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Department of Sustainable Development  
Planning Division

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**PUBLIC HEARING DATE:** March 28, 2024

**PROJECT NAME AND NUMBER:** LD24-000028 & LD24-000032

**RECOMMENDATION:** Approve

**CITY PROJECT CONTACT:** Brittany McMullen, AICP

**PURPOSE AND DESCRIPTION**

This City initiated request proposes several amendments to the Land Development Code which would be supported by a zoning map change and Comprehensive Plan text amendment. Proposed amendments provide the opportunity for more equitable development while promoting a diversification of Gainesville’s housing stock and reducing some of the longstanding restrictive land use and zoning regulations.

Proposed changes include amending the Land Development Code to provide for more flexibility for single-family home development by reducing minimum lot size and building setback requirements. Amendments would consolidate existing residential single-family zoning districts RSF-1 – RSF-4 with one new single family zoning district (SF). In support of this change, also proposed is an amendment to the Single-Family (SF) future land use category (Policy 4.1.1) to allow for single-family detached dwellings at densities up to 12 dwelling units per acre, a change from the currently allowable 8 dwelling units per acre.

Also included is an amendment to Sec. 30-3.36, Minor Subdivisions, to allow for homes within minor subdivisions to be built around a centrally-located common greenspace. In this configuration, individual owners are provided legal rights to ingress and egress to a public street or an approved private street. This option would also provide more flexibility and options for creative solutions to utilize available land area within the city to support infill development.

It is the intention of this proposal to create flexibility for new single-family home construction by increasing options and opportunities for redevelopment. The desired outcome is for an

increased availability of homes that are more compact, affordable, and contribute positively toward a dense, sustainable urban environment. At the same time, proposed amendments aim to promote the best and highest use of vacant land, accounting for the needs of Gainesville's growing community.

## STAFF ANALYSIS

### **Background of single-family districts / history of lot sizes**

Gainesville's first zoning code was adopted in 1932, similar to many other cities throughout the country. When zoning was first introduced there were no lot size requirements and 4-family dwellings were allowed within single-family zoning districts. Minimum lot size and widths were introduced in 1949 when the zoning code was amended, and major zoning changes happened in 1958 with the introduction of the SF zoning district. Lot sizes were expanded at this time, and minimum room sizes, maximum lot coverage and minimum parking requirements were introduced. The code was further refined in 1966 with more exclusive single-family zoning districts, maximum residential density, compatibility requirements between SF and all other districts, minimum lot depth was introduced, minimum parking requirements increased, and occupancy limits were introduced.

Lot sizes were not changed on a relatively large scale again until the introduced of transect zoning in 2017. These urban zone regulations replaced special area plans. The intent of transect zoning was to establish development standards that would encourage a more efficient and sustainable urban form by allowing a range of housing, employment, shopping and recreation choices and opportunities in a compact, pedestrian-friendly environment.

While this was a fairly major change to the City's zoning code relating to lot sizes (among other things), changes to transect zoning encompassed less than 5% of the land area within the City.

Ongoing discussions have occurred since the beginning of 2022, shortly after a study commissioned by the City was completed (HR&A Exclusionary and Inclusionary Study), and, for a short time (October of 2022 – January 2023) the Land Development Code did contain regulations that would have allowed for a single-family zoning district with reduced lot sizes. That zoning designation was never applied to any lots within Gainesville, and the provision of the smaller lot size district was rescinded. Therefore, no significant changes to single-family lot sizes remain in the Code since the 1958 and 1966 changes.

### **Existing conditions and future needs**

Recognizing that there are housing needs within the community, the City has undertaken several initiatives to respond and formulate plans for the future. The Affordable Housing Action Plan and the HR&A Exclusionary Zoning & Inclusionary Zoning Study (HR&A Study) are efforts

that involved extensive analysis of current and future conditions within Gainesville. Those studies examined existing and future conditions in the city and proposed solutions for providing a variety of housing options at varying levels of affordability.

Both studies found that in Gainesville there is a high instance of cost burden. A family or individual is considered cost burdened when more than 30% of income is paid towards housing. Being cost burdened makes it difficult to save and often means that a single emergency or loss of wages will leave these families without a home. In Gainesville, many common, essential jobs for people like police officers, retail workers, and teachers do not pay enough for their workers to afford housing.<sup>1</sup>

Access to housing is severely limited in Gainesville. A total of 63% of residentially zoned parcels are zoned single family residential which allows for the construction of one single-family home and two accessory dwelling units. While accessory dwelling units serve as a form of rental housing, they do not allow for subdivision or purchase of the unit. The allowance of accessory dwelling units is one tool that works towards a portion of the housing need. However, as both the Affordable Housing Action Plan and the HR&A Study indicate, implementing a variety of options would be the optimal solution for addressing housing needs.

Approximately 53% of parcels with a single-family zoning designation are zoned RSF-1, which has the largest lot size and setback requirements (85-ft in width, 8,500 square feet of area). This results in a significant amount of land restricted to relatively large-lot development devoted to the construction of one home and the optional two accessory dwelling units that could be rented or used for familial accommodations. Taking into account the cost of land alone, large lots contribute to a higher cost for home construction and land ownership. This further restricts who can afford to purchase a home in Gainesville. These factors restrict the opportunity of diversification of home types needed to meet the needs of all Gainesville residents.

With fewer homes available for purchase, Gainesville residents' alternative for housing is renting. According to data gathered as part of the HR&A Study, 61% of households in the city are renters. Furthermore, the student housing market is the strongest rental market in the City which makes it more difficult for non-students to access rental housing. The same study showed that student renters make up 36% of the total Gainesville population but make up 50% of the population living in housing built after 2000. Consequently, student renters are the primary beneficiaries of new rental housing development in Gainesville. It is estimated that a household income of \$40,000 is needed to afford the average rent per unit in Gainesville. However, Gainesville's median household income is only \$37,000 with Black households only making 73% of the median. This cost burden is exacerbated by the lack of a diverse housing stock coupled with a significant demand for housing.

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<sup>1</sup> [Affordable Housing Action Plan \(2020\)](#)

Furthermore, Gainesville’s growth trend is outpacing new housing construction. According to the Bureau of Economics data, as of 2022, Gainesville’s population growth had increased by roughly 4.5% within five (5) years prior, and was expected to continue to grow at around this rate within the following five (5) years. It was projected that by 2025, Gainesville’s population will increase by 6,542. However, according to Census data only 6,036 housing units were added in ten (10) years between 2010 to 2020.

## Solutions

In the context of housing, when there are more homes available than people looking to buy or rent them, sellers and landlords may lower prices to attract buyers and tenants. Conversely, when there are more people looking for homes than there are homes available, sellers and landlords can charge more, driving up the cost of housing.

Land use policies dictate the quantity, variety, and placement of new housing developments, ultimately influencing housing prices and affordability. Regulations such as minimum lot sizes and minimum lot dimensions restrict opportunities to provide more housing of varying sizes and price points. Both the Affordable Housing Action Plan and the HR&A Study (City of Gainesville initiatives) suggest the reduction in minimum lot sizes as one action item to address the housing need. “By requiring so much space for each home, single-family zoning drives up housing and transportation costs, requires higher government expenditures, and increases economic segregation” (Affordable Housing Action Plan, 2020).

By allowing for smaller lots, more homes can be built within the same area, effectively increasing the housing supply. As supply meets demand, the overall cost of housing can decrease, making homeownership more accessible to a broader segment of the population. Aside from the economic benefits, smaller lot sizes can also contribute to greater diversity within communities by offering a variety of housing options that cater to different demographic groups.

Professional organizations such as the American Planning Association (APA), also support and recommend this approach. The APA has made zoning reform their top legislative priority in 2024, and include the suggestion of reducing minimum lot sizes in their Equity in Zoning Policy Guide:

***Form and design policy recommendation #1: “Reduce or remove limits on single-household minimum lot size requirements for different types of housing and eliminate minimum dwelling size and maximum floor area ratio standards that effectively require construction of more expensive homes that are less affordable to historically disadvantaged and vulnerable communities. While large minimum lot sizes are often defended on the basis of preserving neighborhood character or property values, their impact has been to perpetuate patterns of economic and demographic segregation of historically disadvantaged and vulnerable communities.”***<sup>2</sup>

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<sup>2</sup> [APA Equity in Zoning Policy Guide](#)



Gainesville’s boundaries and population have grown since the last major change in lot size requirements in the 1950’s. Given past growth and future projections, changes to residential zoning categories are warranted.

**Proposed Amendments**

While amendments to several Land Development Code sections are proposed, the most substantive changes are to Sections 30-2.1, 30-4.1, 30-4.2, 30-4.17 and 30-3.36. (A complete list of Code sections to be amended is located in Appendix A).

In particular, Section 30-4.1 would establish the consolidation of single-family zoning districts into one “SF” zoning district, and changes to Section 30-4.17 outline dimensional standards for that residential zoning district. The newly created SF zoning district would allow lots to be developed with single-family homes on lot sizes of 3,000 sq ft and 35-ft in width. Also proposed are amendments to minimum building setback requirements for new single-family homes and associated structures, and maximum density allowances, all to mirror dimensional standards within the existing RC zoning district. Proposed changes are outlined below and attached in Appendix A. (Proposed language provided with underline and blue text; red/stricken text is proposed for removal):

**Sec. 30-4.1. Establishment of zoning districts.**

Residential	
<del>RSF-1 to 4</del> <u>SF</u>	Single-Family
RC	Residential Conservation
MH	Mobile Home
RMF-5	Single/Multi-Family
RMF-6 to 8	Multi-Family

Sec. 30-4.17. Dimensional standards.

Table V-5: Residential Districts Dimensional Standards.

	<del>RSF-1</del>	<del>RSF-2</del>	<del>RSF-3</del>	<del>RSF-4</del>	<u>SF</u>	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8
<b>DENSITY/INTENSITY</b>											
Residential density (units/acre)											
Min.	<del>None</del>	<del>None</del>	<del>None</del>	<del>None</del>	None	None	None	None	8 <sup>1</sup>	8 <sup>1</sup>	8 <sup>1</sup>
Max. by right	<del>3.5</del>	<del>4.6</del>	<del>5.8</del>	<del>8</del>	<u>12</u>	12	12	12	10	14	20
With density bonus points	-	-	-	-	=	-	-	-	See Table V-6	See Table V-6	See Table V-6
Nonresidential building coverage	<del>35%</del>	<del>35%</del>	<del>40%</del>	<del>40%</del>	<u>50%</u>	50%	50%	50%	50%	50%	50%
<b>LOT STANDARDS</b>											
Min. lot area (sq. ft.)	<del>8,500</del>	<del>7,500</del>	<del>6,000</del>	<del>4,300</del>	<u>3,000</u>	3,000	3,000	3,500	None	None	None
Min. lot width (ft.)											
Single-family	<del>85</del>	<del>75</del>	<del>60</del>	<del>50</del>	<u>35</u>	35	35	40	40	40	40
Two-family <sup>2</sup>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<u>NA</u>	70	NA	75	40	40	40
Other uses	<del>85</del>	<del>75</del>	<del>60</del>	<del>50</del>	<u>NA</u>	35	35	85	85	85	85
Min. lot depth (ft.)	<del>90<sup>4</sup></del>	<del>90<sup>4</sup></del>	<del>90<sup>4</sup></del>	<del>80<sup>4</sup></del>	<u>None</u>	None	None	90	90	90	90
<b>MIN. SETBACKS (ft.)</b>											
Front	<del>20<sup>4</sup></del>	<del>20<sup>4</sup></del>	<del>20<sup>4</sup></del>	<del>20<sup>4,5</sup></del>	<u>10<sup>4,5</sup></u>	10 <sup>5</sup>	15	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.

Side (street)	<del>10</del>	<del>10</del>	<del>7.5</del>	<del>5</del>	<u>5</u>	NA	NA	15	10 <sup>3</sup> / /15	10 <sup>3</sup> / /15	10 <sup>3</sup> / /15
Side (interior) <sup>6,7</sup>	<del>7.5</del>	<del>7.5</del>	<del>7.5</del>	<del>5</del>	<u>5</u>	5	5	10	5 <sup>3</sup> / /10	5 <sup>3</sup> / /10	5 <sup>3</sup> / /10
Rear <sup>7,8</sup>	<del>20</del>	<del>20</del>	<del>15</del>	<del>10</del>	<u>20</u>	20	15	10	10	10	10
Rear, accessory	<del>7.5</del>	<del>7.5</del>	<del>5</del>	<del>5</del>	<u>5</u>	5	5	5	5	5	5
<b>MAXIMUM BUILDING HEIGHT (stories)</b>											
By right	<del>3</del>	<del>3</del>	<del>3</del>	<del>3</del>	<u>3</u>	3	3	3	3	3	3
With building height bonus	<del>N/A</del>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<u>NA</u>	NA	NA	NA	5	5	5

4 = Lots abutting a collector or arterial street shall have ~~a minimum depth of 150 feet and~~ a minimum building setback of ~~50~~ 20 feet along that street.

Changes to footnote 4 of the above section would reduce the minimum setback required for lots abutting collector or arterial streets and remove the minimum lot depth requirement. This additional requirement which currently exists in the Code aims to guarantee that if a roadway is to be enhanced and extra right-of-way (ROW) is required, structures won't be built in that zone. While these wider setbacks were originally meant to accommodate future road expansions or lane additions, they now could also support the development of 'complete streets' initiatives, enabling the addition of multimodal facilities.

**Sec. 30-4.16 Permitted Uses**

The primary difference to remain between the SF and RC zoning districts are the allowable uses. The RC zoning district allows for small-scale multi-family (2 – 4 units per building). Allowable uses for single-family zoning are not proposed to change; the SF district would allow for single-family detached homes and compatible uses which are currently allowed within RSF districts. Accessory dwelling units, which are currently permitted, will remain an allowable use.

Proposed changes to Sec. 30-4.16 – Permitted Uses, shown below:

USES	Use Standards	<del>RSF 1 to 4</del> SF	RC
Accessory dwelling unit	30-5.36	A	A
Adult day care home	30-5.2	P	P
Assisted living facility		-	-
Attached dwelling (up to 6 attached units)		-	-
Bed and breakfast establishment	30-5.4	S	P
Community residential home (up to 6 residents)	30-5.6	P	P
Community residential home (7 to 14 residents)	30-5.6	-	-
Community residential home (over 14 residents)	30-5.6	-	-
Day care center	30-5.7	-	P
Emergency shelter		-	-
Family child care home	30-5.10	P	P
Fowl or livestock (as an accessory use)	30-5.39	-	-
Mobile home		-	-
Multi-family dwelling		-	-
Multi-family, small-scale (2—4 units per building)		-	p <sup>1</sup>
Place of religious assembly	30-5.22	S	P
Library		-	S
Public park		P	P

School (elementary, middle, or high - public or private)		S	P
Simulated gambling establishment		-	-
Single-family dwelling		P	P
Single room occupancy residence	30-5.8	-	-
Skilled nursing facility		-	-
Social service facility	30-5.28	-	-
Subsistence garden	30-5.30	P	P
Urban market farm, less than 5 acres	30-5.30	P	P
Urban market farm, 5 acres or greater	30-5.30	S	S

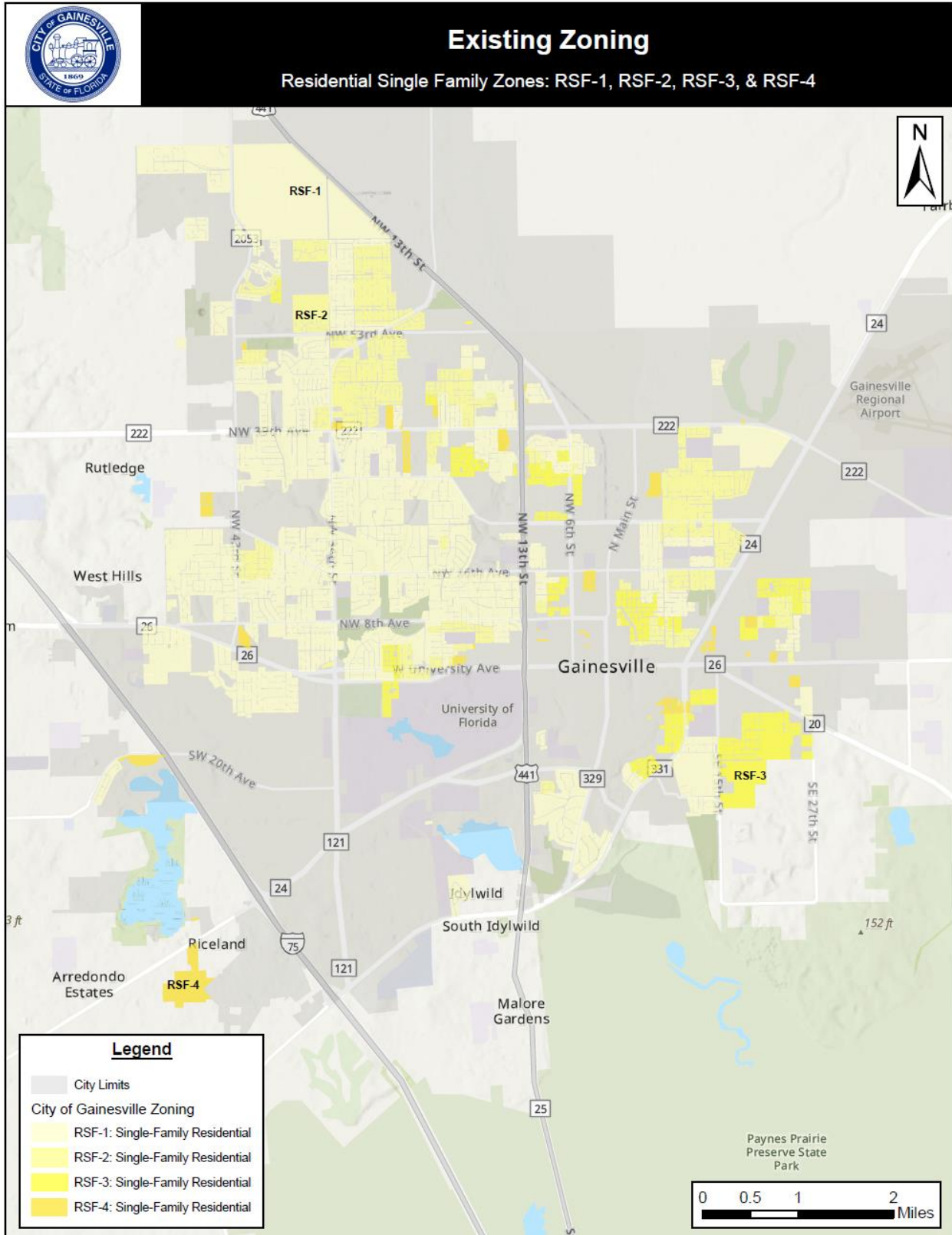


Figure 1 – Impacted Properties

### Sec. 30-3.6 Minor Subdivisions

Complex regulations and costs associated with required development improvements can work to limit the efficient and orderly division of property, particularly within single family districts. Predicating approvals of the subdivision of property on the construction of infrastructure improvements establishes expensive barriers that prevents property owners from establishing a group of smaller lots. Burdensome requirements also stifle infill development and can prevent the densification of existing single-family districts. The proposed amendments to the existing minor subdivision regulations are intended to lower the costs and complexities currently built into the process. These changes would apply to properties within any zoning district in the city, and would not be limited to residential single-family zoning.

The substantive portion of the change to minor subdivision requirements is found in Sec. 30-3.36.A.5 and would allow for a type of development often referred to as “cottage developments”. The accompanying proposed change to Sec. 30-3.36.A.6 is essentially a cleanup item that would make this section consistent with block perimeter standards set for transect zones. It does not appear that this section was updated to reflect those changes when transect zones were introduced into the Code.

Proposed changes to Sec. 30-3.36., Minor Subdivisions, includes the addition of the following language (proposed language provided with underline and blue text):

- A.5. Each lot in the minor subdivision must front for the entire required minimum lot width on a public street or an approved private street, except in minor subdivisions where the lots are organized around a centrally-located common greenspace and individual owners are provided legal rights to ingress and egress to a public street or an approved private street. Where there is no minimum lot width requirement, each lot must abut a public street or approved private street for a width equivalent to the maximum driveway width required in section 30-6.20, plus any required turning radii area. Notwithstanding the above, the length of street frontage may be modified during minor subdivision review by the city manager or designee, based on the need to achieve the most efficient lot layout, access to and from the minor subdivision, operational needs of service vehicles, vehicular circulation and the health, welfare, and safety of the public.
- A.6. The minor subdivision must create vehicular and pedestrian access to serve the minor subdivision and improve gridded connectivity by connecting to surrounding existing streets and by including new streets within the minor subdivision so that the resulting blocks will not exceed a maximum block perimeter of 2,000 feet or the maximum perimeter set by the zoning district, whichever is less.

(The entirety of this section can be found in Appendix A)

### Comprehensive Plan

To support the proposed change to consolidate RSF zoning districts to one new SF district allowing for increased density, the future land use category which regulates those zoning

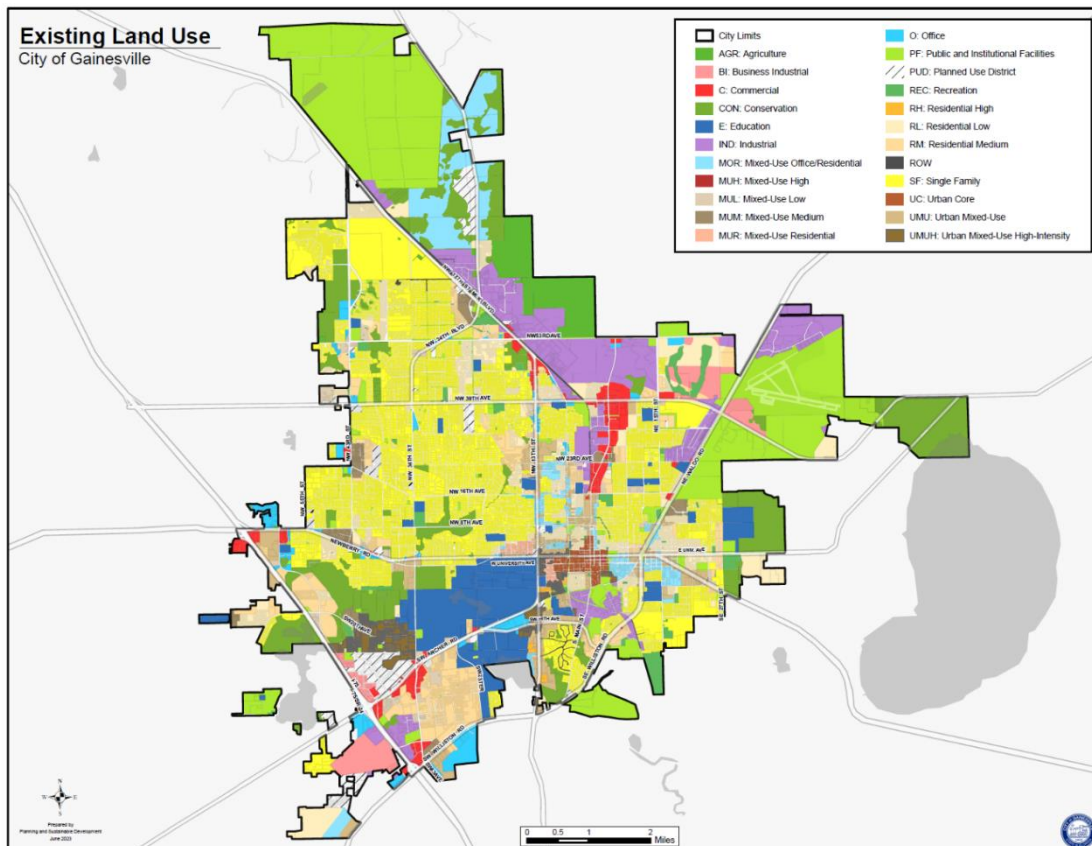


districts must also be amended. Policy 4.1.1 of the City’s Comprehensive Plan establishes the allowable densities and uses within each land use category. The Single-Family (SF) future land use category is typically implemented by one of the RSF zoning districts. Therefore, the following change is proposed to the Comprehensive Plan in order to implement the amended single-family zoning policies:

**Policy 4.1.1, Comprehensive Plan**

**Single-Family (SF): up to ~~8~~ 12 units per acre**

This land use category shall allow single-family detached dwellings at densities up to ~~8~~ 12 dwelling units per acre. The Single-Family land use category identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.

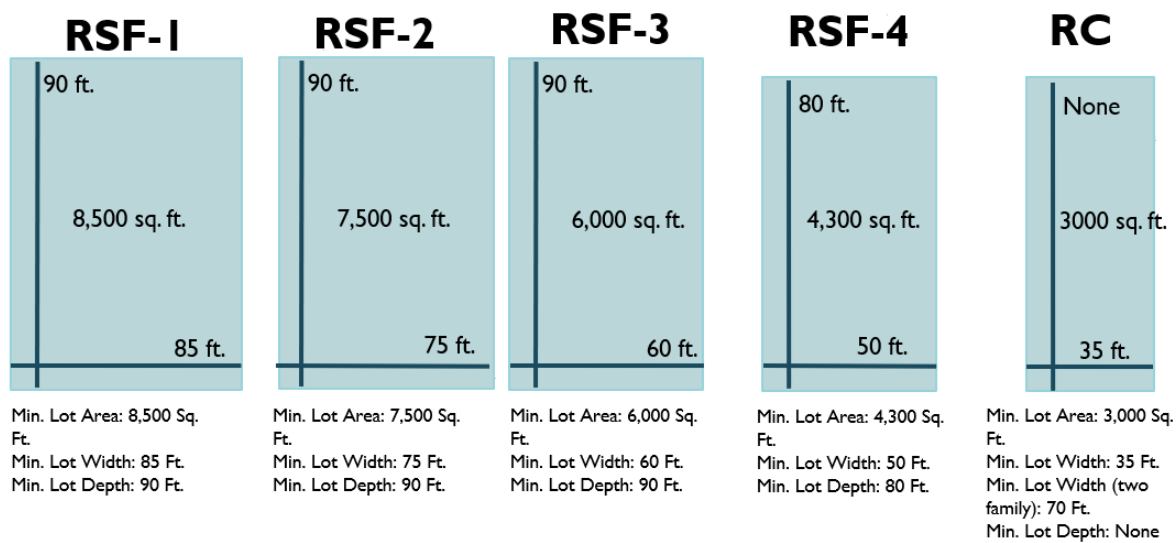


**Figure 2 – Existing Land Use Map**

**Data and Analysis**

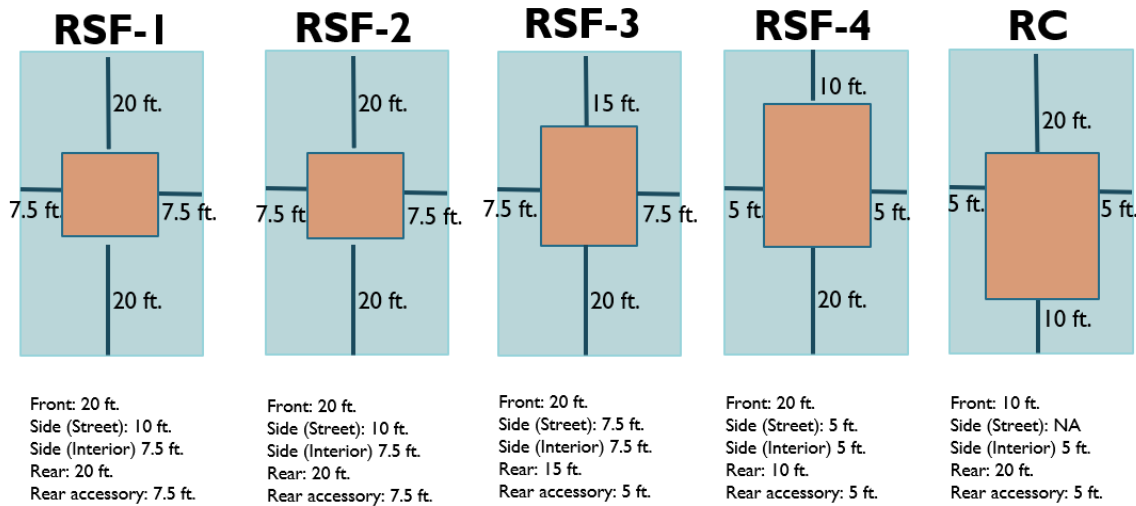
Existing Conditions

In the four existing RSF zoning districts, minimum lot widths range from 50-ft to 85-ft, and minimum lot areas range from 4,300 sq ft to 8,500 sq ft. Over half of all parcels (53%) within the RSF zoning districts are zoned RSF-1, which requires 85-ft of width and 8,500 sq ft of area. About 29% of parcels within RSF zones are zoned RSF-2 which requires a minimum width of 75-ft and area of 7,500 sq ft. The RSF-3 category covers about 15% of RSF zoned parcels and requires a minimum lot area of 6,000 sq ft, and the category requiring the least amount of lot width and area (RSF-4) covers the least amount of properties (about 3% of all RSF zoned parcels).



**Figure 3 – Existing Dimensions Standards**

An analysis of current setback regulations shows that single family residential zones RSF-1 through RSF-4 are similar except for the required rear setback. RSF-1 and RSF-2 have the same setback regulations while RSF-3 and RSF-4 differ by a decrease of five (5) feet (RSF-3 has a rear setback of 15 feet and RSF-4 has a rear setback of 10 feet). No evidence has been found to qualify the differences other than aesthetic values.

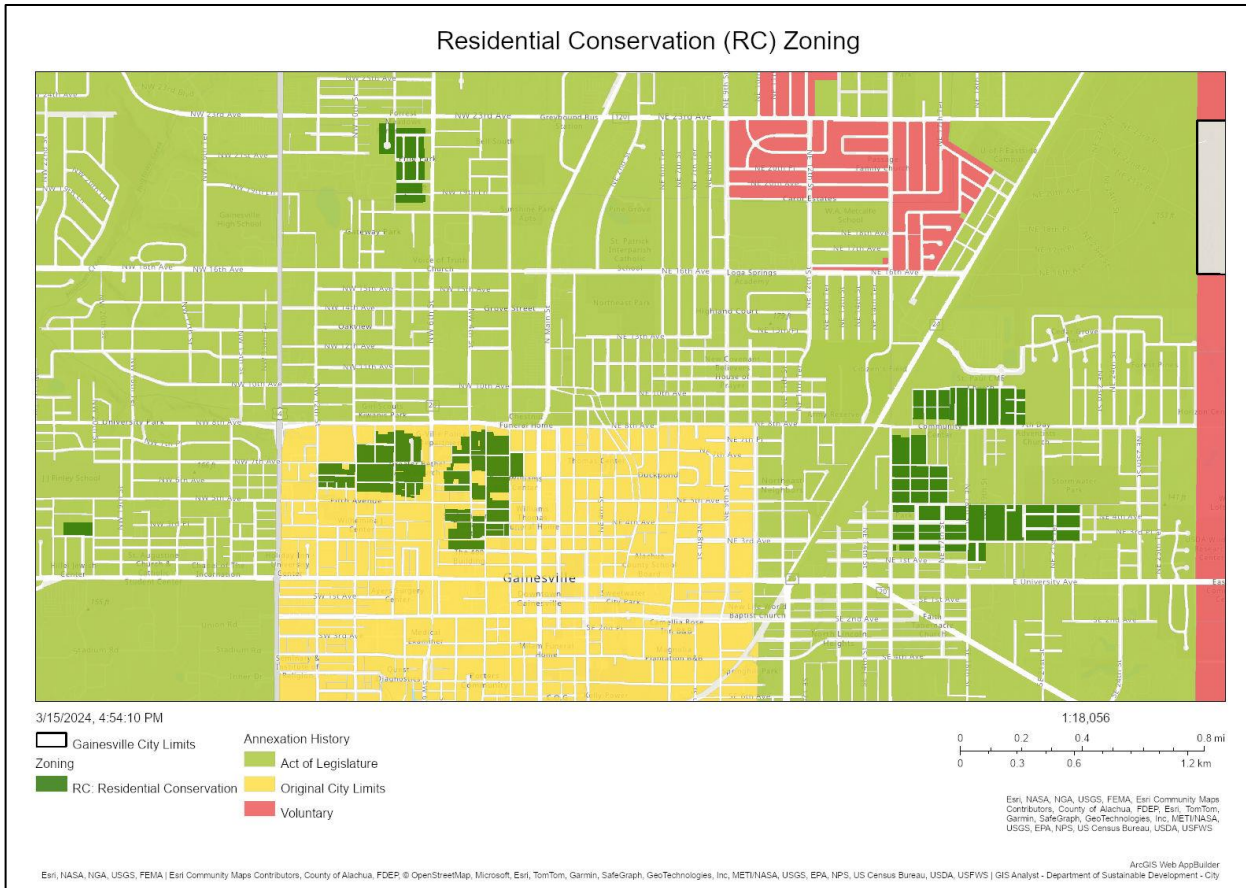


**Figure 4 – Existing setbacks in RSF and RC zones**

When compared to more conservative lot size and setbacks found within Residential Conservation, it is evident that RSF dimensional requirements do not provide the most efficient use of land. It should be noted that the proposed minimum lot size of 3,000 sq ft might not be the most commonly selected option for development. This proposal maintains the option to own a larger lot, but it introduces greater flexibility, thereby expanding choices and opportunities. The focus is on flexibility – setting a minimum without making it mandatory, meaning anything within the range is possible. In RC districts, existing homes of various ages on varying lot sizes, smaller than those permitted within most of the single-family zoning categories, illustrate the single-family development that is possible in other areas of the city with small lot zoning permissions.

Properties designated with RC zoning are located in the City's oldest areas. Figure 4 below shows the location of RC zoning in relation to original city limits and subsequently annexed areas.

Properties within the Residential Single Family (RSF) zoning categories make up approximately 22% of the land area of the City. Given that significant changes to these zoning districts have not occurred since the 1950's, and considering future needs, it is appropriate to examine and recommend changes to this significant category of acreage within the City.



**Figure 5 – RC Zoned Properties**

**Comprehensive Plan Consistency**

The proposed change is consistent with various policies and objectives of the comprehensive plan including:

*Housing Element*

*Policy 1.1.4 The City shall review and evaluate zoning and other regulations that pertain to housing to ensure that requirements continue to be reasonable and do not unduly limit opportunities for lower income groups to secure housing in desirable locations.*

*Objective 1.2 Provide a variety of housing types and densities for moderate-income, low-income, very low-income, and extremely low-income people.*

*Objective 1.3 The City shall allocate sufficient acreage in appropriate locations to meet the housing needs of the City’s residents.*

*Policy 1.5.1 The City shall seek innovative ways to encourage affordable housing, which could include use of alternative building materials, reduced lot size requirements, design competitions for affordable housing, and a design advisory*

*committee to advise housing providers on the development of affordable housing designs.*

Reducing minimum lot size requirements aligns closely with a city's housing policies aimed at increasing affordable housing access and diversifying housing types. By allowing for smaller, more affordable housing units in desirable locations, the proposal directly supports the evaluation and adjustment of zoning regulations to keep them reasonable and inclusive (Policy 1.1.4), fosters a variety of housing options to accommodate a wide range of income levels (Objective 1.2), allocates sufficient acreage in appropriate locations to meet the housing needs of the City's residents (Objective 1.3), and encourages innovative approaches to affordable housing through design and construction adaptations suitable for smaller lots (Policy 1.5.1).

