



MEETING AGENDA

Client:	City of Gainesville
Subject:	Zoning and Subdivision Ordinance Update Advisory Committee Meeting #2
Date:	Thursday, August 13, 2026
Time:	6:00 PM
Location:	Gainesville Civic Center, 311 S. Weaver Street, Gainesville, TX

OBJECTIVES

The purpose of this meeting is to provide the findings of the Diagnostic Code Assessment to the Advisory Committee, provide the Community Survey findings, and discuss the upcoming Stakeholder Workshop session.

AGENDA

- **Introduction**
- **Diagnostic Code Assessment**
 - Assessment Overview
 - Statutory and Legislative Compliance
 - Master Plan Gap
 - Design Standards
 - Infrastructure Standards
 - General
 - Subdivision
- **Community Survey**
 - Survey Findings
 - Survey Response Analysis
- **Stakeholder Workshop Discussion**
- **Next Steps**
 - Confirm next Advisory Meeting
 - Confirm Stakeholder Workshop Meeting

MEETING RESOURCES

- Zoning and Subdivision Ordinance Diagnostic Matrix
- Zoning and Subdivision Ordinance Diagnostic Assessment

Statutory & Legislative Compliance				
Impacted Sections	Topic	Context	Assessment	Preliminary Recommendation
Appendix A, Article I, § 1.6.04; Appendix A, Article III, § 3.1.08	Building Material Requirements for Homes	HB 2439 strictly prohibits municipalities from regulating or limiting specific building materials for residential and commercial construction if those materials are approved by a national code model.	Non-Compliant with State Law	Remove/Rewrite Language to Follow State Law
Appendix A, Article I, § 1.12.01; Appendix A, Article I, § 1.12.04; Appendix A, Article I, § 1.14.05	Electronic Communication	HB 4506 allows the inclusion of other communication channels (e.g., emails or text messages) apart from printed notices if residents opt-in via a municipality's online portal.	Non-Compliant with State Law	Remove/Rewrite Language to Follow State Law
Appendix A, Article I, § 1.12.02	Procedures Zoning Regulation or District Boundary Changes	HB 24 permits citywide comprehensive plans or zoning amendments that increase residential opportunities without written notice.	Non-Compliant with State Law	Remove/Rewrite Language to Follow State Law
Appendix B, Article V, § 6	Third-Party Review for Development Documents and Inspections	HB 14 allows applicants to request 3rd party review of their development documents (such as plats, plans, and permits) and inspections of land improvements if the regulatory authority does not take action within 15 days as prescribed by law.	Non-Compliant with State Law; Current Regulation Does Not Address This Topic	Remove/Rewrite Language to Follow; State Law Insert New Regulations
New Section; Chapter 17, Article I, § 17-19	Regulations for Electric Bicycles (E-Bikes) and Motor-Powered Vehicles)	HB 2188 and the Texas Transportation Code 551 establish that e-bikes (Class 1, 2, and 3) are legally treated as traditional bikes.	Non-Compliant with State Law	Remove/Rewrite Language to Follow State Law; Insert New Regulations and Terminology
Appendix A, Article III, § 3.2.01; Chapter 15, Article VII, Division 1	Heritage Preservation	SB 783 clarifies the circumstances under which municipalities may adopt building and development standards. The legislation recognizes historic preservation as a legitimate basis for local design requirements, allowing municipalities to adopt standards to preserve designated historic resources while complying with state law.	Non-Compliant with State Law	Remove/Rewrite Language to Follow State Law; Insert New Regulations and Terminology

<i>New Section; Chapter 9, Article VI, Division 1, § 9-274; Chapter 9, Article VI, Division 2, § 9-291</i>	<i>Expanding Micro-Retail Opportunities</i>	<i>HB 2844 establishes a uniform regulatory framework administered by the Texas Department of State Health Services (DSHS), establishing statewide licensing, inspection, equipment, operational, and food-safety requirements for mobile food vendors.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law; Insert New Regulations and Terminology</i>
<i>Appendix C, Article I, § 3(a)</i>	<i>Capital Improvements Advisory Committee Composition</i>	<i>SB 1883 prohibits the Planning and Zoning Commission from serving as the advisory board for the Capital Improvements Advisory Committee (CIAC), establishes oversight board membership requirements, and requires independent financial audits.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law; Insert New Regulations and Terminology</i>
<i>Part 1 - Charter, Article II, § 2.03</i>	<i>Right-of-Way Annexation</i>	<i>SB 374 authorizes a municipality annexing an area under specified annexation provisions to also acquire public rights-of-way located within the annexation area.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law</i>
<i>Appendix A, Article I, § 1.12.01</i>	<i>Disclosure Requirements for Annexation</i>	<i>SB 1338 requires municipalities to provide landowners with written disclosures of information specified in the bill to enter into a development agreement. The written disclosure should include a statement stating the landowner is not required to enter the agreement, the authority under which the municipality may annex the land using relevant law, the annexation process, and whether the procedure requires consent.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law</i>
<i>Part 1 - Charter, Article II, § 2.03</i>	<i>Annexation with Consent</i>	<i>SB 347 and Texas Local Government Code § 43.129 revise the municipalities' annexation authority by requiring consent in circumstances established by the law, removing the municipalities' ability to annex property without consent.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law</i>
<i>Part 1 - Charter, Article II, § 2.03</i>	<i>Annexation of Land Subject to Development Agreements</i>	<i>HB 1929 provides that when a municipality enters a development agreement and subsequently annexes land subject to that agreement, it waives governmental immunity from suit.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations and Terminology</i>

<i>Part 1 - Charter, Article II, § 2.03</i>	<i>Right-of-Way Annexation Impacting Right-of-Way Standards</i>	<i>HB 586 authorizes municipalities to annex public rights-of-way only if the owner of the right-of-way requests the annexation or the municipality provides written notice of the proposed annexation no later than the 61st day before the annexation takes effect.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations and Terminology</i>
<i>Partial Information: Chapter 15, Article VII, Division 1, § 15-194</i>	<i>Designation of Exclusive Authority</i>	<i>SB 1585 requires municipal designation of a property as a local historic landmark applicable to the inclusion of a property within the boundaries of a local historic district. The bill also requires the municipality to designate one commission as the entity with the exclusive authority to approve the designations and inclusion.</i>	<i>Non-Compliant with State Law; Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations; Insert Necessary Language</i>
<i>New Section; Private Development Manual</i>	<i>Solar Energy Devices</i>	<i>SB 398 prohibits municipalities from prohibiting or unreasonably restricting the installation of solar energy devices on residential or small commercial properties, except in limited circumstances authorized by state law.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations; Insert Necessary Language</i>
<i>New Section</i>	<i>Solar Pergolas</i>	<i>HB 3526 prohibits municipalities and counties from applying local building code requirements to the construction of qualifying solar pergolas.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations; Insert Necessary Language</i>
<i>Appendix A, Article I, § 1.14.06B</i>	<i>Unnecessary Hardship</i>	<i>HB 1475 authorizes the municipal board of adjustments to consider specific grounds to determine whether compliance with the ordinance, as applied to a structure that is the subject of the appeal, would result in unnecessary hardship.</i>	<i>Non-Compliant with State Law</i>	<i>Remove/Rewrite Language to Follow State Law</i>

