

**ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE 2025-06

(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 TO CHAPTER 401 DEVELOPMENT REVIEW BODIES; CHAPTER 402 DEVELOPMENT APPLICATION REVIEW PROCEDURES CONTENTS; CHAPTER 403 ZONING DISTRICTS; CHAPTER 404 USE REGULATIONS; CHAPTER 407 GENERAL DEVELOPMENT STANDARDS; CHAPTER 408 NONCONFORMITIES; AND CHAPTER 410 DEFINITIONS; 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, 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.

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

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA



Charles Chestnut IV, Chair

ATTEST:



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

APPROVED AS TO FORM:



Alachua County Attorney



(SEAL)

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 401 DEVELOPMENT REVIEW BODIES

ARTICLE VI DEVELOPMENT 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) Change of use to a permitted or limited use, except where DRC approval is required in Chapter 404;

- (16) 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
- (17) Tier I tower replacements meeting the standards of Subsection 404.54(a)5.
- (18) Amendment to the zoning district setback of a platted lot by Affidavit in ULDC Sec. 402.56.5.
- (c) Decisions of the environmental protection department. The director of the environmental protection 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) Minimal impact activities in and adjacent to conservation or preservation areas;
 - (2) Minimal impact activities in and adjacent to regulated natural and historic resources;
 - (3) Removal of indigenous vegetation in special area studies;
 - (4) Hazardous facilities;
 - (5) Well registration and well abandonment;
 - (6) Murphree Wellfield hazardous waste licenses; and
 - (7) Dewatering activities discharging to wetlands, conservation or preservation areas;
 - (8) Preservation buffer reductions per Subsection 405.33(b)(4)c.
- (d) Decisions of the Department of Public Works. The Director of the Public Works 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:
 - (1) Floodplain development permit for single-family residence or mobile or manufactured home on a legal lot of record;
 - (2) Floodplain development permit for boat docks six hundred (600) square feet or under meeting the standards of Chapter 404, Section 404.108;
 - (3) Minor modifications to stormwater management facilities and right-of-way infrastructure associated with development previously approved by the DRC;
 - (4) As an exemption to the requirements found in Chapter 404, Article 24 Mining, Excavation and Filling Operations, and for the purposes of creating an agricultural type pond, excavation of more than two hundred (200) cubic yards of material that do not impact regulated resource areas or involve areas within the limits of the flood hazard area;
 - (5) Right-of-way use and utility permit for allowable uses of public rights-of-way;
 - (6) Driveway permits;
 - (7) Construction permits;
 - (8) Temporary construction stockpiles and temporary construction storage, leasing and sales offices that are not shown on an approved development plan;
 - (9) Dewatering activities with proposed offsite discharge; and
 - (10) Exceptions from the public road frontage requirement in Subsection 407.73(f)1 for the first split of a parent parcel or a family homestead exception where the private easement road meets minimum width, stabilization and maintenance requirements for the purpose of providing emergency service delivery, and the applicant provides proof of access to a County maintained public road.

CHAPTER 402 DEVELOPMENT APPLICATION REVIEW PROCEDURES CONTENTS
ARTICLE XII PLATTING

Sec. 402.56. Platting required.

- (a) Platting is required for development of detached and attached single-family lots. Individual platted lots may not be divided further except as follows:
 - (1) Where such divisions are expressly provided for on an approved plat; or
 - (2) Upon approval of a plat vacation by the BOCC or where a re-plat is approved per Subsection (b) below for all or a portion of an existing plat and subject to approval of a new development plan and/or plat for the vacated area.
- (b) *Re-plats.* A re-plat is required for the modification or reconfiguration of previously recorded platted lots ~~and their associated setbacks, buffers and easements, except as provided in Subsection 407.73(f)3 of this ULDC.~~
- (c) A re-plat is not required to combine or reconfigure two (2) or more platted lots ~~under common-ownership~~, subject to the requirements of 407.73(g) and the following requirements:
 - (1) ~~Where two (2) or more platted lots are combined, the~~ The revised exterior property lines shall be used in determining the setbacks rather than the original platted lot lines.
 - (2) Any easements or buffers on the approved plat must be avoided unless a re-plat is approved.
 - (3) The highest finished floor elevation of the original lots shall be maintained, if applicable.

Sec. 402.56.5 Changes to the setbacks of platted lots.

The owner of a lot in an existing platted subdivision may amend the setback shown on the original plat to the zoning district setbacks in Chapter 403 through an administrative process permitted by Sec.401.20 of this ULDC subject to the following:

- (a) The amended setback shall not be less than the zoning setback standards outlined in Chapter 403, unless a variance is approved by the DRC as provided in Chapter 402, Article 26.
- (b) The change shall not affect existing natural resources setbacks.
- (c) Any easements or buffers on the original plat must be avoided unless a re-plat is approved by the BoCC.
- (d) The change shall be documented by the recording of the affidavit, signed and stamped by the department, in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land. The affidavit shall be in a form established by the department.
- (e) The affidavit is required to be recorded with the Clerk of the Court within one year of approval or prior to permitting any new structures to be effective. Recording of an affidavit without prior approval from the department will not be recognized as the legal setback for the lot.

ARTICLE XXIII FAMILY HOMESTEAD EXCEPTIONS

Sec. 402.142. Application requirements.

- (a) *Application.* An application for a family homestead exception approval shall be submitted in accordance with Article III, Preliminary Procedures for all Applications, of this Chapter.
- (b) *Documentation.* Documentation shall be provided, as listed below:
 - (1) *Legal lot of record.* Documentation that the parcel for which a family homestead exception is requested is being created from a legal lot of record as defined in this ULDC. In addition, the legal lot of record shall not be a platted lot or a lot previously created as part of a subdivision with unpaved roads in the rural agricultural area or created by variance through the Board of Adjustment or BOCC, unless the variance was approved prior to October 2, 1991.

