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City of Gainesville

Lauren Poe, Mayor



October 17, 2022

Marihelen Wheeler, Chair
Alachua County Board of County Commissioners
12 SE 1st Street, 2nd Floor
Gainesville, FL 32601
bocc@alachuacounty.us

RE: City of Gainesville Comprehensive Plan Amendment No. 22-03ESR under Expedited State Review

Dear Chair Wheeler:

The City of Gainesville has considered your letter on behalf of the Alachua County Board of County Commissioners, received on August 26, 2022, pursuant to the expedited state review process in Section 163.3184, Florida Statutes. The County's letter provided a comment regarding the City's proposed Comprehensive Plan amendment (Amendment No. 22-03ESR)("Amendment"). Pursuant to Section 163.3184(3)(b)3., Florida Statutes, the County's authority to provide comments is limited to the relationship and effect of the Amendment on the County's Comprehensive Plan. The County's comment cited a couple of generalized concerns regarding the Amendment: a) how the Amendment may impact land use compatibility with areas that are within unincorporated Alachua County; and b) the potential need for publicly funded infrastructure, facilities, and services that are owned, operated, and maintained by Alachua County. Notably and even though required by the statutory expedited state review process, the County did not cite any Alachua County Comprehensive Plan provisions or policies or how the City's Amendment may affect those County Comprehensive Plan policies.

As noted, one of the concerns outlined in the County's comment is how the Amendment may impact land use compatibility with areas that are within unincorporated Alachua County. The City anticipates no adverse impacts from any development potential associated with the Amendment on Alachua County or the County's Comprehensive Plan. It is important to note that any impacts, such as additional vehicle trips, will occur incrementally over time as either existing vacant residential properties are built on or currently developed properties are gradually redeveloped. Within the entire City of Gainesville, there are currently only 194 vacant properties in the former Single-Family Residential designation. The average size of these properties is approximately 1/4-acre. The Neighborhood Residential zoning district which will implement the Amendment is limited to 12 du/acre, which means a maximum of three (3) primary dwelling units for a 1/4-acre lot and four (4) primary dwelling units for a 1/3 or 1/2-acre lot. Accordingly and because of the size of the existing vacant properties within the City of Gainesville, the maximum development potential for most of these properties will be limited to a 3-unit triplex. As you know, the City of Gainesville already permits all existing Single-Family designated properties within the City to have one primary residence and two Accessory Dwelling Units (ADUs), for a total of up to three (3) units, without an owner residency requirement. Consequently, the City's Amendment is an incremental change from what is currently

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allowed and the City's Land Development Code includes both current and newly proposed regulations that will mitigate any potential impacts to surrounding areas, including within bordering areas of unincorporated Alachua County.

The City has also considered development compatibility between the City and County in terms of the development types that Alachua County currently allows. Alachua County's cottage neighborhood regulations found in Chapter 407, Article XVI of the County's Land Development Code and Traditional Neighborhood Development (TND) standards found in Chapter 407, Article VII of the County's Land Development Code, both of which are presumably consistent with the County's Comprehensive Plan, allow for a doubling of the underlying density along with similar small multi-family units contemplated by the City's proposal. Furthermore, Alachua County's Comprehensive Plan includes policies that direct development to urbanized areas as opposed to greenfield and rural areas and which seek increased residential density in the urban cluster and near urban activity centers, particularly in a manner that avoids large areas restricted to single-use, single-type, and similar densities but instead provides for a diverse mix of housing types and costs and densities.

For example, General Strategy 1 in the County's Future Land Use Element states: "Provide incentives for higher average densities for residential development and mixed uses in the urban cluster, including density bonuses and transfer of development rights." General Strategy 3 states: "Avoid large areas of single-use, similar densities, and similar types of units. A diverse mix of land uses, housing types and costs and densities shall be promoted." Objective 1.1 states: "Encourage development of residential land in a manner which promotes social and economic diversity..." Objective 1.2 states: "Provide for adequate future urban residential development that includes a full range of housing types and densities to serve different segments of the housing market, designed to be integrated and connected with surrounding neighborhoods and the community."

