

# City of Gainesville

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



## **Meeting Agenda**

**October 14, 2015**

**1:00 PM**

**Roberta Lisle Kline Conference Room**

## **Community Development Committee**

*Mayor-Commissioner Pro Tem Craig Carter, Chair  
Commissioner Randy Wells, 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

[150412.](#)

### **Community Development Committee Meeting Minutes of Wednesday, September 2, 2015 (B)**

**RECOMMENDATION**

*The Community Development Committee approve the minutes of the Wednesday, September 2, 2015 meeting as submitted.*

[150412 CDC September Minutes 20151014.pdf](#)

## DISCUSSION OF PENDING REFERRALS

[140292.](#)

### Landlord Permits (B)

This item is a continuation of a referral from the City Commission to the Community Development Committee.

*Explanation: On August 21, 2014, the City Commission referred the issue of landlord permits to the Community Development Committee (CDC). On March 4, 2015, staff made a presentation to the CDC that provided an overview of the landlord permit program, a history of the program including legislative action taken by the City Commission, and recommendations for items to consider implementing. The CDC continued the item, without taking action, to the September 2, 2015 CDC meeting. In the interim, a fee study was conducted by an outside consultant and staff engaged stakeholders from the real estate and property management industry and private citizens. On September 2, 2015, the item was heard by the CDC and the committee was provided staff recommendations, stakeholder input gained by staff, and stakeholder input from real estate professionals, the Gainesville/Alachua County Association of Realtors, and private citizens. The CDC received input and has made the following recommendations to the City Commission:*

- 1. Reduce the Landlord Permit fee \$204.75 to \$118. The new fee will take effect at the start of the next permit cycle beginning on August 1, 2016. The CDC recommends that the resulting annual revenue loss of approximately \$391,635 from the General Fund not affect the Code*

- Enforcement Division budget or level of service. This will require an amendment to Appendix A - Schedule of rates, fees and charges.*
- 2. Remove the tiered landlord permit fee increase for delinquent permits and include a single fee increase of 25% for late payment. This will require an amendment to Appendix A - Schedule of rates, fees and charges.*
  - 3. Amend the landlord permit ordinance, Chapter 14-5 Article 1, to allow the Special Magistrate for Code Enforcement to hear permit revocation cases. This process is currently handled administratively by staff.*
  - 4. Amend Chapter 14-5 Article 1, to allow for landlord permits to be transferred to a new owner when a property is sold and remains a rental property.*
  - 5. Amend Chapter 14-5 Article 1, to clarify and define the existing provision that a Landlord Permit is required when a dwelling is occupied by any person "unrelated" to the owner.*
  - 6. Direct staff to improve communications with property managers who are registered on landlord permits when issues arise with properties they manage.*
  - 7. Direct staff to provide more detailed report status updates to issues reported via 311GNV.*

*On September 17, 2015 the City Commission approved CDC recommendations 2-7 and the referral remained in the Community Development Committee. On October 14, 2015, staff will make a presentation to the CDC with a recommendation to discuss the permit fee, consider adjusting the fee structure for multiple dwelling units on a single parcel, options related to the limit of unrelated persons per dwelling unit in single-family zoning districts and an alternative to the current permit revocation process.*

*Fiscal Note: Staff will present information about budget implications related to proposals to amend the permit fee.*

**RECOMMENDATION**                      *The Community Development Committee receive a presentation from staff and provide direction.*

**Legislative History**

8/21/14	City Commission	Referred to the Community Development Committee
3/4/15	Community Development Committee	Discussed
9/2/15	Community Development Committee	Discussed
9/17/15	City Commission	Approved, as shown above

[140292\\_Landlord Permit Review\\_20150304.pdf](#)

[140292\\_FY14 GAINESVILLE \(FL\) - LL CAP FINAL\\_20150902.pdf](#)

[140292A\\_Landlord Permit Program\\_20150917.pdf](#)

[140292B\\_fee study\\_20150917.pdf](#)

[140292C\\_3-4-15 CDC Minutes\\_20150917.pdf](#)

[140292\\_Landlord Permit PPT\\_20151014.pdf](#)

[150167.](#)

