



# Unified Land Development Code

## 1st of 2 Public Hearings

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# Unified Land Development Code Changes

## **Staff Initiated**

- Rural Cluster Accessory Dwelling Units (ADU's)
- Rural Commercial-Agriculture Use Standards

## **Florida Statute Compliance**

- Electric Vehicle Charging Preemption
- Expedited Building Permits/Preliminary Plat Process
- Live Local Act

# Rural Cluster ADU's

## Background

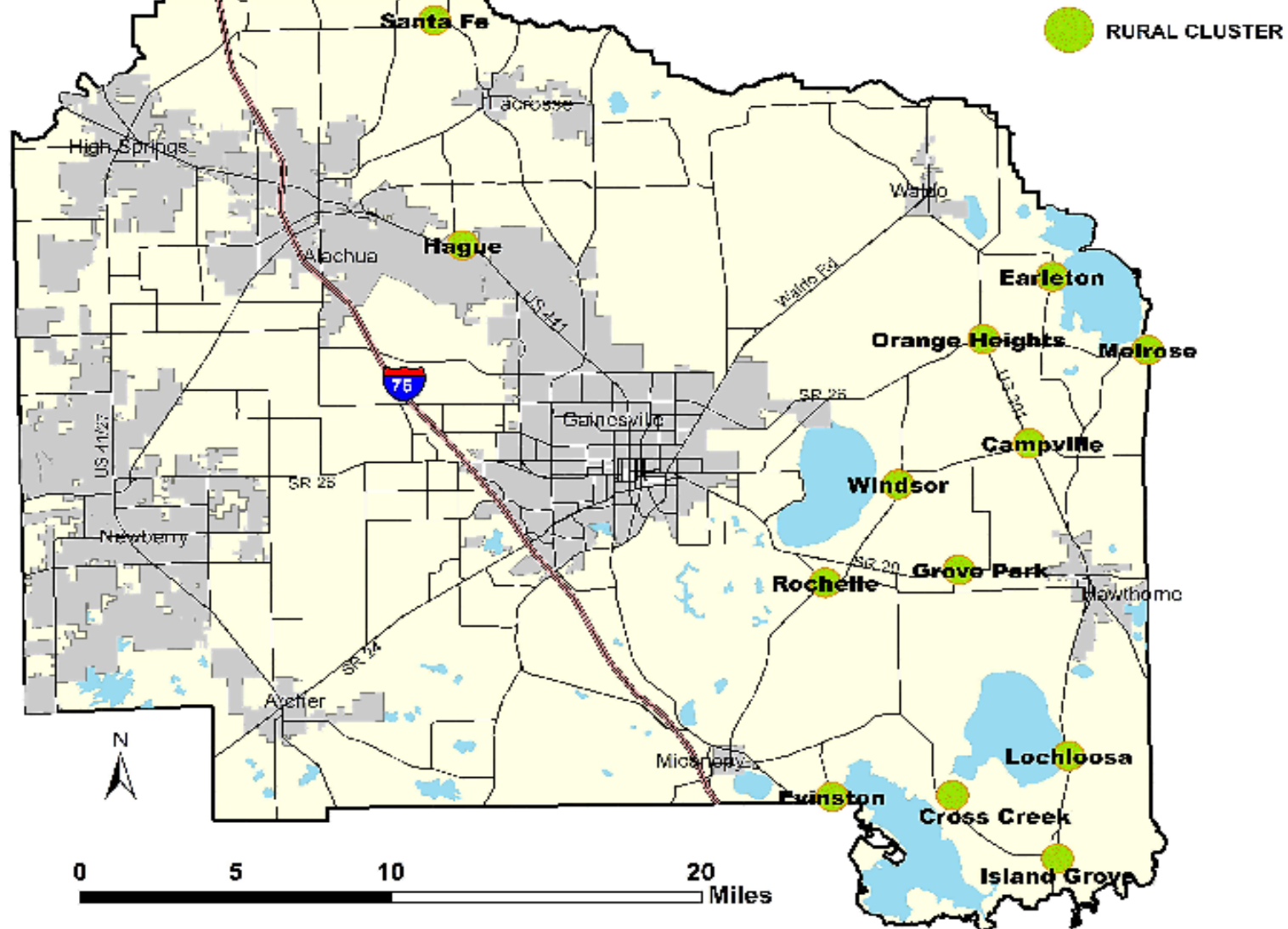
**January 9, 2024** The BoCC approved Comprehensive Plan Policy 6.4.2.1 in the Future Land Use Element (FLUE) that allowed ADU's in Rural Clusters on lots greater than one acre.