Alachua County's Comprehensive Plan also allows attached dwelling units within low-density residential land uses (see Policy 1.3.7.1) with further allowances per Policy 1.3.7.2 that "...provide for various housing types, such as conventional site-built single family homes, accessory living units, attached structures including townhouses, multi-family developments in planned developments, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, or mobile homes." The County's Comprehensive Plan provides further flexibility for land use regulations pertaining to lot sizes in an effort to address affordable housing. Policy 1.3.7.3 states: "The County's Land Development Regulations shall allow Low or Medium density residential land use to include flexible and mixed minimum lot sizes, relying on design standards and gross density. Such provisions shall address the need for affordable housing, compatibility with transit alternatives, and open space preservation including greenway corridors." Regarding neighborhood design, the County's Comprehensive Plan encourages a mix of housing types and mixed-uses development within Traditional Neighborhood and Transit Oriented Developments (see Objective 1.4) while "strongly" encouraging the use of "proven, innovative concepts for residential development such as TND and TOD" (see Policy 1.4.1).

The City's Comprehensive Plan Amendment not only does *not* adversely affect the County's Comprehensive Plan but is consistent with and, even more importantly, is promoted by Alachua County's Comprehensive Plan. The City's Amendment would therefore create consistent development activity near or adjacent to unincorporated areas with consistent development compatibility between the City and the County. Importantly, the City's Amendment, as well as the Alachua County Comprehensive Plan provisions cited above, respond to a growing consensus among land use and housing professionals that restrictive or exclusionary zoning, which includes most fundamentally restricting land to single-family housing where

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no more than one single housing unit is allowable per certain-sized residential lot: 1) makes housing less affordable; 2) exacerbates income and racial inequities; 3) imposes increased environmental harms; 4) makes the economy less productive; and 5) limits the types of housing available for different living arrangements including at different stages of life.¹

In the local context as it regards the City of Gainesville, the City's widespread historic practice of restricting land use to single-family housing has exacerbated the City's discrepancies in housing equity and affordability. Gainesville is a rapidly growing city with an inadequate supply of housing units, types, and geographic disbursement, and which is experiencing a corresponding and growing housing affordability problem disproportionately affecting Gainesville's Black population. Specifically, Gainesville had a 54% increase in population between 1990 and 2018, and almost 30,000 additional people will be living in Gainesville by 2050.² White and wealthier households are concentrated in west and northwest Gainesville (where the majority of single-family zoning is located), while Black and poorer households are concentrated in east and southeast Gainesville.³ Over 63% of Gainesville's total citywide residential land area is restricted to single-family housing, and over 65% of that total single-family zoning area is concentrated in (whiter and wealthier) northwest Gainesville.⁴ The Gainesville area has a current shortage of almost 1,800 units of housing for both renters and owners, and this doesn't account for the projected population growth and demand in our area.⁵ Gainesville has a specific current shortage of over 1,300 rental units for households earning less than 60% of the Area Median Income (AMI).⁶ Because of the City's

