

**CITY OF GAINESVILLE  
PLANNING AND ZONING COMMISSION**

**Regular Meeting  
2:00 p.m.  
Wednesday, July 14, 1993**

**Members Present:** Marge Clement, Roy Brewer, Bill Williams, Jan Russell, Robyn Byars, Debra Beavers, and Joyce Rigler.

**Members Absent:** None

**Staff Present:** Mike Land and Pat Payne

**Visitors Present:** List

The public hearing was called to order at 2:08 p.m. by recording secretary, Pat Payne.

Mayor Jim Hatcher was in attendance and spoke to the appointed Board, expressing his appreciation and confidence in them for their willingness to serve as Planning and Zoning Board members. He continued by saying he felt they were people who would stand up and vote their convictions, doing the best thing for the City of Gainesville.

The **second item of business** was the swearing in of all newly appointed board members. The swearing in was led in unison by Pat Payne.

After all board members were duly sworn in and took their seats, Bill Williams was nominated and elected unanimously as Chairman of the Planning and Zoning Commission.

Chairman Bill Williams then asked for nominations for Co-Chairman for the Board. Marge Clement was nominated and elected unanimously as Co-Chairperson of the Planning and Zoning Commission.

The **third item of business** was consideration and action on the minutes of the regular meeting of May 19, 1993. A motion was made by Marge Clement and seconded by Roy Brewer to approve the minutes as presented. Motion carried by the following vote: Ayes: Clement, Brewer, Williams, Rigler, Beavers, Byars, and Russell. Nays: None. Absent: None. Abstentions: None.

The **fourth item on the agenda** was consideration and action on a Site-Plan review as requested by MHMR/Joe Walter Sheltered Workshop to construct a new storage building on their property at 610 W. Broadway Street, as required by the I-35 Development Standards Ordinance.

Mike Land introduced himself to the new Board members and presented the item for discussion. He told the Board that the facility is in

need of storage [expressley for their mowing equipment]. He asked Pat Payne if the Corridor extends 1000' either side of the I-35 right-of-way; she said more or less. The Corridor follows street lines, not a regular 1000' strip. Mr. Land said the whole concept of the I-35 Corridor is visual and this proposed building will not be visible from the Interstate.

Mr. Land explained to the Planning and Zoning Board members that the reason that the Workshop was asking for site plan approval of the storage building was to store their mowing equipment in, which includes tractors, mowers, trimmers, trailers, etc. He also explained that approval of the Site Plan would be contingent upon approval of a requested twelve-foot side and rear setback variance to be heard before the Board of Zoning Appeals on Tuesday, July 27, 1993. The variance request will have to be approved before the building can be constructed, if the site plan is approved on this date.

Bill Williams asked if the metal building will be similar to the other accessory building already on the site. Mr. Land replied it will be simmilar, therefore no variance is required for differing building materials from that of the main structure and other accessory structure.

At that time Chairman Williams asked for action on the Site Plan for the Joe Walter Sheltered Workshop request for an accessory building for storage. A motion was made by Roy Brewer and seconded by Marge Clement to **approve the Site Plan for the Joe Walter Sheltered Workshop**. Motion carried by the following votes: Ayes: Clement, Brewer, Williams, Russell, Byars, Beavers, and Rigler. Nays: None. Absent: None. Abstentions: None.

The **fifth item on the agenda** was consideration and recommendation on a request by Robert Penley for renewal of a Specific Use Permit at the Gainesville Municipal Airport to keep a mobile home at the site of the Blue Hangars for security purposes.

Mike Land explained the concept of a Specific Use Permit to the new Board. He said that it is set up when certain conditions exist and a case is presented when those conditions do exist. The Board has the ability to recommend approval of a permit. In this particular situation at the Airport, the request is for a mobile home to be placed on the premises basically for security purposes so there is someone out there at all times. In this particular instance the City Council put a two-year time limit on the original request in 1991. This request is for renewal and the Board is to review the situation to see if anything has changed to alter the status of the Permit, if the Board still agrees that it (the mobile home) is still needed at the Airport. If the Board sees fit that the mobile home for security purposes is still needed, it will recommend renewal of the permit for a defined length of time. The Board has latitude regarding the conditions for approval, according to the Zoning Ordinance. The Board may impose a time limit.

Bill Williams asked if the mobile home is inhabited by family

members, security people, or other persons. Steven Penley replied that he stays there full time, because they have a business in the Blue Hangars and it is imperative that someone be there to look out for their interests and deter thefts and break-ins. He continued by saying that since they have had the mobile home in place, they have had no break-ins or fuel thefts. The mobile home is located such that no one sees it at first until they are right on the property. Robyn Byars asked if he stayed there all the time; Steve replied he does, most of the time. His brother is there from time to time also. Mike Land explained that because someone is staying on the premises twenty four hours a day designates "security" for the property.

Bill Williams said his only concern is that it is not inhabited by a family or that others move in around it because that is contrary to the Industrial Park concept.

Debra Beavers asked if someone from the City goes out periodically to see if the property is being taken care of and the surroundings are kept up. Mike Land explained that when the ordinance is approved for this type of situation, there usually has not been a list of conditions placed on the Specific Use Permit. The only thing that staff has to go by is typical code enforcement activity. It cannot be treated any differently from any other mobile home in the City if specific conditions have not been placed on the permit; the permimeters have not been put into place.

