

City of Gainesville

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



Meeting Minutes

Friday, March 7, 2008

5:15 PM

City Hall, Room 16

Community Development Committee

*Commissioner Scherwin Henry, Chair
Commissioner Jack Donovan, Member
Commissioner Craig Lowe, Member*

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

The meeting was called to order at 5:18 PM.

ROLL CALL

Present: Craig Lowe, Jack Donovan and Scherwin Henry

ADOPTION OF THE AGENDA

Approved as recommended.

APPROVAL OF MINUTES**070990. Minutes of February 14, 2008 (B)**

RECOMMENDATION *The Community Development Committee approve the minutes of February 14, 2008.*

Approved as Recommended

070991. Minutes of February 26, 2008 (B)

RECOMMENDATION *The Community Development Committee approve the minutes of February 26, 2008.*

Approved as Recommended

DISCUSSION OF PENDING REFERRALS**070871. Land Development Code Amendment - Religious Land Use and Institutionalized Persons Act (NB)**

Chair Henry stated that the meeting was called to continue the discussion on the RLUIPA, but it was brought to the Committees attention that the time scheduled was not convenient for other members of the Faith Community. He requested that the City Attorney comment on how to proceed with rescheduling the meeting.

Marion Radson, City Attorney, stated that an ordinance was brought before the City Commission in direct response to the concerns of the Department of Justice. He

noted that ordinance was carefully crafted to bring the Land Development Code into compliance. He explained that it was imperative that the City continue with the process and not get sidetracked on side issues that would delay the implementation and adoption of the ordinance. He noted that it was particularly important to modify sections that were not in compliance with the RLUIPA. He stated that the City Commission would hear the second and final reading no later than March 24, 2008. He advised the Committee to submit its report to the City Commission in time for the ordinance to be advertised and appear on the agenda March 24th. He explained that the Committee would have to present its recommendations to the City Commission no later than March 13, 2008, to meet the advertising requirement. He requested that the Committee: 1) make a recommendation to the City Commission with regard to minimum lot size; 2) discuss and recommend to the City Commission to leave the requirements as they are in the code currently (not as they appear in the Ordinance under first reading) with regards to the issue of accessory uses of food distribution centers and residents of destitute persons. He suggested that the Committee strongly consider discussing those issues separately and recommend that the Commission not modify the ordinance as it is currently in the code. He noted that the Committee could continue discussing the issues then make a separate recommendation at a future time; and 3) recommend to the full Commission that the City Manager be instructed not to issue permits for accessory uses in the interim and not receive any applications while the matter was under discussion by the Committee. He noted that once the Committee came to a resolution on the accessory uses, they could make a recommendation on whether or not to amend the Code. He suggested that such action would meet the requirements to amend the Land Development Code as quickly as possible, allow appropriate time to deal with accessory uses, and report to the City Commission when a resolution was reached on the accessory uses.

Commissioner Lowe made a motion to continue the item to a special meeting of the Community Development Committee to begin at 6:00 PM on Thursday, March 13, 2008.

Mr. Erik Bredfeldt, Planning & Development Services Director, stated that staff received a list of questions from Commissioner Donovan and the public and would try to answer those questions by the next meeting.

RECOMMENDATION *The Community Development Committee consider the City Attorney's recommendations in order to satisfy the Justice Department requirements.*

Approved as Recommended

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NEXT MEETING DATE

March 13, 2008, 6:00 PM

ADJOURNMENT

The meeting adjourned at 6:05 PM.