

## Application Z25-000027

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**BoCC Hearing Date:** December 9, 2025

**Requested Action** A County-initiated amendment to the Unified Land Development Code related to implementation of inclusionary housing allowances.

**Staff Recommendation:** Staff recommends that the BoCC convene as the Land Development Regulation Commission and find the amendment consistent with the Alachua County Comprehensive Plan and reconvene as the BoCC to adopt the Ordinance.

## **Background and Analysis**

On May 27, 2025, the Board of County Commissioners adopted Ordinance 2025-08 which amended the Comprehensive Plan to include new policies relating to housing affordability. The amendments became effective on July 28, 2025, 31 days after the County was notified of a complete review by FloridaCommerce. The following is a summary of the amendments adopted by the Board.

The changes adopted focused on two main areas. The first area was allowances in Traditional Neighborhood and Transit Oriented Developments (TND and TOD, respectively) to substitute for non-residential or increase residential density when affordable units were provided. Generally, the new policies (FLU 1.6.9 for TNDs and 1.7.11 for TODs) allow developments to “buy down” the required amount of non-residential development by substituting square footage for affordable units. The adopted policies were not prescriptive in the substitution rates and left that to implementation in the Unified Land Development Code (ULDC). Both policies required a minimum amount of non-residential development continue to be included in these developments.

The policies also provided for increased density for providing affordable units. Both in TNDs and TODs a bonus of up to four dwelling units per acre was provided when at least 20% of those additional units were provided for households at or below 80% of the area median income. These affordable units would not count against the calculation of required non-residential floor area.

The second area of policy consideration was in any amendments proposing to expand the Urban Cluster. Although expansion requests are already required to demonstrate consistency with several requirements, the amendments added a requirement to include a commitment to provide affordable housing units. The number of units would be equal to 25% of the additional units authorized by the expansion. These units would be required to be affordable to households at or below 80% of the area median income.

Finally, the policies included a requirement for any privately initiated comprehensive plan amendment that would allow for an increase in affordable units on a property. Any development resulting from such a comprehensive plan amendment would be required to provide 10% of the resulting additional units as affordable to household at or below 80% of the area median income.

Each of the allowances or requirements adopted in the amendments would required the use of a land use restriction agreement (LURA) to ensure the long-term affordability of the units. The units would also be required to be integrated into surrounding development and contain similar amenities and construction quality to other market-rate units.

The purpose of the proposed amendments to the ULDC is to implement, as needed, regulations that are responsive to the policies set out in the Comprehensive Plan. The amendment creates a new Article in Chapter 402 that lays out the basic requirements for any development that provides units that are required to be affordable in the

Comprehensive Plan. Further amendments to Chapter 407 Article VII provide for the allowances and bonuses in TNDs and TODs.

In TNDs and TODs, the amendments allow for a substitution rate of 1 unit per 500 square feet of non-residential floor area if the units are affordable at or below 60% AMI, and one unit per 1,000 square feet if the units are affordable at or below 80% AMI. This provided flexibility to developers in how many units they wish to substitute for non-residential development.

### **Effect on the Cost of Housing**

The proposed amendments are intended to promote the development of more affordable housing units in Alachua County. The amendment includes several inclusionary housing requirements and incentives which, if utilized, would increase the supply of housing units that are affordable to households with income levels at or below 80% AMI and potentially as low as 60% AMI. According to the most recent data available, the current Area Median Income (AMI) for Alachua County is \$106,700 (US Department of Housing & Urban Development, 2025 Income Limits). The proposed amendments also help to promote the dispersion of new affordable units within market rate developments throughout the Urban Cluster.

## Proposed Amendment (deletions in strikethrough, additions in underline)

### *Chapter 402. Application Requirements*

#### **ARTICLE XXXIII. INCLUSIONARY HOUSING REQUIREMENTS**

##### **Sec. 402.201. Purpose.**

The purpose of this Article is to establish procedures for the review of certain development applications that provide affordable housing as well as standards for affordable housing units in developments that provide them.

##### **Sec. 402.202. Applicability.**

The requirements of this Article apply to development applications where affordable units are provided in a development and must be maintained as such.

##### **Sec. 402.203. Land Use Restriction Agreement Required**

At the time of approval of the first development application that requires a commitment to provide affordable housing, an applicant must enter into a Land Use Restriction Agreement (LURA) with the Board of County Commissioners. The LURA shall identify the number of affordable units required as well as documentation of the affordability level and the timeframes for which the units are required to be affordable. This Agreement shall provide for amendment as the development moves through the development review process until a final LURA is recorded prior to Final Development Plan approval.

##### **Sec. 402.204. Standards for required affordable units**

The following standards shall apply to affordable units required by this Article, or in other parts of this ULDC.

