

Alachua County Unified Land Development Code



As Adopted

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Chapter 401 Development Review Bodies

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Article 1 General Provisions

401.01 Purpose

The purpose of this Chapter is to establish the authority for review and consideration of development applications and other proposed actions in Alachua County and to assign such authority to the following:

- (a) the Alachua County Board of County Commissioners;
- (b) the Alachua County Planning Commission;
- (c) the Alachua County Development Review Committee (DRC); and
- (d) the Alachua County Development Review Departments:
 - 1. Department of Growth Management;
 - 2. Environmental Protection Department; and
 - 3. Department of Public Works.

Article 2 Board of County Commissioners

401.02 Powers and Duties

The Board of County Commissioners shall have the powers and duties listed below, in addition to those provided elsewhere in the Alachua County Code.

(a) Appointments

The Board shall appoint members of the Planning Commission and such other commissions, boards or officers as required by this ULDC and consistent with the Rules and Procedures of the Alachua County Board of County Commissioners and the Guidelines for Citizens Advisory Boards and Committees.

(b) Comprehensive Plan Amendments

The Board has the authority to adopt, adopt with changes, or reject proposed amendments to the Comprehensive Plan and any Evaluation and Appraisal Reports prepared to update the Comprehensive Plan.

(c) ULDC Amendments

The Board has the authority to approve, approve with changes or deny amendments to the text of this ULDC.

(d) Land Development Regulation Commission

The Board of County Commissioners shall serve as the Land Development Regulation Commission (LDRC) as provided in Sections 163.3164(22) and 163.3194(2), Florida Statutes.

(e) Consideration of Applications and Other Actions

The Board has authority to approve, approve with conditions or deny the development applications and other proposed actions listed below:

1. amendments to the Official Zoning Map;
2. special exceptions;
3. special use permits;
4. activity center plans;
5. special area studies;
6. special area plans;
7. major or minor Amendments to an approved planned development zoning district;
8. development agreements as provided in Chapter 163.3220, Florida Statutes;
9. developments of regional impact as provided in Chapter 380, Florida Statutes;
10. plats, including final plats, replats, and vacation or abandonment of plats;
11. vacation or abandonment of streets;
12. preliminary development plans that exceed thresholds, as established in §402.44, Development Plan Review, of Chapter 402;
13. all water and sewer line extensions outside the Urban Cluster Line; and
14. Construction Agreements, Plans and Maintenance for public works projects.
15. Final Redevelopment Plans

Article 3 Planning Commission

401.03 Establishment, Composition and Term of Office

(a) Establishment and Composition

The Planning Commission shall be composed of seven voting members to be appointed by the Board of County Commissioners and one voting member to be appointed by the Alachua County School Board. The Board of County Commissioners may appoint an alternate member who shall serve in place of any absent member, except the School Board member, and shall have all rights and responsibilities of the absent member, including the right to vote.

(b) Term of Office

Each member shall serve a term of four years, and terms shall remain staggered by adopting the present terms of the members of the Planning Commission.

401.04 Qualifications of Members

(a) Residence

Members of the Planning Commission shall be residents of the County.

(b) Disclosure

Applicants for appointment to the Planning Commission shall disclose whether or not they are currently elected or appointed to hold office in any public body or agency, including serving on an advisory board.

(c) Ethics

Members of the Planning Commission shall be subject to all applicable provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers.

401.05 Vacancies, Attendance and Removal of Members

(a) Vacancies

Vacancies on the Planning Commission shall be filled by appointment of the Board of County Commissioners.

1. Time of Appointment

An appointment to fill a vacancy shall be made within 60 days after the vacancy occurs.

2. Notification of Vacancy

The Director shall notify the Board of County Commissioners within ten days after any vacancy shall occur on the Planning Commission. If the Director shall fail to provide timely notice of a vacancy, the Chair of the Planning Commission may notify the Board of County Commissioners of the vacancy.

3. Expiration of Term and Continuance in Office

If the term of a member expires prior to the appointment or reappointment of a member by the Board of County Commissioners, that member shall continue to serve until the appointment is made.

(b) Attendance and Removal of Members

1. Attendance Requirements and Removal

Members of the Planning Commission shall meet the minimum attendance requirements specified in the most current version of the Guidelines for Advisory Boards and Committees. These attendance rules do not apply to the School Board member.

2. Removal for Other Cause

The Board of County Commissioners shall remove any member of the Planning Commission who:

- a.** is no longer a resident of Alachua County; or
- b.** is convicted of a felony or of an offense of moral turpitude while in office serving as a Planning Commissioner; or
- c.** is found by the Board of County Commissioners to have knowingly or repeatedly violated provisions of Chapter 112, Part III, Florida Statutes, regarding ethics for public officers; or
- d.** is found by the Board of County Commissioners to have known that she or he had a conflict of interest in a matter and participated in the decision on that matter.

401.06 Officers, Meetings, Rules of Procedure

(a) Election of Officers

At an annual organizational meeting to be held each year on October 1 or as soon thereafter as practicable, the members of the Planning Commission shall elect one of their members as Chair and one as Vice-Chair.

(b) Presiding Officers

1. Chair as Presiding Officer

The Chair shall serve as the presiding officer of the Planning Commission.

2. Temporary Absence of the Chair

In the temporary absence of the Chair, the Vice-Chair shall act as Chair and shall have all powers of the Chair. In the temporary absence of both the Chair and Vice-Chair at any meeting, the Planning Commission shall elect a temporary Chair.

3. Permanent Absence of the Chair

In the event of the permanent absence of the Chair due to resignation or other cause, the Vice-Chair shall perform the Chair's duties until such time as the Planning Commission shall elect a new Chair.

4. Duties of the Presiding Officer

The presiding officer shall be in charge of all proceedings before the Commission, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Commission.

(c) Meetings**1. Regular Meetings**

Regular meetings shall be held each month and shall be set for a time, date and location certain.

2. Special Meetings**a. Calling of Special Meetings**

Special meetings may be called by the Chair of the Board of County Commissioners, a majority of the Board of County Commissioners, the Chair of the Planning Commission, or a majority of the members of the Planning Commission.

b. Notice of Special Meetings

The Director shall notify all members a minimum of five days in advance of any special meetings.

(d) Minutes and Public Records

The Planning Commission shall keep minutes of its proceedings, showing the absence of members and the vote of each member including the Chair and Vice-Chair.

(e) Meetings and Hearings to be Public

All meetings and hearings of the Planning Commission shall be open to the public.

(f) Public Notice

Public notice of Planning Commission hearings shall be provided as required for each application type as provided in Chapter 402 and in accordance with the procedures of Article 4, Notice of Hearings, in Chapter 402.

(g) Rules of Procedure

The most recent edition of The Standard Code of Parliamentary Procedure (Alice Sturgis) or such other document as may be specified by the Guidelines for Advisory Boards and Committees shall govern the proceedings at the meetings of the Planning Commission. The Commission may, by resolution, adopt additional rules of procedure not inconsistent with the Guidelines for Advisory Boards and Committees and any procedures set out or incorporated by reference therein.

(h) Quorum

A meeting of the Planning Commission shall not be called to order, nor shall any business be transacted by the Planning Commission, without a quorum being present. A quorum shall consist of at least four members.

(i) Consideration of Applications and Other Actions

A majority vote of a quorum or any greater number of members present at a meeting shall be necessary for the Planning Commission to take any action or make a decision or other determination. The provisions of Chapter 286.012, Florida Statutes, prohibiting abstention from voting except in the case of conflict of interest, shall apply.

(j) Conflict of Interest

1. Action if Conflict of Interest Exists

If there is a matter which comes before a member of the Planning Commission for which a conflict of interest exists, the member shall, as provided in Chapter 112, Part III, Florida Statutes:

- a.** prior to the vote being taken, publicly state the nature of the interest in the matter;
- b.** abstain from voting or participating in the matter; and
- c.** within 15 days after the vote occurs, file a memorandum, Form 8B or other approved form with the secretary describing the nature of the interest in the matter.

(k) Powers and Duties

The Planning Commission shall exercise the powers and duties listed below.

1. Public Hearings and Recommendations

The Planning Commission shall hold public hearings and make recommendations to the Board of County Commissioners on the applications and other actions listed below:

- a.** amendments to the Official Zoning Map;
- b.** major change to an approved planned development zoning district;
- c.** special exceptions, and major amendments to such exceptions;
- d.** special use permits, and major amendments to such permits;
- e.** amendments to the text of this ULDC when requested by the Board of County Commissioners.

2. Local Planning Agency

The Planning Commission shall act as the Local Planning Agency as provided by Chapter 163.3174, Florida Statutes. In the capacity as the Local Planning Agency, the Planning Commission shall hold public hearings and make recommendations to the Board of County Commissioners regarding:

- a.** Evaluation and Appraisal Reports and
- b.** Comprehensive Plan amendments.

Article 4 Notice of Hearings

402.11 Applicability

(a) Public Meetings

All meetings of the Board of County Commissioners, the Planning Commission and the Development Review Committee are public meetings and subject to the notice requirements under the Florida Statutes and the Rules of Procedure of the Board of County Commissioners.

