

Alachua County Unified Land Development Code



As Adopted

December 8, 2005 (Ord.05-10)

Amended:

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July 20, 2006 (Ord.06-14)	June 22, 2010 (Ord.10-14)
November 14, 2006 (Ord.06-36)	August 10, 2010 (Ord. 10-16, 10-17)
January 23, 2007 (Ord.07-01)	April 12, 2011 (Ord. 11-03)
April 24, 2007 (Ord.07-07)	May 10, 2011 (Ord. 11-04)
August 14, 2007 (Ord.07-13)	September 27, 2011 (Ord. 11-14)
September 11, 2007 (Ord.07-15)	October 9, 2012 (Ord. 12-09)
March 25, 2008 (Ord. 08-04)	May 14, 2013 (Ord. 13-05)
April 22, 2008 (Ord. 08-06)	July 9, 2013 (Ord. 13-09)
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October 28, 2008 (Ord. 08-25)	January 28, 2014 (Ord. 14-04)
February 24, 2009 (Ord. 09-01)	March 11, 2014 (Ord. 14-06)
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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 Board of Adjustment;
- (d) the Alachua County Development Review Committee (DRC); and
- (e) 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, Board of Adjustment 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.

6. change of use resulting in more than 1,500 square feet of new impervious area or affecting other elements of an approved final development plan;
 7. master plans for planning parcels with significant plant and wildlife habitat or listed plant and animal species habitat;
 8. flood hazard area permits except those listed under §401.20(d);
 9. variance to Flood Hazard Protection Standards of Chapter 406, §406.57.2;
 10. waivers to the setback requirements from major road centerlines, section lines, and half section lines in §407.03 in conjunction with an associated development plan;
 11. exceptions to the Street Network Standards of Chapter 407, §407.140;
 12. reductions to the minimum property development standards in Table 407.78.1, Dimensional Standards for Rural/Agriculture Clustered Subdivisions, for front setback, rear setback, lot width and lot depth by no more than 25 percent pursuant to §407.78(g)1;
 13. Certificate of Level of Service Compliance (CLSC) pursuant to Chapter 407, Article 12, Concurrency Management;
 14. reductions or waivers to the industrial district boundary requirement in accordance with §403.16(d);
 15. reductions or increases of the preservation boundary buffer in accordance with §405.33(b)4; and
 16. activities that propose significant adverse impacts to regulated natural and historic resources.
- (b) Review and Recommendation**

The Development Review Committee shall review and make recommendations on plats and replats to the Board of County Commissioners.

Article 6 Development Review Departments

401.18 Establishment

For the purpose of this Article the Development Review Departments shall consist of the Department of Growth Management, the Environmental Protection Department and the Department of Public Works.

401.19 Department of Growth Management

Unless otherwise provided herein, the authority to administer, implement, enforce and interpret this ULDC is granted to the Director of the Department of Growth Management.

401.20 Development Review Departments Powers and Duties

The Department of Growth Management, the Environmental Protection Department and the Department of Public Works shall exercise the powers and duties listed below:

(a) Review and Report

County staff shall review and prepare reports and recommendations to the following decision making bodies based on the review and recommendations of the Growth Management Department, Environmental Protection Department, the Department of Public Works, as well as input from other departments and agencies:

1. Board of Adjustment

regarding the following development applications:

- a. Article 26, Variances; and
- b. Article 22, Family Homestead Exceptions.

2. Development Review Committee

regarding the following development applications:

- a. any application listed in §401.17(a);
- b. plats, including final plats and re-plats.

3. Board of County Commissioners (and Planning Commission where applicable)

Applications as listed in §401.02.

(b) Decisions of the Growth Management Department

The Director of the Growth Management Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:

1. interpretation of the ULDC;
2. vested rights certification;
3. interpretation of district boundaries, where there is any dispute as to the location of the boundary of a zoning district in relation to particular property;
4. building permit;
5. building permits for docks of less than 1,000 square feet meeting the standards in Chapter 404, §404.108;
6. certificate of occupancy;

7. general home-based businesses;
8. family homestead exceptions not requiring approval by the Board of Adjustment;
9. temporary uses that do not involve overnight camping;
10. sign permit;
11. temporary placement permit;
12. tree removal permit;
13. certain personal wireless service facilities meeting the administrative development approval criteria in Article 12 of Chapter 404 of this ULDC;
14. administrative development plan review of any modifications to a development plan resulting in less than 1,500 square feet of impervious area provided the change does not affect other elements of an approved final development plan;
15. a change of use to a permitted or limited use, except where DRC approval is required in Chapter 404, where the proposed change will not require more than 1,500 square feet of impervious area provided the change does not alter other required elements of a development plan;
16. waivers to the setback requirements from major road centerlines, section lines, and half section lines in §407.03 for structures on existing legal lots of record; and
17. Tier 1 tower replacements meeting the standards of §404.54(a)5.

(c) Decisions of the Environmental Protection Department

The Director of the Environmental Protection Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following applications:

1. minimal impact activities in and adjacent to conservation or preservation areas;
2. minimal impact activities in and adjacent to regulated natural and historic resources;
3. removal of indigenous vegetation in special area studies;
4. hazardous facilities;
5. well registration and well abandonment;
6. Murphree Wellfield hazardous waste licenses; and
7. Dewatering activities discharging to wetlands, conservation or preservation areas.

(d) Decisions of the Department of Public Works

The Director of the Public Works Department, in conjunction with any of the other appropriate Development Review Departments, shall coordinate the review and make a decision to approve, approve with conditions or deny any of the following:

1. floodplain development permit for single family residence or mobile or manufactured home on a legal lot of record;

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- 2.** floodplain development permit for boat docks under 1,000 square feet meeting the standards of §404.108;
- 3.** minor modifications to stormwater management facilities and right-of-way infrastructure associated with development previously approved by the Development Review Committee;
- 4.** as an exemption to the requirements found in Chapter 404, Article 24 Mining, Excavation and Filling Operations, and for the purposes of creating an Agricultural type pond, excavation of more than 200 cubic yards of material that do not impact regulated resource areas or involve areas within the limits of the flood hazard area;
- 5.** right of way use and Utility Permit for allowable uses of public rights-of-way;
- 6.** driveway permits;
- 7.** construction permits;
- 8.** temporary construction stockpiles and temporary construction storage, leasing and sales offices that are not shown on an approved development plan; and
- 9.** dewatering activities with proposed offsite discharge.

Chapter 402 Development Application Review Procedures

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Article 1 Applicability and General Provisions

402.01 Purpose

The purpose of this Chapter is to provide the procedures and general standards for review of development, development activity and other applications that are submitted to officers or bodies of Alachua County for review under this ULDC. Unless otherwise provided in this Chapter or this ULDC, the Director shall establish the detailed procedures for development review, including the following:

- (a) dates and deadlines for submitting applications;
- (b) application forms;
- (c) required documents and information to accompany application forms;
- (d) public notice;
- (e) completeness review;

- (f) sufficiency review;
- (g) review of responses to completeness or sufficiency reviews;
- (h) approval of applications for further consideration or public hearing;
- (i) form and preparation of Department or Development Review Committee recommendations; and
- (j) such other action as may be needed to provide development review in an objective, timely and thorough manner.

402.02 Applications for Development Approval

(a) Applicability

All development applications shall comply with the requirements of this Article and this Chapter.

(b) Submittal of Applications

Unless otherwise provided herein, all development applications shall be filed with the Department.

402.03 Effect of Overdue Taxes, Liens and Fines

(a) Application Information

In addition to the application information required by other parts of this Chapter, an applicant shall provide with the application evidence that all property taxes and other obligations owed Alachua County related to the property are current.

(b) Application not to be Processed

An application that includes property for which there are overdue taxes or other financial obligations to Alachua County shall not be reviewed or processed by the Department, except in those cases where development plan approval is a requirement to correct a violation.

402.03.5 Building Permit Review for Affordable Housing Units

(a) Applicability

This Section applies to all housing units funded by any of the following programs below:

1. Community Development Block Grant
2. State Housing Initiatives Partnership Program (SHIP)
3. Impact Fee Assistance Program
4. Other (i.e housing tax credit program)

(b) Processing of Building Permits

Building permits for projects meeting the affordable housing guidelines above shall be available (processed) within six business days from the day the application is found sufficient and complete. No default permit is issued on account of this deadline.

(c) Application Information

In addition to the required information necessary to obtain a building permit, all affordable housing units seeking expedited review shall submit an *Alachua County Expedited Review Process for Affordable Housing Units* form.

Article 4 Notice of Hearings

402.11 Applicability

(a) Public Meetings

All meetings of the Board of County Commissioners, the Planning Commission, the Development Review Committee and the Board of Adjustment 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	

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.

1. Property Owners of the Subject Property

All property owners of the land subject to the application shall be mailed a written notice of a public hearing or workshop.

2. Jurisdictions

All bodies of government, including other counties or municipalities, adjacent to land subject to the application shall be mailed a written notice of a public hearing or workshop.

3. Alachua County School Board

The Alachua County School Board shall be mailed a written notice of a public hearing or workshop concerning residential development.

4. Nearby Property Owners

The property owners listed below shall be mailed a written notice of a public hearing or workshop. When land that is the subject of an application is contiguous to property under common ownership or control, the distance shall be measured from the boundaries of the entire ownership. When the distance measurement from a property boundary as required below ends in a roadway, the property directly across the roadway shall also be mailed a written notice. Requirements for notice to abutting property owners shall mean those identified using the most recent available tax rolls at the time of development application.

a. Abutting Property Owners

All property owners within 500 feet of the boundaries of the property for application shall receive notice.

b. Abutting Properties Designated Rural Agriculture

If the parcel is located in an area designated Rural/Agriculture on the Future Land Use Map, all property owners within 1,320 feet of the boundaries of the property for application shall receive notice. Board of Adjustment applications shall only require that notices be mailed to property owners within 500 feet of the boundaries of the property for application.

c. Neighborhood and Property Owner's Associations

If any dwelling within the required notification area is part of a neighborhood association or property owner's association, and that information is a matter of record with the Department, the association shall receive notice.

d. Registered Associations or Individuals to Receive Agendas

All neighborhood associations or similar property owners' associations, or individuals that have registered with the Department shall receive, at minimum, the agendas for public meetings that consider development applications in Alachua County.

(b) Mailing and Postmarking

1. Timing of Mailed Notice

For any application requiring mailed notice, such notice shall be mailed a minimum of 15 days prior to the initial public hearing or workshop.

2. When Notice Deemed to be Mailed

Notice shall be deemed mailed by its deposit in the mail, properly addressed and with postage paid.

(c) Department Verification

The following information shall be submitted to the Department for notice of neighborhood workshops. This information shall be submitted as part of the application packet for which the neighborhood workshop was required.

1. a notarized affidavit certifying that the notices were mailed in compliance with the standards of this section;
2. a copy of the mailed notice; and
3. the name and address list of property owners and jurisdictions to which the mailed notices were provided.

402.15 Procedure for Published Notice

(a) Preparation of Content and Publishing

The Department shall prepare the content of the notice and be responsible for publishing the notice in the newspaper of general circulation selected by the County.

(b) Content and Form of Notice

1. For published notice required by Florida Statutes Chapter 125, Section 125.66 or Chapter 163 Section 163.3184, the standards of those sections shall apply. In addition, the notice shall contain the information as required by §402.13 of this ULDC.
2. For other published notices required by Table 402.12.1 the following standards shall apply:
 - a. The title of the advertisement shall be "Notice of Public Hearing";
 - b. Content of the advertisement shall include information as required in §402.13 of this ULDC; and
 - c. The advertisement shall be published no less than 7 days prior to the date of the public hearing.

402.16 Requirements for Posted Notice

(a) Content of Notice

When required, as shown in Table 402.12.1, posted notices shall include the following information clearly written on the sign:

1. the type of application, visible from the street (Federal Highway Standards prescribed in the Manual on Uniform Traffic Control Devices, which is available on file with the Department of Public Works);
2. description of proposal or request;

3. zoning districts and future land use designations for comprehensive plan amendments and zoning applications (zoning districts shall be spelled out, not abbreviated, and applicable densities shall be included with land use designations); and
4. a phone number to contact the Department for additional information.

(b) Posting of Notice

Posting of property shall comply with the requirements listed below.

1. Responsibility for Posting

Signs shall be posted by the applicant.

2. Form of Required Signs

Notice shall be posted on weather resistant signs in a form established by the Department.

(c) Timing of Posted Notice

For any application requiring posted notice, signs shall be posted no later than 48 hours after the application has been accepted by the Department. Applications will not be considered complete and will not be processed until the signed and notarized Posted Notice Affidavit has been received.

(d) Location of Signs

1. Street Frontage

Signs shall be placed along each street, at maximum intervals of 400 feet for properties within the Urban Cluster and maximum intervals of 1,320 feet for properties outside of the Urban Cluster. They shall be set back a maximum of 5 feet from the property line so that the signs are visible from the street.

2. Lack of Street Frontage

If the land does not have frontage on a street, at least one sign shall be placed on the property at the access point and additional signs shall be placed on the nearest public right-of-way with an indication of the location of the subject property.

3. Installation

Signs shall be posted in a professional manner, able to withstand normal weather events.

(e) Affidavit

A notarized affidavit shall be submitted to the Department within 72 hours after the posting, certifying that the signs were posted in compliance with the standards of this Section. The Director may require submittal of photographs of all signs as part of the affidavit.

(f) Maintenance

The applicant shall ensure that the signs are maintained on the land until completion of the final action on the application.

(g) Removal

The applicant shall remove the sign within 10 days after final action on the application.

Article 5 Neighborhood Workshops

402.17 Neighborhood Workshop

(a) Purpose

The purpose of a neighborhood workshop is to ensure early citizen participation in an informal forum in conjunction with development applications, and to provide an applicant the opportunity to understand and try to mitigate any impacts an application may have on an affected community. These workshops ensure that citizens and property owners have an adequate opportunity to learn about applications that may affect them and to work with the applicant to resolve any concerns at an early stage of the process. A neighborhood workshop is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making. If an applicant fails to hold a required neighborhood meeting, the Department shall not accept that development application for review.

(b) Public Notice

Public notice of a neighborhood workshop shall be provided as indicated below.

1. Notice to Director

An applicant holding a neighborhood workshop shall coordinate with the Director prior to scheduling the workshop.

2. Notice Required

a. The applicant shall provide notification by mail according to Article 4, Notice of Hearings, of this Chapter. The Director shall provide a mailing list to the applicant. The applicant shall mail these notices with proper postage a minimum of 15 days before the workshop.

b. The applicant shall publish notice of the workshop according to Article 4, Notice of Hearings, of this Chapter, in a newspaper of general circulation a minimum of 10 days before the workshop. The advertisement shall be a minimum of two columns wide and four inches long. The ad shall be titled "Public Notice," with a description of the request, a location map and contact information.

3. Postponed Workshops

New public notice consistent with Section above shall be provided for any rescheduled workshop.

402.18 General Requirements

(a) Workshop Time and Location

The workshop shall start between 6:00 p.m. and 8:00 p.m. on a weekday or between 9:00 a.m. and 5:00 p.m. on a weekend. The initial workshop shall be held within the general area of the subject property. Additional workshops may be held but are not required.

(b) Workshop Summary

The applicant shall submit to the Department, as part of the application, a summary of the materials presented at the workshop, the issues raised by those in attendance, the suggestions and concerns of those in attendance, a copy of the sign-in sheet, a

copy of the workshop advertisement and a copy of the mailed notices sent to property owners.

(c) Workshop Elements

At the workshop, the applicant shall present the following, as applicable:

1. A general concept plan for the use of all included lands. Such plans shall indicate the general location of residential areas (including density and unit types), open space, active or resource-based recreation areas, natural areas (including wetlands and flood plains), and non-residential areas (including maximum square footage and maximum height).
2. A plan of vehicular, bicycle, and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks and access points to the external and internal thoroughfare network.
3. Drawings indicating the conceptual architectural theme or appearance and representative building types.

Article 6 Time Limitations for Development Orders

402.19 Development Orders Expire

Any development order, permit or other approval, other than a rezoning, shall expire in accordance with the terms of this ULDC.

402.20 Extension of Time Limit

An applicant may apply for an extension of a time limit, subject to the requirements of this Section.

(a) Deadline for Application

An application for an extension of a time limit shall be filed a minimum of 60 days prior to the expiration of the time limit.

(b) Additional Application Requirements

1. Concurrency

Unless concurrency approval is vested, an application shall demonstrate compliance with the concurrency management system as established in Chapter 407 Article 12 of this ULDC.

2. Demonstration of Good Faith Efforts

An application shall include a demonstration of good faith efforts to comply with applicable time limits by including one or more of the following items, dependent upon the type of development order requested for extension:

- a. all efforts to design a project, including engineering, architectural and similar plans;
- b. the number and type of development permits that have been applied for, including all relevant federal, state, County or related permits;
- c. the number and timeliness of any plats that have been recorded;
- d. the number and timeliness of any prior phases that have been developed or implemented;
- e. the completion or status of site development improvements including substantial and on-going site clearing, grading and the substantial and on-going construction of stormwater management facilities, if applicable;
- f. any granting of rights-of-way, easements or similar public dedications;
- g. compliance with applicable conditions of development approval;
- h. execution of agreements for water or sewer services; and
- i. such other information as may be required by the Director.

(c) Review of Applications

The application for extension shall be deemed an amendment to the original approval and shall be subject to review at a public hearing by the body that granted the order, permit or approval.

(d) Consistency

The application shall be consistent with the current Comprehensive Plan, ULDC, and other County requirements.

402.20.5 Permit Extensions Granted by Act of Legislature

From time to time, the Legislature of the State of Florida has and may adopt legislation that provides for extension of local government permits that would otherwise expire. Where the Legislature provides for such extensions of local government permits, the Growth Mangement Department shall provide for extension of local government permits in accordance with the specific terms of the legislation.

Article 7 Comprehensive Plan Amendment

402.21 Amendments Generally

The provisions of this Article shall govern all amendments to the Alachua County Comprehensive Plan.

402.22 Types of Comprehensive Plan Amendments

For the purposes of this ULDC, there shall be two types of Comprehensive Plan amendments: small scale plan amendments and large scale plan amendments.

402.23 Pre-application Conference

Prior to the submittal of an application for a Comprehensive Plan amendment, an applicant other than the County shall request and participate in a pre-application conference with the Department.

402.24 Neighborhood Workshop

An applicant shall hold a neighborhood workshop prior to submittal of an application for an amendment to the Future Land Use Map, in accordance with Article 5, Neighborhood Workshops, of this Chapter.

402.25 Public Notice Requirements

As indicated in Table 402.12.1 mailed, published and posted notice shall be required before the first public hearing on any application for a Comprehensive Plan amendment affecting a particular mapped area. Applications for an amendment to the text of the Comprehensive Plan require published notice only. All notice shall be prepared according to the procedures in Article 4, Notice of Hearings, of this Chapter.

402.26 Submittal of Applications

Applications for all Comprehensive Plan amendments shall be submitted in accordance with Article 2, Common Development Application Elements, of this Chapter and the submittal schedule established by the Department.

402.27 Standards for Review

When considering an application for a Comprehensive Plan Amendment, the review shall include all standards and criteria of Chapter 163 Florida Statutes.

402.28 RESERVED

402.29 RESERVED

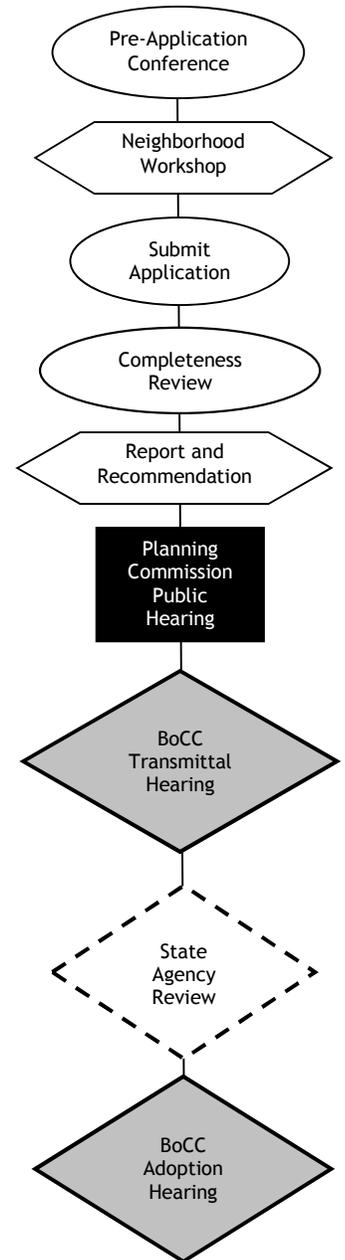
402.30 Review of Applications

(a) Local Planning Agency Review

The Planning Commission shall serve as the Local Planning Agency. The Local Planning Agency (LPA) shall review and consider all applications for amendments to the Comprehensive Plan in accordance with Chapter 163 Florida Statutes.

(b) Local Planning Agency Recommendation

The Local Planning Agency shall submit a recommendation, including the proposals' consistency with the Comprehensive Plan, to the Board of County



Article 23 Family Homestead Exceptions

402.141 Applicability

A Family Homestead Exception may be granted in accordance with the provisions of this Article on a parcel designated on the Comprehensive Plan's Future Land Use Map as Rural/Agriculture without meeting the density and intensity standards of the land use designation. A family homestead exception shall be used solely as a homestead by an immediate family member of the person who conveyed the property. Once a family homestead exception is granted by the Director or the Board of Adjustment, the division of land may then occur in accordance with the requirements of Article 8, Subdivisions, of Chapter 407 of this ULDC.

402.142 Application Requirements

(a) Application

An application for a family homestead exception approval shall be submitted in accordance with Article 3, Preliminary Procedures for all Applications, of this Chapter.

(b) Documentation

Documentation shall be provided, as listed below:

1. Legal Lot of Record

Documentation that the parcel for which a family homestead exception is requested is being created from a legal lot of record as defined in this ULDC. In addition, the legal lot of record shall not be a platted lot or a non-conforming lot or a lot previously created as part of a Subdivision with unpaved roads in the Rural Agricultural Area or created by variance through the Board of Adjustment or Board of County Commissioners, unless the variance was approved prior to October 2, 1991.

2. Location

Documentation that the parcel for which a Family Homestead Exception is requested is designated on the Comprehensive Plan's Future Land Use Map as Rural/Agriculture.

3. Immediate Family Member

- a. Each application for family homestead exception shall be accompanied by personal identification and proof of relationship, to establish the required immediate family member status, of both the property owner and the immediate family member. The personal identification shall consist of original documents or notarized copies from public records. Such documents may include birth certificates, adoption records, marriage certificates, and other public records.
- b. To qualify as an immediate family member, an individual who will use the property as a homestead must be one of the following: a grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the property owner.

4. Ownership

Proof of ownership verifying that:

- a. The subject property, a portion of which is proposed for use as a homestead by an immediate family member, has been in fee simple ownership, by an immediate family member, for a minimum of five years.
- b. The intended owner of the land (under a contract, will or other documented conveyance or estate) is an immediate family member of the person from whom the parcel is conveyed, devised, or transferred; and the person from whom the parcel is conveyed, devised or transferred has owned the property for a minimum of five years.

5. Affidavit of Homestead Exception Use

As part of the application for a family homestead exception, the immediate family member shall provide an affidavit stating that the family homestead lot is being created for use solely as a homestead by the immediate family member, that the family member shall occupy the residence for at least 5 years from the date a certificate of occupancy is issued for the residence, and acknowledging that the homestead shall not be transferable within that five year period unless a determination is made by the County that the criteria found in §402.143(d) for permitting such a transfer have been met.

(c) Jurisdiction for Family Homestead Exception Applications

1. The Director

The Director has the authority to approve, approve with conditions, or deny an application to create one or more family homestead exception lots from a parent parcel in accordance with the provisions of this Article provided all of the following requirements are met:

- a. the residual parcel will be at least five acres in size for property designated Rural/Agriculture on the Future Land Use Map of Alachua County;
- b. all lots have frontage on an existing publicly maintained road, provide joint driveway access to the public road or have obtained a variance through the Board of Adjustment allowing the lots to provide access to a private easement road with direct connection to a public road in accordance with the requirements of §401.11(a)4.
- c. all parcels are consistent with all other requirements of this ULDC.
- d. all parcels have buildable area outside the limits of any conservation areas including wetland and/or flood-prone areas and do not require access through these conservation areas.

2. Board of Adjustment

Where the residual parcel is less than 5 acres in size the Board of Adjustment shall have the authority to consider an application to create a family homestead exception lot in accordance with the provisions of this ULDC. All other requirements listed in §402.142(c)1 above shall be met.

(d) Development Standards

1. Minimum Property Size

The parent tract or parcel from which a Family Homestead Exception lot is being requested must be a minimum of 2 acres.

(b) Maximum Height

The maximum height for all structures within the single family residential zoning districts is 35 feet.

(c) Abutting lots

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

1. New development in the RE zoning district

For proposed development that abuts a portion of an existing development with lots in excess of 87,120 square feet, the minimum size for the abutting lots shall be 87,120 square feet with a minimum lot width of 200 feet.

2. New development in the RE-1 zoning district

For proposed development that abuts a portion of an existing development of lots in excess of 20,000 square feet, the minimum size for abutting lots shall be 20,000 square feet with a minimum lot width of 110 feet.

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

For proposed development that abuts a portion of an existing development of lots in excess of 10,000 square feet, the minimum size for abutting lots shall be 10,000 square feet with a minimum lot width of 80 feet.

(d) Buffer

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

**Table 403.07.2
Setback Requirements for Residential Lots**

Setbacks ¹	Front or Street	Garage Front ³	Rear	Side	Accessory buildings
Lots less than 1 acre in size, Minimum Principal Building (ft.)	10	20	10	5 ²	Same as principal building except rear is 7.5 ft.
Lots 1 acre or greater in size, Minimum Principal Building (ft.)	15	20	15	10 ²	Same as principal building except rear is 10 ft.

¹Minimum side setbacks do not apply to zero lot line developments provided the building spacing requirements of the Florida Building Code, Table 600, are met.

²Minimum side setbacks do not apply to single family attached units.

³The Garage Front setback applies only to the garage portion of the structure when the garage opening faces the front of the street.

403.08 Multifamily Residential Districts

The multiple family residential zoning districts implement the Urban Residential policies of the Future Land Use Element of the Comprehensive Plan. Multifamily districts shall be allowed only in those areas designated Medium, Medium-High or High Density Residential on the Future Land Use Map. Exemptions to the minimum density of a parcel may be approved by the DRC if it is determined that environmental site constraints, infrastructure constraints, or parcels of limited scale preclude achieving the gross density. 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.

403.09 Multifamily Residential Standards

Within all multifamily residential zoning districts, principal buildings and accessory buildings shall be located and constructed in accordance with Table 403.09.1.

**Table 403.09.1
Standards for Multifamily Districts**

Standards	Zoning District		
	R-2	R-2a	R-3
Density Range - Dwelling units per acre	4 - 8	8 - 14	14 - 24
Width at front building line, min			
1-2 units (ft)	50	50	50
3 or more units (ft)	100	100	100
Depth, min (ft)	90	90	90
Setbacks around the Perimeter of the Development			
Front, min (ft)	25	25	25
Rear, min (ft)	20	20	20
Interior side, min (ft)	10	10 ¹	10 ¹
Street side, min (ft)	25	25	25
Building Standards			
Units per building, max ²	8	16	Unlimited
Height, max (feet)	35	45	60
Building coverage, max (percent of gross land area)	35%	35%	35%

¹Six additional inches of setback shall be required for each foot of building height over 35 feet.

²This standard does not apply to assisted living facilities.

403.10 Multifamily Residential Requirements

All multifamily residential development within the R-2, R-2a, and R-3 zoning districts shall meet the following requirements and the requirements of §403.02.5, if applicable.

- (a) Building spacing shall meet the requirements of the Florida Building Code, Table 600.
- (b) Direct access to a paved arterial or collector road shall be provided. The County Commission may approve a Planned Development with local street access in the Medium and Medium-high density land use categories provided the following requirements are met:
 1. The access road shall have a limited number of single family driveways between the proposed development and the collector or arterial road. The exact number of existing single-family access points allowed shall be determined at development plan review based on the design of the roadway, traffic counts, and the size of the proposed multi-family development.
 2. Sidewalks shall be provided on the access road that extends from the project to the primary road network.
 3. The following collector road design elements shall be addressed in the PD application and shall be considered as potential conditions of the PD approval for the access road:
 - a. curb and gutter,
 - b. pedestrian scale street lighting

- c.** shade trees,
 - d.** transit stops with benches,
 - e.** pedestrian activated crossing signals at signalized intersections, and
 - f.** bicycle lanes
- (c)** The access road shall meet the minimum street design specifications based on projected ADT, as outlined in Section 407.80(a-g).
- (d)** A minimum of five percent of the development shall be designated for developed recreational open space, such as community fields, greens, plazas, squares or outdoor sports facilities. Such recreational open space shall be designed for use by residents of the development.
- (e)** Bus shelters shall be provided for each multifamily development and shall be located on an adjacent street and where there are planned or existing bus routes.
- (f)** A continuous pedestrian circulation system shall be provided throughout the entire development. The system shall link all units to all developed recreational open space, parking, planned or existing bus facilities, and to existing public sidewalks or public right-of-way that is located adjacent to the development.

Article 4 Commercial Districts

403.11 Commercial District Descriptions

(a) Administrative and Professional (AP) District

The Administrative and Professional (AP) District implements the Commercial, Office, and Office/Residential policies of the Comprehensive Plan and the associated designations on the Future Land Use Map. This zoning district may also implement the policies and associated designations for Rural Clusters and Rural Employment Centers. 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.

(b) Business and Professional (BP) District

The Business and Professional (BP) District implements the Commercial and Office policies of the Comprehensive Plan and the associated designations on the Future Land Use Map. This zoning district may also be appropriate in Rural Clusters and Rural Employment Centers. 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.

(c) Retail Sales and Services (BR) District

The Retail Sales and Service (BR) District implements the Commercial policies in the Comprehensive Plan and the associated designations on the Future Land Use Map, as well as the Neighborhood Convenience Commercial policies of the Comprehensive Plan. This district may also be appropriate in Rural Clusters and Rural Employment Centers. 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.

(d) Business, Tourist and Entertainment (BR-1) District

The Business, Tourist and Entertainment (BR-1) District implements the Tourist/Entertainment policies and the associated designations on the Future Land Use Map and the policies of the Comprehensive Plan. 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. The BR-1 district is intended to provide commercial uses that are oriented primarily toward services for the short term visitor to Alachua County, by providing lodging and related commercial uses at the following locations:

1. designated highway interchanges with Interstate 75;
2. locations adjacent to natural resources, consistent with the protection of those resources; or
3. locations adjacent to other major tourist destinations

(e) Highway Oriented Business Services (BH) District

The Highway Oriented Business Services (BH) District implements the Commercial and Tourist/Entertainment policies of the Comprehensive Plan and the associated designations 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.

(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.

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.

Chapter 404 Use Regulations

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Article 1 General Provisions

404.01 Purpose

This Chapter establishes permitted, limited, accessory and prohibited uses, as well as uses that require special use permits or special exceptions, according to the various zoning districts. Where such uses are allowed within a zoning district but are not permitted by right, applicable standards are established for the use.

404.02 Principal Uses within Planned Development Districts

Within planned development districts, all principal uses shall be set out within the development order approved by the Board of County Commissioners, in a manner consistent with the Comprehensive Plan and this ULDC.

404.03 Uses within TDR (Transfer of Development Rights) Districts

The uses allowed within the Silvicultural (SLV-TDR) District, the Agriculture (AG-TDR) District, and the Rural Residential (RR-TDR) District will be established at the time that the County officially adopts a transfer of development rights program.

404.04 Uses within Conservation and Preservation Management Areas

The uses allowed within Conservation and Preservation Management Areas shall be set out within the management plan approved for the area, in accordance with the requirements of Chapter 406 of this ULDC.

404.04.5 Uses within Traditional Neighborhood Developments and Transit Oriented Developments

Uses allowed within Traditional Neighborhood Developments and Transit Oriented Developments are listed within the Use Table similar to the Zoning Districts. TND/TOD is not a zoning district. Article 7 of Chapter 407 provides further limitations about the location and design of some uses.

404.04.6 Uses within the Eastside Activity Center Zoning Districts

Uses allowed within the Eastside Activity Center Zoning Districts are identified in Table 405.42.1 of this ULDC.

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND	Standards		
<p>AGRICULTURAL AND CONSERVATION USES</p> <p>Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable</p>																											
Agriculture	Agricultural uses, except as listed below	P	P	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		§404.09	
	Agricultural processing, offsite	L	L																		L	L	L	L		§404.10	
	Produce stand	L	L														L	L	L	L	L	L	L	L		§404.11	
	Agricultural services	SE	P																								
	Poultry or livestock raising on parcels less than 5 acres	L	L	L	L	A	A	A	A																	§404.13	
	Community Garden	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	§404.13.5	
	Farmers Market	L	L										L	L	L	L	L	L	L	L	L	L	L	L	L	§404.13.6	
	Dairy, commercial	SE																								§404.14	
	Commercial Livestock Market	SE	P																								
	Private agricultural event center or arena	SE																									§404.14.5
	Slaughter plant	SE																									
	Farm machinery and lawn and garden equipment repair	L	P																	P	P						§404.15
	Wood processing facilities	SE																									§404.16
	Feed & agriculture supply sales		P															P	P	P	P						
	Kennel, Cattery or Private Animal Shelter	L																									§404.18
Animal Sanctuary	SE			SE																						§404.18.5	

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Article 2. Use Table

Use Categories	Specific Uses	Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																Standards										
		A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1		BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND			
Resource-based Recreation	Farmworker housing	SE	SE																							\$404.19		
	Resource-based recreation, except as listed below																											
	Dock	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.108	
	Hunting or fishing camp	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.109	
Conservation	Marina	SE																									\$404.110	
	Residential recreational camp	SE																									\$404.111	
	Public Wildlife Refuge	P																										
	Public Park or Historic Site	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
RESIDENTIAL USES	Single-family detached dwelling	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Single-family attached dwelling																											
	Manufactured home	L	A						L																		\$404.21	
	Mobile home	L						L																			\$404.22	
	Manufactured or mobile home park								L																		\$404.23	
	Accessory living unit	A			A	A	A	A																			\$404.24	
	Security quarters	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	\$404.25	
	Model Home	A			A	A	A	A																			\$404.26	
	Multiple-family dwelling																											
	Residential over commercial																											
	Assisted living facility																											
	Group Housing	Nursing home																										\$404.27
Dormitory																												

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																Standards							
		A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1		BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND
Group Housing	Fraternity or sorority house								P																
	Community residential home, small	L				L	L	L	L		L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.28
	Community residential home, large	SE						L			L												L		\$404.29
PUBLIC AND CIVIC USES																									
Adult and Child Care	Adult day care								L																\$404.30
	Child care center	SE	SE		SE	L	SE	L	L		L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.31
	Family child care home	L				L	L	L	L		L													L	\$404.32
Educational Facilities	Educational facility, private (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	\$404.34
	Educational facility, public (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	L	\$404.34
	Educational facility, vocational, business or technical school; college or university	A																							
Community Services	Government Buildings and facilities	SU	SU	SU	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.35
	Cemetery	SU	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$404.36
	Funeral home																								\$404.37
	Homeless shelter, principal use				SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	\$404.38
Homeless shelter, accessory	A	A																						\$404.39	
Soup kitchen, principal use				SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	\$404.40

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND	Standards		
Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																											
Community Services	Soup kitchen, accessory	A	A																							\$404.41	
	Civic organizations and places of worship	L	P	SE	L	L	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P		\$404.42
	Museum	L	L		L	L	L	L	L			L	L			L	P	P	P	P	L	L	L	L	P		\$404.43
	Commercial Animal Boarding or Training Facility																		SE	SE		SE	SE				\$404.44
	Pet rescue organization	L															L	L	L	L					L		\$404.44.5
Health and Medical Facilities	Hospital													P													
	Medical clinic or lab	SE	P									P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Veterinary clinic or hospital	SE	L										L		L	L	L	L	L	L	L	L	L	L	L		\$404.46
	Message therapist															L	L	L	L	L	L	L	L	L	L		\$404.47
Transportation Terminals	Bus or train station																	SE	SE	SE	SE	SE	SE	SE	P		
	Airport																					SE	SE				
	Helicopter landing pad																										\$404.48
	Private landing strip	SE																									
Utilities	Major Utilities, except as listed below	SE	SE		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			
	Minor Utilities, except as listed below	P	P		L	L	L	L	L	L	L	L	P	P	P	P	P	P	P	P	P	P	P	P	P		\$404.49
	Broadcasting or communications tower	SE																SE	SE	SE	SE	SE	SE	SE	SE		\$404.50
	Amateur radio tower	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		

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Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND	Standards
Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																									
Business and Professional Services	Radio or television station, excluding towers																								
	Personal Services, except as listed below															P	P	P	P	P	P	P	P	P	
	Gym or fitness center															P	P	P	P	P	P	P	P	P	
	Indoor sports training facility															P	P	P	P	P	P	P	P	P	\$404.106
Overnight Accommodations	Dance, art or similar studio											P				P	P				P	SE			
	Hotel or Motel													P		P	P	P	P	P			SE		
	Bed and breakfast	L				L	L	L				L												L	
	Rooming House								P			P													
Retail Sales and Service	RV Park/ Campground										L														
	Retail Sales and Service, except as listed below																								
	Neighborhood convenience center																								
	Convenience store																								
	Pharmacy														L										
	Dry cleaners																								
	Furniture store																								
	Media sales and rental																								
Retail Sales and Service	Large-scale retail																								
	Flea market																								
	Media, sexually oriented																								
	Sex shop																								

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Article 2. Use Table

Use Categories	Specific Uses	Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable														Standards											
		A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP		BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND		
Commercial Animal Raising	Commercial Animal Raising																										
	Self-Service Storage Facilities																	L		L	L	L			L	\$404.76	
	Vehicle sales and service																		P	SE					L	\$404.77	
	Vehicle and trailer rental																		A	P						\$404.78	
	Service station																		P	P	SE				L	\$404.78.5	
	Vehicle repair																			L							\$404.79
Outdoor Storage and Display	Fuel Sales																		A	A	SE				A	\$404.80	
	Outdoor storage																		A	A					A	\$404.81	
	Outdoor display																		A	A	A				A	\$404.82	
INDUSTRIAL USES																											
Wholesaling, Warehousing, Storage and Distribution	Wholesaling, Warehousing, Storage and Distribution, except as listed below																										
	Building supply and lumber sales																										\$404.82.6
	Manufactured and mobile home sales																		P	P							
	Parking of trucks, recreational vehicles and trailers																										\$404.82.5
	Storage yard																										\$404.83

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND	Standards			
		Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																										
Light Industrial	Light Industrial, except as listed below																					P	P		L	\$404.83.5		
	Research, development or experimental lab																											
	Heavy machinery and equipment sales and repair													L													\$404.84	
Heavy Industrial	Cab company or limousine service																			SE								
	Heavy Industrial, except as listed below																				P	P	P					
Waste-Related Service	Asphalt or concrete batching plant																											
	Waste-Related Service, except as listed below																											
	Junk, salvage or recycled metal yard																											
	Solid waste transfer station																											
	Package Treatment Plant	SU	SU																						SU			\$404.85
	Spray irrigation	L	L																									\$404.86
Land application of biosolids	SE																										\$404.87	
Materials Recovery, Recycling and Composting																											\$404.88	
Storage, transfer or treatment of hazardous waste																											\$404.89	
																											\$404.89.5	

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-aa, R-1a	R-1b	R-1c	R-2, R-2a, R-3	RM	RM-1	RP	AP	HM	BP	BR	BR-1	BH	BA, BA-1	BW	ML	MS, MP	MB	TOD/TND	Standards
Mining, Excavation and Fill Operations	Mining, Excavation and Fill Operations	SU																							Article 24
Public Fairground	Public Fairground																						L		Article 25

section 62-302 may occur; demonstration of this may be accomplished by appropriate soil, hydrogeologic and hydraulic studies.

