant lands, the transportation systems shall be designed to facilitate interconnectivity with future development.

Bowman has coordinated with CHW, the firm completing the PD rezone and Ls-CPA to the north- Country Way II of Newberry. This will allow for connectivity between the two developments and will provide for a comprehensive roadway network between the parcels.

## HOUSING ELEMENT

*HOUS GOAL 1: Provide decent, safe and sanitary housing in suitable environments at affordable costs to meet the needs of the City's present and future citizens, including those residents with special needs.*

HOUS OBJECTIVE 1.2: The City shall review and update policies and regulations to expand opportunities for a variety of housing types, including missing middle housing. Housing types should include but not be limited to single-family detached and attached, duplexes, fourplexes, townhomes, apartments, and Accessory Dwelling Units (ADUs).



A portion of citizens' responses when creating the updated CPA was the desire for quality housing along with an increased number of options. The proposed MD designation will allow for the provision of options for homeownership along with multifamily uses such as townhomes, build-for-rent, and apartments that will also increase the rental housing stock of the City. Currently the City is almost exclusively comprised of single family detached housing, and future population growth will require a proactive approach in permitting more multifamily housing options, which the MD FLU can provide. Residential building permits are consistent with the average 5% growth rate the City has experienced, which will likely need to continue given the future population growth.

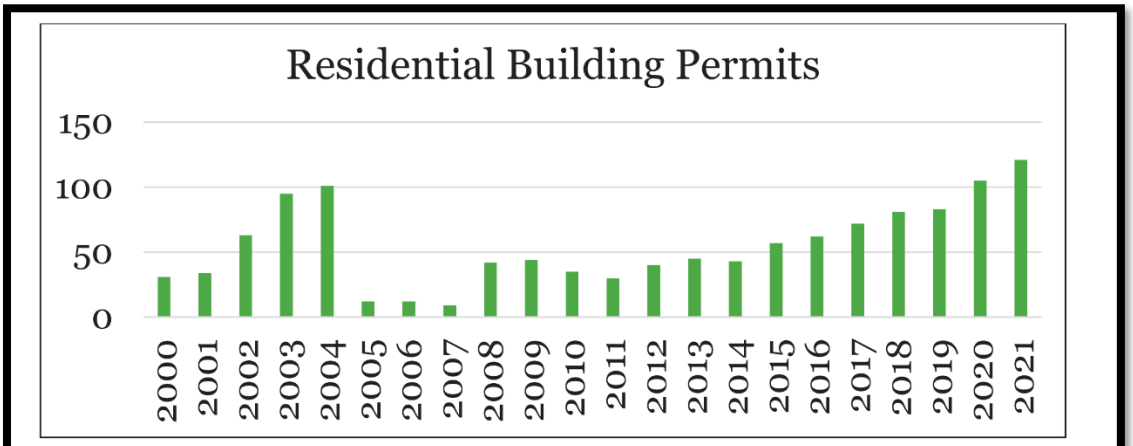



*Figure 17 Residential permits issued from 2000-2021*

**Residential Building Permits in Newberry**

**ECONOMIC DEVELOPMENT ELEMENT**

*GOAL ED 4. 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.*

The modification of the proposed site's FLU to MD will help complement the City's goal of a highly trained workforce by providing the necessary housing availability for the additional residents that would result from greater business investment within Newberry. One of the strongest way municipalities can compete for expansion and new companies is to provide a place for their employees to live.

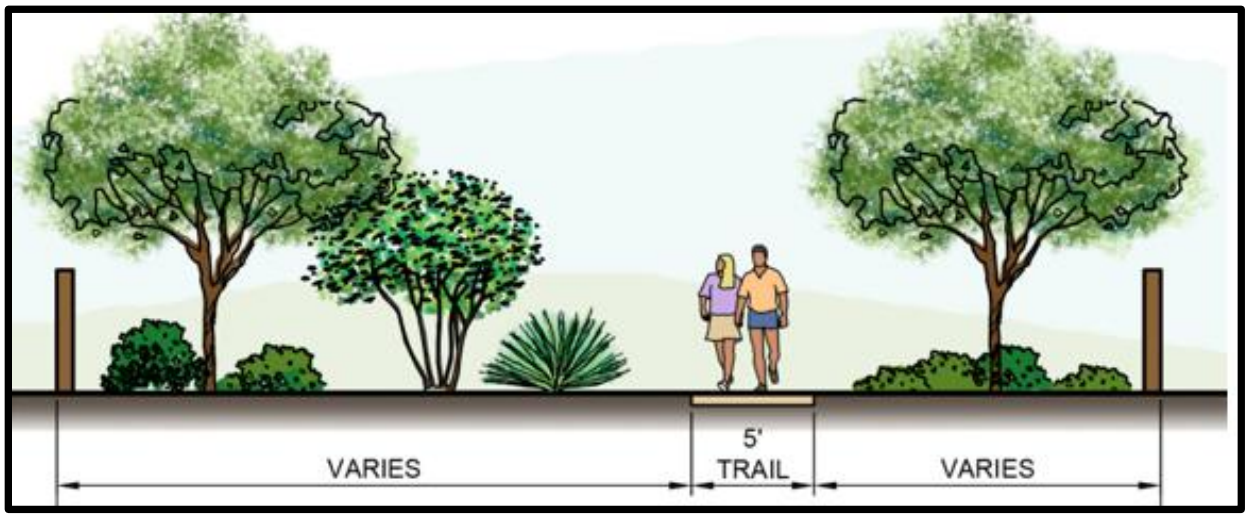
**RECREATION AND OPEN SPACE ELEMENT**

*ROS GOAL 1: Establish and maintain an integrated system of recreation facilities and open space for citizens and visitors and access to these facilities for diverse groups of people, regardless of special need or condition.*

ROS POLICY 1.2.3. Mandating Open and Recreational Space Allocation in New Developments with Incentives for Including Active Recreation

The City shall require the new development, especially in residential Planned Development (PD) and Mixed Use (MU) to assign 25% of the total project area to open and recreational space. The open space requirement may include active and passive recreational areas. Of the total open and recreational space, a maximum of 50% may include storm water management area. A minimum of 20% of the total project area shall be established and maintained as common open space or common facilities. The City shall consider incentivizing and encouraging new development to provide trails, sidewalks, greenways, etc. A Density bonus shall be provided to developments, including active recreation space in the subdivision.

The parcels forming Newberry Ridge MD will each provide adequate amounts of open space that meet the City's needs through a variety of methods, such as interconnected trails, recreational amenities and other open spaces specific to each parcel.

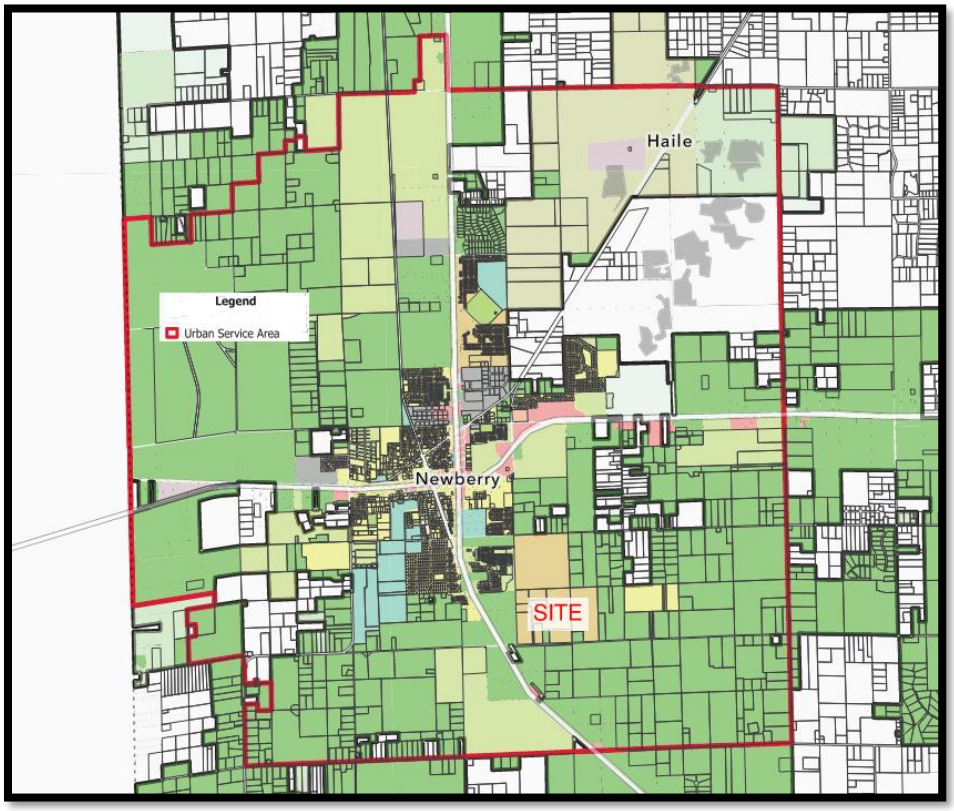


## 5. Urban Sprawl Analysis

According to Florida State Statutes, 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. Residential Medium Density Land Uses may be approved n for lands within the Urban Service Area, but outside the Areas designated as Economic Development Overlay Areas. The statute states that any "future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl."

The statements below are state statutes for the reduction of urban sprawl (Section 163.3177(6)(a)9a) and a justifying statement is provided for each item to demonstrate how the proposed Newberry Ridge MD designation will satisfy those stipulations. Approval of this Ls-CPA does not contribute to the Florida State Statute's definition of urban sprawl and will promote efficient land use practices within the urban service area (USA).

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
The Newberry Ridge site is wholly within the USA service area and promotes the idea of concentrating density and amenities/open space within the urban core.



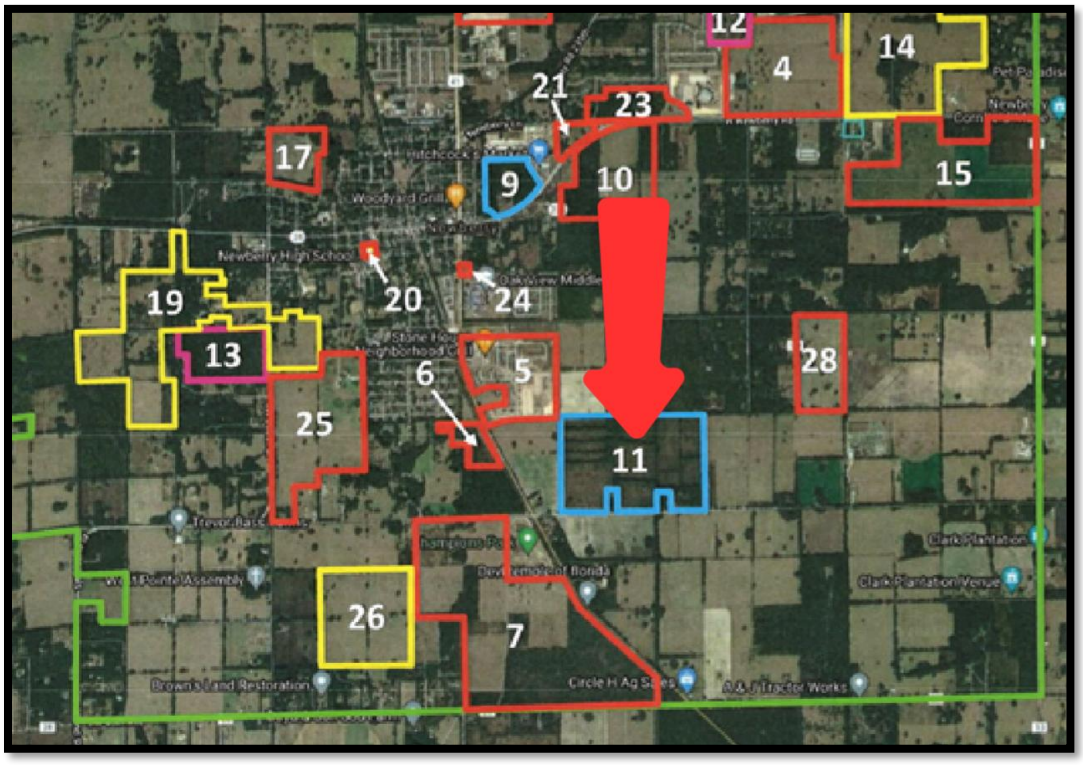

**Urban Service Area Boundary of Newberry**

a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
The Newberry Ridge site will be developed with multiple residential uses to meet the diverse needs of residents which will range from higher density multi-family, townhome, and build-for-rent (BFR) developments to single family residential options with a maximum gross density of ±5.51 dwelling units per acre. Efficient land use methods through product diversity will be promoted with the proposed MD land use designation. Approval of this Ls-CPA will facilitate compact urban development in a planned residential community within the City's Urban Service Area abutting existing mixed-use and residential communities.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
The Newberry site is within the USA with close access to US Highway 27, 41/ SR45 and will develop alongside other residential and commercial projects such as Country Way Town Center and Country Way II. Southwest of the intersection of SW 30th Avenue and US Highway 27, 41/SR45 is planned for the future Sandia Development continuing the concentration of commercial and residential development.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
The Newberry Ridge site will have the opportunity to develop alongside other sites in the vicinity that are all within the USA and will help complement each other in terms of providing much needed housing, amenities, and services the City needs as its population expands. The image below depicts active projects surrounding the proposed site.




**Adjacent Properties Under Development, Entitled, or Under Review**

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

The subject parcel while designated as AG is not a current farming operation. Appropriate buffering and setbacks will be used to aid in separation between adjacent agricultural land uses.

(VI) Fails to maximize use of existing public facilities and services.

The Subject property will contribute to the City's proposed expansion of the wastewater treatment, extend potable water and improve the intersection of South 30th Avenue and US Highway 27, 41/ SR45 as well as SW 30th Avenue across the project frontage.

(VII) Fails to maximize use of future public facilities and services.

The site's proximity to other planned developments, ranging from residential and commercial, makes the development a prime location to maximize the public facilities and services planned for the City. The Comprehensive Plan update mentions the importance of concentrating development near the Downtown to maximize business investment while also locating diverse housing options there.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
Newberry Ridge is within the USA and will efficiently work to provide additional housing options across different products while contributing to its fair share of necessary roadway improvements and utility connections already in proximity based future adjacent development.

(IX) Fails to provide a clear separation between rural and urban uses.
Land use separation will be achieved through proper buffering as required by the City while also providing a mix of densities and products. Proper open space will be provided throughout each parcel by each developer. Where similar developments come to fruition, such as the parcel to the north, efforts will be made to integrate the two to encourage walkability and efficient traffic circulation.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
This site is not directly within an infill parcel but will instead look to encourage efficient land use practices by changing the designation of these parcels to MD. Newberry Ridge will complement the Country Way parcel which is already under construction.

(XI) Fails to encourage a functional mix of uses.
The proposed MD designation will allow Newberry Ridge to provide a combination of single and multi-family uses including single family, townhomes, build-for-rent (BFR) and garden style apartments to provide density and diversity of housing stock.

(XII) Results in poor accessibility among linked or related land uses.
The proposed residential community will provide vehicle and pedestrian access not only within the community but to the planned residential community, Country Way, to the north. South 30th Avenue will also be improved to US Highway 27, 41/ SR45 providing connections not only to the FDOT roadway but to Champions Park and the future Sandia development.

(XIII) Results in the loss of significant amounts of functional open space.
The Subject Property is privately owned and does not function as a public open space. The PRD design will generally locate dwelling units internal to the site, with landscaped buffer areas and stormwater management facilities serving as new functional open space within the City.

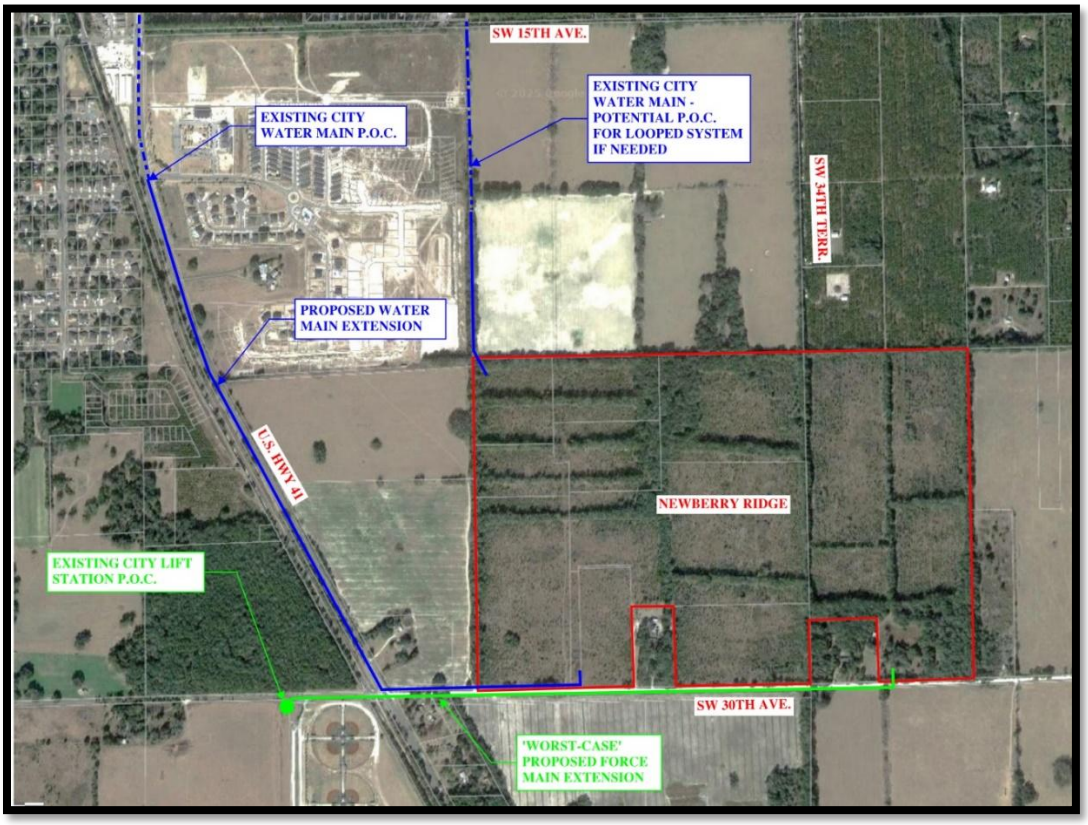
b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Development of the subject property does not have an adverse impact on natural resources and ecosystems and has been designated with the USA by the City. With the existing Country Way and future Sandia development, it provides housing for the commercial components of those developments. Newberry Ridge's location further supports limiting urban sprawl given its adjacency to these future mixed and residential developments.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

Newberry Ridge will contribute its fair share of roadway improvements with proper right-of-way acquisition and improvements. The project will extend potable water and sanitary sewer to serve the project needs as tentatively reflected below with coordination with the City.




**Map of Water & Wastewater Utilities Points of Connection**

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

Newberry Ridge will seek to integrate its communities with those on the north parcel while providing a mix of residential uses at varying densities. A trail system will extend throughout the parcels to promote multi-use such as bike and pedestrian. Appropriate provisions for transit service will also be made for the site if available. A comprehensive roadway system will be featured throughout the proposed development

with a northern connection to Country Way Phase II along with the proper improvements to SW 30th Avenue.

(IV) Promotes conservation of water and energy.

Efforts to conserve water and energy will be made where possible for Newberry Ridge by encouraging homebuilders to incorporate these options.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

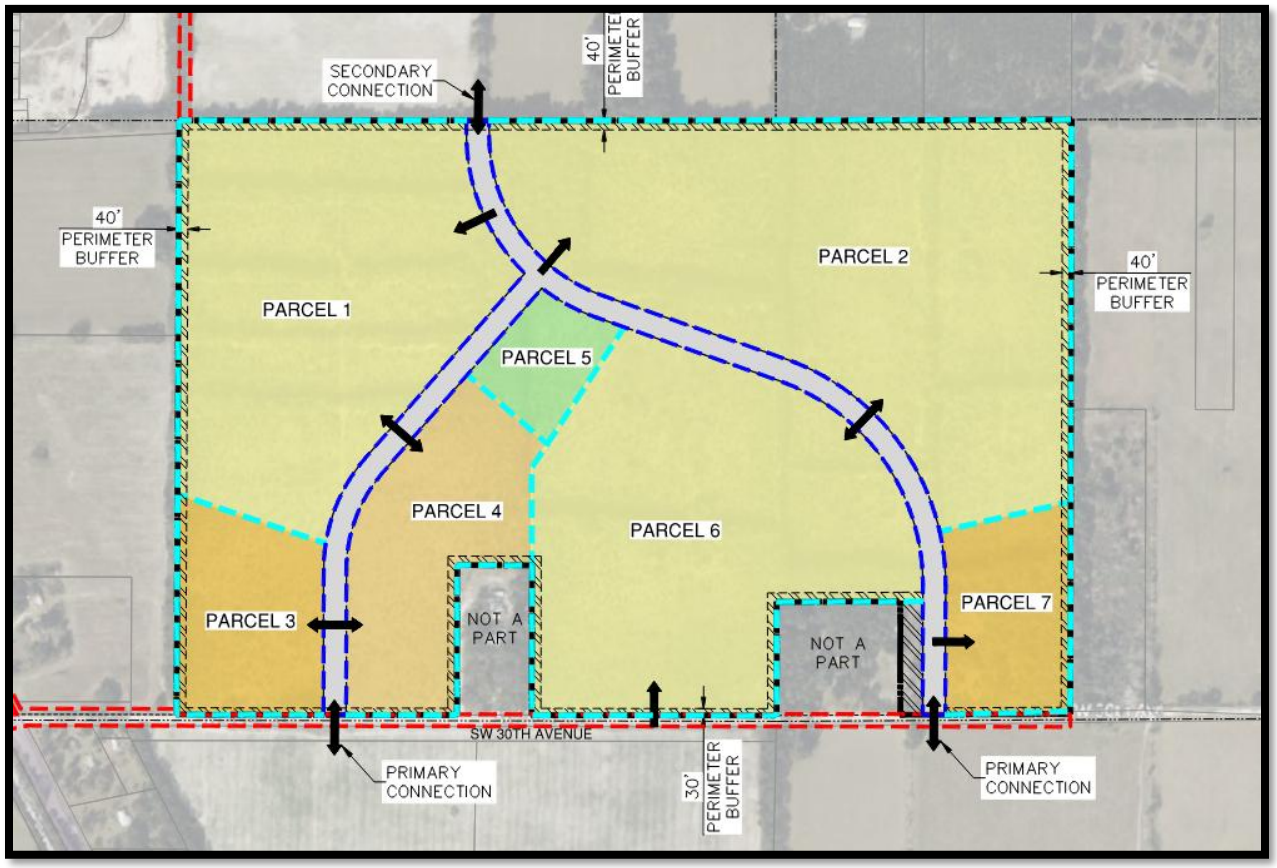
Newberry Ridge is not considered prime farmland and is not eligible for this consideration.

(VI) Preserves open space and natural lands and provides public open space and recreation needs.

The development of the proposed urban residential community maximizes the preservation of open space and natural lands within the City by incorporating sustainable development practices. These include concentrating density to preserve surrounding open areas, maintaining natural buffers around the site's perimeter, and introducing new social and recreational spaces that serve both existing and future residents."

(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

The various land uses will be dispersed throughout the development and will be balanced by the open spaces within the proposed development. Nearby commercial uses and services to the north, future Sandia development and the Downtown area will provide necessary non-residential needs for residents within a short distance. Future business investment in the Downtown area will directly benefit residents of Newberry Ridge with improved access to jobs, services, public facilities and amenities.




**Proposed Newberry Ridge Master Plan**

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

The introduction of Newberry Ridge into this growing community will be akin to adding an additional puzzle piece to the larger urban core. Country Way Town Square and Country Way Phase II will both complement the implementation of this proposed MD land use with efficiency in extending infrastructure services while providing open spaces, connected roadways, and additional housing options. The adopted Comprehensive Plan details the need for housing to accommodate a growing population and Newberry Ridge can aid in that effort with its goal of increased housing options at a variety of densities, products, price points and for-rent or for-sale opportunities.

# 6. Conclusion

Florida Land Development Partners I, LLC is committed to making Newberry Ridge a different, more engaging neighborhood. They have carefully integrated the ability for social gathering spaces both with passive and active amenities to build a stronger community. We are respectfully asking for the support and approval of this Large-Scale Comprehensive Plan Amendment and Rezoning request.

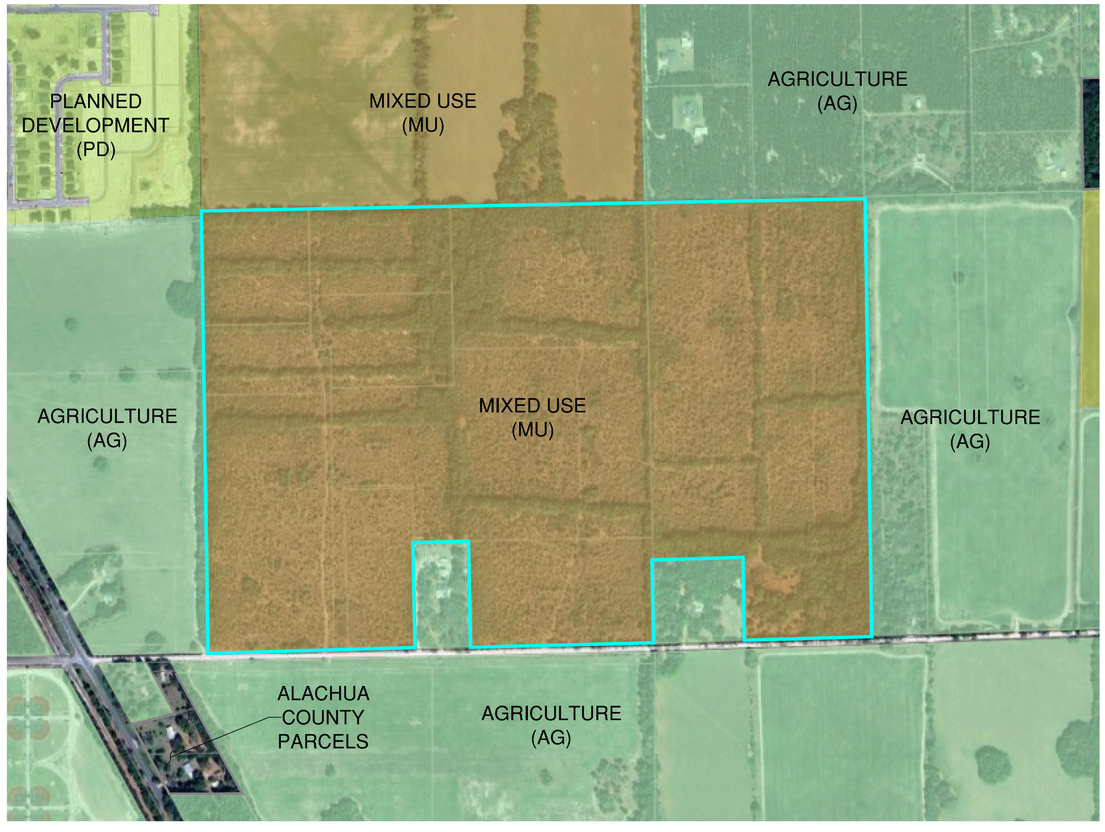


LEGEND

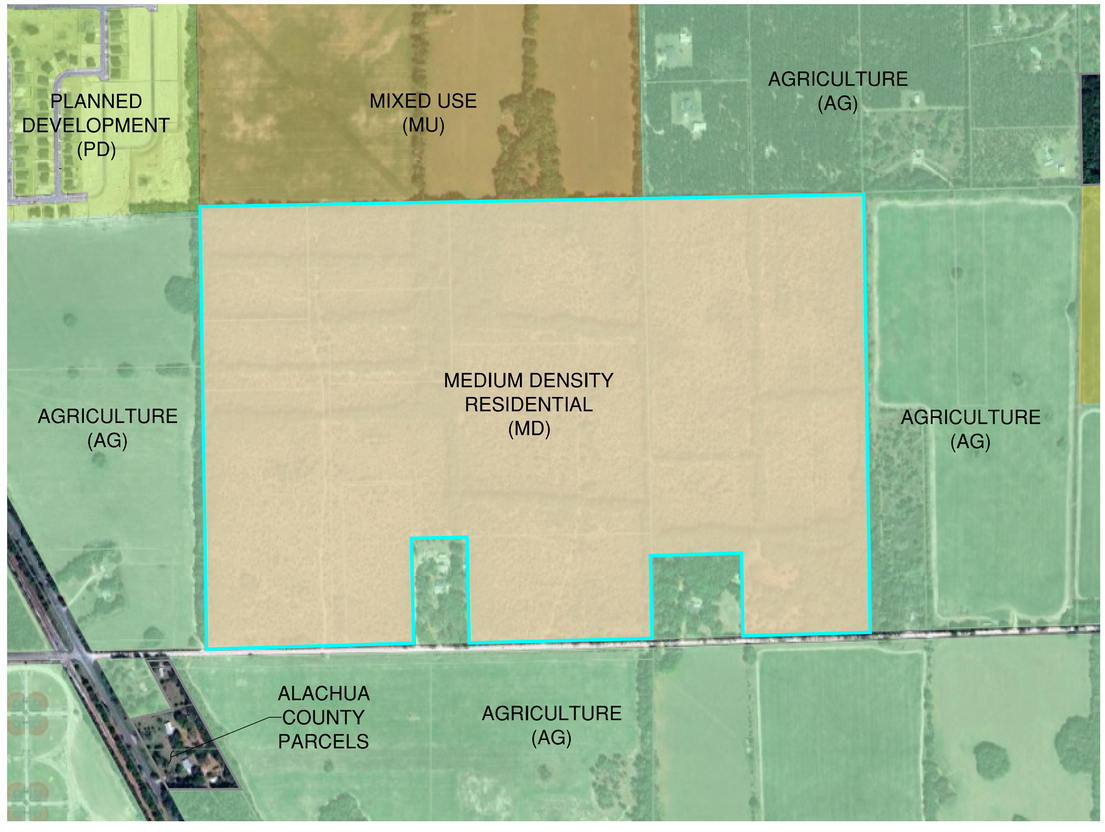
- AGRICULTURE (AG)
- MEDIUM DENSITY RESIDENTIAL (MD)
- PLANNED DEVELOPMENT (PD)
- MIXED USE (MU)
- SUBJECT SITE
- ALACHUA COUNTY PARCELS

N

N.T.S




EXISTING FUTURE LAND USE DESIGNATION




PROPOSED FUTURE LAND USE DESIGNATION

Bowman

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Phone: (480) 629-8830
www.bowman.com
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EXISTING AND PROPOSED FUTURE LAND USE PLAN

# NEWBERRY RIDGE

ALACHUA COUNTY

NEWBERRY, FL

PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|
| | |

| SA | SA | DMF |
|---|---|---|
| DESIGN | DRAWN | CHKD |

SCALE H: NONE V: NONE

JOB No. 052070-01-001

DATE : 11/6/2025

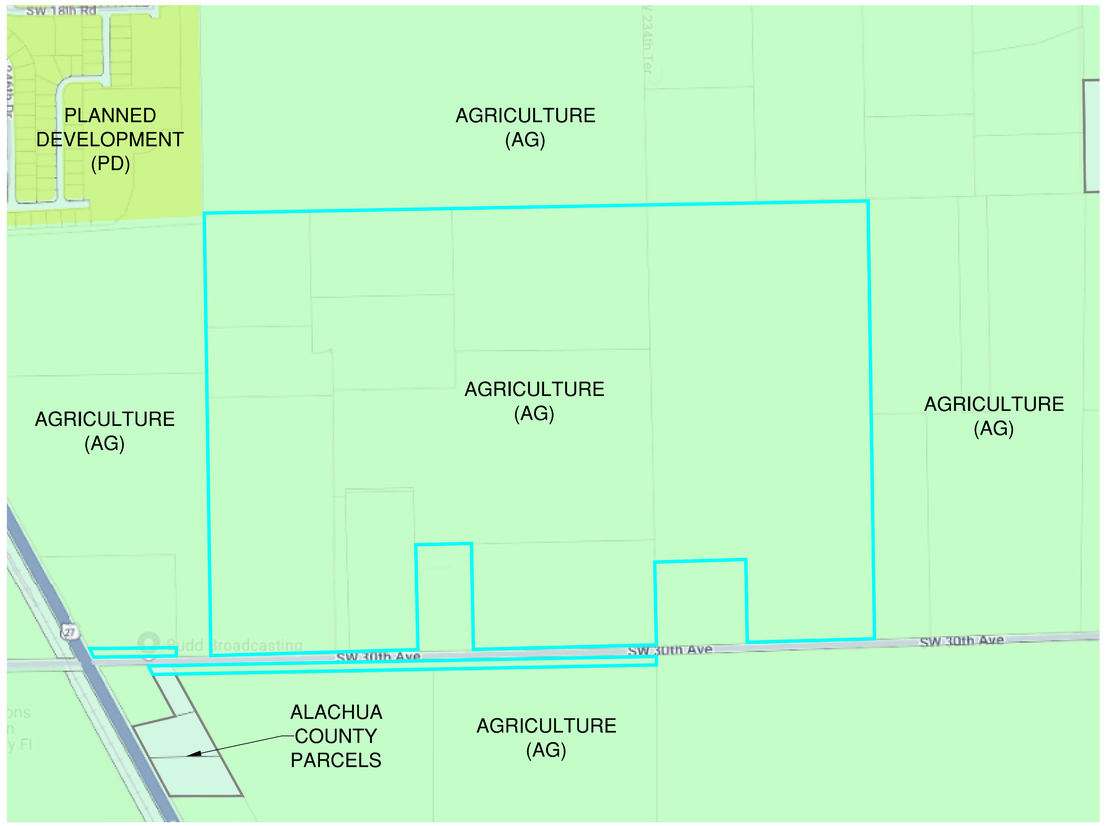
SHEET 01 OF 01

LEGEND

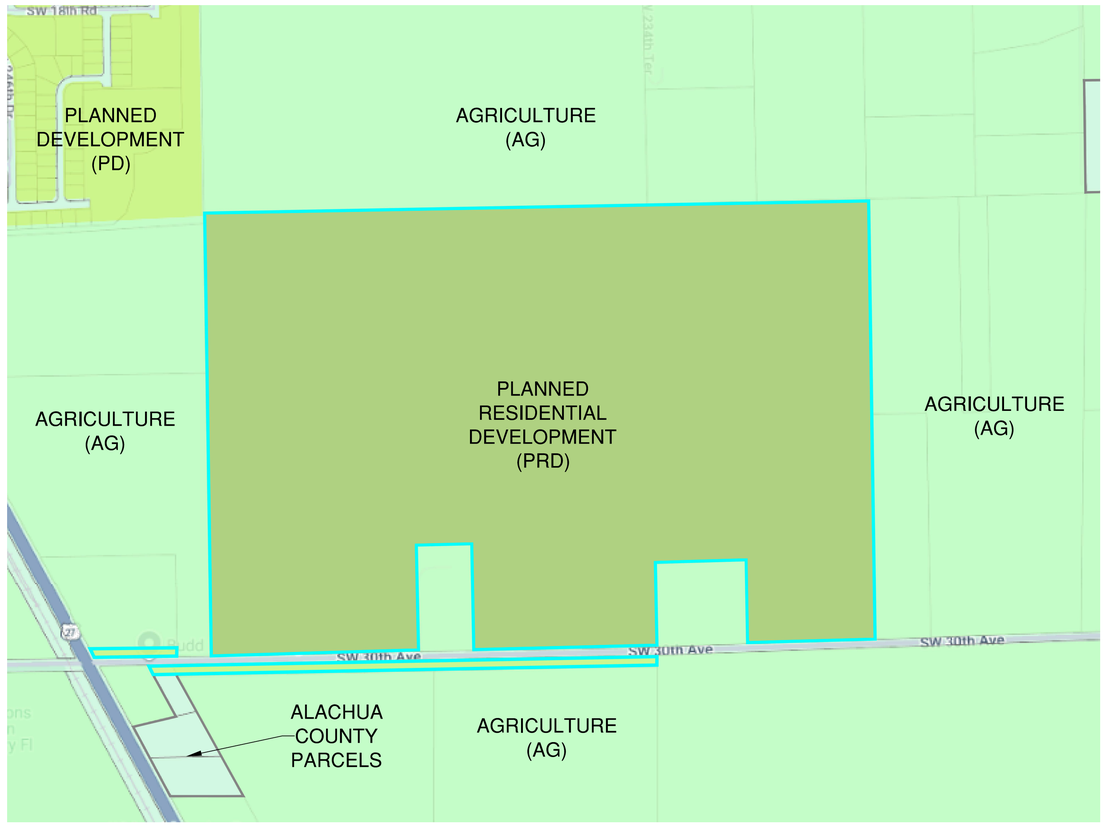
- AGRICULTURE (AG)
- PLANNED DEVELOPMENT (PD)
- PLANNED RESIDENTIAL DEVELOPMENT (PRD)
- ALACHUA COUNTY PARCELS
- SUBJECT SITE

N

N.T.S




EXISTING ZONING DESIGNATION




PROPOSED ZONING DESIGNATION

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EXISTING AND PROPOSED ZONING EXHIBIT

# NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

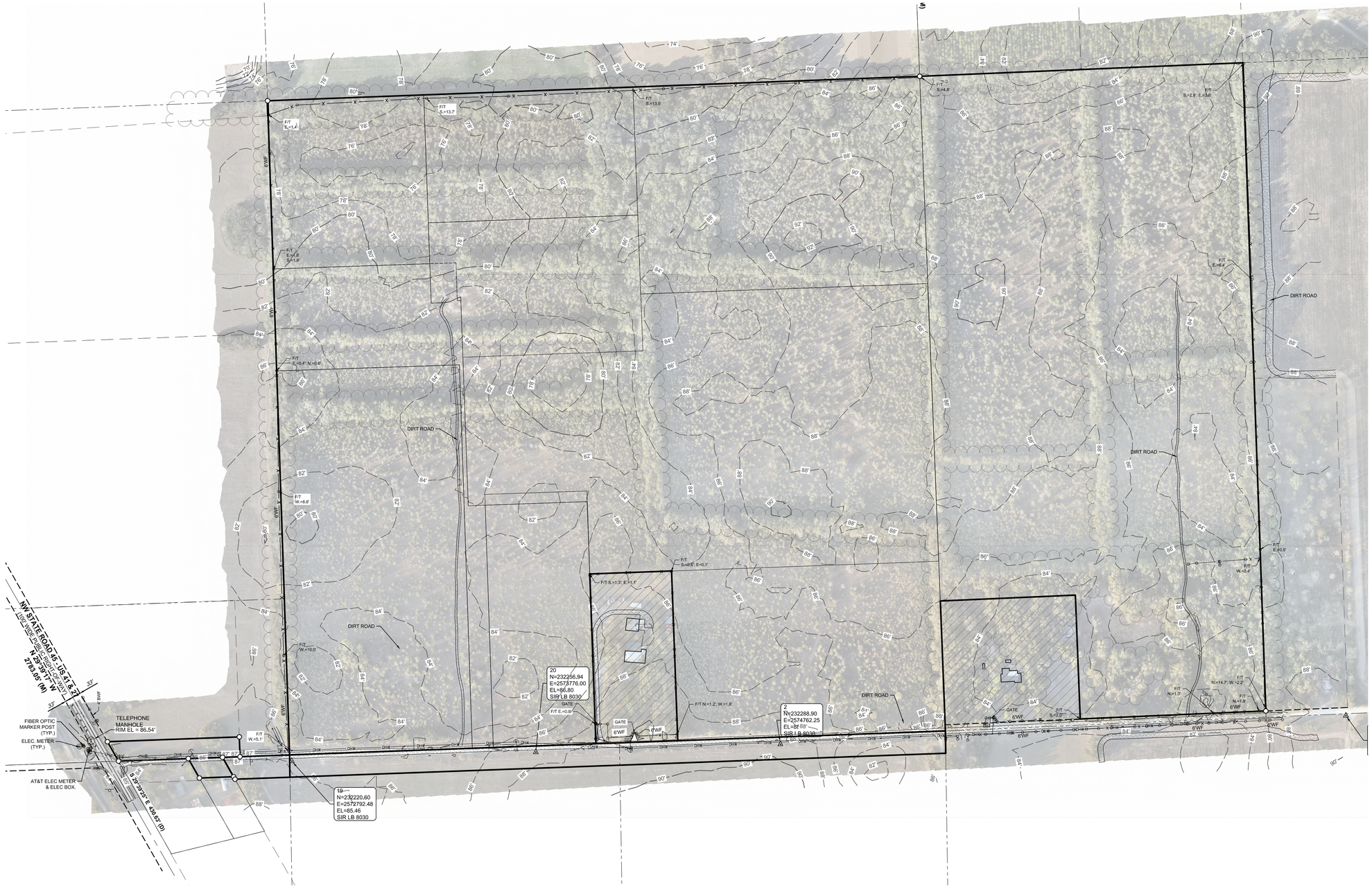
PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
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| SA DESIGN | SA DRAWN / DMF CHKD |
| SCALE | H: NONE V: NONE |
| JOB No. | 052070-01-001 |
| DATE : | 5/30/2025 |

SHEET 01 OF 01

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* NOTE: TREELINES SHOWN PER AERIAL DRONE FOOTAGE FLOWN BY BOWMAN

Bowman

PROFESSIONAL SURVEYORS AND MAPPERS, CERTIFICATE NO. LB. 8030
BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NO. 30482

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# NEWBERRY RIDGE
## TOPOGRAPHIC MAP

