

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 RELATED TO MULTIPLE-FAMILY DWELLING IN CHAPTER 404 USE REGULATIONS; 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 September 24, 2024 by the Board of County Commissioners, being 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 24th day of SEPTEMBER, 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:

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL AS TO CORRECTNESS

Department of Growth Management

Authorized Designee

EXHIBIT A
Unified Land Development Code Revision Language

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

CHAPTER 404. USE REGULATIONS
ARTICLE IV HOUSEHOLD LIVING

Sec. 404.20.5. Multiple-family dwelling.

A multiple-family dwelling is allowed as permitted use in R-2, R-2a, R-3, RP, within TNDs/TODs, and as a limited use in BH, within an Activity Center, subject to the following standards:

- (a) ~~Adaptive reuse.~~ Multiple-family dwellings must be a part of an adaptively reused hotel or motel ~~structure site in existing or new multiple-family structure(s). Expansion of the use in newly constructed structures is allowed such that~~ the total number of dwelling units is equivalent to no more than two hundred (200) percent of the number of rooms in the existing hotel or motel structure.
- (b) ~~Water/sewer.~~ The use must be served by centralized water and sewer.
- (c) For sites within one-quarter (1/4) mile of an existing transit route, or a future route identified in the Transportation Mobility Element, the parking required in Table 407.14.1 may be reduced up to 50%.
- (d) At least 40% of the units shall be maintained as affordable and for rent at or below 80% of the area median income for a period not less than 30 years. Prior to issuance of a Construction or Building Permit, all applicants for this section must sign and record a Land Use Restriction Agreement (LURA), in a form established by the County for compliance monitoring and penalties, that is irrevocable for a period of 30 years from development approval.