

City of  
**Gainesville**

*2024 Incentives and  
Recommendations Report*

Developed by the

**Affordable Housing  
Advisory Committee**

For the

**State Housing Initiatives  
Partnership Program**

**September 10, 2024**

# TABLE OF CONTENTS

I. <b>Background</b> .....	1
Composition of AHAC .....	1
AHAC Mandate .....	2
General Comments .....	3
II. <b>Citizen Engagement</b> .....	5
III. <b>Incentives &amp; Recommendations</b> .....	6
Expedited Review .....	6
Modification of Impact Fees .....	7
Flexible Density .....	7
Reservation of Infrastructure .....	9
Accessory Residential Units .....	9
Parking and Setback Requirements .....	10
Flexible Lot Configurations .....	11
Modification of Street Requirements .....	12
Review of Policies that Increase the Cost of Housing .....	12
Inventory of City Owned Land .....	12
Support of Affordable Housing Near Transportation and Employment Centers .....	13
IV. <b>Additional Recommendations</b> .....	13
Study Anti-Displacement and Anti-Gentrification Plan .....	13
V. <b>City Commission Consideration</b> .....	15
VI. <b>Attachments</b> .....	15
2023 HUD Income Limits .....	16
Generalized Zoning Map .....	17
AHAC’s Inclusionary Zoning Recommendations .....	18
ADU Brochure .....	20

**City of Gainesville**  
**Affordable Housing Advisory Committee**  
**2024 Incentives and Recommendations Report**

**I. Background**

Chapter 420, Part VII, of the Florida Statutes requires that the City of Gainesville establish an Affordable Housing Advisory Committee (AHAC); and Section 14 of the City Code actually establishes the Committee. The primary purpose of the AHAC is to recommend specific initiatives and incentives to encourage or facilitate affordable housing within the City. The State mandates similar committees for each City and County that receive state funds under the State Housing Initiatives Partnership (SHIP) Program.

Within this report, the terms “Low-Income, Very-Low-Income and Extremely-Low-Income” occur several times. While the affordability level of units built with any of the various incentives discussed, must be determined by the Gainesville community, in this report, the terms are defined by the U.S. Department of Housing and Urban Develop Income Limits for 2024. Those limits are shown in the chart contained in Attachment 1.

Generally, when this report mentions “affordable housing,” it is referring to housing that is affordable to low-income households, that is households whose combined income is equal to or less than 80% of the Gainesville Area Median, adjusted for family size. More specifically, in this report, “affordable housing” means housing, where the total monthly cost of that housing (including taxes, insurance, utilities, and property owner association fees) is less than 30 percent of the household’s total net monthly income.

**Composition of AHAC**

The AHAC may consist of nine citizens appointed by the City Commission. One of those citizens must be a City Commissioner, while the remaining eight AHAC members must represent at least six of the following eleven categories:

1. a citizen who is in the home building industry, including affordable housing;
2. a citizen who is in the banking or mortgage banking industry related to affordable housing;
3. a citizen who represents labor engaged in home building, including affordable housing;
4. a citizen who advocates for affordable housing for low-income persons;
5. a citizen who is a for-profit provider of affordable housing;
6. a citizen who is a not-for-profit provider of affordable housing;
7. a citizen who is a real estate professional related to affordable housing;
8. a citizen who serves on the local planning agency;
9. a citizen who resides in the City of Gainesville;
10. a citizen who represents employers within the City of Gainesville; and
11. a citizen who represents essential services personnel.

## **AHAC Mandate**

For the City to remain eligible to receive SHIP Program funds, the AHAC shall annually review the City's comprehensive plan, land development regulations, ordinances, policies and procedures. Based on that review, the AHAC shall submit an Incentives and Recommendations Report (IRR) to the City Commission. That report shall recommend specific actions or initiatives to encourage or facilitate affordable housing, while protecting the ability of property to appreciate. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions. Modifications may include exceptions for affordable housing. The recommendations may also include the adoption of new policies, procedures, regulations, ordinances, or plan provisions. Additionally, the AHAC report shall recommend and evaluate the implementation of local housing incentive strategies in the following areas:

- 1) Expedited processing of approvals of development orders or development permits issued by the City for affordable housing projects, including without limitation, building permits, zoning permits, subdivision approvals, rezonings, certifications, special exceptions, variances, or any other official action of local government having the effect of permitting the development of land for affordable housing.
- 2) Modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- 3) Allowance of flexibility in densities for affordable housing.
- 4) Reservation of infrastructure capacity for housing for low- and very-low-income persons.
- 5) Allowance of affordable accessory residential units in residential zoning districts.
- 6) Reduction of parking and setback requirements for affordable housing.
- 7) Allowance of flexible lot configurations, including zero lot line configurations, for affordable housing.
- 8) Modification of street requirements for affordable housing.
- 9) Establishment of a process by which the City considers the impact on the cost of housing before adoption of policies, procedures, ordinances, regulations or plan provisions.
- 10) Preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- 11) Support of affordable housing development near transportation hubs and major employment centers and mixed-use developments.
- 12) Other affordable housing incentives identified by the advisory committee.

## General Comments

To begin to address its housing needs, the community should recognize the following factors:

1. Many people discuss housing problems, including the need for more affordable housing, as if they are the same as equity or disparity problems. In fact, they are related, but not the same. Housing problems are a component of, not the whole of, the Gainesville/Alachua County Community's equity and disparity problems. Providing more affordable housing can help alleviate, but not eliminate, the problem of racial, economic, educational, health, geographic and other disparities. Experience and data, however, suggest that a comprehensive approach, addressing many factors, is needed to even begin dealing with these problems. Those factors include economic development, the educational system, the justice system, the health care system and other factors.
2. The community's housing problems go beyond just the high cost of housing and the lack of affordable housing. These problems include the lack of housing choice (including size, type, cost, and location), the condition of housing, and the loss of community history and character.
3. There is no quick fix. Any solution will take time. This includes changing community attitudes about housing, changing land use patterns, changing land development regulations, and actually permitting and constructing residential buildings. The City must consider realistic timeframes for changes.
4. Home ownership is a proven method to build wealth in individuals, and in a community. For that reason, homeownership should be encouraged and promoted. However, to truly meet the community's needs, other viable, affordable options (i.e., rental housing) must also be available.
5. Governments and non-profits cannot solve the community's housing problems. Even the combined resources of the Federal, State, County and City Governments are insufficient. In other words, the community needs to find a way to engage market forces and to encourage private sector investment in affordable housing.