ALACHUA COUNTY FLORIDA

PROJECT NO
052070-01-001

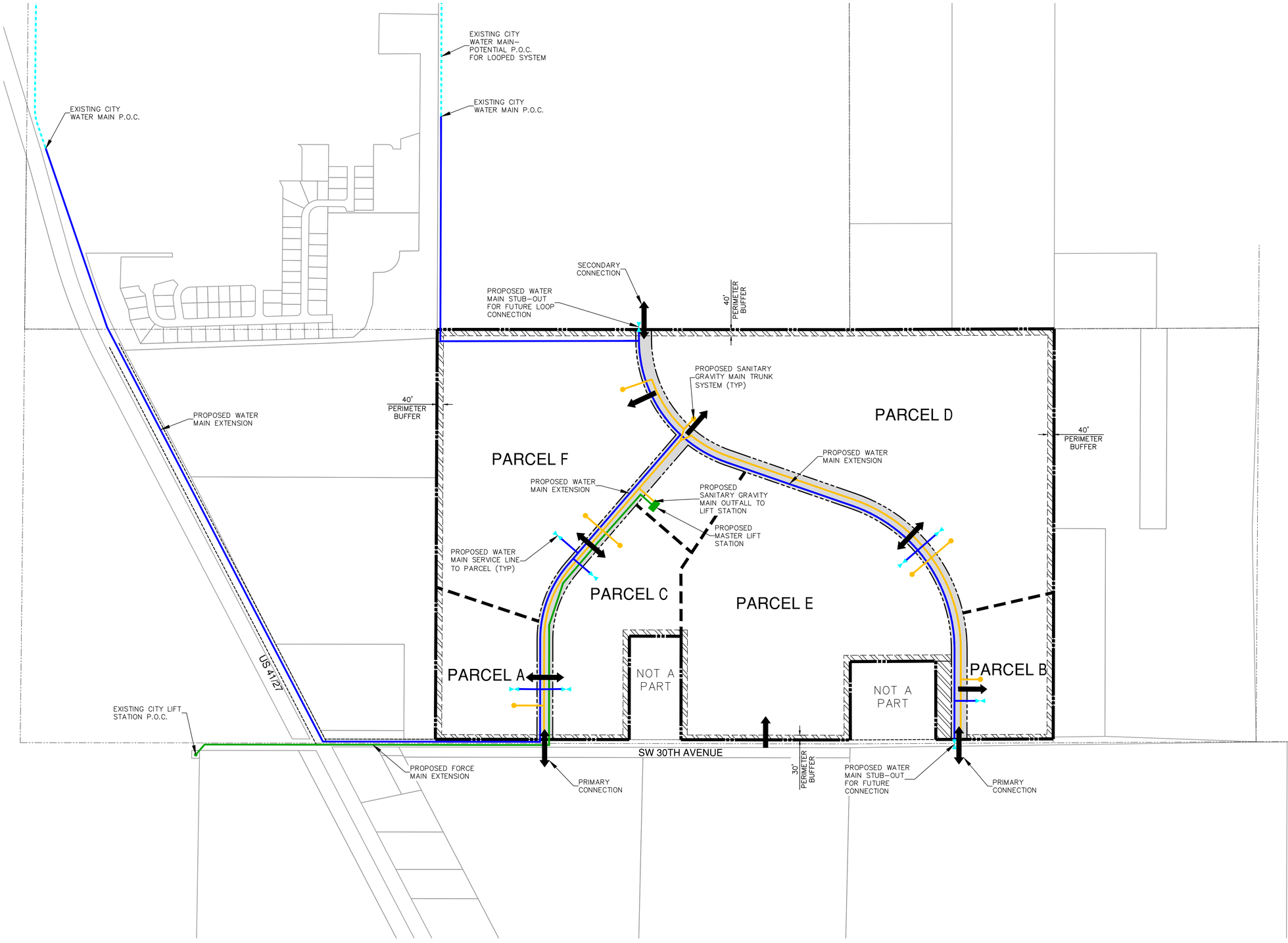
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FIELD BOOK T25-CP1 PAGE 1-29
FIELD CREW: CP, TR
P.A.C. DRAWN M.R.G. CHKD
SCALE: 1"=200'
JOB#: 052070-01-001
DATE: 5/30/2025
FILE NAME: 052070.01.001 NEWBERRY RIDGE TOPO.DWG
SHEET 1 OF 1

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## LEGEND

- PROPOSED RIGHT OF WAY
- PERIMETER BUFFER
- PROJECT SITE BOUNDARY
- PHASE LINE
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED SEWER GRAVITY MAIN
- PROPOSED SEWER FORCE MAIN
- PROPOSED WATER MAIN STUB-OUT
- PROPOSED SEWER MAIN STUB-OUT
- PROPOSED MASTER LIFT STATION
- PROPOSED SITE ROADWAY CONNECTION

**NOTE:**
1. RECLAIMED WATER IS NOT AVAILABLE.

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PRELIMINARY MASTER UTILITY PLAN

# NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

| PLAN STATUS | |
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| DATE | DESCRIPTION |

| DK | JS | DMF |
|---|---|---|
| DESIGN | DRAWN | CHKD |

SCALE H: 1"=300' V: N/A

JOB No. 052070-01-001

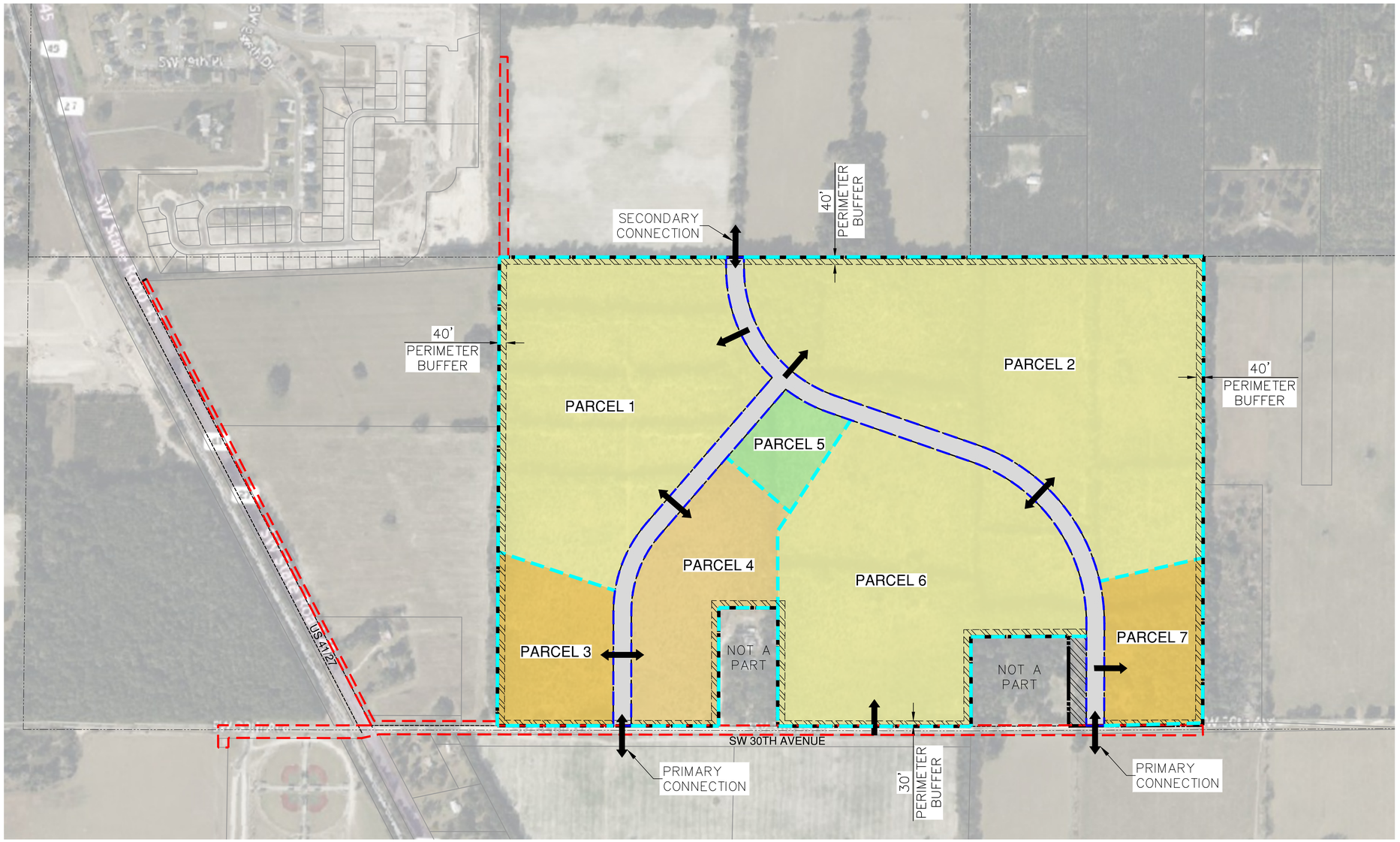
DATE : 5/30/2025

SHEET 1 OF 1

# NEWBERRY RIDGE

## PLANNED RESIDENTIAL DEVELOPMENT (PRD)

### PRELIMINARY DEVELOPMENT PLAN




N

300 150 0 300 600

GRAPHIC SCALE
1" = 300'

LEGEND

- PROJECT SITE BOUNDARY
- SINGLE FAMILY DETACHED
- TOWNHOMES/BUILD-FOR-RENT
- MULTI-FAMILY
- PERIMETER BUFFER
- COMMON AREA OPEN SPACE
- RIGHT OF WAY
- PHASE LINE
- OFFSITE INFRASTRUCTURE
- ONSITE INFRASTRUCTURE

| PHASING | 1 | 2 | 3 | 4 | 5 | 6 | |
|---|---|---|---|---|---|---|---|
| EST. COMPLETION YEAR | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | TOTAL |
| OFFSITE INFRASTRUCTURE | X | | | | | | |
| SPINE ROAD INFRASTRUCTURE | X | | | | | | |
| PUBLIC PARK | | | X | | | | |
| SINGLE FAMILY RESIDENTIAL | 150 | 150 | 150 | 150 | 75 | | 675 |
| TOWNHOME/BFR RESIDENTIAL | | | 50 | 75 | 50 | | 175 |
| MULTIFAMILY RESIDENTIAL | | | 100 | 100 | 100 | 100 | 400 |
| TOTAL | 150 | 150 | 300 | 325 | 225 | 100 | 1250 |

| PARCEL | LAND USE DATA | NET AREA (AC) | NET AREA (%) | RECREATION OPEN SPACE REQUIRED (15%) (AC) | RECREATION OPEN SPACE REQUIRED (15%) (%) |
|---|---|---|---|---|---|
| PROJECT SITE BOUNDARY | N/A | 225.43 | 100.00% | | |
| PARCEL 1 | SINGLE FAMILY DETACHED | 47.21 | 20.94% | 7.08 | |
| PARCEL 2 | SINGLE FAMILY DETACHED | 66.91 | 29.68% | 10.04 | |
| PARCEL 3 | MULTI FAMILY | 12.84 | 5.69% | 1.93 | |
| PARCEL 4 | TOWNHOUSE/BUILD FOR RENT | 18.53 | 8.22% | 2.78 | |
| PARCEL 5 | PUBLIC PARK | 5.40 | 2.39% | 5.40 | |
| PARCEL 6 | SINGLE FAMILY DETACHED | 48.53 | 21.53% | 7.28 | |
| PARCEL 7 | MULTI FAMILY | 11.08 | 4.92% | 1.66 | |
| RIGHT OF WAY | PUBLIC ROAD | 14.93 | 6.62% | | |
| TOTAL | | | 100.00% | 36.16 | 16.04% |

| DEVELOPMENT STANDARDS | | | | | |
|---|---|---|---|---|---|
| SINGLE-FAMILY DETACHED | | SINGLE-FAMILY ATTACHED (TOWNHOMES/BUILD-FOR-RENT) | | MULTI-FAMILY | |
| LOT AREA, MIN (SF) | 5,000 | LOT AREA PER UNIT, MIN | 1,000 | LOT AREA (SITE) | 20,000 |
| LOT WIDTH, MIN | 45' | LOT WIDTH, MIN | N/A | LOT WIDTH, MIN (SITE) | 80' |
| LOT COVERAGE, MAX | 70% | LOT COVERAGE, MAX | 90% | LOT COVERAGE, MAX | 60% |
| FRONT SETBACK | 20' | FRONT SETBACK | 10' | FRONT SETBACK | 30' |
| SIDE SETBACK | 5' | SIDE SETBACK | 0' | SIDE SETBACK | 15' |
| REAR SETBACK | 15' | REAR SETBACK | 10' | REAR SETBACK | 20' |
| MAX BUILDING HEIGHT | 35' | MAX STRUCTURE HEIGHT | 35' | MAX STRUCTURE HEIGHT | 40' |

GENERAL NOTES

1. LAND USE AREA BOUNDARIES ARE APPROXIMATE LOCATIONS MAY BE ADJUSTED DURING DEVELOPMENT PLAN APPROVAL.
2. STORMWATER MANAGEMENT FACILITIES MAY BE LOCATED WITHIN ANY LAND USE AREA. THIS PLAN DOES NOT SPECIFY ACTUAL SIZE AND LOCATION OF THE PROPOSED FACILITIES.
3. VEHICULAR PARKING AND CIRCULATION MAY BE LOCATED WITHIN ANY LAND USE AREA, EXCEPT PERIMETER BUFFERS.
4. OPEN SPACE/COMMON AREA SHALL CONSIST OF A MINIMUM 15% OF THE TOTAL LAND AREA AND MAY BE LOCATED IN ANY LAND USE AREA; AND PROVIDED THAT ANY PRD WHICH CONSISTS OF ONE-FAMILY DWELLINGS WITH INDIVIDUALLY DEEDED LOTS SHALL ONLY BE REQUIRED TO HAVE FIVE PERCENT (5%) USABLE OPEN SPACE.
5. NO BLOCK FACE SHALL EXCEED 2,200 FEET, NOR BE LESS THAN 200 FEET IN LENGTH.
6. SITE INFRASTRUCTURE ELEMENTS MAY CROSS PHASE LINES TO ENABLE UTILITY OR OPEN SPACE CONNECTIONS.
7. INFRASTRUCTURE INCLUDING WATER, SEWER AND ROADWAY MAY COMMENCE WITH ANY RESIDENTIAL PHASE TO FACILITATE DEVELOPMENT.
8. THE TIMING SHOWN ON THE PHASING SCHEDULE IS NOT BINDING AND MAY CHANGE TO MATCH MARKET DEMANDS
9. ALL PHASES MAY BE SUBDIVIDED AND ADJUSTED DURING FINAL DEVELOPMENT PLAN. CONSTRUCTION MAY OCCUR IN ANY PHASE OR SUB PHASE SIMULTANEOUSLY.

Bowman

Bowman Consulting Group Ltd
1600 N. Desert Drive, Ste 210
Tempe, Arizona 85288
Phone: (480) 629-8830
www.bowman.com
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PRELIMINARY DEVELOPMENT PLAN
NEWBERRY RIDGE
NEWBERRY, FL
ALACHUA COUNTY

PLAN STATUS

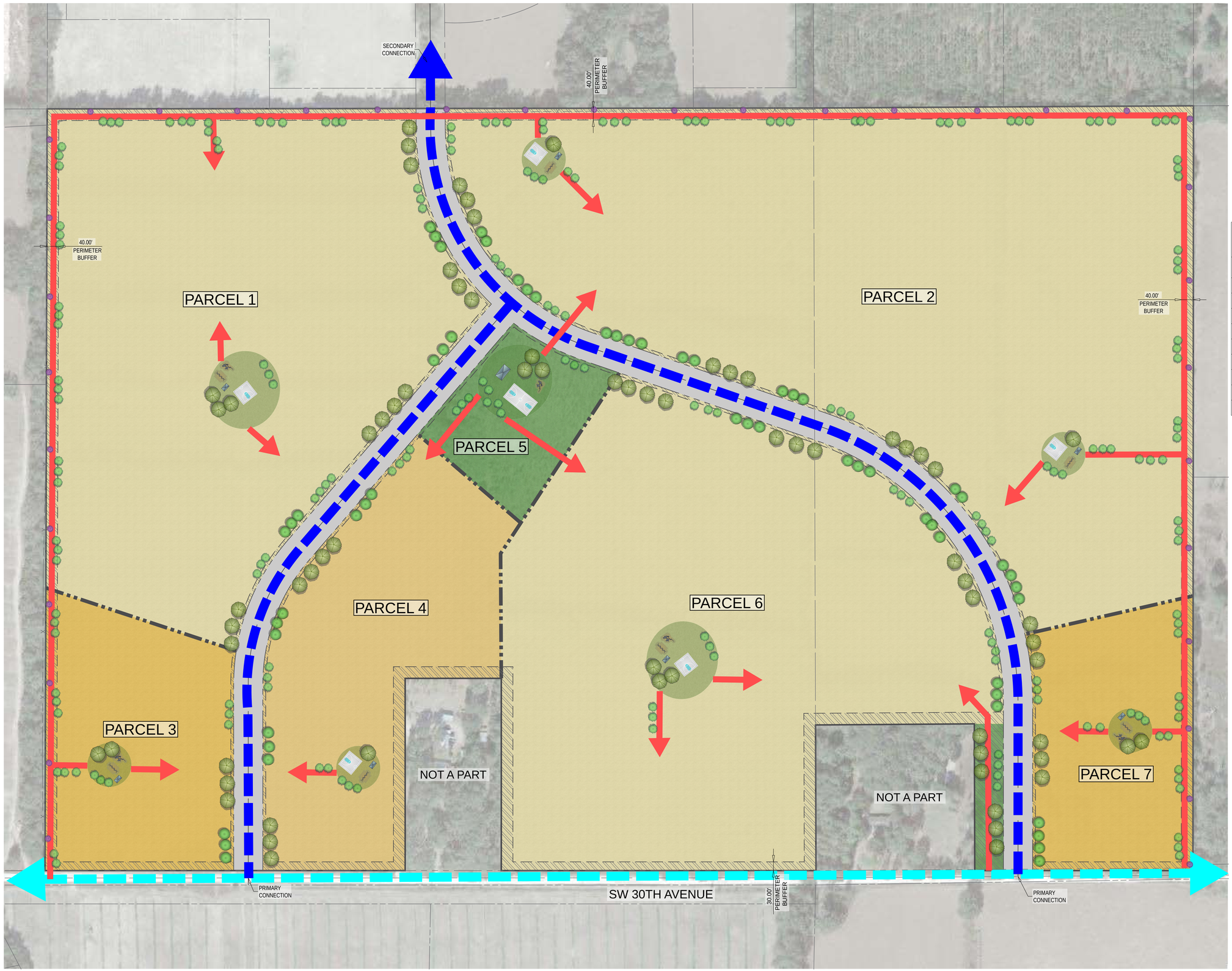
| DATE | DESCRIPTION | |
|---|---|---|
| DMF | DAB | DMF |
| DESIGN | DRAWN | CHKD |

SCALE H: 1"=300'
V: N/A

JOB No. 052070-01-001

DATE : 12/15/2025

SHEET 1 OF 1




N

150 75 0 150 300

GRAPHIC SCALE
1" = 150'

| PARCEL | LAND USE DATA | NET AREA | | RECREATION OPEN SPACE REQUIRED (15%) | |
|---|---|---|---|---|---|
| | | (AC) | (%) | (AC) | (%) |
| PROJECT SITE BOUNDARY | N/A | 225.43 | 100.00% | | |
| PARCEL 1 | SINGLE FAMILY DETACHED | 47.21 | 20.94% | 7.08 | |
| PARCEL 2 | SINGLE FAMILY DETACHED | 66.91 | 29.68% | 10.04 | |
| PARCEL 3 | MULTI FAMILY | 12.84 | 5.69% | 1.93 | |
| PARCEL 4 | TOWNHOUSE/ BUILD FOR RENT | 18.53 | 8.22% | 2.78 | |
| PARCEL 5 | PUBLIC PARK | 5.40 | 2.39% | 5.40 | |
| PARCEL 6 | SINGLE FAMILY DETACHED | 48.53 | 21.53% | 7.28 | |
| PARCEL 7 | MULTI FAMILY | 11.08 | 4.92% | 1.66 | |
| RIGHT OF WAY | PUBLIC ROAD | 14.93 | 6.62% | | |
| TOTAL | | | 100.00% | 36.16 | 16.04% |

## LEGEND

- PROPOSED INTERCONNECTED TRAIL
- EXISTING ROAD CENTERLINE
- PROPOSED ROAD CENTERLINE
- PARCEL BOUNDARY
- RIGHT OF WAY
- PHASE LINE
- PERIMETER BUFFER
- PROPOSED PARCEL OPEN SPACE NODE

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RECREATION & AMENITY PLAN

NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|

| DAB | DAB | DMF |
|---|---|---|
| DESIGN | DRAWN | CHKD |

SCALE H: 1"=150'
V: NONE

JOB No. 052070-01-001

DATE : 12/03/2025

SHEET 1 OF 1

**September 16, 2025 (revised, original July 15, 2025)**

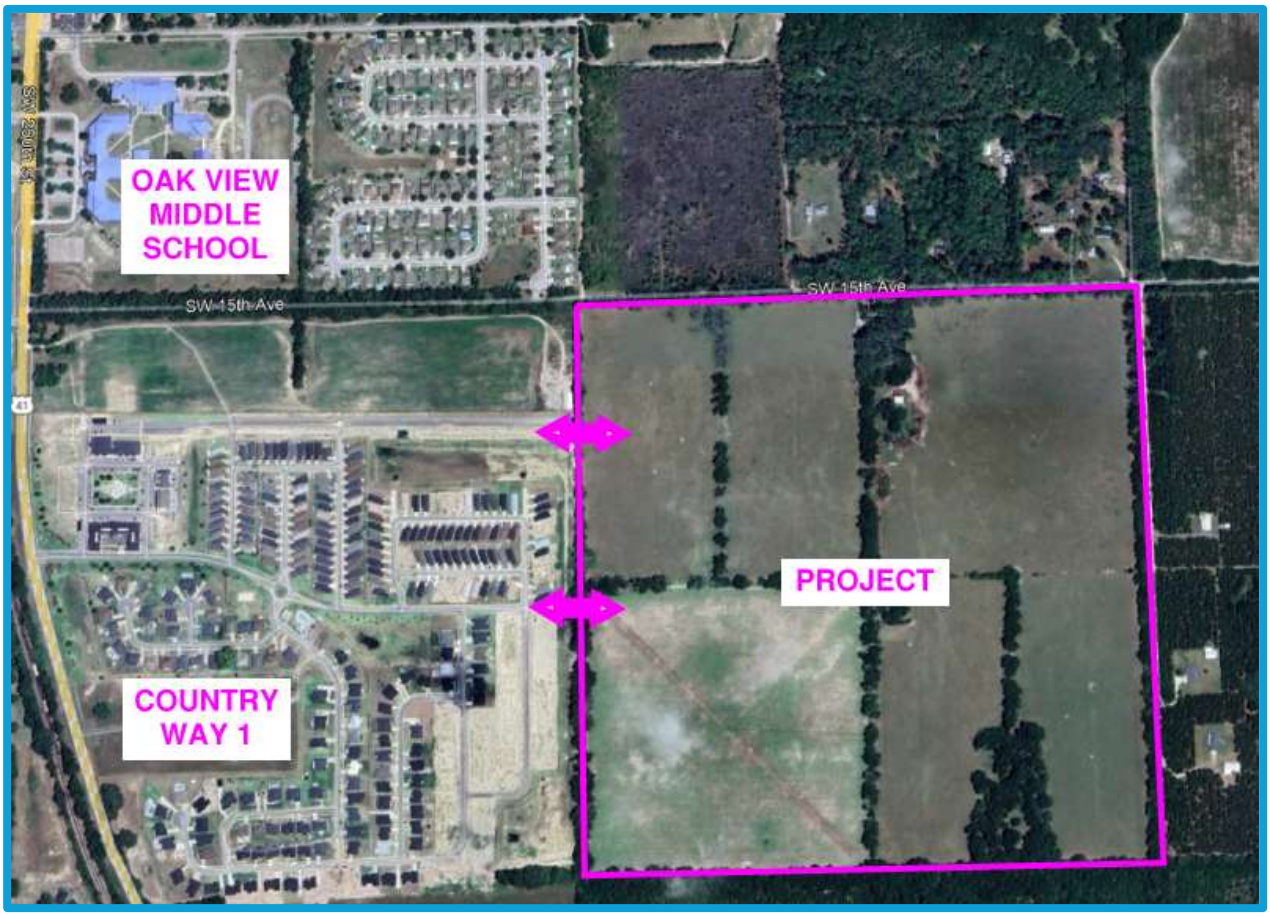
# Transportation Analysis Methodology

**Country Way 2**
**Newberry, Florida**

**NV5 Project # 24-0509**

**Location:**

Country Way 2 (the "Project") is located adjacent to the eastern boundary of Country Way 1, which is located along and east of US 41. The northern boundary of Country Way 2 is adjacent to the southern right-of-way line of SW 15th Avenue.




**Access:**

Access to the Project is via two street stubs on the east side of Country Way 1. The Project connects to the arterial/collector roadway network at the US 41/SW 18th Road intersection.

US 41, adjacent to the Country Way 1 development, is maintained by the Florida Department of Transportation (FDOT).

Although the project is adjacent to SW 15th Avenue, access to SW 15th Avenue is not proposed at this time. Accommodation may be made to allow a connection to SW 15th Avenue in the future, if and when the corridor is improved. The connection will not be included in this TIA to ensure traffic impacts created by the proposed development will be supported without additional improvements to SW 15th Avenue.

**Existing Land Use:**

The Project parcel currently consists of agricultural uses and contains one single family residential dwelling unit. Based on the existing use, the current trip generation from the parcel is minimal. Therefore, trip generation for the existing uses is assumed to be de minimis. This de minimis assumption will result in the greatest potential theoretical impacts due to the proposed use and will yield the most conservative analysis.

**Trip Generation Modeling:**

ITE Trip Generation Manual, 11th Edition. NV5 is currently acquiring the 12th Edition of the Trip Generation Manual (TIA). All attempts will be made to use the latest version for this Traffic Impact Analysis. The edition of the Trip Generation Manual used for the TIA will be specified in the TIA.

Best practices and data collected through traffic counts will be used to estimate the portion of the trips generated by the development that will be made using other modes, namely bicycles and pedestrians.

**Proposed Land Use:**

The proposed use is low-density residential, as defined in the City of Newberry comprehensive plan land development code. For the calculation of the Project trip generation, the land use will be assumed to be “Single Family Detached Housing” as described by the Institute of Transportation Engineers' *Trip Generation Manual*. The Land Use Code (LUC) is 210. The single family detached housing land use generates 9.57 person trips per dwelling unit per day.

Based on the 11th Edition of the ITE *Trip Generation Manual*, the 500 dwelling unit single-family residential development generates the following trips:

Weekday = 4,715 trips per day (50% entering, 50% exiting)
AM Peak Hour of Adjacent Street = 375 trips per hour. (26% entering, 74% exiting)
PM Peak of Adjacent Street = 470 trip per hour (63% entering, 37% exiting)

The non-residential portion of Country Way 1 is accessible by various modes without the need to use the arterial and collector roadway network. Access to the non-residential area by Country Way 2 occurs via a local road network. The interconnection will result in internal capture between the residential development and commercial development. The internal capture will be determined and applied to the trip generation calculations, which will follow the approach identified in the ITE Trip Generation Manual.

**Traffic Volumes Scenarios**

A qualified traffic data collection consultant will collect intersection turning movement traffic counts at impacted intersections. Traffic counts will be adjusted to account for peak season conditions using the peak season adjustment factors developed by the Florida Department of Transportation (FDOT) for the area. The background traffic growth will be estimated using historical FDOT traffic volumes from nearby roadway segments. If the growth factor is less than 1.0%, a growth rate of 1.0% annually will be assumed. The buildout year is assumed to be 2031.

The generalized analysis will utilize the most recent roadway counts for each analyzed segment. This data is typically available on the Florida Department of Transportation's online data portal. If the online counts are not available or not current, counts will be collected by a qualified traffic data collection consultant. Turning movement traffic counts will be collected during the AM and PM peak hours on the road network. If deficiencies are identified at the impacted intersections, an additional analysis will be completed to evaluate the mitigation measures and the resulting level of service.

Both the generalized and detailed level of service analyses will examine three traffic volume scenarios:

- Existing Traffic
- Existing Traffic + Planned Traffic (Background Growth)
- Existing Traffic + Planned Traffic + Development Traffic

**Study Area and Distribution:**

The trip distribution and study area will be determined by using the standard Florida Transportation Model, which has been updated to accurately reflect vehicle travel throughout the Gainesville MPO and Alachua County planning area.

**Transportation Network Analysis**

The transportation network analysis will consist of two parts: (1) a generalized level of service analysis and (2) a detailed level of service analysis. The generalized analysis is a planning-level analysis that identifies potential capacity deficiencies by comparing projected Annual Average Daily Traffic (AADT) with available roadway service volumes as determined by the FDOT. The generalized analysis is completed for each roadway segment. The detailed analysis is based on traffic counts observed and collected at intersections. The model provides a reasonable simulation of the intersection's operations at the vehicle level.

Using the trip distribution modeling, a generalized level of service (LOS) analysis will be completed for the proposed Country Way Phase 2. The purpose of the generalized LOS analysis is to identify the point at which additional segments of the roadway network will be needed to support the planned and proposed development.

The generalized level of service analysis will guide any detailed analysis that may be necessary to ensure the network operates at any acceptable level of service. The detailed study will focus on intersections within the area impacted by the proposed development.

The detailed analysis will be completed using the latest version of the Synchro software package or the newest version of the Highway Capacity Software. The analysis will provide for the relevant intersections: (1) LOS, (2) approach LOS, (3) LOS for individual turning movements, (4) the volume-to-capacity ratio, and (5) 95-percentile queues.

At a minimum, the City of Newberry has identified the following intersections for analysis:

US 41 @ SW 18$^{th}$ Road (Country Way, unsignalized)
US 41 @ SW 15$^{th}$ Road (unsignalized)
US 41 @ State Road 26 (signalized)

Generalized analysis shall be completed for the following roadway segments:

US 41, south of Newberry Road (S.R. 26)
US 41, north of Newberry Road (S.R. 26)
State Road 26, west of US 41
State Road 26, between US 41 and County Road 241.

The City of Newberry has indicated that the US 41 @ SW 15th Road intersection is currently being considered for a roundabout.

Any Project impacts resulting from the proposed development that cause an intersection to operate below the adopted level of service will be identified and addressed. The appropriate measures to mitigate those deficiencies will be identified and recommended to the review agencies that have jurisdictional responsibility for the transportation network,

which include the City of Newberry, Alachua County, and the State Department of Transportation.

**Operational Analysis:**

As part of this traffic study, a signal warrant analysis will be conducted at the US 41 @ SW 18th Road intersection in light of the projected increase in trips potentially using that intersection as a result of the Project. The City of Newberry has not completed a signal warrant analysis; however, it has expressed concern about potential operational issues at this intersection.

The signal warrant analysis will only consider the primary traffic volume warrants at the intersection and identify if or when the signal warrant is projected to be met at the intersection. The signal warrant will require 12-hour traffic counts, which can be completed concurrently with the AM and PM peak hour traffic counts. The results of this signal analysis will be included in the report's findings and recommendations.

Note that the findings of the signal warrant analysis do not dictate the installation of a traffic signal. The State of Florida, as the maintenance entity for US 41, may require changes that alter the requirement for a signal, including an Intersection Control Evaluation (ICE). The ICE is not included in the scope of services for the Transportation Impact Analysis.

**TIA Report:**

The report will include the following information:

- Study area map.
- Existing conditions summary.
- Trip generations summary.
- Traffic count data collection.
- Trip distribution.
- Analysis Summary.
    - Generalized Level of Service Analysis.
    - AM and PM Peak period intersection analysis, including the level of service (LOS), delay, volume-to-capacity ratios, and 95$^{th}$ percentile queue length analysis.
    - Operations analysis at the development access point (excluding an ICE).
- Conclusions and recommendations.
- Appendices with supporting documentation.

**Future Roadway Network Analysis:**

Travel demand modeling.

As part of the development of Country Way 2, the City of Newberry has requested that a future roadway network be analyzed and identified for the southeast quadrant of the US 41/State Road 26

intersection. The network was drafted to support the multiple developments proposed and planned east of US 41 and south of State Road 26. Generally, the planning area is east of US 41, north of SW 30th Avenue, west of SW 226th Street, and south of State Road 26.

The travel demand modeling effort will utilize the Florida Transportation model to identify the roadway needs to support the potential future development within the planning area, as well as regional traffic that may use the planned roadway corridors. The roadway network analysis will be completed as a planning exercise to define arterial and/or collector corridors, the corridor location, interconnection of developments, and the suggested planned capacity of the corridors.

The purpose of the Roadway Network Analysis is to provide adequate planning for the city's network and allow development to align with and coordinate with the future thoroughfare plan. The Roadway Network Analysis does not depict a concept plan or conceptual roadway network for Country Way 2 or other developments.

**File Attachments for Item:**

6. Ordinance # 2026-27/LDR 25-11: Large Scale Zoning Amendment for Newberry Ridge.

Quasi-Judicial, Second Reading of Ordinance # 2026-27/LDR 25-11. An ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas by changing the zoning district from Agricultural and Mixed Use to Planned Residential Development (PRD) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; adopting land development regulations for the development commonly referred to as "Newberry Ridge"; providing for applicability; providing for rezoning; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.

# Commission Agenda Item

| | |
|---|---|
| **Meeting Date:** | November 9, 2026 |
| **Title:** | Ordinance # 2026-27/LDR 25-11: Large Scale Zoning Amendment for Newberry Ridge.<br>Quasi-Judicial, Second Reading of Ordinance # 2026-27/LDR 25-11. An ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas by changing the zoning district from Agricultural and Mixed Use to Planned Residential Development (PRD) on approximately 225 acres (tax parcel numbers 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 and 02547-001-000) generally located north of SW 30th Avenue and east of US Hwy 27/41; adopting land development regulations for the development commonly referred to as "Newberry Ridge"; providing for applicability; providing for rezoning; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date. |
| **Agenda Section:** | Public Hearings |
| **Department:** | Community Development Department |
| **Strategic Goal/Objective:** | GOAL D.3<br>A strong, diverse local economy |
| **Presented By:** | Stacey Hectus, AICP, Community Development Director |
| **Recommended Actions:** | Approve, Approve with conditions or Deny Ordinance # 2026-27 |

**Summary:**
A request from Florida Land Development Partners I, LLC, agent, on behalf of FH NEWBERRY LLC, owner, for a large-scale future land use map amendment from Mixed Use to Residential, Medium Density (8 du/ac) for project known as Newberry Ridge, generally located north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45. Analysis of this request is provided in the attached Application and Staff Report. There is a companion Large-scale future

land use map amendment application (Ord. 2026-12/CPA 25-04) to change the land use from Mixed Use to Residential Medium Density for the same property.

**Previous Approvals**

The Planning and Zoning Board heard this item at an April 21, 2026 Special Meeting and voted 3-0 to recommend approval to the City Commission.

First Reading of this item was heard on October 26, 2026 and was approved by the Commission with a 4-1 vote.

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**Attachments:**

1. Ordinance # 2026-27
2. Business Impact Estimate
3. Staff Report
4. Application

**Newberry City Commission**
**Section 166.041(4), F.S. - Business Impact Estimate for Proposed Ordinance**
**For public hearing ON OR AFTER October 1, 2024**

**Instructions:** This form must be completed and signed by the City Manager or Department Head for each proposed ordinance that is placed on a City Commission meeting agenda. If the proposed ordinance falls within one of the exemptions listed below, check the applicable exemption(s) and stop there. If the proposed ordinance does NOT fall within one of the listed exemptions, then complete the Business Impact Estimate. Please email your completed, signed form to the City Clerk's Office at cityclerk@newberryfl.gov for publication on the City's website no later than the date the notice of the proposed ordinance is published. If you have questions regarding completion of this form, contact the City Attorney's Office.

**I am familiar with the proposed ordinance identified below and completed this form to the best of my knowledge for the sole purpose of compliance with Section 166.041(4), Florida Statutes.**

Lauren Yeatter
Printed name: Lauren Yeatter
Title: City of Newberry Community Development Assistant Director
Date: October 15, 2026

**ORDINANCE NO. 2026-27**
**Petition# LDR 25-11**

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS BY CHANGING THE ZONING DISTRICT FROM AGRICULTURAL TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) ON APPROXIMATELY 225 ACRES (TAX PARCEL NUMBERS 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-008 AND 02547-001-000) GENERALLY LOCATED NORTH OF SW 30TH AVENUE AND EAST OF US HWY 27/41; ADOPTING LAND DEVELOPMENT REGULATIONS FOR THE DEVELOPMENT COMMONLY REFERRED TO AS "NEWBERRY RIDGE"; PROVIDING FOR APPLICABILITY; PROVIDING FOR REZONING; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

**Exemptions:** Per Section 166.041(4), F.S., the following types of ordinances are exempt from the Business Impact Estimate requirement (check the box for any exemption that applies):

- ☐ Ordinance required for compliance with the following Federal or State law or regulation:_____;
- ☐ Ordinance relates to the issuance or refinancing of debt;
- ☐ Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ Ordinance is required to implement the following contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the County: _____;
- ☐ Emergency ordinance;
- ☐ Ordinance relates to procurement; or

☒ Ordinance enacted to implement the following:

a. Development orders (which are defined in s. 163.3164, F.S. to mean any order granting, denying, or granting with conditions an application for a development permit); and Development permits (which are defined in s. 136.3164, F.S. to include any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land); and Development Agreements as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
c. Sections 190.005 and 190.046, F.S. regarding community development districts;
d. Section 553.73, F.S. relating to the Florida Building Code; or
e. Section 633.202, F.S. relating to the Florida Fire Prevention Code.

**Business Impact Estimate**

**1. Summary of the proposed ordinance, including a statement of the public purpose (such as serving the public health, safety, morals, and welfare):**

**2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City, including:**

**(a) Estimate of the direct compliance costs that businesses may reasonably incur:**

**(b) Any new charge or fee imposed on businesses:**

**(c) Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:**

**3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:**

**4. Additional information (if any):**

**ORDINANCE NO. 2026-27**
Petition# LDR 25-11

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS BY CHANGING THE ZONING DISTRICT FROM AGRICULTURAL AND MIXED-USE DEVELOPMENT TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) ON APPROXIMATELY 225 ACRES (COMPRISED OF TAX PARCEL NUMBERS 02542-001-000, 02542-001-001, 02542-001-002, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008 AND 02547-001-000) GENERALLY LOCATED NORTH OF SW 30TH AVENUE AND EAST OF US HWY 27/41; ADOPTING LAND DEVELOPMENT REGULATIONS FOR THE DEVELOPMENT COMMONLY REFERRED TO AS "NEWBERRY RIDGE"; PROVIDING FOR APPLICABILITY; PROVIDING FOR REZONING; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE; AND PROVIDING A STAY AND TOLLING DURING LITIGATION.**

**WHEREAS,** Part II of Chapter 163, Florida Statutes, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan to guide the future development and growth of the City;

**WHEREAS,** in 1992 the City Commission adopted the City of Newberry Comprehensive Plan, which is now codified with subsequent amendments in Appendix A (the "Comprehensive Plan") of the City Code of Ordinances (the "Code");

**WHEREAS,** as required by Section 163.3177, Florida Statutes, the Comprehensive Plan includes a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of land uses within the City;

**WHEREAS**, in order to implement the Comprehensive Plan in accordance with Section 163.3202, Florida Statutes, the City Commission adopted Land Development Regulations, which are now codified with subsequent amendments in Appendix B (the "LDRs") of the Code;

**WHEREAS,** the LDRs establish zoning districts and an Official Zoning Atlas to implement the Comprehensive Plan and its Future Land Use Map;

**WHEREAS**, an application to amend the Official Zoning Atlas was filed with the City by Bowman Consulting Group, Ltd., Inc., a Delaware corporation (the "Agent") on behalf of FH Newberry, LLC, a Florida limited liability company (the "Property Owner") and assigned File No. LDR 25-11 (the "Petition");

**WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Articles 13 and 16 of the LDRs, the City Planning and Zoning Board (which serves as the City's Local Planning Agency) held a public hearing on April 21, 2026 to review this proposed amendment to the Official Zoning Atlas and the Planning and Zoning Board recommendation has been forwarded to the City Commission;

**WHEREAS**, pursuant to Sections 166.041(3)(a) and 50.0311, Florida Statutes, and Article V of the City Charter, this proposed Ordinance has been noticed once, at least ten (10) days prior to adoption, on the Alachua County website (alachuacounty.us) notifying the public of the First Reading and Second Reading public hearings to be held in Newberry City Hall, located at 25493 NW 1st Avenue, Newberry, Florida.

**WHEREAS,** the City Commission held the public hearings pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be heard; and

**WHEREAS,** after due consideration at the public hearings, the City Commission found that this proposed amendment to the Official Zoning Atlas and the related development regulations set forth herein are consistent with the Comprehensive Plan and the LDRs.

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

**Section 1. Findings.** The Planned Residential Development commonly referred to as "Newberry Ridge" described in this Ordinance:

A. Meets the purpose and intent of Planned Residential Development zoning as set forth in Sec. 4.20.1 of the LDRs because it:

Provides flexible and creative concepts of site planning: The proposed PRD allows for the integration of a variety of housing types, including single-family detached homes, single-family attached homes, townhomes, build-for-rent units, and multifamily residences within a unified master-planned community. The flexibility afforded by the PRD district enables development of interconnected neighborhoods, recreational amenities, trail systems, and open space areas in a manner that would not be possible under conventional zoning districts.

