Legislation Details (With Text)

File #:	060103.	**Version:** 2	**Name:**	SPECIAL REGULATIONS FOR OFF-STREET PARKING AND ESTABLISHING A RESIDENTIAL PARKING OVERLAY DISTRICT (B)
Type:	Ordinance		**Status:**	Adopted
File created:	8/28/2006		**In control:**	City Attorney
On agenda:			**Final action:**	9/11/2006
Title:	SPECIAL REGULATIONS FOR OFF-STREET PARKING AND ESTABLISHING A RESIDENTIAL PARKING OVERLAY DISTRICT (B) Ordinance No. 0-06-62; Petition 70TCH-06 PB An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, Chapter 30; amending section 30-23 by defining the term "context area;" amending section 30-56, providing special regulations for off-street parking in the context area or any residential regulated parking overlay district; creating and adding a new section 30-56.1, providing for a new overlay district to be known as "Residential Parking Overlay District;" establishing the procedure and criteria for rezoning and imposing the overlay district; providing administrative remedy; amending section 30-330, making conforming changes; amending the City of Gainesville Code of Ordinances, relating to fees; amending Appendix A, Land Development Code, section (2), Planning, by creating a fee for verifying signatures on a petition requesting imposition of a Residential Parking Overlay District; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.			

Sponsors:

Indexes:

Code sections:

Attachments: 1. 060103_200607241300.pdf, 2. 060103_20060911.pdf

Date	Ver.	Action By	Action	Result
9/11/2006	2	City Commission	Adopted on Final Reading (Ordinance)	Pass
8/28/2006	2	City Commission	Adopted on First Reading (Ordinance)	Pass
7/24/2006	1	City Commission	Approved (Petition) with Plan Board Modifications	Pass

SPECIAL REGULATIONS FOR OFF-STREET PARKING AND ESTABLISHING A RESIDENTIAL PARKING OVERLAY DISTRICT (B)

Ordinance No. 0-06-62; Petition 70TCH-06 PB
An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, Chapter 30; amending section 30-23 by defining the term "context area;" amending section 30-56, providing special regulations for off-street parking in the context area or any residential regulated parking overlay district; creating and adding a new section 30-56.1, providing for a new overlay district to be known as "Residential Parking Overlay District;" establishing the procedure and criteria for rezoning and imposing the overlay district; providing administrative remedy; amending section 30-330, making conforming changes; amending the City of Gainesville Code of Ordinances, relating to fees; amending Appendix A, Land Development Code, section (2), Planning, by creating a fee for verifying signatures on a petition requesting imposition of a Residential Parking Overlay District; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

In 1997, the City Commission approved an ordinance regulating off-street parking on single-family zoned properties in an area commonly referred to as the University of Florida Context Area (Context Area). The ordinance was adopted because disorderly yard parking was having a negative impact on single-family neighborhoods near the University. The ordinance was updated in March 2004 to close loopholes and improve enforcement.

Major provisions of the parking regulations within the Context Area require driveway and parking area borders to be permanent, clearly defined, affixed to the ground, and a minimum size. The regulations also require the submittal of a parking plan when applying for a landlord permit, or if requested by the City.

The proposed ordinance expands where off-street parking is regulated, through changes to the Context Area and the establishment of a Residential Parking Overlay District.

The University of Florida has recently changed the boundaries of the Context Area to include some single-family zoned areas not previously included. The proposed ordinance applies the off-street parking regulations to those areas by specifically referencing the new, expanded Context Area.

The proposed ordinance also creates a Residential Parking Overlay District. Within the Residential Parking Overlay District, the same off-street parking regulations as applied in the Context Area would be imposed. The proposed ordinance allows any neighborhood that meets the minimum criteria for the Overlay District, to request that the City Commission apply the Overlay District to that neighborhood. The minimum criteria for establishing the Overlay District boundaries include the number of parcels, percentage of property owners in favor of being in the overlay district, and other factors. A standard petition form would be used to determine the number of property owners in favor of being in the overlay district. If a request met those minimum requirements, then the City Commission could consider the request through the standard rezoning process, including application forms, application fees, public notice and public hearings.

The Plan Board heard the petition and recommended that it be approved with the following three modifications:

* The minimum number of parcels in an overlay district shall be 25, rather than 50;

* Parcel owners of 60%, rather than 67%, of the parcels within a proposed overlay district must sign the petition requesting the district; and

* Change the word "and" to "or" in lines six and eight of page 18.

Staff has no objections to the modifications proposed by the Plan Board.

Public notice was published in the Gainesville Sun on May 31, 2006. The Plan Board held a public hearing June 15, 2006.

Fiscal Note: If enacted, the proposal would generate a significant amount of additional administrative work in the Code Enforcement and Planning Divisions, and possibly in the City Clerk's Office. Depending on how many Residential Parking Overlay Districts are approved by the City Commission, staff estimates that at least one additional code enforcement officer would be needed to manage the additional enforcement needs. Other tasks associated with the overlay districts include verifying names on petitions, processing applications, and mapping overlay districts.

CITY ATTORNEY MEMORANDUM

The City Commission approved Petition 70TCH-06 PB, with modifications, on July 24, 2006. This ordinance requires two public hearings. Should the Commission adopt the ordinance on first reading; the second and final reading will be held on Monday, September 11, 2006.