

Alachua County

Unified Land Development Code



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Table 403.07.1
Density of Single Family Residential Districts

Density Range	Zoning Districts				
	RE	RE-1	R-1aa	R-1a or R-1c	R-1b
Dwelling units	1 per 2 acres or less	1 per 2 acres to 2 per acre	1-3 per acre	1-4 per acre	4-8 per acre

NOTE: Permitted housing types in each district are established in Chapter 404. In Rural Clusters, the minimum lot size within any single family residential zoning district shall be 1 acre for development on private wells and septic tanks.

(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, except for Cottage Neighborhoods meeting the requirements of Chapter 407, Article 16.

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

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

(d) Buffer

1. In lieu of providing the minimum lot size or width for the abutting lots as stated above in (c), a minimum of a 50 foot wide medium density landscaped buffer, as provided in §407.43(b) may be approved by the DRC.
2. Cottage Neighborhoods meeting the requirements of Chapter 407, Article 16 shall have a 15 foot wide low density buffer meeting the requirements of §407.43(b) when adjacent to existing platted subdivisions or lots in excess of 6,000 square feet with an existing single family home.

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 when abutting single family residential uses or zoning.

403.13 Commercial District Requirements

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

(a) Building Orientation

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

(b) Vehicle Access to Business Uses

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

(c) Front Setbacks in Activity Centers

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

(d) Subdivision After Development Plan Approval

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

(e) Commercial Uses Within Rural Clusters

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

Article 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.

(c) Utility Scale Solar Energy Facilities

Utility Scale (> 5 megawatt) solar facilities shall be exempt from the requirements of 406.12(a)(4) and 407.41(n) that require 30 percent of the site to be under mature canopy in 20 years.

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, Transit Oriented Developments and Cottage Neighborhoods shall be designed such that a minimum of 5 percent of the tree canopy shown on the most recent aerials of the property available at the time of application is retained.
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.

5. Development plans shall incorporate each regulated tree and associated native vegetation within the area of the drip line in its original location to the greatest extent possible. In creating a plan to minimize the removal of regulated trees and associated native vegetation, consideration shall be given to preserving non-invasive trees that exhibit the following characteristics.
 - a. Are located within regulated natural resource areas or significant habitat which may be protected as conservation management areas.
 - b. Help to create, provide, or extend connectivity or linkages to other natural areas in the form of tree and vegetation corridors.
 - c. Are champion, heritage, specimen trees, or small specimen trees listed in Table 406.16.1.
 - d. Exist in natural groupings.
 - e. Complement the project design including enhancement of the architecture, landscape architecture, and streetscape appearance.
 - f. Are located in required buffer areas.
 - g. Screen unpleasant views or augment desirable views.
 - h. Provide shade to structures, areas, or activities within or associated with the lot.
 - i. Complement stormwater design.
 - j. Are disease and insect resistant.
 - k. Have strong branching and root patterns.

(b) Additional Permit Conditions

A tree removal permit may also be issued for the removal of regulated trees in the following circumstances, provided the County determines that there will be no significant adverse environmental impacts.

1. Tree is under attack from an infestation of harmful insects or fungi that are not generally present on other trees of the species and may reasonably be expected to spread to trees not so infested.
2. Tree constitutes an immediate safety hazard, either to persons or to domestic animals, or to buildings, or to other constructions, or to motor, or bicycle, or pedestrian traffic.
3. Tree that, by the normal growth of its branches or roots, is causing progressive damage to buildings or structures, where no reasonable correction or prevention is available other than removal.

(c) Application Requirements

At the time of permit application, and prior to any land clearing or alteration, all applicants for a tree removal permit shall submit information necessary to fully understand the extent, nature and potential impacts of the proposed project.

1. Permit Applications

The following information shall be required for all permit applications involving the removal of regulated trees:

- a. A completed application signed by the parcel owner or legally authorized agent of the parcel owner, including the name, address and telephone number of the property owner and of the applicant, if other than the property owner.
- b. Parcel information including street address, parcel number, and location map as necessary.
- c. Description of project, identification of location and extent of all areas proposed for tree removal or clearing of areas of associated native vegetation, including offsite areas such as water, sewer or utility easements, and methods to be used for removal.

2. Development Plan Approval

In addition to the common application requirements in Article 2, Common Development Application Elements, Chapter 402, the following information shall be required with applications for development plan approval:

- a. A recent aerial photograph with the parcel clearly delineated, and representative color photographs;
- b. A certified development plan or survey, where applicable, showing all easements (both plan view and cross-sectional view sketches may be required);
- c. Identification of the type and location of native vegetation in the vicinity of, and likely to be affected by the project;
- d. A vegetation plan which graphically depicts the location and field tag number for each native tree to remain undisturbed on the parcel during construction; the vegetation plan may also be required to be incorporated as a feature of a development plan;
- e. A numbered tabular list of all regulated native trees surveyed by a licensed landscape architect, or arborist, or similarly qualified professional, indicating the species of tree, the diameter at breast height, and whether the parcel owner proposes to keep the tree in place, relocate it, remove it or mitigate for its removal; and
- f. Location, extent, and calculation of the initial tree canopy based on aerial photographs, survey data, or other acceptable methods approved by the County; Evaluation by a qualified professional as to the health of trees and native vegetation and their ability to provide long-term benefits, i.e. 20 year shade requirements.