Master Plan Gap				
Impacted Sections	Topic	Context	Assessment	Preliminary Recommendation
Appendix A, Article III, § 3.1.09 and § 3.1.14	Mixed-Use / Commercial Corridors	The absence of broadly applicable mixed-use zoning classifications restricts the City's ability to implement the plan's vision along major commercial arteries, such as I-35 Frontage Road. In addition, the language restricts mixed-use developments from relying on shared parking and common open space.	Master Plan Gap; Current Regulation Does Not Address This Topic	Revise Existing Language to Support Comprehensive Plan; Insert Necessary Language
Appendix A, Article I, § 1.7.06	Form-Based and Hybrid Code Approaches	The existing regulations that apply to multiple buildings may conflict with form-based or hybrid code development approaches in these districts.	Master Plan Gap	Revise Existing Language to Support Comprehensive Plan; Insert New Regulations
Appendix A, Article I, § 1.7.06	Residential Opportunities in Commercial Corridors	While the code broadly mentions residential uses, it lacks the specific compatibility standards (e.g., depth setbacks, buffering, and design guidelines) required to safely integrate new residential builds into active commercial corridors.	Current Regulation Does Not Address This Topic	Insert New Regulations
New Section	Urban Residential Designation	There is a lack of existing regulation that pertains to "missing-middle" housing types (e.g., duplexes, townhomes, courtyard housing, live/work, etc.) in the Downtown area.	Master Plan Gap; Current Regulation Does Not Address This Topic	Insert New Regulations; Insert Necessary Language
New Section	Transit-Oriented Development	The absence of Transit-Oriented Development nodes restricts the ability to implement the Plan's vision along Santa Fe Depot and future development.	Master Plan Gap; Current Regulation Does Not Address This Topic	Insert New Regulations; Insert Necessary Language
New Section; Chapter 5, Article IV, § 5.178	Install District Gateways	Current sign regulations address setbacks, height, projections, and permitted sign types, but do not specifically cover gateway or district-identification signage. Therefore, an opportunity exists to establish a clear process for installing entry features for destinations such as the Downtown Gainesville Heritage and Arts District.	Master Plan Gap; Current Regulation Does Not Address This Topic	Insert New Regulations; Insert Necessary Language

<i>Chapter 13, Article V, §§ 13-102 –103</i>	<i>Integrate Ambient Sensory Infrastructure</i>	<i>The existing language in public spaces primarily refers to noise in residential, commercial, and industrial spaces. There is no designated definition for Downtown, which includes both residential and commercial spaces. This lack of designated downtown noise thresholds creates enforcement ambiguities for mixed-use environments.</i>	<i>Master Plan Gap; Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations; Remove/Rewrite Language for Alignment</i>
<i>Appendix B, Article I, § 20; Appendix B, Article II, § 11.B.05; Chapter 5, Article IV, § 5-171; Chapter 5, Article IV, § 5-179</i>	<i>Utility Undergrounding Regulations</i>	<i>The absence of regulations and design standards for underground utility lines in the Downtown district limits Gainesville's ability to implement its vision for Downtown's desired character and hazard resiliency.</i>	<i>Master Plan Gap; Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations</i>
<i>New Section; Chapter 17, Article I, § 17-20</i>	<i>Expanding Parklet, Sidewalk Café, Outdoor Dining</i>	<i>The existing language restricts parklet, sidewalk café, and outdoor dining opportunities to one section of Commerce Street between California Street and Scott Street. This geographic restriction limits the implementation of the Downtown Master Plan's economic activation goals.</i>	<i>Master Plan Gap; Current Regulation Does Not Address This Topic</i>	<i>Remove/Rewrite Language for Alignment</i>
<i>New Section</i>	<i>Designate Dedicated Pick-Up and Drop-Off Zones to Support Community Events and Commerce</i>	<i>The absence of designated pick-up and drop-off (PUDO) zones creates competition between pedestrians, businesses, and ridesharing services. This impacts traffic efficiency during special events and peak activity periods.</i>	<i>Master Plan Gap; Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations; Insert Necessary Language</i>

Design Standards

<i>Impacted Sections</i>	<i>Topic</i>	<i>Context</i>	<i>Assessment</i>	<i>Preliminary Recommendation</i>
<i>Appendix A, Article III, § 3.1</i>	<i>Building and Utility Setbacks</i>	<i>The code has a regulatory conflict between the ordinance and design manuals regarding building setbacks (7 ½ feet) and utility setbacks (10 feet).</i>	<i>Gap within Code; Inaccessible Language/Readability Conflict</i>	<i>Remove/Rewrite to align the code to the Gainesville Drainage Criteria Manual and the Private Development Manual AMC; Rewrite Language for Clarity</i>
<i>Appendix A, Article III, § 3.7</i>	<i>Parking Supply Requirements</i>	<i>The code restricts parking based on square footage and land use, which impacts the City's ability to activate streets.</i>	<i>Master Plan Gap</i>	<i>Insert Necessary Language; Rewrite Language for Clarity</i>
<i>New Section; Private Development Manual</i>	<i>Standardized Utility Parameters</i>	<i>There are currently no standardized utility parameters for how utilities run through public or private developments, resulting in uncertainty during the planning and approval process.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language to align the Code to the Private Development Manual AMC; Rewrite Language for Clarity</i>
<i>New Section</i>	<i>Contractor Prequalification Framework & Oversight Board</i>	<i>Current administrative regulations lack a prequalification framework or oversight board to ensure qualified professionals execute and install critical infrastructure and utility connections, increasing the risk of substandard utility connections.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulations</i>
<i>Appendix A, Article III, § 3.2.04; Chapter 4, Article II, Division 2, § 4-67</i>	<i>Mixed-Use Development in Airport Property</i>	<i>Insufficient specification creates uncertainty regarding whether such development is permitted, which may discourage potential developers and reduce predictability. The lack of language may inhibit the potential opportunities provided by Plan recommendations for economic growth.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language to align the Code to the Airport Master Plan and Layout goals</i>
<i>New Section</i>	<i>Parkland Dedication Standards</i>	<i>The current ordinance does not include parkland dedication requirements for new development.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert New Regulation</i>

Infrastructure Standards

<i>Impacted Sections</i>	<i>Topic</i>	<i>Context</i>	<i>Assessment</i>	<i>Preliminary Recommendation</i>
<i>Full Ordinance</i>	<i>Right-of-Way and Design Protocols</i>	<i>The code lacks a comprehensive designation of right-of-way and design protocols. This creates uncertainty for applicants and reduces clarity.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language to align the Code to the Gainesville Drainage Criteria Manual and the Private Development Manual AMC; Insert New Regulations</i>
<i>Appendix A, Article III, § 3.7</i>	<i>Parking Reduction in Downtown Commercial Areas</i>	<i>The requirement for a specific number of parking spaces creates an excess of parking spaces in some areas, resulting in underutilized space, limiting spaces for street activation, and inefficient land use.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language</i>
<i>Appendix B, Article I, § 16.B(4)</i>	<i>Developer's Infrastructure Responsibilities</i>	<i>The current ordinance is unclear regarding a developer's responsibility to improve adjacent unpaved or substandard rights-of-way for projects outside the formal subdivision process. This ambiguity leads to inconsistent infrastructure requirements and uncertainty for developers and property owners.</i>	<i>Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language</i>

