

CITY
----- OF ----- INTER-OFFICE COMMUNICATION
GAINESVILLE

Item No.: 2

TO: City Plan Board

DATE: July 21, 2005

FROM: Planning Division Staff

SUBJECT: Petition107TCH-05PB. City of Gainesville. Amend Sec. 30-159 amending the criteria for level of review and creating a level of review for minor plans that will be subject to the consent agenda process of the development review board; amending Sec. 30-350 to restructure the neighborhood meeting requirements, eliminate the requirement for an advertisement in a newspaper of general circulation and add an architectural/design consultant procedure for development located in community redevelopment districts and special Area Plan districts; amending Sec. 30-351(d) notice of development plan review to provide notice for certain minor plans; amending Sec. 30-23 providing a definition for developed industrial area; and, amending Sec. 30-352(b) to revise the background and expertise requirements of the persons who may serve as development review board members.

Recommendation

This petition implements the recommendations of the Economic Development/University Community Committee (EDUCC) to the City Commission and the subsequent direction of the City Commission and recommends a rule change to the Development Review Board to create a consent agenda procedure.

Explanation

Level of Review

The EDUCC of the City Commission recommended that the development review process be restructured. The committee recommended that thresholds be raised so that projects of considerably larger size be reviewed and approved administratively by staff so that only projects of 20 houses or more, 50 multi-family dwelling units or more, 10,000 square feet or more of commercial or 5 acres or more of industrial go to the Development Review Board for discussion and hearings.

This amendment revises the criteria for determining the level of review for development plans. The determination of whether a plan will be reviewed by the Development Review Board or will be a staff-only review is based on the criteria

established in Sec. 30-159. This petition proposes to introduce a new level of review and raise the threshold for plans that are required to have a board hearing. A review category of 'Minor Review Level II' is being added to provide the opportunity for plan review by means of a "consent agenda" for those plans that are above the current threshold of staff review that will no longer be required to have a full hearing before the board if the proposed changes to Sec. 30-159 are implemented. The proposed changes in the threshold for review are:

- a. For commercial, office or public service development: Provide a new level of review category to be named Minor Review II for plans with floor area for new construction, expansions, or redesigns of existing development from 2,501 square feet of floor area to 10,000 square feet of floor area. Change the floor area that triggers intermediate review (board hearing) from 2,501 square feet to 10,000 square feet, so that intermediate review is required for 10,000 to 50,000 square feet;
- b. For industrial development: Add Minor Review II for plans with floor area for new construction, expansion or redesigns of existing development from 2,501 square feet of floor area to any industrial development on any site up to 5 acres. The level of review would not alter the requirement for Plan Board or City Commission review of any associated special use permit.
- c. For multi-family development: Add Minor Review II for plans with 6 to 50 dwelling units. Change the number of dwelling units that triggers intermediate level review from 6 to 50 dwelling units to 50 to 99 dwelling units. Change the number of units that triggers major review from 50 dwelling units to 100.
- d. Amend the paragraphs addressing the thresholds regarding the number of parking spaces to clarify that these thresholds apply only when the proposed parking is not connected to other development proposals for which the thresholds are addressed above.

Amend Sec. 30-159. Criteria for determining level of review

Rapid Review	Minor Review	Minor Review II	Intermediate Review	Major Review
Resurfacing of existing impervious area which does not include new or additional spaces, layout modification and/or landscaping modifications.	Up to 15 new parking spaces (500 square feet each) or construction, reconfiguration or redesign of existing parking or equivalent paved area <u>not accessory to expansion of the number of multi-family units, or the floor area of office, commercial, public office, commercial or public service industrial uses.</u>		16-100 new parking spaces (500 square feet each) or reconstruction, reconfiguration or redesign of existing parking or equivalent paved area <u>not accessory to expansion of the number of multi-family units, or the floor area of office, commercial, public service, industrial uses.</u>	Over 100 parking spaces (500 square feet each) or reconstruction, reconfiguration or redesign of existing parking or equivalent paved area <u>not accessory to expansion of the number of multi-family units, or the floor area of office, commercial, public service, industrial uses.</u>
Expansion of redesigns of existing developments which will create up to 500 square feet of floor area, when submitted through the Building Division of a building permit. These may include decks, porches, patios, courts, pole barns and similar accessory structures with usable floor area.	New construction, expansions or redesigns of existing <u>office, commercial or public service</u> development that will create up to 2,500 square feet of floor area and its required parking. Porches, pole barns, and canopies up to 2,500 square feet of building area. Any deck, patio, court or similar unenclosed or pervious structure.	<u>New construction, expansions or redesigns of existing office, commercial or public service development that will create from 2,500 to 10,000 non-residential square feet of floor area and its required parking.</u>	New construction or expansion of existing <u>office, commercial or public service</u> development that will create from 2,500 10,001 to 50,000 square feet of additional floor area and its required parking.	New construction or expansion of existing developments of over 50,001 feet of additional floor area and its required parking.
Developments of 500 square feet or less, of floor area, which involve no stormwater issues and no additional parking when submitted through the building division for a building permit.	Developments located in the Agricultural, Industrial or Warehousing Zoning Districts which have no common boundary with properties zoned Residential or Office, providing the proposed development only contains a roof and support structures with 50% or less of the total sides enclosed or <u>industrial development up to 2,500 square feet area of *developed industrial area.</u>	<u>Industrial development greater than 2,500 square feet of *developed industrial area and located on 5 or fewer acres.</u>	<u>Industrial development greater than 2,500 square feet of developed industrial area and located on greater than 5 acres.</u>	
Drawings submitted to verify site conditions for issuing a Zoning Compliance Permit.	New construction or additions of 3 to 5 dwelling units.	<u>Developments of 6 to 50 dwelling units.</u>	Developments of 6 50 to 50 99 dwelling units.	Developments of 50 100 dwelling units.

