

**ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE 2025-**  
(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 402.113: CRITERIA FOR APPROVAL OF SPECIAL EXCEPTIONS; 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 March 25, 2025 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.

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DULY ADOPTED in regular session, this 25th day of MARCH, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_

Charles S. Chesnut IV, Chair

ATTEST:

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

APPROVED AS TO FORM:

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Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL AS TO CORRECTNESS

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Department of Growth Management

Authorized Designee

## EXHIBIT A

### Unified Land Development Code Revision Language

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

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#### CHAPTER 404. USE REGULATIONS

##### Sec. 402.113. Criteria for approval.

The BOCC shall, as part of a decision to approve an application for special exception, make a finding that an application complies with both the general criteria and the review factors listed below.

- (a) The proposed use is consistent with the Comprehensive Plan and ULDC;
- (b) The proposed use is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan;
- (c) The proposed use shall not adversely affect the health, safety, and welfare of the public; and
- (d) Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:
  - (1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;
  - (2) Off-street parking and loading areas where required, with particular attention to Item (1) above;
  - (3) The noise, glare, or odor effects of the special exception on surrounding properties;
  - (4) Refuse and service areas, with particular reference to location, screening, and Items (1) and (2);
  - (5) Utilities, with reference to location and availability;
  - (6) Enhanced nutrient-reducing onsite sewage treatment and disposal system (ENR-OSTDS) if sewer connection is not available;
  - (7) Screening and buffering with reference to type, dimensions and character with particular emphasis on screening and buffering between residential and non-residential uses;
  - (8) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;
  - (9) Required yards and other greenspace;
  - (10) General compatibility with surrounding properties;
  - (11) Environmental justice issues related to the location of the facility within the county;
  - (12) Impacts to both publicly and privately maintained road facilities and
  - (13) Any special requirements set forth in this ULDC for the particular use involved.
- (e) For special exception applications not incorporating specific review criteria provided elsewhere in this Code, the Board shall make a finding using the general review criteria above and the

additional considerations for those uses below by project type found in the Chapter 404 Article II Use Table when considering approval.

- (1) For Agricultural uses including but not limited to Agricultural Services, Livestock Market, Slaughter Plant and Rural Medical Clinics, the Board shall consider consistency with surrounding agricultural and residential properties with emphasis on impacts to agricultural operations in the area;
- (2) For Transportation uses including but not limited to Bus Stations, Airports and Private Landing Strips, the Board shall consider the service area of the proposed transportation facility if serving the public; transportation infrastructure needed to serve the proposed public facility including parking; noise impacts to outlying residential areas from facility operations and impacts to existing telecommunications facilities.
- (3) For Entertainment and Recreation uses including but not limited to Entertainment and Recreation, Amusement Park and Zoos, the Board shall consider limits on the potential hours of operation and impacts from outdoor lighting and noise resulting from the intended use (for example an outdoor track or arena);
- (4) For Retail uses including but not limited to Cocktail Lounges or Flea Markets, the Board shall consider limits on the potential hours of operation and impacts from outdoor lighting, especially in regard to parking areas.
- (5) For Personal Services uses including but not limited to Gyms or Dance Studios, the Board shall consider limits on the potential hours of operation and impacts from outdoor lighting, especially in regard to parking areas,
- (6) For Industrial uses including but not limited to Heavy Machinery Sales and Repair, Asphalt Plant, Waste Services and Storage of Hazardous Waste, the Board shall consider proximity to transportation facilities to serve the proposed use and potential long-term impacts related to closure of the facility.
- (7) For all proposed special exceptions outside the urban cluster area for which water and sewer are not available, the Board shall consider enhanced nutrient-reducing onsite sewage treatment and disposal systems and provisions for water efficiency.