(b) Hearings Required by this ULDC

Additional notice is required for most public hearings held in accordance with this ULDC. This Article sets out the minimum requirements for notice for such hearings.

402.12 Types of Public Notice

Forms of notice required for various public hearings may include mailed notice, published notice provided via a newspaper of general circulation, and posted notice by signs located on the subject property. Neighborhood workshops, in accordance with the procedures of Article 5, Neighborhood Workshops, of this Chapter, provide additional notice to the public regarding certain types of development applications. The public notice requirements for development applications are indicated in Table 402.12.1.

**Table 402.12.1
Required Public Notice for Development Applications**

Proposal	Types of Public Notice			
	Mailed	Published	Posted	Neighborhood Workshop
Comprehensive Plan Amendment, text		X		
Comprehensive Plan Amendment, map	X	X	X	X
ULDC Text Amendment		X		
Rezoning, Rezoning to Planned Development, Special Exception, Special Use Permit (including Major Amendments)	X	X	X	X
Minor Amendment to Planned Development, Special Exception or Special Use Permit	X	X	X	
Development Plan, heard by DRC		X	X	
Preliminary Development Plan, Exceeding thresholds	X	X	X	X
Plat or Replat		X		
Variance	X	X		
Scenic Road Variance	X	X	X	
Activity Center Master Plan	X	X	X	X
Neighborhood Workshop	X	X		
Preliminary CLSC		X	X	
Final Redevelopment Plan		X	X	

402.13 Content of Mailed and Published Notices

In addition to the content of mailed and published notices provided in this Section, published notice for a neighborhood workshop shall also be consistent with Article 5 of this Chapter. All mailed and published notices shall include, at a minimum, the information listed below.

(a) Statutory Requirements

Any information required by the Florida Statutes for published notice for the type of application which is the subject of the notice.

(b) Nature of Application

The application number, the application type, and a description of the proposal or request.

(c) Public Hearing Location, Time and Date

The location, time and date of all scheduled public hearings or workshops on the application.

(d) Location of the Subject Property

1. A description of the land involved by street address, if any, or by legal description or parcel number(s) of the subject parcels.
2. For mailed notices, a location map shall be included, indicating the location and general boundaries of the property, with reference to the closest intersection of public streets, when possible.

(e) Size of Subject Property

The total size of the parcels, rounded to the nearest one-tenth of an acre.

(f) Comprehensive Plan and Zoning Designations

The future land use map designation and zoning district of the property subject to the application, if applicable.

(g) Materials Available for Public Information

The name, address and telephone number of the department in which the application, staff report and related materials may be inspected by the public, and the fact that information is available for public inspection during normal business hours.

1. Submittal of Written Materials

The name, address and telephone number of the department where the public may submit written comments or evidence prior to the public hearing.

2. Public Comment Allowed

A statement that affected parties may appear at the public hearing, be heard, and submit evidence and written comments.

402.14 Procedure for Mailed Notice

(a) To Whom Provided

When required, as shown in Table 402.12.1, notice shall be mailed to all individuals and property owners indicated below. Notice for Neighborhood Workshops shall be mailed by the applicant.

adequate to support and service the area of the development. This determination shall be made consistent with Chapter 407 Article 12.

3. An application for final development plan review shall be submitted in accordance with Chapter 402, Article 2, Common Development Application Elements, of this Chapter. Detailed submittal requirements shall be provided in a form acceptable to the Director.

402.44 Thresholds for Development Review

Any proposed development, except those that are part of an approved Planned Development, Special Exception, or Special Use Permit, that meets or exceeds the thresholds established in Table 402.44.1 below, including expansions of existing development that cumulatively cause the threshold to be met or exceeded, shall require preliminary development plan consideration and action by the Board of County Commissioners. Projects classified as redevelopment under Chapter 407 Article 15 may exclude from the threshold calculation any existing square footage. Any preliminary development plans submitted for review concurrently with a zoning application for a Planned Development, Special Use Permit, or Special Exception shall require Board of County Commissioners consideration and action, regardless of whether they are above the thresholds in Table 402.44.1.

**Table 402.44.1
Development Thresholds**

Development Type	Threshold
Residential, Single Family	100 dwelling units
Residential, Multiple Family	150 dwelling units
Commercial/Office	50,000 sf of GFA
Institutional/Place of Worship/Civic Organizations/Recreation	25,000 sf of GFA
Industrial	100,000 sf of GFA
Mixed Use: Residential	80 dwelling units
Mixed Use: Commercial/Office	40,000 sf of GFA
Mixed Use: Industrial	80,000 sf of GFA
All Development Types	Extension of water-sewer service beyond the Urban Cluster Line
All Development Types	Adverse impact to wetlands
All Development Types	Proposed developed area of parcel contains Strategic Ecosystem

GFA = gross floor area

402.45 (RESERVED)

402.46 Development Plans to be Platted

Plat requirements are detailed in Article 12, Platting, of this Chapter. The proposed plat may be submitted with the final development plan or after the final development plan has been approved.

402.47 Time Limitation for Expiration of Development Plans

In accordance with Article 6 of this Chapter, Development Plans shall expire. Expirations shall be governed by the following provisions.

(a) Preliminary Development Plan

1. An approved preliminary development plan or phase of a preliminary development plan shall expire unless a complete application for final development plan approval has been accepted by the Department within 12 months of the date of preliminary development plan approval.
2. The reviewing body shall have the authority to approve a preliminary development plan for a Planned Development (PD), a Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), or an affordable housing development consistent with the time frames established in the phasing schedule of the approved PD, TND, TOD, or affordable housing project.

(b) Final Development Plan

An approved final development plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith.

(c) Extension of Expiration of Development Order

1. One extension, of up to one year, may be granted administratively contingent upon a finding by the Director of Growth Management that the approved final development plan or plat is consistent with all elements of the Comprehensive Plan and all of the ULDC in effect at the time of the application for the extension. Any such extension will be issued only if no imminent or existing public facility deficiencies exist at the time of the application for extension. A request for administrative extension of expiration shall be submitted in writing to the Department no less than 60 days prior to the expiration of the final development plan or plat.
2. All other extensions of expiration of development plans shall be governed as set forth in Article 6 of this Chapter.

402.48 Activities Requiring Administrative Development Plan Approval

Certain development permits or activities shall not require a development plan approval by the Development Review Committee or Board of County Commissioners. Applicants for these permits or activities may apply to the specific department(s) having authority to grant an administrative development approval. Application types requiring only an administrative approval are listed in §401.20(b),(c),(d).

Article 10, Development Plan Review, of this Chapter. A copy of the approved PD zoning master plan, signed by the Development Review Departments, shall be submitted with each application for development plan approval. Any development plan approval shall be consistent with the approved PD zoning master plan.

(b) Progress Report

With each application for development plan approval, the developer of a planned development shall submit a progress report to the review body. At a minimum, the progress report shall include the following information listed below.

1. Updated Zoning Master Plan

An updated zoning master plan for the entire development indicating the status of approvals, phasing schedule, undeveloped areas and within developed areas, the number, size, type and locations of all structures and improvements that have been installed or constructed.

2. Subsequent Developers or Owners

The names of any subsequent developers and owners of any increments, phases or portions of the planned development.

3. Failure to File or Update Progress Report

If the required progress report is not up to date or is not filed, additional development approvals shall not be granted.

402.87 Covenants, Grants, and Easements

(a) As part of the approval for any development plan, the plan shall include the substance and exact language of covenants, grants, easements or other restrictions to be imposed on the use of the land, buildings and structures pursuant to this ULDC, including proposed easements for public and private utilities.

(b) Prior to final approval of the development plan, the language of all covenants, grants, easements or other restrictions, including any required homeowners' associations and deed restrictions, shall be approved by the County Attorney.

402.88 Other Restrictions

(a) Limit on Occupancy Permits

Occupancy permits exceeding 50 percent of the total number of approved dwelling units shall not be issued unless and until the homeowners' association and all applicable and agreed-upon covenants or deed restrictions have become operational or are imposed to the satisfaction of the County Attorney.

(b) Development Plan Approval Requisite for Permits

Permits shall not be issued for any phase of a planned development, nor shall any public facility or improvement be constructed therein, until a development plan and/or plat has been approved for the planned development or phase of such development.

402.89 Revision of Planned Development District

(a) Minor Amendment to Planned Development District Approval

An amendment to an existing planned development shall be considered minor where it will not cause an expansion to the existing use or additional impacts to surrounding properties, natural resources, or public infrastructure. A minor

amendment to an existing planned development shall not require a Planning Commission public hearing and shall only require one public hearing with the Board of County Commissioners.

(b) Major Amendment to Planned Development District Approval

Except as specified herein, all changes to an approved zoning master plan not determined to be a minor amendment shall be deemed a major amendment that requires a public hearing with the Planning Commission and approval by the Board of County Commissioners. Any proposed amendment that alters the character or purpose of the planned development district shall be deemed a major amendment.

