

Alachua County

Unified Land Development Code



As Adopted

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8. floodplain development 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 as identified in §407.03 in conjunction with an associated development plan;
11. 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;
12. Certificate of Level of Service Compliance (CLSC) pursuant to Chapter 407, Article 12, Concurrency Management;
13. reductions or waivers to the industrial district boundary requirement in accordance with §403.16(d);
14. reductions or increases of the preservation boundary buffer in accordance with §405.33(b)4;
15. activities that propose significant adverse impacts to regulated natural and historic resources; and
16. Variances from the following requirements in any zoning district except the Planned Development (PD) zoning district:
 - a. the minimum yard/setback requirements, lot width or lot depth; and
 - b. the maximum height or building coverage.

(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. Development Review Committee

regarding the following development applications:

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

2. 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 and transfers;
9. temporary uses that do not involve overnight camping;
10. sign permit;

Article 4 Notice of Hearings

402.11 Applicability

(a) Public Meetings

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

(b) Hearings Required by this ULDC

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

402.12 Types of Public Notice

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

Table 402.12.1
Required Public Notice for Development Applications

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

402.13 Content of Mailed and Published Notices

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

(a) Statutory Requirements

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

(b) Nature of Application

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

(c) Public Hearing Location, Time and Date

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

(d) Location of the Subject Property

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

(e) Size of Subject Property

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

(f) Comprehensive Plan and Zoning Designations

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

(g) Materials Available for Public Information

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

1. Submittal of Written Materials

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

2. Public Comment Allowed

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

402.14 Procedure for Mailed Notice

(a) To Whom Provided

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

Article 11 Interpretation of Regulations

402.49 Director Authorized to Interpret Code

Unless otherwise provided herein, the Director of Growth Management is authorized to interpret all provisions of this ULDC.

402.50 Formal Request for Interpretation

The Director shall render interpretations of this ULDC pursuant to this Article. Unless waived by the Director, all formal requests for an interpretation shall be submitted in writing to the Director.

402.51 Form of Response

(a) Written Response

The interpretation shall be provided in writing to the applicant.

(b) Notice to Property Owner

If the individual requesting an interpretation is not the property owner, the interpretation shall also be mailed to the property owner within seven working days after the Director issues the written response.

402.52 Official Record

The Department shall maintain an official record of all formal interpretations.

Article 12 Platting

402.53 Applicability and General Provisions

(a) Applicability

Platting and subdivision of land, including final plats, re-plats, plat vacation, plat abandonment, plat revocation and plat modification or suspension, shall comply with the requirements of this Article and Section 20, Chapter 85-55, Laws of Florida, regarding vacation of plats. All proposed plats shall comply with Chapter 177, Florida Statutes, and any other applicable statutes and Chapter 407, Article 8, (Subdivision Regulations), regarding the platting of land. For the purposes of this Article, the term plat or platting shall include subdivision of land, re-platting of land, and vacation or abandonment of all or a portion of an approved plat.

(b) Consistency with Comprehensive Plan

All proposed plats shall be consistent with the Comprehensive Plan and shall comply with all applicable standards and requirements of this ULDC.

(c) Consistency with Development Approval

1. Compliance with Development Approvals

Plats shall comply with all development approvals, including any conditions, restrictions or other limitations included in such approval, that are granted by the Board of County Commissioners, the Development Review Committee, or any other board, body, officer or County employee possessing authority to approve a development application.

2. Plat Approval Required

No development order, development permit, building permit, tree clearing permit or construction permit or other similar permit may be issued until a plat has been approved by the Board of County Commissioners. No building permit may be issued for any newly created lot until the plat is recorded with the Clerk of the Circuit Court of Alachua County.

402.54 Application Requirements

An application for a plat approval shall be submitted in accordance with Article 2, Common Development Application Elements, of this Chapter.

402.55 Public Notice Requirements

Published notice in accordance with §402.15 and posted notice in accordance with §402.16 shall be required before the public hearing on any application for plat approval.

402.56 Platting Required

Platting is required for development of detached and attached single family lots or the reconfiguration of previously recorded platted lots.

402.57 Platting Optional

Platting is optional for new multifamily and nonresidential developments. Multifamily and nonresidential developments previously recorded as platted lots shall be required to be re-platted when such lots are reconfigured.

402.58 Plat Review by Development Review Committee

The Development Review Committee shall review proposed plats during final development plan review. Once the Development Review Committee determines a proposed plat to be complete, they shall prepare a recommendation for action by the Board of County Commissioners.

402.59 Action by Board of County Commissioners

The Board of County Commissioners has the authority to approve, approve with changes, or deny the proposed plat.

402.60 Filing of a Plat approved by the Board of County Commissioners

- (a) Once the plat has been approved by the Board of County Commissioners the plat document must be submitted for signature, along with all necessary supporting documentation including surety for 110 percent of the contract amount; itemized construction contract for the paving, grading and drainage; off-site easements and rights-of-way; supporting survey documentation; E-911 addresses assigned by Alachua County Enhanced E-911 Office and a title opinion dated within 30 days of the date of submittal to obtain the signature of County officials.
- (b) The developer shall file the plat, bearing the signatures of all applicable County representatives, for recording with the Clerk of the Circuit Court of Alachua County no later than two years from the date of final plat approval by the County Commission. If a plat is not recorded by the developer within the specified time frame, such plat approval shall be deemed expired and the plat must be resubmitted for final plat approval by the Board of County Commissioners. The developer shall be responsible for all recording costs.

402.61 Expiration

Approval of a plat shall expire without further action of the Board of County Commissioners unless the plat has been recorded within one year of the date of Board approval of the plat. In order to avoid expiration, all plat documents outlined in §402.60(a) above must be complete and accepted by the County to obtain the signatures of County officials at least 30 days prior to the one-year expiration date.

402.62 Appeal

A decision on a plat may be appealed in accordance with this ULDC, regardless of whether improvements have been installed or the plat recorded. The time limit for filing an appeal shall run from the date of approval of the plat and not be affected by the recording date or other subsequent actions.

402.63 Plat Vacations

Any application to vacate all or part of a plat shall comply with the requirements of this Section.

(a) Application Requirements

An application for a plat vacation shall be submitted in accordance with Article 2, Common Development Application Elements, of this Chapter. An applicant must also provide the information listed below:

1. Proof of fee simple title to the whole or that part of the tract covered by the plat sought to be vacated.
2. A certificate, acceptable to the Director, showing that all state and county taxes have been paid.

3. If a portion of a platted subdivision lies within the corporate limits of any incorporated municipality within Alachua County, the applicant shall furnish a certified copy of the resolution previously approved by the municipal governing body that indicates the approval of the proposed plat vacation, or part thereof.

(b) Review

1. An application shall be reviewed by the County Staff.
2. Once County Staff determines an application for plat vacation to be complete, it shall prepare a recommendation for action by the Board of County Commissioners.

402.64 Action by Board of County Commissioners

(a) Approval of Vacation of Plat

If the Board determines at a Public Hearing that vacating the plat will not affect the ownership or right of convenient access of persons owning other parts of the subdivision or adjacent properties, it may adopt the appropriate resolution vacating all or a portion of the plat.

(b) Exception for State Roads

Any plat vacation approved by the Board of County Commissioners shall not apply to any state roads lying within said plat.

402.65 County-Initiated Plat Vacations

(a) Vacation of an Existing Plat

The Board of County Commissioners may initiate a proceeding to order the vacation and reversion to acreage of all or part of a subdivision within its jurisdiction if capital improvements have not been properly installed, including the vacation of streets or other parcels of land dedicated for public purposes.

Article 24 Temporary Placement Permits

402.144 Application

An application for a temporary placement permit (TPP) shall be submitted in accordance with Article 2, Common Development Application Elements, of this Chapter.

402.145 Temporary Placement of Manufactured or Mobile Homes

(a) Temporary Placement Permitted

A manufactured home, mobile home or recreational vehicle may be permitted on a limited basis by the issuance of a temporary placement permit (TPP) by the Department.

(b) Removal of Temporary Home

Unless otherwise provided in this Article, a manufactured home or a mobile home permitted by a TPP shall be removed from the site within 60 days after completion of the activity associated with the approved permit, or at the time of the expiration of the TPP, whichever is earlier. A recreational vehicle permitted by a TPP shall be removed at the expiration date of the temporary placement permit.

402.146 Types of Temporary Placement Permits

A TPP may be granted as indicated below.

(a) Emergency Residence

1. Emergency Residence Permitted

A TPP for a manufactured home or mobile home may be issued for the purposes of providing emergency residence on a site where the existing living unit has become uninhabitable due to fire, structural damage, adverse weather damage or other acts of God, while the damaged living unit is being repaired or a replacement living unit is being constructed.

2. Restrictions

a. Effect of Common Ownership

A TPP for emergency residence shall not be renewed, reissued or reassigned for a home on the same parcel or on lands under common ownership with the parcel for which the permit was originally approved.

b. Maximum Period of Time

A TPP shall not be issued for a period of time in excess of two years.

(b) Construction Residence

1. Temporary Residence Permitted

A TPP for a manufactured home, mobile home, or recreational vehicle (RV) may be issued for the purpose of providing a temporary construction residence for the owner of a site who is constructing or is acting as the contractor for the construction of a site built single-family dwelling or modular dwelling.

2. Restrictions

a. Residency in Permanent Dwelling Unit

The dwelling being constructed is intended to be the sole residence of the owner upon completion of the unit.

b. Building Permit Required

A TPP may be issued for a construction residence only after the issuance of a building permit for the construction of the conventionally built or modular single-family dwelling.

c. Validity of Temporary Placement Permit

A TPP shall remain in effect only as long as the building permit is valid.

d. Building Setbacks

The temporary construction residence shall comply with the setback requirements of the zoning district.

e. Effect of Common Ownership

A TPP shall not be renewed, reissued or reassigned for a home on the same parcel or on lands under common ownership with the parcel for which the building permit was originally approved.

(c) Construction and Sales and Leasing Office

1. Office, Sales and Leasing Permitted

A manufactured building meeting the requirements of the Florida Building Code may be utilized as a temporary construction office or a sales and leasing office on a construction site for which a building permit has been applied for.

2. Location

The location of such temporary offices shall be shown on the approved development plan. The building must be permitted through the building permit process. Where a construction or sales or leasing office is not shown on an approved development plan, an office may be approved through the building permit process where the location of the office can be shown to not interfere with construction of the site or impact natural resource protections. Such location shall require the approval of the Department of Growth Management, Department of Public Works, and Environmental Protection Department.

3. Restrictions

a. Single Family Dwelling

A TPP for an office of this nature shall not include a construction project which is limited to the building of only one single-family residential structure.

b. Use as a Living Quarters

A construction office shall not be used as a living unit.

c. Maximum Time Period

A TPP may be issued for a period not to exceed two years, and may be renewed by the Department as long as the project is under active

Article 26 Variances

402.157 Applicability

As authorized under Chapter 401 of this ULDC, the Development Review Committee (DRC) may vary certain requirements of this ULDC, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical and result in a hardship in making reasonable use of the property.

402.158 Application Requirements

An application for a variance shall be submitted in accordance with Article 2, Common Development Application Elements, of this Chapter.

402.159 Public Notice Requirements

Published notice and posted notice shall be required, according to the procedures in Article 4, Notice of Hearings, of this chapter, before the public hearing on any application for a variance.

402.160 Burden of Proof

The applicant seeking the variance shall have the burden of presenting evidence demonstrating that the request complies with each of the criteria for approval established in §402.162.

402.161 Action on Variance Requests

The DRC shall hold a public hearing on the proposed variance and has the authority to approve, approve with conditions or deny the variance.

402.162 Criteria for Approval

When considering an application for a variance, the DRC shall make a finding that the application complies or does not comply with each of the individual criteria of this Section.

(a) Public Interest

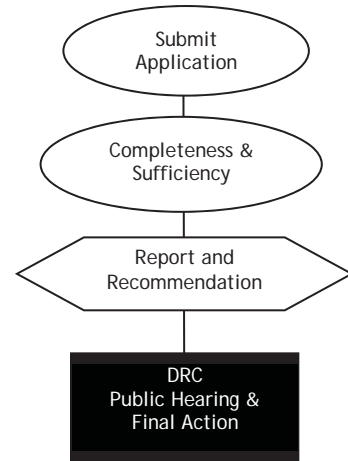
The granting of a variance shall not be contrary to the public interest.

(b) Special Conditions

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. The special conditions and circumstances do not result from the actions of the applicant.

(c) Literal Interpretation

Literal interpretation of the provisions of regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ULDC and would work unnecessary and undue hardship on the applicant.



(d) Minimum Variance

The variance, if granted, is the minimum variance that shall make possible the reasonable use of the land, building or structure.

(e) Special Privilege Not Granted

The variance shall not confer on the applicant any special privilege that is denied by this ULDC to other lands, buildings or structures in the same zoning district.

(f) General Harmony

The variance shall be in harmony with the purpose of this ULDC and the Comprehensive Plan, and shall not be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare.

402.163 Conditions and Safeguards

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards, including, but not limited to, reasonable time limits within which the action for which the requested variance shall be begun or completed.

402.164 Power to Grant Variances

- (a)** Provided the proposed variance is consistent with the Comprehensive Plan and all other Chapters of this ULDC, the DRC shall have the authority to grant variances from the following requirements contained in any zoning district, except the Planned Development (PD) zoning district:

1. the minimum yard/setback requirements, lot width or lot depth; and
2. the maximum height or building coverage.

402.165 RESERVED

402.166 Limitations on Power to Grant Variances

(a) Use Variance Prohibited

Variances may not be granted to permit a use that is not otherwise permitted by this ULDC.

(b) Variances to Conditions of Development Approvals

An amendment to a condition of approval granted by the Board of County Commissioners or the Development Review Committee shall be approved only by that body.

(c) Use of Nonconforming Lands or Structures

The nonconforming use of neighboring lands, structures or buildings in the same zoning district, and the permitted use of lands, structures or buildings in any other district, shall not be deemed grounds for the granting of a variance.

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.

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. Platted lots within multifamily developments shall be subject to the setback requirements outlines in Table 403.07.2

**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
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

¹Six additional inches of setback shall be required for each foot of building height over 35 feet when abutting single family residential uses for zoning.

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

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																							
		A	A-RB	C-1	RE, RE-1	R1-a, 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																				
Personal Wireless Service Facilities	Personal wireless service facility	L SU	L SU		L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	L SU	Article 12																			
	COMMERCIAL USES																																												
Home-based businesses	Home-based business, general	A			A	A	A	A	A	A	A	A													A	\$404.62																			
	Home-based business, rural	A																								\$404.63																			
	Entertainment and Recreation, except as listed below																																												
Entertainment and Recreation	Outdoor recreation	L SE	L SU	L SE							L SE							P SE	L SE	L SE	L SU			L SE	P	\$404.64																			
	Motorized sports																									\$404.65																			
	Private Motorized Practice Facility	SE																								\$404.66																			
	Amusement or theme park																																												
	Zoo																																												
																										\$Error! Reference source not found..5																			
	Golf course	L			L	L	L																																						
	Theater or Cabaret, sexually oriented																		L							\$404.67																			
Food and Beverage	Restaurant	L															P	P	P	P	P	A	A	P	P	\$404.67.5																			
	Restaurant, with drive-through																									\$404.68																			
	Incidental food and beverage sales		A														A	A	A	A	A	A	A	A	A	\$404.69																			
	Cocktail lounge, bar, tavern or nightclub																																												
	Mobile food sales		L									SE						L	L	L	L	L	L	L	L	\$404.69.1																			

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories		Specific Uses		A	A-RB	C-1	RE, RE-1	R1-a, 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	Business and professional services, except as listed below																										
	Bank or financial institution													P	P	P	P	P	P	P	P	P	P	P	P	P	
Business and Professional Services	Radio or television station, excluding towers																										\$404.107
Personal Services	Personal Services, except as listed below																P	P	P	P	P	P	P			P	
	Gym or fitness center																P	P		P	P	P	SE			P	
	Indoor sports training facility																		P	P	P	P	L	L		P	\$404.106
	Dance, art or similar studio														P		P	P					P	SE		P	
Overnight Accommodations	Hotel or Motel															P		P	P	P	P				SE	L	\$404.69.5
	Bed and breakfast	L				L	L	L						L												L	\$404.70
	Rooming House										P			P													
	RV Park/ Campground												L														\$404.71
Retail Sales and Service	Retail Sales and Service, except as listed below																		P	P	P	P				P	
	Neighborhood convenience center																		L	L	L	L	L	L			\$404.72
	Convenience store																	L	L	L	L	L		L	L	P	\$404.73
	Pharmacy																L		L	L	L	L				L	\$404.74
	Dry cleaners																		P	P	P	P				L	\$404.74.5
	Furniture store																		P	P	P	P				P	
	Media sales and rental																		L	L	L	L				L	\$404.75
	Large-scale retail																			L	L	L			P		\$404.75.5

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
Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																									
Retail Sales and Service	Flea market																		SE						
	Media, sexually oriented																		L	L					\$404.67
	Sex shop																		L						\$404.67
Commercial Animal Raising	Commercial Animal Raising	SE																							
Self-Service Storage Facilities Vehicle Sales and Service	Self-Service Storage Facilities																		L	L	L	L			\$404.76
	Vehicle sales and service																		P	SE		P	L	L	\$404.77
	Vehicle and trailer rental																		A	P		P			\$404.78
	Service station																		P	P	SE			L	\$404.78.5
	Vehicle repair																		L			P			\$404.79
Outdoor Storage and Display	Fuel Sales		A														SE	A	A	A	SE		A	A	\$404.80
	Outdoor storage		A											A					A	A	A	A	A		\$404.81
	Outdoor display		A													A	A	A	A	A	A	A	A	A	\$404.82
INDUSTRIAL USES																									
Wholesaling, Warehousing, Storage and Distribution	Wholesaling, Warehousing, Storage and Distribution, except as listed below	SE	SE																	P	P	P			\$404.82.6
	Building supply and lumber sales																		P	P		P			
	Manufactured and mobile home sales																					P			
	Parking of trucks, recreational vehicles and trailers	A	A		A	A	A	A	A	A	A														\$404.82.5

Chapter 404. Use Regulations

Article 2. Use Table

Use Categories	Specific Uses	A	A-RB	C-1	RE, RE-1	R1-a, 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	Storage yard																					L			\$404.83
	Light Industrial, except as listed below																								
	Research, development or experimental lab																					P	P	L	\$404.83.5
	Heavy machinery and equipment sales and repair													L								P	P	P	\$404.84
Heavy Industrial	Cab company or limousine service																		SE						
	Heavy Industrial, except as listed below																								
	Asphalt or concrete batching plant																								
	Waste-Related Service, except as listed below																								
Waste-Related Service	Junk, salvage or recycled metal yard																								\$404.85
	Solid waste transfer station	L																							\$404.86
	Package Treatment Plant	SU	SU		SU	SU	SU	SU	SU	SU	S	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU		\$404.87
	Spray irrigation	L	L		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		\$404.88
	Land application of biosolids	SE																							\$404.89
	Materials Recovery, Recycling and Composting																						SE		\$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
Key: P = Permitted Use L = Limited Use SE = Special Exception SU= Special Use A = Accessory Use NA = Not Applicable																									
	Storage, transfer or treatment of hazardous waste																								
Mining, Excavation and Fill Operations	Mining, Excavation and Fill Operations	SU																				SE			Article 24
Public Fairground	Public Fairground																						L		Article 25

Article 14 Entertainment and Recreation

404.64 Outdoor Recreation

Outdoor recreational facilities are allowed as limited uses in the A, C-1, RM-1, BR-1, BH, BA, BA-1, BW and MB districts, subject to development plan review by the Development Review Committee and in accordance with the following standards. Any outdoor recreational use that exceeds these standards may be allowed as a special exception within these districts.