Rapid Review	Minor Review	Minor Review II	Intermediate Review	Major Review
Field changes or modifications to active development where the changes do not trigger higher level thresholds, which does not alter stormwater, traffic, and fire safety or utility requirements.	A change in the location and type of landscape materials, except a change in the location of buffers that exceeds the rapid review thresholds.		Changes in the location of buffers, affecting any plan that was approved by the Development Review Board.	
Minor structural, material, or dimensional changes that do not affect the site layout or any specific provision of a prior approval, as determined by the Development Review Coordinator.	Shifts in the location of buildings, structures, parking bays, utility ties and dumpsters where the city manager or his designee has determined that the shifts do not substantially alter the approved plan or conflict with buffering requirements.			

Definitions

Industrial development often includes developed area that is not under a roof, and often results in additional impervious area for equipment and storage of materials. In order to better describe what threshold would indicate level of review staff recommends that a new definition be created to identify the area of industrial development. Staff proposes the following definition:

Amend Sec. 30-23:

Developed industrial area includes area under a roof and/or any outside area used for material storage or equipment or industrial activity.*

Restructure the neighborhood workshops

The City Commission approved a motion on January 24, 2005, to eliminate the newspaper advertisement requirement for neighborhood workshops, and that if fewer than five persons responded to a notice of a neighborhood workshop, that the neighborhood meeting would not need to be held, except in redevelopment districts and areas regulated by special area plans. The City Government Committee also recommended that the neighborhood workshops for projects within the City's redevelopment districts and special area plan districts be implemented as a scheduled meeting at the Civic Design Center. This workshop would feature an architect and/or landscape architect who would offer input as to the design relative to the design standards applicable to the proposed site as well as take public comment on the proposal. This informal early workshop would be advisory only and allow more informed input into the design process. Presently

the city has four redevelopment districts and seven special area plan districts, see Map 1 and Map 2.

