



## **GADSDEN COUNTY PLANNING COMMISSION MEETING**

**Thursday, November 16, 2023**

**6:00 p.m.**

**Edward J. Butler Governmental Complex**

### **AGENDA ITEMS**

**Call To Order, Invocation, and Pledge of Allegiance**

**Introduction of Members – Roll Call**

**Election of Officers**

**Amendments and Approval of Agenda**

**Consent**

1. Approval of Minutes:
  - a. July 13, 2023
  - b. August 10, 2023

**Citizens Requesting To Be Heard On Non-Agenda Items (3-Minute Limit)**

The Gadsden County Planning Commission welcomes and encourages public participation at all meetings of the Planning Commission. Citizens are free to speak for up to three (3) minutes on non-agenda items. Public comments and participation are also encouraged for items on the agenda.

Additionally, if you are unable to attend a meeting in person, comments from the Public can also be submitted via email to [CitizensToBeHeard@gadsdencountyfl.gov](mailto:CitizensToBeHeard@gadsdencountyfl.gov) until noon on the date of the meeting. Comments submitted after the deadline, but prior to the meeting, will be added to the official record, but the County cannot guarantee that Planning Commissioners and staff will have adequate time to review comments prior to the meeting.

Citizens are further encouraged to participate via Zoom using the credentials on the County's website. The Planning Commission's meetings are also broadcast live on the Gadsden County Board of County Commissioners' Facebook page.

## **Public Hearings**

2. ACCESSORY DWELLING UNIT REGULATIONS (LDR 2023-01) (Legislative Hearing) – Consideration of Ordinance #2023-06 amending Chapter 5, Development Standards of the Gadsden County Land Development Code by revising Section 5100, Residential Standards, and Subsection 5101, Residential Uses, and adding Subsection 5108, Accessory Dwelling Units.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 5100, RESIDENTIAL STANDARDS AND SUBSECTION 5101, RESIDENTIAL USES AND ADDING SUBSECTION 5108, ACCESSORY DWELLING UNITS IN CHAPTER 5, DEVELOPMENT STANDARDS; AND PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE GADSDEN COUNTY LAND DEVELOPMENT CODE, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND CORRECTION OF SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

## **General Business**

3. Planning Commission 2024 Meeting Schedule
4. Planning Director’s Comments
5. Planning Commissioners’ Comments

## **Motion to Adjourn**

**The next regularly scheduled meeting is DECEMBER 14<sup>TH</sup>, 2023 at 6:00 pm.**

*Pursuant to Section 286.0105, Florida Statutes, the County hereby advises the public that: If a person decides to appeal any decision made by this Board, agency, or meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the County for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should call the Planning & Community Development Department at 875-8663, no later than 5:00 p.m. at least 48 hours prior to the meeting.*

**AT A MEETING OF THE PLANNING  
COMMISSION HELD IN AND FOR GADSDEN  
COUNTY, FL ON JULY 13, 2023 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

**Present:** Rev. Dr. Joe Parramore, Chair, District 5  
Lori Bouie, Vice-Chair, District 5  
Eugene Sherman III, District 1  
John Youmans, District 2  
Mark Moore, District 3  
Wayne Williams, District 3  
Charles Roberts, District 4  
Karema Dudley, School Board Representative

**Staff Present:** Justin Stiell, Planning and Zoning Director  
Ellen Andrews, Senior Planner  
Clayton Knowles, County Attorney  
Adriana Quijada, Clerk Secretary to the Boards

**Call To Order, Invocation, and Pledge of Allegiance**

Chair Parramore called the meeting to order at 6:00 pm. Commissioner Williams provided Invocation and Vice-Chair Bouie led into the Pledge of Allegiance to the U.S. Flag.

**Introduction of Members – Roll Call**

Roll call was completed by the Assistant Clerk:

<b>Rev. Dr. Joe Parramore, Chair</b>	<b>Present</b>
<b>Lori Bouie, Vice-Chair</b>	<b>Present</b>
<b>Eugene Sherman III</b>	<b>Present</b>
<b>William Chukes</b>	<b>Not Present</b>
<b>Tracey Stallworth</b>	<b>Not Present</b>
<b>John Youman</b>	<b>Present</b>
<b>Mark Moore</b>	<b>Present</b>
<b>Wayne Williams</b>	<b>Present</b>
<b>Charles Roberts</b>	<b>Appeared Later</b>
<b>Karema Dudley</b>	<b>Present</b>

**Amendments and Approval of Agenda**

**Consent**

1. Approval of Minutes – April 23, 2023; May 11, 2023

Chair Parramore called for a motion of approval of minutes.

**A MOTION TO APPROVE THE MINUTES WAS MADE BY COMMISSIONER SHERMAN AND SECOND BY COMMISSIONER YOUMAN. THE MOTION WAS VOTED ON A ROLL CALL VOTE AND PASSED 7-0.**

**Citizens Requesting to be Heard on Non-Agenda Items (3-minute limit)**

The Gadsden County Planning Board welcomes and encourages public participation at all meetings of the Board. Citizens are free to speak for up to three (3) minutes on non-agenda items. Public comments and participation are also encouraged for items on the agenda. Additionally, if you are unable to attend a meeting in person, comments from the Public can also be submitted via email to [CitizensToBeHeard@gadscountyfl.gov](mailto:CitizensToBeHeard@gadscountyfl.gov) until noon on the date of the meeting. Comments submitted after the deadline, but prior to the meeting, will be added to the official record, but the County cannot guarantee that Commissioners and staff will have adequate time to review comments prior to the meeting. Citizens are further encouraged to participate via Zoom using the credentials on the County's website. The Board's meetings are also broadcast live on the Board's Facebook page. Chair Parramore read aloud the above statement.

**Public Hearings**

- 2. Willscot Hammock Creek Conceptual/ Preliminary Site Plan (SP 2023-01) (Quasi-Judicial) – Consideration of a conceptual/ preliminary site plan to construct a Willscot “Mobile Mini” storage unit facility on a 19.75-acre parcel located at River Birch Road, Hammock Creek Commerce Park, Midway (Parcel ID 4-06-1N-2W-1536-00000-0230).**

Mr. Stiell stated Monomoy BTS Corporation had submitted an application for a Willscot “Mobile Mini” storage unit facility. Mr. Stiell read on through the rest of the item.

Chair Parramore stated he did not see a date on the traffic study he read this morning. He verified if this was the one conducted in 2000? Mr. Stiell stated yes, it was conducted September 13, 2000.