Accomplishes a more desirable environment than would be possible through strict application of the minimum requirements of these Land Development Regulations: Through coordinated site planning, the PRD will provide interconnected pedestrian facilities, recreational amenities,

community gathering spaces, and a diverse mix of housing options that promote walkability, neighborhood identity, and overall quality of life.

Provides for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs: The development is located within the City's Urban Service Area and is designed to utilize coordinated utility extensions, an interconnected roadway network, and phased infrastructure improvements. This master-planned approach promotes efficient delivery of public services and infrastructure.

B. Meets or exceeds the required minimum parcel size of five acres (Sec. 4.20.12.1 of the LDRs); and

C. Is consistent with the City's Comprehensive Plan (Sec. 4.20.12.2 of the LDRs), except for concurrency requirements which are further described in Section 11 below.

**Section 2. Official Zoning Atlas Amended.** The Official Zoning Atlas of the LDRs is amended by changing the zoning district of the following property (the "Property") from **Agricultural (A) and Mixed Use Development (MU)** to **Planned Residential Development (PRD).**

A PORTION OF LAND LYING IN SECTIONS 10 & 11, TOWNSHIP 10 SOUTH, RANGE 17 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, ALSO BEING THE SOUTHWEST CORNER OF PARCEL 5 AS DESCRIBED OFFICIAL RECORDS BOOK 4245, PAGE 240 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE NORTH 01°55'33" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 2640.25 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 10, SAID POINT ALSO BEING THE NORTHWEST CORNER OF PARCEL 6 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4245, PAGE 240 OF SAID PUBLIC RECORDS; THENCE NORTH 87°50'47" EAST ALONG SAID NORTH LINE, A DISTANCE OF 2630.75 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 10; THENCE NORTH 87°35'53" EAST, A DISTANCE OF 1303.77 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 17 EAST, SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL 3 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4217, PAGE 2321 OF SAID PUBLIC RECORDS; THENCE SOUTH 02°02'10" EAST, ALONG SAID EAST LINE, A DISTANCE OF 2616.80 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 3, ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST 30TH AVENUE; THENCE SOUTH 87°31'58" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 748.86 FEET; THENCE

NORTH 02°15'11" WEST, ALONG A LINE 545.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11, A DISTANCE OF 500.01 FEET; THENCE SOUTH 87°31'58" WEST, ALONG A LINE 525.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11, A DISTANCE OF 545.00 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11; THENCE SOUTH 02°15'11" EAST, ALONG SAID WEST LINE, A DISTANCE OF 525.01 FEET TO THE SOUTH LINE OF SAID SECTION 10; THE LAST THREE (3) DESCRIBED COURSES BEING ALONG A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2541, PAGE 1450, OF SAID PUBLIC RECORDS; THENCE SOUTH 87°54'41" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1079.93 FEET; THENCE NORTH 02°05'01" WEST, A DISTANCE OF 685.25 FEET; THENCE SOUTH 87°54'41" WEST, A DISTANCE OF 329.98 FEET; THENCE SOUTH 02°05'01" EAST, A DISTANCE OF 685.25 FEET TO THE SOUTH LINE OF SAID SECTION 10; THE LAST THREE (3) DESCRIBED COURSES BEING ALONG A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 3410, PAGE 433 OF SAID PUBLIC RECORDS; THENCE SOUTH 87°54'41" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1235.93 FEET TO THE POINT OF BEGINNING.

The foregoing surveyed legal description includes: Tax Parcel No. 02542-001-000; Tax Parcel No. 02542-001-001; Tax Parcel No. 02542-001-002; Tax Parcel No. 02542-001-003; Tax Parcel No. 02542-001-004; Tax Parcel No. 02542-001-005; Tax Parcel No. 02542-001-006; Tax Parcel No. 02542-001-007; Tax Parcel No. 02542-001-008; and Tax Parcel No. 02547-001-000.

The location of the Property is shown on the Preliminary Development Plan (Exhibit A) for visual reference. In the event of conflict or inconsistency, the legal description above shall prevail over Exhibit A.

**Section 3. Planned Residential Development Zoning.** As described in Sec. 4.20.5.6 of the LDRs, a PRD (a) must be under unified control, planned and developed as a whole in a single development or approved, programmed series of developments for dwelling units and related uses and facilities; (b) must be adopted by an ordinance that becomes the Land Development Regulations for the land to which it is applied; (c) must include principal and accessory structures substantially related to the character of the development itself and the surrounding area of which it is a part; and (d) must be developed according to comprehensive and detailed plans which include not only streets, utilities, building sites, and the like, but also site plans and elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses, and improvements on the land as related to the buildings.

In accordance with the above and with Sec. 4.20.12.3 of the LDRs, this Ordinance establishes the zoning restrictions and regulations for the Property. However, it is expressly recognized that additional requirements within the Comprehensive Plan and

LDRs that are not in conflict with, or superseded by, the provisions of this Ordinance, shall apply.

**Section 4. Preliminary Development Plan.** The Preliminary Development Plan for Newberry Ridge is attached as **Exhibit A** and made a part of this Ordinance.

**Section 5. Preliminary Utility Service Plan.** The Preliminary Utility Service Plan for Newberry Ridge is attached as **Exhibit B** and made a part of this Ordinance.

**Section 6. Development Standards.** The following standards shall govern the development of Newberry Ridge:

A. Permitted Uses. The following principal, accessory, temporary and support uses are permitted in Newberry Ridge. Any use not listed is prohibited.

1) *Principal Uses*: (a) single-family detached dwelling units; and (b) multi-family dwelling units, including but not limited to horizontal apartments.

2) *Accessory Uses*: Uses that are customarily accessory and clearly incidental and subordinate to the Principal Uses.

3) *Temporary and Support Uses*: Uses that are temporary and/or support the residential development, including clubhouses, leasing offices, recreation facilities, trails, parks, community gardens, mail kiosks, model homes, sales centers, temporary construction trailers and construction facilities, maintenance facilities, utility facilities, lift stations, stormwater facilities, signage, fencing, management offices, and other customary temporary or support uses serving the development.

B. Development density and ground coverage. The Property has a Future Land Use Category of Residential Medium Density which limits the maximum density to 8 dwelling units per acre and 40% maximum ground coverage. Notwithstanding the maximums allowed by the Land Use Category, based on a review of the factors set forth in Sec. 4.20.12.8 of the LDRs, the following densities and intensity of uses shall apply within Newberry Ridge:

1) *Total Site Area*: approximately 225 acres
2) *Gross Density*: maximum of 1250 dwelling units (comprised of a maximum of 850 single-family detached units and 400 multifamily units) ÷ 225 acres = 5.55 dwelling units per acre
3) *Net Residential Acreage*: 168.94 acres
4) *Maximum Ground Coverage* (i.e., buildings and impervious surfaces): 225 acres x .40 = 90 acres

C. Dimensional and bulk restrictions.

| | Single-family detached | Multi-family |
|---|---|---|
| **Lot Area, minimum** | 5,000 square feet | 20,000 square feet per site |
| **Lot Width, minimum** | 45 feet | 80 feet per site |
| **Lot Coverage, maximum** – subject to Maximum Ground Coverage in B.4. above | 70% | 60% |
| **Front or Street Setback, minimum** | 20 feet | 30 feet |
| **Side Setback, minimum** | 5 feet | 15 feet |
| **Rear Setback, minimum** | 15 feet | 20 feet |
| **Structure Height, maximum** | 35 feet | 40 feet |

1) *Buffers*: The following external buffers must be provided and maintained at the perimeter of the Property as depicted on the Preliminary Development Plan (Exhibit A): (a) a 40-foot deep buffer on the North, West and East sides; and (b) a 30-foot deep buffer on the South side. The buffer shall be appropriately landscaped (refer to requirements in Sec. 4.2.11 of the LDRs) to screen the development.

2) *Open space*: A minimum of 15 percent of the gross acreage (excluding the spine roads depicted on the Preliminary Development Plan - Exhibit A) within each Final Development Plan shall be usable common open space. In the event an applicant for a Final Development Plan demonstrates that prior approved Final Development Plans have provided open space in excess of their required 15%; the applicant may count the excess toward the open space requirement for its Final Development Plan.

The common open space may include the required buffers (described in 1 above) and active or passive recreational amenities; however, not more than one-half of the total common open space may be in a stormwater management area, floodplain, buffer area and/or water bodies. The common open space shall not be used for open or enclosed storage.

The common open space will include the area labeled “Park” (consisting of approximately 5.65 acres) depicted on the Preliminary Development Plan (Exhibit A) which will be a park that is open to the public.

D. Compatibility.

1) *Internal.* All land uses within this development shall be internally compatible with one another and able to coexist in a stable fashion over time such that no use unduly negatively impacts, directly or indirectly, other uses.

2) *External.* All land uses proposed within this development shall be compatible with existing uses of properties surrounding the development and able to coexist in a stable fashion over time such that neither internal nor surrounding uses are unduly negatively impacted, directly or indirectly by the other uses.

E. Required on-site and off-site infrastructure.

1) *Transportation/Access.* All streets, thoroughfares and accessways shall be designed to relate to the traffic circulation plans of the area and shall comply with all requirements of the governmental authority having jurisdiction.

a) *External transportation access:* The Property Owner must plan, engineer, design, permit and construct a minimum of 2 primary connections to SW 30th Avenue and a secondary connection to the North as depicted on the Preliminary Development Plan (Exhibit A). The need for off-site improvements to SW 30th Avenue and other roadways shall be determined based on the traffic impact analysis submitted at the time of application for each Final Development Plan within Newberry Ridge. The Property Owner shall reserve and construct an internal roadway stub to the northern boundary at the general location shown as the "Secondary Connection" on the Preliminary Development Plan (Exhibit A); however, connection beyond the Property boundary shall not be required.

b) *Internal transportation access:* The Property Owner shall engineer, permit and construct an internal interconnected transportation network that connects every dwelling unit to a public street (either directly or by way of a private street that connects to a public street), that includes multi-modal improvements such as sidewalks and trails, and that is traffic-calmed and pedestrian and bicycle friendly. No block face may exceed 2,200 feet, nor be less than 200 feet, in length.

c) *Driveways:* All driveways shall be constructed in accordance with Sec. 4.2.15.2 of the LDRs, right-of-way use permitting in Sec. 82-72 of the City Code, and the City's Right-of-Way

Manual. Shared driveway easements shall be noted on the Final Development Plan(s).

d) *Parking*: Except for roadway cross-sections that are designed and constructed to include on-street parking, on-street parking is prohibited and signage shall be posted clearly throughout the Property advising of this prohibition. Minimum off-street parking shall be provided in accordance with Sec. 4.2.15 of the LDRs for the permitted uses that are constructed. Parking on sidewalks or within maintenance and access easement areas is also prohibited.

2) Utilities. The Property Owner is responsible for all costs associated with the installation of the off-site and on-site utilities (e.g., electric, water and wastewater) necessary to serve the development, including the cost of acquiring necessary land or easements. All utility lines shall be installed underground and the City (acting through the City Manager or their designee) reserves the right to specify the location of utility lines so as to best serve the development and facilitate utility service.

a) *Potable Water and Wastewater.* All development shall connect to City potable water and wastewater services, subject to availability of capacity which may be reserved by payment of fees and separate agreement with the City.

b) *Electric*. All development shall connect to electric service provided by the local electric provider(s), as their respective service territories dictate.

c) *Stormwater Management and Flood Protection Requirements*. The development must comply with Articles 7 and 8 of the LDRs and the requirements of any governmental authority having jurisdiction. All stormwater management facilities on the Property shall be owned and maintained in accordance with Section 7 below.

**Section 7. Management of Common Areas and Private Roads** All private streets, private parking areas, shared facilities and common areas within the development, including landscaping, buffering, open space, pavilions, recreation areas, and all other shared improvements shall be owned and operated by the Property Owner, by a homeowners' association, condominium association, special district and/or other appropriate legal entities created for that purpose in accordance with Florida law. Ownership and maintenance responsibilities may be allocated by recorded covenants, easements, declarations, plats, maintenance agreements, utility agreements, developer agreements, or other recorded instruments.

**Section 8. Timeframe for Development; Phasing.** Newberry Ridge will be developed over a 20-year period commencing on the Effective Date of this Ordinance. The City Commission may extend that deadline upon receipt of a written request for an extension filed with the land development regulation administrator by the Property Owner prior to the expiration of that deadline.

If developed in phases, each must be planned as sufficiently self-contained, and appropriately related to previous development, surrounding properties, and available public facilities and services, so that a failure to proceed with subsequent phases will have no adverse impact on the existing phase(s) or surrounding properties. Each phase of development must receive Final Development Plan approval and must demonstrate that adequate on and off-site public facilities are available or programmed to serve that phase.

**Section 9. Final Development Plan; Building Permits; Certificate of Occupancy.**

A. For that portion of the Property that will be platted, after Preliminary Plat approval, the Construction Plans and Final Plat submitted and approved in accordance with Article V of the LDRs shall serve as the Final Development Plan for purposes of this Ordinance.

B. For that portion of the Property that will not be platted (i.e., it will be submitted to a Condominium form of ownership or will remain undivided and under unified ownership), Construction Plans must be submitted and approved in accordance with the procedures in Sec. 5.17 and the specifications in Sec. 5.34 of the LDRs and same shall serve as the Final Development Plan for purposes of this Ordinance.

C. Within 12 months of the Effective Date of this Ordinance, the Property Owner must submit an application for a Final Development Plan for some development within Newberry Ridge. The City Commission may extend that deadline one time, for up to an additional 12 months, upon receipt of a written request for an extension filed with the land development regulation administrator by the Property Owner prior to the expiration of that deadline.

D. If more than 24 months lapse without the Property Owner constructing development within Newberry Ridge, the City may rezone the undeveloped portion of the Property as provided in Section 14 of this Ordinance.

E. Within 24 months of the date of approval of each Final Development Plan, that portion must achieve “substantial construction” which is defined as: obtaining all required permits; completion of permitted clearing and grading on a significant portion of the land; and construction of a significant portion of water and wastewater lines, streets, and/or the stormwater management system or overall progression that significantly moves that Final Development Plan toward completion of construction. The Land Development Regulation

Administrator shall determine whether substantial construction has been achieved. The City Commission may extend any deadline one time, for up to an additional 24 months, upon receipt of a written request for an extension filed with the Land Development Regulation Administrator by the Property Owner prior to the expiration of the initial 24-month period.

F. Any revisions to a Final Development Plan must be submitted and approved through the same procedures described in A and B above. Revisions to a Final Development Plan may be approved only if they are consistent with the purpose, intent, overall design, and integrity of the development as set forth in this Ordinance.

G. Any deviation from an approved Final Development Plan may cause the City to issue a stop work order until such time as the deviation is corrected or the Final Development Plan is revised in accordance with F above.

H. No building permit may be issued by the City until a Final Development Plan that includes that structure has been approved.

I. No certificate of occupancy for a structure will be issued by the City unless the public infrastructure (e.g., roads and utilities) serving that structure has been accepted by the City.

**Section 10. Revisions to the Planned Residential Development.** Any revision to this Ordinance, except for "minor changes" (defined below) to the Preliminary Development Plan attached as Exhibit B, requires application and review by the Planning and Zoning Board and a PRD amendment ordinance adopted by the City Commission.

The Land Development Regulation Administrator may review and approve "minor changes" to the Preliminary Development Plan attached as Exhibit B, which are defined as: (1) Changes in alignment, location, or length of local street; (2) Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density; and (3) Reorientation or slight shifts in building locations.

**Section 11. Concurrency.**

A. City Concurrency. Concurrency for City potable water, wastewater (sanitary sewer), stormwater (drainage), transportation (traffic circulation) and recreation/open space will be determined in accordance with Sections 14.13 and 14.14 of the LDRs.

B. State Transportation Concurrency. The Property Owner is responsible for working through the Florida Department of Transportation to satisfy any State Transportation Concurrency requirements.

C. County Solid Waste Concurrency. The Property Owner is responsible for working through the Alachua County Solid Waste Division to satisfy any solid waste concurrency requirements.

D. School Concurrency. The Property Owner is responsible for working through the Alachua County School Board to satisfy any school concurrency requirements.

**Section 12. Other Agency Permits.** In accordance with Section 166.033, Florida Statutes, the issuance of a development permit or development order by the City does not create any right on the part of the Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state or federal permits must be obtained before commencement of the development.

**Section 13. Applicability.** This Ordinance shall run with the land and shall bind the Property Owner, and its successors and assigns, each of whom shall be deemed a "Property Owner" for purposes of this Ordinance.

**Section 14. Rezoning.** If any development time limits within this Ordinance are not met or timely extended, the Land Development Regulation Administrator shall initiate a rezoning petition to remove the Planned Residential Development zoning and rezone the undeveloped portion of the Property to a zoning district that is compatible with the Property's Land Use designation.

**Section 15. Map Amendment; Not Codified; Correction.** This Ordinance adopts a map amendment, and related text to govern development of a specific parcel of land, and shall not be codified in the City of Newberry Code of Ordinances. However, the City Manager, or designee, is authorized and directed to update the Official Zoning Atlas in accordance with Section 2 of this Ordinance. Typographical errors and other matters of a non-substantive nature that do not affect the intent of this Ordinance, as determined by the City Clerk or City Attorney, may be corrected without the need for a public hearing.

**Section 16. Severability.** If any provision or portion of this Ordinance is held by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, such holding shall not affect the other portions of this Ordinance which can be given meaning and effect without the invalid, unconstitutional or unenforceable portions, and to this end the provisions of this Ordinance are declared severable.

**Section 17. Repeal; Conflict.** This Ordinance expressly repeals and terminates all prior Zoning Ordinances, Orders and Development Agreements for the Property, including Mixed-Use Zoning Ordinance No. 02-11 (LDR 08-05), Preliminary Development Order No. MU/LDR 08-05 and the Reformed Development Agreement dated March 14, 2011 recorded in Official Records Book 4021, Page 1061 of the Public Records of Alachua County, Florida. The Property Owner and City agree to execute and record any necessary termination documents in said Public Records. In addition, all other ordinances

or parts of ordinances and resolutions or parts of resolutions in conflict with this Ordinance herewith are hereby superseded to the extent of such conflict.

**Section 18. Effective Date; Recording.** This Ordinance shall become effective immediately upon adoption and the City Clerk is directed to record same in the City Ordinance Book. However, the map amendment to the Official Zoning Atlas and its associated PRD land development regulations shall not become effective until the Comprehensive Plan Future Land Use Map amendment adopted by Ordinance No. 2026-12 becomes effective as provided therein.

**Section 19. Stay during Pendency of Litigation; Tolling of Expiration Dates.** The filing of an appeal, petition for writ of certiorari, or complaint in a court of competent jurisdiction challenging the issuance, validity, or enforcement of this Ordinance, or Ordinance No. 2026-12 (Future Land Use Map amendment) shall operate as an automatic stay on the effectiveness and operational authority of this Ordinance. No building permits, certificates of occupancy, site clearing, or further physical development authorized by this Ordinance shall be issued or commenced during the pendency of such litigation. In addition, all time periods, milestones, and expiration dates governing the validity of this Ordinance shall be automatically tolled and stayed. The regulatory clock shall remain paused for the duration of the litigation, including all appellate processes, and shall resume only upon the entry of a final, unappealable order or settlement agreement resolving the litigation.

**Approved on First Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on October 26, 2026.

**Adopted on Second Reading (Final Passage)** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on November 9, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

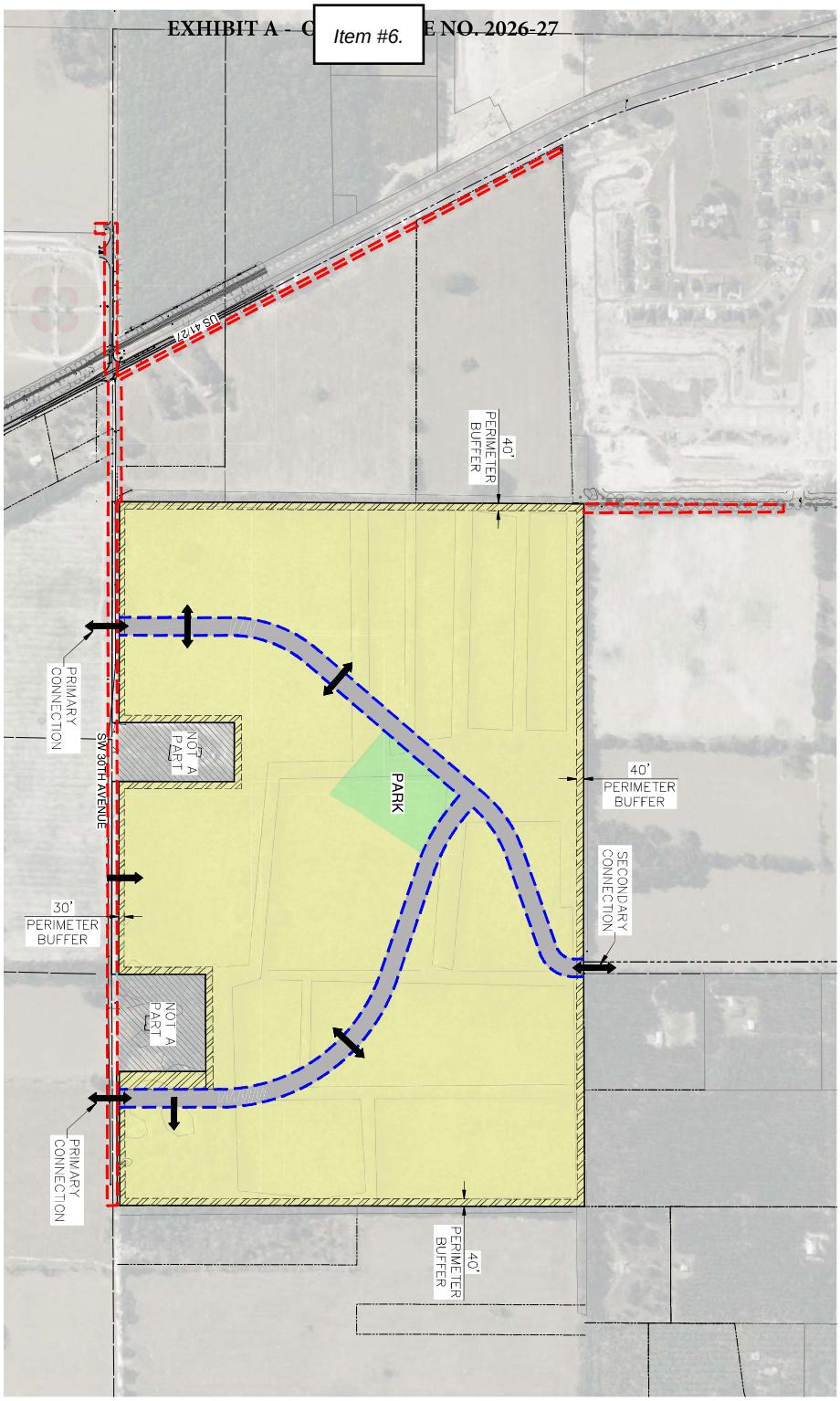
ATTEST, BY THE CLERK OF THE
CITY OF NEWBERRY, FLORIDA

_____
Randa K. Paul, City Clerk

Approved as to form and legality

_____
City Attorney's Office

EXHIBIT A - C E NO. 2026-27




# NEWBERRY RIDGE
## PLANNED RESIDENTIAL DEVELOPMENT (PRD)
PRELIMINARY DEVELOPMENT PLAN

LEGEND
- PROJECT SITE BOUNDARY
- PLANNED RESIDENTIAL DEVELOPMENT
- PERIMETER BUFFER
- COMMON AREA OPEN SPACE
- RIGHT OF WAY
- OFFSITE INFRASTRUCTURE
- ONSITE INFRASTRUCTURE

GRAPHIC SCALE 1" = 300' (300 150 0 300 600)

N

PRELIMINARY DEVELOPMENT PLAN
NEWBE
NEWBERRY, FL ALACHUA COUNTY



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1600 N. Desert Drive Ste 210
Tempe, Arizona 85288
Phone: (480) 629-8830
www.BowmanUS.com
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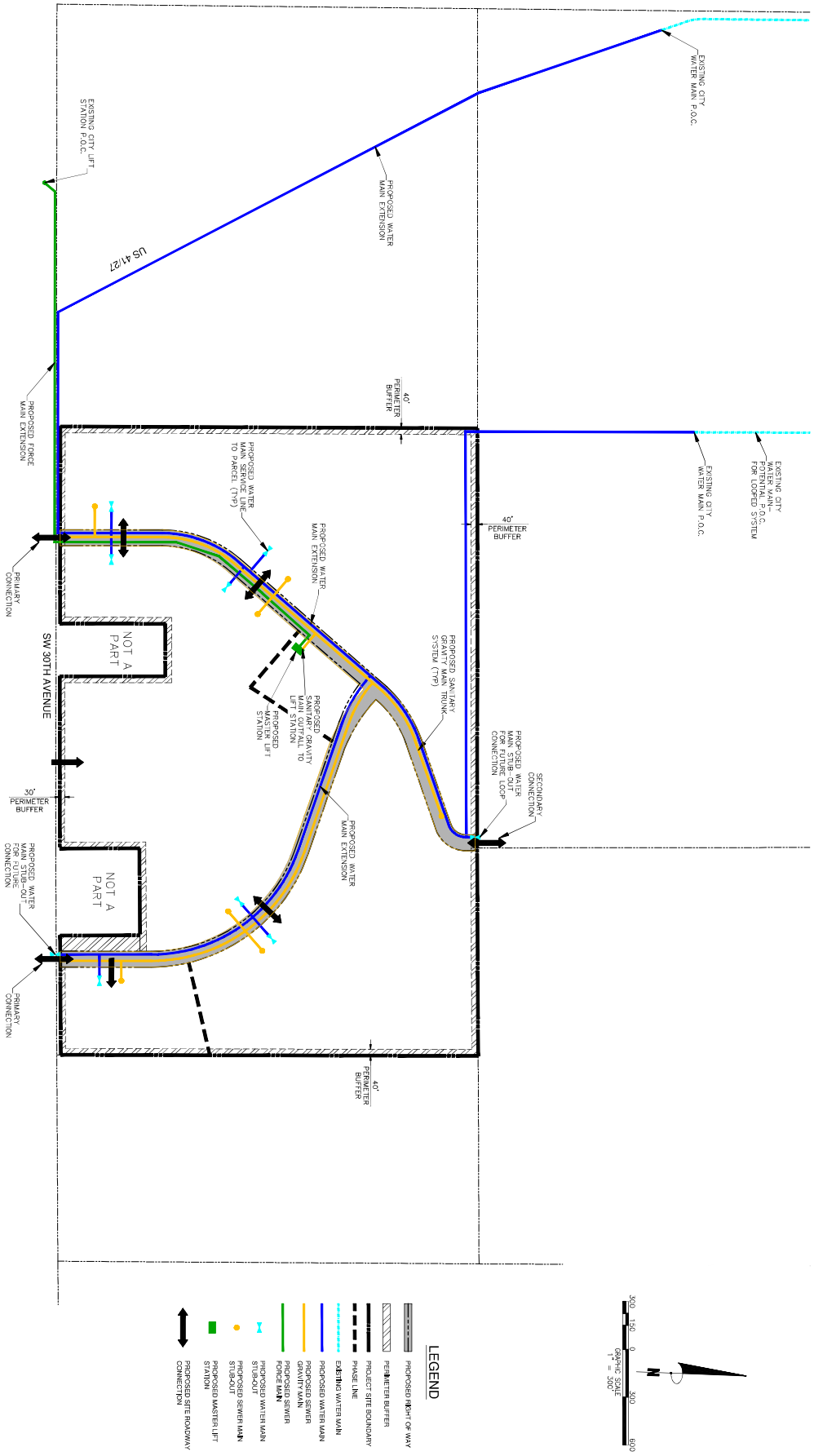
Bowman

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|
| DMF | JS |
| DMF | CHKD |

DESIGN: DRAWN: CHKD:
SCALE: H: 1" = 300' V: N/A
JOB No. 052070-01-001
DATE: 10/7/2026
SHEET 1 OF 1

CAD FILE: V:\052070 - Newberry Ridge\052070-01-001 (ENG)\Engineering\Exhibits\052070-Newberry Master Plan-EXH-clean.dwg 10/7/2026 1:13 PM




NOTE:
1. RECLAIMED WATER IS NOT AVAILABLE.

PRELIMINARY MASTER UTILITY PLAN

NEWBE

Page 129

NEWBERRY, FL

ALACHUA COUNTY

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|

DESIGN: DK
DRAWN: JS
CHKD: DMF
SCALE: 1" = 300'
H: N/A
V: N/A
JOB No. 052070-01-001
DATE: 5/30/2025
SHEET 1 OF 1

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# Community Development Rezoning

# Staff Report

**Date:** April 21, 2026

Project: LDR 25-11 Newberry Ridge Planned Residential Development companion Rezoning including Preliminary Development Plan

**Location:** Parcel ID: 02542-001-000; 02542-001-001; 02542-001-002; 02542-001-003; 02542-001-004; 02542-001-005; 02542-001-006; 02542-001-007,02542-001-008; and 02547-001-000; generally located north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45 and to the southeast of CountryWay Planned Development

Acres: 225

Current Future Land Use : Mixed Use

Proposed Future Land Use : Residential, Medium Density

Current Zoning: Agricultural (A) and Mixed Use (MU)

Proposed Zoning: Planned Residential Development (PRD)

Located within the Urban Service Area: YES

## Introduction

Florida Land Development Partners I, LLC (“Agent”), on behalf of FH NEWBERRY LLC (“Owner”), is requesting approval of rezoning a 225.29 acre site generally located north of SW 30th Avenue and 1/8 mile east of US Hwy 27, 41/SR 45 and to the southeast of the CountryWay Development (Parcel Nos. 02542-001-000; 02542-001-001; 02542-001-002; 02542-001-003; 02542-001-004; 02542-001-005; 02542-001-006; 02542-001-007,02542-001-008; and 02547-001-000). The subject property has an existing zoning designation of Agricultural (A) and Mixed Use (MU), and a future land use designation of Mixed Use. The Agent is requesting rezoning to Planned Residential Development (PRD). The property is located within the Urban Service Area.

The Agent proposes 1,250 dwelling units over a 6-year period as provided in the table below.

The phases are broken up into 1-year cycles over 6 phases, allowing for a buildout up to 6 years, with infrastructure to be completed by the first year, and a public park to be completed by the third year. On average, this is approximately 208 new homes a year. The housing/real estate market plays a major role in the speed at which a development will progress through encumbering all its entitlements.

| PHASING | 1 | 2 | 3 | 4 | 5 | 6 | |
|---|---|---|---|---|---|---|---|
| EST. COMPLETION YEAR | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | TOTAL |
| OFFSITE INFRASTRUCTURE | X | | | | | | |
| SPINE ROAD INFRASTRUCTURE | X | | | | | | |
| PUBLIC PARK | | | X | | | | |
| SINGLE FAMILY RESIDENTIAL | 150 | 150 | 150 | 150 | 75 | | 675 |
| TOWNHOME/BFR RESIDENTIAL | | | 50 | 75 | 50 | | 175 |
| MULTIFAMILY RESIDENTIAL | | | 100 | 100 | 100 | 100 | 400 |
| TOTAL | 150 | 150 | 300 | 325 | 225 | 100 | 1250 |

**Background/History**

The Property currently is vacant. The Owner proposes ±850 detached single-family dwelling units and ±400 Multifamily dwelling units, including townhomes, build-for-rent (BFR) and apartments.

The Property is located within the Urban Service Area which allows for land use and zoning designations which encourages suburban/urban development patterns and requires such services as potable and wastewater connections, improved road surfaces, multi-modal facilities, as well as solid waste removal and other municipal services. Nonresidential Components are not associated with this project.

**Planned Residential Development (PRD) District**

The Planned Residential Development (PRD) district, (a) is a concept which requires land to be under unified control, planned and developed as a whole in a single development or approved, programmed series of developments for dwelling units and related uses and facilities; (b) is a plan which, when adopted, becomes the Land Development Regulations for the land to which it is applied; (c) includes principal and accessory structures substantially related to the character of the development itself and the surrounding area of which it is a part; and (d) is a concept which, when implemented, allows for development according to comprehensive and detailed plans which include not only streets, utilities, building sites, and the like, but also site plans and elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses, and improvements on the land as related to the buildings.

The PRD zoning district per Appendix B, Article 4. Zoning Regulations, Section 4.20 PRD Planned Residential Development has criteria related to the purpose and intent of the district that all PRD plans should follow. See criteria listed below:

> *4.20.1. Districts and intent. The PRD Planned Residential Development category includes one zone district: PRD. The purpose of this district is to permit planned residential developments, which are intended to:*
>
> *(1) Encourage the development of planned residential development of land;*
>
> *(2) Encourage flexible and creative concepts of site planning;*
>
> *(3) Preserve the natural amenities of the land by encouraging scenic and functional open areas;*
>
> *(4) Accomplish a more desirable environment than would be possible through strict application of the minimum requirements of these Land Development Regulations;*
>
> *(5) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and*
>
> *(6) Provide a stable environmental character compatible with surrounding areas.*
>
> *Staff has provided the criteria above and the application meets the requirements for application of a PRD via Appendix B, Article 4, Section 4.20. Per Section 4.20.6 (2.) the Planning and Zoning Board shall make a recommendation to the city commission.*

*Uses*. In compliance with Section 4.20.2 of the City of Newberry Land Development Regulations, this PRD rezoning application proposes a diverse mix of single-family detached and attached dwellings, along with multi-family residential development, as outlined in the Preliminary Master Plan. This variety of housing types is consistent with the permitted principal uses within the PRD zoning district.

*Development standards*

Attachment A of this staff report is the Preliminary Development Plan for the Newberry Ridge PRD. It is basic in nature and displays the general development pattern for residential and the proposed roadway system.

Minimum lot size and setback regulations are provided in 3 different formats for the single-family, single-family attached, and multi-family. See table below.

| DEVELOPMENT STANDARDS | | | | | |
|---|---|---|---|---|---|
| SINGLE–FAMILY DETACHED | | SINGLE–FAMILY ATTACHED (TOWNHOMES/BUILD–FOR–RENT) | | MULTI–FAMILY | |
| LOT AREA, MIN (SF) | 5,000 | LOT AREA PER UNIT, MIN | 1,000 | LOT AREA (SITE) | 20,000 |
| LOT WIDTH, MIN | 45' | LOT WIDTH, MIN | N/A | LOT WIDTH, MIN (SITE) | 80' |
| LOT COVERAGE, MAX | 70% | LOT COVERAGE, MAX | 90% | LOT COVERAGE, MAX | 60% |
| FRONT SETBACK | 20' | FRONT SETBACK | 10' | FRONT SETBACK | 30' |
| SIDE SETBACK | 5' | SIDE SETBACK | 0' | SIDE SETBACK | 15' |
| REAR SETBACK | 15' | REAR SETBACK | 10' | REAR SETBACK | 20' |
| MAX BUILDING HEIGHT | 35' | MAX STRUCTURE HEIGHT | 35' | MAX STRUCTURE HEIGHT | 40' |

**Concurrency/Mitigation**

Established in Appendix B, Article 14, Sections 14.13.6.2 and 14.14 of the City's Code of Ordinances, "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;" and "the city commission shall use the level of service standards listed within the elements of the comprehensive plan for making concurrency determinations."

Staff has provided a summary of concurrency issues identified by City staff that have not been addressed in a mutually agreed upon development order. Due to the scale of the development, additional data and time to evaluate its impacts are necessary. Staff acknowledges that each phase of development as presented in the petition represents a varying degree of impact on state and local services, facilities, and resources and that each phase will be most appropriately evaluated at which time failures have been identified. Staff also acknowledges that this petition is an opportunity to collaborate with the developer or their designee on a master planned community opposed to a piecemeal development that expands gradually over time.

The statements below represent a need for additional data and analysis as well as a plan, mutually agreed upon between the City and the Developer to identify either thresholds or phases at which certain data, analysis, and/or improvements will be necessary.

**School.** The Alachua County School Board is aware of the PRD and will incorporate into their 5/10 year facility plan.

**Water.** Extension of lines, on and off-site shall be the responsibility of the Developer. Securing land or easements for off-site waterline extensions shall be the responsibility of the Developer.

**Wastewater.** Extension of lines, on and off-site shall be the responsibility of the Developer. Securing land or easements for off-site sewerline extensions shall be the responsibility of the Developer. For all proposed development, capacity is reserved on a first-come, first-served basis. To reserve wastewater capacity it is

necessary to execute a Wastewater Capacity Development Agreement. This agreement gives you three options to secure your capacity. Due to the fact that no Wastewater Capacity Development Agreement has been executed to date for this project, wastewater capacity is neither guaranteed or reserved.

**Traffic.** Multimodal impact fees will be collected at time of permit. Needs for off-site improvements to Northwest 30th Avenue shall be determined at time of application for the first phase and shall be based on a traffic impact analysis.

**Parks.** Private neighborhood parks are required within ½ mile of everyone home. The City has not adopted a concurrency/impact fee for local parks. Additional concurrency requirements may be exacted at the review of each phase.

**Open Space.** A minimum of 15% open space shall be provided for the benefit of the future residents. Not more than 50% (as stated in the LDRs) may be utilized for stormwater. Buffer areas may not be included in the open space calculations for the purposes of satisfying the 15% minimum requirement. The 7+ acres of recreational areas dedicated by the applicant or payment of fees in lieu of dedication of land will meet the City's Recreation and Open Space Level of Service.

## Agency Review

This petition has been reviewed by the municipal reviewing agencies, as well as Florida Department of Transportation, and no objections have been made to this request. Concurrency for impacts to roadways, potable water, wastewater, recreation, solid waste and public open space will be determined at time of development plan review.

## Compatibility

Staff reviewed this petition for compatibility with the goals, objectives, and policies of the comprehensive plan and compliance with Appendix B of the City of Newberry Code of Ordinances entitled Land Development Regulations. The Property is located within the Urban Service Area. The PRD provides suburban levels of density and intensity. Sufficient buffering should be established in the Development Order for abutting agricultural properties. Concurrency will be handled on a phase-by-phase basis through mitigation measures and impact fees. Infrastructure capacity must be increased to provide sufficient services to the PRD at build-out, however, those expansions of facilities, services, or resources will be assessed and exacted prior to the commencement of each new phase.

## Findings

The proposed rezoning is contingent upon adoption of the FLUMA Petition No. CPA 25-04. The PRD is located within the Urban Service Area at densities and intensities appropriate for a suburban area. The PD conceptually complies with the Land

Development Regulations and shall be further reviewed for compliance as more detailed plans are submitted with each Final Development Plan with each phase. Staff finds the petition is consistent with the City of Newberry Comprehensive Plan and Land Development Regulations.

**Planning and Zoning Board Recommendation**

At the April 21st Special Meeting of the Planning and Zoning Board (PZB) they voted 3-0, recommending approval to the City Commission. There was a robust discussion from the PZB to the applicant related to open space, water, wastewater and traffic. Additionally, they wanted clarification on the park location.

Since the Special Meeting, staff has worked collaboratively with the applicant through multiple rounds of revisions to refine the proposed Planned Development. Given the customized nature of this zoning request, numerous details required careful consideration, coordination, and resolution. The culmination of these efforts is reflected in Ordinance 2026-27 (with attachments), included in your agenda packet.

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*Prepared by: Lauren Yeatter, AICP, Community Development Department, April 16, 2026. Updated by Stacey Hectus, AICP, Community Development, October 16, 2026 and October 28, 2026.*

Bowman

December 12, 2025

Jean-Paul Perez, Principal Planner
Department of Community Development
City of Newberry
25815 SW 2nd Avenue
Newberry, FL, 32669

**Project Location:** North side of Southwest 30 Avenue
**Project No.:** 0527070-01-001
**City of Newberry:** LDR 25-11
**Reference:** Newberry Ridge Rezoning from Mixed Use to Planned Residential Development

Dear Mr. Perez,

This letter is in response to your letter dated 7/24/2025.

## APPLICATION COMMENT 1

Provide traffic impact analysis.

a. Methodology review is encouraged prior to commencing study. Review of methodology may be transmitted by email and review may take one (1) week to return. Road segments affected include city and state rights-of-way, and FDOT District 2 urban and rural planning offices should accept methodology.

**Response:** A TIS methodology letter was submitted to the city on November 20, 2025.

b. Study should include an initial signal warrant evaluation at the intersection of US27/41 and Southwest 30 Avenue.

**Response:** Comment noted, the study will include the signal warrant analysis at the intersection of U.S. 27/41 & SW 30$^{TH}$ Ave.

## APPLICATION COMMENT 2

2. Application includes Parcel No. 02568-003-002 which is not located within the municipal corporate limits of the City of Newberry, Florida. Annexation or an interlocal agreement between the city, developer, and Alachua County must be contemplated in order to achieve incorporation of the property within the development. At this time, the city is not prepared to enter an interlocal agreement discussion with Alachua County.

**Response:** This parcel was removed from the application as it will be dedicated as right of way.

## APPLICATION COMMENT 3

3. Application includes Parcel No. 02544-001-001 which lacks substantial and logical continuity with the development to be included on the land use map amendment application.

6751 North Sunset Boulevard, Suite 325, Glendale, Arizona 85305
P: 623.299.8980 | F: 602.800.5103
**bowman.com**

**Response:** This parcel was removed from the application as it will be dedicated as right of way.

## APPLICATION COMMENT 4

4. Application includes Parcel No. 02549-002-000 which is encumbered by a prescriptive right-of-way easement and lacks sufficient depth to provide meaningful development opportunities.

