

Board of County Commissioners Agenda Request

Date of Meeting: December 19, 2023

Date Submitted: December 5, 2023

To: Honorable Chairman and Members of the Board

From: Edward J. Dixon, County Administrator
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 the Board's 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 is located in Attachment 2.

Background:

Gadsden County Comprehensive Plan Housing Element Policy 3.1.7 (Attachment 3) allows for a 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 properties 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 protect property values. ADUs provide an opportunity to 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 standards 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.

Planning Commission Recommendations:

At its November 16, 2023 meeting, the Planning Commission unanimously (7-0) voted to recommend approval of the 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 under Option 1:

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.

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 Board of County Commissioners.

County Administrator's 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' on 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 December 19, 2023 by the Board of County Commissioners.

WHEREAS, words with underline type shall constitute addition and ~~striketrough~~ 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 19th day of December 2023.

BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA

By: _____

Ronterious Green, Chairman

Nicholas Thomas
Clerk of the Circuit Court

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

CHAPTER 5**DEVELOPMENT STANDARDS**

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

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 - a) Single-family: A structure containing one (1) dwelling unit and not attached to any other dwelling unit.
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 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.
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 - 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.

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<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. Virtual meeting access details will be posted to the Gadsden County website, 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 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 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. 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 at least 24 hours prior to the meeting. If you are hearing or voice impaired, call 711.