General				
Impacted Sections	Topic	Context	Assessment	Preliminary Recommendation
Full Ordinance	Text-Heavy Provisions	Current regulations are primarily text-based provisions, which can reduce readability and make the code difficult to navigate. Although professionals understand the terminology and framework, property owners, small businesses, and residents may find the format challenging. This limited accessibility can decrease transparency and create uncertainty regarding development requirements and review procedures.	Inaccessible Language/Readability Conflict	Remove/Rewrite Language for Clarity
Full Ordinance	General Terminology & Industry Best Practices	The ordinance definitions contain outdated terminology, inconsistent language, or definitions that no longer reflect current planning practices. This can create ambiguity in interpreting and applying the ordinance.	Inaccessible Language/Readability Conflict	Remove/Rewrite Language for Clarity; Insert New Regulations and Terminology
Full Ordinance	Engineering Standards & Industry Best Practices	The ordinance definitions include outdated terminology and engineering standards that do not align with current best practices.	Inaccessible Language/Readability Conflict	Remove/Rewrite Language for Clarity; Insert New Regulations and Terminology

Subdivision				
<i>Impacted Sections</i>	<i>Topic</i>	<i>Context</i>	<i>Assessment</i>	<i>Preliminary Recommendation</i>
<i>Appendix B, Article I §§ 8-11</i>	<i>Plat Application Completeness Requirements</i>	<i>The lack of codified requirements for a complete plat application creates uncertainty and reduces clarity for potential applicants.</i>	<i>Gap within Code; Current Regulation Does Not Address This Topic</i>	<i>Insert Necessary Language</i>
<i>Appendix B, Article V</i>	<i>Subdivision Plat Processes</i>	<i>This article is separated from the sections that include the documents, information requirements, and approval process for preliminary and final plats.</i>	<i>Gap within Code; Inaccessible Language/Readability Conflict</i>	<i>Rewrite Language for Clarity</i>
<i>Appendix B, Article I, § 9.01; Article V, § 7</i>	<i>Unrecorded Plats</i>	<i>This process extends review timelines and offers limited guidance to applicants navigating this process.</i>	<i>Gap within Code; Inaccessible Language/Readability Conflict</i>	<i>Remove/Rewrite Language for Clarity</i>
<i>Appendix B, Article I, § 19</i>	<i>Building and Utility Setbacks</i>	<i>The code has a regulatory misalignment between the ordinance and design manuals regarding building setbacks (7 ½ feet) and utility setbacks (10 feet).</i>	<i>Gap within Code; Inaccessible Language/Readability Conflict</i>	<i>Remove/Rewrite to align the Code</i>
<i>Appendix B, Article IV</i>	<i>Engineering Standards and Drainage Designations</i>	<i>The absence of applicable standards and designations creates uncertainty for applicants and reduces clarity.</i>	<i>Current Regulation Does Not Address This Topic; Inaccessible Language/Readability Conflict</i>	<i>Insert Necessary Language</i>



MEMO

MMMM DD, 2026

To: City of Gainesville
From: Antero Group
CC: Advisory Committee
Re: City of Gainesville Zoning and Subdivision Diagnostic Assessment Draft

DIAGNOSTIC ASSESSMENT PURPOSE AND OBJECTIVES

This assessment provides a targeted diagnostic review of the City's existing zoning and subdivision regulations to identify structural conflicts, ambiguities, and opportunities for modernization. It evaluates alignment with applicable state laws, highlights regulatory barriers, and establishes a definitive baseline for the upcoming ordinance rewrite. These objectives ensure that the newly drafted regulations will be legally sound, internally consistent, and actively support the City's long-term development goals. The findings from this assessment will inform the development of draft ordinance language and the new code framework, incorporating input from City staff, stakeholders, and the public.

STATUTORY & LEGISLATIVE COMPLIANCE

This section recommends regulatory and administrative changes needed to bring the assessed ordinances into compliance with state law. Each identified conflict or finding references the specific Texas statutory mandate to illustrate areas of legal deficiency. After completing the Diagnostic Code Assessment of the City of Gainesville's zoning and subdivision ordinances, the following primary statutory conflicts have been identified between the current code and recent state legislation.

Texas House Bill 2439 (Building Material Requirements)

Texas House Bill 2439 strictly prohibits municipalities from regulating or limiting specific building materials for residential and commercial construction if those materials are approved by a national code model.

- Impacted Sections (Appendix A, Article I, § 1.6.04; Appendix A, Article III, § 3.1.08): The current ordinance mandates that masonry veneering covers eighty (80) percent of the first floor of residential structures and outlines specific localized requirements for skirting and patio building materials for manufactured housing.
- Assessment: The zoning ordinance's localized material mandates for residential structures directly conflict with state law and are legally unenforceable.
- Preliminary Recommendation: Audit and remove localized building material requirements across all zoning districts, replacing them with language that defers to state-approved national model building codes.

Texas Senate Bill 785 (Manufactured Housing)

Texas Senate Bill 785 requires municipalities with zoning regulations to permit new HUD-code manufactured homes by right in at least one residential zoning district. The bill also prohibits municipalities from requiring a specific use permit for new HUD-code manufactured homes if the municipality does not require the same permit for other residential development within that zoning district.

Assessment: The current ordinance complies with state law. No preliminary recommendations have been identified.

Texas House Bill 4506 (Electronic Communications)

Texas House Bill 4506 allows the inclusion of other communication channels (e.g., emails or text messages) apart from printed notices if residents opt-in via a municipality's online portal.

- Impacted Sections (Appendix A, Article I, § 1.12.01; Appendix A, Article I, § 1.12.04; Appendix A, Article I, § 1.14.05): The existing code requires written notice for all public hearings on proposed district boundary changes. It also specifies that notice for Planning and Zoning Commission hearings on zoning regulation changes is only required as mandated by “open meeting” laws.
- Assessment: The zoning ordinance currently requires written notices but could be updated to permit electronic notices for public hearings on proposed district boundary changes.
- Preliminary Recommendation: Amend the zoning ordinance to allow all notices, including nonconforming notices, to be sent electronically if residents opt-in through the City's website or online portal.

Texas House Bill 24 (Procedures for Zoning Changes)

Texas House Bill 24 permits citywide comprehensive plans or zoning amendments that increase residential opportunities without written notice. Home Rule cities, such as Gainesville, must post public notice signage for city-initiated, non-citywide zoning changes. The bill retains the $\frac{3}{4}$ council vote requirement for rezoning protests by property owners but reduces the threshold for adjacent-owner protests to a majority vote.

- Impacted Section (Appendix A, Article I, § 1.12.02): The current ordinance requires a $\frac{3}{4}$ council vote for an objection against an amendment to the ordinance signed by owners of twenty (20) percent or more of the area of the lots or land immediately adjoining the area included in the proposed change and extending 200 feet from that area.
- Assessment: The current $\frac{3}{4}$ council vote requirement for adjacent property owners conflicts with state law.
- Preliminary Recommendation: Revise the voting threshold for adjacent-owner objections from a $\frac{3}{4}$ council vote to a simple majority.

Texas House Bill 14 (Third-Party Review of Development Documents)

Texas House Bill 14 allows applicants to request third-party review of their development documents (such as plats, plans, and permits) and inspections of land improvements if the regulatory authority does not take action within 15 days as prescribed by law.

