

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda

April 22, 2021

6:30 PM

City Hall Auditorium, 200 East University Avenue

City Plan Board

Stephanie Sutton - Chair
Bob Ackerman - Member
Christian Newman - Vice-chair
Thomas Hawkins - Member
James Blythe - Member
Sophia Corugedo - Member
Jason Hurst - Member
Tina Certain (School Board Representative)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352) 334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

CALL TO ORDER**ROLL CALL****ADOPTION OF THE AGENDA****APPROVAL OF MINUTES**[200651.](#)**Draft Minutes of the March 25, 2021 City Plan Board Meetings (B)****RECOMMENDATION**

Staff is requesting that the City Plan Board review the draft minutes from the February 25, 2021 meeting and vote to approve the minutes.

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

[CPB 210325 Minutes Draft](#)

ANNOUNCEMENT: Section 30-3.3 of the Land Development Code establishes the Plan Board, including its membership; rules of procedure; and functions, powers and duties. The Plan Board is advisory to the City Commission on most planning petitions. Appeals of Plan Board decisions concerning Special Use Permits are to a hearing officer within 30 calendar days of the decision (see Sec. 30-3.58(C.) of the Land Development Code). The procedure for an appeal is set forth in Sec. 30-3.58.

PUBLIC COMMENT: Request to Address the Board**OLD BUSINESS:**[200729.](#)**Heritage Overlay District Text Change (B)**

Petition PB-21-08 TCH. City of Gainesville. Amend the Land Development Code to modify the purpose, objectives, effect, criteria, and procedures for implementation of the heritage overlay district.

Explanation: At the January 28th, 2021 meeting the City Plan Board was presented information about the Heritage Overlay District amendments the City Commission directed staff to move forward with. There was a brief presentation of background information and discussion on some draft changes made to the overlay district text.

The Plan Board provided input on a few aspects of the draft changes. Comments were provided on suggested changes to the draft eligibility map. Suggestions to expand the eligibility area were provided and some discussion took place over whether or not to have an eligibility area at all.

Additional discussion related to impacts on development and affordable housing took place. Plan Board members mentioned that changes to the heritage overlay district text should minimize impacts on affordable housing development. Finally, Plan Board members expressed interest in keeping any new name for the heritage overlay district as simple as possible.

Staff is seeking to continue discussion on this item and receive further input from the Plan Board on key aspects of the proposed changes to the overlay district text.

Important points for consideration and input are:

- 1. Eligibility Map. An updated version of the eligibility map has been provided based on input from Plan Board members during the previous meeting. Is this version more in line with what the plan board would recommend?*
- 2. Name of the overlay district. Plan Board members expressed that the name should be simple. Since the City Commission expressed their desire to move away from the existing name, perhaps Neighborhood Overlay District?*
- 3. Who can vote on adopting the area? The existing code limits it to homestead property owners, but the Commission discussed expanding participants to all property owners as well as long-term residents. There was agreement on expanding those eligible to participate, but what amount of time determines who is a "long-term" resident? Staff recommends ten (10) years of residency and using utility records or lease records for confirmation.*
- 4. Should the threshold for approval of the overlay district be greater than a simple majority? Staff recommends a two-thirds majority for approval.*

Draft regulations and an updated draft eligibility map are provided in the backup for Plan Board consideration and further guidance.

RECOMMENDATION *The Plan Board review the materials and provide further guidance or direction as appropriate.*

[200479A Background -HeritageOvrlyZoning 20201105](#)

[200479B heritage overlay draft map 20210112](#)

[200720_19PB-21-08TCH Heritage Overlay District Text Change Backup Docur](#)

[200729 draft community character overlay text 20210405](#)

[200729 prospective process for property owner 20210407](#)

[200729 staff update drb vs hpb vs other 20210405](#)

NEW BUSINESS:

[190980.](#)

Amend the Future Land Use Map from Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue.

Petition PB-19-145 LUC. eda, Agent. Petition for land use change from City of Gainesville Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-146 ZON.