*Future Land Use Element*

*Policy 1.1.2 To the extent possible, neighborhoods should be sized so that housing, jobs, daily needs and other activities are within easy walking distance of each other.*

*Policy 1.1.3 Neighborhoods should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.*

These policies encourage developments that are compact and integrated, containing a mix of housing, shops, workplaces, schools, parks, and civic facilities essential to the daily life of residents. This approach supports development on small lot sizes by promoting higher density and mixed uses, which can be more easily accommodated on smaller parcels of land.

*Objective 1.5 Discourage the proliferation of urban sprawl.*

*Goal 2 – Redevelop areas within the city, as needed, in a manner that promotes quality of life.*

*Objective 2.1 – Redevelopment should be encouraged to promote compact, vibrant urbanism, improve the condition of blighted areas, discourage urban sprawl, and foster compact development patterns that promote transportation choice.*

These policies promote the redevelopment of areas within the city in a manner that discourages sprawl and encourages compact urbanism. This focus on infill and redevelopment naturally supports the use of smaller lots with access to existing infrastructure.

Overall, the Comprehensive Plan sets the foundation for a sustainable, compact, and diverse urban development that naturally supports the use of small lot sizes through policies encouraging mixed-use developments, infill and redevelopment, flexible land use regulations, and a focus on urban design and connectivity. These principles collectively are aimed at promoting sustainable and compact urban development and are supportive of the efficient and innovative use of small parcels of land for development. The proposed amendments not only

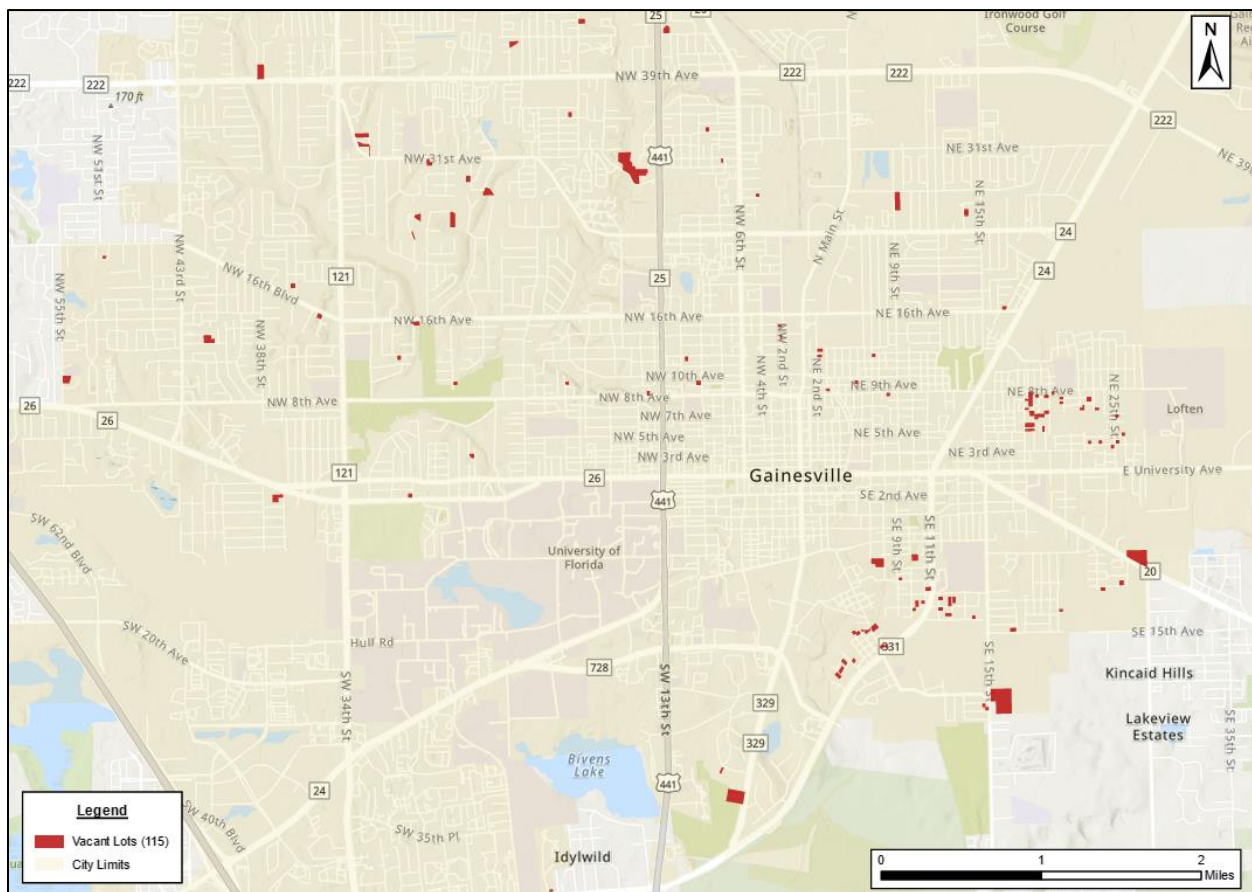


addresses the immediate need for housing but also promotes long-term sustainability and diversity in the urban housing landscape.

**Potential Impacts**

The housing development process is sensitive to a wide array of independent factors that can change rapidly and unexpectedly. Predicting housing development is complex due to the interplay of many unpredictable factors. Economic conditions, interest rates, demographics, government policies (federal, state and local), supply and demand, consumer preferences, technology and construction costs, access to credit, global economic trends, natural disasters, and climate change are all factors that will impact housing development.

Forecasting the exact number of housing units that might be built as a result of the proposed change is not possible; however, it is possible to provide data based on conditions that can be hypothesized. Currently there are approximately 115 vacant lots in the city which meet minimum size requirements to be split if the proposed Code change were to be approved (that is lots with at least 70-ft in width and 7,000 sq ft of area) (see Figure 6 below).



**Figure 6 – Vacant Lots**

In general, the City employs several key strategies to manage and address population growth and density.

- Existing resources, like the Comprehensive Plan, Strategic Plan, Mobility Plan, and the Land Development Code, work together to quantify and adapt to increased densification, and the resultant demand on public infrastructure.
- The City responds to changes in demand and routinely reviews proposed developments for the availability of waste, electric, and stormwater infrastructure.
  - All new developments enabled by this proposed change would be subject to the same level of review.
  - These systems may see a benefit from new changes to zoning; as density increases, the value and resources available to improve infrastructure increase as well. More residents sharing infrastructure in common, within close proximity, reduces the costs associated with sprawling infrastructure that stands to benefit proportionately fewer residents.

With cost-efficient and centralized infrastructure provided at an increased capacity, demand for sprawl is reduced, allowing the city to meet goals established by the Comprehensive Plan.

### **Case Studies**

Case studies of localities that have already enacted similar reforms can also be used to predict potential impacts. City staff conducted an analysis of small lot reform strategies in various cities to evaluate how similar initiatives could be effectively implemented in Gainesville, considering the current proposal. All reviewed cities implemented a reduction in minimum lot sizes and widths with the goal of increasing housing density and affordability through reduced lot sizes and more flexible zoning regulations. The case study reveals that cities across the country are working towards enhancing housing density and affordability by easing lot size and zoning regulations, broadening the range of permissible housing types, and introducing more adaptable zoning laws to facilitate small lot development. Similarities and differences exist for all cities - some established lower minimum areas for specific districts. Some cities, like San Francisco and Houston, attached minimum lot area requirements to criteria related to site location.

Of particular note is Durham, NC, which has implemented a monitoring system to assess and refine the effectiveness of their reforms, highlighting a commitment to data-informed policymaking. Durham's program, "Expanding Housing Choices" (EHC), is an initiative adopted in October 2019. The initiative aimed to increase housing diversity in primarily Urban Tier neighborhoods through changes in the Unified Development Ordinance (UDO). This initiative reduced minimum lot sizes to 2,000 square feet and 25-ft in width. The changes also permitted the construction of residences on "flagpole lots", meaning that they do not have street frontages. The County passed a resolution requiring regular monitoring and data collection to determine the efficacy of the reforms. As of 2023, 215 small house/lot permits were issued under the new provisions, representing 2.21% of all single-family permits. Additionally, their monitoring notes that the rate of residential teardowns remained stable post program implementation, with no significant increase in demolition permits.



If proposed petitions are approved, Staff would recommend implementing a monitoring strategy to track the effectiveness of regulation changes. Additional information on reviewed cities is attached in Appendix D.

## **Conclusion and Recommendations**

The need for various types of housing in Gainesville and across the nation is widely recognized. Both the Affordable Housing Action Plan and the HR&A Report (city initiated efforts), support this fact and suggest the reduction in minimum lot sizes as one action item to address the housing need. Instances from other regions demonstrate that beneficial outcomes can result from such initiatives, and development patterns in Gainesville corroborate the historical and ongoing interest in smaller lot homes, showcasing effective case studies.

The suggested changes have a likelihood of impacting the housing need both immediately and over time. Acknowledging the significant influence of supply and demand dynamics on the housing sector, policies like decreasing minimum lot sizes could lead to reduced housing costs, thereby making homes more accessible to a wider range of people. Over time, as housing becomes more affordable, it can alleviate the pressure on low- and middle-income families. Furthermore, more affordable housing can attract a diverse workforce, supporting local economies and foster sustainable urban growth. While this approach will not solve all challenges related to housing, the benefits offer compelling reasons for municipalities like Gainesville to consider reconsidering traditional zoning practices.

Recommendation: Staff recommends **approval** of the proposed amendments to the Land Development Code, Zoning Map, and Comprehensive Plan.

## **APPENDICES**

### **Appendix A – Proposed Text Amendments**

Land Development Code sections with amendments  
Comprehensive Plan Amendment

### **Appendix B – Maps**

Existing RSF Zoning  
Proposed SF Zoning  
Future Land Use Map

### **Appendix C – Public Participation Summary and Comments**

### **Appendix D – Supporting Documents**

Case Study: Small Lot Reform in US Cities  
HR&A Exclusionary and Inclusionary Zoning Study

If the proposed petition is approved, the following sections of the Land Development Code should be amended to reflect the consolidation of single-family zoning districts from four “RSF” categories to one “SF” category.

Note that the substantive changes being proposed as part of this petition are to Sections 30-2.1, 30-4.1, 30-4.2, 30-4.17 and 30-3.36.

Amendments of additional sections are limited to ensuring consistency with the terminology used to identify the single-family residential zoning district and would not impact the intent or effect of regulations within these sections.

<b>Substantive Sections</b>	
<u>Section Number</u>	<u>Section Title</u>
Sec. 30-2.1	Definitions
Sec. 30-4.1	Establishment of zoning districts
Sec. 30-4.2	Correspondence with future land use categories
Sec. 30-4.17	Dimensional Standards
Sec. 30-3.6	Minor Subdivisions
<b>Changes for labeling consistency</b>	
<u>Section Number</u>	<u>Section Title</u>
Sec. 30-4.16	Permitted Uses
Sec. 30-4.27	Heritage Overlay
Sec. 30-5.22	Places of Religious Assembly
Sec. 30-5.33	Wireless Communication Facilities
Sec. 30-5.39	Fowl or livestock accessory to residential uses
Sec. 30-5.45	Portable storage units and roll offs
Sec. 30-6.7	Cluster Subdivisions
Sec. 30-6.19	Access Management
Sec. 30-7.2	Off-street vehicle parking
Sec. 30-7.7	Residential parking

**Sec. 30-2.1. Definitions.**

**Residential zoning district** means zoning districts that allow predominantly residential uses, including ~~RSF~~SF, RC, MH, RMF, U1, and U2. All other districts are deemed non-residential.

**Sec. 30-4.1. Establishment of zoning districts.**

The following zoning districts are established to implement the Comprehensive Plan, to promote orderly urban growth, and to classify and regulate the use of land, water, buildings and structures within the city:

<b>Transects</b>	
U1	Urban 1
U2	Urban 2
U3	Urban 3
U4	Urban 4
U5	Urban 5
U6	Urban 6
U7	Urban 7
U8	Urban 8
U9	Urban 9
DT	Downtown
<b>Residential</b>	
<del>RSF 1 to 4</del> <u>SF</u>	Single-Family
RC	Residential Conservation
MH	Mobile Home
RMF-5	Single/Multi-Family
RMF-6 to 8	Multi-Family
<b>Mixed-Use and Nonresidential</b>	
MU-1	Mixed-Use Low-Intensity
MU-2	Mixed-Use Medium-Intensity
OR	Office Residential
OF	General Office
CP	Corporate Park
BUS	General Business
BA	Automotive-Oriented Business

BT	Tourist-Oriented Business
BI	Business Industrial
W	Warehousing and Wholesaling
I-1	Limited Industrial
I-2	General Industrial
<b>Special Districts</b>	
AGR	Agriculture
AF	Airport Facility
CON	Conservation
ED	Educational Services
MD	Medical Services
PD	Planned Development
PS	Public Services and Operations
Airport Hazard Zoning Overlay	
Heritage Overlay	
Historic Preservation/Conservation Overlay	

**Sec. 30-4.2. Correspondence with future land use categories.**

The following table establishes the zoning districts allowable within the future land use categories from the Comprehensive Plan:

Future Land Use Category	Zoning Districts	Special Districts
Single-Family (SF)	U1, <del>RSF-1 to 4SF</del> , RSF-R	PD, CON, PS
Residential Low-Density (RL)	U2, <del>RSF-4SF</del> , RMF-5, MH, RC	PD, CON, PS
Residential Medium-Density (RM)	RMF-6 to 8	PD, CON, PS
Residential High-Density (RH)	N/A	PD, CON, PS
Mixed-Use Residential (MUR)	U5	PD, CON, PS
Mixed-Use Office/Residential (MOR)	U4, U3	PD, CON, PS
Mixed-Use Low-Intensity (MUL)	MU-1	PD, CON, PS
Mixed-Use Medium-Intensity (MUM)	MU-2, CP	PD, CON, PS

Urban Mixed-Use (UMU)	U6, U7, U8	PD, CON, PS
Urban Mixed-Use High-Intensity (UMUH)	U9	PD, CON, PS
Urban Core (UC)	DT	PD, CON, PS
Office (O)	OR, OF, CP	PD, CON, PS, MD
Commercial (C)	W, BA, BT, BUS, BI	PD, CON, PS
Business Industrial (BI)	BI, CP	PD, CON, PS
Industrial (IND)	W, I-1, I-2, BI	PD, CON, PS
Education (E)	N/A	PD, CON, PS, ED
Recreation (REC)	N/A	PD, CON, PS
Conservation (CON)	N/A	PD, CON, PS
Agriculture (AGR)	N/A	PD, CON, PS, AGR
Public and Institutional Facilities (PF)	N/A	PD, CON, PS, AF
Planned Use District (PUD)	N/A	PD

**Sec. 30-4.17. Dimensional standards.**

The following tables contain the dimensional standards for the various uses allowed in each district:

**Table V-5: Residential Districts Dimensional Standards.**

	<del>RSF-1</del>	<del>RSF-2</del>	<del>RSF-3</del>	<del>RSF-4</del>	<u>SF</u>	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8
<b>DENSITY/INTENSITY</b>											
Residential density (units/acre)											
Min.	<del>None</del>	<del>None</del>	<del>None</del>	<del>None</del>	None	None	None	None	8 <sup>1</sup>	8 <sup>1</sup>	8 <sup>1</sup>
Max. by right	<del>3.5</del>	<del>4.6</del>	<del>5.8</del>	<del>8</del>	<u>12</u>	12	12	12	10	14	20
With density bonus points	-	-	-	-	=	-	-	-	See Table V-6	See Table V-6	See Table V-6
Nonresidential building coverage	<del>35%</del>	<del>35%</del>	<del>40%</del>	<del>40%</del>	<u>50%</u>	50%	50%	50%	50%	50%	50%
<b>LOT STANDARDS</b>											
Min. lot area (sq. ft.)	<del>8,500</del>	<del>7,500</del>	<del>6,000</del>	<del>4,300</del>	<u>3,000</u>	3,000	3,000	3,500	None	None	None
Min. lot width (ft.)											
Single-family	<del>85</del>	<del>75</del>	<del>60</del>	<del>50</del>	<u>35</u>	35	35	40	40	40	40
Two-family <sup>2</sup>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<u>NA</u>	70	NA	75	40	40	40
Other uses	<del>85</del>	<del>75</del>	<del>60</del>	<del>50</del>	<u>NA</u>	35	35	85	85	85	85
Min. lot depth (ft.)	<del>90<sup>4</sup></del>	<del>90<sup>4</sup></del>	<del>90<sup>4</sup></del>	<del>80<sup>4</sup></del>	<u>None</u>	None	None	90	90	90	90
<b>MIN. SETBACKS (ft.)</b>											
Front	<del>20<sup>4</sup></del>	<del>20<sup>4</sup></del>	<del>20<sup>4</sup></del>	<del>20<sup>4-5</sup></del>	<u>10<sup>4,5</sup></u>	10 <sup>5</sup>	15	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.	10 min. 100 max.
Side (street)	<del>10</del>	<del>10</del>	<del>7.5</del>	<del>5</del>	<u>5</u>	NA	NA	15	10 <sup>3</sup> /15	10 <sup>3</sup> /15	10 <sup>3</sup> /15

Side (interior) <sup>6, 7</sup>	<del>7.5</del>	<del>7.5</del>	<del>7.5</del>	<del>5</del>	<u>5</u>	5	5	10	5 <sup>3</sup> /10	5 <sup>3</sup> /10	5 <sup>3</sup> /10
Rear <sup>7, 8</sup>	<del>20</del>	<del>20</del>	<del>15</del>	<del>10</del>	<u>20</u>	20	15	10	10	10	10
Rear, accessory	<del>7.5</del>	<del>7.5</del>	<del>5</del>	<del>5</del>	<u>5</u>	5	5	5	5	5	5
<b>MAXIMUM BUILDING HEIGHT (stories)</b>											
By right	<del>3</del>	<del>3</del>	<del>3</del>	<del>3</del>	<u>3</u>	3	3	3	3	3	3
With building height bonus	<del>N/A</del>	<del>NA</del>	<del>NA</del>	<del>NA</del>	<u>NA</u>	NA	NA	NA	5	5	5

**LEGEND:**

- 1 = Parcels 0.5 acres or smaller existing on November 13, 1991, are exempt from minimum density requirements.
- 2 = Assumes both units on one lot. Lot may not be split, unless each individual lot meets minimum lot width requirement for single-family. Lot may not be split when the two-family dwelling is configured vertically.
- 3 = Applicable only for two-family dwellings.
- 4 = Lots abutting a collector or arterial street shall have ~~a minimum depth of 150 feet and~~ a minimum building setback of ~~50~~ 20 feet along that street.
- 5 = Attached stoops or porches meeting the standards in sections 30-4.13 and 30-4.14 are permitted to encroach up to five feet into the minimum front yard setback.
- 6 = Except where the units are separated by a common wall on the property line of two adjoining lots. In such instances, only the side yard setback for the end unit is required.
- 7 = Accessory pre-engineered or pre-manufactured structures of 100 square feet or less and one story in height may be erected in the rear or side yard as long as the structure has a minimum yard setback of three feet from the rear or side property line, is properly anchored to the ground, and is separated from neighboring properties by a fence or wall that is at least 75 percent opaque.
- 8 = Accessory screened enclosure structures, whether or not attached to the principal structure, may be erected in the rear yard as long as the enclosure has a minimum yard setback of three feet from the rear property line. The maximum height of the enclosure at the setback line shall not exceed eight feet. The roof and all sides of the enclosure not attached to the principal structure shall be made of screening material.



### Sec. 30-3.36. Minor subdivisions.

#### A. *Minor subdivision standards.*

1. Each proposed lot shall conform to the provisions of this chapter.
2. All existing principal and accessory structures on each lot must conform to the use and development standards of this chapter.
3. All lots have city water and sewer services available and constructed to the lot line of at least one lot, with appropriate easements granted to allow future water and sewer connections to each of the lots at the time each lot is developed.
4. If the proposed minor subdivision abuts a public right-of-way that does not conform to the provisions of section 30-6.6 B., as further specified in the Design Manual, the owner may be required to dedicate, at no cost to the city, one-half of the right-of-way width necessary to meet the minimum design requirements. If the proposed minor subdivision abuts both sides of a substandard street, one-half of the right-of-way width necessary to meet those minimum design requirements may be required from each side. The dedication of this right-of-way or any easements necessary must be accomplished by a separate document. The applicant shall provide the city with legal descriptions of all easements or rights-of-way to be dedicated, and the city shall prepare and record the necessary documents as part of the approval process.
5. Each lot in the minor subdivision must front for the entire required minimum lot width on a public street or an approved private street, [except in minor subdivisions where the lots are organized around a centrally-located common greenspace and individual owners are provided legal rights to ingress and egress to a public street or an approved private street](#). Where there is no minimum lot width requirement, each lot must abut a public street or approved private street for a width equivalent to the maximum driveway width required in section 30-6.20, plus any required turning radii area. Notwithstanding the above, the length of street frontage may be modified during minor subdivision review by the city manager or designee, based on the need to achieve the most efficient lot layout, access to and from the minor subdivision, operational needs of service vehicles, vehicular circulation and the health, welfare, and safety of the public.
6. The minor subdivision must create vehicular and pedestrian access to serve the minor subdivision and improve gridded connectivity by connecting to surrounding existing streets and by including new streets within the minor subdivision so that the resulting blocks will not exceed a maximum block perimeter of 2,000 feet [or the maximum perimeter set by the zoning district, whichever is less](#). Modifications to this requirement may be granted by the city manager or designee where the construction of a street is limited by existing conditions such as, but not limited to:
  - a. Access management standards;
  - b. Regulated environmental features; or
  - c. Public facilities, such as, but not limited to, stormwater facilities, parks, or schools.

Alternatively, where the development review director determines that it is not possible to construct the streets that would be required to meet the block perimeter standard, the block perimeter must be completed with the provision of pedestrian and bicycle paths or multi-use paths. The applicant shall, at the expense of the applicant, construct the required streets or paths according to the appropriate city standards as determined through the minor subdivision review process, but may be sited and configured in a manner so that the streets provide the most appropriate access to the minor subdivision and connectivity to the surrounding street network. Where a street or path is planned to provide a future connection to a street or path beyond the extent of the minor subdivision, the applicant shall provide for the connection of the street by stubbing out the road improvements as close as practicable to the boundary of the minor subdivision.

7. Each approved private street must meet the following requirements in addition to the requirements in section 30-6.8:
  - a. An approved private street must be paved to a minimum width of 12 feet wide for one-directional traffic flow and 18 feet wide for two-directional traffic flow. Alternatively, a determination must be made by the city public works department, the city fire rescue department, and city solid waste department that the approved private street is adequate to support service vehicles as necessary to provide municipal services.
  - b. The structure and sub-base of the approved private street must meet the standards set forth in the Design Manual.
  - c. Each approved private street must be connected directly to a public street or to another approved private street. The method and type of connection will be subject to approval by the city public works department in accordance with the standards set forth in the Design Manual. The private street serving the minor subdivision must have a maximum length of 1,000 feet (measured by traversing the length of the approved private street from its farthest extent to the nearest public street). At the point the private street reaches 1,000 feet in length, the applicant shall provide one of the following, as determined by the city fire rescue department: appropriate emergency connection to the nearest public road, if such a connection can be made on property within the minor subdivision; or a turnaround sized to accommodate fire and rescue vehicles.
  - d. The owners of each approved private street shall provide necessary easements to the city for the purpose of providing municipal services. Alternatively, if the city finds the street serves a valid public purpose, the owners may gratuitously dedicate an approved private street for purposes of public right-of-way.
  - e. Lots created on an approved private street must be designed to minimize the number of curb cuts onto the street. Shared driveway access is required of adjoining lots, except where an odd number of lots are created, in which case, one lot, as determined by the city public works department, may be allowed to have a separate driveway.
8. All proposed minor subdivisions must meet the level of service standards in the Comprehensive Plan. Proof of meeting these standards shall exist in the form of a certificate of concurrency exemption, certificate of preliminary concurrency or certificate of conditional concurrency reservation. The approval of a nonresidential minor subdivision in no way reserves capacity for the purposes of concurrency.

minor subdivision where lots are organized around a centrally-located common greenspace and individual owners are provided legal rights to ingress and egress to a public street or an approved private street”

**B. Review.**

1. *Application.* After a mandatory pre-application conference with staff, an application must be completed on a form prescribed by the city and submitted together with the following:
  - a. A map of boundary survey and minor subdivision certified by a professional land surveyor registered in the state according to F.S. Ch. 472. The survey must be drawn on a 24-inch by 36-inch linen or stable base film with a three-inch margin on the left for binding, and a one-half-inch margin on the other three sides. Additional information to be shown on the survey must include but not be limited to:
    - i. The lot lines, dimensions, legal descriptions and acreages for each lot being created.
    - ii. The acreage of the total tract.
    - iii. A vicinity map showing the location of the survey in relationship to major thoroughfares.

- iv. A note stating, "THIS IS NOT A RECORD PLAT."
  - v. A municipal approval statement, to be signed by the director of planning and development services, director of public works and general manager for Gainesville Regional Utilities or their designee, certifying that the minor subdivision conforms to all applicable ordinances and regulations of the city.
  - vi. A statement to be signed by the clerk of the court, stating, "Received and filed as an unrecorded map in accordance with F.S. § 177.132."
  - vii. The minor subdivision book and page where the survey is to be filed.
  - viii. The exact location of all existing principal and accessory structures on each lot. If the existing structures obscure the alignment of the proposed lots they may be left off the map of minor subdivision and be submitted separately on a boundary survey of the parent parcel. Any shared use of said structures must be clearly stated and shown as easements on the minor subdivision.
- b. A statement indicating the location where water or sanitary sewer service is available to the property, and a statement indicating that all utility service must be installed beneath the surface of the ground in accordance with section 30-8.2, and a statement indicating where stormwater management facilities are available to accommodate stormwater runoff of the proposed development.
  - c. If located on an approved private street, a signed consent (on the form provided by the city) from the owners of each approved private street that serves the minor subdivision.
  - d. Payment of fees as required by appendix A.
2. Upon receipt of a completed application, the several departments of the city shall review and provide comment.
  3. Minor subdivisions that require any street, sidewalk, bikeway, bridge, drainage facility, screening wall or any other improvement required under this chapter may receive conditional approval but will not receive final approval or be filed with the clerk of the circuit court until all required improvements are fully constructed and approved by the city. No building permits may be issued for any of the lots until final approval is granted and the minor subdivision is filed.
  4. If the proposed minor subdivision meets the conditions of this section and otherwise complies with all applicable laws and ordinances, the development review director shall approve the minor subdivision.
  5. Upon approval of the minor subdivision, the subdivider shall file with the clerk of the circuit court, with all fees paid by the subdivider, the original linen or stable base film drawing of the survey and any covenants, deed restrictions, or other required documents as an unrecorded map, in accordance with F.S. § 177.132. Upon filing of the approved minor subdivision, the subdivider shall submit to the city, in the form prescribed by the city, copies of the filed minor subdivision and any required documents.

**Sec. 30-4.16. Permitted uses.**

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section are allowed.

**Table V-4: Permitted Uses in Residential Districts.**

USES	Use Standards	<del>RSF-1 to</del> 4SF	RC	MH	RMF-5	RMF-6 to 8
Accessory dwelling unit	30-5.36	A	A	A	A	A
Adult day care home	30-5.2	P	P	P	P	P
Assisted living facility		-	-	-	P	P
Attached dwelling (up to 6 attached units)		-	-	-	P	P
Bed and breakfast establishment	30-5.4	S	P	P	P	P
Community residential home (up to 6 residents)	30-5.6	P	P	P	P	P
Community residential home (7 to 14 residents)	30-5.6	-	-	-	-	P
Community residential home (over 14 residents)	30-5.6	-	-	-	-	P
Day care center	30-5.7	-	P	P	P	P
Emergency shelter		-	-	-	-	P
Family child care home	30-5.10	P	P	P	P	P
Fowl or livestock (as an accessory use)	30-5.39	-	-	-	-	-
Mobile home		-	-	P	-	-
Multi-family dwelling		-	-	-	P	P

Multi-family, small-scale (2—4 units per building)		-	p <sup>1</sup>	-	P	P
Place of religious assembly	30-5.22	S	P	P	P	P
Library		-	S	S	S	S
Public park		P	P	P	P	P
School (elementary, middle, or high - public or private)		S	P	P	P	P
Simulated gambling establishment		-	-	-	-	-
Single-family dwelling		P	P	P	P	P
Single room occupancy residence	30-5.8	-	-	-	-	P
Skilled nursing facility		-	-	-	-	S
Social service facility	30-5.28	-	-	-	-	S
Subsistence garden	30-5.30	P	P	P	P	P
Urban market farm, less than 5 acres	30-5.30	P	P	P	P	P
Urban market farm, 5 acres or greater	30-5.30	S	S	S	S	S

**LEGEND:**

P = Permitted by right; S = Special use permit; A = Accessory; Blank = Use not allowed.

1 = No more than two dwellings units per building are permitted in the RC district.

**Sec. 30-4.27. Heritage overlay.**

Sec. 30-4.27.C.4:

- 4. The heritage overlay district shall be applied only to residential uses zoned ~~RSF-1, RSF-2, RSF-3, RSF-4,~~ SF and RC. Changing the zoning of a parcel to a zoning district other than RSF-1, RSF-2, RSF-3, RSF-4, or RC shall also require a simultaneous rezoning to remove the heritage overlay district.

**Sec. 30-5.22. Places of religious assembly.**

- A. Within the ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF and U1 districts, places of religious assembly are allowed upon the granting of a special use permit, subject to the following additional dimensional requirements:
  - 1. Minimum lot area shall be one acre for each place of religious assembly with a building code capacity of 100 persons or less plus an additional one-half acre for each additional 50 persons of building code capacity.
  - 2. Minimum yard setbacks:
    - a. Front: 25 feet.
    - b. Side, interior: 50 feet, unless the proposed use is adjacent to a non-residential district, in which case the district setbacks shall apply.
    - c. Side, street: 25 feet.
    - d. Rear: 50 feet, unless the proposed use is adjacent to a non-residential district, in which case the district setbacks shall apply.
- B. *Day care centers and schools as accessory uses.* Within the ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF and U1 districts, day care centers and schools may be allowed as accessory uses to places of religious assembly upon the granting of a special use permit; within all other districts, day care centers and schools are permitted accessory uses to any lawful place of religious assembly provided, in all cases, that the requirements and limitations for day care centers and schools as listed in this article are met.

**Sec. 30-5.33. Wireless communication facilities and antenna regulations.**

For the purposes of this section, zoning districts shall be classified as follows:

**Table V-1: Zoning districts**

Single-family and residential-low	<del>RSF-1, RSF-2, RSF-3, RSF-4</del> <u>SF</u> , RC, MH, RMF-5, U1, U2.
Multiple-family	RMF-6, RMF-7, RMF-8, U4, U5.
Office	OF, CP, MD.
Mixed-use	MU-1, MU-2, U6, U7, U8, U9, DT.

**Sec. 30-5.39. Fowl or livestock, accessory to residential uses.**

The keeping or raising of fowl or livestock is allowed within the ~~RSF-1 through 4SE~~, RC, U1, and U2 districts as an accessory use, subject to the following standards:

A. *Permitted activities.* The maximum allowed number of fowl or livestock is as follows:

Type of fowl or livestock	Max Allowed
Fowl	10 Gallus Domesticus hens per single family residence. No other types of fowl are allowed.
Horses and other equine animals	Prohibited
Cattle	Prohibited
Goats and Sheep	Prohibited
Pigs	Prohibited
Rabbits	Prohibited

B. *Limitations.* Fowl or livestock permitted in this section shall be kept or raised for personal use only, except youth projects such as 4-H or FFA activities.

C. *Prohibited activities.*

1. On-premise sales of fowl or livestock or fowl or livestock byproducts (e.g. eggs, milk).
2. Commercial raising or keeping of fowl or livestock.
3. The keeping of roosters (defined as a male chicken of any age and generally characterized by an ability to crow) and any other crowing chickens are prohibited, as well as the slaughtering of hens in the ~~RSF-1 through 4SE~~, RC, 111, U2 districts.

D. *Nuisance prohibited.* The raising and keeping of all fowl or livestock shall be done in such a manner so as not to create a public nuisance as set forth in chapter 5 of the Code of Ordinances.

E. *Chicken coops within the ~~RSF-1 through 4SE~~, RC, U1, U2 districts.*

1. Hens shall be contained within a covered chicken coop or fenced pen area. The coop and fenced pen area shall be located in the rear half of the residential lot behind the principal structure. It shall be unlawful for any person to allow hens to run at large upon the streets, alleys or other public places of the city, or upon the property of any other person.
2. The coop and fenced pen area shall meet the setback requirements for an accessory structure in the applicable zoning district.
3. The coop and pen area shall be kept in a clean sanitary manner, free of insects and rodents, offensive odors (which shall not be detectable at property boundaries), excessive noise, or any other condition that could potentially cause a nuisance. Stored feed shall be secured in rodentproof and raccoon-proof enclosed containers.
4. A building permit is not required for the coop if it is movable or prefabricated, and 12 square feet or less in size.



### Sec. 30-5.45. Portable storage units and roll-offs.

Portable storage units and roll-offs, as defined in article II, are allowed by right as a temporary accessory use in the following zoning districts: ~~RSF 1, RSF 2, RSF 3, RSF 4~~, SE RC, MH, RMF-5, RMF-6, RMF-7, RMF-8, and OR; subject to the following conditions:

- A. *Placement, dimensions, and use.* Portable storage units and roll-offs:
1. Shall not be placed within the public right-of-way or within the boundaries of a private street intended to provide access and circulation to more than one property owner.
  2. Shall be setback at least five feet from all property lines.
  3. Shall be setback at least five feet from all regulated trees.
  4. Shall not exceed ten feet in height.
  5. Shall not be used for the storage or handling of hazardous materials.
  6. In addition to the above requirements, the following additional requirements shall apply when located on a property with a single-family dwelling:
    - a. Shall be limited to one portable storage unit or roll-off.
    - b. Shall be placed in a front or side yard. The city manager or designee may allow placement in the rear yard when the property owner demonstrates that there are no other locations on the property that meet the requirements of this section.
- B. *Proof of delivery certificate.* A "proof of delivery certificate" indicating the date on which the portable storage unit or roll-off was placed on the property shall be displayed in a manner that is visible to a city official from the nearest property line.
- C. *Time limit.* Portable storage units and roll-offs shall be located on a property for no more than 30 calendar days, except as follows:
1. The city manager or designee may allow one 30-day extension if the property owner demonstrates a continued need for the temporary use of the portable storage unit or roll-off.
  2. A portable storage unit or roll-off may remain in connection with and throughout the duration of an active building permit for development on the property.
  3. In the case of emergencies or natural disasters including, but not limited to, hurricanes, windstorms, floods, or other disasters officially declared by the authorized agency, the time limit may be waived by the city manager or designee until the city manager or designee determines that such emergency conditions have ended.
- D. *Seasonal use by commercial parcel delivery services.* In accordance with this subsection and F.S. § 316.2126, licensed commercial parcel delivery services may apply to the city for a permit to use a portable storage unit to facilitate seasonal delivery personnel, as defined in Florida Statutes, in making deliveries to residential developments with golf carts or low-speed vehicles and utility vehicles. For each desired portable storage unit location, the applicant shall submit to the city an application on a form provided by the city, together with the fee set forth in appendix A of this Code. Each application shall include a scaled site plan and other documentation demonstrating compliance with this subsection. Any permit issued in accordance with this subsection shall be valid for one season only and shall expire on February 1 of each year.