- (2) *Location.* Documentation that the parcel for which a family homestead exception is requested is designated on the Comprehensive Plan's Future Land Use Map as rural/agriculture.
 - (3) *Immediate family member.*
 - a. Each application for family homestead exception shall be accompanied by personal identification and proof of relationship, to establish the required immediate family member status, of both the property owner and the immediate family member. The personal identification shall consist of original documents or notarized copies from public records. Such documents may include birth certificates, adoption records, marriage certificates, and other public records.
 - b. To qualify as an immediate family member, an individual who will use the property as a homestead must be one (1) of the following: a grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the property owner.
 - (4) *Ownership.* Proof of ownership verifying that:
 - a. The subject property, a portion of which is proposed for use as a homestead by an immediate family member, has been in fee simple ownership, by an immediate family member, for a minimum of five (5) years.
 - b. The intended owner of the land (under a contract, will or other documented conveyance or estate) is an immediate family member of the person from whom the parcel is conveyed, devised, or transferred; and the person from whom the parcel is conveyed, devised, or transferred has owned the property for a minimum of five (5) years.
 - (5) *Affidavit of homestead exception use.* As part of the application for a family homestead exception, the immediate family member shall provide an affidavit stating that the family homestead lot is being created for use solely as a homestead by the immediate family member, that the family member shall occupy the residence for at least five (5) years from the date a certificate of occupancy is issued for the residence, and acknowledging that the homestead shall not be transferable within that five-year period unless a determination is made by the County that the criteria found in Subsection 402.143(d) for permitting such a transfer have been met.
- (c) *Jurisdiction for family homestead exception applications.*
- (1) *The Director.* The Director has the authority to approve, approve with conditions, or deny an application to create one or more family homestead exception lots from a parent parcel in accordance with the provisions of this Article provided all of the following requirements are met:
 - a. All lots have frontage on an existing publicly maintained road, provide joint driveway access to the public road, or have obtained an exception from the Public Works Department allowing the lots to provide access to a private easement road with direct connection to a public road in accordance with Subsection 401.20(d)(10);
 - b. All parcels are consistent with all other requirements of this ULDC;
 - c. All parcels have buildable area outside the limits of any conservation areas including wetland and/or flood-prone areas and do not require access through these conservation areas.
- (d) *Development standards.*
- (1) *Minimum property size.* The parent ~~tract or~~ parcel from which a family homestead exception lot is being requested must be a minimum of two (2) acres.
 - (2) *Minimum family homestead exception lot sSize.* The lot for which a family homestead exception is requested shall be a minimum of one acre and shall comply with the minimum lot area and dimensional requirements standards for the Agriculture zoning district in Chapter 403 or as provided in Chapter 408 for legally nonconforming Agricultural lots of record, listed in Table 402.142.1 below.

| Table 402.142.1 Minimum Lot and Setback Requirements | |
|--|-----------------------------|
| STANDARD | MINIMUM DIMENSIONS |
| Principal Building: | |
| Minimum Lot Area | 1 Acre (43,560 square feet) |
| Minimum Lot Width at front building line ¹ | 110 feet |
| Minimum Lot Width at property line ² | 125 feet |
| Minimum Lot Depth | 125 feet |
| Minimum Yard Setback Dimensions: | |
| Front, minimum | 25 feet |
| Rear, minimum | 30 feet |
| Interior side, minimum | 12.5 feet |
| Street side, minimum | 25 feet |
| Maximum height | 35 feet |
| Accessory Building: | |
| Front, minimum | 25 feet |
| Rear lot line setback, minimum | 7.5 feet |
| Side lot line setback, interior, minimum (ft.) | 12.5 feet |
| Side lot line setback, street, minimum (ft.) | 25 feet |
| Note and additional standards: | |
| ¹ The minimum lot width shall not apply when the lot fronts on a curved street or the curved portion of a cul-de-sac street, provided that all other lot and setback requirements are met. | |
| ² Lots fronting on public roads classified as collector or higher are required to have common access driveways approved by the Alachua County Public Works Department and have a minimum spacing of no less than 250 feet. | |

- (3) *Compliance with other requirements.* The residual parcel and all parcels for which a family homestead exception is requested shall comply with these and all other applicable Comprehensive Plan policies and federal, state, regional, and County regulations.
- (4) *Compliance not a basis for other approvals.* Demonstration of compliance with all the requirements for a family homestead exception shall not itself constitute a basis for the granting of a variance from any other applicable County regulation or requirement.
- (5) *Limit on number of family homestead exceptions.* Only one (1) family homestead exception may be granted per immediate family member. Once a family homestead exception lot is created, that family homestead parcel from which the homestead exception lot was created shall not be further split or subdivided under the provisions of this Article.

CHAPTER 403 ZONING DISTRICTS
ARTICLE IV COMMERCIAL DISTRICTS

| Table 403.12.1 | | | | | | |
|--|------------------|----------------|----------------|----------------|----------------|----------------|
| STANDARDS FOR COMMERCIAL DISTRICTS | | | | | | |
| Standards | ZONING DISTRICTS | | | | | |
| | AP | BP | BR, BR-1 | BH | BA, BA-1 | MB |
| Lot Dimensions | | | | | | |
| Min. Area (sq. ft) | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| Width at front building line, min (ft) | 50 | 50 | 50 | 50 | 50 | 50 |
| Depth, min. (ft) | 100 | 100 | 100 | 100 | 100 | 100 |
| Setbacks¹ | | | | | | |
| Front, min. (ft) | 25 | 25 | 25 | 25 | 25 | 25 |
| Rear, min. (ft) | 10 | 10 | 5 ² | 5 ² | 5 ² | 5 ² |
| Interior side, min. (ft) | 5 ³ | 5 ³ | 5 ³ | 5 ³ | 5 ³ | 5 ³ |
| Street side, min. (ft) | 25 | 25 | 25 | 25 | 15 | 15 |
| Building Standards | | | | | | |
| Height, max (ft) | 45 | 45 | 65 | 65 | 45 | 35 |
| Building coverage, max (% of gross land area) | 40% | 40% | N/A | N/A | N/A | N/A |
| ¹ Buildings located within an activity center may be designed with a front and street side building setback of five (5) feet. ² Where the rear <u>property line yard</u> abuts a residential or agriculture zoning district, a minimum rear setback of twenty-five (25) feet shall be required. ³ Six (6) inches of additional side <u>setback yard</u> shall be required for each foot of building height over thirty-five (35) feet when abutting single-family residential uses or zoning. | | | | | | |

ARTICLE V INDUSTRIAL DISTRICTS

Sec. 403.16. Additional requirements applicable to industrial zoning districts.

- (a) All industrial uses must have direct access to a paved roadway.
- (b) A high-density buffer, as defined in Table 407.43.2, shall be provided along the boundary between industrial and residential districts. Off-street parking, but not off-street loading, may be provided within the setback yard but not within the required buffer.
- (c) Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of industrial use that are outside enclosed buildings, shall be located away from residential areas, schools, parks and other non-industrial areas.

- (d) No portion of any building or structure and no activity related to any use within the MS or MP district shall be located closer than thirty-five (35) feet to any MS or MP district boundary. This requirement may be reduced or waived by the DRC subject to the following review criteria:
 - (1) The lot is two (2) acres or less in size;
 - (2) The adjacent parcel(s) do not have a residential zoning or land use or an existing residential use on site at the time of application;
 - (3) The adjacent landowner(s) of properties not industrially zoned must provide written consent to the applicant for the reduction or waiver proposal.
- (e) Where property zoned MS or MP fronts a public street, no less than one-half (½) of the frontage shall contain landscaping consistent with a "Low" buffer as defined in Table 407.43.2, except as required for ingress and egress.
- (f) No side or rear setback yard is required where MS or MP property is adjacent to a railroad right-of-way on that frontage. Side and rear yards may be used for off-street parking or off-street loading subject to the general provisions above.
- (g) Buildings within the BW, ML, MS, and MP districts that front on streets or roads shall be required to meet the standards in Article X, Building Design, of Chapter 407.