6. The community has many options available to help address its housing problems. Although none of those options, by itself, will solve the problem. Each option can contribute to the solution. In other words, the community needs to use all the "tools" in its "toolbox" to address housing problems. Historically, however, the Gainesville/Alachua County community has used some, but not all of the available tools.
7. The community has utilized tools such as government funding programs, including LIHTC, SAIL, SHIP, CDBG and HOME; and governmental agencies such as the Gainesville and Alachua County Housing Authorities. Nonprofit organizations (often partially funded by government programs) such as Habitat for Humanity and Neighborhood Housing Development Corporation, have also been an important tool used to provide affordable housing in the Gainesville/Alachua County community. In fact, if it

chose to, the community could increase its reliance on these tools by increasing private donations or by approving additional local taxes, fees and/or bonding to increase funding for affordable housing.

8. Funding for government funded housing programs is inconsistent and insufficient to meet the demand for affordable housing. In Gainesville and Alachua County, local government administered programs include home repair, home replacement, down payment assistance, mortgage foreclosure intervention, rental assistance, eviction prevention, and counseling and training (for more information, visit the City's Housing and Community Development Division website at <https://www.gainesvillefl.gov/Government-Pages/Government/Departments/Housing-Community-Development> or the County's Housing Programs website at <https://alachuacounty.us/Depts/CSS/House/Pages/housing.aspx>). Some federal and state programs (e.g., Low-Income Housing Tax Credits and State Apartment Incentive Loan) occasionally subsidize the development of large affordable rental housing complexes, usually 60 to 200 units (for more information, visit the Florida Housing Finance Corporation's website at <https://www.floridahousing.org/home>). Smaller nonprofits build 10 to 20 single-family homes per year. The two Public Housing Authorities provide approximately 900 units of public housing and nearly 2,800 housing vouchers each year.
9. Besides funding programs, the City and County can also use regulatory incentives and requirements such as inclusionary zoning to encourage the private for-profit sector to build affordable housing. Those incentives and regulations can include flexible zoning that allows density and height bonuses in exchange for providing affordable housing, and planned development requirements for the provision of affordable housing. While still funding nonprofit organizations and government programs, the City and County have begun to study the potential costs and benefits of implementing inclusionary zoning policies.

Essentially, the City has not yet determined what combination of incentives and regulations are necessary for the private sector to agree to include affordable housing in new developments. That is because the City has almost never offered any such incentives. Although the use of these incentives and regulations is often discussed in the City's Comprehensive Plan, implementing those incentives requires adopting land development regulations. Even in the few instances when incentives have been included in the land development regulations, these provisions are seldom used or re-evaluated (See the Density Bonus Manual).

To better evaluate the possibility of using regulatory incentives and requirements, the City retained a consultant to study and recommend an Inclusionary/Exclusionary Housing Policy. That report was presented to the City Commission on January 6, 2022, and provides a foundation for the City's current Inclusionary Zoning initiative.

10. In May 2019, the Florida Legislature passed House Bill 7103 (HB7103). That bill amended existing statutes regarding Inclusionary Zoning (IZ). IZ is the requirement that a portion of each new residential development be affordable. Specifically, HB7103 mandated that in order for a City or County to require that a development contain affordable units, the City or County must use incentives to "fully offset all costs" to a developer associated with creating those affordable units. In other words, prior to HB7103, Cities and Counties had the option of requiring IZ without providing any incentives to developers. HB7103, added the requirement that Cities and Counties that mandate IZ, also provided incentives to developers. Those incentives may include (but are not limited to) density bonuses, reduced or waived fees, or other incentives.

11. Our community’s reliance on nonprofit organizations and government funding programs has resulted in few affordable housing options for most low-income residents. Those options include large rental apartment complexes (often located East of Main Street, where land values are lower), and older homes whose “life” has been extended through a home repair program. In contrast, a well-designed incentive program could result in a portion of many new developments, all around the City, housing low-income households. In other words, more location choices for low-income residents.
12. Many of the issues related to land development in general, and housing and affordable housing in particular, can be complicated and confusing. The same term often has different meanings to different people. City and County representatives have a responsibility to try to communicate in simple, clear language. The Community, in general, would benefit from a better understanding of the entire development process.

While methods such as providing additional funds or providing more support to nonprofits can be useful ways to create affordable housing, they are not within the scope of this report. This document focuses on regulatory incentives and regulations that impact the cost of housing and the availability of affordable housing. To that end, the AHAC aims to identify ways to encourage affordable housing that are cost effective, environmentally sound, socially equitable and supportive of broad community goals. Beyond this report, the AHAC will seek to continue further study and dialogue on this subject. We welcome the input, ideas and suggestions of our entire community in this endeavor.

## II. Citizen Engagement

AHAC provided citizens and stakeholders several opportunities to contribute to the development of this report. Those opportunities included two AHAC public meetings, at which the AHAC discussed incentives and recommendations to address housing and housing related problems. The AHAC began each of these meetings at 6:00 p.m. and ended them between 7:30 p.m. and 8:00 p.m. These meetings were conducted on July 9, 2024 and August 13, 2024 at the Thomas Center, Building A, 302 NE 6<sup>th</sup> Avenue. The City posts notices and agendas (including backup) of all AHAC meetings on the City’s website and various social media platforms.