(d) Physical Protection during Construction

1. Undisturbed Area

The area to be protected shall be equal to the area of the drip line of the tree.

2. Reduction of Minimum Undisturbed Area

Where the applicant demonstrates sufficient protection, the required minimum undisturbed area may be reduced with County approval, taking into

consideration the type of activity, and the species, health, and location of trees and native vegetation within the landscape.

3. Barrier Placement and Usage

- a. Any required protection area within 50 feet of any construction activity or area used for storage of construction materials shall be enclosed within a protective barrier to limit access to the protected area, prevent the compaction of soil and the destruction or damage of the trees.
- b. Prior to any construction activity, the installation of the barriers shall be approved by the County Forester/Landscape Inspector.
- c. The protective barriers shall not be relocated without the approval of the County Forester/Landscape Inspector.
- d. The protective barriers shall remain in place and intact until construction is completed.

4. Barrier Construction

- a. The posts shall be wood posts, angle iron fence posts, or other post material of equivalent size and strength.
- b. The posts shall be placed not more than twelve feet apart, and implanted deeply enough in the ground to be stable with at least three feet of the post visible above the ground.
- c. The posts shall be linked together by a brightly colored net fence fabric.
- d. The barrier shall not be located in such a way as to cause harm to the protected vegetation.

5. Alternative Fencing Requirement

The County may require alternative fencing materials, such as chain link fencing, on a case by case basis where additional protection is necessary due to intensity of construction activity, vulnerability of trees or native vegetation to be protected, or similar circumstance.

6. Restrictions within the Undisturbed Areas

- a. All construction activities shall be prohibited within the undisturbed area including all digging, trenching, construction lay-down areas, placement of hazardous materials, including fuels and solvents, placement of fill or soils, and parking of construction vehicles or employee vehicles.
- b. No attachments or wires other than those of a protective and non damaging nature shall be attached to any tree.
- c. No grade changes shall be made within any undisturbed area without prior approval of the County Forester/Landscape Inspector. If a grade change is made and roots larger than one inch in diameter are damaged or exposed, they shall be cut cleanly and re-covered with soil.
- d. Landscape preparation in the undisturbed area shall be limited to shallow discing of the area. Discing shall be limited to a depth of two inches unless specifically approved otherwise by the County Forester/Landscape Inspector. Landscaping shall be limited to placement of sod, mulch, or other ground covers.

7. Repair of Damage

Trees that have been destroyed or received major damage during construction shall be replaced prior to the issuance of the Certificate of Occupancy, in accordance with §406.15.

(e) Removal for Protection of Health, Safety and Welfare

For the immediate protection of the health, safety, or welfare of the public, trees may be removed by a utility or other public entity without obtaining a permit in advance. However, the property owner or its authorized agent must file a permit application during the next work day. Permit approval shall be granted, provided the trees removed are mitigated in accordance with this ULDC.

406.13 Relocation, Replacement and Mitigation Required

Relocation, replacement, or mitigation shall be required for the alteration of regulated trees as set forth below.

(a) Relocation

1. The preferred response to alteration of regulated trees shall be on-site relocation.
2. A regulated tree may be relocated in a manner to ensure survivability if there is no reasonable alternative that allows incorporation of the tree into the parcel design, as determined by the project's landscape architect in consultation with the County Forester/Landscape Inspector.
3. The parcel owner shall provide irrigation, mulch, and other practical means to ensure survival of any relocated tree. If a relocated tree does not survive within a period of two years, it shall be replaced with a native tree of similar size.

(b) Mitigation by Replacement

1. If a regulated heritage tree cannot be retained or relocated, the parcel owner shall install replacement subject to the following.
2. Replacement of regulated trees greater than or equal to 20 inches diameter at four and a half feet above ground level, other than laurel oaks and water oaks, shall be replaced with native trees with cumulative diameter of stems greater than or equal to the diameter of the tree being replaced. At the determination of the County Forester/Landscape Inspector, replacement trees for heritage trees found to be of suboptimal health, habit or condition, or for the abundant species of loblolly pine, slash pine and sweetgum, may not be required on an inch-for-inch basis but shall be at a replacement ratio of no less than 1:1 using preferred native species. Laurel oaks and water oaks greater than 20 inches shall be replaced at a ratio of 1:1 using preferred native species.
3. Replacement trees shall be at least 10 feet in height, two caliper inches and shall consist of native vegetation, indigenous to the area, and be Florida Grade No 1 or better in quality according to the current, most recent edition of "Grades and Standards for Nursery Plants", 2nd edition, published by the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, and available from the Florida Nursery, Growers, and Landscape Association (FNGLA). Nursery invoices or labels shall clearly specify that Grade #1 or better were purchased and installed on the site.

4. At least 50 percent of the trees planted as mitigation for the removal of native heritage trees shall be the same species as the trees removed, provided that the mitigation tree is locally available. Where species removed are deemed problematic, such as water oaks, laurel oaks, and loblolly pines, they may be replaced by preferred native species.
5. Native trees identified in §407.50 of this ULDC that are planted to meet the requirements for landscaping in Article 4 of Chapter 407 may count toward mitigation requirements for tree replacement.
6. If on-site planting is not feasible due to physical constraints such as limited space or unsuitable soils, off-site replacement may be allowed on public lands, within common areas or native upland areas.
7. Monitoring time frames shall be established for mitigation and replacement trees, as needed.