CHAPTER 404 USE REGULATIONS

ARTICLE XXIII WASTE-RELATED SERVICES

Sec. 404.85. Junk, salvage, or recycled metal yard.

A junk, salvage, or recycled metal yard may be allowed by special exception in the MS and MP districts, subject to the following standards and the requirements of Article VIII of Chapter 406 for high aquifer recharge areas.

- (a) *Review and approval.* An application to establish a junk, salvage, or recycled metal yard shall include the following materials:
 - (1) *Environmental assessment.* The environmental assessment shall be prepared by a registered professional engineer, landscape architect, architect, or environmental professional with the appropriate qualifications and shall include the following information:
 - a. All applicable federal, state, and County standards for protection of water, air, and other natural resources; and
 - b. The manner in which the proposed facility complies with all requirements.
 - (2) *Plan of operation.* A proposed plan of operation for the facility shall include the following:
 - a. Days and hours of operation; and
 - b. Manner of disposal or sale of waste products or recycled materials.
 - (3) *Conditions of approval.* As part of considering an application for development approval, the BOCC may include conditions that address the following:
 - a. Containment structures and procedures to protect ground water resources;
 - b. Dust and emission control;
 - c. Fencing of processing, storage, and shipping areas as required by Subsection (e) below;
 - d. Height of stockpiles of processed and unprocessed materials;
 - e. Hours of operation;
 - f. Lighting;
 - g. Monitoring program for protection of air, natural, and water resources;
 - h. Litter control;
 - i. Noise; and
 - j. Traffic impacts, including any truck traffic on local residential roads.
- (b) *Prohibited activities.*

- (1) *Sale of vehicles.* The sale of operable vehicles is prohibited.
- (2) *Processing of debris.* A yard or facility shall not process any woody or vegetative wastes or construction or demolition debris.
- (c) *Minimum lot area.* The minimum lot area shall be five (5) acres.
- (d) *Compliance with natural resources protection laws.* A yard shall comply with all applicable federal, state, and County regulations regarding protection of air, ground water, surface water, and other environmental and natural resources.
- (e) *Screening.* All junk, salvage, or recycled metal yards shall be screened from view of a public right-of-way on all sides by an opaque masonry wall a minimum of six (6) feet in height and with two (2) feet of ornamental superstructure. The required wall along a public right-of-way shall conform to the front setback ~~yard~~ requirement of the district in which it is located.
- (f) *Storage of materials.*
 - (1) Materials stored on-site shall be retained for a maximum of fifteen (15) days prior to processing.
 - (2) Processed materials shall be stored on site for a maximum of forty-five (45) days.
- (g) *Fire protection.* The facility shall adopt and maintain a fire prevention and suppression program, including all necessary equipment, that is acceptable to the Alachua County Fire Rescue Department.

Sec. 404.89.5. Materials recovery, recycling and composting.

Materials recovery, recycling, and composting facilities may be allowed by special exception in the MS and MP districts, subject to the following standards and the requirements of Chapters 403 and 460 of this ULDC.

- (a) *Submittal requirements.* An application to establish a materials recovery facility shall include the following materials.
 - (1) *Environmental assessment.* The environmental assessment shall be prepared by a registered professional engineer, landscape architect, architect, or environmental professional with the appropriate qualifications and shall include the following information:
 - a. All applicable federal, state, and County standards for protection of water, air, and other natural resources; and
 - b. The manner in which the proposed facility complies with all requirements.
 - (2) *Plan of operation.* A proposed plan of operation for the facility shall include the following:
 - a. Days and hours of operation; and
 - b. Manner of disposal or sale of waste products or recycled materials.
- (b) *Conditions of approval.* As part of considering an application for development approval, the BOCC may include conditions for the special exception that address the following:
 - (1) Containment structures and procedures to protect groundwater resources;
 - (2) Dust and emission control;
 - (3) Fencing of processing, storage, and shipping areas as required by Subsection (d) below;
 - (4) Height of stockpiles of processed and unprocessed materials;
 - (5) Hours of operation;
 - (6) Lighting;
 - (7) Monitoring program for protection of air, natural, and water resources;
 - (8) Litter control;
 - (9) Noise; and
 - (10) Traffic impacts, including any truck traffic on local residential roads.
- (c) *Compliance with natural resources protection laws.* A materials recovery, recycling, or composting facility shall comply with all applicable federal, state, and Country regulations

regarding protection of air, groundwater, surface water, and other environmental and natural resources.

- (d) *Screening.* All materials processed or waiting to be processed at the facility shall be screened from view of a public right-of-way on all sides by an opaque masonry wall a minimum of six (6) feet in height. The required wall along a public right-of-way shall conform to the front setback ~~yard~~-requirement of the district in which it is located.
- (e) *Storage of materials.*
 - (1) Materials stored on site shall be retained for a maximum of fifteen (15) days prior to processing.
 - (2) Processed materials shall be stored on site for a maximum of forty-five (45) days.
- (f) *Fire protection.* The facility shall adopt and maintain a fire prevention and suppression program, including all necessary equipment that is acceptable to the Alachua County Fire Rescue Department.

CHAPTER 407 GENERAL DEVELOPMENT STANDARDS

ARTICLE II PARKING, LOADING AND STACKING

Sec. 407.13. Applicability.

Every use of a building or land hereafter established shall provide the minimum parking and loading spaces as required by this Article in addition to the Florida Accessibility Code and the Fair Housing Act. ~~Changes in use, changes in intensity of use, and building expansions shall comply with all applicable requirements. Re-striping or re-paving of such spaces shall comply with Florida Accessibility Code and The Fair Housing Act. Except as noted, the requirements of this Article are minimums. Where nonconforming on-site parking has been found to be inadequate by causing a recurring hazard or nuisance off site, the owner shall be responsible for increasing the number of parking spaces or decreasing the need for parking spaces by limiting the amount, kind, or intensity of use.~~

Sec. 407.14. Parking schedule.