- Impacted Section (Appendix B, Article V, § 6): The current subdivision ordinance does not provide for third-party review or inspections if the regulatory authority fails to act within 15 days as required by law.
- Assessment: The lack of a defined third-party review procedure conflicts with state law and can increase processing times for development documents.
- Preliminary Recommendation: Revise alternative review procedures to permit third-party review of development documents.

Texas House Bill 2188 & Texas Transportation Code (Regulations for Electric Bicycles (E-Bikes) and Motor-Powered Vehicles)

Texas House Bill 2188 and Texas Transportation Code 551 establish that e-bikes (Class 1, 2, and 3) are legally treated as traditional bikes. If a regular bicycle is allowed on a path or street, an e-bike is permitted as well. Additionally, Texas Transportation Code § 551.352 states that motor-assisted scooters are a separate legal category, permitting them on bicycle paths and streets with a speed limit of 35 miles per hour or less. However, local municipalities have broad authority.

- Impacted Section: New Section

- Cross-referenced Code: The existing code in Chapter 17, [Streets And Sidewalks], Article I, § 17-19, [Operation Of Motor Assisted Scooters] dictates the operation of motor-assisted vehicles, which currently includes e-bikes.
- Assessment: The City's regulations do not clearly distinguish electric bicycles from motor-assisted scooters or other motorized vehicles. Under Texas law, electric bicycles are classified as bicycles and are separated into three classes (Class 1, Class 2, and Class 3). Electric bicycles are not classified as motor vehicles and generally have the same rights and responsibilities as traditional bicycles. The City's current restrictions on bicycle operation within the Central Business District, including time-based restrictions, may unnecessarily limit e-bike access and conflict with the City's goals for Downtown connectivity and the planned Downtown Promenade.
 - Additionally, motor-assisted scooters are a separate legal category from bicycles and electric bicycles. The current ordinance does not clearly establish separate definitions or operational standards for these devices.
- Preliminary Recommendation: Update Chapter 17, [Streets And Sidewalks], Article I, § 17-19, [Operation Of Motor Assisted Scooters] to align local regulations with current Texas law by creating separate definitions and operational standards for traditional bicycles, electric bicycles, and motor-assisted scooters.
 - The ordinance should recognize the distinct legal status of Class 1, 2, and 3 electric bicycles and avoid treating them as motor vehicles or motor-assisted scooters.
 - The introduced ordinance should establish a clear local framework for motor-assisted scooters that identifies where they are permitted, prohibited, and establishes reasonable safety and operational standards. As part of this update, the City should review and remove outdated restrictions on bicycle and e-bike operation along Main Street and the planned Downtown Promenade to support active transportation, Downtown connectivity, and the City's multimodal transportation goals.

Texas Senate Bill 783 (Heritage Preservation)

Senate Bill 783 clarifies the circumstances under which municipalities may adopt building and development standards. The legislation recognizes historic preservation as a legitimate basis for local design requirements, allowing municipalities to adopt standards to preserve designated historic resources while complying with state law.

- Impacted Section (Appendix A, Article III): The existing code in § 3.2.01, [HP Heritage Preservation Overlay District] provides general information about the Overlay, including the boundaries and district regulations.
 - Cross-referenced Code: Chapter 15, [Planning And Development], Article VII, Division 1, [Heritage Overlay District (Hold)] provides the background for the district's purpose and the governing body.
- Assessment: The current Heritage Preservation Overlay District (HP) no longer supports the revitalization and preservation of Downtown Gainesville. Existing overlay boundaries are outdated and do not include all areas of historic or contextual significance. Additionally, the ordinance offers limited design guidance, resulting in minimal standards for rehabilitation, new construction, and compatible infill development.
- Preliminary Recommendations: Revise the Heritage Preservation Overlay District by creating a two-tier framework that reflects the varying levels of historic significance downtown.
 - Tier I: Preservation Core. This tier would replace the current Heritage Preservation Overlay District. This overlay would expand boundaries to include more historically significant properties and establish comprehensive design standards for rehabilitation, alterations, additions, infill development, materials, architectural elements, signage, and site improvements. The ordinance should require designated historic properties to comply with these standards.
 - Tier II: Heritage Compatibility Zone. This tier would serve as a transitional overlay around the Preservation Core. This district would establish context-sensitive design standards to encourage compatible redevelopment, with greater flexibility than the Preservation Core. The zoning ordinance will define the boundaries and applicability of this overlay.

Texas House Bill 2844 (Expanding Micro-Retail Opportunities)

Texas House Bill 2844 establishes a uniform regulatory framework administered by the Texas Department of State Health Services (DSHS), establishing statewide licensing, inspection, equipment, operational, and food-safety requirements for mobile food vendors.

- Impacted Section: New Section
 - Cross-referenced Code: The existing code (Chapter 9, [Licenses And Business Regulations], Article VI, Division 1, § 9-274, [Itinerant Vendors Interfering With Person In Public Places; Ringing Of Bells Using Loudspeakers]), (Chapter 9, [Licenses And Business Regulations], Article VI, Division 2, § 9-291, [Required]) sets the application process and regulations for a broad category of vendors.
- Assessment: The current ordinance primarily addresses food trucks and does not provide clear standards for smaller-scale, temporary food vendors. As a result, lower-intensity vendors—such as coffee carts, pre-packaged food vendors, or other micro-retail operators—may be unintentionally excluded from participating in public spaces, farmers' markets, and other high-activity areas.
- Preliminary Recommendation: Explore establishing a tiered regulatory framework for temporary food and retail vendors based on operational scale and intensity. The existing regulations address the operational characteristics of food trucks but may not adequately distinguish between food trucks and smaller-scale vendors, such as coffee stands, carts, kiosks, and pre-packaged food vendors.
 - A tiered framework could establish differentiated standards and temporary vendor permit requirements based on vendor type, size, and level of activity. The framework should also identify appropriate locations for temporary vendors, downtown events, parks, and commercial districts, while maintaining applicable land use, health, safety, and site design standards.

Texas Senate Bill 1883 (Capital Improvements Advisory Committee Composition)

Texas Senate Bill 1883 prohibits the Planning and Zoning Commission from serving as the advisory board for the Capital Improvements Advisory Committee (CIAC), establishes oversight board membership requirements, and requires independent financial audits. This bill requires at least fifty (50) percent of CIAC members to represent real estate, development, or building industries and not be public officials or employees.

- Cross-referenced Code: The existing code (Appendix C, [Impact Fee Regulations], Article I, § 3(a), [Advisory committee]) establishes the CIAC as members of the Planning and Zoning Commission, allows the mayor to appoint an additional member to represent the City's extraterritorial jurisdiction, and requires a minimum of one representative from the real estate, development, or building industries.
- Assessment: The code language regarding the composition of the CIAC misaligns with state law.
- Preliminary Recommendation: Rewrite the existing code language to follow the state requirements for the composition of the CIAC.

Texas Senate Bill 374 (Right-of-Way Annexation)

Texas Senate Bill 374 authorizes a municipality annexing an area under specified annexation provisions to also acquire public rights-of-way located within the annexation area.