The use of a portable storage unit by a licensed commercial parcel delivery service is subject to the following conditions:

1. The portable storage unit may be placed in the following areas:
  - a. A common area of a residential development with written permission from the homeowners' association or property management firm, or

- b. On property of a conforming nonresidential use with written permission from the property owner. Such property shall have a minimum lot size of one acre and shall be contiguous to the area that will receive seasonal parcel deliveries with golf carts or low-speed vehicles and utility vehicles.
- 2. The portable storage unit may be located on the property from October 15 through January 31 and may be accessed only between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday.
- 3. Only one portable storage unit per delivery service may be placed on the property.
- 4. The portable storage unit shall be setback at least 50 feet from the property lines and all residential dwellings and setback at least five feet from all regulated trees.
- 5. Outdoor storage of delivery vehicles is prohibited.
- 6. A sign shall be posted on the portable storage unit that indicates the intended use, duration of the use, and the hours of operation. No other signage shall be permitted.
- 7. The portable storage unit shall not exceed ten feet in height.

### **Sec. 30-6.7. Cluster subdivisions.**

- A. *Purpose and intent.* The purpose of this section is to establish a process by which environmentally sensitive land and infill sites may be developed for residential purposes without strict adherence to the dimensional requirements of the zoning code of the city. The intent is to encourage better site planning than would normally occur by conventional subdivision procedures. Specifically, the objectives are to better preserve valuable open spaces, environmentally sensitive areas, existing tree cover; to provide for infill development where appropriate; to provide for better utilization of land; to provide for zero lot line development; to promote efficiency through design; and to provide for design flexibility to meet changing market conditions. Such development will be accomplished without an overall increase in density otherwise permitted in the zoning district in which the development is located as determined by the minimum lot size.
- B. *Permitted districts; minimum size.* A cluster subdivision may be permitted in any zoning district in which single-family dwellings are allowed as a permitted use and where the parcel to be subdivided has an area of five acres or more.
- C. *Approval procedure; design standards; name.*
  - 1. Cluster developments shall be approved in accordance with the procedures established for plats. Further, cluster subdivisions involving attached housing in zoning districts that allow such housing types shall also secure development plan approval in accordance with article III.
  - 2. Design standards for improvements shall be in accordance with the provisions and regulations of this chapter.
  - 3. The name of a subdivision approved pursuant to this article shall be followed by the words "cluster subdivision," which shall become and be made a part of its official name.
  - 4. Application for cluster subdivision will be classified as either environmental or infill based on the following criteria:
    - a. *Environmental.* Development site contains regulated surface waters and wetlands or regulated natural and archaeological resources, or it is within a planning parcel that includes regulated natural and archaeological resources.
    - b. *Infill.* Cluster subdivision provides for infill development where appropriate, better use of land, zero lot line development, and/or promotes efficiency through design.
- D. *Dwelling types permitted.* Except in the ~~RSF-1, RSF-2, RSF-3 and RSF-4~~ [SF](#) zoning districts, all types of attached and detached single-family residential dwellings may be permitted in a cluster subdivision. In the ~~RSF-1, RSF-~~

~~2, RSF-3 and RSF-4~~ SF districts only single-family detached dwellings will be permitted in a cluster subdivision. Within cluster subdivisions, a variety of lot sizes and architectural typologies shall be encouraged.

- E. *Modification of street, yard, and lot requirements.* Modifications to the lot area, lot width and depth, minimum yard setback, street width and layout requirements of the applicable zone may be permitted if shown on the design plat and such plat is approved by the city commission. No cluster subdivision of 50 acres or less in an ~~RSF~~ SF district shall have lot sizes reduced by more than 25 percent of that required by the district regulations. Each cluster subdivision may use zero lot line, regular lots or a combination of the two. However, each lot in a cluster subdivision that directly abuts developed property not in a cluster subdivision shall not have the following, unless the subdivision provides a 35-foot buffer around the entire subdivision:
1. An abutting side or rear yard that is less than that required for the abutting property; or
  2. A lot width that is less than 75 percent of the minimum lot width required in the zoning district for the abutting property.
- F. *Number of dwelling units permitted.* The total number of dwellings permitted in a cluster subdivision shall not exceed the number of dwelling units that would have been otherwise permitted by the density standards in the zoning district in which it is located. In the ~~RSF-1, RSF-2, RSF-3, RSF-4,~~ SF, RMF-5 and RC districts, the permitted number of dwelling units may be calculated by dividing the total land area of the cluster subdivision by the minimum lot size required for the applicable zoning district. The number of dwelling units shall not exceed the density allowed by the zoning district.

### **Sec. 30-6.19. Access management.**

- A. *Access to residentially zoned properties.*
1. No residentially zoned land shall be used for driveway, walkway or access purposes to any land that is non-residentially zoned or that is used for any purpose not permitted in a residential district or that is shown on the future land use map of the Comprehensive Plan for solely non-residential use, except for ingress and egress to a use that was existing on October 26, 1981, on land that does not abut a public street.
  2. Entrances to dwelling units in the RMF-5, RMF-6, RMF-7, RMF-8 districts shall be 15 feet or greater from any access road or driveway.
  3. Minor improvements, such as ramps and landings, that are intended to provide access for a handicapped resident shall be permitted by right within the required yard of any existing single-family dwelling, two-family dwelling and three-family dwelling.
- B. *Access to non-residential uses.*
1. Where a parcel of property used for nonresidential use in any business, office, industrial or mixed-use district abuts more than one street, access from either street to such property shall be permitted only if no property in any ~~RSF-1, RSF-2, RSF-3, RSF-4~~ SF or RC residential district or shown for single-family residential use on the future land use map of the Comprehensive Plan lies immediately across such street from such office-zoned property; provided, however, access may be permitted from any major collector or arterial as shown on the official roadway map; and provided, further, that one point of access shall be permitted in any case, notwithstanding other provisions of this subsection.
  2. Access to shopping centers shall be in accordance with the provisions of this article, chapter 23 of the Code of Ordinances, and the Design Manual. Areas used by motor vehicles shall be physically separated from public streets by landscaped buffer areas.
- C. *Bicycle, greenway and pedestrian access.* Provisions shall be made to safely incorporate travel ways for bicycle and pedestrian usage into development and redevelopment projects extending to adjacent properties. Where bikeways, greenways or sidewalks are presently adjoining the property, provisions shall be made to safely link the internal bicycle and pedestrian system with adjoining facilities. During development

plan review, the appropriate reviewing authority shall also review the relationship of the mixed-use development to adjoining properties and may require appropriate access for bicycles or pedestrians at locations where vehicular access is prohibited.

### **Sec. 30-7.2. Off-street vehicle parking.**

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the following standards and regulations:

- A. *Access.* Vehicular ingress and egress to off-street parking facilities must be in accordance with the driveway ordinance, chapter 23, article V.
- B. *General requirements.* Parking areas must be so designed and marked as to provide for orderly and safe movement and storage of vehicles.
  1. All parking spaces must contain some type of vehicle wheel stop or other approved barrier that prevents any part of a vehicle from overhanging onto the right-of-way of any public road, alley, walkway, utility or landscaped area.
  2. All parking lots with two or more rows of interior parking must contain grassed or landscaped medians at least eight feet in width unless an alternative landscape plan is approved pursuant to section 30-8.4. Where it is determined by public works that the landscaped median(s) would obstruct the storm drainage, the city manager or designee may approve an alternative.
  3. Off-street parking on any property with RC, ~~or RSF 1, RSF 2, RSF 3, or RSF 4~~ SF zoning, or planned development (PD) zoning with single-family or two-family dwellings, and that is located within either the University of Florida context area or a residential parking overlay district area will be regulated in accordance with section 30-7.7.

### **Sec. 30-7.7. Residential parking.**

- A. *Residential parking.* This section is established to regulate off-street parking on specific property located in the following zoning districts: RC, ~~RSF 1, RSF 2, RSF 3, or RSF 4~~ SF or in a district containing single family or two-family dwellings on property zoned planned development (PD).
  1. *Purpose and effect.* This section allows residents to take affirmative steps to preserve the character of their residential and single-family neighborhoods and to enhance the public health, welfare and safety as well as the aesthetic value of their property by controlling off-street parking. Furthermore, healthy vegetation with an above-ground network of leaves, shoots, and stems and an extensive fibrous root system below reduces soil erosion and noise, and improves surface and groundwater by filtering rainwater.
 

This section acts as an overlay, in that the regulations of the underling zoning district and all other applicable regulations remain in effect and are further regulated by the residential parking overlay district standards described in this section. If provisions of this section conflict with the underling zoning, the provisions of this section shall govern and prevail.
  2. *Criteria.*
    - a. The proposed area shall consist of at least 25 compact and contiguous parcels, as defined in this chapter.
    - b. The area shall not cause the creation of an enclave or peninsula, as commonly defined in annexations.
    - c. Each boundary of the area shall be one of the following identifiable landmarks: A street, alley, publicly owned right-of-way, platted subdivision boundary, or a creek.

- d. No area boundaries shall overlap the boundary of an existing residential parking overlay district or the context area.
  - e. The area shall consist only of parcels that are in a RC, ~~RSF-1, RSF-2, RSF-3, or RSF-4~~ SF zoning district, or in a district of single-family or two-family dwellings on property zoned PD.
3. *Procedures.*
- a. To create a residential parking overlay, a petition requesting imposition of the overlay district on an area that meets the criteria described above shall be submitted to the city manager or designee on forms provided by the city. Each petition shall meet the following requirements:
    - i. The individual circulating the petition forms ("petitioner") shall obtain the requisite petition form from the city manager or designee.
    - ii. The petitioner shall be an "owner", as defined in this chapter, of property located within the proposed overlay district area and shall be a signatory to the petition.
    - iii. The petitioner shall submit to the city manager or designee an accurate, reproducible map of the proposed residential parking overlay district.
    - iv. Each petition shall contain authentic signatures of at least 60 percent of the fee simple record title owners of the lots or parcels within the proposed overlay district area, exclusive of public property.
    - v. To be verified by the city, signatures shall be accompanied by the legibly printed name of the signer, the address of the parcel owned by the signer, the parcel number of the parcel owned by the signer, and the date the petition is signed.
    - vi. Jointly owned parcels are considered owned by a single person, for purpose of the petition, and any co-owner may sign a petition for the parcel. Only one owner of each parcel shall be included in the 60 percent requirement stated above. If a person owns more than one parcel of property within the proposed district area, that person may sign the petition one time for each parcel owned.
    - vii. Signatures dated more than six months prior to the date the petition is filed with the city are not acceptable.
    - viii. For a signature to be verified, Alachua County Property Appraiser records shall indicate that the printed name of the petition signatory is consistent with the name of the property owner as listed in the current records of the Alachua County Property Appraiser.
    - ix. The petition shall clearly and accurately advise each putative signer of the type of restrictions that may be imposed on the property if the overlay district is imposed upon the area.
    - x. The petition shall clearly and accurately describe the proposed boundaries of the area.
  - b. When the petition is submitted to the city manager or designee, the city manager or designee shall verify the names and signatures, and shall determine whether the petition meets the criteria of this section.
  - c. To pay for the cost of verifying signatures, the city shall charge a fee as set forth in appendix A of the Code of Ordinances.
  - d. If an insufficient number of acceptable owner signatures are submitted, the city shall return the petition to the petitioner and the city shall retain the fee.
  - e. If a sufficient number of acceptable owner signatures are submitted, the petitioner may apply for the rezoning of the area with the imposition of the overlay district as provided in this chapter for

zoning changes (including application fees, public notice, and public hearings before the city plan board and the city commission).

- f. Criteria used to evaluate parcels for rezoning. The following criteria shall be used to evaluate the appropriateness of imposing this overlay district on the area:
    - i. The petitioner shall submit evidence of the impact of off-street parking on the quality of vegetation or runoff within the proposed overlay district area. Such evidence includes, but is not limited to, evidence that off-street parking is resulting in a negative impact to the quality of the vegetation of parcels or contributing to a decline in said quality within the proposed area; and
    - ii. The petitioner shall submit evidence that off-street parking is resulting in a negative aesthetic impact to lots or parcels within the proposed area, or the effect of that off-street parking on the environment of the area.
  - g. The petition for imposition of the overlay district shall be considered by the city plan board for its recommendation to the city commission. In order to impose the overlay district upon parcels within an area, an affirmative vote of the city commission is required. If the petition or ordinance fails, a subsequent petition for imposition of the overlay district on all or any portion of the area may not be included in a new petition unless at least one year has transpired from the date of submittal of the previous petition for imposition of the overlay on an area.
4. *Off-street parking regulations in the context area and in any residential parking overlay.* Off-street parking shall be limited to the driveway parking area meeting the dimensional requirements below and leading from the permitted driveway connection to the enclosed parking space (garage or carport), plus two pullout spaces as described below. If there is no garage or carport, the driveway parking area shall meet the dimensional requirements below and be able to provide parking and ingress or egress of vehicles.
- a. The maximum width of the driveway parking area is the greater of 18 feet or the maximum width of the enclosed parking space.
  - b. Pullout spaces can be no more than nine feet wide and 16 feet long; shall be covered with pavement, gravel, wood chips, bark mulch, or other erosion-preventing material clearly defining the pullout spaces; and shall be contiguous to the driveway parking area.
  - c. Notwithstanding subsections a. and b. above, no more than 40 percent of front open space may be devoted to driveway parking area and pullout spaces.
  - d. Circular driveway parking areas meeting the above dimensional requirements are permitted provided the necessary driveway connections are provided; however only one pullout space is allowed with a circular driveway parking area.
  - e. Access to all driveway parking areas shall be from an approved or existing legal driveway connection.
  - f. All unpaved driveway parking areas and pullout spaces shall be covered with gravel, wood chips, bark mulch, or other erosion-preventing material clearly defining the driveway parking area, and have side borders of plants, pressure treated landscape timbers, railroad ties, pressure treated wood, composite "plastic wood", brick, concrete or similar border materials.
    - i. *Erosion preventing material.*
      - 1) Where bark mulch or wood chips are used, they shall cover the entire surface of the driveway parking area and pullout spaces with a layer that is at least two inches thick. They shall be distributed evenly within the borders and shall be free of bare spots and vegetation. Other types of mulch may be used only after approval from the city manager or designee.

- 2) Where gravel is used, it shall cover the entire surface of the driveway parking area and pullout spaces with a layer that is at least one inch thick. The gravel shall be evenly distributed within the borders and shall be free of bare spots and vegetation. The material used for a gravel parking area and/or pullout space shall be rock or crushed stone, shall not be more than one and one-half inches in diameter, and shall not contain dirt, sticks, construction debris or other foreign material. Sand, rock powder, or other similar material less than one-eighth inch in diameter may be used as a base, but shall not be included when measuring the gravel thickness.
  - 3) Leaves, pine needles, grass clippings, canvas, plastic sheets, poly sheets, or other similar rolled sheeting shall not be used as an erosion preventing material.
  - 4) The erosion preventing material shall be clearly stated on the submitted parking plan and approved by the city manager or designee prior to its use.
- ii. *Borders.*
- 1) Plant borders shall be a one-gallon minimum size at the time of planting, spaced no greater than 36 inches apart. Plants shall be a minimum of 12 inches high when planted and shall be maintained at no less than 12 inches high.
  - 2) Wood borders shall be pressure treated or be treated to prevent the decomposition of the wood when the wood is applied to the ground surface. The minimum size of any wood borders or composite plastic wood borders shall be three and one-half inches wide by three and one-half inches high and shall be continuous around the border. Multiple pieces can be stacked to achieve the required size. Where railroad ties are used, the ties shall be structurally sound and fully intact and shall be continuous around the border. All wood borders or composite plastic wood borders shall be affixed to the ground by driving a metal stake through the wood/plastic into the ground. At least two stakes shall be driven into each wood or composite plastic wood border segment. The distance between stakes shall not be more than four feet. The metal stake shall be a minimum of three-eighths of an inch in diameter and driven a minimum of 12 inches below the ground surface. The metal stake shall be driven flush with the surface of the wood/plastic.
  - 3) Brick curbing shall be set in a mortar base and shall be a minimum of three and one-half inches wide by three and one-half inches high. Concrete curbing may be pre-cast, formed or machine extruded and shall be a minimum of six inches wide by six inches high and consist of a concrete mix with a minimum strength of 3,000 pounds per square inch. Brick and concrete curbing shall be continuous around the border. Pre-cast concrete curbing shall be affixed to the ground by driving a metal stake through the curbing into the ground. At least two stakes shall be driven into each piece of pre-cast concrete. The distance between stakes shall not be more than four feet. The metal stake shall be a minimum of three-eighths of an inch in diameter and driven a minimum of 12 inches below the ground surface. The metal stake shall be driven flush with the surface of the curbing.
  - 4) Other borders may be used only after approval of the city manager or designee. All parking plans shall include a full description, including specifications, of the proposed border.
- g. Off-street parking on other areas of property regulated by this subsection will be allowed on the day of major university related events as determined by the city manager or designee, such as University of Florida commencement programs and University of Florida home football games, subject to the following regulations:
- i. Parking is allowed only on the day of the event commencing at 8:00 a.m. and concluding at 12:00 a.m. or three hours after conclusion of the event, whichever occurs later. Vehicles may remain parked overnight, provided they are not occupied and may only be picked up the day after the event between the hours of 8:00 a.m. and 12:00 p.m.
  - ii. All trash, signs, and other physical items associated with the parking must be removed by 6:00 p.m. the day after the event.

- iii. If any portable toilets are provided, they may be placed on the property the day prior to the event and must be removed by 6:00 p.m. on the second day after the event.
  - iv. The parking area must be located solely within private property and may not extend onto any public property or public right-of-way.
- h. The city manager or designee may exempt a property from the driveway parking area limitations if all of the following conditions are found:
- i. The driveway parking area is clearly defined.
  - ii. The driveway parking area is maintained in a safe, sanitary and neat condition.
  - iii. The driveway parking area does not contribute to soil erosion.
  - iv. The requirements of this section would impose an inordinate burden on the landowner due to topographical road configuration constraints or other significant design constraints.
- i. Each owner of property regulated by this subsection shall provide a parking plan showing the driveway parking areas and any pullout spaces. This plan shall be submitted as part of an application for a landlord permit. For residential properties that do not require landlord permits, the parking plan shall be submitted upon request of the city manager or designee within 30 calendar days of receiving a written request for a parking plan from the city manager or designee. Within 45 calendar days of the city manager or designee's approval of the new parking plan, the new plan shall be implemented and the parking area and any pullout spaces shall be constructed in the manner in this approved parking plan. When the new plan is implemented, the city manager or designee shall inspect the parking area and any pullout spaces for compliance.
- j. No driveway parking area regulated by this subsection may be leased, rented, or otherwise provided for consideration to someone not residing on the property, except as specifically provided otherwise in this article.
- k. If a property is found by the city manager or designee to not be in compliance with one or more of the provisions of the existing parking plan for that property, as approved by the city manager or designee, the owner of that property may be required to submit to the city manager or designee a new, modified parking plan which is in compliance with the requirements of this section. This modified parking plan for the non-compliant property shall be received by the city manager or designee within 30 calendar days of the owner's receipt of a written request for the new parking plan. Within 45 calendar days of the city manager or designee's approval of the new parking plan, the new plan shall be implemented and the parking area and any pullout spaces shall be constructed in the manner in this approved parking plan. When the new plan is implemented, the city manager or designee shall inspect the parking area and any pullout spaces for compliance.
- l. Where applicable, this plan shall be submitted as part of an application for a landlord permit and shall be approved by the city manager or designee prior to the issuance of a landlord permit. In all cases, each owner of property zoned RC, ~~or RSF-1, RSF-2, RSF-3, or RSF-4~~ SF zoning district, or that contains single-family or two-family dwellings on property zoned planned development (PD), which is within the context area, shall provide the city manager or designee with an updated parking plan showing the driveway parking areas and any pullout spaces no later than April 1, 2007, or in conjunction with the landlord permit application, whichever date comes earlier.





## Comprehensive Plan Amendment

Policy 4.1.1, Comprehensive Plan

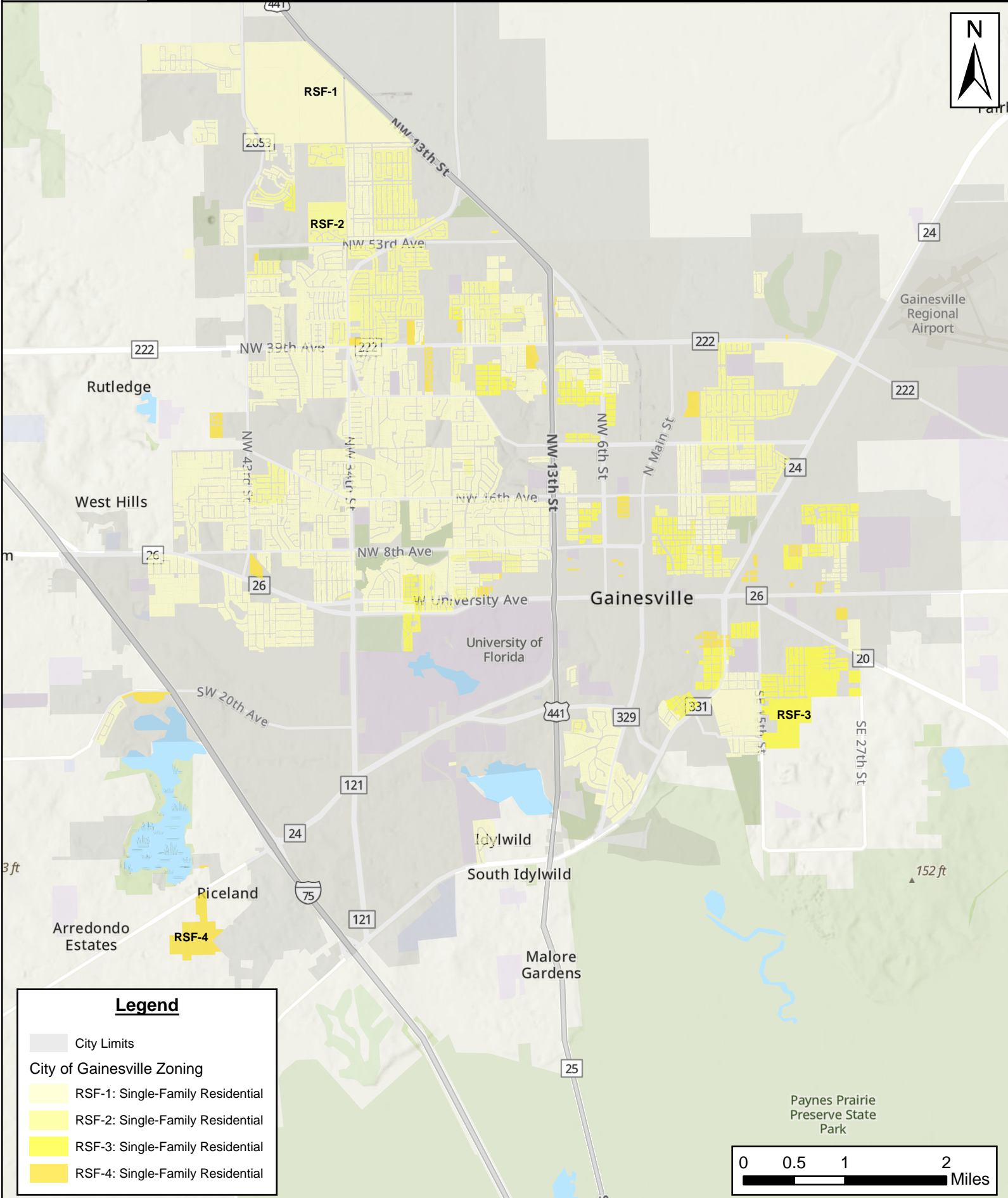
### Single-Family (SF): up to ~~8~~ 12 units per acre

This land use category shall allow single-family detached dwellings at densities up to ~~8~~ 12 dwelling units per acre. The Single-Family land use category identifies those areas within the City that, due to topography, soil conditions, surrounding land uses and development patterns, are appropriate for single-family development. Land development regulations shall determine the performance measures and gradations of density. Land development regulations shall specify criteria for the siting of low-intensity residential facilities to accommodate special need populations and appropriate community-level institutional facilities such as places of religious assembly, public and private schools other than institutions of higher learning, and libraries. Land development regulations shall allow home occupations in conjunction with single-family dwellings under certain limitations.








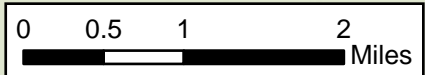
# Existing Zoning

Residential Single Family Zones: RSF-1, RSF-2, RSF-3, & RSF-4



## Legend

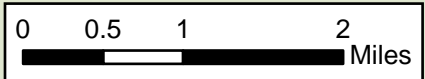
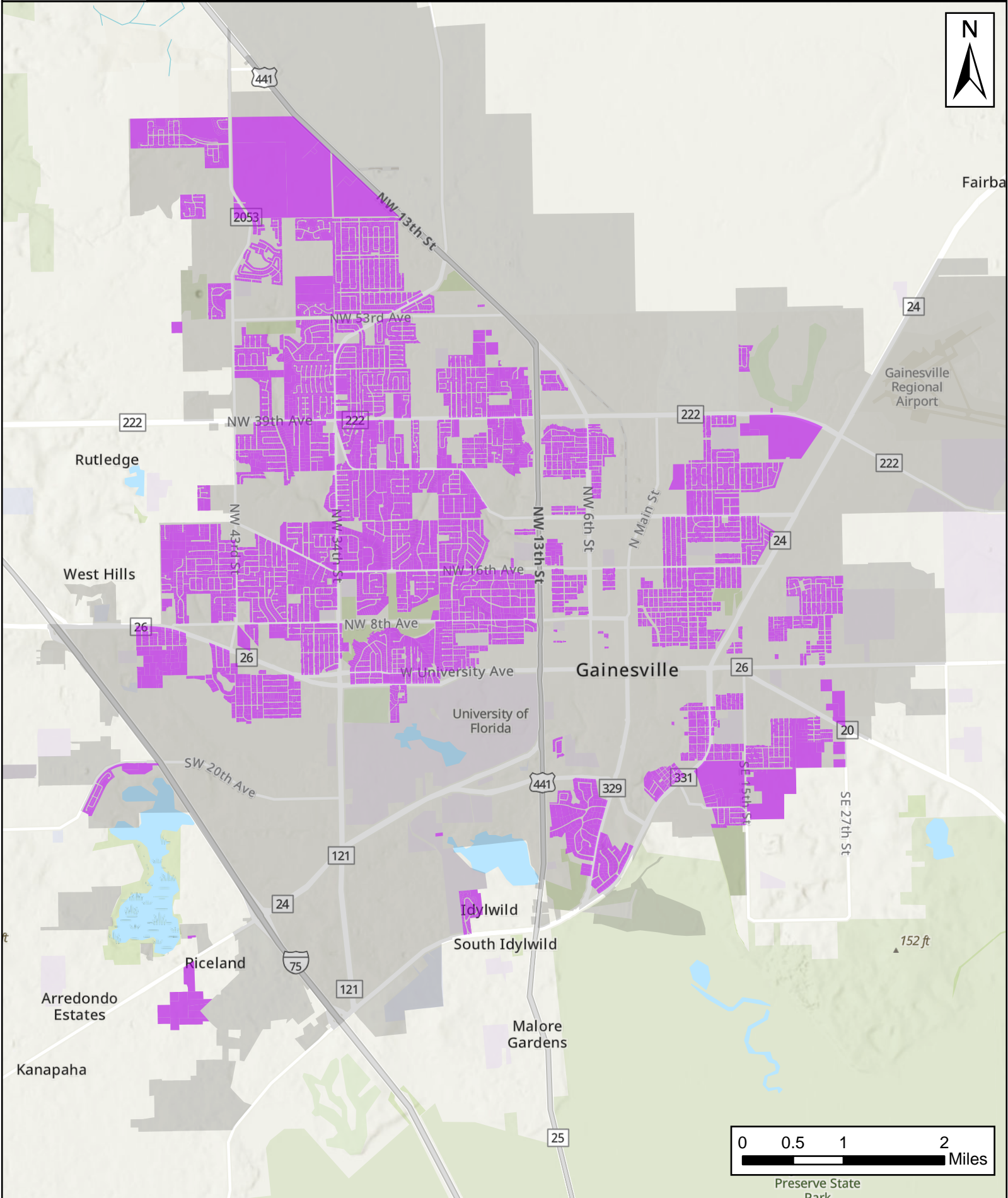
-  City Limits
- City of Gainesville Zoning**
-  RSF-1: Single-Family Residential
-  RSF-2: Single-Family Residential
-  RSF-3: Single-Family Residential
-  RSF-4: Single-Family Residential





# Proposed Zoning

Single Family Zone : SF



Preserve State Park





**Public Participation**

In October and November of 2023 two community meetings were held to discuss lot size reform proposals. A meeting was held on October 30, 2023 at the MLK Community Center, and on November 15, 2023 at the Massey Rec Center.

At these two meetings, concerns and questions were raised about neighborhood protection, infrastructure capability, and housing affordability. Participants discussed the impact on neighborhoods without protective covenants and the need for clear regulations on accessory dwelling units (ADUs). There was also a focus on the need for thorough planning regarding infrastructure and the equitable distribution of new construction impacts.

In addition to these recent community meetings, ongoing discussions have occurred since 2019, when the City first held an affordable housing workshop. In September of 2020 the Florida Housing Coalition created a Housing Action Plan, which, as discussed in the attached Staff Report, recommended several actions. Several community engagement meetings occurred throughout 2021 and again in 2022 alongside the City's efforts with HR&A to study exclusionary zoning regulations as well as inclusionary zoning policies. Along with community engagement meetings, several public hearings have been held which have involved public comment relating to proposed changes to existing regulations.

A collection of feedback provided at the two recently held community meetings is attached.

Lot Size Reform – Community Meeting at MLK

10.30.23

Questions

- Does this get rid of single-family zoning?
- Do other cities have a single type of residential zone?
- Is there a map that shows Gainesville’s four residential zoning types?
- There are certain neighborhoods that have a developer’s agreement or HOA. Will this zoning change apply to those neighborhoods?
- This is the issue of deed restrictions—so do those take precedence?
- We want to see data analysis to show if the infrastructure of the neighborhoods likely to have more of this new construction can handle the increased density.
- How does increased density help the environment?
- How will parking work in cottage neighborhoods where some homes don’t front the street, or with lot splits that eliminate the traditional driveway/garage combination?
- Are we talking about actual affordable housing for people who need it or starter homes for young affluent professionals?
- Will these denser neighborhoods really be more “walkable” or lead to more walking over driving?
- Is there a safeguard that would limit construction in affordable neighborhoods to only lower-end, more affordable houses?
- Where will excess rainwater go if you build on the vacant lots now acting as reservoirs that absorb runoff?
- You have density requirements that kick in for multi-family buildings, but what about individual homes all in the same area that aren’t a single development but equate to that in terms of density?
- Why are we doing it this way? Why not get a variance for my specific lot rather than changing zoning for the entire city?
- Can we have someone from Public Works at the next meeting to issue questions about stormwater runoff and infrastructure?

Concerns

- Older neighborhoods are not protected by deed restrictions or HOAs. The bulk of the new, higher-density construction will take place there and cause problems for those neighbors.
- The infrastructure in these older neighborhoods is not prepared to handle the increased traffic, stormwater runoff and other demands associated with increased construction and higher numbers of residents.
- I do support smaller homes, but we need to do studies on impacts—flooding, for instance. We need to do these in a steady, mindful way. We need data that will make us feel more comfortable with a change like this.

- We need more solid data to make this proposal seem like a reasonable response.
- We need impact studies to predict if our infrastructure can handle the increased density.
- I can see people squeezing in overlarge houses on small lots. Adding all this additional impervious surface will have impacts on environmental heat and flooding.
- Creeks are already used as drainage canals and this is causing associated erosion. The added construction will worsen that impact.
- In east Gainesville, where the land is affordable and there are many open pockets available for building out many small homes, there is a real risk of overbuilding and creating a situation where the existing infrastructure cannot meet demand.
- East Gainesville has no deed restrictions or HOAs to keep that sort of overdevelopment in check, so there is a real risk of overbuilding without any significant level of scrutiny.
- People who are significantly economically challenged can't take the first step toward home ownership and this won't change that.
- We have not attracted developers who will build affordable starter homes in Gainesville.
- Expensive houses on small lots in affordable neighborhoods will not help the people who need to be able to buy a home.
- I'm on a cul-de-sac with large lots where this proposal would make it possible to triple the number of houses.
- I think it would be better to revise the rules to allow for variances on a more flexible basis to avoid opening an unintended zoning loophole that builders can exploit.
- You're solving a problem that doesn't exist.
- Students who graduate from UF and choose to stay in Gainesville to settle with families are not buying homes because they're not available; 70% of Gainesville residents are renters.
- I live in NW Gainesville on a six-acre lot by a lake. A neighboring lot is 11 acres. With all of that developed at 12 houses per acre, that's 144 houses.
- I think this should be done on a case-by-case basis, not a free-for-all.



Lot Size Reform – Community Meeting at Massey Rec Center

11.15.23

Questions

- Can we see a map that shows all the neighborhoods with covenants or deed restrictions that will protect them from new construction of smaller-lot homes?
- If you have covenants in your neighborhood, how will this be allowed?
- How does this incorporate the needs of students and of builders?
- Do we have the infrastructure to provide the water pressure, wastewater and storm water needs, demands on roadways?
- If there's a house in an existing neighborhood and it burns down, this change would allow the lot to be subdivided?
- Is this going to be a blanket thing like the last zoning change was, or will it be more of a case-by-case basis like a variance?
- Is there a member from GRU to consult on these issues so there is consistent communication between GRU and the City about infrastructure impact and expansion?
- Why wasn't this considered as an option in the past?
- Could you write this ordinance so neighborhoods supportive of smaller lots could simply opt in while other neighborhoods are not changed?
- Who are you addressing? It feels like young families, but what about people who are poor and in need of housing or students in need of housing?
- You are assuming these smaller homes will be affordable but is there any way to guarantee that?
- Why can't you just alter the zoning for lots that request this on a case-by-case basis instead of a blanket zoning change citywide?
- Why can't we think about traffic, infrastructure and walkability all at the same time? Why does it have to be a zoning issue?
- I still wonder who this is for and how it's affordable?
- Can you do anything to disincentivize investors from buying or building single-family homes and renting them to students?

