



Planning & Development Services

PZ-09-66 TCH
Amend Proportionate Fair-Share Section of the Land Development Code

July 28, 2009

Reasons for the Changes

- Consistency with Senate Bill 360 (SB 360)
- Clarity on policies and procedures until adoption of Comp Plan amendments
- Implementation of short-term strategies to fund mobility needs in the State-mandated Transportation Concurrency Exception Area (TCEA)

Consistency & Authority

- The proposed changes to Proportionate Fair-Share are consistent with the authority granted in SB 360 (Ch. 163.3180 (f))
- “The designation of a transportation concurrency exception area does not limit a local government’s home rule power to adopt ordinances or impose fees.”

Background

- Already discussed SB 360, DULA status and citywide TCEA
- Existing Proportionate Fair-Share Code (method of meeting transportation concurrency)

Applicability

- Applicability of Proportionate Fair-Share (as amended)
- Does not apply to:
 - A. DRI using proportionate share
 - B. Developments in existing TCEA
 - C. Developments in new State-mandated TCEA receiving a final development order after DULA status
 - D. Developments on annexed properties without City land use and zoning

Applicability Exemption

- Developments that filed an application for a development order prior to July 8, 2009 (DULA status) and had a requirement for a Proportionate Fair-Share Agreement:
 - May elect to remain under Proportionate Fair-Share
 - May elect to wait on final adoption of the new State-mandated TCEA procedures

Procedures under PZ-09-66 TCH

- Developments in the State-mandated TCEA with City land use and zoning will be regulated by the TCEA Zones and standards established in the ordinance
- Zones A, B, C mirror the Existing TCEA language
- New Zones D, E, and M have new standards adopted (discussed earlier)

TCEA
Transportation Concurrence
Exception Area

Proposed Updates

EXISTING TCEA

- Zone A
- Zone B
- Zone C

PROPOSED CHANGES

- To Zone A
- To Zone B
- To Zone C
- Zone D
- Zone E
- Zone M
- City Limits

Zone B Call-Outs
Parcel Numbers:
06054-001-000
061111-001-000
06111-003-001



0 0.000 0.000

Feet

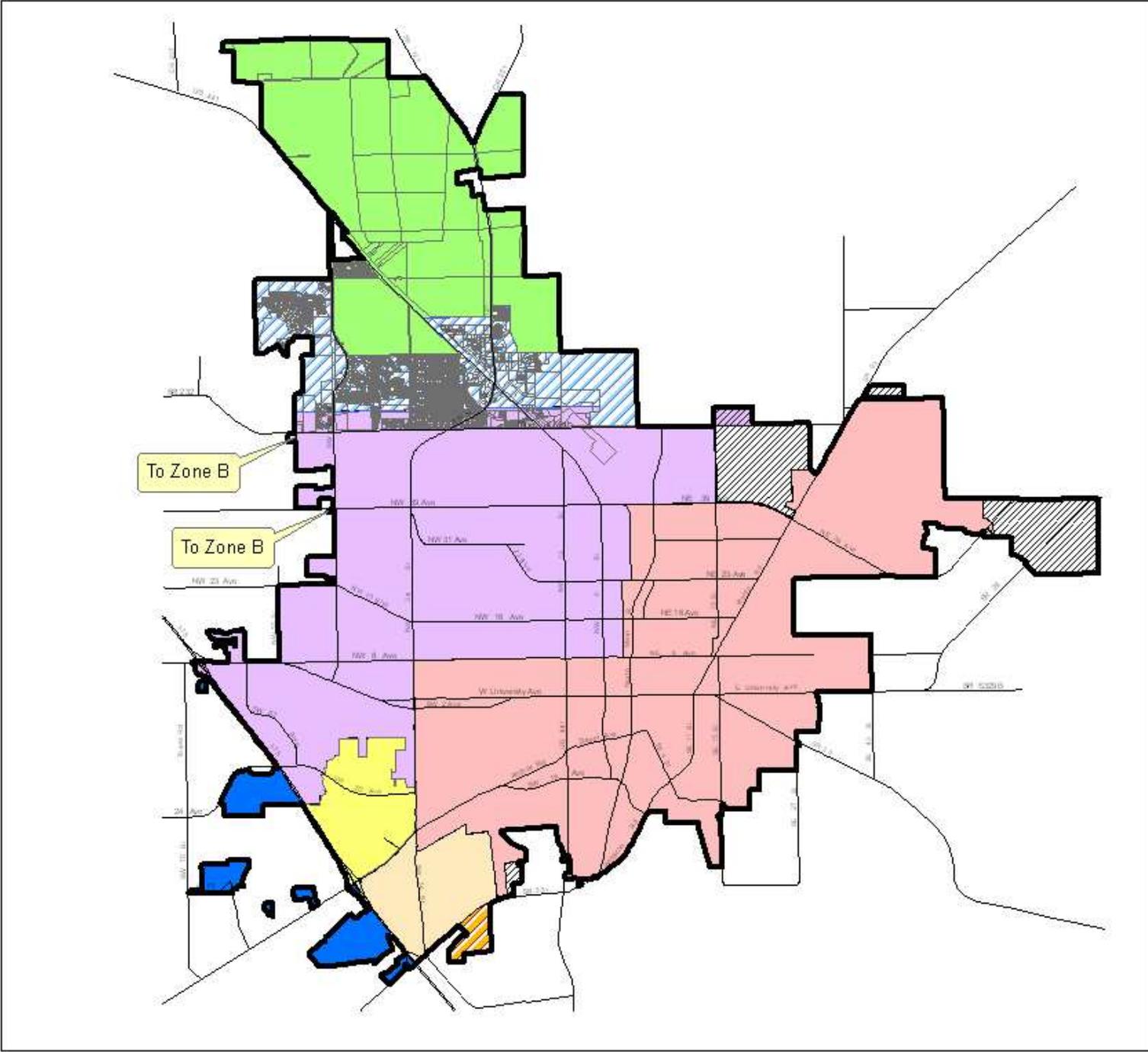
City of Gainesville
Planning Dept.
GIS Section



City of GAINESVILLE
every path leads to progress

This map is for informational purposes only. It does not constitute a contract or warranty of any kind. The City of Gainesville does not warrant the accuracy or completeness of the information contained herein. The City of Gainesville is not responsible for any errors or omissions in this map. For complete information, please refer to the City of Gainesville GIS website.

File: New TCEA.062209



Additional Requirements

- For equity and consistency, the State-mandated TCEA regulations mirror the Existing TCEA policies concerning:
 - Redevelopment (trip credits)
 - Design (Central Corridors Overlay)
 - Auto-oriented uses (gas stations, drive-throughs, surface parking, car washes, auto repair) SUP requirements

Additional Requirements cont.

- Streetscaping and landscaping requirements (65-gallon trees for required street landscaping)
- No excess parking as defined in the Land Development Code.

Staff Recommendation

Staff recommends approval of:

**Petition PZ-09-66TCH
and**

Ordinance 0-09-33