(c) Mitigation by Fee in Lieu Payment

1. If relocation or mitigation by replacement are not feasible, a fee may be paid to Alachua County in lieu of replacement planting.
2. Replacement trees may be satisfied by a fee-in-lieu payment to the County for the purchase and relocation of a like tree. The payment amount shall be based on the average cost of the purchase, installation, and maintenance for one year of an equivalent number of replacement trees or actual cost of removing and replanting regulated trees.

406.14 RESERVED

406.15 Unauthorized Removal

When regulated trees are removed or damaged without a permit or when trees that were to be preserved in place or relocated are damaged or destroyed during activities conducted with a permit, they shall be replaced at double the rate identified in §406.13 for heritage trees, and at the rate shown below in Table 406.15.1 for all other regulated trees.

**Table 406.15.1
Tree Mitigation Table**

Diameter at Breast Height	Number of Replacement Trees
>17 inches to 20 inches	6
>14 inches to 17 inches	5
>11 inches to 14 inches	4
>8 inches to 11 inches	3
Less than 8 inches	2

406.16 Tree Lists

(a) Small Specimen Tree List

The list of trees identified in Table 406.16.1 includes those small specimen trees identified by the County to be of notable interest or high value for their species because of their age, size, condition, historic association or uniqueness. As part of the development review process, protection of these species through preservation or relocation will be determined on a tree-by-tree basis by the County Forester/Landscape Inspector.

(b) Discouraged Non-Native Vegetation List

The list of non-native vegetation identified in Table 406.16.2 includes those species for which planting is discouraged in addition to the prohibited species identified in §406.10(e).

Table 406.16.1
Small Specimen Tree List

<i>Latin Name</i>	<i>Common Name</i>	<i>Latin Name</i>	<i>Common Name</i>
<i>Acer negundo</i>	boxelder	<i>Morus rubra</i>	red mulberry
<i>Acer saccharum subsp. floridanum</i>	Florida sugar maple	<i>Myrica cerifera</i>	wax myrtle
<i>Aesculus pavia</i>	red buckeye	<i>Nyssa ogeche</i>	ogeechee tupelo
<i>Alnus serrulata</i>	hazel alder	<i>Osmanthus americanus</i>	devilwood
<i>Aralia spinosa</i>	devil's-walkingstick	<i>Ostrya virginiana</i>	eastern hophornbeam
<i>Betula nigra</i>	river birch	<i>Persea borbonia var. humilis</i>	silk bay
<i>Carpinus caroliniana</i>	ironwood; blue beech	<i>Planera aquatica</i>	planer-tree
<i>Castanea pumila</i>	chinquapin	<i>Prunus americana</i>	American plum
<i>Catalpa bignonioides</i>	southern catalpa	<i>Prunus angustifolia</i>	Chickasaw plum
<i>Cephalanthus occidentalis</i>	buttonbush	<i>Prunus caroliniana</i>	laurel cherry
<i>Cercis canadensis</i>	redbud	<i>Prunus umbellata</i>	flatwoods plum
<i>Chionanthus virginicus</i>	fringe tree	<i>Ptelea trifoliata</i>	common hoptree
<i>Cliftonia monophylla</i>	black titi	<i>Quercus chapmanii</i>	Chapman oak
<i>Cornus asperifolia</i>	roughleaf dogwood	<i>Quercus incana</i>	bluejack oak
<i>Cornus florida</i>	flowering dogwood	<i>Quercus leavis</i>	turkey oak
<i>Cornus foemina</i>	swamp dogwood	<i>Quercus margaretta</i>	sand post oak
<i>Crataegus aestivalis</i>	may haw	<i>Quercus myrtifolia</i>	myrtle oak
<i>Crataegus crus-galli</i>	cockspur hawthorn	<i>Rhamnus caroliniana</i>	Carolina buckthorn
<i>Crataegus flava</i>	yellowleaf hawthorn	<i>Rhus copallinum</i>	winged sumac
<i>Crataegus marshallii</i>	parsley hawthorn	<i>Salix caroliniana</i>	coastal plain willow
<i>Crataegus michauxii</i>	Michaux's hawthorn	<i>Salix floridana</i>	Florida willow
<i>Crataegus uniflora</i>	dwarf hawthorn	<i>Salix nigra</i>	black willow
<i>Crataegus viridis</i>	green hawthorn	<i>Sambucus nigra subsp. canadensis</i>	elderberry
<i>Cyrilla racemiflora</i>	red titi	<i>Sapindus saponaria</i>	Florida soapberry
<i>Diospyros virginiana</i>	persimmon	<i>Sassafras albidum</i>	sassafras
<i>Forestiera acuminata</i>	swampprivet	<i>Sideroxylon alachuense</i>	silver buckthorn
<i>Fraxinus caroliniana</i>	Carolina ash; pop ash	<i>Sideroxylon lanuginosum</i>	gum bumelia
<i>Gleditsia aquatica</i>	water locust	<i>Sideroxylon lycoides</i>	buckthorn bully
<i>Halesia carolina</i>	Carolina silverbell	<i>Sideroxylon tenax</i>	tough bumelia
<i>Hamamelis virginiana</i>	witch-hazel	<i>Styrax americanus</i>	American snowbell
<i>Ilex ambigua</i>	Carolina holly	<i>Symplocos tinctoria</i>	horse sugar/sweetleaf
<i>Ilex cassine</i>	dahoon	<i>Tilia americana var. caroliniana</i>	basswood
<i>Ilex cassine var. myrtifolia</i>	myrtle-leaved holly	<i>Vaccinium arboreum</i>	sparkleberry
<i>Ilex coriacea</i>	large gallberry	<i>Viburnum nudum</i>	possumhaw viburnum
<i>Ilex decidua</i>	possumhaw	<i>Viburnum obovatum</i>	Walter's viburnum
<i>Ilex opaca var. arenicola</i>	American holly	<i>Viburnum rufidulum</i>	rusty blackhaw
<i>Ilex vomitoria</i>	yaupon	<i>Zanthoxylum clava-herculis</i>	Hercules-club
<i>Lyonia ferruginea</i>	tree lyonia		