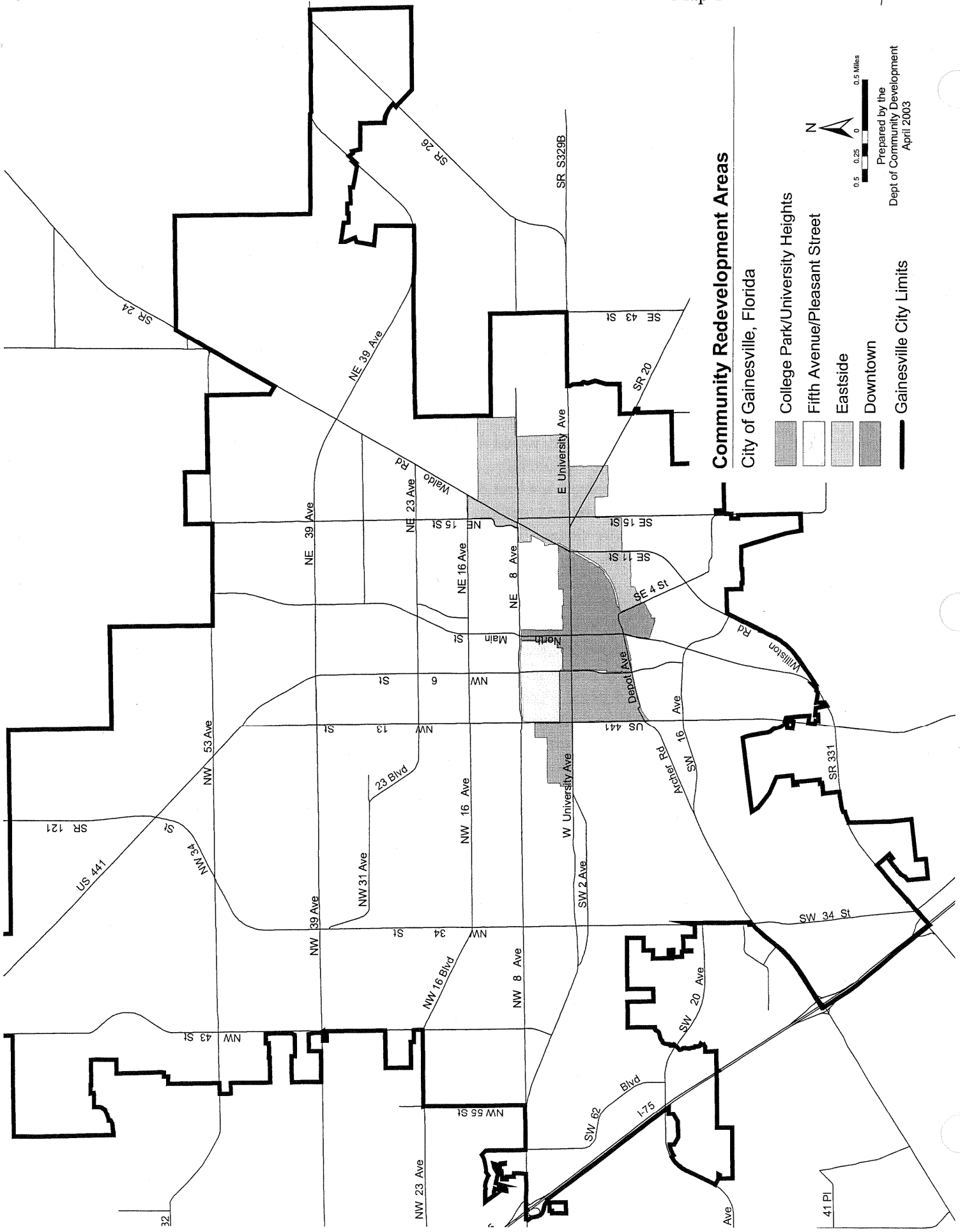
The purpose of the neighborhood workshop is to ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving the applicants an opportunity to understand and try to mitigate any real or perceived impacts the applications may have on the community and for citizens to have an adequate opportunity to learn about applications that may affect them. The neighborhood workshop is intended to facilitate ongoing communication through the application review process. The code provides specific exceptions to the neighborhood workshop requirement that exempts the land use and zoning connected with annexation activities, since that process already requires a series of public meetings and exemptions for de minimus proposals. All other applications are required to have citizen participation workshops. Many times the workshops have been scheduled and very few or no citizens attend. The development community would like an alternative procedure to be available within the code that would allow the petitioners to notify citizens of their intent to make a development application to the city for land use amendment, rezoning, special use permit or development approval and offer a neighborhood workshop if five (5) or more citizens request the proposed workshop by responding to the workshop notice.

Sec. 30-350(b)(2) states that, except for development applications that are specifically exempted, every application that requires a public hearing for a site plan, rezoning, special use permit or change to the future land use map must provide a written record of the citizen participation process before the application is deemed complete. If the alternative workshop request procedure is established, when there are fewer than five responses, the written record of the citizen participation step will be the mailing list and statement from the applicant that fewer than five persons made a request for such a workshop and for that reason it was cancelled. Any person who requested a workshop should receive a written cancellation.

Staff recommends the following amendment to the language of the code to provide a means to cancel the required neighborhood workshop for lack of interest:

Sec. 30-350(b)(2)

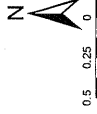
Except for development applications that, pursuant to section 30-350(b)(1), are exempt from the requirements of section 30-350, every application that requires a public hearing for a site plan, rezoning, special use permit or change to the future land use map shall include a written record of the citizen participation process before an application is deemed complete. For those applicants for which workshop notice has resulted in five or fewer responses of noticed persons requesting the workshop, the written record shall consist of the mailing list, a copy of the workshop notice and request procedure and an affidavit by the



Community Redevelopment Areas

City of Gainesville, Florida

- College Park/University Heights
- Fifth Avenue/Pleasant Street
- Eastside
- Downtown
- Gainesville City Limits



Prepared by the
Dept of Community Development
April 2003