Subsequently, on September 10, 2024, the AHAC held a public hearing to receive public input regarding the IRR. The AHAC’s IRR was presented at the public hearing and, after receiving public comment, approved by the AHAC.

In addition to the public notice methods used for the two previous public meetings, the public hearing was noticed as a public hearing in the Gainesville Sun.

The City also used several supplementary strategies to inform the public of the September 10<sup>th</sup> Public Hearing. Perhaps most importantly, the City developed a direct email distribution list consisting of approximately 220



addresses to personally invite people to the September 10<sup>th</sup> Public Hearing. That email distribution list included neighborhood representatives, nonprofit organizations, the media, the development community, lenders, City staff, members of other advisory boards, individuals who previously requested to be notified or had expressed interest in housing issues, and others. The email for the September 10<sup>th</sup> Public Hearing included a Draft of the City’s 2024 IRR. In addition, the [????????](#), 2024 edition of GNV News (a City-produced newsletter with approximately 10,000 subscribers) contained a notice of the meeting.

### **III. Incentives & Recommendations**

#### **1) The processing of approvals of development orders or permits, as defined in s.163.3164 for affordable housing projects is expedited to a greater degree than other projects.**

##### **Discussion**

Since October 2022, Section 30-3.45 (Table III) of the City’s Land Development Code has allowed new multi-family developments that meet certain criteria to be approved by staff, rather than being reviewed by the Development Review Board or the Plan Board. The criteria are that the project must contain 51 or more units, at least 15% of which are reserved for households with incomes of 80% AMI or less, and the project does not request any variances.

This is important because many housing developers, including affordable housing developers, cite the delay and uncertainty of taking projects to review boards for approval as adding significant cost to the development process. Many such boards meet monthly and often have difficulty obtaining a quorum.

Since the changes to Section 30-3.45, only two projects that meet the criteria to take advantage of those changes have applied for development plan approval. Despite the potential reduction in delay and uncertainty, the developers of both of those projects chose to build 100% market rate projects, rather than include the 80% AMI units.

In addition, the City’s Building Department offers some modest incentives to developers of affordable housing. Those incentives begin with the City’s Housing and Community Development (HCD) Department. HCD staff certifies as “Affordable Housing Projects” residential projects that meet at least one of the following criteria:

1. they are funded by SHIP, CDBG, HOME, The American Rescue Plan Act, Low-Income Housing Tax Credits, the State Apartment Incentive Loan Program, or similar programs;
2. they are built by nonprofit affordable housing providers like Habitat for Humanity and Neighborhood Housing Development Corporation;
3. they are built by a governmental or quasi-governmental agency that provides affordable housing (like a Public Housing Authority); or
4. they have executed a legally binding document (e.g., a deed restriction) ensuring that the project will provide affordable housing.

When reviewing and inspecting HCD-certified Affordable Housing Projects, the City’s Building Department moves those projects to “the front of the line,” and reduces the maximum review period from 15 to 7 days, thus expediting them to a greater degree than other projects.



### **AHAC Recommendation**

The Planning and Building Departments should continue their current programs to expedite affordable housing projects, including keeping track of the number of projects that take advantage of, or do not take advantage of, these incentives.

In addition, the City should study the advantages and disadvantages of reducing the thresholds needed to move a project from board review to staff review. For example, a recently proposed Inclusionary Zoning proposal for multi-family projects sets thresholds at 10 or more units. Currently, for multi-family projects, the thresholds to qualify for the provisions of Section 30-3.45 are that the project must contain 51 or more units, at least 15% of which are reserved for households with incomes of 80% AMI or less.

## **2) Modification of impact fee requirements including reduction or waiver of fees and alternative methods of fee payment.**

### **Discussion**

The City does not require the payment of impact fees for new development. However, Gainesville Regional Utilities (GRU) requires the payment of connection charges in order to connect to their centralized water and wastewater systems. For residential development, those connection charges can be thousands of dollars per unit.

On September 7, 2023, the City Commission approved Resolution Number 2023-806, which governs the City's ConnectFree Program. Resolution Number 2023-806 clarifies that the ConnectFree Program can pay water and wastewater connection charges for new affordable housing units. That program generates revenues that the City can use to subsidize the costs of connecting new or existing structures to GRU water and wastewater systems.

On June 28, 2023, the governor signed HB-1645. That bill established the Gainesville Regional Utilities Authority (GRUA), which governs GRU. On February 7, 2024, the GRUA voted to stop contributing revenue to the ConnectFree Program on October 1, 2024. Nevertheless, the City expects the program to continue, although on a smaller scale, by utilizing the existing balance and some program income generated by the repayment of loans.

### **AHAC Recommendation**

Consistent with Resolution 2023-806, the City should use ConnectFree revenue to pay water and wastewater connection charges for new affordable housing units.

## **3) Allowance of flexibility in densities for affordable housing.**

### **Discussion**

By most measures (including age, wealth, income, and household size) Gainesville is a diverse community with diverse types of households and diverse housing needs. Therefore, to effectively serve its market, Gainesville needs a diverse housing stock, including (but not limited to) the following housing types:

- Detached single-family homes on large lots;
- Detached single-family homes on small lots;
- Mobile homes;

- Courtyard homes;
- Accessory dwelling units;
- Small complexes of attached homes (2-10 units);
- Townhomes; and
- Multiple-family complexes.

Although the City’s current Land Development Regulations (LDRs) allow a wide variety of densities, and housing types, those LDRs limit most of the City’s residential land area to detached single-family homes (See Attachment 2). The EZ/IZ Study (completed in December 2021) noted that, “In Gainesville, 63% of residential parcels allow for the construction of only one housing unit.” As detailed in the study, that development pattern incentivizes building larger, more expensive homes and can result in units that meet the needs of, and are affordable to, higher income households, but is not compatible to the development of housing that is affordable to the community’s moderate- and low-income residents. In other words, in most of Gainesville, it is not economically feasible to build housing types other than detached single-family homes, and luxury student apartments. Therefore, for a large part of the community, the existing and developing housing stock does not match the community’s housing needs, particularly for its lower income residents.

