



Legislation Details (With Text)

File #: 160769 **Version:** 5 **Name:**
Type: Ordinance **Status:** First Reading
File created: 2/16/2017 **In control:** City Attorney
On agenda: 11/1/2018 **Final action:**
Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 160769_Staff report and Exhibits 1-4_20170323, 2. 160769_Staff report and Exhibits 1-4_20170427, 3. 160769A_Revised Ordinance - Sexual Offender Treatment Centers_20170427, 4. 160769B_Kyle Bender PPT_20170427, 5. 160769A_Current Petition Proposal_20170706, 6. 160769B_Alternative Recommendation_20170706, 7. 160769C_Staff report and Exhibits 1-4_20170706, 8. 160769D_Revised Ordinance - Sexual Offender Treatment Centers_20170706, 9. 160769E_Kyle Bender PPT_20170706, 10. 160769F_CPB minutes draft_20170706, 11. 160769G_Staff PPT_20170706, 12. 160769H_Memo to Mayor and Commission_20170706.pdf, 13. 160769I_Exhibit 1_GPD PPT_Sex Offense Committed by Sex Offenders 2_20170706.pdf, 14. 160769J_Exhibit 2_Staff PPT_20170706.pdf, 15. 160769_legal opinion_20170706.pdf, 16. 160769_Memo - June 29 2017_20170706.pdf, 17. 160769A_draft ordinance_20180405.pdf, 18. 160769B_Sex Offenses Committed in the City of Gainesville Final.pptx_20181004.pdf, 19. 160769C_Staff PPT_20181004.pdf, 20. 160769A_draft ordinance_20181004, 21. 160769A_draft ordinance_20181101.pdf, 22. 160769C_Staff PPT_20181101.pdf, 23. 160769_Backup from Public_20181101.pdf

Date	Ver.	Action By	Action	Result
11/1/2018	5	City Commission		
10/4/2018	5	City Commission	Continued	
4/5/2018	4	City Commission	Withdrawn	
7/6/2017	3	City Commission	Approved (Petition), as amended	Pass
6/1/2017	3	City Commission	Continued (Petition)	Pass
3/23/2017	2	City Plan Board		
2/23/2017	1	City Plan Board		

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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.