



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

July 22, 2020

Honorable J.K. "Jess" Irby, Esq.  
Clerk of the Circuit Court  
Alachua County  
201 East University Avenue  
Post Office Box 939  
Gainesville, Florida 32602

Attention: Steve Donahey

Dear Mr. Irby:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of the Alachua County Ordinance No. 2020-14, which was filed in this office on July 21, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

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ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**ORDINANCE 2020-14**  
(Unified Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE IN THE ALACHUA COUNTY CODE OF ORDINANCES, PART III, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; INCLUDING AMENDMENTS TO CHAPTER 405 SPECIAL DISTRICTS AND ACTIVITY CENTERS, RELATED TO DESIGN STANDARDS FOR PROPERTIES WITH A RURAL COMMERCIAL AGRICULTURE FUTURE LAND USE; 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

1           WHEREAS, the Board of County Commissioners, acting as the Land Development  
2 Regulation Commission, has determined that the land development regulations that are the  
3 subject of this ordinance are consistent with the Alachua County Comprehensive Plan; and,

4           WHEREAS, a duly noticed public hearing was conducted on such proposed amendment  
5 on July 14, 2020 by the Board of County Commissioners, with the hearing being held after 11:30  
6 o'clock a.m.;

7           BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
8 ALACHUA COUNTY, FLORIDA:

9           Section 1. Legislative Findings of Fact. The Board of County Commissioners of  
10 Alachua County, Florida, finds and declares that all the statements set forth in the preamble of  
11 this ordinance are true and correct.

12           Section 2. Unified Land Development Code. The Unified Land Development Code of  
13 the Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit A and  
14 attached hereto.

15           Section 3. Modification. It is the intent of the Board of County Commissioners that the  
16 provisions of this ordinance may be modified as a result of considerations that may arise during  
17 public hearings. Such modifications shall be incorporated into the final version of the ordinance  
18 adopted by the Board and filed by the Clerk to the Board.

19           Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith  
20 are, to the extent of the conflict, hereby repealed.

21           Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of  
22 County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time

1 as the Development Regulations of Alachua County are codified, the provisions of this ordinance  
2 shall become and be made part of the Unified Land Development Code of Alachua County,  
3 Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such  
4 intention, and the word "ordinance" may be changed to "section," "article," or other appropriate  
5 designation. The correction of typographical errors that do not affect the intent of the ordinance  
6 may be authorized by the County Manager or designee, without public hearing, by filing a  
7 corrected or re-codified copy of the same with the Clerk of the Circuit Court.

8 Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally  
9 construed in order to effectively carry out the purposes hereof which are deemed not to adversely  
10 affect public health, safety, or welfare.

11 Section 7. Severability. If any section, phrase, sentence or portion of this ordinance is  
12 for any reason held invalid or unconstitutional by any court of competent jurisdiction, such  
13 portion shall be deemed a separate, distinct and independent provision, and such holding shall  
14 not affect the validity of the remaining portions thereof.


15 Section 8. Effective Date. A certified copy of this ordinance shall be filed with the  
16 Department of State by the Clerk of the Board of County Commissioners within ten (10) days  
17 after enactment by the Board of County Commissioners, and shall take effect upon filing with  
18 the Department of State.

1 DULY ADOPTED in regular session, this 14<sup>th</sup> day of July, A.D., 2020.

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5 BOARD OF COUNTY COMMISSIONERS OF  
6 ALACHUA COUNTY, FLORIDA

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8 By: 

9 Robert Hutchinson, Chair

10 ATTEST: 

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12 J.K. Irby, Clerk Esq.

13 APPROVED AS TO FORM

14 

15 Alachua County Attorney

16 (SEAL)

17 DEPARTMENT APPROVAL  
18 AS TO CORRECTNESS

19  
20 Missy Daniels

21 Department of Growth Management

22 Authorized Designee  
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## EXHIBIT A: CHAPTER 405

### ARTICLE XII: RURAL COMMERCIAL-AGRICULTURE

#### Sec. 405.47 – Applicability

Rural Commercial-Agriculture includes those parcels designated within the Comprehensive Plan Future Land Use Map as Rural Commercial-Agriculture. All new development and redevelopment within these areas is subject to this Article. The standards of this Article are supplemental and additional to all other applicable standards of the ULDC.

