

**ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE 2024-

(Unified Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA AMENDING THE ALACHUA COUNTY CODE OF ORDINANCES, TITLE 40, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; INCLUDING AMENDMENTS TO CHAPTER 401 DEVELOPMENT REVIEW BODIES; CHAPTER 402 DEVELOPMENT APPLICATION REVIEW PROCEDURES CONTENTS; AND CHAPTER 407 GENERAL DEVELOPMENT STANDARDS; PROVIDING FOR MODIFICATIONS; A REPEALING CLAUSE; SEVERABILITY; INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER'S ERRORS; LIBERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County, Florida, is authorized, empowered, and directed to adopt land development regulations to implement the Comprehensive Plan and to guide and regulate the growth and development of the County in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act (Section 163.3161 et seq.,) Florida Statutes; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its 2019-2040 Comprehensive Plan, which became effective on December 13, 2019; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its Unified Land Development Code, which became effective on January 30, 2006; and

WHEREAS, the Board of County Commissioners of Alachua County, Florida, wishes to make amendments to the Alachua County Code of Ordinances Part III, Unified Land Development Code, relating to development of land in Alachua County; and

WHEREAS, the Board of County Commissioners, acting as the Land Development

Regulation Commission, has determined that the land development regulations that are the subject of this ordinance are consistent with the Alachua County Comprehensive Plan; and,

WHEREAS, a duly noticed public hearing was conducted on such proposed amendment on February 27, 2024 by the Board of County Commissioners, held after 11:30 a.m.; and,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA:

Section 1. Legislative Findings of Fact. The Board of County Commissioners of Alachua County, Florida, finds and declares that all the statements set forth in the preamble of this ordinance are true and correct.

Section 2. Unified Land Development Code. The Unified Land Development Code of the Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit A and attached hereto.

Section 3. Modification. It is the intent of the Board of County Commissioners that the provisions of this ordinance 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 to the Board.

Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time as the Development Regulations of Alachua County are codified, the provisions of this ordinance shall become and be made part of the Unified Land Development Code of Alachua County, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate

designation. The correction of typographical errors that do not affect the intent of the ordinance may be authorized by the County Manager or designee, without public hearing, by filing a corrected or re-codified copy of the same with the Clerk of the Circuit Court.

Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. Severability. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners, and shall take effect upon filing with the Department of State.

DULY ADOPTED in regular session, this 27th day of FEBRUARY, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

Mary Alford, Chair

ATTEST:

J.K. "Jess" Irby, Esq. Clerk

APPROVED AS TO FORM

(SEAL)

Alachua County Attorney

DEPARTMENT

APPROVAL AS TO

CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A
Unified Land Development Code Revision Language

CODE: Words ~~stricken~~ are deletions; words underlined are additions

CHAPTER 401. - DEVELOPMENT REVIEW BODIES
ARTICLE V. DEVELOPMENT REVIEW COMMITTEE

Sec. 401.17. Powers and duties.

- (a) *Review and approval.* The DRC has the authority to approve, approve with conditions, or deny the following:
- (1) Preliminary development plans under the thresholds established in Section 402.44, Thresholds for development review;
 - (2) Final development plans;
 - (3) Minor development plans;
 - (4) Minor change to an approved planned development;
 - (5) Modifications to a development plan resulting in more than one thousand five hundred (1,500) square feet of new impervious area or affecting other elements of an approved final development plan;
 - ~~(6) Change of use resulting in more than one thousand five hundred (1,500) square feet of new impervious area or affecting other elements of an approved final development plan;~~
 - (6) Master plans for parcel disaggregation under Section 400.04(e)(2)(1);
 - (7) Master plans for planning parcels with significant plant and wildlife habitat or listed plant and animal species habitat;
 - (8) Floodplain development permits except those listed under Section 401.20(d);
 - (9) Variance to flood hazard protection standards of Chapter 406, Subsection 406.57.2;
 - (10) Waivers to the setback requirements from major road centerlines, section lines, and half section lines as identified in Section 407.03 in conjunction with an associated development plan;
 - (11) Reductions to the minimum property development standards in Table 407.78.1, Dimensional Standards for Rural/Agriculture Clustered Subdivisions, for front setback, rear setback, lot width and lot depth by no more than twenty-five (25) percent pursuant to Subsection 407.78(g)(1);
 - (12) Certificate of Level of Service Compliance (CLSC) pursuant to Chapter 407, Article XII, Concurrency Management;
 - (13) Reductions or waivers to the industrial district boundary requirement in accordance with Subsection 403.16(d);
 - (14) Reductions or increases of the preservation boundary buffer in accordance with Subsection 405.33(b)(4);
 - (15) Activities that propose significant adverse impacts to regulated natural and historic resources;
 - (16) Variances from the following requirements in any zoning district except the planned development (PD) zoning district:
 - a. The minimum yard/setback requirements, lot width or lot depth; and
 - b. The maximum height or building coverage; and
 - (17) Approval of any use that requires DRC in Chapter 404.
 - ~~(18)~~ Any revisions to items (1) through ~~(17)~~ above.
- (b) *Review and recommendation.* The DRC shall review and make recommendations on plats and replats, to the BOCC.
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ARTICLE VI. - DEVELOPMENT REVIEW DEPARTMENTS

Sec. 401.20. Development review departments powers and duties.