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 lebbbeck</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> (A. <i>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> (R. <i>tweediana</i> in Wunderlin)	Mexican bluebell
<i>Colocasia esculenta</i>	wild taro; dasheen	<i>Sansevieria hyacinthoides</i> (syn. = <i>S. trifasciata</i>)	bowstring hemp; mother-in-law tongue
<i>Cyperus involucratus</i> (C. <i>alternifolius</i>)	umbrella plant	<i>Senna pendula</i> (syn. = <i>Cassia</i> <i>coluteoides</i>)	valamuerto; Bahama or Christmas senna
<i>Cyperus proflifer</i>	flatsedge	<i>Sesbania punicea</i>	rattlebox
<i>Eleagnus 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> (syn. = <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

of County Commissioners, initiated either by the applicant or the County, subject to the requirements of Article 16 of Chapter 402 of this ULDC.

- (d) Each application submitted subsequent to an approved master plan or special area plan shall provide for significant habitat and listed species habitat protection that is either consistent with, or greater than, the protection afforded under the approved plan.

406.20 Identification

(a) Site-specific Identification

1. The County shall review and analyze applications using various digital data sources, including but not limited to the following:
 - a. Florida Fish and Wildlife Conservation Commission maps of land cover, strategic habitat conservation areas, and biodiversity hot spots.
 - b. Florida Natural Areas Inventory maps of areas of potential conservation interest and element occurrences.
 - c. Water Management District land cover maps.
 - d. Various digital aerial photographic series.
2. Where map review indicates the likelihood of impact to significant habitat, ground-truthing shall be required in accordance with §406.20(c) in order to identify the existence, scope and extent of significant habitat associated with the application. If map review indicates the likelihood of listed species habitat, the requirements of Article 4 of this Chapter shall apply.
3. Significant habitat shall be delineated based on consideration and assessment of at least the following factors:
 - a. Quality of native ecosystem.
 - b. Overall quality of biological diversity.
 - c. Wildlife habitat value.
 - d. Presence of listed or uncommon species.
 - e. Grouping, contiguity, compactness of native vegetation.
 - f. Proximity to other natural preserve areas and corridors.
 - g. Impact by prohibited and invasive non-native vegetation.

(b) Applications for Administrative Permits

At the applicant's request, the County shall conduct a habitat survey for administrative applications involving significant habitat. The applicant shall not be required to submit a habitat survey where: the habitat is readily observable in the field and may be sufficiently delineated by County staff, impact to significant habitat is avoided and minimized, management can be provided without further study, and a habitat survey is not otherwise required under federal or state law.

(c) Habitat Survey

1. When survey is required

A habitat survey shall be required prior to vegetation removal on any portion of a planning parcel for which development plan approval is sought, where either direct or indirect impact to significant habitat is known or reasonably likely to occur.

2. Pre-application conference

Applicants are encouraged to arrange a pre-application conference with County staff prior to undertaking a habitat survey, and are required to arrange a pre-application conference prior to submittal of an application where adverse impact to significant habitat is likely.

3. Professional standards and methodology

The habitat survey shall be conducted in accordance with the requirements for a natural resources assessment under §406.04 and must also meet the following standards:

- a.** Non-destructive techniques designed to minimize disturbance of species shall be required, except where destructive or disruptive techniques (such as capture studies) are the preferred means to document species use given the size of the site and complexity of the resource.
- b.** The survey shall include detailed descriptions and maps indicating:
 - i.** Field methods, conditions, dates, times of day, observations and results.
 - ii.** Transect locations, where applicable.
 - iii.** Habitats or natural communities as field checked across the site.
 - iv.** Representative color photographs taken at ground level.
 - v.** Recent aerial photographs.
 - vi.** Actual and potential presence of plant and animal species, including indicators (sightings, signs, tracks, trails, rests, evidence of feeding, etc.), population estimates, and occupied habitat boundaries.
 - vii.** Professional opinions and conclusions regarding ecological value of the site.

4. County Verification

The County shall be notified of the schedule for significant fieldwork and allowed the opportunity to observe or independently verify survey techniques. Results may be field verified by the County.