- (a) They shall, generally, be evenly distributed throughout the development area. Phases of development that propose residential units shall include a proportionate number of the total required affordable units within a range of plus or minus 10% of the share of the total residential units for the entire development.
- (b) They shall be comparable to market rate units in construction quality, exterior appearance, and energy efficiency.
- (c) They shall have the same access to any community facilities or services as any market rate unit in the development.
- (d) They shall not be subject to any additional restrictions beyond those required in this ULDC that are not applicable to market-rate units in the development.

**CHAPTER 407 – GENERAL DEVELOPMENT STANDARDS**

**ARTICLE VII. TRADITIONAL NEIGHBORHOOD AND TRANSIT ORIENTED DEVELOPMENTS**

**Sec. 407.64. Traditional neighborhood development.**

- (a) *Where permitted.* TNDs may be located on property with any zoning designation except A, C-1, RE, RM-1, MS, MP, ML, MB and C-TDR. The property must also have an urban residential land use designation within the Urban Cluster or be located in an activity center in accordance with the comprehensive plan.
- (b) *Uses allowed.* Allowable Uses shall be those listed in the use table in Article II of Chapter 404.
- (c) *Other general standards.*
  - (1) Each TND shall be designed to accommodate a range of housing types, lots sizes and civic, office, and commercial uses.
  - (2) The TND is created to promote development with well-defined centers and edges, with public, civic, and commercial spaces as organizing elements around which other development is located.
  - (3) Multi-family residential and other high density residential uses shall be located in or near the village center or transit supportive area. Lower density residential uses shall be located along the perimeter of the development to provide a transition to surrounding development.
  - (4) TNDs shall be required to provide a compact, mixed-use village center that promotes pedestrian and bicycle circulation and provides multiple destinations.
- (d) *Density and intensity.*
  - (1) Within a TND, allowable residential densities shall be calculated as shown in Table 407.64.1.

<b>Table 407.64.1 TND RESIDENTIAL DENSITY STANDARDS</b>		
		<b>Residential (Dwelling Units per Acre)<sup>1</sup></b>
Village Center	Minimum	Greater of 4 or minimum allowed by Future Land Use designation - or - 8 within a non-residential Future Land Use designation
	Maximum	Minimum +4 not on Rapid Transit Corridor - or - Minimum +8 on Rapid Transit Corridor
Transit Supportive Area (outside Village Center)	Minimum	Greater of 4 or minimum allowed by Future Land Use designation - or - 6 within a non-residential Future Land Use designation
	Maximum	Minimum +4 not on Rapid Transit Corridor - or - Minimum +6 on Rapid Transit Corridor

Outside Transit Supportive Area	Range	Consistent with Future Land Use - or - 6—10 within a non-residential Future Land Use designation
<sup>1</sup> Up to twenty-five (25) percent of the minimum required residential units may be met with rooms in a hotel.		

- (2) Within TNDs, allowable non-residential intensities shall be calculated as listed below:
- a. Each TND shall include a base amount of at least ten thousand (10,000) square feet non-residential development.
  - b. In addition to the base amount, each TND shall also include a minimum of fifty (50) square feet and a maximum of two hundred fifty (250) square feet per dwelling unit.
  - c. Each TND may optionally include up to an additional ten thousand (10,000) square feet of non-residential development for achieving the maximum allowable density of the Future Land Use designation of the property.
  - d. Each TND may optionally include up to an additional ten thousand (10,000) square feet of non-residential development per dwelling unit above four (4) dwelling units per acre.
  - e. Each TND may optionally include up to an additional twenty-five thousand (25,000) square if located contiguous to a Rapid Transit or Express Transit Corridor.
  - f. Existing non-residential square footage may be included within or in addition to the above requirements. Civic uses (such as places of worship, libraries, schools, etc.) and live-work studios within the Transit Supportive Area that are functionally integrated into surrounding development and allow for shared parking during hours of non-use may be excluded from the calculation of non-residential uses.
  - g. A minimum of twenty-five (25) percent and maximum of seventy-five (75) percent of non-residential uses shall be retail-commercial uses.
  - h. The number of rooms in a hotel may be used in calculating allowable non-residential square footage.
- (3) The required non-residential square footage required in (2)b., above, may be substituted with affordable residential units, provided that the minimum amount of non-residential square footage shall not be less than 10,000 square feet plus 50 square feet for each marker-rate unit. Affordable units are not included in the density calculation for the development and are not used in calculating the required minimum non-residential square footage. Substitutions are subject to the following:
- a. One unit per 500 sq. ft. for units affordable at or below 60% AMI, or
  - b. One unit per 1,000 sq. ft. for units affordable at or below 80% AMI
  - c. Affordable units shall meet the requirements of Sections 402.203 and 402.204.
- (4) In addition to 407.64(d)(3), a density bonus of up to 4 dwelling units per acre throughout the development will be granted where 20% of the additional units are provided at or below 80% AMI. Affordable units provided subject to this provision shall not be used in the calculation of required minimum non-residential square footage. Affordable units are subject to the requirements of Sections 402.203 and 402.204.