Concerns

- I understood the board reversed course and restored exclusionary zoning, but the current situation still allows a triplex to be built on a single-family lot. This means with the lot size reform you suggest, with development of up to 12 houses per acre, there could be up to 36 dwellings on a single lot.
- This may provide an opportunity for developers to exploit the intent and start constructing ADUs, as there is no requirement that the owner of the property inhabit the property and no prohibition on building triplex structures on lots.

- Deeds to these properties may still override the proposed zoning change. Many properties on which you would want to build a smaller house are in neighborhoods with deeds or covenants that would protect the area by continuing to prohibit these smaller-lot homes.
- With so many neighborhoods restricted by deed or covenant, the city's smaller, older neighborhoods without covenants will take the full impact of all this new infill construction and that is not equitable.
- You should consult land attorneys before proceeding with this plan.
- Gainesville doesn't have the infrastructure of Austin or Portland, which are provided as examples of cities successfully implementing this type of zoning. We don't have the roads, the physical plants, or the walkability for this plan.
- We've had flooding in our neighborhood. When there is a solid rain, the houses flood. One had to be removed. This plan needs a full, broader view. There needs to be a panel or group to think about the future implications of flooding and infrastructure. We need to see data.
- I build affordable housing on infill lots and have not had drainage issues. We are having issues dealing with Public Works and feel the lack of communication between Public Works and GRU leads to unnecessary complications and delays. There are problems other than lot sizes, and the city needs to examine those issues.
- You have to address the ADU question if you hope to make this change. You have to meet that issue head-on and revise the ADU ordinance to prevent exploitation by builders seeking to construct as many units as possible.
- Realtors are supporting this proposal as it addresses problems with low inventory and promotes private property rights. It gives more rights to an individual in areas where there are not limiting deed restrictions and improves flexibility in housing design and construction.
- To have more options in the city, as we grow, would benefit more people—especially young people and newcomers who might otherwise have to buy homes well outside of city limits.
- Pleasant Street has beautiful houses being built on small lots but when considering cost per square foot, these are still expensive houses.
- There are basically two problems: the shortage of housing and the excess of commercial buildings. We should look into federal loans to allow us to finance transitions from commercial to residential structures.
- I'm new to Gainesville and there are not a lot of options to buy here. I do not agree this city can be made walkable. The ability to walk to a grocery store or bar doesn't exist for most neighborhoods and this proposal will not change that. That is a difficult change to achieve and this approach seems haphazard. You are taking away zoning protection and giving developers an opportunity to exploit the situation.
- I think these are good intentions but I don't think the resulting houses will be affordable.
- The citizens have a trust issue with the city right now. Past decisions have damaged trust. We have mega-buildings that should never have gone up. So we should not give up the protections we still have.



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**Case Study: Small Lot Reform in US Cities**

**Background**

In September 2020, the Florida Housing Coalition prepared the Gainesville Housing Action Plan, highlighting key goals and strategies that could address present and future housing needs in the city. One identified strategy was to allow more housing types and sizes by-right, including by reducing minimum lot sizes across single family districts RSF-1 through RSF-4. By reducing factors like minimum lot area, width, depth, and setbacks, it becomes possible to add more units by splitting existing, larger parcels, and by increasing the productivity of vacant parcels.

The proposal under consideration would consolidate all single-family zones currently under RSF designation into one new zoning designation, called Single Family (SF). Minimum lot dimensions in the new SF category would be as follows:

	RSF-1	RSF-2	RSF-3	RSF-4	SE	RC
<b>LOT STANDARDS</b>						
Min. lot area (sq.ft.)	8,500	7,500	6,000	4,300	3,000	3,000
Min. lot width (ft.)						
Single-Family	85	75	60	50	35	35
Two-Family	NA	NA	NA	NA	NA	70
Other uses	85	75	60	50	NA	35
Min. lot depth	90	90	90	80	None	None

	RSF-1	RSF-2	RSF-3	RSF-4	SE	RC
<b>MIN. SETBACKS (ft.)</b>						
Front	20	20	20	20	10	10
Side (street)	10	10	7-5	5	5	NA
Side (interior)	7-5	7-5	7-5	5	5	5
Rear	20	20	15	10	20	20
Rear (accessory)	7-5	7-5	5	5	5	5

It is the intent of this case study to examine evidence, data and context to consider the viability of this proposal toward achieving the desired outcome of cheaper and more abundant housing. Other jurisdictions under review include:

- Durham, NC
- Austin, TX
- Saint Paul, MN
- Houston, TX
- Orlando, FL
- Portland, OR
- San Francisco, CA
- Chicago, IL

### **Overview of Code Requirements**

Cities reviewed commonly enacted reforms that reduced minimum lot area, width or depth requirements across all residential zoning districts, though some established lower minimum areas for specific districts. Some cities, like San Francisco and Houston, attached minimum lot area requirements to criteria related to site location.

- Durham, NC - Expanding Housing Choices (EHC)
  - ∅ Reduced minimum lot sizes to 2000 SF and minimum lot widths to 25ft.
  - ∅ Reduced the width of “poles” for “Flagpole lots”, which permit residences that do not have street frontage, from 20ft to 12ft (see fig. 1)
  - ∅ The County passed a resolution requiring regular monitoring and data collection to determine the efficacy of the reforms. As of 2023, 215 small house/lot permits were issued under the new provisions, representing 2.21% of all single-family permits. Additionally, the rate of residential teardowns remained stable post-EHC, with no significant increase in demolition permits.
- Austin, TX
  - ∅ Reduced minimum lot sizes citywide from 5750 SF to 2500 SF
  - ∅ New code allows at least three units per lot in single family districts and created a new three-family residential use category
  - ∅ The City Council directed staff to propose amendments to eventually eliminate minimum lot area requirements entirely
- Saint Paul, MN
  - ∅ Combined existing R1-R4 into a new H1 residential district. Established a minimum lot area of 1500SF, and minimum lot width of 30ft.
  - ∅ New H2 residential category created, with a minimum lot area of 1000 SF and minimum lot width of 25ft.
- Houston, TX

- ∅ Reduced minimum lot sizes from 5000 SF to 1400 SF within the city's I-610 loop (a reduction of 72%)
  - ∅ GIS and regression analysis data collected by Nolan Gray of George Mason University and Adam Milsap of the Charles Koch Institute shows that new units under these parameters were developed in (1) neighborhoods with underutilized former commercial and industrial land and (2) in largely underbuilt middle-income residential neighborhoods
  - ∅ Neighborhoods were allowed to “opt-out” with deed restrictions; Nolan Gray hypothesizes (1) the opt-out enabled citywide zoning liberalization by placating most vocal opponents, (2) these types of reforms will largely be absorbed by middle-income and underbuilt neighborhoods, and are less likely to become an imposition on lower-income neighborhoods (See [Shady Acres](#) and [Rice Military](#) Neighborhoods, where postwar lots sized at or above 5000SF were subdivided into three townhomes, transforming the neighborhood and tripling its density)
- [Orlando, FL](#)
  - ∅ While most restrictive development standards are 10,000 SF for single family lots in the R-1AA zoning district, Orlando implemented separate requirements for “alternative housing developments”, i.e. development for Low and Very Low Income Housing eligible for various incentives and options:
    - Minimum lot size of 1600 sf for 1-family, 2400 sf for two-family development
    - No mean lot width for 1-family, 25ft for 2-family
    - 95ft mean lot depth for 1-family and 2-family
- [Portland, OR](#)
  - ∅ No minimum lot area on most legally platted lots for detached single family houses, detached houses with one ADU, attached houses, or duplexes
  - ∅ Minimum lot area of 10,000 sf for attached houses with 1 ADU on some legally platted or adjusted lots in the R20 district, i.e. the most restrictive district (minimum lot areas increase as density increases)
  - ∅ Distinct minimum lot areas for Cottage Clusters, with most prohibitive being 7000 sf in R10 and R7.
- [San Francisco, CA](#)
  - ∅ Minimum lot area of 2500 sf in all districts except RH-1(D) (where it is 4000 sf)

- ∅ Exception: 1,750 sf for corner lots, or lots within 125 feet of streets that intersect at no more than 135 degrees
- [Chicago, IL](#)
  - ∅ In the Residential Single-Unit district (RS), the most restrictive requirement is 6250 sf for RS-1. The most lenient is 2500 for RS-3.

## **Resources**

[Best Practice: Reduce Minimum Lot|Florida Policy Project](#)

[Urban Minimum Lot Sizes: Their Background, Effects, and Avenues to Reform Mercatus Center](#)

[Supply Skepticism: Housing Supply and Affordability – NYU Furman Center](#)

[Rightsizing Lot-Size Rules in Metropolitan New York City | Manhattan Institute](#)

[SEC. 121. MINIMUM LOT WIDTH AND AREA.|San Francisco](#)

[How Houston Achieved Lot Size Reform | Planetizen Blogs](#)



**Exclusionary Zoning & Inclusionary Zoning Study**

Final Report  
December 2021

HR&A

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# Acknowledgements

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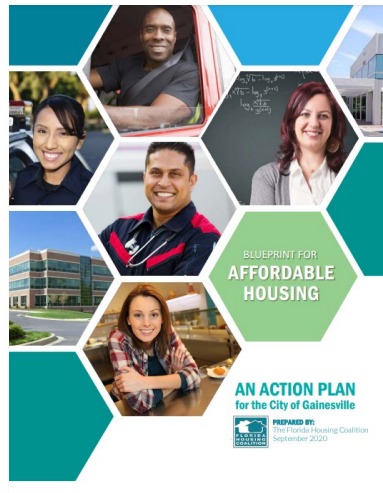
Mike Weseman

## Executive Summary

**This study responds to the following guiding questions:**

1. What drives housing instability and inequities in Gainesville?
2. How do exclusionary land use controls drive local housing market trends?
3. How can changes to exclusionary land use controls make housing in Gainesville more equitable?
4. Is an inclusionary zoning policy a feasible and effective tool for producing new affordable housing in Gainesville?
5. What other programs and policies are needed to address housing instability and inequities?

**Project Overview** | The City of Gainesville has been committed to creating a path toward an equitable housing landscape. This study is additive to these efforts.



- Gainesville’s **Housing Action Plan** (2020) calls for diversifying funding sources, increased zoning flexibility, and permanent affordability.
- Gainesville’s current **Comprehensive Planning Process** includes a chapter exploring housing strategies to house all Gainesville residents.
- The **Gainesville Community Reinvestment Area** has pursued urban infill housing and worked to attract investment to underserved parts of the city.
- The **Gainesville Housing Authority** has partnered with private developers to subsidize permanently affordable housing.
- The **Gainesville Housing and Community Development Department** continues to administer funding and programs through CDBG, HOME and SHIP programs.

**Existing Conditions** | An analysis of existing conditions in Gainesville reveals several distinct but related issues that are driving instability and unequal housing outcomes.



### Racial Segregation

In Gainesville, race is a key determinant of where you live, access to diverse housing options and homeownership, and the value of your home.



### Housing Cost Burden

Extreme housing cost burden, driven primarily by low incomes, is a key driver of housing instability in Gainesville.



### Housing Access and Quality

New rental housing in Gainesville has disproportionately benefited student renters, and non-student renters live in older, less diverse housing types as a result.

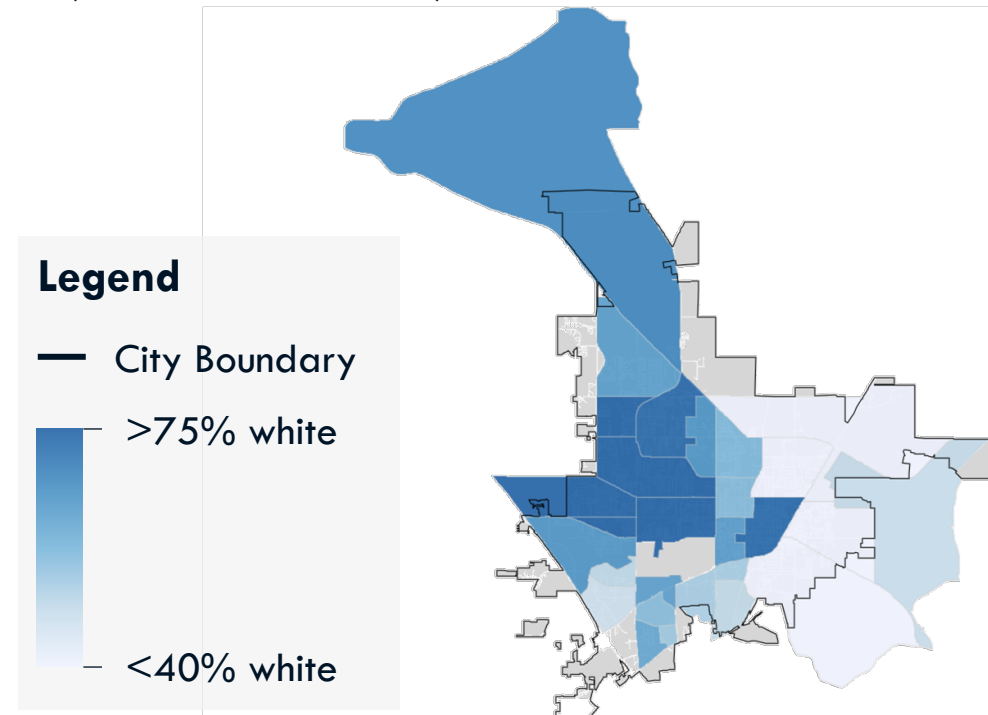
**Existing Conditions |** In Gainesville, race is a key determinant of where you live, your access to diverse housing options and homeownership, and the value of your home.



### Racial Segregation

- White households are more likely to live in single-family homes (which are typically owned, rather than rented).
- Gainesville’s Black population occupies “missing middle” housing, or buildings with 2-4 units, at a high rate relative to the population. These units tend to be more affordable in Gainesville.
- Homes in predominately white neighborhoods are assessed at higher values, increasing the wealth that accrues to white households.

### Share of Non-Hispanic or Latinx white Households (Census Tracts, All)



Source: Social Explorer – ACS 2019 (5-Year Estimates)

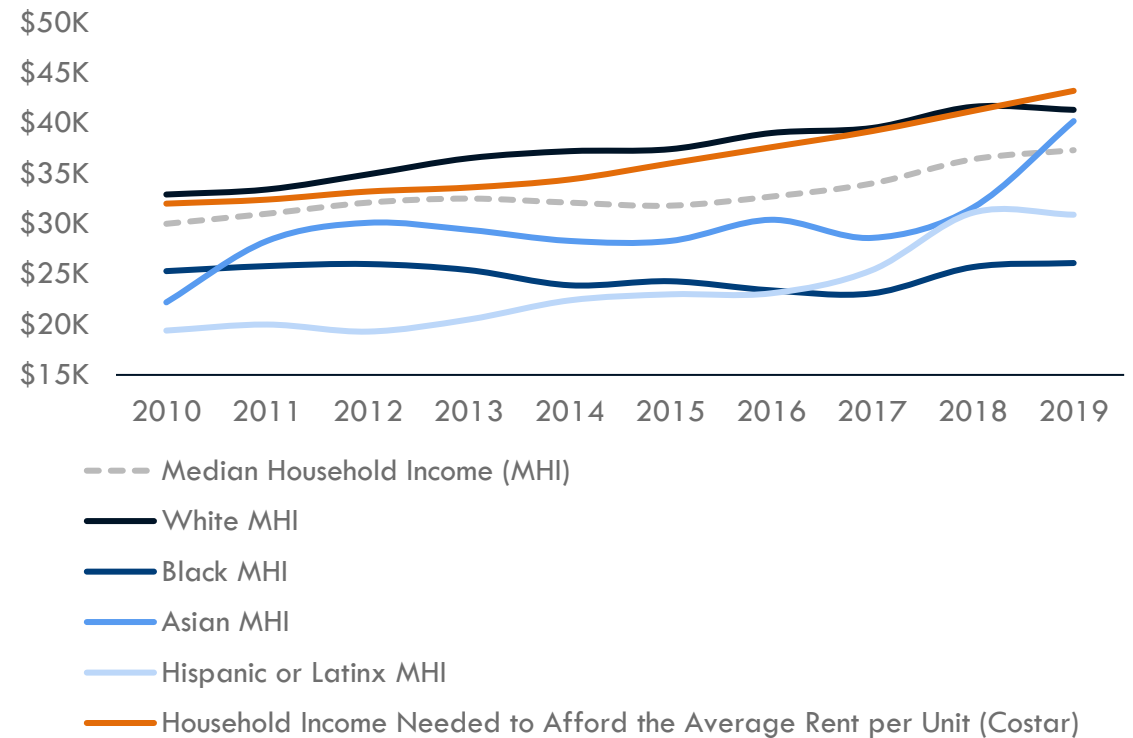
# Existing Conditions | Extreme housing cost burden, driven primarily by low incomes, is a key driver of housing instability in Gainesville.



## Housing Cost Burden

- Renters across all racial groups earning <\$35K annually experience high rates of housing cost burden.
- Race is a predictor of household income and poverty in Gainesville. Only white and Asian households earn above Gainesville’s median household income. Black households make 73% of the median.
- The average rental unit is currently only affordable to the typical white or homeowner household in Gainesville.

Income at which Average Rental Unit is Affordable by Race (All)



Source: Social Explorer – ACS 2019 (5-Year Estimates)

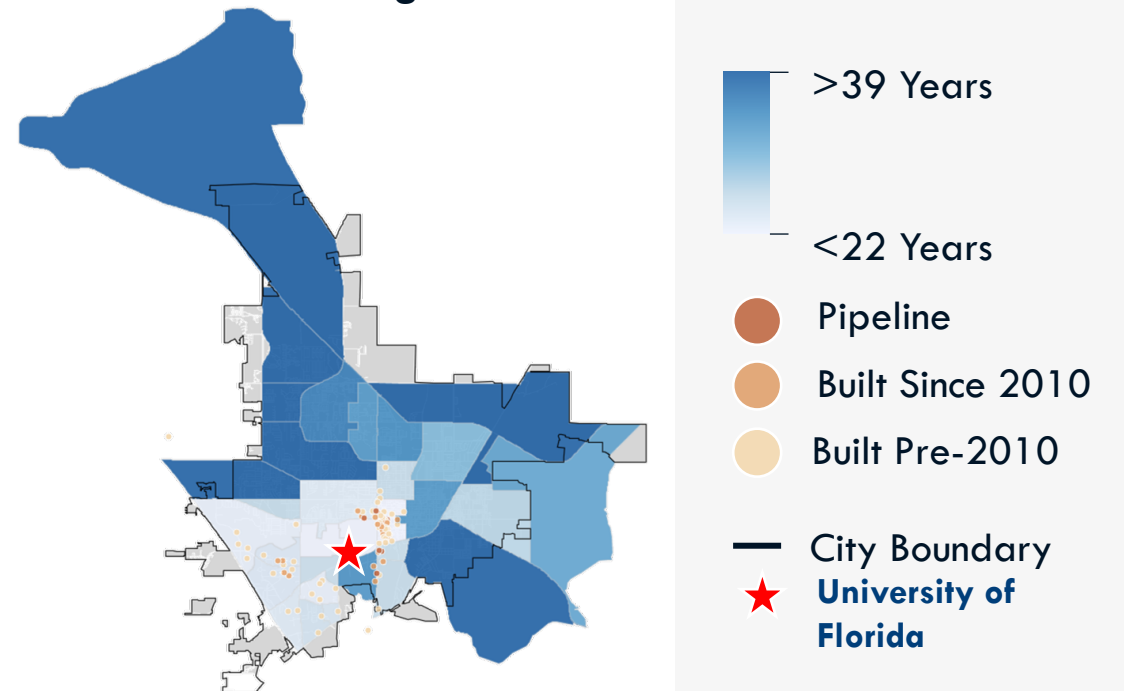
**Existing Conditions |** The student housing market is the strongest rental market in Gainesville. Non-student renters are not benefitting from new housing at the same rate.



### Housing Access and Quality

- Student renters are the primary beneficiaries of new rental housing development in Gainesville, which makes it more difficult for non-students to access such housing.
- Student renters make up 36% of the total population but comprise 50% of the population that lives in housing built after 2000.
- The average household in Gainesville struggles to access homeownership, especially Black, Hispanic or Latinx, and renter households. As a result, 61% of households in the City are renters. Less than a third of Black and Hispanic or Latinx households are homeowners.

### Median Age by Census Tract and Student Housing\*



\*Includes both student housing (i.e., housing that exclusively serves students) and student-focused housing (i.e., housing that caters to students but is available to all residents).

Source: Social Explorer – ACS 2019 (5-Year Estimates)



**Land Use |** This study explores how land use tools can help to create a housing landscape in which who you are does not determine your housing options.



**Land Use Tools** use municipal regulations and zoning authority to indirectly improve affordability by increasing the supply of housing and to directly require the production of affordable units.



**Subsidy Tools**, in the form of below-market rate loans, grants, or other public resources, close the gap between what a household can afford to pay and the costs to develop and operate housing.



**Tenants' Rights Tools** preserve existing affordable housing and housing stability by using laws and regulations that protect current occupants.

**Land Use** | Land use mechanisms analyzed here include: (i) redressing exclusionary policies and (ii) implementing an inclusionary zoning program.



*These two land use strategies can, but don't necessarily need to, work hand in hand. While this study focuses on two specific land use strategies, future housing plans should consider the full landscape of housing tools to increase housing stability and equity in Gainesville, including subsidy and tenants' rights tools.*

**Recommendations** | This study makes recommendations on land use strategies that can help drive an equitable housing landscape in Gainesville.



*Both of these strategies should be used in combination with a **set of housing tools** to address the housing needs of low- and very low-income Gainesville residents, who have the highest housing need. HR&A recommends that the City of Gainesville work to identify revenue sources for an Affordable Housing Trust Fund and assess the possibility of deploying local subsidy for affordable housing.*

**Exclusionary Land Use Controls** | Exclusionary land use controls exclude a diverse (often racially diverse) range of households from residential neighborhoods.

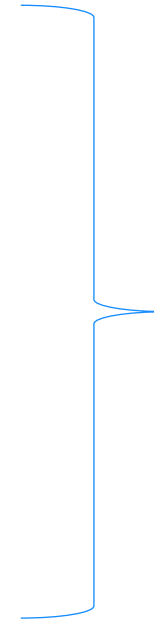
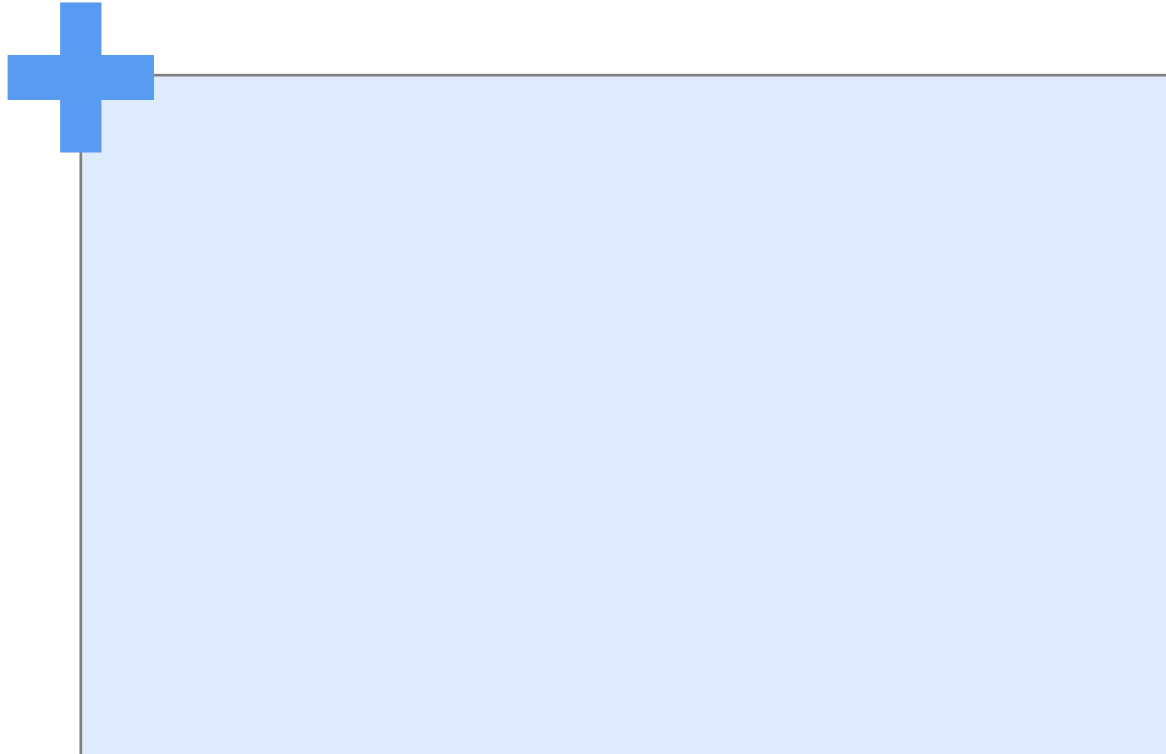
**Exclusionary lands use controls both directly limit the types of housing that can be built, and indirect limit housing access by contributing to prohibitive housing costs.** While zoning is a recognizable land use control, it is one of many tools that local government uses to control *how, where, and what kind* of development occurs. County and State land use regulations and housing policy, such as HB 7103, also play a role in determining development patterns in Gainesville. HR&A developed criteria with which to review Gainesville’s Code of Ordinances.

**Exclusionary land use controls are local regulations that:**

- 1. Directly decrease or limit housing supply in residential areas** (*strict lot utilization and parcel constraints*)
- 2. Increase the cost to build new housing** (*strict design and compatibility requirements*)
- 3. Limit the use of existing housing** (*strict occupancy limitations and mobile home location limitations*)

*Each of these dynamics drives disparate outcomes by race.*

**Exclusionary Land Use Controls** | Changing exclusionary land use controls is an important tool for reducing racial and economic exclusion across a housing market.



*Without reducing exclusionary land use controls, all other housing strategies, and those that require subsidy in particular, are less effective and more costly.*

## Exclusionary Land Use Controls | The City of Gainesville should complete in-depth land use analyses to consider the following changes to exclusionary land use controls.

- Reduce setbacks in low and moderate density residential areas.
- Permit lot splits in minor subdivisions.
- Reduce minimum lot dimensions.
- Allow housing typologies beyond single family ("missing middle", 2-4 unit housing) in residential districts with strict lot utilization constraints.
  
- Eliminate compatibility requirements between multifamily and single family uses.
- Reduce expensive design standards in historic preservation districts.
  
- Identify additional areas to permit mobile home uses.
- Eliminate single family occupancy limitations in low density districts.
- Increase the bedroom limit in the University of Florida Context Area when a structure includes more than one dwelling (attached housing).



### Outcomes

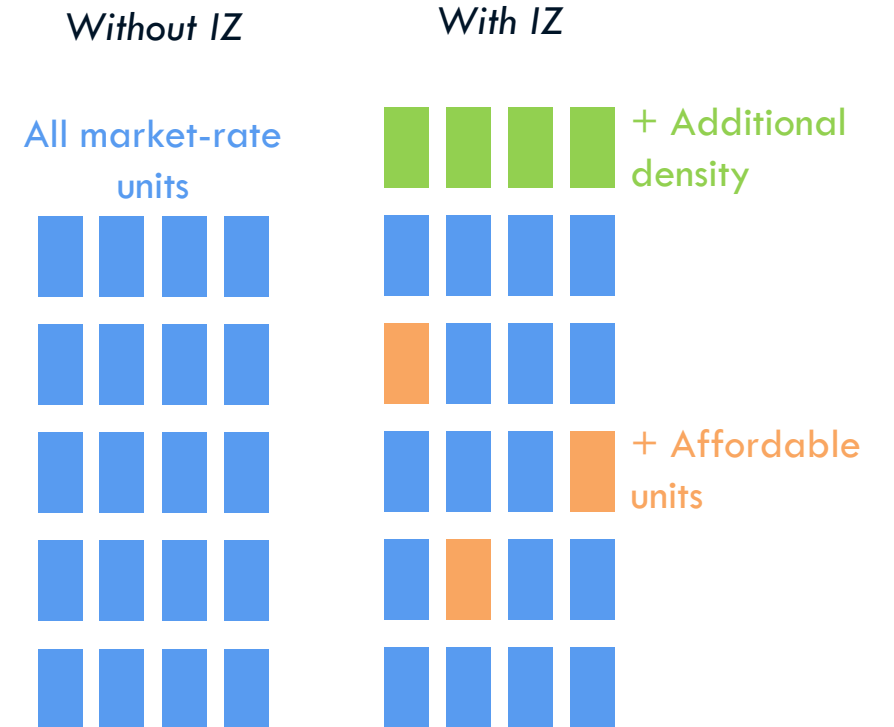
**1. Increase the amount and type of housing in residential areas**

**2. Decrease the cost to build and maintain housing**

**3. Increase options for the use of existing housing**

**Inclusionary Zoning** | The goal of an inclusionary zoning policy is to support Gainesville’s housing needs through the creation of affordable housing.

**Illustrative IZ Policy with Density Bonus Incentive**



### Benefits of IZ

---

**Captures value of land in areas with strong housing markets.** The Gainesville market has seen steady market-rate development in recent years in some neighborhoods, suggesting the potential to support development of some affordable housing.

---

**Serves households earning up to 80% of Area Median Income (AMI),** which is an area of need for Gainesville.

---

**Does not require public subsidy, though public subsidy may be provided as an incentive** to achieve more or deeper affordability.

### Limitations of IZ

---

**Does not work in weaker housing markets and submarkets,** where an overly restrictive IZ policy risks decreasing housing development, which ultimately harms affordability by both failing to deliver the mandated IZ units and limiting overall housing supply. An IZ policy that is overly restrictive relative to nearby jurisdictions also risks driving new development outside of political boundaries.

---

**Do not serve very deep levels of affordability need, such as for households earning up to 30% AMI.** For these residents, other alternatives such as housing vouchers should be layered with increased supply of rent-restricted affordable housing.

---

**Need to triangulate and optimize** between maximizing depth of affordability, ensuring continued housing development, and limiting the cost of incentives.



FEASIBILITY  
ANALYSIS

1. **Propose IZ scenarios to test**, based on national precedents
2. **Test IZ policy impact** on development profitability
3. **Identify and evaluate incentive tools** to narrow economic gap

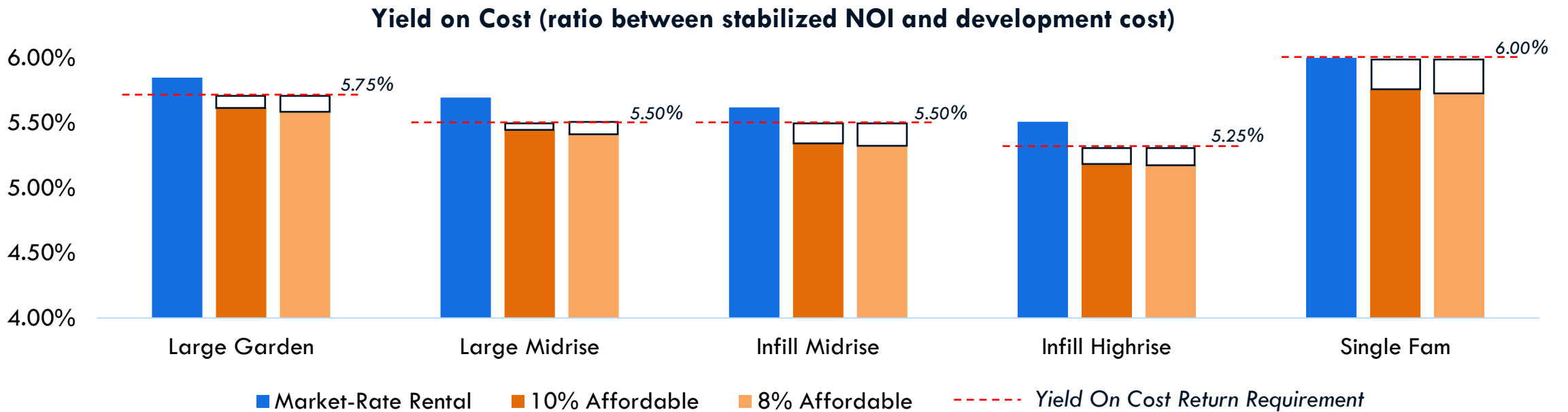
POLICY  
RECOMMENDATIONS

- Propose policy design**, including elements like:
- Affordability depth
  - Affordability duration
  - In-lieu fee
  - Unit pricing
  - Unit characteristics
  - Concurrency of unit delivery
  - Policy applicability

ADMINISTRATIVE  
RECOMMENDATIONS

- Once Gainesville has designed and adopted an IZ policy, it must administrate the policy through:
- Process Guidelines
  - Development Approvals
  - Program Management

**Inclusionary Zoning |** HR&A’s modeling finds that 10% and 8% IZ requirements bring project profitability below threshold return requirements for all five typologies.



## Inclusionary Zoning | A range of incentives are available to overcome the gap in expected financial returns.

Incentive	Proposal	Tradeoffs
<b>Additional density</b>	<i>Offer up to 30% additional density (more units)</i>	Can deliver strong financial value for owners without directly spending public dollars, but impact is limited if developers are currently building below existing land use regulations.
<b>Public land contributions</b>	<i>Waive an appropriate portion of public land costs (if density bonus is not sufficient)</i>	A highly valuable tool that reduces upfront development costs, but applicability may be limited (based on City land holdings).
<b>Expedited review</b>	<i>Always prioritize and expedite review for IZ projects, target 2 weeks</i>	Little to no cost to City; likely not valuable enough to be a “but for” incentive
<b>By-right development</b>	<i>Consider by-right approvals for IZ projects</i>	Little to no cost to City; likely not valuable enough to be a “but for” incentive
<b>Synthetic Tax Increment Financing</b>	<i>Explore mechanism for tax-increment financing to further deepen affordability</i>	Some cost to City, need to establish mechanism for residential properties, and requires Council vote; offers way to provide valuable subsidy without commitment of new dollars
<b>Direct subsidy</b>	<i>Not recommended unless reliable source of funding is identified and subsidy is used towards deepening affordability</i>	<ul style="list-style-type: none"> <li>• No sustainable, reliable source of ongoing funding</li> <li>• Highly valuable to developers, but costly to the City, and likely not the highest-impact/efficiency use of limited housing funds</li> </ul>
<b>Parking development</b>	<i>Not recommended</i>	Not meaningful as parking requirements are already low, sometimes below market demand

These requirements should be periodically reviewed and adjusted, every two years.