406.21 Required Protection**(a) Onsite Habitat Protection and Set-Aside Limitations**

No more than 25 percent of the upland portion of a parcel may be required to be protected because it is or includes significant habitat unless the landowner provides consent, or state or federal agencies require additional protection. This provision shall be applied as follows:

- 1.** If any significant geologic features and associated buffers, wetland buffers or surface water buffers on the planning parcel are included in the 25 percent calculation; such features and buffers shall be established in accordance with the applicable provisions of this Chapter and may exceed 25 percent of the upland portion of the parcel.

2. If the significant habitat in combination with any of the features identified in §406.21(a)1 equal less than 25 percent of the planning parcel, the entire significant habitat shall be protected.
3. The County shall work with the applicant to select that portion of the significant habitat that will be included in the set-aside area, based on the limitations and factors identified above and in accordance with criteria in §406.97, Site Selection and Design for Conservation Management Areas.
4. Where the significant habitat alone or in combination with the features identified in §406.21(a)1 is greater than 25 percent of the upland portion of the planning parcel, no additional upland set-aside of the significant habitat area shall be required. However, the County shall encourage the applicant to protect the significant habitat on the planning parcel through creative and flexible approaches to development of the property.

(b) Boundaries of Protected Significant Habitat

If a master plan or special area plan is not required, the boundaries of the protected significant habitat shall be designated in a certified survey submitted to the County for approval prior to issuance of the development order. Significant habitat shall be permanently protected and managed in accordance with the standards in Article 17 of this Chapter for Conservation Management Areas.

406.22 Alternatives to Onsite Habitat Protection

(a) When Considered

Alternatives to onsite habitat protection may be considered in the following circumstances:

1. When physical constraints of the parcel preclude maintenance of ecological integrity of preserved vegetation, given considerations as to size of the development site, habitat quality, connectivity, adjacent uses, and feasibility of management;
2. When opportunities exist for long-term protection and management of significant habitat of equal or greater habitat value than would not have otherwise been protected; or
3. When establishment of conservation management areas within a project would result in small, fragmented areas with limited habitat value compared to available alternatives.

(b) Standards

If protection of the existing significant habitat area is not feasible due to one of the circumstances identified in this Section, an applicant may pursue one of the following options:

1. The applicant may relocate existing vegetation to another portion of the site or establish a new area of native vegetation on another portion of the site, as part of an approved management plan in accordance with the requirements of Article 20 of this Chapter; or
2. The applicant may provide as a conservation management area at least two acres of comparable habitat area for every one acre of onsite significant habitat that would have otherwise required protection by this Chapter. The

County may consider alternative proposals that provide equal or greater protection.

- 3.** Alternatives to onsite protection shall be evaluated by the Board of County Commissioners in accordance with the criteria of this Chapter. If listed species are determined to be on the parcel, the criteria of Article 4 of this Chapter shall also apply.

406.23 Violations

For the purposes of this Section, the alteration or removal of any significant habitat up to 500 square feet 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 significant habitat or portion thereof in violation of this Chapter may constitute a separate and additional violation.

Article 4 Listed Plant and Animal Species Habitat

406.24 Purpose

It is the purpose of this Section to implement the Alachua County Comprehensive Plan, to preserve and protect the habitat in Alachua County sufficient to maintain and enhance viable populations of plants and animals that are listed by the U.S. Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Agriculture and Consumer Services, and the Florida Natural Areas Inventory because of their status as endangered, threatened, of special concern, or imperiled, to provide recently documented feeding, breeding, nesting or repetitive use areas.

406.25 Applicability

Development activities on all parcels greater than or equal to two acres in size shall be evaluated for the protection of listed species habitat prior to clearing, grading, or other alteration of the habitat. Where only a portion of a planning parcel is presented as part of an application, the planning parcel shall be evaluated in accordance with §406.19.

406.26 Identification

(a) Listed Species Habitat

Listed plant and animal species include those species identified in 50 CFR 17.11 and 17.12, Endangered and Threatened Wildlife and Plants, F.A.C. 5B-40.0055, Regulated Plant Index, F.A.C. 68A-27, Rules Relating to Endangered or Threatened Species, and those identified as S1, S2, or S3 by the Florida Natural Areas Inventory (available at www.fnai.org). Charts of the habitats with which these species are commonly associated are maintained by the Alachua County Environmental Protection Department and are available in a variety of written and electronic formats.

(b) Site-specific Identification

1. The County shall review and analyze applications using various digital data sources, including but not limited to the following:
 - a. Florida Fish and Wildlife Conservation Commission maps of land cover, strategic habitat conservation areas, and biodiversity hot spots.
 - b. Florida Natural Areas Inventory maps of areas of potential conservation interest and element occurrences.
 - c. Water Management District land cover maps.
 - d. Various digital aerial photographic series.
2. Where map review indicates the likelihood of listed species habitat, ground-truthing shall be required in accordance with §406.26(d) in order to identify the existence, scope and extent of significant habitat associated with the application.
3. Listed species habitat shall be delineated based on consideration and assessment of at least the following factors:
 - a. Quality of native ecosystem.
 - b. Overall quality of biological diversity.
 - c. Habitat value.

- d. Presence of listed species.
- e. Grouping, contiguity, compactness of native vegetation.
- f. Proximity to other natural preserve areas and corridors.
- g. Impact by prohibited and invasive non-native vegetation.