**Response:** This parcel was removed from the application as it will be dedicated as right of way.

## APPLICATION COMMENT 5

5. Generally, the above mentioned parcels represent a transfer of development rights which would require a unique declaration of restrictive covenants or restrictions on the face of a plat. Further discussion is necessary to determine intent and impacts of such an action.

**Response:** As discussed at the comment resolution meeting, these parcels will be dedicated as roadway right of way and have been removed from the narrative.

## APPLICATION COMMENT 6

6. Justification Report:

a. **Advisory**: Pages referenced herein refer to the PDF page number and not the unique page numbers within the document.
**Response:** Noted

b. Page 1 and throughout document:

i. Maps throughout the document may need to be revised depending on direction regarding the above-mentioned parcels.
**Response:** Noted

ii. Pursuant to Appendix B, Article 14, Section 14.14, CNCO, level of service standards shall be utilized for making concurrency determinations. Insufficient data and analysis has been provided for a concurrency determination to be made at this time. Concurrency should include specific obligations and performance standards.

**Response:** A Development Ordinance is underway with Applicant's Attorney and City Staff. Item to be heard on the Planning Commission Agenda concurrently with Rezoning application.

## APPLICATION COMMENT 7

7. Preliminary development plan:

a. Provides less than the minimum 15% required open space.

**Response:** The overall development will provide a minimum 5-acre public park and require each separate parcel as it comes forward for development to provide 15% open space individually. A recreation and amenity plan has been included in the application.

b. Provide enumerated phases, phase lines, phase area, evidence that each phase may satisfy requirements the PRD zoning district independent of completion of other phases, the number of units by housing type in each phase, and anticipated year which that phase will commence construction. This information must be graphically represented and provided in tabular form.

**Response:** The master plan now reflects phase lines, housing type and anticipated year to commence construction. A statement on the master plan will state "Infrastructure may commence with any residential phase to facilitate development."

## APPLICATION COMMENT 8

8. Provide the voluntary obligations the developer offers in order to mitigate identified deficiencies in level of service and concurrency.

**Response:** Voluntary obligations will be addressed within the Development Ordinance.

## ADVISORY COMMENT 9

9. Adoption of rezoning is dependent on the future land use map amendment being adopted.

**Response:** Understood.

## ADVISORY COMMENT 10

10. Any potential on or off-site improvements necessary to mitigate developmental impacts to potable water, wastewater, electric service, stormwater management, roadways/traffic, etc., will be determined prior to construction plan approval.

**Response:** Understood.

## ARCHITECTURAL PLAN SET COMMENT 11

11. **Advisory**: Model home elevations must be included in the construction plan submittal.

**Response:** Noted.

## LANDSCAPE PLAN SET COMMENT 13

13. **Advisory**: Landscape plans must be included with the construction plan submittal. Tree disposition plan requires approval prior to clearing and grubbing.

**Response:** Noted.

## FIRE COMMENT 14

14. **Advisory**: Fire department comments, such as water supply and access requirements, will be provided when a development proposal is submitted.

**Response:** Understood.

## FIRE COMMENT 15

15. **Advisory**: Potable water flow calculations are required with submittal of construction plans to ensure sufficient pressure exists for hydrants and fire suppression systems.

**Response:** Understood.

## FIRE COMMENT 16

16. **Advisory**: KnoxBox entry is required for any nonresidential structures or gated areas.

**Response:** Understood.

## FIRE COMMENT 17

17. **Advisory**: Combustible construction materials and equipment shall not be stored on-site until water service is available.

**Response:** Understood.

## PUBLIC WORKS & UTILITIES COMMENT 1

Stormwater basins will remain under private ownership/maintenance

**Response:** Noted.

## PUBLIC WORKS & UTILITIES COMMENT 2

Final Location/connection points/sizing of water/wastewater piping and appurtenances to be determined as part of the construction plan approval process

**Response:** Understood.

## PUBLIC WORKS & UTILITIES COMMENT 3

Wastewater/Water modeling will be required

**Response:** Noted. As discussed with Jamie Jones, modeling will be reviewed as part of the construction documents.

## PUBLIC WORKS & UTILITIES COMMENT 4

Wastewater capacity agreement will be required.

**Response: Noted.** As discussed with Jamie Jones, this agreement will need to be completed prior to construction plans being approved.

## PUBLIC WORKS & UTILITIES COMMENT 5

The City reserves the right to require oversizing of water/wastewater lines and appurtenances

**Response:** Understood.

## PUBLIC WORKS & UTILITIES COMMENT 6

Land rights/improvements to SW 30th Ave will be required to include stormwater management for the same

**Response:** Understood.

## PUBLIC WORKS & UTILITIES COMMENT 7

All PUEs require execution of an easement agreement in addition to dedication by plat

**Response:** Understood.

## PUBLIC WORKS & UTILITIES COMMENT 8

All lift station parcels are required to be transferred by parcel/deed

**Response**: Understood

## PUBLIC WORKS & UTILITIES COMMENT 9

Additional traffic impact analysis will be required as part of the construction plan approval process

**Response:** Comment noted, the study will include the signal warrant analysis at the intersection of U.S. 27/41 & SW 30$^{TH}$ Ave.

## PUBLIC WORKS & UTILITIES COMMENT 10

Please provide a phasing plan for the development.

**Response:** The master plan now reflects phase lines, housing type and anticipated year to commence construction. A statement on the master plan will state "Infrastructure may commence with any residential phase to facilitate development.

Thank you,

Dawn Marie Fortuna, AICP – Principal Planner
Bowman
Phone: (623) 200-5656
Email: dfortuna@bowman.com

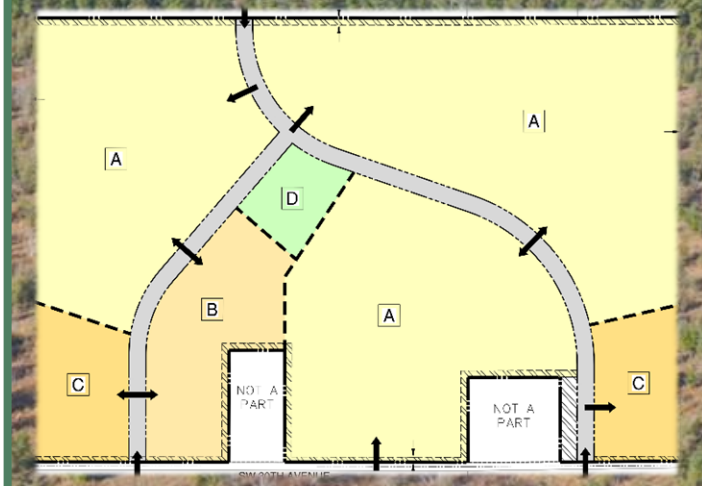
Newberry FLORIDA

# Rezone

## *Newberry Ridge*

***Request to modify Agriculture (AG) Zoning Designation to Planned Residential Development (PRD)***

**Prepared for the City of Newberry**
**Community Development Department**




DECEMBER 12,2025
**(2ND SUBMITTAL)**

**Florida Land Development Partners I, LLC**
**Prepared by: Bowman**

FLORIDA LAND DEVELOPMENT PARTNERS I, LLC

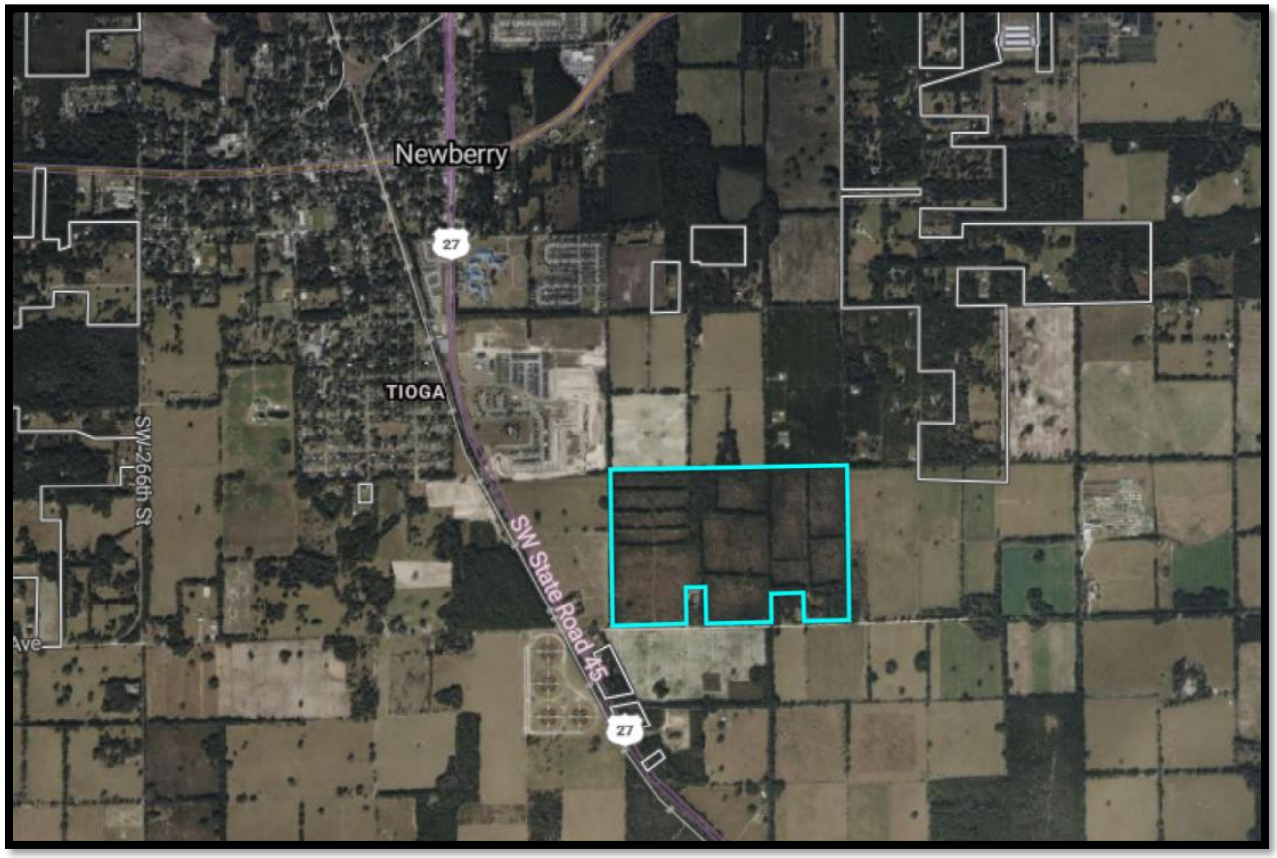
Bowman

# 1. Introduction

Florida Land Development Partners I, LLC (FLDP) has long been committed to providing residential opportunities for communities across the country. As the City of Newberry grows, the need to create housing for current and future residents will contribute to the City's future success. We approach development in communities as a partnership to establish thoughtful and meaningful places that residents want to call home.

Our application requests a Rezone from Agriculture (A) to Planned Residential Development (PRD). This Rezone Application is submitted concurrently with a Large-Scale Comprehensive Plan Amendment from the City of Newberry Mixed Use (MU) Future Land Use (FLU) to Medium Density Residential (MD) Future Land Use under a separate application.

The approximate ±225-acre subject site is located east of Highway 27 on the north side of SW 30th Avenue and is within the jurisdictional limits of the City of Newberry, FL.




**Vicinity Map**

The site is further identified by the Alachua County Assessor Parcel Numbers (APN's) 02542-001-000, 02542-001-001, 02542-001-003, 02542-001-004, 02542-001-005, 02542-001-006, 02542-001-007, 02542-001-008, 02547-001-000, and, located in Section 10, Township 10 South, Range 17 East in Alachua County, FL and reflected below in the Context Map.

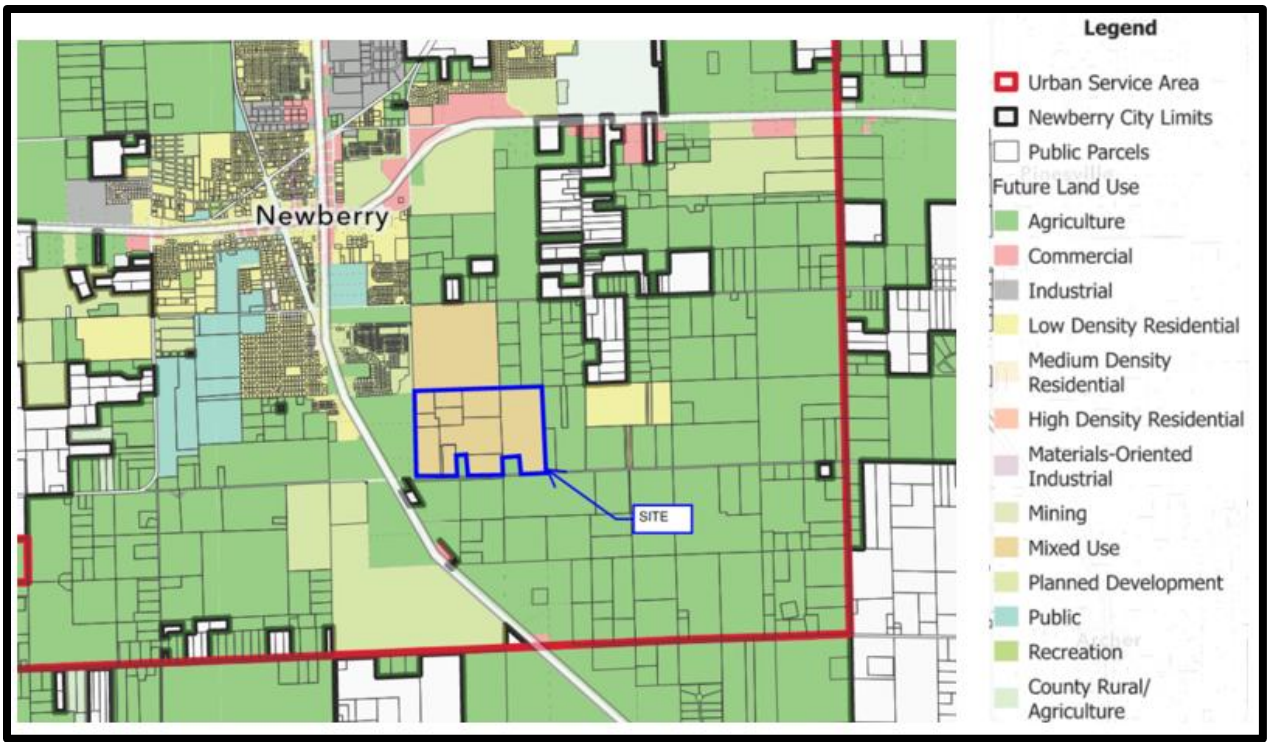



**Context Map**

## 2. Statement of Proposed Change

This Rezone application requests amending the zoning designation on the Subject Property from Agriculture (A) to Planned Residential Development (PRD).

Approval of this Rezone from Agriculture (A) to Planned Residential Development (PRD), allows the City of Newberry to provide flexible and diversified housing to support a more sustainable and economical future for the region. Approval of the Large-Scale Comprehensive Plan Amendment (Ls-CPA) with the PRD Rezoning application supports maximizing available developable land for residential use within the City of Newberry's Urban Service Area.




**City of Newberry Future Land Use Map:2045**

**Project Location and Surrounding Land Uses**

Below reflects the current Zoning District, Future Land Use, and Existing Use for the subject and surrounding properties.

| Identification | Future Land Use | Zoning | Existing Use |
|---|---|---|---|
| Subject Parcels | Mixed Use | AG | Vacant |
| North | Mixed Use | AG | Vacant |
| South | AG | AG | Vacant |
| East | AG | AG | Vacant |
| West | AG | AG | Vacant |




**Existing Newberry Zoning Map**




**Proposed Newberry Zoning Map**

# 3. Impact Analysis

***Level of Service (LOS) Planning Analysis***

As part of this Large-Scale Comprehensive Plan Amendment (Ls-CPA) and Rezone application, we have outlined the level of service for this development against the City's existing and future resources.

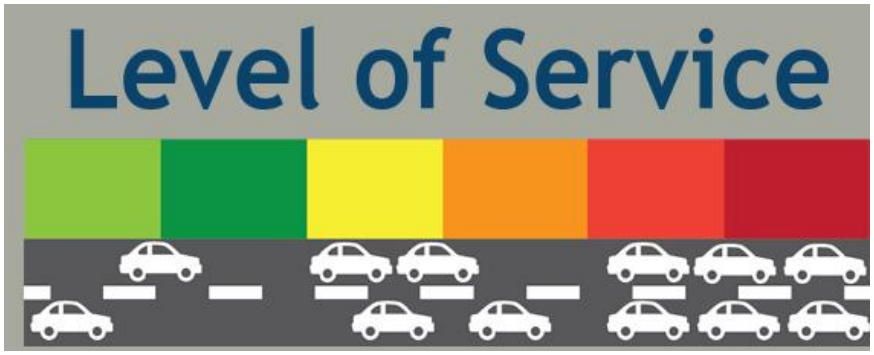
Potential impacts on public services are analyzed using the planned development proposed maximum development potential:

- Residential
  - Single Family Detached Residential: ± 850 dwelling units (DU)
  - Multifamily including townhomes, build-for-rent (BFR) and apartments: ± 400 dwelling units (DU)
- Commercial:
  - No commercial uses are proposed in connection with this application.

The proposed site will be designed, engineered, and permitted in a minimum of four phases through the companion PRD schedule. The first phase will provide infrastructure connections including water, sewer and transportation to public facilities.

Transportation Analysis

Bowman has been retained by the applicant to perform a Future Land Use (FLU) Amendment and Rezone Traffic Analysis for the subject property. This project is proposing primary access points along SW 30th Avenue and potential future cross access connections to the properties on the north side.




Consistent with Objective II.1. of the City of Newberry Comprehensive Plan, the purpose of this analysis is to determine the potential traffic impacts, if any, caused by the increase in trip generation between the maximum density under the existing and proposed future land use designation.

Highest and Best Use

Per the Newberry Code of Ordinances, Appendix A, Article I, Policy I.6.1.2, the Mixed-Use land use classification allows for a combination of residential and commercial uses to promote an interrelated mixture of mutually supportive land uses. Under the existing FLU mix use the following requirements must be met:

- The maximum amount of land that can be dedicated to residential use is 70%.
- The required minimum amount of land that must be dedicated to open space is 10%.
- The following residential dwelling unit densities are permitted:
  - Single family and duplex dwellings: 4 dwelling units per acre
  - Free-stranding townhouses or build-for-rent (BFR): 8 dwelling units per acre
  - Free-standing apartment buildings: 20 dwelling units per acre
- Other land uses must not exceed a 0.25 floor area ratio.

The breakdown of the maximum intensity of the subject property is presented below.

**Existing Zoning Trips Generated Table**

| Land Use | Land Use Code[1] | Intensity | Units | Daily Trips | | | AM Peak Hour[2] | | | PM Peak Hour[2] | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Total | In | Out | Total | In | Out | Total | In | Out |
| Single-Family Detached Housing | 210 | 45 | DU | 629 | 314 | 315 | 36 | 10 | 26 | 46 | 29 | 17 |
| Nursery (Garden Center)[3] | 817 | 20.00 | SF | 1,056 | 528 | 528 | 132 | 66 | 66 | 132 | 66 | 66 |
| | | | **Sub Total** | 1,685 | 842 | 843 | 168 | 76 | 92 | 178 | 95 | 83 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street
(3) Only PM rates provided, Daily was assumed 8 x PM and AM rates were assumed the same as PM rates

The following intensities were considered for a "reasonable" Highest and Best Use based on the existing FLU of the property:

- 2,400 Residential multifamily residential units
- 150 KSF Office
- 120 KSF Commercial

The proposed Planned Residential Development uses, areas and densities are presented below.

**Proposed Planned Residential Development (PRD) Trips Generated Table**

| Phase/Lot | Land Use[1] | ITE Code[1] | Intensity | Units | Daily Trips | | | AM Peak Hour[2] | | | PM Peak Hour[2] | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Total | In | Out | Total | In | Out | Total | In | Out |
| Phase 1 lot D | Single-Family Detached Housing | 210 | 535 | DU | 4,583 | 2,291 | 2,292 | 364 | 98 | 266 | 450 | 279 | 171 |
| Phase 2 lot F | Single-Family Detached Housing | 210 | 378 | DU | 3,316 | 1,658 | 1,658 | 259 | 70 | 189 | 327 | 203 | 124 |
| Phase 3 lot E | Single-Family Detached Housing | 210 | 387 | DU | 3,389 | 1,694 | 1,695 | 265 | 72 | 193 | 334 | 207 | 127 |
| Phase 4 lot A | Single-Family Detached Housing | 210 | 103 | DU | 1,097 | 548 | 549 | 75 | 20 | 55 | 99 | 61 | 38 |
| Phase 5 lot C | Single-Family Detached Housing | 210 | 148 | DU | 1,460 | 730 | 730 | 105 | 28 | 77 | 138 | 86 | 52 |
| Phase 6 lot B | Single-Family Detached Housing | 210 | 89 | DU | 984 | 492 | 492 | 65 | 18 | 47 | 86 | 54 | 32 |
| **Sub Total** | | | | | 14,829 | 7,413 | 7,416 | 1,133 | 306 | 827 | 1,434 | 890 | 544 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street

The intensities presented in the above table were considered the Highest and Best Use based on the proposed FLU of the property. While the proposed FLU amendment does not indicate an increase the trip generation of the site, the rezoning application does reflect in increase of 13,144 daily trips.

**Difference in Trip Generation Table**

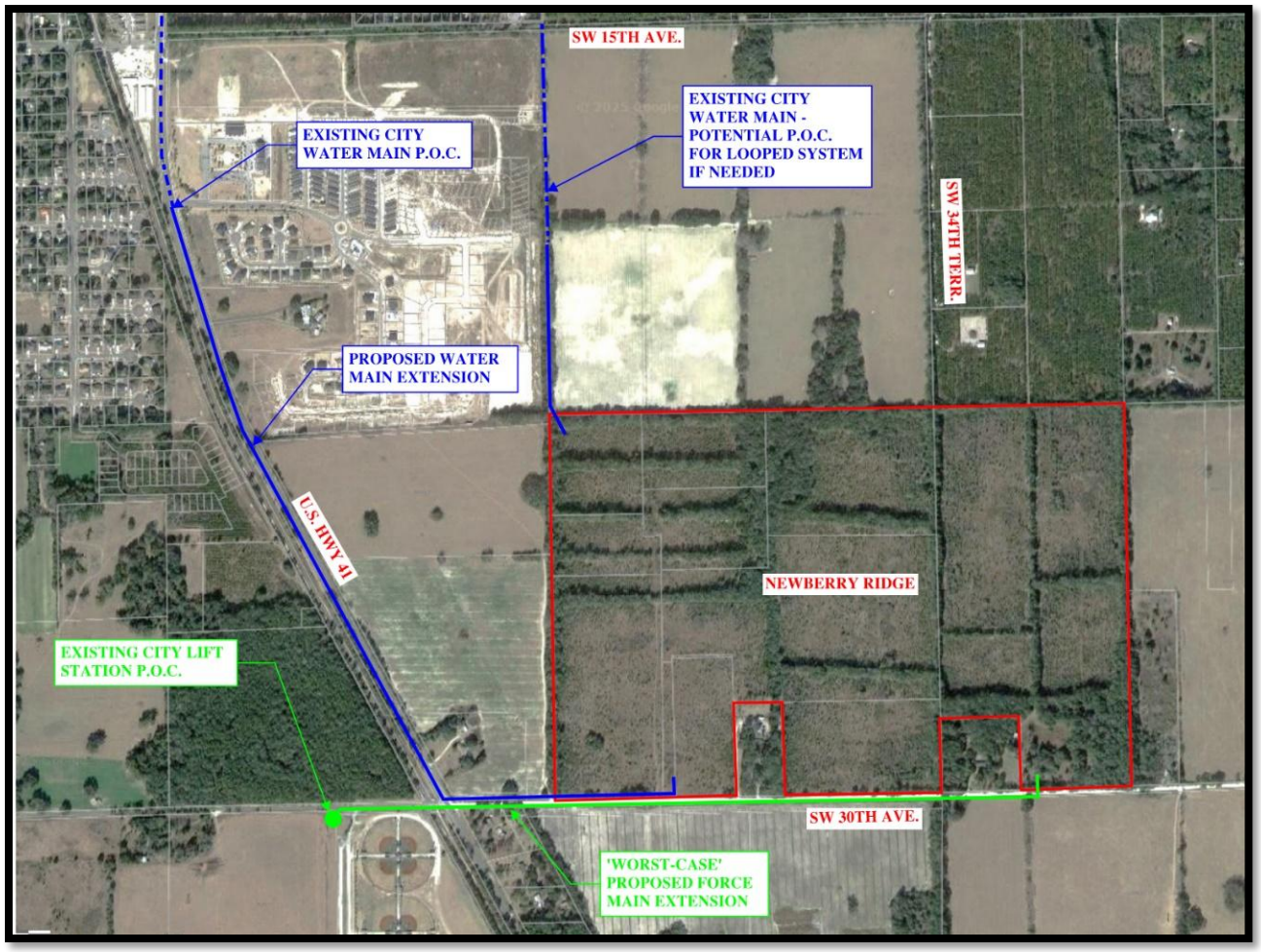
| Future Land Use | Daily Trips | | | AM Peak Hour(2) | | | PM Peak Hour(2) | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | In | Out | Total | In | Out | Total | In | Out |
| Existing Zoning Classification | | | | | | | | | |
| Agriculture | 1,685 | 842 | 843 | 168 | 76 | 92 | 178 | 95 | 83 |
| Proposed Zoning Classification | | | | | | | | | |
| Planned Development | 14,829 | 7,413 | 7,416 | 1,133 | 306 | 827 | 1,434 | 890 | 544 |
| Difference | | | | | | | | | |
| Net New Trips | 13,144 | 6,571 | 6,573 | 965 | 230 | 735 | 1,256 | 795 | 461 |

(1) Based on the Institute of Transportation Engineers Trip Generation, 12th Edition
(2) Peak Hour of Adjacent Street

The proposed access points of the site along SW 30th Ave and any significantly impacted intersections and roadways shall be evaluated at the Site Development stage by means of a Traffic Impact Analysis, all necessary modifications and improvements to these roadways and intersections will be assessed during Site/Development Plan review.

Water and Wastewater

The subject property is within the City of Newberry's Urban Service Area and the future development will connect to existing public facilities as reflected below.




**Map of Water & Wastewater Utilities Points of Connection:**

**Potable Water Impacts**

This Project will be required to extend potable water infrastructure to the site. Connections to the City's potable water supply will be made at two connection points to provide a looped system to provide both individual demands and fire flow requirements within the proposed development as shown above.

Pursuant to discussions with City staff, currently the nearest viable Point of Connection ("POC") to the source of supply is a 12" diameter main located on the west side of SR 27/41 at the entrance to the Newberry Town Center Phase 1, approximately 6,000 linear feet. However, there is also a 12" water main running north-south from SW 242nd Terrace from the intersection of SW 15th Avenue and SW 242nd Terrace to a terminus at SW 18th Road. This is a potential future connection, pending acquisition of any easements, to provide a greater looped potable water system.



The water modeling required by the City will identify any necessary looping, and there is a new water main and elevated tank under design on the west side of 27/41 adjacent to Champions Park to be constructed as a requirement of the Sandia project, a sizable Mixed-Use development. It is assumed that the developer is required to fund this new water supply system.

The estimated daily water demand per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day, or 1250 ERU's.

**Sanitary Sewer Impacts**

Currently the City has a 560,000-gallon Wastewater Treatment Plant ("WWTP"). Flow commitments are regulated by the Florida Department of Environmental Protection ("FDEP"). The FDEP permitted capacity is currently at full allocation. Therefore, the City is required to build a new WWTP with enhanced treatment by FDEP Administrative Order.

There is an existing Master Lift Station at SR 27/41 that was sized for future development. There is no interim onsite treatment option allowed by the City.



The City has planned, designed and permitted a 1.2 MGD WWTP. The City has alternative funding for $29M of the estimated $90M total WWTP cost. Flows for future capacity for this proposed WWTP are estimated at 60%. The City needs Developers to provide the revenue stream to guarantee future capacity. This will be done via Developer Agreements, the framework of which includes the language for: fee payment; reservation of capacity; timeframe for payment and reservation; and system development charges payment.

The estimated wastewater flow per capita for the Project is 250 gallons per day. Therefore, based on the estimated 850 single family lots and 400 apartments, a total of 312,500 gallons per day, or 1250 ERU's.

**Solid Waste Analysis**

Potential Solid Waste Impact Table

| Land Use | Maximum Units (1) | Generation Rate (2) | Estimated Demand (GPD) |
|---|---|---|---|
| **Current Potential under Existing Adopted Mixed Use FLU** | | | |
| Residential | 999 | 0.80 tons/person/year | 799.2 |
| Non-Residential | 428,303 SF | (12lbs/1,000 SF/day*SF*365)/2,000 | 937.98 |
| Total: | | | 1737.18 |
| **Medium Density Residential FLU** | | | |
| Residential | 1,250 | 0.80 tons/person/year | 1000.00 |

*(1) Units: Residential based on maximum density allowed in the proposed development*

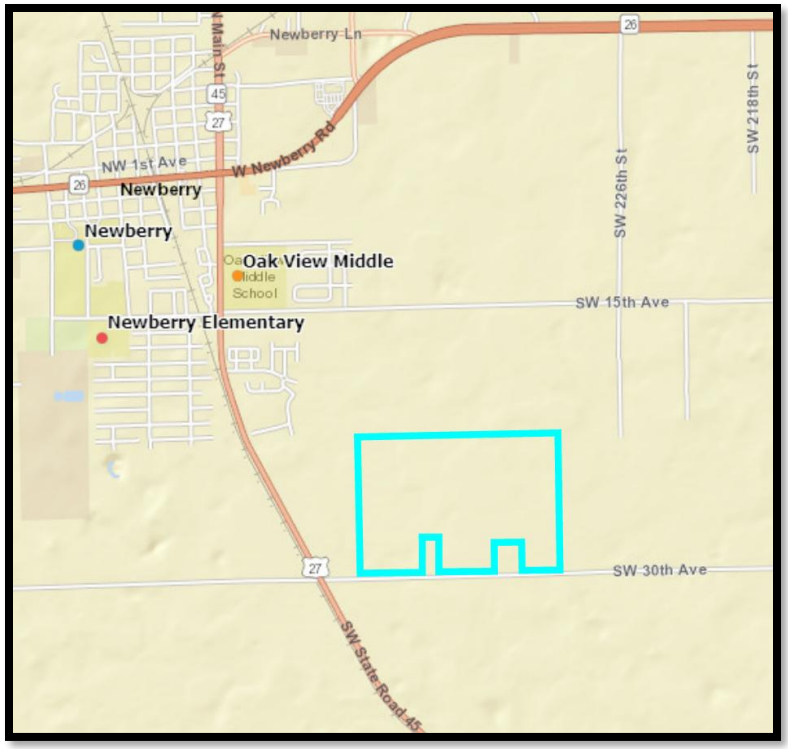
*(2) Generation Rate Sources*

*a. City of Newberry Comprehensive Plan Policy IV.2.4*

*b. US Census Bureau estimated 2.79 persons per household for City of Newberry, FL.*

**Educational Facilities Analysis**

The Subject site is within Alachua County Public School District and within the Newberry Zone for elementary schools with Newberry Elementary being the closest elementary school. Additionally, the site is within the Oak View Zone for middle schools with Oak View Middle School being the closest middle school to the site. Oak View Middle School also has elementary services to supplement the proposed impact on public schools. Lastly, the subject site is located within the Newberry Zone for high schools with Newberry Highschool being the closest high school to the subject site. All schools are within a 2 mile radius of the subject site.




**Public School Locations**

| Land Use | Estimated Units | Elementary School | | | | |
|---|---|---|---|---|---|---|
| | | Rate[1] | Total | Newberry Elementary Projected 2027-2028 Available Capacity[2] | Impacts to Capacity | Remaining Available Capacity |
| Single-Family Residential | 850 | 0.14 | 119 | 140 | 155 | -15 |
| Multi-Family Residential | 400 | 0.09 | 36 | | | |
| **Land Use** | **Estimated Units** | **Middle School** | | | | |
| | | **Rate[1]** | **Total** | **Oakview Middle Projected 2027-2028 Available Capacity[2]** | **Impacts to Capacity** | **Remaining Available Capacity** |
| Single-Family Residential | 850 | 0.06 | 51 | 280 | 63 | 217 |
| Multi-Family Residential | 400 | 0.03 | 12 | | | |
| **Land Use** | **Estimated Units** | **High School** | | | | |
| | | **Rate[1]** | **Total** | **Newberry High Projected 2027-2028 Available Capacity[2]** | **Impacts to Capacity** | **Remaining Available Capacity** |
| Single-Family Residential | 850 | 0.09 | 77 | 120 | 89 | 31 |
| Multi-Family Residential | 400 | 0.03 | 12 | | | |

1. *Rate: Student generation calculations: Alachua County Public School Student Generation Calculation Form*
2. *Available Capacity: Available capacity at nearby public schools: Available Alachua County Public Schools 2022-2027 Five Year District Facilities Plan*

Additionally, during development review, a Public-School Student Generation Calculation Form must be submitted and reviewed by ACPS for determination that the public schools will be able to accommodate the new students from this proposed development.

Approval of this application may result in a potential increase in impact on public schools. The maximum potential increase in the number of students generated from the proposed development is 155 elementary, 63 middle and 89 high school students.

**Recreational Facilities and Open Space Analysis**

The City's Comprehensive Plan currently requires new development, particularly within Planned Development and Mixed Use (MU) districts—to designate 25% of the total project area for open and recreational space. While Residential Medium Density was not a specified land use, Newberry Ridge understands the importance of providing functional and common open space. This requirement may include both active and passive recreational uses, with up to 50% of the designated space allowed for stormwater management features. Additionally, a minimum of 20% of the project area must be maintained as common open space or facilities, with incentives and density bonuses available for projects incorporating active recreational amenities such as trails, greenways, and sidewalks.

In practice, however, this requirement has shown to be more restrictive than necessary, particularly in developments that blend single-family and multifamily housing types and incorporate internal amenities within their development. In comparison, the City of Newberry's Planned Residential Development zoning standards require only 15% of the total project area as usable, common open space for most residential communities, and as little as 5% for developments consisting solely of individually deeded single-family homes.

With 1,250 potential dwelling units, it is anticipated that this project could generate 3,488 new residents for the City. Per the Recreation and Open Space Element, a combination of neighborhood, community and district park facilities on not less than 7 acres will be memorized in the development order.

In exchange for permitting a reduction in the Comprehensive Plan requirement of 25% open space this project will dedicate a 5-acre to the City for a future public neighborhood park. Up to 50% of this space would be reserved for storm water retention to serve the Master development. As outlined below, additional recreational opportunities will be provided within each parcel resulting in meeting the minimum 7-acre required by the City.

This proposed amendment and rezone requests adjusting the City's open space requirement from 25% to 15% for developments that incorporate a mix of single-family and multifamily components, provided the following conditions are met:

- Open space must remain accessible and functional for recreational purposes.
- A cohesive, connected open space network should be established, supporting both passive and active recreational activities throughout the overall PRD

- A significant portion of the space should encourage community interaction and neighborhood connectivity, such as through walking paths, communal greens, playgrounds, or small gathering areas.
- Each individual single-family development will be required to provide a minimum of one of the following amenity items internally to their site:

    - Tot Lot or pocket park
    - Sport Court
    - Dog Park
    - Community Garden



    - Ramadas with Barbecue Grills
    - Active Recreation Field

- Permanent game tables/areas including games such as ping pong, chess tables, cornhole, bocci.



- Tot lots



- Sport Courts such as basketball and pickleball



Items for consideration in the Master Community development may include:

- A centralized open space with ramadas and dog park to connect neighbors.

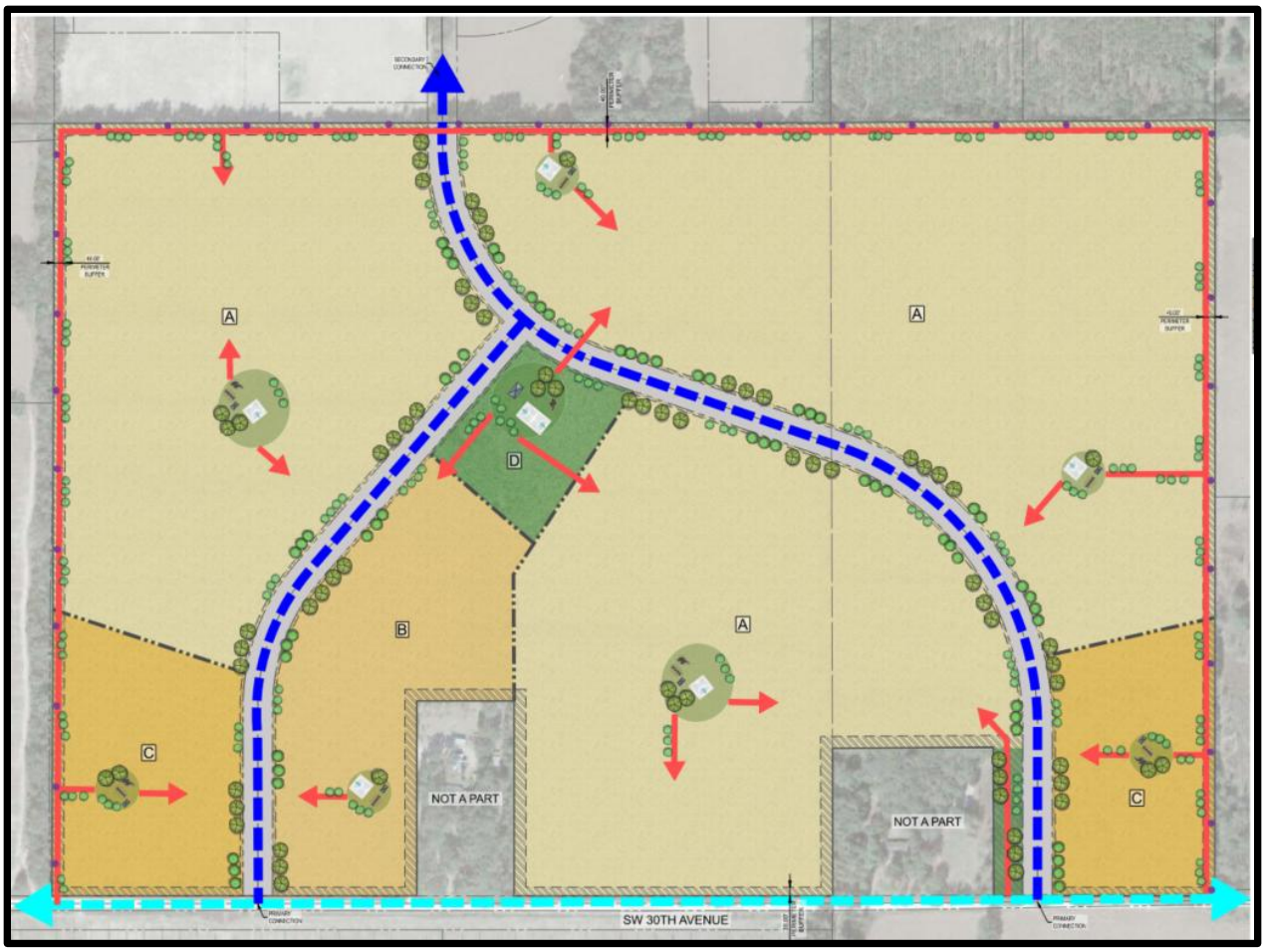


- Walking trails connecting neighborhoods and perimeter.
- Connected community space that allow for gathering in small and large groups with centralized event lawn.



This adjustment reflects a more modern and flexible planning approach that balances land efficiency with community livability. It allows for more compact development patterns while still fostering social cohesion, public health, and environmental benefits through thoughtfully designed recreational space. The ability to be socially connected with neighbors—through shared amenities and green spaces—is foundational to strong, resilient communities. This amendment will ensure that developments maintain a high standard of livability while better aligning with regional planning practices and accommodating a diversity of housing types.

The below reflects the centralized 5-acre park area and potential internal recreation nodes for each residential parcel as well as perimeter trail system. Parcels will provide internal pedestrian connections to perimeter trail system and park site to provide off street connections.




**Recreation and Amenity Plan**

To address the identified deficiencies associated with the proposed rezone, the applicant intends to mitigate potential impacts on infrastructure, circulation, utilities, and neighborhood compatibility. These voluntary obligations to support approval of the requested rezone will be solidified in the Development Ordinance.

## 4. Consistency with City of Newberry Comprehensive Plan

With the need to provide adequate housing options within the City's boundaries, developers' ability to foster quality and livable residences is a necessity in the City's vision. This CPA supports this vision by implementing innovative housing opportunities that are consistent with the City's goals to administer a sustainable and functional residential community. Given the Developer intends to remove the commercial designation and focus solely on residential needs, a Large-Scale Comprehensive Plan Amendment will be required to transition to Residential Medium Density.




This project reflects the following conformance with the City's goals, objects and strategies from the Comprehensive Plan adopted on November 14, 1991, and has added subsequent amendments through March 25, 2005.

The following text will serve to justify the proposed amendment using the adopted Comprehensive Plan Goals, Objectives, Policies in various categories that are of concern to the City and its constituents.

**FUTURE LAND USE ELEMENT**

*FLU GOAL 1: Promote the City's community character and small-town charm.*

FLU OBJECTIVE 1.2: The City shall promote the value of rural spaces, including community spaces; activity, usable open space; and civic space.