- (a) Where outdoor recreational activities will occur on site, the minimum lot area shall be 10 acres in the C-1 district, and five acres in all other districts.
- (b) A medium-density, 25-foot wide buffer, in accordance with Article 4, Landscaping, of Chapter 407, shall be provided to adjacent properties. A 50-foot wide setback from the property line shall be provided adjacent to residential land uses, including a medium-density, 25-foot wide buffer in accordance with Article 4, Landscaping, of Chapter 407.
- (c) Permanent structures on the site shall be limited in size to 1000 square feet, and shall be subject to the setbacks and height limitations of the district. Permanent residence or overnight accommodations within these structures is prohibited.
- (d) Hours of operation shall be limited to between 7 a.m. and 9 p.m.
- (e) Commercial uses shall be limited to payment for rental of equipment and for use of facilities, and retail sales of goods related to the activity on site.
- (f) Outdoor lighting and installation and/or use of an audio system for recreational activities on the site is prohibited within the A and C-1 zoning districts.
- (g) Within the C-1 district, only activities considered as resource-based recreation shall be permitted to occur on the site, provided that they do not significantly alter the natural functions of the conservation area.

404.65 Motorized Sports

Motorized sports facilities are allowed by special exception in the BR-1 districts, subject to development plan review by the Development Review Committee and in accordance with the following standards.

- (a) The minimum lot size shall be 50 acres.
- (b) Provisions for buffers, hours of operation and audio systems shall be evaluated as part of the special exception process.
- (c) Outdoor lighting is subject to the Chapter 407Article 14 Outdoor Lighting.

404.66 Private Motorized Vehicle Practice Facility

Private motorized vehicle practice facilities involving the removal or filling of more than 200 cubic yards of material on site are allowed by special exception in the A district, subject to development plan review by the Development Review Committee and in accordance with the following standards:

- (a) The minimum lot size shall be ten acres in the A zoning district.
- (b) A 50-foot wide high-density buffer shall be required on all sides of the property, unless otherwise approved as part of the special exception.
- (c) Private motorized vehicle practice facilities may be used only for non-commercial private purposes.
- (d) Outdoor lighting at the facility shall not be allowed.
- (e) Hours of operation shall be Monday through Saturday from 8 am until dusk. No use of the facility shall be allowed on Sunday.
- (f) Facilities are limited to All-Terrain vehicles (ATV's) and their variants as defined in Chapter 410 of this Code.
- (g) Provisions for number of people and number of ATVs shall be evaluated as part of the special exception process.

404.66.5 Golf Courses

Golf courses are allowed as a limited use in the A, RE, RE-1, R-1a, R-1aa and R-1b zoning districts subject to the following standards. Golf courses shall be constructed and managed to conserve water, protect existing vegetation and minimize the use of fertilizers and pesticides. Golf course construction and operation shall follow applicable state best management practices (BMPs).

(h) Golf Course Landscape Design

An application for a golf course shall include a design plan that integrates plant species that are best suited to the local area and include the following elements.

- 1. Golf courses shall be located, designed and operated to provide for the following:
 - a. conservation of sensitive habitat;
 - b. retention of native vegetation;
 - c. protection of wildlife corridors and habitat connectivity; and
 - d. protection of natural drainage patterns.
- 2. The design shall incorporate native drought tolerant plants and preserve clusters or significant stands of trees and understory vegetation.
- 3. A natural resources plan that specifies strategies for invasive exotic plant control, restoration of appropriate habitat-specific hydrology, prescribed fire or other means of fuel load reduction or habitat improvement, and natural plant community restoration.
- 4. A water conservation and irrigation plan that minimizes water use, proposes construction techniques and soil amendment for greens and tees that reduces excess irrigation, provides controls for proper irrigation management and conservation, and uses harvested rainfall for on-site irrigation. Artificial turf is

encouraged as a water conserving measure. Aesthetic water features requiring augmentation are discouraged.

5. A stormwater management plan that incorporates Low Impact Development (LID) techniques to enhance aquifer recharge and incorporate the use of stormwater for irrigation.

(i) **Water Quality Monitoring Plan**

1. A monitoring plan shall be developed to monitor surface water (where applicable) and groundwater quality and flow and/or level.
2. Pre- and regular post-development surface water and groundwater sampling shall be required.

404.67 Sexually Oriented Business

Sexually oriented businesses are allowed as limited uses in the BH, BA and BA-1 districts, including but not limited to a sexually oriented media store, subject to the following standards. Sex shops and sexually oriented theatres or cabarets are allowed in the BA or BA-1 districts, subject to the following standards.

(a) **Separation Requirements for Sexually Oriented Businesses**

1. **Generally**

Sexually oriented businesses shall be permitted only in the zoning districts in which a specific sexually oriented business is listed as a permitted use in this Chapter. Any sexually oriented business established or expanded after February 1, 2004, in such a district shall be separated from other specified uses by the distances specified in Table 404.67.1.

**Table 404.67.1
Minimum Separation Standards for Sexually Oriented Businesses**

Existing Use or District	Sexually Oriented Cabaret	Sexually Oriented Theater	Sex Shop	Sexually Oriented Media Store
Other Sexually Oriented Business	1,000 ft	1,000 ft	1,000 ft	1,000 ft
Residentially Zoned Land	750 ft	750 ft	500 ft	500 ft
Place of Worship	750 ft	750 ft	500 ft	500 ft
School	750 ft	750 ft	500 ft	500 ft
Public Park, Boys and Girls Club, YMCA or YWCA	750 ft	750 ft	500 ft	500 ft
Public Library	750 ft	750 ft	500 ft	500 ft

2. **Measurement**

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

3. **Limitations**

a. **School**

The separation requirement from a “school” shall apply only if one or more of the following applies:

- i. the school is a public school; or
- ii. the school has been in operation at the same location for one year or more; or
- iii. the location at which the school is now operating is owned by the organization operating the school.

b. Place of Worship

The separation requirement from a “place of worship” shall apply only if one or more of the following applies:

- i. the place of worship has been in operation at the same location for one year or more; or
- ii. the location at which the place of worship is now operating is owned by the organization operating the place of worship.

c. Residentially Zoned Land

For purposes of this Section only, “residentially zoned land” shall mean land carrying an Alachua County zoning district designation beginning with an R and codified as part of Chapter 403, Article 3 or an exclusively residential planned development.

(b) Sexually Oriented Cabarets - Design Standards

Any building used for the operation of a sexually oriented cabaret shall meet the following design standards:

1. Stage Required

The building shall include one or more stages, on which all performances shall take place. Each such stage shall be in a room open to all customers of the establishment and containing a minimum of 600 square feet of floor area. The stage shall be raised a minimum of 18 inches above the level of the floor on which customers stand or are seated and shall be further separated from customers by a rail or other barrier a minimum of 30 inches high. If the stage is a minimum of 30 inches high, the additional barrier shall not be required.

2. Performance Areas

- a. All performances and interactions between performers and customers shall occur so that the performers (and any customer directly involved) are visible from the room in which the stage is located. No doors, curtains, screens, or other devices shall be used to obscure any part of the room or any booth.
- b. Any private performance booth in existence on January 27, 2004, may continue in use regardless of whether it is fully visible from the larger room, provided that it shall be visible from a hallway meeting the lighting standards required in paragraph 3 below. Such hallway shall be open to all customers of the establishment and other persons lawfully entering onto the premises and the entrance to the booth shall not be

obscured from the hallway by any doors, curtains, screens, or other devices.

3. Lighting

The lighting level in the primary area occupied by customers shall be a minimum of five footcandles at a height of three feet above the floor. This lighting standard shall not apply to the stage or to performance booths but shall apply in any hallway or other access area to the booths and in the area around the stage.

(c) Sexually Oriented Theaters - Design Standards

Any building used for the operation of a sexually oriented theater shall meet the following design standards:

1. Presentation Area

All screenings and presentations of motion pictures, videos or other media shall occur in a room open to all customers of the establishment and containing a minimum 600 square feet of floor area. No doors, curtains, screens, or other devices shall be used to obscure any part of the room.

2. Lighting

The lighting level in the area occupied by customers shall be a minimum of two footcandles at floor level.

3. Seating

Seating shall consist of individual, theater-style chairs, with solid arms separating the chairs. No couches, benches, individual chairs, beds, loose cushions, mattresses or other forms of seating may be provided. Separate spaces for wheelchairs shall be provided in accordance with the applicable provisions of the Southern Building Code and the Americans with Disabilities Act.

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.

(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.

Article 24 Mining or Excavation and/or Fill Operations

404.90 Purpose

The purpose of this Article is to regulate mining and land excavation and filling activities with provisions for reclamation and reuse such that these activities do not adversely affect established residential areas, conservation or preservation areas identified on the Future Land Use Map, or adversely affect transportation corridors, the quality of air, groundwater, surface water, land and wildlife in the County.

404.91 Applicability

The requirements of this Article shall apply to all new or expanded mining or excavation and fill operations, and shall not affect the validity of any special use permit, mining master plan, development plan or mining permit approved by January 30, 2006. No existing operation shall be expanded or otherwise modified without first being authorized in accordance with this Article. In addition, any mining or excavation and fill operation shall be subject to the requirements of this Article as part of any annual report, as required by §404.102, or as a result of an application to expand or modify the facility.

404.92 Exemptions

The activities listed below are exempt from the requirements of this Article.

(a) Approved Development

Grading, land clearing, land filling, site development and related activities undertaken in accordance with an approved development plan, building permit, or similar permit issued by Alachua County.

(b) Public Improvements

Onsite excavation or filling in connection with the construction, maintenance or repair of a public facility or improvement carried out under the supervision of Alachua County or the Florida Department of Transportation (FDOT), or off-site borrow pits constructed on private property in conjunction with a County or FDOT Construction Permit. Off-site borrow pits on private property shall be subject to administrative review by the Department prior to commencement of any development activity.

(c) Minor Excavation or Filling

Filling or excavation activity which involves the removal or filling of less than 200 cubic yards of material at a single site or removal or filling of greater than 200 cubic yards of material that does not impact regulated resource areas or involve areas within flood hazard areas and is for purposes of creating an agricultural-type pond consistent with §401.20(d)4. For the purposes of this Article, a single site is defined to be one parcel or a group of contiguous parcels under common ownership.

(d) Emergencies

Filling or excavation activity undertaken in connection with the emergency filling of a newly formed or newly expanded sinkhole, or severe erosion problem, other subsidence or similar circumstances affecting the public health, safety, or welfare, as determined by the County.

404.93 Limitation on Exemptions

The activities identified in §404.92 shall not be considered exempt and must comply with the provisions of this Article, if the activity requires permits from a water management district, the Florida Department of Environmental Protection (FDEP), or U.S. Army Corps of Engineers, or the activity occurs within a floodplain or conservation area.

404.94 Permitted Location of Mining, Excavation and Fill Operations

Mining or excavation and fill operations may be permitted, subject to the requirements of this Article and other applicable requirements in this ULDC, only within areas designated Rural/Agriculture on the Future Land Use Map.

404.95 Special Use Permit and Development Approval Required

Activities related to a new or expanded mining or excavation and fill operation shall not commence until a special use permit has been issued by the Board of County Commissioners and a development plan, meeting the conditions of the special use permit, has been approved by the Development Review Committee.

(a) Expiration of Special Use Permit and Development Plan

Approval of a special use permit and development plan for a mining or excavation and fill operation shall be valid for a maximum of five years, except for excavation, clean debris and land clearing debris operations, which shall be valid for a period specified in the special use permit necessary for the completion of all operations, including necessary reclamation. Failure to obtain final development plan approval from the DRC for a mining or excavation and fill operation within one year of the special use permit approval by the Board of County Commissioners shall result in the automatic expiration of the special use permit. Renewal requests for C&D debris Special Use Permits where the applicant is not requesting any changes to the permit conditions other than to extend the life of the permit and has not had any violations since the last renewal submittal, or initial special use permit approval, if this is the first renewal request, shall be evaluated as a minor amendment as provided in §402.126. Applicants meeting this criteria need to provide general survey information for the areas altered since last submittal but are not required to submit a topographic survey.

(b) Amendment of Special Use Permit

An extension of time for an approved special use permit may be granted as an amendment to the existing approval, subject to the requirements of Article 18 in Chapter 402. Any amendments to an approved development plan or changes to the approved conditions will also require an amendment to the existing special use permit.

(c) Transfer of Special Use Permit

A special use permit for a mining or excavation and fill operation may be transferred subject to the standards listed below.

1. Notification

The permittee of a special use permit shall file a notice of transfer with the Growth Management Department, in a form approved by the County.

Natural functions include water purification, flood hazard mitigation, water supply, and wildlife habitat and connectivity. Protections applicable to conservation areas under this Article shall apply to 100-year floodplains and floodways. Specific protections may be required to prevent erosion and maintain the existing topography of slopes along natural banks and shores.

406.53.5 Designation and Duties of the Floodplain Administrator

The County Engineer is designated as the Floodplain Administrator and shall administer and implement this Article. The floodplain administrator shall have the authority to render interpretations of this article consistent with the intent and purpose of this article and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this Article without the granting of a variance pursuant to Section 406.57.2.

(a) Duties of the Floodplain Administrator

The Floodplain Administrator shall provide for the following:

1. Notify adjacent communities and the Florida Department of Economic Opportunity prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency;
2. Assure that appropriate documentation is provided for maintenance within the altered or relocated portion of said water course so that the flood-carrying capacity is not diminished;
3. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
4. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this Article;
5. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
6. Provide available flood elevation and flood hazard information;
7. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
8. Review applications to determine whether proposed development will be reasonably safe from flooding;
9. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, when compliance with this Article is demonstrated, or disapprove the same in the event of noncompliance; and
10. Coordinate with and provide comments to the Building Official to assure that applications for building permits for buildings and structures in flood hazard areas comply with the requirements of this Article.
11. Ensure that all applicable state or federal permits be obtained and submitted before commencement of the permitted development, including but not limited to the following:
 - a. The appropriate Water Management District; §373.036, F.S.
 - b. Florida Department of Health for onsite sewage treatment and disposal systems; §381.0065, F.S. and Chapter 64E-6, F.A.C.

- c. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; §404 of the Clean Water Act.
- d. Federal permits and approvals.

(b) Substantial Improvement or Substantial Damage Determinations

For applications for building permits to improve buildings and structures, including alteration of a building, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Building Official, in coordination with the Floodplain Administrator, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes *substantial improvement or repair of substantial damage*; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant provisions of the *Florida Building Code* and this Article is required.
5. Record the actual elevation in relation to datum references on the FIRM of the lowest floor, including basement, of all substantially improved structures in accordance with §406.56(b)1.f ; and
6. Record the actual elevation in relation to datum references on the FIRM to which any substantially improved structures will be floodproofed, in accordance with §406.56(b)1.f

(c) Modifications of the Strict Application of the Requirements of the *Florida Building Code*

The Building Official shall review requests submitted to the Floodplain Administrator that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 406.57.2 of this Article.

(d) Coordination of Notices and Orders

The Floodplain Administrator and the Building Official shall coordinate the issuance of all necessary notices or orders to ensure compliance with this Article and the flood resistant construction requirements of the *Florida Building Code*.

(e) Inspection

The Floodplain Administrator shall make the required inspections for development that is not subject to the *Florida Building Code*, including buildings, structures and

facilities exempt from the *Florida Building Code*. For buildings and structures subject to the *Florida Building Code*, the Building Official shall make the required inspections of structures specified in Section 406.56.5 of this Article and the *Florida Building Code, Building* Section 110. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

(f) Other Duties of the Floodplain Administrator

The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 406.53.5(b) of this Article;
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
4. Review required design certifications and documentation of elevations specified by this Article and the *Florida Building Code* and this Article to determine that such certifications and documentations are complete; and
5. Notify the Federal Emergency Management Agency when the corporate boundaries of Alachua County are modified.

(g) Floodplain Management Records

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator in coordination with the Building Official shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this Article and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this Article; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this Article and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Alachua County Public Works Office at 5620 NW 120th Lane in Hague and at the Growth Management Office.

406.54 Warning and Disclaimer of Liability

The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Floods greater than the base flood can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Article does not imply that land outside the special hazard areas or uses permitted within such areas will be free from flooding or flood damages. This Article shall not create liability on the part of the Alachua County Board of County Commissioners or by any officer or employee thereof for any flood damages that result from reliance on this Article or any decision lawfully made thereunder. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps (FIRM) and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, may be revised by the Federal Emergency Management Agency (FEMA) requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this Article.

