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

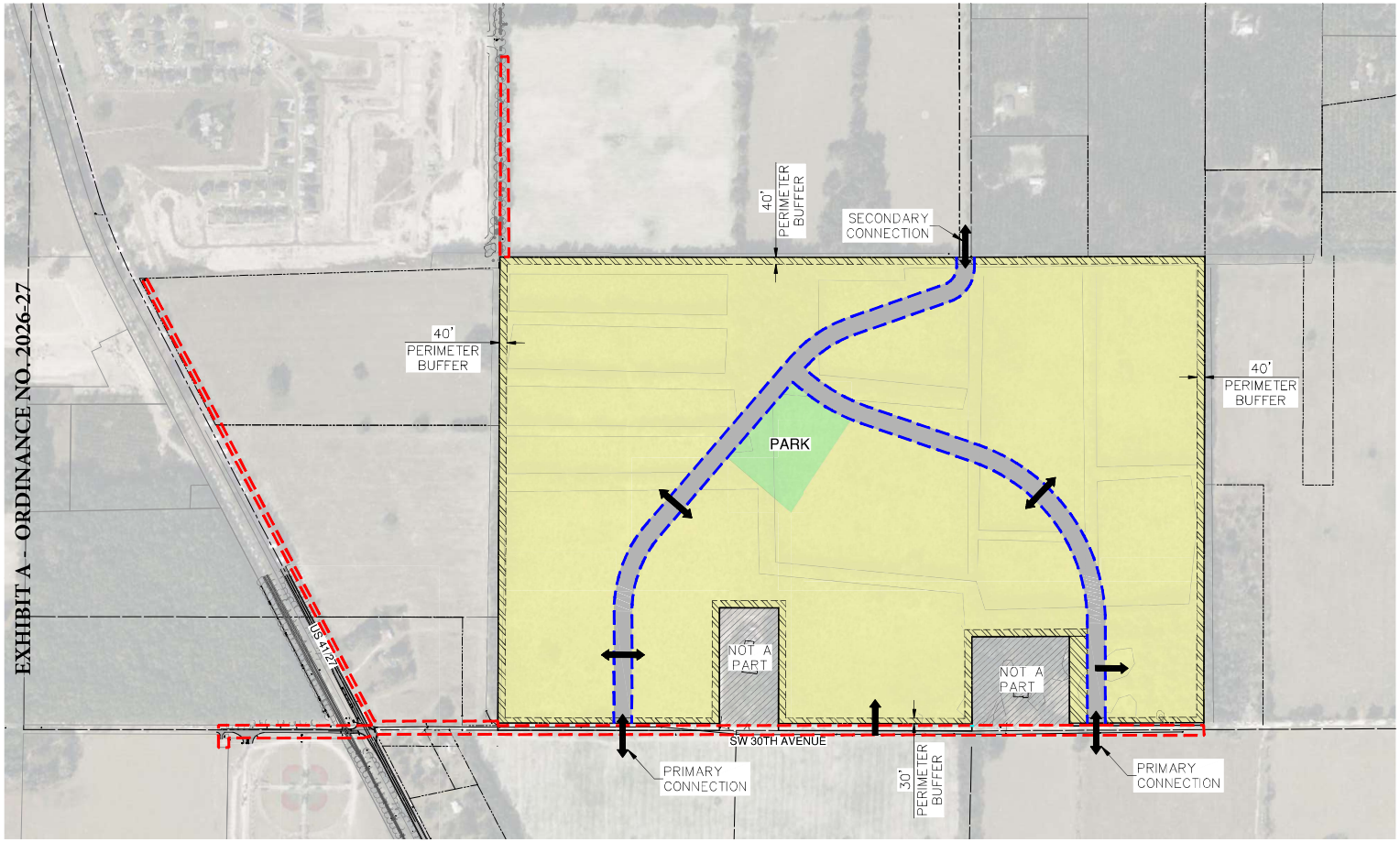
Approved as to form and legality

_____
City Attorney's Office

NEWBERRY RIDGE

PLANNED RESIDENTIAL DEVELOPMENT (PRD)

PRELIMINARY DEVELOPMENT PLAN



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300 150 0 300 600

GRAPHIC SCALE
1" = 300'

LEGEND

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

Bowman

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PRELIMINARY DEVELOPMENT PLAN