The proposed MD Land Use designation will maintain the rural feel to the area by providing ample open space dedication throughout the individual parcels along with varying densities and products.

*FLU GOAL 2: Support a strong, diverse local economy.*

FLU OBJECTIVE 2.1: The City shall ensure appropriate land use allocations, LDRs, and permitting processes to encourage land development aligned with the City's Strategic Plan.

The allocation of the Newberry Ridge site as MD will allow flexibility for various residential uses that will meet housing needs within the City relating to density and variety along with efficient land use practices.

*FLU GOAL 3: Establish and deploy land use categories that optimize the efficient, economical, and equitable use of land in the City of Newberry and effectively guide the future development.*

FLU POLICY 3.1.2: The City shall evaluate permitted uses within existing FLU categories and associated zoning districts to ensure a variety of housing options are permitted throughout the USA.

By utilizing MD, it will permit detached single-family homes, townhomes, build-for-rent, and garden style apartments creating the diversity of housing the City of Newberry desires.

FLU POLICY 3.2.1: The City's Land Development Regulations (LDRs) shall contain design and development standards based on and consistent with the following FLU categories and corresponding general ranges of densities and intensities. The allocation of FLU categories shall be depicted in the Comprehensive Plan FLUM's series:

Table identifying FLU categories and compatible zoning districts classifications:

| FLU Category | Zoning District Classification | Typical Uses | Maximum Density | Maximum Intensity |
|---|---|---|---|---|
| Residential Medium Density | RSF-3; RSF/MH-1, RSF/MH-2, RSF/MH-3; RMF-1, PRD, RO | Residential, Single-Family; Residential, Multiple-Family, Manufactured Home | 8 du/ac | 40% maximum ground cover |

The MD FLU category will allow for flexibility of residential uses allowing the developer to provide the appropriate use and density within each parcel that will best serve the City of Newberry.

*FLU GOAL 5: Reinforce the USA as a template, vehicle, and principle to focus growth and prevent suburban sprawl.*

The proposed Newberry site is within the Urban Service Area (USA) and is a testament to the appropriate nature of the FLU designation of MD which will help guide conscious and necessary growth within city limits. Proximity of the variety of residential land uses to the downtown area will also maximize the benefits to residents and their access to amenities, shopping, and schools, for example. Maintaining the higher density growth within the USA will continue to foster the rural town feel that Newberry residents admire.

FLU OBJECTIVE 5.1: The City's USA is established to create compact contiguous urban densities and intensities served by public utilities and services within the planning horizons, 2035 or 2045, established by the Comprehensive Plan. The USA map is included within the Comprehensive Plan's FLUM series. To the extent public facilities are not available by this date, the plan shall rely on the timing and phasing policies contained herein to limit development and ensure that the adopted Level Of Service (LOS) standards are maintained. Land areas shall be developed at lower densities and intensities consistent with rural areas, until such time as centralized potable water and sanitary sewer facilities and roads are provided, or a binding Developers Agreement is executed with the City to provide facilities to City standards on lands within the USA.

The development of the subject property will require the extension of potable water, sanitary sewer, and roads to serve the proposed development as part of the anticipated Development Agreement.

FLU POLICY 5.2.1: The City's FLUM shall allocate amounts and types of land uses for residential, commercial, industrial, agricultural, institutional, 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).

The proposed site for MD designation is within the City's USA which will serve the primary area poised for growth and will aid in providing additional density for the projected future population growth of the City. The adopted comprehensive plan details the City's average annual growth rate of 5.21%.

FLU POLICY 5.6.3: 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 USA Map in the City's Comprehensive Plan.
The Newberry Ridge site is within the USA, which will not hinder the City's goals in keeping infrastructure extensions within the urban area.

**TRANSPORTATION ELEMENT**

*TRAN GOAL 1: Provide for a transportation system that serves existing and future residents, patrons, employees, and visitors.*

TRAN OBJECTIVE 1.1: The city has established a safe, convenient and efficient Level of Service (LOS) standard which shall be maintained for all roadways.
TRAN POLICY 1.1.1: The City shall establish and maintain the Level of Service (LOS) standards as noted below at peak hour for the following roadway segments within the city. Further, such standards shall be defined within the current FDOT "Multimodal Quality/Level of Service Handbook", 2023. The City impact fees shall address roadway segments severely impacted, roadways that fail to operate at the adopted LOS.

| Roadway Segment Number | Roadway Segment | Number of Lanes | Functional Classification | Area Type | Level of Service |
|---|---|---|---|---|---|
| 15 | SW 30th Avenue (from east city limits to US 27/41 / SR 45) | 2-U | Major Collector | Community Transitioning | D |

U-Undivided Roadway

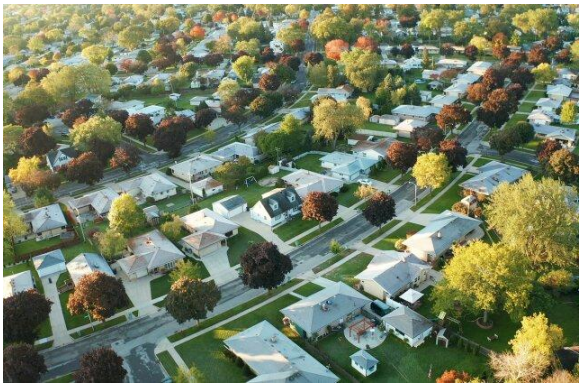
The Project directly accesses SW 30th Avenue and connects to US Highway 27/42/SR45. Future connections and access points relative to the proposed PD and companion PRD will adhere to Florida Department of Transportation (FDOT) Level of Service standards promoting safe, convenient and efficient transportation systems surrounding the subject site. and the overall City transportation needs. A trip generation analysis has been performed in support of the Ls-CPA which reflects this Ls-CPA and companion PRD application will reduce the thresholds below what is the potential now within the Mixed Use-FLU classification.

TRAN OBJECTIVE 1.3: The City shall require that all transportation system improvements be consistent with the land uses shown on the FLUM.
TRAN POLICY 1.3.3: The city shall require new development and redevelopment that are compatible abutting uses to interconnect with existing development through the extension of public or private streets, cross access agreements, and/or shared driveways. Cross access may include parking lot drive-aisles, sidewalks, and/or multi-use paths. Where new development and redevelopment abut vacant lands, the transportation systems shall be designed to facilitate interconnectivity with future development.
Bowman has coordinated with CHW, the firm completing the PD rezone and Ls-CPA to the north- Country Way II of Newberry. This will allow for connectivity between the two developments and will provide for a comprehensive roadway network between the parcels.

## HOUSING ELEMENT

*HOUS GOAL 1: Provide decent, safe and sanitary housing in suitable environments at affordable costs to meet the needs of the City's present and future citizens, including those residents with special needs.*

HOUS OBJECTIVE 1.2: The City shall review and update policies and regulations to expand opportunities for a variety of housing types, including missing middle housing. Housing types should include but not be limited to single-family detached and attached, duplexes, fourplexes, townhomes, apartments, and Accessory Dwelling Units (ADUs).



A portion of citizens' responses when creating the updated CPA was the desire for quality housing along with an increased number of options. The proposed PD designation will allow for the provision of options for homeownership along with multifamily uses such as townhomes, build-for-rent, and apartments that will also increase the rental housing stock of the City. Currently the City is almost exclusively comprised of single family detached housing, and future population growth will require a proactive approach in permitting more multifamily housing options, which the MD FLU can provide. Residential building permits are consistent with the average 5% growth rate the City has experienced, which will likely need to continue given the future population growth.

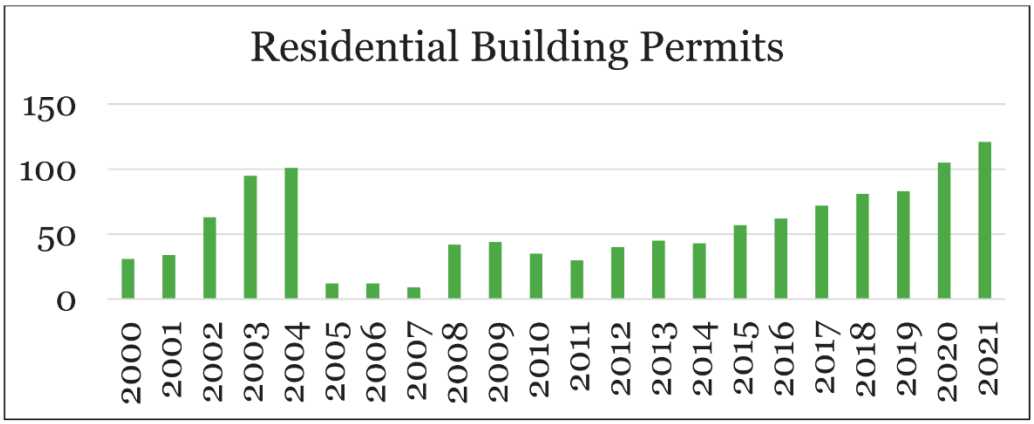



*Figure 17 Residential permits issued from 2000-2021*

**Residential Building Permits in Newberry**

**ECONOMIC DEVELOPMENT ELEMENT**

*GOAL ED 4. 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.*

The modification of the proposed site's FLU to MD will help complement the City's goal of a highly trained workforce by providing the necessary housing availability for the additional residents that would result from greater business investment within Newberry. One of the strongest way municipalities can compete for expansion and new companies is to provide a place for their employees to live.

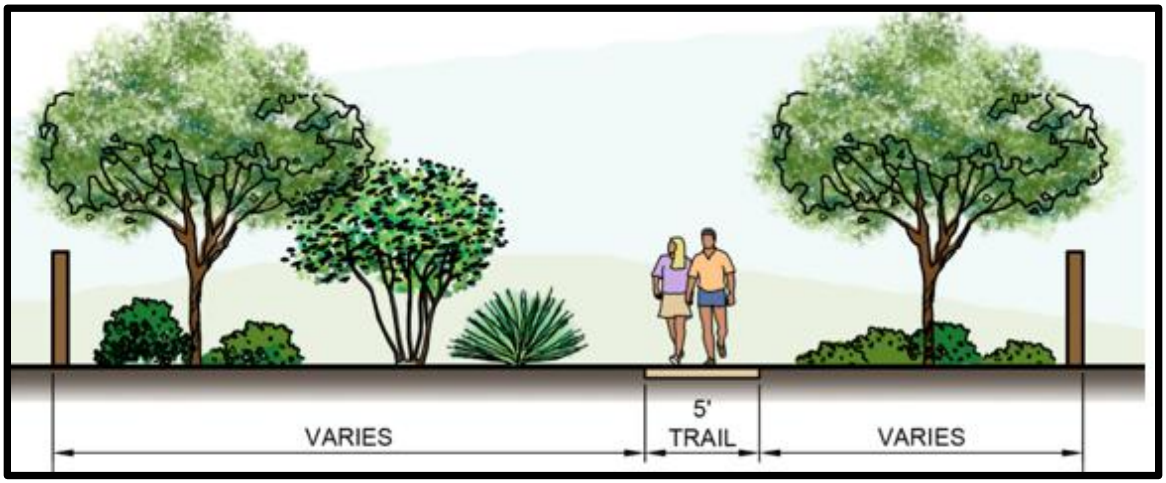
**RECREATION AND OPEN SPACE ELEMENT**

*ROS GOAL 1: Establish and maintain an integrated system of recreation facilities and open space for citizens and visitors and access to these facilities for diverse groups of people, regardless of special need or condition.*

ROS POLICY 1.2.3. Mandating Open and Recreational Space Allocation in New Developments with Incentives for Including Active Recreation

The City shall require the new development, especially in residential Planned Development (PD) and Mixed Use (MU) to assign 25% of the total project area to open and recreational space. The open space requirement may include active and passive recreational areas. Of the total open and recreational space, a maximum of 50% may include storm water management area. A minimum of 20% of the total project area shall be established and maintained as common open space or common facilities. The City shall consider incentivizing and encouraging new development to provide trails, sidewalks, greenways, etc. A Density bonus shall be provided to developments, including active recreation space in the subdivision.

The parcels forming part of the Newberry Ridge development will each provide adequate amounts of open space that meet the City's needs through a variety of methods, such as interconnected trails, recreational amenities and other open spaces specific to each parcel.



# 5. Consistency with City of Newberry Land Development Regulations

The following identifies how this application is consistent with the City of Newberry's Land Development Regulations (LDRs).

**Section 4.20 PRD Planned Residential Development**

*4.20.1. Districts and intent.* The PRD Planned Residential Development category includes one zone district: PRD. The purpose of this district is to permit planned residential developments, which are intended to:

(1) Encourage the development of planned residential development of land;
(2) Encourage flexible and creative concepts of site planning;
(3) Preserve the natural amenities of the land by encouraging scenic and functional open areas;
(4) Accomplish a more desirable environment than would be possible through strict application of the minimum requirements of these Land Development Regulations;
(5) Provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
(6) Provide a stable environmental character compatible with surrounding areas.

The PRD zoning designation provides the flexibility necessary to deliver an innovative and sustainable residential environment. This rezoning allows for a more creative and efficient approach to site planning than traditional zoning, enabling a blend of residential unit types and densities strategically distributed across the site. The master plan will emphasize design cohesion, neighborhood identity, and integration with the surrounding landscape. The intent of this request is to facilitate the development of a thoughtfully designed, master-planned residential community that supports the City's vision for managed growth within its designated Urban Service Area and actively discourages the spread of urban sprawl.

A key feature of the proposed development is its commitment to preserving open space and enhancing community connectivity. A network of walking trails and passive open spaces will weave through the community, linking distinct residential enclaves with a centrally located gathering area. These elements not only promote physical activity and social interaction but also serve to preserve the natural character of the land.

The subject property is located in close proximity to existing development and will be fully served by City of Newberry utilities, including potable water and sanitary sewer systems. This ensures that the project supports the efficient extension of public infrastructure and represents a responsible use of land and resources within the Urban Service Area.

Primary vehicular access to the community will be provided from Southwest 30th Avenue, with future connectivity planned to adjoining developments to the north, thereby enhancing overall mobility and circulation within the area.

The proposed PRD is fully consistent with the City of Newberry's Comprehensive Plan and the implementation goals of its Land Development Regulations (LDRs). The project aligns with the guiding principles of the PRD district by promoting flexibility in design, efficiency in infrastructure, preservation of open space, and compatibility with surrounding land uses.

*4.20.2. Permitted principal uses and structures.*

(1) Residential dwellings including conventional single-family dwellings, duplex dwellings, and multiple-family dwellings.

In compliance with Section 4.20.2 of the City of Newberry Land Development Regulations, this PRD rezoning application proposes a diverse mix of single-family detached and attached dwellings, along with multi-family residential development, as outlined in the Preliminary Master Plan. This variety of housing types is designed to promote a balanced and inclusive residential environment while remaining fully consistent with the permitted principal uses within the PRD zoning district.

The proposed PRD reflects a creative and cohesive site design that supports the City of Newberry's vision for thoughtful, well-integrated growth. By concentrating residential development in a master-planned format and utilizing existing infrastructure networks, the project will encourage efficient land use and discourage sprawling development patterns, in line with the goals of the City's Comprehensive Plan and Land Development Regulations.

*4.20.3. Permitted accessory uses and structures.*

1. On-site signs (see also section 4.2).
On-site signs will adhere to development standards as specified in the City's LDRs.

2. Uses and structures which:

a. Are customarily accessory and clearly incidental and subordinate to permitted uses and structures;
b. Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership; and
c. Do not involve operations or structures not in keeping with the character of the district.
d. Are Accessory Dwelling Units as defined in Section 4.2.4.2.
e. Are utility sheds and carports, (refer to Section 4.2.4.).
f. Are administratively approved permanent or temporary accessory structures within the required rear yard setback up to the rear property line, complying with Section 4.2.4.1.

Conceptual planning of the site includes amenities intended to provide residents with opportunities for multiple social and recreational activities.

*4.20.6. Procedure for approval of a planned residential development.*

The procedure for obtaining a change in zoning for the purpose of undertaking a planned residential development shall be as follows:

1. Planned residential development zoning and preliminary development plan approval. The applicant shall submit to the land development regulation administrator a request for change to a planned residential development zoning district containing the following exhibits:

a. A statement of objectives describing:

(1) The general purpose of the proposed development; and

(2) The general character of the proposed development.
A pre-application conference with City of Newberry staff was held on February 5, 2025 to discuss the goals and objectives for development that is more suitable to the area prior to the submittal of this application.

This PRD rezoning application proposes a diverse mix of single-family detached and attached dwellings, along with multi-family residential development (townhomes/BFR/apartments). The Subject Property is ±225 acres held under common ownership, as indicated in the accompanying application materials. The application is submitted Bowman

b. A vicinity map showing the location of the proposed planned residential development in relation to:

(1) Surrounding streets and thoroughfares;
(2) Existing zoning on the site and surrounding areas; and
(3) Existing land use on the site and surrounding areas.

The vicinity map shall be drawn at a scale to show an area of no less than 1,000 feet surrounding the property. A greater area may be required if the planning and zoning board determines information on a larger vicinity is needed.

c. A boundary survey and legal description of the property.

Reflected in this narrative as well as this application are a Context Map which reflects existing land uses and zoning, ALTA survey and legal description.

d. A topographic survey from the most recent United States Geological Service topographic survey may be used if more detailed topographic information is not available.
e. A site analysis map at the same scale as the preliminary development plan described below shall be submitted indicating flood prone areas, areas with slopes greater than five percent, areas of soils which are marginally suited for development purposes and tree cover.

The topographic map provided in the Map Set portion of this application reflects 2-foot contours intervals. The site does not contain any FEMA designated floodplains or areas with slopes greater than five (5) percent. A preliminary Geotechnical Evaluation was performed in February 2025.

The soil boring logs of general soil typing consist of SP, SP-SM, SP-SC. These soils are adequate for fill material with proper handling and compaction. Based on the soil stratum types and soil permeability tests, the site consists of well-drained soils that are generally sandy and dry this time of year.




## Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|---|---|---|---|
| 3 | Arredondo fine sand, 0 to 5 percent slopes | 193.1 | 79.4% |
| 42 | Pedro-Jonesville complex, 0 to 5 percent slopes | 49.9 | 20.5% |
| 58 | Lake fine sand, 0 to 5 percent slopes | 0.3 | 0.1% |
| **Totals for Area of Interest** | | **243.3** | **100.0%** |

**USDA NRCS Soils Resource Report**

f. A preliminary development plan drawn at a scale suitable for presentation, showing:
(1) Proposed land uses;

(2) Lot sizes indicated either by lot lines drawn in their proposed location or a statement on the face of the preliminary development plan concerning proposed lot sizes, including minimum lot sizes; and

(3) Building setbacks defining the distance buildings will be set back from:
(a)Surrounding property lines;
(b)Proposed and existing streets;
(c)Other proposed buildings;
(d)The centerline of streams and creeks;

(e)The high water line of lakes; and
(f)Other manmade or natural features which would be affected by building encroachment.

(4) Maximum height of buildings;

(5) Common open spaces;

(6)Arterial and collector streets and thoroughfares. Local access streets and interior circulation should be shown on the preliminary development plan for planned residential developments which have no planned arterial or collector streets within the projects;

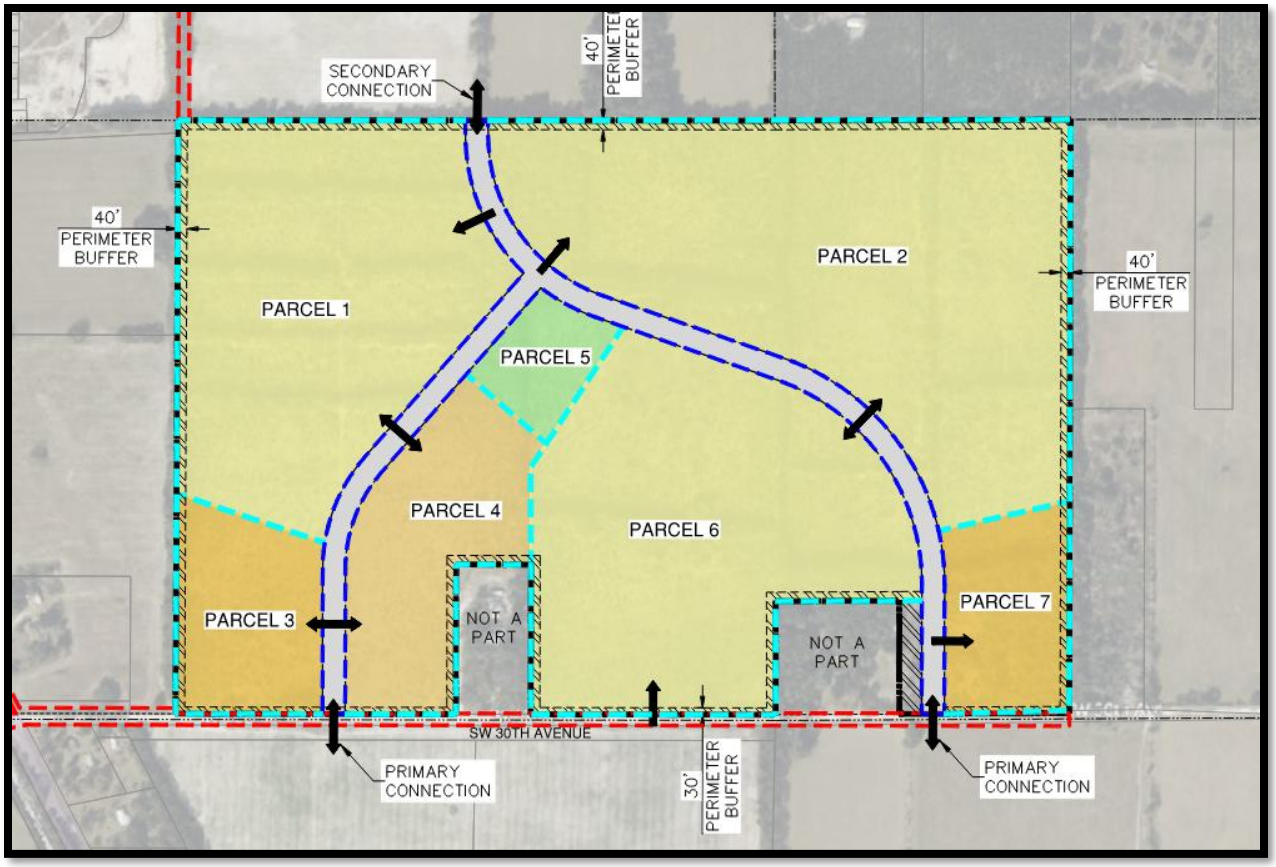
(7) Common outside storage areas; and

(8) Screening, buffering, and landscaped buffer areas.

Special provisions:

The location of any structure (except permitted docks, walkways and piers) shall be set back a minimum of 35 feet from wetlands.
The location of any structure (except permitted docks, walkways and piers) shall be set back a minimum of 35 feet from perennial streams and creeks.

A Preliminary Master Plan has been submitted with this PRD Rezoning application to demonstrate compliance with the City of Newberry's development and design standards as outlined in the Land Development Regulations (LDRs). The plan reflects a creative and integrated site design, incorporating a variety of residential dwelling types and densities thoughtfully distributed across the property. The layout is intentionally designed to support multi-modal connectivity, promote recreational amenities, and preserve functional open space throughout the community.




**Proposed Newberry Ridge Master Plan**

The Preliminary Master Plan includes key development parameters such as proposed lot dimensions, setback lines, and lot coverage allowances. A Final Development Plan, providing more detailed information—including the specific location of all proposed building sites, minimum lot sizes, finalized setbacks, lot coverage, and floor areas consistent with the Preliminary Master Plan—will be submitted to the City Commission for review and approval during the final Development/Site Plan stage.

g. A table showing acreage for each category of land use.
h. A statement concerning gross density and net residential acreage (see section 4.20.5 for definition of gross density and net residential acreage).
i. A statement concerning proposed floor area ratios (percent of lot in relation to building floor area) and the maximum building coverage expressed as a percent of the total site area.
j. A preliminary utility service plan including sanitary sewers, storm drainage, and potable water supply, showing general locations of major water and sewer lines, plant location, lift stations, and indicating whether gravity or forced systems are planned. Size of lines, specific locations, and detailed calculations are not required at this stage.
k. A statement indicating the type of legal instruments that will be created to provide for the management of common areas and any private roads.

The proposed PRD is designed to support a gross residential density of approximately ±5.50 dwelling units per acre, allowing for a maximum of ±1,250 dwelling units across the ±225-acre site. As

illustrated in the accompanying Preliminary Master Development Plan, the PRD is exclusively residential in nature, with no non-residential uses proposed.

The community will feature an internal network of roads, pedestrian trails, and cart paths that will link key open space amenities, including stormwater management facilities (SMFs), thereby enhancing connectivity and providing additional usable open space for residents. All common areas and private infrastructure, including roads, will be owned and maintained by a homeowners' association (HOA) or a similarly structured entity to ensure long-term upkeep and community standards.

Utility planning will be coordinated with adjacent and nearby developments to maximize efficiency and cost-effectiveness in service delivery. The development is expected to occur in a minimum of four (4) primary phases, with the flexibility to incorporate subphases as needed. All phases of development will be closely coordinated with the City of Newberry to ensure that access, circulation, drainage, open space, and utility infrastructure are adequately addressed and implemented at the time of construction.

*4.20.12. Development standards for planned residential developments.*

1. Minimum size parcel. The minimum size parcel for planned residential development shall be five acres.
   The Subject Property is a ±225-acre unified parcel which exceeds the City's required minimum size parcel of five (5) acres for a PRD.

2. Conformance with the Comprehensive Plan. Densities for planned residential developments shall be based upon and be consistent with the Comprehensive Plan. No final development plan may be approved unless it is in conformance with the Comprehensive Plan.
   The proposed PRD is consistent with the City of Newberry's Comprehensive Plan Goals, Objectives, and Policies, as is demonstrated in this report and supporting application materials.

3. Relationship to zoning district. An approved planned residential development is a separate zoning district in which the final development plan, as approved, establishes the restrictions and regulations according to which the development shall occur. Upon approval, the official zoning atlas shall be changed to indicate the area as a planned residential development.
   This application requests a rezoning to PRD for future development as a residential community, offering single-family attached and detached dwellings and multifamily neighborhood areas, designed in accordance with the City's LDRs.

4. Residential density and housing types. Any combination of residential density and housing types is permitted for a planned residential development, as long as the overall gross density does not exceed the prescribed total number of dwelling units of the Comprehensive Plan land use classifications contained on the project site.
   This PRD Rezoning application proposes a gross residential density of approximately ±5.50 dwelling units per acre, consistent with permitted standards. The conceptual design for the development features a diverse mix of lot types, sizes, and housing options, thoughtfully planned to accommodate a wide range of income levels and lifestyle preferences. The residential component will include single-family detached and attached homes, as well as multi-family dwellings, ensuring a well-balanced and inclusive community.

5. Dimensional and bulk restriction. The location of all proposed building sites shall be shown on the final development plan subject to minimum lot sizes, setback lines, lot coverage and floor area specified by the preliminary development plan as approved by the city commission.
   The accompanying PRD Preliminary Master Plan indicates proposed lot dimensions, setback lines, and lot coverage. A final development plan showing location of all proposed building sites, minimum lot sizes, setback lines, lot coverage and floor area specified by the preliminary development plan will be submitted to the City Commission during future Development/Site Plan stage review.

6. Internal compatibility. All land uses proposed within a planned residential development shall be compatible with other proposed uses; that is, uses shall be able to coexist in relative proximity to other uses in a stable fashion over time such that no other uses are unduly, negatively impacted, directly or indirectly by such uses. An evaluation of the internal compatibility by a planned residential development shall be based on the following factors:
   a. The existence or absence of and the location of common open spaces and recreational areas;
   b. The use of existing and proposed landscaping;
   c. The treatment of pedestrian ways;
   d. The use of topography, physical environment, and other natural features;
   e. The traffic and pedestrian circulation pattern;
   f. The use and variety of building setback lines, separations and buffering;
   g. The use and variety of building groupings;
   h. The use and variety of building sizes;
   i. The separation and buffering of parking areas and sections of parking area;
   j. The variety and design of dwelling types;
   k. The proposed land uses and the conditions and limitations thereon;
   l. The form of ownership proposed for various uses; and
   m. Any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of any proposed use within the planned residential development.

   The proposed PRD is thoughtfully designed to ensure compatibility both within the community and with surrounding land uses. Enabled by this rezoning application, the site will be master planned to promote efficient land use, while emphasizing the creation of shared open spaces and recreational and social amenities that enhance residents' quality of life. A connected network of pedestrian trails will link these open space areas, promoting walkability and a sense of community.

   The internal roadway system will be sensitively aligned with the site's existing topography, preserving natural features where possible. Treed buffers along the perimeter will create natural transitions between the PRD and adjacent properties, supporting long-term compatibility and allowing neighboring uses to coexist harmoniously over time.

   As shown in the accompanying Preliminary Master Plan, the PRD is designed to ensure the safe and efficient flow of both vehicular and pedestrian traffic, within the community and to surrounding areas. Road design will incorporate traffic-calming measures, such as limiting uninterrupted straight segments to no more than 600 linear feet, enhancing safety and neighborhood character.

The development will offer a range of residential housing options, including single-family detached and attached homes as well as multi-family neighborhood areas. All residential structures will conform to the City of Newberry's setback and development standards, ensuring consistency with municipal regulations. Landscaped pedestrian pathways, sidewalks, and cart paths will form an interconnected circulation system, linking residents to open spaces, recreational amenities, and one another, while preserving the site's natural character through strategic perimeter buffering.

7. External compatibility. All land uses proposed within a planned residential development shall be compatible with existing and planned uses of properties surrounding the planned residential development; that is, internal uses shall be able to coexist in relative proximity to existing or planned surrounding uses in a stable fashion over time such that neither internal nor surrounding uses are unduly, negatively impacted, directly or indirectly by such uses. An evaluation of the external compatibility of a planned residential development should be based on the following factors:
    a. All of these factors listed in this section, with particular attention to those areas of the planned residential development located on or near its perimeter;
    b. The uses proposed near the planned residential development perimeter and the conditions and limitations thereon;
    c. The type, number, and location of surrounding external uses;
    d. The Comprehensive Plan designation and zoning on surrounding lands; and
    e. Any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of lands surrounding the planned residential development and any existing or planned use of such lands.

The PRD design ensures compatibility with existing and planned uses surrounding the proposed residential development. As illustrated on the accompanying PRD Preliminary Master Plan, buffer areas along the property's perimeter will provide transitional buffering between residential dwellings within the PRD and surrounding properties. Additionally, multiple access points will be provided to ensure residential traffic is dispersed at ingress and egress.

Surrounding uses include CountryWay II to the north which is undergoing a PRD rezoning application, and single-family homes, agricultural lands to the east and west. The property is bound on the south side by SW 30th Avenue, a county-maintained road. SW 30th Avenue provide a direct connection to nearby US Highway 27, 41 / SR 45. Perimeter sensitively will be given to the two single family homes that are out parcels within the limits of the property adjacent to SW 30th Avenue. This will include additional vegetative screening and limiting multifamily development adjacent to their boundaries.

8. Intensity of development. The residential density and intensity of use of a planned residential development shall (1) be compatible with the physical and environmental characteristics of the site, (2) be able to coexist in relative proximity to existing or planned surrounding uses in a stable fashion over time such that neither internal nor surrounding uses are unduly, negatively impacted, directly or indirectly by such densities and intensities of use, and (3) comply with the policies and density limitations set forth in the Comprehensive Plan. Specific densities and

intensity of uses within a planned residential development shall be determined based on the following factors:

a. The locations of various proposed uses within the planned residential development and the degree of compatibility of such uses with each other and with surrounding uses;

The combination of single family attached and detached housing as well as multifamily addresses the much needed housing for Newberry. In additional to this site, the CountryWay mixed use community and as well as the future CountryWay II and Sandia developments are within the Urban Service Area By the City consolidating increased density development near these developments as well as the major transportation corridor of US Highway 27, 41 / SR 45. It allows the City to maintain it's agricultural focus beyond this perimeter.

The development will feature a diverse mix of residential unit types, incorporating a variety of lot sizes and housing products thoughtfully integrated throughout the site. This approach fosters a balanced and inclusive neighborhood, allowing different housing styles to coexist harmoniously within a unified development framework. To further promote compatibility with adjacent land uses—including rights-of-way, mixed-use areas, and passive agricultural lands—the site will incorporate transitional buffers along its perimeter. These buffers will help preserve neighborhood character, enhance visual appeal, and provide a smooth and stable interface between the PRD and surrounding properties over time.

b. The amount and type of protection provided for the safety, habitability, and privacy of land uses both internal and external to the planned residential development;
A thoughtful combination of lot sizes and residential dwelling units adhering to appropriate development criteria, and supporting internal roadway networks will ensure safety, habitability, and privacy both internally and externally.

c. The existing residential density and intensity of use of surrounding lands;
The proposed PRD will offer a range of residential dwelling units satisfying a range of lifestyle needs and income levels.

d. The availability and location of utility services and public facilities and services;
Future development will include extending planned public facilities and services for both water and sewer to serve the project. This potentially includes extending water line from US Hwy 41 and to CountryWay to provide a looped system. Additionally, the site will connect sewer to an existing lift station on the north side of Champions Park.

The extent of developer responsibility, for public infrastructure improvements to maintain adopted Level of Service (LOS) standards will be determined at the site and development plan approval stage.

e. The amount and size of common open spaces and recreation areas;
Stormwater areas providing usable common open space and recreation areas are located throughout the site, with a network of pedestrian trails linking open space areas across the residential community. The PRD will provide a minimum of fifteen percent (15%) usable, common open space, provided that any PRD which consists of one-family dwellings with individually deeded lots shall only be required to have five percent (5%) usable, common open space.

f. The existence and treatment of any environmentally sensitive areas on the planned residential development property or surrounding lands;
As shown in Figure 6 above, the Subject Property is not within a FEMA floodplain, nor does the Subject Property contain any National Wetlands Inventory (NWI)-identified wetlands. Furthermore, there are no environmentally sensitive areas within or surrounding the Subject Property that would prohibit on-site development and would be mitigated as needed.

g. The access to and suitability of transportation arteries proposed within the planned residential development and existing external transportation systems and arteries; and
Access to the PRD will be provided via SW 30th Avenue, which connects to US Highway 27/41 (State Road 45) approximately 750 feet west of the site's southwest boundary. Direct access to SW 30th Avenue will be established at the time of development to ensure proper connectivity. As part of the site and development plan review process, any necessary modifications to the existing roadway network will be evaluated through a comprehensive traffic study.

The developer will be responsible for implementing any improvements required to accommodate on-site traffic, as well as any off-site roadway enhancements identified in the traffic analysis. These improvements may be addressed through a combination of land dedication, construction of new infrastructure, and/or a proportionate share agreement, as deemed appropriate during the review process.

h. Any other factor deemed relevant to the limitation of the intensity of development for the benefit of the public health, safety and welfare.
No additional factors relevant to the limitation of the intensity of the development for the benefit of public health, safety, and welfare have been identified.

9. Common open space. At least 15 percent of the area covered by a final development plan shall be usable, common open space owned and operated by the applicant or dedicated to a homeowner association or similar group, provided that in establishing the density per gross acre the city commission may increase the percentage of common open space in order to carry out the intent and purpose set forth in this article; and provided that any planned residential development which only consists of one-family dwellings with individually deeded lots shall only be required to have five percent usable, common open space. Not more than one-half of the total common open space area may be in a floodplain, buffer area, and/or water bodies.
Special provisions:

The location of any structure (except permitted docks, walkways and piers) shall be set back a minimum of 35 feet from wetlands.
The location of any structure (except permitted docks, walkways and piers) shall be set back a minimum of 35 feet from perennial streams and creeks.
Common open space will be provided through a combination of active and passive recreation areas, stormwater management facilities (SMFs), and landscaped buffer zones, in accordance with LDR Section 4.20.12, Subsection 9. These open spaces will be interconnected by a thoughtfully designed network of pedestrian pathways, allowing residents to easily access and enjoy nature trails, wildlife observation areas, and a variety of outdoor recreational and social opportunities throughout the community.

10. Access and parking. All streets, thoroughfares and accessways shall be designed to relate to the traffic circulation plans of the area. Adequate off-street parking shall meet the requirements specified for the uses found in the district regulations and section 4.2 of these Land Development Regulations.
    As shown in the accompanying Preliminary Master Plan, the PRD is designed to ensure the safe and efficient flow of both vehicular and pedestrian traffic, within the community and to surrounding areas. Road design will incorporate traffic-calming measures, such as limiting uninterrupted straight segments to no more than 600 linear feet, enhancing safety and neighborhood character.

11. External transportation access. A planned residential development shall provide direct access to a major street (arterial or collector) unless, due to the size of the planned residential development and the type of uses proposed, it will not adversely affect the traffic on adjoining minor (local) streets.
    Access to the PRD will be provided via SW 30th Avenue, which connects to US Highway 27/41 (State Road 45) approximately 750 feet west of the site's southwest boundary. Direct access to SW 30th Avenue will be established at the time of development to ensure proper connectivity. As part of the site and development plan review process, any necessary modifications to the existing roadway network will be evaluated through a comprehensive traffic study.

    The developer will be responsible for implementing any improvements required to accommodate on-site traffic, as well as any off-site roadway enhancements identified in the traffic analysis. These improvements may be addressed through a combination of land dedication, construction of new infrastructure, and/or a proportionate share agreement, as deemed appropriate during the review process.

12. Internal transportation access. Every dwelling unit or other use permitted in a planned residential development shall have access to a public street either directly or by way of a private road. Permitted uses are not required to front on a dedicated public road. Private roads shall be constructed according to city specifications as found in article 5 (subdivision regulations). If the planned residential development contains private roads, such private roads shall be owned and maintained by the applicant or dedicated to a homeowners' association or similar group.

    The PRD will directly access SW 30th Avenue with a proposed future connection to CountryWay II to the north. Backbone spine roads are proposed to assist in disbursement of traffic between phases. Each phase will provide internal local streets originating from these spines.

This allows the internal streets to function in an interdependent manner, while access to US Highway 27, 41 / SR 45 and future connection through CountryWay II provides adequate access for emergency and service vehicles, future connectivity for transportation routes, and continuous and comprehensible traffic routes.

13. Perimeter requirements. Structures, buildings and streets located at the perimeter of the development shall be permanently screened by a landscaped buffer area (see section 4.2).

    The proposed PRD will be master planned and designed to transition from residential uses to agriculture uses surrounding the site. The PRD Preliminary Master Plan submitted with this report indicate general areas for transitional buffering to protect the privacy and amenity of abutting existing uses. A combination of landscaped buffers, screening, and common areas have been planned throughout and along the site's perimeter.

14. Control of area following completion. After completion of a planned residential development, the use of the land and/or modification or alteration of any buildings or structures within the area covered by the final development plan shall continue to be regulated in accordance with the approved final development plan except as otherwise provided for herein.
    a. Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the land development regulation administrator provided they are substantially consistent with the original purpose, intent, overall design and integrity of the final development plan.
    b. Substantial change in permitted uses, location of buildings, or other specifications of the final development plan may be permitted following public hearing and approval by the city commission upon receipt of the recommendation of the planning and zoning board, as long as such changes are consistent with the original purpose, intent, overall design and integrity of the final development plan.

    Compliance with the above policy is acknowledged and incorporated into the proposed development approach."

# 6. Conclusion

Florida Land Development Partners I, LLC is committed to making Newberry Ridge a different, more engaging neighborhood. They have carefully integrated the ability for social gathering spaces both with passive and active amenities to build a stronger community.

Approval of this rezoning request will support the City's strategic growth policies by focusing residential development in areas with existing public services. It will contribute to a well-balanced and vibrant community that promotes the health, safety, and general welfare of current and future residents of the City of Newberry.



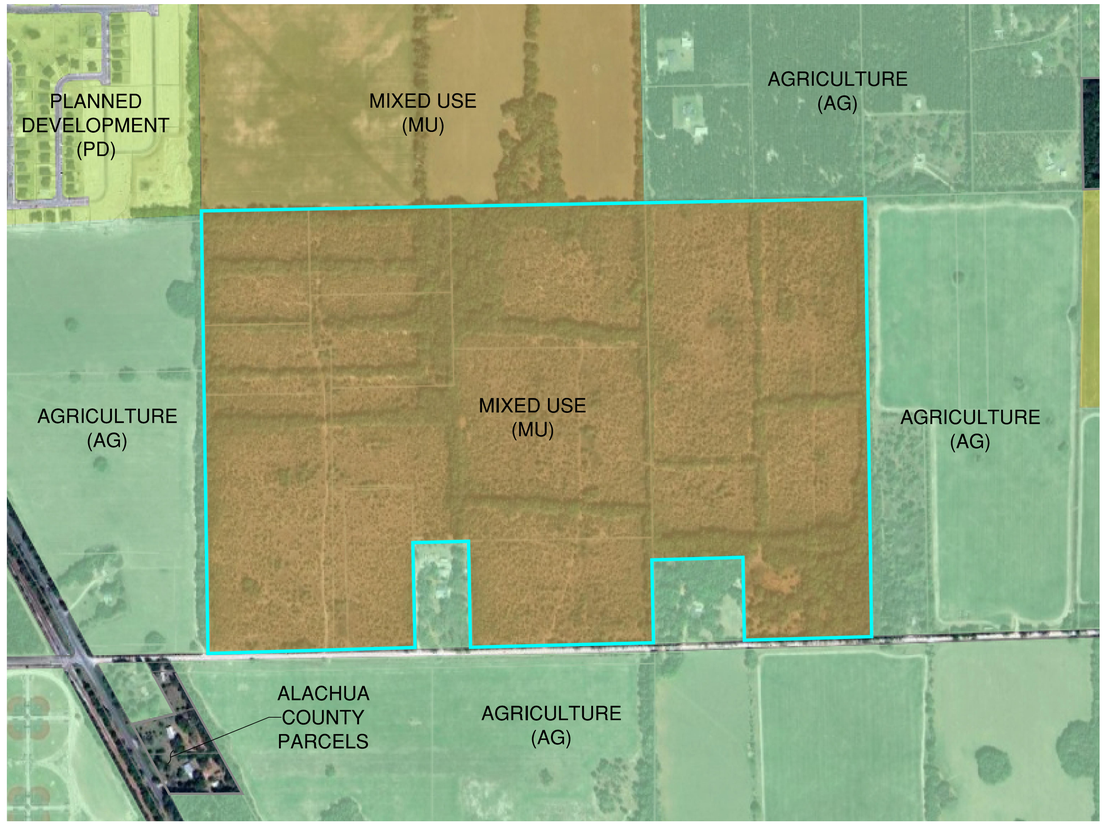

We are respectfully asking for the support and approval of this Large-Scale Comprehensive Plan Amendment and Rezoning request.