406.55 Designation of Flood Hazard Areas

- (a) The flood hazard areas identified by the Federal Emergency Management Agency in its Flood Insurance Rate Maps (FIRM) and Flood Insurance Study for Alachua County, Florida and Incorporated Areas dated November 2, 2018 and all subsequent amendments and revisions and the accompanying maps and other supporting data, and any FEMA Letter of Map revisions thereto are hereby adopted by reference and declared to be a part of this Article. Studies and maps are on file at the Alachua County Public Works Department, 5620 NW 120th Lane, Gainesville, FL 32653. The Floodplain Administrator may also obtain, review, and reasonably utilize base flood elevation and floodway data from any source to determine flood hazard areas, including, specifically, the following:

 - 1. The "Water and Flood Plain Management Study for the Gainesville Metropolitan Area," conducted by Sverdrup, Parcel and Associates, Inc., for the North Central Florida Regional Planning Council, 1974, including any update to such study; and
 - 2. Maps of the Suwannee River Water Management District or the St. Johns River Water Management District.
- (b) In all instances, the more precise map shall take precedence over less precise maps, as determined by the Public Works Department. In the case of floodplain elevation differences between maps of the same relative precision, the highest floodplain elevation shall be used.
- (c) The Floodplain Administrator shall have the right to require any applicant for a permit or variance to submit information to verify and/or establish the flood hazard areas. An applicant may also elect to submit information to verify and/or establish the flood hazard areas.
- (d) **Submission of additional data to establish flood hazard areas.**
To establish flood hazard areas and base flood elevations, the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the County indicates that ground elevations:

 - 1. are below the closest applicable base flood elevation, even in areas not delineated as flood hazard areas on a FIRM, the area shall be considered as

flood hazard areas and subject to the requirements of this Article and, as applicable, the requirements of the *Florida Building Code*.

2. are above the closest applicable base flood elevation in areas delineated as flood hazard areas on a FIRM, the area shall be regulated as a flood hazard 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 hazard 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 and Applications for other development.

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, or for other development within the scope of this Chapter, 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 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. Require the applicant to include base flood elevation data prepared in accordance with accepted engineering practice.
- b. 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
- c. 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 include 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.
- d. 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 as specified in section 406.56(b)(11) of this Article 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 hydrologic and hydraulic 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 or Zone AH.
- 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 floodplain development 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 hazard 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 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 and Other Utility 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; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

(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 and Flood Openings

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 2.7.2.2 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

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.

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. Accessory buildings may not be erected within front yards, except within the Agriculture zoning district on properties that are not part of a platted subdivision.

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

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

- (a) Outside of the Urban Cluster, no new building or structure shall be erected closer than 75 feet from any section line or half section line unless a waiver is approved by the reviewing entity. Such waivers may be based on the presence of parallel transportation corridors, environmental features or existing development patterns.

- (b) Approval of a pat by the Board of County Commissioners shall constitute approval of a waiver for (a) or (b) above, and no further waiver shall be required.

407.04 Setback Encroachment Prohibited

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

407.05 Allowable Projections

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

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

as deemed necessary by the County Attorney to protect the interest of the county.

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

407.06 Administrative Exception for Vacant Lots

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

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

407.07 Property Boundary Fences in Residential Districts

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

407.08 Retaining Walls

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

407.09 Flag Poles

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

407.09.5 Rooftop Photovoltaic Solar Systems

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

(a) Height

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

(b) Permits

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

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

(c) Maintenance

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

407.10 Solid Waste Facilities

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

(a) Location

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

- (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. Rural/Ag subdivisions with unpaved roads and Family Homestead Subdivisions are exempt from this provision.
- (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 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 3, §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:

- (a) Natural surveillance, through the placement of physical features and lighting of public spaces and walkways at night, in such a way as to maximize visibility, while maintaining or minimizing impacts to surrounding areas.
- (b) Natural access control, through the physical guidance of people coming and going from a space by the placement of fencing, landscaping and lighting.
- (c) Territoriality, through the use of physical attributes that express ownership, such as fences, pavement treatments, art, signage and landscaping.

407.43.6 Firewise Requirements

Landscape or planting plans within wildfire hazard areas should incorporate Firewise landscaping techniques to help reduce the risk of wildfire. Such techniques shall include:

- (a) Creating a defensible space zone around buildings. Such zones shall provide space for fire suppression equipment in the event of an emergency and progressively limit plantings near structures to carefully spaced fire resistant species.
- (b) Placing low growing species and groundcovers beneath canopy trees and rooflines to avoid creating a continuous fuel source from ground to tree or roof.
- (c) Utilizing driveways, lawn areas and walkways to provide firebreaks between large areas of dense vegetation.
- (d) Selective thinning of fire prone plant species in existing vegetation areas to reduce fuel loads. A list of fire prone species shall be available from the Environmental Protection Department.

407.44 Required Plant Materials**(a) Required Tree Species Variety**

New tree plantings shall not include more than 50 percent of any one genus or 25 percent of any one species.

(b) Plant Quality

Plant materials shall meet the following minimum standards:

- 1. All nursery plants, including trees, shrubs and groundcovers shall conform to standards for Florida Grade #1 or better 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 plants were purchased for installation.
- 2. All sod shall be certified apparently free of noxious weeds by the Florida Department of Agriculture and Consumer Services, Division of Plant Industry.
- 3. All mulch shall be organic material, with hardwood or pine bark recommended. Cypress shall not be used as mulch. No plastic or other non-biodegradable weed cloth or surface covers shall be used where mulch is required.

(c) Required Plant Sizes and Species**1. Trees**

- a. All trees shall be selected from the list of tree species provided in Table 407.50.1 that specifies which trees should be selected for use in buffers, along walkways and streets and in parking lots. Any variation from this list shall be approved by the County Forester/Landscaping Inspector.
- b. Trees shall meet the minimum size standards shown in Table 407.44.1.

Table 407.44.1
Minimum Tree Standards

Tree Type	Minimum Size		
	Height (ft)	Caliper	Container
Tree, Tree Grate/Well, Parking Islands	10	2"	25 gals
Basin Areas and Other Areas	4	3/4"	7 gals

- c. The DRC may approve the use of desirable native species that are not generally available in the required minimum size provided that the sum of the caliper planted is equal to or greater than the required caliper specified above.

2. Shrubs

- a. Shrubs shall consist of woody plants a minimum of two feet in height in a minimum three-gallon container. When planted as a hedge, the maximum spacing for 24-inch high shrubs shall be 36 inches on center.
- b. Shrub species that are significantly larger than the required minimum in paragraph a above may be counted as two or more shrubs, on a case-by-case basis, if approved by the DRC. Spacing for the larger size shrubs shall be determined by the County Forester/Landscaping Inspector.
- c. Shrubs shall be selected from the list of native species available from the Alachua County Environmental Protection Department and from the Department of Growth Management.

3. Ground Covers

Ground covers other than turf grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year after planting.

4. Lawn Grass

Grass areas shall be planted with species normally grown as permanent lawns in the vicinity of Alachua County. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion.

5. Synthetic Plants

Synthetic or artificial turf, trees, shrubs, ground covers or vines shall not be used in lieu of the plant requirements in this Article.

(d) Prohibited Plants

- 1. Those plants listed in Florida Administrative Code section 62c-52.011, Prohibited Aquatic Plants, shall be prohibited. This list of prohibited aquatic plants is available online and copies are also available from the Alachua County Environmental Protection Department (EPD).
- 2. Those plants listed in Florida Administrative Code section 5B-57.007, "State Noxious Weed List" shall be prohibited. This list of prohibited noxious weeds is available online and copies are also available from the County.

(e) Credit for Existing Plants

1. Credit is permitted for existing plant material provided such material meets the minimum standards of this Article.
2. Credit shall be allocated on a one-for-one basis for shrubs, understory trees and substituted trees. The size of the material shall not be taken into consideration except where such material is below the minimum standards of this Article.

407.45**Installation**

- (a)** Landscape areas for installed trees shall conform to the following chart. Landscape areas may be depressed to accommodate stormwater runoff provided stormwater overflow is accommodated.

**Table 407.45.1
Tree Installation Standards**

Tree Type	Within Parking Areas		Outside Parking Areas
	Min pervious area	Min planting area	Min planting area
Canopy Trees and Other Large Trees	200 s.f.	140 s.f.	200 s.f.
Understory Trees and Other Small Trees	120 s.f.	90 s.f.	120 s.f.

- (b)** All landscaping and transplanting of landscape materials shall be installed according to sound horticultural principles. All installations shall be performed specific to type, species, soils, environmental conditions and include establishment through water and maintenance to ensure maximum survivability.
1. The required planting area shall be free from compacted material to a minimum depth of 18 inches.
 2. The planting hole for trees shall be a minimum of two to three times the size of the width of the rootball, and sloped outward to encourage new root growth.
 3. Plants shall be removed from their containers prior to installation.
 4. Planting areas containing trees and shrubs shall be mulched to a minimum depth of three inches with organic mulch to the perimeter of the root-ball but not within a radius of six to eight inches from the trunk.
 5. After planting and watering in, the top of the rootball shall be one to two inches above ground.
 6. Trees shall be staked and guyed as needed. Stakes and guys shall be maintained during the guarantee period, and removed as soon as the tree is established.
 7. Trunk protectors are recommended for all installed trees. Trees in turf areas shall have six inch (minimum) trunk protectors.
 8. All landscaped areas not covered with vegetation shall be covered with organic mulches. No plastic or other non biodegradable weed cloth or surface covers shall be used.

407.46 Required Irrigation**(a) Landscape Plans**

1. All required landscaping shall be provided, at minimum, with a temporary automatic irrigation system sufficient for the establishment and ongoing health of all required landscaping plant material. Where available, reclaimed water shall be used for landscape irrigation. Use of harvested rainwater or stormwater reuse for irrigation is encouraged. Where possible low volume irrigation shall be used.
2. The irrigation system shall be designed by a landscape architect or a certified irrigation designer and shall be installed according to the manufacturer's specifications and the Standard Plumbing Code, 1994 Edition, promulgated by the Southern Building Code Congress International, Inc. Irrigation plans for any permanent irrigation shall be included in all landscape and planting plans.
3. Irrigation shall promote water conservation by such methods as micro-irrigation or efficient sprinkler zoning. The irrigation system shall be designed and located to minimize the watering of impervious surfaces. Trees shall have individual low flow or micro-irrigation supplies. Once trees and other plant materials are established the use of the irrigation system shall be discontinued.
4. Moisture sensors, weather stations, evapotranspiration (ET) sensors, or rain gauge (automatic rainfall shutoff device) equipment shall be required on automatic irrigation systems to avoid irrigation during periods of sufficient rainfall.
5. Prior to the installation of any irrigation systems within a public right-of-way, a right-of-way use permit shall be obtained from the Alachua County Public Works Department. Such system installation shall meet the construction and inspection standards of the Public Works Department.

(b) Alternative Xeriscape Plan

Temporary or minimal irrigation systems acceptable to xeriscape practices may be used when an Alternative Xeriscape Plan has been approved by the DRC. An Alternative Xeriscape Plan may be approved by the DRC when the applicant can assure the health and survivability of all landscaping plant materials.

407.47 Maintenance

- (a)** The property owner, association or entity shall be responsible for the maintenance of all landscape areas in accordance with the approved landscape or planting plans.
- (b)** Upon determination by the County, or County-designated qualified specialist, that a required tree or plant is dead or severely damaged or diseased, the tree or plant shall be replaced by the owner with the same or equivalent plant material as approved by the County, in accordance with the standards specified in this Article.
- (c)** All landscaped areas required as part of a development plan including buffers, whether in common or private ownership, shall be the responsibility of that development's property owners' association. Where there is no property owners'

association, such landscaped areas shall be the responsibility of the property owner.

- (d) All trees may be pruned to maintain shape and promote their shade-giving qualities. They should be pruned to remove diseased or dying portions in areas where falling limbs could be a hazard to people or property. Lower limbs may be removed to provide clearance for pedestrians. In addition, trees located in association with vehicular use areas shall also be pruned to allow a seven-foot clearance from ground level to avoid potential for damage or injury to both pedestrians and vehicles, after they have adapted to the site. Mature trees overgrowing driveways should be pruned to allow the passage of emergency vehicles. However, the excessive pruning or pollarding of trees into round balls of crown or branches, which results in an unnecessary reduction of shade, shall be prohibited, and may require supplemental plantings. All pruning shall be done following the American National Standard for Tree Care Operations "Tree, Shrub and Other Woody Plant Maintenance - Standard Practices."

407.48 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 landscape or planting 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) An alternative compliance landscape or planting 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.
- (d) In evaluating proposed alternative compliance landscape or planting plans, considerations shall be given to proposals which preserve native vegetation and use xeriscape and other low water use landscape design principles and where the design ensures the maximum preservation of existing vegetation on the site.

407.49 Certificate of Compliance

- (a) No final certificate of occupancy shall be issued until the County has granted final approval and acceptance of the installed landscape as well as the protection of existing native vegetation. Final approval shall include as-built landscape plan certification from a registered landscape architect certifying that the landscaping is installed and functioning as intended, that prohibited and discouraged non-native vegetation listed in Table 406.16.2 has been removed, and that all of the provisions of this Chapter have been met. The land owner shall submit a Certificate of Compliance, in a form acceptable by the Director, to the County as a condition of issuance of a Certificate of Occupancy. For blocks within TODs/TNDs, a phasing of landscaping installation may be approved by an Administrative Development Plan in order to allow the issuance of a certificate of occupancy for each building separately.
- (b) A temporary certificate of occupancy may be issued in those instances where all other site improvements except landscape have been completed, and when

weather conditions are not conducive to planting. Such temporary issuance is subject to the developer certifying in writing and posting of an appropriate surety in the amount of 110% of the certified estimated cost of completion that the required landscaping, as depicted on the approved plan, will be installed within a time period acceptable to the County.

- (c) Failure to install or maintain landscaping according to the terms of this Article or any approved plan shall constitute a violation of this Article and subject to the remedies and penalties set forth in Chapter 409 of this ULDC.

407.50 Appropriate Tree Plantings

The list of trees identified in Table 407.50.1 below includes all of those appropriate to Alachua County that shall be used to meet the requirements of this Article.

Table 407.50.1
Appropriate Tree Plantings

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>Acer negundo</i>	Boxelder maple	50	30	C,U	O,B	N/A
<i>Acer rubrum</i>	Red maple	80	25	C,U	S,O,P,B	8
<i>Acer saccharinum</i>	Silver maple	60	25	C,U	O,B	N/A
<i>Acer saccharum</i> <i>subsp. floridanum</i>	Florida maple	60	25	C,U	S,O,P,B	8
<i>Aesculus pavia</i>	Red buckeye	40	10	U	O, B	N/A
<i>Aralia spinosa</i>	Devil's- walkingstick	30	10	U	O,B	N/A
<i>Betula nigra</i>	River birch	60	25	C,U	S,O,B	8
<i>Carpinus caroliniana</i>	American hornbeam	40	25	U	S,O,B	8
<i>Carya aquatica</i>	Water hickory	100	30	C	O,B	N/A
<i>Carya cordiformis</i>	Bitternut hickory	100	30	C	O,B	N/A
<i>Carya floridana</i>	Scrub hickory	50	30	C	O,B	N/A
<i>Carya glabra</i>	Pignut hickory	100	30	C	O,B	N/A
<i>Carya tomentosa</i>	Mockernut hickory	100	30	C	O,B	N/A
<i>Castanea pumila</i>	Florida chinquapin	50	30	C	O,B	N/A
<i>Catalpa</i> <i>bignonioides</i>	Southern catalpa	60	20	C,U	O,B	N/A
<i>Celtis laevigata</i>	Sugarberry	100	45	C	O,B	N/A
<i>Cercis canadensis</i>	Redbud	30	25	U	S,T,O,P,B	8

Table 407.66.1
Village Center Dimensional Standards

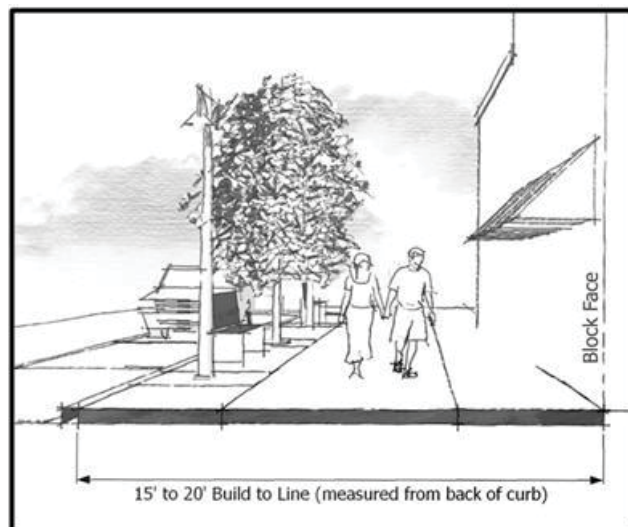
Standards	Retail Use	Other Non-residential, Hotel, Mixed Use, or Multi-family
Build-to Line (ft.) ¹	15-25	15-50
Height, min (stories)	1 ²	1 ²
Height, max (stories)	8 ³	8 ³
Single Tenant Building footprint, max (sq ft)	50,000 ⁴	65,000

1. The build-to line shall be established from the back of curb of a public or private street or pedestrian circulation areas where a building fronts a plaza, square or other open civic space.
2. If only 1 story, building façade shall use architectural features to enhance the vertical scale of the building.
3. Additional stories above the fifth shall be stepped back to enhance the pedestrian scale of the street.
4. Except as permitted by Section 407.66(d)2
5. Up to an additional 15' may be added to the build-to-line to accommodate outdoor seating for uses such as cafes, bistros, coffee shops or restaurants.

Table 407.66.2
Transit Supportive Area Dimensional Standards

Standards	Retail Use	Other Non-residential, Hotel, Mixed Use, or Multi-family
Build-to Line (ft.) ¹	15-25	15-50
Height, min (stories)	1 ²	1 ²
Height, max (stories)	6 ³	6 ³
Single Tenant Building footprint, max (sq ft)	50,000 ⁴	65,000

1. The build-to line shall be established from the back of curb of the public or private street or pedestrian circulation areas where a building fronts a plaza, square or other open civic space.
2. If only 1 story, building façade shall use architectural features to enhance the vertical scale of the building.
3. Additional stories above the third shall be stepped back to enhance the pedestrian scale of the street.
4. Except as permitted by Section 407.66(d)2
5. Up to an additional 15' may be added to the build-to-line to accommodate outdoor seating for uses such as cafes, bistros, coffee shops or restaurants.



2. A single-tenant retail building may be allowed to exceed 50,000 square feet by providing one of the following:
 - a. Separate liner buildings oriented toward the street on at least 3 sides of the building, with parking to the rear of the building or the rear of the building lined by other liner buildings; or
 - b. Vertical mixture of uses with at least one story above the ground floor; or
 - c. Multiple floors with a maximum of 50,000 square feet per floor; or
 - d. Parking on the top or completely enclosed within the building; or
 - e. Parking in front of the building provided all off-street surface parking and the side and rear of the building are screened from adjacent streets by liner buildings.