Key Program Design Element	Recommendation
<b>Set Aside &amp; Affordability Requirements:</b> calibrating depth and amount of affordable units, vs. feasibility of requiring units	<ul style="list-style-type: none"> <li>10% affordable units at 80% AMI</li> </ul>
<b>In-Lieu Fee</b> / Flexibility for Compliance	<ul style="list-style-type: none"> <li>Establish in-lieu fee option, set at \$120-160K per affordable unit that would have been built under IZ; adjust fee level every two years</li> </ul>
<b>Development Scale</b> (Size of Developments Subject to IZ)	<ul style="list-style-type: none"> <li>Apply IZ requirements to multifamily residential developments with ten or more units</li> </ul>
<b>Applicability</b> (Voluntary vs. Mandatory, Applicability to Existing Developments)	<ul style="list-style-type: none"> <li>Voluntary opt-in for geographies outside of IZ policy</li> <li>Incentives applicable to non-market rate units</li> <li>Not applicable to existing development</li> </ul>
<b>Affordability Term / Duration</b>	<ul style="list-style-type: none"> <li>99 years</li> </ul>
<b>Unit Pricing</b> (based on household income and size)	<ul style="list-style-type: none"> <li>Follow existing HUD guidelines</li> </ul>
<b>Unit Characteristics</b>	<ul style="list-style-type: none"> <li>Ensure affordable units are identical with market-rate units</li> </ul>
<b>Concurrency</b> of Delivery of Affordable Units	<ul style="list-style-type: none"> <li>Include a concurrency requirement</li> </ul>
<b>Fractional Units</b>	<ul style="list-style-type: none"> <li>Adopt normal rounding rules, rounding up for fractional units above 0.5</li> </ul>

## Next Steps

### Exclusionary Land Use Controls

- Provide guidance to the Department of Sustainable Development on key land use code elements for revision (all or a subset of those identified in this study).
  - Implement land use control changes through land use code changes and other code or regulation changes, as needed.
- If IZ is not the highest-priority policy, pursue alternatives, such as an affordable housing trust fund.
  - If IZ is the highest-priority policy, begin to prepare for implementation by establishing an “owner” for policy design and development.

## Existing Conditions: Housing Instability in Gainesville

Several distinct but related issues are driving housing instability and unequal housing outcomes in the City of Gainesville.



### **Racial Segregation**

In Gainesville, race is a key determinant of where you live, access to diverse housing options and homeownership, and the value of your home.



### **Housing Cost Burden**

Extreme housing cost burden, driven primarily by low incomes, is a key driver of housing instability in Gainesville.

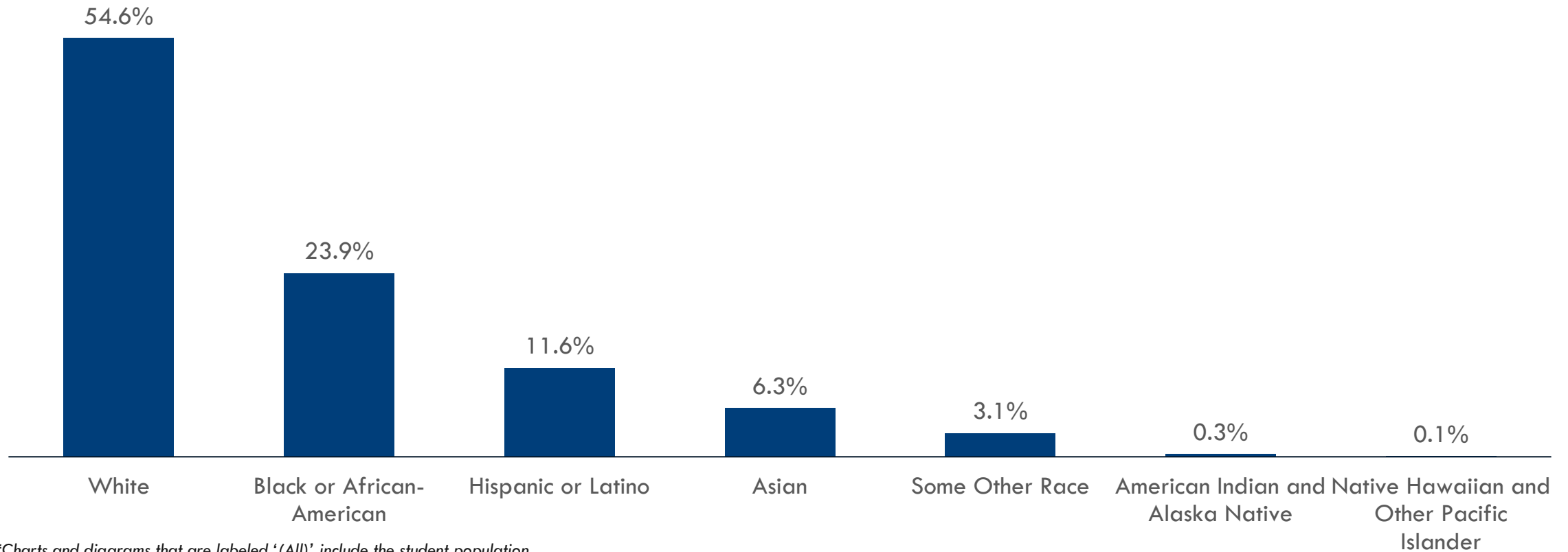


### **Housing Access and Quality**

New rental housing in Gainesville has disproportionately benefited student renters, and non-student renters live in older, less diverse housing types as a result.

Gainesville’s population is predominately (55%) white. Black or African Americans are the next largest racial group, making up ~24% of the population.

**Percent of Total Population by Race (All)\***

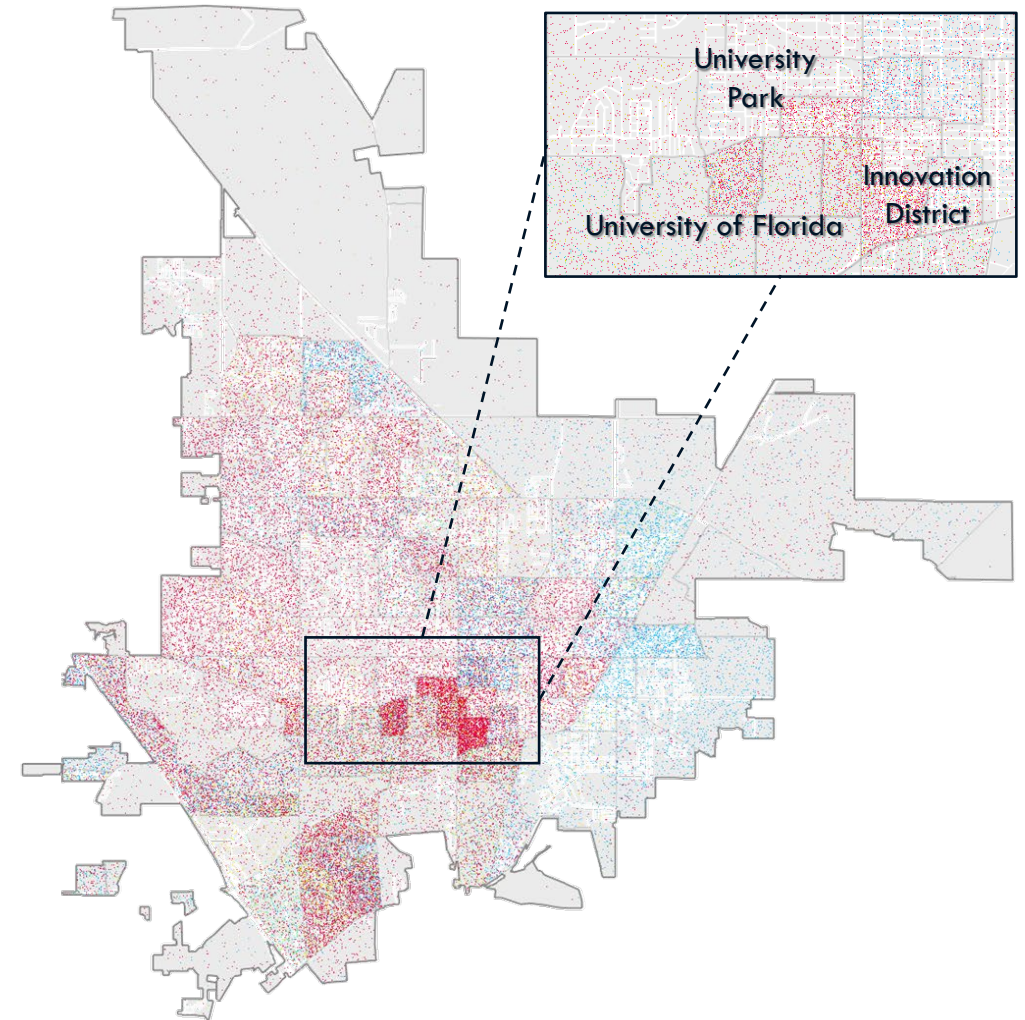


\*Charts and diagrams that are labeled '(All)' include the student population.



# Gainesville is racially segregated.

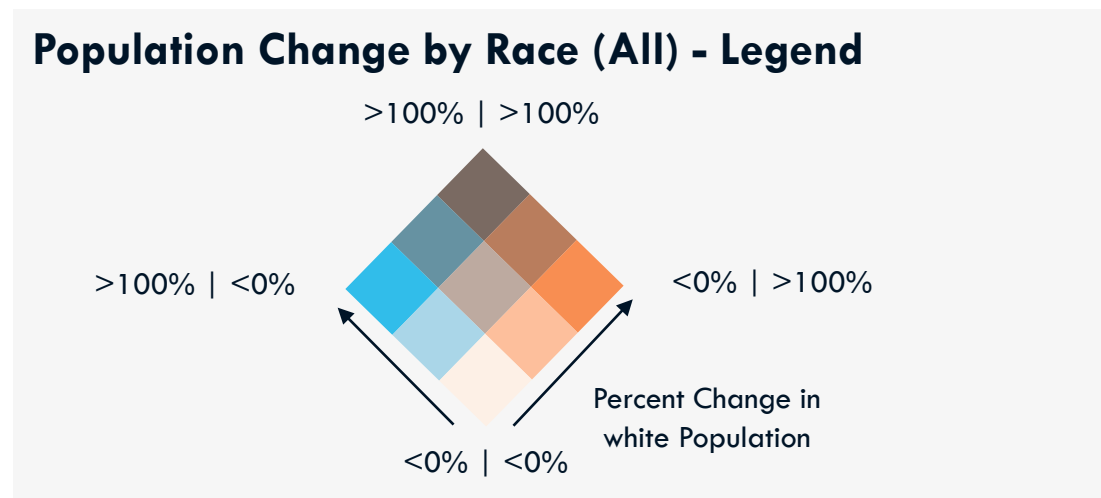
White households are increasingly concentrated in west and northwest Gainesville, while Black households are concentrated in east Gainesville and increasingly in the southeast part of the City.



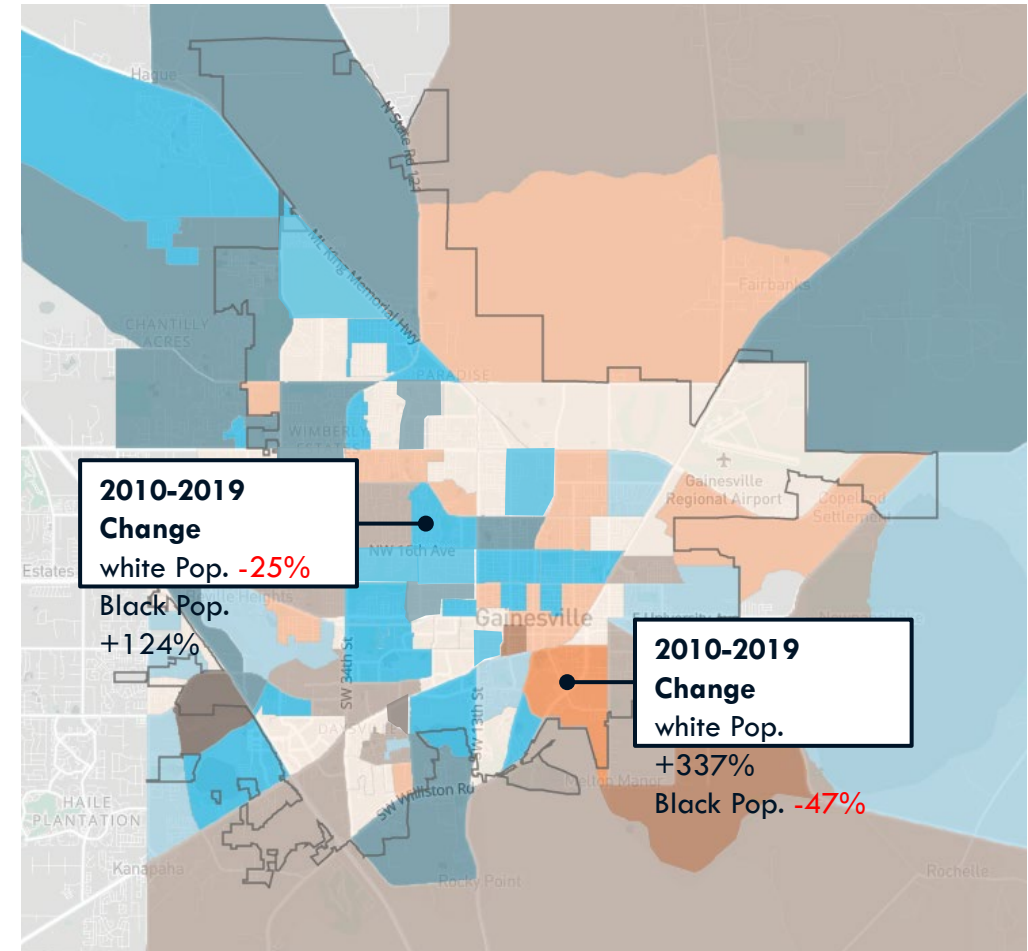
Source: Social Explorer – ACS 2019 (5-Year Estimates)

# Race directly shapes population change in Gainesville.

In several areas, an increase in the Black population coincides with a decrease in the non-Hispanic white population, and vice versa. Many of the census block groups to the south of NW 16<sup>th</sup> Ave and along the Western portion of Gainesville are experiencing growth in their Black population, while also experiencing a loss in the white population. Northern Gainesville in particular has seen a substantial growth in white households while simultaneously losing Black households.



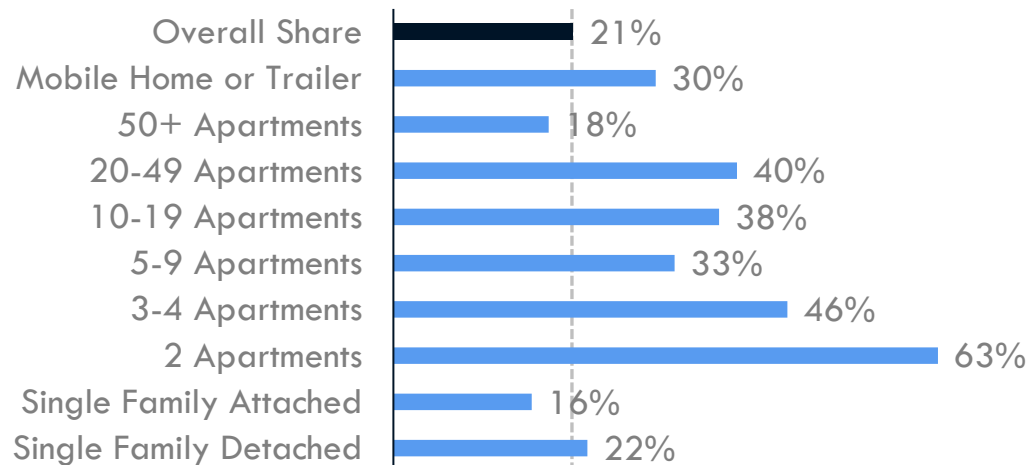
Source: Social Explorer – ACS 2010, 2019 (5-Year Estimates)



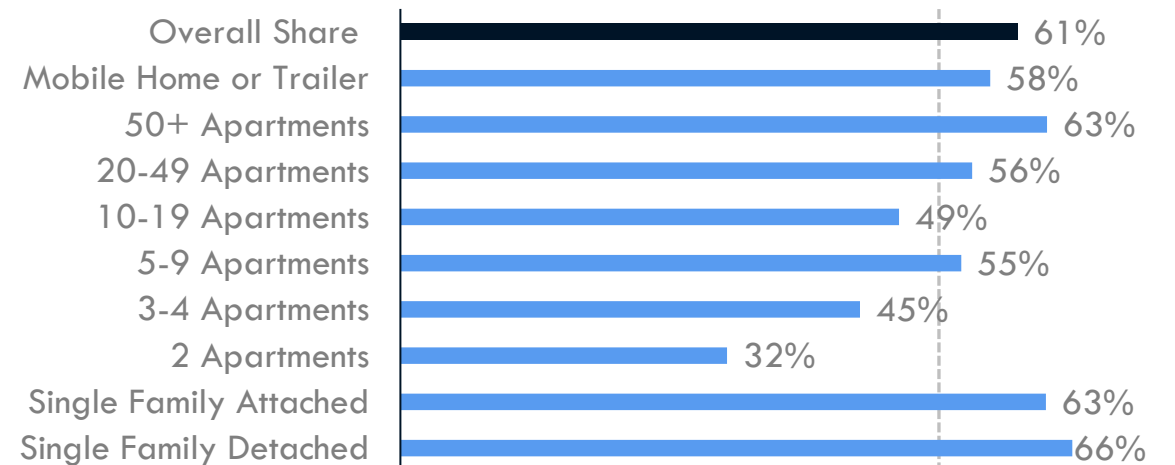
# Race determines not only where people live in Gainesville, but also the type of housing in which they live.

Gainesville’s Black population occupies “missing middle” housing, or buildings with 2-4 units, at a high rate relative to the population, while white households are underrepresented in this typology. White households are more likely to live in single-family homes (which are typically owned, rather than rented) and large apartment complexes. The differences in occupancy by race reflect housing affordability trends. In Gainesville, missing middle housing tends to be more affordable to low- and middle-income residents compared to single-family homes and multifamily buildings.

**Share of Black Households by Housing Type (Non-Student)**

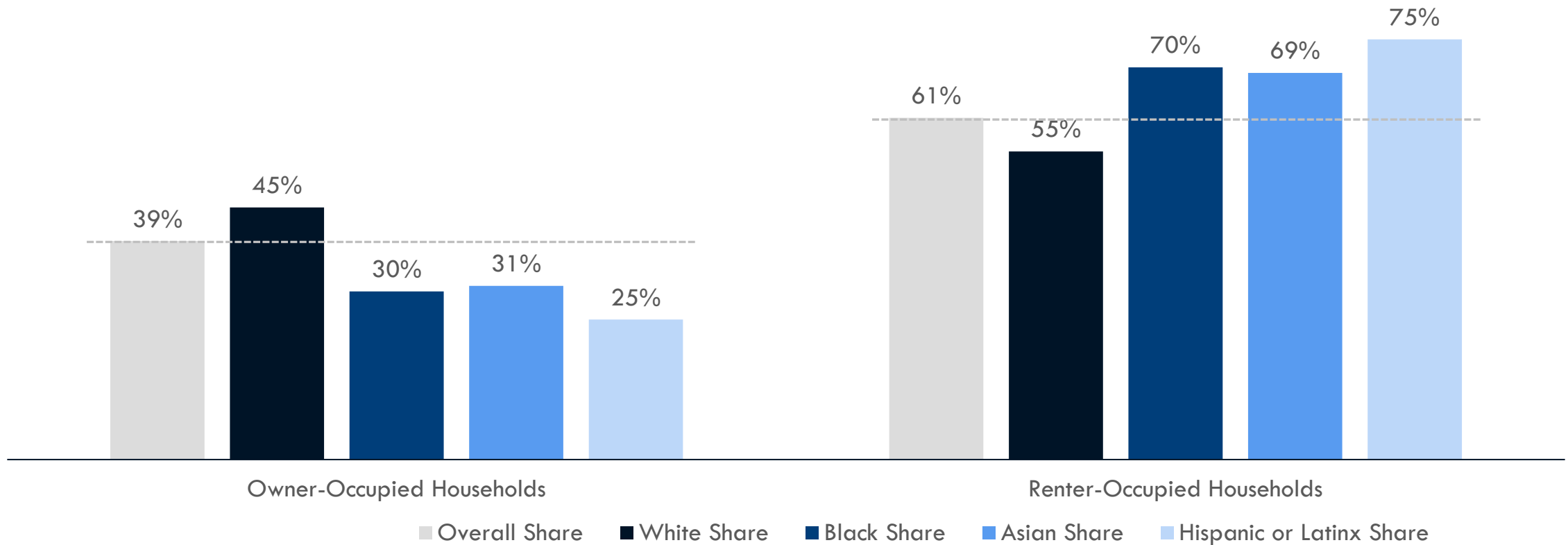


**Share of Non-Hispanic White Households by Housing Type (Non-Student)**



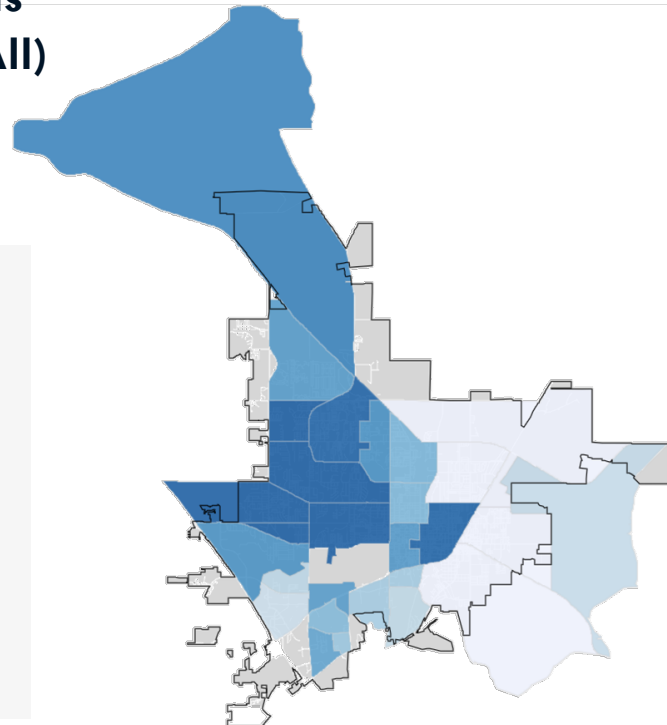
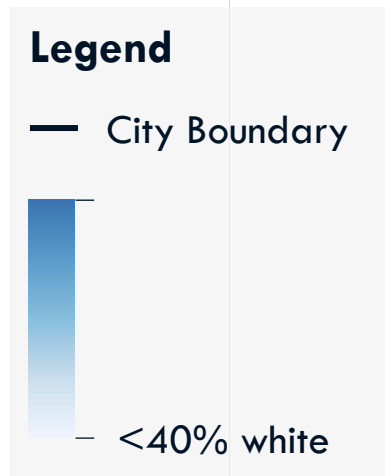
White households are more likely to own homes than non-white and or Hispanic households, cementing a disparity in generational wealth-building.

Tenure by Race (All)

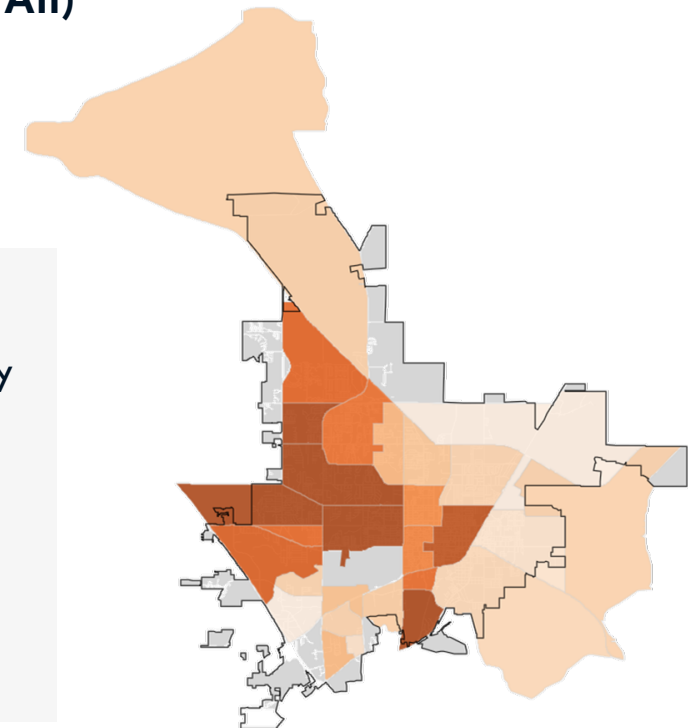
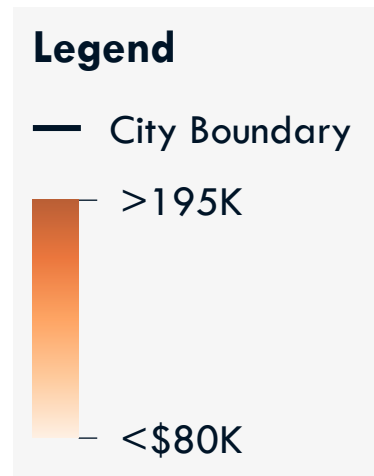


Predominately white neighborhoods correlate with higher median assessed home values, increasing the wealth that accrues to white households.

**Share of Non-Hispanic or Latinx white Households  
(Census Tracts, All)**










**Median Home Value  
(Census Tracts, All)**



Source: Social Explorer – ACS 2019 (5-Year Estimates)

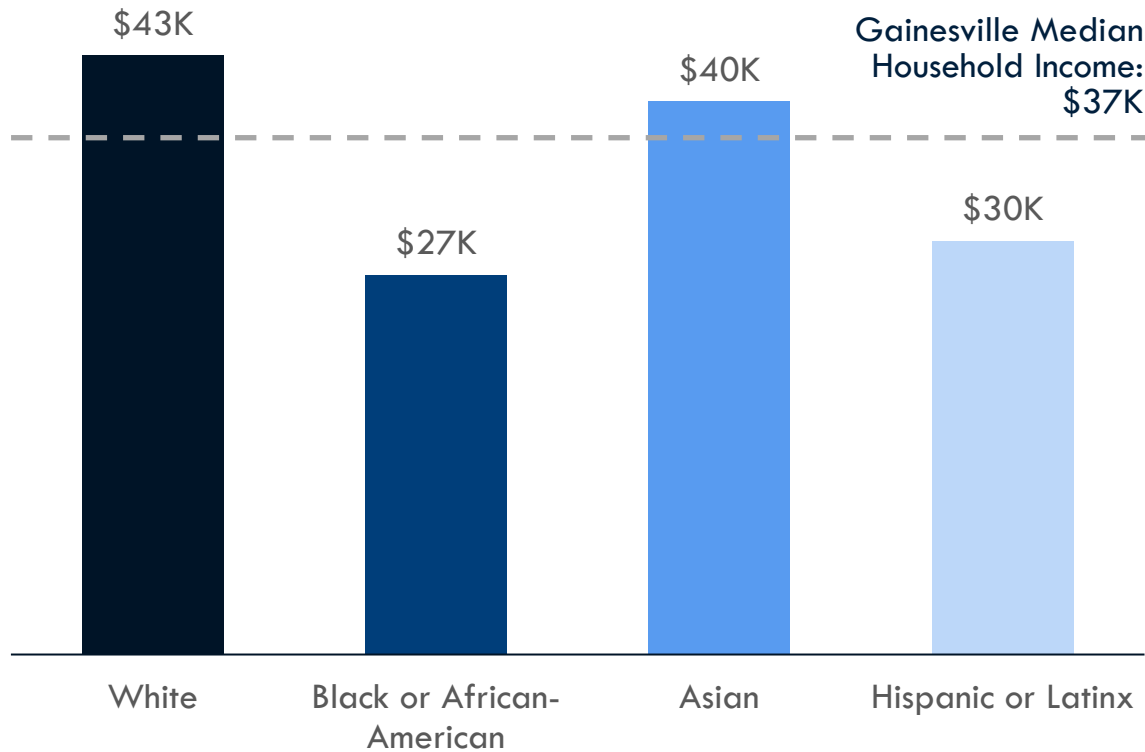
## Low household incomes, especially for renters, are a key driver of housing cost burden and instability in Gainesville.

- Housing cost burden is defined by the cost of housing *relative* to incomes. The more a household spends on housing costs, the less **residual income** it has available for other basic needs, such as food and childcare. The median household income is about **\$37,000 in Gainesville**, well below what it costs to maintain a stable living standard.
- A household is considered **cost burdened** when it spends more than 30% of its gross income on housing costs. This measure can be more impactful for lower income households, as they struggle to live with **low residual incomes**.
- When affordable rental housing is unavailable, low-income households face housing instability and are more vulnerable to unsafe living conditions, overcrowding, and costly and harmful evictions.

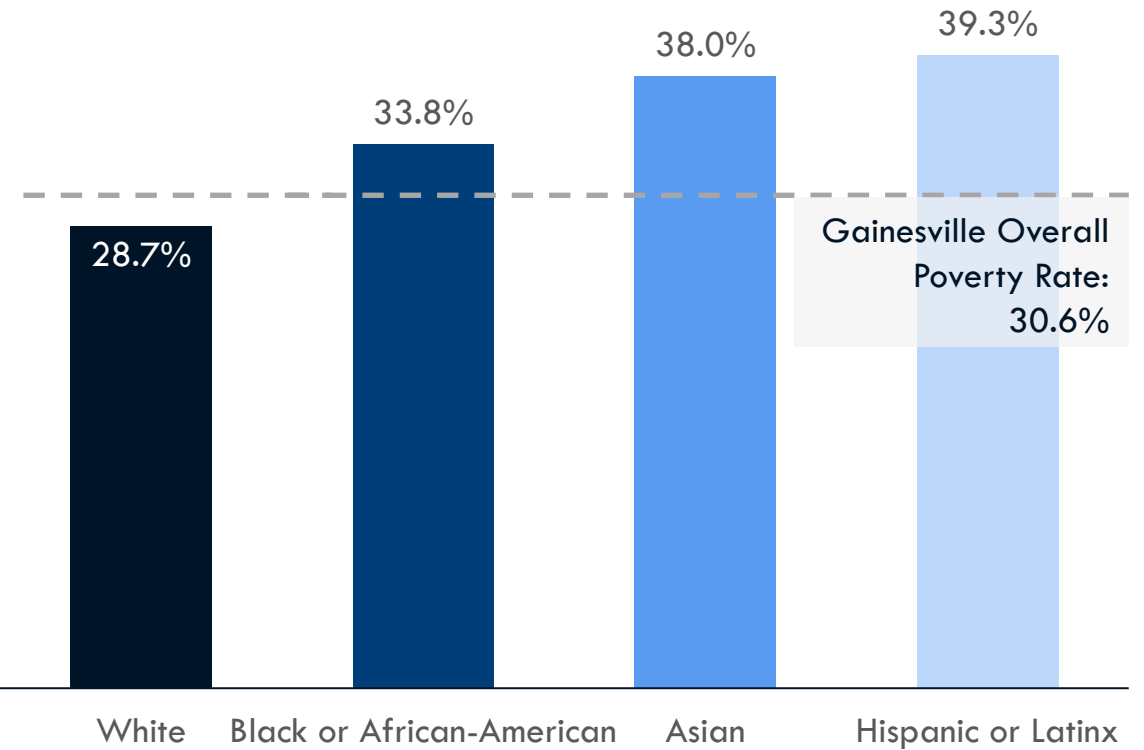
MONTHLY COSTS	
2 adults <i>and</i> 2 children Gainesville metro area	
 HOUSING	\$894
 FOOD	\$892
 CHILD CARE	\$899
 TRANSPORTATION	\$1,134
 HEALTH CARE	\$1,098
 OTHER NECESSITIES	\$720
 TAXES	\$627
<b>MONTHLY TOTAL</b>	<b>\$6,265</b>
<b>ANNUAL TOTAL</b>	<b><u>\$75,183</u></b>

Race is a strong predictor of household income. Only white and Asian households earn above the median. Black households earn 73% of the median.