The Department of Growth Management, the Environmental Protection Department and the Department of Public Works shall exercise the powers and duties listed below:

- (a) *Review and report.* County staff shall review and prepare reports and recommendations to the following decision making bodies based on the review and recommendations of the Growth Management Department, the Environmental Protection Department, the Department of Public Works, as well as input from other departments and agencies:
 - (1) *DRC* — Regarding the following development applications:
 - a. Any application listed in Subsection 401.17(a);
 - b. Plats, including final plats, plat vacations, and re-plats.
 - (2) *BOCC (and Planning Commission where applicable)* — Applications as listed in Section 401.02.
- (b) *Decisions of the Growth Management Department.* The Director of the Growth Management Department, in conjunction with any of the other appropriate development review departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:
 - (1) Interpretation of this ULDC;
 - (2) Vested rights certification;
 - (3) Interpretation of district boundaries, where there is any dispute as to the location of the boundary of a zoning district in relation to particular property;
 - (4) Building permit;
 - (5) Building permits for docks of ~~less than one thousand (1,000)~~ six hundred (600) square feet or under meeting the standards in Chapter 404, Section 404.108;-
 - (6) Certificate of occupancy;
 - (7) ~~General h~~Home-based businesses;
 - (8) Family homestead exceptions and transfers;
 - (9) Temporary uses that do not involve overnight camping or any event with an anticipated attendance of less than 2,000 people;
 - (10) Sign permit;
 - (11) Temporary placement permit;
 - (12) Tree removal permit;
 - (13) Certain personal wireless service facilities meeting the administrative development approval criteria in Article XII of Chapter 404 of this ULDC;
 - (14) Administrative development plan review of any modifications to an existing developed site resulting in an addition of less than one thousand five hundred (1,500) square feet of impervious area provided this provision may only be used once per site and the proposed expansion does not create off-site impacts;
 - (15) Change of use to a permitted or limited use, except where DRC approval is required in Chapter 404;
 - (16) Waivers to the setback requirements from major road centerlines, section lines, and half section lines in Section 407.03 for structures on existing legal lots of record; and
 - (17) Tier I tower replacements meeting the standards of Subsection 404.54(a)5.

- (c) *Decisions of the Environmental Protection Department.* The Director of the Environmental Protection Department, in conjunction with any of the other appropriate development review departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:
- (1) Minimal impact activities in and adjacent to conservation or preservation areas;
 - (2) Minimal impact activities in and adjacent to regulated natural and historic resources;
 - (3) Removal of indigenous vegetation in special area studies;
 - (4) Hazardous facilities;
 - (5) Well registration and well abandonment;
 - (6) Murphree Wellfield hazardous waste licenses; and
 - (7) Dewatering activities discharging to wetlands, conservation or preservation areas;
 - (8) Preservation buffer reductions per Subsection 405.33(b)(4)c.
- (d) *Decisions of the Department of Public Works.* The Director of the Public Works Department, in conjunction with any of the other appropriate development review departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following:
- (1) Floodplain development permit for single-family residence or mobile or manufactured home on a legal lot of record;
 - (2) Floodplain development permit for boat docks ~~under one thousand (1,000)~~ six hundred (600) square feet or under meeting the standards of Chapter 404, Section 404.65 404.108;
 - (3) Minor modifications to stormwater management facilities and right-of-way infrastructure associated with development previously approved by the DRC;
 - (4) As an exemption to the requirements found in Chapter 404, Article 24 Mining, Excavation and Filling Operations, and for the purposes of creating an Agricultural type pond, excavation of more than two hundred (200) cubic yards of material that do not impact regulated resource areas or involve areas within the limits of the flood hazard area;
 - (5) Right-of-way use and utility permit for allowable uses of public rights-of-way;
 - (6) Driveway permits;
 - (7) Construction permits;
 - (8) Temporary construction stockpiles and temporary construction storage, leasing and sales offices that are not shown on an approved development plan;
 - (9) Dewatering activities with proposed offsite discharge; and
 - (10) Exceptions from the public road frontage requirement in Subsection 407.73(f)1 for the first split of a parent parcel or a family homestead exception where the private road meets minimum width, stabilization and maintenance requirements for the purpose of providing emergency service delivery, and the applicant provides proof of access to a County maintained public road.

CHAPTER 402. DEVELOPMENT APPLICATION REVIEW PROCEDURES CONTENTS

ARTICLE I. APPLICABILITY AND GENERAL PROVISIONS

Sec. 402.01. Purpose.

The purpose of this Chapter is to provide the procedures and general standards for review of development, development activity and other applications that are submitted to officers or bodies of Alachua County for review under this ULDC. Unless otherwise provided in this Chapter or this ULDC, the Director shall establish the detailed procedures for development review, including the following:

- (a) Dates and deadlines for submitting applications;
- (b) Application forms;
- (c) Required documents and information to accompany application forms;
- (d) Public notice;
- (e) Application ~~Completeness~~ review;
- ~~(f) Sufficiency review;~~
- ~~(g) Review of responses to completeness or sufficiency reviews;~~
- ~~(h) Approval of applications for further consideration or public hearing;~~
- (fi) Form and preparation of department or DRC recommendations; and
- (gj) Such other action as may be needed to provide development review in an objective, timely and thorough manner.

ARTICLE II. COMMON DEVELOPMENT APPLICATION ELEMENTS

Sec. 402.05. Development application forms.

- (a) *Content.* The Director shall establish application forms to be submitted to the department for all development applications referenced in this Chapter. The information required to accompany each type of development application that is submitted to the department shall include but is not limited to the following:
 - (1) Authority to submit an application, in a form approved by the County Attorney;
 - (2) Statement of how the development proposal is consistent with the Comprehensive Plan;
 - (3) Statement of how the development proposal is consistent with the Comprehensive Plans of all other jurisdictions within the market area, if applicable.
 - (4) Statement of how the development proposal is consistent with the applicable standards and criteria of this ULDC;
 - (5) Statement of request of alternative compliance citing code section to be modified.
 - (6) Evidence of compliance with all applicable elements of the County's concurrency management system as provided in Chapter 407, Article XII of this ULDC;
 - (7) To the extent applicable, documentation or professional studies such as:
 - a. Natural resources assessment (Section 406.04, Chapter 406);
 - b. Tree survey and landscape plan;
 - c. Public school impact;
 - ~~d. Sign plan;~~
 - de. Solid waste disposal and recycling;
 - ef. Stormwater management, erosion and sedimentation control;