In all districts, the required number of parking spaces shall be provided in accordance with Table 407.14.1. The required number of spaces may be exceeded or reduced by up to ten (10) percent. Applicants proposing greater than ten (10) percent variation must comply with Section 407.18.

| Table 407.14.1 Parking Schedule | |
|--|---|
| Use | Required Number of Spaces |
| <i>Residential Uses:</i> | |
| Single-family, attached and detached | 2 per dwelling unit |
| Multiple-family dwelling | |
| One-bedroom units | 1.5 per dwelling unit, plus 1 per 10 bedrooms |
| Two or more bedroom units | 2 per dwelling unit, plus 1 per 10 bedrooms |
| Rooming house, dormitory, fraternity or sorority | 1 per 2 beds |
| Assisted living facility/Nursing Home | 1 per 2 persons of licensed capacity |
| Manufactured home park | 2 per unit space |
| Nursing home | 1 per 2 beds |
| Community residential homes | 1 per 3 persons of licensed capacity, plus one per employee |

| <i>Public and Civic Uses:</i> | |
|--|---|
| Auditorium/Place of assembly/Civic Organization/Place of worship | 1 per 5 seats of maximum seating capacity in the principal area of assembly |
| College or university/Vocational, business or technical school | 1 per employee plus one space per 4 students of design capacity |
| Child Care Center, Adult Day Care | 1 per 6 persons of licensed capacity |
| Elementary or middle school | 10 plus 2 per classroom |
| Fire station | 1 per person on duty on the largest shift |
| High school | 1.5 spaces per employee plus one space per ten students of design capacity |
| Hospital | 1 per bed |
| Library, museum, art gallery | 1 per 400 sq. ft of gross floor area |
| Medical or dental office/Medical clinic | 1 per 200 sq. ft GFA |
| Mortuary or funeral home | 1 per 4 persons of licensed capacity, plus 1 per funeral vehicle, plus 1 per employee |
| Place of assembly/Civic organizations | 1 per 5 seats of maximum seating capacity in the principal area of assembly |
| Place of worship | 1 per 5 seats of maximum seating capacity in the principal area of assembly |
| Utilities | 1 per employee |
| <i>Commercial Uses:</i> | |
| Arcade | 1 per 500 sq. ft GFA |
| Banks and financial institutions | 1 per 400 sq. ft GFA, plus required stacking spaces in accordance with Section 407.23 |
| Barber or beauty shop | 2 per operators' chair |
| Bar, cocktail lounge, tavern, and nightclub | 14 per 1,000 sq. ft GFA |
| Bowling establishments | 5 per lane |
| Offices, non-medical including governmental offices | 1 per 250 sq. ft GFA |
| Car wash | 1 per service bay, plus three stacking spaces |
| Convenience store or service station, with or without fuel sales | 1 per fueling position, plus 2 per working bay, plus 1 per 200 sq. ft of sales area |
| Driving range | 1 per tee plus one space per employee |
| Restaurant, maximum of 23 seats (stand-alone) | 8 spaces, plus required stacking spaces in accordance with Section 407.23 |
| Restaurant, minimum of 24 seats (stand-alone) | 1 per 3 seats, plus required stacking spaces in accordance with Section 407.23 |
| Golf course | 60 spaces per 9 holes, plus 1 space per employee, plus 50% of the spaces otherwise required for any accessory uses (e.g. bars, restaurants, etc.) |
| Gym, spa or fitness center | 10 plus 1 per 200 sq. ft GFA in excess of 1,000 sq. ft |
| Movie theaters | 1 per 3 seats |
| Personal services, not otherwise specified (stand-alone) | 1 per 400 sq. ft GFA |

| | |
|---|--|
| Retail Sales and Service, not otherwise specified | See 407.14(a) below: Spaces per 1,000 sq. ft. GFA |
| Up to 20,000 sf | 5 |
| 20,000 to 200,000 sf | 4.5 |
| Over 200,000 sf | 4 |
| RV Park/Campground | 1 per RV or tent space |
| Hotel or Motel (as defined in Chapter 410) | 1 per guest room |
| Entertainment and recreation, not otherwise specified | 1 per 4 <u>persons</u> of maximum capacity |
| Self-service storage facilities | 1 per employee |
| Vehicle sales and rental (including sales of boats and recreational vehicles) | 1 per 2,000 sq. ft of display area whether indoors or outdoors, plus 1 per 500 sq. ft devoted to servicing vehicles |
| Vehicle repair | 1 per 200 sq. ft GFA |
| Industrial Uses: | |
| Industrial Uses (other than Warehousing) | 1 per 1,000 sq. ft, plus 1 per company vehicle operating from the premises, plus 1 per 250 sq. ft of accessory retail or wholesale use |
| Mining, excavation, and fill operations | 1 per employee |
| Warehousing, Storage and Distribution | 1 per 1,000 sq. ft GFA |
| Waste-related services | 1 per employee |

- (a) ~~Retail sales and service.~~ A retail sales and service establishment as defined in Chapter 410, and also including a group of retail sales, restaurants, personal services, and mixed non-residential uses shall comply with the parking requirements in Table 407.14.2.

| Table 407.14.2 Parking Requirements for Retail Sales and Service | | |
|---|------------------------------|---------|
| Gross Floor Area (sq. ft.) | Spaces per 1,000 square feet | |
| | Minimum | Maximum |
| Up to 20,000 sf | 5 | 5.5 |
| 20,000 to 200,000 sf | 4.5 | 5 |
| Over 200,000 sf | 4 | 4.5 |

- (ab) ~~Motorcycle parking.~~ One (1) motorcycle space shall be required per forty (40) vehicle spaces required by this Section. Motorcycle spaces are optional if less than forty (40) vehicle spaces are required. Motorcycle stalls shall be clearly labeled as such.
- (be) ~~Unlisted uses.~~ For uses not listed in Table 407.14.1, the number of required spaces shall be based on a study prepared by the applicant ~~property owner or operator~~ that addresses:
- (1) Type of use or uses and estimated total number of trips generated during peak conditions;
 - (2) Estimated parking duration per vehicle trip (turnover rates); and
 - (3) Estimated number of employees; ~~one (1) space to be provided for each two (2) employees based on the shift of maximum employment.~~

Sec. 407.18. - Parking ~~reductions or~~ increases.

Applicants for development plan review may ~~vary from~~ exceed the off-street parking schedule in Table 407.14.1 by greater than ten (10) percent by providing sufficient documentation that demonstrates ~~reduced or increased parking demand.~~ Examples include the provision of on-street parking, trip generation during peak conditions, shared parking, turnover rates, employment numbers, staggered work shifts, alternate sources of transportation, mass transit ridership or employee showers, lockers, and changing areas may justify a reduction in off-street parking. Applicants seeking an increase in parking shall provide a parking study consistent with Subsection 407.14(eb). In all cases, the applicant shall provide sufficient

documentation to the appropriate reviewing body to clearly establish that ~~minimum and maximum~~ parking needs shall be accommodated. ~~Where inadequate on-site parking causes a recurring traffic hazard or a nuisance off-site, the owner shall be responsible for increasing the number of parking spaces or decreasing the need for parking spaces.~~

Sec. 407.23. Off-street stacking requirements.