(c) Minor Changes to Planned Development District Approval

A proposed change that would not affect the intent and purpose of the planned development may be deemed a minor change that may be approved by the Development Review Committee as listed below:

1. setbacks on single lots;
2. slight shifts in building orientation;
3. slight shifts in phase lines;
4. for lots located on the interior of the development, changes to lot sizes or dimensions;
5. Residential unit types on the interior portion of a PD may be shifted between phases provided the overall gross residential density is maintained;
6. creation of active recreation in common open space areas, not to include primary open space;
7. slight changes in alignment, location, direction or length of an interior street as a result of site engineering;
8. an increase in the number of exterior access points or the relocation of exterior access points where it can be shown that such a change furthers the intent of the Comprehensive Plan to provide for interconnectivity between developments;
9. additions of bicycle or pedestrian connections;
10. time table extensions of one year or less for a specific phase of development; or
11. other minor changes approved by the Growth Management Director.

(d) Approved Zoning Master Plan Revisions

Upon approval of any revisions, an applicant shall make the approved revisions to the zoning master plan and accompanying documentation and submit a copy to the Department to obtain signatures of the Development Review Departments within 30 days of the approval date.

402.90 Control of Planned Development Districts

(a) Control Following Completion

After completion of all construction and improvements associated with a planned development district, the use of the land, including any modification or alteration of any buildings or structures within the planned development district shall continue to

be regulated in accordance with the approved zoning master plan, except as otherwise provided herein.

(b) Minor Modifications to Buildings or Structures

Minor extensions, alterations or modification of existing non-residential or mixed use buildings or structures may be permitted after review and approval by the Development Review Committee provided they are substantially consistent with the purposes of the development plan, and are not deemed a major change as provided in §402.89.

402.91 Previously Approved Planned Developments

- (a)** The DRC has the authority to approve, approve with conditions or deny a proposed development plan for Planned Developments that were approved without a phasing schedule or time frame provided the DRC determines that the unbuilt portion of the PD or PUD is consistent with the Comprehensive Plan.
- (b)** PDs or PUDs with a time frame that has expired or that were approved without a time frame and that are not consistent with the Comprehensive Plan and are not eligible for vesting, require either:
 - 1.** Review and approval of a revised PD by the County Commission; or
 - 2.** Rezoning to another zoning district.

Article 15 Activity Center Master Plans

402.92 Activity Center Master Plan

Where the County has determined that a Master Plan is the appropriate process to support redevelopment of existing Activity Centers, the Master Plan shall be developed and approved consistent with this Article. Master Plans shall ensure that development within activity centers is coordinated in such a way that promotes the creation of pedestrian-friendly compact centers that are economically viable, served by adequate public facilities, connected to a multi-modal transportation system and are integrated with surrounding and internal land uses.

402.93 Master Plan Application

(a) Master Plan Elements

An activity center Master Plan shall provide for a specific plan of development for each activity center to implement the general activity center policies and existing activity center plans contained in the Comprehensive Plan's Future Land Use Element, 2.0 Urban Activity Center Policies. The Master Plan shall, at a minimum, address the following considerations:

1. All of the requirements of Article 2, Common Development Application Elements, of this Chapter.
2. All of the requirements of Article 8, Unified Land Development Code Text Amendments, of this Chapter.
3. General arrangement and location of permitted land use types, including:
 - a. A range of gross floor area and type of non-residential uses, and
 - b. A range of the number and type of residential dwelling units.
4. General development standards for the Master Plan area including arrangement of buildings and streets, setbacks, building heights, lot coverage, floor area ratio, and building design.
5. Estimate of the required parking for the proposed land use types, general location of parking areas, and opportunities for shared parking if applicable.
6. Infrastructure planning, including identification of needs, means of financing, phasing, and opportunities for shared infrastructure for the Master Plan area.
7. Landscaping and buffering standards.
8. General location, dimensions, and type of stormwater facilities that will serve all land uses within the Master Plan area. Opportunities for shared stormwater facilities shall be identified at the Master Plan stage.
9. General standards for signage within the Master Plan area.
10. General location, dimensions, and type of conservation and open space areas that will serve all land uses within the Master Plan area. This shall include any opportunities for shared open space if applicable.
11. General location, dimensions, and type of civic use areas that will serve all land uses within the Master Plan area. This shall include any opportunities for shared civic use areas if applicable.
12. Traffic circulation plan for the Master Plan area including automobile, transit, bicycle, and pedestrian circulation. The traffic circulation plan shall provide

Use Table or that does not meet the requirements of §404.08 for similar uses is prohibited.

(f) Automotive Oriented Business (BA and BA-1) Districts

The Automotive Oriented Business (BA and BA-1) Districts implement the Commercial policies of the Comprehensive Plan and the associated designations within Activity Centers on the Future Land Use Map. Permitted uses are found on the Use Table in Article 2 of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of §404.08 for similar uses is prohibited.

(g) Business Marine (MB) District

The Business Marine (MB) District implements certain elements of the Tourist/Entertainment policies of the Comprehensive Plan and associated designations in areas adjacent to lakes, rivers or other natural bodies of water. Permitted uses are found on the Use Table in Article 2 of Chapter 404. Any use with a blank cell for this district in the Use Table or that does not meet the requirements of §404.08 for similar uses is prohibited.

403.12 Commercial District Standards

Within all commercial zoning districts, principal building and accessory buildings shall be located and constructed in accordance with the requirements of Table 403.12.1.

**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
Setbacks						
Front, min (ft)	25	25	25	25	25 ¹	25
Rear, min (ft)	10	10	5 ¹	5 ¹	5 ¹	5 ¹
Interior side, min (ft)	5 ²	5 ²	5 ²	5 ²	5 ²	5 ²
Street side, min (ft)	25	25	25	25	15	15
Building Standards						
Height, max (ft)	35	45	65	65	45	35
Building coverage, max (% of gross land area)	40%	40%	N/A	N/A	N/A	N/A

¹Where the rear yard abuts a residential or agriculture zoning district, a minimum rear setback of 25 feet shall be required.

²Six inches of additional side yard shall be required for each foot of building height over 35 feet when abutting single family residential uses or zoning.

403.13 Commercial District Requirements

Within all commercial zoning districts, the regulations listed below shall apply.

(a) Building Orientation

Business uses shall be oriented to face other business or commercial districts across a street.

(b) Vehicle Access to Business Uses

All commercial uses must have direct access to a paved roadway. If property located within a business or commercial zoning district possesses frontage on two or more streets, and if one or more of such frontages abuts a residential zoning district, vehicle access to the property shall be provided only along a frontage that does not abut the residential district. This requirement may be waived by the Director and County Engineer.

(c) Front Setbacks in Activity Centers

Buildings located within an Activity Center may be designed with a front and street side building setback of 5 feet.

(d) Subdivision After Development Plan Approval

Where a commercial property with an approved development plan is subdivided by metes and bounds description after approval of the development plan, the dimensional standards in Table 403.12.1 shall be defined by the approved development plan.

(e) Commercial Uses Within Rural Clusters

1. There shall be a maximum of up to 30,000 square feet of total commercial floor area for each Rural Cluster in accordance with Policy 6.4.3(b) of the Comprehensive Plan, Future Land Use Element. The amount of commercial development appropriate for any Rural Cluster should be relative to the population being served.
2. Within a Rural Cluster, any new individual commercial structure shall be limited to a maximum gross floor area of 5,000 square feet and a maximum height of 35 feet. A maximum gross floor area greater than 5,000 square feet may be allowed as a Special Exception in accordance with Chapter 402 Article 17 in the BP or BR zoning districts, if the proposed use is demonstrated to be compatible with the size, scale, and character of the existing land uses within the Rural Cluster and the immediate surrounding land uses designated in the Comprehensive Plan.

Article 9 Health and Medical Facilities

404.45 Medical Marijuana Dispensary

Medical marijuana dispensaries distributing low-THC and medical cannabis for therapeutic purposes are allowed as limited uses in the BR, BR-1, BH, BA, BA-1 and HM districts, subject to the following standards.

(a) Separation Requirements for Medical Marijuana Dispensaries

1. Generally

Medical marijuana dispensaries shall be permitted only in those zoning districts in which a medical marijuana dispensary is listed as a limited use in this Chapter.

Minimum Separation Standards for Medical Marijuana Dispensaries

Existing Use or District	
School, public or private	500 ft

2. Measurement

Measurements shall be made from the nearest property line of the use that is not a medical marijuana dispensary to the nearest property line of the medical marijuana dispensary. If the medical marijuana dispensary is located in a multi-tenant building, then the distance shall be measured from the nearest property line of the use that is not a medical marijuana dispensary to the nearest line of the leasehold or other space actually controlled or occupied by the medical marijuana dispensary.

404.46 Veterinary Clinic or Hospital

A veterinary clinic or hospital is allowed as a limited use in the A-RB, AP, BP, BR, BR-1, BH, BA, BA-1, BW, MS and MP districts and in Traditional Neighborhood and Transit Oriented Developments, subject to the following standards. A veterinary clinic or hospital may be allowed by special exception in the A district, subject to the following standards.