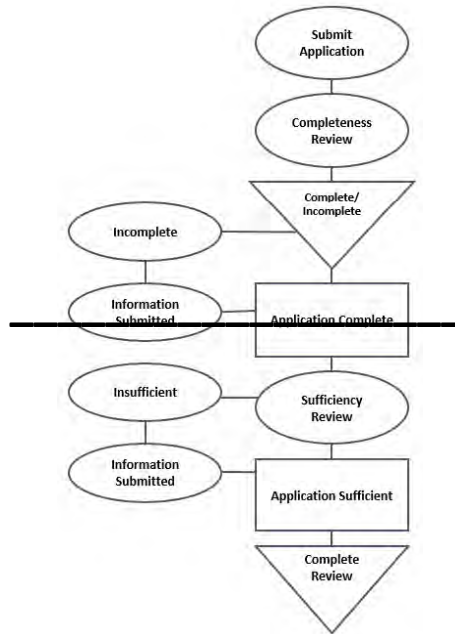
- ~~fg.~~ Traffic impacts including intersection analysis (Subsection 407.136(c)) in accordance with an approved traffic methodology agreement;
- ~~gh.~~ Water and sewer utilities;
- ~~hi.~~ Environmental monitoring plan;
- ~~ij.~~ Pollution prevention plan;
- ~~jk.~~ Topographic survey of area subjected to development impact meeting the technical standards of Florida Administrative Code 5J-17.052 and signed and sealed by a Florida Professional Surveyor and Mapper (PSM);
- ~~kl.~~ Similar information as may be required by the Director;
- (8) Development plans (citation for alternative compliance ULDC section noted, if applicable);
- (9) Master plan or zoning master plan with all related attachments, if applicable (citation for alternative compliance ULDC section noted, if applicable);
- (10) Phasing plan, if applicable (citation for alternative compliance ULDC section noted, if applicable);
- (11) Boundary survey of the entire property meeting the technical standards of Florida Administrative Code 5J-17.052 and signed and sealed by a Florida Professional Surveyor Mapper (PSM), completed within two (2) years of the application date and containing a legal description and the total acreage; calculated to one tenth (.1) of an acre, if applicable.
- ~~(12) Calculated to one tenth (0.1) of an acre, if applicable;~~
- ~~(13) Architectural elevations, if applicable;~~
- (14) Warranty deed, or such other deed as may be required by the Director;
- ~~(15) Fees, as established by the BOCC;~~
- ~~(16) Market study, if applicable;~~
- ~~(17) Fiscal impacts including the timing of any needed infrastructure improvements or new facilities, if applicable;~~
- ~~(18) Employment study, if applicable;~~
- (19) An evaluation of the impacts of proposed Comprehensive Plan or land development regulation amendments on the initial cost of housing, the long-term cost of home ownership and the fiscal impacts to the County and the County's taxpayers, if applicable;
- ~~(20) All ADA accessible routes must be identified on the development plans;~~
- ~~(21) Subdivision plat and any underlying plat, if applicable;~~
- ~~(22) Homeowners' or other property association documentation, if applicable;~~
- ~~(23) Plans, details and structural calculations for retaining walls which are not in accordance with the FDOT Index or certified and signed and sealed by a Florida Professional Engineer (PE);~~
- (24) Temporary construction easements, drainage easements, and public access easements, if applicable.
- (25) Any application for a special exception for a commercial use greater than five thousand (5,000) square feet of gross floor area in a rural cluster in accordance with Subsection 403.13(e) shall include the following:
 - a. Demonstration that there is a need for such use to serve the population within the rural cluster and the immediate surrounding areas, and that this need cannot be met through existing commercial uses within the market area or commercially-zoned undeveloped land within the rural cluster;
 - b. Demonstration that such use would be compatible with the size, scale, and character of the existing land uses within the rural cluster and the immediate surrounding land uses designated in the Comprehensive Plan; and

- c. Analysis of how approval of the special exception would impact any existing commercially-zoned undeveloped land within the rural cluster in light of the limitation on the total amount of commercial uses within rural clusters pursuant to Policy 6.4.3 of the Comprehensive Plan, Future Land Use Element and Subsection 403.13(e) of this ULDC.
- (b) *Submittal of forms.* All development applications shall be submitted, on these forms and in such numbers as required, to the Department of Growth Management.

ARTICLE III. PRELIMINARY PROCEDURES FOR ALL APPLICATIONS

Sec. 402.08. Applicability of preliminary procedures.

The requirements of this Article shall, unless otherwise expressly provided in this Chapter, apply to all development applications.



Sec. 402.09. Acceptance of application. ~~Determination of completeness.~~

- (a) ~~Completeness determination~~ Acceptance determination. Applications will be checked for all required documents and plans needed for review ~~completeness~~ at time of submittal. An application will be ~~shall be deemed complete~~ accepted when it contains all required information and documents ~~if all required information and documents have been prepared in accordance with professionally accepted standards and all other eligibility requirements are met.~~
- (b) ~~Complete application.~~ Once an application has been ~~deemed to be complete~~ accepted, County staff ~~will~~ shall then perform the ~~sufficiency~~ completeness review.
- (c) ~~Effect of incomplete application.~~ ~~Incomplete applications will not be accepted for review.~~ If an application is determined to be incomplete, the applicant shall be notified of the additional information that is required to continue review of the application.

