

Unified Land Development Code Text Amendment

SUBJECT:

A request to advertise to amend the Unified Land Development Code (ULDC) due to bills passed during the 2025 Florida legislative session.

APPLICANT/AGENT:

Alachua County Growth Management

STAFF RECOMMENDATION:

For the Board of County Commissioners (BoCC) to hear the first of two public hearings on amendments to the Unified Land Development Code (ULDC).

SUMMARY OF PROPOSED AMENDMENT

The 2025 Florida legislative session concluded in June 2025. The purpose of the proposed amendments is to make the ULDC consistent with new legislation related to SB 700 (Farmworker Housing) and SB 954 (Certified Recovery Residences).

ANALYSIS OF THE PROPOSED TEXT AMENDMENTS

Comprehensive Plan Consistency

Staff find the proposed amendments to be internally consistent with the Alachua County Comprehensive Plan as a whole, and with the following policies, as applicable:

HOUSING ELEMENT

GOAL 1

TO PROMOTE SAFE, SANITARY, AND AFFORDABLE HOUSING FOR ALL CURRENT AND FUTURE ALACHUA COUNTY RESIDENTS.

OBJECTIVE 1.2

Policy 1.2.6 Alachua County shall provide flexibility for innovative housing design for non-traditional households and emerging home-based economic activities.

Policy 1.2.7 Expand housing diversity to provide for the use of non-traditional housing development alternatives, such as cohousing.

OBJECTIVE 1.3

Policy 1.3.8 Coordinate with fair housing programs to provide protections for renters and to overcome discrimination and disparities in access to housing.

GOAL 3

TO ENSURE ACCESS TO HOUSING OPPORTUNITIES FOR THOSE RESIDENTS WITH SPECIALIZED HOUSING NEEDS, ALACHUA COUNTY SHALL IMPLEMENT THE FOLLOWING POLICIES:

OBJECTIVE 3.1

Alachua County shall provide access to housing opportunities for groups identified as having special needs.

Policy 3.1.1 Alachua County shall encourage and promote the opportunity for each person to obtain housing of their choice, without regard to race, color, ancestry, sex, familial status, marital status, age, disability, housing status, religion, or national origin. Alachua County shall provide policies and programs which will help alleviate conditions resulting from discrimination. Chief among these shall be the continued enforcement of its Fair Housing Ordinance.

Policy 3.1.2 Alachua County shall continually review its development regulations to ensure that farmworker housing needs are addressed.

OBJECTIVE 3.2

ALACHUA COUNTY SHALL ENSURE THAT THE LAND DEVELOPMENT REGULATIONS CONCERNING THE PROVISION OF HOUSING FOR THOSE WITH SPECIAL NEEDS COMPLY, AT A MINIMUM, WITH THE

STATUTORY REQUIREMENTS, AND DO NOT PRESENT BARRIERS TO THE DEVELOPMENT OF SPECIAL NEEDS HOUSING.

Policy 3.2.1 The development regulations shall allow densities for farmworker housing which may be in excess of the maximum densities shown on the Future Land Use Map. Such farmworker housing may be permitted by a special use permit or other appropriate mechanism to allow living accommodations of multiple farm employees and their families on one parcel without regard to duration, while performing agricultural labor.

Policy 3.2.2 Alachua County may require farmworker housing which exceeds the density permitted on the Future Land Use Map to be provided by manufactured homes which can be removed once the need for provision of farmworker housing is no longer present. Such ordinance shall ensure that all appropriate federal, state and local regulations are met especially with regard to the provision of water and wastewater facilities.

ULDC Analysis and Review

Farmworker Housing

The proposed amendment updates Sec. 404.19 (farmworker housing) to be consistent with new legislation that states that governmental entities may not adopt or enforce any legislation, regulation, or ordinance to inhibit the construction or installation of housing for legally verified agricultural workers on land classified as agricultural land and which is operated as a bona fide farm.

Currently, farmworker housing requires a special exception (see Sec. 404.19 of the ULDC). In November 2024, the Board of County Commissioners adopted an ordinance (2024-16) that provided specific design requirements for farmworker housing. Therefore, Sec. 404.19 must be revised to be consistent with SB 700. Additionally, the zoning use table has been revised to show farmworker housing as an accessory use in all zoning districts.

Certified Recovery Residences

The proposed amendment adds Sec. 404.29.5 to be consistent with the new legislation that requires local governments to adopt an ordinance by January 1, 2026 establishing procedures for the review and approval of “certified recovery residences”. Certified recovery residences provide safe and supportive living environments for people recovering from substance use. Currently, there is no specific use in the Alachua County Unified Land Development Code for this. The zoning use table (Chapter 404, Article II) has a section for “Group Housing” (Chapter 404, Article V) with similar uses such as community residential homes.

A new use “certified recovery residence” has been added to the zoning use table along with a new section (Sec. 404.29.5) under Group Housing. Certified recovery residences have also been defined in Section 410 of the ULDC. Certified recovery residences have been proposed as a limited use within agricultural, single-family and multi-family residential, and residential/professional zoning districts and within TND/TOD.

The bill further requires the ordinance to be consistent with the Fair Housing Amendments Act of 1988 and Title II of the Americans with Disabilities Act. Applicants for certified recovery centers may also request “accommodation” for meeting County regulations or policies.

FISCAL IMPACT ANALYSIS

Impact on the Initial Cost of Housing and on the Long Term Cost of Home Ownership

These proposed amendments will not cause an increase to the initial cost of housing and there would be no impact on the long term cost of home ownership.