- (a) Any veterinary clinic or hospital that provides boarding facilities shall provide a structure that is completely enclosed and designed to suppress noise.
- (b) Outdoor areas allocated for use by the animals shall be fenced or walled to safely contain the animals and shall only be allowed for facilities located on a minimum of two acres. Outdoor areas shall be located a minimum of 50 feet from any residential zoning district.

404.47 Massage Therapist

In the BP, BR, BR-1, BH, BA, BA-1, and BW districts and in Traditional Neighborhood and Transit Oriented Developments, a massage therapist or other establishment operated or staffed by one or more massage therapists is allowed as a limited use, subject to the following standards.

(a) Licensing

- 1. The establishment shall be licensed by the Board of Massage Therapy in accordance with the Florida Massage Therapy Practice Act, as codified at Fla. Stats. Sect. 480.031 *et seq.*
- 2. Any massage therapists shall be licensed by the Board of Massage Therapy.

- 3.** A massage therapist shall maintain posted on-premises copies of the licenses of the therapists who provide services at the establishment.

(b) Violation

There shall be a rebuttable presumption that any therapist who is not licensed and any facility that does not have posted on its premises licenses of massage therapists who provide services there, is operating in violation of this Section and subject to enforcement action and penalty under Chapter 409, in addition to any violation of the Massage Therapy Practice Act.

(c) Massage Education

Nothing in this Section shall be construed to limit the operation of a massage school in accordance with the applicable provisions of the Massage Therapy Practices Act or the provision of clinical experience to students of a massage school in a setting consistent with the provisions of the Massage Therapy Practices Act.

Article 11 Urban Service Area

405.43 Applicability

The Urban Service Area includes those areas defined within the Comprehensive Plan in the Future Land Use Element Objective 8.6. All new development and redevelopment within the Urban Service Area is subject to this Article.

405.44 Design Standards

- (a) All new development and redevelopment within the Urban Service Area shall develop, at a minimum, consistent with the design standards for a Traditional Neighborhood Development in Chapter 407, Article 7. New development shall not be required to meet the standards in §407.64(d) and §407.64(c)1.
- (b) Any new nonresidential development on 25 or more acres or including 150 or more residential units shall be required to develop as either a Traditional Neighborhood Development or Transit Oriented development consistent with the standards in Chapter 407, Article 7.
- (c) Any new development proposing 1,000 or more new dwelling units or 350,000 square feet or more of non-residential uses and is located on a planned Rapid Transit Corridor shall be required to develop as a Transit Oriented Development consistent with the standards in Chapter 407, Article 7.
- (d) Notwithstanding the acreage requirements of §407.64(c)1, all development within the Urban Service Area shall have the option of developing consistent with the Traditional Neighborhood Development standards in Chapter 407, Article 7, as allowed by Policy 8.6.1 of the Future Land Use Element of the Comprehensive Plan.

405.45 Exceptions to Design Standards for Certain Development Types

(a) Parcels less than 5 acres

Where it can be demonstrated that development on parcels less than 5 acres can not strictly adhere to the urban design standards in Chapter 407, Article 7, those parcels shall develop consistent with the design standards in §405.07.

(b) Institutional Uses

The following types of institutional development when developed outside a TND or TOD, shall not be required to meet the design standards for a TND or TOD.

However, these uses shall meet as many TND/TOD design standards as practicable:

1. Public and private educational facilities
2. Community services as identified in the Use Table in Chapter 404
3. Public utility, communications, or infrastructure services
4. Assisted Living Facilities and Nursing Homes

(c) Industrial Development

Industrial development within the ML, MS, MP, or BW zoning districts shall not be required to meet the standards for a TND or TOD. However, these developments shall continue to provide for an interconnected multi-modal transportation system consistent with the standards in Chapter 407.

405.46 Developments of Regional Impact

Within the Urban Service Area, all new development and redevelopment shall be exempt from the State of Florida Development of Regional Impact (DRI) process in accordance with Florida Statute 380.06(29)(c)3.

Chapter 407 General Development Standards

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Article 1 Setbacks, Height and Other Standards

407.01 Principal Building on Lot

Where a single lot or parcel of land is used for a single-family attached or detached dwelling unit, only one dwelling unit shall be allowed on the lot, except as otherwise provided for in this ULDC. Other principal uses and buildings may be allowed as specified in these regulations. Accessory buildings such as sheds and garages may not be constructed prior to construction of a principal building.

407.02 Permitted Building Area

The principal building or buildings on any lot or parcel of land shall be erected within the area bounded by the building lines established by setback or yard requirements. Accessory buildings may be erected within any building line established for the principal building or in rear yards as otherwise provided in this ULDC.

407.03 Setbacks from Major Road Centerlines, Section and Half-Section Lines

Within the Urban Cluster, no new building or structure shall be erected closer than 75 feet from the centerline of any route designated and officially adopted for a major road as shown on the Future Transportation Circulation and/or Future Transportation Corridors Maps unless a waiver is approved by the reviewing entity. Such waivers may be based on the presence of parallel transportation corridors, environmental features or existing development patterns.

- (a) Outside of the Urban Cluster, no new building or structure shall be erected closer than 75 feet from any section line or half section line unless a waiver is approved by the reviewing entity. Such waivers may be based on the presence of parallel transportation corridors, environmental features or existing development patterns.
- (b) Approval of a pat by the Board of County Commissioners shall constitute approval of a waiver for (a) or (b) above, and no further waiver shall be required.

407.04 Setback Encroachment Prohibited

The minimum setbacks required by these regulations shall not be encroached upon, except in accordance with §407.05.

407.05 Allowable Projections

Every part of a required setback shall be open from its lowest point to the sky, unobstructed, except that certain building features and structures are allowed to project into required setbacks, provided that such structures do not require the placement of fill for foundations or for frame adjustments that will encroach across adjacent property lines or result in the creation of or diversion of stormwater runoff that adversely affects adjacent properties except as provided below.

- (a) In any nonresidential district, in mixed-use or commercial portions of Traditional Neighborhood and Transit Oriented Developments, or for zero-lot-line buildings, architectural features such as marquees, canopies, and awnings that are not completely enclosed may extend over a sidewalk up to 2/3 of the way between the face of a building and the curb, but no closer than 4 feet from the vertical extension of the curb, into an adjacent right-of-way, lot, common area, or setback, provided all of the following conditions are met.
1. The architectural feature must meet all requirements of the Florida Building Code and maintain a clear height above the sidewalk of at least nine feet. No support for the feature may extend below this clear height.
 2. The feature must be designed to not conflict with existing utilities at the site.
 3. Where the feature extends into a county-owned right-of-way, the applicant must receive a right-of-way use permit from the Public Works Department, or, if the right-of-way is not county-owned, written approval from the entity with jurisdiction over the right-of-way.
 4. Where the feature extends into a lot or common area under separate ownership, the owner of the common area or lot shall provide written acceptance of the feature. Appropriate maintenance agreements shall be established by the responsible entity in a form acceptable to the County Attorney's Office at the time of development plan approval or building permit. A copy of such maintenance agreements shall be filed with the application for development plan or building permit approval submitted to the Department and recorded in the public record.
 5. The property owner shall be responsible for removing the feature at the property owner's expense upon notice that a road or right-of-way project requires it to be removed. If the property owner does not remove it, the entity with jurisdiction over the right-of-way shall remove it and bill the property owner for the cost of removal.
 6. If the feature projects into an adjacent right-of-way that belongs to the county, the property owner shall enter into an agreement with the county indemnifying and holding harmless the county, its officers, agents, and employees, from any property damage, including loss, and any personal injury, including death, caused in any way by the projection of the marquee, canopy or awning over the right-of-way, and containing such other provisions as deemed necessary by the County Attorney to protect the interest of the county.

7. Planned developments approved prior to the adoption of this ULDC on January 30, 2006, that contained zero-lot line units and have received final development plan approval may be allowed to develop in accordance with this subsection provided it can be demonstrated that the necessary maintenance agreements were recorded in the public record as part of the development approval process. If the necessary agreements have not been recorded, a revised development plan must be submitted for review by the appropriate reviewing body.
- (b) Porches, open or closed fire escapes, outside stairways, or balconies shall not extend into any required setback, except that uncovered ingress/egress improvements such as steps or ramps may project not more than four feet into any required setback.
- (c) Sills, cornices, ornamental features, chimneys and flues, eaves and gutters may extend up to 36 inches into a required setback.

407.06 Administrative Exception for Vacant Lots

An administrative exception to the minimum front setback requirements established in Chapter 403 may be granted by the Director for vacant lots of developed platted residential subdivisions existing prior to January 1, 1995, in accordance with the following provisions:

- (a) The minimum front setback of the vacant lot granted as an administrative exception shall not be less than the smallest front setback for residences which have already been constructed in the platted subdivision and shall not be less than necessary to make possible the reasonable use of the lot.
- (b) The Director shall not approve such exception if significant exposure to noise, smoke, dust, fumes, traffic dangers or other hazards affecting health, safety and welfare would result from the residence's proximity to the street.

