

## ATTACHMENT C

### Gainesville Comprehensive Plan and Land Development Code References

#### GAINESVILLE EXPERIENCE

##### Comprehensive Plan

The Comprehensive Plan is the visionary document of the City, designed to guide future activities and the direction of growth of the City. The policies that guide accessory dwelling units are found in the Future Land Use, Housing, Transportation and CIP elements of the plan. While the policies do not directly reference the term “accessory dwelling unit”, support for the program is clearly reflected and advanced in the many goals, objectives and policies of the Comprehensive Plan. Consider 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 ....” it reflects a major intent of accessory dwelling units to provide diversity in housing. Other policies support choices in housing, compact development, urban infill, walkable communities, transportation choices, transit, pedestrian and bicycle circulation and traffic calming strategies.

Given adoption of key policies that would further an aggressive accessory dwelling unit program; staff can identify matching changes that can be made as separate amendments or as part of the periodic Evaluation and Appraisal report.

While the Future Land Use Element contains a generous list of goals, objectives and policies that facilitate accessory dwelling units, there are some land use categories, such as Urban Mixed Use, Medium and High Density categories that may be construed as not accommodating to accessory dwelling units because of the limitation on minimum density.

##### Review of the Housing Element

Due to the importance of the Housing Element as a direct contributor to accessory dwelling units, it seems relevant to reference some policies that relate directly to accessory dwelling units. The primary goal of the element and one of its main objectives sets the tone of the element and its commitment to accessory dwelling units as a significant contributor to the overall housing supply.

**OVERALL GOAL:** ENCOURAGE A SUFFICIENT SUPPLY OF ADEQUATE, DECENT, SAFE, SANITARY, HEALTHY AND AFFORDABLE RENTAL AND OWNER-OCCUPIED HOUSING FOR ALL INCOME GROUPS.

**GOAL 1:** ASSIST THE PRIVATE AND NON-PROFIT HOUSING SECTOR IN PROVIDING HOUSING FOR LOW-INCOME, VERY LOW-INCOME, AND EXTREMELY LOW-INCOME HOUSEHOLDS.

**Objective 1.1:** Provide technical assistance and information on available City-owned parcels for low-income, very low-income and extremely low-income housing developments to private or non-profit housing providers who request housing assistance.

The element steps further as outlined in Attachment X to address programs related to the following:

1. Technical assistance and program incentives like pre-approved designs
2. Use of surplus property for accessory dwelling units
3. Promoting SHIP, CDBG, Section 8, HOME grants and the Housing Assistance Programs
4. Advocating new and amended zoning regulations
5. Support for not-for-profit organizations to participate in the programs
6. Identifying geographic areas conducive to accommodating accessory dwelling units

7. provides a full list of the Housing Element which steps further in promoting goals that support accessory dwelling units

The following are some policies and objectives that speak directly to the issues of affordable housing and the need to implement workable programs such as accessory dwelling units. However, those policies are not directly reflected in the Land Development Code. The City, through its Community Development and CRA efforts, has undertaken programs such as CDBD funding, SHIP and other programs but funding, resources and commitment still lags behind the need.

**Policy 1.2.5** The City shall support the dispersal of low-income, very low-income and extremely low-income housing units throughout the City by providing housing densities throughout the City that will allow low-income, very low-income and extremely low-income housing to be provided by the private sector. The City shall use Community Development Block Grant Funds and Section 8 Programs, the Home Investment Partnerships Grant (HOME) and State Housing Initiative Program (S.H.I.P.), as well as not-for-profit organizations in the State, to support the dispersal of affordable housing units throughout the City.

**Objective 1.5** The City shall collaborate with architects, designers and other housing professionals (providers) to encourage the innovative design of affordable housing.

**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.

**Policy 3.1.9** Realizing the connection between economic stability and the preservation of affordable housing, the City, through technical assistance and loan programs for economic development, shall provide economic development assistance to low-income, very low-income, and extremely low-income areas in order to create and retain jobs and to enhance and preserve surrounding neighborhoods.

**Policy 3.1.10** The City shall study the feasibility of an in-town housing program that would utilize pre-approved housing designs that are appropriate for specific locations where affordable housing should be encouraged. The approved plans and associated building permits would be fully processed and made available to interested builders to reduce costs and delays.

As recommended by the Public Policy Institute, the accessory dwelling unit Report to the Florida Legislature and the U.S. Department of Housing and Urban Development; it is always beneficial, judicious and defensible to have strong public policies and multi layers of support for such programs like the accessory dwelling unit initiative.

### **Recommendations**

Staff recommends the incorporation of stronger and more direct policies within the Comprehensive Plan addressing the benefits of an accessory dwelling unit program beyond its contribution to affordable housing.

Staff recommends an analysis of the Housing Element to determine the appropriateness and feasibility of directly addressing accessory dwelling units as an effective contributor to affordable housing efforts. It is also noted that the word affordable is not defined in the document but the emphasis seems to be on income levels of very-low, low and moderate income individuals; it is also important that the City address housing for all sectors because as income levels change so does housing occupancy ultimately creating opportunities for households to migrate to more desirable dwelling units within their income levels.