Median Household Income by Race (All)

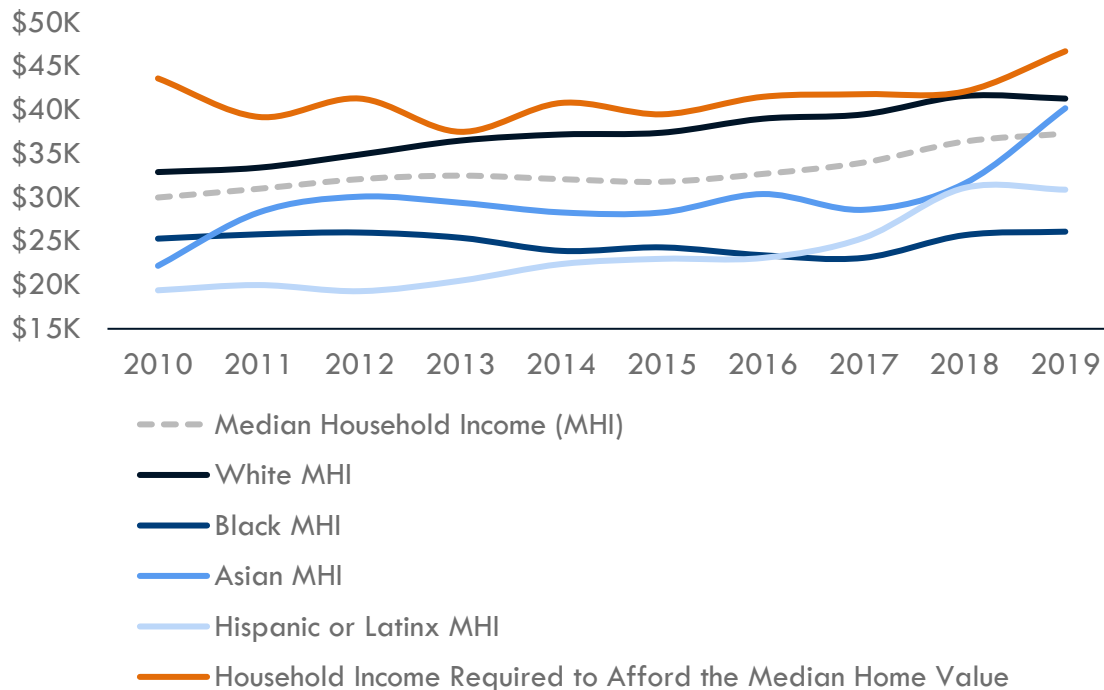


Poverty Rate by Race (All)

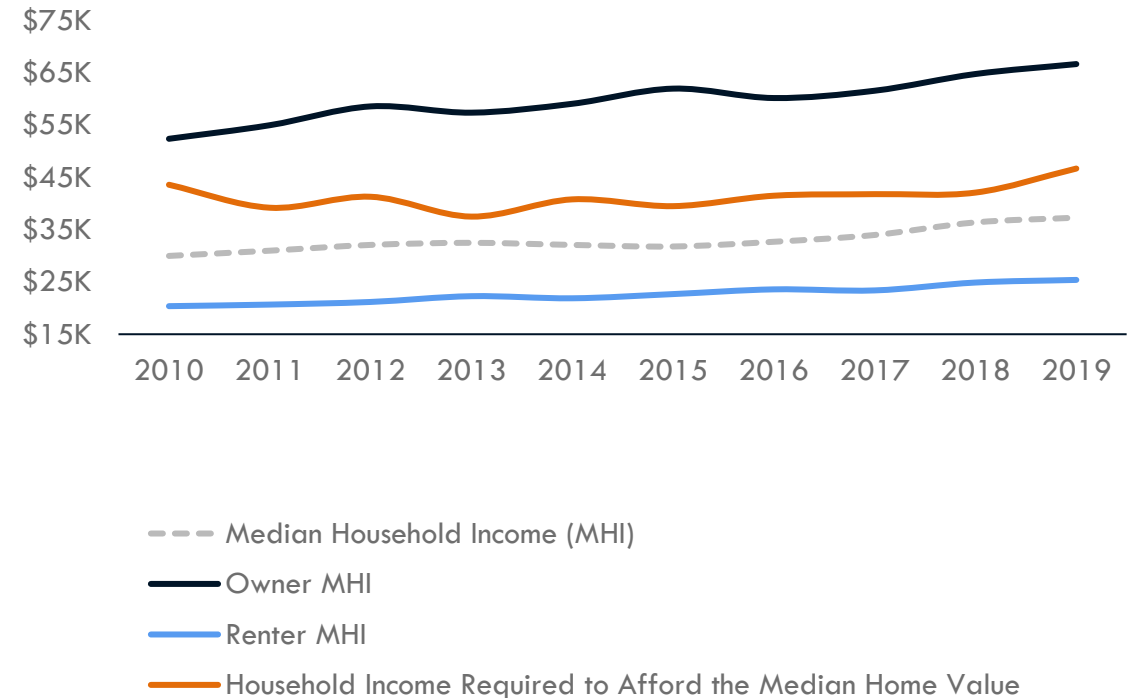


Homeownership remains unattainable for the average household in Gainesville, especially Black, Hispanic and renter households.

**Income at which Median Home is Affordable by Race (All)**



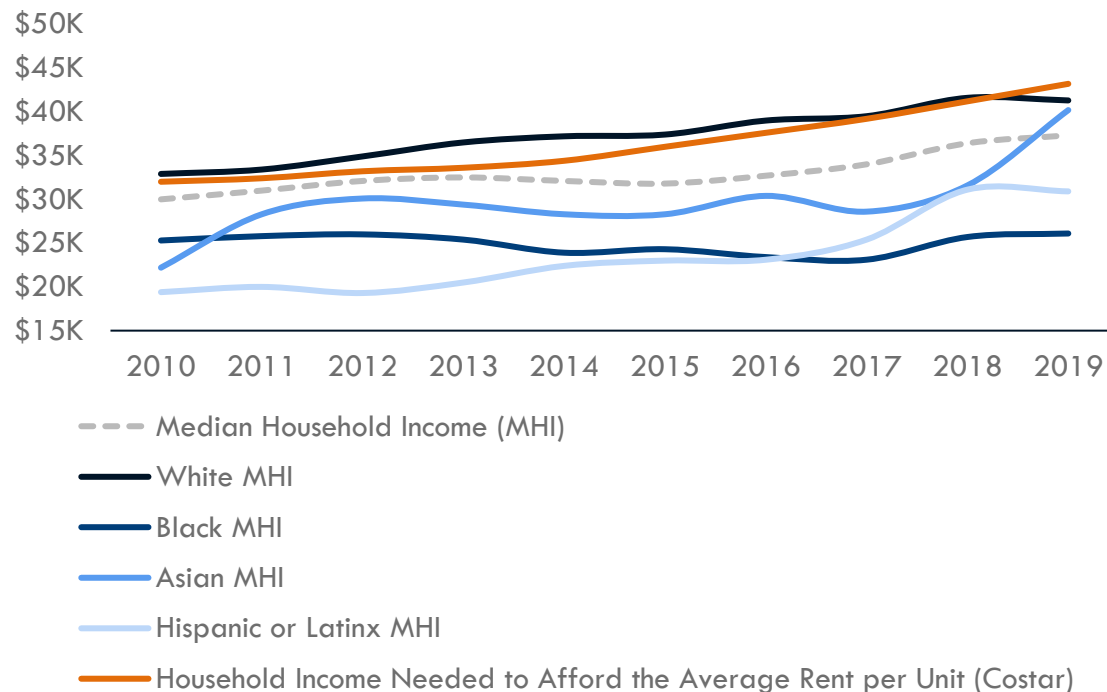
**Income at which Median Home is Affordable by Tenure (All)**



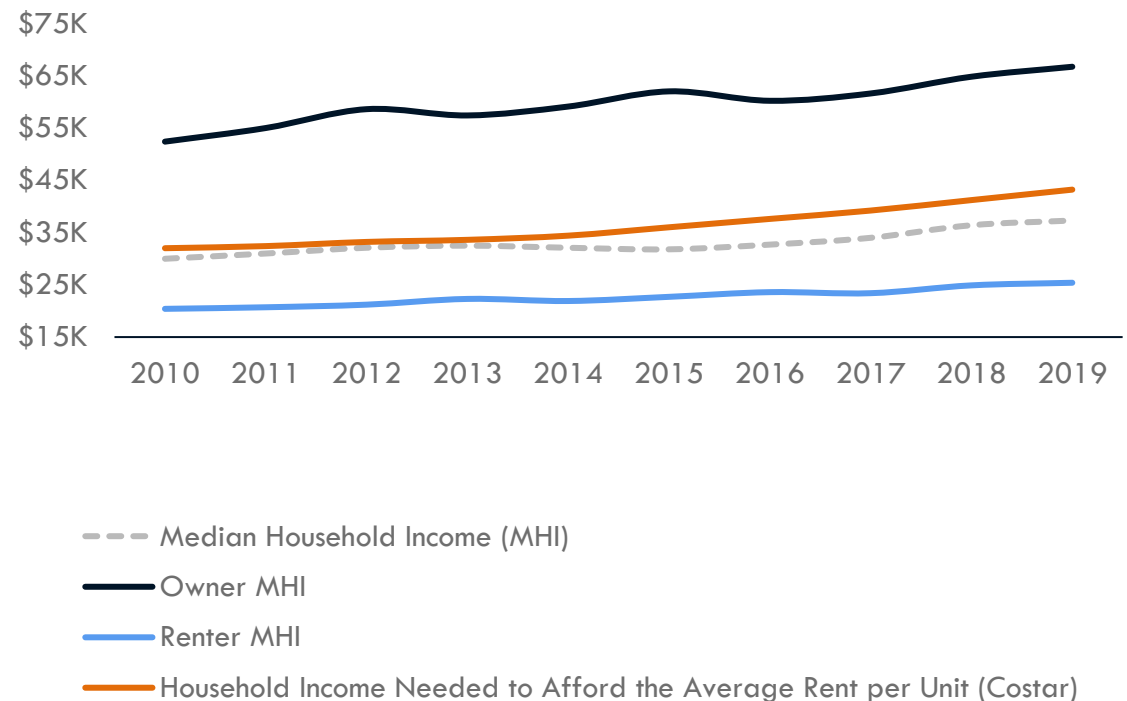


The average rental unit is only affordable to the typical white or owner-occupied household in Gainesville.

**Income at which Average Rental Unit is Affordable by Race (All)**

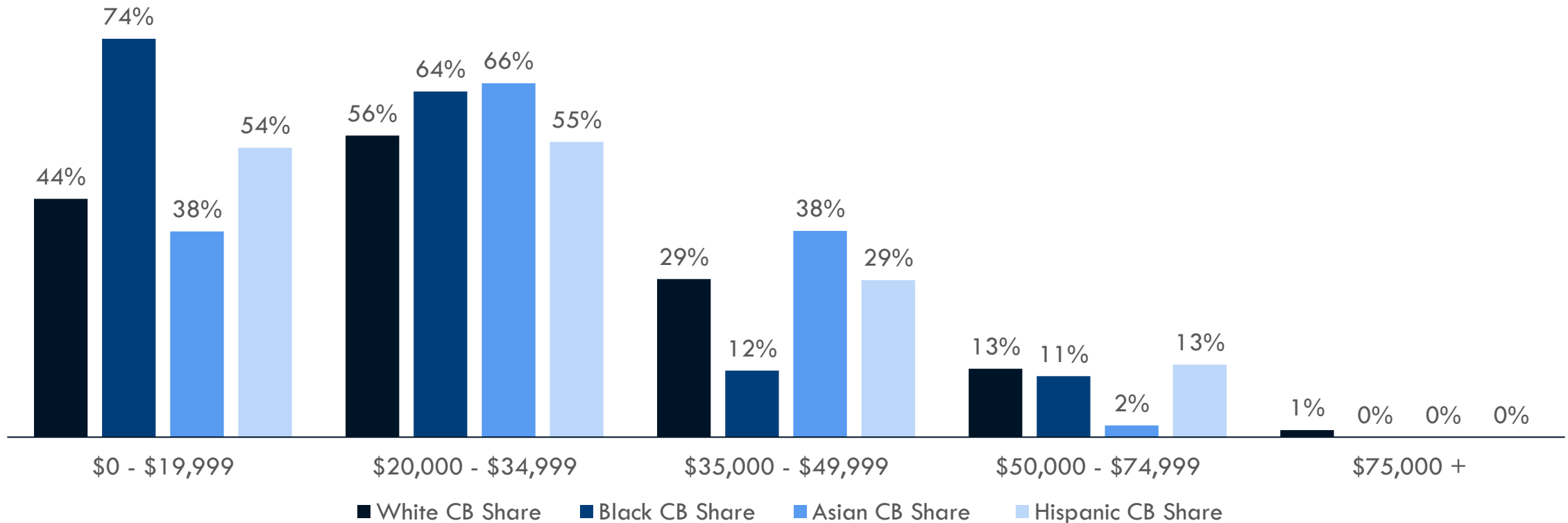


**Income at which Average Rental Unit is Affordable by Tenure (All)**

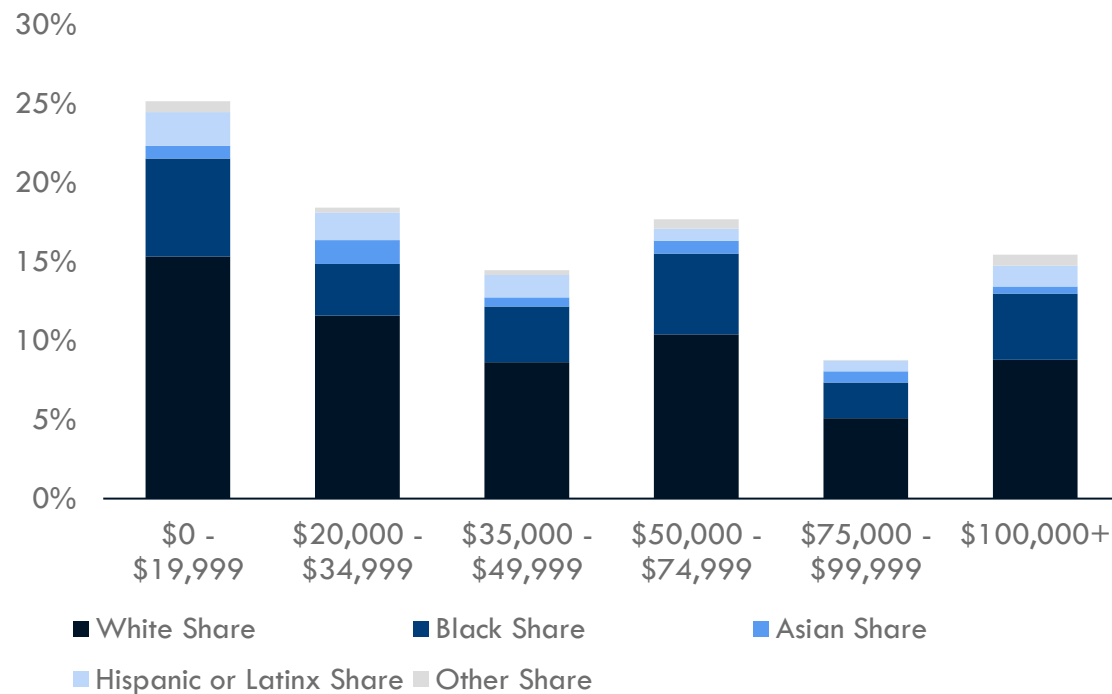


Renters of all races earning <\$35K per year experience high rates of housing cost burden, indicating a need for more affordable rental units.

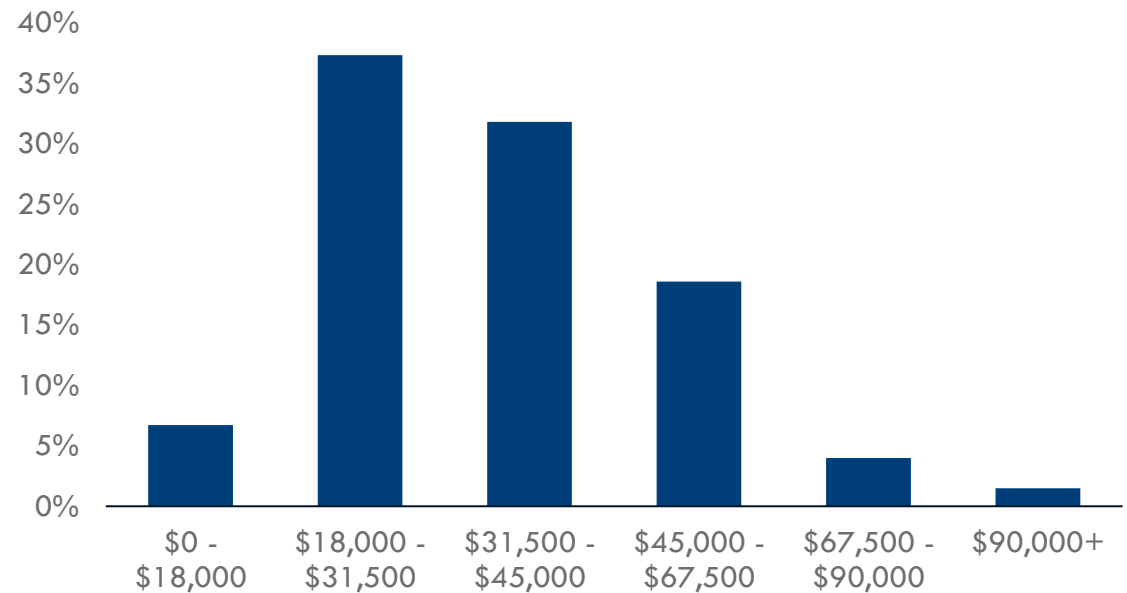
Share of Cost Burdened Renters by Race (Non-Student)



**Distribution of Non-Student Renters by Income Group**



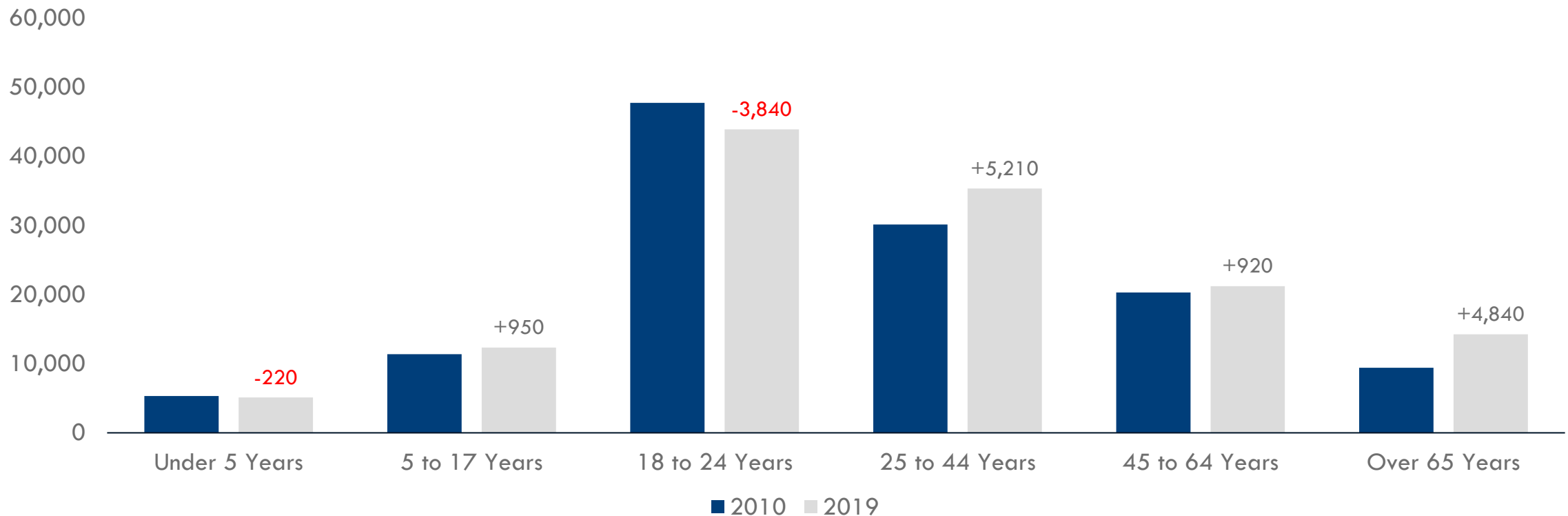
**Distribution of Rental Units Affordable to Each Income Group (Non-Student)**



Source: Public Use Microdata Sample (PUMS) ACS 2019 (5-Year Estimates)

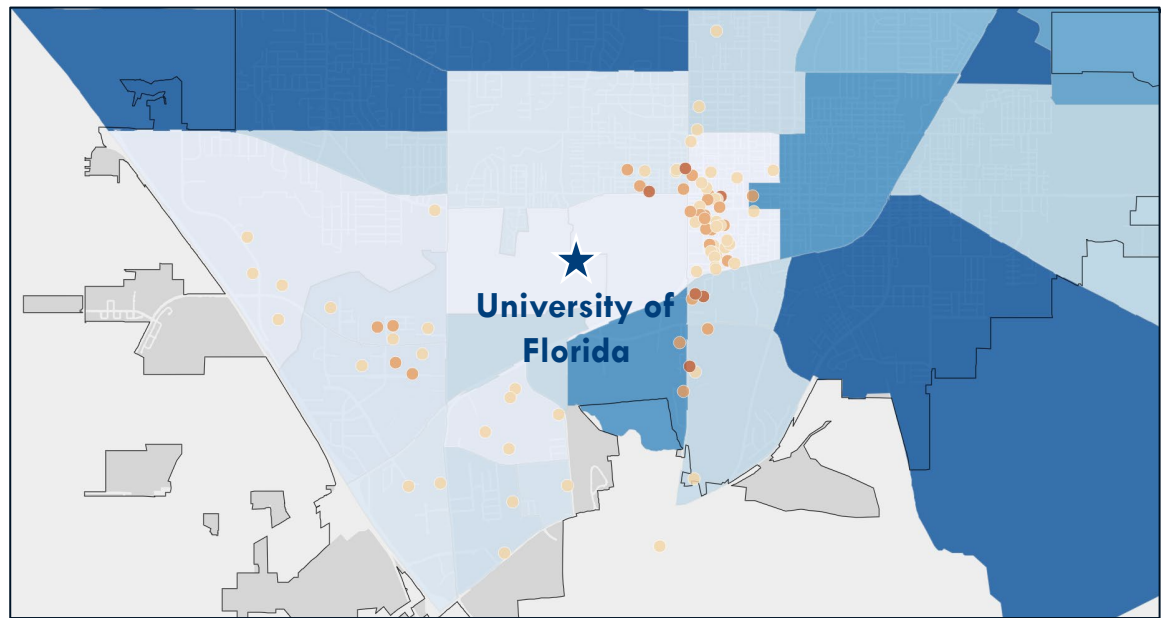
Nearly a third of Gainesville’s population is between ages 18 to 24, illustrating the significant student population in schools such as University of Florida.

**Population Change by Age Group (All)**

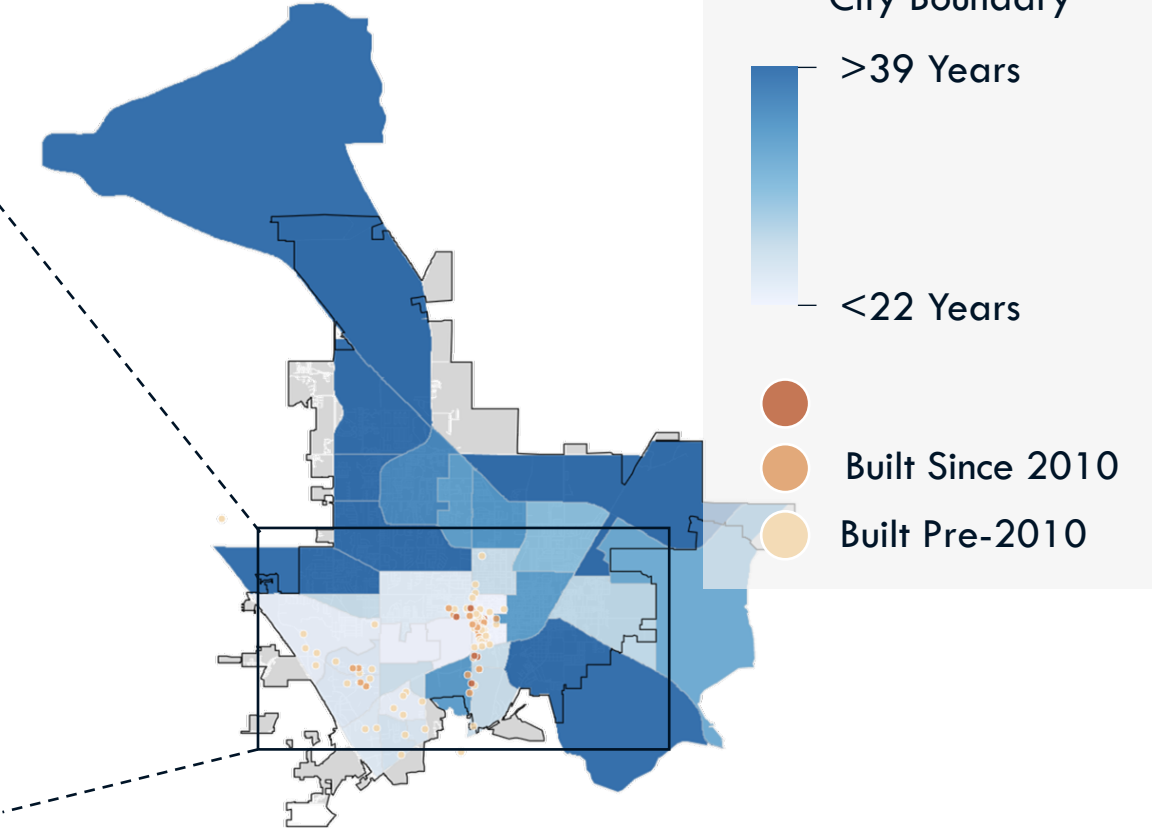


# 36 percent of all rental units in Gainesville exclusively serve or cater to students.

Younger residents are concentrated around the southwestern parts of Gainesville, in proximity to the University of Florida. Older adults live in the northern and southern suburbs of the City.



## Median Age by Census Tract and Student Housing\*



**Legend**

- City Boundary
- >39 Years
- <22 Years
- Built Since 2010
- Built Pre-2010

\*Includes both student housing (i.e., housing that exclusively serves students) and student-focused housing (i.e., housing that caters to students but is available to all residents).

Source: Social Explorer – ACS 2019 (5-Year Estimates), Costar

## Exclusionary Land Use Controls

Land use regulations shape the amount, type, and location of newly developed housing, which ultimately affect the cost and affordability of housing.



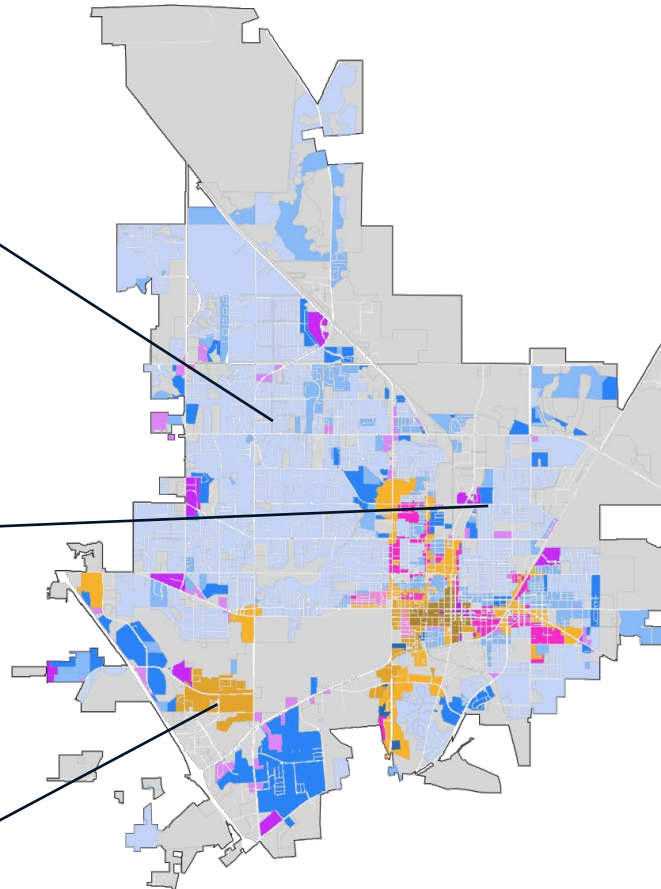
**Springtree** | Single-Family | 1977



**Chelsea Apts.** | Rental | 1992



**Integra 24** | Rental | 2020



Land use is important because allowing housing supply to grow to match demand is the foundation of creating affordability in a housing market. Without sufficient supply and a range of housing options, all other housing strategies are less effective and more costly.

**Legend**

- Residential Low
- Residential Medium
- Residential High
- Mixed-Use Low
- Mixed-Use Medium
- Mixed-Use High
- Mixed-Use Residential
- Mixed-Use Office/Resi.
- Urban Mixed-Use
- Urban Mixed-Use High
- Urban Core

## Exclusionary land use controls exclude racially diverse households from residential areas: directly, by limiting what housing is built, and indirectly, by pushing up housing costs.

While zoning is the most recognizable land use control, it is one of many tools that local government uses to control how, where, and what kind of development occurs. County and State land use regulations and housing policy, such as HB 7103, also play a role in determining development patterns in Gainesville. For the purposes of this analysis, HR&A focused on local land use controls that the City of Gainesville has direct control over. HR&A reviewed the existing literature on exclusionary land use controls, the relationship between racial and economic segregation, and the connection between land use controls and the cost of housing. This literature review revealed the following themes:

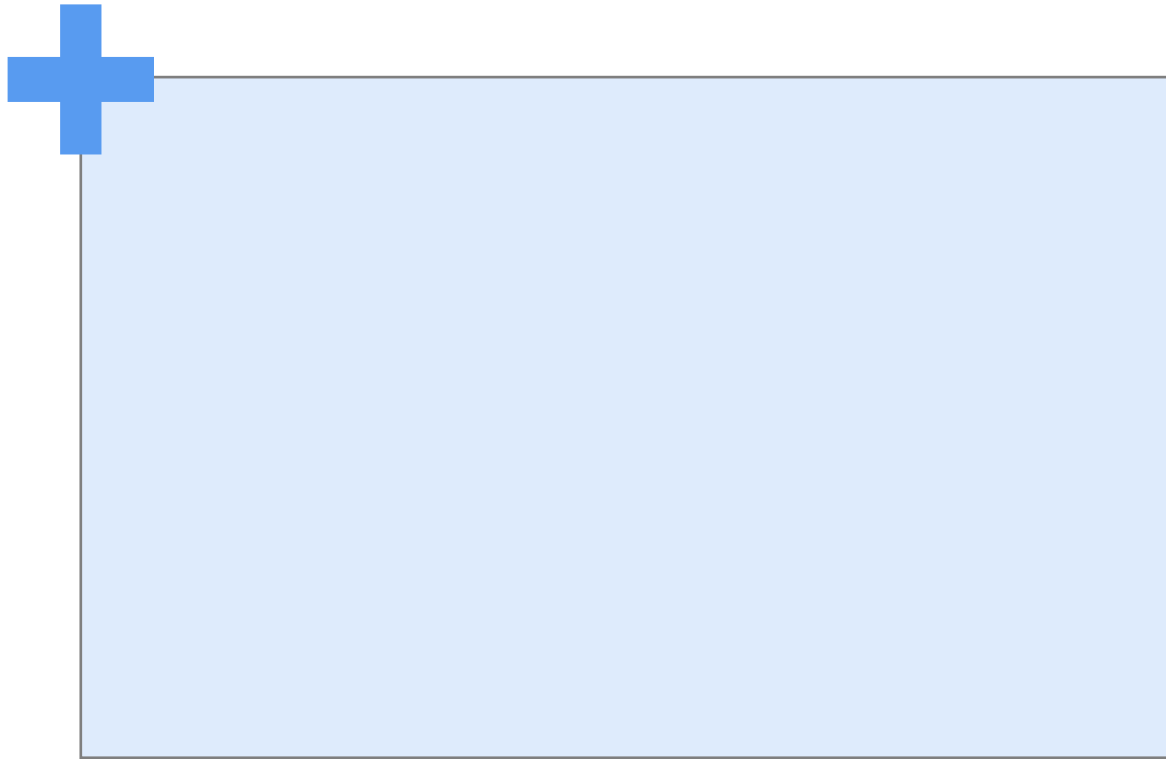
*HR&A reviewed a range of academic and professional sources including the Lincoln Institute of Land Policy, and the National Bureau of Economic Research, among others. For a complete list of sources reviewed, see Appendix I. \*Enterprise Community Partners measures neighborhood opportunity through housing stability, education, health and well-being, economic security, and mobility.*



Exclusionary land use controls are local regulations that:

- 1. Directly decrease or limit housing supply in residential areas**  
*(strict lot utilization and parcel constraints)*
- 2. Increase the cost to build new housing**  
*(strict design and compatibility requirements)*
- 3. Limit the use of existing housing**  
*(strict occupancy and mobile home limitations)*

Changing exclusionary land use controls reduces racial and economic exclusion across a housing market by increasing housing supply and diversity and reducing housing costs.



*Without reducing exclusionary land use controls, all other housing strategies, and those that require subsidy in particular, are less effective and more costly.*

Using the three exclusionary criteria, HR&A reviewed Gainesville’s Code of Ordinances to analyze the implementation and impact of land use controls in Gainesville.

### Key Exclusionary Land Use Controls in Gainesville’s Code of Ordinances by Criteria

Criteria	Code of Ordinance Provisions
Directly decreases or limits housing supply in residential areas	<ul style="list-style-type: none"> <li>• <b>Lot utilization constraints</b> (e.g., setbacks, minimum lot dimensions, height limits, density limits)</li> <li>• <b>Parcel constraints</b> (lot split limits)</li> </ul>
Increases the cost to build new housing	<ul style="list-style-type: none"> <li>• <b>Design and compatibility constraints</b> (e.g., historic preservation/conservation overlay, development compatibility)</li> </ul>
Limits the use of existing housing	<ul style="list-style-type: none"> <li>• <b>Occupancy limitations</b></li> <li>• <b>Mobile home location</b></li> </ul>

**Lot utilization constraints** constrain the development potential of an individual lot, increasing the price point of new housing and reducing the diversity of housing types.

While there are important reasons for lot utilization constraints, when too constraining, they limit the number of housing typologies that are feasible to build on a lot. When these constraints are widespread, they limit the diversity of housing across a city and drive up the price point of individual units as developers seek to maximize the value of each lot. These exclude a broad range of households from being able to access and benefit from new housing.

**Primary lot utilization constraints in Gainesville’s code of ordinances:**

**Residential  
Density Limits**

Density limits constrain the number of units that can be built per acre of land, regardless of setbacks or height restrictions.

**Setbacks**

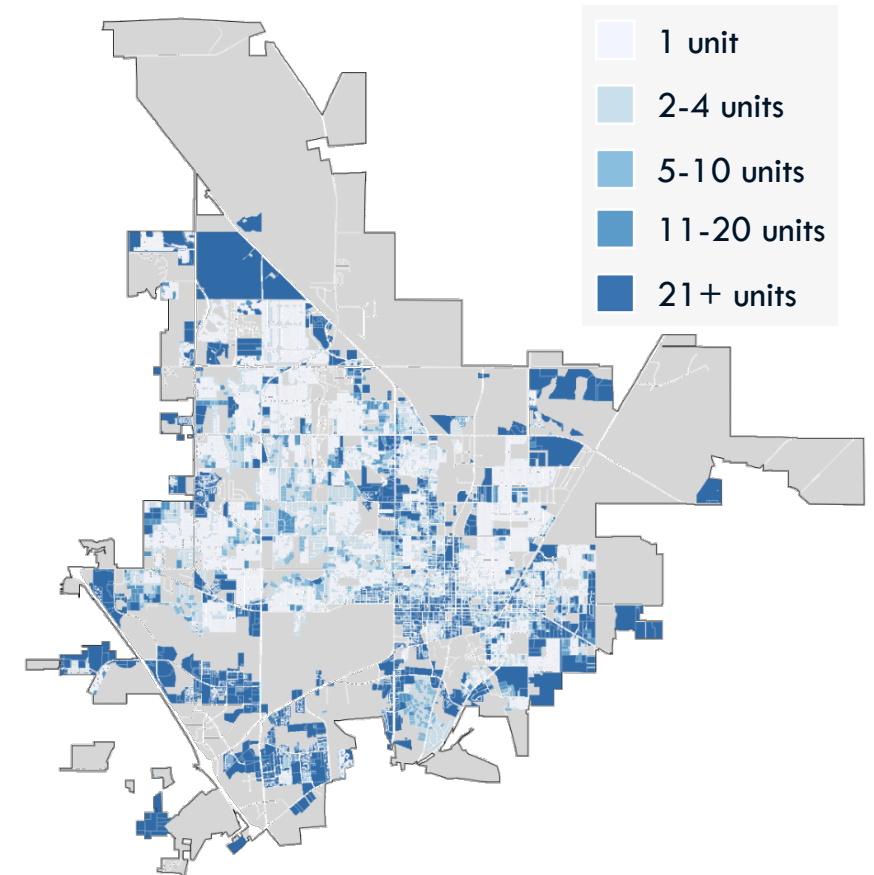
Strict minimum setback requirements on lots that permit multifamily dwellings limit the number of units that can be built, in some cases below the number of units that would otherwise be permitted through density limits.

