



## Legislation Text

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**File #: 980216, Version: 0**

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Legislative Matter No. 980216. Petition 134TCH-98 PB, City Plan Board. Amend Sec. 30-43(1)a. of the City of Gainesville Land Development Code, to change the location of zoning boundaries from the centerline of streets to the edge of the public right-of-way.

The Land Development Code currently requires that the zoning boundaries along streets are construed to follow the centerlines of such streets. The requested new language would change the location of such zoning boundaries from the centerline of streets to the edge of the public right-of-way.

Due to the recent passage of the Hogtown Creek Watershed Charter Amendment, lands that are classified as Recreation and Conservation land use and zoning within the Hogtown Creek watershed area cannot have any paved surface constructed upon them. Because zoning boundary lines follow the centerlines of streets, the streets themselves are designated with a particular zoning category. As a result, streets within the Hogtown Creek Watershed that border Recreation and Conservation land cannot have any construction of street, sidewalk and bicycle improvements, many of which are part of the planned projects and programs or current operation and maintenance activities of the Public Works Department or the Recreation and Parks Department.

Under the proposed language of this petition, streets would not be included within the adjacent zoning districts. For example, a street within the Hogtown Creek Watershed located adjacent to Conservation land would not be designated with the Conservation zoning category or any other zoning category, and any necessary maintenance to the street or new improvements in the right-of-way such as new sidewalks could take place without violating the charter amendment.

During the Plan Board hearing, staff also suggested that section 30-43(4) be amended to provide an exception for public right-of-way related to unzoned government property. The Plan Board reviewed the petition and generally felt that the amendment was a "Band-Aid" approach to a serious problem. A motion to approve the petition failed by a 2-3 vote.

Public notice was published in the Gainesville Sun on June 30, 1998. The Plan Board held a public hearing July 16, 1998.

None

City Plan Board to City Commission - The City Commission deny Petition 134TCH-98PB. Plan Board vote 3-2.

Staff to Plan Board - Approve