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LAW360 QUOTES SID BIGHAM IN, "WHAT'S BEHIND GAINESVILLE INCLUSIONARY ZONING FIGHT TENSIONS"

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The Florida Department of Economic Opportunity in late November filed a petition for an administrative hearing, arguing that Gainesville's comprehensive plan update — which eliminated single-family home zoning — didn't go far enough to encourage affordable housing and, instead, could lead to a flurry of market-rate, multifamily developments that worsen the issue.

In the filing, the DEO for the first time classified affordable housing as a state asset — a move that surprised real estate experts and attorneys — and highlighted the bubbling tensions between local governments and the state when it comes to addressing housing stock.

"It seems clear to me that DEO is making a statement by asserting that affordable housing is an important state resource and asserting their standing to challenge a comprehensive plan update on that basis," Berger Singerman LLP partner Sid Bigham said. "So, I think DEO's action demonstrates an intent to send a message and may be the beginning of a new trend."

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