**July 9, 2024** The request to advertise was approved by the BoCC to update the ULDC to reflect the FLUE Policy 6.4.2.1

**August 13, 2024** First of two public hearings on proposed amendments to the ULDC.

# Alachua County Rural Clusters

As designated in Alachua County Comprehensive Plan



# Considerations

## **Sec. 404.24. Accessory dwelling units.**

In the A, RE, RE-1, R-1aa, R-1a, R-1b, and R-1c districts, located within the rural/agriculture, rural cluster, estate residential, low density, or medium density residential land use designations a single accessory dwelling unit is allowed as an accessory use to a principal structure, without being included in gross residential density calculations, subject to the following standards.

Outreach:

Online Public Notice.

# Rural Commercial-Agriculture

## Background

**August 24, 2021** The BoCC approved CPA-03-21 a County initiated amendment to the Comprehensive Plan Policy 3.11.1 of the Future Land Use (FLU) Element relating to Rural Commercial-Agriculture Land Use Designations.

**July 9, 2024** The request to advertise was approved by the BoCC to update the ULDC to reflect the FLU Policy 3.11.1. **Board Direction-** to evaluate produce stands in the Rural Commercial-Agriculture zoning district.

**August 13, 2024** First of two public hearings on proposed amendments to the ULDC.

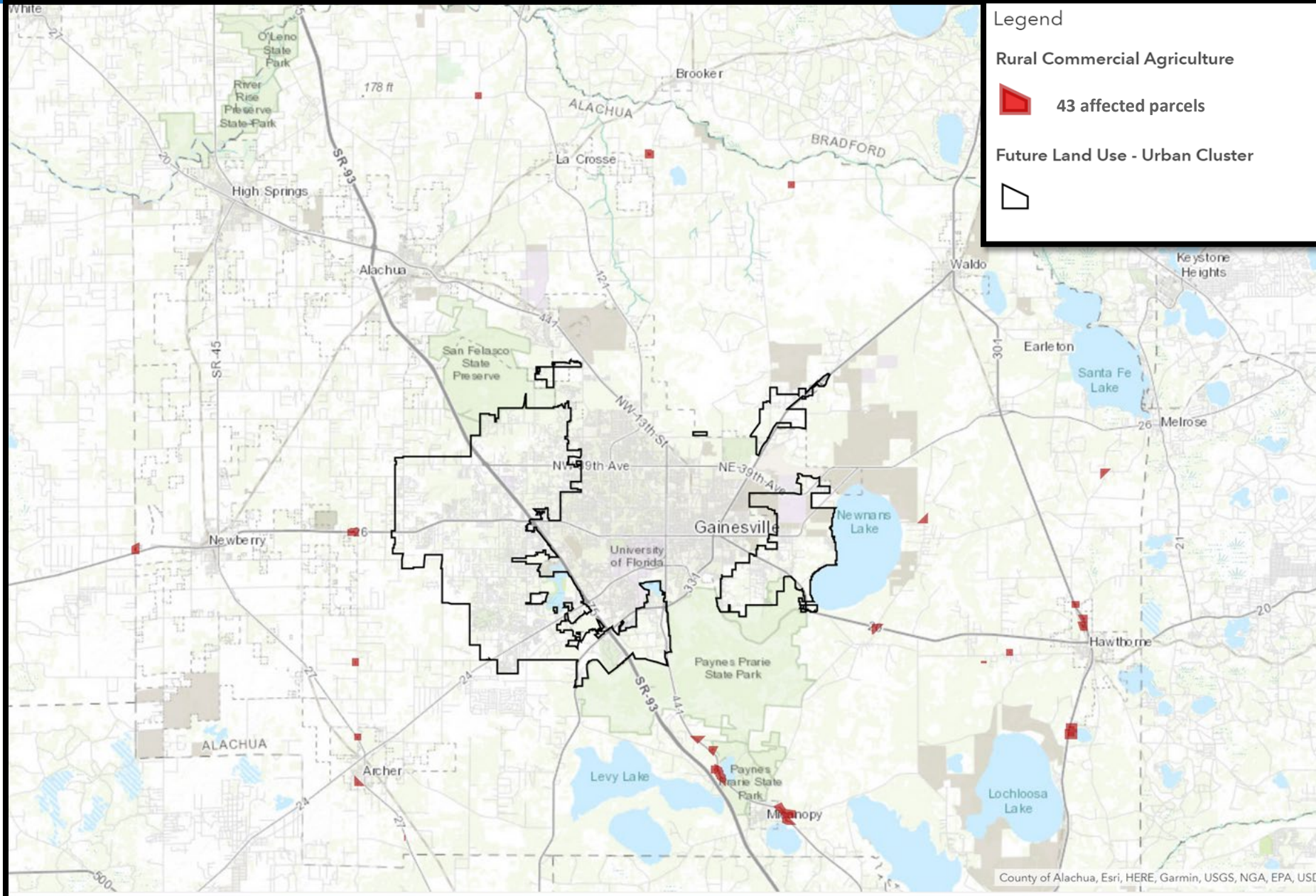
# Board Direction

**Board Direction-** to evaluate produce stands in the Rural Commercial-Agriculture zoning district.

You are allowed to have an open-air roadside produce stand without a permit is accessory to a working farm. However, a building permit may be required if it's an occupied structure to evaluate the siting sanitation, parking, lighting, etc. ULDC Sec. 404.11.

The special exception process is narrowly applied for stand-alone occupied produce stand in the Rural Commercial-Agriculture zoning district.





# Considerations

## **Article XII Rural Commercial- Agriculture Sec. 405.47 – 405.52**

- Permitted land use is single family residential.
- Special Exception for:
  - Local grocery stores, small markets and produce stands, rural medical and veterinary clinics, sales and service of farm equipment and supplies, farmer's markets, agricultural products distribution and agricultural services.
- Limited to 3,000 square feet of leasable area.
- Parking required 5 spots per 1,000 square feet.

Outreach:

Online Public Notice

# Electric Vehicle Charging

## Background

**May 1, 2024** Florida Statute §366.94 preempts the County from regulating electric vehicle charging stations.

**July 9, 2024** The request to advertise was approved by the BoCC to update the ULDC to remove two sections to comply with State law. **Board Direction** to bring back language that encourages electric vehicle charging.

**August 13, 2024** First of two public hearings on proposed amendments to the ULDC.

# Board Direction

**Board Direction** to bring back code language that encourages electric vehicle charging.

Since the state statute targets electric vehicle charging stations, staff recommend removing the non-enforceable ULDC sections and amending the Comprehensive Plan to **encourage renewable energy uses and infrastructure** that can be transformed into policies focused on County climate initiatives based upon our vulnerability analysis.