Sec. 402.10. Determination of sufficiency ~~completeness.~~

- (a) ~~Sufficiency d~~ Determination of completeness. A determination of ~~sufficiency~~ completeness ~~will~~ shall be made after an application has been accepted for review ~~is determined to be complete~~. An application ~~will be~~ shall be deemed complete, and sufficient for a hearing when all required information has been reviewed by Staff and found to be consistent with the Comprehensive Plan and ULDC. ~~if all required~~

~~information and documents have been prepared in accordance with professionally accepted standards. If an application is determined to be insufficient for a recommendation of approval due to lack of information or inconsistency with the Comprehensive Plan or ULDC, the applicant will shall be notified in writing of the specific nature of the insufficiency and offered an opportunity to submit additional information additional information that is required to continue or to conclude review of the application and proceed to a hearing with a recommendation of denial.~~

- (b) ~~Complete and sufficient application.~~ Once an application has been deemed to be complete, and sufficient for a hearing, County staff ~~review shall commence will prepare the~~ and the application shall be placed for the on the next available agenda of the appropriate reviewing body. Administrative development plan applications reviewed under Section 401.20(b) will receive a development order upon approval.
- (c) ~~Effect of insufficient application.~~ An applicant has ninety (90) days from receipt of written notification of insufficiency to provide all the necessary information to remedy an insufficient application. The application shall be deemed withdrawn unless the applicant responds, within the allotted timeframe, in one of the following ways:-
- ~~(1) The applicant provides all the information necessary to remedy an insufficient application; or~~
 - ~~(2) The applicant may provide documentation to establish that the applicant is continuing in good faith to remedy the insufficiencies pursuant to Subsection 402.20(b)2; or~~
 - ~~(3) The applicant requests in writing, that the application be processed in its present form. In this case the applicant acknowledges that the application has been determined by the Director to be insufficient, the applicant waives the right to supplement the application with additional information, and the applicant agrees to allow a decision on the application based on the information submitted. The application shall then be processed in its present form.~~

Sec. 402.10.5. Expiration of applications.

If more than a year has passed since an application was determined to be incomplete sufficient, it is ~~not~~ under active review by County staff, and there is no outstanding request to advance the application, applicant has not demonstrated an undue hardship or that they are continuing in good faith to remedy the incompleteness, then the application will be it shall be deemed expired and a new application must be submitted for review, unless otherwise approved by the Director.

ARTICLE IV. NOTICE OF HEARINGS

Sec. 402.12. - Types of public notice.

Forms of notice required for various public hearings may include mailed notice, published notice provided via a newspaper of general circulation, and posted notice by signs located on the subject property. Neighborhood workshops, in accordance with the procedures of Article V, Neighborhood Workshops, of this Chapter, provide additional notice to the public regarding certain types of development applications. The public notice requirements for development applications are indicated in Table 402.12.1.

Table 402.12.1 Required Public Notice for Development Applications				
Proposal	Types of Public Notice			
	Written	Published	Posted	Neighborhood Workshop
Comprehensive Plan Amendment, text		X		
Comprehensive Plan Amendment, map	X	X	X	X
ULDC Text Amendment		X		
Rezoning, or Rezoning to Planned Development, Special Exception, Special Use Permit (including Major Amendments)	X	X	X	X
Minor Amendment to Planned Development, Special Exception or Special Use Permit	X	X	X	
Development Plan, heard by DRC		X	X	
Any application for uses included in Sec. 402.14(a)5 heard by DRC or BoCC	X	X	X	X
Preliminary Development Plan, Exceeding thresholds	X	X	X	X
Plat or Replat		X		
Variance		X	X	
Scenic Road Variance	X	X	X	
Activity Center Master Plan	X	X	X	X
Neighborhood Workshop	X	X		
Preliminary CLSC		X	X	
Final Redevelopment Plan		X	X	
New Electric Substation Siting in Residential Areas				X
Subdivisions with no more than nine lots in the rural agricultural area with a proposed unpaved access way or driveway longer than 1,000 feet.		X	X	

ARTICLE VI. TIME LIMITATIONS FOR DEVELOPMENT ORDERS

Sec. 402.19. Development orders expire.

Any development order, permit, or other approval, other than a rezoning, shall expire in accordance with the terms of this ULDC.

Sec. 402.20. Extension of time limit.

An applicant may apply for an extension of a time limit, subject to the requirements of this Section, except for extension requests identified in Article X, Sec. 402.47.

- (a) *Deadline for application.* An application for an extension of a time limit shall be filed a minimum of sixty (60) days prior to the expiration of the time limit.
- (b) *Additional application requirements.*
 - (1) *Concurrency.* Unless concurrency approval is vested, an application shall demonstrate compliance with the concurrency management system as established in Chapter 407, Article XII of this ULDC.
 - (2) *Demonstration of good faith efforts.* An application shall include a demonstration of good faith efforts to comply with applicable time limits by including one or more of the following items, dependent upon the type of development order requested for extension:
 - a. All efforts to design a project, including engineering, architectural and similar plans;
 - b. The number and type of development permits that have been applied for, including all relevant federal, state, county or related permits;
 - c. The number and timeliness of any plats that have been recorded;
 - d. The number and timeliness of any prior phases that have been developed or implemented;
 - e. The completion or status of site development improvements including substantial and on-going site clearing, grading and the substantial and on-going construction of stormwater management facilities, if applicable;
 - f. Any granting of rights-of-way, easements or similar public dedications;
 - g. Compliance with applicable conditions of development approval;
 - h. Execution of agreements for water or sewer services; and
 - i. Such other information as may be required by the Director.
- (c) *Review of applications.* The application for extension shall be deemed an amendment to the original approval and shall be subject to review at a public hearing by the body that granted the order, permit or approval.
- (d) *Consistency.* The application shall be consistent with the current Comprehensive Plan, ULDC, and other County requirements.

ARTICLE X. DEVELOPMENT PLAN REVIEW

Sec. 402.39. Applicability.

This Article shall apply to all development, development activity or other use requiring development plan review within the unincorporated area of Alachua County. No development shall be undertaken without prior approval and issuance of a final development order, and any other required permits.



Sec. 402.40. Pre-application conference.

