

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 2025- 08

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING THE ALACHUA COUNTY COMPREHENSIVE PLAN 2019-2040 BY AMENDING THE FUTURE LAND USE ELEMENT TO ESTABLISH AFFORDABLE HOUSING INCENTIVES FOR TRANSIT ORIENTED DEVELOPMENTS AND TRADITIONAL NEIGHBORHOOD DEVELOPMENTS, AND AFFORDABLE HOUSING REQUIREMENTS ASSOCIATED WITH CERTAIN TYPES OF LAND USE ACTIONS; AMENDING THE HOUSING ELEMENT TO REVISE POLICIES RELATING TO POTENTIAL INCENTIVES AVAILABLE FOR AFFORDABLE HOUSING, TO REVISE THE DEFINITION OF AFFORDABLE HOUSING AND TO ADD A DEFINITION OF INCLUSIONARY HOUSING; PROVIDING FOR THE ORDINANCE TO BE LIBERALLY CONSTRUED; PROVIDING FOR MODIFICATION; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Community Planning Act (Section 163.3161, et. seq., Florida Statutes) requires that each local government prepare and adopt a comprehensive plan; and

WHEREAS, Section 163.3184(11)(a), Florida Statutes, requires that any amendment to the Comprehensive Plan or any element or portion thereof be made by ordinance; and,

WHEREAS, the Board of County Commissioners of Alachua County, Florida ("the County"), wishes to make a text amendment (Application No. Z24-000011) to the Alachua County Comprehensive Plan, 2019-2040 as provided herein; and,

WHEREAS, a duly advertised public hearing on the proposed comprehensive plan amendment was conducted on November 20, 2024 by the Alachua County Planning Commission, acting as the Local Planning Agency (LPA), and the LPA provided its recommendation to the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners considered the recommendations of the LPA at a duly advertised public hearing held on January 14, 2025, and voted to transmit the proposed comprehensive plan amendment for expedited state review pursuant Section 163.3184(3), Florida Statutes; and,

WHEREAS, pursuant to Section 163.3184(3)(b)1, the proposed comprehensive plan amendment was transmitted to the State Land Planning Agency (Florida Department of Commerce) and other agencies for expedited state review and comment on January 23, 2025 ; and,

WHEREAS, the Florida Department of Commerce, Florida Department of Transportation, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, and St. Johns River Water Management District provided correspondence to the County indicating that those agencies had no comment on the proposed amendment; and,

WHEREAS, pursuant to Section 163.3184(3)(b)(c), the County is required to hold a public hearing within 180 days after receipt of agency comments to consider whether to adopt a proposed comprehensive plan amendment; and,

WHEREAS, the Board of County Commissioners finds comprehensive plan amendment Z24-000011 to be in compliance with Chapter 163, Part II of the Florida Statutes; and,

WHEREAS, the Board of County Commissioners held a duly advertised public hearing on May 27, 2025, provided for and received public participation, and voted to adopt the comprehensive plan amendment, as embodied in Section 1 below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY:

SECTION 1. That the Alachua County Comprehensive Plan: 2019-2040 is hereby amended as shown in Exhibit "A" and incorporated herein as a part thereof.

SECTION 2. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of Alachua County, Florida.

SECTION 3. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

SECTION 4. Severability. It is the declared intent of the Board of County Commissioners that, if any section, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance and the remainder of this ordinance after the exclusion of such part or parts shall be deemed to be valid.

SECTION 5. Effective Date. This plan amendment shall become effective 31 days after the state land planning agency notifies the County that the plan amendment package is complete pursuant to Section 163.3184(3)(c)4, Florida Statutes. If the amendment is timely challenged pursuant to Section 163.3184(5), Florida Statutes, then it will become effective upon the state land planning agency or the Administration Commission entering a final order determining the adopted amendment to be in compliance.

SECTION 6. 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.

