

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**ORDINANCE 18-10**  
(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 403, SINGLE FAMILY RESIDENTIAL STANDARDS, CHAPTER 406 NATURAL AND HISTORIC RESOURCES, AND CHAPTER 407 GENERAL DEVELOPMENT STANDARDS RELATED TO COTTAGE NEIGHBORHOODS; 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 2001-2020 Comprehensive Plan, which became effective on May 2, 2005; 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,

1 WHEREAS, a duly noticed public hearing was conducted on such proposed amendments  
2 on March 13, 2018 by the Board of County Commissioners, with the hearing being held after  
3 5:00 o'clock p.m.;

4 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
5 ALACHUA COUNTY, FLORIDA:

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

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

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

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17 are, to the extent of the conflict, hereby repealed.

18 Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of  
19 County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time  
20 as the Development Regulations of Alachua County are codified, the provisions of this ordinance  
21 shall become and be made part of the Unified Land Development Code of Alachua County,  
22 Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such  
23 intention, and the word "ordinance" may be changed to "section," "article," or other appropriate  
24 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.

1 DULY ADOPTED in regular session, this 13<sup>th</sup> day of March, A.D., 2018.

2 BOARD OF COUNTY COMMISSIONERS OF  
3 ALACHUA COUNTY, FLORIDA  
4

5 ATTEST:

6 By: \_\_\_\_\_  
7 Lee Pinkoson, Chair  
8

9 \_\_\_\_\_  
10 J. K. Irby, Clerk  
11

12 APPROVED AS TO FORM  
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14 \_\_\_\_\_  
15 Sylvia Torres, Interim County Attorney  
16

17 (SEAL)  
18

19 APPROVED AS TO CONTENT  
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21 \_\_\_\_\_  
22 Steven Lachnicht, Director  
23 Growth Management

# Chapter 403 Zoning Districts

## Article 3. Residential Zoning Districts

### 403.07 Single Family Residential Standards

Within all single family residential zoning districts, unless otherwise provided in this ULDC, the principal building and accessory buildings shall be located and constructed in accordance with Table 403.07.1, Setback Requirements for Residential Lots, and the following standards shall apply.

...

#### (c) Abutting lots

Where new development abuts existing residential development the following shall apply.

...

#### New development in the RE-1 zoning district

For proposed development that abuts a portion of an existing development of lots in excess of 20,000 square feet, the minimum size for abutting lots shall be 20,000 square feet with a minimum lot width of 110 feet, except for Cottage Neighborhoods meeting the requirements of Chapter 407, Article 16.

#### 3. New development in the R-1aa, R-1a, R-1c or R-1b zoning districts

For proposed development that abuts a portion of an existing development of lots in excess of 10,000 square feet, the minimum size for abutting lots shall be 10,000 square feet with a minimum lot width of 80 feet, except for Cottage Neighborhoods meeting the requirements of Chapter 407, Article 16.

#### (d) 4. Buffer

In lieu of providing the minimum lot size or width for the abutting lots as stated above in ~~(b)(c)~~, a minimum of a 50 foot wide medium density landscaped buffer, as provided in §407.43(b) may be approved by the DRC.

#### 5. Cottage Neighborhoods meeting the requirements of Chapter 407, Article 16 shall have a 15 foot wide low density buffer meeting the requirements of §407.43(b) when adjacent to existing platted subdivisions or lots in excess of 6,000 square feet with an existing single family home.

## Chapter 406 Natural and Historic Resource Protections

### Article 2. Trees and Native Vegetation

#### 406.12 Permitting

A tree removal permit is required for the removal of trees and alteration of associated native vegetation as set forth below.

##### (a) Development Applications

All development applications including those for single-family residences on lots greater than two acres shall be subject to the permit conditions for tree removal set forth below.

...

3. Development plans and subdivision plats shall be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property available at the time of the application is retained. Traditional Neighborhood ~~and~~, Transit Oriented Developments and Cottage Neighborhoods shall be designed such that a minimum of 5 percent of the tree canopy shown on the most recent aerials of the property available at the time of application is retained.

## Chapter 407 General Development Standards

### Article 16. Cottage Neighborhoods

#### 407.152 Purpose.

Cottage Neighborhoods are intended to:

- (a) Provide opportunities for creative, diverse and high quality infill development within the Urban Cluster.
- (b) Promote a variety of housing types and sizes available within the community to meet the needs of a population diverse in age, income, and household composition.
- (c) Provide for more efficient use of land.
- (d) Encourage the creation of more usable open space for residents of the development.
- (e) Maximize resident and pedestrian oriented outdoor spaces while minimizing the impact of automobile traffic and parking.