Prior to the submittal of an application for preliminary development plan approval, an applicant is required to attend a pre-application conference with the development review departments. Staff must ~~shall~~ provide the applicant with information about the potential ULDC and Comprehensive Plan requirements as well as specific elements required for the preliminary development plan application. Staff may also provide initial comments about the proposal and recommend specific items that must be addressed prior to submittal of the application, such as Staff site visits, neighborhood workshops, etc. Specific requirements for the pre-application conference will ~~shall~~ be determined by the Director of Growth Management.

Sec. 402.43. Development plan review steps.

(a) *Preliminary development plan.* The purpose of this stage is for the DRC and the applicant to determine the specific characteristics of a site that will influence its design. The preliminary development plan must ~~shall~~ detail regulated natural resources that exist on site, approximate access points, and location of utilities that will serve the site. Minimum Open Space areas and required tree protection defined with the preliminary development plan shall be utilized in the final development plan.

(1) The preliminary development plan shall be considered at a public hearing. When a preliminary development plan proposes development that meets or exceeds the thresholds listed in Table 402.44.1, the BOCC shall hold the public hearing. The DRC shall hold the public hearing for all

other preliminary development plans. The decision from either body may be for approval, approval with conditions or denial.

- (2) No preliminary development plan ~~will shall~~ be approved unless a determination can be made that all required public facilities and/or levels of service will be adequate to support and service the area of the development, consistent with Chapter 407 Article XII. The applicant must shall submit sufficient information and data on the development to demonstrate the necessary public services are adequate to address the impact created by the development and to demonstrate that the proposed development is consistent with the Comprehensive Plan.
- (3) An application for preliminary development plan review must shall be submitted in accordance with Chapter 402, Article II, Common Development Application Elements, of this Chapter. ~~Detailed submittal requirements shall be provided in a form acceptable to the Director.~~

~~(b) *Initial design plan.* The initial design plan stage is an administrative review opportunity for an applicant to ensure that initial stages of engineering design for a site are consistent with site design standards of this ULDC. The initial design plan is a non-binding document intended to inform the County about the specific location of improvements on a site and to receive comments. Initial design plan review is required for all developments meeting the thresholds established in Section 402.44, all developments within activity centers or special area plans, and all sites containing strategic ecosystems. Initial design plan review is optional for all other developments.~~

(c) *Final development plan.* The purpose of this stage is for the developer to present the fully engineered final development plan to the DRC for review. The final development plan must shall be consistent with the approved preliminary development plan, other applicable provisions of this ULDC, and the Comprehensive Plan. The final development plan shall contain all items necessary to demonstrate compliance with this ULDC and Comprehensive Plan.

- (1) The final development plan shall be considered by the DRC at a public hearing. The decision may be for approval, approval with conditions or denial. Conditions of approval shall be such that no changes that affect the requirements of other portions of this ULDC are necessary to remedy a solution.
- (2) No final development plan shall be approved unless a determination can be made that all required public facilities and/or levels of service will be adequate to support and service the area of the development. This determination shall be made consistent with Chapter 407, Article XII.
- (3) An application for final development plan review shall be submitted in accordance with Chapter 402, Article II, Common Development Application Elements, of this Chapter. ~~Detailed submittal requirements shall be provided in a form acceptable to the Director.~~

Sec. 402.44. Thresholds for development review.

Any proposed development that meets or exceeds the thresholds established in Table 402.44.1 below, including expansions of existing development that cumulatively cause the threshold to be met or exceeded, shall require preliminary development plan consideration and action by the BOCC. Projects classified as redevelopment under Chapter 407 Article XV may exclude from the threshold calculation any existing square footage. Any preliminary development plans submitted for review concurrently with a zoning application for a planned development, special use permit, or special exception may request ~~shall require~~ BOCC consideration and action, regardless of whether they are above the thresholds in Table 402.44.1.

Table 402.44.1 Development Thresholds	
DEVELOPMENT TYPE	THRESHOLD
Residential, Single-family	25 dwelling units
Residential, <u>Multiple-family</u>	25 dwelling units
<u>Subdivisions with no more than nine lots in the rural agricultural area</u>	<u>With a proposed access way or driveway longer than 1,000 feet.</u>
Commercial/Office	50,000 sf of GFA
Institutional/Place of Worship/Civic Organizations/Recreation	25,000 sf of GFA
Industrial	100,000 sf of GFA
Mixed Use: TND/TOD	25 dwelling units or 50,000 sf of GFA
All Development Types	Extension of water-sewer service beyond the Urban Cluster Line
All Development Types	Adverse impact to surface waters and wetlands and their buffers; wetland and buffer mitigation proposals
All Development Types	Proposed developed area of parcel contains Strategic Ecosystem

GFA = gross floor area

Sec. 402.47. Time limitation for expiration of development plans.

In accordance with Article VI of this Chapter, Development Plans shall expire. Expirations shall be governed by the following provisions.

- (a) *Preliminary development plan.*
 - (1) An approved preliminary development plan ~~or phase of a preliminary development plan~~ shall expire unless an ~~an~~ complete application for final development plan approval has been accepted by the department within twelve (12) months of the date of preliminary development plan approval.
 - (2) The reviewing body shall have the authority to approve a preliminary development plan for a planned development (PD), a traditional neighborhood development (TND), transit oriented development (TOD), or an affordable housing development consistent with the time frames established in the phasing schedule of the approved PD, TND, TOD, or affordable housing project.
- (b) *Final development plan.* An approved final development plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within twelve (12) months of the date of final approval and that such development is continuing in good faith.
- (c) *Extension of expiration of development order.*
 - (1) One (1) extension, of up to one (1) year, may be granted administratively contingent upon a finding by the Director of Growth Management that the approved final development plan or plat is consistent with all elements of the Comprehensive Plan and all of this ULDC in effect at the time of the application for the extension. Any such extension will be issued only if no imminent or existing public facility deficiencies exist at the time of the application for extension. A request for administrative extension of expiration shall be submitted in writing to the Department no less than sixty (60) days prior to the expiration of the final development plan or plat.
 - (2) All other extensions of expiration of development plans shall be governed as set forth in Article VI of this Chapter.