### **Review of Tree Ordinance (B)**

**This item requests the Community Development Committee hear a presentation by staff regarding the City of Gainesville's tree ordinance.**

*Explanation: Article VIII, Environmental Management, Division 2, Subdivision 1, Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy of the Land Development Code, the "tree ordinance," ORDINANCE NO. 090878, was approved by the Gainesville City Commission on June 6, 2013.*

*The revision process began in 2003 with a referral from the City Commission to the Tree Advisory Board (TAB) to recommend changes to the Land Development Code to better protect Gainesville from Southern Pine Beetle epidemics.*

*In 2004, the City Commission asked that the TAB expand provisions for invasive exotic pest plant management. The City Commission requested the TAB strengthen the heritage tree protection following a law suit where a developer sued the city for denying a development plan that proposed the removal of a 40" Live Oak.*

*Twelve public meetings were held in 2008 and 2009 where the proposed changes to the tree ordinance were discussed.*

*The City Plan Board approved the proposed changes to the tree ordinance by a 4-0 vote, on February 25, 2010. The City Commission subsequently approved the petition on May 6, 2010 by a vote of 7-0.*

*City staff worked extensively to prepare a draft ordinance and released same for review and comment in March, 2011. Several public stakeholders expressed concern with and interest in revising the draft ordinance. As a result, on April 18, 2011, the Community Redevelopment Agency (CRA) directed CRA staff to hire a consultant to review the draft ordinance and coordinate a stakeholder review process. On March 19, 2012, a revised draft was presented to the CRA board by the CRA staff and consultant, Perkins + Will. Between May 2012 and May 2013, City staff and the TAB continued to meet with stakeholders and held public meetings. On May 30, 2012, City Planning staff*

provided the revised draft to the stakeholder group, and on June 4, 2012, the TAB reviewed and approved the draft with further revisions.

The City Commission approved the changes on first reading on May 16, 2013 and adopted the ordinance on second reading June 6, 2013.

During one of the Citizen Comment portions of the July 16, 2015, City Commission meeting, a citizen spoke regarding the City's tree ordinance. The matter was referred to the Community Development Committee for further discussion. Later staff were informed of concerns related to a development proposal for Holy Faith Church and were asked to include those concerns as well. At the September 3, 2015 City Commission meeting the issue of the Tree Ordinance and Appeals Process was also referred to the Community Development Committee.

*Fiscal Note:* This is a discussion item and there is no fiscal impact at this time.

**RECOMMENDATION**            *The Community Development Committee hear a staff presentation regarding the City of Gainesville's tree ordinance.*

**Legislative History**

7/16/15            City Commission            Referred to the Community Development Committee

- [150167A\\_TreeList\\_20151014.pdf](#)
- [150167B\\_CondGuide\\_20151014.pdf](#)
- [150167C\\_Ord090878\\_20151014.pdf](#)
- [150167D\\_Sec20-254\\_20151014.pdf](#)
- [150167E\\_Sec30-251\\_20151014.pdf](#)
- [150167F\\_PRCA\\_PolTreeMit\\_20151014.pdf](#)
- [150167G\\_RegSum\\_20151014.pdf](#)
- [150167H\\_PermitAgrmt\\_20151014.pdf](#)
- [150167I\\_Formula\\_20151014.pdf](#)
- [150167J\\_TreeOrdPPT\\_20151014.pdf](#)

[140655.](#)

Review of Pending CDC Referrals (B)

**RECOMMENDATION**            *The Community Development Committee review and approve the pending referral list and proposed action schedule prepared by staff.*

**Legislative History**

2/4/15            Community            Discussed  
                          Development  
                          Committee

3/4/15            Community            Discussed  
                          Development  
                          Committee

5/6/15	Community Development Committee	Discussed
7/1/15	Community Development Committee	Discussed
9/2/15	Community Development Committee	No Action Taken

[140655\\_Pending Referral List\\_20150701.pdf](#)

[140655 Referral List\\_20150902.pdf](#)

[140655\\_Pending Referral List\\_20151014.pdf](#)

## MEMBER COMMENT

## CITIZEN COMMENT

**NEXT MEETING DATE -- Wednesday, November 4, 2015**

## ADJOURNMENT