Commissioner Roberts asked about what kind of large trucks were they referring to? Mr. Stiell stated they would be semi-trucks. They would put the trailers on the semi-trucks to be taken to their destination.

Robert Wilson appeared before the Board.

Commissioner Sherman stated he understood that a parking study would be conducted, if they move forward with this, were they in essence of who the variants to the LDC or what was the legal outcome of them moving forward with this. Mr. Stiell stated if they were proposing fewer parking spots than what would be typically required, then a parking study would be required.

Chair Parramore stated according to the Parcel ID it reflected 19.73 acres and, in the application, it stated 19.75. He wanted to make sure they were consistent with these numbers. Mr. Stiell stated they would double check that. Vice-Chair Bouie stated the County records reflected 19.73.

Gadsden County Planning Commission  
July 13, 2023 - Regular Meeting

Chair Parramore stated he had a storm water question. He asked what diversion measures for the outfall and water flow were being proposed. Mr. Stiell stated it was up to the applicant to design. He was not sure if they were aware how they were going to design the storm water facility at this point. Scott Kelly appeared before the Board. He stated the majority of the storm water is going to be flowed by through over land flow to the West and North portions. The storm water pond on the South east side would be designed to take the storm from the parking area.

Chair Parramore had a question from page 102. He stated they were using 65% of the 19.73 acres. He asked Stiell if that met the green space requirements in terms of the LDC. Mr. Stiell stated yes, it does.

Chair Parramore stated in terms of the tortoises and indigo snakes, while none were seen, they know how invasive they could be. He asked if there were any contingency plans in the event that habits are discovered. Mr. Stiell stated if any of those were spotted, they would have to get a permit to have those removed.

Chair Parramore called for a motion to approve this item.

**VICE-CHAIR BOUIE MADE A MOTION TO APPROVE OPTION ONE AND COMMISSIONER SHERMAN MADE THE SECOND. THE BOARD VOTED BY ROLL CALL VOTE TO APPROVE THIS ITEM AND PASSED 8-0.**

#### General Business

3. Planning Directors' Comments
4. Planning Commissioners' Comments

Gadsden County Planning Commission  
July 13, 2023 - Regular Meeting

**Motion to Adjourn**

*The next regularly scheduled meeting is AUGUST 10<sup>th</sup>, 2023 at 6:00pm.*

**WITH NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR PARRAMORE ADJOURNED THE MEETING AT 6:29 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**JOE PARRAMORE, Chair**

**ATTEST:**

---

**NICHOLAS THOMAS, Clerk**

**AT A MEETING OF THE PLANNING  
COMMISSION HELD IN AND FOR  
GADSDEN COUNTY, FL ON AUGUST  
10, 2023 AT 6:00 P.M., THE  
FOLLOWING PROCEEDING WAS  
HAD, VIZ:**

**Present:**       Lori Bouie, Vice-Chair, District 5  
                  Eugene Sherman III, District 1  
                  John Youman, District 2  
                  Mark Moore, District 3  
                  Wayne Williams, District 3  
                  Charles Roberts, District 4  
                  Tracey Stallworth

**Staff Present:** Ellen Andrews, Senior Planner  
                  Clayton Knowles, County Attorney  
                  Adriana Quijada, Clerk Secretary to the Boards

**Call To Order, Invocation, and Pledge of Allegiance**

Chair Bouie called the meeting to order at 6:00 pm. Commissioner Sherman provided Invocation and led into the Pledge of Allegiance to the U.S. Flag.

**Introduction of Members – Roll Call**

No roll call done.

**Amendments and Approval of Agenda**

No minutes signed.

**Citizens Requesting to be Heard on Non-Agenda Items (3-minute limit)**

The Gadsden County Planning Board welcomes and encourages public participation at all meetings of the Board. Citizens are free to speak for up to three (3) minutes on non-agenda items. Public comments and participation are also encouraged for items on the agenda. Additionally, if you are unable to attend a meeting in person, comments from the Public can also be submitted via email to [CitizensToBeHeard@gadscdencountyfl.gov](mailto:CitizensToBeHeard@gadscdencountyfl.gov) until noon on the date of the meeting. Comments submitted after the deadline, but prior to the meeting, will be added to the official record, but the County cannot guarantee that Commissioners and staff will have adequate time to review comments prior to the meeting. Citizens are further encouraged to participate via Zoom using the credentials on the County's website. The Board's meetings are also broadcast live on the Board's Facebook page.

Chair Bouie read aloud the above statement.

**Public Hearings**

- 1. Dupont Road Well Improvements Special Exception Use (SEU 2023-01) (Quasi-Judicial) – Consideration of a Special Exception Use to allow construction of a new potable water well to service the Gadsden Regional Water System on a 26.04-acre parcel and a 31.45-acre**

Gadsden County Planning Commission  
August 10, 2023 - Regular Meeting

parcel located south of Lett Lane and west of Dupont Road (Parcel ID 4-04-1N-2W-0000-00340-0000, 4-04-1N-2W-0000-00441-0000). The parcels are located in an agricultural land use (Agriculture-3) which allows for construction of essential utility services with approval of a Special Exception Use.

Mr. Stiell presented the above item.

Mr. Stiell stated the 2 parcels on which the project will be located are designated as Agriculture 3 on the GC FLUM. Essential utilities are permitted in Agriculture 3 with approval as a special exception use and a Type II site plan.

Commissioner Roberts stated he went out there with binoculars. He mentioned a pond on private property and asked what would happen to them. Mr. Stiell stated the State would monitor the area.

Commissioner Stallworth asked if they had any data from the time the test well was installed until now. Mr. Stiell stated they did not have that data.

Commissioner Roberts asked what year was the test well put in. Mr. Stiell stated 2008.

Commissioner Roberts asked did they know how many homes were there from then and now? Mr. Stiell stated they did not have that data from 2008.

Chair Bouie stated her concern was that the Variance was in place to protect source of water drawn from well. Mr. Stiell stated the State gave exceptions to what could go in that protection.

Chair Bouie stated the area does not have central sewage.

Commissioner Moore stated for residential use, wells have to be 100 feet from sewer system. He asked how many casings were in this well and how far down it goes.

Attorney Knowles stated they have three separate items tonight.

Woods Waddle, Applicant's agent, appeared before the Board.

Commissioner Roberts asked if there's been any current study. He also asked about the effect on neighbors. Mr. Waddle stated it shouldn't affect any residential wells.

Commissioner Youman asked if they were doing it for more capacity of water? Mr. Waddle stated yes.

Commissioner Moore wanted to be clear about just putting a well on the property.

Commissioner Sherman asked about technicians going out to the property.