CHAPTER 407 GENERAL DEVELOPMENT STANDARDS

ARTICLE VII TRADITIONAL NEIGHBORHOOD AND TRANSIT ORIENTED DEVELOPMENTS

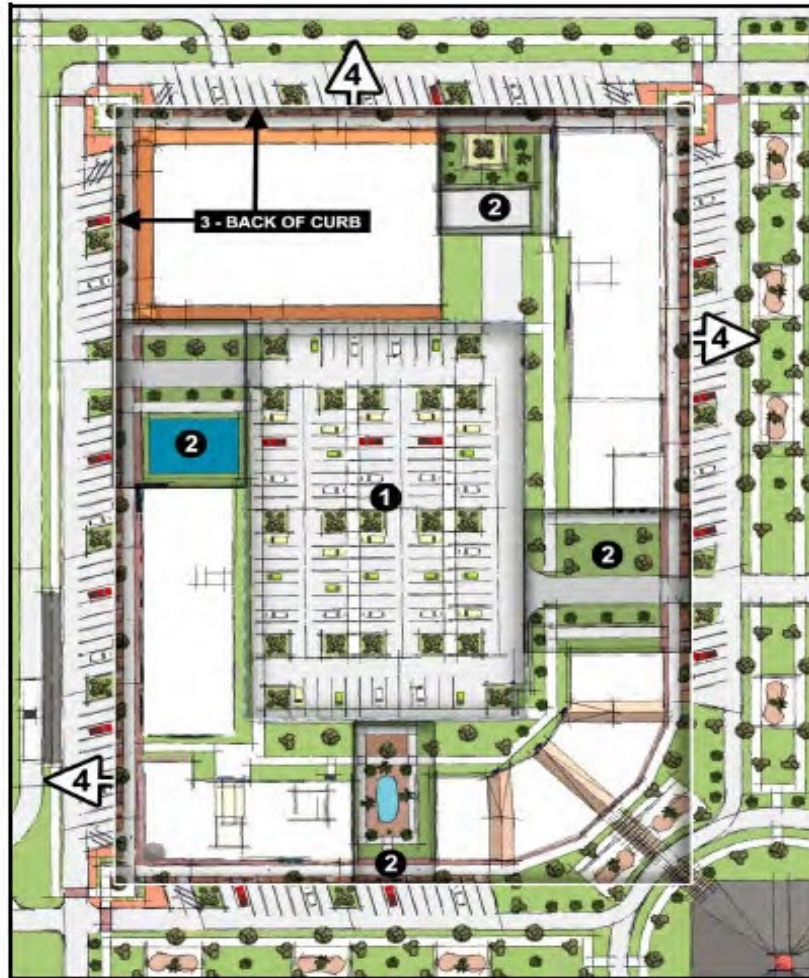
Sec. 407.68. Transit supportive area design standards.

- (a) *Block perimeter.*
 - (1) The TSA in TND and TOD developments shall be designed with a regular block pattern. Blocks within the TSA shall have a maximum perimeter consistent with this Section. The perimeter of a block shall be measured from the back of curb. Conservation areas, topographic constraints and property boundary lines can form the sides of a block.

Table 407.68.1 Maximum Block Perimeter		
Location	Maximum Block Perimeter (ft.)	
	Standard	Extended
Village Center	1,300	2,000
Inside the TSA, outside the VC	1,600	2,300

- (2) The extended maximum block perimeter in Table 407.68.1 may be used if the block contains parking interior to the block.
 - (3) In addition to the extended block, an additional seven hundred (700) feet of block perimeter may be allowed where a continuous ten-foot multi-use path with limited vehicular crossings and with shade trees alternating forty (40) feet on center is provided. This path forms an internal bicycle and pedestrian block that does not exceed the extended perimeter blocks length.
 - (4) For projects of one hundred (100) acres or more, maximum block perimeter may be extended up to three thousand (3,000) feet if the block contains:
 - a. A parking structure with at least one level above surface parking; or
 - b. A single tenant retail use greater than twenty-five thousand (25,000) square feet with parking interior to the block.
- (b) *Building orientation and design.* In addition to the standards in this section, all non-residential, mixed-use and multifamily buildings must meet the requirements in Sec. 407.105 of Article X Building Design.
- (1) *Orientation and location.*
 - a. The front of buildings shall be oriented toward the more primary adjacent street. Where a building is not adjacent to a street, the front of the building shall be oriented toward a greenspace or civic space.
 - b. Primary pedestrian entrances to buildings shall be provided and accessible on the front of a building with limited exceptions allowed for residential or lodging uses that have units fronting a parking area located interior to a block. Primary pedestrian entrances shall be designed for access by the public.
 - c. Shade along the building frontage shall be provided for pedestrians through architectural features such as covered walkways, terraces, balconies, awnings and street trees.
 - (2) *Scale and massing.*
 - a. ~~Individual buildings shall use human-scaled, pedestrian-oriented architectural features, such as windows, balconies, porches, awnings and arcades, and shall clearly articulate the first story and primary entrances. Decorative, pedestrian scale lighting shall be provided at the entrance of all buildings.~~
 - b. ~~Any building with a single frontage of more than one hundred (100) feet shall be designed to create a visual impression of a series of smaller buildings or sections. Windows, doors, shutters, columns, masonry detailing and variations in the front roofline, recessed building walls and variations in colors and materials shall be used to break up the mass of a single building.~~
 - c. ~~Buildings within a block shall reflect a continuity of building scale at the building line.~~
 - d. ~~Buildings shall avoid uninterrupted walls or roof planes. Windowless walls are prohibited along street frontages. Walls shall be broken up using a variety of articulation techniques and areas of transparency.~~
 - (3) *Building articulation and materials.*
 - a. ~~No more than twenty five (25) feet of horizontal distance of a wall shall be provided without articulation or architectural relief for building walls facing a street or greenspace, even if the building wall faces a street or greenspace outside of the TND or TOD.~~
 - b. ~~At least twenty five (25) percent of the exterior siding material must be different than the primary siding material, except for brick and stone.~~
 - (4) *Glazing.*
 - a. ~~Glazing shall be provided on front and side building walls for all facades that front a street, civic space such as plaza or square, or directly adjacent pedestrian walkway.~~