LEGEND

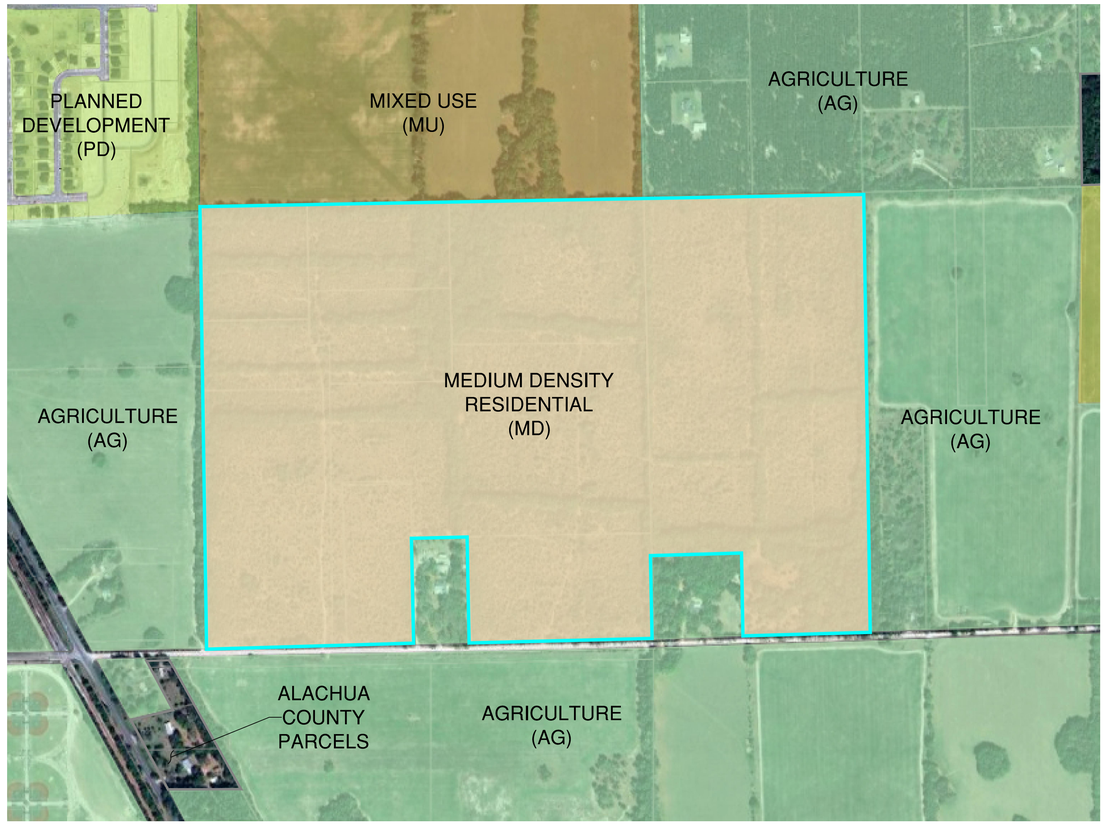
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- MEDIUM DENSITY RESIDENTIAL (MD)
- PLANNED DEVELOPMENT (PD)
- MIXED USE (MU)
- SUBJECT SITE
- ALACHUA COUNTY PARCELS

N

N.T.S




EXISTING FUTURE LAND USE DESIGNATION




PROPOSED FUTURE LAND USE DESIGNATION

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Phone: (480) 629-8830
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EXISTING AND PROPOSED FUTURE LAND USE PLAN

# NEWBERRY RIDGE

ALACHUA COUNTY

NEWBERRY, FL

PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|

| SA | SA | DMF |
|---|---|---|
| DESIGN | DRAWN | CHKD |

SCALE H: NONE V: NONE

JOB No. 052070-01-001

DATE : 11/6/2025

SHEET 01 OF 01

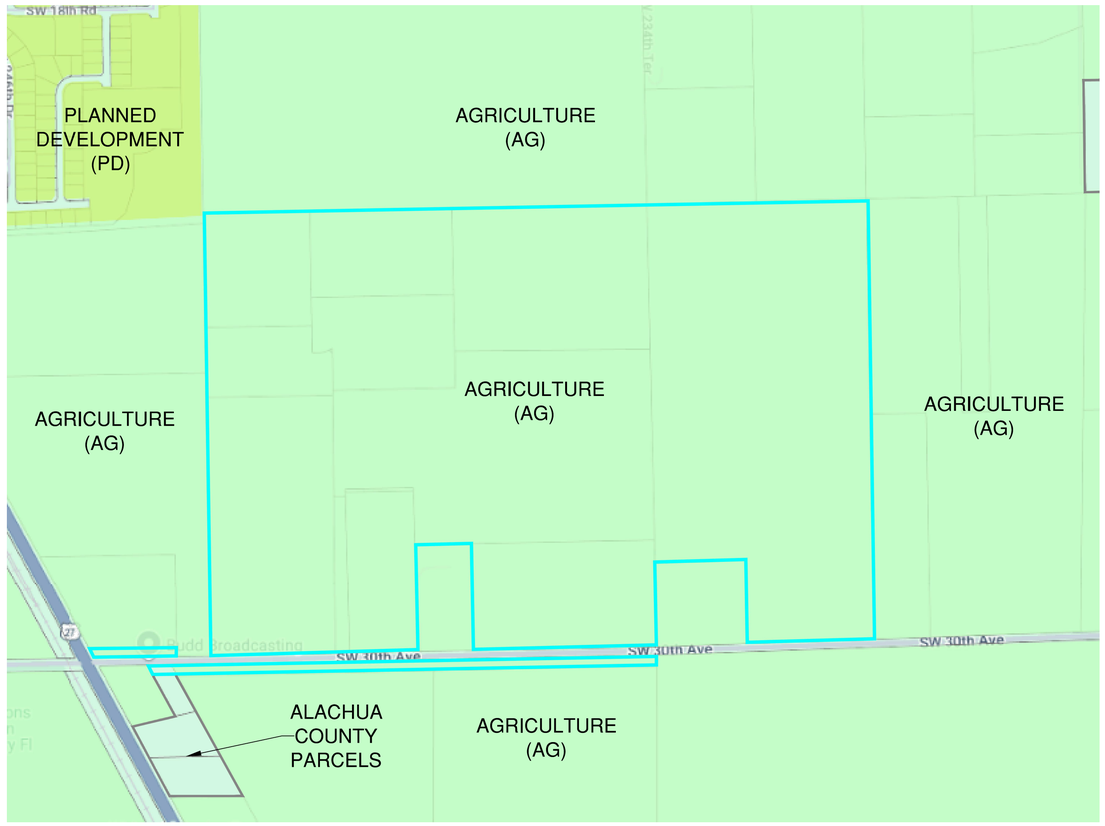
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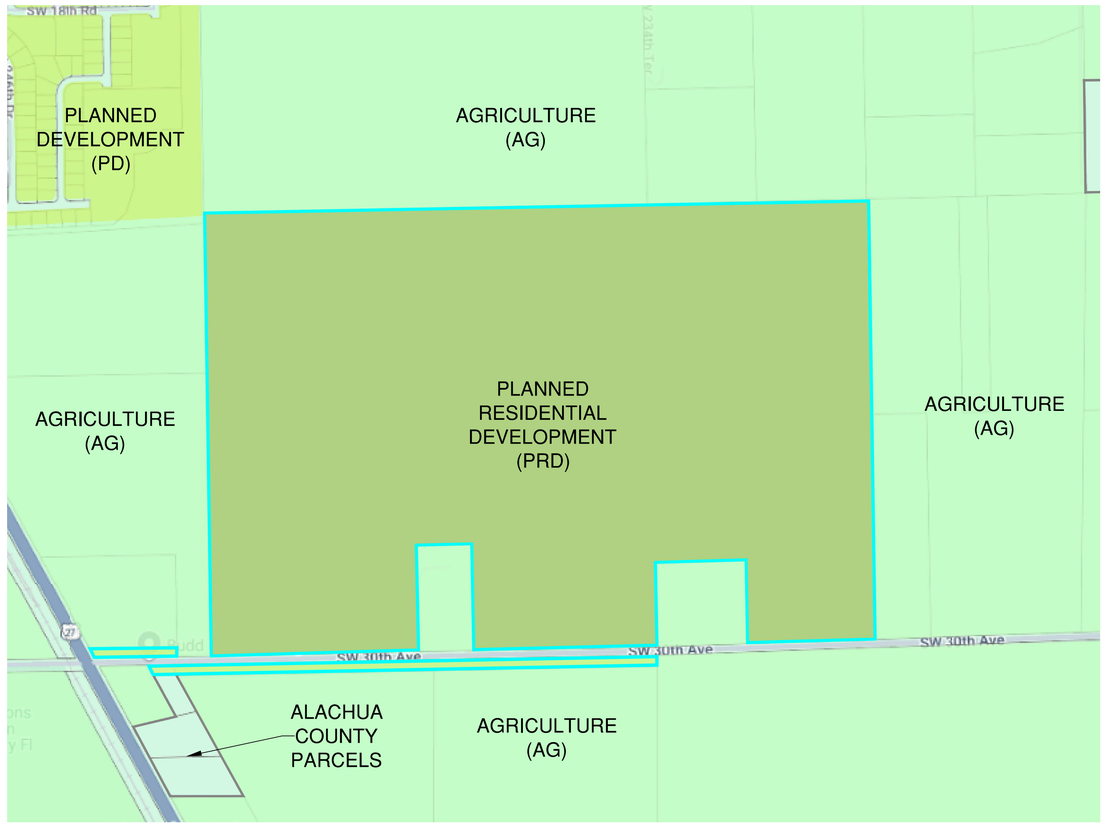
- AGRICULTURE (AG)
- PLANNED DEVELOPMENT (PD)
- PLANNED RESIDENTIAL DEVELOPMENT (PRD)
- ALACHUA COUNTY PARCELS
- SUBJECT SITE

N

N.T.S




EXISTING ZONING DESIGNATION




PROPOSED ZONING DESIGNATION

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EXISTING AND PROPOSED ZONING EXHIBIT

NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
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| SA | SA | DMF |
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| DESIGN | DRAWN | CHKD |

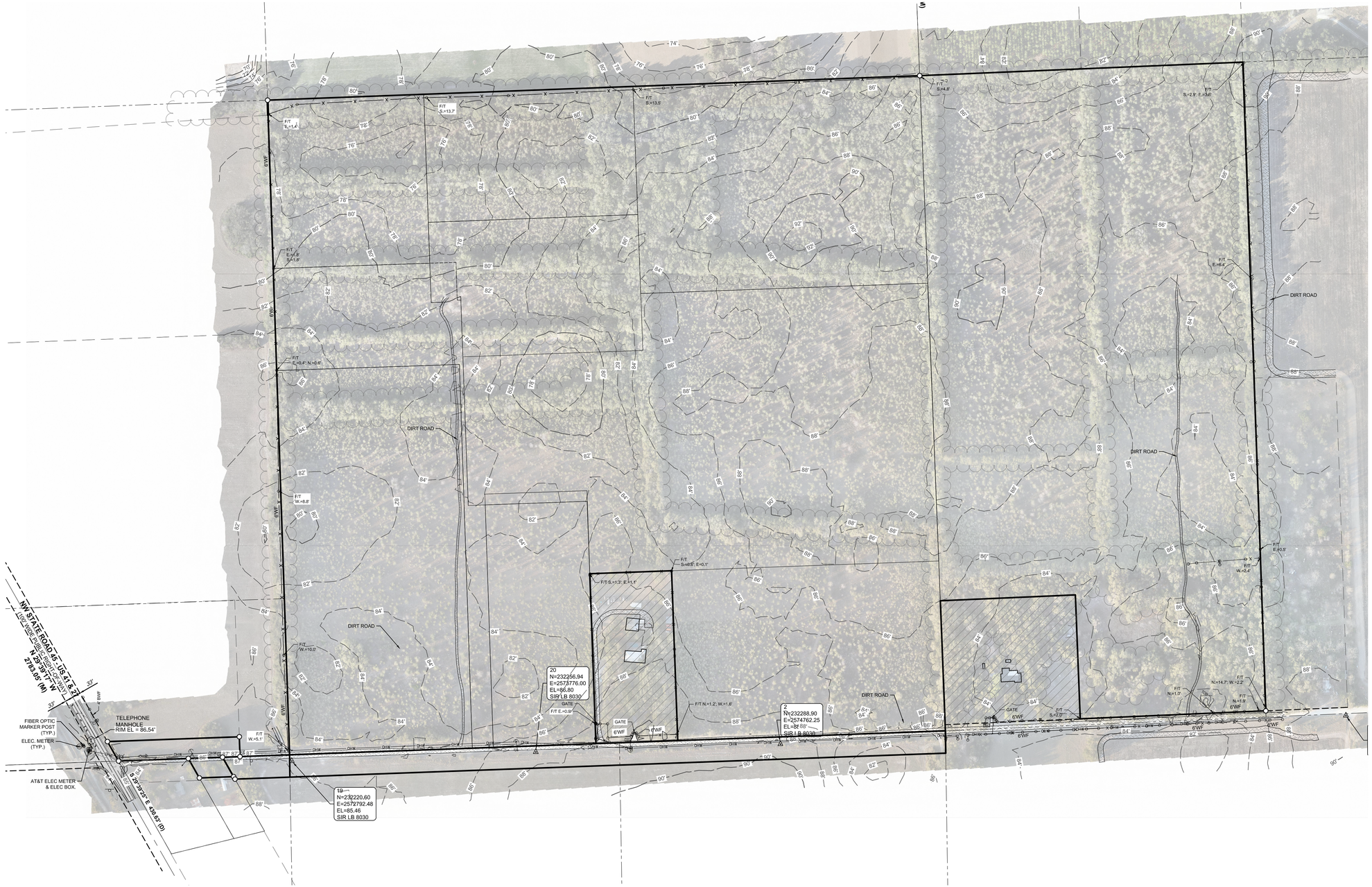
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JOB No. 052070-01-001

DATE : 5/30/2025

SHEET 01 OF 01

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* NOTE: TREELINES SHOWN PER AERIAL DRONE FOOTAGE FLOWN BY BOWMAN

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BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NO. 30482

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# NEWBERRY RIDGE
## TOPOGRAPHIC MAP

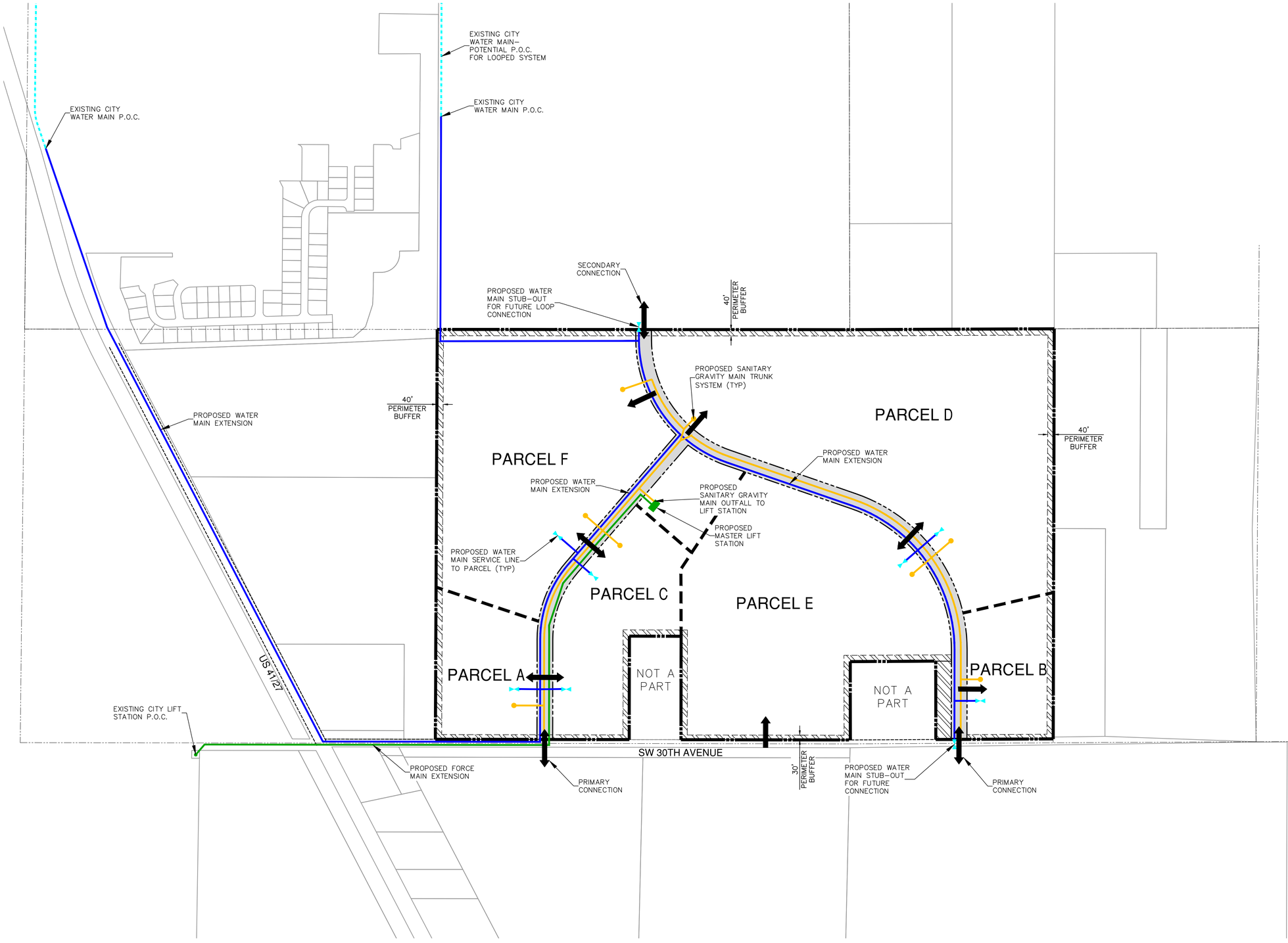
FLORIDA
ALACHUA COUNTY

PROJECT NO
052070-01-001

PLAN STATUS

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FIELD BOOK T25-CP1 PAGE 1-29
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JOB#: 052070-01-001
DATE: 5/30/2025
FILE NAME: 052070.01.001 NEWBERRY RIDGE TOPO.DWG
SHEET 1 OF 1




## LEGEND

- PROPOSED RIGHT OF WAY
- PERIMETER BUFFER
- PROJECT SITE BOUNDARY
- PHASE LINE
- EXISTING WATER MAIN
- PROPOSED WATER MAIN
- PROPOSED SEWER GRAVITY MAIN
- PROPOSED SEWER FORCE MAIN
- PROPOSED WATER MAIN STUB-OUT
- PROPOSED SEWER MAIN STUB-OUT
- PROPOSED MASTER LIFT STATION
- PROPOSED SITE ROADWAY CONNECTION

NOTE:
1. RECLAIMED WATER IS NOT AVAILABLE.

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PRELIMINARY MASTER UTILITY PLAN

# NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

| PLAN STATUS | |
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| DESIGN | DRAWN | CHKD |

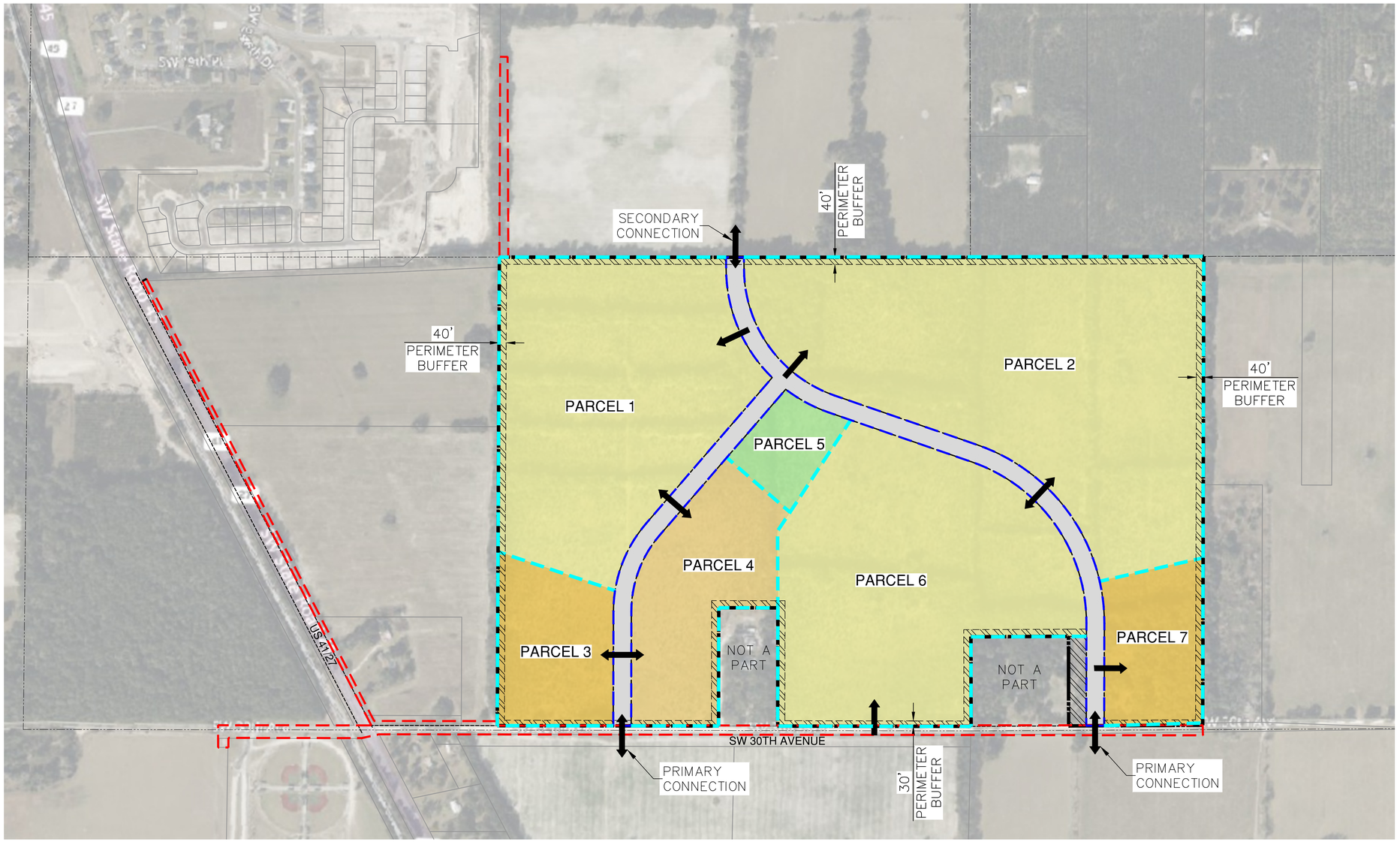
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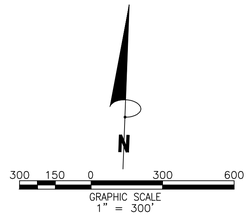
JOB No. 052070-01-001

DATE : 5/30/2025

SHEET 1 OF 1

# NEWBERRY RIDGE
## PLANNED RESIDENTIAL DEVELOPMENT (PRD)
### PRELIMINARY DEVELOPMENT PLAN




LEGEND

- PROJECT SITE BOUNDARY
- SINGLE FAMILY DETACHED
- TOWNHOMES/BUILD-FOR-RENT
- MULTI-FAMILY
- PERIMETER BUFFER
- COMMON AREA OPEN SPACE
- RIGHT OF WAY
- PHASE LINE
- OFFSITE INFRASTRUCTURE
- ONSITE INFRASTRUCTURE

| PHASING | 1 | 2 | 3 | 4 | 5 | 6 | |
|---|---|---|---|---|---|---|---|
| EST. COMPLETION YEAR | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | TOTAL |
| OFFSITE INFRASTRUCTURE | X | | | | | | |
| SPINE ROAD INFRASTRUCTURE | X | | | | | | |
| PUBLIC PARK | | | X | | | | |
| SINGLE FAMILY RESIDENTIAL | 150 | 150 | 150 | 150 | 75 | | 675 |
| TOWNHOME/BFR RESIDENTIAL | | | 50 | 75 | 50 | | 175 |
| MULTIFAMILY RESIDENTIAL | | | 100 | 100 | 100 | 100 | 400 |
| TOTAL | 150 | 150 | 300 | 325 | 225 | 100 | 1250 |

| PARCEL | LAND USE DATA | NET AREA (AC) | NET AREA (%) | RECREATION OPEN SPACE REQUIRED (15%) (AC) | RECREATION OPEN SPACE REQUIRED (15%) (%) |
|---|---|---|---|---|---|
| PROJECT SITE BOUNDARY | N/A | 225.43 | 100.00% | | |
| PARCEL 1 | SINGLE FAMILY DETACHED | 47.21 | 20.94% | 7.08 | |
| PARCEL 2 | SINGLE FAMILY DETACHED | 66.91 | 29.68% | 10.04 | |
| PARCEL 3 | MULTI FAMILY | 12.84 | 5.69% | 1.93 | |
| PARCEL 4 | TOWNHOUSE/BUILD FOR RENT | 18.53 | 8.22% | 2.78 | |
| PARCEL 5 | PUBLIC PARK | 5.40 | 2.39% | 5.40 | |
| PARCEL 6 | SINGLE FAMILY DETACHED | 48.53 | 21.53% | 7.28 | |
| PARCEL 7 | MULTI FAMILY | 11.08 | 4.92% | 1.66 | |
| RIGHT OF WAY | PUBLIC ROAD | 14.93 | 6.62% | | |
| TOTAL | | | 100.00% | 36.16 | 16.04% |

| DEVELOPMENT STANDARDS | | | | | |
|---|---|---|---|---|---|
| SINGLE-FAMILY DETACHED | | SINGLE-FAMILY ATTACHED (TOWNHOMES/BUILD-FOR-RENT) | | MULTI-FAMILY | |
| LOT AREA, MIN (SF) | 5,000 | LOT AREA PER UNIT, MIN | 1,000 | LOT AREA (SITE) | 20,000 |
| LOT WIDTH, MIN | 45' | LOT WIDTH, MIN | N/A | LOT WIDTH, MIN (SITE) | 80' |
| LOT COVERAGE, MAX | 70% | LOT COVERAGE, MAX | 90% | LOT COVERAGE, MAX | 60% |
| FRONT SETBACK | 20' | FRONT SETBACK | 10' | FRONT SETBACK | 30' |
| SIDE SETBACK | 5' | SIDE SETBACK | 0' | SIDE SETBACK | 15' |
| REAR SETBACK | 15' | REAR SETBACK | 10' | REAR SETBACK | 20' |
| MAX BUILDING HEIGHT | 35' | MAX STRUCTURE HEIGHT | 35' | MAX STRUCTURE HEIGHT | 40' |

GENERAL NOTES

1. LAND USE AREA BOUNDARIES ARE APPROXIMATE LOCATIONS MAY BE ADJUSTED DURING DEVELOPMENT PLAN APPROVAL.
2. STORMWATER MANAGEMENT FACILITIES MAY BE LOCATED WITHIN ANY LAND USE AREA. THIS PLAN DOES NOT SPECIFY ACTUAL SIZE AND LOCATION OF THE PROPOSED FACILITIES.
3. VEHICULAR PARKING AND CIRCULATION MAY BE LOCATED WITHIN ANY LAND USE AREA, EXCEPT PERIMETER BUFFERS.
4. OPEN SPACE/COMMON AREA SHALL CONSIST OF A MINIMUM 15% OF THE TOTAL LAND AREA AND MAY BE LOCATED IN ANY LAND USE AREA; AND PROVIDED THAT ANY PRD WHICH CONSISTS OF ONE-FAMILY DWELLINGS WITH INDIVIDUALLY DEEDED LOTS SHALL ONLY BE REQUIRED TO HAVE FIVE PERCENT (5%) USABLE OPEN SPACE.
5. NO BLOCK FACE SHALL EXCEED 2,200 FEET, NOR BE LESS THAN 200 FEET IN LENGTH.
6. SITE INFRASTRUCTURE ELEMENTS MAY CROSS PHASE LINES TO ENABLE UTILITY OR OPEN SPACE CONNECTIONS.
7. INFRASTRUCTURE INCLUDING WATER, SEWER AND ROADWAY MAY COMMENCE WITH ANY RESIDENTIAL PHASE TO FACILITATE DEVELOPMENT.
8. THE TIMING SHOWN ON THE PHASING SCHEDULE IS NOT BINDING AND MAY CHANGE TO MATCH MARKET DEMANDS
9. ALL PHASES MAY BE SUBDIVIDED AND ADJUSTED DURING FINAL DEVELOPMENT PLAN. CONSTRUCTION MAY OCCUR IN ANY PHASE OR SUB PHASE SIMULTANEOUSLY.

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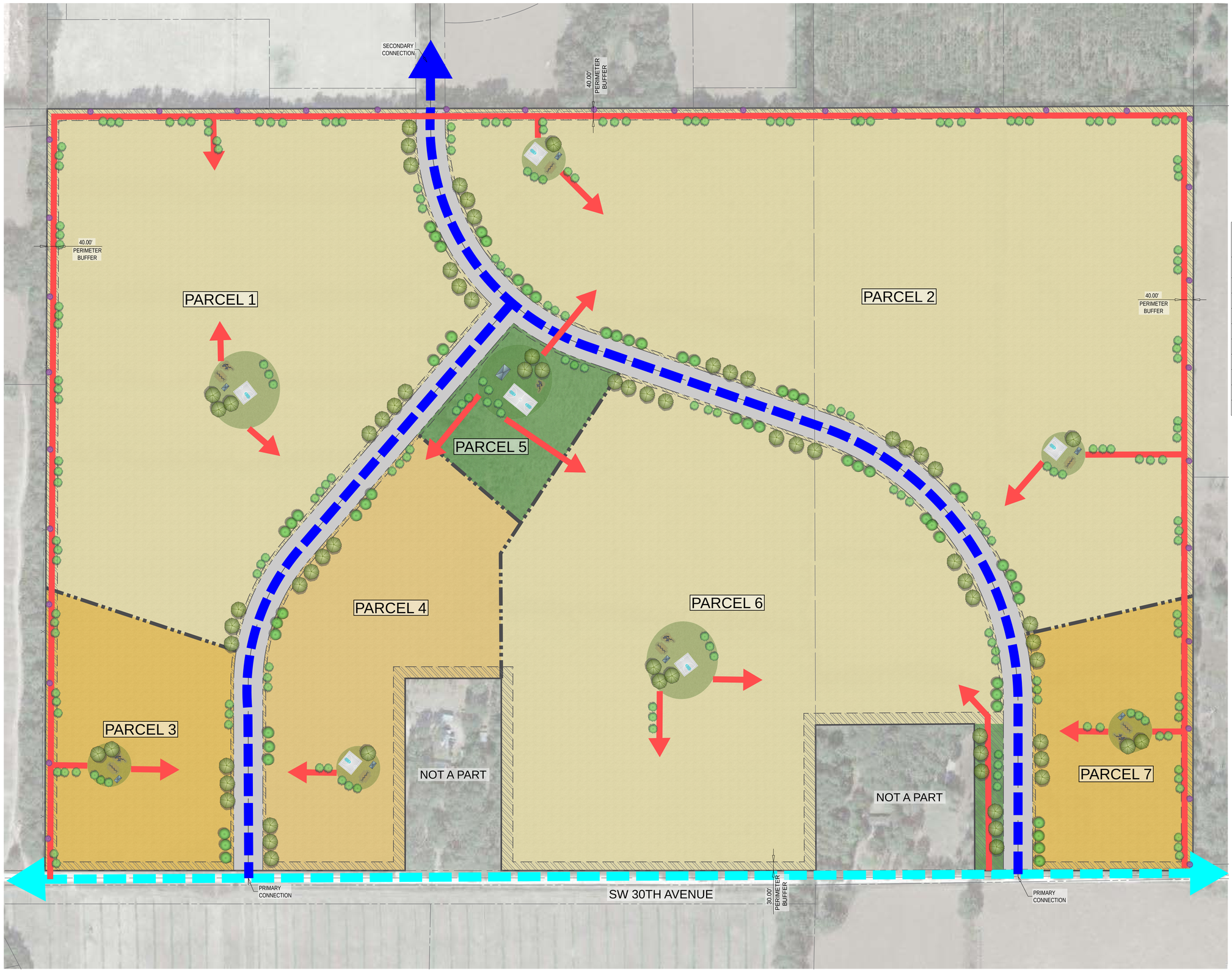
PRELIMINARY DEVELOPMENT PLAN
NEWBERRY RIDGE
NEWBERRY, FL
ALACHUA COUNTY

PLAN STATUS

| DATE | DESCRIPTION | |
|---|---|---|
| DMF DESIGN | DAB DRAWN | DMF CHKD |

SCALE H: 1"=300'
V: N/A
JOB No. 052070-01-001
DATE : 12/15/2025

SHEET 1 OF 1




N

150 75 0 150 300

GRAPHIC SCALE
1" = 150'

| PARCEL | LAND USE DATA | NET AREA | | RECREATION OPEN SPACE REQUIRED (15%) | |
|---|---|---|---|---|---|
| | | (AC) | (%) | (AC) | (%) |
| PROJECT SITE BOUNDARY | N/A | 225.43 | 100.00% | | |
| PARCEL 1 | SINGLE FAMILY DETACHED | 47.21 | 20.94% | 7.08 | |
| PARCEL 2 | SINGLE FAMILY DETACHED | 66.91 | 29.68% | 10.04 | |
| PARCEL 3 | MULTI FAMILY | 12.84 | 5.69% | 1.93 | |
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| PARCEL 5 | PUBLIC PARK | 5.40 | 2.39% | 5.40 | |
| PARCEL 6 | SINGLE FAMILY DETACHED | 48.53 | 21.53% | 7.28 | |
| PARCEL 7 | MULTI FAMILY | 11.08 | 4.92% | 1.66 | |
| RIGHT OF WAY | PUBLIC ROAD | 14.93 | 6.62% | | |
| TOTAL | | | 100.00% | 36.16 | 16.04% |

## LEGEND

- PROPOSED INTERCONNECTED TRAIL
- EXISTING ROAD CENTERLINE
- PROPOSED ROAD CENTERLINE
- PARCEL BOUNDARY
- RIGHT OF WAY
- PHASE LINE
- PERIMETER BUFFER
- PROPOSED PARCEL OPEN SPACE NODE

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RECREATION & AMENITY PLAN

NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

PROJECT NUMBER

PLAN STATUS

| DATE | DESCRIPTION |
|---|---|
| | |

| DAB | DAB | DMF |
|---|---|---|
| DESIGN | DRAWN | CHKD |

SCALE H: 1"=150'
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JOB No. 052070-01-001

DATE : 12/03/2025

SHEET 1 OF 1

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# 9 Conclusions and Recommendations

The proposed development upon completion of phase 6 is expected to generate a total of 9,231 trips (4,615 entry and 4,616 exit) during the average weekday, 699 trips (183 entry and 516 exit) during the morning peak hour, and 849 trips (522 entry and 327 exit) during the evening peak hour.

**No Build Analysis**

Based on the results of the analyses, the following intersections are anticipated to fail or have failing approaches under the No Build conditions:

- Unsignalized
  - US-41/27 & SW 15th Ave
  - US-41/27 & SW 6th Ln/Oak View Exit
  - US-41/27 & Greenfield Dwy/SW 4th Ave
- Signalized
  - US-41/27 & W Newberry Rd
  - US-41/27 & NW 1st Ave

There are currently no proposed planned improvements mitigating the abovementioned unsignalized intersections. Notably, none of these intersections were included in the Sandia Park traffic study and only US-41/27 & SW 15th Ave was proposed to be analyzed in the provided Country Way II scope.

The scope for Country Way II also mentions the City of Newberry is considering a roundabout at the intersection of US-41/27 & SW 15th Ave. Given the posted speed limit of US-41/27, the anticipated through volumes along the main road and the close proximity to the railroad tracks, other alternatives should also be considered to mitigate these background levels of service.

FDOT Project No. 207850-2 proposes to convert the section of S.R. 26 from NW 264TH St to SE 264th Ter into a couplet, effectively dividing the existing intersection with US-41/27 into two separate signalized intersections: US-41/27 & W Newberry Rd and US-41/27 & NW 1st Ave. While this is expected to initially improve the operations at the intersection, the 2033 No Build analysis indicates that, despite the improvements, the US-41/27 & NW 1st Ave intersection is still expected to operate at failing LOS. Additionally, several approaches at US-41/27 & W Newberry Rd are also expected to fail, with the proposed northbound left-turn lane exceeding the available storage under all No Build scenarios.

A substantial portion from all the volumes along US-41/27 is expected to travel north along US-41/27 and then travel east towards Gainesville. Given this anticipated travel pattern, either (1) additional capacity improvements along US-41/27 between SW 30th Ave and W Newberry Rd, or (2) the provision of a viable alternative route to Gainesville, will be necessary to redistribute traffic demand and alleviate congestion along this corridor and at its key intersections.

**Build Analysis**

Phase 1: No significant impacts were identified. Note that due to the failing LOS before the introduction of the project trips there are increases in delays at some of the already failing unsignalized approaches.

Phase 2: The following Significant Impacts were identified:

- US-41/27 & SW 15th Ave - WB approach (LOS D to LOS E During the PM peak hour)
  The provision of an exclusive EB right turn lane was evaluated, whoever the results yielded no improvement in the LOS of the approach.

Phase 3: The following Significant Impacts were identified:

- US-41/27 & SW 15th Ave - WB approach (LOS D to LOS F PM peak hour)
  The provision of an exclusive EB right turn lane was evaluated, whoever the results yielded no improvement in the LOS of the approach.
- US-41/27 & SW 6th Ln/Oak View Exit - WB approach (LOS D to LOS E AM/PM peak hour)
  The review of possible improvements for the WB approach showed that this approach already provides two exclusive lanes, one left turn lane and one right turn lane, therefore no feasible improvements were identified.

Phase 4, 5 and 6. The intersection and approaches with failing LOS under No Build Conditions remain at failing LOS. The intersection of US-41/27 & SW 30th Ave warrants a signal under this scenario. No other significant impacts are anticipated.

**Queues**

The 95th% queue results show that during morning and evening peak hour, the queues of the following turn lanes are exceeded under the 2028 No Build Conditions:

- US-41/27 & W Newberry Rd - NB Right-turn Lane
- US-41/27 & NW 1st Ave – WB & NB Right-turn Lane

With the addition of the proposed background improvements implemented in 2031, the northbound right-turn lane of US-41/27 & W Newberry Rd is no longer exceeded. None other turn lanes are anticipated to be exceeded under the 2025 Existing, No Build, or Build Conditions.

Considering the constrained right-of-way along US-41/27 from SW 30th Ave to W Newberry Rd, alternative eastbound routing options should be evaluated to appropriately mitigate the cumulative impacts associated with all three proposed developments.

## Recommended Improvements

The following improvements are proposed to mitigate the impacts of Newberry Ridge site trips:

**Phase 1:**

- Intersection of US-41/27 & SW 30th Ave:
  - Provide exclusive WB right turn lane.

**Phase 4:**

In addition to the previously proposed improvements per phase, the following improvements are recommended for Phase 4:

- Intersection of US-41/27 & SW 30th Ave:
  - Without Sandia Park: based on the results of the signal warrant traffic signal is warranted.
  - With Sandia Park: Provide the following lengths of turn lanes.

| | Turn lane | Design Speed | Deceleration FDM | Storage | Total | Proposed By Sandia | Total/ Additional length |
|---|---|---|---|---|---|---|---|
| US-41/27 & SW 30th Ave | NB RT | 65 | 460 | 33 | 493 | 0 | 443 |
| | SB LT | 65 | 460 | 310 | 770 | 485 | 235 |
| | WB RT | 35 | 145 | 25 | 170 | - | 170 |

- Intersection of SW 30th And Driveway 1: EB left turn lane (170 feet length including 50-foot taper)

**File Attachments for Item:**

**7. Ordinance # 2026-16/CPA 26-13: Small-scale Future Land Use Amendment for City-owned properties**.

*Legislative, First Reading of Ordinance # 2026-16/CPA 26-13. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map of the City of Newberry Comprehensive Plan by changing the future land use categories from Mixed Use, Agriculture, And Residential Low Density to Public Facilities and Land on 10 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000, and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

# Commission Agenda Item

| | |
|---|---|
| **Meeting Date:** | November 11, 2026 |
| **Title:** | Ordinance # 2026-16/CPA 26-13: Small-scale Future Land Use Amendment for City-owned properties.<br>Legislative, First Reading of Ordinance # 2026-16/CPA 26-13. An Ordinance of the City of Newberry, Florida, amending the Future Land Use Map of the City of Newberry Comprehensive Plan by changing the future land use categories from Mixed Use, Agriculture, And Residential Low Density to Public Facilities and Land on 10 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000, and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date. |
| **Agenda Section:** | Public Hearings |
| **Department:** | Community Development Department |
| **Strategic Goal/Objective:** | GOAL C.2: Park and greenspace expansion<br>Obj. C.2.1 Expand parks where feasible to enhance our recreational opportunities<br>Obj. C.2.2 Preserve and acquire greenspaces for passive parks<br>Obj. C.2.3 Coordinate park expansion with the master comprehensive plan |
| **Presented By:** | Lauren Yeatter, AICP, Community Development Director |
| **Recommended Actions:** | Approve Ordinance # 2026-16. |

**Summary:**
City-initiated request for a small-scale future land use map amendment to Public Facilities and Land classification on City properties. The change of land use is from Mixed Use, Agriculture, and Residential Low Density to Public Facilities and Land. This request aligns the current use of the property with the appropriate and applicable future land use classification.