Commissioner Moore asked how many days a month someone would be out there. Mr. Waddle stated about once a month.



Gadsden County Planning Commission  
August 10, 2023 - Regular Meeting

Michael Smith appeared before the Board. He asked if the environmental impact study has been done. He also asked why residents were not made aware of this project. He asked where was the water being pumped to.

Ronald Warner appeared before the Board. He wanted assurance that their wells would be protected.

Tom LaDuke appeared before the Board to discuss his concerns with the well. He wanted to make sure he was not affected.

Susan Cabe appeared before the Board. She was concerned about traffic but she stated it did not seem like it would be a problem after hearing everyone speak.

Mr. LaDuke appeared before the Board again. He stated 60% of the project has already been done.

Mr. Waddle appeared before the Board. He stated they have permitted this through the Department of Environmental Protection.

Commissioner Moore stated he was concerned about the well running dry.

Chair Bouie asked for a motion.

Moore made a motion for special exception use suggested option 1.

**COMMISSIONER MOORE MADE A MOTION TO APPROVE OPTION ONE, RECOMMEND APPROVAL OF THE DUPONT ROAD WELL IMPROVEMENT, AND COMMISSIONER SHERMAN MADE THE SECOND. THE BOARD VOTED BY VOICE VOTE TO APPROVE THIS ITEM AND PASSED 7-0.**

2. Dupont Road Well Improvements Variance (V 2023-01) (Quasi-Judicial) – Consideration of a variance request and order to allow a reduction in the required setback from 700’ to 195’ from the northern property line for a potable water well field for a new potable water well to be located on a 26.04-acre parcel and a 31.45-acre parcel located south of Lett Lane and west of Dupont Road (Parcel ID 4-04-1N-2W-0000-00340-0000, 4-04-1N-2W-0000-00441-0000).

Mr. Stiell presented item number 2.

Commissioner Moore stated he would love to know if there was anything being done to make sure the well was protected.

Mr. Waddle stated they have looked at all locations on site to see if there was anywhere they could put a well that did not require a Variance.

Chair Bouie stated she was not opposed to the well, but would like to have things in place to protect neighbors and future concerns.

Mr. Stiell stated that may be an issue under the site plan review. This was just for the variance.

Gadsden County Planning Commission  
August 10, 2023 - Regular Meeting

Commissioner Stallworth stated his concern was the farm that LaDuke has. He wanted to know why the neighbors did not receive a letter.

Susan Vause appeared before the Board. Her concern was that they were right adjacent of where they were putting this well.

Chair Bouie asked Mr. Stiell if there was a negative impact on the citizens who were adjacent.

Chair asked the Commission how they would like to move forward.

**COMMISSIONER SHERMAN MADE A MOTION TO APPROVE OPTION ONE, RECOMMEND APPROVAL OF THE DUPONT ROAD WELL IMPROVEMENT VARIANCE REQUEST, AND COMMISSIONER STALLWORTH MADE THE SECOND. THE BOARD VOTED BY ROLL CALL VOTE TO APPROVE THIS ITEM AND PASSED 6-1. COMMISSIONER MOORE OPPOSED.**

3. Dupont Road Well Improvements Conceptual/Preliminary Site Plan (SP 2023-02) (Quasi-Judicial) – Consideration of a conceptual/preliminary site plan to construct a new potable water well to service the Gadsden Regional Water System on a 26.04-acre parcel and a 31.45-acre parcel located south of Lett Lane and west of Dupont Road (Parcel ID 4-04-1N-2W-0000-00340-0000, 4-04-1N-2W-0000-00441-0000).

Mr. Stiell presented the above item.

Chair Bouie stated she was concerned that they did not have the representative present to answer questions. Mr. Stiell stated the code allowed for representatives from engineering firm to represent the company.

Chair Bouie stated her concern was that Talquin was not able to answer her concerns she had about the neighbors. Chair Bouie asked if there was a way for the generator to be enclosed? Mr. Waddle stated they do have an enclosure.

Chair Bouie asked if there is a flush system with boundaries that would control flushing waters in addition to the storm water system, would there be an actual plan direction for the flush water to go to. Mr. Waddle stated he could not really answer that. Chair Bouie stated that would be a question for Talquin.

Chair Bouie asked Mr. Stiell if they were able to recommend a directed flush system. Attorney Knowles reminded them of the policies with Quasi-Judicial.

Commissioner Stallworth stated he would like for the main engineer to be here to answer all questions they have.

Commissioner Roberts that amount of water would have an effect on people. Asked where did the water lead

Chair Bouie stated she was going to ask them to provide free connection to the immediate neighbors.

Gadsden County Planning Commission  
August 10, 2023 - Regular Meeting

Chair Bouie stated it would give a positive to neighbors since the property insurance would go down. But she still had concerns about the flush water system.

Commissioner Moore asked if they deny this tonight, would it come back before them again. Mr. Stiell stated they would have to give a recommendation to the Board of County Commissioners.

Chair Bouie stated Talquin could provide answers for the direction of the flush water system

Chair Bouie mentioned about having a hydraulic study. Mr. Stiell stated yes, they could ask for that study.

**VICE-CHAIR BOUIE MADE A MOTION TO APPROVE OPTION ONE, UNDER THE CONDITION THAT PRIOR TO APPROVAL, SUFFICIENT EVIDENCE THAT ANY FLUSHING WOULD NOT HAVE ANY IMPACT ON NEIGHBORING PROPERTIES AND THAT THERE WOULD BE BOUNDARIES AND MITIGATION DIRECTED TO STANDARD AREA FOR THE FLUSHING SYSTEM AND A HYDRAULIC STUDY WILL BE DONE. COMMISSIONER WILLIAMS MADE THE SECOND. THE BOARD VOTED BY ROLL CALL VOTE TO APPROVE THIS ITEM AND FAILED TO PASS 2-5. COMMISSIONER STALLWORTH, COMMISSIONER YOUAMAN, COMMISSIONER ROBERTS, COMMISSIONER MOORE, AND COMMISSIONER SHERMAN OPPOSED.**

**COMMISSIONER MOORE MADE A MOTION TO DENY DUE TO FLUSH WATER MANAGEMENT AND ADDRESS THE SCIENTIFIC REASONS WHY THE WELL WOULD NOT AFFECT NEIGHBORS WITH A STRONG RECOMMENDATION TO THE COUNTY COMMISSIONERS THAT THEY LOOK DEEPLY INTO THESE THINGS THEY WERE CONCERNED ABOUT. COMMISSIONER ROBERTS MADE THE SECOND. THE BOARD VOTED BY ROLL CALL VOTE TO APPROVE THIS ITEM AND PASSED 5-2. CHAIR BOUIE AND COMMISSIONER WILLIAMS OPPOSED.**

Commissioner Sherman amended Commissioner Moore's motion to deny due to lack of info that include concerns related to the public.

