

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda

December 2, 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

[150556.](#)

Community Development Committee Meeting Minutes of October 14, 2015 (B)

RECOMMENDATION

The Community Development Committee approve the minutes of the October 14, 2015 meeting as submitted.

[150556_October 14 CDC Minutes_20151202.pdf](#)

DISCUSSION OF PENDING REFERRALS

[140680.](#)

Water/Wastewater Connection Program Guidelines (B)

Explanation: This referral from the City Commission is the result from the May 7, 2015 City Commission vote to develop a General Government managed Connect Free Program funded by re-instituting the Utility Tax surcharge on new construction hook-ups charges at the 25% rate.

The Commission referred the program guidelines the Community Development Committee and directed that City Manager staff provide the draft guidelines for review. The City Commission was specific that any property owner in the GRU service area would be eligible for the program; and to develop criteria for the use of program funds by non-profits and consider a per customer cap on the benefit with the cap to be evaluated annually.

Fiscal Note: Fund Water/Wastewater Connection Program at a higher level than historically funded at approximately \$250,000 (the total collected), and reinstate the surcharge on water and wastewater connection charges in the unincorporated area at the historical rate of 25%. Transfer the entire actual surcharge on connection charges (separate from the General Fund Transfer) to the Water/Wastewater Connection Program fund in General Government for administration.

RECOMMENDATION

The Community Development Committee review the Water/Wastewater Connection Program Guidelines and take appropriate action concerning the development of the program.

Legislative History

3/5/15	City Commission	Approved, as shown above
4/2/15	City Commission	Heard
5/7/15	City Commission	Approved, as shown above
9/2/15	Community Development Committee	No Action Taken

[140680 Draft Report 20150127](#)

[140680 Draft Agenda Item for Final Report 20150127](#)

[140680 BRFA SUMMARY REPORT FINAL 20150305](#)

[140680 BRFA Report Presentation 20150305](#)

[140680 Policy Direction on Alternative Budget for FY16 20150402](#)

[140680 Water-Wastewater Connection Program presentation 20150902.pdf](#)

[140680 Water presentation 20151202.pdf](#)

[140292.](#)

Landlord Permits (B)

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 made a presentation to the CDC with a recommendation to continue the discussion of 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. The following recommendations were accepted by the City Commission on November 19, 2015:

1. Provide a 50% permit fee discount for multiple dwelling units on a single parcel with one owner owning all dwelling units. The owner will be responsible for the full permit fee on one dwelling unit and receive a 50% discounted fee for each additional unit on the parcel.
2. The CDC recommends that staff provide the City Commission with a proposal to reduce the landlord permit fee to \$118 to be considered during the FY2017 budget process. The proposed fee amount may be adjusted depending on items considered by the CDC and approved by the City Commission that may affect the number of permits issued or overall cost of the program. Staff will make recommendations during the budget process.

The CDC will continue to discuss recommendations related to relative occupied properties, owner occupied rental properties, alternatives to the current permit revocation process, and the limit of unrelated persons per single-family dwelling unit.

Fiscal Note: Expanding the exemption for owner occupied properties may have a minimal fiscal impact that will be included in the staff presentation.

RECOMMENDATION The Community Development Committee receive a presentation from staff.

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
10/14/15	Community Development Committee	Discussed
11/19/15	City Commission	Approved as Recommended

[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](#)

[140292_Landlord Permit presentation_20151119.pdf](#)

[140292_LLQ presentation_20151202.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
10/14/15	Community Development Committee	Discussed

[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](#)
[150167_Tree Ordinance presentation_20151202.pdf](#)

[150580.](#)

Cycle Pubs (B)

Fiscal Note: There is no fiscal impact from hearing this information.

RECOMMENDATION

The Community Development Committee hear an informational item on a new type of business.

[150580_Cycle Pub Presentation_20151202.pdf](#)

MEMBER COMMENT

CITIZEN COMMENT

NEXT MEETING DATE -- Wednesday, January 6, 2016 at 1:00pm

ADJOURNMENT