

LEGISLATIVE #

110282

**Planning & Development Services**

PO Box 490, Station 33
Gainesville, FL 32602-0490
352-334-5022
352-334-2648 (fax)
www.cityofgainesville.org

TO: Community Development Committee
FROM: Erik A. Bredfeldt, Planning and Development Services Director
DATE: November 17, 2011
SUBJECT: Game Day Parking Regulation

In July, 2011, staff brought forward a Petition to the City Plan Board regarding a proposed Game Day Parking regulation regimen for the Board's review. This effort was undertaken based upon a request by an individual property owner proximate to the UF campus to allow for the installation of permanent electric outlets to serve game day tailgating activities.

Although the specific request seemed to be permissible under the Florida Building Code, it seemed to represent an increase in the scale/degree of the activity associated with traditional tailgating activities (the installation of the electrical outlets has subsequently occurred).

As a result, staff attempted to devise a solution (via the Land Development Code and based to some degree on provisions that are currently codified) that would balance the property owner's request (and a valued community tradition of game day tailgating) with the legitimate concerns of single family property owners living in areas adjacent to the UF campus.

In attempting to do this staff met with the property owner making the request and surrounding property owners to review the proposed solution that eventually evolved into the staff Petition.

The City Commission referral (August 18, 2011), the subject Petition (from the July 28, 2011 Plan Board meeting) and the Plan Board Action Agenda (PB action is listed on page 3 of 4) are attached as back-up to this item.

Staff Recommendation: Hear a presentation by staff on this matter and direct staff as to whether or not to continue forward with the Petition and if so, with what if any proposed modifications.

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110237.

Mayor-Commissioner Pro Tem Thomas Hawkins - National Association of Realtor's Research (B)

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RECOMMENDATION *The City Commission hear a presentation and take action deemed appropriate.*

Heard

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COMMISSION COMMENTS (if time available)

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Commissioner Scherwin Henry

Ms. Lilly Lewis, NE 8th Avenue - Interested in purchasing City right-of-way next to her property near Open Door Ministries. - The City Manager is going to have the City's Real Estate Department look into this issue.

Commissioner Todd Chase

Game Day Tailgating - See following item #110282.

110282.

Game Day Parking Regulation Issue (NB)

RECOMMENDATION *The City Commission refer the issue of regulating parking on game days to the Community Development Committee.*

A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Community Development Committee, due back on February 18, 2012. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins
Absent: Randy Wells

Commissioner Susan Bottcher

Florida's 500 Year Anniversary - 1513 - Refer to the Tourist Development Council (TDC).



PLANNING DEPARTMENT
PO BOX 490, STATION 11
GAINESVILLE, FL 32602-0490

306 N.E. 6TH AVENUE
P: (352) 334-5022
P: (352) 334-5023
F: (352) 334-2648

TO: City Plan Board **Item Number:** 3
FROM: Planning and Development Services Staff **DATE:** July 28, 2011
SUBJECT: Petition PB-11-92TCH. City Plan Board. Amend the Land Development Code to add criteria for game day parking as a Special Event Permit on properties in the UF context area.

Recommendation:

Approve the petition.

Discussion:

The purpose of this petition is to address several concerns raised by citizens and Code Enforcement staff over the years since game day parking was implemented. For many years residents in the University of Florida (UF) context area and more specifically those areas and neighborhoods within walking distance of the UF campus were providing yard parking in residential neighborhoods for major events on UF campus. In 1997 the City implemented game day parking provisions that have gone virtually unchanged since 1997 when the original ordinance was adopted. Up until 4 years ago, enforcement of the game day provisions was sporadic at best due to the lack of sufficient staffing to cover the game day events. The strict ordinance requirements for off- street parking in the U F context area are lifted during football season on home game days as well as commencement under a provision of the off street parking ordinance. The code provision reads as follows:

30-56 (c) (4) h. Off-street parking on other areas of property regulated by this subsection will be allowed on the day of major university related events as determined by the city manager or designee, such as University of Florida commencement programs and University of Florida home football games.

Traditionally, parking has not been consistently enforced and as a result, game day parking over the years was interpreted to include basketball games, O' Connell Center events, and all major activities on campus.

Over the years, parking problems in the area have intensified resulting in heavy traffic, noise, increased litter and the degradation of front lawns. In part, this is due to stadium expansion and the lack of adequate game day parking facilities on campus and nearby commercial parking.

Beginning with the 2009 football season, a business tax requirement was put into place for those owners wanting to park vehicles on their properties. This business tax provision was adopted as a result of neighborhood complaints regarding the adverse impact that game day parking was

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having on the neighborhoods. At the same time, a strict interpretation of the ordinance was adopted that permitted yard parking only on designated football games and commencement programs.