Nevertheless, Gainesville’s experience with raising density limits has been mixed. Generally, increasing density limits increases development potential and boosts property values, both of which can spur development and redevelopment. While there are several benefits of development and redevelopment, they can increase the cost of both land and housing, and reduce the amount of affordable housing. This often results in the displacement of low-income renters and property owners. At the same time, increased density limits are often a windfall for developers and large property owners.

To address this issue, the City commissioned the previously mentioned EZ/IZ Study, which contains recommendations regarding both reducing exclusionary zoning and creating inclusionary zoning. To date, the City has not been able to implement most of the exclusionary zoning recommendations. The exception is the increased allowances for accessory dwelling units, which actually precedes the completion of the EZ/IZ Study.

Currently, however, the City is in the process of amending its Comprehensive Plan and Land Development Code to provide more flexibility for single-family home development by reducing minimum lot size and building setback requirements. In addition, the City is in the process of amending its Comprehensive Plan and Land Development Code to allow Inclusionary Zoning (IZ) Regulations for affordable housing.

During 2023, the AHAC conducted five special community engagement meetings focused on IZ. Based on what they learned during that time, the AHAC developed recommendations for the City Commission. Attachment 3 is a chart containing the AHAC’s IZ recommendations.

On July 18<sup>th</sup>, 2024, the City Commission passed the first reading of an IZ ordinance that includes new regulations for projects of 10 or more units. That proposal requires those projects to make ten percent of all units available for, and affordable to, households earning no more than 80% AMI. The proposal has been forwarded to the State for review.

#### **AHAC Recommendation**

The City should adopt the proposed IZ regulations as recommended by the AHAC, including applying the regulations to multi-family projects of 10 or more units. Furthermore, the City should continue to work

with the County to implement compatible inclusionary zoning incentives and requirements. As part of that implementation, the City should continue to emphasize community engagement and education.

**4) Reservation of infrastructure capacity for housing for low- and very-low-income persons.**

**Discussion**

The City plans ahead to ensure that there is adequate infrastructure capacity to accommodate all new development. Part of that planning includes extensive coordination with various Federal, State, Regional and County Agencies. At present, GRU maintains sufficient water and wastewater treatment capacity. Every new development is required to demonstrate that it provides the minimum stormwater retention level of service through either on-site retention or a coordinated system.

For automobiles, nearly all roads in the City operate at or better than the adopted level of service. The Transportation Mobility Program Area allows for development, such as urban redevelopment and infill development, to occur along roads that operate below their adopted level of service. Although the City may permit the development, the exemption does not relieve the developer from various improvements stated in the Transportation Mobility Element of the Comprehensive Plan.

**AHAC Recommendation**

Continue to monitor current and projected infrastructure needs. Identify and utilize adequate funding sources to enhance network connectivity and integration of transportation modes to meet future housing needs and enhance mobility and accessibility.

**5) Allowance of accessory residential units in residential zoning districts.**

**Discussion**

The City’s land development code defines an Accessory Dwelling Unit (ADU) as “an independent self-contained dwelling unit with kitchen and bathroom facilities, on the same lot as an associated primary use or structure. An ADU may be within, attached to, or detached from a primary structure.” ADUs, are essentially the same as accessory residential units.

On September 3, 2020, the City Commission adopted Ordinance #190988, which increased allowances for ADUs in several ways, including removing most of the restrictions on ADUs in single-family zoning districts, and allowing up to two ADUs, with some restrictions, on a lot.

ADUs cannot be required to be affordable to low-income households. In fact, sometimes they are not affordable to low-income households. Nevertheless, they were historically an effective means to provide mixed-income housing widely dispersed throughout the City. In fact, some ADUs currently exist in several of the City’s older single-family neighborhoods. A potential benefit of ADUs is that they can provide affordable housing at little government cost, in neighborhoods where it is otherwise costly or impractical to create new affordable housing. These include neighborhoods that are close to employment centers, healthcare services, financial services, recreational services, educational services, and transportation services. ADUs can also generate a revenue stream to existing homeowners, making their home ownership more affordable and funding better property maintenance (as long as the homeowner that built the ADU maintains ownership of the property).

Traditionally, many Gainesville residents have had major concerns about the impacts of ADUs on

neighborhood quality of life. Those concerns are greatest in the neighborhoods close to the University of Florida, where many anticipate that the demand for ADUs is the highest. The conversion of owner occupied units to rental units has already had a large negative impact on many aspects of these neighborhoods. As a result, for many years, residents coordinated to create a vocal and well-organized opposition to any attempts to expand allowances for ADUs.

It may be too soon to measure the impact of Ordinance #190988. For the time period since that ordinance was adopted, the City has experienced neither a large increase in affordable residential units, nor a large increase in student rentals within traditionally single-family neighborhoods. In the first 12 months since the ordinance went into effect, the City received only six applications for ADU permits.

During the June 2021 to July 2023 time period, however, ADU applications have increased to 42 (23 have actually been built and received a Certificate of Occupancy). At this point, however, the information does not include how many of those ADU applications have been diverted from the general community for students or Airbnb customers.

In addition, based on the experience of other cities, the HAP and other documents suggest that Gainesville could partner with other local organizations (such as banks, credit unions, housing authorities, and nonprofit organizations) to develop a revolving loan fund to help property owners build ADUs that meet certain conditions. Those conditions would include a requirement that the units must be rented to income qualified households, at affordable rates, for a certain amount of time.

#### **AHAC Recommendation**

The City should continue to work to educate the community about ADUs (see Attachment 4), including developing, and making available, “pre-approved” building plans.