- c. Zones of discharge shall not extend a distance closer than 150 feet from the applicant's property boundary.

3. Revision of Development Plan

Any major deviation from an approved development plan of a permitted dairy shall require re-submittal for approval through the special exception process.

404.14.5 Private Agricultural Event Center or Arena

Private agricultural event centers or arenas are allowed as a special exception in the A district, subject to development plan approval by the Development Review Committee and in accordance with the following standards.

- (a) The minimum lot area shall be five acres.
- (b) The site must be served by a paved public road.
- (c) A medium-density, 25-foot wide buffer, in accordance with Chapter 407, shall be provided between the facility and adjacent properties. The Development Review Committee may increase this buffer to a 50-foot width where the operation is adjacent to residential uses.
- (d) Only those activities or events consistent with the Rural/Agriculture policies of the Comprehensive Plan shall be allowed.

404.15 Farm Machinery and Lawn and Garden Equipment Repair

Farm machinery and lawn and garden equipment repair is permitted by right in the following districts: A-RB, BA, BA-1, MS and MP. Where permitted as a limited use in the A district, a farm machinery or lawn and garden equipment repair facility shall operate only as a rural home-based business in compliance with the standards of §404.63 of this Chapter.

404.16 Wood Processing Facilities

Wood processing facilities may be allowed by special exception in the A district subject to the following standards.

- (a) **Minimum Lot Size**
The minimum lot area shall be 15 acres.
- (b) **Minimum Square Footage**
The total square footage of all structures used for the wood processing facility shall not exceed 50,000 square feet, unless otherwise approved as part of the special exception.
- (c) **Access**
The site shall have direct access on a paved public road, unless otherwise approved as part of the special exception. If approved on an unpaved road, a maintenance agreement may be required.
- (d) **Setbacks**
All buildings and stock piles shall meet the required setbacks of the zoning district or the setbacks that would be required to meet Florida Fire Prevention Code standards, whichever is greater.

(e) Buffering

At minimum, a 25 foot wide medium density buffer consistent with Table 407.43.2 in Chapter 407 of this ULDC shall be provided if the facility is located adjacent to existing single family uses or property with residential zoning. Buffers may be increased and may also be required from other adjacent uses if warranted based on an analysis of the noise, dust, visual impact, or other potential negative impacts of the Wood Processing Facility on those adjacent uses.

(f) Storage of Materials

All materials processed or stockpiled shall be screened from view of a public right-of-way by an opaque fence or wall or by existing landscaping that provides equal opacity.

(g) Florida Fire Prevention Code

The facility and operations must comply with the Florida Fire Prevention Code.

(h) Operations Plan

As part of the special exception application, an Operations Plan shall be submitted that includes the following information:

1. Site plan that indicates the type and location of all proposed activities, buffers, buildings, parking, storage of any wood or wood products, equipment or materials and ingress and egress.
2. Manner of processing wood products at the facility, including specifics on recycling, hauling, composting, hazardous materials management, noise, odor and air pollution controls and other operations.
3. Whether or not any of the processed wood will be available for retail sale, with all sales areas indicated on the site plan.
4. How the facility and operations comply with the Florida Fire Prevention Code.
5. Days and hours of operation.

404.17 RESERVED

404.18 Kennel, Cattery or Private Animal Shelter

A kennel, cattery or private animal shelter is allowed as a limited use in the A, RE and RE-1 districts, subject to development plan approval by the Development Review Committee and in accordance with the following standards. Where the total number of domesticated animals exceeds 20 (or for a private animal shelter operated by a certified 501(c)3 organization 40 animals), a facility may only be allowed as a special exception, subject to the following standards.

(a) Kennel

1. The minimum lot area shall be five acres.
2. All outdoor areas allocated for use by dogs shall be fenced or walled to safely contain the animals.
3. Structures housing dogs shall be completely enclosed and designed to suppress noise.
4. The structure housing dogs and any outdoor areas allocated for use by such dogs shall be located a minimum of 100 feet from any property line.

5. A medium-density, 25-foot wide buffer, as described in §407.43(b)2, shall be provided between the facility and adjacent properties. The reviewing body may increase this buffer to a 40-foot wide high density buffer where the operation is adjacent to residential uses.
6. Hours of operation, including times for feeding and use of outdoor areas by the dogs, shall be between 7 a.m. and 9 p.m.
7. No rural kennel shall accommodate more than 50 dogs at any one time.
8. Methods of waste disposal and odor abatement shall be detailed as part of the review process.
9. A single family residence shall be allowed on the site.

(b) Cattery

1. The minimum lot area shall be five acres.
2. All outdoor areas allocated for use by the animals shall be fenced or walled to safely contain the animals.
3. Enclosed structures shall be provided such that the animals have access to shelter from the elements.
4. Structures housing the animals and any outdoor areas allocated for use by such animals shall be located a minimum of 100 feet from any property line.
5. A medium-density, 25-foot wide buffer, as described in §407.43(b)2, shall be provided between the facility and adjacent properties. The reviewing body may increase this buffer to a 40-foot wide high density buffer where the operation is adjacent to residential uses.
6. Hours of operation, including times for feeding and maintenance, shall be between 7 a.m. and 9 p.m.
7. No rural cattery shall accommodate more than 125 cats and/or ferrets at any one time.
8. Methods of waste disposal and odor abatement shall be detailed as part of the review process.
9. A single family residence shall be allowed on the site.

(c) Private Animal Shelter

1. No facility shall accommodate more than 50 dogs or 125 cats or ferrets at any one time, unless the applicant provides proof of the facility's nonprofit status as a 501(c)3 and the additional animals are approved by the County Commission as part of a special exception. Litters younger than six months of age shall not count against these totals.
2. The minimum lot area shall be five acres. Facilities designed to exceed the thresholds of 1. shall have a minimum lot area of eight acres.
3. All outdoor areas allocated for use by the animals shall be fenced or walled to safely contain the animals.
4. Structures on the site shall be designed to provide appropriate shelter, noise reduction, and odor prevention, as appropriate for the type of animal and adjacent uses.

5. Structures allocated for housing animals and any outdoor areas allocated for use by such animals shall be located a minimum of 100 feet from any property line.
6. A medium-density, 25-foot wide buffer, as described in §407.43(b)2, shall be provided between the facility and adjacent properties. The reviewing body may increase this buffer to a 40-foot wide high density buffer where the operation is adjacent to existing residential uses.
7. Hours of operation, including times for feeding and use of outdoor areas by dogs, shall occur between 7 a.m. and 9 p.m. Visitation hours for the public may be further restricted by the reviewing body. The operator shall be responsible for any improvement identified by the reviewing body as necessary to accommodate public access to the site.
8. Methods of waste disposal and odor abatement shall be detailed as part of the review process.
9. A single family residence shall be allowed on the site.
10. All facilities with more than 20 animals that maintain a 501(c)3 status shall be operated in cooperation with a local veterinarian. An annual letter from the veterinarian certifying the facility shall be submitted to the Growth Management Department.

404.18.5 Animal Sanctuary

An Animal Sanctuary may be allowed as a special exception in the A and C-1 districts, subject to the following standards.

- (a) In the C-1 district, only those facilities designed to further the conservation objectives of the Comprehensive Plan shall be permitted.
- (b) Any required permits for Class I, II or III captive wildlife must be obtained from the Florida Fish and Wildlife Conservation Commission in accordance with Chapter 68A-6, F.A.C. (see www.myFWC.com), as a condition of approval for an application for a special exception. A copy of the approved permit must be provided to the Department prior to beginning operations.

404.19 Farmworker Housing

Farmworker housing may be allowed through special exception in all zoning districts except the C-1, Conservation district, as an accessory use to an agricultural activity for workers employed on a full-time basis, and subject to the following standards.

(a) Types of Farmworker Housing

Farmworker housing may be provided in the form of permanent dwellings or manufactured or mobile homes.

(b) Maximum Density

1. Permanent Dwellings

Permanent farmworker housing shall comply with the density requirements of the zoning district in which the units are located.

2. Manufactured or Mobile Homes

Dwelling units capable of being moved, including manufactured or modular housing, may exceed the density requirement of the zoning district provided that the following requirements are met.

- a.** Movable farmworker housing shall be accessory to the operation of an intensive agricultural activity.
- b.** The applicant shall submit the following materials:
 - i.** evidence of a current agricultural *ad valorem* tax exemption issued by the Alachua County Tax Collector;
 - ii.** an affidavit, signed by the owner or operator of the agricultural activity stating the farmworker housing shall only be used by fulltime employees of that activity; and
 - iii.** a housing removal agreement with a requirement that all housing units shall be removed within 90 days after the agricultural activity has ceased.

Article 15 Food and Beverage

404.67.5 Restaurant

A restaurant is allowed as a permitted use in the BR, BR-1, BH, BA, BA-1, BW and MB districts and in Traditional Neighborhood and Transit Oriented Developments. A restaurant is allowed as an accessory use to industrial uses within the ML, MS and MP districts. A restaurant is allowed as an accessory use in the A district subject to development plan review and the following standards.

(a) Restaurants in the Agriculture (A) District

1. Restaurants may be allowed in the A district as an accessory use to an active agricultural operation for agritourism purposes and must utilize agricultural products grown and processed onsite. The restaurant shall not be part of a chain or a franchise and shall not exceed a seating capacity of 20.
2. The property must have direct access to a public road meeting county requirements for sufficient right-of-way, minimum width, stabilization requirements and maintenance.
3. Drive-through facilities are prohibited.

404.68 Restaurant with Drive-Through

A restaurant with a drive-through is allowed as a limited use in the BR-1, BH, BA, BA-1 and BW districts and in Traditional Neighborhood and Transit Oriented Developments, subject to the following standards. A restaurant with a drive through may be allowed by special exception in the BR district, subject to the following standards.

(a) Location of Drive-Through Windows

Drive-through windows shall be constructed as an integral part of the principal structure. Menu boards and equipment for ordering from a vehicle may be a stand-alone feature.

(b) Circulation

1. Stacking lanes for drive-through windows shall provide at least five stacking spaces for each drive-through service window. Such spaces shall be designed so as to avoid conflict between pedestrian and vehicular circulation on the site or any abutting street.
2. A vehicle pass-by lane shall be constructed adjacent to each window to provide for complete, unimpeded circulation throughout the site.

(c) Additional Standards for Traditional Neighborhood and Transit Oriented Developments

1. Restaurants with a drive-through lane are only allowed in a multi-tenant building.
2. Drive-through lanes and drive aisles shall be located at the rear of buildings and shall be architecturally integrated with the building or screened from the street.
3. Building shall be designed to meet a nationally or locally recognized green building standard.

404.69 Incidental Food Sales

Food and/or beverage sales are allowed as an accessory use to commercial and industrial uses within the A-RB, BR, BR-1, BH, BA, BA-1, BW, ML, MS, MP, and MB districts and in Traditional Neighborhood and Transit Oriented Developments, provided that the area utilized for the sales, storage, preparation, and service of foods and/or beverages does not exceed 20% of the gross floor area of the principal structure.

404.69.1 Mobile Food Sales

Mobile food sales are allowed as a limited use in the A-RB, BR, BR-1, BH, BA, BA-1, BW, ML, MS, MP and MB districts, Traditional Neighborhood and Transit Oriented Developments, and on properties with a Mixed-Use Future Land Use designation, subject to the following standards.

(a) Permitting

Mobile food service units shall obtain a permit from the Growth Management Department.

(b) Exemptions

Mobile food service units that are transient in nature and do not stop at a given location for more than one hour may be allowed without a permit in any location, provided the establishment has any necessary permits required by the Florida Department of Health and does not violate any other provisions of this ULDC, including the prohibition of sales in the right-of-way as found in §407.11(a).

(c) Property Owner Authorization

All applications for mobile food sales must include written permission or lease from the owner(s) of the property or properties authorizing the operation of the mobile food service unit in accordance with the submitted site drawing and the standards of this ULDC.

(d) Required Licenses

All required licenses from the appropriate state or county agencies must be displayed conspicuously on the mobile food service unit from which the food is sold.

(e) Sales Areas

1. Mobile food service units shall not conduct business in any way that restricts or interferes with the entrance or exit of a business, creates a hazard to pedestrians, life or property, or obstructs vehicular circulation, pedestrian circulation, access to emergency exits or that creates a traffic hazard or nuisance off-site.
2. No drive-through sales are allowed.
3. The mobile food service unit must keep the sidewalks, parking areas and other areas adjacent to the unit clean and free of refuse of any kind generated from their operation.

(f) Hours of Operation

Mobile food sales shall be limited to the hours of operation between 7:00 AM and 10:00 PM or close of business, whichever is later, of the principal use on site. Transient mobile food sales shall be limited to the hours between 11:00 AM and 3:00 PM.

(g) Additional Requirements for Undeveloped Properties

Where mobile food service units are located on undeveloped properties, the following additional requirements shall apply:

1. The mobile food service unit must be set back at least 100 feet from any existing residential development.
2. The property shall have a minimum area of at least 1,500 square feet for parking to accommodate at least five vehicles.

(h) Prohibitions

Mobile food sales are prohibited in the following areas:

1. Within 25 feet of any loading zone or transit stop;
2. Within 25 feet of any fire hydrant, fire escape or fire control device;
3. Within 25 feet of any parking space or access ramp designated for persons with disabilities; or
4. Within the building setback area required by the zoning district.

(i) Site Drawing

All applications for mobile food sales must include a scaled site drawing that identifies the following:

1. Property boundaries;
2. Dimensions and proposed location of the mobile food service unit including structures, sales area, waste collection bins, utilities, generators and any other mechanical equipment;
3. Ingress and egress for the host business (if any);
4. Identification of parking areas, loading zones and fire hydrants.

Chapter 404. Use Regulations

Article 15. Food and Beverage

Article 18 Self-Service Storage Facilities

404.76 Self-Service Storage Facility

Self-service storage facilities are allowed as a limited use in the BH, BW, ML, MS, and MP districts, subject to the standards in (a) below and within Transit Oriented Developments, subject to the standards in (b) below.

(a) Storage of Boats, Recreational Vehicles and Similar Equipment

Storage of boats, recreational vehicles and similar equipment shall be permitted, subject to the following standards.

1. Storage shall occur only within a designated area, approved as part of the development plan.
2. Storage areas shall not exceed 25 percent of the lot area of the site.
3. Boats shall be stored on trailers with wheels.
4. Storage areas shall be completely screened from public rights-of-way or adjacent residential zoning districts, utilizing either the buildings associated with the storage facility or by an opaque masonry wall, or equivalent approved by the Director, a minimum of six feet in height.

(b) Transit Oriented Developments

Developments that are at least 100 acres in size may contain self-service storage facilities designed principally to serve the project, subject to the following criteria:

1. The facility shall not be located within the Village Center.
2. The square footage of the facility shall not count toward the allowed non-residential intensity allowed by §407.65(d)3.
3. The building(s) containing the use shall exhibit architectural detail similar to other buildings in the development.
4. Storage unit entrances shall not be visible from the right-of-way.
5. Building facades facing public streets shall meet the building design requirements of §407.69(b)4.
6. Outside storage of boats, recreational vehicles and similar equipment is not allowed.

Article 19 Vehicles Sales and Service

404.77 Vehicle Sales and Service

Vehicle sales and service is permitted by right in the BA, BA-1, MS, and MP districts, and may be allowed by special exception in the BW district. In the MB district, this use shall be limited to the sales and service of boats. Vehicle sales are allowed as a limited use in Traditional Neighborhood and Transit Oriented Developments subject to the following standards:

- (a) Vehicles for sale shall be kept in a fully enclosed building, except that one vehicle per 5,000 square feet of building area may be displayed internal to the block. For multi-tenant buildings only the area of the establishment selling the vehicles may be counted toward the calculation of vehicles allowed. The location of these vehicle display areas shall be identified on the development plan.
- (b) All buildings shall meet the design standards of Chapter 407, Article 7, Traditional Neighborhood and Transit Oriented Developments.
- (c) In developments greater than 100 acres in size, inventory for vehicle sales and service may also be located interior to a block or within a transitional off-street parking area as provided for in §407.68(c)1.e or §407.68(c)1.f. No additional signage shall be allowed on the transitional off-street parking area. If the inventory is in a parking area that is at the perimeter of the development, the parking area shall be screened from adjacent uses by a medium density buffer as provided for in §407.43 of this ULDC.

404.78 Vehicle and Trailer Rental

Vehicle and trailer rental is allowed as a permitted use in the BA, BA-1, MS, and MP zoning districts. Vehicle and trailer rental is allowed as an accessory use in the BH zoning district subject to the following standards:

- (a) Vehicles available for rent at a facility established accessory to another use shall not exceed 8,000 lbs GVWR.
- (b) No more than 6 vehicles available for rent may be located on the site at any one time.
- (c) No repair or maintenance of the rental vehicles shall occur on site unless the principal use is a service station or car wash.
- (d) A dedicated parking area shall be designated for the rental vehicles.
- (e) Development plan approval shall be required.

404.78.5 Service Station

Service Stations are permitted by right in the BH, BA, and BA-1 districts and are allowed by special exception in the BW district. Service stations are allowed as a limited use in Traditional Neighborhood and Transit Oriented Developments subject to the following standards:

- (a) Service stations shall be located in multi-tenant buildings and proximate to park and ride facilities, if present.
- (b) Stalls, bays or other servicing facilities and vehicles awaiting service shall be located to the rear of buildings and either be architecturally integrated with the principal building or be screened from the street.

- (c) Building shall be designed to meet a nationally or locally recognized green building standard.

404.79 Vehicle Repair

Vehicle repair is permitted by right in the MS and MP districts. It is allowed as a limited use in the BA and BA-1 districts, subject to the following standards.

(a) Permitted Activities

Vehicle repair includes tune ups, oil and fluid changes and similar maintenance work. Vehicle repair also includes the repair or replacement work on the following parts or systems: air conditioning, alternators, brakes, front end alignment, mufflers, radiators, starters, tire alignment and balancing, tire repair and replacement, and window and lock repair and replacement, removing or rebuilding engines or transmissions, steam cleaning engines, paint and body repair and frame repair.

(b) Bay Doors

Bay doors shall be oriented to the side or rear of the building.

(c) Conduct of Work

All repair work shall occur within an enclosed structure.

404.80 Fuel Sales

Fuel sales are allowed as a limited use in Traditional Neighborhood and Transit Oriented Developments and as an accessory to a principal use in the A-RB, BR-1, BH, BA, and BA-1 districts and may be allowed by special exception in the BR and BW districts, provided that the locations of fuel pump islands and fuel storage tanks meet the standards in this Section and the requirements of Article 8 of Chapter 406 for High Aquifer Recharge Areas. Other structures on the premises shall follow the standards for the zoning district. Within the MB district, fuel sales shall be limited to boats and other water vehicles.

(a) Location of Fuel Pump Islands

Pump islands shall be a minimum of 25 feet from any road right-of-way line, ten feet from any other property line or 12 feet from any building line.

(b) Location of Fuel Tanks

Gasoline and fuel storage tanks shall be located a minimum of 20 feet from any property line or building.

(c) Additional Standards for Traditional Neighborhood and Transit Oriented Developments

1. Building shall be designed to meet a nationally or locally recognized green building standard.
2. At least one electric vehicle charging station shall be provided for every four fueling stations. At least two fueling stations shall provide diesel and at least two fueling stations should be available for conversion to an alternative fuel such as liquefied petroleum gas (LPG) or compressed natural gas (CNG).

Article 20 Outdoor Storage and Display

404.81 Outdoor Storage

Outdoor storage of merchandise, inventory, equipment, or similar material is permitted as an accessory use, in the A-RB, HM, BH, BA, BA-1, BW, MS, MP, and MB districts, subject to the following standards.

(a) Permitted Activity

Any outdoor storage shall be incidental and subordinate to the primary use located on the property.

(b) Location

Outdoor storage areas shall not be located in any required setbacks, fire lanes or sidewalks as provided on an approved development plan.

(c) Screening

The Development Review Committee may require any outdoor storage area to be screened with a minimum six foot tall masonry wall; six foot tall opaque fence, such as vinyl or wood (no chain link); existing dense vegetation; or a berm three feet in height planted with materials that at maturity shall reach a combined minimum height of six feet. Within the HM and BH districts, storage areas shall be located to the side or rear of the principal building and completely screened from view.

(d) Exceptions

The following uses or materials are exempt from these requirements:

1. storage and sales of landscape plant material; and
2. storage of material used for road construction on a lot directly adjacent to the roadway under construction; and
3. uses that allow outdoor storage by definition or as otherwise provided in this ULDC.

404.82 Outdoor Display

Temporary outdoor display of merchandise, inventory, equipment, refuse, or similar material is permitted as an accessory use in the A-RB, BP, BR, BR-1, BH, BA, BA-1, BW, MS, MP, and MB districts and in Traditional Neighborhood and Transit Oriented Developments. As part of the final development plan, the applicant shall demonstrate that the proposed use complies with these standards.

(a) Storage Requirement

Merchandise must be mobile and stored indoors overnight.

(b) Nature of Use

Merchandise display must be accessory to a principal use located on the same property.

(c) Use Restrictions

Merchandise shall not be located in or obstruct any required setback, parking space, loading space, loading area, vehicular use area, fire lane, landscape buffer, sidewalk, ADA accessibility route, or drainage easement.

Article 28 Resource-based Recreation

404.108 Dock

Private docks are allowed as limited uses in the unincorporated area subject to the following standards.

(a) Maximum Enclosure Width

If the property width at the lateral shoreline is 80 feet or less, the maximum enclosure width, including any roofed areas, shall not measure more than 16 feet. For lots with more than 80 feet of property width at the lateral shoreline, the maximum enclosure width, including any roofed areas, of a dock shall not exceed 20 percent of the property width at the lateral shoreline unless otherwise approved by the Development Review Committee. Up to three feet of roof overhang may be excluded from these calculations for covered structures. The property width at the lateral shoreline is measured as a straight perpendicular line from one property line to the other at the lake edge.

(b) Other Agency Permits Required

All applicable federal, state and water management district permits are received before beginning construction.

(c) Hazards to Navigation

A dock shall not create a hazardous condition to the navigation of waterways and to other pursuits of water sports.

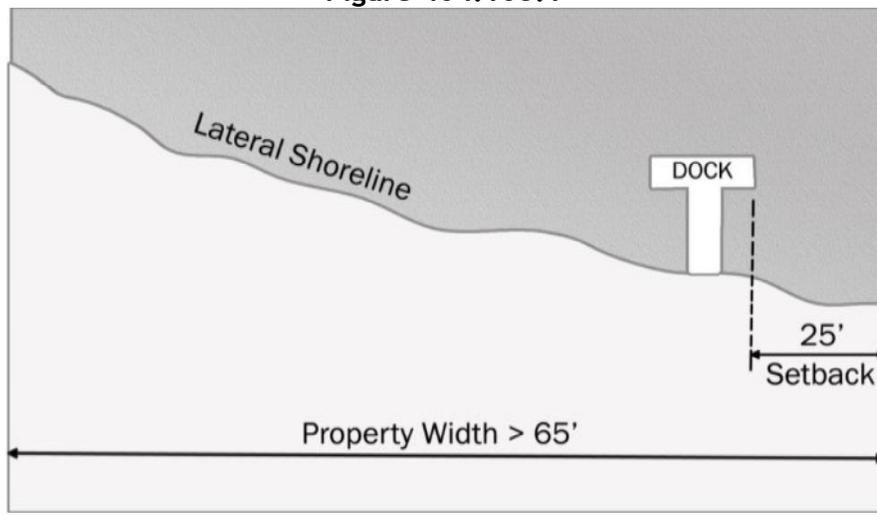
(d) Impact on Natural Systems

A dock shall not be detrimental to the continued functioning of natural systems, including aquatic vegetation.

(e) Setbacks

If the property width of the lateral shoreline is 65 feet or greater, the dock must be set back at least 25 feet from the side property lines unless otherwise approved by the Development Review Committee (see figure below). If the property width at the lateral shoreline is less than 65 feet, the dock should be centered between property lines as much as possible and must be set back at least 10 feet from the property line unless otherwise approved by the Development Review Committee.

Figure 404.108.1

**(f) Docks over 1000 Square Feet**

Permits for docks that exceed 1000 square feet of surface area, or do not meet the standards in (a) or (e) above, may only be issued by the Development Review Committee, in accordance with Chapter 401 Article 5. The calculation of surface area excludes walkways, but includes the surface area of the dock and the area under any other covered structure. Up to three feet of roof overhang may be excluded from this calculation for covered structures. For purposes of this section walkway is defined as the portion of the structure landward of the ordinary high water line, and dock is defined as that portion of the structure waterward of the ordinary high water line.

404.109 Hunting or Fishing Camps

A hunting or fishing camp may be allowed as a limited use in the A, C-1 or MB district, subject to the following standards and approval by the Development Review Committee. Fish camps on property smaller than 40 acres may be allowed by special exception.

- (a) The site for a hunting camp must have at least 500 acres. Where the only activity on the site is a fishing camp, the site must have at least 40 acres of area that is not submerged.
- (b) Sleeping accommodations may be provided within a lodge, cabins, or spaces for recreational vehicles or tents. Where a lodge or cabin(s) is proposed, no more than 25 sleeping rooms shall be provided. No more than 25 recreational vehicle or tent spaces may be provided. A hunting or fishing camp may provide a combination of sleeping accommodations not to exceed 25 total. Where tent spaces are proposed, common sanitary facilities including showers, toilets, and sinks shall be provided.
- (c) One single permanent residence is allowed.
- (d) A 300 foot setback shall be provided on all sides of the property. This shall not be interpreted to prohibit any agricultural or silvicultural activities on the property.
- (e) A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be required as part of any application for a hunting or fishing camp.

- (f) All hunting and fishing camps are subject to Chapter 509, Part II Membership Campgrounds, Florida Statutes and Chapter 513, Florida Statutes as applicable.
- (g) Kennels for hunting dogs kept at the site shall meet the applicable standards in §404.18.
- (h) Docks provided for fishing camps shall meet the standards in §404.108.

404.110 Marina

A marina is allowed as a permitted use in the MB district subject to development plan approval by the Development Review Committee.

404.111 Recreational Camps

Recreational camps are allowed by special exception in the A, C-1, and MB districts in accordance with the following standards.

- (a) The minimum lot area within the A or C-1 districts shall be 40 acres. In the MB district the minimum lot area shall be 10 acres.
- (b) Recreational camps in the C-1 district may only be allowed in accordance with an approved management plan as provided in Chapter 406, Article 20.
- (c) The maximum density of cabins, lodges and/or tent campsites shall not exceed 1 per 2 acres. Density shall be calculated as gross density and include all land area exclusive of major water bodies starting at the high water mark.
- (d) Cabins or lodges shall comply with the Florida Building Code and must contain a minimum of 50 square feet of floor space per occupant with a maximum capacity of 25. Use of mobile homes or recreational vehicles for lodging is prohibited.
- (e) A single permanent residence is allowed.
- (f) All structures, cabins and tent sites shall be set back a minimum of 200 feet from the property line unless otherwise approved as part of the special exception.
- (g) Vehicular access shall be from a paved public roadway unless otherwise approved as part of the special exception.
- (h) A unified plan for water distribution and wastewater disposal meeting the requirements of the Health Department shall be provided as part of any application for a recreational camp.
- (i) Sanitary facilities including showers, toilets, and sinks shall be provided.
- (j) Recreational camps are subject to Chapter 513, Florida Statutes.

Chapter 404. Use Regulations

Article 28. Resource-based Recreation

405.06 RESERVED**405.07 Design Standards for Developments Other Than TNDs or TODs in Activity Centers****(a) Blocks and Streets**

All blocks and streets shall meet the requirements of Article 13, Access Management and Street Network Standards, of Chapter 407, the Alachua County Corridor Design Guidelines, and the following regulations:

1. The street and roadway network within an activity center shall be designed to conform to existing natural features and shall provide for logical and orderly mobility throughout the activity center.
2. Provisions shall be made for the reservation or dedication of all rights-of-way needed for the improvement of existing streets or the construction of new streets within or surrounding the activity center.
3. New development and redevelopment within activity centers shall allow for new streets that connect existing public roadways, or that are designed to facilitate future roadway connections.
4. New development and redevelopment shall provide multimodal cross access to adjacent existing or future development. Cross access facilities shall be covered with appropriate cross access easement.
5. The arrangement, character, and location of all blocks and streets shall be designed to create a cohesive internal street network that connects individual parcels within the activity center.
6. The layout and types of streets, sidewalks, shared-use paths, and bicycle lanes on individual sites shall provide for the continuation or appropriate projection into adjacent areas unless topography, traffic volume, or other conditions make continuance impractical.
7. Private streets and roadways within an activity center shall remain privately owned and maintained and shall not be accepted by the County for maintenance unless the streets are designed and inspected to all applicable public road standards. Public access easements shall be provided on all streets, roadways and alleys and pedestrian pathways. Alleys shall be constructed to a structural standard and geometric configuration that will accommodate service delivery vehicles.

(b) Stormwater Facilities

1. The design and construction of stormwater facilities shall be in accordance with Article 9, Stormwater Management, of Chapter 407 and other applicable regulations, ordinances, resolutions and rules. The stormwater management system shall also be consistent with applicable activity center Master Plans, special area studies and the standards herein.
2. A stormwater plan will be required as part of an activity center Master Plan. The stormwater plan shall provide data on the stormwater retention needs for the entire Master Plan area (minimum of one quadrant within the activity center) at build out conditions, and provide a mechanism for shared stormwater facilities, where feasible.

3. Surface stormwater facilities shall be designed to provide a physical or visual amenity within an activity center, as public open space, or as an aesthetic feature to resemble natural areas with native landscaping, consistent with Chapter 407 Article 5, Open Space, and Article 9, Stormwater Management, of Chapter 407 of this ULDC.
4. The use of shared stormwater facilities to accommodate multiple developments within the activity center is encouraged.

(c) Parking

1. A parking plan shall be prepared for the entire Master Plan area at build out conditions, and shall include the locations for parking facilities and the types of parking facilities (e.g., surface, structure, or on-street).
2. Buildings and land uses within activity centers may utilize shared parking areas to serve complementary uses and activities. Provisions for shared parking may be addressed through the development of an activity center Master Plan. Where a Master Plan has not been adopted or is not required, development plan applications that will include shared parking facilities shall be in accordance with §407.17 of this ULDC.
3. Reductions in the required number of paved parking spaces may be permitted in accordance with §407.18 of this ULDC, or through the Master Plan process.

4. Parking Design Standards

Off-street parking and loading areas shall be provided in accordance with Article 2, Parking, Loading and Stacking, of Chapter 407 of this ULDC. In addition, the following shall apply:

- a. Surface parking shall be located to the rear or sides of building sites, unless otherwise specified in an adopted Master Plan.
- b. All surface-parking areas shall be located in the interior of blocks.
- c. Parking structures on sites that abut a public street shall have at least 50 percent of the ground floor street frontage developed for office, commercial, or civic uses.

(d) Transit Facilities

Transit facilities include bus stops (school, public, or private), pull-out lanes, benches, transit-related signage, shelters, and bicycle racks for transit users.

1. Any development plan with required parking of more than 200 spaces shall be required to provide on-site transit facilities if such facilities are not located within one-quarter mile of the development site, unless otherwise specified in an adopted Master Plan.
2. Where transit facilities are required, transit easements shall be provided on the development plan.
3. Transit facilities shall be located so as to minimize conflict with vehicular, bicycle, or pedestrian traffic.
4. Transit facilities should be oriented to the entrance of the primary or anchor building on sites within the activity center and/or to the central core of the activity center. The placement of transit facilities should not be limited only to the edges of the activity center.

5. Signage shall clearly indicate the location of transit stops.
6. In order to be consistent with county-wide public transportation, the size, design, and location of transit facilities shall be determined in coordination with the Gainesville Regional Transit System and the Alachua County Transportation Planning Staff.

(e) Pedestrian Circulation and Amenities

Activity center roadways shall be designed to accommodate pedestrians in a safe, comfortable and convenient manner, as follows:

1. Commercial retail, office, civic and multiple-family buildings shall provide pedestrian walkways that connect all buildings at their primary entrances.
2. Pedestrian walkways connecting buildings within an activity center shall minimize crossing of vehicular areas.
3. Pedestrian walkways, not less than six feet in width, shall be provided where a lot abuts a public right-of-way.
4. At least one continuous pedestrian walkway must be provided from any public right-of-way to the primary entrance of all commercial retail, office and multiple family buildings. Pedestrian connections shall also be provided between adjacent parcels and uses, with exceptions for instances where:
 - a. the adjacent use is an individual single family lot;
 - b. there are topographic or other physical limitations preventing a connection; or
 - c. a connection would not be consistent with the protection of natural or historic resources.
5. All pedestrian crosswalks shall be distinguished from all parking and vehicle maneuvering areas through the use of contrasting surface materials such as pavers, brick or scored concrete, striping using high durability paints, or other techniques approved by the Development Review Committee or provided in a Master Plan.

(f) Bicycle Circulation and Amenities

1. Bicycle lanes shall be provided on primary public roads within an activity center. These bicycle lanes shall provide continuous connection between existing bicycle lanes on surrounding public streets and any commercial, office, multiple-family residential, or civic uses within activity center sites.
2. Where bicycle lanes are required, they shall be at least five feet in width.
3. Bicycle parking shall be provided at all structures within activity centers, and the parking requirements shall apply to all land uses except single-family detached residential uses, in accordance with §407.15.

(g) Open Space

1. Open space, landscape, and buffer areas shall be provided on at least 20% of an activity center site in accordance with Chapter 407 Article 5, Open Space, of this ULDC. The required open space may be provided on a site-by-site basis through the development review process, or on an overall activity center basis through the use of the activity center Master Planning process.