**Height Limits**

Building height limitations can prevent the construction of vertical housing typologies which accommodate more households on a given lot compared to single-family development.

Residential density limits are the most restrictive lot utilization constraint. In Gainesville, **63%** of residential parcels allow for the construction of only one housing unit.\*

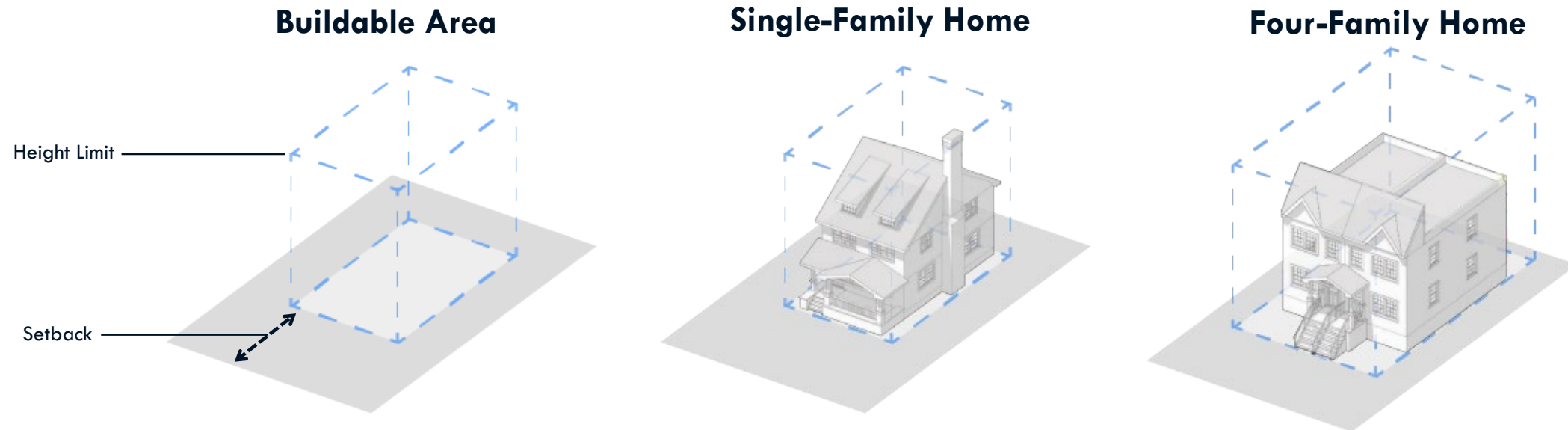
Zoning District	Max Density (Code)	Max Density Adjusted to Median Lot Size	Total Land Area in Gainesville	% of Total Residential Land Area
RSF-1	3.5 units/ac	1.2 units	5,793 ac	42.0%
RSF-2	4.6 units/ac	1.1 units	1,506 ac	10.9%
RSF-3	5.8 units/ac	1.1 units	814 ac	5.9%
RSF-4	8.0 units/ac	1.3 units	323 ac	2.3%



\*One unit includes all values greater than 0 to less than 1.5, 2-4 units includes all values greater than or equal to 1.5 and less than 4.5, and so on. Excludes Planned Development zones.

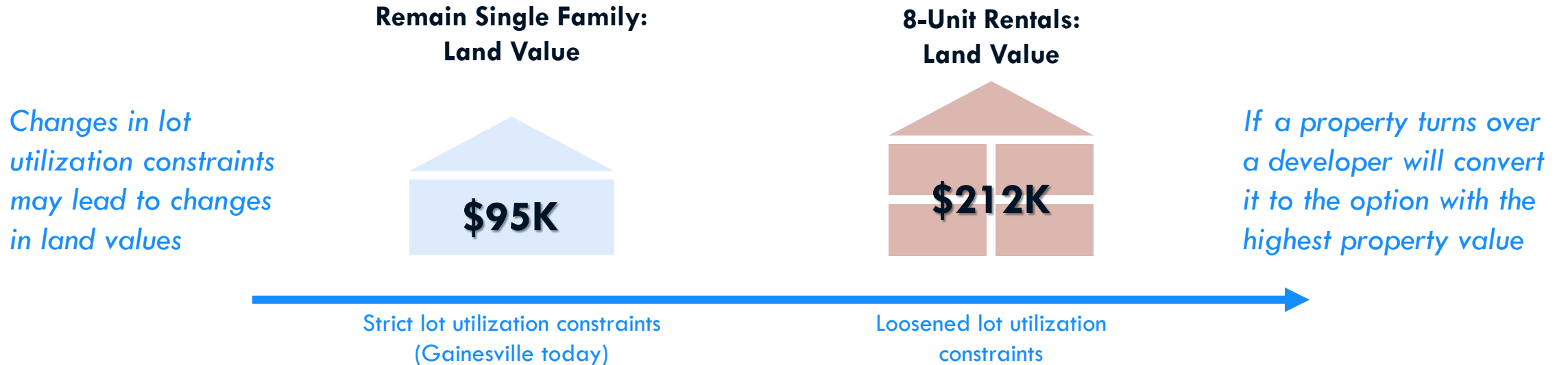
Strict lot utilization constraints incentivize developers to build larger single-family homes to maximize land value. This hurts the affordability of new for-sale housing supply.

Setbacks and height limits work together to form the **buildable area** of the lot, and the density limit determines how many units can be built within that buildable area. When the City sets strict constraints, developers will generally build larger single-family homes to maximize the value of the land within those constraints. When they are not strict, developers will generally build more units on one lot, which can house more families at a more moderate price point.



# Loosening lot utilization constraints would encourage developers to build different, denser housing typologies that house more families.

HR&A analyzed development costs at the parcel level for a typical 8,500 SF lot in Gainesville and modeled land-owners decisions in response to reducing residential density limits. When developers are less constrained on a lot, they will build the number of units that maximizes the land value. Analyzing the **land value\*** of different typologies on the same lot demonstrates this decision-making.



\*"Land value" in this context refers to residual land value (RLV), or the price an investor will pay in a market, arms-length transaction for a piece of property and its development rights, calculated based on anticipated revenues, total development costs, and required return threshold. The 8-unit rental scenario assumes 2-bedroom units of 980 SF using the same lot coverage limits as the baseline scenario but no density limit. Sources: CoStar, Zillow, Gainesville parcel data.

Reducing lot utilization constraints creates more opportunities for families to access new housing at a lower price point.

Changing the number of units built on a single site means that units are delivered at different **price points** based on the intensity of the use.



**Remain Single Family**



**8-Unit Rentals**

<b>Home Price/Rent of New Housing</b>	<b>\$378K</b>	<b>\$1,500 per unit</b>
<b>Annual HH Income Needed to Afford*</b>	<b>\$78K</b>	<b>\$61K</b>
<b>Families Housed per Parcel</b>	<b>1</b>	<b>8</b>

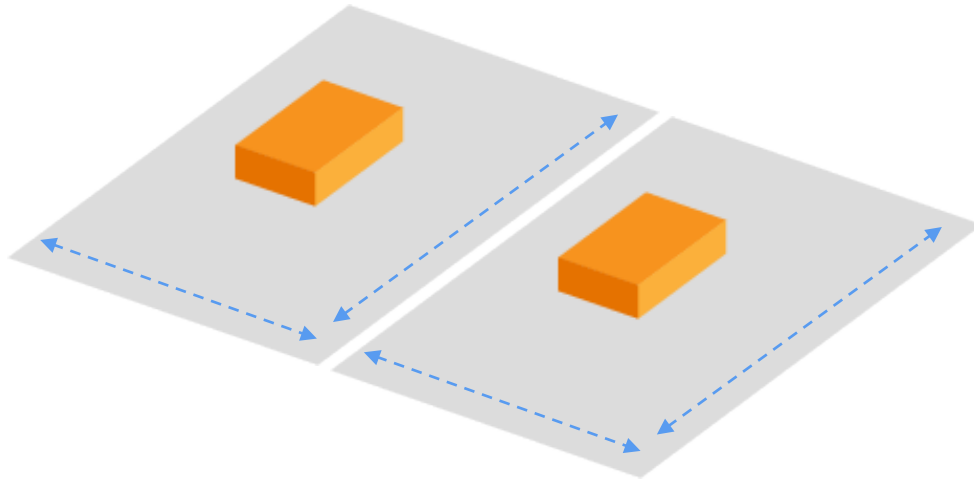
\*Assumes a housing cost burden ratio of 30% as per the United States Department of Housing and Urban Development.

Sources: Zillow, CoStar



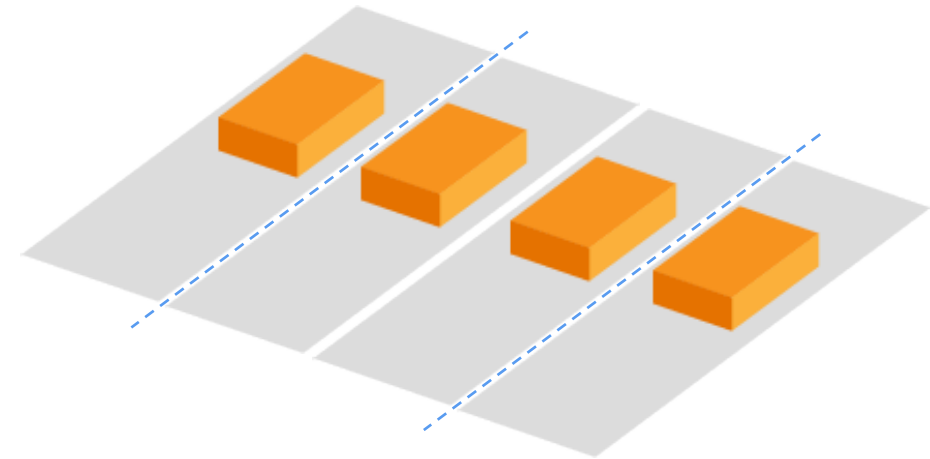
**Parcel constraints** limit the intensity of use of a *group* of parcels, reducing the likelihood that new, large housing developments include diverse housing types at a range of prices.

### Minimum Lot Dimensions



### Lot Split Limits

Lot split limits in minor subdivisions prevent developers and existing homeowners from subdividing larger lots to accommodate additional housing units at a more affordable price point.



**Design and compatibility requirements** increase the cost to build and maintain housing, which raises cost burdens for low-income homeowners and excludes renters.

Historic preservation overlays can require homeowners to construct and maintain certain architectural and aesthetic features on their properties. The upfront investment and upkeep costs related to design requirements makes these homes more expensive and can make homeownership less attainable for low- and moderate-income households in Gainesville.

### Development Compatibility Requirements

The Code of Ordinances uses density restrictions and design requirements to physically separate multifamily and single-family residential development. Not only does this directly exclude residents of multifamily buildings, who tend to be renters, in certain situations owners of multifamily properties must incur the costs related to building and maintaining buffer areas and partitions, which in turn limits the financial feasibility of denser (and more affordable) housing typologies.



*Multifamily property owners must construct and maintain a decorative masonry wall if their property abuts a single-family home.*

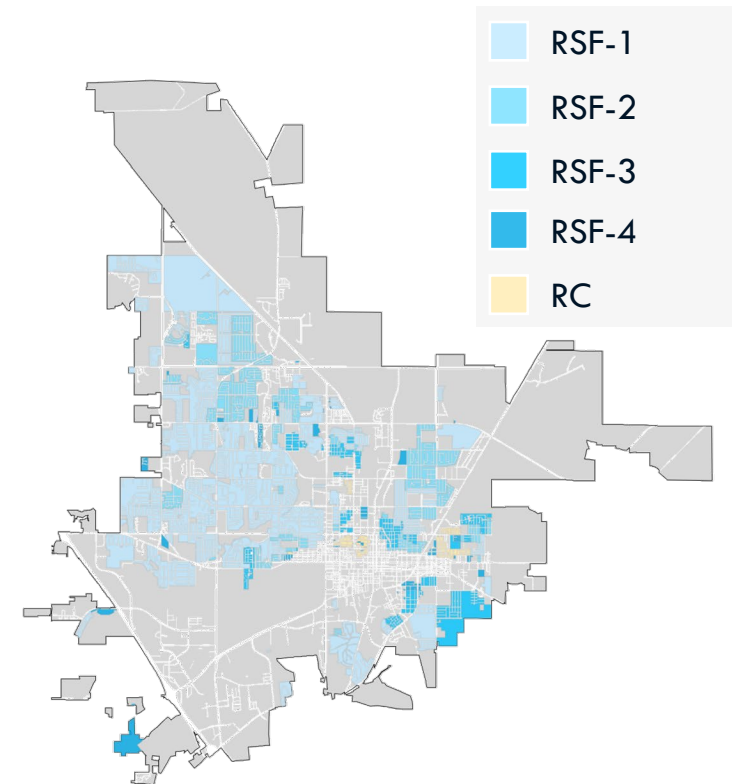
**Strict occupancy requirements** encourage developers to build single-family structures rather than attached housing, which would allow more families to live on the same lot.

### Occupancy Requirements

Occupancy requirements prohibit more than one family from living in one structure, which in turn excludes households with a diverse range of housing needs and preferences. The Code of Ordinances prohibits more than one family from occupying a dwelling in RSF-1, RSF-2, RSF-3, RSF-4, and RC zoning districts. These districts comprise **61%** of the total residential land area in Gainesville. The requirement is also applicable to residential PDs with a maximum residential density of eight units per acre.

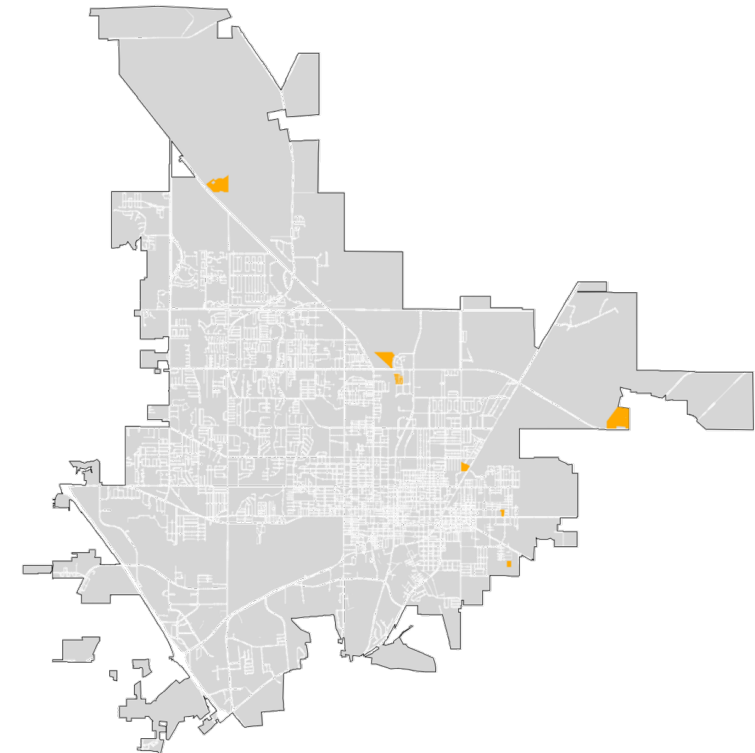
### Bedroom Limits

In the University of Florida Context Area, the City limits the number of bedrooms that can be located within a single structure. This encourages developers to build single-family houses rather than attached houses, which would have a higher total bedroom count. Placing a cap on bedrooms also constrains the housing supply for large households.



**Limitations on the location of mobile homes in Gainesville exclude low-income households for whom mobile homes are an affordable homeownership option.**

**Zones Where Mobile Homes are Permitted**



The City of Gainesville should complete in-depth land use analyses to consider the following changes to exclusionary land use controls.

- Reduce setbacks in low and moderate density residential areas.
- Permit lot splits in minor subdivisions.
- Reduce minimum lot dimensions.
- Allow housing typologies beyond single family ("missing middle", 2- to 4-unit housing) in residential districts with strict lot utilization constraints.
  
- Eliminate compatibility requirements between multifamily and single family uses.
- Reduce expensive design standards in historic preservation districts.
  
- Identify additional areas to permit mobile home uses.
- Eliminate single family occupancy limitations in low density districts.
- Increase the bedroom limit in the University of Florida Context Area when a structure includes more than one dwelling (attached housing).



## Outcomes

**1. Increase the amount and type of housing in residential areas**

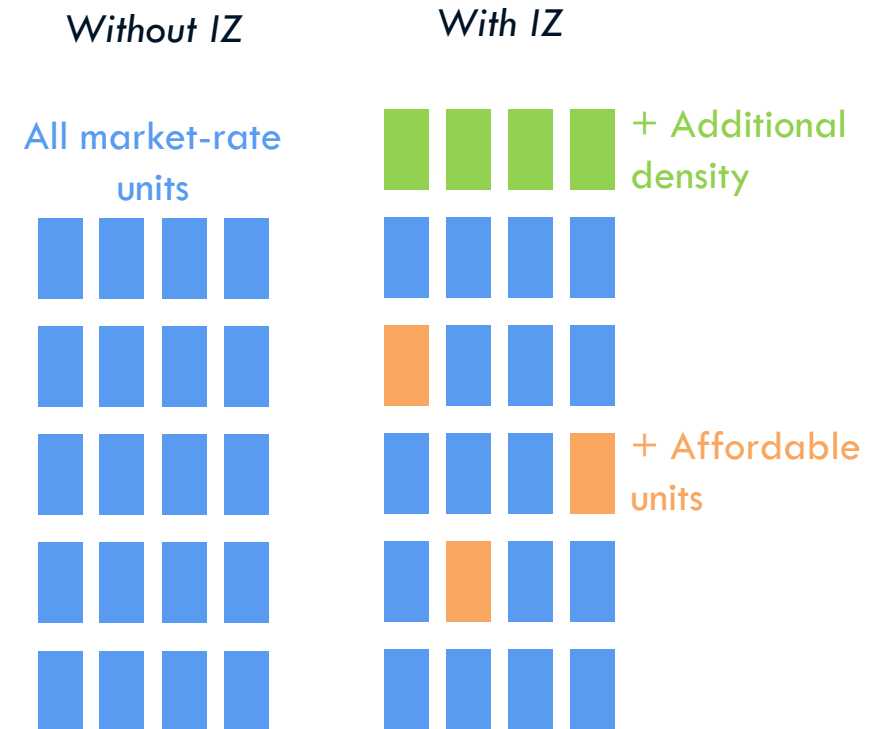
**2. Decrease the cost to build and maintain housing**

**3. Increase options for the use of existing housing**

## Inclusionary Zoning Feasibility

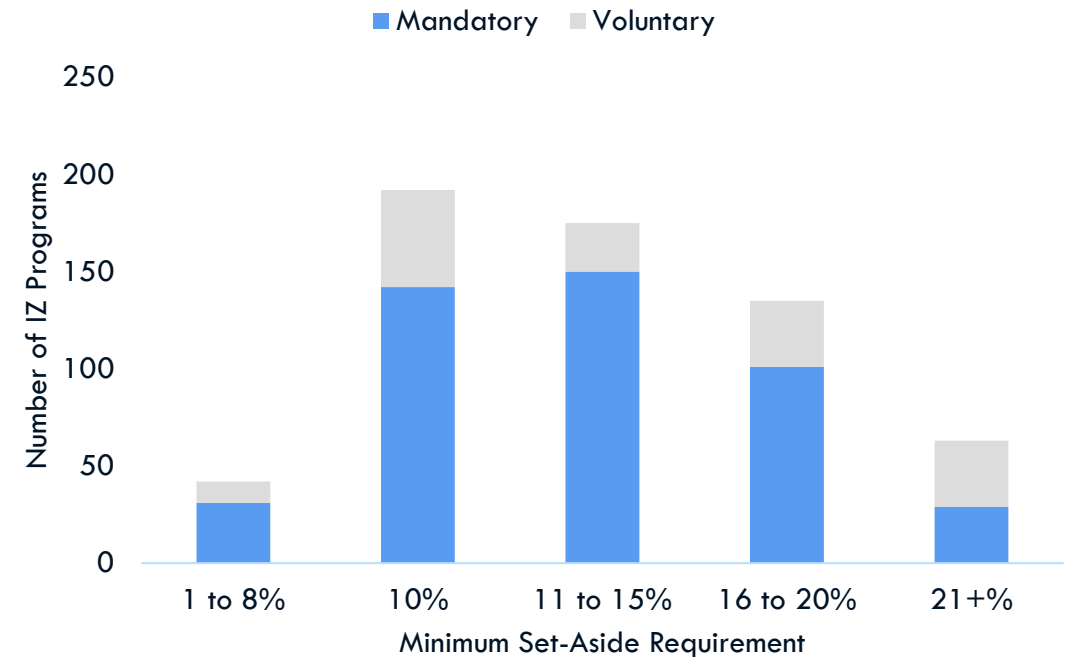
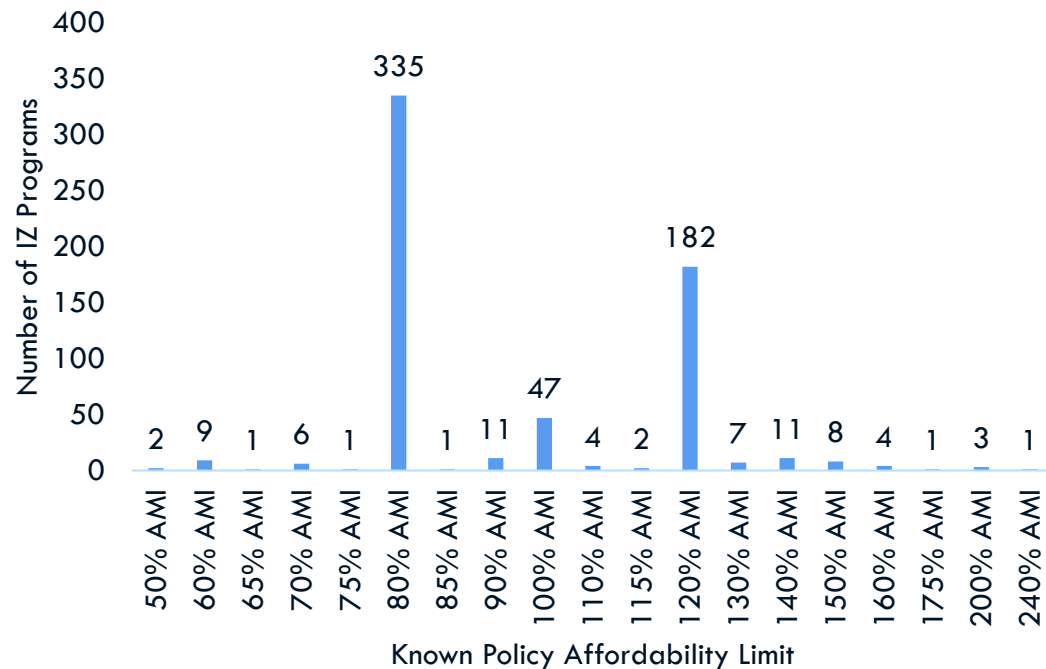
The goal of an inclusionary zoning policy is to support Gainesville’s housing needs through the creation of affordable housing that the market would not otherwise build.

### Illustrative IZ Policy with Density Bonus Incentive



IZ policies around the country typically serve households earning up to 80% or 120% AMI, and require 10, 15, or 20% minimum set-asides.

For programs with greater than 20% affordability set-aside requirements, over half of the IZ programs are voluntary. The depth and amount of affordability required in each program depends on the strength of the local housing market. The programs also vary in the incentives that are offered to support housing development.



Source: HR&A analysis of Grounded Solutions Network Inclusionary Housing Database, 2020.



### Benefits of IZ

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**Captures value of land in areas with strong housing markets.** The Gainesville market has seen steady market-rate development in recent years in some neighborhoods, suggesting the potential to support development of some affordable housing.

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**Serves households earning up to 80% of Area Median Income (AMI),** which is an area of need for Gainesville.

---

**Does not require public subsidy, though public subsidy may be provided as an incentive** to achieve more or deeper affordability.

### Limitations of IZ

---

**Does not work in weaker housing markets and submarkets,** where an overly restrictive IZ policy risks decreasing housing development, which ultimately harms affordability by both failing to deliver the mandated IZ units and limiting overall housing supply. An IZ policy that is overly restrictive relative to nearby jurisdictions also risks driving new development outside of political boundaries.

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**Do not serve very deep levels of affordability need, such as for households earning up to 30% AMI.** For these residents, other alternatives such as housing vouchers should be layered with increased supply of rent-restricted affordable housing.

---

**Need to triangulate and optimize** between maximizing depth of affordability, ensuring continued housing development, and limiting the cost of incentives.

Florida State law requires that local governments seeking to use IZ policies align market economics and public benefit.

**Section 125.01055** of Florida’s statutes authorizes localities to increase the supply of affordable housing using land use mechanisms, such as inclusionary housing or linkage fees. Inclusionary housing ordinances may require a specific set-aside of housing units or an in-lieu fee.

**In May 2019, the Florida Legislature passed HB7103**, which amended this statute to require municipalities in Florida to use incentives to “fully offset all costs” to a developer associated with creating affordable housing units from inclusionary zoning. These incentives may include (but are not limited to) density bonuses, reduced or waived fees, or granting other incentives.

For example, in August 2019, **Palm Beach County** revised the **Workforce Housing Program (WHP)**, a mandatory inclusionary program for 10+ units in Urban/Suburban tiers, to create incentives that reflect the number of affordable units. Similarly, in October 2019, **The City of Ocala** updated the **Affordable Housing Incentive Fund** to offset some of the costs of developing affordable units with money accrued from new development.

Sources: [The Florida Legislature](#), [Florida Housing Coalition](#), [City of Gainesville Affordable Housing Advisory Committee](#)

FEASIBILITY  
ANALYSIS

1. **Propose IZ scenarios to test**, based on national precedents
2. **Test IZ policy impact** on development profitability
3. **Identify and evaluate incentive tools** to narrow economic gap

POLICY  
RECOMMENDATIONS

- Propose policy design**, including elements like:
- Affordability depth
  - Affordability duration
  - In-lieu fee
  - Unit pricing
  - Unit characteristics
  - Concurrency of unit delivery
  - Policy applicability

ADMINISTRATIVE  
RECOMMENDATIONS

- Once Gainesville has designed and adopted an IZ policy, it must administrate the policy through:
- Process Guidelines
  - Development Approvals
  - Program Management

Ultimately, HR&A recommends that Gainesville adopt an IZ policy with a 10% set-aside for households earning up to 80% AMI, with the option of an in-lieu fee.

These requirements should be periodically reviewed and adjusted, every two years.

Key Program Design Element	Recommendation
<b>Set Aside &amp; Affordability Requirements:</b> calibrating depth and amount of affordable units, vs. feasibility of requiring units	<ul style="list-style-type: none"> <li>10% affordable units at 80% AMI</li> </ul>
<b>In-Lieu Fee / Flexibility for Compliance</b>	<ul style="list-style-type: none"> <li>Establish in-lieu fee option, set at \$120-160K per affordable unit that would have been built under IZ; adjust fee level every two years</li> </ul>
<b>Development Scale</b> (Size of Developments Subject to IZ)	<ul style="list-style-type: none"> <li>Apply IZ requirements to multifamily residential developments with ten or more units</li> </ul>
<b>Applicability</b> (Voluntary vs. Mandatory, Applicability to Existing Developments)	<ul style="list-style-type: none"> <li>Voluntary opt-in for geographies outside of IZ policy</li> <li>Incentives applicable to non-market rate units</li> <li>Not applicable to existing development</li> </ul>
<b>Affordability Term / Duration</b>	<ul style="list-style-type: none"> <li>99 years</li> </ul>
<b>Unit Pricing</b> (based on household income and size)	<ul style="list-style-type: none"> <li>Follow existing HUD guidelines</li> </ul>
<b>Unit Characteristics</b>	<ul style="list-style-type: none"> <li>Ensure affordable units are identical with market-rate units</li> </ul>
<b>Concurrency</b> of Delivery of Affordable Units	<ul style="list-style-type: none"> <li>Include a concurrency requirement</li> </ul>
<b>Fractional Units</b>	<ul style="list-style-type: none"> <li>Adopt normal rounding rules, rounding up for fractional units above 0.5</li> </ul>

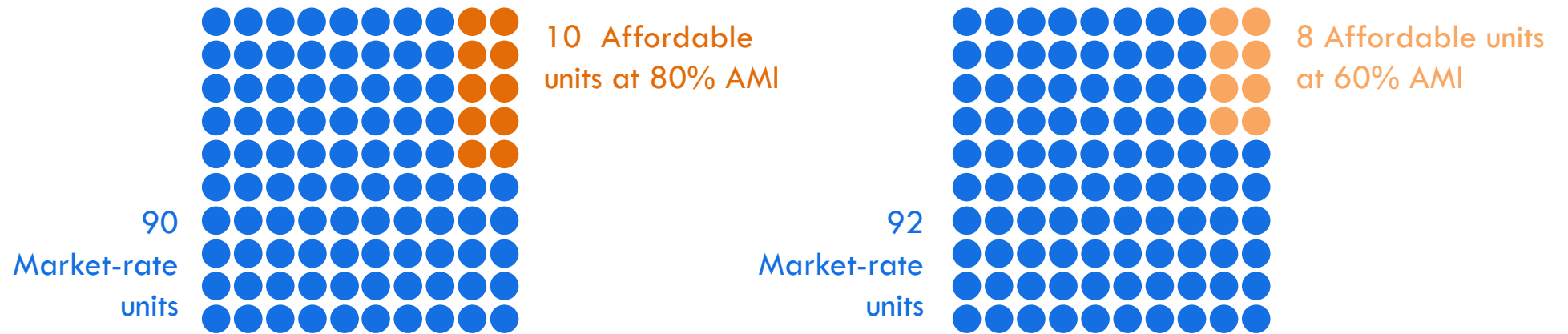
## **Inclusionary Zoning – Feasibility Analysis**

To evaluate the potential impact of IZ, HR&A considered two policy scenarios that present a tradeoff between amount and depth of affordability.

One scenario requires a 10% set-aside of affordable units at 80% AMI, and one requires an 8% set-aside of units at 60% AMI. These scenarios were selected based on precedent IZ policies around the nation.

**Scenario 2, 8% Affordability Set-Aside at 60% AMI**

*Example 100-Unit IZ Project*



If a mandatory inclusionary zoning policy with a 10% set-aside or an 8% set-aside would have been in place from 2018 to 2020, approximately 250 units or 200 units of affordable housing would have been created, respectively, based on the amount of market-rate multifamily residential housing that was built in those years.

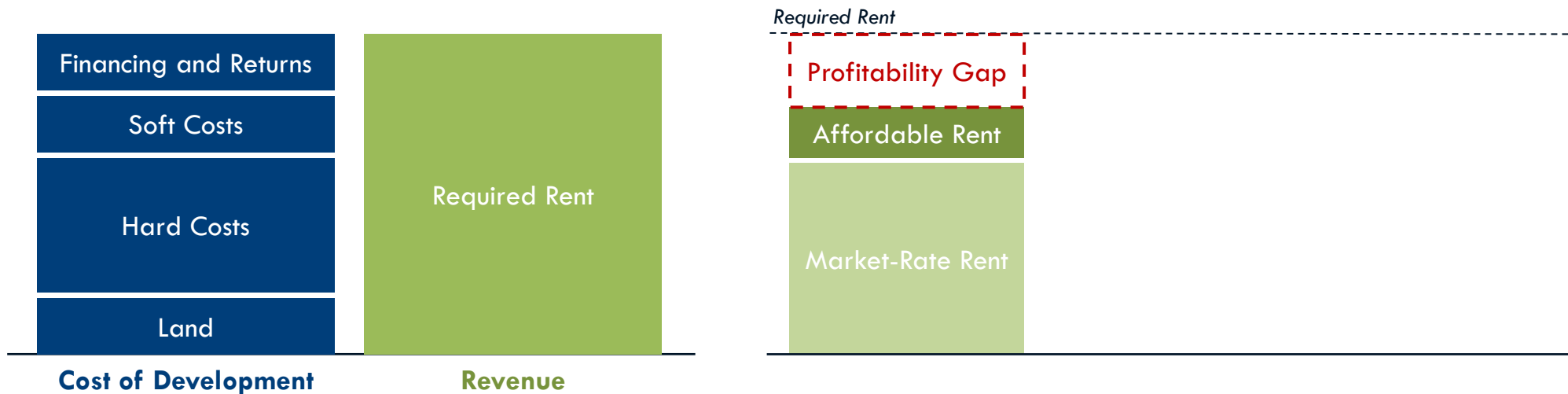
HR&A observed five common types of new development in the Gainesville market and tested the feasibility of an IZ policy against each of these development types.



	Large Garden	Large Midrise	Infill Midrise	Infill Highrise	Single-Family
<b>Neighborhood</b>	West and NW Gainesville	West and NW Gainesville	Innovation District, University Heights	Innovation District, University Heights	West and NW Gainesville
<b>Lot Size</b>	Large	Large	Small	Small	Large
<b>Number of Stories</b>	3 – 4	4 – 5	4 – 6	7+	1 – 2
<b>Example Recent Developments (student-oriented developments)</b>	<ul style="list-style-type: none"> <li>• Novo Markets West</li> <li>• 23West</li> <li>• The Mayfair</li> </ul>	<ul style="list-style-type: none"> <li>• City Place at Celebration Pointe</li> <li>• Liv+ Gainesville</li> </ul>	<ul style="list-style-type: none"> <li>• Cascades</li> <li>• Midtown Apartments</li> </ul>	<ul style="list-style-type: none"> <li>• The Standard</li> <li>• Evolve Gainesville</li> </ul>	<ul style="list-style-type: none"> <li>• 88<sup>th</sup> Street Cottages</li> <li>• Dream Gainesville</li> </ul>

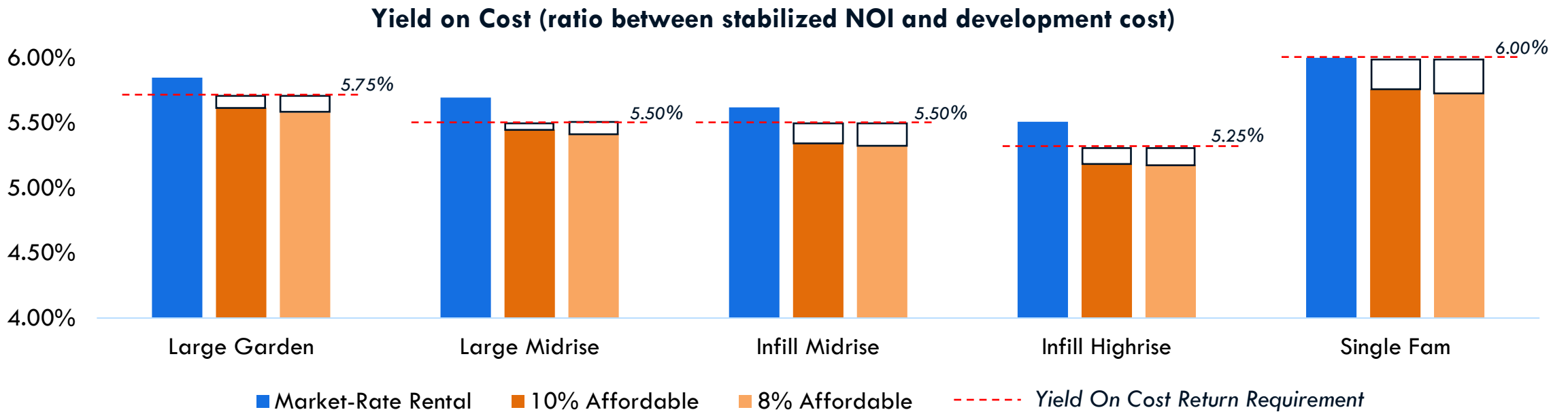
# HR&A set up a development model that calculates the financial impact of requiring affordable units for each building typology.

