

**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 CHAPTER 404 USE REGULATIONS; AND CHAPTER 410 DEFINITIONS; 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 November 12, 2024 by the Board of County Commissioners, with one hearing 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 12th day of NOVEMBER, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: _____

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

CHAPTER 404. USE REGULATIONS
ARTICLE III AGRICULTURE

Sec. 404.19. Farmworker housing.

Farmworker housing may be allowed through special exception in all zoning districts except the C-1, conservation district, as an accessory use to an agricultural activity for workers employed on a full-time basis, and subject to the following standards.

a. *Types of farmworker housing.* Farmworker housing may be provided in the form of ~~permanent~~ dwelling units. These dwelling units may be in the form of site-built homes, ~~or~~ manufactured homes, or mobile homes.

(b) *Maximum density.*

(1) *Permanent dwellings.* Permanent farmworker housing shall comply with the density requirements of the zoning district in which the units are located.

(2) *Manufactured or mobile homes.* Dwelling units capable of being moved, including manufactured or modular housing, may exceed the density requirement of the zoning district provided that the following requirements are met.

a. Movable farmworker housing shall be accessory to the operation of an ~~intensive~~ agricultural activity.

b. The applicant shall submit the following materials:

1. Evidence of a current agricultural ad valorem tax exemption issued by the Alachua County Tax Collector;
2. An affidavit, signed by the owner or operator of the agricultural activity stating the farmworker housing shall only be used by fulltime employees of that activity; and
3. A housing removal agreement with a requirement that all housing units shall be removed within ninety (90) days after the agricultural activity has ceased.

(c) *Dwelling Unit Standards.* All dwelling units used for farmworker housing shall meet the following standards.

(1) Each dwelling unit shall have a minimum of one (1) and maximum of five (5) bedrooms.

(2) Each bedroom shall provide a minimum of 100 sq. ft. per resident.

(3) Each bedroom shall have a maximum of 2 residents per bedroom.

(4) Each dwelling unit shall house a maximum of 10 residents.

(5) Each dwelling unit shall have a functioning air conditioning system that is appropriately sized for the dwelling unit.

(6) Each dwelling unit shall have a minimum of 1 bathroom per 2 bedrooms.

(d) Additional Standards. All farmworker housing shall meet the following standards:

(1) Onsite laundry facilities shall be provided.

(2) Residents shall have the right to outside visitation.

(3) All facilities related to farmworker housing shall be located at least 100 feet from where agricultural chemicals are stored or applied.

(e) Access for Inspection. The site shall be accessible by the County at reasonable hours to allow for inspection of the farmworker housing.

(f) Review. Farmworker housing shall require development plan approval in accordance with Chapter 402, Article X, Development Plan Review.

(g) The conditions of the special exception shall include, at a minimum, provisions for:

(1) Access

(2) Parking

(3) Tree canopy

(4) Stormwater management

(5) Open space

(6) Recreational space

(7) Landscaping

CHAPTER 410 DEFINITIONS

ARTICLE III DEFINED TERMS

Dwelling unit: A single unit providing complete independent living facilities for one (1) ~~family~~ single housekeeping unit as defined herein, including permanent provisions for living, sleeping, eating, cooking and sanitation.

"Single housekeeping unit" would now be defined in ULDC:

Single Housekeeping Unit: An interactive group of persons jointly residing in a single dwelling unit exercising joint responsibility for and use of the dwelling's common areas, jointly sharing household expenses, jointly sharing household activities and responsibilities such as meals, chores, and household maintenance.