**Attachments:**

1. Ordinance 2026-16
2. Staff Memo

25493 NW 1st Avenue
Newberry FL 32669
Tel: 352-472-2161
www.NewberryFL.gov

# Staff Memo

**DATE:** July 6, 2026

**FROM:** Lauren Yeatter, AICP, Assistant Director, Community Development Department

**TO:** Mayor and City Commissioners, City of Newberry

**SUBJECT:** Small-scale Future Land Use Map Amendments for City-owned Properties

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This memo provides excerpts from the Future Land Use Elements of the City of Newberry Comprehensive Plans.

The proposed future land use classification, including the uses it permits, are compatible with the adjacent land uses. This petition corrects and amends the underlying future land use to allow the petitioners the full benefit, or the highest and best use of the properties.

Staff finds the request aligns the current use of the properties with the appropriate and applicable future land use classification, and it is consistent with the City of Newberry Comprehensive Plan and Land Development Regulations and recommend adoption of the ordinance. Adopting the ordinance would not negatively impact public interest. Further analysis is not warranted.

*Attachments:*

1. City of Newberry Future Land Use Element Excerpts
2. Subject Properties Parcel Numbers and Map

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## ATTACHMENT 1

**City of Newberry Objective 3.2, FLU Category Table:**
The below Object 3.2 and subsequent table provide for the density

**FLU OBJECTIVE 3.2:** Define a list of the FLU categories and descriptions for each; identify associated intents, applicability, maximum densities/intensities, and use types; and their relationship to zoning classifications.

FLU POLICY 3.2.1: The City's Land Development Regulations (LDRs) shall contain design and development standards based on and consistent with the following FLU categories and corresponding general ranges of densities and intensities. The allocation of FLU categories shall be depicted in the Comprehensive Plan FLUM's series:

Table identifying FLU categories and compatible zoning districts classifications:

| FLU Category | Zoning District Classification | Typical Uses | Maximum Density | Maximum Intensity |
|---|---|---|---|---|
| **Agriculture** | A, CN, PRRD | Agricultural; Rural commercial, Residential, Single-Family; Manufactured Home | 1 du/5 ac | 20% Impervious Surface Ratio (20% ISR) |
| **Residential Low Density** | RSF-1, RSF-2; RMH-1, RMH-2, RMH-3; RMH-P; PRD, RO | Residential, Single-Family; Manufactured Home | 4 du/ac | 40% maximum ground cover |
| **Mixed Use** | A, MU | Residential, Office, Commercial | Single-family: 4 du/ac Multiple family: 20 du/ac | 70% ISR |
| **Public Facilities and Land** | PF | Public Facilities | (N/A) | 80% ISR |

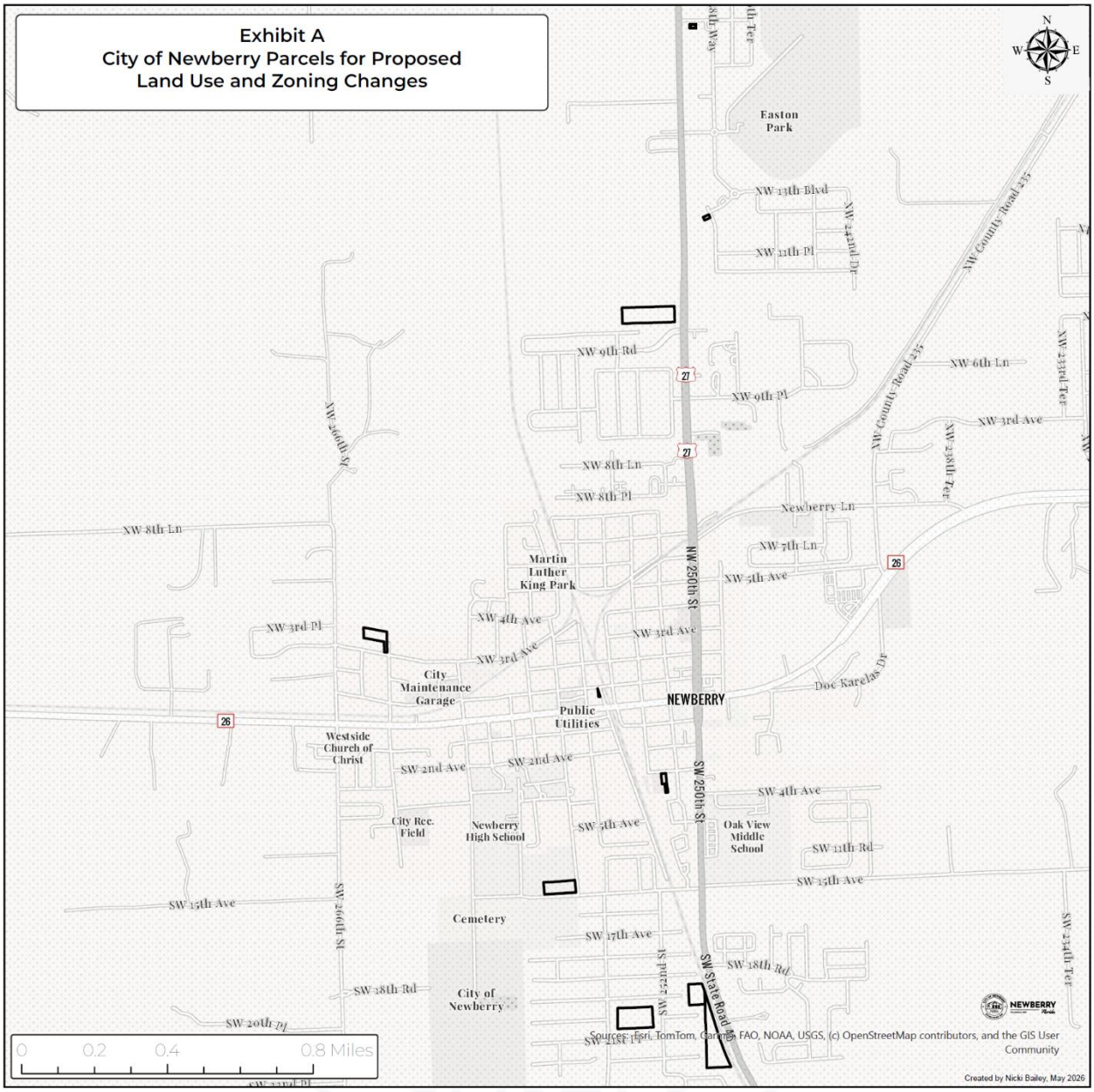
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## ATTACHMENT 2

**Comprehensive Plan Amendment CPA 26-13:** A city-initiated request for a small-scale land use amendment on the following parcels to Public Facilities and Land Future Land Use.

| Parcel # | Acres | Current Land Use | Proposed Land Use | Name |
|---|---|---|---|---|
| 01874-101-000 | 0.1 | Mixed Use | Public Facilities and Land | Avalon Woods Lift Station |
| 01874-301-000 | 0.1 | Mixed Use | Public Facilities and Land | Avalon Woods Lift Station |
| 01894-002-002 | 3.97 | Agriculture | Public Facilities and Land | stormwater |
| 02022-001-000 | 1.3 | Residential Low Density | Public Facilities and Land | stormwater |
| 02182-000-000 | 0.04 | Residential Low Density | Public Facilities and Land | stormwater |
| 02262-003-000 | 0.24 | Residential Low Density | Public Facilities and Land | stormwater |
| 02262-007-000 | 0.1 | Residential Low Density | Public Facilities and Land | FDOT stormwater extension |
| 02530-013-000 | 1.56 | Residential Low Density | Public Facilities and Land | Countryway stormwater |
| 02530-200-000 | 4.29 | Agriculture | Public Facilities and Land | Countryway stormwater |
| 02534-100-000 | 3.5 | Residential Low Density | Public Facilities and Land | Countryway stormwater |

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**ORDINANCE NO. 2026-16**
Petition #CPA 26-13

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF NEWBERRY COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORIES FROM MIXED USE, AGRICULTURE, AND RESIDENTIAL LOW DENSITY TO PUBLIC FACILITIES AND LAND ON 10 CITY-OWNED PROPERTIES IDENTIFIED AS TAX PARCEL NUMBERS 01874-101-000, 01874-301-000, 01894-002-002, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000, AND 02534-100-000; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

**WHEREAS,** Part II of Chapter 163, Florida Statutes, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan to guide the future development and growth of the City;

**WHEREAS,** in 1992 the City Commission adopted the City of Newberry Comprehensive Plan, which is now codified with subsequent amendments in Appendix A (the "Comprehensive Plan") of the City Code of Ordinances (the "Code");

**WHEREAS,** as required by Section 163.3177, Florida Statutes, the Comprehensive Plan includes a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of land uses within the City;

**WHEREAS**, an application to amend the Future Land Use Map of the Comprehensive Plan was initiated by the City as the Property Owner and assigned File No. CPA 26-13 (the "Petition");

**WHEREAS**, this amendment to the Future Land Use Map involves a use of 50 contiguous acres or fewer and qualifies as a small-scale development amendment per Section 163.3187, Florida Statutes;

**WHEREAS,** as required by Section 163.3174, Florida Statutes, on July 6, 2026, the City Planning and Zoning Board (which serves as the City's Local Planning Agency) held a public hearing to review this proposed amendment to the Future Land Use Map and the Planning and Zoning Board recommendation has been forwarded to the City Commission;

**WHEREAS**, pursuant to Section 50.0311, Florida Statutes, and Article V of the City Charter, this proposed Ordinance has been noticed once, at least ten (10) days prior

to adoption, on the Alachua County website (alachuacounty.us) notifying the public of the First Reading and Second Reading public hearings to be held in Newberry City Hall, located at 25493 NW 1st Avenue, Newberry, Florida.

**WHEREAS,** the City Commission held the public hearings pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be heard; and

**WHEREAS,** after due consideration at the public hearings, the City Commission found that this proposed amendment to the Future Land Use Plan Map is consistent with the Comprehensive Plan and that the requirements of Chapter 163, Florida Statutes, have been met.

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

**Section 1. Future Land Use Map Amended.** The Future Land Use Map of the Comprehensive Plan is amended by changing the future land use category on certain City-owned properties as set forth below. The location of the properties is shown for visual reference on the attachment to this Ordinance. In the event of conflict or inconsistency, the legal description for each property provided below shall prevail over the attachment.

**Avalon Woods Lift Station:** The future land use category is changed from **Mixed Use** to **Public Facilities and Land** on Parcel No. 01874-101-000 consisting of approximately 0.1 acres described as:

> Lift Station tract, Avalon Woods Phase 1A, according to the plat thereof recorded at Plat Book 37, Page 70, Public Records of Alachua County, Florida.

**Avalon Woods Lift Station:** The future land use category is changed from **Mixed Use** to **Public Facilities and Land** on Parcel No. 01874-301-000 consisting of approximately 0.1 acres described as:

> Lift Station parcel, Avalon Woods Phase 3, according to the map or plat thereof, as recorded in Plat Book 39, Pages 14 through 16, inclusive, Public Records of Alachua County, Florida.

**Stormwater Facility:** The future land use category is changed from **Agriculture** to **Public Facilities and Land** on Parcel No. 01894-002-002 consisting of approximately 3.97 acres described as:

> A parcel of land, lying in the northeast quarter (NE ¼) of Section 33, Township 9 South, Range 17 East, City of Newberry, Alachua County, Florida, being more particularly described as follows:

Commence at a nail and disk (PRM 4929) at the southeast corner of the northeast quarter (NE ¼) of said Section 33; thence South 88°21'01" West, along the southerly line of said Northeast Quarter (NE ¼), a distance of 149.10 feet to the point of beginning; thence continue South 88°21'01" West, along said southerly line, a distance of 758.66 feet; thence North 01°38'59" West, a distance of 228.00 feet; thence North 88°21'01" East, a distance of 758.66 feet; thence South 01°38'59" East, a distance of 228.00 feet to the Point of Beginning.

**Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02022-001-000 consisting of approximately 1.3 acres described as:

Lots 1 through 7, and Lot 14, Block 11, Chapman and Smiths Addition to the City of Newberry, Florida, lying in the SW ¼ of the NW ¼, and the NW ¼ of the NW ¼ of Section 4, Township 10 South, Range 17 East, according to the map or plat thereof as recorded in Plat Book A, Page 122, Public Records of Alachua County, Florida.

Together with the north half of the 10' wide alleyway lying south and adjacent to the south lot lines of Lots 2-7, and the entire 10' alleyway between Lots 1 and 14, Block 11, Chapman and Smiths Addition to the City of Newberry, Florida, lying in the SW ¼ of the NW 1/4, and the NW ¼ of the NW ¼ of Section 4, Township 10 South, Range 17 East, according to the map or plat thereof as recorded in Plat Book A, Page 122, Public Records of Alachua County, Florida.

Less and Except any portion of the vacated roadway between Blocks 10 and 11.

**Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02182-000-000 consisting of approximately 0.04 acres described as:

Lot 4, Block 25, Original Plat of Newberry, according to the plat thereof recorded at Plat Book A, Page 129A, Public Records of Alachua County, Florida.

**Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02262-003-000 consisting of approximately 0.24 acres described as:

Lot 3, Block 55, Original Plat of Newberry, according to the plat thereof recorded at Plat Book A, Page 129A, Public Records of Alachua County, Florida.

**Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02262-007-000 consisting of approximately 0.1 acres described as:

The West 35 feet of Lot 7, Block 55, Original Plat of Newberry, according to the plat thereof recorded in Plat Book A, Page 129A, Public Records of Alachua County, Florida.

**Countryway Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02530-013-000 consisting of approximately 1.56 acres described as:

The Stormwater Management Facility in Cottages of Country Way, according to the plat thereof recorded in Plat Book 27, Page 73, Public Records of Alachua County, Florida.

**Countryway Stormwater Facility:** The future land use category is changed from **Agriculture** to **Public Facilities and Land** on Parcel No. 02530-200-000 consisting of approximately 4.29 acres described as:

The Stormwater Management Facility in Villas of Country Way, according to the plat thereof recorded in Plat Book 28, Page 46, Public Records of Alachua County, Florida.

**Countryway Stormwater Facility:** The future land use category is changed from **Residential Low Density** to **Public Facilities and Land** on Parcel No. 02534-100-000 consisting of approximately 3.5 acres described as:

The Stormwater Management Facility in Countryway at Sylvania Terrace Replat, according to the plat thereof recorded at Plat Book 28, Page 93, Public Records of Alachua County, Florida.

**Section 2. Map Amendment; Not Codified; Correction.** This Ordinance adopts a map amendment and shall not be codified in the City of Newberry Code of Ordinances. However, the City Manager, or designee, is authorized and directed to update the Future Land Use Map in accordance with Section 1 of this Ordinance. Typographical errors and other matters of a non-substantive nature that do not affect the intent of this Ordinance, as determined by the City Clerk or City Attorney, may be corrected with authorization of the City Manager or their designee without the need for a public hearing.

**Section 3. 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 4. Conflict.** All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance herewith are hereby repealed to the extent of such conflict.

**Section 5. Effective Date; Recording.** This Ordinance shall become effective immediately upon adoption and the City Clerk is directed to record same in the City Ordinance Book. However, the effective date of the Comprehensive Plan Future Land Use Map amendment, if not timely challenged, shall be 31 days after the date of final adoption of this Ordinance. If the Future Land Use Map amendment is timely challenged pursuant to Section 163.3187(5)(a), Florida Statutes, then the effective date of the Map amendment shall be the date the state land planning agency or the Administration Commission enters a final order determining this adopted Map amendment to be in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this Map amendment may be issued or commence before the Map amendment has become effective.

**Approved on First Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on November 9, 2026.

**Adopted (Final Passage) on Second Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on November 23, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

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

_____
Randa K. Paul, City Clerk

Approved as to Form and Legality

_____
City Attorney's Office

CITY OF NEWBERRY
We Believe in Newberry
ESTABLISHED 1895

NEWBERRY
Established 1895
Florida

# Exhibit A:
# Map of Parcels to be Changed to Public Facilities Land Use
# CPA 26-13

N
W E
S

01874-101-000

27 41

01874-301-000

NW Sta

01894-002-002

CHURCH OF GOD BY FAITH INC

NW 250th St

W Newberry Rd

26

02022-001-000

02182-000-000

Newberry

27

26

W Newberry Rd

WESTSIDE CHURCH OF CHRIST

02262-007-000

02262-003-000

CITY REC. FIELD

NEWBERRY HIGH SCHOOL

OAK VIEW MIDDLE SCHOOL

Tamtam Blvd

NEWBERRY ELEMENTARY SCHOOL

02530-013-000

02534-100-000

02530-200-000

GIS data, plans, and map products are produced for City of Newberry Community Development Department purposes. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. The maps or drawings are not legal land surveys and cannot be relied on for 100% completion or accuracy. City of Newberry is not responsible for incorrect information.
Please contact the GIS Specialist at NBailey@NewberryFL.gov with any questions regarding this map. All data is subject to change.

0 0.2 0.4 0.8 Miles

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Created by Nicki Bailey, October 2026

**File Attachments for Item:**

**8. Ordinance # 2026-17/LDR 26-18: Re-Zoning for City-owned properties**.

*Quasi-Judicial, First Reading of Ordinance # 2026-17/LDR 26-18. An Ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning districts from Mixed Use, Agricultural, Residential Single Family-2, And Residential Single Family/Mobile Home-2 to Public Facilities on 11 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 01988-007-000, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000 and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date.*

# Commission Agenda Item

| | |
|---|---|
| **Meeting Date:** | November 11, 2026 |
| **Title:** | Ordinance # 2026-17/LDR 26-18: Re-Zoning for City-owned properties.<br>Quasi-Judicial, First Reading of Ordinance # 2026-17/LDR 26-18. An Ordinance of the City of Newberry, Florida, amending the Official Zoning Atlas of the City of Newberry Land Development Regulations by changing the zoning districts from Mixed Use, Agricultural, Residential Single Family-2, And Residential Single Family/Mobile Home-2 to Public Facilities on 11 City-owned properties identified as Tax Parcel numbers 01874-101-000, 01874-301-000, 01894-002-002, 01988-007-000, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000 and 02534-100-000; providing for exclusion from codification, correction and directions to the City Manager; providing a severability clause; providing a repealing clause; and providing directions to the Clerk and an effective date. |
| **Agenda Section:** | Public Hearings |
| **Department:** | Community Development Department |
| **Strategic Goal/Objective:** | GOAL C.2: Park and greenspace expansion<br>Obj. C.2.1 Expand parks where feasible to enhance our recreational opportunities<br>Obj. C.2.2 Preserve and acquire greenspaces for passive parks<br>Obj. C.2.3 Coordinate park expansion with the master comprehensive plan |
| **Presented By:** | Lauren Yeatter, AICP, Community Development Director |
| **Recommended Actions:** | Approve Ordinance # 2026-17. |

**Summary:**
City-initiated request for a small-scale rezoning to Public Facilities (PF) on City properties. The change of zoning is from Mixed Use (MU), Agricultural (A), Residential Single Family-2 (RSF-2), and Residential Single Family/Mobile Home-2 (RSF/MH-2) to Public Facilities (PF). This request aligns the current use of the property with the appropriate and applicable zoning district.

**Attachments:**

1. Ordinance 2026-17
2. Staff Memo

**ORDINANCE NO. 2026-17**
Petition #LDR 26-18

**AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF NEWBERRY LAND DEVELOPMENT REGULATIONS BY CHANGING THE ZONING DISTRICTS FROM MIXED USE, AGRICULTURAL, RESIDENTIAL SINGLE FAMILY-2, AND RESIDENTIAL SINGLE FAMILY/MOBILE HOME-2 TO PUBLIC FACILITIES ON 11 CITY-OWNED PROPERTIES IDENTIFIED AS TAX PARCEL NUMBERS 01874-101-000, 01874-301-000, 01894-002-002, 01988-007-000, 02022-001-000, 02182-000-000, 02262-003-000, 02262-007-000, 02530-013-000, 02530-200-000 AND 02534-100-000; PROVIDING FOR EXCLUSION FROM CODIFICATION, CORRECTION AND DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.**

**WHEREAS,** Part II of Chapter 163, Florida Statutes, empowers and requires the City Commission to prepare, adopt and implement a Comprehensive Plan to guide the future development and growth of the City;

**WHEREAS,** in 1992 the City Commission adopted the City of Newberry Comprehensive Plan, which is now codified with subsequent amendments in Appendix A (the "Comprehensive Plan") of the City Code of Ordinances (the "Code");

**WHEREAS,** as required by Section 163.3177, Florida Statutes, the Comprehensive Plan includes a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of land uses within the City;

**WHEREAS**, in order to implement the Comprehensive Plan in accordance with Section 163.3202, Florida Statutes, the City Commission adopted Land Development Regulations, which are now codified with subsequent amendments in Appendix B (the "LDRs") of the Code;

**WHEREAS,** the LDRs establish zoning districts and an Official Zoning Atlas to implement the Comprehensive Plan and its Future Land Use Map;

**WHEREAS**, an application to amend the Official Zoning Atlas was initiated by the City as the Property Owner and assigned File No. LDR 26-18 (the "Petition");

**WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Articles 13 and 16 of the LDRs, on July 6, 2026, the City Planning and Zoning Board (which serves as the City's Local Planning Agency) held a public hearing to review this proposed

amendment to the Official Zoning Atlas and the Planning and Zoning Board recommendation has been forwarded to the City Commission;

**WHEREAS,** as this is a City initiated rezoning on non-contiguous properties owned by the City, mailed notice to the property owner and the large advertisement as set forth in Section 166.041(3)(c), Florida Statutes, is not required;

**WHEREAS**, pursuant to Sections 166.041(3)(c)(1) and 50.0311, Florida Statutes, and Article V of the City Charter, this proposed Ordinance has been noticed once, at least ten (10) days prior to adoption, on the Alachua County website (alachuacounty.us) notifying the public of the First Reading and Second Reading public hearings to be held in Newberry City Hall, located at 25493 NW 1st Avenue, Newberry, Florida;

**WHEREAS,** the City Commission held the public hearings pursuant to the notice described above at which hearings the parties in interest and all others had an opportunity to be heard; and

**WHEREAS,** after due consideration at the public hearings, the City Commission found that this proposed amendment to the Official Zoning Atlas is consistent with the Comprehensive Plan and the LDRs.

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

**Section 1. Official Zoning Atlas Amended.** The Official Zoning Atlas of the Land Development Regulations is amended by changing the zoning districts assigned to certain City-owned properties as set forth below. The location of the properties is shown for visual reference on the attachment to this Ordinance. In the event of conflict or inconsistency, the legal description for each property provided below shall prevail over the attachment.

**Avalon Woods Lift Station:** The zoning district is changed from **Mixed Use** to **Public Facilities** on Parcel No. 01874-101-000 consisting of approximately 0.1 acres described as:

**Lift Station tract, Avalon Woods Phase 1A, according to the plat thereof recorded at Plat Book 37, Page 70, Public Records of Alachua County, Florida.**

**Avalon Woods Lift Station:** The zoning district is changed from **Mixed Use** to **Public Facilities** on Parcel No. 01874-301-000 consisting of approximately 0.1 acres described as:

**Lift Station parcel, Avalon Woods Phase 3, according to the map or plat thereof, as recorded in Plat Book 39, Pages 14 through 16, inclusive, Public Records of Alachua County, Florida.**

**Stormwater Facility:** The zoning district is changed from **Agricultural** to **Public Facilities** on Parcel No. 01894-002-002 consisting of approximately 3.97 acres described as:

**A parcel of land, lying in the northeast quarter (NE ¼) of Section 33, Township 9 South, Range 17 East, City of Newberry, Alachua County, Florida, being more particularly described as follows:**

**Commence at a nail and disk (PRM 4929) at the southeast corner of the northeast quarter (NE ¼) of said Section 33; thence South 88°21'01" West, along the southerly line of said Northeast Quarter (NE ¼), a distance of 149.10 feet to the point of beginning; thence continue South 88°21'01" West, along said southerly line, a distance of 758.66 feet; thence North 01°38'59" West, a distance of 228.00 feet; thence North 88°21'01" East, a distance of 758.66 feet; thence South 01°38'59" East, a distance of 228.00 feet to the Point of Beginning.**

**Stormwater by Elementary:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 01988-007-000 consisting of approximately 1.82 acres described as:

**A parcel of the southeast quarter (SE ¼) of Section 4, Township 10 South, Range 17 East, City of Newberry, Alachua County, Florida, being more particularly described as follows:**

**Commence at the Southwest corner of the Southeast ¼ of Section 4, Township 10 South, Range 17 East, Alachua County, Florida and run thence North 86°51'58" East along the south line of said Section 4 and along the north right of way line of SW 15th Ave (80' Right-of-Way) a distance of 338.91 feet to the Point of Beginning; thence continue North 86°51'58" East, along said south line and said north right of way line, 457.98 feet to a point on the west right of way line of SW 255th St (50' Right of Way); thence North 06°51'02" West, along said west right of way line, 181.46 feet; thence south 84°29'27" West, 304.22 feet; thence South 89°03'35" West, 145.10 feet; thence South 04°02'05" East, 174.04 feet to the Point of Beginning.**

**Stormwater Facility:** The zoning district is changed from **Residential Single Family/Mobile Home-2** to **Public Facilities** on Parcel No. 02022-001-000 consisting of approximately 1.3 acres described as:

**Lots 1 through 7, and Lot 14, Block 11, Chapman and Smiths Addition to the City of Newberry, Florida, lying in the SW ¼ of the NW ¼, and the NW ¼ of the NW ¼ of Section 4, Township 10 South, Range 17 East, according to the map or plat thereof as recorded in Plat Book A, Page 122, Public Records of Alachua County, Florida.**

**Together with the north half of the 10' wide alleyway lying south and adjacent to the south lot lines of Lots 2-7, and the entire 10' alleyway between Lots 1 and 14, Block 11, Chapman and Smiths Addition to the City of Newberry, Florida, lying in**

**the SW ¼ of the NW 1/4, and the NW ¼ of the NW ¼ of Section 4, Township 10 South, Range 17 East, according to the map or plat thereof as recorded in Plat Book A, Page 122, Public Records of Alachua County, Florida.**

**Less and Except any portion of the vacated roadway between Blocks 10 and 11.**

**Stormwater Facility:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 02182-000-000 consisting of approximately 0.04 acres described as:

**Lot 4, Block 25, Original Plat of Newberry, according to the plat thereof recorded at Plat Book A, Page 129A, Public Records of Alachua County, Florida.**

**Stormwater Facility:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 02262-003-000 consisting of approximately 0.24 acres described as:

**Lot 3, Block 55, Original Plat of Newberry, according to the plat thereof recorded at Plat Book A, Page 129A, Public Records of Alachua County, Florida.**

**FDOT Stormwater Facility:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 02262-007-000 consisting of approximately 0.1 acres described as:

**The West 35 feet of Lot 7, Block 55, Original Plat of Newberry, according to the plat thereof recorded in Plat Book A, Page 129A, Public Records of Alachua County, Florida.**

**Countryway Stormwater Facility:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 02530-013-000 consisting of approximately 1.56 acres described as:

**The Stormwater Management Facility in Cottages of Country Way, according to the plat thereof recorded in Plat Book 27, Page 73, Public Records of Alachua County, Florida.**

**Countryway Stormwater Facility:** The zoning district is changed from **Agricultural** to **Public Facilities** on Parcel No. 02530-200-000 consisting of approximately 4.29 acres described as:

**The Stormwater Management Facility in Villas of Country Way, according to the plat thereof recorded in Plat Book 28, Page 46, Public Records of Alachua County, Florida.**

**Countryway Stormwater Facility:** The zoning district is changed from **Residential Single Family-2** to **Public Facilities** on Parcel No. 02534-100-000 consisting of approximately 3.5 acres described as:

**The Stormwater Management Facility in Countryway at Sylvania Terrace Replat, according to the plat thereof recorded at Plat Book 28, Page 93, Public Records of Alachua County, Florida.**

**Section 2. Map Amendment; Not Codified; Correction.** This Ordinance adopts a map amendment and shall not be codified in the City of Newberry Code of Ordinances. However, the City Manager, or designee, is authorized and directed to update the Official Zoning Atlas in accordance with Section 1 of this Ordinance. Typographical errors and other matters of a non-substantive nature that do not affect the intent of this Ordinance, as determined by the City Clerk or City Attorney, may be corrected with authorization of the City Manager or their designee without the need for a public hearing.

**Section 3. 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 4. Conflict.** All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with this Ordinance herewith are hereby repealed to the extent of such conflict.

**Section 5. Effective Date; Recording.** This Ordinance shall become effective 10 days after final adoption in accordance with Article V of the Newberry Charter and the City Clerk is directed to record same in the City Ordinance Book. However, the map amendment to the Official Zoning Atlas shall not become effective until the Comprehensive Plan Future Land Use Map amendment adopted by Ordinance No. 2026-21 becomes effective as provided therein.

**Approved on First Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on _____, 2026.

**Adopted (Final Passage) on Second Reading** by an affirmative vote of a majority of a quorum present of the City Commission at its regular meeting on _____, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

ATTEST, BY THE CLERK OF THE

CITY OF NEWBERRY, FLORIDA

_____

Randa K. Paul, City Clerk

Approved as to Form and Legality

_____

City Attorney's Office

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# Staff Memo

**DATE:** July 6, 2026

**FROM:** Lauren Yeatter, AICP, Assistant Director, Community Development Department

**TO:** Mayor and City Commissioners, City of Newberry

**SUBJECT:** Rezonings for City-owned Properties LDR 26-18

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This memo provides zoning district descriptions from the Land Development Regulations for the Agricultural (A), Residential, Single Family-2 (RSF-2), Residential, Single Family/Mobile Home (RSF/MH-2), Mixed Use (MU), and Public Facilities (PF) are linked or attached for reference.

The proposed zoning district and the uses it permits are compatible with the adjacent land uses. This petition corrects and amends the underlying zoning to allow the petitioners the full benefit, or the highest and best use of the properties.

Staff finds the request aligns the current use of the properties with the appropriate and applicable zoning district, and it is consistent with the City of Newberry Comprehensive Plan and Land Development Regulations and recommend adoption of the ordinance. Adopting the ordinance would not negatively impact public interest. Further analysis is not warranted.

*Attachments:*

1. Current and Proposed Zoning Districts.
2. Subject Properties Parcel Numbers and Map

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ATTACHMENT 1

Current Zoning Districts:
Section 4.4. - "A" Agricultural.
Section 4.5. – "RSF" Residential, Single-Family.
Section 4.6. - "RSF/MH" Residential, (Mixed) Single-Family/Mobile Home.
Section 4.19. - "MU" Mixed Use Development.

Proposed Zoning District:
Section 4.23. "PF" Public Facilities.
4.23.1. *Districts and intent*. The "PF" Public Facilities category includes one zoning district: PF. Any land acquired, owned or leased by the city or any other governmental entity/agency may be given a zoning designation of PF by initiating the rezoning process set forth in F.S. § 166.041, and Appendix B, Article 16 of the Code of Ordinances, and this section.
To permit residential, non-residential, and/or any combination of each on tracts of land that are owned or leased by the city or any other governmental entity or agency to be planned and developed as a whole, as a single operation or in phases with a greater amount of flexibility by removing some of the detailed restrictions of conventional zoning.
4.23.2. *Permitted principal uses and structures*. Government buildings and uses (such as but not limited to Federal, State, County, and/or city buildings and/or facilities; schools, offices, parks, public golf courses etc.). Any use approved by the City Commission for the private development (lease, air-rights etc.) of governmentally owned property. All uses must be consistent with the Comprehensive Plan, zoned according to state law, and must adequately demonstrate the development will serve a public purpose.
1. *Accessory uses and structures*. Any use that is customarily associated with the main permitted use.
4.23.3. *General development regulations for property within PF Public Facilities District*.
1. *Procedures and requirements for rezoning to a PF Development*.
a. *Application*. An application for rezoning to PF development shall be made only by the governmental entity or agency that owns or leases the subject property and processed in the same manner as other applications for change of zoning of land in accordance with state law and pursuant to Appendix B, Article 16 of the Code of Ordinances.
[1.] The Planning and Zoning Board or the City Commission may require a site and development plan application be considered concurrently with the petition for change of zoning designation.
[2.] Should the Planning and Zoning Board or City Commission deem a site and development plan is necessary to ensure compatibility with surrounding properties

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and protection of public interest, no further action may be taken on the petition for change of zoning, except as required by state law, until such petition for site and development plan approval is presented to the requesting board.

b. *Zoning designation*. Upon the sale of publicly owned or leased property that is currently zoned PF, the governmental entity or agency shall initiate a zoning designation change pursuant to F.S. § 166.041, as amended from time to time, and in accordance with the procedures set forth in Appendix B, Article 16 of the Code of Ordinances. If a governmental entity or agency acquires property to be utilized for a public purpose or desires to develop property it owns or leases for the purposes set forth in 4.23. above, then the rezoning procedures set forth below shall be followed.

c. *Consideration by the City Commission*. Upon receiving the recommendation of the Planning and Zoning Board, the City Commission shall conduct a public hearing to consider the rezoning petition in accordance with the rezoning procedures set forth in Appendix B, Article 16 of the Code of Ordinances and the Site and Development Plan pursuant to Appendix B, Article 14, Section 14.12 of the Code of Ordinances.

4.23.4. *Development regulations for PF property requiring Site and Development Plan Review*. When the city or any other governmental entity/agency owning or leasing public property within a PF district desires to develop the property, Land Development Regulation Administrator in accordance with Appendix B, Article 14, Section 14.12 of the Code of Ordinances and other applicable Articles of the Land Development Regulations is required and the following development regulations shall be followed:

1. *Unified control*. All land included for the purpose of development within a PF district shall be under the control of the city, any other governmental entity or agency. The city or other governmental entity/agency shall present satisfactory legal documents to constitute evidence of the unified control of the entire area within the proposed PF district, which shall be reviewed by the Land Development Regulation Administrator and the City Attorney.

2. *Land use and design regulations*.

a. *Maximum density*.

1. *Density*. The maximum permitted density shall be determined by the City Commission, but in no event shall it exceed the limits set forth in the Comprehensive Plan.

2. *For purposes of this section*. Community Residential Home shall equal one-half of one dwelling unit, and any residential unit shall be equal to one dwelling unit.

b. *Minimum plot size, distance between structures, frontage and setbacks*.

1. No minimum plot size shall be required with a PF development.

2. No minimum distance between structures shall be required within a PF district, except as required by the Florida Building Code. The appropriate distance between structures shall be evaluated on an individual development basis after considering the type and character of the building types within a development.

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3. *Setbacks*. There are no required setbacks or yards except for those imposed by the City Commission, upon recommendation of the Planning and Zoning Board, and the Florida Building Code, as amended from time to time.

c. *Maximum height of structures*. No maximum height of structures shall be required within a PF district. The City Commission upon recommendation of the Planning and Zoning Board shall determine the appropriate height limitations on an individual development basis after considering the character of the surrounding area, the character of the proposed development, and the goals for community development as stated in the Comprehensive Plan.

d. *Total site coverage*. The floor area ratio of proposed development shall be consistent with those adopted in the Comprehensive Plan for the Public future land use classification.

3. *PF District Site and Development Plan*. The Site and Development Plan petition shall be submitted to the Land Development Regulation Administrator pursuant to Appendix B, Article 14, Section 14.12 of the Code of Ordinances. The Land Development Regulation Administrator shall review the PF Site Plan in accordance with the procedures set forth in Appendix B, Article 14, Section 14.12 of the Code of Ordinances and shall forward their recommendation to the Planning and Zoning Board.

4. *Consideration by the City Commission*. The City Commission shall evaluate the Site and Development Plan in accordance with the requirements set forth in Appendix B, Article 14, Section 14.12 of the Code of Ordinances. In addition, the Board shall evaluate the suitability of the proposed development with the Comprehensive Plan and the relevant land development regulations. The Planning and Zoning Board may recommend reasonable conditions, safeguards and stipulations be attached to the approval of the Site and Development Plan. Upon reviewing the Site and Development Plan, the Planning and Zoning Board shall forward its recommendation to the City Commission. Within Appendix B, Article 14, Section 14.12 of the Code of Ordinances, references to the Board of Adjustment shall be interpreted to mean the City Commission as it relates to land zoned PF or subject to rezoning to same. The City Commission shall evaluate the proposed development in the same manner as required of the Board of Adjustment. Consideration of the Site and Development Plan by the City Commission may occur at the same or later public hearing for lands subject to rezoning to PF.

5. *Conformance to the approved Site and Development Plan*.

a. *Permits*. After rezoning to PF district, no permits shall be issued by the city and no development shall commence unless in conformance with the approved Site and Development Plan approved by the City Commission. The PF development may be developed in phases; however, such phases shall be an element of the Site and Development Plan approved by the City Commission.

b. Major and minor changes to the Site and Development Plan shall be made pursuant to Appendix B, Article 14, Section 14.12 of the Code of Ordinances.

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c. *Transfer of ownership*. No land within an approved PF district may be transferred in ownership or in any other way removed from unified control without a written agreement between the city and the parties to which such transfer is made, stipulating their understanding and agreement to a condition that such transferred land shall continue under the full terms and provisions of the PF development approval, or unless rezoned to a district consistent with the current use of the land.

(Ord. No. 2022-59, § 1, 2-13-2023)

## ATTACHMENT 2

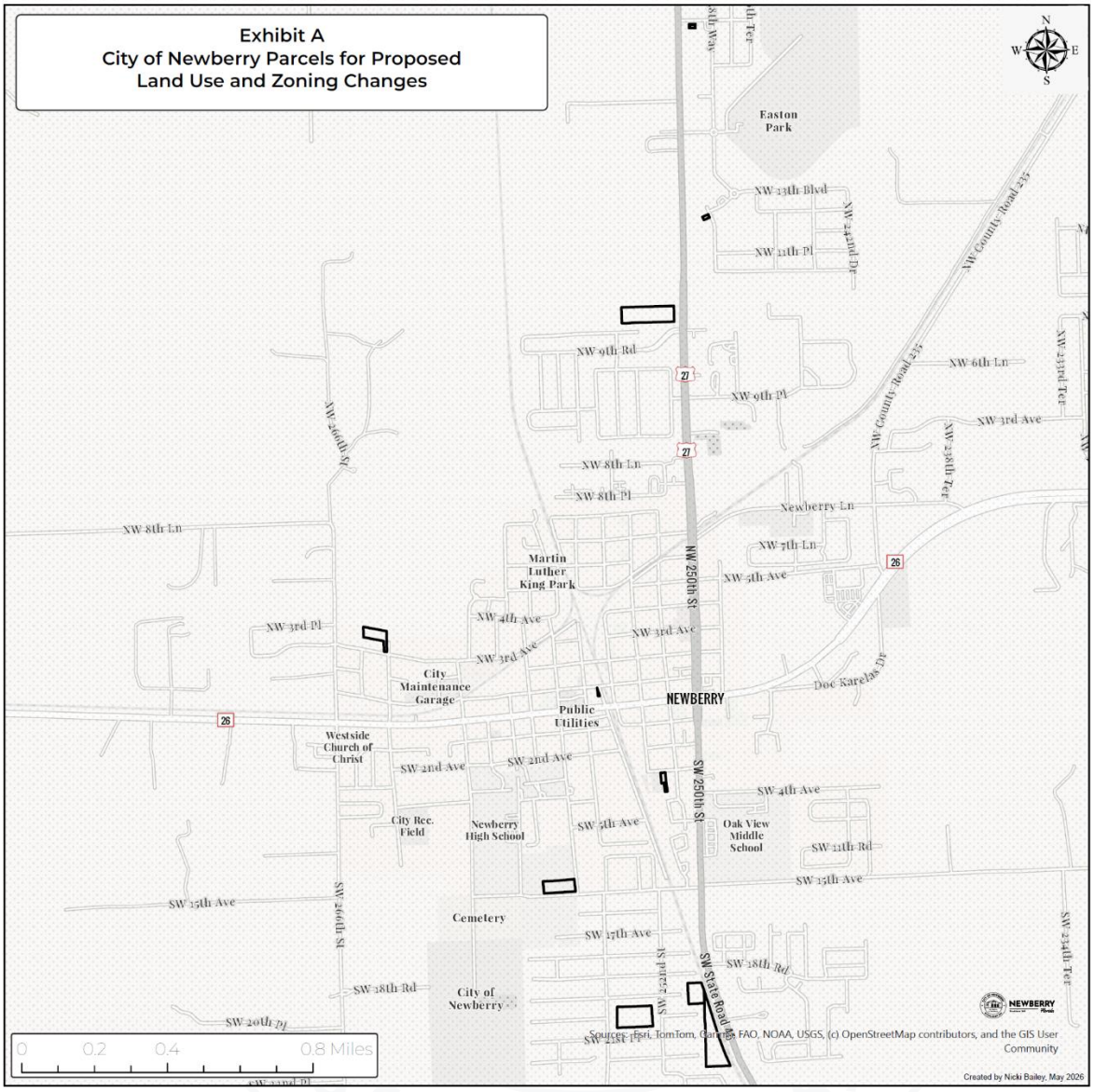
**Land Development Regulation LDR 26-18:** A city initiated request to change the zoning on the following parcels to Public Facilities Zoning.

| Parcel # | Acres | Current Zoning | Proposed Zoning | Name |
|---|---|---|---|---|

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| | | | | |
|---|---|---|---|---|
| 01874-101-000 | 0.1 | Mixed Use | Public Facilities | Avalon Woods Lift Station |
| 01874-301-000 | 0.1 | Mixed Use | Public Facilities | Avalon Woods Lift Station |
| 01894-002-002 | 3.97 | Agricultural | Public Facilities | stormwater |
| 01988-007-000 | 1.82 | Residential Single Family RSF-2 | Public Facilities | stormwater by elementary |
| 02022-001-000 | 1.3 | RSF/MH-2 and RSF-2 | Public Facilities | stormwater |
| 02182-000-000 | 0.04 | Residential Single Family RSF-2 | Public Facilities | stormwater |
| 02262-003-000 | 0.24 | Residential Single Family RSF-2 | Public Facilities | stormwater |
| 02262-007-000 | 0.1 | Residential Single Family RSF-2 | Public Facilities | FDOT stormwater extension |
| 02530-013-000 | 1.56 | Residential Single Family RSF-2 | Public Facilities | Countryway stormwater |
| 02530-200-000 | 4.29 | Agricultural | Public Facilities | Countryway stormwater |
| 02534-100-000 | 3.5 | Residential Single Family RSF-2 | Public Facilities | Countryway stormwater |

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**File Attachments for Item:**

9. City Commission Rules of Procedure

RESOLUTION NO. 2026-57 A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, ADOPTING CITY COMMISSION RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

# Commission Agenda Item

**Meeting Date:** November 9, 2026

**Title:** City Commission Rules of Procedure

RESOLUTION NO. 2026-57 A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, ADOPTING CITY COMMISSION RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Agenda Section:** Agenda Items

**Department:** City Attorney

**Strategic Goal/Objective:** Not applicable

**Presented By:** Nicolle Shalley, City Attorney's Office

**Recommended Actions:** Adopt Resolution No. 2026-57

**Summary:**
On September 8, 2014, the Newberry City Commission last updated its Rules of Procedure for the conduct of Commission meetings, agenda management, public participation, quasi-judicial proceedings and other related topics. The City Attorney's Office worked with the, City Manager and Mayor to prepare these updated Rules for consideration by the Commission.