- (a) *Stacking requirements.* In addition to meeting the ~~minimum~~ off-street parking standards, drive-through facilities shall provide a minimum of five (5) stacking spaces for each drive-through lane. Such spaces shall be designed so as to not create conflicts between pedestrian or vehicular circulation on the site or on any abutting street.
- (b) *Circulation requirements.* A vehicle pass-by lane may be required to be constructed to provide for complete, unimpeded circulation throughout the site.

ARTICLE VIII SUBDIVISION REGULATIONS

Sec. 407.73. General provisions.

- (a) All subdivision applicants are required to file a plat in accordance with Article XII of Chapter 402 except as provided for below in Subsection (f) and in Section 407.75.
- (b) All subdivisions located within areas designated rural/agriculture on the Future Land Use Map 2040 and containing ten (10) or more lots shall be designed as a clustered rural residential subdivision consistent with Sections 407.77 and 407.78 of this Article.
- (c) For subdivisions located within areas designated rural/agriculture and not designed as a clustered rural residential subdivision as provided in Section 407.77, no more than one hundred fifty (150) lots smaller than eight (8) acres in size, shall be authorized in a calendar year.
- (d) No subdivision may be created without paved public road access and all subdivisions created must have internal paved roads that meet County standards, except as provided in Section 407.75, Section 407.76 and Section 407.154. Paved public road access does not include alternative surface treatments ~~utilized as a part of the Alachua County Unimproved Road Program.~~
- (e) No person may divide a lot of record, which does not meet the definition of parent parcel ~~tract~~ unless they comply with these subdivision regulations.
- (f) A parent parcel ~~tract~~ may be divided once without complying with these subdivision regulations provided all of the conditions below are met:
 - (1) Both newly created lots shall have frontage along a local public road or two hundred fifty (250) feet of frontage on a public collector or arterial road except as provided for in this Section:
 - a. When the newly created lot will be located on a County-maintained collector or arterial road and have less than two hundred fifty (250) feet of frontage, a shared driveway shall be utilized for both newly created lots subject to approval by the Public Works Department.
 - b. Parcels separated from a public street by a utility right-of-way shall be considered to have frontage on the street.
 - c. If the parcel utilizes access to a privately-maintained road, the private road may be used in lieu of a driveway connection to the public road if that road meets minimum width, stabilization, and maintenance requirements as determined by the Public Works Department and the applicant provides proof of legal access.
 - (2) The new lots created meet all other relevant requirements of this ULDC.
 - (3) The lot split must be memorialized in a document recorded in the public record. For purposes of these regulations, lots created by a plat recorded in a deed book and/or government lots established prior to June 1, 1960 may be divided once provided they meet the public road frontage requirements and shall not be subject to the replat requirements or full compliance with this Article but must be memorialized in a document recorded in the public record.-

- (4) Any further division of a parent parcel ~~tract~~ shall be deemed a subdivision and shall comply with relevant regulations of this ULDC.
- (5) A parent parcel ~~tract~~ that was created by means of a variance granted by the Board of Adjustment, or a variance granted by the Board of County Commissioners may not be split, unless the variance was approved prior to October 2, 1991 and the purpose of the split is for a family homestead exception in accordance with Article XXIII of Chapter 402 or the purpose of the split is for an immediate family member as defined in Article XXIII of Chapter 402 and shall be subject to the occupancy requirements of Subsection 402.142(b)(5).
- (g) Parent parcels ~~tracts~~ heretofore divided into parcels may be re-configured; provided, however, that the sale, exchange or reconfiguration of lots to or between adjoining property owners of the re-subdivided lots meet all of the following:
 - (1) Does not create additional lots or the potential for additional lots per Subsection (f) above;
 - (2) Does not alter rights-of-way or other areas dedicated for public use;
 - (3) The reconfigured lots and any residual land meets the requirements of the Alachua County ULDC;
 - (4) The reconfiguration of any legally nonconforming lot does not increase the extent of the nonconformity; and
 - (5) Lots previously created by the recordation of a plat shall require a replat and compliance with this Article, except as provided in Subsection (f)(3).
- (h) Lots previously approved by variance may be reconfigured where the minimum lot size and dimensional standards of the zoning district can still be met, or if nonconforming, the reconfiguration shall not increase the extent of the nonconformity.
- (i) No building shall be erected on a lot or parcel of land within the area of the County subject to this Article, nor shall any building permit be issued, unless:
 - (1) The street giving access to the lot or parcel on which such dwelling is proposed to be placed has been accepted and opened as a public street or has otherwise received the legal status of a public street, or such street is shown on a legally recorded subdivision plat, or an approved subdivision plan or unless a waiver has been obtained from the Director.
 - (2) Such street has been improved to an extent which, under the circumstances of the particular situation is adequate to serve the needs of such dwelling and to protect the public under the provisions of this Article; provided that, if so authorized by subdivision regulations adopted under the provisions of this Article, a building permit may be issued for construction of a building concurrently with the installation of required street improvements, but no such permit shall express or imply any right of occupancy and use of such building. No such building shall be occupied or used until the installation of such street improvements has been completed to the satisfaction of the County Engineer.
- (j) Fire suppression water supply. As needed for structural fire suppression rural water supplies shall be provided in all subdivisions that are not served by central water. These onsite water supply facilities shall be readily accessible by fire-fighting apparatus and meet the applicable standards for location, construction, installation, access, and fire department connections contained in NFPA 1, Uniform Fire Code, NFPA 1142, Standard for Water Supplies for Suburban and Rural Fire Fighting, and NFPA 22, Standard for Water Tanks for Private Fire Protection. Onsite water supplies shall be maintained by a responsible entity such as a home owners association or the development project owner/developer consistent with the requirements of NFPA 25, Standards for the Inspection, Testing, and Maintenance of Water-based Fire Protection Systems. Should the onsite water supply become unsuitable as to water quality or quantity as determined by Alachua County Fire Rescue or otherwise unserviceable for any reason the responsible entity shall repair or replace the onsite water supply in a timely manner.

Sec. 407.75. Family homestead subdivisions.

