

City of Gainesville

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



Meeting Agenda

March 28, 2019

6:30 PM

City Commission Auditorium

City Plan Board

*Bob Ackerman - Chair
Megan Walker-Radtke - Vice Chair
Stephanie Sutton - Member
Erin Condon - Member
Terry Clark - Member
Christian Newman - Member
Thomas Hawkins - Member
Robert Hyatt - School Board Representative
Staff Liaison - Megan Echols*

CALL TO ORDER**ROLL CALL**[180863.](#)

City Plan Board Attendance Roster: September 27, 2018 through February 24, 2019 (B)

Explanation: City Plan Board attendance roster for Board Members to review.

[180863_CPB Attendance .2018_20190328.pdf](#)

ADOPTION OF THE AGENDA**APPROVAL OF MINUTES - February 28, 2019**[180864.](#)

Draft minutes of the February 28, 2019 City Plan Board Meeting (B)

RECOMMENDATION

Staff is requesting that the City Plan Board review the draft minutes from the February 28, 2019 meeting and vote to approve the minutes.

Staff to the City Plan Board - Review and approve the draft minutes.

[180864_CPB 190228 Minutes draft_20190328.pdf](#)

ANNOUNCEMENT: Section 30-3.3 of the Land Development Code establishes the Plan Board, including its membership; rules of procedure; and functions, powers and duties. The Plan Board is advisory to the City Commission on most planning petitions. Appeals of Plan Board decisions concerning Special Use Permits are to a hearing officer within 30 calendar days of the decision (see Sec. 30-3.58(C.) of the Land Development Code). The procedure for an appeal is set forth in Sec. 30-3.58.

REQUEST TO ADDRESS THE BOARD**OLD BUSINESS: NONE****NEW BUSINESS:**[180859.](#)

Request to Vacate Public of Right-Of-Way for a Portion of SW 7th Avenue Located East Of the Intersection of SW 9th Street and SW 7th Avenue (B)

Petition PB-18-173 SVA. Midtown Properties of Gainesville, LLC, applicant to vacate a public right-of-way for a portion of SW 7th Avenue located east of the intersection of SW 9th Street and SW 7th Avenue.

Explanation: Petition to vacate a portion of public right-of-way on the eastern portion of SW 7th Avenue lying east of the intersection of SW 9th Street and SW 7th Avenue, south of Lot 104, and north of lot 103, within the plat of O.A. Porter's Addition. The portion of right-of-way to be vacated is approximately 35 feet wide and approximately 100 feet long and does not provide through access. Only a portion of the right-of-way is improved and terminates into a wetland area. The vacation will allow for a better use of the space.

Public notices were mailed to the property owner and those property owners within 400 feet of the property on March 13, 2019.

..Fiscal Note

None

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Staff recommends approval of Petition PB-18-173 SVA.

[180859 Staff Report w Exhibits 1 - 3 20190328.pdf](#)

[180860.](#)

Vacation of Right-Of-Way for a Portion of SW 5th Terrace and a Segment of an Adjacent Alley Located East of the Intersection of SW 6th Street and SW 4th Avenue (B)

Petition PB-19-010 SVA. City Plan Board. Right-of-Way Vacation for a southern portion of SW 5th Terrace and a segment of an alley located south of the intersection of SW 4th Avenue and SW 6th Street.

Explanation: Petition for the vacation of unimproved right-of-way, located within the FX Millers Addition to Gainesville Plat, to include the southern portion of SW 5th Terrace and an adjacent alley located east of the intersection of SW 6th Street and SW 4th Avenue. The road to be vacated is approximately 50 feet wide and 193 feet long. The adjacent alley is approximately 22 feet wide and 325 feet long. On November 15, 2018, the City Commission approved a request to direct the Planning Department to circulate a petition to the Plan Board for a right-of-way vacation. Public notices were mailed to the property owner and those property owners within 400 feet of the property on March 13, 2019.

..Fiscal Note

None

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Staff recommends approval of Petition PB-19-010 SVA.

[180860_Staff Report w Exhibits 1-3_20190328.pdf](#)

[180861.](#)

Vacation of Right-Of-Way for a Portion of NW 8th Place Located East Of the Intersection of NW 8th Avenue and NW 8th Place (B)

**Petition PB-19-015 SVA. Wild Spaces Public Places, applicant.
Right-of-Way Vacation for a portion of NW 8th Place located east of the intersection of NW 10th Street and NW 8th Place.**

Explanation: The purpose of this request is to vacate a portion of unimproved right-of-way located between lots 27-32 and lots 40-44 within the plat of the Spring Park Subdivision Unit No. Two which encompasses part of Rattlesnake Creek. The 40 foot wide by 349 foot long section of the NW 8th Place right-of-way is located within Kiwanis Girl Scout Park. The right-of-way vacation will allow the enforcement of the City of Gainesville Park Ordinances in this part of Kiwanis Girl Scout Park and allow the city to make improvements to the property in support of the overall park improvement project.