2. Land designated for open space shall be accessible from all areas of the activity center.

(h) Civic Space

1. A minimum of 500 square feet of civic space per acre of land must be provided within an activity center. This requirement may be met through the provision of one or more centrally located spaces within the activity center using the master plan process, or on an individual development basis through the development plan review process.
2. Where civic space is required, it may be in the form of police stations, libraries, day cares, fire stations, meeting halls, governmental buildings, museums, schools, performing arts centers, religious buildings, community centers, amphitheaters, public squares, parks, landscaped plazas, courtyards or similar elements approved by the Development Review Committee or Board of County Commissioners.
3. Civic space may be used to satisfy up to 50 percent of the required open space for an activity center site if the civic space otherwise meets the open space requirements of this ULDC and the Comprehensive Plan. At least 25% of the required civic space for an activity center site must be in the form of civic structures or usable open space.
4. Civic space shall provide linkages between buildings and land uses within the activity center.
5. Civic uses should be located on prominent sites throughout the activity center and serve as focal points and landmarks for the community.

County and other relevant agencies in order to streamline review and approval. Upon request by the County, an agricultural or silvicultural operation shall provide copies of permit applications, notice of intent of BMP implementation, approvals, and compliance with water management district, state and federal environmental permitting agencies. Ongoing agriculture and silviculture farming operations that are not part of a development application and that meet the provisions and criteria pursuant to F.S. Chapter 163.3162, the Agricultural Lands and Practices Act, or F.S. 823.14(6), the Right to Farm Act, shall be exempt from any provisions of this Chapter that were not in existence as of July 1, 2003.

(b) Administrative Approvals

Construction shall not commence until all applicable federal, state, and water management district permits, as well as local permits, natural and historic resource inventories and assessments have been issued.

(c) Bona Fide Agricultural Activities

1. Best Management Practices Required

The most recent federal, state, and water management district best management practices (BMPs) shall be required, as applicable, to all agricultural and silvicultural activities including but not limited to the following:

- a. Best Management Practices for Silviculture (2003), incorporated in Rule 5I-6.002, F.A.C., and available from the Florida Department of Agriculture and Consumer Services (FDACS).
- b. BMPs for Agrichemical Handling and Farm Equipment Maintenance (1998), published by FDACS and FDEP.
- c. Water Quality BMPs for Cow/Calf Operations (1999), published by the Florida Cattleman's Association.
- d. Water Quality/Quantity Best Management Practices for Florida Vegetable and Agronomic Crops (2005), available from FDACS.
- e. Protecting Natural Wetlands: A Guide to Stormwater BMPs (1996), published by the U.S. EPA.

2. Verification of Best Management Practices

Where use of best management practices provides the basis for exemption to, or compliance with, any federal or state law or regulation, local regulation, code, or requirement, verification may be satisfied by participation in one or more of the following programs:

a. Non-silvicultural Activities

Notice of Intent filed with Department of Agriculture and Consumer Services as outlined in the Florida Administrative Code.

b. Silvicultural Activities

- i. Notice of Intent filed with Division of Forestry, as outlined in Rule 5I-6.004, Florida Administrative Code; or

- ii. Certification by one of the following:
 - (a) Forest Stewardship Council (FSC, www.fscus.org)
 - (b) American Forest and Paper Association’s Sustainable Forestry Initiative (SFI, www.aboutsfi.org)
 - (c) American Forest Foundation’s American Tree Farm System (www.treefarmssystem.org)
 - (d) Green Tag Forestry (www.greentag.org)
 - (e) Forest Stewardship Program (FSP, www.foreststeward.org); or
- iii. Participation in one of the following cost-share programs:
 - (a) Conservation Reserve Program (CRP).
 - (b) Environmental Quality Incentives Program (EQIP).
 - (c) Wildlife Habitat Incentives Program (WHIP).
 - (d) Forest Land Enhancement Program (FLEP).

(d) Public Projects

Public projects, including utilities, public facilities, new travel corridors, and travel corridor modifications, shall meet the same standards as private projects. In the case of a public project for which it is demonstrated that there is no prudent and feasible alternative that avoids adverse impacts to regulated natural and historic resources, the project shall incorporate appropriate design features that enhance habitat connectivity, provide for safe wildlife passage and other significant environmental benefits.

(e) Other Permits Not Determinative

The issuance of a dredge and fill permit, environmental resource permit, consumptive use permit, taking permit, or other such permit or approval by a federal or state agency, water management district, or other governing body shall not obligate Alachua County to grant approval pursuant to this chapter, and shall not be deemed to satisfy the requirements of this Chapter.

406.06 Exemptions

The following activities are allowed subject to the specific limitations, restrictions and conditions. Persons shall submit a natural resource inventory or comparable administrative notice in order to demonstrate that they qualify for exemption prior to initiating any of the following activities:

(a) Removal of Invasive Vegetation

Projects for which a plan has been approved by a federal, state, or local agency or water management district for the removal of undesirable invasive or non-native vegetation on lands owned, controlled, or managed for conservation purposes, excluding vegetation in surface waters and wetlands.

(b) Parks and Recreation

Alteration of vegetation pursuant to an adopted management plan for government maintained parks, recreation areas, wildlife management areas, conservation areas and preserves.

(c) **Activities Authorized by County Approved Management Plan**

Activities consistent with a management plan adopted by, or reviewed and approved by Alachua County, provided that the activity furthers the natural values and functions of the ecological communities present, such as clearing firebreaks for prescribed burns or construction of fences.

(d) **Existing Utility Installations and Road Right-of-Way**

Alteration of vegetation within an existing utility easement post installation, where the vegetation is interfering with services provided by a utility or alteration of vegetation within an existing road right-of-way for normal maintenance activities. Alteration associated with new construction, or with the acquisition or transfer of easements or right-of-way, is not an exempt activity.

(e) **Fencing**

The minimal removal of trees or understory necessary to install a fence or wall, provided that no regulated tree is removed, the path cleared for the fence does not exceed ten feet in width, no equipment heavier than a one-ton pick-up truck, hand-held outdoor power equipment or a standard farm tractor is used in clearing for the fence or installing the fence, no dredge or fill activity is required other than the installation of posts and fence materials, and navigational access will not be impaired by the fence construction. Notwithstanding the above, the installation of farm fencing is exempt pursuant to §604.50, Florida Statutes.

(f) **Survey or Other Test Required**

The necessary removal of vegetation by, or at the direction of, a State of Florida licensed professional surveyor and mapper, professional geologist, or professional engineer to conduct a survey or other required test, provided that no regulated tree is removed and the path cleared does not exceed five feet in width.

(g) **Miscellaneous**

Those other projects for which the Alachua County Environmental Protection Department determines, in writing, that there will be no significant adverse impacts based on the factors and criteria set forth in this Chapter.

406.07 Recapture Prior to Submitting an Application

Regulated natural and historic resources that have been cleared after May 2, 2005 and within three (3) years prior to the submittal of a development plan, rezoning or land use change application shall be required to restore or mitigate that portion of the parcel that would have otherwise required protection in accordance with the standards of this Chapter.

406.08 Alternative Compliance for Natural or Historic Resources

An applicant may submit a proposal which varies from the strict application of the requirements of this Chapter to accommodate an extraordinary hardship or to utilize innovative design. Requests for alternative compliance from any natural or historic resource provision shall be decided by the body responsible for reviewing a proposed development.

(a) **Extraordinary Hardship**

The applicant shall have the burden of demonstrating the existence of an extraordinary hardship due to unique site characteristics and the reasons for alternative compliance. The application shall set forth facts demonstrating each of the following:

1. Inability to establish a reasonable economic use that is not the result of actions taken by the applicant in a way that makes the property unable to be developed. Diminished value or inconvenience is not considered extraordinary hardship.
2. There are no feasible onsite alternatives to the proposal. Feasible onsite alternatives include, but are not limited to:
 - a. Reduction in density or intensity;
 - b. Reduction in scope or size;
 - c. Change in timing, phasing, or implementation; or
 - d. Layout revision or other innovative site design considerations.

(b) Innovative Designs

The applicant shall have the burden of demonstrating that an innovative site design may be utilized that better protects the natural resources for alternative compliance. The application shall set forth facts demonstrating that the proposed innovative design can be shown to protect natural resources and will not jeopardize the ecological integrity of natural resources on or adjacent to the proposed property.

(c) Granting a Request for Alternative Compliance

1. Where granted, the alternative compliance shall be the minimum deviation from the requirements necessary to permit reasonable use or access.
2. Mitigation may be required as a condition of granting the alternative compliance.
3. An alternative compliance plan shall be approved only upon a finding that it fulfills the intents and purposes of the Alachua County Comprehensive Plan and of this Chapter as well as or more effectively than would adherence to the strict application of this Chapter.

Article 2 Trees and Native Vegetation

406.09 Purpose

The purpose of this Article is to implement policies contained in the Alachua County Comprehensive Plan to preserve, protect, and encourage the proliferation of trees and native vegetative cover within Alachua County, as well as relocation or replacement where necessary, and to control and eliminate invasive non-native species. Protection of trees and native vegetation is intended to promote carbon dioxide absorption, oxygen production, dust filtration, reduction of wind, noise, and glare, soil stabilization and enrichment, erosion prevention, surface drainage improvement and aquifer recharge, water pollution reduction, wildlife habitat, energy conservation, temperature moderation, the economic enhancement of improved and vacant lands, scenic beauty, quality of life, and the health, safety, welfare and well-being of the community.

406.10 Applicability

- (a) Regulated trees include Champion trees, Heritage trees, woody native tree species 8" or more in diameter at breast height (dbh), specimen trees and those small specimen trees identified on Table 406.16.1 that are of significant value to the natural system. Additional requirements are included in other portions of this ULDC, including but not limited to the special area studies, activity centers and special planning districts in Chapter 405 and for single family lots 2 acres or less.
- (b) Except as specifically provided in this Chapter, all land clearing and regulated tree removal in all land uses and zoning districts shall be prohibited without prior approval.
- (c) Regulated trees shall not be removed after the issuance of a certificate of occupancy without securing another permit.
- (d) Existing native vegetation on a development site shall be protected in accordance with the following requirements in this ULDC:
 - 1. Provision of Open Space in accordance with Article 5 of Chapter 407;
 - 2. Protection of Significant Plant and Wildlife Habitat in accordance with Article 3 of this Chapter;
 - 3. Protection of all other Conservation and Preservation areas as identified in this Chapter; and
 - 4. Protections required by an adopted special area plan as identified in Chapter 405 of this ULDC.
- (e) The planting of non-native vegetation listed in F.A.C. 5B-64.011, Prohibited Aquatic Plants, and F.A.C. Rule 5B-57.007, Noxious Weed List, shall be prohibited. The planting of non-native vegetation listed in Table 406.16.2 shall be discouraged. The removal or control of all non-native invasive species shall be encouraged where not required by this Section.
- (f) For the purposes of this Section, a qualified professional includes a landscape architect, or environmental professional, or arborist.

406.11 Exemptions

(a) Residential Lots Two Acres or Less

Residential lots two acres or less in gross size shall be exempt from the provisions of this Article, provided that no champion or heritage trees shall be removed. All regulated trees and native vegetation identified for protection on lots subject to a

previously approved development plan, plat, special area study, or preservation buffer overlay shall be retained.

(b) Agricultural and Silvicultural Activities

For purposes of this Section, clearing and replanting or reestablishment of vegetation for bona fide agricultural purposes (including bona fide forestry) shall be exempt subject to the following provisions:

1. Activities shall be conducted in accordance with all applicable federal, state, and water management district best management practices, and verified in accordance with §406.05(c).
2. Permit exemption shall not apply to the following:
 - a. The removal of champion trees.
 - b. For bona fide agricultural purposes other than forestry, the removal of heritage trees within 50 feet of property ownership boundaries or within 100 feet of all publicly owned parks.

406.12 Permitting

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

(a) Development Applications

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

1. Applicants for development plans shall be required to have a pre-design on-site meeting with the County Forester/Landscape Inspector, Codes Enforcement Director, or their designee, to locate any regulated trees and to discuss protection methods for retention or relocation.
2. Removal or eradication of prohibited and discouraged non-native vegetation, identified in §406.10(e) shall be completed for the entire parcel concurrent with the permitted tree removal and prior to final inspection unless a phasing plan has been approved in writing by the County. This requirement shall not apply for an application involving one single-family residence.
3. Development plans and subdivision plats shall be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property available at the time of the application is retained. Traditional Neighborhood and Transit Oriented Developments shall be designed such that a minimum of 5 percent of the tree canopy shown on the most recent aerials of the property available at the time of application is retained.
4. Development plans shall be designed such that 30 percent or more of the site will be under mature canopy within 20 years. For the purposes of demonstrating this canopy coverage, a residential development may count up to 400 square feet of canopy coverage per platted lot where it can be demonstrated that a homeowner's association will require the planting and maintenance of trees on lots. In such case, the development plan shall include a list of trees that may be planted to satisfy the requirement.

**Table 406.16.2
Discouraged Non-Native Vegetation List**

<i>Latin Name</i>	<i>Common Name</i>	<i>Latin Name</i>	<i>Common Name</i>
<i>Abrus precatorius</i>	rosary pea	<i>Macfadyena unguis-cati</i>	catclaw vine
<i>Albizia julibrissin</i>	silktree; mimosa	<i>Melia azedarach</i>	chinaberry tree
<i>Albizia lebbek</i>	woman's tongue	<i>Merremia dissecta</i>	cutleaf morningglory; wood rose
<i>Aleurites fordii</i>	tungoil tree; tung tree	<i>Morus alba</i>	white mulberry
<i>Anredera vesicaria</i> (<i>A. leptostachys</i>)	Texas medeira vine	<i>Nandina domestica</i>	sacred bamboo; heavenly bamboo
<i>Antigonon leptopus</i>	coral vine	<i>Nephrolepis cordifolia</i>	tuberous sword fern
<i>Aristolochia littoralis</i>	elegant Dutchman's-pipe	<i>Oeceoclades maculata</i>	monk orchid
<i>Asparagus densiflorus</i>	Sprenger's asparagus-fern	<i>Panicum repens</i>	torpedograss
<i>Begonia cucullata</i>	wax begonia	<i>Pennisetum purpureum</i>	elephantgrass
<i>Broussonetia papyrifera</i>	paper mulberry	<i>Pteris vittata</i>	Chinese ladder brake
<i>Cinnamomum camphora</i>	camphor tree	<i>Rhynchelytrum repens</i>	rose natalgrass
<i>Clematis terniflora</i>	sweet autumn virginsbower	<i>Ricinus communis</i>	castorbean
<i>Clerodendrum bungei</i>	rose glorybower	<i>Ruellia brittoniana</i> (<i>R. tweediana</i> in <i>Wunderlin</i>)	Mexican bluebell
<i>Colocasia esculenta</i>	wild taro; dasheen	<i>Sansevieria hyacinthoides</i> (<i>syn. = S. trifasciata</i>)	bowstring hemp; mother-in-law tongue
<i>Cyperus involucratus</i> (<i>C. alternifolius</i>)	umbrella plant	<i>Senna pendula</i> (<i>syn. = Cassia coluteoides</i>)	valamuerto; Bahama or Christmas senna
<i>Cyperus prolifer</i>	flatsedge	<i>Sesbania punicea</i>	rattlebox
<i>Elaeagnus pungens</i>	silverthorn	<i>Solanum diphyllum</i>	twoleaf nightshade
<i>Eriobotrya japonica</i>	loquat	<i>Syngonium podophyllum</i>	American evergreen
<i>Hedera helix</i>	English ivy	<i>Tradescantia fluminensis</i>	basketplant; white- flowered wanderingjew
<i>Ipomoea cairica</i>	mile-a-minute vine	<i>Urena lobata</i>	Caesarweed
<i>Koeleruteria elegans</i> (<i>K. formosana</i> ; <i>K. paniculata</i> <i>misapplied</i>)	flamegold; golden raintree	<i>Urochloa mutica</i> (<i>syn. =</i> <i>Brachiaria mutica</i>)	paragrass
<i>Lantana camara</i>	lantana; shrub verbena	<i>Wedelia trilobata</i>	creeping oxeye
<i>Leucaena leucocephala</i>	white leadtree	<i>Wisteria sinensis</i>	Chinese wisteria
<i>Ligustrum lucidum</i>	glossy privet	<i>Xanthosoma sagittifolium</i>	arrowleaf elephantear
<i>Livstonia chinensis</i>	Chinese fan palm		
<i>Lonicera japonica</i>	Japanese honeysuckle		

Article 3 Significant Plant and Wildlife Habitat

406.17 Purpose

The purpose of this Section is to implement the Alachua County Comprehensive Plan, to protect natural upland plant communities which have the potential to maintain healthy and diverse populations of plants or wildlife, to preserve the ecological values and functions of significant plant and wildlife habitats, to provide for habitat corridors and minimize habitat fragmentation, in order to maintain and enhance the diversity and distribution of plant and animal species which are of aesthetic, ecological, economic, educational, historical, recreational, or scientific value to the county and its citizens.

406.18 Applicability

Development activities on all parcels greater than or equal to two acres in size shall be evaluated for the protection of significant habitat prior to clearing, grading, or other alteration of the habitat.

406.19 Development of Planning Parcel

Planning parcels containing significant plant and wildlife habitat or listed species habitat shall not be disaggregated, processed in piecemeal fashion, reviewed or developed in any manner that results in lesser natural resources protections than would otherwise be required if all land under common ownership or control were considered as a single proposal. To this end, where development or alteration of only a part of a planning parcel is proposed, the following shall be required:

- (a) The applicant shall provide documentation identifying all contiguous properties within Alachua County not separated by a public road that are under common ownership or control extending to the more recent of either May 2, 2005, or five years before submittal of the application.
- (b) A detailed natural resources assessment shall be provided for the proposed project area pursuant to §406.04. Regulated natural and historic resources shall be inventoried using the best available data for the remainder of the planning parcel, and all significant plant and wildlife habitat and listed species habitat shall be identified in accordance with §406.20.
- (c) Where regulated significant habitat or listed species habitat is identified, in order to proceed, the applicant must demonstrate that the proposed project does not result in lesser protection than would otherwise be required if the entire planning parcel were considered as a single proposal. If the applicant cannot demonstrate such protection, they must complete one of the following:
 1. A master plan shall be completed for the planning parcel subject to approval by the Development Review Committee. The resource master plan shall identify the location of significant habitat and listed species habitat including both the area set aside for permanent protection and any remaining habitat area subject to minimization requirements, and shall include a signed affidavit from each property owner within the planning parcel identifying their willingness to participate in the master plan process; or
 2. If any property owner within the planning parcel is unwilling to participate in the master plan process, a special area plan shall be authorized by the Board

1. Mechanisms to coordinate management activities with adjacent resources in the strategic ecosystem shall be provided, and management plans shall be required in accordance with Article 16 of Chapter 402.
2. Vegetation loss, grade change, and disturbance of the development site shall be minimized by careful site design fitted to the topography and soil; removal of vegetation shall be limited to only that necessary to develop the site.
3. Access, infrastructure, stormwater management and utilities shall be sited with consideration to minimizing impacts across multiple properties, providing for wildfire mitigation, and maximizing opportunities for shared facilities such as common driveways, utility access, and building impact areas.
4. Natural and historic resource protections required elsewhere in this ULDC or by federal, state and regional permitting agencies shall be applied.
5. No development or other adverse impact to the set-aside portion of the property shall be allowed, except where no other access is available, in which case impact may be allowed in the least sensitive portion of the system in accordance with paragraph 3, subject to the mitigation requirements in Article 21 of this Chapter.
6. Where impact is proposed in the remaining conservation area outside the required set-aside, the following shall apply:
 - a. The applicant shall locate development on buildable area outside of the strategic ecosystem to the greatest extent practicable.
 - b. Parcels, lots, building areas and driveways shall be configured to minimize overall impact to ecosystem integrity.
 - c. Subdivisions and non-residential development shall meet requirements for rural clustered subdivisions set forth in §407.77 and §407.78.

406.39 Violations

For the purposes of this Section, the alteration or removal of any portion of a strategic ecosystem without prior review and approval may be considered a violation unless expressly exempt under this Chapter. Alteration or removal of each additional 500 square feet of strategic ecosystem or portion thereof in violation of this Chapter may constitute a separate and additional violation. Requirements for corrective action are provided in §406.115.

Article 6 Surface Waters and Wetlands

406.40 Purpose

It is the purpose of this Chapter to preserve, protect, and improve the public health, safety, and general welfare of the citizens of Alachua County, and to conserve and protect open bodies of water and flowing streams, wetlands, and the natural and scenic resources of Alachua County, and to implement the Alachua County Comprehensive Plan.

406.41 Applicability

(a) Waters Included

Surface waters is a comprehensive term that includes all rivers, streams, creeks, springs, lakes, ponds, intermittent water courses and associated wetlands that hold or transport water on the ground surface. Wetlands comprise a specific subset of surface waters that meet certain hydrologic, vegetative, and soil criteria (see full definition in Chapter 409).

(b) Regulated Activities

Except as otherwise expressly provided in this section, no alteration shall occur in, on or over a surface water or wetland area or buffer, and no alteration shall occur adjacent to or connected to a surface water or wetland area such that the water regime is modified in a way that precludes the area in question from maintaining surface water or hydroperiod necessary to sustain wetland structure and function equivalent to pre-alteration levels.

406.42 Jurisdiction and Delineation

Alachua County shall have regulatory authority over all surface waters and wetlands located within the unincorporated area of the County.

(a) Delineation Methodology

Alachua County shall utilize the uniform statewide methodology adopted by the Florida Department of Environmental Protection and Water Management Districts to delineate wetlands, as outlined in Florida Administrative Code Rule 62-340.300 for wetlands, and Rule 62-340.600 for surface waters. The County shall not be limited by the threshold or connection requirements utilized by these agencies for purposes other than delineation.

(b) General Mapping

The locations and general extent of surface waters and wetlands in Alachua County are depicted on multiple digital map sources, including: the United States Department of the Interior, United States Fish and Wildlife Service, 1985, National Wetlands Inventory; the United States Geological Survey, Hydrography; the United States Department of Agriculture Natural Resources Conservation Service, Hydric Soils; and Water Management District Wetlands Mapping, 1995. The maps are intended for use only as a general reference for determining location and approximate extent of surface waters and wetlands. The provisions of this Chapter shall apply to all surface waters and wetlands, and adjacent areas, and shall not be limited to those depicted on maps described above.

area unless the applicant obtains a Letter of Map Change that removes the area from the flood hazard area.

406.56 Floodplain Development Permit Required

Any development in a flood hazard area is hereby prohibited, unless a Floodplain Development permit and building permit is first obtained. All newly created lots shall include adequate buildable area above the 100-year floodplain and all new habitable structures on such lots must be outside the floodplain. Existing lots of record as of October 2, 1991 may only develop in conformance with the Flood Hazard Reduction Standards and the *Florida Building Code* as applicable. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this Article, including buildings, structures and facilities exempt from the *Florida Building Code* which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this Article and all other applicable codes and regulations has been satisfied.

(a) Administrative Approval

The Development Review Committee shall approve, approve with conditions, or deny all Floodplain Development permits, with the exception of the following uses which can be approved by the Floodplain Administrator:

1. Boat docks less than 1,000 feet meeting the minimum standards of §404.65 of this ULDC.
2. Single family residence or mobile or manufactured home on a legal lot of record.

(b) Floodplain Development Permitting Process

The following procedures shall be utilized to process a Floodplain Development permit:

1. Application, General Requirements

An application shall be made to Floodplain Administrator on a form prescribed and provided for this purpose. The application, at a minimum, shall provide the following information:

- a. The proposed elevation, in relation to vertical datum references on the FIRM map, of the lowest floor (including basement or cellar) of any new or substantially improved structure to be located in Zones AI-A30, AE or AH, or Zone A if base flood elevation data are available or in any other areas determined to be flood prone in accordance with §406.55;
- b. Elevation in relation to datum references on the FIRM map to which any nonresidential structure will be floodproofed;
- c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in §406.55;
- d. A description of the extent to which any surface water body will be altered or relocated as result of proposed development;
- e. A technical analysis, by a licensed professional engineer, if required by the Flood Plain Administrator, which shows whether proposed

development to be located in a flood hazard area may result in physical damage to any other property;

- f.** A flood elevation or design certification needs to be submitted after the lowest floor is completed. Upon placement of the lowest floor and prior to further vertical construction and within 21 calendar days of construction of the lowest floor elevation by whatever construction means, it shall be the duty of the permit holder to submit to the Building Official and the Floodplain Administrator a certification as to the elevation of the lowest floor as required by the Florida Building Code, Building Section 110.3,. Said certification shall be prepared by or under the direct supervision of a Florida licensed professional surveyor and certified by same. When floodproofing is utilized for a particular building, said certification shall be prepared as required by the Florida Building Code, Building Section 1612.5(1.3). Any work done subsequent to placement of the lowest floor and prior to submission of their certification shall be at the permit holder's risk. The Building Official and the Floodplain Administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to any further work being allowed to proceed. Failure to submit the survey or failure to make said corrections required shall be cause to issue a stop work order for the project structure;
- g.** When an applicant proposes a subdivision of land as regulated by Article 8, Subdivision Regulations, of Chapter 407, or when an applicant proposes to develop a manufactured home park not requiring approval under the subdivision ordinance, the areas designated as flood hazard areas shall be shown on the plat and/or development plan in accordance with the requirements of §407.87, Special Flood Zone Criteria, of this ULDC. Where flood zone designations conflict with established base flood elevations, the applicant shall apply to obtain a FEMA Letter of Map Revision. Where any portion of a proposed subdivision, including a manufactured home park, lies within a flood hazard area, the following shall be required:

 - i.** Delineation of flood hazard areas, floodway boundaries and flood zones, and base flood elevations and ground elevations as appropriate, shall be shown on development plans and/or plats; and
 - ii.** Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not available on the FIRM or FIS, the information required in Section 406.56(b)9 of this Article; and
 - iii.** Compliance with the site improvements and utilities requirements of Section 406.57(e), (f) and (g) of this Article.
- h.** For all properties located within flood hazard areas, all supporting documents, including complete plans and an itemized cost estimate shall be provided when an application is submitted. The County will determine if the proposed improvements constitutes substantial improvement or the repair of substantial damage.

- i. As a condition of issuance of a Floodplain Development Permit or a building permit for a structure in a flood hazard area, if such structure is an accessory structure used only for storage or parking of vehicles, or if such structure has the area below the lowest floor enclosed by walls, including crawlspace foundation walls, and if such enclosed area is used only for building access, storage or parking of vehicles, then a binding Non-Conversion Agreement shall be required to stipulate that the structure or accessory structure or enclosed area shall not be modified or used for other than building access, storage or parking of vehicles without first bringing the structure into compliance with all applicable flood hazard reduction standards of this Article. Such agreement shall be recorded in the public records of Alachua County by the owner of the structure.
- j. Subdivision proposals, including proposal for manufactured home parks, shall include evidence that:
 - i. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
 - ii. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
 - iii. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

2. Floodplain Development Permits or Approvals

Floodplain development permits or approvals shall be issued pursuant to this Article for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

3. Buildings, Structures and Facilities Exempt from the *Florida Building Code*

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code, Building Section 102.2* and any further exemptions provided by law, are subject to the requirements of this Article:

- a. Railroads and ancillary facilities associated with the railroad.
- b. Nonresidential farm buildings on farms, as provided in Section 604.50, F.S.
- c. Temporary buildings or sheds used exclusively for construction purposes.

- d. Mobile or modular structures used as temporary offices.
- e. Those structures or facilities of electric utilities, as defined in Section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- f. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
- g. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- h. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- i. Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

4. Applications for Single Family Dwelling Permits or Approvals

To obtain a floodplain development permit or approval for a single family dwelling that is not part of an approved subdivision with a stormwater system, the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- a. Identify and describe the development to be covered by the permit or approval.
- b. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- c. Indicate the use and occupancy for which the proposed development is intended.
- d. Be accompanied by a site plan or construction documents as specified in Section 406.56(b)8 through 11 of this Article.
- e. State the valuation of the proposed work.
- f. Be signed by the applicant or the applicant's authorized agent.
- g. Give such other data and information as required by the Floodplain Administrator or Building Official.

5. Validity of Permit or Approvals

The issuance of a floodplain development permit or approval pursuant to this Article shall not be construed to be a permit for, or approval of, any violation of this Article, the *Florida Building Codes*, or any other Article of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator or Building Official from requiring the correction of errors and omissions.

6. Expiration of Permits or Approvals

A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 360 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

7. Suspension or Revocation of Permits or Approvals

The Floodplain Administrator or Building Official is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this Article or any other ordinance, regulation or requirement of this community.

8. Site Plans and Construction Documents

- a. The site plan or construction documents for any development in flood hazard areas and subject to the requirements of this Article shall be drawn to scale and shall include, as applicable to the proposed development:
 - i. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations, if necessary for review of the proposed development.
 - ii. Where flood hazard areas, base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 406.56(b)9 of this Article.
 - iii. Where the parcel on which the proposed Subdivision or other development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 406.56(b)9 of this Article.
 - iv. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
 - v. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
 - vi. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
 - vii. Existing and proposed alignment of any proposed alteration of a watercourse.
- b. The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data not required to be

prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this Article.

9. Information in Flood Hazard Areas without Base Flood Elevations (approximate Zone A)

Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- a. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation data available from a federal or state agency or other source; or
- b. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonable reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate;
 - i. Require the applicant to develop base flood elevation data prepared in accordance with the currently accepted engineering practices; or
 - ii. Specify that the base flood elevation is three (3) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- c. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, the applicant shall apply to FEMA and the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

10. Additional Analyses and Certifications

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses prepared and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- a. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the floodplain encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- b. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, a floodway encroachment analysis which demonstrates that

the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO.

- c. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 406.56(b)11 of this Article.

11. Submission of Additional Data

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

12. Review by Flood Plain Administrator

The Floodplain Administrator shall review all applications for completeness; shall request additional information, if needed, as provided in this Article; and shall verify the accuracy of the information provided.

406.56.5 Inspections

Development for which a flood prone area permit or approval is required shall be subject to inspection.

(a) Development other than Buildings and Structures

The Building Official or Floodplain Administrator shall inspect all development to determine compliance with the requirements of this Article and the conditions of issued floodplain development permits or approvals.

(b) Buildings and Structures

The Building Official or Floodplain Administrator shall inspect buildings and structures subject to the *Florida Building Code* to determine compliance with the flood load and flood resistant construction requirements of issued building permits and the *Florida Building Code*. The Building Official or Floodplain Administrator shall inspect buildings and structures exempt from the *Florida Building Code* to determine compliance with the requirements of this Article and the conditions of issued floodplain development permits or approvals.

(c) Buildings and Structures Exempt from the *Florida Building Code*

1. Lowest Floor Inspection

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building or structure exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Building Official or Floodplain Administrator:

- a. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
- b. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 406.56 (b)9. of this Article, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

2. Final Inspection

As part of the final inspection, the owner or owner's authorized agent shall submit to the Building Official or Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 406.56(b)9 of this Article.

(d) Manufactured Homes

The Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this Article and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Building Official.

(e) Stop Work Orders

The Flood Plain Administrator or the Director shall issue a stop work order for any floodplain development found ongoing without a Flood Hazard Area permit or in any way noncompliant with the provisions of this ULDC and/or the conditions of an approved permit. Disregard of a stop work order shall subject the violator to the penalties described in this ULDC.

406.57 Flood Hazard Reduction Standards

The Development Review Committee and the Floodplain Administrator may grant a Floodplain Development permit to allow development in a flood hazard area, providing that the following minimum standards, where applicable, are met:

(a) No Adverse Effects

The proposed development shall not adversely affect the flood-carrying capacity and/or flood storage capacity of a flood hazard area. For the purpose of this Section, "adversely affect" means damage to adjacent properties because of rises in flood stages attributable to physical changes of the stream or depression basin. Without limiting the foregoing, a development other than a stream crossing is presumed to adversely affect the flood-carrying and/or flood storage capacity if it involves the filling of land in a flood hazard area without simultaneously providing additional

flood-carrying and flood storage capacities to compensate for that capacity which is lost because of such filling. The final verification of grades for compensation area purposes in a flood prone area shall be certified by a professional land surveyor.

(b) Fill Within Depression Basin

Fill within a depression basin may be allowed, provided the lowest elevation of excavation for the compensating storage volume is above the normal wet season groundwater table. No permanent fill or other obstructions are to be placed above the natural grade of the ground except as provided for below:

1. Minor amounts of fill may be allowed for mounded on-site sewage disposal systems pursuant to Chapter 10D-6, Florida Administrative Code, when the mound is less than three feet in height as measured from the natural grade of the ground and when the top width of the mound is 20 feet or less and when the side slopes of the mound are no steeper than three feet horizontal to one foot vertical and the mound is planted with sod or other appropriate vegetation to prevent erosion.
2. Minor amounts of fill may be allowed for a structure or to establish a yard provided that compensation is provided within or adjacent to the floodplain and the lowest elevation of excavation for the compensating storage volume is above the normal wet season groundwater table.
3. Compensatory excavation volumes shall be provided at the same elevation as the fill volumes to the maximum extent possible. The bottom elevation of any compensation basin shall be designed and constructed at or above the seasonal high groundwater level for the site.
4. If a private road or driveway is proposed to be placed within a depression basin, the final grade shall be at or above the 100 year base flood elevation or raised to an elevation of three feet above existing grade if a base flood elevation has not been determined provided that all other flood criteria contained in this Article are met. Equalizer pipes shall be provided to ensure unimpeded stormwater flow within the basin.

(c) Fill Within Stream Basin

Fill within a depression adjacent to a stream basin may be allowed where compensation for the flood-carrying capacity which is lost because of filling is provided or, in the case of a stream crossing, it will not cause more than a one-foot increase in headwater elevation above the base flood elevation immediately upstream from the fill and no more than a 1/100-foot increase 500 feet upstream. In no case shall filling be permitted in a designated floodway, except as provided in §406.57.2. All utility equipment and ductwork shall be installed at or above the permitted finished floor elevation which must be a minimum of one foot above the base flood elevation for the site. Where the base flood elevation has not been established, all utility equipment and ductwork must be three feet above the highest natural ground.

(d) Minimum Elevation

All residential structures on existing lots of record, except those exempted in §406.57.1, must have the lowest floor elevated a minimum of one foot above the base flood elevation for that site. This can be achieved by using an open foundation, such as pilings or stem wall designed with openings as described in §406.57(k).

Where the base flood elevation has not been established, the lowest finished floor elevation of the structure must be three feet above the highest natural ground level.

(e) Sanitary Sewage Systems

Septic tanks and drain fields must be located outside the limits of the ten-year floodplain. Sewage treatment and collection systems shall be designed to prevent contamination of flood waters by infiltration and/or exfiltration up to one foot above the base flood elevation. Potable water supply systems shall be designed to prevent infiltration of flood waters into the system up to one foot above the base flood elevation. Electrical and communications utilities shall be designed to prevent flood damage up to one foot above the base flood elevation. All mechanical and utility systems shall be designed and/or elevated to prevent water from entering or accumulating within component parts or subsystems. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Article 64E-6, F.A.C. and ASCE 24 Article 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

(f) Site Improvements, Utilities and Limitations

All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards.

(g) Water Supply Facilities

All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Article 62-532.500, F.A.C. and ASCE 24 Article 7 to minimize or eliminate infiltration of floodwaters into the systems.

(h) Limitations on Sites in Regulatory Floodways

Development, site improvements, and land disturbing activity involving fill or regrading shall not be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 406.57(o) of this Article demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

(i) Limitations on Placement of Fill

Subject to the limitations of this Article, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures, fill shall comply with the requirements of the *Florida Building Code*.

(j) Road Elevations

The pavement of all public roads will be elevated to or above the ten-year floodplain, but will be allowed within the flood hazard area, provided other flood criteria contained in this Article are met. Roads that provide the only means of ingress and egress to a subdivision or single family dwellings must be elevated to or above the 100-year floodplain.

(k) Anchoring

All structures shall be constructed so as to be protected from hydrostatic and hydrodynamic loads, including the effects of buoyancy in accordance with ASCE 24. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement shall be as specified in Section 2.6.2.2 of ASCE 24 and certified by a registered professional engineer or meet or exceed the following minimum requirements:

1. A minimum of two openings on different sides of each enclosed area having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of each openings shall be no higher than one foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(l) Use of Flood Resistant Material

All structures shall be constructed with materials and utility equipment resistant to flood damage.

(m) Design and Construction of Buildings and Structures Exempt from the *Florida Building Code*

Pursuant to Section 406.56(b)3 of this Article, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 406.57(t) of this Article.