Fiscal Impacts to the County and County Taxpayers

There are no costs to the County or to County taxpayers resulting from these amendments.

STAFF RECOMMENDATION

Staff recommend that the Board of County Commissioners direct staff to schedule a second public hearing for adoption of amendments to the ULDC.

Staff propose amending the ULDC text, as shown with words ~~stricken~~ as deletions and words underlined as additions, as follows:

SB 700- Related to Farmworkers Housing

CHAPTER 401 DEVELOPMENT REVIEW BODIES ARTICLE VI DEVELOPMENR 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 six hundred (600) square feet or under meeting the standards in [Chapter 404, Section 404.108](#);*
- (6) Certificate of occupancy;*
- (7) 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 two thousand (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) Administrative development plan review of applications utilizing Article XXXII, Live Local Act Implementation [Section 402.195](#).*
- (16) Change of use to a permitted or limited use, except where DRC approval is required in Chapter 404;*
- (17) 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*
- (18) Tier I tower replacements meeting the standards of Subsection [404.54\(a\)5](#).*
- (19) Administrative development plan review of applications for farmworker housing*

CHAPTER 404. USE REGULATIONS
ARTICLE II USE TABLE

ARTICLE II. USE TABLE		P = Permitted Use by Right L = Limited Use							SE = Special Exception SU = Special Use Permit					A = Accessory Use Blank Cell = Prohibited Uses					NA = Not Applicable				
Zoning District	A	A- RB	C-1	RE RE- 1	R1- aa R- 1a	R- 1b	R- 1c	R-2 R- 2a R-3	RM	RM- 1	RP	HM	BP AP	BR	BR- 1	BH	BA BA- 1	BW	ML	MS MP	MB	TOD TND	STANDARDS
AGRICULTURAL AND CONSERVATION USES																							
AGRICULTURE																							
Farmworker housing	<u>SEA</u>	<u>SEA</u>	<u>A</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>SEA</u>	<u>A</u>	Section 404.19

Article III Agriculture

Sec. 404.19. Farmworker housing.

Farmworker housing is allowed as an accessory use on parcels with an agricultural classification by the Alachua County Property Appraiser's office for "legally verified agricultural workers" as defined in F.S. 163.3162 and consistent with the following:

a) Farmworker housing standards

Construction or installation of housing units for legally verified agricultural workers must satisfy all of the following criteria:

1. The dwelling units must meet federal, state, and local building standards, including standards of the Department of Health adopted pursuant to ss. 381.008-381.00897 and federal standards for H-2A visa housing.
2. All structures containing dwelling units must be located a minimum of 10 feet apart.
3. The square footage of the housing site's climate-controlled facilities may not exceed 1.5 percent of the property's area or 35,000 square feet, whichever is less.
4. A housing site must provide front, side, and rear yard setbacks of at least 50 feet. However, an internal project driveway may be located in the required yard space if the yard is adjacent to a public roadway or to property that is under common ownership with the housing site.
5. A housing site may not be located less than 100 feet from a property line adjacent to property zoned for residential use. If the housing site is located less than 250 feet from any property line, screening must be provided between the housing site and any residentially developed adjacent parcels that are under different ownership.

b) Removal of farmworker housing A housing site may not continue to be used and may be required to be removed under the following circumstances:

1. If, for any reason, a housing site is not being used for legally verified agricultural workers for longer than 365 days, any structure used as living quarters must be removed from the housing site within 180 days after receipt of written notification from the county unless the property owner can demonstrate that use of the site for housing legally verified agricultural workers will occur within 90 days after the written notification.
2. If the property on which the housing site is located ceases to be classified as agricultural land by the Alachua County Property Appraiser.
3. If the permit authorized by the Department of Health for the housing site is revoked, all structures must be removed from the housing site within 180 days after receipt of written notification from the county unless the permit is reinstated by the Department of Health.

c) Administrative review required

Applicants for farmworker housing shall submit a site plan showing compliance with the standards of this section.

~~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 dwelling units. These dwelling units may be in the form of site built homes, 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 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~~

SB 954- Related to Certified Recovery Residences

*CHAPTER 404. USE REGULATIONS
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GROUP HOUSING																							
Assisted living facility							L				L	L	L	L		L						L	Section 404.27
Nursing home								SE				P	P	L		L						P	Section 404.27.5
Dormitory								P				P											
Fraternity or sorority house								P															
Community residential home, small	L			L	L	L	L	L				L										L	Section 404.28
Community residential home, large	SE							L				L										L	Section 404.29
<u>Certified Recovery Residence</u>	<u>L</u>			<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>				<u>L</u>										<u>L</u>	<u>Section 404.29.5</u>

ARTICLE V GROUP HOUSING

Sec. 404.29.5 Certified Recovery Residence

A certified recovery residence is allowed as a limited use in the A, RE, RE-1, R-1a, R-1aa, R-1b, R-1c, R-2, R-2a, R-3 and RP districts and in Traditional Neighborhood and Transit Oriented Developments subject to the following standards:

- (a) The certified recovery residence must conform to the development regulations and process for the applicable zoning district.
- (b) The proposed certified recovery residence has been issued or shows it has applied for the license or certification that the State of Florida requires to operate.
- (c) Such a home shall only be occupied by persons meeting the definition for a resident in F.S. § 397.487.
- (d) A certified recovery residence which does not comply with the standards of this subsection may be approved only by way of an application for a reasonable accommodation, consistent with the Fair Housing Amendments Act of 1988 and Title II of the Americans with Disabilities Act.

*Chapter 410 Definitions
Article III Defined Terms*

Certified Recovery Residence: As defined in Florida Statute § 397.311.