In addition, the City should consider ways to partner with other local organizations (such as banks, credit unions, housing authorities, and nonprofit organizations) to develop a revolving loan fund to help property owners build ADUs that meet certain conditions. Those conditions would include a requirement that the units be rented to income-qualified households, at affordable rates, for a certain amount of time.

Finally, the City should try to record and study the actual costs and uses of ADUs in Gainesville. This would include trying to gather data about the following:

- How many units are occupied by relatives of the property owner?
- How many units are used for short-term rentals?
- How many units are rented at market rates? and
- How many units are rented to low-income individuals or households?

## **6) Reduction of parking and setback requirements for affordable housing.**

### **Discussion**

In most instances, the City’s the Land Development Code does not require developments to install a minimum number of automobile parking spaces.

In general, the City’s building setback requirements are not unusually large. Nevertheless, sometimes developers ask for changes to those requirements. Reducing building setbacks currently requires a variance for individual lots or a Planned Development Approval for a subdivision. In both instances, the provision of affordable housing is not a criteria for approval. For subdivisions, this is an instance, like

additional density, where the City controls an item of value to some developers. For that reason, the City could adopt an incentive, essentially stating that reduced setbacks are available only when the developer provides a certain amount of affordable housing.

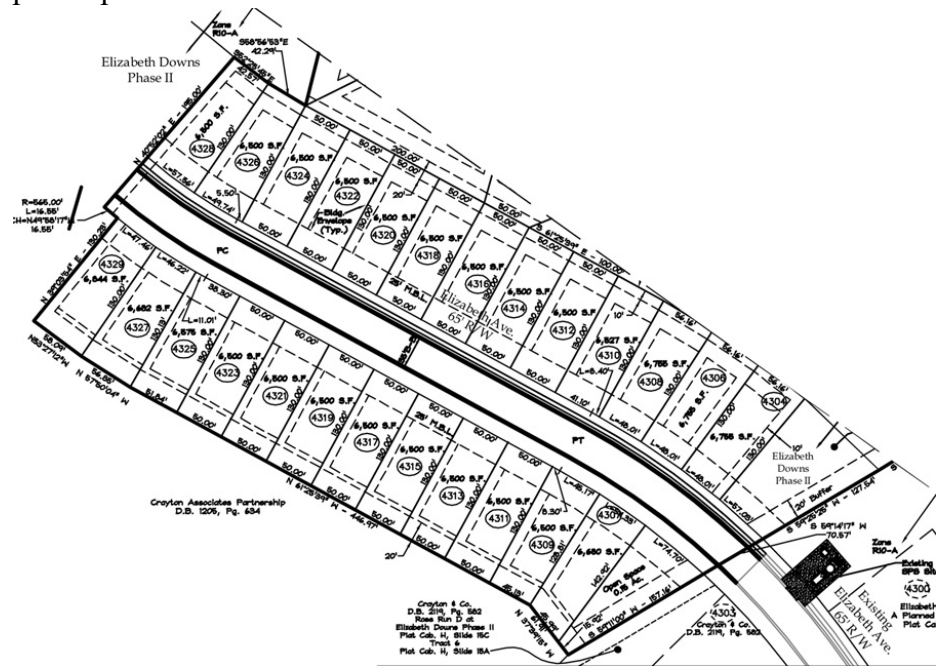
**AHAC Recommendation**

The City should revise its land development code to make reduced setbacks for Planned Development Subdivisions available only if the developer provides a certain amount of affordable housing. Finally, the City should also consider allowing reduced setbacks for subdivisions that provide a certain amount of affordable housing (and perhaps meet certain other standards), without requiring those subdivisions to go through the entire Planned Development process.

**7) Allowance of flexible lot configurations, including zero lot line configurations, for affordable housing.**

**Discussion**

Zero lot line developments have no required setbacks on one or more sides. Consequently, they allow the use of a greater percentage of the lot. As a result, the allowance of zero lot line developments in appropriate locations can lower overall housing costs by reducing land costs.



In general, City regulations that control the creation of subdivisions have little flexibility in terms of lot configurations unless an applicant incurs the additional expense of going through the Planned Development process. Applicants, however, may request that some subdivision requirements be modified for certain reasons. Those reasons are described in the code and currently include factors such as unusually steep topography. The code does not include the provision of affordable housing as a criterion for modifying subdivision requirements.

Again, this is one of the few instances where the City has some leverage to offer something of value in exchange for affordable housing. For that reason, the City could revise its land development code to make the provision of a certain amount of affordable housing one of the justifications for modification of subdivision requirements.

**AHAC Recommendation**

The City should revise its land development code to make the provision of a certain amount of affordable housing one of the justifications for modification of subdivision requirements.

**8) Modification of street requirements for affordable housing.**

**Discussion**

Many older City neighborhoods have thrived with narrower street widths, even including on-street parking and two-way traffic. Nevertheless, the width, design and materials of public roads and streets are regulated by the State and cannot be modified by the City.

There is, however, some flexibility within those regulations. Developers are encouraged to select alternative street specifications (including reductions in pavement widths) for all residential development, to reduce construction costs while benefiting the environment. Flexibility also exists for right of way widths, pavement widths, turn around dimensions, intersection curb radii, reduced curb and gutter requirements, etc. Modified street requirements, can reduce construction costs for all housing, including affordable housing.

**AHAC Recommendation**

The City should maintain its current street requirements, which are consistent with State guidelines. Flexibility currently exists within the State’s guidelines for addressing modified street requirements for affordable housing.