- Cross-referenced Code: The existing code (Part I, [Charter], Article II, § 2.03, [Annexation of territory]) is not located within the Zoning and Subdivision Ordinance. The referenced chapter outlines the procedures for annexing territories and the rights of annexed areas. However, the language may impact the development review or platting review process, which the Zoning and Subdivision Ordinance governs.
- Assessment: The code language does not clearly authorize the City to annex public rights-of-way during annexation. This omission may create uncertainty about the City's authority to annex land.
- Preliminary Recommendation: The City's Charter Review Committee should consider evaluating the implications of this state law and, pursuant to legal review, potentially amend the City Charter to establish the

statutory authority to annex public rights-of-way if appropriate. Concurrently, the Zoning Ordinance should be updated to clarify the zoning map status of any public rights-of-way acquired through this process.

Texas Senate Bill 1338 (Disclosure Requirements for Annexation)

Texas Senate Bill 1338 requires municipalities to provide landowners with written disclosures of information specified in the bill to enter into a development agreement. The written disclosure should include a statement stating the landowner is not required to enter the agreement, the authority under which the municipality may annex the land using relevant law, the annexation process, and whether the procedure requires consent.

- Impacted Section (Appendix A, Article I, § 1.12.01): The current language outlines the City's annexation authority and procedures but does not require written disclosures to landowners before entering into a development agreement.
- Assessment: The code is missing some of the provisions requiring written disclosures that explain the annexation process, legal authority, consent requirements, and a landowner's right to decline a development agreement.
- Preliminary Recommendation: Amend the code to include language mandating the City issue a written disclosure to enter into the development agreement.

Texas Senate Bill 347 (Annexation with Consent)

Texas Senate Bill 347 and Texas Local Government Code § 43.129 revise the municipalities' annexation authority by requiring consent in circumstances established by the law, removing the municipalities' ability to annex property without consent.

- Cross-referenced Code: Annexation processes are defined in Part I, [Charter], Article II, § 2.03, [Annexation of territory] and not within the Zoning or Subdivision Ordinance. The referenced chapter establishes the City's authority to adjust the boundary limits of the City with or without the consent of the voters and/or landowners in the area to be annexed.
- Assessment: This code is not located within the scope of this assessment.
- Preliminary Recommendation: The City's attorney should evaluate the referenced chapter for statutory alignment.

Texas House Bill 1929 (Annexation of Land Subject to Development Agreements)

Texas House Bill 1929 provides that when a municipality enters a development agreement and subsequently annexes land subject to that agreement, it waives governmental immunity from suit.

- Cross-referenced Code: Annexation processes are defined in Part I, [Charter], Article II, § 2.03, [Annexation of territory] and not within the Zoning or Subdivision Ordinance. However, this chapter impacts the development review or platting review process, which the Zoning and Subdivision Ordinance governs.
- Assessment: The existing language does not address development agreements associated with annexation or the waiver of governmental immunity from suit.
- Preliminary Recommendation: The City's attorney should evaluate the referenced chapter for statutory alignment.

Texas House Bill 586 (Right-of-Way Annexation Impacting Right-of-Way Standards)

Texas House Bill 586 authorizes municipalities to annex public rights-of-way only if the owner of the right-of-way requests the annexation or the municipality provides written notice of the proposed annexation no later than the 61st day before the annexation takes effect. This bill complements Texas Senate Bill 374 by establishing process requirements for the annexation of rights-of-way.

- Cross-referenced Code: Annexation processes are defined in Part I, [Charter], Article II, § 2.03, [Annexation of territory] and not within the Zoning or Subdivision Ordinance. The current language establishes the City's annexation authority but does not address the procedural requirements for annexing public rights-of-way.
- Assessment: The code does not include provisions governing the annexation of public rights-of-way, including the requirement that the right-of-way owner request the annexation or that the City provide written notice at least 61 days before the annexation. This law may impact the Right-of-Way standards contained within the Zoning Ordinance.
- Preliminary Recommendation: The City's attorney should evaluate the referenced chapter for statutory alignment. In the Zoning Ordinance, the City should amend the code to establish procedures for the annexation of public rights-of-way. The revisions should require either a request from the right-of-way owner or written notice of the proposed annexation at least 61 days before the effective date related to annexation.

Texas Senate Bill 1585 (Designation of Exclusive Authority)

Texas Senate Bill 1585 requires municipal designation of a property as a local historic landmark applicable to the inclusion of a property within the boundaries of a local historic district. The bill also requires the municipality to designate one commission as the entity with the exclusive authority to approve designations and inclusion.

- Cross-referenced Code: The existing code in Chapter 15, [Planning And Development], Article VII, Division 1, § 15-194, [Designation Of Heritage Preservation Officer] establishes an individual Heritage Preservation Officer for the district. This individual may come from the City staff or an appropriate City resident.
- Assessment: The current regulations do not clearly identify one commission as the authority responsible for approving historic landmark designations and the inclusion of properties within a local historic district.
- Preliminary Recommendation: Amend the historic preservation regulations to establish a historic preservation board or commission with exclusive authority. In addition, revise language to differentiate the role of the commission from that of the Heritage Preservation Officer.

Texas Senate Bill 398 (Solar Energy Devices)

Texas Senate Bill 398 prohibits municipalities from prohibiting or unreasonably restricting the installation of solar energy devices on residential or small commercial properties, except in limited circumstances authorized by state law. An example of a limited circumstance may include the extent to which a property owner's association may prohibit the installation or to which certain interconnection guidelines, agreements, rules, or protocols limit such installation.

- Impacted Sections: New Section
 - Cross-referenced Code: Private Development Manual
- Assessment: The current code lacks standards for solar energy devices and does not reflect state law protections. This ambiguity creates uncertainty about installation and the applicable circumstances when restrictions are allowed.
- Preliminary Recommendation: Amend the zoning ordinance to clearly define and allow solar energy devices and applicable regulations for residential and small commercial properties. In addition, limit the restrictions to those expressly authorized by state law.

Texas House Bill 3526 (Solar Pergolas)

Texas House Bill 3526 prohibits municipalities and counties from applying local building code requirements to the construction of qualifying solar pergolas.

- Cross-referenced: New Section
- Assessment: The legislation does not directly impact the Zoning or Subdivision Ordinance. However, the current code does not include language recognizing solar pergolas or exempting qualifying solar pergolas from local building code requirements.

- Preliminary Recommendation: Amend the building regulations to recognize solar pergolas and exempt qualifying solar pergolas from local building code requirements.

Texas House Bill 1475 (Unnecessary Hardship)

HB 1475 authorizes the municipal board of adjustments to consider specific grounds to determine whether compliance with the ordinance, as applied to a structure that is the subject of the appeal, would result in unnecessary hardship. These factors may include financial cost of compliance, reduction in developable areas, conflict with municipal requirements, structure nonconformity, and other factors stated in the Bill.

- Impacted Section (Appendix A, Article I, § 1.14.06.B): The existing code authorizes the Board of Adjustments to hear and decide appeals.
- Assessment: The existing regulation restricts the Board of Adjustment from considering economic hardship when evaluating requests.
- Preliminary Recommendations: Revise the current language to incorporate the hardship criteria established and eliminate any provisions that limit the board's authority.

MASTER PLAN GAP ANALYSIS

Comprehensive Plan & Other Plans: This section identifies where current code conflicts with the current Comprehensive Plan, Airport Master Plan, and other relevant documents.