**Sec. 407.65. Transit oriented developments.**

- (a) *Where permitted.* TODs may be located on property with any zoning designation except A, C-1, RE, RM-1, MS, MP, ML, MB. The property must also have an urban residential land use designation within the Urban Cluster or be located in an activity center in accordance with the comprehensive plan.
- (b) *Uses allowed.* Allowable uses shall be those listed in the use table in Article II of Chapter 404.
- (c) *Other general standards.*
  - (2) TODs shall be at least fifteen (15) acres in size.
  - (3) TODs shall be served by express transit service and be contiguous to a rapid transit or express transit corridor, consistent with the transportation mobility element of the Comprehensive Plan.
  - (4) TODs shall be required to provide a compact, mixed-use village center that promotes pedestrian and bicycle circulation and provides multiple destinations. The village center shall have a transit station with access to a rapid transit or express transit corridor.
  - (5) Funding for express transit service shall be provided in accordance with Subsection 407.65(e).
- (d) *Density and intensity.*
  - (1) Within a TOD, allowable residential densities shall be calculated as shown in Table 407.65.1.

<b>Table 407.65.1 TOD Residential Density Standards</b>		
		<b>Residential (Dwelling Units per Acre)<sup>1,2</sup></b>
Village Center	Minimum	10
	Maximum	24
	Maximum in Urban Service Area	48
Transit Supportive Area (outside Village Center)	Minimum	7
	Maximum	24
Outside Transit Supportive Area	Minimum	4
	Maximum	Maximum allowed under Future Land Use  - or -  24 dwelling units per acre in non-residential Future Land Use designations
<sup>1</sup> TODs less than twenty (20) acres shall provide a minimum of two hundred (200) residential units		
<sup>2</sup> Up to fifty (50) percent of the minimum required residential units may be met with rooms in a hotel.		

- (2) Within TODs, allowable non-residential intensities shall be calculated as listed below:
- a. Each TOD shall include a base amount of at least ten thousand (10,000) square feet non-residential development.
  - b. In addition to the base amount, each TOD shall also include a minimum of one hundred (100) square feet and a maximum of five hundred (500) square feet per dwelling unit.
  - c. Existing non-residential square footage may be included within or in addition to the above requirements. Civic uses (such as places of worship, libraries, schools, etc.) and live-work studios within the transit supportive area that are functionally integrated into surrounding development and allow for shared parking during hours of non-use may be excluded from the calculation of non-residential uses.
  - d. A minimum of twenty-five (25) percent and maximum of seventy-five (75) percent of non-residential uses shall be retail-commercial uses.
  - e. The number of rooms in a hotel and the number of bedrooms in student housing with separately rented rooms and shared living space may be used in calculating allowable non-residential square footage.
- (3) The required non-residential square footage required in (2)b., above, may be substituted with affordable residential units. Affordable units are not included in the density calculation for the development and are not used in calculating the required minimum non-residential square footage. Substitutions are subject to the following:
- a. One unit per 500 sq. ft. for units affordable at or below 60% AMI, or
  - b. One unit per 1,000 sq. ft. for units affordable at or below 80% AMI
  - c. Affordable units shall meet the requirements of Sections 402.203 and 402.204.
- (4) A density bonus of up to 4 dwelling units per acre throughout the development will be granted where 20% of the additional units are provided at or below 80% AMI. Affordable units provided subject to this provision shall not be used in the calculation of required minimum non-residential square footage. Affordable units are subject to the requirements of Sections 402.203 and 402.204.
- (e) *Funding of transit operations and maintenance.* Express transit service shall be provided by TODs from the development to a central transit hub within the main University of Florida campus consistent with the express transit corridors map. The peak hour headways to be funded are fifteen (15) minutes for two (2) hours in the a.m. and two (2) hours in the p.m. consistent with the requirements of the transportation mobility element of the comprehensive plan. The express transit service shall be funded for a 15-year period in a manner that is proportional to the distance of the development from the proposed terminus of the line and to the density and intensity of the development. The employees, employers and residents of the development that contribute towards the express transit service shall be provided with a mechanism that ensures they ride fare-free so long as the development funds transit. The funding mechanism, details, and cost to provide express transit service shall be memorialized in an enforceable developer agreement between the developer and the County in consultation with the regional transit system. Annexation into a municipality shall not absolve the development's requirement to fund express transit service.

## **Staff Recommendation**

Staff recommends that the BoCC convene as the Land Development Regulation Commission and find the proposed amendment consistent with the Comprehensive Plan, then reconvene as the County Commission and adopt the ordinance implement amendment proposed in Z25-000027.