**9) Establishment of a process by which the City considers before adoption policies, procedures, ordinances, regulations or plan provisions that increase in the cost of housing.**

**Discussion**

The City has implemented an ongoing review of local policies, ordinances, regulations and comprehensive plan provisions that affect the cost of housing. Through this process, the City reviews new regulations to determine their potential impact on affordable housing. When appropriate and feasible, the City mitigates for negative impacts. As part of this process, the City reviews and evaluates zoning and other housing regulations to reduce the chances that they would limit housing opportunities for lower-income groups within the City. Petitions that regulate land use are required to include a fiscal impact statement regarding the impact of proposed development on affordable housing in the City.

**AHAC Recommendation**

The City should continue this review process.

**10) Preparation of an inventory of locally owned public lands suitable for affordable housing.**

**Discussion**

A Land Rights Coordinator (LRC) within the City’s Department of Sustainable Development maintains an inventory of City-owned lands, including land that may be appropriate for residential uses. If those lands are not needed for another use, such as an infrastructure project, they are considered available for affordable housing. The LRC routinely shares that inventory with various City departments and with other governmental and nonprofit agencies that provide affordable housing.

The inventory is also available on the City’s website, and can be accessed by clicking on the following link: [Planning & Development Welcome to the City of Gainesville \(gainesvillefl.gov\)](https://www.gainesvillefl.gov/planning-development/welcome-to-the-city-of-gainesville).

In addition, as recommended in the City’s Housing Action Plan, the Land Rights Coordinator and a

Geographic Information Systems (GIS) Specialist in the City’s Department of Sustainable Development have worked together to identify land owned by other public or private nonprofit agencies (e.g., the Alachua County School District, the University of Florida, or Santa Fe College) that is appropriate for residential uses and is within City limits.

**AHAC Recommendation**

The City should continue to maintain and update an inventory of locally owned public and private nonprofit lands suitable for affordable housing. In addition, the City should continue to share the inventory with other governmental and nonprofit agencies that provide affordable housing. As noted in the City’s Housing Action Plan, in the future, the City should also analyze under-utilized private for-profit lands (e.g., some parking lots) to determine if they may be appropriate for residential uses.

**11) Support of affordable housing development near transportation hubs, major employment centers and mixed-use developments.**

**Discussion**

The City’s Comprehensive Plan and Land Development Regulations provide for, and sometimes require, mixed-uses and higher residential densities in appropriate urban areas. In that way, the City allows for and encourages affordable housing near a mix of uses, including major transportation facilities, employment centers, and retail centers.

When implementing Planned Development zoning districts near employment and activity centers such as Butler Plaza, the City requires a portion of the new residential units to be affordable.

**AHAC Recommendation**

Continue to support affordable housing development near transportation hubs, major employment centers and mixed-use developments.

**IV. Additional Recommendation**

**Study Anti-Displacement and Anti-Gentrification Plans**

**Discussion**

One of the AHAC’s and the community’s biggest concerns with new development incentives, including allowances for some multi-family housing types in single-family areas, is the potential for the displacement of existing moderate- and low-income households in order to build student apartments and more expensive homes. The City has already implemented some programs to help address this issue. These programs include the following:

- The My Neighborhood Program: The City offers up to \$50,000.00 towards the purchase of a home, or lot to build on, within certain neighborhoods. The program is available to former residents who lived in the neighborhood for at least three years prior to 2011. The eligible neighborhoods are Greater Duval, Cedar Grove II, Porters, Sugarhill, Springhill, Fifth Avenue, Pleasant Street, North Lincoln Heights, and Heartwood (added on September 28, 2023). During Fiscal Year 2022-23 (October 1, 2022 to September 30, 2023), the City received four applications, all within the Greater Duval Neighborhood. During Fiscal Year 2023-24 (October 1, 2023 to September 30, 2024), the City received one application for a home within the Heartwood Neighborhood.



- The Heirs' Property Assistance Program: The City coordinates with Legal Firms to provide free probate legal assistance to owners of heirs' property located within the boundaries of the Gainesville Community Reinvestment Area. During Fiscal Year 2022-23 (October 1, 2022 to September 30, 2023), the seven applicants were successfully probated.
- The Legal Assistance for Eviction Prevention Program: The City coordinates with a nonprofit organization to provide several types of direct legal assistance to income qualified households facing possible eviction. Since this program began, it has assisted 89 households; 41 of those were during Fiscal Year 2022-23 (October 1, 2022 to September 30, 2023).
- The Homeowner Education Program: The City coordinated with a nonprofit organization to provide a series of legal presentations. Each session focused on a limited number of legal topics related to homeownership.
- The Land Donation Program: The City donates land to organizations that build affordable owner-occupied housing. The City uses deed restrictions to ensure that many of these homes will be permanently affordable. Since October 1, 2021, the City has donated 8 lots to this program. A local nonprofit organization has completed homes on 4 of those lots.
- The Community Land Trust Program: The City is working with a nonprofit organization that acquires, develops, and manages land for permanently affordable owner-occupied housing. Since October 1, 2022, the City has donated 10 lots to this program and \$1 million to this program (1 house is completed, and 3 more are under construction).

### **AHAC Recommendation**

To further address this issue, the AHAC recommends that the City consider taking the following actions:

- Continue to study and evaluate the programs described above.
- Research and study how other Cities and Counties deal with this problem.
- Identify and obtain Anti-Displacement and Anti-Gentrification Plans from other jurisdictions (e.g., Milwaukee, and Minneapolis/St. Paul).
- Analyze neighborhood market and demographic data to determine to what degree displacement may be occurring in Gainesville's neighborhoods.
- Determine if, how, and to what degree, the City can require new development to document, and possibly mitigate, impacts on existing residents. Those impacts can include direct displacement, increasing rents, and increasing property values.

Ultimately, the City should consider developing an Anti-Displacement/Anti-Gentrification Plan that can be useful whenever and wherever development pressures threaten to displace existing residents.

**V. City Commission Consideration**

The AHAC will submit this report to the City Commission on November 14, 2024.