Since the implementation of the business tax for game day parking, enforcement on game days has been limited to checking the identified parking locations against a spreadsheet provided by Budget and Finance. If an address does not have a business tax receipt, a verbal warning is issued to the owner or representative and Budget and Finance was notified. Due to the limitations of enforcement under the Florida State statutes, no further action is taken.

Several secondary issues relating to yard parking have been identified over the last two game seasons. Those include:

- Illegal curb jumping
- Illegal alcohol distribution
- Trash and debris left in the yards
- Illegal signs
- No parking plans
- Yards being destroyed due to parking resulting in erosion
- Open fires
- Charging to park and directing people to park on city streets
- Overnight parking of RV's in residential areas

While alcohol violations and curb jumping fall under the jurisdiction of law enforcement, the remaining issues are within the jurisdiction of code enforcement.

In order to improve the currently weak provisions of enforcement allowed by Florida Statute for business tax issues, the proposed petition will require a Special Event Parking Permit in addition to a business tax receipt for owners wanting to utilize their property for game day parking. The Special Event Parking Permit will be a better mechanism for enforcement because it will allow an owner found operating without a Special Event Parking Permit or in violation of the requirements to be cited immediately for the violation.

To address these concerns Planning and Development Services and Code Enforcement staff developed the following process/criteria for a Special Event Parking Permit:

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Section 30-56

(4) *Off street parking regulations in the context area and in any residential parking overlay district.* The regulations and provisions for Special Event parking (Game Day) are contained in Section 30-56(5) and shall apply to all properties with a residential zoning as designated in Section 30-41. The regulations and the provisions of this section (4) apply to any property that is in the RC, RSF-1, RSF-2, or RSF-4, zoning district, or that contains single family

h. Off-street parking on other areas of property regulated by this subsection will may be allowed with a special events parking permit in compliance with subsection (5) ~~on the day of~~ for days designated as major university related events as determined by the city manager or designee, such as University of Florida commencement programs and University of Florida home football games.

New Section 30-56(5)

(5) Special event parking in the context area. The regulations and provisions for special event parking (Game Day) are contained in this Section and shall apply to all properties with a residential zoning as designated in Section 30-41. Off-street parking may be allowed with a special events parking permit in compliance with this section for days designated as major university related events as determined by the city manager or designee, such as University of Florida commencement programs and University of Florida home football games. A special event parking permit may granted if the following provision are met:

1. The owner or applicant with an owner's permission must obtain the special event parking permit at least 10 (ten) days prior to the event;
2. Parking shall be limited to hours of 8:00 AM to 12:00 AM or no later than three hours after the event in areas designated as a residential use in the land development code. Overnight parking shall not be allowed;
3. Signage advertising the parking shall be limited to one temporary on-site sign not to exceed 12 square feet, and one hand held sign;
4. Lawns must be restored to their original condition within 24 hours after the event;
5. Each site must provide at a minimum a 30 gal size trash receptacle (larger receptacles maybe required), and all trash must be removed from the site within 24 hours of the event;
6. Open burn laws will be enforced;
7. RV parking shall not be allowed in single family residential areas, RV parking in other areas may be limited if lawns and public facilities are damaged;
8. Tailgating activities that involve electrical hookups or any other type of similar service shall not be allowed in areas designated as single family.
9. The applicant must submit parking plan showing the boundary of the parking area, parking areas can not extend into adjacent public right-of-way.
10. Port-a-potties may be allowed and must be shown on the parking plan. Port-a-potties may be placed on the site one day prior to the event and must be removed within 48 hours of each designated event and no later that 12:00PM the Monday after the event; and

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11. The permit may be revoked for failure to comply with the rules and future permits may be denied due to the failure to comply with the rules or obtain a permit.

In summary staff recommends approval of the petition.

