

**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, CREATING CHAPTER 402 ARTICLE 30 AND AMENDING SECTION 407.64 AND 407.65 RELATING TO THE PROVISION OF AFFORDABLE HOUSING IN CERTAIN TYPES OF DEVELOPMENT IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; 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 December 9, 2025 by the Board of County Commissioners; and,

NOW THEREFORE 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 JUNE, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA

By: _____

Ken Cornell, Chair

ATTEST:

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

APPROVED AS TO FORM:

(SEAL)

Alachua County Attorney

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 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.

Table 407.64.1 TND RESIDENTIAL DENSITY STANDARDS		
		Residential (Dwelling Units per Acre)¹
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

¹ 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.

Table 407.65.1 TOD Residential Density Standards		
		Residential (Dwelling Units per Acre)^{1,2}
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
¹ TODs less than twenty (20) acres shall provide a minimum of two hundred (200) residential units		
² 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.