**VI. Attachments**

1. 2024 HUD Income Limits
2. Generalized Zoning Map (2023)
3. AHAC's Inclusionary Zoning Recommendations—April 18, 2023
4. ADU Informational Flyer

## Attachment 1

### U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) INCOME LIMITS FOR GAINESVILLE MSA

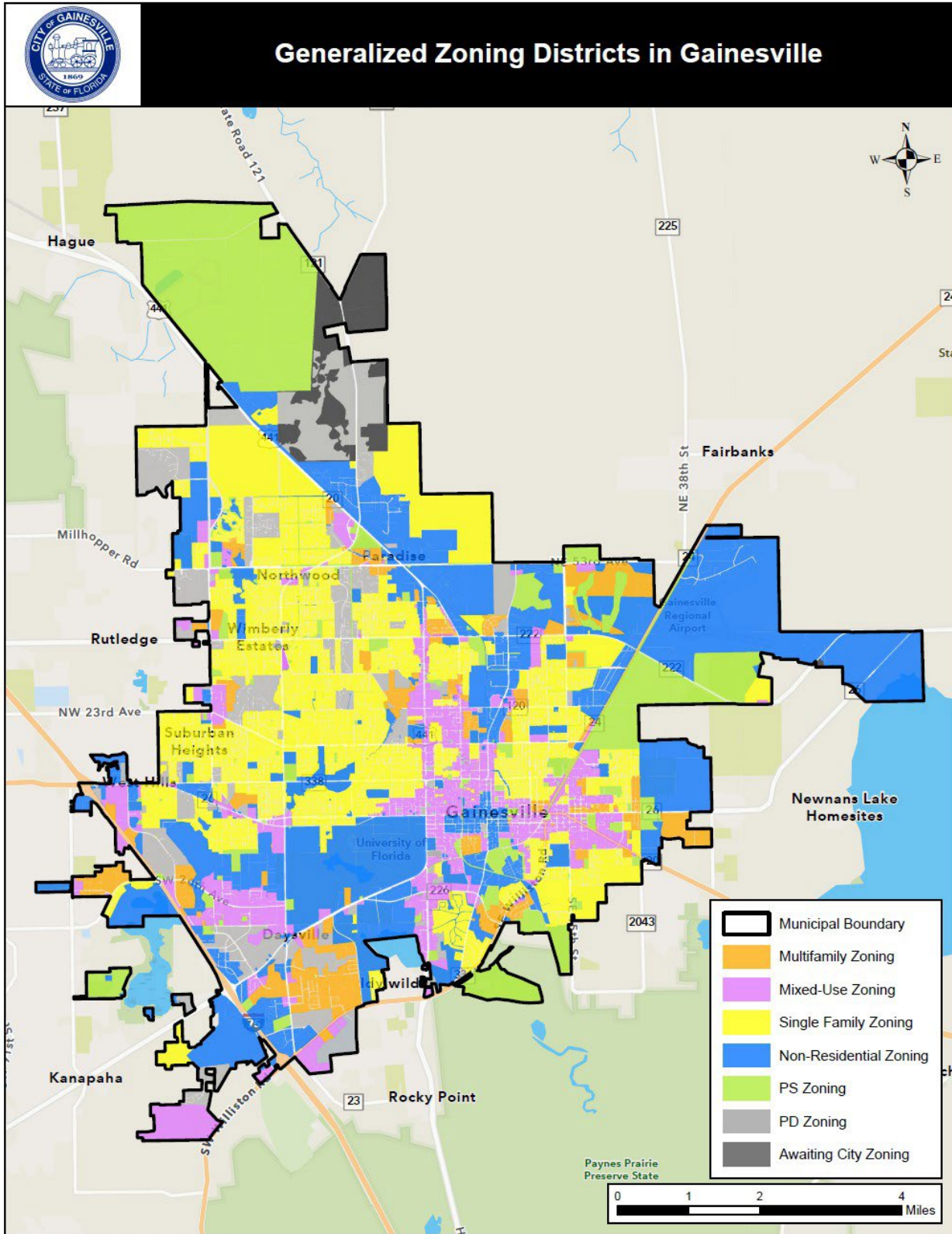
FAMILY SIZE  (Persons)	EXTREMELY LOW  (30% MFI)	VERY LOW INCOME  (50% MFI*)	LOW INCOME  (80% MFI*)
1	\$20,050	\$33,350	\$53,400
2	\$22,900	\$38,150	\$61,000
3	\$25,750	\$42,900	\$68,650
4	\$28,600	\$47,650	\$76,250
5	\$30,900	\$51,500	\$82,350
6	\$33,200	\$55,300	\$88,450
7	\$35,500	\$59,100	\$94,550
8	\$37,800	\$62,900	\$100,650

\*Fiscal Year 2024 Median Family Income (MFI) = \$96,700 CDBG/HOME\* Effective Dates