407.67 Residential Areas in TNDs and TODs

(a) Mix of Uses

1. A maximum of 10% of the total approved non-residential square footage, not to exceed 100,000 square feet, may be located outside the Transit Supportive Area (TSA).
2. Civic uses (such as places of worship, libraries, schools, etc.) and live-work studios located outside the TSA shall be counted toward the maximum non-residential square footage of a development and toward the 10% allowed outside the TSA.

(b) Dimensional Standards

The following dimensional standards shall apply with the Residential Area portion of a TND or TOD.

Table 407.67.1
Residential Area Dimensional Standards

Standards	Single-family detached	Single-family attached	Multi-family and Non-residential
Setbacks			
Front, minimum (ft.)	10	5	10
Front, maximum (ft.) or garage ¹	20	15	25
Side, interior (ft) ²	5	N/A ³	10
Side, street (ft)	10	10	10
Rear (ft)	10	10	15
Rear, accessory (ft)	7.5	7.5	N/A
Building Standards			
Height, maximum (ft)	30	30	60
Building footprint, max (sq ft)	N/A	N/A	65,000
Single retail tenant size, max (sq ft)			50,000*

*Retail buildings may be allowed to exceed 50,000 sq.ft. consistent with §407.66.2 above.

¹The Garage Front setback applies only to the garage portion of the structure when the garage opening faces the front of the street.

²Minimum side setbacks do not apply to zero lot line developments provided the building spacing requirements of the Florida Building Code, Table 600, are met.

³Minimum side setbacks do not apply to single family attached units.

407.68 Transit Supportive Area Design Standards**(a) Block Perimeter**

1. The TSA in TND and TOD developments shall be designed with a regular block pattern. Blocks within the TSA shall have a maximum perimeter consistent with this Section. The perimeter of a block shall be measured from the back of curb. Conservation areas, topographic constraints and property boundary lines can form the sides of a block.

**Table 407.68.1
Maximum Block Perimeter**

Location	Maximum Block Perimeter (ft.)	
	Standard	Extended
Village Center	1,300	2,000
Inside the TSA, outside the VC	1,600	2,300

2. The extended maximum block perimeter in Table 407.68.1 may be used if the block contains parking interior to the block.
3. In addition to the extended block, an additional 700 ft. of block perimeter may be allowed where a continuous 10 foot multi-use path with limited vehicular crossings and with shade trees alternating 40 feet on center is provided. This path forms an internal bicycle and pedestrian block that does not exceed the extended perimeter block length.
4. For projects of 100 acres or more, maximum block perimeter may be extended up to 3,000 feet if the block contains:
 - a. A parking structure with at least one level above surface parking; or
 - b. A single tenant retail use greater than 25,000 square feet with parking interior to the block

(b) Building Orientation and Design**1. Orientation and Location**

- a. The front of buildings shall be oriented toward the more primary adjacent street. Where a building is not adjacent to a street, the front of the building shall be oriented toward an open space or civic space.
- b. Primary pedestrian entrances to buildings shall be provided and accessible on the front of a building with limited exceptions allowed for residential or lodging uses that have units fronting a parking area located interior to a block.
- c. Shade along the building frontage shall be provided for pedestrians through architectural features such as covered walkways, terraces, balconies, awnings and street trees.

2. Scale and Massing

- a. Individual buildings shall use human-scaled, pedestrian-oriented architectural features, such as windows, balconies, porches, awnings and arcades, and shall clearly articulate the first story and primary entrances. Decorative, pedestrian scale lighting shall be provided at the entrance of all buildings.

- b.** Any building with a single frontage of more than 100 feet shall be designed to create a visual impression of a series of smaller buildings or sections. Windows, doors, shutters, columns, masonry detailing and variations in the front roofline, recessed building walls and variations in colors and materials shall be used to break up the mass of a single building.
- c.** Buildings within a block shall reflect a continuity of building scale at the building line.
- d.** Buildings shall avoid uninterrupted walls or roof planes. Windowless walls are prohibited along street frontages. Walls shall be broken up using a variety of articulation techniques and areas of transparency.

3. Building Articulation & Materials

- a.** No more than 25 feet of horizontal distance of a wall shall be provided without articulation or architectural relief for building walls facing a street or Open Space, even if the building wall faces a street or open space outside of the TND or TOD.
- b.** At least 25% of the exterior siding material must be different than the primary siding material, except for brick and stone.

4. Glazing

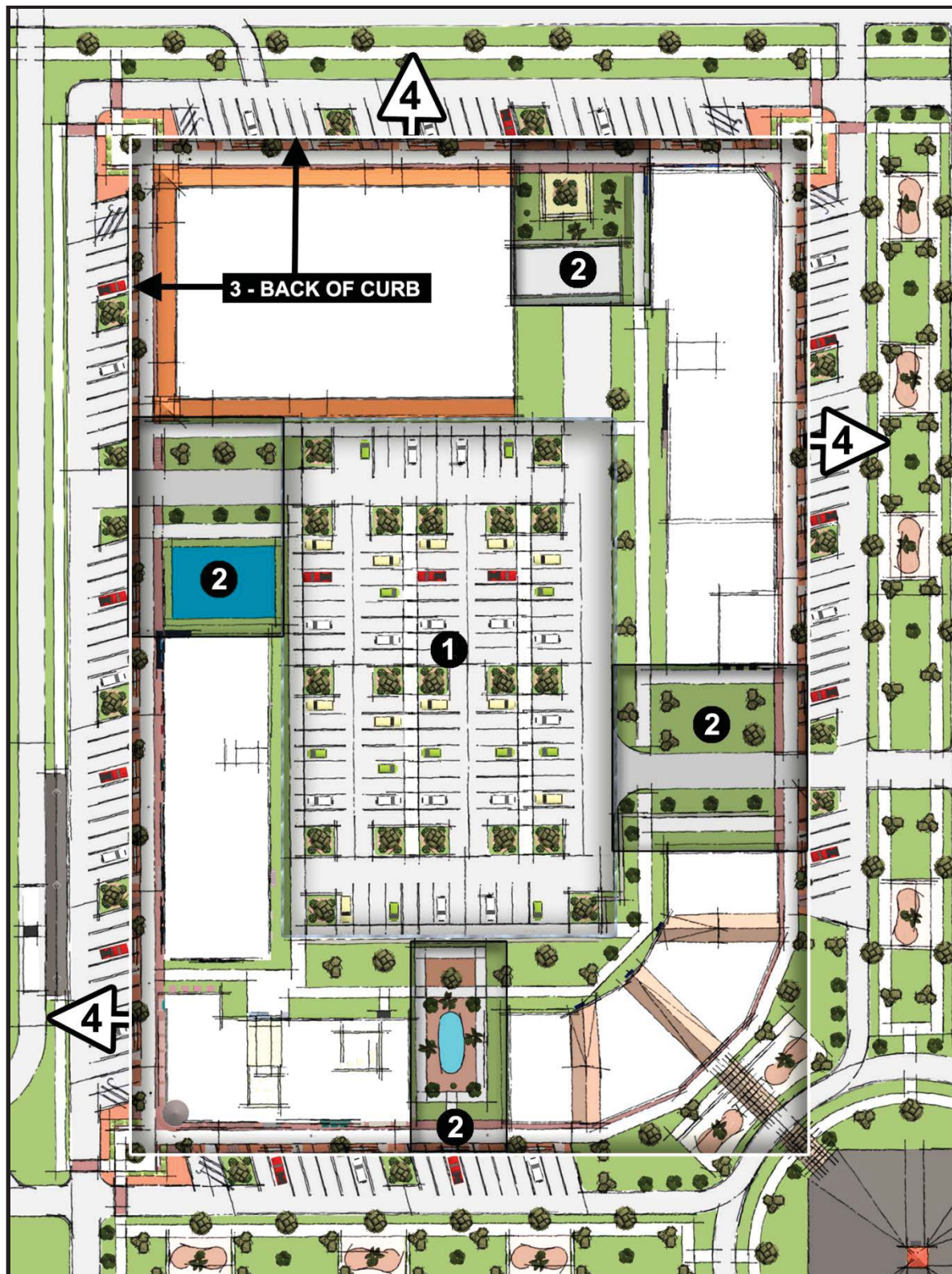
- a.** Glazing shall be provided on front and side building walls for all façades that front a street, civic space such as a plaza or square, or directly adjacent pedestrian walkway.
- b.** Glazing percentages for the first floor shall be calculated based upon the façade area between 3 feet above grade and 8 feet above grade. Glazing percentages for floors above the first shall be calculated based upon the full façade area.
 - i.** Front building walls shall have windows covering at least 50 percent of the first floor façade. Front building walls above the first floor shall have at least 20 percent glazing.
 - ii.** Side building walls shall have windows covering at least 30 percent of the first floor façade. Side building walls above the first floor shall have at least 10 percent glazing.
- c.** Operable entrance doors shall be excluded from the calculation of total façade surface area.
- d.** Windows or glazed areas facing a sidewalk on the first story of a commercial or mixed-use building shall use glass which is at least 80 percent transparent.

5. Garages

Garages serving single-family or multi-family uses shall provide entries from alleys or side streets with anticipated daily traffic volumes of less than 1,200 AADT wherever practicable. Front-entry garages shall be set back a minimum of 10 feet behind the primary building line.

6. Parking Structures

Parking structures shall be designed to allow for commercial, office, civic or residential uses lining the structure on the ground floor where the parking structure abuts a street. The parking structure shall be designed to integrate seamlessly with surrounding development and shall provide pedestrian oriented design on the ground floor abutting a street.



Sample Block Showing: (1) parking interior to the block; (2) limited, pedestrian scaled common areas screening the surface parking; (3) back of curb; and (4) block perimeter measured at the back of curb.

7. Collonades

Roof or overhangs supported by collonades at or within seven feet of a sidewalk shall have a minimum clearance height of nine feet (excluding signage or lighting).

8. Existing Buildings

Every effort shall be made to meet the TND requirements by appropriately incorporating existing buildings into the design of the neighborhood.

9. Trash Collection Facilities

All recycling and trash collection facilities shall be located to the rear of buildings or within buildings or parking facilities. All recycling and trash collection facilities shall be screened as required by §407.10(b) of this ULDC.

10. Utilities

Above ground utilities, except for life safety, should be located to the rear and side of buildings. 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) Parking**1. Off-street Surface Parking**

Off-street surface parking is not required. Where provided, off-street surface parking shall meet the standards of the Parking Schedule in Table 407.68.2. These maximums shall not apply to structured parking, park-and ride, and on-street parking.

Table 407.68.2**Maximum Off-Street Surface Parking for in the TSA of TNDs and TODs**

Use	Maximum Number of Spaces
Non-residential	3 per 1,000 sq ft Gross Floor Area
Multi-family residential and hotel	.5 per 400 sq ft Gross Floor Area

1. Parking spaces may be pooled and utilized anywhere within the development

- a. Off-street surface parking shall be located to the rear of buildings and interior to the block. A minimum of 75% percent of the perimeter block length shall be lined by buildings, excluding access to off-street surface parking. Along any portion of a block not lined by buildings, off-street surface parking shall be located at least 25 feet from the back of curb. To screen the parking, between the back of curb and off-street parking, there shall be a sidewalk and a plaza with lighting, seating, architectural features, landscaping, low impact development techniques and 50 percent of ground surface areas under mature tree canopy at 20 years.
- b. Up to two driveways may be provided per block face. However, no block shall have more than 6 driveways.
- c. Off-street surface parking areas adjacent to a conservation area, topographical constraint, or property boundary and not lined by buildings shall provide a minimum of an 8 foot wide multi-use path with shade trees alternating 40 foot on center. The perimeter block length along a conservation area, topographical constraint, or property

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 streets, 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.

- ### 3. Roadway Buffers

a. Interstate I-75 Buffers

b. Arterial Street Buffers

(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, §407.76, and §407.154. 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

2. Variances to Property Development Regulations Prohibited

The Development Review Committee 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

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 Surveyor'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 Surveyor, 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.

- (g) 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 of Right of Way

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.

(d) Approval for Maintenance of Stormwater Management Facilities

1. After successful completion of improvements, and after receipt of the required documents, the County shall provide a certificate of completion verifying the satisfactory construction and function of all stormwater management facilities. The required documents shall include the following:
 - a. A signed and sealed engineer's certification of completion of stormwater management facilities in substantial compliance with the approved design. A copy of the as-built certification to the appropriate water management district shall also be provided.
 - b. A signed and sealed by a Florida Professional Surveyor and Mapper topographic as-built survey of the stormwater management facilities including all basins, structures, and conveyances as part of the request for a certificate of completion.
 - c. An irrevocable letter of credit or acceptable surety per subsection (b) of this section.
2. After one year of maintenance by the applicant subsequent to 95% build out and verification by the County of satisfactory performance of the stormwater management facilities, 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. Stormwater management facilities for private subdivisions cannot be accepted for maintenance by the County until one year after the issuance of the certificate of completion.

407.87 Flood Hazard Area Criteria

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

- (a) All building lots shall have buildable area above the base 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 flood hazard area 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 base 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.

plan, unless the applicant has applied for and been issued an amended preliminary CLSC addressing the impacts of the increased densities or intensities requested and finding that adequate capacity will be available for each affected public facility. In order to obtain an amended preliminary CLSC, the applicant must submit the proposed increases in densities or intensities and relevant information to the DRC for an amended preliminary CLSC to be issued. The amended preliminary CLSC approval must be obtained by the applicant prior to application for final development plan approval by the DRC. If the DRC determines that revised preliminary review is not required, an amended preliminary CLSC is not required for final development order approval.

- (b) The final CLSC shall be valid for a period of one year from date of issuance by the DRC, unless otherwise specified for a phased PD, affordable housing project or TND with a village center, after which it shall be void unless construction has commenced prior to expiration of the one year period, or other period specified for a phased PD, affordable housing project or TND with a village center, or an extension of no more than one (1) year has been granted by the CMO for good cause (defined in Chapter 409) shown by the applicant. Any such extension will be issued only if no imminent or existing public facility deficiencies exist at the time of the application for extension. Denial of an extension by the CMO may be appealed in accordance with this ULDC. Provided that construction has commenced within the allowable period, the project shall have reserved capacity for a period of no more than two years from commencement of construction. After that two-year period, or any period otherwise specified in the final CLSC, the public facility capacity required to accommodate the impacts of the unconstructed portions of the development may be made available to other proposed developments applying for CLSCs. Once the County approves a final CLSC reserving the required public school capacity in accordance with the Interlocal Agreement and the final development order, the capacity necessary to serve the development shall be reserved by the School Board for a period not to exceed three (3) years or until completion of construction of development infrastructure, whichever occurs first.
- (c) The County shall notify the School Board within fifteen (15) working days of the approval or expiration of a concurrency reservation for a residential development.
- (d) Notwithstanding the regulations in Section 407.122(b), a development for which a Preliminary or Final CLSC was issued between January 1, 2007 and December 31, 2008 will be granted a CLSC extension to December 31, 2009 provided they apply to the CMO for such extension by December 1, 2009. A Planned Development, Traditional Neighborhood Development or Affordable Housing Development with an approved CLSC, for which a phase expired between January 1, 2007 and December 31, 2008 will be granted a CLSC extension for that phase until December 31, 2009 provided they apply to the CMO for such extension by December 1, 2009. Such projects will not be required to re-evaluate public facilities level of service impacts.

407.123 Development Orders Requiring Certificate

The following development orders and permits are subject to a determination that the proposed development will not cause levels of service to fall below the county's adopted standards for roads,

potable water, sanitary sewer, stormwater management, parks, solid waste and mass transit and public schools:

- (a) An application for a final development order issued by the Alachua County DRC, where the proposed final development order would authorize any change in the density, intensity, location, land uses, capacity, size, or other aspects of the proposed development that could be expected to result in additional impacts on public facilities; or
- (b) An application for a mining, land excavation permit, or other permits for development that do not undergo review by the DRC, that will affect one or more of the public facilities that are subject to concurrency. Concurrency determinations for such permits will be limited to those public facilities which the DRC or Public Works Department determines will be impacted by the proposed activity.

407.124 Exemptions from Requirement for Certificate

Issuance of the following development orders shall be exempt from the requirements for obtaining a determination of capacity and a certificate of level of service compliance:

- (a) Projects determined to be vested from pertinent concurrency requirements pursuant to Chapter 402, Article 27, Vested Rights;
- (b) A demolition permit;
- (c) The initial permit for a temporary use;
- (d) A floodplain development permit;
- (e) A facility which by state or federal law is not subject to the concurrency requirements of local land development regulations. This shall include projects that create a special part-time demand located within areas designated as either urban infill and redevelopment areas under s. 163.2517, F.S., existing urban service, or downtown revitalization areas. A special part-time demand is one that does not have more than 200 scheduled events during any calendar year and does not affect the 100 highest traffic volume hours;
- (f) Additions to existing single-family or duplex residential structures;
- (g) Ancillary facilities to existing residential structures including pools, screen enclosures, and utility sheds;
- (h) Permits to bring existing structures into code compliance, including re-roofs; and
- (i) Individual single-family residences and accessory building permits on existing lots of record.
- (j) Expansion of existing non-residential uses that result in a de minimis transportation impact, defined as less than 10 average annual daily trips.

407.125 Denial of Certificate

If it is determined that the requirements for concurrency cannot be met for any public facility impacted for a proposed development, an initial CLSC denial notice identifying the facilities that were determined not to be concurrent, the level of service deficiency and the impact assessment that was the basis for that determination will be issued by the concurrency management official and provided to the applicant.