(c) Applications for Administrative Permits

At the applicant's request, the County shall conduct ground-truthing for administrative applications involving listed species habitat. The applicant shall not be required to submit a habitat survey where: the habitat is readily observable in the field and may be sufficiently delineated by County staff, impact to significant habitat is avoided and minimized, management and any required mitigation can be provided without further study, and a habitat survey is not otherwise required under federal or state law. When a habitat survey is not provided, presence of listed species may be presumed and habitat protected in accordance with the standards outlined in this Section, in any of the following circumstances:

- 1. A listed species individual has been recently documented on the planning parcel;
- 2. A portion of the planning parcel is within the known or suspected range of certain listed species; or
- 3. The land by itself, or in connection with other lands, meets the minimum habitat needs for a viable population, nesting pair, or nesting colony of listed species.

(d) Habitat Survey

1. When Survey is Required

A habitat survey shall be required prior to vegetation removal on any portion of a planning parcel for which development plan approval is sought, where either direct or indirect impact to the listed species habitat area is known or reasonably likely to occur.

2. Pre-application Conference

Applicants are encouraged to arrange a pre-application conference with County staff prior to undertaking a habitat survey, and are required to arrange a pre-application conference prior to submittal of an application where adverse impact to listed species habitat is likely.

3. Professional Standards and Methodology

The habitat survey shall be conducted in accordance with the requirements for a natural resources assessment under §406.04 and must also meet the following standards:

- a. Non-destructive techniques designed to minimize disturbance of species shall be required, except where destructive or disruptive techniques (such as capture studies) are the preferred means to document species use given the size of the site and complexity of the resource.
- b. The survey shall include detailed descriptions and maps indicating:
 - i. Field methods, conditions, dates, times of day, observations and results.

- ii. Transect locations, where applicable.
- iii. Habitats or natural communities as field checked across the site
- iv. Representative color photographs taken at ground level.
- v. Recent aerial photographs.
- vi. Actual and potential presence of plant and animal species, including indicators (sightings, signs, tracks, trails, rests, evidence of feeding, etc.), population estimates, and occupied habitat boundaries.
- vii. Professional opinions and conclusions regarding ecological value of the site.

4. County Verification

The County shall be notified of the schedule for significant fieldwork and allowed the opportunity to observe or independently verify survey techniques. Results may be field verified by the County.

406.27 Management Plan

If the habitat survey identifies the presence of listed species or listed species habitat, or potential for adverse impacts to any listed species habitat, the applicant shall submit to the County for review and approval a management plan that ensures protection of the habitat with no adverse effect on species survival. The management plan shall meet the requirements of Article 20 of this Chapter and the standards set forth in this Section.

406.28 Intergovernmental Coordination

Where listed species are regulated by the state or federal government, the applicant shall complete and submit to the County the habitat survey and associated management or mitigation plans prior to or concurrent with submittal of applications to the relevant state or federal agency. The County shall consult and coordinate with appropriate agencies to streamline the permitting process. All activities shall comply with applicable state and federal laws, regulations, performance standards, and management guidelines.

406.29 Onsite Protection

Listed species habitat shall be designated and protected onsite as a conservation management area in accordance with Article 17 of this Chapter and the following shall apply, except where onsite protection is determined to be infeasible under the criteria of §406.30:

(a) Onsite Habitat Protection and Set-Aside Limitations

No more than 25 percent of the upland portion of a parcel may be required to be protected because it is or includes listed species habitat unless the landowner provides consent, or state or federal agencies require additional protection. This provision shall be applied as follows:

1. If any significant geologic features and associated buffers, wetland buffers or surface water buffers on the planning parcel are included in the 25 percent calculation; such features and buffers shall be established in accordance with the applicable provisions of this Chapter and may exceed 25 percent of the upland portion of the parcel.

2. If the listed species habitat in combination with any of the features identified in §406.29(a)1 equal less than 25 percent of the planning parcel, the entire listed species habitat shall be protected.
3. The County shall work with the applicant to select that portion of the listed species habitat that will be included in the set-aside area, based on the limitations and factors identified above and in accordance with criteria in §406.97, Site Selection and Design for Conservation Management Areas.
4. Where the listed species habitat alone or in combination with the features identified in §406.29(a)1 is greater than 25 percent of the upland portion of the planning parcel, no additional upland set-aside of the listed species habitat area shall be required. However, the County shall encourage the applicant to protect the portions of the listed species habitat outside the set-aside area through creative and flexible approaches to development of the property, subject to the density and impact limitations of §406.03(b).

(b) Conditions of Approval

Development approval conditions may limit or preclude development of structures, impervious surfaces, and other uses within an appropriate distance of locations of protected habitat, if necessary for the continued viability of the protected habitat. Depending on the type of species, the following special design standards may be required adjacent to protected listed species habitat to minimize disturbance:

1. A minimum setback of 15 feet from the protected listed species habitat may be required for construction activities. Clearing, grading, and filling may be prohibited within the setback area unless the applicant can demonstrate that vegetation within the protected area will not be damaged.
2. Landscaping within associated buffers or construction setbacks may require utilization of native vegetation that is compatible with existing native plant communities, soils, and climatic conditions.
3. Habitat corridors may be required between protected habitat areas onsite, and between protected areas on and off-site, subject to the 25 percent limitation in (a) above.