# Considerations

## Remove all ULDC references to Vehicular Electric Charging stations:

### Sec. 407.68. Transit supportive area design standards.

~~(f) Charging stations. A minimum provision of one (1) Level 2 Vehicle Charging Station (240v) per every ten (10) multi-family units shall be provided in new TND and TOD development with a multi-family component.~~

### Sec. 403.10. Multi-family residential requirements.

~~(g) A minimum provision of one (1) Level 2 Vehicle Charging Station (240v) per every ten (10) units shall be provided in new multi-family development.~~

Outreach:

Online Public Notice.

# Expedited Approval of Residential Building Permits

## Background

**May 29, 2024** Expands F.S. §177.073 relating to Platting and Subdivisions.

- Allow issuance of residential subdivisions or planned community's building permits prior to recording the final plat.
- The two-step process to be established by October 1, 2024.

**July 9, 2024** The request to advertise was approved by the BoCC to update the ULDC to comply with State law.

**August 13, 2024** First of two public hearings on proposed ULDC amendments.



# Considerations

- Applicant must request and identify the lots for the expedited building permits process 30-days prior to submitting the building permits.
- Two-step plat approval process:
  - *Preliminary Plat* to be approved by the Development Review Committee and they recommend final approval to the BoCC.
  - *Final Plat* ministerially approved by the BoCC and then submitted to the Clerk of Courts for recording.
- Requires a 130% performance bond.
- Hold harmless agreement with the County.
- County may utilize a 3<sup>rd</sup> party to review the building permits.
- Adds definition for “preliminary plat”.



Outreach:

Online Public Notice

# Live Local Act

## Background

**July 2023** The proposed Unified Land Development Code (ULDC) update implements subsection in Florida Statute §125.01055(7) the “Live Local Act” (LLA) and the law’s revision in May 2024. Effective until October 2033.

**May 15, 2024** AHAC Presentation of proposed LLA code updates for input.

**July 9, 2024** The request to advertise was approved by the BoCC to update the ULDC to comply with State law. **Board Direction-** Bring back options to increase density up to 48 du/acre and additional density bonuses for incentivizing affordable housing below 80% AMI.

**August 13, 2024** First of two public hearings on proposed ULDC amendments.

# Affordability

Statute requires all local governments must allow multifamily or mixed-use development in Commercial, Industrial and Mixed-Use zoning districts.

However, those developments must maintain at least 40% of the residential units as rental units affordable at or below 120% AMI for 30 years.