Implementing an inclusionary zoning policy constrains rental revenue, which may reduce project revenues and make a project unprofitable if those revenues can no longer cover development costs. Without sufficient incentives, a mandatory policy could reduce affordability by creating infeasible developments and restricting the production of new units.



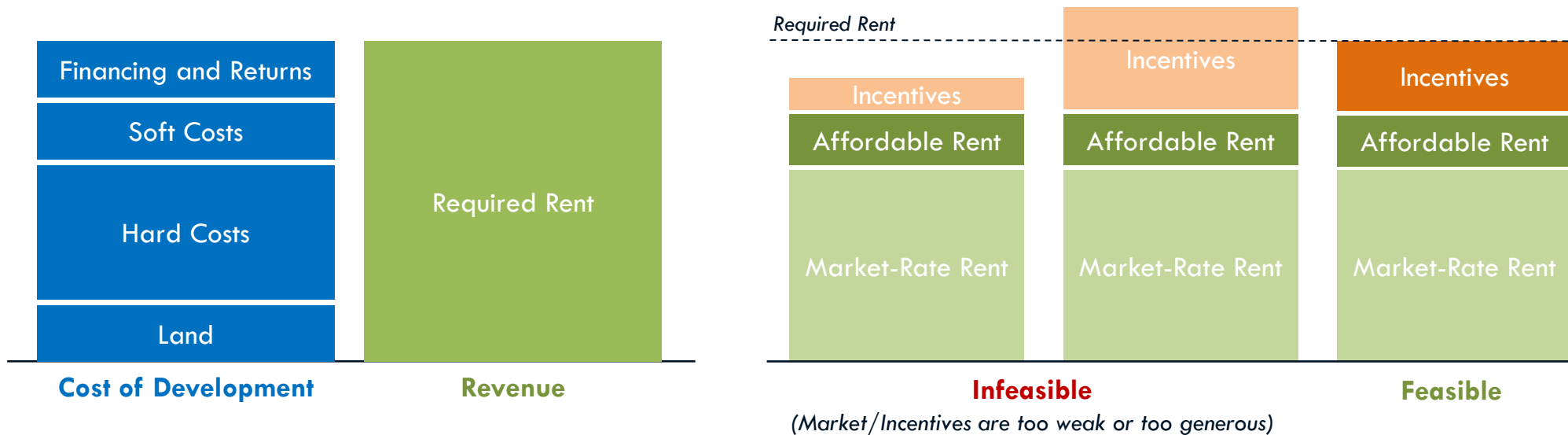


HR&A's modeling finds that 10% and 8% IZ requirements bring project profitability below threshold return requirements for all five typologies.



# Bringing new construction projects to meet expected developer returns requires providing incentives that make up the profitability gap.

Using our model, HR&A calculated the dollar value of incentives that would bring a project to a threshold level of feasibility, calibrated such that incentives are neither too weak nor too generous.



After considering a range of tools, HR&A tested two forms of incentive to overcome the profitability gap.

**Likely applicable,  
not modeled**

**Needs further consideration**

**Additional Density**

*The City can approve additional density and/or height to counter the loss of revenue associated with affordability.*

**Expedited Review**

*The City may be able to expedite review of certain permits and applications, but the value of this time is not fixed.*

**Minimum Parking Reduction**

*The City already plans to waive parking requirements in many urban areas.*

**Public Land Contribution**

*Where applicable, the City could contribute some or all land, reducing development costs.*

**By-Right Development**

*The City could streamline the development process, but this may not shape the “go/no-go” decision for a project.*

**Direct Subsidy**

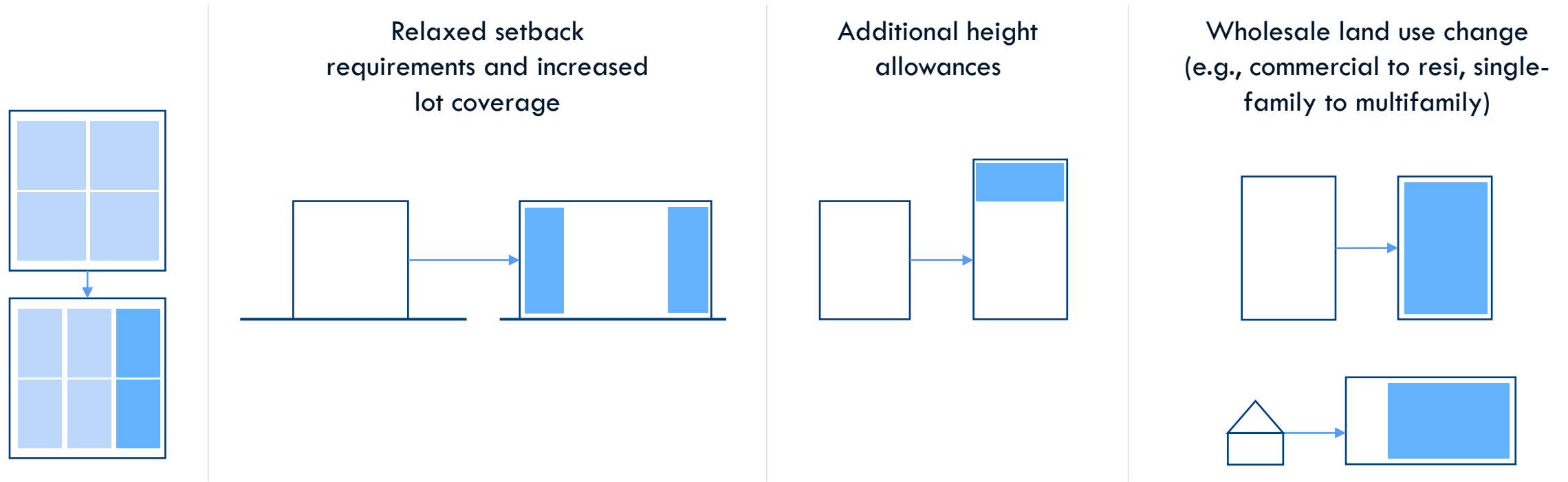
*Direct subsidy can be costly and requires identification of a consistent and substantial source of funding. This incentive requires further analysis of (1) the efficiency of using public funds to create new units relative to other methods and (2) the depth of affordability that can and should be achieved with these resources.*

**Synthetic Tax-Increment Financing**

*The City could establish a mechanism in its budget to offset a portion of real estate taxes for IZ properties. In Gainesville, there is precedent for a synthetic TIF for commercial developments, but not yet residential.*

Granting “additional density” to fill the feasibility gap can take several forms from a regulatory perspective to achieve the desired level of profitability.

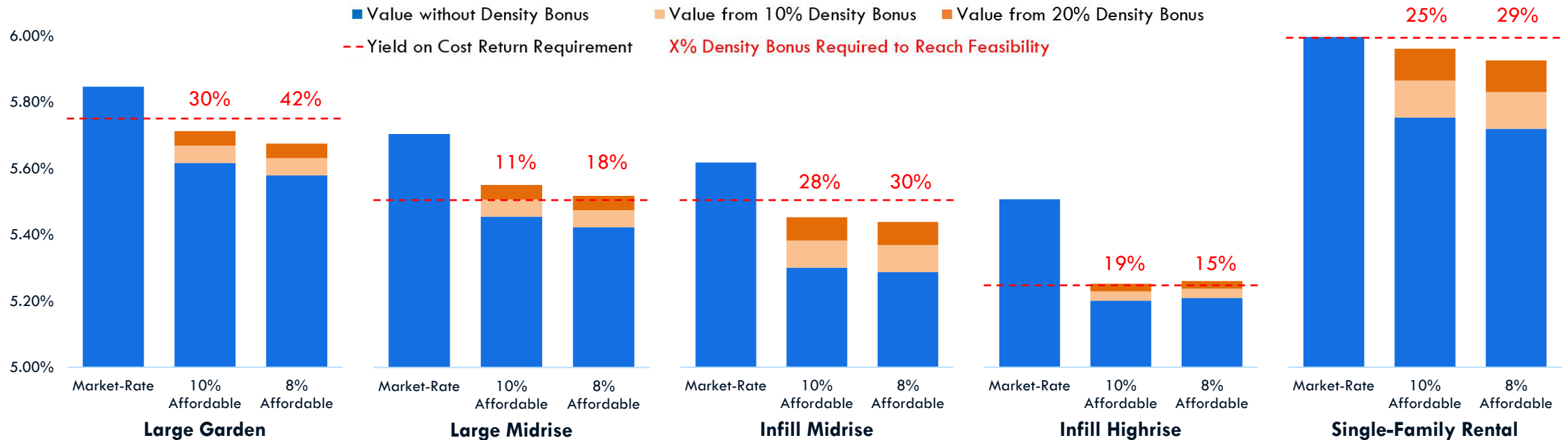
Our model represents “additional density” as an increase in the number of units, and a commensurate increase in both rents and development costs. In practice, this additional density can be achieved through several zoning and land use changes, including the ones below:



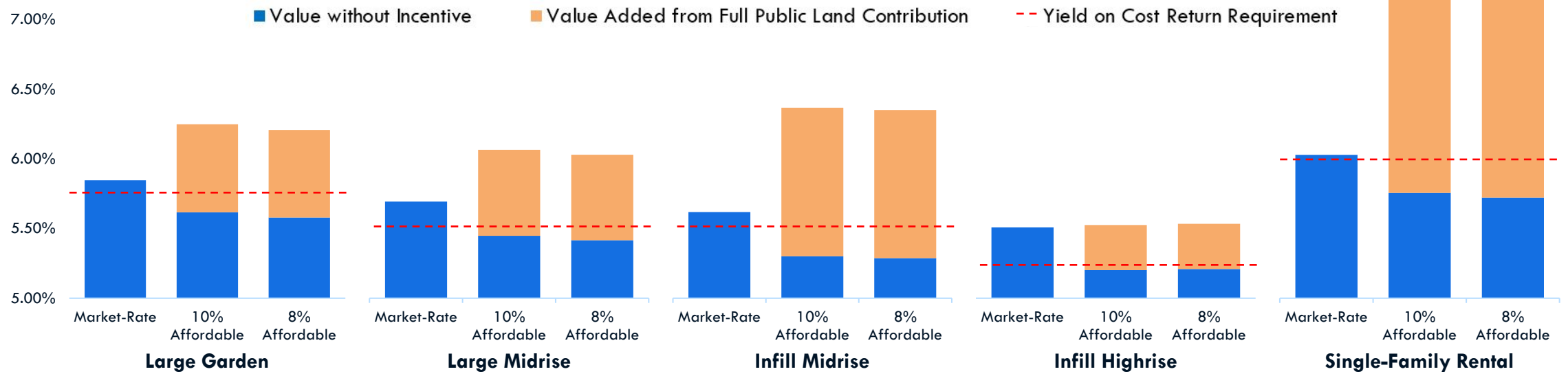
A density bonus of up to 30 percent would help projects meet developer return expectations for all typologies under a 10% IZ requirement.

While additional density is an attractive incentive, the real-world value of additional density is constrained by market demand. Many developers are not currently building up to existing height restrictions because it is costly to build more vertically. A density bonus would be most meaningful for typologies that are currently brushing up against density restrictions—namely, infill high-rise typologies.

### Yield on Cost with IZ Density Bonus



### Yield on Cost with Full Public Land Contribution



## Inclusionary Zoning – Policy Recommendations

**PRECEDENTS**

City	Affordability Level	Portion of Development
Atlanta, GA	60-80% AMI	10% of units for incomes ≤60% AMI, or 15% of units for incomes ≤80% AMI
Boston, MA	70% AMI	13% of total number of units on-site (citywide; percentage varies by zone)
Burlington, VT	65% AMI	15% of units, depending on the avg. price of the market-rate homes
New Orleans, LA	60% AMI	10% of units (Tier 1); 5% of units (Tier 2); voluntary (Tier 3)
Newtown, MA	80-120% AMI	10% of total habitable space
Norwalk, CT	60% AMI (based on state income)	10% of total units
Seattle, WA	60% AMI	5-7% of total units
Stamford, CT	50% AMI	10% of units
Washington, D.C.	60% MFI; tenant must not spend >41% of income on housing	8-10% of residential square footage

**HR&A Recommendation**

**HR&A recommends that the City of Gainesville implement an IZ policy that requires a set-aside of 10% of units affordable to households, all affordable to households earning 80% of AMI.**



# In-Lieu Fee

## PRECEDENTS

Cities such as Boston, MA have written fees as specific dollar amounts in their policies, while other cities including Portland, OR and San Francisco, CA charge in-lieu fees based on a specified amount per gross square foot of development. In either case, the fee is typically developed based on the difference in market value between a market rate unit and an IZ unit. As market conditions change, the fee must be reevaluated to ensure it remains appropriately priced for the market.

## HR&A Recommendation

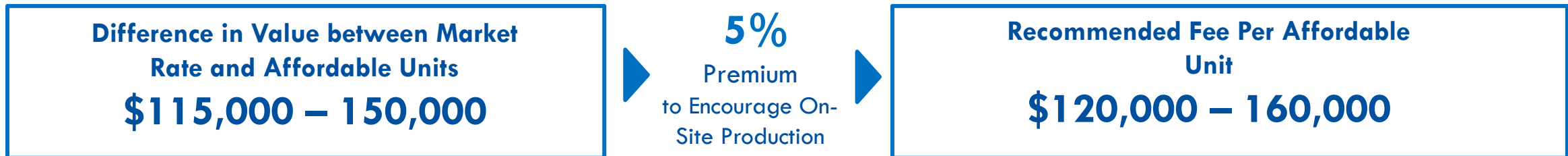
**HR&A recommends that the City of Gainesville establish an in-lieu fee option.** The fees should be collected at the issuance of a building permit for the development, and the City should clearly outline how the fees will be deposited into a specified fund for affordable housing. Within an implementation and procedures manual developed separate from policy language, the City should require funds generated through in-lieu fees to be deployed within areas of opportunity—as defined by the City’s affordable housing task force to align production with identified City goals.

**Adjustments to the in-lieu fee should be considered every two years** to ensure it is set at an appropriate level as market conditions evolve. The IZ policy should clearly outline the process for updating, collecting, and expending fees. In some communities, a failure to update fee formulas has led to artificially low fee levels and developers overwhelmingly choosing to make fee contributions rather than construct on-site units.

# In-Lieu Fee

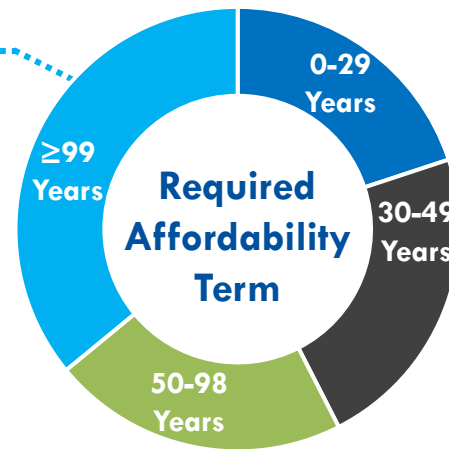
## HR&A Recommendation

Based on the analysis of current market conditions in Gainesville, the current fee in lieu fee in Gainesville should be \$120,000 to 160,000 per affordable rental unit. The fee calculation is based on the average per-unit difference in market value between building a fully market-rate development and a development that satisfies the IZ requirements. HR&A recommends applying an **additional 5-10% premium to the calculated fee in order to incentivize developers to produce units on-site, in line with City policy goals.**



# Affordability Term

36% of cities with an IZ policy require an affordability term at or greater than 99 years.



## HR&A Recommendation

HR&A recommends that Gainesville establish an affordability term of 99 years. Long-term affordability will reinforce a sustainable model for affordable housing production in Gainesville and relieve pressure that developments to replace units as their term expires. HR&A's financial analysis supports this term of affordability.

Source: HR&A Analysis of Grounded Solutions Network Inclusionary Housing Database

# Development Scale

## PRECEDENTS

The minimum development scale to require IZ varies by jurisdiction, though most are between ten and twenty units. Washington, DC applies IZ to developments with ten or more units and Portland, OR applies its IZ policy to projects with twenty or more units. Some jurisdictions, including Washington, DC, provide a process for opting into IZ in developments smaller than the minimum requirement if the developer desires to utilize IZ incentives. Niche multifamily residential development types including assisted living facilities and dormitories are typically exempt from adhering to IZ policies due to their different living typologies.

## HR&A Recommendation

**HR&A recommends Gainesville apply IZ requirements to multifamily residential of ten or more units**, though smaller developments should be permitted to voluntarily opt-in in exchange for receiving incentives provided by the IZ policy.

**Inclusionary requirements should not be imposed on single-room occupancy (SRO) buildings, such as assisted living facilities or student dormitories.** For the purposes of exclusion from IZ, assisted living should be considered separately from independent living and other group homes. IZ should still apply to new market-rate housing that may be student-oriented, i.e., marketed to or occupied by students.

# Applicability

## HR&A Recommendation

**HR&A recommends a policy that has:** (1) voluntary opt-in for geographies outside mandatory IZ, (2) available incentives applicable to non-market rate units, and (3) should not apply to developments already approved (with an opt-in option for projects interested in seeking IZ incentives).

# Unit Pricing

## HR&A Recommendation

**HR&A recommends developing a formula for unit pricing based on existing HUD guidelines.** A formula must address share of household income considered affordable (30%), unit pricing based on household size, the income levels used for pricing, and the specific items included in housing costs (utilities, etc.)

# Unit Characteristics

## PRECEDENTS

Most jurisdictions, including San Mateo, CA and Washington, DC, require affordable units to be largely indistinguishable from market rate units. Important considerations include IZ unit location in building, quality of finishes, size, and unit mix relative to market rate units in the building.

## HR&A Recommendation

**HR&A recommends Gainesville require IZ housing units to be largely indistinguishable from market rate units and be integrated into the rest of the building,** including specific guidelines such as:

- Scattering IZ units throughout the building so as not to be co-located on one floor or in less desirable areas of the building,
- Matching the quality of in-unit feature and finishes between affordable and market rate units, and
- Ensuring that IZ units resemble the makeup of the building in terms of unit size and unit mix.

# Development Concurrency

## PRECEDENTS

Concurrency is commonplace in IZ programs across the country and policies may use simple and direct language to ensure developers understand their responsibilities for providing a proportional number of affordable units in the same timeframe as market rate units.

## HR&A Recommendation

**HR&A recommends Gainesville include a concurrency requirement as part of an IZ policy, which will require IZ units to be made available at the same time as market rate units.**



# Fractional Units

## PRECEDENTS

Although some jurisdictions require developments to round up to the next highest whole number, the American Planning Association's (APA) model policy for fractional units suggests using normal rounding where fractions above .5 round up to the next highest whole number while fractions below .5 round down to the next lower whole number. In the example 42-unit building above, the APA model policy would produce four units of affordable housing.

## HR&A Recommendation

**HR&A recommends that Gainesville follow APA guidelines and adopt normal rounding rules for determining the count of IZ units** (fractions above .5 round up to the nearest whole unit).

These requirements should be periodically reviewed and adjusted, every two years.

Key Program Design Element	Recommendation
<b>Set Aside &amp; Affordability Requirements:</b> calibrating depth and amount of affordable units, vs. feasibility of requiring units	<ul style="list-style-type: none"> <li>10% affordable units at 80% AMI</li> </ul>
<b>In-Lieu Fee</b> / Flexibility for Compliance	<ul style="list-style-type: none"> <li>Establish in-lieu fee option, set at \$120-160K per affordable unit that would have been built under IZ; adjust fee level every two years</li> </ul>
<b>Development Scale</b> (Size of Developments Subject to IZ)	<ul style="list-style-type: none"> <li>Apply IZ requirements to multifamily residential developments with ten or more units</li> </ul>
<b>Applicability</b> (Voluntary vs. Mandatory, Applicability to Existing Developments)	<ul style="list-style-type: none"> <li>Voluntary opt-in for geographies outside of IZ policy</li> <li>Incentives applicable to non-market rate units</li> <li>Not applicable to existing development</li> </ul>
<b>Affordability Term / Duration</b>	<ul style="list-style-type: none"> <li>99 years</li> </ul>
<b>Unit Pricing</b> (based on household income and size)	<ul style="list-style-type: none"> <li>Follow existing HUD guidelines</li> </ul>
<b>Unit Characteristics</b>	<ul style="list-style-type: none"> <li>Ensure affordable units are identical with market-rate units</li> </ul>
<b>Concurrency</b> of Delivery of Affordable Units	<ul style="list-style-type: none"> <li>Include a concurrency requirement</li> </ul>
<b>Fractional Units</b>	<ul style="list-style-type: none"> <li>Adopt normal rounding rules, rounding up for fractional units above 0.5</li> </ul>

## Appendix

## Appendix

# Exclusionary Land Use Controls Literature Review

1. Gregory Ingram and Yu-Hung Hong, “Fiscal Decentralization and Land Policies”, 2007, Lincoln Institute of Land Policy.
2. Edward Glaeser and Joseph Gyourko, “The Impact of Zoning on Housing Affordability”, 2002.  
[https://www.nber.org/system/files/working\\_papers/w8835/w8835.pdf](https://www.nber.org/system/files/working_papers/w8835/w8835.pdf)
3. Robert Manduca, “How Rising U.S. Income Inequality Exacerbates Racial Economic Disparities”, 2018, The Washington Center for Equitable Growth <https://equitablegrowth.org/how-rising-u-s-income-inequality-exacerbates-racial-economic-disparities/>
4. Christopher Silver, “The Racial Origins of Zoning in the American Cities”, 1997. <https://www.asu.edu/courses/aph294/total-readings/silver%20--%20racialoriginsofzoning.pdf>

## Appendix

# Precedent IZ Requirements

City	Affordability Level	Length of Affordability	Portion of Development	In-Lieu Fee Amount Per Rental Unit
Atlanta, GA	60-80% AMI	20 years	10% of units for incomes $\leq$ 60% AMI, or 15% of units for incomes $\leq$ 80% AMI	\$124,830 - \$167,364 (varies by geography)
Boston, MA	70% AMI	30 years, with the right to renew for 20 years	13% of total number of units on-site (citywide; percentage varies by zone)	\$68,400 (market-rate); \$380,000 (affordable)
Burlington, VT	65% AMI	99 years	15-25% of units, depending on the avg. price of the market-rate homes	No in-lieu fee
New Orleans, LA	60% AMI	99 years	10% of units (Tier 1); 5% of units (Tier 2); voluntary (Tier 3)	HR&A proposal: \$29,100 (market-rate); \$291,000 (affordable)
Newtown, MA	80-120% AMI	40 years	10% of total habitable space	
Norwalk, CT	60% AMI (based on state income)	In perpetuity	10% of total units	Fee based on a percentage of State of CT median income; percentage varies by affordability level of unit
Seattle, WA	60% AMI	75 years	5-7% of total units	\$5.00 - \$32.75 per square foot
Stamford, CT	50% AMI	Life of building	10% of units	Fee based on a percentage of SMSA median household income; percentage varies by affordability level of unit
Washington, D.C.	60% MFI; tenant must not spend $>$ 41% of income on housing	Life of building	8-10% of residential square footage	No in-lieu fee

# Appendix

## IZ Model Typology 1: Large Garden

Large Garden style apartments, have primarily been built in West or Northwest Gainesville, where land is more available and cheaper.

Large Garden style apartments generally consist of multiple buildings of 3 to 4 stories spread across a large lot.

Recent example developments include The Mayfair, Park Avenue Apartments, 23 West, and Novo Markets West in the pipeline.



Year Built	2018
Land Area (sf)	601,729
Stories	3
Units	243
Parking	392
Avg PSF Rent	\$1.32



Year Built	2016
Land Area (sf)	663,419
Stories	3
Units	298
Parking	400
Avg PSF Rent	\$1.58



# Appendix

## IZ Model Typology 2: Large Midrise

Large Midrise style apartments have predominantly been built in West Gainesville.

Large Midrise style apartments generally consist of single or few buildings in 3-4 stories spread across a large lot.

Recent example developments include Liv+ Gainesville and The City Place at Celebration Pointe.



Year Built	2020
Land Area (sf)	130,000
Stories	4
Units	235
Parking	
Avg PSF Rent	\$2.24



Year Built	2021
Land Area (sf)	108,900
Stories	4
Units	220
Parking	400
Avg PSF Rent	\$1.84

# Appendix

## IZ Model Typology 3: Infill Midrise

Typology 3 consists of Infill Midrise style apartments in University Heights (East of the campus) or the Innovation District.

Infill Midrise style apartments are usually a single wood-frame building of 4 to 5 stories built on a small lot in more land-constrained areas, such as near downtown.

Almost all of these infill properties have been targeted to students, which leads to higher per-square foot rents, larger units, and higher operating costs.

Recent example developments include Social 28 and Cascades.



Year Built	2015
Land Area (sf)	45,739
Stories	6
Units	169
Parking	
Avg PSF Rent	\$2.75



Year Built	2018
Land Area (sf)	84,942
Stories	5
Units	67
Parking	50
Avg PSF Rent	\$2.20



## Appendix

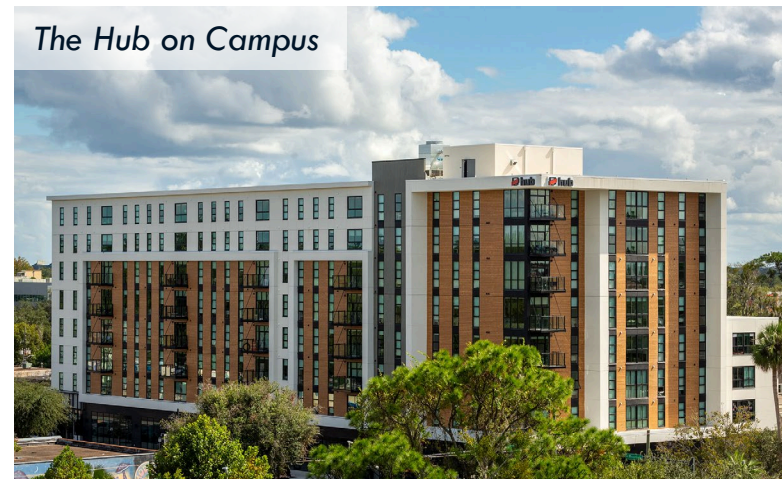
## IZ Model Typology 4: Infill Highrise

Typology 4 consists of Infill Highrise style apartments in University Heights.

Infill Highrise style apartments are usually a single building of 7 stories or higher.

Almost all of these infill properties have been targeted to students, which leads to higher per-square foot rents, larger units, and higher operating costs.

Recent example developments include the Hub on Campus or the Standard at Gainesville.



Year Built	2020
Land Area (sf)	96,155
Stories	8
Units	201
Parking	25
Avg PSF Rent	\$1.91



Year Built	2017
Land Area (sf)	61,420
Stories	11
Units	430
Parking	250
Avg PSF Rent	\$2.67

Appendix

# IZ Model Typology 5: Single-Family Rental

Typology 5 consists of single-family rental properties in West or Northwest Gainesville.

Most single-family rentals are bulk construction of single-family homes in large plots of land.

Recent example developments include the 88th Street Cottages and The Retreat at Gainesville.



Year Built	2020
Land Area (sf)	166,835
Stories	2
Units	27
Parking	
Avg PSF Rent	\$1.33



Year Built	2016
Land Area (sf)	827,828
Stories	2
Units	82
Parking	150
Avg PSF Rent	\$1.70

	Large Garden	Large Midrise	Infill Midrise	Infill Highrise	Single-Family Rental
<b>Total Land (SF)</b>	600,000	300,000	60,000	40,000	500,000
<b>Land Cost (PSF)</b>	\$10	\$15	\$120	\$120	\$10
<b>All-in Construction Costs (GSF)</b>	\$161	\$184	\$207	\$230	\$115
<b>Average Unit Size (NSF)</b>	1,150	935	1,003	1,080	1,420
<b>Market Rent (NSF)</b>	\$1.80	\$2.10	\$2.40	\$2.70	\$1.60
<b>Parking Rent (space/month)</b>	\$125	\$125	\$225	\$225	\$50
<b>Operating Expense per unit</b>	\$4,500	\$5,000	\$6,500	\$7,500	\$5,000
<b>Cap Rate</b>	4.50%	4.25%	4.25%	4.00%	4.75%

	Large Garden	Large Midrise	Infill Midrise	Infill Highrise	Single-Family Rental
Target Yield On Cost	5.75%	5.50%	5.50%	5.50%	6.00%
Today's Yield On Cost	5.85%	5.69%	5.57%	5.53%	6.03%
<b>Scenario 1</b>					
10% (all 80% AMI)	Infeasible	Borderline	Infeasible	Borderline	Infeasible
+ 15% Density	Borderline	Feasible	Borderline	Borderline	Borderline
+ 30% Density	Feasible	Feasible	Feasible	Feasible	Feasible
+ 100% Land Contribution	Feasible	Feasible	Feasible	Feasible	Feasible
<b>Scenario 2</b>					
8% (all 60% AMI)	Infeasible	Borderline	Infeasible	Borderline	Infeasible
+ 15% Density	Borderline	Borderline	Borderline	Feasible	Infeasible
+ 30% Density	Borderline	Feasible	Feasible	Feasible	Feasible
+ 100% Land Contribution	Feasible	Feasible	Feasible	Feasible	Feasible

# Appendix IZ Example Project: Large Garden

- 
- Market Rate Unit (\$1440 for 1 Bedroom)
- 60% AMI Unit (\$824 for 1 Bedroom)
- 80% AMI Unit (\$1099 for 1 Bedroom)

	Today	10% IZ No Density Bonus	10% IZ 30% Minimum Density Bonus to achieve Feasibility	8% IZ No Density Bonus	8% IZ 40% Minimum Density Bonus to achieve Feasibility
Yield On Cost (5.75% target)	5.85%	5.62%	5.75%	5.58%	5.75%
Total Units	250	250	325	250	350
Affordable Units	0	25	33	20	28

# Appendix




## IZ Example Project: Large Midrise



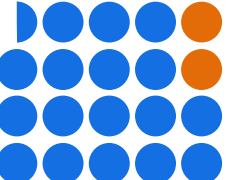

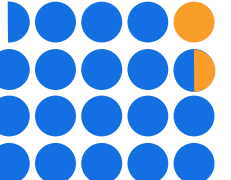
- 
- Market Rate Unit (\$1680 for 1 Bedroom)
- 60% AMI Unit (\$824 for 1 Bedroom)
- 80% AMI Unit (\$1099 for 1 Bedroom)

	Today	10% IZ No Density Bonus	10% IZ 10% Minimum Density Bonus to achieve Feasibility	8% IZ No Density Bonus	8% IZ 10% Minimum Density Bonus to achieve Feasibility
Yield On Cost (5.50% target)	5.69%	5.45%	5.50%	5.42%	5.50%
Total Units	200	200	220	200	240
Affordable Units	0	20	22	16	19



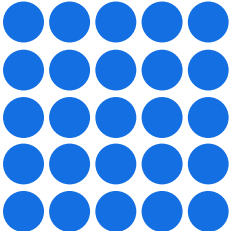
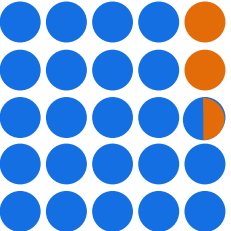
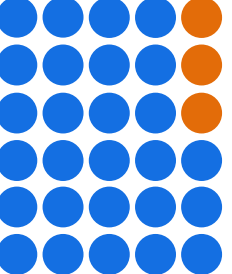
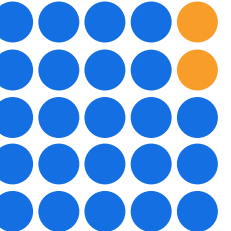
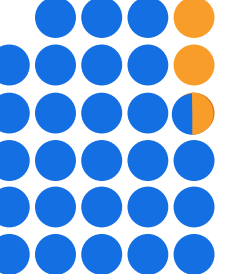
# Appendix IZ Example Project: Infill Midrise

-  Market Rate Unit (\$1920 for 1 Bedroom)
-  60% AMI Unit (\$824 for 1 Bedroom)
-  80% AMI Unit (\$1099 for 1 Bedroom)

	Today	10% IZ No Density Bonus	10% IZ 30% Minimum Density Bonus to achieve Feasibility	8% IZ No Density Bonus	8% IZ 30% Minimum Density Bonus to achieve Feasibility
					
Yield On Cost (5.50% target)	5.57%	5.30%	5.50%	5.29%	5.50%
Total Units	150	150	195	150	195
Affordable Units	0	15	20	12	16

# Appendix IZ Example Project: Infill Highrise

- 
- Market Rate Unit  
(\$2160 for 1 Bedroom)
- 60% AMI Unit  
(\$824 for 1 Bedroom)
- 80% AMI Unit  
(\$1099 for 1 Bedroom)

	Today	10% IZ No Density Bonus	10% IZ 20% Minimum Density Bonus to achieve Feasibility	8% IZ No Density Bonus	8% IZ 15% Minimum Density Bonus to achieve Feasibility
					
Yield On Cost (5.25% target)	5.53%	5.20%	5.25%	5.21%	5.25%
Total Units	250	250	300	250	288
Affordable Units	0	25	30	20	23



# Appendix IZ Example Project: Single Family

- 
- Market Rate Unit (\$1440 for 1 Bedroom)
- 60% AMI Unit (\$824 for 1 Bedroom)
- 80% AMI Unit (\$1099 for 1 Bedroom)

	Today	10% IZ No Density Bonus	10% IZ 25% Minimum Density Bonus to achieve Feasibility	8% IZ No Density Bonus	8% IZ 30% Minimum Density Bonus to achieve Feasibility
Yield On Cost (6.00% target)	6.03%	5.76%	6.00%	5.72%	6.00%
Total Units	100	100	125	100	130
Affordable Units	0	10	13	8	10