Public notices were mailed to the property owner and those property owners within 400 feet of the property on March 13, 2019.

..Fiscal Note

None

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Staff recommends approval of Petition PB-19-015 SVA.

[180861_Staff Report w Exhibits 1-3_20190328.pdf](#)

INFORMATION ITEM:

[180855.](#)

2019 Comprehensive Plan Evaluation and Appraisal Process and Land Development Code Update (B)

Explanation: Evaluation and Appraisal Review (EAR) of the Comprehensive Plan: At least every seven years, pursuant to Rule Chapter 73C-49, Florida Administrative Code, local governments must determine whether the need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. In accordance with the EAR schedule published by the state Department of Economic Opportunity, the City of Gainesville must inform the state by letter whether any changes to the Comprehensive Plan are needed to comply with state law on or before May 1, 2019.

Changes in State law enacted in 2011 gave local governments much more discretion in determining whether they need to update their local comprehensive plan. As such, local governments no longer need to submit evaluation and appraisal reports to the department for a

sufficiency determination. Instead, local governments must follow these new provisions:

1. Notify the State Land Planning Agency by letter if there are any state law changes that necessitate updating the City's Comprehensive Plan.
2. If the local government determines amendments to the comprehensive plan are necessary, the local government shall prepare and transmit the proposed amendments to the State Land Planning Agency within one year of such determination.
3. Any local government failing to timely submit a notification letter or proposed amendments within one year of notification may not amend its comprehensive plan until it complies with the requirements.

As a general rule, the City periodically amends the Comprehensive Plan in accordance with state law changes as needed. By example, on September 20, 2018, the City Commission adopted amendments to the City of Gainesville Comprehensive Plan to provide for water supply planning as required by state law.

Staff has determined that there haven't been any state law changes that necessitate updating the City's Comprehensive Plan. Staff is eager to begin work and community discussion on updating the Comprehensive Plan to respond to local issues and recognizes that this undertaking may extend beyond the State's one-year limit for processing EAR based amendments. To this end, staff is recommending that the City Commission authorize the City Manager to draft a letter informing the Department of Economic Opportunity that the City of Gainesville has not identified any necessary changes to the Comprehensive Plan related to changes to state law and direct staff to begin community outreach to start working on updating the City's Comprehensive Plan to address local issues.

2019 Update of the Land Development Code:

The City of Gainesville's Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) was completely restructured and re-written in 2017. After the adoption of the new code, the City Commission directed the Department of Doing (DoD) to prepare an annual update of code amendments to include any regulatory changes proposed by the City Commission, city staff, and any privately-initiated applications. The process for the 2018 annual update was completed in August 2018, with the adoption of the ordinances by the City Commission commencing in February 2019. Approved amendments included changes to tree regulations, correction of scrivener errors, urban development standards, and permitted uses.

Staff has received several privately initiated requests for code amendments in addition to a number of code related requests made by the City Commission, advisory boards, and other advocacy organizations. To that end, staff has begun compiling potential code changes for the 2019 annual update to the Land Development Code. To date, potential amendments may include:

1. Additional neighborhood notification requirements (CC)

2. Zoning Changes - Pleasant Street Historic District (CC)
3. Sign Code- Target sign at Standard (CC)
4. Amendments to permit a range of urban agriculture uses (A)
5. Historic Preservation register nomination process (A)
6. Tree mitigation for new single family dwellings (A)
7. Allowing RV Parks as a use in Industrial zoning (P)
8. Allow mini-warehousing in business automotive zoning (P)
9. Clarify definition of metal recycling facility (P)
10. Doggie daycare regulations (P)
11. Any other citizen initiated requests
12. Any other Commission directed code changes

Key: CC: City Commission

P: Private

A: Advocacy group or Advisory Board

S: Staff

RECOMMENDATION

Staff to City Commission - 1) authorize the Interim City Manager to draft a letter informing the Department of Economic Opportunity that the City of Gainesville has not identified any necessary changes to the Comprehensive Plan related to changes in state law and direct staff to begin community outreach to start working on updating the City's Comprehensive Plan to address local issues, and 2) provide feedback regarding the proposed code update list, other potential amendments, timing, and outreach and stakeholder input efforts.

[180855A_Staff PPT_20190404.pdf](#)

NEXT MEETING DATE - APRIL 25, 2019

BOARD MEMBER COMMENTS

ADJOURNMENT

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.