Respectfully submitted,

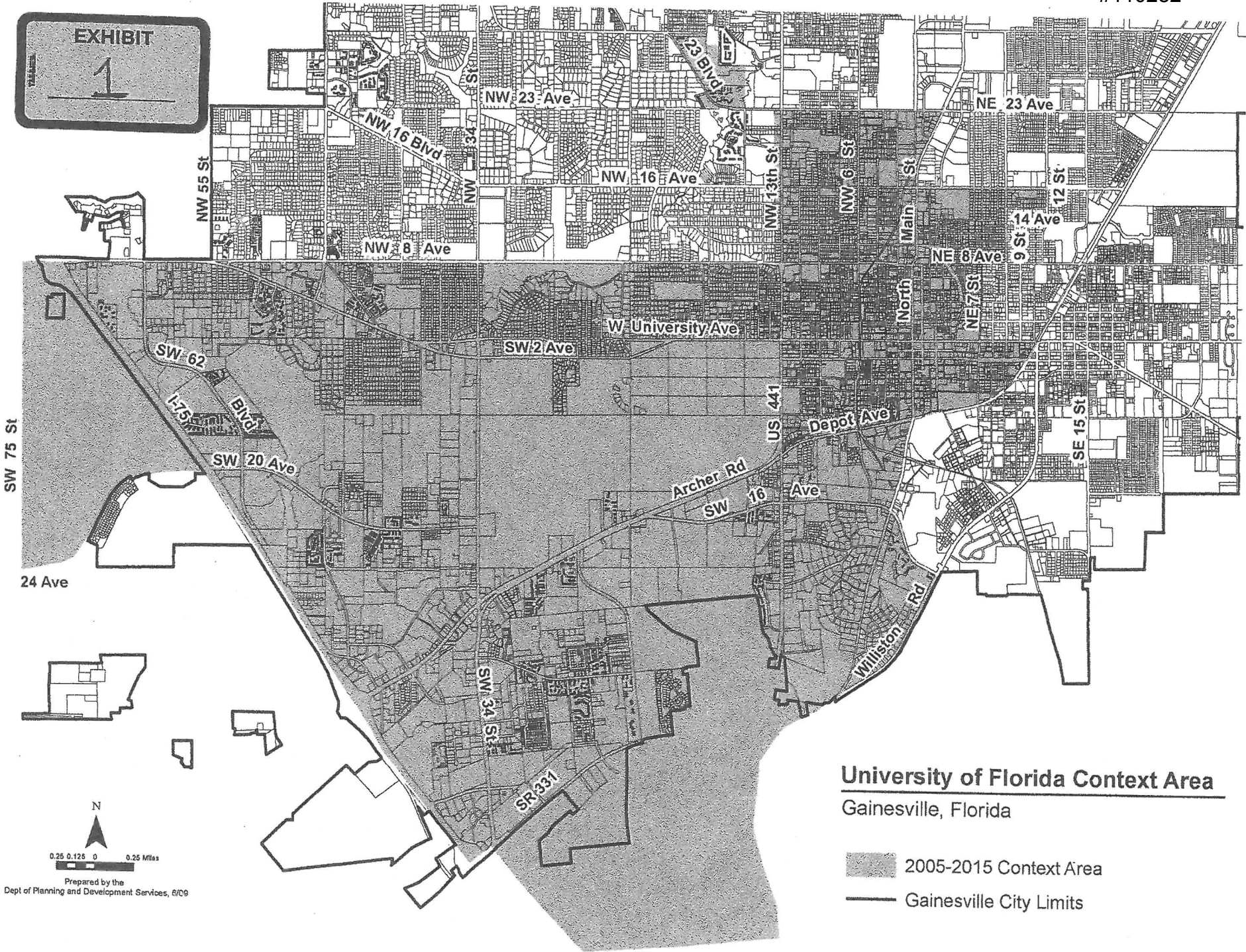


Ralph Hilliard,
Planning Manager



Appendices

Exhibit 1 Map of UF Context Area

EXHIBIT
1



University of Florida Context Area
Gainesville, Florida

-  2005-2015 Context Area
-  Gainesville City Limits

Prepared by the
Dept of Planning and Development Services, 6/09



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT:
PO Box 490, Station 11
Gainesville, FL 32602-0490
P: (352) 334-5022
F: (352) 334-2648

CITY PLAN BOARD ACTION AGENDA

July 28, 2011 6:30 PM
City Hall Auditorium
200 E. University Ave

I. Roll Call

II. Approval of Agenda (*Note: order of business subject to change*)

Approved with staff-requested change of discussing Information Item VII. D. – Update on Sign Code, immediately after V. – Old Business. Plan Board voted 4:0

III. Approval of Minutes: June 23, 2011

Approved. Plan Board voted 4:0

IV. Requests to Address the Board

V. Old Business

- OB1. **Petition PB-11-49 LUC**
Planning staff recommends continuing Petition PB-11-49 LUC to the August 25, 2011 Plan Board meeting. City of Gainesville. Amend the City of Gainesville Future Land Use Map for the annexed area from Alachua County Heavy Industrial to City of Gainesville Office (O). Located in the 3500 - 3700 blocks of Southwest Williston Road, north side, west of Southwest 41st Blvd. Related to PB-11-50 ZON.
- OB2. **Petition PB-11-50 ZON**
Planning staff recommends continuing Petition PB-11-50 ZON to the August 25, 2011 Plan Board meeting City of Gainesville. Rezone property from Alachua County Highway oriented business services district (BH) to City of Gainesville OF: General office district. Located in the 3500 - 3700 blocks of Southwest Williston Road, north side, west of Southwest 41st Blvd. Related to PB-11-49 LUC.
- OB3. **Petition PB-11-51 LUC**
Planning staff recommends continuing Petition PB-11-51 LUC to the August 25, 2011 Plan Board meeting City of Gainesville. Amend the City of Gainesville Future Land Use Map for the annexed area from Alachua County Heavy Industrial, Light Industrial, and Low Density Residential (1-4 DU/acre) to City of Gainesville Business

BOARD MEMBERS

Chair: Robert Ackerman | Vice Chair: Adrian Taylor
Laurel Nesbit, Crystal Goodison, Bob Cohen
Danika Oliverio, April Griffin (school board representative)
Staff Liaison: Dean Mimms

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Industrial (BI). Located in the 4600 – 5000 blocks of Southwest 41st Blvd, west side. Related to PB-11-52 ZON.