(c) Boundaries of Protected Listed Species Habitat

If a master plan, special area plan or management plan is not required, the boundaries of the protected significant habitat shall be designated in a certified survey submitted to the County for approval prior to issuance of the development order. Listed species habitat shall be permanently protected and managed in accordance with the standards in Chapter 400Article 1 of this Chapter for Conservation Management Areas.

406.30 Alternatives to Onsite Protection

(a) Circumstances for Consideration of Alternatives

1. When scientific data demonstrates that onsite protection will not be conducive to the long term health of the listed species or listed species habitat;
2. When evidence presented by the applicant demonstrates that the protected habitat would be prohibitively difficult to manage adequately due to the management requirements of the habitat; or

3. When protected areas would be less than the smallest minimum territorial requirements of identified species individuals, and cannot be connected with other protected areas which would result in sufficient territorial requirements.

(b) Protected Habitat Standards

For every one acre of onsite listed species habitat not protected through avoidance or minimization, an offsite protection area shall provide two acres of comparable habitat as a conservation management area, in accordance with the mitigation requirements of Article 21 of this Chapter. The County may consider alternative mitigation proposals which provide equal or greater protection.

(c) Relocation of Listed Species

Relocation of listed species may be permitted only as a last resort in consultation with the appropriate state or federal agency, provided that the listed individuals are relocated prior to any site modifications, in accordance with an approved development plan.

406.31 Violations

For the purposes of this Section, the alteration or removal of any listed species habitat up to 500 square feet 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 listed species habitat 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 5 Strategic Ecosystems

406.32 Purpose

The purpose of this Article is to implement the Alachua County Comprehensive Plan, to protect conserve, enhance, and manage the ecological integrity of natural systems in Alachua County that have aesthetic, ecological, economic, educational, historical, recreational, or scientific value due to the interrelationship of one or more landscape, natural community, or species scale characteristics. It is also the purpose of this Article to promote connectivity and minimize fragmentation of natural systems, and to protect wetlands, floodplains, and associated uplands in a broad systems context through resource-based planning, including inter-jurisdictional and inter-agency coordination, across multiple parcels rather than individual parcel planning.

406.33 Identification

Strategic ecosystems are identified in the KBN/Golder Associates report, "Alachua County Ecological Inventory Project" (1996), and mapped generally by the KBN/Golder Ecological Inventory Map, which is an overlay to the Future Land Use Map, adopted and made a part of this Chapter by reference. The specific location and extent of strategic ecosystem resources shall be determined through ground-truthing using the KBN/Golder Associates report as a guide to determine the location and extent of the ecological community or communities described, generically, in the KBN/Golder report or of other natural resources generally consistent with the pertinent site summary in the KBN/Golder report. The ground-truthing process shall be implemented either as part of the development review process, or the Special Area Planning Process detailed in Article 16 of Chapter 402. Variability of community quality shall not be a basis for the delineation, but may be a basis for determining the most appropriate locations for development and conservation, respectively. Those areas found not to contain strategic ecosystem resources shall be eligible for consideration for development as part of a development plan or Special Area Plan provided the ecological integrity of the strategic ecosystem as a whole will be sufficiently protected.

406.34 Agricultural and Silvicultural Activities

The County shall work with owners of agricultural and silvicultural lands to retain the ecological integrity and ecological value of strategic ecosystems through management plans and incentives.

- (a) For bona fide agricultural activities, including silvicultural activities, identification and verification of best management practices shall be required in accordance with §406.05.
- (b) A management plan shall be required before any activity occurs in a strategic ecosystem that has not been used for bona fide agriculture or silviculture within the last 20 years, consistent with §406.05(a) and in accordance with one of the following:
 - 1. The management plan shall provide for retention of the ecological integrity and ecological value of the strategic ecosystem.
 - 2. The management plan shall be submitted to Alachua County for review and approval by staff. Management plans not meeting the general template standards of §406.112(e) will require review and approval through the development review process.
 - 3. The management plan may be satisfied by land acquisition, conservation easement, or participation in a conservation program sponsored by the United States Department of Agriculture Natural Resources Conservation Service.

Chapter 407 General Development Standards

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Article 1 Setbacks, Height and Other Standards

407.01 Principal Building on Lot

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

407.02 Permitted Building Area

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

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

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

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

407.04 Setback Encroachment Prohibited

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

407.05 Allowable Projections

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

- (a)** In any nonresidential district, in mixed-use or commercial portions of Traditional Neighborhood and Transit Oriented Developments, or for zero-lot-line buildings, architectural features such as marquees, canopies, and awnings that are not completely enclosed may extend over a sidewalk up to 2/3 of the way between the face of a building and the curb, but no closer than 4 feet from the vertical extension of the curb, into an adjacent right-of-way, lot, common area, or setback, provided all of the following conditions are met.