407.07 Property Boundary Fences in Residential Districts

- (a) No fence or wall in a residential district shall exceed six feet in height, except for a subdivision boundary fence or wall or a fence or wall on a residential lot greater than one acre may be up to eight feet in height. In addition, an exception may be granted for architectural features up to twelve feet in height when located adjacent to a subdivision entrance having a minimum width of 100 feet, and set back at least 50 feet from the property boundary. Fence height shall be computed as the distance from the highest point of the fence structure, not including any architectural features as allowed above, to the elevation of the centerline of the adjacent street or highway from which the principal access is provided, or the ground elevation at the base of the fence, whichever distance is less. The centerline elevation shall be taken at a point that is defined by extending a horizontal line from the fence that is perpendicular to the centerline of the street or highway.
- (b) To prevent fences from interfering with visibility for drivers and pedestrians, no individual property boundary or subdivision boundary fence shall be installed within an area defined by the Florida Department of Transportation as a sight triangle, as outlined in the FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System.

407.08 Retaining Walls

Nothing in these regulations shall be construed to prohibit or to prevent the erection of a retaining wall on any property provided that such retaining wall does not adversely affect the natural flow of surface water or create any other adverse affect upon adjacent or adjoining properties.

407.09 Flag Poles

Notwithstanding the maximum height standards in Chapter 403, flag poles shall not exceed 20 feet in height in a residential district and 30 feet in height in a nonresidential district as set forth in §407.37.5(a) of this Chapter.

407.09.5 Rooftop Photovoltaic Solar Systems

Rooftop photovoltaic solar systems shall be permitted on conforming and legally nonconforming buildings and structures in all zoning categories. Nothing contained in this ULDC, including standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems as accessory equipment to conforming and legally nonconforming buildings, including buildings containing nonconforming uses.

(a) Height

The height of rooftop photovoltaic solar systems shall not exceed the roof line as defined in Chapter 410. For flat roofs with or without a parapet, the rooftop photovoltaic solar system shall not be greater than five (5) feet above the roof.

(b) Permits

Prior to the issuance of a building permit, the property owner(s) must acknowledge as part of the permit application, that:

1. If the property is located in a homeowners' association, condominium association or otherwise subject to restrictive covenants, the property may be subject to additional regulations or requirements despite the issuance of a permit by the County; and
2. The issuing of said permit for a rooftop photovoltaic solar system does not create in the property owner(s), its, his, her or their successors and assigns in title, or create in the property itself a right to remain free of shadows and/or obstructions to solar energy caused by development adjoining on other property or the growth of any trees or vegetation on another property.

(c) Maintenance

The rooftop photovoltaic solar system shall be properly maintained and be kept free from hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare.

407.10 Solid Waste Facilities

Multiple-family developments containing more than 10 dwelling units in total and all commercial, mixed-use, and industrial developments shall provide garbage and recycling collection bins or dumpsters consistent with Section 75.302 of the Alachua County Code.

(a) Location

All garbage and recycling bins or dumpsters shall be located within designated areas in a principal building or within a rear or interior side setback. For multiple-family developments, recycling bins or dumpsters shall be located adjacent to the

commercial service container for the collection of garbage, or at an alternate location approved by the Development Review Committee.

(b) Screening

All garbage and recycling collection bins or dumpsters shall be fully enclosed and screened as follows:

1. Screening may be achieved by designating an enclosed space for solid waste facilities within a principal building or within an accessory structure.
2. Where solid waste storage areas are not enclosed within a principal building or accessory structure, they must be completely screened on all sides, with an opaque, lockable gate on one side. Screening shall be constructed of masonry walls or wood fencing with a minimum height of 6 feet.

407.11 Use of Public Rights-of-Way and Obstruction to Vision at Road Intersections

(a) Use of Public Rights-of-Way

The sale of merchandise from within any public right-of-way within the unincorporated area of Alachua County is prohibited.

(b) Obstruction to Vision at Road Intersections

In order to minimize accidents caused by obstruction to vision at road intersections, the following regulations shall apply in all districts:

1. Within the area formed by the rights-of-way lines of intersecting roads and a straight line connecting points on such rights-of-way lines there shall be a clear space with no obstruction to vision between the height of three feet and a height of eight feet above the average grade of each road as measured at the centerline that is consistent with criteria outlined in the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.
2. The requirements of this Section shall not be deemed to prohibit any necessary retaining wall.
Trees, either existing or newly planted, shall be permitted in the clear space, provided that foliage is cut away within the prescribed heights.

Article 2 Parking, Loading and Stacking

407.12 Purpose

The purpose of this Article is to provide standards to reduce traffic congestion and require parking and loading facilities in proportion to the parking demand for each use in order to ensure functionally adequate, aesthetically pleasing and secure off-street parking and loading facilities.

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.

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 may be exceeded or reduced by up to ten percent. Applicants proposing greater than 10 percent variation must comply with §407.18.

**Table 407.14.1
Parking Schedule**

Use	Required Number of Spaces
Residential Uses	
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	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
Public and Civic Uses	
Auditorium	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

Article 5 Open Space

407.51 Purpose

This Article implements the open space policies contained in the Future Land Use, Stormwater and the Conservation and Open Space Elements of the Alachua County Comprehensive Plan and provides for open space areas designed to protect and enhance natural resources, promote pedestrian connectivity and enhance recreational opportunities.

407.52 Minimum Open Space Requirement

Open space shall be provided on at least 20 percent of a development and shall be delineated on all development plans and plats. Within rural clustered subdivisions, as described in §407.77(b) of this Chapter, open space shall be provided on at least 50 percent of a development.

407.53 Primary Open Space Areas

When land development involves a parcel that contains any of the conservation areas listed in subsection (a), the open space requirements shall first be fulfilled with these areas and the required buffers. When the minimum requirement is not fulfilled with conservation areas, the requirements shall then be fulfilled with Natural Areas as listed in subsection (b).

(a) Conservation Areas and Associated Buffers

1. Wetlands;
2. Surface waters within private ownership;
3. 100 year floodplains;
4. Listed species habitat;
5. Strategic ecosystems; and
6. Significant geologic features.

(b) Natural Areas

Significant habitat or other natural features such as steep slopes, ridges, sinkhole areas, or areas that potentially could be utilized to enhance or restore natural features on or adjacent to the development site. This open space shall be useable to the extent consistent with the character and protection of the resource.

407.54 Secondary Open Space Areas

After conservation areas and associated buffers and other natural areas have been set aside as open space, any remaining required open space may then be fulfilled with the qualifying areas listed in this Section, based upon the type of development.

(a) Residential Developments

Within residential developments, the following areas shall be credited toward open space requirements:

1. Community Green Spaces

Pervious open spaces designed as active or passive recreation areas intended primarily for recreational or pedestrian use, such as community fields, greens, and pervious areas of plazas or squares. Pedestrian amenities and other minor structures that enhance the open space may be permitted within these qualifying open space areas.

2. Pedestrian Trails

Paved or mulched pedestrian trails located within a qualifying open space may be counted towards the required open space area.

3. Stormwater Management Areas

The County may consider stormwater management areas designed consistent with §407.56 and §407.57(a) as credit for open space as long as at least one half of the required open space is fulfilled by non-stormwater qualifying open areas.

(b) Non-Residential Developments

Within non-residential developments, the following areas shall be credited toward open space requirements:

1. Community Green Spaces

Pervious open spaces designed as active or passive recreation areas intended primarily for recreational or pedestrian use, such as community fields, greens, and pervious areas of plazas or squares. Pedestrian amenities and other minor structures that enhance the open space may be permitted within these qualifying open space areas.

2. Landscaped areas

Landscaped areas with a minimum area of 500 square feet and a minimum width of 20 feet containing native species canopy and understory trees, shrubs, and groundcovers consistent with xeriscape principles.

3. Stormwater Management Areas

All portions of stormwater management areas that are designed consistent with §407.56 and §407.57(a) may be considered as credit for the required open space.

(c) TNDs, TODs and Mixed-Use Developments

Within Traditional Neighborhood Developments, Transit Oriented Developments, Mixed-Use development in Activity Centers, and for redevelopment as defined in Section 407.150, the areas listed in 1, below, shall be credited toward the 20% open space requirement. Open space areas shall meet the design requirements of 2 below.

1. Type of Open Space Areas

a. Civic Spaces

Open areas designed for active or passive recreation that are intended primarily for recreational or pedestrian use, such as community fields, greens, plazas or squares when designed in accordance with §407.54(c)2. Pedestrian amenities and other minor structures that enhance the open area may be permitted within these qualifying open space areas. The use of semi-pervious materials, such as pavers or porous pavement, is required for those portions of civic spaces requiring hardscaping (walkways, courtyards, etc.).

b. Landscaped Areas

Landscaped areas containing native species canopy or understory trees, shrubs, or groundcovers consistent with xeriscape principles and that have

4. Maximum maintained illumination levels measured at finished grade on adjoining property at the property line of the project in question shall be no more than 0.5 footcandles (fc).