(n) Manufactured and Mobile Homes

In addition to meeting the other requirements provided herein, the following requirements shall apply to the placement, replacement, or substantial improvement of any manufactured or mobile home:

1. Installation

All manufactured and mobile homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Article 15C-1, F.A.C. and the requirements of this Article. Compliance with the requirements shall be verified by the Building Official.

a. Foundations

All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent foundations with adequate anchoring.

b. Elevation

i. General Elevation Requirement

Unless subject to the requirements of Section 406.57(n)1.b.ii of this Article, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A).

ii. Elevation Requirement for Certain Existing Manufactured Home Parks and Subdivisions

Manufactured homes that are not subject to §406.57(n)1.b.i, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- (a) Bottom of the frame of the manufactured home is at least a foot above the base flood elevation, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A); or
- (b) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

c. Enclosures

Fully enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322 for such enclosed areas, as applicable to the flood hazard area.

d. Utility Equipment

Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322, as applicable to the flood hazard area.

2. Foundations or Lots

The following standards shall apply to sites or locations, including spaces or sites within a mobile home park or subdivision, proposed for the placement, replacement, or substantial improvement of mobile homes:

- a. Foundations or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be a minimum of one foot above the base flood level elevation;
- b. Adequate surface drainage and access for haulers shall be provided; and
- c. In the instance of elevation of pilings, (i) lots shall be large enough to permit steps; (ii) piling foundations shall be placed in stable soil no more than ten feet apart; and (iii) reinforcement shall be provided for pilings more than six feet above the ground.

(o) Development in Floodway

1. Within the floodway, development shall be prohibited. If this precludes all economically viable use of a legal lot of record, minimal development may be allowed in accordance with each of the following provisions:
 - a. Certification, with supporting technical data, by a registered professional engineer, shall be required for all encroachments, including fill, new construction, substantial improvements, and other developments. The certification shall include demonstration that encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge.
 - b. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Section.
 - c. The development impact area shall not exceed the rate of ½ acre per ten acres of floodway, including the footprint of principal and accessory structures and parking, allowing for reasonable access.
 - d. The placement of any manufactured home or mobile home is prohibited. Development intended for recreational vehicles or travel trailers shall be prohibited.
2. The following development activities shall meet the requirements of this subsection:
 - a. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences;
 - b. Retaining walls, sidewalks and driveways that involve the placement of fill in regulated floodways;
 - c. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroached into regulated floodways; and
 - d. Alteration of a watercourse that is part of a road or watercourse crossing.

(p) Development Adjacent to Outstanding Florida Waters

In addition to the minimum standards established in this section, all development in flood hazard areas adjacent to Outstanding Florida Waters (OFWs), including those uses and structures set out in §406.57, shall adhere to the following standards:

1. All development activities, except as expressly provided in this Article or as approved by Alachua County, must take place landward from the OFWs buffer distance for Outstanding Florida Waters found in Table 406.43.1 of this Chapter. Vegetation waterward of such buffer distance shall be preserved in a manner consistent with the requirements of this Article.
2. The appropriate water management district shall be notified of all development proposals within the flood hazard area along any Outstanding Florida Waters.

(q) Imposition of Additional Conditions

The development review committee may impose such additional conditions which it deems are in the public interest.

(r) Recreation Vehicles and Park Trailers

1. Temporary Placement

Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- a. Be on the site for fewer than 180 consecutive days; or
- b. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

2. Permanent Placement

Recreational vehicles and park trailers that do not meet the limitations in Section 406.57(r)1 of this Article for temporary placement shall meet the requirements of Section 406.57 (i) of this Article for manufactured homes.

(s) Tanks

1. Underground Tanks

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

2. Above-ground Tanks, Elevated

Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

3. Above-ground Tanks, Not Elevated

Above-ground tanks that do not meet the elevation requirements of 406.57(s)2 above shall be permitted provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

4. Tank Inlets and Vents

Tank inlets, fill openings, outlets and vents shall be:

- a. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- b. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

(t) General Requirements for Other Development

All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this Article or the *Florida Building Code*, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the limitations of Section 406.57(o) of this Article if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

406.57.1 Uses Allowed Without Permit

The following uses shall be allowed without a permit, to the extent they are not prohibited by any other ordinance, or any other provisions of this Article, unless any filling or structure associated with such use requires a Flood Hazard Area permit in accordance with this Article:

- (a) Agricultural and silvicultural uses conducted in accordance with all applicable best management practices, in accordance with the provisions of §406.05(c);
- (b) Private and public recreational uses such as golf courses, driving ranges, archery ranges, picnic grounds, boat ramps, natural swimming areas (excluding swimming pools), parks, wildlife and nature preserves, game farms, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, and hiking and horseback riding trails; or
- (c) Lawns, gardens, grassed parking, and play areas.
- (d) Notwithstanding that any of the foregoing uses are permitted within an area of special flood hazard, no use shall adversely affect the efficiency or unduly restrict the capacity of depression basins or stream basins, or of any stormwater management facility or system; and, to the extent any use would so adversely affect or unduly restrict, such use is prohibited unless a permit is obtained as required by §406.56.

406.57.2 Variances to Flood Hazard Protection Standards

(a) Authority to Grant Variances

The development review committee, may grant a request for a variance to the requirements of this Article where literal application of the provisions thereof would impose exceptional hardship because of unique topographic or other conditions of land involved, which are not the result of the actions of the landowner; and the Development Review Committee, pursuant to §553.73(5), F.S., may grant a request for a variance from the strict application of the flood resistant construction requirements of the Florida Building Code; provided that:

1. Conditions are attached to permit approval that assure compliance with the requirements of this Article insofar as practical and the modification granted is the minimum modification necessary to make possible a reasonable use of the land.
2. The purpose and intent of this Chapter are observed.
3. There is no increase in flood hazard or flood damage potential as certified by a registered Florida professional engineer; a variance shall not be issued for any proposed development in a floodway if any increase in the base flood elevations would result Per §406.56(b)10.
4. The request shall be fully documented in writing and shall contain technical reasons and justifications explaining why the requirements cannot be met.
5. Neither the size of the parcel in question, nor the size or nature of development of adjacent lots (vis-a-vis these regulations) shall necessarily justify a request.
6. Requests for alternative compliance shall be considered on a case-by-case basis and not on the basis of an entire subdivision.
7. Staff review, including the review of alternatives to the proposed siting and/or methods of development, shall be considered.

(b) Considerations for Issuance of Variances

In reviewing requests for variances, the Floodplain Administrator and the Building Official shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this Article, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;

8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
11. Variance is authorized to be issued for Historic structures in a flood hazard area for repair, improvement, or rehabilitation provided that it has been determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, and upon a determination that the proposed repair, improvement or rehabilitation will not preclude the building's continued designation as a historic building.
12. Variance is authorized to be issued for the construction or substantial improvement for the conduct of a functionally dependent use provided due consideration has been given to the use of methods and materials that minimize flood damage during occurrence of the base flood.

(c) Conditions for Issuance of Variances

Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this Article or the required elevation standards ;
2. Determination by the Floodplain Administrator and the Building Official that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and Articles; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
4. If the request is for a variance to allow construction of the lowest floor of a building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to

amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

406.57.3 Violations

Any construction or development in a flood hazard area that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this Article or the Florida Building Code, as applicable, shall be deemed a violation of this Article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this Article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

(a) Authority

For development that is not within the scope of the *Florida Building Code* but that is regulated by this Article and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

(b) Unlawful Continuance

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article 8 Springs and High Aquifer Recharge Areas

406.58 Purpose

The purpose of this section is to preserve, conserve and protect springs, groundwater, and associated karst features in high aquifer recharge areas, those areas where stream-to-sink surface water basins occur and the Florida aquifer is vulnerable or highly vulnerable as depicted in the Alachua County Florida Aquifer High Recharge Area Map, from potential adverse impacts associated with land uses and activities so that regulations may be applied within these zones to minimize adverse impacts to water quality and quantity. Further, these provisions are intended to:

- (a) Protect the Florida aquifer and the ability of the aquifer to continue to supply adequate water to springs and associated aquatic ecosystems and to meet the needs of the public for clean, safe, potable water;
- (b) Maintain and improve the quality and quantity of water recharging the Florida aquifer and discharging from springs;
- (c) Conserve water resources and promote environmentally responsible reuse of water; and
- (d) Protect and preserve springs, springsheds, and associated karst features, including, but not limited to caves, sinkholes, karst windows, and swallets.

406.59 General Standards

The following generally applicable requirements of the Alachua County Code of Ordinances contribute to protection of springs and high aquifer recharge areas throughout the unincorporated portion of Alachua County:

- (a) Chapter 78. Fertilizer Standards and Management Practices
- (b) Chapter 79, Irrigation Conservation Standards and Management Practices
- (c) Chapter 353, Hazardous Materials Management Code
- (d) Chapter 404, Article 24, Mining or Excavation and Fill Operations
- (e) Chapter 404, Article 14, Entertainment and Recreation
- (f) Chapter 406, Article 2, Trees and Native Vegetation
- (g) Chapter 406, Article 6, Surface Waters and Wetlands
- (h) Chapter 406, Article 12, Wastewater Treatment Facilities
- (i) Chapter 406, Article 16, Significant Geologic Features
- (j) Chapter 407, Article 4, Landscaping
- (k) Chapter 407, Article 5, Open Space
- (l) Chapter 407, Article 9, Stormwater Management

406.59.1 Additional Protection Standards

The following additional standards apply to development activities within High Aquifer Recharge Areas.

(a) Outdoor Water Conservation for New Development

1. The following additional standards shall be incorporated into Homeowner Association codes, covenants and restrictions (CCR) documents and shall apply to development activities for new subdivisions within high aquifer recharge areas. Outdoor water conservation for new development shall be

maximized. Irrigation shall be minimized and permanent high-volume irrigated areas shall not exceed 60% (Florida Water Star Silver basic prerequisite) of the landscaped area. This standard is applicable on new residential lots over 1/8 acre. The maximum total irrigated area on residential lots, regardless of lot size, shall not exceed 0.5 acres (Florida Water Star standard). This requirement excludes agriculturally zoned lots and vegetable gardens and fruit or nut trees on individual lots.

- 2.** TNDs, TODs and mixed use development shall utilize the standards in (a)1 above, excluding designated recreational areas.
- (b)** The use of rapid infiltration basins or percolation ponds for wastewater effluent disposal is prohibited. Use of wetland treatment systems, such as infiltrating wetlands, that are designed to lower nutrient concentrations by denitrification and promote aquifer recharge are allowed.
- (c)** New sites for land application of Class A and B residuals (biosolids) are not allowed in the high aquifer recharge areas.
- (d)** New sites for land application of septage are not allowed in high aquifer recharge areas.
- (e)** In addition to the golf course design and monitoring requirements of Chapter 404, golf courses shall be designed and operated to be protective of springs (for example, capture and recycle nutrient laden water or implement other nutrient reduction techniques) to minimize the potential for nutrients to degrade surface waters, springs or the Floridan aquifer.

- (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.

407.10 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.
3. Trees, either existing or newly planted, shall be permitted in the clear space, provided that foliage is cut away within the prescribed heights.

407.28 Prohibited Signs

- (a) It shall be unlawful for any person to erect, place or use within the County:
1. Off-site signs or off-site advertising structures, except where expressly allowed herein;
 2. Flashing signs;
 3. Revolving signs;
 4. Pennants;
 5. Signs affixed to rocks, trees, or other natural features;
 6. Signs affixed to utility poles, other than signs placed there by the pole owner or operator and related to the pole and related lines;
 7. Portable signs, including but not limited to A-frames and trailer signs, except where expressly allowed herein;
 8. Pole or pylon signs, excluding incidental signs; this provision shall not prohibit use of a sign that is supported by a pole where the pole is covered with a pole cover that has a width greater than or equal to 50% of the sign face;
 9. Any sign that incorporates a beacon;
 10. Signs that in any way simulate emergency vehicles;
 11. Signs that simulate traffic control signs and devices, directional, information and warning signs;
 12. Any sign that obstructs any fire escape or any window, door, or opening used as means of ingress or egress;
 13. Any sign that incorporates or consists of ribbons, streamers, spinners or wind-operated devices shall be prohibited, except that this prohibition shall not apply to flags conforming with §407.37.5;
 14. Banners used for permanent signage except those conforming with §407.31(d);
 15. Animated or moving signs;
 16. Any human sign with a commercial message;
 17. Changeable copy signs on which the message changes more than one time in a five minute period that are legible from a public way or private property other than the site on which the sign is located;
 18. Signs emitting sounds; and
 19. Signs on or above a roof, except that this prohibition shall not apply to signs incorporated into a mansard roof or similar structure. For purposes of this Article, a mansard roof shall be defined as a style of hip roof characterized by two slopes on each of its four sides with the lower slope being much steeper, almost a vertical wall, while the upper slope, usually not visible from the ground, is pitched at the minimum needed to shed water.
- (b) Any other type of sign or advertising structure not permitted shall be prohibited.

407.29 Exemptions

(a) Signs Exempt from this Article

Signs listed in this Section shall be exempt from the permit requirements and other standards of this Article but shall, to the maximum extent allowed by law, be subject to the other standards of this ULDC. Where a sign is erected pursuant to a statute or a court order, the sign may exceed the size standards of this ULDC or otherwise deviate from the standards set forth in this ULDC to the extent that the statute or court order expressly required the larger size or other deviation. In all other respects, such signs shall conform to the standards of this ULDC. This Section shall apply to the following types of signs:

1. Signs conforming with the Manual of Uniform Traffic Control Devices and bearing no commercial message;
2. Signs bearing no commercial message and installed by employees or officials of a state or federal agency in the course of their governmental duties;
3. Signs required by a state or federal statute;
4. Signs required by an order of a court of competent jurisdiction;
5. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use;
6. Signs installed by a transit company with a franchise or other right to operate in Alachua County, where such signs are installed along its routes and relate to schedules or other information about the transit route.
7. Signs approved as part of a Temporary Use Permit in accordance with §402.154(a).
8. Any permanent or temporary sign interior to a building provided such signage does not cover more than 50% of any of the windows in the building or violate the prohibitions of §407.28 of this Article.
9. Sponsorship signs for outdoor recreation facilities mounted on an interior wall, fence or building and facing into the facility not toward a public way, provided such signs are not illuminated.
10. Any freestanding sign that is less than 24 square feet and four feet in height that is not visible from a public way or from private property other than the site on which the sign is located, except that an electrical permit is still required, if applicable.
11. Any freestanding architectural features meeting the definition of a sign under Chapter 410 that do not exceed 10 feet in height provided such features have no copy or logos of any kind and are not separately illuminated by internal or external illumination.

(b) Signs Exempt from Permit Requirements Only

The following signs shall be exempt from the permit requirements of this Article but shall be subject to all other standards of this Article.

1. Signs installed by or on behalf of County employees or officials of Alachua County and not falling under one of the broader exemptions of (a) above, Signs Partially Exempt;

2. Incidental signs;
3. Building signs smaller than two square feet in area and containing no commercial message, except that signs for a general home based business shall not require a sign permit;
4. Temporary signs permitted in accordance with this Article or Article 25, Temporary Use Permits, of Chapter 402;
5. Any sign not legible from a public way or from private property other than the site on which the sign is located that does not meet the qualifications for exemption in §407.29(a)10, except that any permanent freestanding sign must still apply for a building and/or electrical permit if applicable;
6. Signs where only the face or other surface is altered or replaced and the size, height and location are not changed, excluding any change where an electrical permit is required;
7. Sidewalk signs permitted in accordance with §407.34(b)2.d;
8. Outline lighting on principal buildings permitted in accordance with §407.34(e)1.a; and
9. Banner signs permitted in accordance with §407.31(e).

407.30 Application Process

Applications for sign permits shall be submitted in accordance with Chapter 402 of this ULDC. In addition, two copies of the following shall be submitted along with the application describing and setting forth:

- (a) The type of sign or advertising structure as defined in Chapter 402 and in this Chapter;
- (b) The value of the sign or advertising structure;
- (c) All documents required by the applicable provisions of the Florida Building Code and the related National Electrical Code;
- (d) A copy of the approved development plan for the site, and a copy of the approved freestanding signage plan if applicable, showing existing and proposed buildings and existing and proposed signs requiring permits on the site;
- (e) For building signs, the total area of the front building elevation of the principal building(s) and calculations of allowable sign area;
- (f) For freestanding signs, all dimensions shown at a scale of $\frac{1}{2}'' = 1'$.
- (g) The sign area of the sign or advertising structure
- (h) Type of lighting proposed.
- (i) Written approval by the utility provider that the location of a freestanding sign meets the utility provider's requirements.

407.31 Signs Allowed in Any Zoning District

The following signs shall be allowed in any Zoning District:

- (a) **Incidental Signs**
 1. Such signs are generally intended to provide directions, information and warnings but may be used for any noncommercial message and may be internally or externally illuminated. Such signs may include a company's

logo when located on the same property, provided it does not exceed 10% of the sign's square footage. Maximum area for an incidental sign shall be six square feet with a maximum height of four feet. There are no limits to the number of incidental signs that may be permitted.

2. Signs providing for vehicle clearance and/or directional information located within or adjacent to an approved drive-through facility that meets all other requirements of 407.31(b)(1) above may be permitted, subject to the following standards:
 - a. Such signs shall not exceed six square feet;
 - b. Freestanding signs shall be a maximum of 12 feet in height;
 - c. Excluding any security lighting on the structure to which a sign is attached, such signs shall not be illuminated except as provided in §407.25(c)3 for electronic changeable copy technology.

(b) Signs on Historic Sites or Buildings

This sub-section shall apply to any historic site or site containing a historic building designated or certified by or under the direct authority of the Secretary of the Interior of the United States, the State Historic Preservation Office of the State of Florida, or a duly constituted historic commission of Alachua County. Each such site shall be allowed one additional freestanding sign, which shall be subject to the following standards:

1. Subject to the following additional standards, it shall conform with applicable federal and/or state standards for historic markers;
2. It shall not exceed 10 square feet in sign area;
3. It shall not exceed 5 feet in height;
4. It shall not be separately illuminated;
5. It shall be subject to all setback standards;
6. It shall contain no commercial message except to the extent that a commercial enterprise may be named as part of the designation of the historic site.

(c) Development Entry Signs

In addition to the other freestanding signs allowed on a site, development entry signs may be permitted to identify the name of a multi-family development, residential subdivision, nonresidential or mixed-use development, or neighborhood or other distinct sub-area, subject to the standards below.

1. Such signs shall be located at the entrance or entrances to the development, subdivision, or neighborhood.
2. Such signs shall not exceed a total sign copy area of 32 square feet.
3. Where an entry sign is placed on each side of an entry drive, the 32 square feet maximum area may be divided between two signs.
4. Maximum height shall not exceed eight (8) feet.
5. For proposals to place a neighborhood entry sign within a public right-of-way, a separate Right-of-Way Use Permit is required pursuant to §407.39(c) of this Article.

6. Development entry signs may be separately illuminated by external, direct, white light, which shall not flash or move.

(d) Banner Signs

Banner signs may be allowed on private property, subject to the following standards:

1. A banner may be attached to a light pole or other pole structure serving another purpose on the site and not installed simply to hold the banner;
2. Each banner must be affixed to a permanent frame at the top and bottom, preventing significant movement in the wind;
3. Banners once installed must be repaired or replaced as necessary, to maintain them in good condition, in accordance with the standards of §407.38.5;
4. No banner shall be larger in area than a number of square feet computed by dividing the height of the pole by 3 and rounding the result up to the nearest whole number. This area limit shall be measured on one side, but the banner may have messages or images on both sides; and
5. There shall be no more than two banners attached to each pole.

407.32 Signs for Residential Development (excluding the 'A' Agriculture District)

The following subsections identify the types of signage allowed for residential development.

(a) Permanent Signs for Residential Development

In addition to the entry signs allowed in § 407.31(c), the following signs are allowed. A permanent sign allowed in a residential district may bear a noncommercial message, the permitted commercial messages described below, or any combination thereof.

1. Single Family Developments

- a. A single building sign may be allowed that is a maximum of two square feet.
- b. The only commercial messages allowed on permanent signs in Single Family Residential Developments, or for residential uses in the RP Zoning District, are those related to a home-based business lawfully conducted on the premises.

2. Multifamily Developments

- a. One building sign may be allowed per building, not to exceed six square feet. For buildings in which access to units is from common hallways, one permanent building sign shall be permitted for each public entrance to such building.
- b. The only commercial messages allowed on permanent signs in Multifamily Residential Developments are those related to a home-based business lawfully conducted on the premises or a message related to the management, lease or rental of the premises.

(b) Temporary Signs for Residential Development

1. The only commercial messages allowed on temporary signs in Residential Developments are the following:
 - a. a message pertaining to the sale or lease of the premises; or

- b. a message related to an occasional sale, held lawfully and in accordance with applicable ordinances of the County.
- 2. A total of three temporary signs per dwelling may be permitted in the single family residential developments and a total of three temporary signs per driveway may be permitted in multi-family residential developments. Two temporary signs in these areas may bear a commercial message at any one time, and the remaining sign may only bear a noncommercial message.
- 3. In addition to the signs allowed in 2, above, temporary signs advertising the sale or lease of units, lots or dwellings in residential developments shall be allowed in accordance with the following standards:
 - a. One sign up to 32 square feet in size and up to eight feet in height shall be allowed at each public entrance to the residential development or subarea for which a development plan has been approved;
 - b. In addition, up to six (6) pole-mounted banners shall be allowed at each public entrance subject to the following standards:
 - i. Only one banner shall be permitted per pole;
 - ii. Banners shall not be placed in any public right-of-way;
 - iii. Such signs shall be removed upon the sale or lease of 90 percent or more of the available units or lots included in the approved development plan.
- 4. Dimensional and numerical standards for temporary signs for Residential Development are provided as follows:

Table 407.32.1

Dimensional and Numerical Standards for Temporary Signs for Residential Development

Residential Development Type	Maximum Area (sq. ft.)	Maximum Height (ft.) for Freestanding Signs*	Maximum Number of Signs
Single Family	6	4	3
Multifamily	6	4	3 per driveway

* Maximum heights listed herein do not apply to building signs, which are limited by the definition in Chapter 410.

(c) Illumination of Signs for Residential Development

With the exception of neighborhood entry signs permitted in accordance with §407.31(c), a temporary or permanent sign on residential property shall not be separately illuminated.

407.33 Signs Allowed in the Agriculture Zoning District

(a) Limitations on Permanent Freestanding Signs in the Agriculture (A) District

- 1. One such freestanding sign may be permitted. Maximum area shall be 32 square feet. Maximum height shall not exceed eight feet.
- 2. On a parcel larger than five acres, the 32 square feet of sign area may be divided between two signs. On a parcel of five acres or less in area, there shall only be one sign.

3. In lieu of a freestanding sign, the 32 square feet may instead be applied toward building signage, not to exceed the number of public entrances plus two.
4. Such sign shall not be separately illuminated.
5. Such sign may bear a noncommercial message, a commercial message permitted in subsection 6 below, or any combination thereof.
6. Permitted commercial messages on permanent signs are:
 - a. a message related to a home based business, agricultural business or other commercial business lawfully conducted on the premises; or
 - b. a message related to agritourism or ecotourism activities lawfully conducted on the premises.

(b) Temporary Signs in the Agriculture District

1. The only commercial messages allowed on temporary signs in the Agriculture District are the following:
 - a. a message pertaining to the sale or lease of the premises;
 - b. a message related to a home based business, agricultural business or other commercial business lawfully conducted on the premises;
 - c. a message related to an occasional sale, held lawfully and in accordance with applicable ordinances of the County; or
 - d. a message related to agritourism or ecotourism activities lawfully conducted on the premises.
2. A total of two temporary signs per parcel or tract of land shall be allowed at any one time, only one of which may bear a commercial message.
3. In addition to the signs allowed in 2, above, temporary signs advertising the sale of lots or dwellings in residential developments shall be allowed in accordance with the following standards:
 - a. One sign up to 32 square feet in size and up to eight feet in height shall be allowed at each public entrance to the subdivision or subarea included in the areas of the development for which subdivision plats have been approved;
 - b. In addition, up to six (6) pole-mounted banners shall be allowed at each public entrance subject to the following standards:
 - i. Only one banner shall be permitted per pole;
 - ii. Banners shall not be placed in any public right-of-way;
 - c. Such signs shall be removed upon the transfer of title to 90 percent or more of the available lots, dwellings or dwelling units included in the approved plat.
4. Dimensional and numerical standards for temporary signs in the Agriculture District are provided as follows:

**Table 407.33.1
Dimensional and Numerical Standards for Temporary Signs in the Agriculture District**

Parcel Size	Maximum Area (sq. ft.)	Maximum Height (ft.) for Freestanding Signs*	Maximum Number of Signs
Tract or parcel 5 acres or more	16**	8	2
Tract or parcel less than 5 acres	7 ½	4	1

*Maximum heights listed herein do not apply to building signs, which are limited by the definition in Chapter 410.

**If using only one temporary signs on a tract or parcel greater than five acres, the square footage may be combined to use as one 32 square foot sign.

(c) Illumination of Signs in Agricultural Districts

With the exception of neighborhood entry signs permitted in accordance with §407.31(c), a temporary or permanent sign on residential property in an Agricultural District shall not be separately illuminated.

407.34 Signs Allowed for Nonresidential Development

The following subsections identify the types of signage allowed within nonresidential developments, including commercial uses in the RP district. Nonresidential planned developments shall be subject to all requirements of this Section unless otherwise specified on the Zoning Master Plan.

(a) Limitations on Permanent Freestanding Signs in Nonresidential Development

1. On an individual site with a single tenant a single sign is allowed, in addition to the entry signs allowed in accordance with §407.31(c).
2. On a site with multiple tenants in one or more buildings, one permanent freestanding sign per 400 feet of street frontage shall be allowed, in addition to the entry signs allowed in accordance with §407.31(c). The computation for 'street frontage' in this paragraph shall include frontage along any nonresidential or mixed-use streets internal or external to the development that are dedicated to the County or State as public streets or are private streets built to County standards. In no case shall there be more than three freestanding signs on a single street frontage external to the site.
3. Freestanding signs exempt from permit requirements as provided in §407.29(b)5 shall not count toward the number of freestanding signs permitted on a site but shall be subject to all other standards in this Section.
4. Sign area shall not exceed 50 square feet. Sign height shall not exceed eight feet. The Director may grant an exception to the height limitation, allowing up to two additional feet for architectural features designed to coordinate with the building that exhibit creative solutions to signage and enhance the overall appearance of the sign.

- (h) Promote local food systems through use of edible landscape materials where appropriate.
- (i) Design stormwater management facilities to resemble natural areas in form and function resulting in a facility that is not required to be fenced.
- (j) Limit stormwater management facilities to the maximum extent practicable through the reduction of impervious surfaces.
- (k) Minimize the impact of utility service installations on mature trees.
- (l) Address visual privacy, acoustical privacy, noise attenuation and the maintenance of important view sheds relative to adjacent developed properties.
- (m) Ensure reduction of noise, heat, glare, water runoff and other conditions concomitant with the construction of expanses of building or pavement within the parcel.
- (n) Demonstrate that within 20 years 30 percent of the site will be under mature canopy.
- (o) Deciduous tree canopy should be concentrated along the southern and western exposures of buildings so as to enhance shading and energy conservation.

407.42 Types of Plans

All development that requires development plan approval requires submittal and approval of one of the following:

(a) Landscape Plan

For all uses requiring the installation of more than 2,000 square feet of new planted areas, a landscape plan shall be submitted and prepared by a state registered landscape architect. Irrigation plans for any permanent irrigation shall be included in all landscape plans in accordance with the requirements of §407.46.

(b) Planting Plan

For all uses requiring the installation of less than 2,000 square feet of new planted areas, a planting plan may be submitted by either a landscape designer or a state registered landscape architect. Irrigation plans for any permanent irrigation shall be included in all planting plans in accordance with the requirements of §407.46.

407.43 Required Buffers

(a) General Provisions for Required Buffers

1. Buffers on residential developments shall be designated as common areas and shall not be included within lots.
2. Buffers on nonresidential sites may be included within lots and counted toward setback requirements.
3. No structures are permitted in buffers except fire hydrants, concrete valve markers, underground utility markers, switches, bus shelters or benches, incidental signs not exceeding two square feet in area, and screening.
4. No parking is permitted within a buffer area.
5. Buffer areas may include portions of the stormwater management system if the applicant demonstrates that the character and intent of the buffer is not diminished. At a minimum, the buffer shall include all of the required plantings at the normal grade of the site at the property line.

6. Pedestrian access through a buffer to adjacent uses may be permitted.
7. Utility lines may cross the buffer provided that the amount of buffer compromised is minimized while maintaining the specified number of plantings required in Table 407.43.2.
8. Trails within a buffer may be permitted provided the character and intent of the buffer is not diminished.
9. Existing non-invasive vegetation may be used to fulfill buffering and screening requirements where such existing natural vegetation is of sufficient height or can be augmented to reach a sufficient height and opacity to provide an effective visual and acoustical buffer giving consideration to the existing and proposed uses.

(b) Required Project Boundary Buffers

1. Project Boundary Buffers shall be located along the outer perimeter of the parcel to be developed extending inward from the parcel boundaries.
2. Minimum buffer types required on property boundaries between zoning districts are shown in Table 407.43.1.

**Table 407.43.1
Project Boundary Buffer Standards**

Zoning or Existing Use of Subject Property	Zoning or Existing Use Of Adjacent Property						
	A A-RB	Single Family Residential	Multifamily Residential; Churches (any district)	AP BP HM RP (non-residential)	BR BR-1 BH BA BA-1 BW	ML	MS MP
A, A-RB	None	AG	AG	None	None	None	None
Single Family Residential	AG	None	L	M	H	H	H
Multifamily Residential Churches (any district)	AG	M	None	L	M	H	H
AP, BP, HM, RP (non-residential)	None	H	M	None	None	L	M
BR, BR-1, BH, BA, BA-1, BW	None	H	M	None	None	L	M
ML	None	H	H	L	L	None	L
MS and MP	M	H	H	M	M	L	None

KEY TO BUFFER TYPES: See Below in Table 407.43.2

3. Minimum width and planting specifications for required project boundary buffers are shown in the table below:

**Table 407.43.2
Project Boundary Buffer Minimum Width and Planting**

Buffer Type	Minimum Width	Plant Material per 100 Linear Ft				Screening
		Canopy Tree	Understory Tree	Evergreen Tree	Shrub	
AG - Agriculture	5 feet	0	0	0	10	No
L - Low	15 feet	2	2	0	0	No
M - Medium	25 feet	3	4	0	40	Yes
H - High	40 feet	5	7	3	60	Yes

4. The DRC may reduce the required buffer width by up to 50% where it can be shown by the applicant that the reduction is warranted by unique site features or characteristics. This may include, but is not limited to, situations where the buffer area would be located adjacent to a water body or open space area or if a permanent buffer exists on the adjacent property.
5. The DRC may approve the placement of a buffer at an adequate distance from the parcel boundary when it can be shown that a conflict exists with an existing utility easement or to accommodate unique site features or characteristics provided the character and intent of the buffer is not diminished.

(c) Project Boundary Buffer - Landscaping and Screening

1. Appropriate tree species for planting in buffers are listed in Table 407.50.1.
2. Plant materials and installation shall meet the requirements of §407.44 and §407.45.
3. The required planting shall generally be in an irregular line and spaced or grouped to provide a natural appearance.
4. The plant materials specified by Table 407.43.2 are the minimum materials required per 100 linear feet of buffer; the total quantity of materials required shall be determined by dividing the actual length of the buffer.
5. Canopy trees shall be planted no closer than three feet from any property line.
6. Where screening is required or proposed in conjunction with a project boundary buffer as indicated in Table 407.43.1 the location of the wall, fence or berm within the buffer strip shall be subject to the determination of the development review body and it shall consist of:
 - a. a minimum six foot tall masonry wall such as brick, stone, granite, concrete block or concrete panels;
 - b. a minimum six foot tall opaque fence, such as vinyl or wood (no chain link);
 - c. existing dense vegetation [§407.43(a)9]; or
 - d. a berm three feet in height, located entirely within the buffer and planted with materials that at maturity shall reach a combined minimum height of six feet, shall have a stabilized slope of one to three (1:3) rise/run, and shall be completely covered with shrubs, sod or other landscape quality living ground cover.
7. Where a wall or fence is used to satisfy the screening requirements of Table 407.43.1, the following requirements apply:

- a. Pedestrian connections through walls or fences that can provide access to adjacent neighborhoods or other uses are encouraged.
- b. Walls and fences shall be landscaped along the entire exterior side so that one-third or more of the vertical face of the fence or wall is screened by plantings. The applicant shall be required to demonstrate provision for access and maintenance of landscaping at the time of landscape or planting plan approval.
- c. Walls and fences more than 100 feet long shall have varying wall alignments, use appropriate scale/massing for planted materials, and include decorative features and sound absorbing or scattering materials.

(d) Required Roadway Buffers

The following types of roadway buffers shall be required (road classifications are provided in the Transportation Mobility Element of the Comprehensive Plan). Any vegetation planted near driveway and road intersections shall be selected so that the requirements of Article 1, §407.38(d) for a clear sight triangle can be met. Publicly accessible multi-use trails, bikepaths and/or sidewalks and walkways may be provided within a roadway buffer provided the character and intent of the buffer is not diminished.

1. Interstate I-75 Buffers

- a. All development within Urban Residential Future Land Use designations shall provide a High density buffer, as described in Table 407.43.2, along the entire project boundary adjacent to the I-75 right-of-way. This buffer shall not be reduced in width.
- b. All other development shall provide a Medium density buffer, as described in Table 407.43.2, along the entire project boundary adjacent to the I-75 right-of-way. This buffer shall not be reduced in width.

2. Arterial or Collector Street Buffers

All developments located along either an arterial or a collector street shall be required to provide one of the following buffers along the entire street frontage. Arterial and collector street buffers shall average ten feet in width provided that no portion of the street buffer shall be less than five feet in width.

- a. Three canopy trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer; or
- b. Two canopy trees and two understory trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer; or
- c. Under utility lines only, four understory trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer.

3. Local Street Buffers

Local street buffers shall only be required for nonresidential, mixed-use or multi-family developments located across a local street from a single family residential district. In such a case, at the time of development or expansion, the nonresidential, mixed-use or multiple-family development shall provide the required project boundary buffer along the street frontage.

4. Measurements

- a. Driveway widths (measured at the inside edge of the buffer) shall not be counted in the calculation of the plant material required.
- b. All buffers shall be measured from the future right-of-way line determined during development plan review, unless additional public utility easement is required between the right-of-way line and the buffer to provide utility clearance.
- c. If a street is platted but has not been constructed, it shall be buffered and treated as a street, even where no pavement currently exists.
- d. Vehicular access easements shall not be treated as a street, but shall be buffered as a project boundary buffer outside the easement area. The buffer may be provided on either side of the easement.

407.43.1 Required Tree Plantings and Landscaping**(a) Pedestrian Walkways**

1. Areas dedicated to pedestrian circulation that are not coincident with a street shall have canopy trees spaced no more than an average of 40 feet on-center.
2. Utility allocations shall be designed to provide utilities' required separation between trees and utility facilities.
3. Canopy tree species are identified in Table 407.50.1.

(b) Street Trees

1. Street trees shall be provided along both sides of streets and roads or in medians, consistent with Table 407.141.1 Street Design Specifications.
2. Street trees shall be provided within a minimum planting strip of 8 feet in width, except as allowed below. Larger planting strips may be required for certain tree species, as shown in Table 407.50.1. Trees shall be planted in the center 30% of the planting strip.
 - a. Alternative planting systems may be used to reduce the minimum planting strip width. Alternative planting systems include, but are not limited to, engineered soils, tree grates, and root barriers.
 - b. Street trees planted in commercial or mixed-use districts may be planted in tree wells or sidewalk cutouts. Each tree must be provided with a minimum planting area of 24 square feet from compacted material to a depth of 18". Those street trees eligible for use in tree wells or sidewalk cutouts are identified in Table 407.50.1.
 - c. Street trees in commercial or mixed-use districts may be planted in islands or bulb-outs where on-street parking and mid-block pedestrian crossings are present. Planting islands or bulb-outs shall have a minimum pervious area of 90 square feet and be free of compacted soil to a depth of 18". Those street trees eligible for use in islands or bulb-outs are identified in Table 407.50.1.
 - d. In constrained conditions on local roads within subdivisions, trees may be planted no closer than 3' from face of curb.
3. Planting strips, medians, roundabouts, islands, bulb-outs, or other planting areas may be depressed to accommodate stormwater runoff. Where curb is

required, curb cuts may be used to permit the flow of water into the depressed planting area. Stormwater overflow must be accommodated.

4. Street trees shall be spaced so that the distance between two adjacent trunks is no less than one half the sum of their 20-year canopy crowns and no more than the sum of their 20-year canopy crowns.
5. Within the Urban Cluster street trees where appropriate shall be planted no further than 14 feet from the back of curb. Where curbs are not proposed along roadways, street trees must be located on the back side of the roadside swale unless it is planted outside the clear zone or space required in this ULDC.
6. Street trees shall be planted between the street and the sidewalk whenever space permits to protect pedestrians and calm traffic.
7. Street trees other than those shown in Table 407.50.1 may be allowed subject to appropriate planting requirements.