¹ *Ending Exclusionary Zoning in New York City's Suburbs*, NYU Furman Center, (November 2020), (https://furmancenter.org/files/Ending_Exclusionary_Zoning_in_New_York_City's_Suburbs.pdf); *Multifamily Housing Impact Literature Review*, Delaware Valley Regional Planning Council, (October 2018), (<https://www.dvrpc.org/SmartGrowth/Multifamily/pdf/DVRPC-Multifamily-Housing-Impact-Literature-Review.pdf>); *Racial Diversity and Exclusionary Zoning: Evidence from the Great Migration*, Princeton University, Center for the Study of Democratic Politics, (January 2022), (https://drive.google.com/file/d/10_WcJe4v6GfxVDfj2h-R3pvjK4yijg0/view); *How to Increase Housing Affordability? Understanding Local Deterrents to Building Multifamily Housing*, Kulka, Amrita and Sood, Aradhya and Chiumenti, Nicholas, (April 2022), (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4082457); *Exclusionary Zoning: A Legal Barrier to Affordable Housing*, Arizona State University Morrison Institute for Public Policy, (May 2022), (https://morrisoninstitute.asu.edu/sites/default/files/exclusionary_zoning_legal_barrier_to_affordable_housing.pdf); *Single-Family Zoning Analysis*, Cuyahoga County Planning Commission, (December 2021), (https://s3.us-east-2.amazonaws.com/s3.countyplanning.us/wp-content/uploads/2022/02/SFZ_Phase-1-Documnt_12-14-21.pdf); Vicki Bean, 33 J. Land Use & Env. L. 217 (2018); *Regulation and Housing Supply*, Joseph Gyourko & Raven Molloy, 5 HANDBOOK REGIONAL & URB. ECON. 1289 (2015) (reviewing literature); *Why Have Housing Prices Gone Up?*, Edward L. Glaeser, et al., 95 AM. ECON. REV. 329, 329 (2005); *Racial Enclaves and Density Zoning: The Institutionalized Segregation of Racial Minorities in the United States*, Jonathan T. Rothwell, 13 AM. L. & ECON. REV. 290, 290 (2011); *The Effect of Density Zoning on Racial Segregation in U.S. Urban Areas*, Jonathan T. Rothwell & Douglas S. Massey, 44 URB. AFF. REV. 779 (2009); *The Impact of Land Use Regulation on Racial Segregation: Evidence from Massachusetts Zoning Borders*, Matthew Resseger, Harv. Univ. Working Paper (2013), (https://scholar.harvard.edu/files/resseger/files/resseger_jmp_11_25.pdf); *Segregation by Design*, Jessica Trounstine, (2018); *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*, M. Nolan Gray, Island Press (2022); *The Effect of Market-Rate Development on Neighborhood Rents*, Shane Phillips, Michael Manville, and Michael Lens, UCLA Lewis Center for Regional Policy Studies, (February 2021), (<https://escholarship.org/uc/item/5d00z61m?>); *Carbon Footprint Planning: Quantifying Local and State Mitigation Opportunities for 700 California Cities*, Christopher Jones, Stephen Wheeler, and Daniel Kammen, Urban Planning Journal, Vol. 3, No. 2, (2018)(<https://www.cogitatiopress.com/urbanplanning/article/view/1218>).

² *Blueprint for Affordable Housing: An Action Plan for the City of Gainesville*, The Florida Housing Coalition, (September 2020); *Bureau of Economic and Business Research Projections of Florida Population by County, 2025-2050, with Estimates for 2021*, Volume 55, Bulletin 192, (February 2022).

³ *2022 Affordable Housing Framework*, City of Gainesville; *Exclusionary Zoning & Inclusionary Zoning Study*, HR&A Advisors, (December 2021).

⁴ See Exhibit A: City of Gainesville Map of Single-Family Zoning Districts; *Exclusionary Zoning & Inclusionary Zoning Study*, HR&A Advisors, (December 2021).

⁵ *Gainesville Comprehensive Housing Market Analysis*, U.S. Department of Housing and Urban Development, Office of Policy Development and Research, (2021), (<https://www.huduser.gov/portal/publications/pdf/GainesvilleFL-CHMA-21.pdf>).

⁶ *2019 Rental Market Study*, Shimberg Center for Housing Studies, (May 2019), ([2019-rental-market-study.pdf](https://www.shimbergcenter.org/wp-content/uploads/2019-rental-market-study.pdf) (ufl.edu)).

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vast land area that is restricted to single-family housing, over 80% of the housing units present in Gainesville are either single-family homes or larger apartment buildings (10+ units), with a corresponding deficiency in “missing middle” housing that includes townhomes, duplexes, triplexes, and quadplexes.⁷ Gainesville’s Black population disproportionately occupies “missing middle” housing because these units are generally much more affordable for low and middle-income residents compared to single-family homes or multi-family buildings, whereas White households are much more likely to live in single-family homes.⁸ Housing has become increasingly unaffordable for the Gainesville area since the early 2010s as supply has not kept up with demand, as home prices have increased at a much faster rate than income, and as rental vacancy rates have continued to decrease resulting in higher rents.⁹ Non-student renters earning less than 80% of the AMI are the largest group of cost-burdened households (greater than 30% of household income paid towards housing expenses) in Gainesville, and this group is disproportionately Black and minority renters living on Gainesville’s east side.¹⁰ In northeast Gainesville in particular, roughly 83% of renter households are cost-burdened and paying more than 30% of their income towards rent.¹¹

Given the established harms of restrictive or exclusionary zoning and its exacerbation of the problems identified above, the City has taken action (which includes the adoption of the Amendment) to loosen some of the City’s restrictions on single-family land use and zoning as one tool of many in a comprehensive housing action plan and as advised specifically by City staff and expert resources such as The Florida Housing Coalition and HR&A Advisors, among others.¹² Again, the Amendment is in accordance with sound, equitable, and well-supported planning principles, and is consistent with and directly promoted by the County’s Comprehensive Plan.