(d) Athletic Fields

1. Where lighting is to be provided for athletic fields, it shall be designed to provide the minimum lighting necessary for safe activity on the fields. Lighting shall be designed such that light levels and uniformity ratios are in compliance with the minimum standards proscribed by the Illuminating Engineering Society of North America (IESNA).
2. Mounting heights for exterior luminaries that are located within 100 feet of the property line shall not exceed the maximum building height allowed within the adjacent zoning district (with the height being measured from the finished grade to the bottom of the luminous opening of the luminary) and shall be aimed to point away from the property line.
3. Exterior luminaries located more than 100 feet from the property line shall be designed such that maximum modeled initial measured candela value from any luminaire measured at 5 feet above grade at the property line shall not exceed 12,000 candela.
4. Maximum maintained illumination levels measured at finished grade at the property line of the project in question shall be no more than 1.0 fc if the adjoining property is zoned for non-residential use and no more than 0.5 fc when the adjoining property is zoned residential or there is an existing residential use within 100 feet of the property line.
5. Acceptable outdoor luminaries shall be designed to reduce glare or spillage onto adjacent properties and to the open sky. The unique necessity of lighting athletic fields requires the allowance of fixtures that may not have a "cutoff" designation or be shielded. However, lighting solutions provided for athletic fields shall be required to meet the other standards of this section.
6. Scoreboards or timer clocks that are separately illuminated shall be oriented such that, in the case of externally illuminated boards, the illumination source is pointed away from the closest adjacent property line, or, in the case of internally illuminated boards, the illuminate face is oriented away from the closest adjacent property line.

Article 15 Redevelopment

407.149 Purpose

It is the intent of this article to provide for orderly and efficient redevelopment of properties within the Urban Cluster in order to promote efficient use of land, provide flexibility in design, promote walkable communities, and to discourage greenfield development and sprawl.

407.150 Applicability

For the purpose of this article, redevelopment means any construction or improvement performed on sites where the existing site's imperious area exceeds 40 percent.

407.151 Flexible Design Standards

All development shall meet applicable requirements of the Unified Land Development Code. However, recognizing the difficulty in redeveloping sites the Board of County Commissioners may consider deviations from certain development standards, such as buffers, landscaping, and stormwater, as may be necessary to promote redevelopment. Applicants shall provide a Final Redevelopment Plan with a description of the deviation requested and a justification that explains why the current standards is not feasible based on the conditions of the site. Any requested deviations will be evaluated by staff and described in the staff report and presented with justification as a recommendation to the Board of County Commissioners. The BoCC shall make a finding that the deviation is the minimal possible and that approval of such deviation generally meets the intent of the ULDC and would not hinder the public health, safety and general welfare of the residents and property owners of Alachua County. When no deviations are requested, a Final Development Plan shall be submitted for review by the Development Review Committee.

Base flood elevation: The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in Florida Building Code, B, Section 1612.2.]

Basement: The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in Florida Building Code, B, Section 1612.2.]

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same development site as the light source; also, any light with one or more beams that rotate or move.

Bed and breakfast: An owner-occupied dwelling unit licensed and operating as a business where lodging, and generally provision of at least one meal, is provided for compensation, and including customary accessory uses in connection with the principal use. This does not include rentals in private dwelling units defined as Short-term Rentals.

Best Management Practices (BMPs): A series of guidelines or minimum standards adopted for areawide application, typically associated with agricultural, silvicultural, golf course, and similar operations, designed primarily to prevent soil erosion and water pollution, and to protect certain wildlife habitat values in riparian and wetland areas.

Bicycle lane: A bicycle lane is a lane dedicated for the use of bicycles. A bicycle lane shall be a minimum of four feet wide and shall be measured from the edge of a vehicular traffic lane to the beginning of the shoulder or gutter line. The shoulder or gutter shall not be used in calculating the four foot dimension. Bicycle lanes shall be striped and marked according to AASHTO Standards.

Biodiversity (Biological diversity): The variety, distribution and abundance of living organisms in an ecosystem. Maintaining biodiversity is believed to promote stability, sustainability and resilience of ecosystems.

Biosolids: The solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility or domestic septic tank. Not included is the treated effluent or reclaimed water from a domestic wastewater treatment plant. Also not included are solids removed from pump stations and lift stations, screenings and grit removed from the preliminary treatment components of domestic wastewater treatment facilities, Class AA residuals as defined in Rule 62-640, F.A.C., other solids as defined in Rule 62-640.200(24), F.A.C., and ash generated during the incineration of residuals.

Block: An area composed of private/public lots and alleys surrounded by public streets.

Block Face: Any segment of a block fronting a public street.

Borrow pit: Subsurface excavation of earth materials such as sand, clay or limerock for use as fill material in any type of construction activity.

Buffer: An area of planted or natural vegetation or open space maintained for various purposes, including reduction of erosion and siltation along surface waters and wetlands, reduction of poaching and wind erosion along roads and field edges, provision of wildlife travel corridors and habitat, and for separation of adjacent land uses or properties from one another.

Building: Any structure constructed or used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, mobile homes, sheds, garages, carports, animal kennels, storerooms, gasoline pumps, solar panels and similar structures, whether stationary or movable.

Building, accessory: A subordinate building, the use of which is incidental to that of the principal building on the same lot. Accessory screened enclosure structures, whether or not attached to the principal building, shall be considered an accessory building if the roof and all sides of the enclosure not attached to the principal building are made of the screening material. In such cases the accessory building setback for the respective zoning district shall apply.

Building, principal: A building in which is conducted the principal use or uses of the lot on which it is situated. Any attached carport, shed, garage, or any other structure with one or more walls or a part of one wall being a part of the principal building and structurally dependent, totally or in part, on the principal building, shall comprise a part of the principal building and be subject to all regulations applicable to the principal building. A detached and structurally independent garage, carport, or other structure shall conform to the requirements of an accessory building. A detached and structurally independent garage, carport, or other structure conforming as an accessory building may be attached to the principal building by an open breezeway not to exceed six feet in width.

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

Building coverage: The gross area of a lot or parcel of land occupied by the ground floor of a building (principal and accessory) which is under roof. As a percentage, the relationship between ground floor area of the building under roof and the total area of the site.

Building height: The height of a building with a gabled or hip roof shall be the vertical distance measured from the average elevation of the finished building site to the eave line of the principal portion of the uppermost story. The height of a building with a flat or nearly flat roof shall be measured from the footing as stated above to the highest point of the roof. A flat roof shall be considered a roof that has a slope of less than seven degrees with the horizontal. No projection in excess of 10 feet above the roof line shall be permitted for any building.

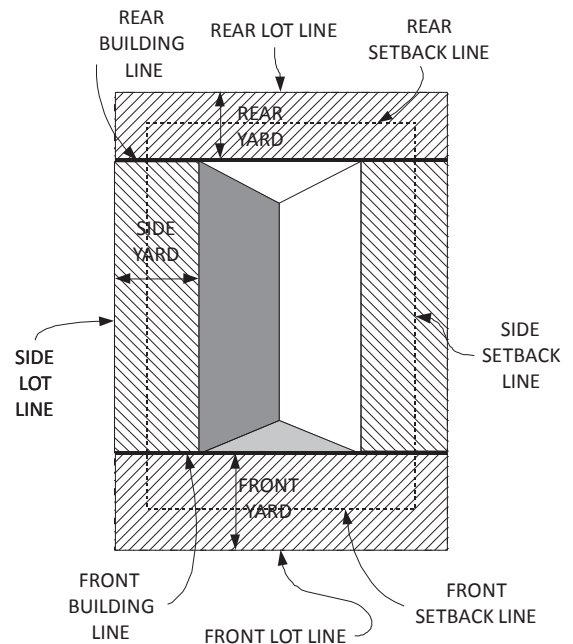
Building line: A line formed by the face of a building that is used to establish a yard for a building or structure. Building lines may be defined as front, rear, interior side, or street side.

Building permit: A final approval to build or install a structure.

Building wall: An exterior load-bearing or non-load-bearing vertical building component that is used as an enclosing wall for a building, other than a party wall or fire wall, including a parapet wall (as defined by the Florida Building Code), extending to a height necessary for screening of rooftop mechanical equipment but not more than 25 feet above the roof.

Bulb-out: Curb extensions that reduce roadway width curb to curb and provide for a shorter crossing distance for pedestrians.

Bus shelter: A structure used as a shelter for the convenience of passengers of a transportation system.



Setback: The minimum horizontal distance between the lot lines and front, rear or side lines of the building, including steps, terraces, or any projection thereof. When two or more lots under one ownership are used, the exterior property lines so grouped shall be used in determining setbacks. Notwithstanding other provisions, all street sides of a corner lot shall be construed as having a "front setback."