Duly adopted in regular session, this 27th day of May, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA

By:   
Charles S. Chestnut, IV, Chair  
Board of County Commissioners

ATTEST:

  
Jesse K. Irby, II, Clerk

(SEAL)

DEPARTMENT APPROVAL  
AS TO CORRECTNESS:

  
Director of Growth Management  
or Designee

APPROVED AS TO FORM:

  
Alachua County Attorney

## EXHIBIT A

### Z24-000011: Text Amendment to Alachua County Comprehensive Plan

Underlined text is proposed to be added  
Regular text is currently adopted language

~~Struck through~~ text is proposed for deletion

## FUTURE LAND USE ELEMENT

### Policy 1.3.10.4

Densities higher than 24.00 DU/Acre may be considered in activity centers, ~~and~~ within developments that meet the standards for Traditional Neighborhood Development as provided in Objective 1.6 and subsequent policies, Transit Oriented Development as provided in Objective 1.7 and subsequent policies, and within residential or mixed-use developments that qualify for a density bonus by providing affordable housing as detailed in the Land Development Regulations. ~~A comprehensive plan amendment will be required to establish additional policies to ensure compatibility with surrounding land uses and identify areas appropriate for these higher densities.~~

### OBJECTIVE 1.6 – TRADITIONAL NEIGHBORHOOD DEVELOPMENTS

To provide for interconnected, mixed-use development through specific site and design standards that create pedestrian and bicycle friendly communities, reduce per capita greenhouse gas emissions and vehicular trips on external roadways and provide development patterns that are transit supportive.

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Policy 1.6.9 Affordable Housing Incentives within Traditional Neighborhood Developments: Affordable housing shall be encouraged and incentivized within Traditional Neighborhood Developments through the following strategies.

#### (a) Substitution of Non-Residential Floor Area with Affordable Residential Units

The minimum required amount of non-residential floor area within the TND may be substituted with affordable residential units in accordance with the following:

- (1) The Land Development Regulations shall include detailed options for substituting non-residential floor area with affordable residential units within TNDs. Options shall include substitution rates that provide greater reduction in the required non-residential floor area per unit by providing greater depth of affordability. Options shall also include substitution rates that allow for and encourage the development of affordable residential units within unbuilt non-residential portions or phases of existing TNDs that are otherwise substantially built out.

- (2) The total non-residential floor area within a TND shall not be reduced to an amount less than 10,000 square feet as a result of any substitution under this subsection.
- (3) As a density bonus, affordable residential units proposed under this subsection shall not be counted toward the maximum allowable residential density within the development and they shall not be included in the calculation of the required non-residential floor area for the TND.

(b) Density Bonus for Provision of Affordable Residential Units

A density bonus of up to 4 dwelling units per acre is allowable within a TND provided that a minimum of 20% of the additional units realized through this bonus are designated as affordable. Such bonus units shall not be included in the calculation of the required non-residential floor area for the TND.

(c) Affordability Standards

For purposes of this policy, affordable residential units are residential units that are designated as affordable to households with income at or below 80% of the area median income (AMI) for households within the Metropolitan Statistical Area, adjusted for family size. Such units must remain affordable for a period of 30 years.

(d) General Standards for Affordable Residential Units

Affordable residential units proposed under this policy must be provided on-site and should generally not be concentrated in one portion of the development. They must be comparable to market rate units within the development in terms of overall quality of construction, quality of exterior appearance, and energy efficiency, and must have the same access to all on-site amenities available to market rate units.

(e) Affordability requirements will be guaranteed by an agreement between the developer and the County as part of the development review process, as detailed in the Land Development Regulations.

## **Objective 1.7 - TRANSIT ORIENTED DEVELOPMENT**

To provide for compact, mixed-use, pedestrian and bicycle friendly communities designed with the densities and intensities needed to support transit service, reduced per capita greenhouse gas emissions and enable an individual to live, work, play and shop in a community without the need to rely on a motor vehicle for mobility.

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**Policy 1.7.11 Affordable Housing Incentives within Transit Oriented Developments:** Affordable housing shall be encouraged and incentivized within Transit Oriented Developments through the following strategies.

(a) Substitution of Non-Residential Floor Area with Affordable Residential Units

The minimum required amount of non-residential floor area within the TOD may be substituted with affordable residential units in accordance with the following:

(1) The Land Development Regulations shall include detailed options for substituting non-residential floor area with affordable residential units within TODs. Options shall include substitution rates that provide greater reduction in the required non-residential floor area per unit by providing greater depth of affordability. Options shall also include substitution rates that allow for and encourage the development of affordable residential units within unbuilt non-residential portions or phases of existing TODs that are otherwise substantially built out.

a) The total non-residential floor area within a TOD shall not be reduced to an amount less than 10,000 square feet plus 50 square feet per total residential unit as a result of any substitution under this subsection.

b) As a density bonus, the affordable residential units proposed under this policy shall not be counted toward the maximum allowable residential density within the development and they shall not be included in the calculation of the required non-residential floor area for the TOD.

