

City of Gainesville

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



Meeting Agenda

November 03, 2005

10:00 AM

City Hall, Room 16

Community Development Committee

*Commissioner Craig Lowe, Chair
Mayor-Commissioner Pro Tem Chuck Chestnut, Member*

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

CALL TO ORDER**ROLL CALL****ADOPTION OF THE AGENDA****APPROVAL OF MINUTES****050522 Minutes of October 6, 2005 (B)**

RECOMMENDATION *The Committee approve the minutes of October 6, 2005.*

DISCUSSION OF PENDING REFERRALS**001198****Graffiti Abatement (NB)**

RECOMMENDATION *The Community Development Committee keep this item active and staff to report back for annual updates.*

Legislative History

6/18/01	Community Development Committee	Deferred	
7/2/01	Community Development Committee	Discussed	
11/5/01	Community Development Committee	Approved as Recommended	
12/3/01	Community Development Committee	Discussed	
2/7/02	Community Development Committee	Approved as Recommended	
7/1/02	Community Development Committee	Approved as Recommended	
7/8/02	City Commission	Referred	Community Development Committee
10/6/03	Community Development Committee	Approved as Recommended	
11/3/03	Community Development Committee	Approved as Recommended	

5/3/04	Community Development Committee	Approved as Recommended
12/6/04	Community Development Committee	Continued
1/6/05	Community Development Committee	Continued
2/17/05	Community Development Committee	Approved as Recommended
9/15/05	Community Development Committee	Continued
10/6/05	Community Development Committee	Approved as Recommended

050389**Board of Adjustment (B)**

The City Commission referred various issues associated with the Board of Adjustment to the Community Development Committee. The Committee has completed its discussion and recommends several changes to Board of Adjustment functions and processes.

Explanation: On September 12, 2005, the City Commission referred to the Community Development Committee issues associated with the Board of Adjustment (BOA). The Community Development Committee discussed the BOA and its rules, processes and appeals procedures, on September 15, October 6, and November 3, 2005. The Committee discussed various possible changes to the BOA and how it works. The Committee considered one alternative of eliminating the BOA and transferring its responsibilities to other boards. Ultimately, the Board concluded that the best approach is to advertise the existing appointments to the BOA (the Community Development Department has notified neighborhoods that three positions are vacant or expired by November 1, 2005), and implement training for Board members, along with various changes to jurisdiction and appeals procedures.

Fiscal Note: None

RECOMMENDATION

Community Development Committee to the City Commission: 1) staff provide information to neighborhoods regarding vacancies on the BOA; 2) staff provide an orientation session for new BOA members and training for the BOA; 3) the City Commission initiate a petition to amend the Land Development Code to establish term limits for Board of Adjustment members; to establish preferred (not required) backgrounds or experience in urban planning, architecture, landscape architecture, law,

development or construction for three out of the five Board of Adjustment members; to amend the appeals process for appeals of administrative decisions, so that after administrative appeal levels are exhausted, the appeal is to a hearing officer for recommendation to the BOA for a BOA hearing and decision if facts are in dispute, and to the BOA directly if facts are not in dispute (and with the BOA authorized in either case to overturn staff's decision only with an affirmative vote by 4 members of the BOA), with appeal of the BOA decisions on administrative decisions to the City Commission; and to eliminate the opportunity for reestablishment of uses once the use becomes nonconforming and then lapses for a period of nine months; 4) the City Commission authorize the City Attorney to prepare an ordinance to eliminate certain of the rarely used appeals to the BOA; 5) the City Commission authorize the City Attorney's office and staff to prepare revised rules for the BOA consistent with the above changes once the City's codes are revised; and 6) remove this item from the referral list.

Legislative History

9/12/05	City Commission	Referred (6 - 0 - 1 Absent)	Community Development Committee
9/15/05	Community Development Committee	Approved as Recommended	
10/6/05	Community Development Committee	Approved as Recommended	
10/24/05	City Commission	Referred	Community Development Committee

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NEW BUSINESS**050155****Gainesville-Alachua County Regional Airport Authority (GACRAA)
Request to Transfer Title of Properties (B)****RECOMMENDATION**

The Community Development Committee hear a report to request the transfer of airport lands from the City to the Airport Authority.

Legislative History

8/8/05	City Commission	Withdrawn	
8/22/05	City Commission	Referred	Audit and Finance Committee
8/22/05	City Commission	Referred (6 - 0 - 1 Absent)	Community Development Committee

8/30/05 Audit and Finance Discussed
 Committee
9/15/05 Community Continued
 Development
 Committee

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NEXT MEETING DATE

December 1, 2005 10:00 AM

ADJOURNMENT