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 county specifications. Access to and within a development project shall be in place prior to the accumulation of combustible materials [such as building materials] on the development site. Temporary access can be used prior to the completion of the final paved roadway network. All access routes must meet the minimum criteria specified in paragraph §407.140(a)6.
3. No lot shall access an unpaved road except for lots meeting the requirements in §407.75 and §407.76.
4. All developments with frontage on a public road shall access the public road except where infeasible due to original tract dimensions or topography.
5. For developments containing 25 or more residential units or generating 250 or more non-residential daily trips, there shall be a minimum of two functional access points located on different sides of the subdivision except where infeasible due to original tract dimensions, topography or existing development patterns.
6. For a development containing only one access, an emergency service access shall be provided and maintained in addition to the primary access, unless a waiver is granted in subsection (a)7 below. The emergency service access shall be available prior to the issuance of the first certificate of occupancy in the development, shall have a clear zone of 20 foot horizontal area and 14 foot vertical area, and shall be stabilized to a limerock bearing ratio of 35. In addition, an emergency service access may be grassed or landscaped with traversable vegetation. The County shall have the right to clear the emergency service access when needed. A gate may be provided when equipped with a system acceptable to the Alachua County Fire/Rescue Department for access by emergency service vehicles.
7. The Development Review Committee may grant a waiver from the requirement for a secondary emergency access in subsection (a)6 above when not feasible due to original tract dimensions, topography, or existing development patterns, provided that a full disclosure statement is placed as a notation on the plat by the applicant, and provided to the initial buyer (and subsequent buyers) informing them that a waiver was granted from the requirement and could potentially prevent the response of fire service, emergency medical service, and emergency management at this location. Buyers shall sign attesting that they understand the impact of this waiver.
8. The layout and types of streets in a development must provide for the continuation or appropriate projection of stub streets and sidewalks to adjacent properties by constructing the improvement as close to the property line as is practicable. Signs shall be posted, at the expense of the developer, advising residents of the intent and purpose of the stubbed street. In addition, where a proposed development abuts an existing development with a stub street, the street system in the proposed development must connect to the existing stub street. The continuation of existing streets shall be designed in such a manner to discourage cut-through traffic through existing or planned development, while providing for convenient movement of traffic, effective fire protection and other public service providers and efficient provision of

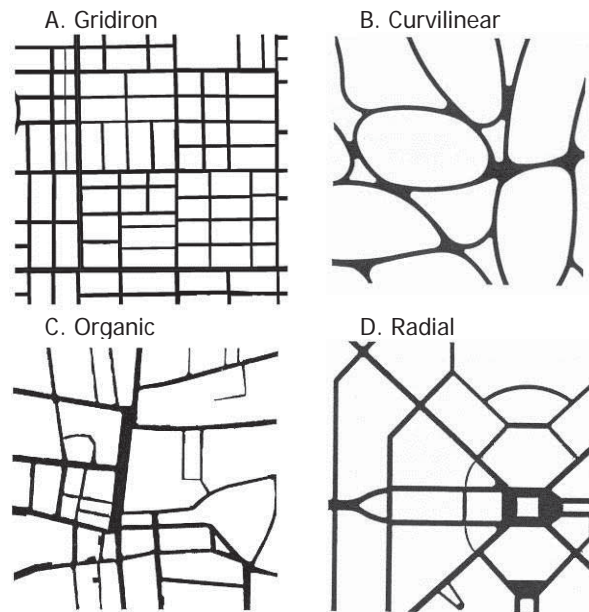
utilities. The requirement to extend streets or provide a secondary access may be waived by the reviewing body where the topography, development patterns or other regulated natural features make continuance or conformance to existing streets impractical or undesirable and provision for pedestrian and bicycle interconnectivity between the developments is provided. In the event a waiver is obtained, a cul-de-sac turnaround shall be provided at the end of an existing dead-end street.

9. If street construction is to be phased, appropriate provision for drainage and temporary or permanent turnarounds shall be provided on all temporary dead-end streets.

(b) Layout of Lots and Streets

The ideal street pattern is internally connected and may be in a gridiron, curvilinear, organic, radial or any other style that provides for internal connections and external linkages. Examples of these street network pattern types are shown in Illustration 407.140.1 below:

Illustration 407.140.1: Street Network Design Patterns



1. The arrangement, character and location of all lots and streets in a development shall be designed to make advantageous use of existing and planned streets, topographical conditions, public convenience and safety, and mature trees and other natural physical features. All street layouts shall be designed in compliance with the State of Florida Manual of Uniform Standards for Design, Construction, Maintenance for Streets and Highways or criteria contained in this ULDC, unless an exception to these standards is granted in writing by the County Engineer prior to Preliminary Development Plan approval.
2. Dead-end streets shall not exceed 250 feet in length except where a turnaround or cul-de-sac is provided. In no case, shall a dead-end street or cul-de-sac exceed 1,000 feet in length except for unpaved roads developed in

accordance with §407.75. Turning radii of a cul-de-sac shall reflect the minimum required for 90-degree turns for WB30' design vehicles.

3. An intersection shall occur on every street a minimum of every 1,000 feet.
4. Street layouts shall provide for intersecting streets at right angles, 90 degrees, but under no circumstances shall streets intersect at less than 75 degrees, unless a roundabout or traffic circle is adequately designed. Street intersections shall be adequately spaced to prevent conflict or mutual interference of traffic flow. Generally, centerline offsets of less than 150 feet shall be prohibited.
5. On streets with designated on-street parking, bulb-outs shall be provided at the street ends. The resulting bulb-out shall be landscaped with a street tree. No parking space shall be located within 50' of the nearest right-of-way line of a Collector Roadway or 100' of the nearest right-of-way line of an Arterial Roadway.
6. Appropriate design speeds shall be identified by the applicant's Engineer and agreed to by the County Engineer in conjunction with the street and layout of the development and shall be in accordance with the Alachua County Corridor Design Manual. The selection of an appropriate design speed shall be based upon a rational prediction of the probable maximum operating speed on the street. The topography, general roadway geometry, surrounding land use, degree of access, use of traffic calming techniques and desired posted speed limits shall be considered.

(c) Dedication of Future Rights-of-Way

All developments located adjacent to or along an existing or future alignment of a collector or arterial roadway, as identified on the Future Highway Functional Classification Map adopted by Alachua County, shall provide dedication of right-of-way for the alignment that is roughly proportional to the impact of the development. The County Engineer may waive the dedication requirement, if there is a substitute dedication that would serve the same purpose, if due to the location and layout of the development, there is no public need for a dedication.

(d) Waiver of Requirement for Dedication of Roads

The Board of County Commissioners, upon recommendation of the Development Review Committee, may waive the requirement for the dedication of public streets and allow the streets to remain privately maintained upon finding that by reason of its location and anticipated use, the road will not serve a public purpose or provide connectivity to other platted or unplatted lands. However, the street to be privately owned shall be designed and constructed in accordance with the provisions of this Chapter. All streets to be privately owned shall be dedicated to a Property Owners Association or other maintenance entity acceptable to the County for ownership and maintenance.

407.141 Minimum Design & Construction Standards for Streets and Drainage Systems

The purpose of this Section is to identify street design and construction standards required as a condition of final development approval.

(a) Determination of Street Types

Street types shall be determined on the basis of the number of vehicle trips per day generated by each type of land use contemplated for the development and on the Alachua County Corridor Design Manual. The number of vehicle trips generated shall be calculated based on the 8th Edition Trip Generation Manual published by the Institute of Transportation Engineers, Washington D.C., as incorporated by Rule 14-96.005(4)(a), F.A.C. A trip generation and distribution analysis shall be performed by a transportation professional in accordance with generally accepted engineering practices and shall require approval by the County Engineer. The average daily traffic volumes shall be shown at each approach of every street intersection within the development.

1. The lane width of the proposed streets shall be based upon the projected average daily trips (ADT), land use context and standards outlined in the Alachua County Corridor Design Manual.
2. All streets, whether public or private shall be designed and constructed in accordance with the State of Florida Manual of Uniform Minimum Standards For Design, Construction and Maintenance For Streets and Highways, the "Construction and Inspection Standards of the Public Works Department", the Alachua County Corridor Design Manual and these regulations. Typical street section drawings may be obtained from the County Engineer.

(b) Excluded Facilities

Access ways, alleys and driveways leading to on-site parking in common areas or to individual lots may be excluded from the definition of a street, provided that the following occur:

1. Estimated average daily traffic does not exceed 400 trips at full development for multiple-family or 125 trips for single-family detached lots.
2. Appropriate provisions are made for the private maintenance of these areas.
3. These areas serve only those lots adjacent to the common areas or easements.
4. The maximum distance from the public street road to the most distant lot or parking space in the common area or easement as measured along the centerline of the access way or driveway is no greater than 1,000 feet.
5. Such access ways, alleys, driveways and associated parking areas shall meet the existing off-street parking requirements of Alachua County, as well as criteria established in this Article. The minimum width of pavement for this access shall be ten feet for ADT less than 200 and 16 feet for ADT greater than 200.

(c) Minimum Street Design Specifications

1. All streets shall be designed in accordance with the following minimum specifications, as depicted in Table 407.141.1. The Corridor Design manual provides graphical representations of street sections for illustrative purposes only, and in the event of conflict with the text contained in this ULDC, the text shall prevail. The numerous graphics included herein are intended to give clear direction as to the intent of the street cross-section requirements. The graphic images are intended to supplement and clarify the written text. In the event a graphic image conflicts with written text, the written text shall prevail.

2. The Street Design Specifications are typical, and thus may be modified to accommodate special circumstances. Such modifications shall be reviewed and subject to approval by the County Engineer.
3. Alternative street designs may be approved by the County Engineer where the design is found to be consistent with the intent of the zoning district and is found to further the design standards included herein.

(d) Street Surfaces

1. Street surfaces shall be standard Florida DOT approved asphaltic concrete mixes as approved by the County Engineer. Placement of street surfaces shall conform to the Alachua County Public Works Department Construction and Inspection Standards.
2. Other types of construction or materials may be utilized for the surface and base of the roadway, if equal or greater strength requirements are met, and if approved by the County Engineer (i.e. colored concrete; brick pavers).

(e) Pavement Thickness

1. Streets with a projected ADT of less than or equal to 1200 shall have a minimum pavement thickness of one and one-half inches, a minimum base thickness of eight inches, and a minimum twelve inch subgrade with a limerock bearing ratio (LBR) of 40.
2. Streets with a projected ADT between 1201 and 2500 shall have a minimum pavement thickness of two inches of structural asphalt, a minimum base thickness of eight inches, and a minimum twelve inch subgrade with a limerock bearing ratio (LBR) of 40.
3. Streets with a projected ADT between 2501 and 7500 shall have a minimum pavement thickness of two inches of structural asphalt and one inch of friction course, a minimum base thickness of ten inches, and a minimum twelve inch subgrade with a limerock bearing ratio (LBR) of 40. The friction course surface shall be placed 90 days prior to the expiration of the One-year warranty period as outlined in §407.86 of this Code.
4. Streets with a projected ADT greater than 7501 shall have 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 twelve inch subgrade with a limerock bearing ratio (LBR) of 40. The friction course surface shall be placed 90 days prior to the expiration of the One-year warranty period as outlined in §407.86 of this Code.
5. The County Engineer has the authority to approve alternate designs meeting the objectives of technical guidelines and regulations upon demonstration by the applicant that result in sufficient design to meet the minimum requirements for that particular scenario.

(f) Roadway Base and Subgrade

1. Roadway base shall be constructed of Ocala limerock, or its equivalent, with a minimum Limerock Bearing Ratio (LBR) of 100 and compacted to 98 percent of maximum density in accordance with AASHTO Method T-180.

2. Roadway subgrade shall be stabilized to a minimum depth of 12 inches and be compacted to 95 percent of maximum density in accordance with AASHTO Method T-180, except arterial and collector streets shall be compacted to 98 percent maximum density.
3. Where soils classified as AASHTO soil groups A-6, A-7 or A-8 are encountered in the subgrade, such materials shall be removed to a minimum depth of 24 inches below the base and replaced with AASHTO soil groups A-1, A-2 or A-3.
4. An additional six inches of limerock meeting the requirements of §407.141(f)1 maybe substituted for twelve inches of subgrade meeting the requirements of §407.141(f)2 provided that the criteria of §407.141(f)3 is met.

(g) Drainage Systems

1. All street classifications may be constructed with a closed (curb and gutter) drainage system. Where a closed drainage system is used, standard curb and gutter (FDOT Type F) shall be constructed. Drop-type (Miami) curb and gutter may only be constructed on streets where profile vertical alignment is less than 3% and the curvature of the centerline alignment is less than 100 feet. The use of Drop-type curb in any other location requires special approval from the County Engineer.
2. All drainage pipe shall have adequate capacity to carry the runoff resulting from a rainfall intensity, which has a return period of once in three years with a minimum time of concentration of ten minutes. The Florida Department of Transportation rainfall intensity curve for Alachua County shall be used.
3. Where storm sewers are used, the maximum length of gutter flow shall be governed by the street grade and inlet capacities. Minimum grade for curb and gutter shall be 0.3%, except in extreme cases where 0.2% may be used; however, 0.5% shall be held insofar as practical.
4. All drainage pipe and culvert material shall be in accordance with current FDOT *Standard Specifications for Road and Bridge Construction*, latest edition, or as approved by County Engineer. For closed drainage systems, minimum pipe size shall be 15 inches in diameter or equivalent on public roads. For all open drainage systems the minimum pipe size shall be 18 inches in diameter or equivalent.
5. All inlet grates shall be cast iron or steel with minimum size of two square feet net open area.

6. Roadside Swales

Open (roadside swales) drainage systems may be permitted if the following requirements are met; provided, however, that the County Engineer shall have final approval authority for roadside swales.

- a. Based on the ten-year, 1 hour storm, the flow velocity shall not exceed three feet per second without paved inverts and the swale flow shall not encroach on the pavement. Roadside swales shall typically have no front slopes steeper than 4:1. Any back slopes greater than 3:1 shall be sodded.
- b. Additional right-of-way may be required to meet design conditions for swale section streets.

- c. The applicant shall provide supporting hydrologic, soils, topographic and erosion control data deemed necessary by the County Engineer in order to determine whether roadside swales are permissible.
 - d. Roadside swales shall not be permitted where the estimated wet-season groundwater is within three feet of the final profile of the street. Particular caution shall be used in areas where the soils encountered are predominately of Soil Conservation Service Types 7B, 7C, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 31B, 31C, 32B, 32C, 32D, 34, 44B, 48, 51, 52, 53, 54, 56, 57B, 60 and 61.
 - e. Documentation of unsaturated vertical infiltration and saturated horizontal soil conductivity estimates/test results and other aquifer characteristics shall be used in the design of a swale stormwater management system and shall be submitted for review and consideration. Following determination of vertical and horizontal infiltration, post hydrologic conditions must be similar to pre-development hydrologic conditions. A minimum of one boring per improvement shall be required to verify infiltration rates.
 - f. For existing roadside swales that discharge to a stream or open lake basin, the stormwater management system must be designed such that the peak rate of discharge does not exceed the predevelopment peak rate of discharge for storm events up to and including the 25-year critical duration storm. If these criteria cannot be met and it can be demonstrated that no downstream detrimental effects will occur, the county engineer may approve other measures.
 - g. For existing roadside swales that discharge to a closed depression, the stormwater management system must be designed such that the peak rate of discharge and peak volume discharge does not exceed the predevelopment peak for storm events up to and including the 100 year critical storm. If these criteria cannot be met and it can be demonstrated that no downstream detrimental effects will occur, the County Engineer may approve other measures.
- 7. The County Engineer, after consultation with the applicant, may require installation of underdrains parallel to and along one or both sides of the paved surface to prevent the free ground water table from rising within 12 inches of the bottom of the base material.
 - 8. Non-paved right-of-way of the streets shall be provided with suitable vegetative cover to prevent erosion; this includes a sod strip along the edge of pavement on swale section streets and sodding between the back of curb and on edges of sidewalks, where sidewalks are provided.

(h) Street Design Specifications

The following table identifies the required specifications for all streets in the County.

Chapter 407. General Development Standards

Article 13. Access Management and Street Network Standards

Table 407.141.1 Street Design Specifications

TYPE OF STREET ¹ MAXIMUM DAILY TRIPS	DESIGN SPEED (MPH)	TRAVEL LANE WIDTH (ft) ²	ACCESS TYPE	STREET TREES ³	CURB AND GUTTER	SIDEWALKS (ft)	MULTI-USE PATH (ft) ⁴	MEDIAN (ft) ⁵	BIKE LANES/ SHOULDERS (ft)	ON STREET PARKING (ft) ⁶	MINIMUM RIGHT OF WAY (ft)
LOCAL - 2 LANE											
Under 250 (Rural/Ag Only)	25	Cartway 18	Direct	Yes	No	5 (Optional)	6 (One Side)	No	No	No	50
Under 250 (Urban Cluster)	25	Cartway 18	Direct	Yes	Optional	5 (Optional)	8 (One Side)	No	No	7 (Optional One Side)	55
250 to 1,200	25	Cartway 20	Direct	Yes	Optional	5 (Optional)	8 (One Side)	No	No	7 (Optional Both Sides)	60
1,200 to 2,500	25	10	Limited	Yes	Optional	5 (One side)	8 (One Side)	10 (Optional)	2	7 (Optional Both Sides)	65
2,500 to 7,500	30	11	Limited	Yes	Optional	6 (one side)	8 (One Side)	12	5	8 (Optional with Bulb-outs)	85
7,500 to 15,000	30	11	Limited	Yes	Optional	NA	8 (Both Sides)	16	6	8 (Optional)	90
LOCAL - 4 LANE											
15,000 to 30,000	35	11	Limited	Yes	Optional	NA	8 (Both Sides)	22	5	8 (Optional)	115

¹ Flexibility in design and less ROW required for developments that provide innovative plans that calm traffic, reduce impervious surface, provide safe and convenient travel for all modes of transportation, and desire to preserve existing natural features and tree canopy. The design of one way streets and streets featuring dedicated transit lanes shall be reviewed on a case by case basis. The table above does not preclude the development of one way streets. One way streets shall have a pavement width between 12 and 16 feet.

² For roadways under 2,500 ADT, any lane widths that are proposed greater than the minimum shall be accompanied by mitigating traffic calming measures placed at least every 600 feet. Traditional Neighborhood Developments (TND), Transit Oriented Developments (TOD) and Activity Centers shall not have travel lane widths greater than that shown in the table above.

³ Street trees are required in the road Right of Way wherever there is an adjacent sidewalk and/or multiuse path per this table. If the required pedestrian facility is removed from within the roadway Right of Way to an alternative location as provided for in this table then existing canopy trees maintained within 20 feet of the edge of the roadway pavement and protected through appropriate covenants and restrictions may be credited as a street tree in the calculation found in section 407.43(d)2. In all cases pedestrian facilities shall have the plantings required per section 407.43(d)1. Planting area determined by tree species per ULDC Table 407.50.1. Minimum planting strip without tree is 4 feet.

