



## City of Gainesville Agenda Item Report

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**File Number:** 2023-905

**Agenda Date:** December 7, 2023

**Department:** City Attorney

**Title:** 2023-905 Text Change – Removal of Regulations Related to Occupancy Limitations (B)

**Department:** City Attorney

**Description:** Ordinance No. 2023-905: An ordinance of the City of Gainesville, Florida, amending Section 30- 2.1 – *Definitions* and deleting Section 30-4.10 – *Occupancy Limitation* of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to remove regulations relating to residential tenancies or the landlord-tenant relationship as preempted by Section 83.425, *Florida Statutes*; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

**Fiscal Note:** N/A

**Explanation:** This ordinance deletes the occupancy limit and amends definitions in the Land Development Code in response to recently-adopted Section 83.425, Florida Statutes, which preempts local governments from regulating residential tenancies, the landlord-tenant relationship, and all other matters covered under Florida’s Landlord Tenant Act.

The City Plan Board held a public hearing on September 28, 2023, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

**Strategic Connection:**

- Goal 1: Equitable Community
- Goal 2: More Sustainable Community
- Goal 3: A Great Place to Live and Experience
- Goal 4: Resilient Local Economy
- Goal 5: “Best in Class” Neighbor Services

**Recommendation:** The City Commission adopt the proposed ordinance.