 - 1.** The architectural feature must meet all requirements of the Florida Building Code and maintain a clear height above the sidewalk of at least nine feet. No support for the feature may extend below this clear height.
 - 2.** The feature must be designed to not conflict with existing utilities at the site.
 - 3.** Where the feature extends into a county-owned right-of-way, the applicant must receive a right-of-way use permit from the Public Works Department, or, if the right-of-way is not county-owned, written approval from the entity with jurisdiction over the right-of-way.
 - 4.** Where the feature extends into a lot or common area under separate ownership, the owner of the common area or lot shall provide written acceptance of the feature. Appropriate maintenance agreements shall be established by the responsible entity in a form acceptable to the County Attorney's Office at the time of development plan approval or building permit. A copy of such maintenance agreements shall be filed with the application for development plan or building permit approval submitted to the Department and recorded in the public record.
 - 5.** The property owner shall be responsible for removing the feature at the property owner's expense upon notice that a road or right-of-way project requires it to be removed. If the property owner does not remove it, the entity with jurisdiction over the right-of-way shall remove it and bill the property owner for the cost of removal.
 - 6.** If the feature projects into an adjacent right-of-way that belongs to the county, the property owner shall enter into an agreement with the county indemnifying and holding harmless the county, its officers, agents, and employees, from any property damage, including loss, and any personal injury, including death, caused in any way by the projection of the marquee, canopy or awning over the right-of-way, and containing such other provisions as deemed necessary by the County Attorney to protect the interest of the county.

Article 16 Cottage Neighborhoods

407.152 Purpose

Cottage Neighborhoods are intended to:

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

407.153 Applicability

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

407.154 General Requirements

(a) Cottage Homes

A Cottage Home is a principal residential dwelling constructed within a neighborhood built consistent with the standards in this Article. The homes may be located on individually platted lots or on a common ownership lot that is not platted and may be located within single unit, duplex or triplex buildings.

(b) Size of Neighborhood

Cottage neighborhoods shall be on lots a minimum of one acre in size. A minimum of four (4) homes and a maximum of fifteen (15) homes are allowed around any common green in a Cottage Neighborhood. Cottage Neighborhoods may also be incorporated within larger subdivisions of land developed consistent with Article 8 of this Chapter.

(c) Common Buildings

One community building per neighborhood is allowed. Community buildings may contain, but are not limited to, a club house, a common dining area, kitchen, bathroom, laundry facilities, one sleeping quarters for guests and/or storage. The maximum size of a community building is 2,500 square feet.

(d) Density

Per Policy 1.8.3 of the Future Land Use Element, Cottage Neighborhoods may develop at two times the maximum units per acre of the zoning district designation.

(e) Access

Cottage Neighborhoods must have direct access to a paved, publicly maintained street. Private roads, drives or alleys within the Neighborhood that are connected to a public street and access either the individual homes or common parking lots are allowed consistent with Section 407.141(b) multi-family requirements. All private road, drives or alleys shall have a clear width of 20 feet.

(f) Emergency Access

For neighborhoods with common parking areas, stabilized access shall be provided such that the farthest distance from a structure to the stabilized surface is 150 feet. The stabilized access shall be a minimum of 10 ft. wide and have a clear width of 20 ft.

(f) Setbacks

All zoning district setbacks shall be applicable from the property boundaries and not from internal individual platted lots. Required buffers may be located within the setback.

(g) Project Boundary Buffers

A 15 foot wide low density buffer, consistent with Section 407.43, shall be required along property lines adjacent to existing platted subdivisions or lots in excess of 6,000 square feet with an existing single family residence.

(h) Landscaping

Landscaping shall be consistent with Section 407.43.1 Required Tree Plantings and Landscaping of this Chapter.

(i) Open Space

Open Space shall be provided per Article 5, Open Space, of this Chapter.

(j) Stormwater

Stormwater management provision shall be consistent with Article 9, Stormwater Management of this Chapter.

(k) Maintenance of Open Space, Common Areas and Utilities

The applicant shall ensure that joint use and maintenance of public open space, community facilities, private roads and drives, and all other commonly owned and operated property is guaranteed through a maintenance plan, covenants, deeds and/or homeowners' association by-laws.

407.155 Design**(a) Common Green**

Each Cottage Neighborhood shall have a Common Green. The Common Green may be counted toward the 20% Open Space required consistent with Section 407.54, Secondary Open Spaces, of this Chapter. The Common Green shall be designed to meet the following:

1. The Common Green shall include at least 400 square feet per unit
2. The Common Green shall be centrally located within the development.

3. The Common Green may include stormwater management facilities incorporating low impact development designs or facilities that are designed to meet the open space requirements found in Section 407.56 of this Chapter as long as a minimum of 400 square feet per dwelling unit is usable by the residents for active or passive recreation.
4. Amenities such as community gardens, benches, and pavilions are allowed in the common green

(b) Porches

All homes shall include at least one (1) open air covered porch. The porch shall be oriented toward the common green. Porches shall be a minimum of 70 square feet. The minimum square footage may be reduced to 60 square feet on Cottage Homes less than six hundred (600) total gross square of conditioned space.

(c) Parking

Parking may be provided in a common lot or a common garage. Parking may alternately be co-located with the cottages when accessed by drive aisles. All parking must meet the following standards:

1. A minimum of 1.5 spaces per unit shall be provided.
2. All common parking areas and associated drive aisles adjacent to neighboring residential property must be screened in addition to the required low density buffer.

(d) Pedestrian Access

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

(e) Fencing

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