Sex shop: A retail sales and services establishment that meets any of the following tests:

- A. It offers for sale items from any two of the following categories: sexually oriented media; lingerie; leather goods marketed or presented in a context to suggest their use for sadomasochistic practices, and the combination of such items make up more than 10 percent of its stock in trade or occupies more than 10 percent of its floor area; or,
- B. More than five percent of its stock in trade consists of sexually-oriented toys or novelties; or,
- C. More than five percent of its gross public floor area is devoted to the display of sexually-oriented toys or novelties

Sexual conduct: The engaging in or the commission of an act of sexual intercourse, oral-genital contact, masturbation, or the touching of the sexual organs, pubic region, buttock or female breast of another person for the purpose of arousing or gratifying the sexual desire of another person.

Sexually explicit media: Magazines, books, videotapes, movies, slides, cd-roms or other devices used to record computer images, or other media which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "sexual conduct" or "specified anatomical areas" (separately defined).

Sexually oriented business: An inclusive term used to describe collectively: sexually oriented cabaret; sexually oriented motion picture theater; motion picture arcade; massage parlor or shop unless operated by a massage therapist licensed by the State of Florida; retail sales and services falling into the category of sex shop or sexually oriented media shop. This collective term does not describe a specific land use and shall not be considered a single use category for purposes of the zoning code or other applicable ordinances.

Sexually oriented cabaret: A building or portion of a building regularly featuring dancing or other live entertainment if the dancing or entertainment which constitutes the "primary live entertainment" is distinguished or characterized by an emphasis on the exhibiting of "sexual conduct" or "specified anatomical areas" for observation by customers therein. The fact that an establishment does not serve alcoholic beverages shall not remove it from classification as a "sexually oriented cabaret" if it otherwise falls under this definition.

Sexually oriented media store: A retail sales and services establishment that rents and/or sells media, and that meets any of the following three tests:

- A. More than 30 percent of the gross public floor area is devoted to sexually oriented media; or
- B. More than 30 percent of the stock in trade consists of sexually oriented media; or
- C. It is advertised, marketed, or holds itself out in any forum as "XXX," "adult," "sex" or otherwise as a sexually-oriented business.

Sexually oriented motion picture theater: A cinema or motion picture theater which shows hard-core features on more than half the days that it is open, or which is marketed as or offers features described as "adult", "XXX", or sexually oriented.

Shared parking: See *“Parking, shared”*.

Short-Term Residential Rental – The rental of a room in a residence or the entire residence for less than 30 days when the use of the unit is consistent with the character and appearance of the surrounding neighborhood.

Shrub: Any self-supporting woody evergreen and/or flowering species.

Sign: Any attention-attracting device, fixture, placard, or structure that communicates information of any kind to the public, including those held or worn by a person. For the purposes of this ULDC, the term ‘sign’ shall not include the following objects: graveyard and cemetery markers, vending machines, gas pumps, onsite umbrellas, mail drop-off boxes, seasonal decorations left up no more than 60 days, a building’s architectural features, or a manufacturer’s markings on machinery or equipment. Additional sign definitions are located in Chapter 407, Article 3 Signs.

Significant adverse impact (upon a natural resource): Direct contamination, alteration, or destruction, or that which contributes to the contamination, alteration, or destruction of a natural resource, or portion thereof, to the degree that its environmental benefits are or will be eliminated, reduced or impaired, such that the activity will cause long term negative impacts on the natural resource.

Significant geologic features: Geologic features such as sinkholes, springs, caves, stream bluffs, escarpments, outcroppings, and other karst features.

Significant habitat: Contiguous stands of natural upland plant communities which have been documented to support, and which have the potential to maintain, healthy and diverse populations of plants or wildlife.

Silviculture: The art and science of producing and tending a forest by manipulating its establishment, composition and growth to best fulfill the objectives of the owner. This may, or may not, include timber production.

Single-family attached dwelling: See dwelling, single-family attached.

Single-family detached dwelling: See dwelling, single-family detached.

Sinkhole: A funnel-shaped depression in the land surface, generally in a limestone region, caused by solution processes and often resulting in connection(s) with subterranean passages and groundwater systems.

Slime: A waste product consisting of a mixture of water and fine solid particles and usually characterized by a high percentage of clay and clay-size particles.

Small-scale comprehensive plan amendment: An amendment to the Alachua County Comprehensive Plan Future Land Use Map which meets the following criteria:

- A. The proposed amendment involves a use of 10 acres or fewer; and
- B. The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government’s comprehensive plan, however text changes that relate directly to, and are adopted simultaneously with, the small scale future land use map amendment shall be permissible; and
- C. The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of §163.3187, Florida Statutes.

Solid waste: Garbage, refuse, yard trash, clean debris, white goods, special wastes, ashes, sludge or other discarded material, including solid, semisolid, liquid, or contained gaseous material from domestic, commercial, industrial, mining, agricultural or governmental operations.

Solid waste transfer station: An intermediate waste facility in which solid waste collected from any source is temporarily deposited to await transportation to the final disposal site or facility.

Special Use Permit: A zoning approval that may be granted for a use not generally allowed within the unincorporated area of Alachua County but that, if controlled as to number, area, location, intensity, or relation to a neighborhood, would not be detrimental to the public health, safety, or general welfare. Such special use permits may be granted in accordance with the Comprehensive Plan and the requirements of this ULDC.

Special flood hazard area: An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in Florida Building Code, B Section 1612.2.]

Specialized Mobile Radio (SMR): A form of dispatch or two-way communication used by companies that rent space or time from an SMR carrier. Used primarily for data, delivery vans, truckers or taxis within a small, definable geographic area.

Specified Anatomical Areas:

- A. less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and
- B. human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Spoil: Any displaced overburden, whether resulting from material dumped by dragline excavation or water-deposited material from hydraulic dredging.

Spring: A point where ground water emerges onto the earth's surface, including under any surface water of the state, as well as seeps. The term spring shall include karst windows, which are depression openings that reveal portions of a subterranean flow or the unroofed portion of a cave. It shall also include spring runs, whose flow is predominantly composed of spring discharge.

Springshed or Spring Recharge Basin: Those areas within ground and surface water basins that contribute to the discharge of a spring.

Square: An open space surrounded by a minimum of 75 percent of its perimeter by streets, totaling at least one half acre in area.

Standards: Guidelines or measures provided in these regulations by which acceptability of a use is determined.

Start of construction: The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first

alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in Florida Building Code, B Section 1612.2.]

Steep slope: Any topography having a slope of greater than or equal to five percent.

Stormwater: The flow of water which results from, and which occurs immediately following a rainfall event.

Strategic Ecosystems: Sites that are identified in the KBN/Golder Associates report, "Alachua County Ecological Inventory Project" (1996).

Street: An access way designed and used primarily for vehicular transportation purposes, which may feature within its right-of-way limits pavement, curbs, medians, sidewalks, bikeways, swales, slopes and parking lanes. Access ways and driveways designed as part of or access to parking lots to accommodate on-site parking requirements are excluded from this definition.

Street, major: Those streets listed in the Average Annual Daily Traffic Highway Level of Service Report produced by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, or any street with a functional classification of collector or higher.

Street, publicly-maintained: Any street maintained and operated by a governmental entity (state, county or city) whether there is deeded ownership or not.

Street, privately-maintained: Any street maintained and operated by a private entity (Developer or Property Owners' Association) whether there is deeded ownership or not.

Street line: That line limiting the right-of-way of the street and being identical with the property line of persons owning property fronting on the street.

Structure: Anything constructed or erected that requires a location on the ground or attached to something having location on the ground.

Stub street or stub-out street: A street that terminates at the edge of a proposed site for development and that is intended for future extension and connection to adjacent development or redevelopment.

Subdivision: The division of real property into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division. Subdivision includes the establishment of new streets and alleys, additions, and re-subdivisions; and, when appropriate to the context, subdivision applies to the process of subdividing or to the lands or area to be subdivided.

Substantial construction: All required permits necessary to continue the development have been obtained; permitted clearing and grading has been completed on a significant portion of the development subject to a single final development order; and the actual construction of buildings or water and sewer lines, streets, or the stormwater management system has been completed on a significant portion of the development or is progressing in a manner that significantly moves the entire development toward completion of construction.

Substantial damage: For the purposes of Chapter 406, Article 7, damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in Florida Building Code, B Section 1612.2.]

Substantial improvement: For the purposes of Chapter 406, Article 7, any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or

exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in Florida Building Code, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Section 107 of this ordinance.

Surface mining: The extraction of mineral resources from the earth by any process involving the removal of overburden materials to provide access from the surface to the mineral deposit.

Surface parking: A ground-level parking area for motor vehicles where there is no building or structure above the parking.

Surface waters: Rivers, streams, creeks, springs, lakes, ponds, intermittent water courses and associated wetlands that hold or transport water on the ground surface.

Survey, boundary: A survey, the primary purpose of which is to document the perimeters, or any one of them, of a parcel or tract of land by establishing or re-establishing corners, monuments, and boundary lines for the purposes of describing the parcel, locating fixed improvements on the parcel, dividing the parcel, or platting.

Survey, topographic: A survey of selected natural and artificial features of a part of the earth's surface to determine horizontal and vertical spatial relations.

Surveyor: A surveyor registered in Florida under F.S. 472, who is in good standing with the Department of Business and Professional Regulation, Division of Professions, Board of Professional Surveyors and Mappers.