(c) Landscaping in Paved Ground Surface Areas

1. Screening shall be provided where a paved ground surface area lies within 50 feet of, and is visible from any street right-of-way. The screening shall consist of sufficient shrubs to provide a visual screen of 75 percent opacity. The shrubs shall achieve a minimum height of three feet within three years. Shrubs shall be planted in a strip no less than 5 feet in width and may be planted in any required Street buffer.
2. For all paved ground surface areas, it shall be demonstrated that at least 50 percent of the paved ground surface area will be under mature canopy within 20 years. To minimize the heat island effect, the canopy trees shall be oriented to maximize shading of the paved ground surface area from the south and west.
3. Terminal landscape islands with trees shall always be required at the end of a row of parking spaces. Appropriate tree species for planting in landscape islands within a paved area are identified in §407.50. The minimum width of a terminal landscape island in any one direction shall be the same as the minimum planting areas established in Table 407.45.1.
4. No more than 15 contiguous parking spaces in a row may be allowed without a landscape island.
5. Required landscape islands shall contain landscaping materials only and shall not contain utilities or other infrastructure equipment such as fire hydrants, parking lot lights, transformers, air conditioning units or water meters. Islands may be added (in addition to the required landscape islands) for placement of utility infrastructure equipment, which do not require any landscape materials to be placed within them. When feasible, shrubs shall be provided to screen the equipment.
6. Landscape islands and other landscape strips may be depressed to accommodate stormwater management. Curbs separating landscaped areas from parking areas may have curb cuts or be perforated to allow stormwater runoff to pass through them. Stormwater overflow must be accommodated.
7. Utility allocations shall be designed to provide utilities' required separation between trees and utility services.

8. When vehicular use areas intersect a public right-of-way, landscaping shall be used to define the intersection, provided that all landscaping shall conform to the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.
9. The following additional buffering shall be provided where off street loading exists:
 - a. Off-street loading areas shall be screened from any residential district. Screening shall be consistent with the requirements of §407.43(c)7.
 - b. Screening of off-street loading areas may be waived by the reviewing body if the adjacent use will not be adversely impacted, such as in the event both uses have facing loading bays.
 - c. In the ML district off-street loading areas shall be screened from any public right-of-way or office use. Screening shall be consistent with the requirements of §407.43(c)7.

407.43.2 Landscape Design of Stormwater Management Facilities

- (a) Stormwater management facilities shall be designed to resemble natural areas in form and function, and shall be consistent with Article 9, Stormwater Management, of this Chapter. Stormwater Management Facilities intended for use towards the required 20% pervious open space shall be designed in compliance with the pertinent sections of Article 5, Open Space, of this Chapter.
- (b) Stormwater management areas shall be landscaped with native species of trees, shrubs, and perennials appropriate to the function as a wet or dry basin.
- (c) The basin and the landscaping area shall be designed to:
 1. Be an integral part of the overall development as a physical or visual amenity that provides:
 - a. Usable public or civic space; or
 - b. An aesthetic focal point or feature, such as a pond, creek or other water feature, utilizing curvilinear shapes and a diversity of appropriate plant species.
 2. Preserve existing tree groupings.
 3. Include canopy trees spaced no more than an average of every thirty five linear feet around the basin perimeter.
 4. Maintain at least 25 percent of the area of the basin, including the shoulders and maintenance area, using native landscape plantings, excluding sod.
 5. Be integrated with the landscape or planting plan for the site.
 6. Identify areas for access for normal and routine basin maintenance. Landscape plantings shall not reduce the width of the required maintenance access.

407.43.3 Landscaping in Utility Service Areas

- (a) Proposed overhead or underground utility service facilities shall be designed to provide clearance from the mature height of trees and landscaping proposed on the landscape plan.
- (b) Existing overhead or underground utility service facilities shall be considered in the design of the landscaping to provide clearance from the mature height of trees and landscaping.
- (c) Any vegetation within a public utility easement shall conform to accepted vegetation management standards. In all cases the minimum requirements of this Article shall be met.

407.43.4 Xeriscape Requirements

Xeriscaping is a type of quality landscaping that conserves water and protects the environment and is adaptable to local conditions and which are drought tolerant. Xeriscape techniques maximize the conservation of water use with site appropriate plants, an efficient watering system, proper planning and design, soil analysis, practical use of turf, the use of mulches (which may include the use of solid waste compost) and proper maintenance. The following water efficient principles shall be applied to the landscape or planting plan:

- (a) All plantings shall be grouped in zones according to water requirements and shall be irrigated in zones separating high water use areas from drought tolerant zones. The zones are as follows:
 - 1. High water use zone: A zone containing plants which are associated with moist soils and require supplemental water in addition to natural rainfall to survive. This zone includes most turf grasses.
 - 2. Moderate water use zone: A zone containing plants which survive on natural rainfall with supplemental water during seasonal dry periods.
 - 3. Low water use zone: A zone containing plants which survive on natural rainfall without supplemental water.
- (b) Fifty percent of the plants used in all vehicular use area landscape designs shall be drought tolerant and located in groupings according to zones designated by the water requirements.
- (c) Turf grass areas shall be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreational uses, provide soil erosion control such as berms, slopes and swales, where turf grass is used as a design unifier or other similar practical use.
- (d) All planting areas shall be mulched with three inches of organic mulch, such as pine bark or shredded hardwood chips. Mulch shall be placed directly on soil or landscaping fabric and be properly edged to retain mulch.
- (e) Plant material shall be selected that is best suited to withstand the growing and soil conditions which are found in the microclimate of each particular location on the site.

407.43.5 Crime Prevention through Environmental Design Standards

Physical design of all landscaped areas subject to normal pedestrian access shall promote the concept of Crime Prevention through Environmental Design (CPTED) by utilizing landscape planting, pavement designs and gateway and entrance treatments to achieve the following:

Native Scientific Name	Common Name	Maximum Height (feet)	Estimated Crown (20- Year) (feet)	Canopy or Understory	Appropriate Planting Location	Street tree minimum planting area (feet)
<i>Prunus serotina</i> var. <i>serotina</i>	Black cherry	80	30	C	S,O,P,B	12
<i>Ptelea trifoliata</i>	Wafer ash, Hop- tree	20	10	U	O,B	N/A
<i>Quercus alba</i>	White oak	90	25	C	S,O,P,B	12
<i>Quercus chapmanii</i>	Chapman's oak	40	20	C	S,O,P,B	8
<i>Quercus falcata</i>	Spanish oak, Southern red oak	100	30	C	S,O,P,B	12
<i>Quercus geminata</i>	Sand live oak	60	30	C	S,O,P,B	8
<i>Quercus incana</i>	Bluejack oak	50	25	C	S,O,P,B	8
<i>Quercus laevis</i>	Turkey oak	60	25	C	S,O,P,B	8
<i>Quercus laurifolia</i> (<i>hemisphaerica</i>)	Laurel oak	90	35	C	S,O,P,B	12
<i>Quercus lyrata</i>	Overcup oak	80	25	C	S,O,B	12
<i>Quercus margaretta</i>	Sand post oak	70	30	C	S,O,P,B	8
<i>Quercus marilandica</i>	Blackjack oak	50	25	C	S,O,B	12
<i>Quercus michauxii</i>	Basket oak, Swamp chestnut oak	100	25	C	S,O,B	12
<i>Quercus</i> <i>muehlenbergii</i>	Chinquapin oak	50	20	C	S,O,B	8
<i>Quercus myrtifolia</i>	Myrtle oak	30	15	U	O,B	N/A
<i>Quercus nigra</i>	Water oak	90	35	C	S,O,P,B	12
<i>Quercus pagoda</i>	Cherrybark oak	80	30	C	S,O,P,B	12
<i>Quercus phellos</i>	Willow oak	60	20	C	S,O,P,B	12
<i>Quercus shumardii</i>	Shumard oak	100	30	C	S,O,P,B	12
<i>Quercus sinuata</i>	Bluff oak	90	30	C	S,O,P,B	8
<i>Quercus stellata</i>	Oak, post	80	25	C	S,O,P,B	8
<i>Quercus virginiana</i>	Oak, live	80	45	C	S,O,P,B	12
<i>Rhamnus caroliniana</i>	Buckthorn, Carolina	20	10	U	O,B	N/A
<i>Sabal palmetto</i>	Palm, cabbage	60	15	C, U	S,T,O,B	8
<i>Salix caroliniana</i>	Carolina willow	40	15	U	O,B	N/A
<i>Salix floridana</i>	Florida willow	20	15	U	O,B	N/A

Native Scientific Name	Common Name	Maximum Height (feet)	Estimated Crown (20-Year) (feet)	Canopy or Understory	Appropriate Planting Location	Street tree minimum planting area (feet)
<i>Salix nigra</i>	Black willow	60	15	U	O,B	N/A
<i>Sapindus saponaria</i>	Soapberry	50	25	C, U	S,O,P,B	12
<i>Sassafras albidum</i>	Sassafras	40	15	U	O,B	N/A
<i>Sideroxylon tenax</i>	Tough bully	30	10	U	O,B	N/A
<i>Taxodium ascendens</i>	Pond cypress	90	20	C	S,O,P,B	12
<i>Taxodium distichum</i>	Bald cypress	100	20	C	S,O,P,B	12
<i>Tilia americana var. caroliniana</i>	Carolina basswood	80	25	C	O,B	N/A
<i>Ulmus alata</i>	Winged elm	100	40	C	S,T,O,P,B	8
<i>Ulmus americana</i>	Florida elm	100	35	C	S,T,O,P,B	12
<i>Ulmus crassifolia</i>	Cedar elm	100	30	C	S,T,O,P,B	12
<i>Ulmus rubra</i>	Slippery elm	60	20	C	S,O,P,B	12
<i>Vaccinium arboreum</i>	Sparkleberry, Farkleberry	20	15	U	S,T,O,P,B	8
<i>Viburnum obovatum</i>	Walter viburnum	30	15	U	O,B	N/A
<i>Viburnum rufidulum</i>	Rusty blackhaw	20	15	U	O,B	N/A
<i>Zanthoxylum clava-herculis</i>	Hercules club	50	25	U	O,B	N/A

Non-Native Scientific Name	Common Name	Maximum Height (feet)	Estimated Crown (20-Year) (feet)	Canopy or Understory	Appropriate Planting Location	Street tree minimum planting area (feet)
<i>Butia capitata</i>	Pindo palm	20	15	C, U	S,T,O	8
<i>Callistemon rigidus</i>	Stiff bottlebrush	60	15	U	S,T,O	8
<i>Callistemon viminalis</i>	Weeping bottlebrush	30	15	U	S,T,O	8
<i>Carya illinoensis</i>	Pecan	100	35	C	S,O,P	12
<i>Cedrus deodara</i>	Deodar cedar	40	20	C, U	S,O,P	8
<i>Chionanthus retusus</i>	Fringe tree, Chinese	30	15	U	S,O	8

Non-Native Scientific Name	Common Name	Maximum Height (feet)	Estimated Crown (20- Year) (feet)	Canopy or Understory	Appropriate Planting Location	Street tree minimum planting area (feet)
<i>Citrus spp.</i>	Citrus	20	10	U	O	N/A
<i>Cryptomeria japonica</i>	Japanese cedar	60	15	C, U	S,O	8
<i>Cunninghamia lanceolata</i>	China fir	60	15	C, U	S,O	8
<i>X Cupressocyparis leylandii</i>	Leyland Cypress	30	15	U	S,O	12
<i>Cupressus sempervirens</i>	Italian cypress	70	10	U	S,T,O	8
<i>Ilex rotunda</i>	Round holly	30	15	C, U	S,T,O,P	8
<i>Lagerstroemia indica (large varieties)</i>	Crape myrtle	40	15	U	S,T,O	8
<i>Liquidambar formosana</i>	Formosa sweet gum	50	20	C	S,O,P	12
<i>Magnolia spp.</i>	Oriental magnolia	30	15	U	S,O	8
<i>Metasequoia glyptostroboides</i>	Dawn redwood	70	15	C	S,O,P	12
<i>Parkinsonia aculeata</i>	Jerusalem-thorn	15	10	U	O	N/A
<i>Phoenix spp.</i>	Date palm	60	25	C	S,T,O,P	8
<i>Pistacia chinensis</i>	Chinese pistachio	60	25	C	S,O,P	8
<i>Platycladus orientalis</i>	Oriental arborvitae	50	10	U	S,O	12
<i>Podocarpus macrophylla</i>	Japanese yew	40	15	C, U	S,T,O,P	8
<i>Podocarpus nagi</i>	Nagi podocarpus	50	20	C, U	S,T,O,P	8
<i>Prunus campanulata</i>	Flowering cherry	20	15	U	S,T,O	8
<i>Pyrus calleryana</i>	Aristocrat pear	40	15	C, U	S,T,O,P	8
<i>Quercus acutissima</i>	Sawtooth oak	60	25	C	S,O,P	12
<i>Robinia pseudoacacia</i>	Locust, black	40	20	C	O	N/A
<i>Salix babylonica</i>	Weeping willow	40	30	C, U	S,O,P	12
<i>Ulmus parvifolia</i>	Chinese elm, Drake elm	40	35	C, U	S,T,O,P	8
<i>Ulmus pumila</i>	Siberian elm	30	15	C, U	S,T,O	8

Non-Native Scientific Name	Common Name	Maximum Height (feet)	Estimated Crown (20-Year) (feet)	Canopy or Understory	Appropriate Planting Location	Street tree minimum planting area (feet)
<i>Washingtonia robusta</i>	Washington palm	80	15	C	S,T,O	8

LEGENDS:

Appropriate Planting Location:		Canopy tree = provides larger amount of shading high above ground
S	Street Tree	Understory tree = provides lower amount of shading near the ground
T	Tree Grate / Well	
B	Basin Area	
P	Parking Islands	
O	Other Areas Including Common Areas and Buffers	

ADDITIONAL COMMENTS:

All trees on the Alachua County Tree List except pines and palms are suitable for reforestation.

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 and Mixed-Use development in Activity Centers 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 xeriscale principles and that have

a minimum area of 40 square feet and a minimum of 5 feet. Landscaped areas may be depressed to accommodate stormwater runoff.

c. Pedestrian Trails

Paved or mulched pedestrian trails up to 5 feet in width and located within a qualifying open space may be counted toward the required open space area. The use of semi-pervious materials is encouraged within any open space area.

d. Stormwater Management Facilities

All stormwater management facilities utilized to satisfy the 20% open space requirement shall be designed to meet the requirements of §407.56 and §407.57(a) of this Chapter. Within the Village Center of any TND or TOD all stormwater management facilities shall be designed to meet the requirements of §407.56 and §407.57(a) and may be counted toward the required 20% open space.

2. Minimum Design Requirements

- a. The boundaries of civic spaces shall be clearly delineated during development plan review.
- b. A minimum of 20% of any civic space shall be planted.
- c. Civic spaces shall be designed to accommodate stormwater from impervious areas within their own boundaries.
- d. Hardscaping of civic spaces shall be accomplished by utilizing semi-pervious materials such as porous pavement, permeable pavers, gravel or wood.
- e. Civic spaces shall not contain parking or motor vehicle use areas.
- f. The use of Low Impact Development techniques is encouraged within civic spaces.

407.55 Designation of Open Space Areas

- (a) Prior to submitting a development plan or as part of the Pre-application conference, when applicable, an applicant shall consult with staff to identify the most appropriate portion of the development site to be designated as open space.
- (b) In addition to the specific standards and priorities set forth in this Article, the following goals shall guide the designation of open space:
 1. Primary open space areas shall be useable and connected to the extent consistent with the character and protection of the resource.
 2. Primary open spaces should be contiguous to greenways, trails, public parks, or other open spaces on adjoining parcels in order to promote the creation of larger open spaces with greater usability, resource protection, and connectivity.
 3. Open spaces should preserve existing natural features that perform stormwater management functions, such as wetlands, riparian vegetation, floodplains, and woodlands, to the greatest extent possible, and incorporate low impact development techniques to further minimize, convey, pretreat, treat and reduce the volume of stormwater runoff generated by development.

407.56 Requirements for Stormwater Management Areas used as Open Space

Stormwater management systems shall be designed in accordance with Article 9 of this Chapter and must complement and be integrated with the other required open space areas. In addition to the design requirements of Article 9 for stormwater management areas, the following criteria shall apply in order to be considered as credit toward the open space requirement:

- (a) All stormwater management areas shall also include the following design features:
 - 1. An initial tier, or forebay, shall be designed to capture the majority of the sediments.
 - 2. A 12-foot-wide maintained pedestrian path shall be provided around the perimeter of the basin and be connected to pedestrian paths in other qualifying open spaces.
 - 3. Stormwater facilities designed as open space shall be managed to maintain no more than 5% cover of invasive nonnative plants.
- (b) In addition to (a), wet retention/detention basins shall fulfill the following requirements:
 - 1. Variations in elevations within the treatment volume of the basin. Baffles, islands, berms, channels or other similar measures shall be incorporated to maximize the contact of the stormwater with the surface of the basin. See the Open Space Stormwater Manual for details.
 - 2. Within the basin, tree islands or other areas above the normal pool elevation shall be planted with an average of 35 trees per acre. Spacing of trees may be closer when trees are planted in groups or clusters. Trees can be from any size category and shall not be placed in the forebay area or within 25' of any drainage structure.
 - 3. A littoral zone shall be designed according to applicable WMD requirements regardless of residence time.
- (c) In addition to (a), dry retention/detention basins over shall fulfill the following requirements:
 - 1. Within the basin, a variety of native trees shall be provided at an average of 50 trees per acre. Spacing of trees may be closer when trees are planted in groups or clusters. Trees can be from any size category and shall not be placed in the forebay area or within 25' of a control structure. Certified apparently weed free sod shall be used.
 - 2. No clearing, mowing or removal of native, non-invasive vegetation shall take place interior to the pedestrian path, except as required to meet the parameters set forth in the stormwater permit or to maintain inlet and outfall structures. As an alternative, a designed landscape plan may be approved by the Development Review Committee that would provide greater or equal biological diversity and enhanced stormwater treatment.
 - 3. Certain recreational uses may be incorporated in basins for projects that meet LEED or Green Building Certification (Silver rating or higher) requirements (The applicant will need to be able to demonstrate this by final site plan approval).
- (d) Stormwater management areas in projects that incorporate Low Impact Development (LID) may receive credit for open space without needing to meet the design criteria outlined in (b) and (c) above. To qualify, a project must demonstrate that the first inch

boundary may exceed 25% of the total block perimeter; however the remainder of the block shall be lined by buildings, excluding access to off-street parking.

- d. Off-street parking shall clearly delineate routes for pedestrians and bicycles through parking areas to accommodate safe and convenient pedestrian and bicycle circulation between uses and create a park-once environment.
- e. A single transitional off-street surface parking area may be allowed per development. The perimeter block length shall not exceed the perimeter block length requirements of this article. Plans shall be submitted demonstrating how liner buildings will be provided at a future date along with justification why the additional parking is needed and why it cannot be provided elsewhere. Within this block, off-street surface parking shall not be located closer than 25 feet to the back of curb and off street surface parking shall be lined by a sidewalk and a plaza with lighting, seating, architectural features, landscaping and 50 percent mature tree canopy at 20 years.
- f. In addition to the single transitional lot, a TOD more than 100 acres in size is allowed one block with parking interior per every 100 acres where the block face is lined by buildings on 50% or greater of the block so long as there are buildings on three sides of the block face and at least one of the structures on the block is multistory. Off-street surface parking shall be set back at least 25 feet from the back of curb. To screen the parking, within the setback there shall be a sidewalk and a plaza with lighting, seating, architectural features, landscaping and 50% mature tree canopy at 20 years.
- g. Single occupant retail uses greater than 25,000 square feet per floor may have parking in front of buildings provided all surface parking and the side and rear of the building are screened from adjacent streets by liner buildings. The rear of the building for single occupant retail uses between 25,000 and 50,000 square feet per floor may front a street as long as a functional entrance is provided and the architecture of the building provides a pedestrian friendly environment in compliance with all design requirements for buildings fronting a street.
- h. Off-street surface parking areas shall be landscaped to reduce heat-island effects, stormwater pollution and rate of flow from developed areas, minimize glare, and limit noise impacts from automobile uses.
 - i. Off-street parking areas shall contain sufficient canopy trees to produce a mature canopy that provides 50% shading of paved areas within 20 years. Canopy trees are identified in Table 407.50.1 of this Chapter.
 - ii. The minimum planting area for trees shall be 25 sq. ft. The planting area shall be clear of impervious or semi-pervious materials but may include additional landscaping materials. Additional semi-pervious areas for trees shall vary according to Table 407.68.3.

- iii. Planting strips, medians, islands, bulb-outs, or other planting areas may be depressed to accommodate stormwater runoff provided stormwater overflow is accommodated.

**Table 407.68.3
Canopy Tree Planting Requirements for Off-Street Parking Areas**

Planting Area (sq. ft.)	Minimum Additional Semi-pervious Area (sq. ft.)
25-50	400
51-100	200
101-200	100
>200	0

- iv. The use of semi-pervious materials, such as pavers or porous pavement, is encouraged throughout parking areas to maximize the amount of usable space and ensure survival of landscaping.
2. Vehicular use areas, other than off-street surface parking, shall be located to the rear of buildings. Limited exceptions may be allowed for loading areas separated from through traffic by a physical barrier.
- (d) Roadway Network Design**

1. Roadways within the Transit Supportive Area shall be designed consistent with Table 407.68.4 and the following standards:
 - a. All roadways within the Transit Supportive Area shall provide curb-and-gutter on both sides of the roadway. The use of curb-cuts and other Low Impact Development techniques shall be encouraged and allowed.
 - b. All roadways within the Transit Supportive Area shall provide street trees. Standards for street tree planting shall be consistent with §407.43.1(b) of this Chapter. Street trees may be provided in bulb-outs.
 - c. In the Transit Supportive Area sidewalks shall be provided on both sides of streets. The DRC may approve a cross-section that includes a sidewalk on only one side of a street in limited situations where a single sidewalk would not reduce pedestrian circulation. Streetscape elements within the Transit Supportive Area shall include pedestrian scale lighting, street furniture, waste receptacles, locational maps, planters and street trees. Required minimum sidewalk widths are:
 - i. 8 feet for single family attached/multifamily/nonresidential (excluding commercial);
 - ii. 10 feet for commercial/mixed use;
 - d. Single family detached areas shall provide either 6’ sidewalks on both sides of streets or a single 10’ multiuse path if the front of the homes are oriented to the path.
 - e. Innovative traffic calming techniques, except along roadways identified on the Future Highways Functional Classification Map in the Comprehensive Plan, are allowed along roadways and at intersections within the development. Techniques may include raised intersections, woonerfs (streets where pedestrians and cyclists have legal priority using techniques including shared space, traffic calming and low speed limits),

shared multi-modal spaces with reduced markings and signage in addition to other innovations that enhance pedestrian and bicycle mobility. For publicly-maintained roadways projected to carry more than 7,500 daily trips, traffic calming techniques shall be limited to horizontal deflections.

Table 407.68.4
Roadway Design Standards for Transit Supportive Area and Village Center

Daily Trips	Number of Lanes	Design Speed (mph)	Travel Lane Type Width (ft) ¹	Access Type ²	Median (ft)	Bike Lanes (ft) ³	On-Street Parking (ft) ⁴
Under 1,200	2	25	Cartway 18-20	Direct	No	No	7
1,200 - 2,500	2	25	Marked Lanes 10	Limited	10 (Optional)	4 (Optional)	7
2,500 - 7,500	2	30	Marked Lanes 10	Limited	12 (Optional)	5	8
7,500 - 20,000	2	35	Marked Lanes 10	Limited	16-22	5	8
15,000 - 40,000	4	35	Marked Lanes 10	Limited	16-22	5	8

1. If transit is projected to run on the roadway outside of dedicated transit lanes, then the lane width shall be 11'.
2. "Direct" means that individual uses may utilize a driveway to the road. "Limited" means that individual uses must utilize a shared separate roadway, driveway or alley.
3. Bike lanes not adjacent to parallel parking may be reduced to 4'. Bike lanes are optional for roadways between 2,500-7,500 ADT that are less than ¼ mile in length or interrupted with stop control at intersections spaced no more than 660 feet apart and are located within a TOD.
4. On-street parking is optional, but must be provided on the majority of streets. Provision of on-street parking shall be adequate to serve the proposed intensity of development in order that the required clearances for public safety vehicles are maintained. Angled parking is allowed on all roadways. Where on-street parallel parking is provided it must be marked at the width indicated in the table or greater. The gutter pan of curbs can be used to meet the minimum on-street parking widths.
5. Roadways with dedicated transit facilities located within the right-of-way shall be designed on a case-by-case basis and shall provide bicycle and pedestrian facilities and where practical, on-street parking.

2. Table 407.68.4 does not preclude the development of one-way streets. The design of one-way street, alleys and streets featuring dedicated transit lanes shall be reviewed on a case-by-case basis. One-way streets shall have a pavement width between 12 and 14 feet.
3. Cross access and stub streets shall be provided in order that the general block pattern of the development can be continued on adjacent properties upon development or redevelopment.
4. **On Street Parking**
 - a. Defined on-street parking shall be provided on the majority of block faces within the Transit Supportive Area, and is allowed throughout the rest of the development. Bulb-outs and curb extensions shall be provided at a maximum interval of 200 feet. For block faces less than 200 feet, a bulb-out shall be provided at both ends of the block face.

- b. On through collector and arterial roadways with a projected AADT greater than 5,000 trips angled on-street parking shall be accessed via a drive aisle separated from through traffic by a landscaped median.
- c. Parallel on-street parking or angled parking accessed by a drive-aisle separated from through traffic by a landscaped median are allowed and encouraged on arterial and collector roadways so long as it can be done in a safe manner that does not negatively impact the operations of the facility.
- d. The use of semi-pervious materials, such as pavers or porous pavement, is encouraged within on-street parking areas to reduce stormwater runoff and delineate parking areas.

5. External Connectivity

Street stubs shall be provided to adjacent open land and adjacent developed parcels other than platted subdivisions to provide for future connections. Signs shall be posted, at the expense of the developer, advising residents of the intent and purpose of the stubbed street. Cul-de-sacs shall be permitted only where environmental concerns or existing platted development makes a street connection impracticable. Cul-de-sacs shall not exceed 250 feet in length and shall be accessed from a street providing internal or external connectivity.

6. Utilities

- a. Underground utilities are to be compressed to minimize right-of-way width, allow adequate space for street trees and provide for the visual definition of the street. Appropriate utilities shall be allowed to be placed in joint trenches.
- b. All above ground utility access, transfer and conveyance points such as panels, boxes, meters, and valves shall be screened from the street and sidewalks through architectural features and/or landscaping.
- c. Pressurized lines are allowed to be placed under roadways not shown on the Future Highway Functional Classification Map in the Comprehensive Plan and on roadways projected to carry less than 15,000 daily trips.

(e) Transit Network Design

- 1. For developments contiguous with a Rapid Transit Corridor, dedicated transit lane(s) for use by transit vehicles or fixed guide-way rail lines for streetcars or light rail shall be provided within or adjacent to the development consistent with the Rapid Transit Corridor Map. Dedicated transit lanes for buses shall be designed as concrete ribbon drives with raised curbs in a median or in right-of-way separated from motor vehicle travel lanes, except on bridges. Dedicated transit lanes shall be designed and constructed in such a manner that they cannot be used for motor vehicle travel, other than transit vehicles. Multi-lane roadways in-lieu of dedicated lanes may be provided within the transit supportive area for developments that can demonstrate future transit headways of 10 minutes can be maintained and feature either block lengths that average 1200 perimeter feet or less or include fixed guide-way rail lines.

Regional Transit System (RTS) shall be a reviewing entity along with the County and FDOT along State roadways.

2. Developments contiguous with the portion of the Express Transit Corridor along Tower Road shall provide either site related turn out facilities (bus bays) or dedicated lane(s). Regional Transit System (RTS) shall be a reviewing entity along with the County and FDOT along State Roadways.
3. For developments contiguous with a Rapid Transit Corridor, a park and ride facility shall be provided within or adjacent to the development in close proximity to the transit station consistent with the Rapid Transit Corridor Map. Park and ride facilities shall be designed for shared evening and weekend use by the development. Park and rides shall be designed in accordance with block, street tree and pedestrian facility requirements of this ULDC and are encouraged to be screened by liner buildings. The size of the park and ride facility shall be based on projected demand relative to the size and location of the development. Park and ride facilities shall be coordinated and jointly planned where developments are directly adjacent. Regional Transit System (RTS) shall be a reviewing entity along with the County and FDOT along State roadways.
4. For developments contiguous with a Rapid Transit Corridor, a principal transit station shall be provided adjacent to the corridor within the Village Center. The transit station shall be of sufficient size and scale to accommodate the projected ridership from the development. Transit stations shall feature solid roofs and protection from the elements along the perimeter of the station through architectural features. The transit station shall be architecturally integrated with the development. The transit station shall provide lighting, seating, waste receptacles, kiosk with maps and route information, a route map, a digital display indicating arrival times and a means to provide air circulation and cooling within the station. The station shall include a facility for purchasing transit passes. The transit station should be integrated with retail uses or provide adequate space for future retail uses.
5. For developments contiguous with a Rapid Transit Corridor, smaller transit stations which feature solid roofs, some protection from the elements, lighting, seating, route maps and a digital display indicating arrival times are encouraged to be located along the corridor and are required if more than a ¼ mile from the principal transit station. The transit station should be integrated with retail uses or provide adequate space for future retail uses.

407.69 Standards for Development Areas Outside the Transit Supportive Area

Single family residential development outside the Transit Supportive Area shall be subject to the subdivision Regulations of Article 8 Chapter 407 with the following additional standards.

- (a) Development outside the Transit Supportive Area shall have a maximum block perimeter of 2000 linear feet.

407.70 Open Space and Landscaping

- (a) **Open Space**

Open Space shall be provided on at least 20 percent of any TND or TOD and shall be delineated on all development plans and plats. Required Open Space shall first

be satisfied with any Primary Open Space Areas as defined in §407.53 of this Chapter, and then in accordance with §407.54(c).

(b) Landscaping

1. All TNDs and TODs shall submit a Landscape Plan consistent with Sections 407.41 and 407.42(a) of this Chapter.
2. **Project Boundary Buffers**
 - a. Where new TND or TOD development abuts existing single family detached residential development the following shall apply:
 - i. For proposed development that abuts a portion of an existing development of lots in excess of 20,000 square feet, the minimum size for abutting lots shall be 20,000 square feet with a minimum lot width of 110 feet.
 - ii. For proposed development that abuts a portion of an existing development of lots between 10,000 and 20,000 square feet, the minimum size for abutting lots shall be 10,000 square feet with a minimum lot width of 80 feet.
 - iii. For proposed development that abuts a portion of existing single-family detached lots of less than 10,000 square feet, the TND or TOD shall provide buffer uses and lot sizes consistent with the R-1a zoning district.
 - iv. In lieu of providing the minimum lot size or width for the abutting lots as stated above in i, ii and iii, a minimum of a 50 foot wide medium density landscaped buffer, as provided in §407.43 of this Chapter may be utilized.
 - b. Where new development in a TND or TOD abuts existing industrial development, the new development shall provide a 45' high density buffer as defined in Table 407.43.2 of this Chapter.
 - c. Project Boundary Buffers shall not be located on individual lots. No structures are permitted in project boundary buffers except fire hydrants, concrete valve markers, underground utility markers, switches, bus shelters or benches, incidental signs not exceeding two square feet in area, and screening. No parking is allowed in project boundary buffers.
 - d. Project Boundary Buffers may include portions of the stormwater management system so long as the character and intent of the buffer is not diminished. At a minimum, the buffer shall include all of the required plantings at the normal grade of the site at the property line.
 - e. Pedestrian access through a buffer to adjacent uses may be permitted. Trails within a buffer may be permitted provided the character and intent of the buffer is not diminished.
 - f. Utility lines may cross the buffer provided that the amount of buffer compromised is minimized while maintaining the specified number of plantings required in Table 407.43.2 of this Chapter.

- g. No internal buffers shall be required within TODs and TNDs. Where the potential for adverse impact exists, landscaping, building separation and lot layout shall be utilized to minimize impacts by adjacent uses.

3. Roadway Buffers

The following types of roadway buffers shall be required (road classifications are provided in the Transportation Mobility Element of the Comprehensive Plan). Any vegetation planted near driveway and road intersections shall be selected so that the area defined by the FDOT sight triangle shall remain clear.

a. Interstate I-75 Buffers

All TNDs and TODs shall provide a 25 foot wide Medium density buffer along the entire project boundary adjacent to the I-75 right-of-way consistent with §407.43(a). Screening shall not be required. Existing natural vegetation and street trees provided within an adjacent roadway or along a multi-use trail may be used to fulfill the landscaping requirement where such existing natural vegetation is of sufficient height or can be augmented to reach a sufficient height and opacity to provide an effective visual buffer.

b. Arterial Street Buffers

All developments located along an arterial street shall be required to provide one of the following buffers along the entire street frontage:

- i. Three canopy trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer; or
- ii. Two canopy trees and two understory trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer; or
- iii. Under utility lines only, four understory trees per 100 linear feet of property frontage, located within a ten-foot wide landscape buffer.
- iv. Arterial street buffers may average ten feet in width provided that no portion of the street buffer shall be less than five feet in width.
- v. Where the fronts of buildings are oriented towards an arterial street the buffer requirements are as follows:
 - (a) A 15 foot buffer from the back of curb along arterials with landscaping as required in i, ii, iii above;
 - (b) A buffer based on clear recovery areas from the edge of pavement along rural section arterial streets with landscaping as required in i, ii, iii above.
 - (c) Sidewalks shall be located between the buffer and the front of the building. Existing sidewalks more than 660 feet in length shall be relocated between the buffer and the front of buildings where the required buffer widths do not presently exist. Sidewalks shall be 12 feet in width along arterials.
 - (d) Parallel on-street parking or angled parking accessed by a drive-aisle separated from through traffic by a landscaped median is

allowed and encouraged so long as it can be done in a safe manner that does not negatively impact the operations of the arterial or collector.

- (e) Buildings shall be set-back between twenty five and forty feet from the back of curb on urban section streets and edge of pavement on rural section streets.

c. Measurements

- i. All roadway buffers excluding §407.70(c)3.b.v. shall be measured from the future right-of-way line determined during development plan review, unless additional public utility easement is required between the right-of-way line and the buffer to provide utility clearance.
- ii. If a street is platted but has not been constructed, it shall be buffered and treated as a street, even where no pavement currently exists.
- iii. Vehicular access easements shall not be treated as a street, but shall be buffered as a project boundary buffer outside the easement area. The buffer may be provided on either side of the easement.

4. Required Tree Plantings in Pedestrian Walkways

Areas dedicated to pedestrian circulation that are not coincident with a street shall have canopy trees spaced no more than an average of 40 feet on-center on alternating sides of the walkways.

5. Landscape Design of Stormwater Management Facilities

All surface stormwater management facilities located within the Village Center area of TNDs and TODs shall be designed to meet the criteria of Chapter 407 Article 5 Open Space and Article 9 Stormwater Management Facilities. Landscaping shall be provided consistent with §407.43.2 of this Chapter.

6. Utility Service

- a. Proposed overhead or underground utility service facilities shall be designed to provide clearance from the mature height of trees and landscaping proposed on the landscape plan.
- b. Existing overhead or underground utility service facilities shall be considered in the design of the landscaping to provide clearance from the mature height of trees and landscaping.
- c. Any vegetation within a public utility easement shall conform to accepted vegetation management standards. In all cases the minimum requirements of this Article shall be met.

7. Required Plant Materials, Installation, Irrigation, and Maintenance

All TODs and TNDs shall meet the requirements of §407.44 through §407.47 of this Chapter.

407.71 Alternative Compliance

It is the intent of these regulations to implement the requirements for TNDs and TODs in the Alachua County Comprehensive Plan. Where an applicant can demonstrate that an alternative design concept will produce superior results while maintaining consistency with the Comprehensive Plan, the reviewing board may approve an alternative compliance implementation.

Article 8 Subdivision Regulations

407.72 Purpose

It is the purpose of this Article to provide criteria for the subdivision of land for residential purposes and to implement policies of the Alachua County Comprehensive Plan.

