

City of Gainesville

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



Meeting Agenda

October 9, 2019

6:30 PM

City Hall Auditorium, 200 East University Avenue

City Plan Board

*Bob Ackerman - Chair
Megan Walker-Radtke - Vice Chair
Stephanie Sutton - Member
Erin Condon - Member
Terry Clark - Member
Christian Newman - Member
Thomas Hawkins - Member
Robert Hyatt - School Board Representative
Staff Liaison - Megan Echols*

CALL TO ORDER**ROLL CALL**[190495.](#)

City Plan Board Attendance Roster: February 28, 2018 through October 9, 2019 (B)

Explanation: City Plan Board attendance roster for Board Members to review.

[190495_CPBA Attendance_2019_20191009](#)

ADOPTION OF THE AGENDA**APPROVAL OF MINUTES**[190494.](#)

Draft Minutes of the August 22, 2019 City Plan Board Meeting (B)

RECOMMENDATION

Staff is requesting that the City Plan Board review the draft minutes from the August 22, 2019 meeting and vote to approve the minutes.

Staff to the City Plan Board - Review and approve the draft minutes.

[190494_CPBA 190822 Minutes Draft_20191009](#)

ANNOUNCEMENT: N/A**REQUEST TO ADDRESS THE BOARD****OLD BUSINESS:**[190287.](#)

Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 dwelling units per acre (B)

Petition PB-19-77 LUC. City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 dwelling units per acre. Located at 4551 NW 39th Avenue.

Explanation: The subject property is recently annexed and consists of one parcel

totaling approximately 5.07 acres. State and local laws require Alachua County land use, zoning and subdivision regulations to remain in effect on annexed property until the City's Comprehensive Plan is amended. This application is a City-initiated request to amend the land use category on the subject property from Alachua County Low Density Residential to City of Gainesville Mixed-Use Low Intensity (MUL). A concurrent application requesting that the property be rezoned from Alachua County Residential Single-Family to City of Gainesville Mixed-Use Low Intensity (MU-1) is filed under Petition PB-19-78 ZON.

At the August 22nd City Plan Board meeting the Board continued the petition, expressing interest in adopting a residential land use at the subject property; therefore, staff has presented two additional options for consideration by the Board for the land use change: City of Gainesville Residential Medium-Density (RM): 8-30 dwelling units per acre or City of Gainesville Residential Low-Density (RL): up to 15 dwelling units per acre

Fiscal Note: None

RECOMMENDATION Staff to City Plan Board - Approve Petition PB-19-77 LUC.

[190287 Staff Report w Appendices A-C PB-19-77 LUC 20191009](#)

[190288.](#)

Rezone Property from Alachua County Residential Single Family (R-1A): 1-4 Dwelling Units per Acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 Dwelling Units per Acre (B)

Petition PB-19-78 ZON. City of Gainesville. Rezone property from Alachua County Residential Single Family (R-1A): 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 dwelling units per acre. Located at 4551 NW 39th Avenue.

Explanation: The subject property is recently annexed and consists of one parcel totaling approximately 5.07 acres. State and local laws require Alachua County land use and zoning regulations to remain in effect on annexed property until the City's Comprehensive Plan is amended. This application is a City-initiated request to rezone the property from Alachua County Residential Single Family (R-1A): 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 dwelling units per acre. A concurrent application requesting to amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 dwelling units per acre is filed under Petition PB-19-77 LUC.

At the August 22nd City Plan Board meeting the Board continued the petition, expressing interest in rezoning the subject property to a residential district; therefore, staff has presented two additional options for consideration by the Board for the rezoning of the property: (1) City of Gainesville Residential Multi-family (RMF-8): 8-20 dwelling units per

acre; (2) City of Gainesville Residential Single/Multi-family (RMF-5): up to 12 dwelling units per acre.

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Approve Petition PB-19-78 ZON.

[190288 Staff Report with Appendices A-C PB-19-78 ZON 20191009](#)

[190292.](#)

Amend Land Development Code to allow Recreational Vehicle Parks as a use by right in the I-1 zoning district (B)

Petition PB-19-88 TCH. eda. Text amendment to the Land Development Code to add Recreational Vehicle Parks to the Limited Industrial (I-1) zoning district as a permitted use by right, with applicable use standards added to Article V and definitions added to Article II.

Explanation: This is a petition request to amend the Land Development Code to add Recreational Vehicle Parks to the Limited Industrial (I-1) zoning district as a permitted use by right, along with applicable use standards. The amendments would include adding definitions to Article II, Section 30-2.1, adding the use to the permitted use table in Article IV, Section 30-4.19, and adding a section in Article V, Division 1, concerning use standards to regulate the proposed new use.

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Approve Petition PB-19-88 TCH.