- b. — Glazing percentages for the first floor shall be calculated based upon the facade area between three (3) feet above grade and eight (8) feet above grade. Glazing percentages for floors above the first shall be calculated based upon the full facade area.
 - 1. — Front building walls shall have windows covering at least fifty (50) percent of the first floor facade. Front building walls above the first floor shall have at least twenty (20) percent glazing.
 - 2. — Side building walls shall have windows covering at least thirty (30) percent of the first floor facade. Side building walls above the first floor shall have at least ten (10) percent glazing.
- c. — Operable entrance doors shall be excluded from the calculation of total facade surface area.
- d. — Windows or glazed areas facing a sidewalk on the first story of a commercial or mixed use building shall use glass which is at least eighty (80) percent transparent.



Sample Block Showing: (1) parking interior to the block; (2) limited, pedestrian scaled common areas screening the surface parking; (3) back of curb; and (4) block perimeter measured at the back of curb.

- (25) *Garages.* Garages serving single-family or multi-family uses shall provide entries from alleys or side streets with anticipated daily traffic volumes of less than one thousand two hundred (1,200) AADT wherever practicable. Front-entry garages shall be set back a minimum of ten (10) feet behind the primary building line.
- (36) *Parking structures.* Parking structures shall be designed to allow for commercial, office, civic or residential uses lining the structure on the ground floor where the parking structure abuts a street. The parking structure shall be designed to integrate seamlessly with surrounding development and shall provide pedestrian oriented design on the ground floor abutting a street.

- (47) *Colonnades.* Roof or overhangs supported by colonnades at or within seven (7) feet of a sidewalk shall have a minimum clearance height of nine (9) feet (excluding signage or lighting).
- (58) *Existing buildings.* Every effort shall be made to meet the TND requirements by appropriately incorporating existing buildings into the design of the neighborhood.
- (69) *Trash collection facilities.* All recycling and trash collection facilities shall be located to the rear of buildings or within buildings or parking facilities. All recycling and trash collection facilities shall be screened as required by Subsection 407.10(b) of this ULDC.
- (710) *Utilities.* Above ground utilities, except for life safety, should be located to the rear and side of buildings. All above ground utility access, transfer and conveyance points such as panels, boxes, meters, and valves shall be screened from the street and sidewalks through architectural features and/or landscaping.

ARTICLE X. - BUILDING DESIGN

Sec. 407.103. Applicability.

Development within a TND or TOD is subject to the building design standards in Article VII and therefore exempt from the requirements of this Article. The building design standards here are applicable to the following new development projects:

- (a) ~~New n~~Non-residential and mixed-use developments; and
- (b) ~~New m~~Multiple-family residential developments.
- (c) TND or TOD developments must meet the requirements of Sec. 407.105 in addition to the Transit supportive area design standards of Article VII.

Sec. 407.105. Required design elements.

All non-residential, mixed use, and multi-family buildings that are part of a new development plan, ~~not located within a TND or TOD,~~ shall must meet the standards outlined in this Section. Building elevations, prepared by a Florida registered architect, must be submitted during the development review process in order to demonstrate that these standards are met.

- (a) ~~*Building facades.* All building facades that are accessed by the public, or that face public streets or residential zoning districts shall incorporate the following design elements.~~
 - (1) ~~*Articulation.* Facades shall be articulated to reduce the scale and expanses of blank walls. Facades shall incorporate architectural details such as entryways, windows, awnings, covered arcades, columns, pilasters, quoins, reveals, cornices, arches, or changes of material no less than every thirty (30) feet of the length of the facade.~~
 - (2) ~~*Glazing.* Non-residential buildings with exterior public access shall incorporate glazing for no less than twenty-five (25) percent of the horizontal length of the building. Windows shall be designed with visually prominent sills, shutters, window boxes, relief trims, lintels, or other forms of framing.~~
 - (3) ~~*Exterior treatment.*~~
 - a. ~~The exterior facade treatment shall consist of a minimum of two (2) different building materials, textures, or finishes.~~
 - b. ~~The predominant building material along a primary facade shall not consist of smooth-faced concrete block or stucco.~~
 - c. ~~The use of high-intensity colors, metallic, black or neon colors are prohibited. Neon tubing shall be used only as a trim element or to accentuate architectural features.~~

- (b) ~~Roof lines.~~ All roof mounted mechanical equipment such as HVAC units must be enclosed within the building or screened from pedestrian view at street level. Roofs should incorporate any of the following design features:
- (1) ~~A pitched roof.~~
 - (2) ~~Two (2) or more plane breaks or slopes per facade elevation.~~
 - (3) ~~Decorative roof elements such as dormers, cupolas, rafter tails, balconies, decorative towers, spires, belfries, exposed beams, or architectural features at entryways.~~
- (c) ~~Entryways.~~ All entryways shall be easily identifiable and integrated into the building architecture. Each freestanding principal building must have at least one (1) clearly defined public entrance. Each public entrance shall incorporate at least one (1) of the following design elements:
- (1) ~~Canopy or portico.~~
 - (2) ~~Wall recess or projection.~~
 - (3) ~~Raised corniced parapet over the door.~~
 - (4) ~~Arch.~~
 - (5) ~~Patio, porch, or entry deck.~~

(a) Building Design Standards

(1) Scale and massing.