Commissioner Roberts mentioned about having the technology to be able to pull up the location on the tv's in the Board room for them to be able to see what they are talking about. Mr. Stiell stated he would have to check with the IT department.

### General Business

4. Planning Director's Comments
5. Planning Commissioners' Comments

Gadsden County Planning Commission  
August 10, 2023 - Regular Meeting

**Motion to Adjourn**

*The next regularly scheduled meeting is SEPTEMBER 14, 2023 at 6:00 pm.*

**WITH NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR BOUIE ADJOURNED THE MEETING AT 9:44 P.M.**

**GADSDEN COUNTY, FLORIDA**

\_\_\_\_\_  
**Lori Bouie, Chair**

**ATTEST:**

\_\_\_\_\_  
**NICHOLAS THOMAS, Clerk**

## **Gadsden County Planning Commission Agenda Request**

**Date of Meeting:** November 16, 2023

**To:** Honorable Chairperson and Members of the Planning Commission

**From:** Justin Stiell, Growth Management Director

**Subject:** **Public Hearing (Legislative)** – Consideration of Ordinance 2023-06 (LDR 2023-01), amending Chapter 5, Development Standards of the Gadsden County Land Development Code by revising Section 5100, Residential Standards, and Subsection 5101, Residential Uses, and adding Subsection 5108, Accessory Dwelling Units.

---

### **Statement of Issue:**

This agenda request is for consideration of an amendment to Chapter 5 of the Gadsden County Land Development Code (LDC) to add standards for Accessory Dwelling Units (ADUs). The amendment relates to the allowance of ADUs and establishing ADU development standards and requirements. The clean version of the proposed amendments to Chapter 5 is located in Attachment 1 to this agenda request and the proposed Ordinance 2023-06 with the strikethrough/underlined text version to be presented to the Board of County Commissioners (BOCC) is located in Attachment 2.

### **Background:**

Gadsden County Comprehensive Plan Housing Element Policy 3.1.7 (Attachment 3) allows for mixture of housing types, including ADUs, within a variety of price ranges to provide a range of housing options for County residents. Currently, ADUs are only allowed within Gadsden County Rural Residential or Urban Service Area land use categories pursuant to Housing Element Policy 3.1.8 (Attachment 3). The LDC does not currently allow ADUs on any other designated property and does not contain any policy language addressing detailed development standards for ADUs.

Housing Policy 3.1.8 (Attachment 3) also provides that the construction or existence of an ADU shall be allowable by right regardless of the subject property's allowable density. The policy also establishes the development entitlements limiting one ADU per parcel per primary use or structure. In addition, the property owner must own a minimum of two contiguous acres under one parcel ID number, either designated as Rural Residential or Urban Service Area.

### **Analysis & Findings:**

This LDC amendment, as proposed, will allow Gadsden County residents the opportunity to construct ADUs in single-family residential land use categories, provided that ADUs are incidental to the onsite primary residential unit. Allowing ADUs in all single-family residential

designated property will provide an opportunity for Gadsden County residents to secure affordable housing for themselves, family members, and friends. Not only do ADUs increase affordable housing opportunities, but they allow the senior population a chance to “age in place”, a means of remaining in their communities, maintaining their independence, and retaining their social connections.

The lack of affordable housing options has created a strong demand for affordable living spaces for a large percentage of the population including the elderly, low-income, and transient populations. Pursuant to Section 163.31771, Florida Statutes (Attachment 4), legislation encourages the permitting of ADUs in single family residential areas in order to increase the availability of affordable rentals for extremely-low-income, very-low-income, low-income, or moderate-income persons.

ADUs are also good financial investments for property owners, as ADUs can both generate income for a property owner and can protect property values. ADUs provide an opportunity to the property owners to generate additional income, as property owners may charge rent to those living in their ADUs. ADUs are a desirable property addition, as they not only preserve an owner’s property value, but they may also increase an owner’s property value.

Other Florida communities have adopted policies and land development regulations that allow and establish standard for ADUs on private property. For example, the City of Tallahassee regulates the placement of ADUs toward the rear or side of the property. Leon County prohibits the use of mobile homes, manufactured homes, or storage sheds to be utilized as ADUs. Walton County prohibits recreational vehicles (RVs) from being utilized as ADUs, and establishes that ADUs shall not be available for short-term vacation rentals.

The proposed amendments are consistent with addressing affordable housing pursuant to the County Comprehensive Plan Housing Element Policies 3.1.7, Policy 3.1.8, and Policy 3.1.9 (Attachment 3), and the LDC.

**Notification Requirement:**

This is a legislative action in conjunction with the advertised public hearing per Section 1300, Subsections 1301 through 1302 of the LDC (Attachment 5). The public hearing notice requirements of Subsection 1302.D. have been met, and the public hearing was noticed in the three (3) local papers.

**Findings:**

The proposed amendment to the LDC is in compliance with the Gadsden County Comprehensive Plan and LDC based on the findings in this report.

**Options:**

1. Recommend adoption of Ordinance 2023-06 (LDR 2023-01) revising Chapter Five of the LDC and authorizing the Chair to sign all documents related to this item.
2. Recommend denial of Ordinance 2023-06 (LDR 2023-01).
3. Discretion of the Planning Commission.

**Planning Recommendation:**

Option #1

**Attachments:**

1. Clean copy of revisions to Chapter 5
2. "Draft" Ordinance # 2023-06 with strike-through/underline revisions to Chapter 5 (Exhibit "A")
3. Comprehensive Plan Policies 3.1.7 - 3.1.9
4. Section 163.31771, Florida Statutes
5. LDC Section 1300, Subsections 1301, 1302
6. Advertisement

## GADSDEN COUNTY LAND DEVELOPMENT CODE

\*\*\*

### CHAPTER 5

#### DEVELOPMENT STANDARDS

\*\*\*

**SECTION 5100. RESIDENTIAL STANDARDS.** This section outlines standards applicable to residential land uses which govern lot area, building placement and dwelling unit type. Supplemental performance standards designed to prevent negative impacts not covered elsewhere in this Code are set forth in Subsection 5002 and for manufactured housing in Subsection 5106. Supplemental standards for residential infill development and Special Residential uses are established in Subsections 5104 and 5105, respectively. Subsection 5107 addresses fair housing. Standards for accessory dwelling units (ADUs) are established in Subsection 5108. For criteria and procedures regulating the subdivision of land, refer to Chapter 6.