# Preemptions

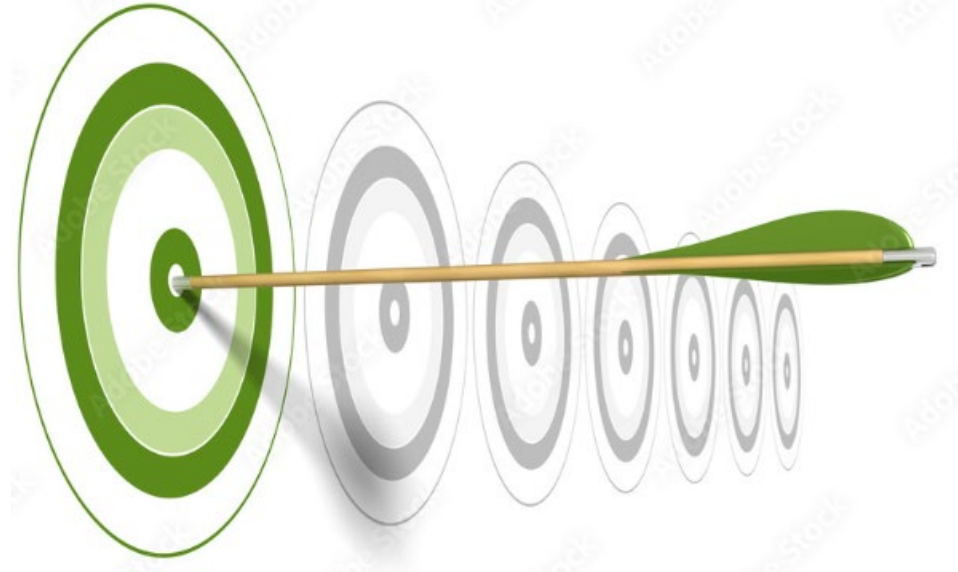
## Statutory Standards:

- Density:** Highest allowed in Unincorporated Alachua County without bonus.
- Height:** Max. Building height within 1 mile of allowed land use.
- Administrative Development Review Process:** No public hearing.
- Floor Area Ratio (F.A.R.):** *125.01055(7)(a)(c) states that “A county may not restrict the floor area ratio of a proposed development...”* which our code does not limit.

# Where these developments could go.

## Zoning Districts

- AP: Administrative/Professional
- BP: Business and Professional
- BR: Business, Retail
- BR-1: Business, Tourist and Entertainment
- BH: Business Highway
- BA & BA-1: Business, Automotive
- BW: Wholesale/Warehousing
- MB: Business Marine District
- ML: Light Industrial
- MS & MP: Industrial Services and Manufacturing
- RP: Residential Professional District
- Eastside Activity Center Overlay with Mixed-Use Zoning Districts
- Planned Developments with Mixed-Use



# Density Maximum

Per the highest density of **24 dwelling units per acre** in the residential high future land use category without additional bonus.

Staff evaluated the LLA F.S. 125.01055 (7)(b) “...*highest currently allowed density*” **does not include**...any building that has received any bonus, variance, or other special exception for density provided in the county’s land development regulations as an incentive for development.”

The highest possible density permitted in the Unincorporated Alachua County is 48 du/acre if the applicant chooses to develop as a Transit Oriented Development (TOD) per ULDC Sec. 407.65.

Staff opinion is that the specific development requirements that allow for a TOD density boost is an incentivize for trade off for complying with mixed-use development standards.

# Live Local Act + Options

## Density Bonus Considerations

Developments subject to this Chapter may develop at **up to 48 dwelling units per acre** subject to the following:

- a) Located within an Activity Center and not in an industrial zoning district; and
- b) At least 40% of the number of units up to 24 dwelling units per acre are maintained as affordable and for rent at or below 120% of the area median income for a period not less than 30 years; and
- c) At least 30% of the number of units exceeding 24 dwelling units per acre are maintained as affordable at or below 80% of the area median income for a period not less than 30 years;