OB4. **Petition PB-11-52 ZON**
Planning staff recommends continuing Petition PB-11-52 ZON to the August 25, 2011 Plan Board meeting

City of Gainesville. Rezone property from multiple Alachua County zoning districts (Industrial services and manufacturing district (MS); Multiple family, high density district (R-3); Single family, low density district (RE-1 and Agricultural district (A)) to City of Gainesville Business Industrial (BI). Located in the 4600 – 5000 blocks of Southwest 41st Blvd, west side. Related to PB-11-51 LUC.

VII. Information Item D. Update on Sign Code.

Approved the following motion: That we not further consider this issue until we've had a scheduled workshop, with stakeholders, and then we can determine whether or not we wish to reconsider last month's vote. Plan Board voted 4:0

VI. New Business

01. **Petition PB-11-90 TCH**

Environmental Consulting & Design, agent for Kauffman Tire. Amend the Land Development Code Appendix A, Section 5, Exhibit B (Central Corridors Special Area Plan) and Article II Section 30-23(c) by revising the auto-oriented uses standard concerning service bays and add definitions for service bays and service bay doors.

Approved Petition PB-11-90 TCH. Plan Board voted 4:0

02. **Petition PB-11-80 TCH**

City Plan Board. Amend the Land Development Code to require multi-family development to be designed with building entrances to front on streets and have a design layout that helps to establish an interconnected street grid.

Approved Petition PB-11-80 TCH. Plan Board voted 4:0

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(Continued)

03. **Petition PB-11-92 TCH** City Plan Board. Amend the Land Development Code to add criteria for game day parking as a Special Event permit on properties in the UF context area.

Approved Petition PB-11-92 TCH with the following changes to new section 30-56(5):

5. Change to “each site must provide sufficient trash receptacles to contain the trash”;
7. Change to “RV parking shall not be allowed in residential areas.”;
10. Change from 12:00 PM Monday to 12:00 PM Tuesday, and require that port-a-potties at all times be out of public view;
4. Add specifics regarding restoration of lawns to their original condition; and,
2. Change 12:00 AM to 12 midnight.

Plan Board voted 4:0

05. **Petition PB-11-93 CPA** City Plan Board. Amend the Potable Water & Wastewater Element of the City of Gainesville 2000-2010 Comprehensive Plan for the updated City of Gainesville Comprehensive Plan.

Approved Petition PB-11-93 CPA. Plan Board voted 4:0

06. **Petition PB-11-75 CPA** City Plan Board. Amend the City of Gainesville Comprehensive Plan Conservation, Open Space and Groundwater Recharge Element Objective 2.4, Policies 1.1.1.b.2., 1.1.1.b.3., 1.1.1.b.4., 1.1.1.b.11., 1.1.1.c., 1.1.1.f., 2.4.1, 2.4.2, 2.4.11.d., and 2.4.12 and delete Policy 2.4.11.a, and add a new Policy 2.4.11.f. Amend Future Land Use Element Policies 3.1.1 and 3.1.2, add a new Policy 3.2.4, and delete the Uplands map and add a Strategic Ecosystems map in the Environmentally Significant Land & Resources map series in the Future Land Use Element.

Approved Petition PB-11-75 CPA. Plan Board voted 4:0

04. **Petition PB-11-89 TCH** City Plan Board. Amend Section 30-65.2 of the Land Development Code to add requirements for the Urban Village area into the Urban Mixed – Use District 2 (UMU-2) zoning regulations.

Continued Petition PB-11-89 TCH to August 25, 2011, re-advertise the petition, incorporate broader changes to UMU-2 that are not limited to the Urban Village, and request that staff meet with stakeholders and interested parties. Plan Board voted 4:0

City Plan Board July 28, 2011
(Continued)

VII. Information Items:

- A. Update on HB 7207 changes to comprehensive planning requirements.**
- B. Referrals from the DRB.**
- C. Update on Plan Board budget.**

VIII. Board Member Comments

IX. Adjournment The meeting was adjourned at 10:40 PM.

For further information, please call 334-5022.

If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.