- a. Individual buildings must use human-scaled, pedestrian-oriented architectural features, such as windows, balconies, porches, awnings and arcades, and must clearly articulate the first story and primary entrances. Decorative, pedestrian scale lighting must be provided at the entrance of all buildings.
- b. Any building with a single frontage of more than one hundred (100) feet must be designed to create the visual impression of a series of smaller buildings or sections. These treatments may include, but are not limited to: windows, doors, shutters, columns, masonry detailing, variations in the front roofline, recessed building walls and variations in colors and materials to break up the mass of a single wall plane.
- c. Buildings within a block shall reflect a continuity of building scale at the building line.
- d. Buildings shall avoid uninterrupted walls or roof planes. Windowless walls are prohibited along street frontages. Walls shall be broken up using a variety of articulation techniques and areas of transparency.

(2) Building articulation and materials.

- a. No more than twenty-five (25) feet of horizontal distance of a wall shall be provided without articulation or architectural relief for building walls facing a street or greenspace.
- b. At least twenty-five (25) percent of the exterior wall treatment must vary from the primary facade treatment, except for brick and stone.

(3) Glazing.

- a. Glazing must be provided on front and side building walls for all facades that front a street, civic space such as plaza or square, or directly adjacent pedestrian walkway.
- b. Glazing percentages for the first floor shall be calculated based upon the facade area between three (3) feet above grade and eight (8) feet above grade. Glazing percentages for floors above the first shall be calculated based upon the full facade area.
 1. Front building walls shall have windows covering at least fifty (50) percent of the first floor facade. Front building walls above the first floor shall have at least twenty (20) percent glazing.

2. Side building walls shall have windows covering at least thirty (30) percent of the first floor facade. Side building walls above the first floor shall have at least ten (10) percent glazing.

d. Windows or glazed areas facing a sidewalk on the first story of a commercial or mixed-use building shall use glass which is at least eighty (80) percent transparent.

(4) Utilities.

a. All roof-mounted mechanical equipment such as HVAC units must be enclosed within the building or screened from pedestrian view at street level.

ARTICLE XIII. – ACCESS MANAGEMENT AND STREET NETWORK STANDARDS

Sec. 407.141. Minimum design and construction standards for streets and drainage systems.

The purpose of this Section is to identify street design and construction standards required as a condition of final subdivision approval.

(a) Determination of street types. Street types shall be determined on the basis of the number of vehicle trips per day generated by each type of land use contemplated for the development and on the Alachua County Corridor Design Manual. The number of vehicle trips generated shall be calculated based on the most recent Edition Trip Generation Manual published by the Institute of Transportation Engineers. A trip generation and distribution analysis shall be performed by a transportation professional in accordance with generally accepted engineering practices and shall require approval by the County Engineer. The average daily traffic volumes shall be shown at each approach of every street intersection within the development.

(1) The lane width of the proposed streets shall be based upon the projected average daily trips and the standards outlined in Table 407.141.1 and the Florida Greenbook.

(2) All streets, whether public or private shall be designed and constructed in accordance with the State of Florida Manual of Uniform Minimum Standards For Design, Construction and Maintenance For Streets and Highways, the "Construction and Inspection Standards of the Public Works Department", the Alachua County Corridor Design Manual and these regulations. Typical street section drawings may be obtained from the County Engineer.

(b) Excluded facilities. Access ways, alleys and driveways leading to on-site parking in common areas or to individual lots and private roads in rural residential subdivisions with no more than nine (9) lots ~~of fewer than ten (10) lots~~ may be excluded from the definition of a street, provided that the following occur:

(1) Estimated average daily traffic does not exceed four hundred (400) trips at full development for multiple-family or one hundred twenty-five (125) trips for single-family detached lots.

(2) Appropriate provisions are made for the private maintenance of these areas.

(3) These areas serve only those lots adjacent to the common areas or easements.

(4) The maximum distance from the public street road to the most distant lot or parking space in the common area or easement as measured along the centerline of the access way or driveway is no greater than one thousand (1,000) feet.

(5) For private roads in rural residential subdivisions with no more than nine (9) lots, if the maximum distance from the public road to the most distant parking space in the common area or easement as measured along the centerline of an access way or driveway is greater than one thousand (1,000) feet, the Board will take action on a Preliminary Development Plan in compliance with Article X Development Plan Review. In addition to the requirements in Article X and Sec. 407.76 the Board may apply the conditions below, as applicable:

a. Deed restriction(s) that no further subdivision or clustering of any lot(s) shall be permitted.

- b. Not further than five mile driving distance from a fire hydrant/station to the most distant lot or if beyond that distance provide a note on the plat stating: "DUE TO THE RURAL LOCATION OF THIS PARCEL AND DEPENDING ON THE STATE OF MAINTENANCE OF ACCESS WAYS, EMERGENCY RESPONSE TIMES MAY BE ADVERSELY AFFECTED, FIRE HYDRANTS ARE NOT AVAILABLE FOR FIRE SUPPRESSION.
- c. Hard-surfaced material for access way or driveway longer than 1,000 feet to mitigate deterioration.

(~~65~~) Such access ways, alleys, driveways and associated parking areas shall meet the existing off-street parking requirements of Alachua County, as well as criteria established in this Article. The minimum width of pavement for this access shall be ten (10) feet for ADT less than two hundred (200) and sixteen (16) feet for ADT greater than two hundred (200).

(~~76~~) For private roads in rural residential subdivisions with no more than nine (9) lots ~~fewer than ten (10) lots~~, the road shall have a traveled width of eighteen (18) feet with a minimum LBR of thirty-five (35), two-foot stabilized shoulders and a minimum depth of six (6) inches for the stabilized area. Private roads may be paved. Private roads shall be in an easement or common area not less than forty (40) feet in width. Drainage for private roads shall be designed to meet the requirements of this ULDC.