NEWBERRY RIDGE

NEWBERRY, FL

ALACHUA COUNTY

PLAN STATUS

DATE	DESCRIPTION	
DMF DESIGN	JS DRAWN	DMF CHKD

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

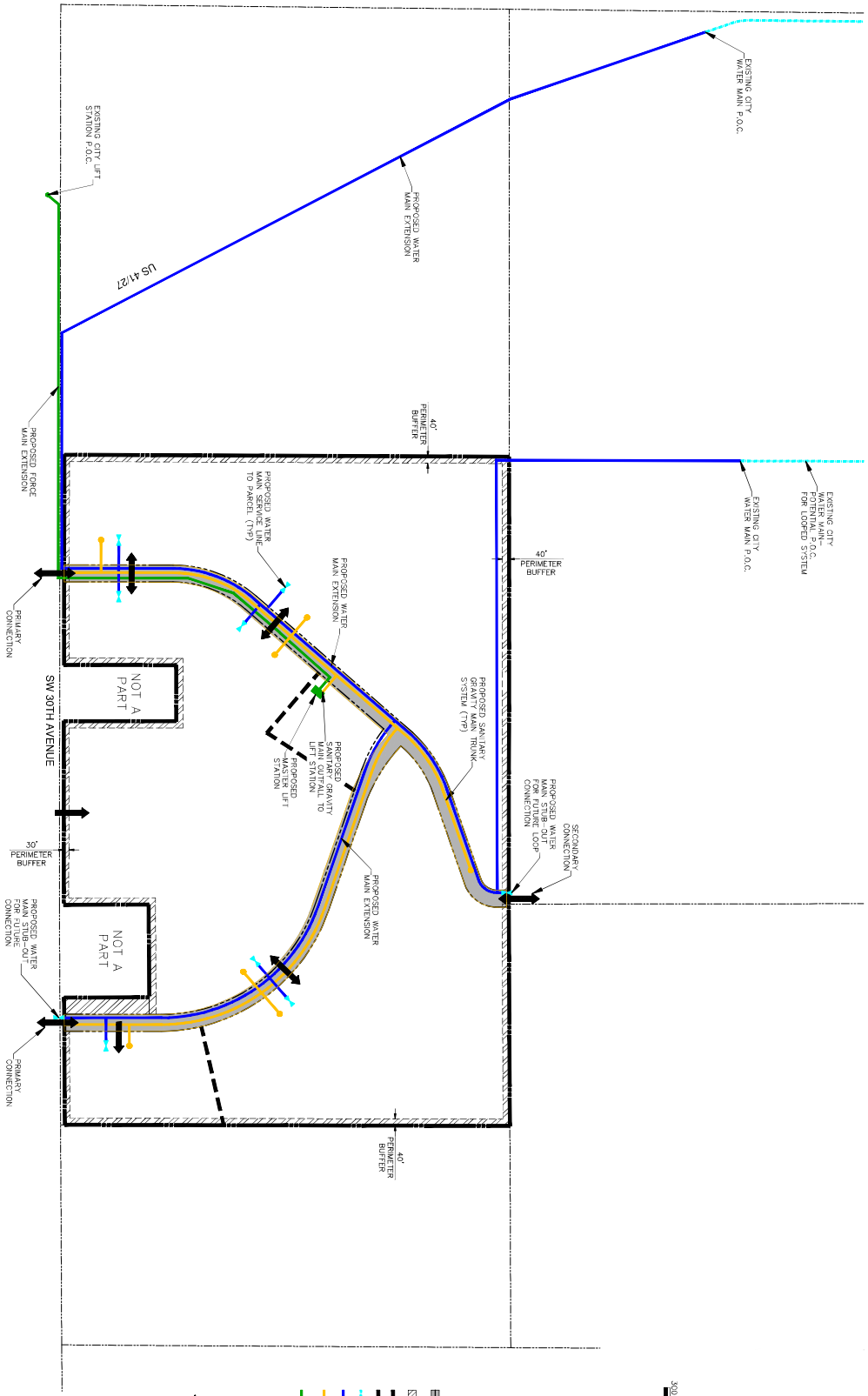
JOB No. 052070-01-001

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

EXHIBIT B - ORDINANCE NO. 2026-27



NOTE:
1. RECLAIMED WATER IS NOT AVAILABLE.

PRELIMINARY MASTER UTILITY PLAN

NEWBERRY RIDGE

NEWBERRY, FL — ALACHUA COUNTY

PLAN STATUS	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

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