The zoning ordinance must align with the Comprehensive Plan to ensure effective implementation. We cross-referenced several plans, including the Downtown Master Plan, Parks and Trails Master Plan, Airport Master Plan, and design manuals, to confirm consistency in goals and methods.

Mixed-Use / Commercial Corridors

- Adopted Policy (Guiding Gainesville Goal 2.2.1): Encourage smart, mixed-use growth in key corridors.
- Impacted Sections (Appendix A, Article III): Existing language in § 3.1.09 (Central Area District) and § 3.1.14 (Planned Development District) are the only sections establishing parameters for mixed-use development. Additional language in Appendix A, Article I, § 1.7.06 specifies that site requirements for the referenced areas, such as storage areas, parking areas, and required open spaces for one building, are not to be computed for any other dwelling or use.
- Assessment: The absence of broadly applicable mixed-use zoning classifications restricts the City's ability to implement the plan's vision along major commercial arteries, such as I-35 Frontage Road. In addition, the language restricts mixed-use developments from relying on shared parking and common open space.
- Preliminary Recommendation(s): Draft a new mixed-use zoning district and/or corridor overlay to facilitate integrated commercial and residential development outside of the immediate downtown core, while amending the shared parking, common open space, and coordinated site design requirements.

Form-Based and Hybrid Code Approaches

- Adopted Policy (Guiding Gainesville Goal 2.2.1): Encourage smart, mixed-use growth in key corridors.
- Impacted Section (Appendix A, Article I, § 1.7.06): The current code allows lots zoned for MF-2 multifamily high density, C-2 general commercial, and I-industrial zoning districts to have more than one main building located on a lot only when such buildings conform to all open space, parking, and density requirements that apply to those uses and districts. The same rule also applies when two or more main buildings are placed on a single tract or lot and do not face a public street.
- Assessment: The existing regulations that apply to multiple buildings may conflict with form-based or hybrid code development approaches in these districts.
- Preliminary Recommendation: Amend the ordinance to establish alternative compliance pathways or exemptions for development utilizing form-based or hybrid zoning classifications.

Residential Opportunities in Commercial Corridors

- Adopted Policy (Guiding Gainesville Goal 2.2.1): Encourage smart, mixed-use growth in key corridors.
- Impacted Section (Appendix A, Article I, § 1.7.06): Current code mentions residential living in lower-intensity commercial districts.
- Assessment: While the code broadly mentions residential uses, it lacks the specific compatibility standards (e.g., depth setbacks, buffering, and design guidelines) required to safely integrate new residential builds into active commercial corridors.
- Preliminary Recommendation: Conduct a compatibility assessment between residential housing and commercial corridors. If compatible, develop design guidelines and depth setbacks for residential buildings

Urban Residential Designation

- Adopted Policy (Downtown Master Plan Alignment: 3.B.1.a): Create an Urban Residential Designation
- Impacted Section: New Section
- Assessment: There is a lack of existing regulation that pertains to “missing-middle” housing types (e.g., duplexes, townhomes, courtyard housing, live/work, etc.) in the Downtown area.
- Preliminary Recommendation: Draft regulations for a new Urban Residential Designation with design standards for housing types incorporated into the Downtown district. A designated urban residential neighborhood within Gainesville’s Downtown establishes the necessary regulatory framework to legally permit the housing types that currently exist only informally in the Downtown’s transitional zones.

Transit-Oriented Development

- Adopted Policy (Downtown Master Plan Alignment 3.B.1.b): Establish a Transit-Oriented Development Node
- Impacted Section: New Section
- Assessment: The absence of Transit-Oriented Development nodes restricts the ability to implement the Plan’s vision along Santa Fe Depot and future development.
- Preliminary Recommendation: Introduce defined Transit-Oriented Development Nodes with proposed design standards and regulations.

Install District Gateways

- Adopted Policy (Downtown Master Plan Alignment: 4.A.1.c): Install District Gateways to maintain a dynamic Downtown environment.
- Impacted Section: New Section
 - Cross-referenced Code: Chapter 5, [Buildings And Building Regulations], Article IV, § 5.178, [Location And Height Requirements For On-Premises Signs] outlines the height and location restrictions for commercial signage.
- Assessment: Current sign regulations address setbacks, height, projections, and permitted sign types, but do not specifically cover gateway or district-identification signage. Therefore, an opportunity exists to establish a clear process for installing entry features for destinations such as the Downtown Gainesville Heritage and Arts District.
- Preliminary Recommendation: Include standards for gateway or district identification signs as a separate sign category. The ordinance should specify permitted locations, set dimensional and design standards, and clarify if these signs are exempt from or subject to setback and height requirements.
 - Evaluate and revise maximum height restrictions (e.g., existing limitations tied to the Braum’s sign elevation) to ensure they do not arbitrarily prohibit planned architectural gateway features in Chapter 5, [Buildings And Building Regulations], Article IV, § 5.178, [Location And Height Requirements For On-Premises Signs].

Integrate Ambient Sensory Infrastructure

- Adopted Policy (Downtown Master Plan Alignment: 4.B.1.a): Integrate Ambient Sensory Infrastructure to elevate the character and atmosphere of Downtown's public spaces.
- Impacted Section: New Section
 - Cross-referenced Code: Existing language in Chapter 13, [Offenses—Miscellaneous], Article V, §§ 13-102, [Restriction On Decibel Levels], and 13-103, [Disturbance Of Peace Prohibited] applies all decibel restrictions, including "other devices which reproduce or amplify sound".
- Assessment: The existing language in public spaces primarily refers to noise in residential, commercial, and industrial spaces. There is no designated definition for Downtown, which includes both residential and commercial spaces. This lack of designated downtown noise thresholds creates enforcement ambiguities for mixed-use environments.
- Preliminary Recommendation: Draft guidelines for ambient noise that apply to all uses within the Downtown district. It will establish regulations for decibels, time restrictions, and appropriate locations.

Utility Undergrounding Regulations

- Adopted Policy (Comprehensive Plan Alignment 3.4.1): Enhance the character and resilience of key corridors.
- Adopted Policy (Downtown Master Plan Alignment: 4.C.1.a): Minimize visual clutter and improve utility reliability through a Phased Undergrounding Program.
- Impacted Section (Appendix B, Article I): Existing language in § 20 and Appendix B, Article II, § 11.B.05 requires subdivision electrical service to be installed underground.
 - Cross-referenced Code: Chapter 5, [Buildings And Building Regulations], Article IV, § 5-179, [Sign Illumination And Signs Containing Lighting] and Chapter 5, [Buildings And Building Regulations], Article IV, § 5-171, [Off-Premises Sign Regulations] dictates that electrical service should be located underground.
- Assessment: The absence of regulations and design standards for underground utility lines in the Downtown district limits Gainesville's ability to implement its vision for Downtown's desired character and hazard resiliency.
- Preliminary Recommendation: Establish regulations about underground utility lines in the Downtown area to support the desired character and ensure hazard mitigation.