#### Sec. 405.48 - Purpose

This Article implements Policy 3.11.1 of the Future Land Use Element of the Comprehensive Plan. The intent of this Article is to ensure compatibility between commercial uses in rural areas outside of Rural Clusters with less intensive uses and surrounding communities.

#### Sec. 405.49 – Access

Development shall be required to minimize access from arterials and collectors. Whenever possible, driveways shall use common access points to reduce potential turn movements. Provision shall be made for cross access between other adjacent non-residential zoning and/or uses.

#### Sec. 405.50 Uses

Uses allowed within the Rural Commercial-Agriculture land use designation shall be consistent with Section 404.72 (a) except that no drive-through restaurants are allowed.

#### Sec. 405.51 Design

- a) Each parcel in existence as of July 14, 2020 shall be limited to 10,000 square feet of gross leasable area unless otherwise approved by a Special Exception by the Board of County Commissioners. Parcel splits shall not have the effect of authorizing any additional square footage without meeting the requirement of the Special Exception.
- b) All new structures shall demonstrate architectural design with a focus on local historic vernacular architectural features. These features shall include the following on all facades facing public rights-of-way or entrances:
  - 1) If a pitched roof is employed, a minimum 4/12 pitch with standing seam metal or shingled finishes is required. A metal panel 5-seam or metal shake roof is acceptable as are a 5-tab twenty-five (25) year dimensional shingle roof or manufactured equivalent of a wood shake roof. 3-tab shingles or barrel-vaulted tiles shall not be permitted. Low sloped or flat roof systems are permissible when screened by a parapet wall meeting the design requirements.
  - 2) Articulated porches at primary entrances using columns or other visible means of support. The front porch must be greater than 50% of the length of front façade and must be a minimum 60" in depth. Porch railings, posts and columns shall have the appearance of light wood frame construction.
  - 3) The following wall finishes shall be permitted: manufactured brick or materials that have the appearance of brick, horizontally struck stucco, exterior insulated finish system stucco panels, painted board and batten, wood or vinyl lap siding or stained hardwood panels.

Split face concrete block shall be permitted as an accent material only. Smooth-face concrete block or metal panel finishes shall not be allowed. The use of metallic, black or fluorescent colors for facades shall be prohibited.

- 4) There shall be a minimum of 50% glazing between 3 feet and 8 feet above finished grade on all facades viewed from a public right-of-way. Glazing shall consist of divided light windows with a minimum 25% transparency
  - 5) There shall not exist any singular facade that has greater than 50 linear feet of run without a minimum 16" break, by using a directional or material change
  - 6) Trim colors shall be white or light colors contrasting with the main wall color. (Trim shall be considered railings, columns, door and window surrounds, soffits, shutters, gutters and downspouts, and other decorative elements.) Trim finishes shall be of a contrasting lighter color than that of the primary building color with the exception of white as a primary building color
- c) All signage shall be of similar materials and colors as the primary building and be consistent with the standards in Section 407.34 for signs in the agriculture (A) district. Signs shall not be internally illuminated but may be separately illuminated by external, direct, white light, which shall not flash or move, and which shall not result in glare at the nearest property line.
- d) The applicant shall submit a copy of all building elevations as part of the development plan review submittal package. Elevations shall illustrate how the requirements of this section are being met including glazing calculations, wall and roof finishes, roof pitches, color selections and dimensional requirements. The submittal of renderings is not required but encouraged to aid in review for consistency with the requirements of this section.

Sec. 405.52 – Parking

Parking shall be consistent with Chapter 407, Article 2. For retail sales and service parking shall be limited to 4 vehicular spaces per 1,000 sq ft.

**Signature:** *MKDaniels*

**Email:** mdaniels@alachuacounty.us

**Signature:**

**Email:** cfhanson@alachuacounty.us