



Legislation Text

File #: 160769, **Version:** 5

Text Change - Amending the Land Development Code Related to Sexual Offender Treatment Facilities (B)

Ordinance No. 160769

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by deleting Social Service Facility and Rehabilitation Center as permitted uses and adding Sexual Offender Treatment Facility and Social Service Treatment Facility as permitted uses in certain zoning districts with associated regulations; by amending Section 30-2.1. Definitions; by amending Section 30-4.12. Permitted Uses within transect zoning districts; by amending Section 30-4.16. Permitted Uses in residential zoning districts; by amending Section 30-4.19. Permitted Uses in mixed-use and nonresidential zoning districts; by amending Section 30-4.23. Permitted Uses in special zoning districts; by amending Article V. Use Standards to provide regulations for Sexual Offender Treatment Facilities and Social Service Treatment Facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

STAFF REPORT

On May 19, 2016, the City Commission heard from several citizens from the Oakview Neighborhood regarding concerns about counseling services for sexual offenders locating in their neighborhood near childcare centers. The City Commission referred this issue to the General Policy Committee for discussion and on May 26, 2016, the consensus of the General Policy Committee was to amend the Land Development Code to clarify definitions and to make it clear where sexual offender treatment would be allowed. Subsequent to that, the City Commission held a public hearing on July 6, 2017, and approved the petition associated with this text amendment to the Land Development Code and authorized the drafting of this ordinance.

This ordinance will amend the Land Development Code by clarifying definitions, specifically by deleting Social Service Facilities and Rehabilitation Centers as permitted uses and adding Social Service Treatment Facilities and Sexual Offender Treatment Facilities as permitted uses in certain zoning districts with applicable regulations. This ordinance defines Social Service Treatment Facilities as facilities that provide general out-patient professional therapy, counseling, or similar rehabilitative services to individuals or groups related to social disorders, addictions, or similar issues. Sexual Offender Treatment Facilities are defined as facilities that provide any out-patient sexual behavior therapy, counseling, or similar rehabilitative services to individuals or groups that are either registered sexual offenders or registered sexual predators under state law as a result of an offense in which the victim was less than 16 years of age.

These uses are both assigned the same zoning districts and both include a spacing requirement to prevent a concentration of these uses in one area - cannot be located closer than 1,320 feet from similar uses. In addition, this ordinance has an additional spacing requirement for Sexual Offender Treatment Facilities, requiring them to be located no closer than 1,000 feet from any school, day care center, or park.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.