**407.153**      **Applicability**

Cottage Neighborhoods are allowed as a limited use within Urban Residential land use designations subject to the following standards.

**407.154**      **General Requirements**

- (a) **Cottage Homes.** A Cottage Home is a principal residential dwelling constructed within a neighborhood built consistent with the standards in this Article. The homes may be located on individually platted lots or on a common ownership lot that is not platted and may be located within single unit, duplex or triplex buildings.
- (b) **Size of Neighborhood.** Cottage neighborhoods shall be on lots a minimum of one acre in size. A minimum of four (4) homes and a maximum of fifteen (15) homes are allowed around any common green in a Cottage Neighborhood. Cottage Neighborhoods may also be incorporated within larger subdivisions of land developed consistent with Article 8 of this Chapter.
- (c) **Common Buildings.** One community building per neighborhood is allowed. Community buildings may contain, but are not limited to, a club house, a common dining area, kitchen, bathroom, laundry facilities, one sleeping quarters for guests and/or storage. The maximum size of a community building is 2,500 square feet.
- (d) **Density.** Per Policy 1.8.3 of the Future Land Use Element, Cottage Neighborhoods may develop at two times the maximum units per acre of the zoning district designation.
- (e) **Access.** Cottage Neighborhoods must have direct access to a paved, publicly maintained street. Private roads, drives or alleys within the Neighborhood that are connected to a public street and access either the individual homes or common parking lots are allowed consistent with Section 407.141(b) multi-family requirements. All private road, drives or alleys shall have a clear width of 20 feet.
- (f) **Emergency Access.** For neighborhoods with common parking areas, stabilized access shall be provided such that the farthest distance from a structure to the stabilized surface is 150 feet. The stabilized access shall be a minimum of 10 ft. wide and have a clear with of 20 ft.
- (g) **Setbacks.** All zoning district setbacks shall be applicable from the property boundaries and not from internal individual platted lots. Required buffers may be located within the setback.
- (h) **Project Boundary Buffers.** A 15 foot wide low density buffer, consistent with Section 407.43, shall be required along property lines adjacent to existing platted subdivisions or lots in excess of 6,000 square feet with an existing single family residence.

- (i) **Landscaping.** Landscaping shall be consistent with Section 407.43.1 Required Tree Plantings and Landscaping of this Chapter.
- (i) **Open Space.** Open Space shall be provided per Article 5, Open Space, of this Chapter.
- (j) **Stormwater.** Stormwater management provision shall be consistent with Article 9, Stormwater Management of this Chapter.
- (k) **Maintenance of Open Space, Common Areas and Utilities.** The applicant shall ensure that joint use and maintenance of public open space, community facilities, private roads and drives, and all other commonly owned and operated property is guaranteed through a maintenance plan, covenants, deeds and/or homeowners' association by-laws.

#### **407.155      Design**

- (a) **Common Green.** Each Cottage Neighborhood shall have a Common Green. The Common Green may be counted toward the 20% Open Space required consistent with Section 407.54, Secondary Open Spaces, of this Chapter. The Common Green shall be designed to meet the following:
1. The Common Green shall include at least 400 square feet per unit
  2. The Common Green shall be centrally located within the development.
  3. The Common Green may include stormwater management facilities incorporating low impact development designs or facilities that are designed to meet the open space requirements found in Section 407.56 of this Chapter as long as a minimum of 400 square feet per dwelling unit is usable by the residents for active or passive recreation.
  4. Amenities such as community gardens, benches, and pavilions are allowed in the common green
- (b) **Porches.** All homes shall include at least one (1) open air covered porch. The porch shall be oriented toward the common green. Porches shall be a minimum of 70 square feet. The minimum square footage may be reduced to 60 square feet on Cottage Homes less than six hundred (600) total gross square of conditioned space.
- (c) **Parking.** Parking may be provided in a common lot or a common garage. Parking may alternately be co-located with the cottages when accessed by drive aisles. All parking must meet the following standards:
1. A minimum of 1.5 spaces per unit shall be provided.
  - All common parking areas and associated drive aisles adjacent to neighboring residential property must be screened in addition to the required low density buffer.



1        **(d) Pedestrian Access.** A system of interior walkways shall be provided to connect all  
2        homes with each other, the parking areas, the open space and any sidewalks  
3        along the public street(s) bordering the Cottage Neighborhood. Interior  
4        walkways shall meet applicable ADA accessibility requirements.

5        **(e) Fencing.** Fencing within the development is limited to a maximum of 50%  
6        opacity and no greater than four (4) feet in height may be used to delineate  
7        private yards, gardens or other areas. Solid fencing may be allowed along  
8        external borders not bordering streets.