The DRC may approve a subdivision of up to six (6) lots including the residual in the rural/agriculture area, as defined by the Future Land Use Element of the Comprehensive Plan, for lots created for family members in accordance with Article XXIII of Chapter 402 or for lots being created for family members in which the density provisions of the land use designation are being met. For lots where the density provisions are being met, the standards of Article XXIII, Subsections 402.142(a) and (b) and Section 402.143 shall apply. Such subdivisions may be located on ~~a paved or an~~ unpaved road in the rural/agriculture area upon the following conditions:

- (a) Such subdivision shall not require platting, but shall be documented by the recording in the public record of a registered survey with the following information:
 - (1) Legal description of each lot with the name and relationship of each family member for whom the FHE certificate was issued or each family member that will be living on each lot.
 - (2) A declaration that the roadway is a private road which is neither dedicated to nor accepted by the County and that the maintenance of the road is not the responsibility of the County, regardless of use by public service vehicles, and that the applicant shall maintain the road in a manner to make it accessible for service delivery as determined by the Fire Rescue and Public Works Departments.
 - (3) Location of any natural or historic resources present on the site.
 - (4) A notation in the title block that the subdivision is a family homestead subdivision.
 - (5) A notation that the family homestead lots shall not be further split or subdivided.
 - (6) A notation that each family homestead exception lot is not transferable for a period of five (5) years from the date a certificate of occupancy is issued for the residence, except to another individual meeting the definition of an immediate family member as provided in Subsection 402.142(b)(3) of Chapter 402 of this ULDC.
- (b) No further division of the lots shall be allowed under the provisions of this Section. Any further division would require full compliance with the provisions of this Article and all other provisions of this ULDC.
- (c) A private easement road internal to the subdivision may be utilized where such internal subdivision road must provide a direct connection to a paved or unpaved County maintained public road with sufficient a minimum of 40 feet of right-of-way to meet County standards, and ~~The internal road shall be~~ subject to the following standards:
 - (1) Those lots fronting on an existing public road shall be restricted to access to the internal road.
 - (2) The internal subdivision roads must meet the following standards for minimum width, stabilization requirements, and maintenance:
 - a. Sufficient stability of road surface for service delivery as determined by the Public Works Department.
 - b. Minimum 20 18 foot horizontal and 14-foot vertical clearance unless a waiver is approved consistent with the Florida fire prevention code Chapter 18.
 - (3) In cases where the minimum right of way of the County maintained public road is less than 40 feet, the applicant for a family homestead subdivision may be required to dedicate an amount of right-of-way that is roughly proportional to the impact of the development along the frontage of the property.
- (d) ~~A private easement road internal to the subdivision may connect to an paved or unpaved, public road.~~ The applicant for a family homestead subdivision may be required to dedicate an amount of right-of-way that is roughly proportional to the impact of the development along the frontage of the property.
- (e) Family homestead subdivisions shall not be subject to the requirements of Article IV, Landscaping, of Chapter 407.

- (f) Family homestead subdivisions shall be exempted from the requirements for stormwater management systems in Article IX, Stormwater Management, of Chapter 407, in accordance with Subsection 407.89(b), where clearing and drainage does not adversely impact adjacent properties by diverting runoff.
- (g) The registered survey shall be recorded within one (1) year of the DRC approval of the subdivision. The family homestead subdivision shall expire without further action by the DRC if the survey is not recorded within this timeframe.

Sec. 407.76. Subdivisions with no more than nine lots in the rural agricultural area.

Subdivisions, including clustered rural residential subdivisions meeting the requirements of Section 407.77 and 407.78 of this Article, with no more than nine lots in the rural/agricultural area as defined by the future land use element of the comprehensive plan may be approved provided they meet the following conditions:

- (a) Such subdivisions shall be platted and approved by the BOCC.
- (b) A parent parcel, existing as of October 2, 1991, shall not be divided into more than nine lots, including the residual, without having internal paved roads throughout the subdivision. Only one such subdivision shall be allowed per parent parcel.
- (c) An internal road shall be provided for the lots in the subdivision to access a paved or unpaved public roadway, except as provided in Subsection (d) below. The internal road shall be subject to the following standards:
 - (1) Where an internal private easement road is proposed, it must meet the requirements of Subsection 407.141(b).
 - (2) The private easement road must provide a direct connection to a paved or unpaved County maintained public road with sufficient a minimum of 40 feet of right-of-way to meet County standards. The internal private road may be paved or unpaved, but must meet the minimum requirements in Subsection (g) below.
 - (3) Lots fronting the internal private easement road shall not have direct access to public roadways.
 - (4) In cases where the minimum right of way of the County maintained public road is less than 40 feet, the applicant for a subdivision with no more than nine lots may be required to dedicate an amount of right-of-way that is roughly proportional to the impact of the development along the frontage of the property.
- (d) Two direct access connections to public road, including internal roads and individual or shared driveways, in accordance with Subsection (c) may be allowed subject to the standards of Article XIII of this Chapter and individual or shared driveways that provide direct access from any lots to a public roadway may be allowed subject to the following:
 - (1) Such direct access is required to avoid impacts to conservation resources, tree canopy preservation areas, natural drainage features, agricultural lands, or other landscape features.
 - (2) Subdivisions of three lots or less that have frontage on a public roadway may provide direct connection to the roadway utilizing individual or shared driveways.
 - (3) ~~Total connections to public roadways, including internal roads in accordance with Subsection (c) and individual or shared driveways, shall be limited to two per subdivision and shall meet the standards of Article 13 of this Chapter.~~
- (e) Unpaved roads created prior to May 2, 2005 shall not be required to be paved with the development of the remainder of the parent parcel unless that road is used for access to the newly created lots.
- (f) The applicant shall provide and have recorded in the public records of the County a document, in such form as the BOCC may require, setting forth deed restrictions for the entire property for which the subdivision is approved. Such document shall include, at a minimum, the following:

- (1) No further subdivision of any lot shall be permitted without full compliance with all County regulations.
- (2) A declaration that the deed restrictions shall be binding on all parties, their heirs, personal representatives, successors, grantees and assigns and shall run with the land.
- (3) If an internal private easement road is proposed:
 - a. The road shall be set aside for common ownership and maintenance.
 - b. The maintenance and financial responsibility for the road shall be borne by the owners in the subdivision.
 - c. The roadway shall be accessible to and subject to all emergency, public service, utility and refuse vehicles and all other similar vehicles deemed necessary to pass and repass over such roadway and use the same to protect the safety and welfare of all residents served by the roadway and such right to use the roadway shall not be subject to revocation.
 - d. A declaration that the roadway is a private road which is neither dedicated to nor accepted by the County and that the maintenance of the road is not the responsibility of the County, regardless of use by public service vehicles.
- (g) A development plan consistent with Subsection 407.141(b) is required, including:
 - (1) Centerline survey of the easement road with curve data.
 - (2) A typical cross-section.
 - (3) Plan and profile cross-sections of the roadway, prepared by a professional engineer, registered in the State of Florida, for the roadway and drainage improvements.
 - (4) A stormwater management plan with accompanying calculations and supporting soils and topographical data. If the internal easement road is paved, stormwater requirements in Article IX 9 shall apply.
 - (5) Any entrance culvert, where appropriate, shall be reinforced concrete pipe with mitered ends.
 - (6) Any turnout shall have a minimum radius of 30 feet and be paved within the public right-of-way, if the public roadway is paved.

Sec. 407.78. Clustered rural residential subdivision design process for developed area.

In addition to the design process described in Section 407.74 and 407.77, the following steps shall be taken in the design of a clustered rural residential subdivision.