(Ord. # 2003-006, 8-19-03; Ord. # 2023-06)

#### **Subsection 5101. Residential Uses.**

This subsection describes allowable dwelling unit types, requirements for lot area, density, building setbacks and other standards which apply to all residential uses in Gadsden County. The purpose of this Section is to encourage innovative design which preserves the character of the County, while at the same time providing for affordable housing. The development of any residential use shall be permitted only in full compliance with the following standards.

A. Dwelling unit types. Dwelling unit types are defined in Subsection 2102 of this Code. Subject to supplemental standards in Subsections 5102, 5103 and 5104, any dwelling type or combination of dwelling unit types shall be allowed within Gadsden County on any parcel, when the structures can be so located in full compliance with the provisions of this Code and compatibility of adjacent uses can be achieved. The category of residential uses includes single-family dwellings, accessory dwelling units, multi-family dwellings in a variety of housing types, modular and manufactured housing, but specifically excludes recreational vehicles. (Recreational vehicles are permitted for residential use only in Recreational Vehicle Parks, subject to the requirements of this Code.) While a district may be designated for residential use, it does not follow that any housing type (single-family, apartment, townhouse, etc.) is allowed. Certain areas are limited to one or more housing types in order to preserve the established character of the area.

1. Class I uses: Residential uses shall be considered Class I when developed in areas with Agriculture 1, Agriculture 2, Agriculture 3, Urban Service Area



(USA) and Rural Residential land use designations on the Future Land Use Plan Map Series. Multi-family units (up to four units) are considered Class I when developed in USA or Commercial land use categories.

- a) Single-family: A structure containing one (1) dwelling unit and not attached to any other dwelling unit.
- b) Multifamily structure: Any residential building containing two (2) or more separate dwelling units. (This includes duplexes, homes with 'in-law' suites, triplexes, and quadraplexes or 4 unit apartment buildings.)
- c) Manufactured (Mobile) Home.

2. Class II Uses:

- a) Subdivisions that create more than five lots (seven (7) lots for subdivisions restricted to site built homes) or that require dedication of a public road.
- b) Multi-family developments of more than four (4) units.
- c) Mobile Home Parks.

(Ord. # 1996-005, 7-2-96; Ord. # 2003-006, 8-19-03; Ord. #2006-020, 8-29-06; Ord. #2016-015, 11-15-2016; Ord. # 2023-06)

\*\*\*

**Subsection 5108. Accessory Dwelling Units.**

A. Accessory Dwelling Unit Defined. An accessory dwelling unit (ADU) is a site-built secondary residential dwelling unit constructed on the same parcel as a primary residential dwelling unit. The ADU must be incidental and subordinate to the primary residential dwelling unit.

B. General Requirements.

- 1. Accessory dwelling units (ADU) are allowed in single-family residential land use categories that allow accessory dwelling units; provided the ADU and the principal residential unit are owned by the same owner at all times, the ADU must have a separate E-911 address, and the ADU is incidental to an owner occupied principal residential unit.
- 2. Prior to constructing an ADU, the property owner must own at minimum one upland acre under one parcel ID number. The construction or existence of an accessory dwelling unit (ADU) shall be allowable by right regardless of the allowable density in which the parcel is located. Prior to the development of ADUs, ADU applications must be obtained from the Growth Management

Department, and the final inspection must occur prior to the issuance of the certificate of occupancy.

3. Pursuant to Section 163.31771 (4), F.S., an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that, if rented, the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

C. Development Standard Requirements. Accessory dwelling units shall be constructed on privately owned residential properties, incidental to principal residential unit with the following development standards requirements:

1. No more than one ADU shall be permitted on any owner-occupied single-family residential parcel. The ADU cannot exist or be constructed prior to the principal residential unit.
2. The ADU shall be located and designed not to interfere with the appearance of the principal residential unit and shall be clearly subordinate to the principal residential unit in keeping with the following:
  - a) The ADU is consistent with land use designation and the setback requirements applicable to the principal residential unit, unless otherwise allowed by Table 5108;
  - b) ADUs are exempt from districts density limitation and parking requirements; however, are subject to land development code setback, height, and impervious surface ratio requirements;
  - c) The ADU shall be placed towards the rear or side of the property;
  - d) The ADU shall be limited to a maximum of 80% of the principal residential unit's livable area;
  - e) The ADU shall not exceed the height of the principal residential unit;
  - f) ADUs shall utilize a separate utility meter from the principal residential unit;
  - g) Accessory dwelling units shall not be sold separately from the principal residential unit;
  - h) ADUs shall be connected to the same common driveway as the principal residential unit, and provided legal access is from the same right-of-way or easement;
  - i) The accessory dwelling unit shall not be available for short-term vacation

rental;

- j) Recreational vehicle(s) shall not be utilized as an accessory dwelling unit;
- k) In no instance shall a mobile home, standard design manufactured home, or storage shed be used as an accessory dwelling unit;
- l) ADUs shall be constructed in compliance with the current Florida Building Code; and
- m) ADU requires an additional septic system; the subject parcel must have a minimum of one (1) acre of developable uplands.

D. Design Standards. Accessory dwelling unit shall be detached from the principal dwelling unit and shall be located in rear yards or side yards in accordance with the following standards:

**Table 5108 Design Standards**

Min. Setback from Principal Residential Unit	15' from the rear or side of the principal residential unit
Min. Interior Side Setback	Side setbacks must total 25' or more, and be no less than 10' or any side
Min. Rear Setback	10'
Min. Side Setback on Corner Lots	20'
Living Area	Min. 310 sf Max. 80% of the square footage of the principal residential unit livable area.

(Ord. # 2023-06)

**ORDINANCE 2023-06**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 5100, RESIDENTIAL STANDARDS AND SUBSECTION 5101, RESIDENTIAL USES AND ADDING SUBSECTION 5108, ACCESSORY DWELLING UNITS IN CHAPTER 5, DEVELOPMENT STANDARDS; AND PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE GADSDEN COUNTY LAND DEVELOPMENT CODE, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of existing and future residents of the county by enacting and enforcing regulations concerning the use of property necessary for the protection for the public; and

**WHEREAS**, the Board of County Commissioners of Gadsden County has adopted the Gadsden County Land Development Code, as required pursuant to §163.3202, Florida Statutes; and

**WHEREAS**, The Gadsden County Planning Commission, acting as the local planning agency, reviewed this amendment and made a recommendation to the Board of County Commissioners; and

**WHEREAS**, duly noticed public hearing was conducted on such proposed amendment on November 16, 2023 by the Gadsden County Planning Commission and on \_\_\_\_\_, 2023 by the Board of County Commissioners.