(b) Density Bonus for Provision of Affordable Residential Units

A density bonus of up to 4 dwelling units per acre is allowable within a TOD provided that a minimum of 20% of the additional units realized through this bonus are designated as affordable. Such bonus units shall not be included in the calculation of the required non-residential floor area for the TOD.

(c) Affordability Standards

For purposes of this policy, affordable residential units are residential units that are designated as affordable to households with income at or below 80% of the area median income (AMI) for households within the Metropolitan Statistical Area, adjusted for family size. Such units must remain affordable for a period of 30 years.

**(d) General Standards for Affordable Residential Units**

Affordable residential units proposed under this policy must be provided on-site and should generally not be concentrated in one portion of the development. They must be comparable to market rate units within the development in terms of overall quality of construction, quality of exterior appearance, and energy efficiency, and must have the same access to all on-site amenities available to market rate units.

**(e) Affordability requirements will be guaranteed by an agreement between the developer and the County as part of the development review process, as detailed in the Land Development Regulations.**

**Policy 7.1.3** As part of the periodic update of the Comprehensive Plan and any proposed amendments to the Urban Cluster, determine a sufficient and non-excessive amount of land within the Urban Cluster to accommodate urban uses for a ten year and twenty year time frame.

**(a) The determination (methodology is shown in Appendix A) shall be based on a comparison of:**

- 1) a forecast need for land for urban residential and non-residential development based on projected population, average household size, a residential vacancy rate, and a market factor. The market factor for the ten year time frame shall be 2.0. The market factor for the 20 year time frame shall be 1.5
- 2) land available in the Urban Cluster for urban residential and non-residential uses. Mapping of environmentally sensitive areas shall be utilized as a factor for determining land availability

**(b) If the comparison shows that the land available is less than the forecast need for land, the following measures shall be considered:**

- 1) revisions to density standards and land development regulations, or other measures, to accommodate greater population within the existing Urban Cluster
- 2) coordination with municipalities regarding possible reallocation of forecast need to the incorporated areas
- 3) phased expansion of the Urban Cluster

**(c) If the forecast need for one type of land use exceeds the supply of land for that particular use, a revision to the allocation of land uses within the Urban Cluster shall be considered before the Urban Cluster is expanded.**



- (d) If this methodology determines expansion of the Urban Cluster is warranted, the evaluation of appropriate location shall be subject to analysis including the following economic, infrastructure, transportation, and conservation and recreation criteria:
- 1) rural character and viable agriculture land and the potential impact of expansion of the Urban Cluster on existing agricultural uses
  - 2) economic development considerations including affordable housing
  - 3) relationship to existing and planned future urban services and infrastructure
  - 4) access to the regional transportation network and multi-modal transportation systems
  - 5) Conservation and Preservation land uses
  - 6) planned recreation/open space or greenway systems
- (e) In addition to meeting the requirements identified above, any proposed amendment to expand the Urban Cluster must either:
- 1) ~~include~~ a commitment to purchase development rights at a rate equivalent to or greater than the proposed increase in density or intensity through the Transfer of Development Rights program in accordance with Section 9.0 of this Element, or
  - 2) Include a commitment to provide affordable housing units in accordance with the following:
    - a. A minimum of 25% of the additional residential units authorized through the Urban Cluster expansion shall be designated as affordable residential units. The additional number of residential units shall be calculated as the difference between the maximum density of the existing Future Land Use category multiplied by the acreage subject to the change and the number of residential units approved as part of a subsequent preliminary development plan for the property under the newly approved future land use category. As a density bonus, affordable residential units provided pursuant to this policy shall not be counted toward the maximum allowable residential density for the development under the Future Land Use category or Zoning of the property.
    - b. For purposes of this subsection, affordable residential units are residential units that are designated as affordable to households with income at or below 80% of the area median income (AMI) for households within the Metropolitan Statistical Area, adjusted for family size. Such units must remain affordable for a period of 30 years.
    - c. Affordable residential units proposed under this policy must be provided on-site, integrated with the market rate units, and evenly dispersed throughout any development. They must be comparable to market rate units in terms of overall

quality of construction, quality of exterior appearance, and energy efficiency, and must have the same access to any on-site amenities available to market rate units.

- d. Affordability requirements will be guaranteed by an agreement between the property owner and the County. Such agreement will be considered for approval by the County Commission concurrent with the final adoption hearing for the application to expand the Urban Cluster.
- e. Prior to issuance of a Construction Permit for residential use on such property, the applicant must enter into a Land Use Restriction Agreement (LURA) or similar legal instrument in a form established by the County for compliance monitoring of affordability requirements.