- (h) Density incentives for clustered rural residential subdivisions. Maximum density as provided in Table 407.78.1 above may be increased in accordance with Table 407.78.2 for a parent parcel~~tract~~ established prior to October 2, 1991.

ARTICLE XIII ACCESS MANAGEMENT AND STREET NETWORK STANDARDS

Sec. 407.141. Minimum design and construction standards for streets and drainage systems.

The purpose of this Section is to identify street design and construction standards required as a condition of final subdivision approval.

- (a) *Determination of street types.* Street types shall be determined on the basis of the number of vehicle trips per day generated by each type of land use contemplated for the development and on the Alachua County Corridor Design Manual. The number of vehicle trips generated shall be calculated based on the most recent Edition Trip Generation Manual published by the Institute of Transportation Engineers. A trip generation and distribution analysis shall be performed by a transportation professional in accordance with generally accepted engineering practices and

shall require approval by the County Engineer. The average daily traffic volumes shall be shown at each approach of every street intersection within the development.

- (1) The lane width of the proposed streets shall be based upon the projected average daily trips and the standards outlined in Table 407.141.1 and the Florida Greenbook.
 - (2) All streets, whether public or private shall be designed and constructed in accordance with the State of Florida Manual of Uniform Minimum Standards For Design, Construction and Maintenance For Streets and Highways, the "Construction and Inspection Standards of the Public Works Department", the Alachua County Corridor Design Manual and these regulations. Typical street section drawings may be obtained from the County Engineer.
- (b) *Excluded facilities.* Access ways, alleys and driveways leading to on-site parking in common areas or to individual lots and private easement roads in rural residential subdivisions with no more than nine (9) lots may be excluded from the definition of a street, provided that the following occur:
- (1) Estimated average daily traffic does not exceed four hundred (400) trips at full development for multiple-family or one hundred twenty-five (125) trips for single-family detached lots.
 - (2) Appropriate provisions are made for the private maintenance of these areas.
 - (3) These areas serve only those lots adjacent to the common areas or easements.
 - (4) The maximum distance from the public street road to the most distant lot or parking space in the common area or easement as measured along the centerline of the access way or driveway is no greater than one thousand (1,000) feet.
 - (5) For private roads in rural residential subdivisions with no more than nine (9) lots, if the maximum distance from the public road to the most distant parking space in the common area or easement as measured along the centerline of an access way or driveway is greater than one thousand (1,000) feet, the Board will take action on a Preliminary Development Plan in compliance with Article X Development Plan Review. In addition to the requirements in Article X and Section 407.76 the Board may apply the conditions below, as applicable:
 - a. Deed restriction(s) that no further subdivision or clustering of any lot(s) shall be permitted.
 - b. Not further than five (5) road miles from a fire hydrant/station to the most distant lot or if beyond that distance provide a note on the plat stating: "DUE TO THE RURAL LOCATION OF THIS PARCEL AND DEPENDING ON THE STATE OF MAINTENANCE OF ACCESS WAYS, EMERGENCY RESPONSE TIMES MAY BE ADVERSELY AFFECTED, FIRE HYDRANTS ARE NOT AVAILABLE FOR FIRE SUPPRESSION".
 - c. Hard-surfaced material for access way or driveway longer than one thousand (1,000) feet to mitigate deterioration.
 - (6) Such access ways, alleys, driveways and associated parking areas shall meet the existing off-street parking requirements of Alachua County, as well as criteria established in this Article. The minimum width of pavement for this access shall be ten (10) feet for ADT less than two hundred (200) and sixteen (16) feet for ADT greater than two hundred (200).
 - (7) ~~For private~~ internal easement roads, either paved or unpaved, in rural residential subdivisions with no more than nine (9) lots, ~~the road shall have a traveled width of eighteen (18) a minimum LBR of thirty-five (35), two-foot stabilized shoulders and a minimum depth of six (6) inches for the stabilized area. The internal road must have a~~ minimum 20-foot horizontal and 14-foot vertical clearance unless a waiver is approved consistent with the Florida fire prevention code Chapter 18. Private internal roads shall be in an easement or common area not less than forty (40) feet in width. Drainage for private internal roads shall be designed to meet the requirements of this ULDC.
- (c) *Minimum street design specifications.*

- (1) All streets shall be designed in accordance with the following minimum specifications, as depicted in Table 407.141.1. The Corridor Design manual provides graphical representations of street sections for illustrative purposes only, and in the event of conflict with the text contained in this ULDC, the text shall prevail. The numerous graphics included herein are intended to give clear direction as to the intent of the street cross-section requirements. The graphic images are intended to supplement and clarify the written text. In the event a graphic image conflicts with written text, the written text shall prevail.
- (2) The street design specifications are typical, and thus may be modified to accommodate special circumstances. Such modifications shall be reviewed and subject to approval by the County Engineer.
- (3) Alternative street designs may be approved by the County Engineer where the design is found to be consistent with the intent of the zoning district and is found to further the design standards included herein.

CHAPTER 408 NONCONFORMITIES

ARTICLE IV NONCONFORMING LEGAL LOTS OF RECORD

Sec. 408.16. Nonconforming legal lots of record.

