

Community Development Committee

*City Hall
200 East University Avenue
Gainesville, Florida 32601*

Meeting Minutes

Thursday, March 13, 2008

6:00 PM

City Hall, Room 16

*Commissioner Scherwin Henry, Chair
Commissioner Jack Donovan, Member
Commissioner Craig Lowe, Member*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER

The meeting was called to order at 6:00 PM.

ROLL CALL

Present: Craig Lowe, Jack Donovan and Scherwin Henry

ADOPTION OF THE AGENDA

Adopted as recommended.

APPROVAL OF MINUTES

071023. Minutes of March 7, 2008 (B)

RECOMMENDATION *The Community Development Committee approve the minutes of March 7, 2008.*

Approved as Recommended

DISCUSSION OF PENDING REFERRALS

070871. Land Development Code Amendment - Religious Land Use and Institutionalized Persons Act (B)

Chair Henry stated that the meeting was scheduled to consider the City Attorney's recommendations in order to satisfy the Justice Department requirements.

Marion Radson, City Attorney provided the Committee with a recommendation and suggested that the Committee forward the recommendation on to the City Commission. He stated that it was the foundation for amending the Land Development Code as a result of litigation on a related issue and correspondence from the Justice Department. He stated that the City is moving forward in good faith to try to amend the Land Development Code.

Commissioner Donovan stated that he would like to see a formula for lot sizes. He stated that he was not in favor of the recommend lot size. He suggested keeping the code as it currently is, and have the Committee immediately examine the issues that have been identified. He indicated that it should be done as expeditiously as possible and with some priority ranking. He asked staff to develop a formula and work out a rationale for what that formula's numbers would be pertaining to the different size congregations anticipated to be located in a single-family neighborhood. He stated that if staff could not complete this by March 24th, then he would suggest that it be kept on the Committee's agenda until they can come up with a formula.

Commissioner Lowe stated the previous recommendation was scaled to the capacity of the building. He noted that the basis for the formula was the impact of an assembly on a single-family neighborhood, including traffic, noise, and a greater number of people in a single-family neighborhood. He indicated that the impact would be the rationale for having a minimum lot and building capacity size as suggested. He explained that the City would be looking at adjusting the formula in one way or another. He stated that the current requirements were inadequate and until they were corrected the City could have a land use that would be incompatible with the surrounding areas. He stated that is why it is important to move forward and make the modifications at a later date.

Chair Henry stated that he liked the concept of the scaling and that there would be subsequent meetings. He suggested that the Committee accept the City Attorney's recommendation.

Mr. Hilliard stated that for places of religious assembly, the assembly hall was used as the sanctuary and that would determine capacity. He stated that the State Building Code determines the capacity of a building.

Commission Donovan handed out a report from Attorney Sam Mutch, which provided answers to the list of questions that Commission Donovan generated.

There was discussion from the public on issues related to building capacity.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended by: 1) correcting the scrivener's errors; 2) amending Section 30-91 (a) by revising the minimum lot area requirements for places of religious assembly in single family districts as recommended by the Community Development Committee; 3) maintaining the current Land Development Code requirements, as codified in Section 30-91 (c) and (d), for food distribution centers for the needy and residences for destitute people as accessory uses to places of religious assembly pending further study and recommendation by the Community Development Committee; and 4) instructing the City Manager not to issue or deny any permits related to the Section 30-91 (c) and (d) accessory uses until the Community Development Committee further studies these uses and returns a recommendation to the City Commission.*

Alternative Proposal

Commissioner Donovan supported the aforementioned recommendation of the Community Development Committee, except he no longer supported the minimum lot area previously approved by the Committee and encouraged the adoption of a minimum lot area requirement based on a formula. If such a formula could not be developed and agreed upon by March 24, 2008, Commissioner Donovan supported keeping the current minimum lot area requirements for places of religious assembly in single family districts and the

Community Development Committee further studying this issue. The Community Development Committee recommended that Commissioner Donovan's proposal be considered by the City Commission as an alternative to the aforementioned recommendation.

Approved as Recommended

ADJOURNMENT

The meeting adjourned at 7:15 PM.