Marge Clement asked if anyone had checked on the Penley property during the past two year period; Mr. Land explained that Russell Ford, FBO for the Airport, is on site every day and observes the property continually. He also has a responsibility and a vested interest to the City for maintenance of the Airport.

Questions regarding utility hookups were asked. Steven Penley said all utilities were in place prior to the mobile home being set, including sewer.

After no further discussion, a motion was made by Marge Clement and seconded by Roy Brewer to **recommend approval of the Specific Use Permit for a two year period.** Motion carried by the following votes: Ayes: Clement, Brewer, Williams, Russell, Byars, Beavers, and Rigler. Nays: None. Absent: None. Abstentions: None.

The **sixth item on the agenda** was consideration and action on an ordinance creating standards and procedures for the orderly development and regulation of Bed and Breakfast businesses within the City of Gainesville.

Mike Land presented previously discussed deliberations on the proposed Bed and Breakfast Ordinance. He explained that the City Attorney has argued that allowing bed and breakfast businesses by Specific Use Permit would constitute spot zoning (which is illegal). Therefore, he continued, the Board would not be taking action this date on the ordinance because of this debate until the "spot zoning" issue is resolved.

Mr. Land then reviewed the proposed ordinance section by section with the new Board as it had evolved to this point after having been reviewed and discussed by the previous Planning and Zoning Board. The Board asked various questions regarding the proposed ordinance and the meanings of diverse terms and phrases within the document. Items discussed included parking, limitation of stays, other permitted uses for the structure, number of rooms for overnight stays, areas for permitted use vs. proposed Specific Use Permit, signs, screening, hotel/motel tax, food preparation, alterations to the home (with the intent being that it maintains the integrity of the residence, i.e. historical qualities), etc.

Mike Land said, finally, does the City of Gainesville want to introduce Bed and Breakfast businesses in residential neighborhoods, and if so, how does the City want to do it.

Bill Williams said just because there may be an ordinance regulating Bed and Breakfast businesses, it doesn't mean they will happen-there just simply needs to be a means of regulating them when and if they do happen. There are many problems to deal with, both pros and cons to the issue.

Mike Land said that was all the information he had and would present the proposed ordinance at the next scheduled meeting.

Mr. Land presented the next item for discussion. He explained that there are several outdoor advertising companies who want to place billboard/signs along the Interstate within the City limits. However, due to the prohibition of off-premise signs within the Corridor, these companies have been told they are not allowed to erect any signage for off-premise uses at the present time. Also, he said that the former Board had considered increasing the maximum height allowance of 35' since there has been many variance requests for signage height and area within the Corridor. He said that staff could come back with graphics pertaining to where billboards can't and can be located. The Board can decide what modifications should be made for this issue.

Ronnie Brooks of Future Signs explained some of the criteria which the State requires for outdoor advertising.

Jan Russell said she feels that the outdoor advertising, even for the Factory Shops Mall, should be generic, such as where to exit for the mall, not advertising for individual stores. She said that the signage problem is getting better within the Corridor, but it has taken time and she doesn't want it to get back to where it was some five years ago.

Joyce Rigler said she felt it would be better to amend the I-35 Corridor Regulations and raise the maximum height requirements for signs within the Corridor because there have been so many requests for variances regarding height and also sign area. Mike Land explained to the Board that those types of issues were for on-site signs; but maybe the Regulations still need to be amended. He said he could present information at the next meeting regarding areas

along I-35 where billboards can be placed.

The next regularly scheduled meeting is set for August 11, 1993. However, the Board discussed changing the meeting date/time to accommodate board members who cannot attend the presently scheduled meeting time. The Board agreed to meet on the regular date of August 11 and, after that date, the regular scheduled meetings will be held on the **second Thursday of each month at 2:00 p.m..**

Mike Land presented another item for discussion, being the Citizen's Public Participation Program, which will mobilize the redesign of the Master Plan for the City of Gainesville. This will include land use, storm water, solid waste, traffic, urban design, aesthetics, etc. He explained that it is a very involved process including holding public meetings in the evenings in neighborhoods and also city wide. The best time would probably be at night because working people cannot participate during the daytime hours. The Zoning Ordinance would be completely rewritten, consolidating all amendments to the documents passed by the City Council since its adoption in 1971. He said that goals and objectives need to be in place before the Zoning Ordinance is rewritten.

Mr. Land also explained another program that will be presented in August, which will be a Community Enhancement Program. It is for the I-35, Highway 82, California Street, Grand Avenue, any major corridors within the City. This program will be the impetus to apply for a State grant, in which landscaping, uniform signage, and other items for upgrading of those major arterials will be addressed. Mr. Land also explained the functions of the Community Development Department to the new board, which include planning and zoning.

The Board then discussed the program, "Company's Coming", which has been set up to clean up the City for the grand opening of the Factory Shops, the Chamber Rodeo and the Art Show, all to be held in August. They also determined that the City should be the promoter and leader to clean up weeds and trash, especially along major thoroughfares so visitors to the City will want to return, and there should be a strong attempt to keep the program going all year round.

After no further discussion, the meeting was adjourned at 3:43 p.m.