⁴ Multi-use paths shall be constructed parallel to and up to 300 feet from the roadway in an open space or common area and shall conform to the standards in Section 407.140.

⁵ All medians shall be landscaped.

⁶ Unstriped onstreet parking shall be allowed on roadways less than 1,200 ADT. If unstriped onstreet parking is proposed it shall be accompanied by mitigating traffic calming measures located at least every 600 feet. On roadways greater than 250 ADT, onstreet parking is required for TNDs, TODs, Multifamily and Activity Centers. Provision of onstreet parking shall be adequate to serve the proposed intensity of development in order that the required clearances for public safety vehicles are maintained. For roadways of 2,500 ADT or more, onstreet parking is allowed via angled or parallel parking spaces in conjunction with landscaped traffic separators.

Alleys to be designed on a case by case basis.

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 into the same setback area as long as there is no greater encroachment into a required setback than has already occurred with the existing structure.

(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:

Article 4 Nonconforming Lots

408.16 Nonconforming Lots

(a) Merger

Where two or more contiguous lots are under the same ownership as of October 2, 1991, the adoption date of the 1991 Comprehensive Plan, and one or more of those lots is nonconforming, such lot or lots shall be combined to form one or more building sites meeting the lot requirements of the zoning district or the Comprehensive Plan land use designation in which they are located as best possible, except in cases where such nonconforming lots are determined to be vested under the provisions of chapter 402, Article 27, Vested Rights, of this ULDC. Legal lots of record created from a parent tract as a lot split in accordance with Section §407.73(f) and prior to October 2, 1991, shall be exempt from this merger provision provided that the lot or lots are located in the Rural/Agriculture land use designation and were not part of a recorded plat.

(b) Dwellings on Nonconforming Lots

A building permit may be issued for a single-family dwelling or a manufactured home on any legally created nonconforming lot provided that such use is permitted, and that the requirements of the zoning district in which the lot is located are met.

(c) Exception for Legally Created Nonconforming Agricultural Lots

An administrative exception to the current standards of the zoning districts found in these regulations may be granted by the Zoning Administrator for dwellings (including manufactured homes and mobile homes meeting inspection and certification requirements found in Chapter 404) and any associated accessory buildings on Agricultural zoned lots that became legally nonconforming on September 28, 1992, the date of the previously amended land development code, or residential lots administratively rezoned to Agriculture, subject to the following standards unless platted, and then a re-plat may be required:

Table 408.16.1
Nonconforming Agricultural Lot Dimensional Standards

Lot size	0-3 acres
Setbacks	
Front, min (ft)	25
Rear, min (ft)	20
Interior side, min (ft)	10
Street side, min (ft)	15
Rear lot line setback - accessory buildings, min (ft)	7 1/2

(d) Development on Nonconforming Lots Due to Eminent Domain or Dedication of Street Right-of-Way

A development order may be issued for development of a lot not meeting the minimum area, setbacks or other standards of the zone, provided that the lot was made nonconforming by reason of the exercise of the power of eminent domain or through dedication of street right-of-way to the adjacent road system as requested by a governmental entity, and the remedies set forth in subsection (a) of this Section cannot be exercised.

Adverse visual impact: As used in Chapter 404, Article 12, the negative visual effect of a PWSF on its surroundings. Being able to see a PWSF does not necessarily equate to a negative visual effect. Whether the visual effect of a PWSF is adverse is based on the existence of relevant negative factors for that facility, the number of those negative factors, and the degree that the facility evidences those negative factors. Relevant negative factor may include: a large amount of the PWSF is visible from normal views; the PWSF is of a design, material, location, or size that readily catches and holds a viewer's eye when viewed from normal views; the PWSF is in the normal view of a person in a moving vehicle for more than a short period of time; the PWSF is to be lighted and in an area with few or no other lights; the PWSF is readily identifiable as a PWSF by the average viewer; the PWSF, when viewed from normal views, appears out of place in the area; there is an absence of existing visual impact from other uses in the area surrounding the PWSF; there is an absence of vegetation, structures or other screening between the PWSF and normal views; the scale (height and bulk) of the PWSF is significantly greater than other uses existing or allowed in the surrounding area; the facility is proposed in an area visually protected by adopted view protection corridors or generally applicable aesthetic regulations that heighten the protection of the overall aesthetics of the area; and a large amount of the available view is occupied by the PWSF, relative to all available views.

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

Affordable Housing Development (concurrency): A development where at least 50% of the units meet the definition for affordable housing for low-income households, or where at least 20% of the units meet the definition for affordable housing for very low-income households.

Aggrieved or adversely affected party: Any person or local government that will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons. The term includes the owner, developer or applicant for a development order.

Agriculture: The use of land predominantly for the cultivation of crops and livestock including: cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture areas, groves, confined feeding operations, specialty farms, and silviculture.

Agriculture, Bona Fide: Good faith commercial agricultural use of the land, provided the land is classified for assessment purposes by the property appraiser as "agricultural" pursuant to Chapter 193, Florida Statutes.

Agriculture, intensive: Includes off-premises agricultural processing, agricultural warehousing and distribution, and concentrated animal density generally associated with milking barns, feed lots, chicken houses, or holding pens.

Agricultural processing, offsite: A facility that processes, packages and sells agricultural products or byproducts (such as compost) that are not produced on the property or as part of the same farming operation.

Agricultural services: Service industries supporting agricultural production and processing, including, but not limited to, landscape materials and service, tree-trimming and horticultural services, irrigation services, veterinary and other animal services; soil preparation services, crop services, farm labor and management services; well-drilling services, and related retail sales for permitted agricultural services only.

Agricultural supply: Materials, goods, and equipment directly related to agricultural activities and services, such as animal feed and supplies, fertilizers, landscape materials, farm equipment and supplies, and horticultural or garden items.

Agricultural uses: Activities including silviculture, livestock and poultry raising, cattle and animal grazing, cultivation crops and other commercial production for sale to others, including apiculture, aquaculture, floriculture, groves and orchards, horticulture, pasturing of animals, training or instruction of animals, sod farming, tree farming, viticulture, on-farm composting and similar activities. Preparation and sale of value added goods made using products produced onsite shall be considered an agricultural use.

Agricultural warehousing or distribution: Any activity that provides for the warehousing, storage, or distribution of agricultural supplies and equipment, including such items as animal feed and supplies, fertilizers, farm equipment and farm supplies, horticultural or gardening items, and bulk food products.

Agritourism activities: Activities relating to the preserving, processing, packaging or sale of locally grown agricultural products such as farm tours, farm meals, “u-pick” opportunities, cooking classes, agricultural workshops or agricultural education activities.

Airport elevation: the highest point of an airport's usable land area measured in feet above mean sea level.

Airport hazard: any structure or any object of natural growth or use of land which would exceed the federal obstruction standards as contained in 14 CFR, Part 77, subsections 77.21, 77.23, 77.25, and 77.29, as amended, and which obstructs the airspace required for flight of aircraft in landing, maneuvering, and takeoff at an airport or is otherwise hazardous to such landing or takeoff of aircraft.

Airport obstruction: any structure, object of natural growth or use of land which would exceed the federal obstruction standards as contained in 14 CFR, Part 77, subsections 77.21, 77.23, 77.25, and 77.29, as amended.

Airport noise zone: The area within the noise zone of public airports as established by Alachua County after a public hearing and depicted on the Official Zoning Map.

Alley: Any public or private right-of-way, primarily designed to serve as primary or secondary access to the side or rear of properties and less than 30 feet in width.

All-terrain vehicle (ATV): Any motorized off-highway or all-terrain vehicle 50 inches or less in width, having a dry weight of 1,200 pounds or less, designed to travel on three or more nonhighway tires, and manufactured for recreational use by one or more persons. *Two-rider ATV:* Any ATV that is specifically designed by the manufacturer for a single operator and one passenger. *OHM or off-highway motorcycle:* Any motor vehicle used off the roads or highways of this state that has a seat or saddle for the use of the rider and is designed to travel with not more than two wheels in contact

with the ground, but excludes a tractor or a moped. *Recreational Off-road vehicle (ROV)*: Any motorized recreational off-highway vehicle 65 inches or less in width, having a dry weight of 2,000 pounds or less, designed to travel on four or more nonhighway tires, and manufactured for recreational use by one or more persons.

Alteration: Human-caused activity that modifies, transforms, or otherwise changes the land and/or vegetation, including, but not limited to: removal, displacement, mowing, or disturbance (severe pruning, hatracking or internodal cutting, or poisoning) of vegetation excluding permitted prescribed burns; removal, displacement, demucking or disturbance of soil, rock, minerals or water within a plant's root zone; introduction of livestock; placement of vehicles, structures, debris, fill or other material objects thereon, including introduction or injection of water and other substances; 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 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.

Base flood: A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in Florida Building Code, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Business services: Any commercial activity primarily conducted in an office, not involving the sale of goods or commodities available in the office, and not dispensing personal services, but including such businesses as insurance agencies, stockbrokers, counselors, consultants, accountants, collection agencies, title and abstract companies, income tax services, travel agencies, advertising agencies, and any similar office-type use.

Cannabis (Low-THC): A plant of the genus, *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such a plant; or any compound, manufacture, salt derivative, mixture or preparation of such plant or its seeds that is dispensed only from a medical marijuana dispensary.

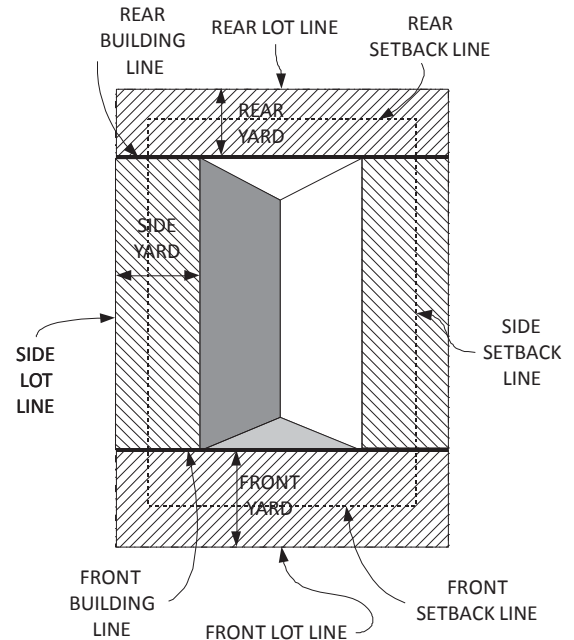
Cannabis (Medical): A plant of the genus, *Cannabis*, whether growing or not; the resin extracted from any part of such a plant; or any compound, manufacture, salt derivative, mixture or preparation of such plant or its seeds that is dispensed only from a dispensing organization for medical use by an eligible patient as defined in s.499.0295 F.S.

Capital improvements element: The capital improvements element in the county comprehensive plan or its most recent amendment.

Capital improvements program: The list of capital projects updated annually and adopted in the capital improvement element by the Alachua County Board of County Commissioners that is used to identify capital improvements that will contribute to the maintenance of level of service standards adopted in the capital improvements element for each public facility.

Carrier: A company licensed by the Federal Communications Commission (FCC) that provides wireless services. A tower builder or owner is not a carrier unless licensed to provide personal wireless services.

Cartway: A roadway generally designed for two way traffic that has no center stripe



Certificate of level of service compliance (CLSC): A statement from the county that the public facilities required to serve the proposed development are or will be available with adequate capacity based on adopted level of service standards when the impacts of the development occur.

Change of Occupancy: For the purposes of Chapter 406, Article 7, a change of occupancy shall be a change in the purpose or level of activity within a building that involves a change in the application of the requirements of this code.

Child Care Center: any center or arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit.

Church: see "Place of Worship".

Civic organization: A private, non-profit entity existing to serve one or more community functions, including educational, cultural, social, service, and religious activities.

Clean debris: Any solid waste which is virtually inert and which is not a pollution threat to groundwater or surface waters and is not a fire hazard and which is likely to retain its physical and chemical structure under expected conditions of disposal or use. The term includes uncontaminated concrete, including embedded pipe or steel, brick, glass, ceramics, and other wastes designated by the FDEP.

Close-mount: Antenna arrays mounted within three feet of the mounting structure.

Closed system: An enclosed stormwater conveyance system associated with roadways constructed with curb and gutter.

Cocktail lounge, bar, tavern, or nightclub: A commercial establishment dispensing alcoholic beverages for consumption on the premises in which the service of food is merely incidental defined as the establishment deriving no more than 50 percent of its gross revenue from the sale of food consumed on the premises. Dancing and musical entertainment may be permitted. The term nightclub may also include facilities in which dancing and musical entertainment are permitted whether or not alcoholic beverages are served.

Co-location: The use of a common mount by two or more wireless carriers.

Colonnade: A roof or building structure, extending over the sidewalk, open to the street and sidewalk except for supporting columns or piers.

Commencement of construction: Issuance of a construction or building permit by Alachua County and commencement of infrastructure or building construction activities.

Commercial animal boarding facility: A facility that provides the service of temporary care of domestic animals.

Commercial animal raising: A commercial activity whose principal use is the breeding of non-domestic animals, both native and exotic, and which are not considered livestock by the Florida Department of Agriculture, as for wholesale and/or retail sales.

Commercial Mobile Radio Services (CMRS): Per Section 704 of the Telecommunications Act of 1996, any of several technologies using radio signals at various frequencies to send and receive voice, data and video. According to the FCC, these services are "functionally equivalent services." Section 704 of the Telecommunications Act prohibits unreasonable discrimination among functionally equivalent services.

Common open space: see "Open space, common".

Common ownership or control: The same or overlapping ownership or control, in that one or more person in a position of ownership or control is overlapping (i.e. owners, shareholders, directors, partners, principals, and other individuals that make up the corporations, partnerships, limited liability companies, professional associations, joint ventures, and other legal entities that own, that hold options to purchase, or that develop property).

Community green space: 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.

Community residential home, small: A dwelling unit licensed to serve clients of the Department of Children and Family Services, which provides a living environment for 6 or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community residential home, large: A dwelling unit licensed to serve clients of the Department of Children and Family Services, which provides a living environment for 7 or more unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community services: Governmental or private uses that provide a function for the community, including nonprofit or voluntary organizations and clubs engaged in civic, charitable, and related activities.

Comprehensive Plan: The Alachua County Comprehensive Plan, adopted in 2011, as amended.

Concealed PWSF: A PWSF that is not readily identifiable as such and that is not aesthetically incompatible with nearby uses. There are two types of concealed PWSFs:

1. Concealed PWSF tower: A style of PWSF tower designed to obscure from view the antennas and the ancillary appurtenances that directly relate to the antennas. Concealed PWSF towers include, but are not limited to, structures that are or look like the following: a church steeple, a bell tower, spire, clock tower, cupola, light standard, flagpole with or without a flag, tree, etc.
2. Concealed PWSF antenna: Antenna either located wholly within the structure so as not to be visible, located behind screening, or otherwise locating them in such a manner that the antenna and ancillary appurtenances are not readily identifiable as such.

Concentrated animal feeding operation: A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Pastures shall not be considered concentrated animal feeding operations.

Concurrent: That the public facilities necessary to maintain the level of service standards adopted in this chapter will be available when the impacts of development occur on the public facilities affected by the development.

Concurrency management official (CMO): The Director of Growth Management, or his designee.

Concurrency management system: The procedures and/or process that Alachua County will utilize to assure that development orders and permits are not issued unless facilities will be available concurrent with the impacts of development.

Connections: Driveways, streets, turnouts, accessways or other means of providing for the movement of vehicles, pedestrians or bicycles to or from the public street system.

Connectivity: An interlinked system of transportation paths providing multiple routes, based on principles of efficient land use and transportation infrastructure.

Conservation areas: Natural resources that, because of their ecological value, uniqueness and particular sensitivity to development activities, require stringent protective measures to sustain their ecological integrity, including wetlands, surface waters, 100-year floodplains, listed species habitat, significant geologic features, and strategic ecosystems.

Conservation easement: Conservation easement shall mean a perpetual, undivided interest in real property as described in 704.06, Florida Statutes.

Conservation management area: An area that contains the entire regulated natural or historic resources, as well as additional areas such as buffers, setbacks and linkages that preserve natural system functions.

Construction and demolition debris: Discarded materials generally considered to be not water-soluble and non-hazardous in nature, including but not limited to steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction or demolition of a structure as part of a construction or demolition project or from the renovation of a structure and including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site. The term also includes: clean cardboard, paper, plastic, wood and metal scraps from a construction project; except as provided in Section 403.707(12)(j), Florida Statutes, relating to recycling, waste reduction, and resource recovery, non-treated wood scraps from facilities manufacturing materials used for construction of structures or their components and unpainted, non-treated wood pallets provided the wood scraps and pallets are separated from other solid waste where generated and the generator of such wood scraps or pallets implements reasonable practices of the generating industry to minimize the commingling of wood scraps or pallets with other solid waste; and de minimus amounts of other non-hazardous wastes that are generated at construction or destruction or demolition projects, provided such amounts are consistent with best management practices of the industry.

Continuing in good faith: The final development order for a project has not expired, and no period of one year passes without the occurrence, on the land, of development activity which significantly moves the proposed development toward completion of construction. However, a one year lapse in development activity due to factors beyond the developer's control shall not constitute a failure to continue in good faith.

Convenience store: An establishment engaged in the retail sale of a variety of merchandise and food, such as canned and dry goods, beverages, dairy products, and bakery products not produced on the premises.

Corner clearance: At an intersecting street or highway, the dimension measured along the edge of the travelled way between the return radius point and the nearest point of the driveway.

Corridor Design Manual: Alachua County Corridor Design Manual, adopted November 2002.

County: Alachua County, a charter county and political subdivision of the State of Florida.

County Commission: The Board of County Commissioners of Alachua County, Florida.

County Engineer: The Alachua County Engineer or his designee.

County facility: Any public street, sidewalk, place or building owned or controlled by or under the jurisdiction of the County, located throughout Alachua County, and includes, but is not limited to, County parks and recreation facilities.

Courtyard: A common open space surrounded wholly or partly by walls or buildings where people may congregate.

Critical-duration: The duration of a specific storm event (i.e., 100-year storm) which creates the largest volume or highest rate of net stormwater runoff (post-development runoff less pre-development runoff) for typical durations up through and including the 10-day duration event (1-hour, 2-hour, 4-hour, 8-hour, 24-hour, 3-day, 7-day and 10-day events). The critical duration is determined by comparing various durations of the specified storm and calculating the peak rate and volume of runoff for each. The duration resulting in the highest peak rate or largest total volume is the "critical-duration" storm.