407.73 General Provisions

- (a) All subdivision applicants are required to file a plat in accordance with Article 12 of Chapter 402 except as provided for below in subsection (f) and §407.75.
- (b) All subdivisions located within areas designated Rural/Agriculture on the Future Land Use Map 2020 and containing 25 or more lots shall be designed as a Rural/Agriculture Clustered Subdivision consistent with §407.77 of this Article.
- (c) For subdivisions located within areas designated Rural/Agriculture and not designed as a Rural/Agriculture Clustered Subdivision as provided in §407.77, no more than 150 lots smaller than eight acres in size, shall be authorized in a calendar year.
- (d) No subdivision may be created without paved public road access and all subdivisions created must have internal paved roads that meet county standards, except as provided in §407.75 and §407.76. Paved public road access does not include alternative surface treatments utilized as a part of the Alachua County Unimproved Road Program.
- (e) No person may divide a lot of record, which does not meet the definition of parent tract unless they comply with these subdivision regulations.
- (f) A parent tract may be divided once without complying with these subdivision regulations provided all of the conditions below are met:
 1. The parent tract must have public road frontage on and the capability to have direct access to an existing publicly maintained street. The newly created lots must each have a minimum frontage of 250 feet or greater. Parcels separated from a public street by a utility right-of-way shall be considered to have frontage on the street. Where the minimum of 250 feet of frontage cannot be met for each lot, or where the lot is separated from the public street by the utility right-of-way, the one split may provide joint driveway access to the public street in lieu of public street frontage for both lots upon approval by the County Engineer. If the parcel fronting the public road has access to a privately-maintained road that meets minimum width, stabilization, and maintenance requirements as determined by the Public Works Department and for which the applicant can provide proof of legal access, the private road may be used in lieu of a common driveway connection to the public road.
 2. The new lots created meet all other relevant requirements of this ULDC.
 3. The lot split must be memorialized in a document recorded in the public record. For purposes of these regulations, lots created by a plat recorded in a deed book and/or government lots established prior to June 1, 1960 may be divided once provided they meet the public road frontage requirements and shall not be subject to the replat requirements or full compliance with this Article but must be memorialized in a document recorded in the public record.

4. Any further division of a parent tract shall be deemed a subdivision and shall comply with relevant regulations of this ULDC.
 5. A parent tract that was created by means of a variance granted by the Board of Adjustment, or a variance granted by the Board of County Commissioners may not be split, unless the variance was approved prior to October 2, 1991 and the purpose of the split is for a Family Homestead Exception in accordance with Chapter 402 Article 23 or the purpose of the split is for an immediate family member as defined in Article 23 of Chapter 402 and shall be subject to the occupancy requirements of 402.142(b)5.
- (g) Parent tracts heretofore divided into parcels may be re-configured; provided, however, that the sale, exchange or reconfiguration of lots to or between adjoining property owners of the re-subdivided lots meet all of the following:
1. Does not create additional lots or the potential for additional lots per (f) above;
 2. Does not alter rights-of-way or other areas dedicated for public use;
 3. The reconfigured lots and any residual land meets the requirements of the Alachua County ULDC;
 4. The lot or parcel was not created by means of a variance granted by the Board of Adjustment or a variance granted by the Board of County Commissioners; and
 5. Lots previously created by the recordation of a plat shall require a replat and compliance with this Article, except as provided in subsection (f)3.
- (h) Lots previously approved by variance shall not be reconfigured without full compliance with this ULDC, except in accordance with subsection (f) of this Section.
- (i) No building shall be erected on a lot or parcel of land within the area of the county subject to this Article, nor shall any building permit be issued, unless:
1. The street giving access to the lot or parcel on which such dwelling is proposed to be placed has been accepted and opened as a public street or has otherwise received the legal status of a public street, or such street is shown on a legally recorded subdivision plat, or an approved subdivision plan or unless a waiver has been obtained from the Director.
 2. Such street has been improved to an extent which, under the circumstances of the particular situation is adequate to serve the needs of such dwelling and to protect the public under the provisions of this Article; provided that, if so authorized by subdivision regulations adopted under the provisions of this Article, a building permit may be issued for construction of a building concurrently with the installation of required street improvements, but no such permit shall express or imply any right of occupancy and use of such building. No such building shall be occupied or used until the installation of such street improvements has been completed to the satisfaction of the County Engineer.
- (j) **Fire Suppression Water Supply**
- As needed for structural fire suppression rural water supplies shall be provided in all subdivisions that are not served by central water. These onsite water supply facilities shall be readily accessible by fire fighting apparatus and meet the

applicable standards for location, construction, installation, access, and fire department connections contained in NFPA 1, *Uniform Fire Code*, NFPA 1142, *Standard for Water Supplies for Suburban and Rural Fire Fighting*, and NFPA 22, *Standard for Water Tanks for Private Fire Protection*. Onsite water supplies shall be maintained by a responsible entity such as a home owners association or the development project owner/developer consistent with the requirements of NFPA 25, *Standards for the Inspection, Testing, and Maintenance of Water-based Fire Protection Systems*. Should the onsite water supply become unsuitable as to water quality or quantity as determined by Alachua County Fire Rescue or otherwise unserviceable for any reason the responsible entity shall repair or replace the onsite water supply in a timely manner.

407.74 Subdivision Design Process and Development Plan Requirements

- (a) The submittal requirements and review procedure for all subdivision development plans shall be in accordance with Chapter 402. In addition to these requirements, all Rural/Agriculture Clustered Subdivisions shall meet the requirements in §407.77.
- (b) The design process for all subdivisions should occur in the following sequence: identify open space, identify permitted uses and developable area, locate streets and locate individual lots and improvements. It is recognized that the subdivision design process is dependent upon the interplay of such factors as open spaces to be preserved, areas that can be developed for residential purposes, roads to serve the residences and a careful location of lot lines to preserve natural features and resources.

407.75 Family Homestead Subdivisions

The Development Review Committee may approve a subdivision of up to six lots including the residual in the Rural/Agriculture area, as defined by the Future Land Use Element of the Comprehensive Plan, for lots created for family members in accordance with Chapter 402 Article 23 or for lots being created for family members in which the density provisions of the land use designation are being met. For lots where the density provisions are being met, the standards of Article 23, §402.142 (a) and (b) and §402.143 shall apply. Such subdivisions may be located on an unpaved road in the Rural/Agriculture area upon the following conditions:

- (a) Such subdivision shall not require platting, but shall be documented by the recording in the public record of a registered survey with the following information:
 - 1. Legal description of each lot with the name and relationship of each family member for whom the FHE certificate was issued or each family member that will be living on each lot.
 - 2. A declaration that the roadway is a private road which is neither dedicated to nor accepted by Alachua County and that the maintenance of the road is not the responsibility of the County, regardless of use by public service vehicles, and that the applicant shall maintain the road in a manner to make it accessible for service delivery as determined by the Fire Rescue and Public Works Departments.
 - 3. Location of any natural or historic resources present on the site.
 - 4. A notation in the title block that the subdivision is a Family Homestead Subdivision.
 - 5. A notation that the family homestead lots shall not be further split or subdivided.

6. A notation that each family homestead exception lot is not transferable for a period of five years, except to another individual meeting the definition of an immediate family member as provided in §402.142(b)3 of Chapter 402 of this ULDC.
- (b) No further division of the lots shall be allowed under the provisions of this Section. Any further division would require full compliance with the provisions of this Article and all other provisions of this ULDC.
- (c) A private easement road internal to the subdivision may be utilized where such internal subdivision road provides a direct connection to a public road with sufficient right of way to meet county standards and:
 1. Those lots fronting on an existing public road shall be restricted to access to the internal road.
 2. The internal subdivision roads must meet the following standards for minimum width, stabilization requirements, and maintenance:
 - a. Sufficient stability of road surface for service delivery as determined by the Public Works Department.
 - b. Minimum 18 foot horizontal and 14 foot vertical clearance.
- (d) A private easement road internal to the subdivision may connect to an unpaved, public road. The applicant for a Family Homestead Subdivision may be required to dedicate an amount of right-of-way that is roughly proportional to the impact of the development along the frontage of the property.
- (e) Family Homestead Subdivisions shall not be subject to the requirements of Article 4, Landscaping, of Chapter 407.
- (f) Family Homestead Subdivisions shall be exempted from the requirements for stormwater management systems in Article 9, Stormwater Management, of Chapter 407, in accordance with §407.89(b), where clearing and drainage does not adversely impact adjacent properties by diverting runoff.
- (g) The registered survey shall be recorded within one year of the Development Review Committee approval of the subdivision. The Family Homestead Subdivision shall expire without further action by the Development Review Committee if the survey is not recorded within this timeframe.

407.76 Subdivisions with Unpaved Roads in the Rural Agricultural Area

The Development Review Committee may approve a development plan for a subdivision with the construction of a private, unpaved road in the Rural/Agricultural area as defined by the Future Land Use Element of the Comprehensive Plan upon the following conditions:

- (a) Such subdivisions shall be platted and approved by the Alachua County Board of County Commissioners
- (b) Only one such subdivision shall be allowed per parent parcel.
- (c) A parent parcel, existing as of October 2, 1991, shall not be divided into more than six lots, including the residual, without having paved roads throughout the subdivision.
- (d) Unpaved roads created prior to May 2, 2005 shall not be required to be paved with the development of the remainder of the parent parcel unless that road is used for access to the newly created lots.

- (e) A private easement road internal to the subdivision may be utilized where such internal subdivision road provides a direct connection to a public road with sufficient right of way to meet county standards and:
1. Those lots fronting on an existing public road shall be restricted to access to the internal road.
 2. The internal subdivision roads must meet county standards for minimum width, stabilization requirements, and maintenance.
- (f) A private easement road internal to the subdivision may connect to an unpaved, public road provided said roads have adequate deeded right-of-way to a paved public road.
- (g) The applicant shall provide and have recorded in the public records of Alachua County a document, in such form as the Board may require, setting forth deed restrictions for the entire property for which the subdivision is approved. Such document shall include, at a minimum, the following:
1. No further subdivision of any lot shall be permitted without full compliance with all county regulations.
 2. A roadway easement is set aside for common ownership and maintenance.
 3. The maintenance and financial responsibility for the easement shall be borne by the lot owners using the roadway.
 4. The easement shall be a minimum of 40 feet in width. The easement shall be cleared to a minimum required for emergency vehicle access and provision for utilities.
 5. The roadway shall be constructed in accordance with the criteria outlined in (h) below, and maintained and made passable at all times.
 6. The roadway shall be accessible to and subject to all emergency, public service, utility and refuse vehicles and all other similar vehicles deemed necessary to pass and repass over such roadway and use the same to protect the safety and welfare of all residents served by the roadway and such right to use the roadway shall not be subject to revocation.
 7. A declaration that the roadway is a private road which is neither dedicated to nor accepted by Alachua County and that the maintenance of the road is not the responsibility of the county, regardless of use by public service vehicles.
 8. A declaration that the deed restrictions shall be binding on all parties, their heirs, personal representatives, successors, grantees and assigns and shall run with the land.
- (h) A development plan, including plan and profile and cross-sections of the roadway, prepared by a professional engineer, registered in the State of Florida, for the roadway and drainage improvements shall be submitted to the county engineer's office. The minimum design criteria are as follows:
1. A centerline survey of the road with curve data.
 2. A typical section with a minimum width of 20 feet limerock stabilized surface with an Limerock Bearing Ratio (LBR) 35, with minimum shoulders of two-foot width and swales sufficient to accommodate the drainage. The depth of the stabilized surface shall be six inches.

3. A stormwater management plan with accompanying calculations and supporting soils and topographical data.
4. The entrance culvert, where appropriate, shall be reinforced concrete pipe with mitered ends.
5. The turnout shall have a minimum radius of 30 feet and be paved within the public right-of-way, if the public roadway is paved.

407.77 Rural/Agriculture Clustered Subdivision

Clustering of rural residential development is encouraged in order to protect natural and historical resources, retain viable agriculture, minimize land use conflicts, provide for recreational and habitat corridors through linked open space networks and achieve flexibility, efficiency and cost reduction in the provision of services and infrastructure.

(a) Establishment

All Rural/Agriculture Clustered Subdivisions shall comply with the requirements of this Section. The submission requirements and review procedure for Rural/Agriculture Clustered Subdivision development plans shall be in accordance with Chapter 402, Chapter 406, and §407.74.

(b) Open Space Requirements

A minimum of 50% open space shall be provided in all Rural/Agriculture Clustered Subdivisions. Open space areas shall be established consistent with Chapter 400 Article 1, Open Space, of this Chapter.

1. Uses

a. Permitted uses in the open space area may include:

- i. natural resource conservation areas,
- ii. non-intensive agriculture, as defined in Chapter 410,
- iii. silviculture,
- iv. common open space,
- v. resource-based recreation uses which maintain the undeveloped area in a natural state,
- vi. up to ½ of the required open space area may include stormwater facilities that are designed consistent with Article 5, Open Space, of this Chapter,
- vii. common water supply systems and common septic system drainfields consistent with Article 11, Water and Wastewater Service, of this Chapter,
- viii. common renewable energy systems,
- ix. one residential unit used as a homestead immediately prior to the creation of the Rural/Agriculture Clustered Subdivision can continue to be used as a homestead within the open space area and will not be counted toward the total number of units allowed in the rural clustered subdivision.

- b. Prohibited uses in any Rural/Agriculture Clustered Subdivision include the more intensive agriculture uses such as concentrated animal density generally associated with milking barns, feed lots, chicken houses, or holding pens.

2. Permanent Protection of the Open Space Areas

- a. All open space shall be maintained and remain undeveloped in perpetuity using a legal instrument that runs with the land to set forth conditions and restrictions on use.
- b. All open space area and lots shall be restricted from further subdivision through an instrument in a form acceptable to the county and duly recorded in the public record which assures the preservation and continued maintenance of the open space.
- c. The boundaries of designated open space areas shall be clearly delineated on plans, including record plats, and marked in the field to distinguish these areas from developed areas.

3. Ownership and Maintenance of the Open Space Areas

Ownership and maintenance of open space shall be by one or a combination of the following:

- a. Original landowner at the time of plat recording;
- b. Homeowners association;
- c. Established land trust;
- d. Non-profit conservation organization;
- e. Alachua County, with county approval;
- f. Other public agency (e.g. Water Management District).

If the open space is not properly maintained, the County may assume responsibility of maintenance and charge the property owner or homeowners association a fee which covers maintenance and administrative costs.

4. Management Plan

A final development plan for a Rural/Agriculture Clustered Subdivision shall include an open space management plan. The management plan shall establish management objectives, outline procedures, and define the roles and responsibilities for managing the open space. Management shall include wildfire mitigation.

407.78 Rural/Agriculture Clustered Subdivision Design Process

In addition to the design process described in §407.74, the following steps shall be taken in the design of a Rural/Agriculture Clustered Subdivision.

(a) Identify Developable Area and Locate Lots

The following standards shall apply to all developable areas within clustered subdivisions.

- 1. The developable area shall be located outside the designated open space area.
- 2. Within the developable area, development of residences and infrastructure shall accommodate, to the extent possible, existing natural features, including

site topography, water courses, wetland, sinkholes, tree and vegetation lines and similar natural resources.

3. Developable area and lot locations shall be identified in accordance with Table 407.78.1.
4. The developed area of any Rural/Agriculture Clustered Subdivision shall be designed to minimize the visibility of structures from public roadways located at the perimeter of the subdivision through the use of one or more of the following techniques:
 - a. centralizing the developed area in the interior of the property, if consistent with the protection of open space;
 - b. use of extensive setbacks from the perimeter of the subdivision to any developed area;
 - c. use of roadway alignments that minimize visibility;
 - d. use of buffering, including the planting of additional trees and vegetation;
 - e. use of fences and walls constructed using materials, colors and styles consistent with the character and context of the area in which located; and
 - f. retention of trees and understory on individual lots.

(b) Buffering of Conservation and Preservation Areas

When located adjacent to a conservation or preservation area, a Rural/Agriculture Clustered Subdivision shall provide a buffer as indicated in Chapter 406 of this ULDC.

(c) Location of Roads

Within a Rural/Agriculture Clustered Subdivision, the location and construction of roads shall be dependent upon the location of designated open space areas, the identification of most appropriate developed areas, and the anticipated location of individual lots based upon location criteria for such sites. Criteria applicable to the location of roads to serve a Rural/Agriculture Clustered Subdivision are listed below.

1. Construction Specifications

The roads within a clustered subdivision shall be designed to meet the narrowest road profile contained in Table 407.141.1 that shall be adequate to carry projected traffic, considering required connections to roads serving other residential development, and connections to public roads located along the perimeter of the development.

2. Buffers and Setbacks

Roads shall be installed to comply with the minimum buffer and setback requirements from surface waters and wetlands established in Chapter 406, Article 1.

3. Site Location

All roads shall be located so as to minimize alteration of existing terrain, and shall comply with the criteria listed below.

a. Use of Existing Topography

Roads shall be located to follow the natural topography and terrain, rather than to be located so as to require extensive alteration by cut and fill or other construction methods.

b. Use of Existing Natural Features

In addition to following existing topography, roads shall be located adjacent to field edges or tree lines, to avoid excessive removal of natural trees and vegetation.

c. Use of Existing Paths or Trails

The use of existing vehicular access roads, paths or trails is encouraged.

d. Connectivity

Roads shall connect internally with adjacent residential development.

4. Road Improvements

All internal, connecting and local roads shall comply with applicable County standards for width and paving, including paved access to public roads. In addition, all roads shall comply with the following criteria:

- a. the roads shall be dedicated for maintenance purposes to an entity approved by the Development Review Committee, and may include the County, a homeowners' association, other public agency or similar entity; and
- b. the roads shall be designed to minimize the number of driveways or similar connections to rural collector and arterial streets.

5. Emergency Access

When required, access for emergency service vehicles shall be designed consistent with the requirements of §407.140(a)6.

(d) Protection of Agricultural Activities

1. Buffering Required

- a. When located adjacent to agricultural activities that exist either on an adjacent property or within all or part of the open space area of the Rural/Agriculture Clustered Subdivision, buffering shall be provided. The width and type of buffer, is to be determined on an individual basis for each Rural/Agriculture Clustered Subdivision and in no case shall be less than forty feet in width. A minimum buffer width of two hundred feet shall be provided when the developed area is adjacent to intensive agricultural uses. Determination of the width and type of buffer shall be based on the following factors:
 - i. the location, type and scale of agricultural activities;
 - ii. the location of the developed area in relation to the agricultural activities.
 - iii. the absence of trees and understory vegetation in the proposed buffer area to provide an opaque screen of agricultural activities on abutting properties;

- iv. the absence of topographic features in the proposed buffer area to provide an opaque screen of agricultural activities on abutting properties; or
 - v. the presence of other significant structures used for large scale commercial or industrial activities permitted by the Comprehensive Plan or this ULDC.
- b. Where a Rural/Agriculture Clustered Subdivision is adjacent to intensive agricultural uses and a determination has been made to grant approval of a buffer less than 200 feet in width, appropriate language shall be included in the homeowner's association documents. Such language shall state that the subdivision abuts an intensive agriculture use and the owners do not have valid complaints regarding permitted and allowable activities associated with the agricultural use.

2. Fencing Permitted

Where useful or necessary for the protection of the agricultural activity, agricultural lands included in permitted open space in such a subdivision may be fenced. The fencing, if any, shall be in addition to the required buffers.

(e) Potable Water and Wastewater

A final development plan for a Rural/Agriculture Clustered Subdivision shall include an overall plan for furnishing water and wastewater services consistent with Article 11 of this Chapter and including the method for providing potable water and wastewater treatment to individual residences. Community wells and septic systems are encouraged within areas where centralized systems are not available.

(f) Stormwater Treatment Plan

A final development plan for a Rural/Agriculture Clustered Subdivision shall include a detailed engineering plan for stormwater management consistent with Article 9 of this Chapter. Stormwater management should be designed to maximize overland flow through natural drainage systems and grassed overland (roadside and lot line) swales. The use of plants and natural land forms shall be required to slow, hold, and treat runoff from development.

(g) Dimensional Standards for Rural/Agriculture Clustered Subdivisions

Dimensional standards for Rural/Agriculture Clustered Subdivisions are set forth in Table 407.78.1 below:

Table 407.78.1
Dimensional Standards for Rural/Agriculture Clustered Subdivisions

Property Development Standard		Requirement	Additional Requirements
Area for clustered subdivision, min		20 acres	Property shall be located in areas designated as Rural/Agriculture.
Density, max (units/acre)		1 dwelling unit/5 acres	Gross Residential Density
Open space, min		50%	Measured from gross site area
Lot Dimensions			
Area, min (standard lot)		1 acre	When dwelling served by individual well or septic tank
Area, min (small lot)		0.5 Acre	Applicant must demonstrate that smaller lot size will not cause groundwater quality degradation at or above the standard of 1 acre lot with individual septic tank system and demonstrates compliance with all applicable Health Department and water resource protection requirements
Width at front building line, min		75 ft	None
Lot depth, min		100 ft	None
Setback Dimensions, Principal and Accessory Structures			
Front, min	Principal	25 ft	Same for Accessory Structures
Rear, min	Principal	30 ft	10 ft for Accessory Structures
Interior side, min	Principal	12.5 ft	15 ft for Accessory Structures
Street side, min	Principal	40 ft	Same for Accessory Structures
Building Standards			
Height, max at eaves		35 ft	None
Building coverage, max		25%	<ul style="list-style-type: none"> • Includes all areas under a permanent roof, including garages, porches, patios, etc • Does not include pools, pool decks, recreational facilities such as tennis or basketball courts
Impervious coverage, max		40%	<ul style="list-style-type: none"> • Includes all building coverage and recreational amenities including pools and courts • Includes all paved parking and driveway areas

1. Reduction of Property Development Regulations

As part of a final development plan approval, the Development Review Committee may reduce the minimum property development standards in Table 407.78.1 above for front setback, rear setback, lot width and lot depth by no more than 25 percent, upon a determination that the reduction shall:

- a. allow preservation of heritage, champion or desirable mature trees;
- b. preserve or enhance existing natural drainage features;
- c. enhance one or more features associated with open space; or
- d. allow maximum use of and minimum alteration to topographical features;
- e. allow the use of topographic features in establishing the exact location of roads or individual lot lines.

2. Variances to Property Development Regulations Prohibited

The Board of Adjustment shall not grant a variance to reduce any property development regulation established by this Section.

(h) Density Incentives for Rural/Agriculture Clustered Subdivisions

Maximum density as provided in Table 407.78.1 above may be increased in accordance with Table 407.78.2 for a parent tract established prior to October 2, 1991 and with the criteria in subsection (i) below.

**Table 407.78.2
Maximum Rural/Agricultural Residential Density**

POTENTIAL ADDITIONAL UNITS ALLOWED*	REQUIREMENT
2 units for each subdivision	Minimum of 50% permanent open space
1 additional unit	Per 10 acres of conservation area permanently protected as open space
1 additional unit	Per 20 acres of permanent non-conservation area permanently protected as open space

Note: Parcels that include or are adjacent to conservation or preservation areas shall not receive higher density or intensity consideration than the currently adopted designations unless adequate natural resources protection is ensured pursuant to Comprehensive Plan policies and requirements Chapter 406.

(i) Residential Homestead Exception

In addition to the provisions for additional units established by this Section, a dwelling unit that was used as a homestead prior to the creation of the clustered subdivision:

1. may continue to be used as a homestead;
2. may be located in a designated open space area; and
3. shall not be included within the calculation of maximum gross density for the subdivision.

407.79 Traditional Neighborhood and Transit Oriented Development Standards

Traditional Neighborhood and Transit Oriented Developments shall be developed in accordance with the street, open space and design standards contained in Article 7. Where the subdivision standards of this Article would result in a different standard of design, the standards in Article 7 shall prevail for TND or TOD development.

407.80 RESERVED**407.81 RESERVED****407.82 Minimum Design and Construction Standards for Other Capital Improvements**

The purpose of this Section is to identify design and construction standards for capital improvements other than streets and pedestrian networks.

(a) Street Trees, Landscaping and Irrigation and Subdivision Entry Signs

All subdivision entry signs, landscaping and irrigation that are proposed within county right-of-way shall require a Right-of-Way Use Permit from the Alachua County Public Works Department. Specifications are available from the County

Engineer. Where required by the County, street trees must be installed within the public right-of-way in accordance with Article 4, Landscaping, of this Chapter.

(b) Signs

1. Street name and regulatory signs shall be furnished and installed, at the applicant's expense, by the County for all streets to be maintained by the County. For private streets, the regulatory signs shall be purchased from the County; however, the applicant shall be responsible for the installation. All street name and regulatory signs shall comply with the Manual of Uniform Traffic Control Devices.
2. All signs shall be installed prior to final acceptance or release of the streets.

(c) Fire Suppression/Protection

All subdivisions in the urban service area designated on the Future Land Use Map 2030, shall provide a water supply served by hydrants and the fire/suppression protection service level shall be at the ISO (Insurance Service Office) class protection of 4 or better and shall be at 6 or better for subdivisions in the Urban Cluster.

(d) Water Supply and Sanitary Sewer Systems

Provision of potable water supply and sewer services shall comply with Article 11 of this Chapter. All mains and laterals constructed beneath pavement shall be constructed prior to the pavement installation. Fire hydrants shall be installed in all subdivisions where a public water supply is available.

(e) Easement Requirements

Easements are required along or across lots or where necessary for proper drainage of street rights-of-way and utility construction. For right-of way widths less than 60 feet, a utility easement five feet in width shall be required on each side of the right-of-way.

(f) Erosion Control Measures

1. All erosion control measures identified on the development plans and water management permit shall be installed at the start of construction.
2. The applicant shall be responsible for ensuring that all erosion control measures are properly maintained until the completion and acceptance of the capital improvements.
3. The applicant shall be responsible for ensuring that erosion/siltation off-site, as a result of the construction, is immediately removed and measures taken to prevent further erosion/sedimentation.

407.83 Plat Document Requirements

- (a) All plats submitted for recording shall comply with Chapter 177, Florida Statutes, and any other applicable statutes, regarding the platting of land.
- (b) A letter of credit, cash escrow or surety agreement in the amount of 110 percent of the anticipated cost of construction must be provided by the applicant to secure its promises to complete the required public paving and drainage improvements associated with the subdivision within a specified time period following the final subdivision plat recording. Appropriate documentation in the form of a signed and

sealed engineering certification and a copy of an executed contract must be provided with the surety.

- (c) The plat shall also contain the following:
1. The boundary lines of the area being subdivided with distance and bearings along with the land description of the property.
 2. The right-of-way lines of all streets with their widths and assigned numbers and names.
 3. The outline of any portions of the property intended to be dedicated for public use, such as for schools, parks, etc.
 4. The location of natural open space and conservation management areas and conservation easements.
 5. The right-of-way lines of adjoining streets with their widths and names.
 6. All lot lines, together with the identification system for all lots and blocks, and the square-foot area of each lot equal to or less than one acre and the acreage value of each lot greater than one acre.
 7. The location of all setback lines and easements provided for public use, service, utilities or drainage. When appropriate, setback lines may be established by a general plat note.
 8. For any lots located within the conservation management areas, the building area as required by §406.03(b)3.
 9. All dimensions, both linear and angular, for locating the boundaries of the Subdivision lots, streets, easements and any other area for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot. Boundaries of subdivisions shall close within 1:10,000, and such notation shall be shown on the plat.
 10. Curvilinear lots and streets and rounded lot corners shall show the radii, arc distance, central angle, chord and chord bearing. Radial lines shall be so designated.
 11. The location and identity of all survey monuments, either found or placed.
 12. The name of the subdivision, the scale of the plat, points of the compass and the name of the owner or owners of the subdivision.
 13. The certificate of the surveyor as to the correct representation of the plat in accordance with Chapter 177 F.S.
 14. The following statement shall be placed on the plat in a prominent place: "NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county."
 15. Acknowledgement of the owner or owners to the plat and restrictions, including dedication of all streets, stormwater management improvements, parks, easements and all common areas. The purpose and maintenance responsibilities of all areas dedicated shall be clearly indicated or state on the plat. If the streets are to be privately maintained, there shall be a note on the plat to indicate that the streets shall be accessible to public service vehicles.
 16. A note shall be added to the plat, pursuant to F.S. 177.091(28), stating: "All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of

cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.”

17. The plat shall be signed by the following county officials:
 - a. A professional land surveyor/mapper employed by the County.
 - b. The County Engineer as to engineering requirements.
 - c. The County Attorney as to form and legality.
 - d. The Chair or Vice-Chair of the Board of County as to approval for Alachua County.
 - e. The Clerk of the Court of Alachua County as to the Plat having been filed for record.

407.84 Vacating Plats

Plats shall be vacated in accordance with Article 12, Platting, of Chapter 402.

407.85 Monuments

Any subdivision boundary that is within a 0.5-mile radius of any horizontal geodetic control monument established by the Alachua County Control Densification Survey, National Geodetic Survey Horizontal or Vertical Control Network bearing confirmed coordinate values related to the 1983 and the 1990 North American Datum Adjustment, shall conform to the following requirements:

- (a) Final plats shall identify all Horizontal and Vertical Geodetic Control monuments, meeting the above requirements within 500 feet of the plat boundary.
- (b) All plats shall have a minimum of three permanent reference monuments per 40 acres of platted subdivision which shall have state plane coordinates established from the 1983 North American Datum Adjustment delineated on the plat and shall be tied directly to the plat boundaries.
- (c) All plats shall have a minimum of two benchmarks located and described within the plat and which shall be projected from NGVD, 1929 or later.
- (d) The basis of bearings for all plats shall be grid north as established from the Alachua County Control Densification Survey and State Plane Coordinate System or National Geodetic Survey Horizontal Control Network.
- (e) The method for establishing the State Plane Coordinates and bearing basis shall be by conducting a self-closing traverse(s) between two Horizontal Geodetic Control monuments as referred to above. The traverse shall be performed to third order class 1 standards of accuracy as described in the most updated version of the Standards and Specifications for Geodetic Control Network (SSGCN) as set forth by the Federal Geodetic Control Committee. On large developments with multiple units a major control traverse tied to 2 Horizontal Geodetic Control monuments may be submitted with the first phase, with subsequent units being tied to this control traverse.

- (f) A traverse sheet identifying the field angles, permanent reference points, distances and the adjustments shall be submitted on 8 1/2-inch by 11-inch paper with the plat that is submitted for final development review. Copies of the field notes shall also be submitted. All documents shall be signed and sealed by a Florida Registered Land Surveyor.
- (g) All Geodetic monuments, including traverse stations set for the Alachua County Control Densification Survey, that fall within the limits of a development shall be shown on the development plan and construction plans. Any Geodetic monument that is in danger of being disturbed or destroyed shall be referenced by a Florida Registered Land Surveyor prior to the start of construction and reset by the surveyor after the construction is complete. If it is not practical to reset the Geodetic monument in its original position, an offset monument may, with the County Engineer's approval, be set. The referencing and resetting of any Geodetic monument shall be in accordance with the specifications as set forth in article 4.15d of the SSGCN; Traverse Stations shall require an accuracy of third order class I and primary stations and their Azimuth marks shall require second order class I accuracy standards. The surveyor who resets the Geodetic monument shall be responsible for the preparation and submittal of all documents necessary for the notification to the Florida Department of Environmental Protection, the County Engineer, the Alachua County Property Appraiser's Office and any other appropriate governmental agency. This notification shall include, a signed and sealed affidavit with a complete description of the Geodetic monument with all its accessories, an accurate how to reach description, date of last station recovery, name of the person recovering monumentation and the address of the recovery party. This work shall all be performed prior to the final inspection and acceptance of the development.
- (h) Should anyone disturb or destroy a Geodetic monument, the person(s) responsible shall be fully responsible for the expense of having the monument reset by a Florida Registered Land Surveyor. The County may, at the expense of the person responsible for disturbing the monument, have the County Surveyor reset the Geodetic monument in accordance with the specifications set forth in article 4.15d of the SSGCN.

407.86 Inspection and Acceptance of Required Improvements

(a) Inspection of Work

1. All construction shall be performed in accordance with the "Construction and Inspections Standards and Procedures of the Public Works Department."
2. The County may have an inspector on the project when deemed necessary during the construction period and said inspector shall be authorized to enforce the construction of said work in accordance with the approved plans and specifications. If any changes are required in the approved plans or specifications during the period of construction, such changes shall be subject to approval by the County Engineer prior to construction of the change. The County Engineer shall have the authority to issue a "stop work" order for work not constructed in accordance with approved plans.
3. The applicant shall have available a registered Engineer or Professional Surveyor and Mapper for the purpose of setting all line and grade stakes when required by the County Engineer for purposes of verifying adequate horizontal and vertical control.

4. The applicant shall retain a commercial testing laboratory, which shall provide a certification by a professional engineer to the County Engineer that all materials and density requirements are in accordance with these regulations.
5. Asphaltic concrete plant mix shall meet Florida Department of Transportation (FDOT) specifications. Extraction, gradation or stability tests may be required if there is any doubt as to the quality of the mix.
6. Roadway embankment shall be tested for field density in accordance with "Construction and Inspection Standards of the Public Works Department".
7. Driveway turnouts shall be made only after permitting by the County Engineer in accordance with Article 13, Access Management and Street Network Standards, of this Chapter.
8. All utility crossings shall be installed, subject to embankment and subgrade requirements, prior to placement of pavement.

(b) Irrevocable Letter of Credit

1. Before issuance of a certificate of completion, the applicant shall submit to the County Engineer an irrevocable letter of credit or other form of surety acceptable to the County Attorney as a maintenance bond. The financial institution shall be on the State of Florida approved "qualified public depositories" list for local governments, as identified in F.S. ch. 280. Should the financial institution be removed from the approved "qualified public depositories" list during the duration of the letter of credit, the county shall notify the applicant of such removal in writing by certified mail. The applicant shall, within ten business days of the mailing date by the county, replace the letter of credit with another from an approved depository meeting the criteria stated herein. In the event of non-replacement within the deadline as stated above, the county shall draw immediately upon the letter of credit. The letter of credit shall be payable to the Board of County Commissioners in the amount of ten percent of the estimated construction cost of all the required public improvements which are to be eventually owned and maintained by the county. The letter of credit shall have an expiration date of one year from the date of issuance of the certificate of completion. The financial institution shall be responsible for notifying the County Engineer in writing of the expiration date no less than 30 days before the expiration date. (The letter of credit shall be renewed for an additional 90 days upon the written request of the County Engineer.)
2. The purpose of the irrevocable letter of credit is to guarantee the materials, workmanship, structural integrity, functioning and maintenance of the required public improvements during the one-year period following issuance of the certificate of completion.
3. If the County Engineer determines after issuance of the certificate of completion that the materials, workmanship, structural integrity, functioning or maintenance of any of the required public improvements is unacceptable, he or she shall so notify the applicant by registered mail of the unacceptable condition, and, subject to subsection 4 below, he or she shall allow the applicant a reasonable period of time in which to correct the unacceptable condition. If the County Engineer thereafter determines that the unacceptable

condition has not been corrected, the county may present to the local financial institution a sight draft demanding payment on the irrevocable letter of credit.

4. The reasonable period of time referenced in subsection 3 above may be shortened or waived at the discretion of the County Engineer if the irrevocable letter of credit will expire before the end of a reasonable period of time, unless the letter of credit is renewed for an additional 90 days before the expiration date, or if the unacceptable condition poses a risk or danger to the health, safety or welfare of the people of the county.

(c) Approval for Maintenance

1. The applicant shall be responsible for the maintenance and operation associated with the capital facilities until approval for maintenance is issued.
2. After successful completion of all improvements, and after receipt of the required documents, the county shall provide a certificate of completion verifying the satisfactory construction of all required project improvements. The required documents shall include the following:
 - a. A signed and sealed engineer's certification of completion of all infrastructure improvements in substantial compliance with approved design. A copy of the as-built certification to the appropriate water management district shall also be provided.
 - b. An irrevocable letter of credit or acceptable surety per subsection (b) above.
3. After one year of maintenance by the applicant and verification by the county of satisfactory performance of all public improvements, the County Engineer shall issue a letter of acceptance for maintenance, thereby releasing the applicant from further responsibilities or liabilities, except that when a public improvement has a latent defect, the applicant's responsibilities and liabilities shall not be released until one year from the date the defect was discovered, but in no event shall the applicant be responsible or liable more than five years after the county issues an approval for maintenance. Private subdivisions cannot be accepted for maintenance by Alachua County until one year after the issuance of certificate of completion.

407.87 Special Flood Zone Criteria

The following additional regulations shall apply to plats which include property within any Flood Plain or Flood Zone area in accordance with the requirements of Chapter 406, Article 7, Flood Hazard Areas:

- (a) All building lots shall have buildable area above the 100-year flood elevation and shall have appropriate building setback lines established at that elevation.
- (b) Base flood elevation data shall be included with all new subdivision proposals greater than 50 lots or 5 acres, whichever is lesser.
- (c) The plat shall contain a prominent notation that the lowest floor of any residential structure adjacent to an established 100-year flood plain or stormwater facility shall be elevated a minimum of one foot above the 100-year elevation.
- (d) The plat shall reflect the appropriate Flood Zone designations as indicated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps and

the effective date of said FIRM map. Where flood zone designations conflict with established base flood elevations, the applicant shall apply to FEMA for a Letter of Map Revisions. Any requests for map revisions needed as a result of the subdivision shall also be submitted to the County Engineer's Office prior to recording the plat. A note indicating that such request has been made shall be included on the plat.

- (e) The pavement of all roads shall be elevated to or above the ten-year Flood Plain elevation. Roads or driveways, which provide the only means of ingress/egress to a lot, shall be elevated to the 100-year flood elevation.
- (f) The subdivision shall be designed such that all public utilities and facilities are located and constructed to be protected from flood damage.