Regarding the County’s comment about the potential need for publicly funded infrastructure, facilities, and services that are owned, operated, and maintained by Alachua County, please note that supportive infrastructure meeting levels of service (LOS) standards is a condition of development in the City. Future developments, which as noted above will be incremental over time, are also subject to site specific improvements identified at the time of development review which would be required for any three (3) or four (4) family developments. Furthermore, it is expected that the transportation impacts of the City’s Amendment will be adequately addressed through the provisions of the Transportation Management Program Area (TMPA) as outlined in the Transportation Element of the City’s Comprehensive Plan. The program provides the means for mitigation of transportation impacts via construction of infrastructure improvements, contributions towards transit improvements, or contribution of funding in lieu of construction. In addition, as emphasized throughout the Transportation Element, the City encourages the provision of a balanced multimodal transportation system through strategic investments in transit, bicycle, and pedestrian facilities to reduce dependency on automobile travel. These strategies coupled with the City’s Vision Zero strategy that prioritizes people versus cars and land use policies that encourage provision of higher densities and mixed land uses will continue to encourage the use of alternative

⁷ *Blueprint for Affordable Housing: An Action Plan for the City of Gainesville*, The Florida Housing Coalition, (September 2020).

⁸ *Exclusionary Zoning & Inclusionary Zoning Study*, HR&A Advisors, (December 2021).

⁹ *Gainesville Comprehensive Housing Market Analysis*, U.S. Department of Housing and Urban Development, Office of Policy Development and Research, (2021), (<https://www.huduser.gov/portal/publications/pdf/GainesvilleFL-CHMA-21.pdf>); *2022 Affordable Housing Framework*, City of Gainesville.

¹⁰ *2022 Affordable Housing Framework*, City of Gainesville; *2019 Rental Market Study*, Shimberg Center for Housing Studies, (May 2019), ([2019-rental-market-study.pdf](https://www.shimbergcenter.org/wp-content/uploads/2019-rental-market-study.pdf) (ufl.edu)).

¹¹ *Blueprint for Affordable Housing: An Action Plan for the City of Gainesville*, The Florida Housing Coalition, (September 2020).

¹² *Blueprint for Affordable Housing: An Action Plan for the City of Gainesville*, The Florida Housing Coalition, (September 2020); *Exclusionary Zoning & Inclusionary Zoning Study*, HR&A Advisors, (December 2021).

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transportation modes maintaining the downward trends in traffic volumes experienced over the last several years. In fact, the Amendment is anticipated to lower Vehicle Miles Traveled (VMT) by encouraging greater density within the urbanized area of the City of Gainesville through directing new housing development near existing transit routes and job centers as opposed to outside the urban core.

Additionally, the City is in the process of updating the TMPA program to better align with future needs as land uses and associated transportation patterns continue to evolve; funding has been allocated for this effort which is expected to be completed within 18 to 24 months. Consistent with these efforts, the City has implemented complementary transportation options over the past several years to further offset transportation needs and close the first mile/last mile transportation gaps throughout the City including micromobility and microtransit services. The transportation needs are also evaluated and mitigated through the Transit Development Plan which is updated every five (5) to ten (10) years; the next major update is expected in 2024.

Finally, it is important to note that the City fully supports its continuing work with the County in the joint planning efforts pertaining to the urban cluster areas in the immediate periphery of the City's municipal limits. Together, the City and the County have and will continue to plan for the infrastructure, facilities, and services needed to best serve our neighbors and local community.

Thank you for your comments on the proposed City of Gainesville Comprehensive Plan Amendment. If you have any questions concerning this letter, please contact the City Clerk's Office by telephone at 352-334-5015 or by email at clerks@gainesvillefl.gov.

Sincerely,



Lauren Poe

Mayor

City of Gainesville

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