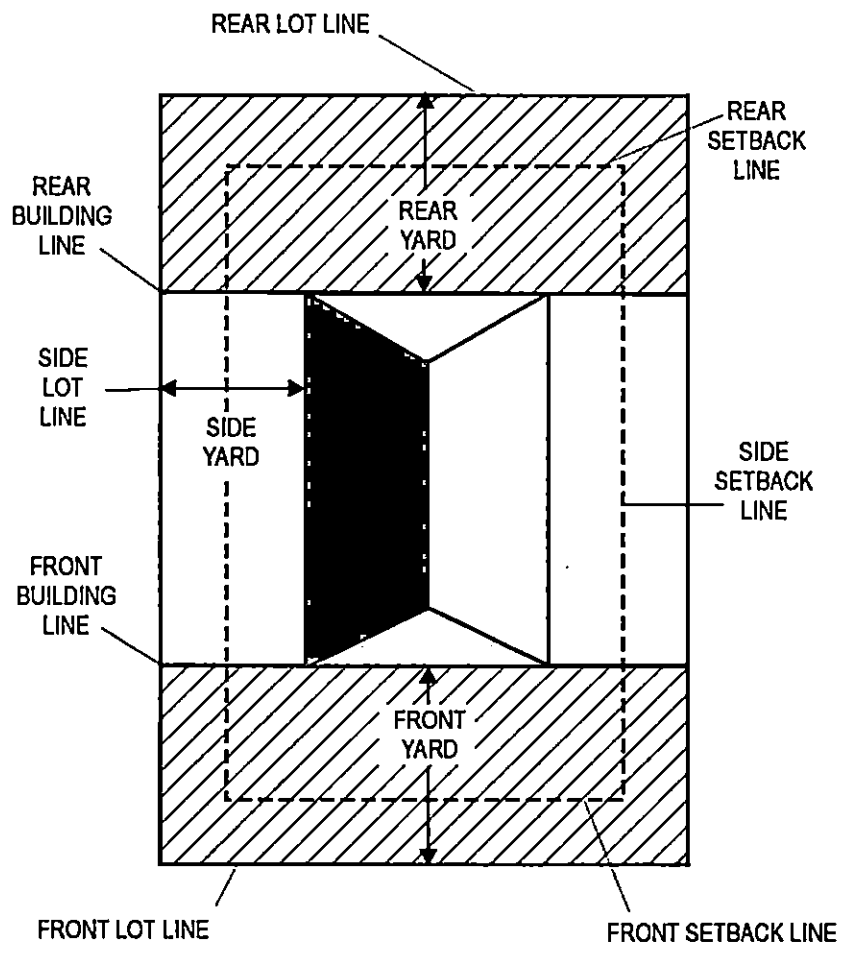
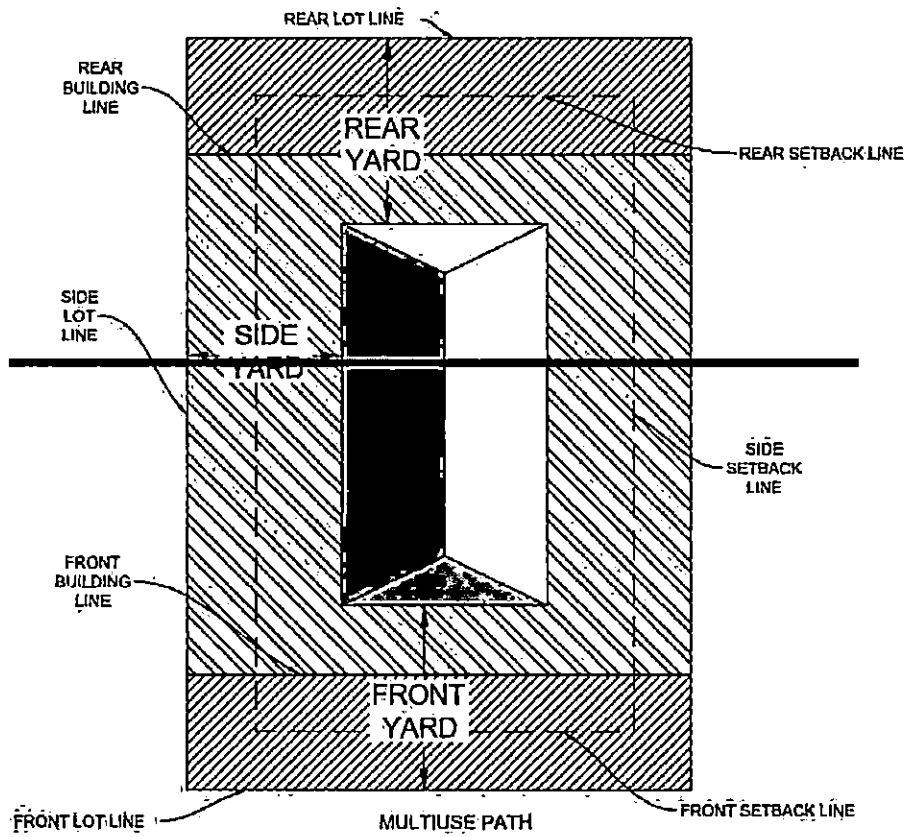
- (a) *Merger.* Where two (2) or more contiguous lots are under the same ownership as of October 2, 1991, the adoption date of the 1991 Comprehensive Plan, and one or more of those lots is nonconforming, such lot or lots shall be combined to form one or more building sites meeting the lot requirements of the zoning district or the Comprehensive Plan land use designation in which they are located as best possible, except in cases where such nonconforming legal lots of record are determined to be vested under the provisions of Chapter 402, Article XXVII, Vested Rights, of this ULDC. Legal lots of record created from a parent parcel tract as a lot split in accordance with Subsection 407.73(f) and prior to October 2, 1991, shall be exempt from this merger provision provided that the lot or lots are located in the rural/agriculture land use designation and were not part of a recorded plat.
- (b) *Dwellings on nonconforming legal lots of record.* A building permit may be issued for a single-family dwelling or a manufactured home on any legally created nonconforming lot of record provided that such use is permitted, and that the requirements of the zoning district in which the lot is located are met.
- (c) *Exception for legally created nonconforming agricultural lots.* An administrative exception to the current standards of the zoning districts found in these regulations may be granted by the zoning administrator for dwellings (including manufactured homes and mobile homes meeting inspection and certification requirements found in Chapter 404) and any associated accessory buildings on agricultural zoned lots that became legally nonconforming on September 28, 1992, the date of the previously amended land development code, or residential lots administratively rezoned to Agriculture, or Family Homestead Exceptions, subject to the following standards unless platted, and then a re-plat may be required:

CHAPTER 410 DEFINITIONS

ARTICLE III DEFINED TERMS

Building area: That area within and bounded by the building setback lines. ~~established by required yards and setbacks, or that area illustrated on an approved plat.~~

Building line: A line formed by the face of a building that is used to establish a yard for a building or structure. Building lines may be defined as front, rear, interior side, or street side.



Setback: The required minimum distance between the lot line and the exterior vertical wall of a building or structure. ~~Unless otherwise provided for within the ULDC, setbacks shall be measured from the property line to the exterior vertical wall of a building or structure as opposed to the foundation.~~

Lot of record:

- (a) A lot that is part of a documented subdivision, the map of which has been recorded in the office of the Clerk of the Circuit Court;*
- (b) A lot ~~or~~ parcel of land described by metes and bounds, the description of which has been recorded in the office of the Clerk of the Circuit Court, consistent with and in compliance with land development regulations in effect at the time of said recording;*
- (c) A lot created by a separate legal description where a building permit has been issued for residential purposes; or*
- (d) Lots created by either the County Commission or Board of Adjustment of Alachua County.*

Parent ~~parcel/tract~~: A lot of record that existed on October 2, 1991, the date of the Alachua County Comprehensive Plan adoption, or a parcel of land fronting on a public road and divided by an easement road approved by variance to Road Ordinance 18 prior to May 7, 1992.

Parking space: An area specifically and permanently designated for the off-street parking or storage of vehicles that complies with the minimum parking design standards.

Yard, front: The yard extending across the full width of the lot, extending from the front lot line to the front building line ~~as established by the zoning district designation.~~

Yard, rear: The yard extending across the full width of the lot, extending between the rear lot line and the rear building line ~~as established by the zoning district designation.~~

Yard, side: The yard extending between a side lot line and the side building line ~~as established by the zoning district designation.~~