Article 9 Stormwater Management

407.88 Intent and Purpose

It is the intent and purpose of this Article to implement the goals, objectives, and policies of the Comprehensive Plan of Alachua County by providing standards for the design, construction, and operation of stormwater management systems in conformance with the best overall management practices for the control of runoff volume and treatment of stormwater runoff for the protection of surface water and groundwater quality, and for the control and prevention of erosion, sedimentation, and flooding. It is further the intent of this Article to provide flexibility in meeting the design standards in an effort to encourage the construction of stormwater management systems that are an amenity to the development.

407.89 Exemptions

The following activities shall be exempt from the requirements of this Article:

- (a) The clearing of land which is to be used solely for agriculture, silviculture, floriculture, or horticulture, provided no disruption of natural surface waters will result. Also exempt is the construction, maintenance, and operation of self-contained agricultural drainage systems, provided there is no off-site diversion of runoff. This exemption will not apply where clearing and drainage may directly or indirectly impact areas defined as Conservation Areas pursuant to the Alachua County Comprehensive Plan.
- (b) The construction, alteration, or maintenance of a single-family residence and accessory structures or a group of such residences and accessory structures constructed as part of a Family Homestead Subdivision in accordance with the requirements of §407.75 where clearing and drainage does not adversely impact adjacent properties by diverting runoff.
- (c) Development of roadway modifications within existing County road rights-of-way may request an exemption from stormwater requirements provided that the cross-sectional volume capacity of the existing roadside swale is not reduced and provided that there are no downstream impacts.

407.90 Waivers

- (a) A waiver from particular requirements of this Article may be granted by the County Engineer where a proposed building addition will not result in significant detrimental impacts to stormwater quantity or quality, the environment, or public health, safety, or welfare or state other appropriate criteria. It is the property owners' burden to demonstrate that a waiver is warranted.
- (b) A waiver shall not be granted where the existing site is in violation of water quantity or quality standards. This waiver shall not relieve the property owner of the need to obtain any permits required by other agencies.
- (c) If the alteration results in less than a one percent increase in the overall imperviousness of the site, a waiver may be granted. It is the property owner's or his agent's responsibility to show that a waiver is warranted. The appropriateness of a waiver will be determined by the county engineer. This waiver will not negate the need for obtaining permits required by other agencies. A waiver will not be granted in cases where it is determined that the existing site is violating current water quality or quantity criteria.

- c. Wet detention basins with a normal pool depth six feet or greater, except where the side slopes are shallower than 6H:1V to a depth that is at least four-foot lower than the permanent-pool elevation.
 - d. All fences must be a minimum height of four feet and have a 14-foot-wide gate that allows easy access for maintenance equipment.
 2. Basins that require a fence and are to be dedicated to the county for maintenance will require a minimum 12-foot maintenance and vegetative strip between the fence and the basin. The landscaped area should be no less than 9 feet wide at its most narrow point. Maintenance strips shall have a maximum slope of 8H:1V.
 3. Fencing will be aesthetically pleasing and meet all safety requirements as put forth by the Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System. If chain-link fencing is used, an additional area 5 foot-wide area outside the fence shall be landscaped with at least 3 shade trees, 2 understory trees, 8 large shrubs, and 13 small shrubs for every 100 feet or part thereof of fencing. A minimum of 50 percent of the vegetation shall be native and only certified apparently weed-free sod shall be used.
 4. The following basin design conditions do not require fencing:
 - a. Basins with a depth less than or equal to four feet, as measured from the basin bottom to the control elevation.
 - b. Basins designed to be "dry" with side slopes no steeper than 6H:1V, regardless of basin depth.
 - c. Wet detention basins with a maximum pool depth less than six feet and side slopes no steeper than 6H:1V to a depth of four feet below the control elevation. From this elevation to the basin bottom a maximum side slope of 2H:1V is permissible.

407.93 Alternatives to On-Site Control

A regional stormwater management facility may be provided, in lieu of on-site storage, particularly in areas where individual properties cannot meet the established criteria on-site because of soil limitations or other constraints that may exist. All flow that is routed to regional facilities must be conveyed in a safe manner and in compliance with the provisions provided in this Article.

407.94 Water Quality Criteria

All stormwater management systems must be designed to meet the following applicable minimum treatment criteria:

(a) Retention, Underdrain and/or Exfiltration

1. Off-line Treatment

0.5 inches of runoff or 1.25 inches times impervious area, whichever is greater.

2. On-line Treatment

0.5 inch additional treatment volume over that required in off-line.

(b) Wet Detention

On-line treatment: 1.0 inch of runoff or 2.5 inches times impervious area, whichever is greater. Wet detention basins should also contain a permanent pool of

water that is sized to provide an average residence time of 14 days during the wet season (June-October) with a littoral zone or an average residence time of 21 days with no littoral zone. The littoral zone shall also be designed and established per SJRWMD requirements.

(c) Swale

On-line treatment: 80 percent of the runoff from the three-year, one-hour storm.

(d) Wetland Treatment

1. On-line treatment: 1.0 inches of runoff or 2.5 inches times percent impervious area, whichever is greater.
2. All stormwater management systems with a discharge to an FDEP Class I, Class II, and Outstanding Florida Water (OFW) receiving waterbodies must be designed to meet the following minimum treatment criteria:
 - a. **Detention with Underdrain and/or Exfiltration**
 - i. Off-Line Treatment
50 percent additional treatment volume over the FDEP Class III off-line treatment criteria.
 - ii. On-line Treatment
Runoff from the three-year, one-hour storm or 50 percent additional treatment volume over FDEP Class III on-line, whichever is greater.
 - b. **Wet Detention**
 - i. Off-line
Pretreatment pursuant to FDEP Class III retention, exfiltration, or underdrain criteria in addition to Class III wet detention criteria.
 - ii. On-line
50 percent more treatment volume over FDEP Class III criteria.
 - c. **Swale**
On-line: Runoff from the three-year, one-hour storm.
 - d. **Wetland Treatment**
On-line: 50 percent additional volume over FDEP Class III treatment criteria.
3. For any stormwater management system with a discharge to an active sinkhole or located in a high aquifer recharge area, the system must be designed to provide treatment for the first two inches of runoff from the design storm.
4. All retention basins with overflow structures and detention basins shall include a baffle, skimmer, grease trap or other mechanism to ensure that discharges meet the applicable water quality standards; specific design is subject to approval by the County Engineer.

407.95 Erosion and Sedimentation Control

- (a) The erosion and sedimentation control plan shall be prepared by a certified sediment and erosion control specialist, a registered civil engineer, registered architect, licensed landscape contractor, Resource Conservation District, or USDA Natural Resource Conservation Service Specialist and conform to the general standards of the Florida Department of Environmental Protection Erosion and Sedimentation Control Manual.
- (b) The development and implementation of an erosion and sedimentation control system is essential to minimizing the adverse impacts of soil erosion and sediment transport. The system shall be designed according to the following principles:
1. The development plan must be compatible with the existing topography, soils, waterways, and natural vegetation of the site.
 2. The smallest possible area shall be exposed for the shortest possible time during construction.
 3. On-site control measures shall be applied to reduce erosion. Stockpiling and storage of materials shall not be located in a manner to impede flow or cause materials to be eroded by stormwater runoff.
 4. The erosion and sedimentation control plan shall identify permanent stormwater conveyance structures, final stabilized conditions of the site, provisions for removing temporary control measures, stabilization of the site when temporary measures are removed, and maintenance requirements for any permanent measures. All sedimentation control structures to be used during construction shall be installed prior to any construction activity and shall be maintained in an effective condition until such time as the completion of the permanent system or other erosion control measures can assure adequate erosion and sediment control.
 5. All stormwater management facilities shall be stabilized with either grass or sand-based sod. When used, sod shall be certified apparently weed-free sod. The following minimum requirements shall be met:
 - a. All dry basin bottoms must be seeded. The seeding mix must provide both long-term vegetation and rapid growth seasonal vegetation. A topsoil mixture may be required in excessively drained sandy soils. Side slopes steeper than 3H:1V must have the sod stapled or pegged. Basin side slopes flatter than 3H:1V may be seeded and mulched or sodded.
 - b. Erosion protection at the outlet of all drainage structures shall be provided. For outlet velocities less than three feet per second, pegged or stapled sod must be provided. For velocities in excess of three feet per second, an energy dissipation device shall be installed, such as riprap, baffles, or stilling basins.
 - c. Sod shall be placed around the full perimeter of all head walls, end walls, and mitered end installations in accordance with the Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System.
 - d. During construction, provisions shall be made to minimize disturbance to and compaction of soils in the basin bottom.

6. Dewatering and pumping activities shall be permitted for construction purposes provided the dewatering activities shall not cause flooding or adverse impacts to downstream conditions. Permission from adjacent property owners must be obtained for discharge to privately owned properties. A permit must be obtained from the Alachua County Public Works Department for any off-site discharge to the County right-of-way.

407.96 Special Criteria for Systems within Residential Subdivisions

- (a) A homeowners' association must be established to provide routine maintenance and associated landscape management responsibilities for the stormwater management system within the residential subdivision. However, the developer or the homeowners' association may opt to have the county implement a stormwater management benefit assessment in accordance with the provisions of F.S. §403.0893. When the streets within the subdivision are to be dedicated to the county, Alachua County will be responsible for maintaining the structures associated with the system.
- (b) Retention/detention basins shall not be located within platted building lots, unless the lot is one acre or greater in size, the soils are well drained and have no confining layers (for retention basins only), and the basin is designed with slopes 4H:1V or flatter.
- (c) Reasonable maintenance access to all stormwater management facilities must be provided. This accessway must also be outside the limits of platted building lots and have a minimum width of 12 feet, except in cases where the side slopes are no steeper than 8H:1V. A minimum of 25 feet shall be provided on all sides of all retention/detention basins as measured outward from the basin bottom. Within this area, a minimum landscaped area of no less than nine feet shall be provided.

407.97 Plan Review

The following information, plans and supporting data must be included with the applicant's final development plan:

- (a) An aerial photograph delineating the project area and the watershed boundaries in which the project is located.
- (b) A map of the project that shows the following information:
 1. Project boundary;
 2. A topographic survey of the area subject to development impact certified to the appropriate entity that meets the technical standards of Florida Administrative Code 5J-17.052 and is signed and sealed by a Florida Professional Surveyor Mapper (PSM). The survey shall depict existing topography of the project at one-foot contour intervals and existing spot elevations with the existing drainage patterns clearly established;
 3. Additional off-site topographical information may be needed to adequately identify drainage patterns;
 4. The drainage boundary of the area of any lands outside the project limits contributing runoff to the project for both pre-development and post-development;
 5. Existing and proposed (or post development) 100-year floodplains and/or floodways;

6. A plan of the proposed land use and land cover, including acreage and percentage of impervious surfaces;
 7. Description of vegetative cover, locations of any wetlands, surface waters or other known conservation areas;
 8. Proposed construction phases;
 9. Rights-of-way, common areas, and/or easement locations;
 10. Location of existing and proposed stormwater retention and/or detention facilities, including size, design capacity, 100-year flood elevation, side slopes, depth of pond, retained and/or detained runoff volumes, and treatment volumes;
 11. Detailed grading plan with sufficient spot elevations to determine the direction of flow;
 12. Certified erosion and sedimentation control plan. See §407.95 for requirements; and
 13. Stormwater Pollution Prevention Plan (SWPPP). A SWPPP should be submitted for all projects. This plan shall be included in the erosion and sedimentation control plan.
- (c) Certified hydrologic and hydraulic calculations that must include:
1. A complete description of the stormwater management plan, including, but not limited to, information for all affected drainage areas, drainage divides, existing, proposed, previously permitted and future impervious areas, water quality treatment criteria, proposed conveyance and treatment plan, stormwater-related electronic CAD files when utilized, structural analysis for dams and berms and supporting electronic stormwater modeling files;
 2. Hydrologic and hydraulic model input and output for pre-development and post-development conditions;
 3. Pipe-sizing calculations;
 4. Calculations used to size all treatment facilities;
 5. Identification of the classification of the receiving watershed and/or municipal separate storm sewer system (MS4); and
 6. The name of any water body or stream to which the project discharges.
- (d) Soils report that includes borings, water table encountered, estimation of seasonal high water table, and estimated soil permeability/hydraulic conductivity. Soil borings must be performed to a depth of at least ten feet below the proposed basin bottom and at a frequency of two borings per one-quarter of an acre of basin area as calculated by an average of the basin top and bottom area at the toe of the basin slope. For systems that contain multiple basins, there shall be at least one boring per basin.
- (e) A statement designating the entity that will be responsible for the operation and maintenance of the stormwater management system. A copy of the restrictive covenants for the establishment of a homeowners' association must be submitted, if applicable. The restrictive covenants shall contain a statement indicating that, upon the homeowners' association's written request, Alachua County will inspect the stormwater management system prior to the developer transferring responsibility for the maintenance of the system to the association.

- (f) A statement, certified by the engineer responsible for the design, that will read as follows:

I hereby certify that the design of the stormwater management system for the project known as _____ meets all of the requirements and has been designed substantially in accordance with the Alachua County Stormwater Management Ordinance.

- (g) A proposed maintenance plan for the stormwater management system. This plan, along with the estimated annual maintenance costs, shall be incorporated into the restrictive covenants required by this Chapter.
- (h) Off-site easements for stormwater management facilities will be required when either of the following conditions exist:
1. The discharge is into any man-made facility for which Alachua County does not have either drainage easements or rights-of-way.
 2. The discharge is into a natural system such that the rate or character (i.e., sheet flow versus concentrated flow) of the flow at the property line has been changed. The easement will be required to a point at which natural conditions are duplicated.
 3. Prior to the issuance of a construction permit, a copy of all other applicable state, water management district, or city permits must be submitted.

407.98 Inspections

The Public Works Department will provide inspection services during the construction activities of all approved stormwater management systems. Any duly authorized representative of the County at any reasonable time may enter and inspect property on which a stormwater management system is located, in order to determine compliance of proposed or constructed stormwater management systems with this Chapter or any applicable county ordinances, or consistency with any development application or development approval. The duly authorized representative of the County may collect water quality samples and obtain other information necessary to determine compliance of the stormwater management system. No person shall refuse reasonable entry or access to any authorized representative of the County who requests entry for purposes of inspection and who presents appropriate credentials.

407.99 Maintenance

All stormwater management systems require periodic maintenance. The entity designated in the application will be responsible for implementing the maintenance plan. If a system is not functioning as designed, the owner or permittee will be responsible for taking corrective measures to ensure the applicable criteria of this Chapter are met.

407.100 Enforcement

This Chapter shall be enforced in accordance with procedures outlined in Chapter 409, Violations, Penalties, and Enforcement.

407.101 Article to be Liberally Construed

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

Article 10 Building Design

407.102 Purpose

This Article is intended to promote the implementation of appropriate, context-sensitive design strategies, as determined by the design professional, which create architectural character, generate aesthetic appeal of individual buildings. Example strategies include the use of geometry, proportion and scale of building elements that relate to human-scale and perception, incorporating pedestrian-oriented architectural elements at ground level, and specifying building materials and colors that are commensurate with the existing context.

407.103 Applicability

Development within a TND or TOD is subject to the building design standards in Article 7 and therefore exempt from the requirements of this Article. The building design standards here are applicable to the following development projects:

- (a) New nonresidential and mixed use developments; and
- (b) New multiple-family residential developments.

407.104 General Provisions

- (a) Similar architectural composition, materials, and treatment must be provided on each building façade that is accessed by the public, or that faces a public street or a residential zoning district.
- (b) Buildings constructed on out parcels, accessory buildings, and parking structures within a development must be constructed of compatible materials, colors and character as the principal building.

407.105 Required Design Elements

All non-residential, mixed use, and multi-family buildings that are part of a new development plan, not located within a TND or TOD, shall meet the standards outlined in this Section. Building elevations, prepared by a Florida registered architect, must be submitted during the development review process in order to demonstrate that these standards are met.

(a) Building Façades

All building façades that are accessed by the public, or that face public streets or residential zoning districts shall incorporate the following design elements.

1. Articulation

Façades shall be articulated to reduce the scale and expanses of blank walls. Façades shall incorporate architectural details such as entryways, windows, awnings, covered arcades, columns, pilasters, quoins, reveals, cornices, arches, or changes of material no less than every 30 feet of the length of the façade.

2. Glazing

Non-residential buildings with exterior public access shall incorporate glazing for no less than 25 percent of the horizontal length of the building. Windows shall be designed with visually prominent sills, shutters, window boxes, relief trims, lintels, or other forms of framing.

3. Exterior Treatment

- a. The exterior façade treatment shall consist of a minimum of two different building materials, textures, or finishes.
- b. The predominant building material along a primary façade shall not consist of smooth-faced concrete block or stucco.
- c. The use of high-intensity colors, metallic, black or neon colors are prohibited. Neon tubing shall be used only as a trim element or to accentuate architectural features.

(b) Roof Lines

All roof-mounted mechanical equipment such as HVAC units must be enclosed within the building or screened from pedestrian view at street level. Roofs should incorporate any of the following design features:

- 1. A pitched roof.
- 2. Two or more plane breaks or slopes per façade elevation.
- 3. Decorative roof elements such as dormers, cupolas, rafter tails, balconies, decorative towers, spires, belfries, exposed beams, or architectural features at entryways.

(c) Entryways

All entryways shall be easily identifiable and integrated into the building architecture. Each freestanding principal building must have at least one clearly defined public entrance. Each public entrance shall incorporate at least one of the following design elements:

- 1. Canopy or portico
- 2. Wall recess or projection
- 3. Raised corniced parapet over the door
- 4. Arch
- 5. Patio, porch, or entry deck

407.106 Alternative Compliance

- (a) The provisions of this Article shall be liberally construed to effectively carry out the purpose and the intent of the Alachua County Comprehensive Plan and of this Article in the interest of the health, safety and welfare of the residents of the County.
- (b) An applicant may submit a development plan which varies from the strict application of the requirements of this Article in order to accommodate unique site features or characteristics or to utilize innovative design.
- (c) Such a development plan may be approved only upon a finding that it fulfills the purpose and intent of the Alachua County Comprehensive Plan and of this Article as well as or more effectively than would adherence to the strict requirements.

Article 11 Potable Water, Wastewater and Reclaimed Water Service

407.107 Purpose

This Article is intended to:

- (a) protect and conserve the quality and quantity of groundwater resources;
- (b) Reduce the use of well water and potable water for irrigation and other non-potable uses by providing reclaimed water to properties where it is feasible and in a manner that is responsible and does not cause surfacd water degradation from elevated levels of nutrients;
- (c) provide an adequate, safe, efficient, economical, reliable and environmentally sound system of potable water supply and sanitary sewer collection consistent with the Alachua County Comprehensive Plan;
- (d) maximize the use of existing facilities in order to discourage urban sprawl and provide an adequate, safe, and environmentally sound system of potable water supply and sanitary sewer collection, treatment, and disposal; and
- (e) establish requirements for connection to potable water, sanitary sewer and reclaimed water facilities, including standards and criteria for determining exceptions to these requirements.

407.108 Centralized Potable Water and Sanitary Sewer System Requirements

Connection to a centralized potable water and sanitary sewer system is required for all new development or redevelopment within the Urban Cluster. Development shall be timed to occur when both centralized potable water and sanitary sewer systems are available for connection. The following types of development within the Urban Cluster are required to connect to centralized potable water and sanitary sewer system:

- (a) New subdivisions,
- (b) Expansion of an existing subdivision,
- (c) Multi-family development,
- (d) New non-residential or mixed-use development,
- (e) Expansion of any non-residential or mixed-use development.

407.109 Exception from Connection to Centralized Potable Water and Sanitary Sewer System Requirement

The Development Review Committee may provide an exception from the requirement to connect to a centralized potable water or sanitary sewer system for certain non-residential uses, and for new residential development in areas designated as Estate Residential on the Future Land Use Map, for which connection is infeasible because of engineering factors that would prevent operation and maintenance of the system connection.

(a) Request for Exception

A request for such an exception shall be submitted to the County with the application for the associated Development Plan.

(b) Documentation

The request shall include letters from the utility provider and the Alachua County Health Department that address the infeasibility of the potable water and/or sanitary

sewer system and the appropriateness of the use of on-site systems. The application shall document all of the factors supporting a determination that a connection is infeasible due to engineering. These supporting factors may include:

1. The minimum flow necessary for adequate pipe velocity as determined by the following factors;
 - a. The maximum distance between the proposed development or connection point and the centralized system; and
 - b. The relationship between flow and distance; or
2. The inability to secure connection without adverse environmental effects; or
3. The inability to obtain rights through adjacent properties necessary for connection.

(c) Analysis

An applicant for such an exception shall also provide detailed analysis of the potential to overcome engineering impediments to connection through coordination with adjacent property owners and the utility provider.

(d) Granting of Exception

The DRC may grant the request for an exception and approve the preliminary development plan only if it is determined that there is no current opportunity for connection. Conditions to such an approval shall include:

1. a conceptual plan for providing connection once it becomes feasible;
2. assurance of future connection to a centralized system where feasible through the recording of a deed restriction within 30 days of final development plan approval, and the abandonment of any on-site private wells and septic systems in accordance with Florida Statutes and Administrative Codes;
3. the development shall utilize low-flow or ultra low-flow plumbing fixtures; and
4. the development shall use the St. Johns River Water Management District's Water StarSM standards as the minimum standard for water use.

407.110 Residential Lot Requirements for Private Well and Septic Systems

Private well and septic systems are permitted on residential lots according to the lot size requirements in Table 407.110.1 below, provided that installation meets state standards and receives approval from the local health department.

(k) Administrative Manual

An administrative manual shall be developed to specify the procedures related to the administration of the Multi-Modal Transportation Mitigation Program, updates, reporting requirements, exceptions, alternative studies, credit applications and forms.

(l) Impact Fee

Developments that pay the Multi-Modal Transportation Mitigation shall not be required to pay a transportation impact fee. Once a development's Certificate of Level of Service Compliance expires, all subsequent building activity within the development shall be required to mitigate its impact through payment of the Multi-Modal Transportation Mitigation.

407.126 Appeals

Any person with legal standing who wishes to challenge a final CLSC or a proportionate share final determination may do so in accordance with the procedures outlined in Chapter 402, Article 28, Appeal Procedures.

407.127 Enforcement

A violation of this Chapter shall be a misdemeanor punishable according to law; however, in addition to or in lieu of any criminal prosecution, Alachua County shall have the power to sue in civil court to enforce the provisions of this Chapter. Violations of this Chapter may also be referred to the Alachua County Codes Enforcement Board for enforcement in accordance with F.S. ch. 162 and Chapter 24 of the Alachua County Code of Ordinances, which relate to the Codes Enforcement Board.

Article 13 Access Management and Street Network Standards

407.128 Purpose

It is the purpose of this Chapter to provide criteria for the management of access onto public streets in the unincorporated portions of Alachua County and on county roads within the municipalities. It is not the intent of this Chapter to conflict with or duplicate the access management permitting program for state highways as outlined in the FDOT Access Management Classification System and Standards as established in chapter 14-97, Florida Administrative Code, for connections to the state highway system. It is further the purpose of this Chapter to implement the following policies contained in the Transportation Mobility Element of the Comprehensive Plan: policy 1.1.3.1, 1.1.9, 1.2.2, 1.2.3, and 1.5.4.

407.129 Connection Classifications

Roadway connections will be classified according to the expected traffic volume using the connection, the type of property and land use served and the type of connection. The expected traffic volume is the primary factor and shall be determined using the most current issue of the Institute of Transportation Engineer's Trip Generation Manual. The design standards for construction will be based on the classification, as determined by the County Engineer.

- (a) *Class I:* Noncommercial driveway or sidewalk, low volume traffic generator. Provides access to a single-family dwelling, a duplex or a multiple-family dwelling of four units or less. The term shall also apply to driveways used as access to agricultural land, including field entrances, and to all sidewalk and bikeway connections.
- (b) *Class II:* Minor commercial driveway, medium volume traffic generator. Provides access to property being used for other than nominal residential and agricultural uses (estimated ADT less than or equal to 1,200).
- (c) *Class III:* Major commercial driveway, high volume traffic generator. Provides access to facilities which generate high traffic volumes such as shopping centers, industrial parks, office parks, schools, apartment or condominium complexes, etc. (estimated ADT greater than 1,200). Drainage connections shall be considered a Class II permit.
- (d) *Class IV:* Public/private roads. All new public or private streets or roads.

407.130 Connection Permit Required

A permit shall be required from the County Engineer prior to constructing or modifying, as defined below, any connection to the county road system. A connection permit shall be required for each of the following:

- (a) All new connections onto a county road, regardless of whether the development served by the connection is new or existing. This shall include evaluation of existing driveway connections for replacement of existing residential structures or the redevelopment of non-residential uses;
- (b) All modifications to existing driveways, desired by the property owner, that will result in a change in the driveway's dimensions, location, profile, or the movement of vehicular or pedestrian traffic or in the manner in which stormwater is routed at the connection; changes in or replacement of storm drain pipes; construction to bring existing driveways into compliance with codes or ordinances;

- (c) All modifications to the driveway required by the County Engineer due to changes on-site that affect the safe and efficient operation of traffic at the connection, or paving of an existing driveway;
- (d) All new public or private roads, or modifications to private roads desired by the property owner;
- (e) All sidewalk or bikeway connections to the county road system.
- (f) All transit facilities and connections to the county road system.

407.131 Exemptions from Permit Requirement

For developments that require development plan approval through the Development Review Committee, the issuance of a construction permit by the County Engineer will not constitute the approval of the connection and a separate connection permit will be required. Connections to the state highway system do not require a connection permit from the county, but will be reviewed during the development review process for consistency with the requirements of this chapter, in regards to location, spacing and number of connections to the property and the impact the development may have on traffic operations at the connection. Class I connections to the state highway system that do not require development plan approval are exempt from county approval.

407.132 Filing of Permit Application

An application for a connection permit shall be filed with the Office of Codes Enforcement or Public Works Department for all class I connections on the county road system in the unincorporated area. All other connections, including class I connections to the county road system located within a municipality, shall file an application with the Public Works Department.

407.133 Required Information

The following information is required for all connection classifications:

- (a) *Location.* The location of the property shall be identified clearly enough to allow the proposed site to be located in the field.
- (b) *Identification of property owner and applicant.* Complete names, addresses and telephone numbers of the property owner and the applicant shall be given on the application.
- (c) *Property use.* The proposed land use, along with the number of units or square footage, and the estimated average daily trips and the peak hour trips for land uses anticipated to generate more than 1200 daily trips.
- (d) *Development plan.* Class II, III, and IV connections shall also submit a development plan for the entire development. The plan should include the following information:
 1. Street address, connection dimensions, including distance from property lines, location of street centerline and right-of-way line, proposed driveway surface, adjacent upstream and downstream drainage pipes or structures and the size, elevation and grade of the proposed pipe;
 2. Existing highway pavement widths and median widths;
 3. Proposed and/or existing driveway approaches including the proposed turning radii and widths, driveway angle to highway, distance between double drives, distance from driveway to property lines and intersecting right-of-way and other dimensions as appropriate;
 4. Design profile along the centerline of the driveway and typical cross section of the driveway showing the proposed pavement design.

- a. *Class II connections and improvements* with an ADT less than or equal to 1,200 shall be constructed with a minimum pavement thickness of one and one-half inches, a minimum base thickness of eight inches, and a minimum subgrade bearing ratio (LBR) of 40. All pavement widening shall include the milling of one foot of the existing edge of pavement. Deceleration and acceleration tapers for Class II driveways must match this same criteria.
- b. *Class III connections and improvements* with an ADT between 1,200 and 2,500 shall be constructed with a minimum pavement thickness of two inches of structural asphalt, a minimum base thickness of ten inches and a minimum subgrade LBR of 40. All pavement widening shall include the milling of one foot of the existing edge of pavement. Deceleration and acceleration tapers for Class III and IV driveways must match these same criteria.
- c. *Class III connections and improvements* with an ADT greater than 2,501 shall be constructed with a minimum pavement thickness of two inches of structural asphalt and one and one-half inches of friction course, a minimum base thickness of ten inches and a minimum subgrade LBR of 40. All pavement widening shall include the milling of one foot of the existing edge of pavement. Deceleration and acceleration tapers for Class III and IV driveways must match these same criteria.
- d. *Class IV improvements* shall be constructed in accordance with the applicable standards for that facility.
 1. Proposed and existing drainage pipe, or other drains, including pipe size and type of material. Also include significant existing and proposed grading or contouring that affects the natural drainage pattern or runoff toward the roadway and the driveway connection, drainage calculations and pertinent data;
 2. Existing or proposed retaining walls, poles, sidewalks, bikepaths, drainage structures, utilities, and any other physical features which may affect the driveway location;
 3. The location of all existing and proposed buildings that may be served by the connection;
 4. All parking and interior drives that may impact the connection;
 5. Distance from the proposed connection to intersecting roads, streets, railroads, median crossovers, and adjacent existing connections within 300 feet on both sides of the road;
 6. Distance from the right-of-way line to gasoline pumps;
 7. The location of all trees, within the road right-of-way, specifying those trees that must be removed to construct the connection and provide adequate sight distance;
 8. All parcels intended to use the connection;
 9. Traffic control devices and lighting;
 10. The actual sight distance from the connection along the public street in the direction(s) of approaching traffic.

- (e) *Additional traffic data.* The following additional traffic data collected within one year of submittal of final development plan shall be required for class III and class IV connections and may be required by the County Engineer for class II:
1. Vehicle turning movement data for present conditions and future conditions when fully developed;
 2. Evaluation of connection to adjacent vacant parcels to evaluate potential of future collector classification;
 3. Amount and type of traffic that will be generated by the proposed development;
 4. Traffic control (signal, round-a-bout, stop control) warrant analysis and design if warranted; and
 5. Left and right turn lane warrant analysis.

407.134 Connection Design Requirements

- (a) *Location of connections.* All connections shall be located at a point along the frontage that will provide acceptable sight distance, as determined by the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, and avoid any unreasonable interference with the free and safe movement of traffic.
1. Existing or proposed roadway features, such as median openings, turning lanes, intersections, drainage, traffic signals, pedestrian traffic and utilities shall be considered in accordance with guidelines in the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways in determining the location of driveways;
 2. In the interest of public safety and/or in an effort to maintain the level of service of the road, the county engineer has the authority to restrict the placement of a connection to a particular location along the frontage, or to require alternative access to other public roads, if available, where direct access to a road may be unsafe or cause improper traffic operations;
 3. No connection shall be allowed within the radius return of intersecting roadways. In addition, no connection shall be allowed within 250 feet of the radius return of major intersecting roadways. Major intersecting roadways are defined as roadways functionally classified as collector or higher. A variance for existing developments or existing lots of record may be considered when properties are redeveloped and this requirement cannot be met.
- (b) *Operational characteristics of connections.* All connections should be constructed so that all entering and exiting movements can be accomplished with minimum disruption to traffic flow on the intersecting roadway. For developments having drive-in services, the service area should be far enough from the roadway to ensure adequate vehicle storage space within the property limits. No connection shall be constructed along acceleration or deceleration lanes and tapers connecting to interchange ramps, intersecting roadways, bus bays or other driveways, unless access is unreasonably denied and the connection can be designed to function safely and efficiently.
- (c) *Spacing requirements.* Class III and IV connections along arterial roadways shall be located at a minimum of 275 feet apart with distance measured between the nearest edges of the two connections, and shall be no closer than 250 feet to the right-of-

way line of any intersecting roadway. The extent and placement of connections on arterial and major collectors shall be subject to the approval of the County Engineer.

- (d) *Number of connections.* The minimum number of connections should be allowed that will adequately serve the needs of the proposed land use. There shall be no more than one connection to a collector or arterial road for any single property unless the frontage width exceeds 1000 feet. All connections are subject to the approval of the County Engineer. Additional connections may be permitted when one or two connections will not provide adequate access due to topographic or safety conditions. Additional connections may be permitted only upon submittal of an approved traffic engineering study that indicates additional connections are warranted and do not cause operational concerns. Multiple Class I connections to a single lot shall require separate permits for each connection. Where practicable, joint use driveways need to be considered.
- (e) *Widths of connections.* The actual width of the connection shall be subject to internal and external traffic flow considerations. Consideration should be given to the number of lanes, driveway geometrics, internal obstructions, and traffic safety. In no case shall a class I connection be less than ten feet. All other classifications shall be a minimum width of 24 feet for two-way connections. The maximum width of any connection shall be based on a maximum lane width of 15 feet with a maximum of three lanes for connections without landscaped islands and four lanes for connections with landscaped islands.
- (f) *Length of connections.* The length of connections shall be subject to providing for an uninterrupted traffic flow on the public street. This will require that the entering vehicles not be confronted with maneuvering vehicles at the immediate point of entry, thus requiring other entering vehicles to stop in the through traffic flow. The length, therefore, will be subject to the anticipated required stacking length of entering vehicles during the peak period. Class III connections should provide a minimum length of 100 feet.
- (g) *Joint connections and frontage roads.* Joint connections or frontage roads should be given consideration and promotion where there are several adjacent developments with limited frontage, where there is probability of such developments, and when the county engineer determines such features are necessary and feasible in promoting the safe and efficient operation of the road.
- (h) *Grades.* The profiles of all connections shall be constructed in accordance with Indexes 515 and 516 of the latest edition of the Florida Department of Transportation Roadway and Traffic Design Standards.
- (i) *Culverts.* When a side drain pipe is required, rural turnouts shall require a minimum pipe size of 18 inches in diameter, or equivalent, with mitered ends and concrete collars. Class I driveways for replacement homes will be verified after the home installation or construction to verify the integrity of the driveway connection.
- (j) *Right-of-way.* The development shall dedicate right-of-way along the entire frontage of the development adjacent to public roadways where the development has an access connection to the public roadway to provide for adequate travel lane width, turn lanes, paved shoulders, multi-use path, stormwater, clear recovery area, existing or planned utilities serving the development and landscaping and street trees required to be provided by the development. An easement contiguous to the right-of-way may be provided by the developer for stormwater, utilities, and a multi-

use path where existing or proposed vegetation is located between the path and the edge of roadway pavement.

407.135 Traffic Control Devices

The installation of regulatory signs and pavement markings at Class II, III and IV connections shall be required in order to provide for safe and efficient movement of traffic. All traffic control devices shall be installed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), and FDOT roadway and traffic design standards.

407.136 Other Access Management Considerations

- (a) *Medians.* New openings shall be permitted only when a specific need is justified based on a traffic engineering study of the area involved. A median opening shall be installed only when it can be documented as being acceptable, benefiting the overall traffic flow, safety and efficiency of the roadway. Protected left turn storage should be provided in the median when openings are constructed for left turn movements from divided highways.
- (b) *Auxiliary lanes.* Auxiliary lanes refers to acceleration, deceleration and storage lanes. The need for auxiliary lanes shall be given consideration on all access connections to collector and arterial facilities.
 - 1. Acceleration lanes should also be considered on any facility where there is a large percentage of truck traffic.
 - 2. All auxiliary lanes shall be constructed in accordance with FDOT Standard Index 526.
 - 3. A development with 50 or more total peak hour trips connecting to a collector or arterial roadway shall require a left turn storage lane. This shall include the construction of a left turn storage lane on any collector or arterial that provides access to the development via a local road that is within ½ mile of the development. The development shall also be required to resurface the local roadway from the limits of the connection to the local road to the collector or arterial facility. All other developments connecting to a collector or arterial roadway shall require a left turn storage lane, if warranted.
 - 4. Class II, III and IV connections to a two-lane collector or arterial roadway with a design speed limit of 50 mph or greater shall require a deceleration lane. Class II connections may require a deceleration lane or taper. Final determination on Class II tapers will be based on proposed land use and safety and operational characteristics at the proposed location.
 - 5. All left-turn storage lanes, at a minimum, must include the addition of paved shoulders and a full-width asphalt overlay.
- (c) *Intersection analysis.* Off-site intersections shall be evaluated by the developer to determine operational and safety improvements attributable to the development. The intersections to be evaluated and the timing of the analysis shall be established during preliminary development plan review, in accordance with Chapter 402, Article 10. The analysis shall be submitted with final development plans per the timing established during preliminary development plan review. The development shall be responsible for the construction of necessary improvements including turn lanes, turn lane storage, traffic control devices and transit, bicycle and pedestrian facilities.

1. Developments which generate more than 1,000 cumulative daily trips shall be required to evaluate intersections of collectors and arterials with all roadways providing access to the development.
2. Developments which generate more than 5,000 cumulative daily trips shall be required to evaluate intersections of collectors and arterials with all roadways providing access to the development and significant intersections within ¼ mile of the development or the first major significant intersection if greater than ¼ mile.
3. Developments which generate more than 10,000 cumulative daily trips shall be required to evaluate intersections of collectors and arterials with all roadways providing access to the development and significant intersections within 1/2 mile of the development or the first major significant intersection if greater than 1/2 mile.