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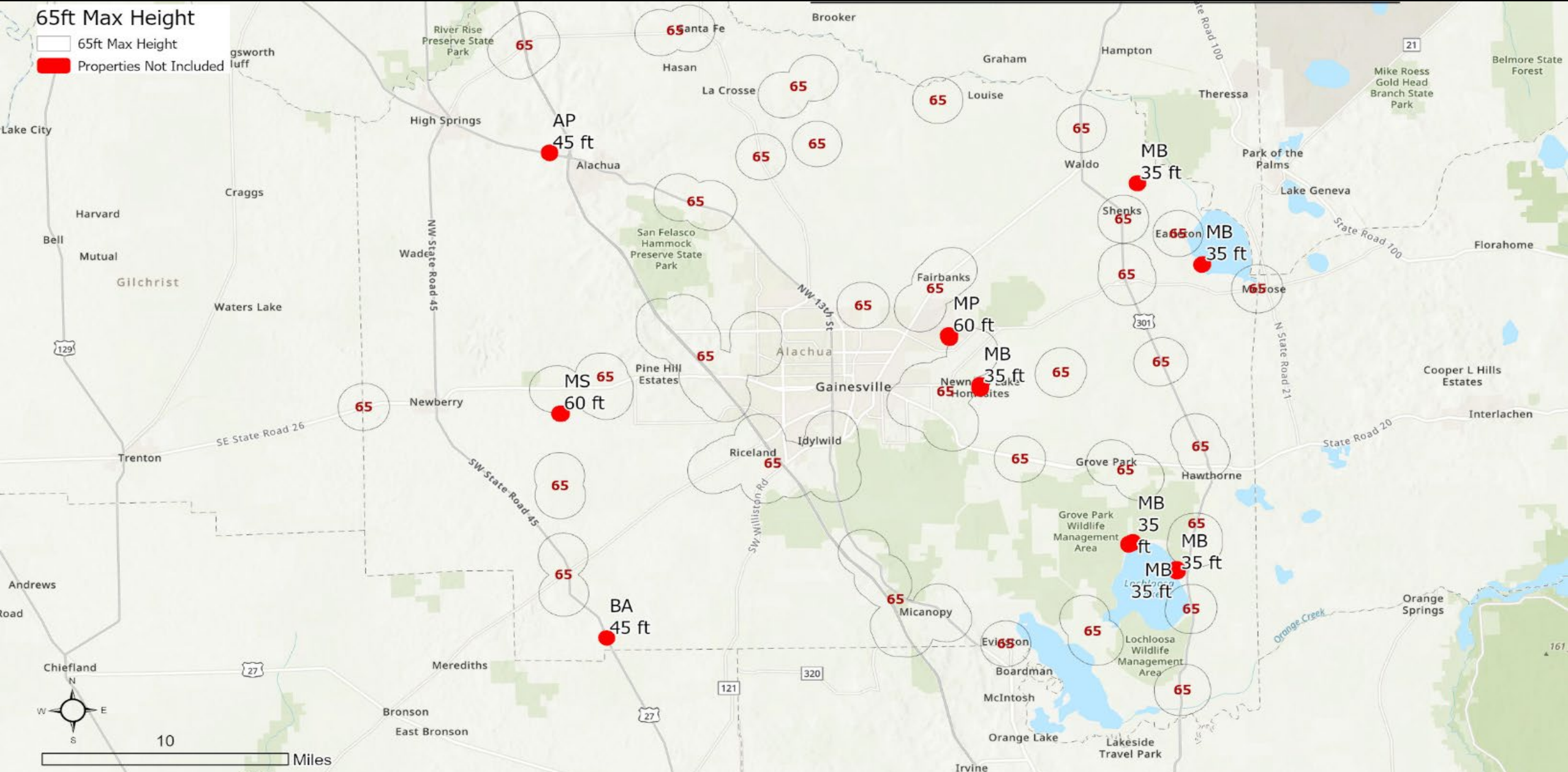


# Density Calculation Example

## Hypothetical 2 ½ acre site

	24 units per acre	48 units per acre	72 units per acre
Total Units	60	120	180
Units at 120% AMI	24	24	24
Units at 80% AMI	-	18	-
Units at 50% AMI	-	-	36
Affordable Units =	24 (40%)	42 (35%)	60 (33.3%)

# Building Height Maximum



# Administrative Development Review

The application must be administratively approved *without a public hearing* if:

1. Application meets the allowable land use, density and height requirements,

**And**

2. The development application is otherwise consistent with Alachua County's Comprehensive Plan and ULDC regulations for multiple-family development.

- Development regulations that apply generally include stormwater management, natural resource and tree protections, open space, setbacks and buffers, parking, access management, etc.

# Maintaining Affordability

## Land Use Restriction Agreement (LURA)

- Tool to ensure long-term affordability.
- Establishes monitoring and penalties.
- LURA must be signed and recorded prior to Construction Permit.
- The BoCC would need to delegate their authority to the County Manager as signatory for the LURA.





## Outreach:

Affordable Housing Advisory Committee (AHAC)

- Presentation made on May 15, 2024.

Online Public Notice

# Staff Recommendation

Hold a first public hearings and authorize staff to bring back the proposed ordinance for a second public hearing on September 10, 2024.