**WHEREAS**, words with underline type shall constitute addition and ~~strikethrough~~ shall constitute deletions to the original text from the language existing prior to adoption of this Ordinance.

Now therefore, be it ordained by the Board of County Commissioners of Gadsden County, Florida, that:

**SECTION I: Approval and Adoption of Amendment.**

The amendment to the Gadsden County Land Development Code as attached hereto as Exhibit "A" is hereby adopted and approved.

**SECTION II: Repeal**

Those parts of Chapter 5 of the Gadsden County Land Development Code in conflict herewith are hereby repealed and superseded to the extent of such conflict and shall have no further effect whatsoever.

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with

appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

**SECTION III: Severability**

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held invalid or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases and their application shall not be affected thereby.

**SECTION IV: Inclusion in the Land Development Code**

This Ordinance shall be codified in the Gadsden County Land Development Code as set forth in Exhibit "A."

**SECTION V: Modification**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance, including the amendment attached hereto as Exhibit "A," may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed by the Clerk.

**Section VI: Scrivener's Errors**

The County Attorney may correct any scrivener's errors found in this Ordinance by filing a corrected copy of the Ordinance with the Clerk.

**Section VII: Effective Date**

This Ordinance shall become effective as provided by law.

The above and foregoing Ordinance was read and approved at a duly convened public hearing at a regular meeting of the Board of County Commissioners of Gadsden County, Florida, this \_\_\_\_ day of \_\_\_\_\_ 2023.

BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA

By: \_\_\_\_\_

Kimblin E. NeSmith, Chairman

\_\_\_\_\_  
Nicholas Thomas  
Clerk of the Circuit Court

**EXHIBIT “A”****GADSDEN COUNTY LAND DEVELOPMENT CODE**

\*\*\*

**CHAPTER 5****DEVELOPMENT STANDARDS**

\*\*\*

**SECTION 5100. RESIDENTIAL STANDARDS.** This section outlines standards applicable to residential land uses which govern lot area, building placement and dwelling unit type. Supplemental performance standards designed to prevent negative impacts not covered elsewhere in this Code are set forth in Subsection 5002 and for manufactured housing in Subsection 5106. Supplemental standards for residential infill development and Special Residential uses are established in Subsections 5104 and 5105, respectively. Subsection 5107 addresses fair housing. Standards for accessory dwelling units (ADUs) are established in Subsection 5108. For criteria and procedures regulating the subdivision of land, refer to Chapter 6.

(Ord. # 2003-006, 8-19-03; Ord. # 2023-06)

**Subsection 5101. Residential Uses.**

This subsection describes allowable dwelling unit types, requirements for lot area, density, building setbacks and other standards which apply to all residential uses in Gadsden County. The purpose of this Section is to encourage innovative design which preserves the character of the County, while at the same time providing for affordable housing. The development of any residential use shall be permitted only in full compliance with the following standards.

- A. Dwelling unit types. Dwelling unit types are defined in Subsection 2102 of this Code. Subject to supplemental standards in Subsections 5102, 5103 and 5104, any dwelling type or combination of dwelling unit types shall be allowed within Gadsden County on any parcel, when the structures can be so located in full compliance with the provisions of this Code and compatibility of adjacent uses can be achieved. The category of residential uses includes single-family dwellings, accessory ~~apartments~~ dwelling units, multi-family dwellings in a variety of housing types, modular and manufactured housing, but specifically excludes recreational vehicles. (Recreational vehicles are permitted for residential use only in Recreational Vehicle Parks, subject to the requirements of this Code.) While a district may be designated for residential use, it does not follow that any housing type (single-family, apartment, townhouse, etc.) is allowed. Certain areas are limited to one or more housing types in order to preserve the established character of the area.

1. Class I uses: Residential uses shall be considered Class I when developed in areas with Agriculture 1, Agriculture 2, Agriculture 3, Urban Service Area (USA) and Rural Residential land use designations on the Future Land Use Plan Map Series. Multi-family units (up to four units) are considered Class I when developed in USA or Commercial land use categories.
  - a) Single-family: A structure containing one (1) dwelling unit and not attached to any other dwelling unit.
  - b) Multifamily structure: Any residential building containing two (2) or more separate dwelling units. (This includes duplexes, homes with 'in-law' suites, triplexes, and quadraplexes or 4 unit apartment buildings.)
  - c) Manufactured (Mobile) Home.
2. Class II Uses:
  - a) Subdivisions that create more than five lots (seven (7) lots for subdivisions restricted to site built homes) or that require dedication of a public road.
  - b) Multi-family developments of more than four (4) units.
  - c) Mobile Home Parks.

(Ord. # 1996-005, 7-2-96; Ord. # 2003-006, 8-19-03; Ord. #2006-020, 8-29-06; Ord. #2016-015, 11-15-2016; Ord. # 2023-06)

\*\*\*

### **Subsection 5108. Accessory Dwelling Units.**

- A. Accessory Dwelling Unit Defined. An accessory dwelling unit (ADU) is a site-built secondary residential dwelling unit constructed on the same parcel as a primary residential dwelling unit. The ADU must be incidental and subordinate to the primary residential dwelling unit.
- B. General Requirements.
  1. Accessory dwelling units (ADU) are allowed in single-family residential land use categories that allow accessory dwelling units; provided the ADU and the principal residential unit are owned by the same owner at all times, the ADU must have a separate E-911 address, and the ADU is incidental to an owner occupied principal residential unit.
  2. Prior to constructing an ADU, the property owner must own at minimum one upland acre under one parcel ID number. The construction or existence of an accessory dwelling unit (ADU) shall be allowable by right regardless of the allowable density in which the parcel is located. Prior to the development of