407.137 Expiration of Permit

A permit shall expire within one year of the application date if construction of the connection has not commenced. Incomplete construction may also cause permits to be considered null and void and subject to removal of partially constructed access if not completed within the one-year period.

407.138 Use of Permitted Access

Construction required for permit approval shall be completed prior to approval by the County Engineer for public use and related building occupancy.

407.139 Variances

Variances from certain design requirements may be granted by the County Engineer in writing and in advance of construction.

- (a) Design requirements such as driveway width, radius, angle edge clearance, corner clearance, spacing and island dimensions may be granted variances.
- (b) A variance for existing development may be considered when connections are reconstructed as a part of redevelopment and where compliance with these standards will place extreme hardship on the property owner.
- (c) Variances may also be granted if the resulting connection will result in an improved condition, such as landscaping or stormwater management, without sacrificing the safety and efficiency of the traffic operations.

407.140 Street Network Standards

All streets shall be designed to meet the design elements of the Alachua County Corridor Design Manual.

(a) External Connectivity

1. No direct access shall be permitted from any lots in subdivisions or outparcels in retail centers to any street or highway on the county or state system, which is functionally classified in accordance with F.S. 335.04 at a level of major collector or higher except where the construction of an internal street is not technically feasible as determined by the Development Review Committee or the development creates only two lots fronting on the street and the lots have frontage greater than 250 feet and are served by a common access driveway.
2. All new lots in subdivisions and new non-residential developments shall be accessed via a paved public street or a private paved street constructed to

Article 2 Nonconforming Structures

408.09 Nonconforming Structures

(a) **Definition**

A nonconforming structure is any building or structure, other than a sign, that was legally established but no longer complies with the standards of this ULDC. Nonconforming structures may remain, subject to the regulations of this Section.

(b) **Structural Alterations**

1. Structural alterations are permitted if the structural alteration does not increase the extent of nonconformity.
2. When a structure is nonconforming because it encroaches into a required zoning district setback, this provision will be interpreted as allowing other portions of the structure to be expanded as long as there is no greater encroachment into a required setback.

(c) **Moving**

A nonconforming structure may be moved in whole or in part to another location on the subject parcel only if the movement or relocation decreases or eliminates the nonconformity.

408.10 Loss of Nonconforming Structure Status

When a building or structure does not conform to the provisions of this ULDC and is damaged to the extent of more than two-thirds of its fair market value immediately prior to the time of destruction, as determined by the Property Appraiser of Alachua County, Florida, it may not be restored except in conformity with the regulations of the applicable zoning district. This provision does not apply to single-family dwellings.

Article 3 Nonconforming Uses

408.11 Definition

A nonconforming use is any use of a structure or use of land that is not a permitted use in the zoning district or Comprehensive Plan land use designation in which the structure or parcel of land is located, but was legally established by permit or required no permit at the time it was established.

408.12 Nonconforming Use of Structures

- (a) The use of any building or structure not in conformance with the current regulations pertaining to permitted uses in the zoning district or the adopted Comprehensive Plan land use designation shall not be:
1. Changed to another nonconforming use except where it is determined by the Board of County Commissioners in accordance with the review process identified in Chapter 402, Article 13, Rezoning, that:
 - a. the design, construction, and character of the building is unsuitable for uses permitted in the district in which such nonconforming use is situated;
 - b. it is further determined that the proposed nonconforming use, including its customary accessory uses, is equally or more appropriate to the district than the existing nonconforming use; and
 - c. that the relation of the structure to the surrounding properties is such that adverse effects on occupants of neighboring properties will not be greater than if the existing nonconforming use is continued.
 2. Extended, enlarged, or expanded; unless under one of the following exceptions:
 - a. Structural alterations to single family residences shall be permitted if the cost of the structural alteration does not exceed 50% of the market value of the structure.
 - b. Existing lawful nonconforming manufactured or mobile homes placed and maintained on a lot or parcel and deemed to be a legal use as a permanent residence prior to September 28, 1992, which are no longer a permitted use under the current zoning regulations. If the nonconforming use is discontinued for more than 180 days, the use of the property thereafter shall be used in conformity with all provisions of current zoning regulations. An existing lawful nonconforming manufactured/mobile home may be repaired, rebuilt, or replaced only in accordance with the following requirements:
 - i. The repaired, rebuilt, or replaced manufactured or mobile home meets the requirements and limitations in Chapter 404; and
 - ii. The Zoning Administrator determines that:

- (a) The replacement mobile home or manufactured home is newer than the unit being replaced;
- (b) The condition of the replacement mobile home or manufactured home is as good as or better than the condition of the unit being replaced; and
- (c) The replacement of the mobile home or manufactured home is compatible with surrounding residential development and does not increase the extent of the existing nonconformity.

(b) Burden of Proof

The burden of demonstrating compliance with these requirements shall rest with the applicant. In permitting such change, appropriate conditions and safeguards in accordance with the intent and purpose of these regulations may be imposed by the Board of County Commissioners.

408.13 Loss of Nonconforming Use Status

- (a) Once a nonconforming use is abandoned, the use's nonconforming status is lost and any subsequent use of the property shall comply with the regulations of the zoning district in which it is located. A nonconforming use will be considered abandoned when any of the following occurs:
 - 1. the intent of the owner to discontinue the use is apparent;
 - 2. the use has been discontinued for a period of 18 months or more;
 - 3. a demolition permit has been applied for;
 - 4. the characteristic equipment and furnishings associated with the nonconforming use have been removed from the premises and have not been replaced by similar equipment within 90 days, unless other facts show intention to resume the nonconforming use;
 - 5. the nonconforming use has been replaced by a conforming use; or
 - 6. a building permit to reconstruct a damaged nonconforming use has not been secured within 12 months of the date of occurrence of such damage or construction has not been diligently pursued.
- (b) When a building or structure, the use of which does not conform to the provisions of this unified land development code, is damaged to the extent of more than two-thirds of its fair market value immediately prior to the time of destruction, as determined by the Property Appraiser of Alachua County, Florida, the use may not be restored except in conformity with the regulations of the applicable zoning district. This provision does not apply to single-family dwellings.

408.14 Discontinuance of Nonconforming Uses of Land

Nonconforming uses of land, not contained within principal buildings and any open use of land that becomes nonconforming because of subsequent amendments to this ULDC, including but not limited to open storage; building supplies; vehicle, implement and machinery storage, either on the same lot or on another lot with a plant, factory or sales facility; junkyards; kennels; commercial dairies that did not exist prior to October 2, 1991; commercial animal raising and similar uses shall comply with this ULDC or be discontinued on or before 18 months following notice by certified mail by the County unless that time period for conformance or extension is extended by the Board of County Commissioners. Prior to the conclusion of 18 months following notice of

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Article 3. Nonconforming Uses

nonconformance by the County, a property owner may submit an application for an extended time period for conformance or discontinuance of a nonconforming open use of land in accordance with Chapter 2, Article 2, Common Development Application Elements. At a properly noticed public hearing, the Board of County Commissioners shall consider the following as part of its decision to approve or deny an application for an extended time period for conformance or discontinuance of a nonconforming use, and, if approved, its decision of how long to extend the time period:

- (a) To what extent the nonconforming use adversely affects the health, safety and welfare of the public, and
- (b) Whether and to what extent, before the use became nonconforming, the owner made a substantial change in position or incurred extensive obligations and expenses that cannot be mitigated or recovered on or before 18 months following notice of nonconformance by the County.

The Board of County Commissioners may require that satisfactory provisions be made to reduce noise, glare or odor effects on surrounding properties as a condition of granting an extension of the time period for conformance or discontinuance. These provisions may include, but are not limited to, increased setbacks from the property lines, additional screening or buffering from neighboring properties, and limited hours of operation. If a property owner or other lawful occupant of a property for which the Board of County Commissioners has approved a time period extension, fails to comply with the conditional provisions of the approval, the Board may, at a properly noticed public hearing, revoke the time period extension. Nothing in this provision prevents the Board of County Commissioners from requiring the immediate conformance or discontinuance of a nonconforming use if it determines a particular use to be an imminent and substantial threat or nuisance to the health, safety, and welfare of the public.

408.15 Accessory Uses and Structures

A use accessory to a principal nonconforming use or structure may not be continued after the principal use or structure has lost its nonconforming status or been discontinued.

land upon which such sign shall be found, within 30 days after written notice by the Department of Growth Management.

2. Off-site Signs

- a. A sign which is a lawful nonconforming off-site sign or billboard shall be allowed to continue if located within 660 feet of a federal aid primary road.
 - b. A sign that is a lawful nonconforming off-site sign located on a non federal aid primary road shall be removed or made to conform to the requirements of this ULDC within seven years of receipt of notice to the property owner of record by the Department of Growth Management notifying said owner of the nonconforming sign.
- (b) Whenever any revision or modification is made to a building or to site improvements that requires review of a development plan or a revised development plan by the Development Review Committee, all signs, sign structures, or advertising structures on the parcel of land in question shall be made to conform with the current requirements of this Unified Land Development Code, or shall be removed, except for signs meeting the off-site provisions of paragraphs (a)(2)a and (a)(2)b.

408.22 Nonconforming Number of Dwellings on a Lot

- (a) A legal lot of record containing more than one principle dwelling that does not conform to the requirements of Section 407.01 may remain, subject to the following provisions:
- 1. The property owner must demonstrate the dwelling(s) were established by issuance of a valid building permit or were constructed or placed prior to December 8, 1964.
 - 2. The dwelling(s) must be occupied and meet the minimum housing requirements of the Standard Housing Code. If a dwelling is occupied but does not meet the minimum requirements, permits may be issued to bring the dwelling up to minimum housing standards.
 - 3. The dwelling(s) may be replaced, but shall not be enlarged or expanded.
 - 4. If a dwelling is a mobile or manufactured home it may be replaced upon a determination by the Zoning Administrator in accordance with the provisions of §408.12(a)2.b.ii.
 - 5. Once the dwelling is deemed abandoned in accordance with §408.13(a), the dwelling may not be reestablished except in conformity with the regulations of this ULDC.
- (b) Where the original owner of the lot of record divided the parcel into lots as part of an estate to family members that included the existing dwellings, such lots shall not be recognized as separate parcels and the dwellings shall be treated as multiple dwellings on a lot. The existing dwellings may be repaired or replaced in accordance with subsection (a) and the following additional provisions:
- 1. The family members listed as recipients with the estate, or their immediate family members must occupy the dwellings on the divided parcels. An affidavit must be recorded in the public record stating that the parcels cannot be sold as separate parcels before any permits can be issued for the property.

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2. The affidavit must be agreed upon and signed by all family members occupying the dwellings on the lots created from the estate.
3. Any permits must be issued on the original lot of record.

use of mechanical equipment, including vehicle rutting, within a plant's root zone; dredging or excavation of land; construction of new structures or expansion of existing structures; installation of utilities, roads, stormwater management systems, septic tanks, bulkheading, fencing, agricultural activities, site preparation, land clearing, tree cutting, mechanized vegetation removal, contouring, placement of bridges or culverts, extraction of stumps or submerged logs, and the disposal of solid or liquid waste.

Alteration of a building within a Flood Hazard Area: Any construction or renovation to an existing structure other than a repair or addition. Alterations are classified as Level 1, Level 2, and Level 3 in the Florida Building Code

Alteration of a watercourse: A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Animal sanctuary: A place of refuge where one or more non-domestic animals are kept for the purposes of protection, rehabilitation, and care for the extent of their lives.

Antenna: A whip (omni-directional antenna), panel (directional antenna), disc (parabolic antenna) or similar device used for transmission and/or reception of radio frequency signals. Unless the context indicates otherwise, as used in Chapter 404, Article 12, the term 'antenna' also means 'antenna array'.

Antenna array: An antenna array is one or more whips, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antennas (whips), directional antennas (panels), and parabolic antennas (discs).

Aquifer: A geologic formation, group of formations, or part of a formation that contains sufficient saturated, permeable material to yield significant quantities of water to wells and springs.

Aquifer, Floridan system: The thick carbonate sequence which includes all or part of the Paleocene to early Miocene Series and functions regionally as a water-yielding hydraulic unit. Where overlaid by either the intermediate aquifer system or the intermediate confining unit, the Floridan contains water under confined conditions. Where overlaid directly by the surficial aquifer system, the Floridan may or may not contain water under confined conditions, depending on the extent of low permeability materials in the surficial aquifer system. Where the carbonate rocks crop out, the Floridan generally contains water under unconfined conditions near the top of the aquifer system; but, because of vertical variations in permeability, deeper zones may contain water under confined conditions. The Floridan Aquifer system is present throughout the county and is the deepest part of the active ground water flow system. The top of the aquifer system generally coincides with the absence of significant thicknesses of clastics from the section and with the top of the vertically persistent permeable carbonate section. For the most part, the top of the aquifer system coincides with the top of the Suwannee Limestone, where present, or the top of the Ocala Group. Where these are missing, the Avon Park Limestone or permeable carbonate beds of the Hawthorn Formation form the top of the aquifer system. The base of the aquifer system coincides with the appearance of the regionally persistent sequence of anhydrite beds that lie near the top of the Cedar Keys Limestone.

Aquifer, intermediate system: All rocks that lie between the overlying surficial aquifer system and the underlying Floridan Aquifer system. These rocks in general consist of fine-grained clastic deposits interlayered with carbonate strata belonging to all or parts of the Miocene and younger series. In places, poorly water-yielding to non-water-yielding strata mainly occur; there the term

"intermediate confining unit" applies. In other places, one or more low- to moderate-yielding aquifers may be interlayered with relatively impermeable confining beds; there the term "intermediate aquifer system" applies. The aquifers within this system contain water under confined conditions. The top of the intermediate aquifer system or the intermediate confining unit coincides with the base of the surficial aquifer system. The base of the intermediate aquifer is the top of the vertically persistent permeable carbonate section that comprises the Floridan Aquifer system, or, in other words, that place in the section where clastic layers of significant thickness are absent and permeable carbonate rocks are dominant. Where the upper layers of the persistent carbonate section are of low permeability, they are part of either the intermediate aquifer system or intermediate confining unit, as applicable to the area.

Aquifer, surficial system: The permeable hydrogeologic unit contiguous with land surface that is comprised principally of unconsolidated to poorly indurated clastic deposits. It also includes well-indurated carbonate rocks, other than those of the Floridan Aquifer system where the Floridan is at or near land surface. Rocks making up the surficial aquifer system belong to all or part of the upper Miocene to Holocene series. It contains the water table and water within it is under mainly unconfined conditions; but beds of low permeability may cause semi-confined or locally confined conditions to prevail in its deeper parts. The lower limit of the surficial aquifer system coincides with the top of laterally extensive and vertically persistent beds of much lower permeability. Within the surficial aquifer system, one or more aquifers may be designated based on lateral or vertical variations in water-bearing properties.

Aquifer, unconfined: An aquifer that has no impermeable layer between the zone of saturation and water table.

Architecture: The art and science of designing a structure or group of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures.

Art gallery: An establishment engaged in the display and sale or loan of paintings, sculpture or other works of art.

Artifact: Any object manufactured or altered by human workmanship with intrinsic historical or archaeological value. Generally, this term shall apply to objects equal to, or greater than, 50 years in age.

ASCE 24: A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA

Assisted living facility: Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. (Chapter 429, Part I, F.S.)

Average daily traffic (ADT): The number of vehicles traveling in all directions over a segment of a road during a 24-hour period.

Dwelling, single family detached: A principal building and customary accessory structures that are used, designed, or adapted for use by a single household, containing all the essential elements of a single housekeeping unit, and that is constructed on a lot of record.

Dwelling, multifamily: A dwelling or group of dwellings on one lot, containing separate living units for two or more families, having separate or joint entrances, and including apartments, row houses, and condominiums.

Easement: Any strip or piece of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation.

Eaves: The extension or overhang of a roof measured from the outer face of the supporting wall or column to the farthest point of the overhanging structure.

Ecological integrity: The condition of an ecosystem having the biotic communities and physical environment with structure, composition, and natural processes that are resilient, self-sustaining, and able to accommodate stress and change. Its key ecosystem processes, such as nutrient cycles, succession, water levels and flow patterns, and the dynamics of sediment erosion and deposition, are functioning properly within the natural range of variability.

Ecological value: The value of functions performed by uplands, wetlands, and other surface water to the abundance, diversity, and habitats of fish, wildlife, and listed species. These functions include, but are not limited to, providing cover and refuge; breeding, nesting, denning, and nursery areas; corridors for wildlife movement; food chain support; and natural water storage, natural flow attenuation, and water quality improvement, which enhances fish, wildlife, and listed species utilization.

Ecosystem: A community of all plants and animals and their physical environment, functioning together as an interdependent unit.

Ecosystem management: The conservation, restoration or enhancement of, and planning for the maintenance of, parts or whole natural systems inter-related or associated with particular resources. Ecosystem management is an approach to natural resources that integrates ecological, economic, and social principles to manage biological and physical systems in a manner that safeguards the ecological sustainability, natural diversity, and productivity of the landscape. Examples of ecosystem management practices include: using fire to restore longleaf pine forests, leaving buffer zones to protect water quality, and using harvesting techniques that enhance forest productivity and provide critical wildlife habitat.

Ecotourism activities: Activities involving travel to areas of natural or ecological interest to observe wildlife and support conservation efforts such as nature tours, birding activities, ecological workshops, canoeing, hiking, biking, and other ecological education activities.

Edge clearance: The distance measured along the edge of the travelled way between the frontage boundary line of adjacent properties and the nearest point of the connection, flare or radius.

Educational facility, college/university: A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

Educational facility, private: A non-public elementary, secondary, business, technical, or trade school below college level serving students in grades Kindergarten through twelfth. These institutions may also include early learning opportunities for students three (3) years of age or older

provided the programs are staffed by the school and meet age-appropriate standards. A school that includes only grades below kindergarten shall be considered a 'child care center'. This shall also include charter schools that are not considered 'conversion charter school' by Florida Statute.

Educational facility, public: A public elementary or secondary school serving students in grades Kindergarten through twelfth with an academic course of study approved by the Florida Department of Education. These institutions may also include early learning opportunities for students three (3) years of age or older provided the programs are staffed by the school and provide and meet age-appropriate standards. This shall also include 'conversion charter schools' as defined in Florida Statute.

Educational Facility, vocational: A specialized instructional establishment that provides on-site training or professional, commercial, and/or trade skills. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school. Indoor training and instruction for professional sports shall be considered an "Indoor Sports Training Facility".

Element: Any exemplary or rare component of the natural environment, such as a species, natural community, bird rookery, spring, sinkhole, cave, or other ecological feature.

Element occurrence: A single extant habitat that sustains or otherwise contributes to the survival of a population or a distinct, self-sustaining example of a particular element.

Encroachment: The part of a structure that intrudes into a setback.

Enhanced Specialized Mobile Radio (ESMR): Private land mobile radio with telephone and data services.

Entertainment and recreation: Uses that include amusement arcades, movie theaters, simulated gambling establishments, pool halls, bowling lanes, skating rinks, miniature golf, and carnival-type concessions and rides. Coin-operated amusement machines (excluding motion picture viewers or video arcades) of ten or fewer machines shall be allowed as an accessory use to a restaurant in those zoning districts where restaurants are permitted and shall not be considered commercial recreation and entertainment, provided that the machines are authorized by the Florida Department of Revenue and an amusement machine certificate is posted in a conspicuous place at the machine location.

Environmental quality: The character or degree of excellence or degradation in the total essential natural resources of the area as measured by the findings and standards of the physical, natural, and social sciences, the arts and technology, and the quantitative guidelines of federal, state and county governments.

Equipment cabinet/shelter: An unoccupied, enclosed structure at the base of the mount within which is housed the equipment for the PWSF such as batteries and electrical equipment.

Excavation: The removal and transport of earth materials (sometimes referred to as "borrow" activities). This definition excludes commercial mining operations (such as limerock and sand mining operations), excavation associated with construction of storm water management facilities, excavation activities governed by the Alachua County Subdivision Regulations, and excavation associated with sod farming and removal activities, and tree farming activities.

Exactions: A requirement of a developer to dedicate land or construct or pay for all or a portion of the costs of capital improvements needed for public facilities as a condition of development approval. For purposes of this chapter, this does not include improvements on the site of the development or to provide safe access to and from the development to meet the needs of the

occupants or users of the development, except for those improvements provided for a public purpose. These improvements may include transit enhancements, public sidewalks or public parks. The CMO shall have the authority to make the final determination of the public purpose associated with any exaction.

Excavation and fill operation: An operation that involves the removal of surface and subsurface materials, including but not limited to earth, gravel, materials, minerals, peat, sand and soil, and replacing such material with clean debris or construction and demolition debris.

Existing building or Manufactured Home and existing structure: For the purposes of Chapter 406, Article 7, any buildings and structures for which the "start of construction" commenced before December 14, 1982. [Also defined in Florida Building Code, B, Section 1612.2.]

Existing deficiency: A deficiency in a public facility caused when the existing and reserved demand (from approved development through the issuance of a CLSC) exceeds the capacity of said facility at the adopted LOS standards.

Existing manufactured home park or subdivision: For the purposes of Chapter 406, Article 7, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 14, 1982

Expansion to an existing manufactured home park or subdivision: For the purposes of Chapter 406, Article 7, the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Extraction: The removal of soil, sand, minerals, etc., from the earth through mining or excavation (borrow) activities.

Façade: The exterior wall of a building, parallel at the frontage line.

Fall zone: The area on the ground within a prescribed radius from the base of a PWSF, broadcasting or communications towers. The fall zone is the area within which there might be a potential hazard from falling debris or collapsing material.

Family: One or more persons occupying a living unit as a single, nonprofit housekeeping unit.

Family homestead exception: A family homestead exception is an exception to the density or intensity of a parcel in certain zoning districts as specified in Article 23, Family Homestead Exceptions, in Chapter 402.

Farmworker housing: Residential dwellings constructed or installed to provide housing for farmworkers and their families when employed on a fulltime basis by the owner or operator of an intensive agricultural activity occurring on the property on which the housing is located.

Federal Communications Commission (FCC): An independent federal agency charged with licensing and regulating wireless communications at the national level.

Federal Emergency Management Agency (FEMA): The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Fill: Raising the surface level of the land with suitable soil or other material as specifically permitted for the site.

Filtration System: The temporary storage of stormwater and the subsequent gradual release of the stormwater through at least two (2) feet of suitable fine textured granular media such as porous soil, uniformly graded sand, or other natural or artificial fine aggregate, which may be used in conjunction with filter fabric and/or perforated pipe or storage vaults.

Fitness Center: A place or building where passive or active exercises and related activities are performed for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Fitness Center may also include incidental accessory uses such as child care for patrons, professional physical therapy services, and incidental food and beverage sales.

Fixture, cutoff: Intensity at 80 degrees from nadir does not exceed 100 candela per 1000 lamp lumens, nor at 90 degrees from nadir does intensity exceed 25 candela per 1000 lamp lumens.

Fixture, full cutoff: A luminaire light distribution where no candlepower occurs at or above an angle of 90 degrees from nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 at a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

Fixture, fully shielded: Constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

Fixture, partially shielded: Shielded in such a manner that more than zero but less than ten percent of the light emitted directly from the lamp or indirectly from any part of the fixture is projected above the horizontal.

Fixture, semicutoff: Intensity at 80 degrees from nadir does not exceed 200 candela per 1000 lamp lumens, nor at 90 degrees from nadir does intensity exceed 50 candela per 1000 lamp lumens.

Flag: Any fabric or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in Florida Building Code, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in Florida Building Code, B, Section 1612.2.]

Flood hazard area: The greater of the following two areas: [Also defined in Florida Building Code, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Hazard Area Variance: A grant of relief from the requirements of this ULDC, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

Flood Insurance Rate Map (FIRM): The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in Florida Building Code, B, Section 1612.2.]

Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in Flood Building Code, B, Section 1612.2.]

Floodplain: Lowland adjoining the channels of rivers, streams or other watercourses, or lakes or other bodies of standing water. Includes the floodway and floodway fringe.

Floodplain Administrator: The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Certified Floodplain Manager).

Floodplain Development. For the purpose of Chapter 406, Article 7, any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Floodplain development permit or approval: An official document or certificate issued by the Building Official or Floodplain Administrator, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas..

Floodway: The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Also defined in Florida Building Code, B, Section 1612.2.]

Floodway encroachment: The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Floodway encroachment analysis: An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Floor area ratio: The square foot amount of gross floor area (all stories) divided by the land area of the site of the proposed development.

Florida Building Code: The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building*; *Florida Building Code, Residential*; *Florida Building Code, Existing Building*; *Florida Building Code, Mechanical*; *Florida Building Code, Plumbing*; *Florida Building Code, Fuel Gas*.

Fraternity or sorority house: A structure used as group living quarters for students of an educational facility who are members of a fraternity or sorority that has been officially recognized by the educational facility.

Front building elevation area: The area found by multiplying the length of the front wall of the principal building on a lot or parcel of record by the distance between the entry level and the eave line of this building.

Frontage: The distance or width of a parcel of land abutting a public right-of-way and as measured upon such right-of-way. Corner property at a highway intersection has a separate frontage along each highway.

Frontage road: A street or road auxiliary to and normally located alongside and parallel to a highway for purposes of maintaining local road continuity and for control of access.

Functionally Equivalent Services: Cellular, PCS, Enhanced Specialized Mobile Radio, Specialized Mobile Radio and Paging. Section 704 of the Telecommunications Act prohibits unreasonable discrimination among functionally equivalent services.

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Garage: A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Geodetic marker: Any second order Class I geodetic control corner monument or third order Class I traverse point established by the Alachua County Horizontal Control Densification Survey of 1988/89 or any marker that is established and accepted by the National Geodetic Survey and/or Florida Department of Environmental Protection. Information on geodetic markers may be obtained from the Property Appraiser's office and/or the County Engineer's office.

Geologic features: A prominent or conspicuous characteristic of earth materials in the landscape. In Alachua County, prominent geologic features include sinkholes, caves, stream bluffs, escarpments, outcroppings, and springs.

Good cause: Impediments to submission of final development plan such as delays in securing permits from other agencies in a timely manner. Good cause does not include adverse market conditions, delays in securing financing, or self-imposed hardships resulting from the actions, or inaction, of the developer.

Greenway: A corridor of protected open space that is managed for conservation, recreation purposes. Greenways follow natural land or water features or abandoned railroad corridors or canals, and link natural reserves, parks, cultural and historic sites.

Green roof: A roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Gross floor area: The sum of the area of all floors of a building, measured from the exterior faces of all exterior walls or from the centerline of walls separating two buildings. Open porches, balconies, and carports are specifically excluded from the calculation.

Groundcover: Low growing plants planted in such a manner as to form a continuous cover over the ground, such as lirioppe, low growing varieties of honeysuckle, confederate jasmine, English ivy or like materials.

Groundwater: Water occurring beneath the surface of the ground or in the zone of saturation, whether or not flowing through known or definite channels.

Ground truthing: Verification on the ground of conditions on a site.

Guyed tower: A type of mount that is anchored to the ground or to another surface by diagonal cables.

Gym: see "Fitness Center".

Habitable Space: A space in the structure for living, sleeping, eating or cooking. Bathroom, toilet compartments, closets, halls, screen enclosures, sunroom Categories I, II and III as defined in the AAMA/NPEA/NSA 2100, storage or utility space and similar areas are not considered habitable spaces.

Habitat: The natural abode of a plant or animal that contains the arrangement of food, water, cover and space required to meet the biological needs of a given species. Different species have different requirements, and these requirements vary over the course of a year.

Habitat corridors: A naturally-vegetated transportation route for plants and animals that connects larger natural areas. Wild plants and animals typically require avenues for dispersal to different feeding and breeding sites in order to survive.

Habitat diversity: The variety of habitat features and types in a specific area. Habitat diversity takes many forms: the variety of plants and animals on a site; structural diversity or the vertical arrangement of vegetation from canopy to forest floor; horizontal diversity or the distribution of habitat types across the landscape; and temporal diversity or habitat changes over time. Generally, areas with substantial habitat diversity will support more wildlife species than areas with less habitat diversity.

Hard core [pornography]: Depictions of specified sexual activities that include one or more of the following: erect male organ; contact of the mouth of one person with the genitals of another; penetration of a finger or male organ into any bodily orifice in another person; open female labia; penetration of a sex toy or other device into a bodily orifice of any person, sometimes assisted by another person; actual male ejaculation; or the aftermath of male ejaculation.

Hardscape features: Hardscape or hardscaping consists of the inanimate elements of landscaping, especially any masonry work or woodwork. For example, stone walls, concrete or brick patios, tile paths, walkways, wooden decks and wooden arbors shall be considered part of the hardscape.

Hazardous material: The liquid, solid, and gaseous materials designated in Section 353.26, "materials regulated," of the Hazardous Materials Management Code. This includes but is not limited to:

- (a) Petroleum products as defined in section 353.23, "definitions." Aboveground petroleum product storage tank systems are subject to the provisions of the county hazardous materials management code.
- (b) Wastes listed or characterized as hazardous wastes by the Administrator of the United States Environmental Protection Agency pursuant to the Solid Waste Disposal Act, as amended. This list is provided in title 40 (Protection of the Environment) of the Code of Federal Regulations, part 261, Identification and Listing of Hazardous Waste.
- (c) Pesticides registered by the Administrator of the United States Environmental Protection Agency pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
- (d) Substances for which a material safety data sheet is required by the United States Department of Labor, Occupational Safety and Health Administration, pursuant to

title 29 of the Code of Federal Regulations, part 1910.1200; however, only insofar as they pose a hazard to human health or the environment.

- (e) Any material not included above which may present similar or more severe risks to human health or the environment. Such determination must be based upon competent testing or other objective evidence provided by the department.

Hazardous waste: Any solid waste as defined in 40 CFR, section 261.1, which is considered a hazardous waste pursuant to 40 CFR, section 261.3, and exhibits the characteristics identified in 40 CFR, part 261, subpart C, or is listed in 40 CFR, part 261, subpart D, or designated as provided in Section 353.03.

Heavy machinery and equipment: Machinery and equipment used for commercial, industrial and agricultural operations, including vehicles used for construction and demolition.

Height AGL (above ground level): For Personal Wireless Services Facilities, this is the distance measured from ground level to the highest point of a PWSF, broadcast including the antenna array. For purposes of measuring height, all antennas, lightning rods, or other attachments mounted on a structure shall be included in the measurements to determine overall (i.e. combined) height.

High aquifer recharge areas: Those areas where stream-to-sink surface water basins occur, and those areas where the Floridan Aquifer system is vulnerable or highly vulnerable as depicted in the Alachua County Floridan Aquifer High Recharge Area Map adopted in the Alachua County Comprehensive Plan.

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic preservation: the identification, evaluation, recordation, documentation, analysis, recovery, interpretation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, or reconstruction of historic resources or properties.

Historic resource or historic property: Any historic district, site, building, object, or other real or personal property of historical, architectural or archaeological value. These properties or resources may include, but are not limited to: monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned watercraft, engineering works, treasure troves, artifacts, or other objects or features with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state and Alachua County.

Historic structure: For the purposes of Chapter 406, Article 7, any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 11 Historic Buildings.

Home-based business: Business or commercial activity conducted on a residential property which is accessory to the residential use of that property.

Home-based business, general: An accessory use of a dwelling unit in an area designated residential or agricultural on the Future Land Use Map for gainful employment involving a vocation, trade, or profession carried on by the occupant.

Home-based business, rural: An accessory use of a dwelling unit in an area designated agricultural on the Future Land Use Map for gainful employment involving a vocation, trade, or profession carried on by the occupant.

Homeless shelter: A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional

housing for the mentally ill, or a public or private building not ordinarily used for residential purposes, including accessory uses of places of worship or civic organizations.

Homeowners' association: A private, nonprofit corporation, association, or other legal entity established by the developer for the benefit and enjoyment of the residents of a cluster development for the use, maintenance, operation and protection of common open space areas within such developments. This term also shall include condominium associations.

Hospital: An institution providing services of a medical nature to human patients, allowing for in-patient care of such patients, and including related facilities such as laboratories, out-patient departments, training facilities, staff offices, and food services.

Hotel or Motel: A building designed to provide accommodations for persons for temporary residence for compensation, with or without meals, with provisions for cooking in such rooms only in accordance with Alachua County fire regulations, and including customary accessory uses in connection with the principal use.

Household: A family whose relationship is of a permanent and distinctly domestic character, rather than resort or seasonal (occupancy of a dwelling for purposes of attending a college or university shall not be considered seasonal).

Hunting camp: A recreational facility established for the purposes of hunting and/or fishing which may provide overnight accommodations, food, transportation, guides, and other customary accessory uses and facilities.

Hydroperiod: Period of time in which soils, waterbodies and sites are wet.

Imminent deficiency: An approaching deficiency in a public facility caused when the existing demand and capacity reserved for approved development through the issuance of a CLSC reaches 95 percent of the capacity of said facility at the adopted LOS standards.

Impervious surface: Land surfaces which do not allow, or minimally allow, the penetration of water; included as examples are building roofs and normal concrete and asphalt pavements.

Incidental food and beverage sales: Sales, storage, preparation, and service of food and/or beverages that occurs as an accessory use to an established commercial or industrial use, which may or may not be directly associated with that use.

Indoor Sports Training Facility: An indoor facility that provides training of amateur or professional athletes in a particular sport. These facilities typically operate on a by-appointment basis and provide very small student-instructor ratios. Programs at these facilities are designed to enhance the skills necessary to succeed in a particular sport rather than for general exercise as at a "Gym" or "Fitness Center".

Industry: Industrial developments are characterized by the fabrication, manufacturing, transporting, warehousing or distribution of goods and any activity involving the manufacturing or treatment of any commodity including the assembly, packaging, canning, bottling, or processing of any item. To change any commodity in composition, form, size, shape, texture, or appearance is deemed to be an industrial process.

Industry, heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

Industry, light: Research and development activities, the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semifinished products from previously

prepared materials, which activities are conducted wholly within an enclosed building and do not generate a noticeable amount of noise, dust, odor, smoke, glare or vibration outside the building in which they are conducted.

Infrastructure Capacity Report for Alachua County: The report issued once each quarter as a supplement to the Alachua County Monthly Development Report and assessing the impacts of the approved development listed in the Alachua County Monthly Development Report upon the adopted level of service standards for those public facilities subject to concurrency management.

Inside radius: The inside or smaller curve radius connecting the edge of the driveway to the travelled way when the driveway angle is less than 90 degrees.

Invasive, nonnative vegetation: Any plant not indigenous to Florida, which exhibits, or has the potential to exhibit, noncontrolled growth and invasion or alteration of the natural qualities and functions of any native habitat.

Irrigation, High volume: An irrigation system with a minimum flow rate per emitter of more than 30 gallons per hour or higher than 0.5 gallons per minute.

Irrigation, Low volume: Any emitter or sprinkler that applies less than 30 gallons per hour (gph) or 0.5 gallons per minute (gpm).

Irrigation, micro: The frequent application of small quantities of water directly on or below the soil surface or plant root zone, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery pipes (laterals). Micro-irrigation encompasses a number of methods or concepts, including drip, subsurface, bubbler and micro-spray irrigation, previously known as trickle irrigation.

Island: A physical barrier or separation to direct the flow of traffic and/or to separate highway traffic from the activity on the adjacent property.

Junk: Any litter, debris, waste materials of any kind, dead or decaying vegetation or vegetative refuse, dead animals, used or unserviceable vehicle and machinery parts, used and nonfunctional furniture and appliances, and used and nonfunctional tools, equipment, and implements, but shall not include compost piles for normal, personal, noncommercial use.

Karst: Landforms that have been modified by dissolution of soluble rock (limestone or dolostones), and which may be characterized by sinkholes, sinking streams, closed depressions, subterranean drainage, and caves.

Land application: The act of disposing of sewage effluent and/or sludge on the earth's surface. There are three primary types of land application: (1) overland flow, which includes depository sludge in landfills, (2) rapid rate infiltration, such as in percolation ponds, and (3) slow rate infiltration such as spray irrigation.

Landfill, Class I: A landfill facility that receives an average of twenty tons or more of solid waste per day.

Landfill, Class III: A landfill facility that receives only yard trash, construction and demolition debris, waste tires, asbestos, carpet, cardboard, paper, glass, plastic, furniture other than appliances, and other materials approved by the Florida Department of Environmental Protection (FDEP) which are not expected to produce leachate which poses a threat to public health or the environment. Class III landfills do not accept putrescible household waste.

Landscape materials: Horticultural items such as plants, shrubs and trees, and accessory materials such as fertilizer, sod, pots and liners, mulch, wood chips, and irrigation systems.

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: Water directly or indirectly used in the operation of a dairy for any or all of the following: spillage or overflow from animal watering systems and cooling ponds; washing, cleaning or flushing pens, barns, manure pits or other dairy activities; washing or spray cooling of animals; dust control; any water, including precipitation, that comes into contact with any manure, litter or bedding, or any raw material or intermediate product used in or resulting from the dairy operation.

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 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.