[190292 Staff Report with Exhibits 1-5 20191009](#)

[190293.](#)

Single-Family Tree Mitigation Policy. (B)

Staff will present potential options for the City's single-family tree mitigation policy, including a recommendation from the Tree Advisory Board and an alterantive option.

Explanation: The purpose of this item is to discuss options and seek direction from the City Plan Board regarding potential options for the City's single-family tree mitigation policy.

Prior to 2017, the Land Development Code specified that on properties within single-family residential zoning districts, only heritage and champion trees required a permit for removal. Mitigation was at a reduced rate of inch-for-inch diameter replacement for high-quality heritage trees and two-for-one replanting for heritage trees of other than high quality species. In 2017, the Land Development Code was updated to change the basis for reduced single-family tree mitigation from "single

family zoning districts” to “single family dwellings” in order to allow single-family homeowners in planned development zoning to have reduced tree mitigation. However, new single-family construction, regardless of zoning, is now subject to the same tree mitigation requirements as multifamily and commercial development.

On March 21, 2019, the Tree Advisory Board presented a letter to the City Commission recommending that the reduced single-family tree mitigation should apply in all cases where the final property use is a detached single-family home or lot. The Tree Advisory Board also recommended that all lots in new subdivisions be configured to allow at least one tree of a high-quality species to establish in the front, back, or side yard in addition to the required street tree. The Commission directed staff to work with the Tree Advisory Board on this issue.

On June 10, 2019, the City Commission and City Plan Board heard a presentation on the current referral list of potential Land Development Code amendments, including the tree mitigation policy for new single-family dwellings, and ranked the potential amendments by priority. The prioritized code amendments list was approved at the June 13, 2019 General Policy Committee meeting with the modification of moving single-family tree mitigation from the medium-priority list to the high-priority list.

On July 10, 2019, the Tree Advisory Board approved a motion to apply the following recommendations to single-family tree mitigation:

- 1) All single-family residential tree removals should be mitigated by the inch-for-inch mitigation process. This applies to existing homes and new construction.
- 2) Saving high-quality trees should be incentivized by reducing mitigation payments for removal of undesirable species. Inch-for-inch removals should apply to desirable species only.
- 3) Code language should be enhanced to encourage and incentivize saving high-quality heritage trees.

The Tree Advisory Board also approved a motion to incentivize affordable housing by reducing tree mitigation impacts.

In addition, staff have identified another option to consider, which is to allow single-family residential tree removals to be mitigated for at the reduced rate of inch-for-inch replacement of high-quality heritage trees and two-for-one replacement of non high-quality heritage trees, with the exception of construction in new subdivisions. Existing homes and new construction in established neighborhoods would be subject to the reduced tree mitigation rate.

Fiscal Note: None

RECOMMENDATION

The City Plan Board provide a recommendation regarding the proposed options for the City’s single-family tree mitigation policy.

[190293 Staff Report Single-Family Tree Mitigation 20191009](#)

[190493.](#)

Review a request to waive the two (2) year time limitation requirement after the denial of PB-18-177 SUP.

Special Use Permit to Allow a Carwash with Associated Facilities in the MU-1: Mixed Use Low Intensity Zoning District (B)

Petition PB-18-177 SUP (Related). CHW, Inc., agent for The Gallo Family, owners. Request to waive the two (2) year time limitation for submitting another request for a Special Use Permit for a Carwash after it was denied by the City Plan Board. Zoned: MU-1 (8-30 units/acre mixed-use low intensity). Located at 3028 and 3036 NW 13th Street.

Explanation: On August 22, 2019, the City Plan Board denied PB-18-177 SUP. At the applicant's request, the Board requested that staff place the petition on the next agenda to discuss waiving the two (2) year time limitation for submitting a new application. The City's Land Development Code states that no application for a Special Use Permit may be submitted within two years after the date of denial or withdrawal of a request for the same use for the same property. The Board may wave this time limitation by the affirmative vote of five members, provided 30 calendar days have elapsed and provided the City Plan Board deems such action necessary to prevent an injustice.

Fiscal Note: None.

RECOMMENDATION

Staff to City Plan Board - Address the request to waive the two (2) year time limitation for submitting a new application for a Special Use Permit for the same use for the same property.

Discussion and Possible action to waive the two (2) year time limitation requirement after the denial of PB-18-177 SUP.

[Final Staff Report PB-18-177 SUP Request to Waive 24 month period Full Reprc](#)

NEW BUSINESS:

INFORMATION ITEM: N/A

BOARD MEMBER COMMENT

NEXT MEETING DATE: October 24, 2019

ADJOURNMENT

For further information, please call 334-5022.

If any person decides to appeal a decision of this body with respect to any matter considered at the above-referenced meeting or hearing, he/she will need a record of the proceedings, and for such purposes it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Equal Opportunity Department at 334-5051 (TDD 334-2069) at least 48 hours prior to the meeting date.