- ADUs, ADU applications must be obtained from the Growth Management Department, and the final inspection must occur prior to the issuance of the certificate of occupancy.
3. Pursuant to Section 163.31771 (4), F.S., an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that, if rented, the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.
- C. Development Standard Requirements. Accessory dwelling units shall be constructed on privately owned residential properties, incidental to principal residential unit with the following development standards requirements:
1. No more than one ADU shall be permitted on any owner-occupied single-family residential parcel. The ADU cannot exist or be constructed prior to the principal residential unit.
  2. The ADU shall be located and designed not to interfere with the appearance of the principal residential unit and shall be clearly subordinate to the principal residential unit in keeping with the following:
    - a) The ADU is consistent with land use designation and the setback requirements applicable to the principal residential unit, unless otherwise allowed by Table 5108;
    - b) ADUs are exempt from districts density limitation and parking requirements; however, are subject to land development code setback, height, and impervious surface ratio requirements;
    - c) The ADU shall be placed towards the rear or side of the property;
    - d) The ADU shall be limited to a maximum of 80% of the principal residential unit's livable area;
    - e) The ADU shall not exceed the height of the principal residential unit;
    - f) ADUs shall utilize a separate utility meter from the principal residential unit;
    - g) Accessory dwelling units shall not be sold separately from the principal residential unit;
    - h) ADUs shall be connected to the same common driveway as the principal residential unit, and provided legal access is from the same right-of-way or easement;



- i) The accessory dwelling unit shall not be available for short-term vacation rental;
- j) Recreational vehicle(s) shall not be utilized as an accessory dwelling unit;
- k) In no instance shall a mobile home, standard design manufactured home, or storage shed be used as an accessory dwelling unit;
- l) ADUs shall be constructed in compliance with the current Florida Building Code; and
- m) ADU requires an additional septic system; the subject parcel must have a minimum of one (1) acre of developable uplands.

D. Design Standards. Accessory dwelling unit shall be detached from the principal dwelling unit and shall be located in rear yards or side yards in accordance with the following standards:

**Table 5108 Design Standards**

<u>Min. Setback from Principal Residential Unit</u>	<u>15' from the rear or side of the principal residential unit</u>
<u>Min. Interior Side Setback</u>	<u>Side setbacks must total 25' or more, and be no less than 10' or any side</u>
<u>Min. Rear Setback</u>	<u>10'</u>
<u>Min. Side Setback on Corner Lots</u>	<u>20'</u>
<u>Living Area</u>	<u>Min. 310 sf</u> <u>Max. 80% of the square footage of the principal residential unit livable area.</u>

(Ord. # 2023-06)

## GADSDEN COUNTY COMPREHENSIVE PLAN

### HOUSING ELEMENT

The following goals, objectives and policies constitute the Housing Element providing for decent, safe and sanitary housing at affordable costs and in sufficient quantities to meet the needs of the existing and future population projected for the County. The ***Data and Analysis*** for the Housing Element are not part of the adopted comprehensive plan but serve as the basis for formulation of these goals, objectives and policies.

This element of the County's comprehensive plan establishes a guide to address the future housing needs of the County. The Housing Element addresses the main goal for housing within the County through the year 2024, as well as measurable objectives which are established to meet the County's housing goals. In addition, each objective is followed by one or more corresponding policies to provide guidance and direction toward the accomplishment of each stated objective.

**GOAL 3A: TO ENCOURAGE AND PROMOTE THE AVAILABILITY OF AFFORDABLE, SAFE AND SANITARY HOUSING TO MEET THE NEEDS OF THE EXISTING AND PROJECTED POPULATION OF THE COUNTY.**

**OBJECTIVE 3.1: Further the development of workforce housing within Gadsden County.**

\*\*\*

**Policy 3.1.7:** A mixture of housing types shall be allowed, including single-family detached, multifamily, and accessory dwelling units, within a variety of price ranges to provide a range of housing options for county residents.

**Policy 3.1.8:** The construction or existence of an accessory dwelling unit (ADU) shall allowable by right regardless of the allowable density in which the parcel is located. Only one ADU is allowable per parcel per primary use or structure. In order to have the ability to construct an ADU, the property owner must own at minimum two contiguous acres under one parcel ID number, and the property must be located within the Rural Residential future land use category or Urban Service Area.

**Policy 3.1.9:** Residential uses shall be allowable in any Agriculture, Rural Residential, or other land use category that allows for a mixture of land uses that include residential uses. Residential uses shall be allowable in a limited level in within the Silviculture Future Land Use category.

Select Year:  

## The 2023 Florida Statutes

---

[Title XI](#)  
 COUNTY ORGANIZATION AND  
 INTERGOVERNMENTAL RELATIONS

[Chapter 163](#)  
 INTERGOVERNMENTAL  
 PROGRAMS

[View Entire  
 Chapter](#)

### 163.31771 Accessory dwelling units.—

(1) The Legislature finds that the median price of homes in this state has increased steadily over the last decade and at a greater rate of increase than the median income in many urban areas. The Legislature finds that the cost of rental housing has also increased steadily and the cost often exceeds an amount that is affordable to extremely-low-income, very-low-income, low-income, or moderate-income persons and has resulted in a critical shortage of affordable rentals in many urban areas in the state. This shortage of affordable rentals constitutes a threat to the health, safety, and welfare of the residents of the state. Therefore, the Legislature finds that it serves an important public purpose to encourage the permitting of accessory dwelling units in single-family residential areas in order to increase the availability of affordable rentals for extremely-low-income, very-low-income, low-income, or moderate-income persons.

(2) As used in this section, the term:

(a) “Accessory dwelling unit” means an ancillary or secondary living unit, that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

(b) “Affordable rental” means that monthly rent and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for extremely-low-income, very-low-income, low-income, or moderate-income persons.

(c) “Local government” means a county or municipality.

(d) “Low-income persons” has the same meaning as in s. [420.0004\(11\)](#).

(e) “Moderate-income persons” has the same meaning as in s. [420.0004\(12\)](#).

(f) “Very-low-income persons” has the same meaning as in s. [420.0004\(17\)](#).

(g) “Extremely-low-income persons” has the same meaning as in s. [420.0004\(9\)](#).

(3) A local government may adopt an ordinance to allow accessory dwelling units in any area zoned for single-family residential use.

(4) An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

(5) Each accessory dwelling unit allowed by an ordinance adopted under this section shall apply toward satisfying the affordable housing component of the housing element in the local government’s comprehensive plan under s. [163.3177\(6\)\(f\)](#).

**History.**—s. 2, ch. 2004-372; s. 2, ch. 2006-69; s. 16, ch. 2010-5; s. 13, ch. 2011-189; s. 4, ch. 2020-27.

## GADSDEN COUNTY LAND DEVELOPMENT CODE

### CHAPTER 1

#### ADMINISTRATION AND ENFORCEMENT

\*\*\*

**SECTION 1300. DECISION MAKING PROCEDURES.** It is the intent of the Board of County Commissioners that any person affected by actions taken as a result of this Code shall be afforded due process of law. Public hearing and notice requirements are set forth in this section.