**Review of the Transportation Mobility Element**

The Transportation Mobility Element of the comprehensive plan supports increasing density in existing areas of the city to support transit and a mix of transportation choices. It encourages development and redevelopment in parts of the City which provide easy access to transit. Accessory dwelling units can be described as a kind of redevelopment and depending on where they are located could fulfill some of the objectives of the transportation mobility element of the comprehensive plan.

**Policy 2.1.5:** The City shall ensure that street modifications support land use, housing choice, and transportation choice objectives.

**Policy 10.2.5:** In order to encourage the redevelopment of properties within the TMPA, reduce or prevent blight, and encourage development in close proximity to transit, the following redevelopment trip credits shall apply to projects that are located within ¼ mile of the property lines of an existing transit hub or projects that are located in transit-supportive areas (as shown in the Existing Transit Hubs and Transit-Supportive Areas Map adopted in the Transportation Mobility Element) and are within ¼ mile of an existing transit route. The City shall reduce by 25% the net, new average daily trip generation for any redevelopment project or any project that expands or converts a building to a new use. The City shall reduce by 40% the net, new average daily trip generation for any mixed-use project that includes both a residential and nonresidential component where residential dwelling units equal at least 10% of the floor area of commercial/office uses.

**Land Development Code**

There are four categories of uses within the Land Development Code, The Transect Zones, the Residential Districts, the Mixed-Use and nonresidential Districts and the Special Districts. Table V-1 shows the zoning districts and transects where accessory dwelling units are allowed by right and as accessory to the principal use. The Code addresses both affordable housing and accessory dwelling units within those four districts. It allows accessory dwelling units in the U2 to U8 transect district by right; as an accessory use in the multi-family residential districts; as an accessory use in the office districts and as accessory in some commercial district, namely MU-1 and MU-2. The code does not allow accessory dwelling units in the low density residential districts, the commercial and industrial districts and the Special Districts. The RC district is the highest density single-family district at 12 dwelling units per acre. The MH is a mobile home district and the RMF-5 to 8 are multi-family districts at 12 to 30 dwelling units per acre; they also allow single-family dwellings.

Table A: Districts Where Accessory Dwelling Units Are Permitted

USE CATEGORIES	TRANSECTS AND ZONING DISTRICTS											
Transects Zones	U1	U2	U3	U4	U5	U6	U7	U8	U9	DT		
Residential Districts	RSF-1	RSF-2	RSF-3	RSF-4	RC	MH	RMF-5	RMF-6	RMF-7	RMF-8		
Mixed-Use and Non-residential Districts	OR	OF	MU-1	MU-2	CP	BUS	BA	BT	BI	W	I-1	I-2
Special Districts	AGR	AF	CON	ED	MD	PS						
Permitted by Right		Permitted as Accessory to Single-family							Not Permitted			

### Accessory Dwelling Units In The Land Development Code

The code also allows accessory dwelling units within the Transect districts but makes no special concessions to the development standards to facilitate accessory dwelling units. They must comply with the development standards of the district to the same extent as the primary uses. Those districts are found primarily within the urban core and are designed to accommodate higher density/intensity compact developments. All the transect districts allow single-family dwellings but the higher level districts are designed to accommodate office and commercial uses that may not necessarily be compatible with residential developments. Accessory dwelling units are not allowed either in the lowest density residential districts of RSF-1 to RSF-4 or the Urban 1 (U1) transect zone where detached single-family dwellings are typically located.

## DIVISION 2. ACCESSORY USES AND STRUCTURES

### Section 30-5.33. Accessory Dwellings

Accessory dwelling units are allowed in certain districts as specified in Article IV and only in conjunction with a primary single-family dwelling unit. Only one accessory dwelling unit may be permitted per lot or parcel.

A. *Location.* An accessory dwelling unit may be attached or detached from the principal building.

B. *Style.* The accessory dwelling unit shall be designed as a subordinate structure to the primary structure on the lot in terms of its mass, size and architectural character. The architectural design, character, style and appearance of the accessory unit shall be consistent and compatible with the primary structure.

C. *Parking and access.*

1. Off-street parking for the accessory dwelling, if provided, shall be located on the lot on which the principal building is located.
2. An accessory dwelling unit and any off-street parking spaces shall be served by the same driveway as the principal building.

- D. *Standards.* Each accessory dwelling unit shall comply with all standards applicable within the zoning district, including required setbacks and building height limits. Accessory dwelling units are exempt from residential density calculations.
- E. *Owner occupancy required.* Property owner residency, as shown by an existing homestead exemption, in either the primary or accessory dwelling unit shall be a requirement for permitting of accessory dwelling units.
- F. *Building size.* The living area of the unit shall be a maximum of 50% of the principal residence or 1,000 square feet, whichever is lesser.
- G. *Subdivision.* An accessory unit may not be sold separately unless properly subdivided in accordance with this chapter.

Composite Exhibit A  
Article V