**CDBG** - 05/01/2024

**HOME** - 06/01/2024

# Attachment 2



## Attachment 3

### AHAC's Inclusionary Zoning Recommendations—April 18, 2023

Program Element	Current City	AHAC	Additional Comments
<b>Set Aside and Affordability Requirements</b>	10% affordable unit at 80% AMI	<i>At least 10% affordable units at up to 80% AMI</i>	Community would prefer a deeper level of affordability and a larger number of affordable units; AHAC recommendation is to match the City's recommendation at this time due to the limited profit margins for developers presented in the Consultant's report.
<b>In-Lieu Fee</b>	Establish in-lieu fee option, set at \$120-160k per affordable unit that would have been built under IZ; adjust fee level every 2 years	<i>Establish in lieu option with documentation provided that there are no other options ("set a high bar"); make calculation for fee level clear and transparent; adjust fee level every 2 years; add geographic constraint a la sidewalk onion.</i>	The community expressed an interest in excluding any additional affordable housing development in East Gainesville and only allowing it in West Gainesville; however, the Committee would like to ensure affordable development is geographically close to new development, but not limited to one specific side of town. There was general concern over how the fees should be spent.
<b>Development Scale</b>	Apply IZ requirements to multi-family developments with ten or more units.	Apply IZ requirements to multi-family developments with ten or more units.	No additional comments.
<b>Applicability</b>	-Voluntary opt-in for geographies outside of IZ policy. -Incentives applicable to non-market rate units. -Not applicable to existing development.	-Mandatory Citywide. -Incentives applicable to all new development that meets IZ policy. -Not applicable to existing development.	No additional comments.
<b>Affordability Term/Duration</b>	99 years.	<i>Life of the building.</i>	The two most popular options were 99 years and the life of the building. Most participants were in favor of the life of the building as long as it is well defined in the code.
<b>Unit Pricing</b>	Follow existing HUD guidelines.	Follow existing HUD guidelines.	No additional comments.
<b>Unit Characteristics</b>	Ensure affordable units are identical to market-rate units.	Ensure affordable units are identical to market-rate units.	Ensure units are dispersed throughout the development; avoid "concentration of poverty".
<b>Concurrency of Delivery</b>	Include concurrency requirement.	Include concurrency requirement.	No additional comments.
<b>Functional Units</b>	Adopt normal rounding rules; rounding up for fraction units above 0.5.	Adopt normal rounding rules; rounding up for fraction units above 0.5.	No additional comments.

<b>Program Element</b>	<b>Current City</b>	<b>AHAC</b>	<b>Additional Comments</b>
<b>Additional Recommendation 1</b>	N/A	Potential tiered incentive structure to trade extra set aside or deeper affordability for more incentives	N/A
<b>Additional Recommendation 2</b>	N/A	The City and County should coordinate to ensure consistency between IZ policies in order to minimize development migration from one to the other.	N/A
<b>Additional Recommendation 3</b>	N/A	City staff should evaluate a separate ownership-focused IZ policy to address additional areas of affordable housing needs.	N/A
<b>Additional Recommendation 4</b>	N/A	City staff should evaluate "special needs population"-focused IZ policy to address additional areas of affordable housing needs.	N/A
<b>Additional Recommendation 5</b>	N/A	City staff should evaluate additional public-private partnership opportunities, beyond IZ policies, to augment the City's limited affordable housing budget.	N/A



# Accessory Dwelling Units

A Guide to Permitting Accessory Dwelling Units (ADUs) in the City of Gainesville



## What is an Accessory Dwelling Unit, or ADU?

Walking around your neighborhood, you may have seen windows and a door above a garage or a cottage-sized home in the backyard of your neighbor's house. What you have seen is likely an accessory dwelling unit. You may be wondering how the unit was built, if it is lawful, and how you can build your own for your older relative, collegiate child, or as a rental unit.

**Accessory dwelling units (ADUs) are additional living quarters that are independent of the primary dwelling unit.**

An ADU can be an apartment within a primary residence or it can be an attached or freestanding home on the same lot as the primary residence. The City of Gainesville's Land Development Code (Chapter 30 of the Code of Ordinances) defines ADUs as "an independent, self-contained dwelling unit with kitchen and bathroom facilities, on the same lot as an associated primary use or structure." Gainesville allows ADUs by right in single-family neighborhoods and most zoning districts throughout the city.

## What is the purpose of ADUs?

ADUs are intended to provide property owners with flexibility in establishing separate living quarters for purposes such as caring for seniors, providing housing for their children, or obtaining rental income. The allowance of ADUs increases the range of housing choices and the supply of accessible and affordable housing units within the community.

## Benefits of ADUs:

ADUs provide many benefits for the homeowner and the community.



### Affordability

Because they do not require additional land or major new infrastructure, ADUs are cheaper to build than the traditional single-family home. Rental income from the ADU can subsidize the cost of the primary unit.



### Care for the Elderly/Persons with Disabilities

An ADU can be utilized so that an elderly or disabled individual who wishes to remain in their home can stay in their house and have their caregiver reside in the ADU, or vice versa.



### Workforce Housing Development

ADUs can be incorporated into existing, built-out neighborhoods in parts of the community that are closer to employment centers. Rather than being forced to commute long distances for their jobs, people can live affordably within the community.



# How to build an ADU on your property in the City of Gainesville

## Where are ADUs allowed?

ADUs are allowed in all zoning districts, except for the following:

- Automotive-Oriented Business (BA)
- Tourist-Oriented Business (BT)
- Limited Industrial (I-1)
- General Industrial (I-2)
- Airport Facility (AF)
- Conservation (CON)
- Education (ED)
- Public Services and Operations (PS)



## What types of ADUs are allowed?

An ADU may be within, attached to, or detached from a primary structure.

ADUs must meet the Florida Building Code Standards. ADUs must be built on a permanent foundation/slab and cannot be on a trailer or wheels.



## What are the zoning standards for ADUs?

Each ADU must comply with all standards applicable within the zoning district, including required setbacks and building height limits.

Zoning Standard	Requirement for ADUs	Other Comments
Density	One attached and one detached ADU may be permitted per lot or parcel	ADUs are exempt from density calculations
Size	Maximum 850-square-feet (gross floor area)	Structures exceeding 850-square-feet that existed on February 27, 2020, may be converted into ADUs
Design*	Must be designed as a subordinate structure to the primary structure on the lot in terms of mass, size, height, and architectural character	Architectural design, character, style, and appearance of the ADU must be consistent and compatible with the primary structure
Utilities	May share existing utility and service infrastructure with the primary unit	Subject to compliance with GRU standards
Subdivision	An ADU may not be sold separately or as a condominium unless properly subdivided	Must meet subdivision standards per the Land Development Code

\*New detached ADUs or ADUs extending from existing structures may not comprise more than 50 percent of the total visible facade area parallel to the front property line



### Learn more:

See the specific code language at Section 30-5.35 of the Land Development Code.