**Policy 7.1.4.** Any application by a property owner for a future land use map change that would allow for an increase in the potential number of residential units on a property must, if approved, include a commitment to provide affordable residential units in accordance with the following:

- a) A minimum of 10% of the additional residential units resulting from the approval of such future land use map change shall be designated as affordable residential units. The additional number of residential units shall be calculated as the difference between the maximum density of the existing Future Land Use category multiplied by the acreage subject to the change and the number of residential units approved as part of a subsequent preliminary development plan for the property under the newly approved future land use category. As a density bonus, affordable residential units provided pursuant to this policy shall not be counted toward the maximum allowable residential density for the development under the Future Land Use category or Zoning of the property.
- b) For purposes of this policy, affordable residential units are residential units that are designated as affordable to households with income at or below 80% of the area median income (AMI) for households within the Metropolitan Statistical Area, adjusted for family size. Such units must remain affordable for a period of 30 years.
- c) Affordable residential units proposed under this policy must be provided on-site, integrated with the market rate units, and evenly dispersed throughout any development. They must be comparable to market rate units in terms of overall quality of construction, quality of exterior appearance, and energy efficiency, and must have the same access to any on-site amenities available to market rate units.
- d) Affordability requirements will be guaranteed by an agreement between the property owner and the County. Such agreement will be considered for approval by the County Commission concurrent with the final adoption hearing for the application.
- e) Prior to issuance of a Construction Permit for residential use on such property, the applicant must enter into a Land Use Restriction Agreement (LURA) or similar legal

instrument in a form established by the County for compliance monitoring of affordability requirements.

*Existing Policy # 7.1.4 and subsequent policies to be renumbered when codified.*

## **HOUSING ELEMENT**

**Policy 1.1.5** Alachua County will consider inclusionary housing requirements and incentives to promote the development and geographic dispersion of low, very low, and extremely low-income housing within the Urban Cluster.

*Existing Policy # 1.1.5 and subsequent policies to be renumbered when codified.*

**Policy 1.2.2** Alachua County shall provide incentives in the land development regulations and other County ordinances for the development and redevelopment of affordable housing. These incentives may include but are not limited to:

- (a) fee relief, including but not limited to, impact fee and mobility fee assistance;
- (b) provisions for expedited development review, approval, and permitting processes;
- (c) ~~special provisions for reservation of infrastructure capacity for concurrency;~~
- (d) density bonuses;
- (e) provisions for reduced lot sizes and modification of setback requirements; and
- (f) grants and other financial incentives.

**Policy 1.2.8** Establish regulatory incentives for the development and redevelopment of new housing units that are affordable to low, very low and extremely low-income households. ~~The Incentives for new affordable units are to be located within proximity to~~ should take into account locational factors such as proximity to major employment centers, ~~high performing~~ public schools, and public transit.

**Policy 1.2.10** Alachua County will promote the development of affordable housing through implementation of the Live Local Act as provided in Sections 125.01055 (6) and (7), Florida Statutes. The Land Development Regulations shall specify the standards and procedures for approval of multifamily residential and mixed-use developments that meet the minimum affordability requirements of the statute and shall provide for density bonuses for those developments that exceed the minimum affordability requirements.

**Policy 2.4.6** ~~Amend~~ The land development regulations to allow shall provide for adaptive reuse to facilitate the repurposing of existing vacant structures for affordable housing for low, very low and extremely low-income households.

## HOUSING ELEMENT DEFINITIONS

**Affordable Housing:** Affordable means that monthly rent or monthly mortgage payments including utilities, insurance and property taxes generally do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross income for households qualifying under the definitions for low-income, moderate-income, extremely low-income, and very low-income. This does not preclude participation in federal or state programs that allow for a higher percentage of income to be devoted to rent or mortgage payments, or that use different definitions of affordability that are specific to those programs.

**Inclusionary Housing:** Inclusionary Housing (also referred to as “Inclusionary Zoning”) refers to a public policy that requires or incentivizes developers to designate a certain percentage of housing units within new development or redevelopment as affordable to households of specified income levels. Inclusionary Housing policies typically identify a percentage of the total housing units within a development that are required or incentivized to be affordable, target income levels for affordability, and a number of years that those units must remain affordable. Inclusionary Housing is intended to promote the geographic dispersion of affordable housing units throughout the community and encourage a mix of affordable and market rate housing within new development or redevelopment.