

City of Gainesville

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



Meeting Minutes

Monday, February 4, 2008

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 6:11 PM

ADOPTION OF THE AGENDA

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Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the agenda, as presented.

(VOTE: 7-0, MOTION CARRIED)

ROLL CALL

Present: Edward Braddy, Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

CITY MANAGER

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070890.

Electronic Signs (B)

City Commission workshop on whether to allow or prohibit electronic signs, related to Petition 139TCH-06PB.

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Planning and Development Services Director Erik Bredfeldt, Chief of Comprehensive Planning Dean Mimms and Senior Planner Susan Bridges gave presentations.

Chair Hanrahan recognized Monica Cooper, Walter Willard, Tom Bussing, Bob Page, John Hudson, Mark Goldstein, Chuck Woods, Mark Starr, Brent Christenson and Rob Brinkman who spoke to the matter.

MOTION (AMENDMENT): Approve staff recommendations 2 & 3; 2) Separate the subject of electronic signs from other sign code topics (e.g. sign aesthetics; limitations on non-conforming signs) which will be considered under a separate petition in the future; and 3) prohibit electronic signs subject to a mandatory review of this prohibition within 3 years.

RECOMMENDATION

- 1. The City Commission hear a presentation from staff and provide direction as to whether or not to prohibit electronic signs.*
- 2. The City Commission separate the subject of electronic signs from other sign code topics (e.g., sign aesthetics; limitations on non-conforming signs) which will be considered under a separate petition in the future.*
- 3. Staff to the City Commission: prohibit electronic signs subject to a mandatory review of this prohibition within five years.*

4. *Alternative recommendation: Staff to the City Commission: approve electronic signs with criteria as suggested by staff in the staff report.*

A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Approved as Amended. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Craig Lowe and Pegeen Hanrahan
Nay: Scherwin Henry, Edward Braddy and Rick Bryant

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2ND READING, ROLL CALL REQUIRED

070619.

LAND DEVELOPMENT CODE AMENDMENT - RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT (B)

Ordinance No. 0-07-118, Petition No. 103TCH-07PB

An ordinance of the City of Gainesville, Florida, amending Chapter 30, the Land Development Code, in accordance with the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, and making other revisions for clarity and consistency; amending Section 30-51 to allow public schools as a use by special use permit in single-family residential districts rather than a use by right and removing public libraries as a use by special use permit in single-family residential districts; amending Section 30-52 to remove conditions on places of religious assembly and allow private schools as a use by right in RMF-5 and RC districts, and allow places of religious assembly and private schools as use by right in MH districts; amending Section 30-53 to remove conditions on places of religious assembly and allow private schools as a use by right in multiple family medium residential districts; amending Sections 30-54, 30-62, 30-63, 30-72, 30-75, 30-76, and 30-78 to allow places of religious assembly as a use by right in residential mixed use, automotive-oriented business, tourist-oriented business, agricultural, public services and operations, airport facility, and corporate park districts; amending Section 30-55 to remove conditions on places of religious assembly and allow private schools as a use by right in residential high density districts; amending Section 30-59 to allow public schools, other than institutions of higher learning, as use by special use permit in general office districts; amending Sections 30-61, 30-64, and 30-65 to remove references to places of religious assembly as a condition related to membership organizations; amending Section 30-68 to allow places of religious assembly as a use by right, and remove reference to places of religious assembly as a condition related to membership organizations in warehousing and wholesaling district; amending Sections 30-69 and 30-70 to remove membership sports and recreation clubs as a use by right in limited and general industrial districts; amending Section 30-77 to allow private schools and places of religious assembly as a use by right, and to modify the dimensional requirements in educational services district; amending Section 30-91 to modify dimensional requirements specific to

places of religious assembly and requirements for places of religious assembly accessory uses, including day care centers, schools, food distribution centers for the needy, and residences for destitute people; amending Section 30-103 to modify dimensional requirements for private schools; inserting clarifying language in Section 30-110; amending Sections 30-251, 30-306, and 30-307 to remove references to places of religious assembly; amending Section 30-253 to remove landscape buffer requirements specific to places of religious assembly, and apply buffer requirements to all assembly uses; amending Section 30-332 to modify parking spaces required for places of religious assembly; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing a retroactive schedule; and providing an immediate effective date.

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Planning Manager Ralph Hilliard and Assistant City Attorney Stephanie Marchman gave presentations.

MOTION: 1) Direct staff to write a letter to the Department of Justice regarding the City's intent in order to be in compliance with the Religious Land Use and Institutionalized Persons Act; 2) send the ordinance to the Community Development Committee; and 3) continue second reading of this ordinance to a later date.

Chair Hanrahan recognized Linda Portal, Father John Gillespie, Mark Goldstein, Joe Jackson, Donna Lawson, Reverend Milford Lewis Griner, Rob Brinkman, Tom Webster, Bob Freeman, Ollie Nelson, Pat Fitzpatrick, Michael Pellet and Ali Perez who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended by correcting the scrivener's errors.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Continued (2nd Reading) and referred to the Community Development Committee, due back on August 4, 2008. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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ADJOURNMENT - 10:23 PM

Kurt M. Lannon, Clerk of the Commission