Cul-de-sac: A street terminated at the end by a vehicular turnaround.

Dairy, commercial: An area of land on which cows are kept for the purpose of producing dairy products in commercial quantities.

Dam: A barrier to the flow of surface waters, constructed of earthen or other suitable materials.

De minimis impact: An impact of not more than ten average daily trips on the affected transportation facility. A de minimis impact shall not exceed a cumulative impact of ten (10) average daily trips for an existing parcel of record, contiguous commonly held parcels or per development proposal. Further, no impact shall be de minimis if it exceeds the adopted level of service of a designated hurricane evacuation route.

Decision height: The height at which a decision must be made during an Instrument Landing System approach to either continue the approach or to execute a missed approach.

Department: The Department of Growth Management.

Design flood: The flood associated with the greater of the following two areas: [Also defined in Florida Building Code, B, Section 1612.2.]

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

Design flood elevation: The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in Florida Building Code, B, Section 1612.2.]

Detention: The collection and temporary storage of stormwater in such a manner as to provide for treatment through physical, chemical or biological processes with subsequent gradual release of stormwater.

Developer: The owner of land to be subdivided or the owner's representative who is responsible for any undertaking that requires review and/or approval.

Developer's agreement: An enforceable agreement entered into between Alachua County and a developer to provide for exactions or implementation of mitigation strategies or other provisions necessary to address impacts caused by development.

Developed area: That portion of a plot or parcel upon which a building, structure, pavement, gravel, landscaping or other improvements have been placed.

Developed recreation: Facilities designed to provide for active recreation as their primary use, including swimming pools, playing fields, paved courts and skating areas, etc.

Development agreement: An enforceable agreement between Alachua County and a developer which meets the requirements of F.S. §§ 163.3220 163.3243 and 163.3177(10)(h).

Developer's engineer: A professional engineer, registered in Florida, who is in good standing with the Department of Business and Professional Regulation, Division of Professions, Board of Professional Engineers, engaged by the Developer to prepare engineering plans for the development and to review the construction of capital improvements.

Development: Any new subdivision or expansion of an existing subdivision, or any new residential, commercial, industrial, institutional or mixed use project, or expansion of such an existing project, where approval is required by the Development Review Committee and/or the Board of County Commissioners.

Development, zero lot line: A residential or mixed use development where the buildings, either attached or detached, are positioned on a lot in such a manner that one or more of the building's sides rest directly on a lot line or within a required setback and that all buildings utilize the same side of the lot.

Development activity: Any dredging, filling, excavation, construction of new structures, expansion of existing structures, installation of utilities, roads, personal wireless service facilities, stormwater management systems, septic tanks, bulkheading, land clearing, tree cutting, mechanized vegetation removal and the disposal of solid or liquid waste.

Development order: Any order granting, denying, or granting with conditions a building permit, construction permit, rezoning, subdivision approval, special use permit, special exception, variance, or any other official action by Alachua County having the effect of permitting the development of land.

Development order, final: The approval by the county of a proposal containing a specific plan for development, including the densities and intensities of the proposed development. It includes the final approval given by the development review committee (DRC) in accordance with the requirements of the land development regulations or other permits such as excavation permits which have an impact on one or more public facilities that are subject to concurrency.

Development plan, minor: A Final Development Plan requiring approval by the Development Review Committee including Limited Uses, Change of Use, and similar development plans not requiring extensive engineering as deemed by the Director of Growth Management.

Development Review Committee (DRC): A committee, established for the review and approval process for development in the unincorporated area of Alachua County.

Developments of Regional Impact: Any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county and which is required to undergo Development of Regional Impact review in

accordance with the standards and guidelines adopted by the state land planning agency pursuant to F.S. § 380.06(2).

Diameter breast height (DBH): The diameter of a tree measured at four and a half feet above ground level.

Director: The Director of the Growth Management Department, except where the context clearly indicates the director of another Alachua County Department.

Distance between driveways: The distance measured along the right-of-way line between the tangent projection of the inside edges of adjacent driveways to the same frontage.

Documented: The existence of a scientifically credible occurrence record, including surveys, scientific publications, or other information from a developer or landowner, local, regional, state or federal agencies, or other credible source.

Dormitory: A structure used for sleeping accommodations related to an educational facility.

Domestic animals: A dog, cat, or ferret.

Drainage structure: Culverts, storm drains, and stormwater retention or detention ponds with side slopes that must be stabilized by artificial means.

Dwelling: A building or part of a building used for residential purposes, including dormitories, fraternity or sorority houses, and community residential homes, but not overnight accommodations such as hotels, motels, tourist courts, and rooming houses, recreational vehicles or other living facilities.

Dwelling, single family attached: A building and accessories that is principally used, designed, or adapted for use by a single household, containing all the essential elements of a single housekeeping unit, and that is constructed in a series, row, or group with one or more other dwelling units, which share not less than 50 percent of one or more exterior walls and are located on separately platted lots.

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.

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): For the purposes of Chapter 406, Article 7, 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 Chapter 406, Article 7 (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 one foot. [Also defined in Florida Building Code, B, Section 1612.2.]

Floodway encroachment: For the purposes of Chapter 406, Article 7, 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.

Large-scale comprehensive plan amendment: An amendment to Alachua County Comprehensive Plan that does not meet the criteria of a small-scale comprehensive plan amendment pursuant to F.S. § 163.3187.

Lattice tower: A type of PWSF mount that consists of multiple legs and cross-bracing of structural steel.

Letter of Map Change (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include LOMA, LOMR, LOMR-F and CLOMR:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the

fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Level of service (LOS) standard: The LOS standard adopted in the Alachua County Comprehensive Plan that will be used to determine whether adequate capacity will be available for a particular public facility to accommodate the impacts of a proposed development on the facility.

Light-duty truck: As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
3. Available with special features enabling off-street or off-highway operation and use.

Listed species: Those species of plants and animals listed as endangered, threatened, rare, or species of special concern by an official state or federal plant or wildlife agency, or the Florida Natural Areas Inventory (FNAI, includes species ranked as S1, S2, or S3). These species are targeted for protection for a number of reasons, e.g. they are in imminent danger of extinction, are rapidly declining in number or habitat, or have an inherent vulnerability to habitat modification, environmental alteration, or human disturbance which puts them at risk of extinction.

Littoral zone: In reference to stormwater management systems, that portion which is designed to contain rooted aquatic plants.

Livestock: Includes all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals as recognized by the Florida Department of Agriculture.

Living area: That area of a dwelling unit which is enclosed, protected from the elements, and is heated, including interior halls, closets, utility and storage areas, but excluding garages, carports, screened porches, unenclosed and unheated areas.

Lot: A piece, parcel, tract, or plot of land occupied or intended to be occupied by at least one use permitted in this ULDC, and including the required yards and shall include all lots of record included in such piece, parcel, tract, or plot of land, and all lots otherwise designated.

Lot, corner: Any lot situated at the intersection of two streets and abutting such streets on two adjacent sides.

Lot, interior: Any lot bounded on both sides by other lots.

Lot coverage: That percentage of the plot area covered or occupied by buildings or roofed portions of structures.

Lot of record:

- A. A lot which had been assigned a parcel number by the Alachua County Property Appraiser's Office prior to May 7, 1992, and which met the applicable regulations of Alachua County at the time the lot was created;
- B. A lot that was created by a deed or by a contract for deed executed prior to May 7, 1992, and which met the applicable regulations of Alachua County at the time the lot was created;
- C. A lot created by a separate legal description where a building permit has been issued for residential purposes;
- D. Lots created by either the County Commission or Board of Adjustment of Alachua County.

Lot line: The property line, abutting the right-of-way line, or any line defining the exact location and boundary of the lot or property.

Low Impact Development (LID): An approach to land development that preserves and protects natural-resource systems using various site planning and design approaches and technologies to simultaneously conserve and protect natural resource systems while managing stormwater runoff. The approach includes using engineered small-scale hydrologic controls to replicate the pre-development hydrologic regime through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

Low-income: One or more natural persons or a family that has a total annual adjusted gross income for the household that does not exceed 80 percent of the median annual gross income for households, adjusted for family size, within the metropolitan statistical area.

Lowest floor: The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in Florida Building Code, B, Section 1612.2.]

Management plan: A plan which addresses conservation and management of native vegetation occurring within a specific area, as approved by the landowner or applicant on behalf of the landowner, the Alachua County Office of Environmental Protection, the Florida Department of Natural Resources or other public entity with maintenance responsibility for the adjacent Preservation lands, and the Florida Game and Fresh Water Fish Commission in cases where listed species are present or affected.

Manufactured building, DCA-approved: Any factory built structure, building assembly, or system of subassemblies that is manufactured or constructed under the authority of F.S. §§ 553.35–553.42, known as the Florida Manufactured Building Act of 1979. All such manufactured buildings must meet the requirements of, and bear the insignia of approval of, the State of Florida Department of Community Affairs.

Manufactured home: A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.] This includes a mobile home fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

Manufactured home park or subdivision: For the purposes of Chapter 406, Article 7, a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Manufactured or mobile home park: A lot or parcel of land under single ownership or management upon which is operated a business engaged in providing for the parking of manufactured and mobile homes to be used for both living and storage purposes, and including the customary accessory uses such as owners' and managers' living quarters, restrooms, laundry facilities, utility areas, and facilities for parks and recreation.

Marina: A recreational facility established for the purposes of fishing or boating, which may provide in-water or dry storage of boats, food services, transportation, guides, boat rentals, and other customary accessory uses and facilities. Overnight accommodations may be provided at these facilities only by special exception.

Market value: The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. The term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

Marquees and canopies: Any shelter, cover, or protection extending beyond the outer face of the building wall, of either rigid or nonrigid construction, designed and intended to be used for the purpose of shelter or protection for entrances and walkways.

Massage: Touch, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, causing movement of the soft tissues and applying manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment).

Massage therapy: The profession in which the practitioner applies massage techniques with the intent of positively affecting the health and well-being of the client, and may adjunctively (i) apply allied modalities, heat, cold, water and topical preparations not classified as prescription drugs, (ii) use hand held tools or devices designed as t-bars or knobbies, and (iii) instruct self care and stress management. "Manual" means by use of hand or body.

Materials recovery facility: A solid waste management facility that provides for the extraction from solid waste of recyclable materials, reusable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.. Nonrecoverable materials are transferred from the materials recovery facility and disposed of as solid waste.

Maximum service volume: The maximum capacity of a public facility based on the adopted LOS standard. For the purposes of roadway capacity, maximum service volume shall be determined by the latest Florida Department of Transportation (FDOT) generalized tables, a more detailed analysis such as FDOT's Arterial Planning software, or the Highway Capacity Manual. Any such detailed analysis shall be subject to acceptance/approval by the Alachua County Public Works Department.

Media: Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything which is or may be used as a means of communication. Media includes but shall not necessarily be limited to books, newspapers, magazines, movies, videos, sound recordings, cd-roms, other magnetic media, and undeveloped pictures.

Median: The portion of a road separating the travel lanes for traffic.

Medical clinic or lab: An institution providing out-patient health-related care services including but not limited to medicine, dentistry, osteopaths, chiropractors, or opticians.

Medical marijuana dispensary: A dispensary organization approved by the Florida Department of Health pursuant to and in accordance with the regulations set forth in the 'Compassionate Medical Cannabis Act of 2014' (as amended on March 25, 2016 and codified in Section 381.986, Florida Statutes) to dispense low-THC and medical cannabis to Florida residents who have been added to the state compassionate use registry by a physician licensed under Chapter 458 or Chapter 459, Florida Statutes, because the patient is suffering from cancer or a physical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms with no other satisfactory alternative treatment options or has a terminal condition as defined in s. 499-0295, F.S.

Mineral resource: The subsurface deposits of economic value, including but not limited to clay, limestone, peat, phosphate and sand.

Minimal Impact Activities: Activities that will have no significant adverse impact on the resource. Such activities may include installation of navigational aids marked consistent with the requirements of Section 327.40, Florida Statutes; construction and maintenance of public or private nature trails not more than ten (10) feet in width; installation of docks not in excess of one thousand (1,000) square feet in size, subject to performance standards, and other similar activities.

Minimum Descent Altitude: The lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circling-to-land maneuvering in execution of a standard instrument approach procedure for which no electronic glide slope is provided.

Minimum Obstruction Clearance Altitude: The lowest published altitude in effect between radio fixes on Very High Frequency Omni Directional Range Station (VOR) airways, off-airway routes, or route segments which meet obstruction clearance requirements for the entire route segment and which assures acceptable navigational signal coverage only within 22 miles of a VOR.

Mining: The extraction of natural deposits from the earth which are regulated by the State of Florida under Part II of Chapter 211 and Chapter 378, Florida Statutes, and by Alachua County Ordinance 68, as may be amended or superseded by this ULDC.

Mining operation: A collective term referring to all aspects of the proposed mining scheme, including the plant, processing areas and total land area for which the applicant is applying for a permit.

Mining permit: A valid operating permit for the conduct of mining operations.

Mining unit: Specified areas of land from which minerals are extracted in a specified period of time.

Mitigation: An action or series of actions that offsets adverse environmental impacts. Mitigation may consist of any one or a combination of monetary compensation, or acquisition, restoration, enhancement, or preservation of wetlands, other surface waters or uplands.

Mixed use: A building or an area that contains a mix of uses. This may include uses such as retail, office, and residential.

Mobile farmers market: A mobile vehicle or trailer, licensed by the Department of Motor Vehicles, from which uncut perishable fruits, vegetables, and herbs are sold.

Mobile home: A transportable, factory-built structure designed to be used as a year-round single-family residential dwelling and built prior to the enactment of the federal Manufactured Housing Construction and Safety Standards of 1974, which became effective for all mobile home

construction on June 15, 1976 (previously known as the federal Mobile Home Construction and Safety Act).

Moderate-income: One or more natural persons or a family that has a total gross income for the household that is less than 120 percent of the median annual gross income for households, adjusted for family size, within the metropolitan statistical area.

Monitoring wells: Strategically located wells from which groundwater samples are drawn for water quality analysis.

Monopole: One type of self-supporting mount consisting of a single shaft of wood, steel or concrete and antennas at the top and/or along the shaft.

Mount: The structure or surface to which antennas are attached.

Motion picture arcade: Any booth, cubicle, stall or compartment which is smaller than 500 square feet in floor area, which is designed, constructed or used to hold or seat customers, and which is used for presenting motion pictures or viewing publications for a fee by any photographic, electronic, magnetic, digital or other means or medium (including, but not limited to, film, video or magnetic tape, laser disc, cd-rom, books, magazines or periodicals) for observation by customers therein.

Multifamily dwelling: See "Dwelling, multifamily".

Museum: An establishment serving as a repository for a collection of natural, scientific, technological, artistic, or literary objects of interest, designed to be viewed by the public with or without an admission charge.

Native vegetation: Vegetation occurring naturally in the north central Florida region without the influence of humans. Native vegetation is a comprehensive term that encompasses all plant life, including groundcover, grasses, herbs, vines, shrubs and trees that, based on current knowledge, are known to have been present regionally before the time of documented European contact (~ 1500 A.D.).

Natural ground: The surface of the earth as it exists prior to initiation of mining operations and includes the surface of any land previously mined in earlier operations, whether reclaimed or not.

Natural resources: Alachua County's biological, physical, geological and hydrological components of the environment.

Neighborhood convenience centers: A planned commercial center consisting of a store or group of stores or shops under single ownership or management, not exceeding 20,000 square feet of gross leasable floor area, with common parking facilities, ingress and egress, loading and unloading facilities.

New construction: For the purposes of administration of Chapter 406, Article 7, and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after December 14, 1982 and includes any subsequent improvements to such structures.

New 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 on or after December 14, 1982.

Non-native Vegetation: Vegetation not natural to the north central Florida region, including prohibited non-native vegetation listed in F.A.C. 62C-52.011, Florida Prohibited Aquatic Plants List, and F.A.C. Rule 5B-57, Florida Noxious Weed List, as well as discouraged non-native vegetation listed in Table 406.08.4.

Nonconforming building: Any building or structure which existed lawfully at the time it was permitted, but that does not comply with the current regulations of the zoning district or the Comprehensive Plan land use designation in which it is located.

Nonconforming lot: Any lot of record which does not meet the minimum area required by this ULDC or the density requirements of the Comprehensive Plan land use designation in which the lot is located.

Nonconforming structure: Any building or structure, other than a sign, that was legally established but no longer complies with the standards of this ULDC or the Comprehensive Plan.

Nonconforming use of building: The lawful use of any building or structure for other than a use specifically permitted in the zoning district or the Comprehensive Plan land use designation in which the building is located.

Nonconforming use of land: The lawful use of any land other than a use specifically permitted in the district in which the lot or parcel of land is located.

Nonprecision instrument runway: A runway having a nonprecision instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment for which a straight-in, nonprecision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on a Federal Aviation Administration (FAA) planning document or military service's military airport planning document.

Non-profit conservation organization: Any private organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, which has among its principal goals the conservation of natural resources or protection on the environment.

Notice of activity: Written or oral communication to the Department of Growth Management regarding the commencement of certain silviculture activities

Nursing home facility: Any facility which provides nursing services as defined in Part I of Chapter 464, F.S. and which is licensed in accordance with Chapter 400, Part II, F.S. For the purposes of this definition a facility is defined as any institution, building, residence, private home, or other place, whether operated for profit or not, including a place operated by a county or municipality, which undertakes through its ownership or management to provide for a period exceeding 24-hour nursing care, personal care, or custodial care for three or more persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services, but does not include any place providing care and treatment primarily for the acutely ill. A facility offering services for fewer than three persons is within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services. (Chapter 400, Part II, F.S.)

Obstruction: Any fill, structure, work, appurtenant work, or surface water management system placed in a floodway which may impede the flow of water or otherwise result in increased water surface elevations.

Old Florida Heritage Highway: Roads designated as a scenic highway pursuant to Section 335.093, Florida Statutes, which provides that the purpose for such designation is to preserve,

maintain, and protect a part of Florida's cultural, historical, and scenic routes for vehicular, bicycle and pedestrian travel.

Off-site: Any premises not located within the area of the property to be subdivided or otherwise developed, whether or not in the common ownership of the applicant for subdivision approval.

