



City of Gainesville Agenda Item Report

File Number: 2022-677

Agenda Date: September 19, 2024

Department: City Attorney

Title: 2022-677 Comprehensive Plan Amendment – Inclusionary Zoning (B)

Department: Office of the City Attorney

Description: Ordinance No. 2022-677: An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by amending the Future Land Use Element to allow for density bonuses related to affordable housing or tree preservation, as more specifically described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Explanation: This ordinance adds language allowing for density bonuses related to affordable housing and tree preservation. Section 163.3177(6), Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes.

No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

Business Impact Estimate:

- This ordinance is exempt under Florida Statute 166.041(4)(a). (See Attached)

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 to adopt the proposed ordinance.