

City of Gainesville, Florida
Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Gainesville's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **Ordinance No. 2022-679**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to residential density bonuses and the provision of affordable housing, as more specifically described in this ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Gainesville is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Gainesville is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Gainesville hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This ordinance will amend the Land Development Code relating to residential density bonuses and the provision of affordable housing, to promote the construction of affordable housing dispersed throughout the City.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Gainesville, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Gainesville's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no direct compliance costs that businesses may reasonably incur due to the proposed ordinance because any costs incurred (whether mandatory or voluntary) will be fully offset by development incentives provided by the City.

The ordinance allows for either construction of affordable housing units or payment of a fee-in-lieu, both of which would be fully offset by development incentives provided by the City. The payment-in-lieu amount will be based on the current market rate of one unit in accordance with HUD guidelines.

There is no anticipated regulatory cost associated with the proposed ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Indeterminate, but potentially up to five developers per year.

4. Additional information the governing body deems useful (if any):

Pursuant to Section 166.04151, Florida Statutes, the City may adopt any law or ordinance for the purpose of increasing the supply of affordable housing through mechanisms such as inclusionary housing or linkage fees, but the City must provide incentives to fully offset all costs to the developer of its affordable housing contribution or linkage fee.