Expanding Parklet, Sidewalk Café, Outdoor Dining

- Adopted Policy (Downtown Master Plan Alignment 4.E.1.a): Expand outdoor dining and micro-retail opportunities.
- Impacted Section: New Section
 - Cross-referenced Code: The existing code in Chapter 17, [Streets And Sidewalks], Article I, §17-20, [Sidewalk Cafés And Parklets] outlines the requirements and regulations for a parklet's operation.
- Assessment: The existing language restricts parklet, sidewalk café, and outdoor dining opportunities to one section of Commerce Street between California Street and Scott Street. This geographic restriction limits the implementation of the Downtown Master Plan's economic activation goals.
- Preliminary Recommendation: Amend regulations to permit parklets, sidewalk cafés, and outdoor dining throughout the Downtown district and City where site conditions allow, rather than restricting them to one street segment. Incorporate criteria and guidelines from the Parklets and Sidewalk Café Manual into the Zoning Ordinance, with a focus on temporary and permanent parklet installations in areas with underutilized off-street parking.

Pick-Up and Drop-Off Zones

- Adopted Policy (Downtown Master Plan Goal 5.A.1.d): Designate Dedicated Pick-Up and Drop-Off Zones to Support Community Events and Commerce.

- Impacted Sections: New Section
- Assessment: The absence of designated pick-up and drop-off (PUDO) zones creates competition between pedestrians, businesses, and ridesharing services. This impacts traffic efficiency during special events and peak activity periods.
- Preliminary Recommendations: Explore establishing curbside management regulations that authorize designated pick-up and drop-off (PUDO) zones in strategic Downtown locations during community events and periods of high activity. The ordinance should establish criteria for site locations, signage, operating hours, and temporary or permanent designation of these zones while ensuring access for emergency vehicles.

DESIGN STANDARDS

Building and Utility Setbacks

- Impacted Section (Appendix A, Article III, § 3.1): The existing regulations define building setbacks at 7 ½ feet and utility setbacks at 10 feet.
- Assessment: The code has a regulatory conflict between the ordinance and design manuals regarding building setbacks (7 ½ feet) and utility setbacks (10 feet).
- Preliminary Recommendations: Rewrite and remove existing language regarding setbacks to align the code with the Gainesville Drainage Criteria Manual and the Private Development Manual AMC.
 - Diagrams will be updated to reflect proper setback measurements. The City can explore increasing front utility setbacks and side building setbacks where appropriate.

Parking Supply Requirements

- Impacted Section (Appendix A, Article III, § 3.7): The existing language establishes parking and loading requirements for land use and square footage.
- Assessment: The code restricts parking based on square footage and land use, which impacts the City's ability to activate streets.
- Preliminary Recommendation: Evaluate and modernize parking requirements to align parking demand with land use, building size, zoning district, and site-specific characteristics.
 - These modernized parking standards will optimize underutilized land for additional commercial or mixed-use development, allowing opportunities for smaller retailers, outdoor amenities, or future redevelopment.

Standardized Utility Parameters

- Impacted Sections: New Section
 - Cross-referenced Code: Private Development Manual
- Assessment: There are currently no standardized utility parameters for how utilities run through public or private developments, resulting in uncertainty during the planning and approval process.
- Preliminary Recommendations: Amend the code to incorporate and potentially expand the guidelines found in the Private Development Manual and create guidelines for Public Development.
 - Include illustrations where appropriate to clearly communicate parameters and design. Visual aids help applicants navigate the development process efficiently and confidently.

Contractor Prequalification Framework & Oversight Board

- Adopted Policy (Guiding Gainesville Goal 2.3.1): Enhance the predictability and clarity of development regulations to maintain a highly efficient, business-friendly review process.
- Impacted Section: New Section
- Assessment: Current administrative regulations lack a prequalification framework or oversight board to ensure qualified professionals execute and install critical infrastructure and utility connections, increasing the risk of substandard utility connections.

- Preliminary Recommendations: Explore and develop a pre-qualification framework to ensure qualified professionals complete critical work. The code should also delineate the oversight board's responsibilities, body composition, and tenure.

Mixed-Use Development in Airport Property

- Impacted Sections (Appendix A, Article III, § 3.2.04): The code does not explicitly permit mixed-use development or establish any design protocols apart from height requirements.
 - Cross-referenced Code: Chapter 4, [Aviation], Article II, Division 2, [Rules And Regulations] does not provide specific uses allowed within airport property beyond requiring City Council or Airport Director approval for commercial businesses in § 4-67 [Use Of Airport Restricted].
- Assessment: Insufficient specification creates uncertainty regarding whether such development is permitted, which may discourage potential developers and reduce predictability. The lack of language may inhibit the potential opportunities provided by Plan recommendations for economic growth.
- Preliminary Recommendation: Assess the western portion of the Airport Property for suitability for mixed-use development, using a modernized zoning code that aligns with the Gateway Industrial Park and Airport Master Plan.

Parkland Dedication Standards

- Adopted Policy (Guiding Gainesville Goal 2.3.1): Enhance the predictability and clarity of development regulations to maintain a highly efficient, business-friendly review process.
- Impacted Section: New Section
- Assessment: The current ordinance does not include parkland dedication requirements for new development.
- Preliminary Recommendations: Draft and incorporate parkland dedication standards into the subdivision ordinance to ensure new development adequately supports the City's parks and open spaces. The updated code should establish clear dedication requirements and offer options for land dedication or fee-in-lieu contributions, providing flexibility based on development size, location, and characteristics. The code should also specify how fee-in-lieu contributions are allocated.

INFRASTRUCTURE STANDARDS

Right-of-Way and Design Protocols

- Impacted Sections: Full Ordinance
- Assessment: The code lacks a comprehensive designation of right-of-way and design protocols. This creates uncertainty for applicants and reduces clarity.
- Preliminary Recommendation: Insert necessary language to codify the right-of-way protocols from the Gainesville Drainage Criteria Manual and the Private Development Manual AMC into the subdivision ordinance.

Parking Reduction in Downtown Commercial Areas

- Impacted Section (Appendix A, Article III, § 3.7): The existing code requires a specific number of parking spaces per the square footage of residential units.
- Assessment: The requirement for a specific number of parking spaces creates an excess of parking spaces in some areas, resulting in underutilized space, limiting spaces for street activation, and inefficient land use.
- Preliminary Recommendations: Explore lowering parking ratios for residential use in the Downtown Core where appropriate to minimize underutilized parking lots and promote efficient land use. The City should conduct a parking reduction assessment to identify which ratios can be lowered.

Developer's Infrastructure Responsibilities

- Adopted Policy (Guiding Gainesville Goal 2.3.1): Enhance the predictability and clarity of development regulations to maintain a highly efficient, business-friendly review process.

- Impacted Section (Appendix B, Article I, § 16. B(4)): The current subdivision code requires a developer to construct a paved width greater than forty-four (44) feet (with the City reimbursing the difference) but is silent on general site development outside of the platting process.
- Assessment: The current ordinance is unclear regarding a developer's responsibility to improve adjacent unpaved or substandard rights-of-way for projects outside the formal subdivision process. This ambiguity leads to inconsistent infrastructure requirements and uncertainty for developers and property owners.
- Preliminary Recommendation: Revise the ordinance to explicitly require developers to improve adjacent rights-of-way for applicable site developments. The updated language should specify which development intensities trigger the requirement to pave or upgrade adjacent substandard rights-of-way and outline any specific exemptions. This will ensure consistent and predictable requirements while enhancing public infrastructure.