Explanation: The petition requests a land use change from City of Gainesville RM: Residential Medium; RL: Residential Low (8-25 du/ac) to City of Gainesville UMUH: Urban Mixed-Use High Intensity (100-125 du/ac). The subject parcels are approximately 24.98 acres. The current land use is medium density residential and allows for 8-25 dwelling units per acre with a combination of single family detached and attached dwellings; and multiple-family residential dwellings in addition to mixed housing types. The land use change would increase the allowable units by 100 dwelling units per acre. Adoption of the UMUH: Urban Mixed-Use High Intensity land use will enable future development at a density that is consistent and compatible with the existing patterns in the area.

..Fiscal Note

None

Fiscal Note: None

RECOMMENDATION

Approve PB-19-145 LUC based on finding of compliance with applicable review criteria.

[190980 PB-19-145LUC StaffReportandAppendices](#)

[190981.](#)

Rezone property from RMF-5: Single-Family/Multiple-Family Residential; RMF-7: Multiple-Family Residential; RMF-8: Multiple-Family Residential to Urban Transect: U-9. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue.

Petition PB-19-146 ZON. eda, Agent. Rezone property from RMF-5 (Single/Multi-Family Residential), RFM-7 & RMF-8 (Multi-Family Residential) to Urban 9 Transect Zone. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-145 LUC.

Explanation: The petition requests to rezone the property from City of Gainesville RM: Residential Medium; RL: Residential Low (8-25 du/ac) to City of Gainesville UMUH: Urban Mixed-Use High Intensity (100-125 du/ac). The subject parcels are approximately 24.98 acres and are currently vacant. Rezoning the property would increase the allowable units by 100 dwelling units per acre and enable future development at a density that is consistent and compatible with the existing patterns in the area.

..Fiscal Note

None

Fiscal Note: None

RECOMMENDATION *Approve PB-19-146 ZON based on finding of compliance with applicable review criteria.*

[190981_PB-19-146-ZON_StaffReportandAppendices](#)

[191037.](#)

Amend City of Gainesville Future Land Use Map from Alachua County Tourist/ Entertainment to City of Gainesville Commercial (C). (B)

PB-19-144 LUC: City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Tourist/Entertainment to City of Gainesville Commercial (C). Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street.

[191037_PB-19-144LUC4-22-21_Staff Report](#)

[191038.](#)

Rezone property from Alachua County Business, Tourist, and Entertainment (BR-1) to City of Gainesville General Business (BUS). (B)
PB-19-147 ZON: City of Gainesville. Rezone property from Alachua County Business, Tourist, and Entertainment (BR-1) to City of Gainesville General Business (BUS). Generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street.

[191038_PB-19-147ZON4-22-21_Staff Report](#)

[201117.](#)

Determination of status of a legally non-conforming use for a property located in the U8 Transect Zone. Located at 1516 N Main St.

Explanation:

Per Section 30-10.5 of the City’s Land Development Code, certain nonconforming uses that have been established as a legal nonconforming use may continue indefinitely as long as the use is not abandoned. “Abandoned” means to cease the use for a continuous period equaling or exceeding nine months. City staff, after a review of relevant evidence, has determined that the use at this subject property has been inactive for a continuous period equaling or exceeding nine months and has therefore been abandoned. Consequently, this property may no longer be used for outdoor storage and display.

The purpose of this hearing is for the City Plan Board to make a final decision regarding whether or not the use of the property for outdoor storage and display has been abandoned and therefore is no longer permitted. Per Section 30-10.5, the property owner has the burden to present relevant evidence to establish that the use has not been

abandoned. Relevant evidence can include public records, utility records, property records, verified personal records, or other general research and documentation. The intent of the owner or user shall not be relevant in determining whether the use has been abandoned. The time period of any legal proceedings related to change of ownership, including foreclosures or bankruptcies, shall not be used in any calculation of the time period for abandonment. Following the close of the public hearing, the City Plan Board shall render its decision no later than 30 calendar days after the date of the hearing.

Fiscal Note

None

Recommendation:

Staff to City Plan Board - Make a final decision regarding whether or not the use of the property for outdoor storage and display has been abandoned and therefore is no longer permitted.

[201117_1516 N Main St Nonconforming Use Letter Final](#)

[201117_Sec. 30_10.5. Nonconforming uses](#)

[201117_1516 N Main St Staff Report and Appendices](#)

INFORMATION ITEM(s):

MEMBER COMMENT

NEXT MEETING DATE

ADJOURNMENT