Swale: An open shallow channel that is covered with vegetation on side slopes and bottom and is designed to collect and slowly convey runoff flow to downstream discharge points.

Theater, sexually-oriented: A cinema or motion picture theater which shows hard-core features on more than half the days that it is open, or which is marketed as or offers features described as "adult", "XXX", or sexually oriented.

Thickening pond: An area surrounded by dams, dikes or masses of earth into which fluids are introduced for the purpose of reducing the water content of mineral deposits during processing of mining operations.

Tower: A mount constructed for the primary purpose of supporting antennas and other PWSF components.

Trailer: Any portable or movable structure or non-self-propelled vehicle not used for living purposes, but used for moving or hauling freight, equipment, or merchandise.

Transfer of Development Rights: A device by which the development potential of a property is severed from its title and made available for transfer to another location.

Transferee: The owner of a property within a receiving area that purchases or otherwise acquires transferable development rights from another property.

Transferor: The owner of a property within a sending area that transfers rights to develop to another property.

Transit: Passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus or passenger vans operating on a demand responsive basis and associated park and ride facilities.

Traveled way: The portion of the roadway for the movement of vehicles exclusive of shoulders and auxiliary lanes (travel lanes).

Tree canopy: The area of the property that contains coverage by trees and consists of the total crown spreads or drip-lines of all trees existing on-site.

Tree, champion: Those trees that have been identified by the Florida Division of Forestry as being the largest of their species within the State of Florida or by the American Forestry Association as the largest of their species in the United States. The current list of champion trees in Alachua County is on file in the Department of Growth Management.

Tree, heritage: All native tree species, except water and laurel oaks, 20 inches or greater in diameter at a point four and one half feet above ground level, and all nonnative trees and water and laurel oaks 30 inches or greater in diameter.

Tree, regulated: Champion and Heritage trees; any woody native tree species 8" or more in diameter at breast height (dbh); and those small specimen trees specifically identified in Table 406.16.1 in Article 2, Chapter 406 of this ULDC.

Tree, specimen: A tree which has been identified by the County to be of notable interest or high value because of its age, size, species, condition, historic association, or uniqueness.

Unauthorized materials: Materials not normally associated with an approved mining or excavation and fill operation that pose a threat to water or natural resources located on or adjacent to the area where such operations are being conducted.

Unincorporated area: Any land in Alachua County not lying within the boundaries of a duly incorporated village, town, or municipality.

University: See ' College'

Urban Cluster: An area designated on the Future Land Use Map for urban development, which includes residential densities ranging from one unit per acre to 24 units per acre or greater, non-residential development, and is generally served by urban services.

Use: Any activity, function, or purpose to which a parcel of land or building is put.

Use, principal: A use that may be legally established on a lot and that is not dependent on any other use.

Use, accessory: Activities established as secondary, in support of, and dependent upon the principal use.

Utilities, major: Facilities such as electric generation plants, high power transmission lines and substations, solar power generation facilities, major gas distribution lines, water purification plants and sewage treatment and disposal plants.

Utilities, minor: Facilities such as pumping and switching stations.

Utility runway: A runway that is constructed for and intended to be used only by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

Utility structure: A relay station, wastewater lift station with a flow capacity of 2,000,000 gallons per day (MGD) or greater, substation, and similar structures, transmitter tower, or transmission line designed to carry in excess of 100 kv of electricity. This term does not include the transmission or reception of television or radio signals in conjunction with the use of a residential dwelling.

Value-added good: A product derived from the processing of a raw agricultural product or products that changes its physical state or form so as to enhance its value, such as milling wheat into flour or turning berries into jam.

Variance: A modification of the zoning regulations when such will not be contrary to the public interest and when, due to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance nor shall a variance be granted because of the presence of nonconformities in zoning districts or classifications.

Vehicle: Every device capable of being moved upon a public highway or public waterway and in, upon, or by which any person or property may be transported or drawn upon a public highway or public waterway, including any watercraft, boat, ship, vessel, barge, or other floating craft, or which is used exclusively upon stationary rails or tracks, or which is used exclusively for agricultural purposes.

Vehicle sales and service: The sale or storage of new and used vehicles, service stations, paint and body repair shops, automotive repair garages, and including the sales and servicing of any vehicle component.

Very low-income: One or more natural persons or a family that has a total annual gross income for the household that does not exceed 50 percent of the median annual gross income for households, adjusted for family size, within the metropolitan statistical area.

Viable: Having the capacity to live and develop, unaided by human intervention, into the indefinite future.

Visual runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indication on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

Wastewater: The combination of liquid and water-carried pollutants from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface runoff or leachate that may be present.

Wastewater treatment facilities: Any or all of the following: the collection/transmission system, the treatment plant, and the reuse or disposal system.

Water consumption: The total quantity of water utilized during a specified period of time by a mining or excavation operation, including that water required for mineral extraction, processing and chemical processing.

Water Management District: Any flood control, resource management, or water management district operating under the authority of Chapter 373, Florida Statutes. Unless otherwise stated,

water management district shall refer to either or both, the St. Johns River Water Management District or the Suwannee River Water Management District.

Water table: That surface in an unconfined water body at which the pressure is atmospheric. It is defined by the levels at which water stands in wells that penetrate the water body just far enough to hold standing water.

Watercourse: A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Waterfront: Any site shall be considered as waterfront property provided that any portion of such property physically abuts any body of water, including creeks, canals, rivers, lakes, or any other body of water, natural or artificial, but excluding swimming pools and drainage facilities which do not permit any type of sport or recreational pursuit.

Watershed: Land area included in a natural drainage basin for a river, stream or body of water.

Watershed Resources: Natural functions or systems that affect stormwater discharge characteristics within a specific watershed.

Well: Any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is to conduct groundwater from an aquifer or aquifer system to the surface by pumping or natural flow, to conduct waters or other liquids from the surface into any area beneath the surface of land or water by pumping or natural flow, or to monitor the characteristics of groundwater within an aquifer system(s). For the purposes of this chapter, geotechnical borings greater than 20 feet in depth shall be included in the definition of "well."

Well, Private Potable: A well that provides piped water for one to four residences, one of which may be a rental residence. This does not include wells used only for irrigation.

Well, Public Water Supply: any community public water systems and non-transient non-community public water systems that provide water to the public.

Community water system: a public water system which services 15 service connections used by year-round residents or regularly serve at least 25 year-round residents.

Non-transient non-community public water system: a public water system that is not a community water system and that regularly serves at least 25 of the same people for over 6 months per year.

Well, Non-community Public: A public water system that serves a transient population of at least 25 people per day at least 60 days per year or has a minimum of 15 non-residential service connections.

Well, Limited Use: A limited use commercial public water system which provides piped potable water to one or more non-residential establishments, and a limited use community public water system which provides piped potable water to five or more private residences or two or more rental residences.

Wellfield Protection Areas: Identified areas surrounding public water supply wells which are potential critical aquifer recharge areas or surface and groundwater areas with significant risk of contamination of public water supply from overlying land uses within the area.

Wetlands: Those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and, under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

Wholesaling, warehousing, storage and distribution: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of flammable materials or hazardous wastes.

Wildfire: An uncontrolled fire, burning vegetation, structures, or other improvements.

Wildlife refuge: An undeveloped, officially designated area that preserves and provides natural habitat for native animal species.

Wireless communications: Any form of conveying information between locations without physical connections.

Wood processing facility: A facility that processes, assembles and sells wood products or byproducts. Products produced from a wood processing facility may include products such as compost, wood chips, lumber, fuel or soil amendment or any combination of such materials.

Xeriscape landscaping: Landscape methods that conserve water and protect the environment through the use of native, drought-tolerant plants and planting techniques.

Yard: The open space existing on the same lot with a principal building, unoccupied and unobstructed by buildings from the ground to the sky, between the lot line and building line.

Yard, front: The yard extending across the entire width of the lot between the front lot line and the front building line. The lot line of a lot abutting a public street shall be deemed the front lot line. The front yard of a corner lot shall be that yard abutting the street with the least frontage, unless otherwise determined on a recorded plat or in a recorded deed. The front yard of a lot existing between two streets not intersecting on a corner of the lot shall be that yard abutting the street on which adjoining properties face, unless otherwise determined on a recorded plat or in a recorded deed.

Yard, rear: The yard extending across the entire width of the lot between the rear lot line and the rear building line. The rear lot line shall be the lot line farthest removed from the front lot line.

Yard, side: The yard extending from the front building line to the rear building line between the side lot line and the side building line.

Zoning Administrator: The term "Zoning Administrator" shall mean the Director of the Growth Management Department or their designee.

Zoning district: Any unincorporated area of Alachua County, Florida, as an area subject to zoning, and identified on the Zoning Map of Alachua County, Florida, assigned a zoning classification as

Chapter 410. Violations, Penalties and Enforcement

Article 3. Defined Terms

indicated on said map, consisting of any one of the several zoning districts as set forth and established in these regulations. Reference to the word "district" shall mean zoning district.