GENERAL

Text-Heavy Provisions

- Adopted Policy (Guiding Gainesville Goal 2.3.1): Enhance the predictability and clarity of development regulations to maintain a highly efficient, business-friendly review process.
- Impacted Section: Full Ordinance
- Assessment: Current regulations are primarily text-based provisions, which can reduce readability and make the code difficult to navigate. Although professionals understand the terminology and framework, property owners, small businesses, and residents may find the format challenging. This limited accessibility can decrease transparency and create uncertainty regarding development requirements and review procedures.
- Preliminary Recommendations: The City should create concise, user-friendly reference guides summarizing key development requirements, including design standards, infrastructure needs, permitting procedures, review processes, and timelines.
 - The City should also incorporate process diagrams, flowcharts, illustrations, and other graphics into the code and supporting materials to clearly communicate permitting pathways, review procedures, and approval sequences. These guides should supplement, not replace, the official development code, offering applicants a quick and accessible reference.

General Terminology & Industry Best Practices

- Impacted Section: Full Ordinance
- Assessment: The ordinance definitions contain outdated terminology, inconsistent language, or definitions that no longer reflect current planning practices. This can create ambiguity in interpreting and applying the ordinance.
- Preliminary Recommendations: Review ordinance definitions to identify outdated terms and ensure alignment with current planning best practices. Update definitions for clarity, consistency, and to address new land uses and development practices. Assess the need for additional definitions to support new ordinance provisions and reduce interpretation issues.

Engineering Standards & Industry Best Practices

- Impacted Section: Full Ordinance
- Assessment: The ordinance definitions include outdated terminology and engineering standards that do not align with current best practices.
- Preliminary Recommendations: Complete a thorough review of the ordinance definitions to identify outdated standards and ensure alignment with best practices. Definitions should be updated to improve clarity, maintain consistency throughout the ordinance, and include new development practices where appropriate.

SUBDIVISION

Plat Application Completeness Requirements

- Impacted Section (Appendix B, Article I, §§ 8-11): The current code outlines what documents are needed and the information that needs to be included on plats and subdivision plans, but this language does not clearly define the requirements for a complete plat application.
- Assessment: The lack of codified requirements for a complete plat application creates uncertainty and reduces clarity for potential applicants.
- Preliminary Recommendation: Insert the necessary language to provide clear and concise language for the plat and subdivision application process, as well as visuals illustrating these application requirements.

Subdivision Plat Processes

- Impacted Section (Appendix B, Article V): The existing code details the procedures for plat and subdivision plan approval in its own article.
- Assessment: This article is separated from the sections that include the documents, information requirements, and approval process for preliminary and final plats. This separation inhibits developers preparing for their plat applications, leading to potential application errors, and increasing the review timeline for plat approval.
- Preliminary Recommendation: Relocate this article's placement to fit with Article I, § 8-11 of the subdivision ordinance for clarity and coherence.

Unrecorded Plats

- Impacted Sections (Appendix B, Article I, § 9.01; Article V, § 7): The current ordinance requires a full replat for the redevelopment of unrecorded plats.
- Assessment: This process extends review timelines and offers limited guidance to applicants navigating this process.
- Preliminary Recommendation: The City's attorney should evaluate a framework process for the redevelopment of unrecorded plats in lieu of requiring a full replat, if applicable by state law. The language should clearly define the application requirements and the review and approval procedures to ensure a predictable, streamlined process for both applicants and staff.
 - To further improve transparency, the City should develop an accompanying visual flowchart that illustrates the development process.

Building and Utility Setbacks

- Impacted Sections (Appendix B, Article I, § 19): The current subdivision ordinance does not contain specific building or utility setbacks.
- Assessment: The code has a regulatory misalignment between the ordinance and design manuals regarding building setbacks (7 ½ feet) and utility setbacks (10 feet).
- Preliminary Recommendations: Remove existing numerical setback conflicts from the zoning ordinance and align the Code with the Gainesville Drainage Criteria Manual and the Private Development Manual AMC. Diagrams should be updated to reflect updated setback measurements.

Engineering Standards and Drainage Designations

- Impacted Section (Appendix B, Article IV): The current subdivision ordinance lacks complete engineering standards and drainage designations.
- Assessment: The absence of applicable standards and designations creates uncertainty for applicants and reduces clarity.
- Preliminary Recommendation: Amend the zoning and subdivision ordinances to replace outdated technical designations by integrating both the Gainesville Drainage Criteria Manual and the Private Development Manual AMC.

ZONING MECHANISMS & ORDINANCE ADMINISTRATION

Current Code Structure: This section evaluates the current code organization and identifies areas where usability and administrative processes can be improved.

- *Current Code Framework:* Gainesville currently utilizes traditional, also known as Euclidean, zoning for city development. This is the most common form of zoning in the country, which divides the City into distinct, physically separated single-use districts (e.g., residential, commercial, industrial).
- *Assessment:* While Euclidean zoning is highly effective at preserving property values and distancing neighborhoods from heavy industrial impacts, its rigid separation of uses restricts the City's ability to develop integrated, walkable nodes or diverse housing options. Continuing to rely exclusively on Euclidean zoning will inhibit the implementation of the Guiding Gainesville 2040 Comprehensive Plan.
- *Preliminary Recommendation:* Retain Euclidean zoning as the foundational baseline for established single-family neighborhoods and heavy industrial zones, but introduce modern zoning mechanisms (Form-Based, Incentive, and Hybrid codes) in targeted geographic areas to facilitate dynamic growth.

Targeted Implementation of Modern Zoning Mechanisms

To achieve the diverse economic and development goals outlined in the City's master plans, the updated ordinance should deploy the following alternative code structures:

- *Form-Based Code (FBC) for the Downtown Core:* FBC regulates development based on physical building forms and street interactions rather than solely separating land uses. The updated ordinance should utilize FBC within Gainesville's historic downtown district to implement targeted, context-sensitive design guidelines that guarantee predictable, human-scaled spaces while preserving historic homes and culture.
- *Incentive-Based Code for Corridors and Parks:* This strategy allows developers to receive predetermined zoning exemptions such as density or height bonuses in exchange for providing a specific public benefit. The City should explore incentive-based zoning along key commercial and park or trail corridors to encourage developers to introduce mixed-use projects or dedicate public green spaces at zero cost to the municipality.
- *Hybrid Code for the Airport Overlay:* A Hybrid Code combines traditional use-based zoning with form-based design techniques. Following the precedent set by the City of Arlington's Flex Hybrid Zoning District, Gainesville should explore a hybrid approach for the Airport Overlay District. This would allow developers the flexibility to implement clean commercial and light industrial uses within the same buildings as retail or office spaces, which directly supports the airport's plans for commercial expansion.

CONCLUSION

Overall, this Zoning and Subdivision Diagnostic Assessment identifies opportunities to modernize Gainesville's development regulations, improve regulatory clarity, and align the City's ordinances with its Comprehensive Plan and Downtown Master Plan. The assessment found that while existing regulations provide a foundation for managing growth, several key provisions require updating to better reflect current development practices, state law, and the City's long-term vision.

Collectively, these recommendations are intended to create a regulatory framework that is clearer, more predictable, and responsive to Gainesville's future needs. The recommendations presented in this assessment are preliminary and are intended to serve as a baseline for the upcoming ordinance drafting phase and policy discussions. The next phase of this Project will focus on directly drafting the updated ordinance based on the findings of this assessment.