**Attachments:**
1. Resolution No. 2026-57

# RESOLUTION NO. 2026-57

**A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, ADOPTING CITY COMMISSION RULES OF PROCEDURE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on September 8, 2014, the Newberry City Commission last updated its Rules of Procedure for the conduct of Commission meetings, agenda management, public participation, quasi-judicial proceedings and other related topics; and

**WHEREAS**, the City Commission now desires to update its Rules.

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

**Section 1. Adoption of Rules; Intent; Waiver.** The following are adopted as City Commission Rules of Procedure. These Rules are intended to promote the efficient and orderly conduct of Commission business and meetings. Failure to follow these Rules (except those that are required by law or those that involve notice) will not invalidate any action taken by lawful vote of the Commission. If determined necessary or appropriate to the circumstances, these Rules (except those that are required by law or those that involve notice) may be waived by affirmative vote of a majority vote of a quorum present at a Commission Meeting or Workshop.

**Rule 1. Regular Meetings.** Per Sec. 16 of the City Charter and Sec. 2-31 of the City Code, each regularly scheduled meeting of the Commission will be held at 7pm on the second and fourth Monday of each month (a "Regular Meeting"). The order of business for each Regular Meeting is as follows:

| Order of Business | Description/Instructions |
|---|---|
| **Call to Order** | By the presiding officer |
| **Roll Call of Mayor and Commissioners** | By the Clerk |
| **Approval of the Agenda** | The Commission may amend the agenda at this time, including setting time certain items; re-ordering, removing or continuing items and adding non-agenda items |
| **Invocation** | Given by a volunteer person (not a City elected official or employee) to, and for the benefit of, the Commission. The religious views or beliefs expressed by the person giving the invocation have not been reviewed, approved or endorsed by the Commission |
| **Pledge of Allegiance** | Led by a Commissioner designated by the presiding officer |

| | |
|---|---|
| **Presentations** | These items include proclamations and special recognitions. When these items are celebratory in nature, the general rule of no applause or cheering is waived for this portion of the agenda |
| **Public Announcements** | Any person may announce events or other matters of interest to the Newberry community, refer to Rule 6 for requirements |
| **Consent Agenda** | This is for items of routine City business, such as minutes or contracts, that can be handled with one collective vote on all items. Resolutions, Ordinances and other items that require a public hearing cannot be placed on the Consent Agenda. |
| **Public Hearings** | These hearings may be legislative or quasi-judicial. Quasi-judicial hearings will be identified on the agenda and will be conducted in accordance with Rule 8. |
| **Agenda Items** | These are for items of City business that do not require a public hearing, or may be informational presentations by City staff |
| **General Public Comment** | An opportunity for any person to comment on City matters that are not on the agenda, refer to Rule 6 for requirements |
| **Commissioner and Charter Officer Comments** | Each Commissioner and Charter Officer may share and discuss matters of public interest |
| **Adjourn** | Meeting will end by 10:30pm, unless extended by vote of the Commission. Any matter not acted upon shall be continued to the next Regular Meeting or a Special Meeting. |

**Rule 2. Other Types of Meetings & Workshops (as described in Sec. 16 of the City Charter)**

| Type of Meeting | Purpose/Limitations |
|---|---|
| Special Meeting | A Special Meeting is for the specific subject(s) identified in the meeting notice and agenda. Commission discussion and/or voting is limited to those subjects. |
| Emergency Meeting | An Emergency Meeting is for addressing a public emergency affecting life, health, safety, preservation of property or the public peace. |
| Workshop | A Workshop is for informational items only. No final vote on any matter of City business may occur. Procedural or administrative votes may be taken, such as scheduling the matter for a future meeting, directing staff to take further |

| | |
|---|---|
| | action, or adjourning the meeting. |
| Conference Session Meeting | A Conference Session Meeting occurs at a place other than at City Hall and no official action can be taken at such meeting. |
| Joint Meeting | A Joint Meeting can be either:<br><br>(1) a meeting called by the City Commission in accordance with Section 166.0213, Florida Statutes, to receive, discuss and act upon matters of mutual interest with the Board of County Commissioners of Alachua County and/or with the governing body of another municipality; or<br><br>(2) a meeting called by Alachua County in accordance with Section 125.001, Florida Statutes, to discuss matters regarding land development, economic development, or any other matter(s) of mutual interest. In order to participate in the County Joint Meeting, the City Commission must first adopt a resolution authorizing such participation; no official vote by the Commission may be taken at a County Joint Meeting; and the County Joint Meeting may not take the place of any public hearing required by law. |
| "Shade" Meeting or Executive Session | State law provides several exemptions from Florida's Government-in-the-Sunshine Law (Section 286.011, Florida Statutes) that allow the Commission to meet in a session that is closed to the public. These Meetings must be called and noticed in strict compliance with the particular statutory exemption under which the meeting is held. |

2.1 Procedure to call: A Special Meeting, Emergency Meeting, Conference Session Meeting or Workshop may be called: (1) by Commission vote at any Regular Meeting; or (2) per Sec. 16 of the City Charter, by request of the Mayor, two City Commissioners or the City Manager. Such request should be made in writing to the Clerk and should state the requested date, time and location of the meeting or workshop and a description of the subject(s) to be discussed. Upon receipt of the written request(s), the Clerk's Office will contact each Commissioner to determine if a quorum is available for the requested meeting or workshop. Upon confirming a quorum is available, the Clerk will provide notice of the meeting or workshop.

**Rule 3. Notice of Meetings and Workshops**

3.1 Notice. in accordance with Sec. 16 of the City Charter, the Clerk will provide the following advance notice to each Commissioner and the public of the date,

time, location and subject matter(s) to be discussed at the meeting or workshop:

- Special Meetings require 24 hours advance notice,
- Workshops and Conference Session Meetings require 48 hours advance notice, and
- Emergency Meetings require 3 hours advance notice, if practicable, or the most reasonable notice allowed under the circumstances.

Such notice will be posted on the calendar on the City's official website and at a central location (which may be physical or electronic) on the First Floor of City Hall, 25493 NW 1st Avenue, Newberry, Florida.

3.2 Required language. Notices of Commission meetings and Commission agendas will contain the following information (in the same or substantially similar language):

> In accordance with Section 286.0105, Florida Statutes, should any person decide to appeal any decision made at the City Commission Meeting, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.
>
> In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons with disabilities requiring reasonable accommodation to participate in a City meeting should contact the City Clerk at (352) 472-2161 or ADArequests@newberryfl.gov at least 2 business days prior to the date of the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 711 or by calling 1-800-955-8770. If you are transportation disadvantaged and require transportation to attend the meeting, please contact MV Transportation at 352-375-2784 at least 3 business days prior to the meeting.

**Rule 4. Agenda Preparation and Public Release; Minutes**

4.1 Complete Agenda Items; Legal Review. An agenda for each meeting or workshop will be prepared by the City Manager and/or City Clerk based on complete agenda items submitted by the Mayor, a City Commissioner, the City Manager, the City Clerk, the City Attorney and/or a City Department Director. A "complete agenda item" includes: (a) a properly filled out agenda summary sheet on the form provided by the City Manager; and (b) all supporting documentation, such as, reports, maps, and documents for signature. Documents proposed for Commission adoption or approval that constitute legally binding obligations of the City, such as contracts/agreements, should be submitted to the City Attorney for review and approval as to form and legality prior to submission of the agenda item.

4.2 Deadlines; Publication of the Agenda. The City Manager will establish, and may revise, the deadlines for submitting "complete agenda items" and the date for

publishing the final agenda. Once published, the agenda will not be further modified until the adoption of the agenda on the day of the meeting.

4.3 Non-Agenda Items. If the Mayor, a City Commissioner or Charter Officer has a time sensitive or critical item that is not on a Commission agenda (a "non-agenda item"), such person may request that item be added to the agenda at the time of Approval of the Agenda. The person submitting the non-agenda item must provide hard copies of the item and back-up for distribution to the Mayor, each Commissioner and each Charter Officer.

4.4 Minutes. In accordance with Section 286.011, Florida Statutes, and Sec. 26 of the City Charter, the Clerk shall promptly prepare minutes after each Commission Meeting or Workshop. The Clerk shall place such minutes on a Regular Meeting Agenda for review and approval by the Commission. Upon approval and signature, the final minutes shall be recorded by the Clerk.

**Rule 5. Mayor and City Commissioner Participation in a Meeting or Workshop**

5.1 Quorum. Commissioners are expected to attend all scheduled Commission meetings. Three (3) Commissioners constitute a quorum for the transaction of business. If a quorum is lost during a meeting, the remaining Commissioners may finish discussion (but take no vote), direct that all remaining items be continued to a date and time certain, and may adjourn the meeting.

5.2 Voting. In accordance with Section 286.012, Florida Statutes, each Commissioner who is present at a meeting shall vote on each matter, unless that member has a conflict of interest under state ethics laws or, in the case of a quasi-judicial matter, is unable to be an impartial decision-maker. Any Commission who abstains from voting shall publicly state the reason prior to the vote being taken; and shall, if applicable, file the State Ethics Form 8B "Memorandum of Voting Conflict" with the Clerk within 15 days after the Commission Meeting at which the abstention occurred.

Each Commissioner shall vote "yes" in support of a motion and "no" when voting against a motion. Silence by a Commissioner will be recorded as a "yes" vote. Unless a higher threshold is required by law for a particular item, an affirmative vote by the majority (more than 50%) of the quorum present shall constitute approval of an item. A tie vote shall be recorded as a denial/disapproval of the item.

5.3 Recess, Continuance or Cancellation. The Commission may recess and reconvene or continue any agenda item(s) to a date and time certain as may be determined by the Commission during any meeting. Any meeting may be cancelled for cause (including, but not limited to, emergency conditions, lack of agenda items, a quorum will not be present) by the Mayor and the City Manager. The Clerk's Office will provide notice of the cancellation to all Commissioners and will post notice in accordance with Rule 3. Future scheduled meeting may be cancelled by vote of the Commission at any Regular Meeting.

5.4 Presiding Officer. Pursuant to Sec. 9 of the City Charter, the Mayor shall preside at all Commission meetings and workshops. Pursuant to Sec. 12 of the City Charter, at the time of organizing after each City election, the Commission will elect one of its members to serve as the Chairperson Pro Tempore and one to serve as the Alternate Chairperson Pro Tempore, either of whom may serve as the presiding officer in the absence of the Mayor. In the absence of the Mayor, the Chairperson Pro Tempore and the Alternate Chairperson Pro Tempore, any Commissioner may call a meeting or workshop to order and the quorum present will designate a presiding officer for that meeting or workshop. Duties of the presiding officer include:

- Calling the Commission to order at the time noticed for the meeting or workshop;
- Preserving order and decorum at all meetings and workshops with the assistance of the Sergeant-at-Arms,
- Signing all ordinances, resolutions, proclamations, contracts, agreements and other documents approved by the Commission, unless another signatory is so designated, and
- In the event the presiding officer must leave the meeting room, the presiding officer shall pass the gavel to any Commissioner who will lead the meeting until the presiding officer returns.

5.5 Commissioner debate. No motion may be debated or put to a vote unless seconded. No Commissioner may reserve the priority to make a motion. A Commissioner may state "I move that we vote immediately." This motion will apply to any pending motion(s). Further, any motion to vote immediately: (1) must be seconded; (2) is not debatable; (3) cannot interrupt a speaker; (4) requires a two-thirds vote (because it prevents or cuts off debate); (5) takes precedence over all pending motions; and (6) can have no motion applied to it except withdrawal by the Commissioner who made the motion.

All motions or amendments shall be reduced to writing, by the Clerk, upon request of a member of the Commission.

Each Commissioner desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine their remarks to the question under debate and shall avoid personal attacks or inappropriate language. A Commissioner who has the floor shall not be interrupted unless it is necessary for the presiding officer to call the Commissioner to order. In which case, the Commissioner must cease speaking until the question or order is determined by the presiding officer without debate and, if in order, the Commissioner may proceed.

After the decision of any question, it shall be in order for any Commissioner to move reconsideration. If the motion to reconsider is approved by a majority of those members present, the item shall be placed on a future agenda for reconsideration, subject to legal, contractual, fiscal, quasi-judicial and other constraints as staff may advise the

Commission. If the Commission does not specify the future date when the item will be heard, the Mayor, in consultation with the City Manager, will determine the date.

5.6 Parliamentary Procedure. Roberts Rules of Order may be used by the presiding office to supplement and provide guidance on matters of procedure; provided they do not conflict with City Charter, Code or this Resolution.

**Rule 6. Public Participation**

6.1 Public Participation Encouraged. The Commission recognizes the right of all persons to address their elected officials and express their thoughts and opinions about City government matters. The Commission encourages participation in the City government process, whether though public comment, volunteering to serve on a City Board, or emailing, calling or meeting with City Commissioners or City Staff.

6.2 How and When Public Comment is Taken. It is recognized that Commission Meetings and Workshops are a limited public forum in which the Commission must conduct necessary City business and so these rules balance the rights of persons to speak on City government issues, while ensuring the transaction of City business in a timely manner. Time limits in this Rule are a guide and may be adjusted by the presiding officer based on the number of participants and/or to provide equal time for opponents and proponents speaking to any particular issue.

- Public Announcements and General Public Comment. At Regular Meetings, public announcements and general public comment are opportunities for persons to address the Commission in person concerning issues that are **not** on the agenda. Each speaker is generally limited to a maximum of 5 minutes. Since Special Meetings and Workshops are limited to the specific matter(s) on the agenda, there is no public announcements or general public comment.

- Public Comment on Agenda Items. In accordance with Section 286.0114, Florida Statutes, the Commission will take public comment on all agenda items, except for ministerial acts (such as approval of minutes and proclamations) and acts taken by the Commission to deal with an emergency situation affecting the public health, welfare or safety, if allowing public comment would cause an unreasonable delay in the ability of the Commission to act. Generally, each speaker is limited to a maximum of 5 minutes and must confine their comment to the agenda item being considered. As directed by the presiding officer, public comment may be taken once during an item, rather than upon every motion concerning that item.

6.3 Procedures for Public Comment. Each speaker must:

- State their name in an audible tone of voice;

- Limit their comments to the topic (general or agenda item) and the time provided;
- Address their comments to the presiding officer and not to any individual Commissioner, staff, or any other person;
- Follow directions given by the presiding officer; and
- Provide 9 copies of any documents they present to the Clerk for distribution to the Mayor, each Commissioner and the Charter Officers.

**Rule 7. Order and Decorum; Sergeant-at-Arms**

7.1 Conduct in Meetings. All persons attending Commission meetings are prohibited from possessing food, drink, props, signs, posters, or other similar materials in the meeting room and from engaging in "disruptive conduct" in the meeting room or City Hall. "Disruptive conduct" generally includes, but is not limited to:

- Entering discussion without being recognized by the presiding officer;
- Refusal to confine comment to the topic;
- Refusal to conform to time limits on speaking;
- Refusal to leave speaking podium;
- Refusal to follow orders given by the presiding officer; or
- Any conduct that violates rules of order and disrupts the meeting. This includes, but is not limited to: (a) violent or tumultuous conduct threatening the safety of another; (b) conduct creating danger to property or any person; (c) provoking or engaging in a fight;(d) Use of words that may threaten or outrage others; (e) using obscene, profane, or vulgar language or language directed at personalities; or (f) outbursts of approval or disapproval, jeers or heckling which interrupt a speaker or the deliberation of the Commission.

7.2 Enforcement of Order and Decorum. It is the duty of the presiding officer to maintain order and decorum at each meeting and workshop. Any Commissioner may request the presiding officer enforce order and decorum upon a motion and a majority vote of Commissioners present. In the event of "disruptive conduct" (generally defined in 7.1 above):

Step 1: The presiding officer will first warn the person(s) that their conduct is disrupting the meeting and they must immediately stop the disruptive conduct or leave the meeting.

Step 2: If the disruptive conduct continues, the presiding officer will: (a) revoke the person's right to speak at the meeting; or (b) revoke the person's right to attend the meeting and direct the sergeant-at-arms to remove the person from the meeting. In addition, the presiding officer may: recess the meeting, adjourn the meeting, or take such other appropriate action as permitted by law.

Step 3: Upon instructions of the presiding officer, the sergeant-at-arms (who may request assistance from any law enforcement officer assigned to the meeting) shall escort the person who engaged in the disruptive conduct from the meeting room and/or the City Hall. The sergeant-at-arms will provide information explaining the law on trespass and Section 871.01, Florida Statutes, regarding Disturbing Schools, and Religious and Other Assemblies, and advise the person that there are alternate means of presenting the person's views to the Commission. If the person refuses or resists removal, the person may be placed under arrest.

7.3 Sergeant-At-Arms. The City Manager or designee shall be sergeant-at-arms at all Commission meetings and workshops. The sergeant-at-arms will carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum.

**Rule 8. Quasi-Judicial Matters**

8.1 General explanation. Florida law recognizes that certain matters before the Commission involve applying existing law to adjudicate individual rights/cases (in contrast to general legislative, policy making) and must be handled similar to judicial proceedings. In simplest terms, Florida law regarding quasi-judicial matters requires that the City:

- Provide due process – this means (a) adequate advance notice of the hearing, (b) an opportunity for the Parties (defined in 8.2 below) to be heard at the hearing, and (c) an impartial decision-maker;

- Follow the essential requirements of the law – this means identify, interpret and apply the correct, existing law; and

- Base the decision on competent, substantial evidence – this means carefully review the evidence presented at the hearing (both verbal testimony and written materials) to determine what is relevant and material and whether, overall, the "weight" of the evidence proves (or fails to prove) that the essential requirements of the law have been met.

8.2 Communications outside of the hearing (aka "ex-parte" communications). In accordance with Section 286.0115, Florida Statutes, the Commission adopts this process to disclose ex-parte communications (e.g., site visits, expert opinions, and other verbal or written communication that occur outside of the quasi-judicial hearing) in order to remove the presumption of prejudice and to allow parties who have opinions contrary to those expressed in the ex-parte communication a reasonable opportunity to refute or respond to the ex-parte communication. Any Party may question (through the presiding officer) a Commissioner about any ex-parte communications.

Before or during the hearing at which a vote is taken on the quasi-judicial matter, each

Commissioner who received or engaged in ex-parte communications must:

- As to verbal communications, disclose the subject of the communication and the identity of the persons with whom the communication took place.
- As to written communications, enter copies of all written communications into the record.
- As to site visits and consultation with experts, disclose any investigations or site visits made by the Commissioner and the receipt of any expert opinions regarding the quasi-judicial matter. If such are reduced to writing, then a copy of the written communications must be entered into the record.
- Confirm ability to be an impartial decision-maker, or if unable to be impartial, the Commissioner must abstain from discussion and voting in the quasi-judicial hearing.

8.3 The Parties to the Hearing. The Parties (or individually a "Party") are the Applicant, the City and each person determined to be an "Affected Party." Generally, a "Party" receives more time to participate in each step of the hearing process (outlined below) and may have rights to appeal or challenge the decision made; whereas, the general public receives time to provide evidence during the public comment period in the hearing process.

8.4 Application and Determination of Affected Party status. To qualify as an "Affected Party" a person must demonstrate that they have a special interest in the matter or would suffer an injury distinct in kind and degree from that shared by the public at large. A person who believes they qualify and desires to be recognized as an Affected Party must submit a written application (on the form provided by the City) to the City Attorney at least five (5) calendar days prior to the public hearing date. At the hearing, the City Attorney will present the applications to the Commission, advise them of any legal considerations, and the Commission will make a determination of affected party status by considering the facts articulated in each application. If the Commission determines that the person is not an affected party, that person may participate during public comment.

8.5 Informal hearing unless formal requested. Quasi-judicial hearings before the Commission will be conducted as informal hearings, unless a Party (defined in 8.3 above) requests a formal hearing. The difference between a formal and informal hearing is the level of legal formality with which the hearing is conducted, with a formal hearing including swearing-in of all parties, cross-examination, rebuttal and closing (as outlined below). A Party that desires a formal hearing must submit a complete application for a formal hearing (on the form provided by the City) to the City Attorney before the close of business at least five (5) calendar days prior to the Commission meeting when the matter is noticed to be heard. At the hearing, the City Attorney will advise the Commission of any such requests.

8.6 Order of Presentation; Time Limits. The following is the order of presentation for each quasi-judicial hearing (the portions unique to a formal hearing are

so labeled). The time limits listed may be modified by the presiding officer to avoid unnecessary repetition or by the Commission on motion of a Commissioner or upon request of a Party. In considering such request, the Commission should be mindful of providing each Party with due process, but without undue repetition and delay. Repetitious comment or information may be limited or stopped by the presiding officer and the sharing, transferring or yielding of speaking time to another person is not allowed.

| Order | Maximum Time Limit |
|---|---|
| **Determination of affected party status** (if any timely applications were submitted per 8.4 above) and **advise if any Party requested a formal hearing** (per 8.5 above) | Not applicable |
| **Disclosure of ex-parte communication** (refer to 8.2 above) | Not applicable |
| FORMAL HEARING ONLY: Swearing-in (Oath/Affirmation) of each Party who intends to testify (by the City Clerk or City Attorney) | Not applicable |
| **Reading of the Item Title** into the record (by the City Attorney or City Clerk) | Not applicable |
| **Applicant presentation** - the Applicant bears the burden of proof that their application mets all requirements | 15 minutes |
| **City Staff presentation** -Staff will advise the Commission of the requirements, provide professional analysis and/or recommendation(s) | 15 minutes |
| **Affected Party presentations** (if any) | 15 minutes per party |
| FORMAL HEARING ONLY: Rebuttal and Cross-Examination by each Party | 10 minutes per party |
| FORMAL HEARING ONLY: Closing by each Part) | 5 minutes per party |
| **Public comment** - the Commission shall assign such weight and credibility to public comment as it deems appropriate | 5 minutes per person |
| **Deliberation and vote of the Commission** - The Commission shall deliberate and take any action the deem appropriate (refer to 8.8 below) | Not applicable |

8.7 Multi-step hearings. Some quasi-judicial matters, that involve petition and ordinance hearings, require multiple public meetings. To avoid undue repetition, the following will apply unless modified by the Commission.

(a) Petition hearing. This hearing is matters that were recommended for denial by the Planning and Zoning Board or by City staff, for "custom" site-specific zoning (such as PDs and Mixed-Use) or other matters that require discussion and direction from the Commission before a resolution, ordinance or order can be properly drafted. The hearing will follow the Order set forth in 8.6 above.

(b) First Reading hearing of Ordinance. The hearing will follow the Order set forth in 8.6 above and the hearing will be closed upon vote of the Commission to approve or deny.

(c) Second Reading hearing of Ordinance. Unless a Party requests to re-open the hearing for further presentation, the Commission will take public comment, deliberate and vote.

8.8 Action of the Commission. At any hearing, the Commission may:

(a) continue the matter and may request further information from any Party;

(b) amend, approve or deny any written order, resolution or ordinance that is before the Commission; or

(c) direct City staff and the City Attorney to prepare a written order, resolution or ordinance (as appropriate to the matter being considered) that describes the approval and specifies any conditions, requirements or limitations; or that describes the reason(s) for denial. This written document will then be scheduled for deliberation and vote at a subsequent Regular or Special Meeting.

8.9 Representation of Parties. Any Party may be represented by an attorney, other professional or person of their choosing. Anyone representing a party, shall clearly state for the record the Party they represent.

8.10 Evidence. The evidence before the Commission includes verbal testimony and written evidence that addresses whether the application is consistent with and meets the requirements of the City's adopted Comprehensive Plan, Code, rules, policies or plans and other applicable laws. Each Commissioner must carefully review the evidence presented at the hearing to determine what is relevant and material and whether, overall, the "weight" of that evidence proves (or fails to prove) that the essential requirements of the law have been met.

**Section 2.** Any prior rules adopted by the City Commission are hereby repealed and shall be of no further force or effect. This Resolution shall become effective upon adoption.

This Resolution was ADOPTED by an affirmative vote of a majority of a quorum present of the City Commission at its Regular Meeting on November 9, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

**ATTEST, BY THE CLERK OF THE CITY OF NEWBERRY, FLORIDA**

_____
Randa K. Paul, City Clerk

Approved as to form and legality

_____
City Attorney's Office

**File Attachments for Item:**

10. Resolution 2026-56 Surplus and Non-Competitive Disposition of Office Space in the Little Red School House

A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND AUTHORIZING THE NON-COMPETITIVE DISPOSITION OF THAT REAL PROPERTY TO SERVE A PUBLIC PURPOSE; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

# Commission Agenda Item

**Meeting Date:** November 9, 2026

**Title:** Resolution 2026-56 Surplus and Non-Competitive Disposition of Office Space in the Little Red School House

A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND AUTHORIZING THE NON-COMPETITIVE DISPOSITION OF THAT REAL PROPERTY TO SERVE A PUBLIC PURPOSE; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Agenda Section:** Agenda Items

**Department:** City Manager

**Strategic Goal/Objective:** Not applicable

**Presented By:** Jordan Marlowe, City Manager

**Recommended Actions:** Adopt Resolution No. 2026-56

**Summary:**
On June 8, 2026, the Newberry City Commission adopted Ordinance No. 2026-23 that establishes policies to govern the acquisition or disposition of interests in real property by the City (the "Policies"). Pursuant to Sec. 2-154.B and Sec. 2-155 of the Policies, the City Commission may, by adoption of a resolution, declare real property to be surplus and authorize its disposition, without competitive process, to governmental entities or non-profit entities to serve a particular public purpose.

**Attachments:**
1. Resolution No. 2026-56

# RESOLUTION NO. 2026-56

**A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND AUTHORIZING THE NON-COMPETITIVE DISPOSITION OF THAT REAL PROPERTY TO SERVE A PUBLIC PURPOSE; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Newberry City Commission adopted Ordinance No. 2026-23 on June 8, 2026 (to be codified in Chapter 2 of the Code of Ordinances) that establishes policies to govern the acquisition or disposition of interests in real property by the City (the "Policies");

**WHEREAS**, pursuant to Sec. 2-154.B and Sec. 2-155 of the Policies, the City Commission may, by adoption of a resolution, declare real property to be surplus and authorize its disposition, without competitive process, to governmental entities or non-profit entities to serve a particular public purpose; and

**WHEREAS**, consistent with the Policies, the City Commission finds that it is in the best interest of the City to declare the real property described below as surplus and authorize its disposition to serve the public purpose described below.

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

**Section 1.** Real Property. The City of Newberry owns real property referred to as the "Little Red School House" that is located at 25815 SW 2nd Avenue and identified as Tax Parcel No. 01988-004-000 (the "Property") which is depicted on the attachment to this Resolution and described as:

A tract of land situated in a part of Block 11 and a part of Pearl Street (S.W. 8th St.) and a part of Carter Street (S.W. 7th St.) as shown on "CARTERS ADDITION TO NEWBERRY", a subdivision as recorded in Plat Book "A", Page 65, of the Public Records of Alachua County, Florida, said tract of land being more particularly described as follows:

Begin at the N.E. Corner of Block 11 of "CARTERS ADDITION TO NEWBERRY" and run S 80 deg. 10'00" W, along the South right-of-way line of S.W. 2nd Avenue, 344.32 Feet; thence run S 00 deg. 50'00" E, 120.00 Feet; thence run N 89 deg. 10'00" E, 390.00 Feet; thence run N 00 deg. 50'00" W, 120.00 Feet to the South right-of-way line of said S.W. 2nd Avenue; thence run S 89 deg. 10'00" W, 45.68 Feet to the Point of Beginning, said tract of land containing 1.074 acres, more or less.

**Section 2.** Public Purpose. The City desires to, from time to time, offer vacant office space within the Little Red School House to governmental entities and/or non-profit entities that will use the office space solely to serve the public and community interest and welfare within the

City of Newberry.

**Section 3**. Surplus. The Property is hereby declared as surplus pursuant to Sec. 2-154 of the Policies.

**Section 4**. Disposition; Consideration; Direction. The City Manager is authorized to negotiate the terms and conditions (including consideration) and to execute Leases, License Agreements and/or Use Agreements (as appropriate to the situation and in the form prepared by the City Attorney) that are consistent with Section 2 above and that are for a term of less than five years. The City Manager, or their designee, is authorized and directed to take all other actions necessary to manage and administer the transactions authorized by this Resolution.

**Section 5**. Severability. If any word, phrase, clause, paragraph, section or provision of this Resolution or the application hereof to any person or circumstances is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the Resolution which can be given without the valid or unconstitutional provisions or application, and to this end the provisions of this Resolution are declared severable.

**Section 6.** Conflict. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7.** Effective Date. This Resolution shall become effective immediately upon adoption.

**ADOPTED** by affirmative vote of a majority of a quorum present of the Newberry City Commission at its Regular Meeting on November 9, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

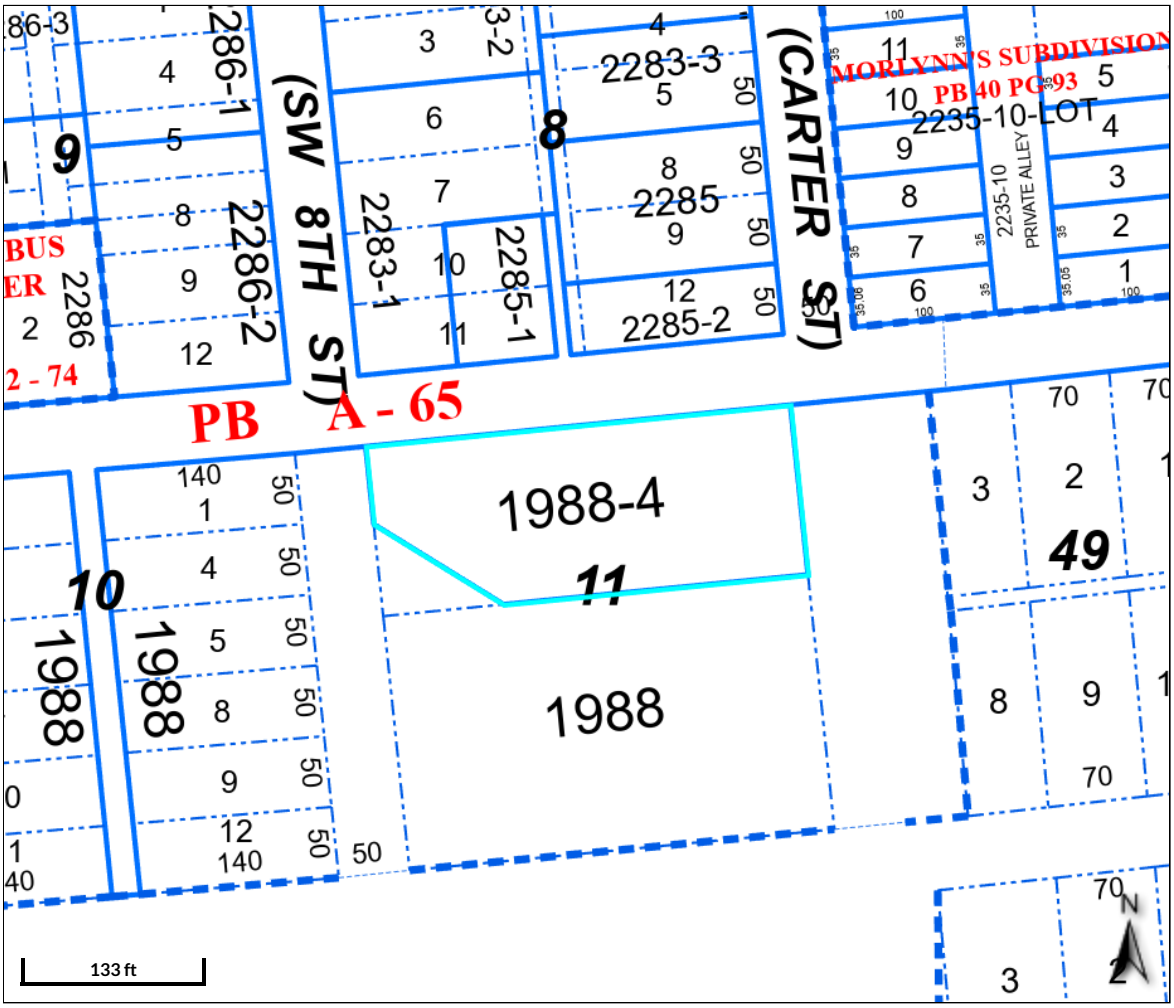
ATTEST, BY THE CLERK OF THE
CITY OF NEWBERRY, FLORIDA

_____
Randa Paul, City Clerk

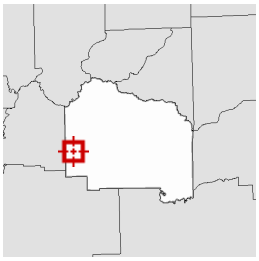
Approved as to form and legality

_____
City Attorney's Office

AYESHA SOLOMON
ALACHUA COUNTY
PROPERTY APPRAISER
KNOWLEDGEABLE - COMMUNITY FOCUSED - COMMITTED




Overview



Legend

- Parcel Lines
- Parcels
- Lakes

| | | | | | |
|---|---|---|---|---|---|
| **Parcel ID** | 01988-004-000 | **Prop ID** | 8701 | **Owner Address** | CITY OF NEWBERRY FLORIDA |
| **Sec/Twp/Rng** | 04-10-17 | **Class** | MUNICIPAL | | 25493 NW 1ST AVE |
| **Property Address** | 25815 SW 2ND AVE NEWBERRY | **Acreage** | 1.01 | | NEWBERRY, FL 32669 |

**District** 8700 - NEWBERRY

**Brief Tax Description** CARTERS ADDN TO NEWBERRY BEG NE COR BK 11 W 344.32 FT S 120.00 FT E 390.00 FT N 120.00 FT W 45.68 FT TO POB OR 1376/776 LESS OR 1746/1707 DESC AS COM NW COR BLK 11 CARTERS ADDN S 55 FT POB S 65 FT E 85 FT N 53 DEG W 107 FT POB DEED APPEARS IN ERROR OR 210
(Note: Not to be used on legal documents)

Date created: 10/29/2026
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**File Attachments for Item:**

11. SRF Loan Amendment

*A Resolution Of The City Of Newberry, Florida, Relating To The Clean Water State Revolving Fund Loan Program; Making Findings; Authorizing A Loan Application; Authorizing The Loan Agreement; Designating Authorized City Representatives; Establishing Pledged Revenues; Providing For Conflicts, Severability, And An Effective Date.*

# RESOLUTION NO. 2026-55

**A RESOLUTION OF THE CITY OF NEWBERRY, FLORIDA, RELATING TO THE CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING A LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; DESIGNATING AUTHORIZED CITY REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS,** Section 116.111, Florida Statutes, authorizes the governing body of each municipality to borrow money to finance municipal projects;

**WHEREAS,** Section 403.1835, Florida Statutes, authorizes Florida Department of Environmental Protection to provide loans to local governments to finance the water pollution control projects, including wastewater management/treatment facilities;

**WHEREAS,** Chapter 62-503, Florida Administrative Code, implements the State Revolving Fund (SRF) loan program and requires authorization to apply for State loans, to establish pledged revenues, to designate authorized representatives; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement;

**WHEREAS,** the Clean Water SRF Loan Program priority list designates City of Newberry Project No. WW01080 (the “Project”) as eligible for available funding; and

**WHEREAS,** the City of Newberry desires to apply for further SRF loan funding and, if awarded, to enter into a loan agreement with the Department of Environmental Protection for Project financing.

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

**Section 1.** The foregoing findings are adopted and made a part of this Resolution.

**Section 2.** The City Manager, or designee, is authorized to apply for an SRF loan to finance the Project, and is designated as the City’s authorized representative to provide the assurances and commitments required by the loan application.

**Section 3.** The City Manager, or designee is designated as the City’s authorized representative to execute the SRF loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The City Manager, or designee, is authorized to represent the City in carrying out the City's responsibilities under the SRF loan agreement. The City Manager, or designee, is authorized to delegate responsibility

to appropriate City staff to carry out technical, financial, and administrative activities associated with the SRF loan agreement.

**Section 4.** The revenues pledged for the repayment of the SRF loan are net Water Fund and Sewer Fund revenues after payment of debt service on the City's Water and Sewer System Revenue Bonds, Series 2022 and Water and Sewer Utility Revolving Credit Bond, Series 2024.

**Section 5.** All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** If any word, phrase, clause, paragraph, section or provision of this Resolution or the application hereof to any person or circumstances is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the Resolution which can be given without the valid or unconstitutional provisions or application, and to this end the provisions of this Resolution are declared severable.

**Section 7.** This Resolution shall become effective immediately upon adoption.

**ADOPTED** by affirmative vote of a majority of a quorum present of the Newberry City Commission at its Regular Meeting on November 9, 2026.

**CITY OF NEWBERRY, FLORIDA**

_____
Timothy R. Marden, Mayor

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

_____
Randa Paul, City Clerk

Approved as to form and legality

_____
City Attorney’s Office

**FOLDS WALKER, PLLC**

**ATTORNEYS AT LAW**

**ALLISON E. FOLDS†**
**S. SCOTT WALKER†**
**A. DEREK FOLDS**

**DANIELLE C. ADAMS**
**KIERSTEN N. BALLOU**
**NORMAN S. BLEDSOE**
**KATIE A. CHRONISTER**
**LEONARD E. IRELAND, JR.*^**
**NICOLLE M. SHALLEY**
**SCOTT L. WHITAKER**

**527 E. UNIVERSITY AVENUE**
**GAINESVILLE, FL 32601**
**TELEPHONE (352) 372-1282**
**FACSIMILE (352) 375-9960**
**WWW.FOLDSWALKER.COM**

† Certified Family and Circuit Civil Mediator
*Certified Circuit Civil Mediator
^Court Appointed Arbitrator

October 12, 2026

Ms. Angela Knecht
Program Administrator
State Revolving Fund Management
3900 Commonwealth Blvd., Mail Station 3505
Tallahassee, Florida 32399-3000

**Re: WW01080 – Local Government**
**Newberry Wastewater Construction Project**

Dear Ms. Knecht:

I am the duly authorized Assistant City Attorney for the City of Newberry. The City proposes to borrow an additional $20,000,000, plus a 2% loan servicing fee, from the State Revolving Fund for construction of the Newberry Wastewater Project as designed by Atkins Realis and approved by Florida Department of Environmental Protection. This additional borrowing will bringing the current total SRF loan amount to $41,871,708.

The loan will be secured by the net revenues of the City's Water and Wastewater system, along with developer agreement charges, and the pledged revenues are legally available to pledge. The City of Newberry has the legal authority to increase rates and charges to ensure repayment of the loan.

The pledge on revenues is subject to prior liens for the following issues:
City of Newberry, Florida, Water and Sewer System Revenue Bonds, Series 2022

Sincerely,

Nicolle M. Shalley

Nicolle M. Shalley