**Subsection 1301. Legislative Actions.** The following actions by the Board of County Commissioners shall be legislative:

- A. Any Comprehensive Plan amendment, including all amendments to the Future Land Use Map
- B. All amendments to the text of this Code.
- C. Vacation of rights-of-way, easements, and other property interests.

**Subsection 1302. Legislative Hearing Procedures.** The following procedures shall apply to legislative actions:

- A. A request for legislative action shall be made by application on a form provided by Gadsden County no less than thirty (30) days prior to the first public hearing that will be scheduled for the request.
- B. Within seven (7) calendar days of receipt of the request, the Planning Official, or their designee, shall determine if the application is complete and notify the applicant of the determination of completeness in writing, either electronically or by U.S. mail.
- C. There shall be at minimum two public hearings to consider any legislative action. The first public hearing shall be conducted at a meeting of the Planning Commission. The second public hearing shall be conducted at a meeting of the Board of County Commissioners. All additional meetings, hearings, or procedures required by this Code or by law for consideration of the request must be completed before the Planning Commission meeting is held.
- D. The Planning Official shall provide notice of the public hearings on legislative action as follows:
  - 1. Notice shall be provided as set forth in §125.66, Florida Statutes and

§163.3184, Florida Statutes, as applicable. In addition, all legislative hearings shall require the following:

- a) Notification shall be made in each local newspaper of general circulation in Gadsden County at least ten (10) days prior to the Planning Commission hearing, and again at least ten (10) days prior to the Board of County Commissioners hearing, unless said hearing was tabled or continued from a previous hearing to a date certain.
  - i. The substance of the newspaper advertisement shall include the date, time, and location of the hearing; and, if applicable, a location map of the subject parcel(s), and the postal address if one is assigned, or alternatively the parcel ID number(s) of the subject parcel(s).
- b) In addition to part 1. above, all proposed amendments to the Future Land Use Map shall have additional requirements which include:
  - i. At least thirty (30) days prior to the public hearing before the Planning Commission, Gadsden County shall provide by mail written notice of the proposed Future Land Use Map amendment to all property owners within one thousand (1,000) feet of the nearest boundary of the subject parcel(s). The notice shall be mailed to the address shown on the Property Appraiser's website and shall include the time, date and location of the public hearing, and description with a location map of the subject parcel(s). In addition, if one is available, the postal address or the parcel ID number(s) of the subject parcel(s) shall also be included in the notice. A copy of the notice shall be available for public inspection during regular business hours at the Gadsden County Clerk's office.
  - ii. At least ten (10), but no more than fourteen (14) calendar days prior to the first public hearing, Gadsden County shall place a notice sign on the subject parcel in a location that is visible from the most vehicular traveled public right-of-way.

## GADSDEN COUNTY PLANNING COMMISSION MEETING NOTICE

The Gadsden County Planning Commission will virtually host and broadcast their regular monthly meeting on **Thursday, November 16, 2023, at 6:00 p.m.** Those wishing to provide public testimony will be able to do so by attending the meeting. This meeting may be viewed by accessing the Gadsden County Board of County Commissioners Facebook Page at [www.facebook.com/GadsdenCountyBOCC](http://www.facebook.com/GadsdenCountyBOCC). Virtual meeting access details will be posted to the Gadsden County website, [www.gadsdencountyfl.gov](http://www.gadsdencountyfl.gov). Anyone wishing to speak on agenda or non-agenda items virtually should schedule or notify the County Public Information Officer no later than 3:00 p.m. the day of the meeting at 850-875-8671 or at [media@gadsdencountyfl.gov](mailto:media@gadsdencountyfl.gov) before attending the meeting and will be asked to follow the Gadsden County Public Meetings Citizens Access Guidelines. Public comment for Commission meetings can be submitted via email to [CitizensToBeHeard@gadsdencountyfl.gov](mailto:CitizensToBeHeard@gadsdencountyfl.gov) until 12:00 p.m. on **Thursday, November 16, 2023**. Comments submitted after the deadline will be added to the official record, but the County cannot guarantee that Commissioners and staff will have adequate time to review comments prior to the meeting. The proposed agenda will include the following workshop and scheduled public hearing items:

### **PUBLIC HEARING:**

**ACCESSORY DWELLING UNIT REGULATIONS (LDR 2023-01)** (Legislative Hearing) – Consideration of Ordinance #2023-06 amending Chapter 5, Development Standards of the Gadsden County Land Development Code by revising Section 5100, Residential Standards, and Subsection 5101, Residential Uses, and adding Subsection 5108, Accessory Dwelling Units.

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 5100, RESIDENTIAL STANDARDS AND SUBSECTION 5101, RESIDENTIAL USES AND ADDING SUBSECTION 5108, ACCESSORY DWELLING UNITS IN CHAPTER 5, DEVELOPMENT STANDARDS; AND PROVIDING FOR REPEAL, SEVERABILITY, INCLUSION IN THE GADSDEN COUNTY LAND DEVELOPMENT CODE, MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The files for the agenda item are available for public inspection at least one week prior to the meeting at the Planning Division, 1B E. Jefferson St., Quincy, Florida, and on the County website at [www.gadsdencountyfl.gov](http://www.gadsdencountyfl.gov). If a person decides to appeal any decision by the Planning Commission with respect to any matter considered at such public meeting, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence to which the appeal is to be heard.

**If you are a person with a disability who needs any accommodation in order to participate in this meeting, you are entitled, at no cost to you, to the provision of certain assistance. Persons needing assistance in obtaining any information from the County must contact the Gadsden County Public Information by calling 850-875-8671 or emailing [media@gadsdencountyfl.gov](mailto:media@gadsdencountyfl.gov) at least 24 hours prior to the meeting. If you are hearing or voice impaired, call 711.**

**GADSDEN COUNTY PLANNING COMMISSION  
2024 MEETING SCHEDULE**

JANUARY 11

FEBRUARY 15

MARCH 14

APRIL 11

MAY 16

JUNE 13

JULY 11

AUGUST 15

SEPTEMBER 12

OCTOBER 10

NOVEMBER 14

DECEMBER 12

This schedule is prepared in accordance with Chapter 2, Subsection 2-173 of the Gadsden Code of Ordinances. The Planning Commission meets the second Thursday after the first monthly meeting of the Board of County Commissioners. All meetings will begin at 6:00 p.m. in the Board of County Commissioners Chamber at 9 East Jefferson Street, Quincy, Florida. Additional meeting and workshop dates may be supplemented as needed. Planning Commission meeting agenda's and materials will be posted on the County website at [www.gadsdencountyfl.gov](http://www.gadsdencountyfl.gov) approximately a week prior to the meeting.