Office use: Business, professional, service, and governmental occupations, institutions and commercial activities not involved with the sale of merchandise.

One-stop permitting: The ability to obtain a single permit from the County and other appropriate agencies as a result of an inter-local agreement for the permitting and construction of stormwater management facilities associated with new development or modification to existing facilities.

Open space: Any natural, recreational, or common open areas, either publicly or privately owned, set aside, dedicated, designated, or reserved for the private use or enjoyment of owners or occupants of land adjoining such open space, or for the public at large.

Open space, common: All open space, natural areas, and recreational areas which are within the part of a development designed and intended to be used in common by the owners, residents, or tenants of the development.

Open space, usable: Walkable outdoor area designed or used for public access, outdoor living, recreation or pedestrian access.

Open system: An open stormwater conveyance system associated with roadways constructed with roadside swales.

Outside radius: The outside or larger curve radius connecting the edge of the driveway to the edge of the travelled way.

Outstanding Florida Waters (OFWs): Surface waters that have been determined to be worthy of special protection as identified in Section 62-302.700, Florida Administrative Code. In Alachua County, these surface waters include Lochloosa Lake (including Little Lochloosa Lake, Lochloosa Lake Right Arm, and Lochloosa Creek upstream to County Road 20A); Orange Lake up to the U.S. Highway 301 bridge, the River Styx up to Camps Canal, and Cross Creek; and the Santa Fe River System (consisting of the Santa Fe River, Lake Santa Fe, Little Lake Santa Fe, Santa Fe Swamp, Olustee Creek, and the Ichetucknee River south of S.R. 27, but excluding all other tributaries). Also included are waters within state parks and preserves, such as Devil's Milhopper State Geological Site, the Marjorie Kinnan Rawlings State Historic Site, O'Leno State Park, Paynes Prairie Preserve State Park, River Rise Preserve State Park, and San Felasco Hammock Preserve State Park.

Overburden: A collective term for all earth materials overlying a subsurface mineral resource deposit, including topsoil, sand, clay, limestone, etc.

Owner: The record owners, including any person, group of persons, firm or firms, corporation or corporations, or another legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided.

Package Treatment Plant: Any wastewater treatment facility having a permitted capacity of less than 100,000 gallons per day. Essentially, this is a small treatment system consisting of a treatment plant and disposal system.

Parent tract: A lot of record that existed on October 2, 1991, the date of the Alachua County Comprehensive Plan adoption, or a parcel of land fronting on a public road and divided by an easement road approved by variance to Road Ordinance 18 prior to May 7, 1992.

Park, public: A piece of land that is owned by the State of Florida, Alachua County, or an incorporated municipality within Alachua County, that is developed and operated for active and/or passive recreational purposes, and that is open to the public on a regular schedule.

Park trailer: A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in 15C-1.0101, F.A.C.]

Parking, shared: Public or private parking that serves more than one use.

Parking space: An area specifically and permanently designated for the off-street parking or storage of vehicles that complies with the minimum parking design standards.

Paved ground surface area: Any paved ground surface area (excepting public rights-of-way) used for the purpose of driving, parking, storing or displaying of vehicles, boats, trailers and mobile homes, including new and used car lots and other open-lot uses. Parking structures, covered drive-in parking areas to the drip line of the covering or garages shall not be considered as paved ground surface areas.

Pedestrian friendly: A quality of access that includes a logical, unobstructed, comfortable path to a useful destination along frontages that are spatially defined and interesting, and safe from traffic.

Pedestrian pathways: Interconnected, paved walkways that provide pedestrian passage through blocks running from street to street or within open space lots.

Permanent foundation: Any structural system for transposing loads from a structure to the earth by means of a poured-in-place foundation without exceeding the safe bearing capacity of the supporting soil and which is installed in accordance with and meets the requirements of the manufacturer's specifications or, in their absence, American National Standards Institute (ANSI) standards, or, in their absence, provisions of the Standard Building Code.

Person: Any individual, group of persons, firm, corporation, association, organization and any legal public entity.

Personal Communication Services (PCS): Mobile telephone service operating in the 1900 MHZ spectrum.

Personal services: Beauty parlor, shop or salon, barber shop, tanning salon, health and fitness facility, spa, weight control establishment, funeral homes, banquet halls or any similar use.

Personal Wireless Service Facility (PWSF): Facility for the provision of personal wireless services, as defined by Section 704 of the Telecommunications Act of 1996. A PWSF is any facility for the transmission and/or reception of personal wireless services, which may consist of an antenna array, transmission cables, equipment shelter or building, access road, mount, and a guy system.

Personal Wireless Services: Any personal wireless service defined in the Federal Telecommunications Act which includes Federal Communications Commission (FCC) licensed commercial wireless telecommunications services including cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), Paging as well as unlicensed wireless services, and common carrier wireless exchange access services.

Pet rescue organization: A structure that is owned, operated or maintained by a private or nonprofit organization that provides for the welfare and sale or adoption of domestic animals to private households, excluding overnight boarding.

Place of worship: Any building used for nonprofit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or under Florida's property tax law, where such building is primarily intended to be used as a place of worship and including customary accessory uses.

Planned development: An area of land developed as a single entity for a number of dwelling units and/or commercial and industrial uses, in accordance with a plan which does not necessarily comply with zoning district regulations for lot size, lot coverage, setbacks, off-street parking, height, bulk or type of dwelling, etc.

Planned development, transfer of development (PD-TDR): A planned development that facilitates the transfer of development rights, by allowing units of density to be transferred from one or more parcels (sending area) to one or more parcels (receiving area).

Planning parcel: The parcels included within the entire contiguous land area under common ownership or control as of May 2, 2005, even if the project proposal or application includes only a portion of such lands.

Planting area: Any area designed for landscape planting having a minimum of ten square feet of actual plantable area and a least inside dimension on any side of 18 inches.

Planting strips: The strips of grass between the curb and sidewalk parallel to the street.

Plat: A map, prepared in accordance with F.S. ch. 177, on which the plan for a subdivision is prepared and submitted for approval with the intention of recording it in final form.

Precision Instrument Runway: A runway having an instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on a FAA-approved airport layout plan, a military service's approved military airport layout plan, any other FAA planning document, or a military service's military airport planning document.

Premises: The extent of any lot, plot, parcel, or tract of land, with or without any buildings or structures thereon.

Primary building line: Measured from the frontage line, the line from which the primary building begins.

Primary live entertainment: That entertainment which characterizes the establishment, as determined (if necessary) from a pattern of advertising as well as actual performances.

Private animal shelter: A structure that is owned, operated or maintained by a private or nonprofit organization used for the care of 10 or more lost, abandoned, or neglected domestic animals, including pet rescue organizations with overnight boarding.

Professional Engineer: An engineer licensed by the State of Florida.

Professional services: The conduct of business in any of the following or related categories: law, architecture, engineering, medicine, dentistry, osteopaths, chiropractors, opticians, or consultants in these related fields.

Property owners association: An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision – be it a lot, parcel site, or any other interest – is automatically a member as a condition of ownership and each such member is subject to a charge or assessment

for a pro-rata share of expense of the association which may become a lien against the lot, parcel, units, or other interest of the member.

Public body: Any government or governmental agency of Alachua County, the State of Florida, the United States government, or any municipality within Alachua County, Florida.

Public facility: One of the facilities for which a level of service standard is adopted in the Alachua County Comprehensive Plan.

Public use: The use of any land, water, or building by a municipality, public body or board, commission or authority, county, state, or the federal government, or any agency thereof, for a public service or purpose.

Public water supply: A natural or artificial system for the provision of water to the public for human consumption which includes public water supply systems, multi-family water systems, and springs.

Radio Frequency Emissions: The electromagnetic energy radiated from an antenna or antenna array. These emissions are the means by which information is transported without wires by PWSFs.

Radio Frequency Engineer: Someone with a background in electrical engineering or microwave engineering who specializes in the study of radio frequencies.

Rapid Infiltration Basin: An artificial impoundment similar to a holding pond for which the design and operation provides for fluid losses through percolation/seepage in addition to evaporative losses, also called a "percolation pond".

Real property: Land or land and buildings.

Receiving area (transfer of development rights): A property which may receive development rights from a sending area.

Reclaimed water: Wastewater that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility.

Reclamation: The filling, backfilling, restructuring, reshaping, and/or revegetation of lands within a mining or excavation and filling site to a safe and aesthetic condition in which lands may be beneficially used.

Reclamation plan: A plan which sets forth a procedure for reclamation of lands affected by a mining or excavation and fill operation.

Reconstruction: Rehabilitation or replacement of a structure or structures on property which either have been damaged, altered or removed or shall be altered to an extent exceeding 90 percent of the assessed valuation of such structure or structures or 90 percent of the combined assessed valuation of such structure and land as shown on the most recent tax roll of Alachua County, Florida.

Recovered materials processing facility: A facility designed and used for receiving, separating, storing, converting, baling, or processing of nonhazardous, nonputrescible recyclable materials that are not intended for disposal.

Recreation, outdoor: Outdoor recreation uses include public or private golf courses, tennis courts, ball courts, ball fields and similar outdoor sports and uses that are not in completely enclosed buildings. This shall also include any accessory uses, such as snack bars, pro shops, clubhouses, country clubs, maintenance buildings or similar uses that are designed and intended primarily for the use of patrons of the principal recreational uses or for the maintenance and servicing of the

facilities. This definition shall not include entertainment and recreation uses such as amusement parks, miniature golf, race car tracks or motorcross facilities or similar motorized sports.

Recreation, resource-based: Recreational activities that are essentially dependent upon the natural, scenic, or historic resources of the area provided the associated activities do not have significant adverse impacts on the ecological integrity or ecological or historical values of the resources in these areas.

Recreational vehicle: Any vehicle, not exceeding 40 feet in overall length or eight and one-half feet in width, designed and intended for recreational purposes, including trailers, travel trailers, boats, campers, pickup campers, buses, tent trailers, motor homes, and other similar vehicles with or without motive power, designed and constructed to travel on public thoroughfares. This includes a vehicle, including a park trailer, which is: [Defined in section 320.01(b), F.S.]

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling: Any process by which solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Rehabilitation: Any work, as described by the categories described in the Florida Building Code, undertaken in an existing building.

Repair: The patchment, restoration and/or minor replacement of materials, elements, components, equipment and/or fixture for the purposes of maintaining such materials, elements, components, equipment and/or fixtures in good or sound condition, but not including alteration of the shape or size of any portion.

Research, development or experimental lab: A building or complex of buildings containing the facilities for scientific research, investigation, testing, or experimentation, but not for the manufacture or sale of products. This does not include medical, dental or ophthalmic labs where physicians, dentists or optometrists refer patients or write prescriptions for routine medical, dental or ophthalmic work.

Recreational camp: Land under single ownership and management having tents, buildings, or other shelters (not including recreational vehicles or mobile homes) for recreational or educational purposes, such as eco-tourism lodges, religious retreats, or children's camps.

Restaurant: An establishment where food is ordered from a menu, prepared and served for pay primarily for consumption on the premises in a completely enclosed room, under roof of the main structure or in a courtyard adjoining the main structure.

Restaurant, with drive-through: Any place or premises where provision is made on the premises for the selling, dispensing, or serving of food, refreshments or beverages in automobiles from a walk-up or drive-through window on the premises, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages in automobiles on the premises.

Re-subdivision: Any change in a map of a recorded subdivision plat or map legally recorded prior to adoption of any regulations controlling subdivision that affects (1) any street layout on the map; or (2) any area reserved thereon for public use. For existing platted properties, a replat must be filed or the existing plat must be vacated in accordance with Chapter 402 Article 12.

Retail sales and services: Retail sales and services shall include those business activities customarily providing retail convenience goods. Such uses shall include department stores, variety stores, drug and sundry stores, home and automobile supply, furniture and appliances, hardware, package stores, newsstands, book and stationery stores, shoe repair shops, luggage shops, bakeries and candy shops (provided that all products made on the premises are sold on the premises), camera and photograph supply shops, radio and television sales and service, floor coverings, sporting goods, florists, jewelers, music and piano sales and services, art shops, pawn shops, dry cleaners, electrical and lighting and similar uses.

Retention: The prevention of the discharge of a given volume of stormwater runoff by complete on-site storage.

Right-of-way: A strip of land occupied or intended to be occupied by a road, street, crosswalk, railroad, electric transmission line, utility service, or any other special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Areas not included in lots intended for streets, crosswalks, water mains, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established. The right-of-way line shall be considered as the property line and all setback requirements provided in the County Zoning Regulations shall be measured from said right-of-way line, or except as may otherwise be provided.

Right-of-way line: A property line which bounds the right-of-way set aside for a road, utility service, or other special use. All setback requirements provided in these regulations shall be measured from said right-of-way line, except as may otherwise be provided.

Road: Any public or private right-of-way set aside for public travel 30 feet or more in width. The word "road" shall include the word "street," "avenue," "boulevard," "lane," "thoroughfare," and "highway" for such purposes.

Road centerline: The line midway between the road right-of-way lines, or the surveyed and platted centerline of a road, which may or may not be the line midway between the existing right-of-way lines.

Roof line: The top edge of the roof which forms the top line of the building silhouette or, for flat roofs with or without a parapet, the top of the roof.

Rooftop photovoltaic solar system: A system which uses one (1) or more photovoltaic panels installed on the surface of a roof, parallel to a sloped roof or surface- or rack-mounted on a flat roof, to convert sunlight into electricity.

Rooming house: A building designed to provide accommodations for persons for temporary residence for compensation, with or without meals, providing for no more than ten sleeping rooms, and which does not maintain a restaurant or cafeteria on the premises, including customary accessory uses in connection with the principal use.

Roundabout: A raised circular area constructed at the center of a three-way or four-way street intersection around which automobile traffic circulates.

Rural kennel or cattery: An establishment not meeting the definition of a private animal shelter or animal sanctuary where more than 10 dogs, 10 cats or 10 ferrets are kept on premises for any purpose, commercial or otherwise, excluding any agricultural animals.

Sadomasochistic practices: Flagellation or torture by or upon a person clothed or naked, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed or naked.

Sanitary hazard: A physical condition which involves or affects any part of a drinking water system or raw water source, and that creates an imminent or potentially serious risk to the health of any person who consumes water from that system. Examples of sanitary hazards include drainage wells; commercial applications of pesticides or fertilizers, such as golf courses, nurseries and crop production sites; animal feeding operations; improperly abandoned wells; active or abandoned phosphate mines; pipelines carrying industrial chemicals; railroad yards; domestic wastewater; cemeteries; stormwater retention/detention basins; tanks or lagoons used to store, treat, or dispose of liquid wastes; cattle dipping vats; tomato or egg wash wastewater land application areas; or waste transfer stations.

Scenic corridor: A visual opening along a traveled route, such as a road, waterway, bike path, or pedestrian trail, that allows either glimpses or extended views of built or natural resources having historical or cultural significance or scenic beauty.

Scenic road: Any presently existing or future public roadway in the county system having historical or cultural significance or natural beauty as designated in Chapter 405 Article 9.

School, public: See educational facility, public

School, private: See educational facility, private

Screening: The method by which a view of one site from another site is shielded, concealed or hidden. Screening techniques may include one or a combination of the following: fences, walls, hedges, berms, existing natural vegetation or other features.

Security: A letter of credit, cash escrow or surety agreement 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.

Security quarters: A manufactured home or single-family dwelling on the site of a nonresidential use, occupied by a guard or caretaker.

Seepage slope: Seepage slopes are wetlands characterized as shrub thickets or boggy meadows on or at the base of slopes. They often occur where water percolating through sands encounter an impermeable layer of clay or rock. These communities are usually dominated by hydrophytic shrubs or herbs such as fetterbush, titi, male berry, waxmyrtle, ferns, grasses, and grass-like. Seepage slopes most closely resemble bog communities but occur on slopes rather than flat land.

Self-service storage facilities: A building or buildings consisting of individual, self-contained spaces within structures that are leased or owned for the storage of business and household goods.

Semi-public body: Includes churches and organizations operating as a nonprofit activity serving a public purpose or service and includes such organizations as noncommercial clubs and lodges, theater groups, recreational and neighborhood associations, and cultural activities.

Sending area (transfer of development rights): A property from which development rights may be transferred to a receiving area.

Septage: all solid waste containing human feces or residuals of such which is generated by any industrial or domestic wastewater treatment plant, water supply treatment plant, air pollution control facility, septic tank, grease trap, portable toilet or related operation, or any other such waste having similar characteristics.

Septic system: An onsite sewage treatment and disposal system that contains a standard subsurface, filled, or mound drainfield system; an aerobic or anaerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a grease interceptor; a dosing tank; a solids or effluent pump; a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. This term does not include package sewage treatment facilities and other treatment works regulated under F.S. ch. 403.

Septic system, alternative: An onsite sewage treatment and disposal system that provides advanced treatment of effluent.

Service station: Any business engaged primarily in the servicing of automotive vehicles, including the sale and delivery of fuel, lubricants, and other products necessary to the operation of automotive vehicles, including the sale and installation of accessories, tires, batteries, seat covers, tire repair, cleaning facilities, minor engine tune-up, wheel balancing and aligning, and brake service, but not including mechanical or body repair facilities, or the sale or major repair of vehicles or trailers.

Settling pond: An area surrounded by dams, dikes or masses of earth into which fluids are introduced for the intended purpose of separating suspended solid material from water.

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

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

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

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

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

Sexually oriented business: An inclusive term used to describe collectively: sexually oriented cabaret; sexually oriented motion picture theater; motion picture arcade; massage parlor or shop

unless operated by a massage therapist licensed by the State of Florida; retail sales and services falling into the category of sex shop or sexually oriented media shop. This collective term does not describe a specific land use and shall not be considered a single use category for purposes of the zoning code or other applicable ordinances.

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

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

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

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

Shared parking: See “Parking, shared”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Specified Anatomical Areas:

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

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

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

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

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

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

Start of construction: The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in Florida Building Code, B Section 1612.2.]

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

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

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

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

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

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

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

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

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

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

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

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

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

Substantial improvement: For the purposes of Chapter 406, Article 7, any repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in Florida Building Code, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Chapter 406, Article 7, section 406.57.2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

University: See ' College'

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Water Management District: Any flood control, resource management, or water management district operating under the authority of Chapter 373, Florida Statutes. Unless otherwise stated, water management district shall refer to either or both, the St. Johns River Water Management District or the Suwannee River Water Management District.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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