



Alachua County Charter

Follow-Up on Potential Board-Initiated Charter Amendments

Presentation Outline

1. County Land Use and Zoning Authority

- Review of Seminole County Charter model
- Map options for potential areas where land use and zoning authority would remain under the County's jurisdiction
- Implementation considerations and questions

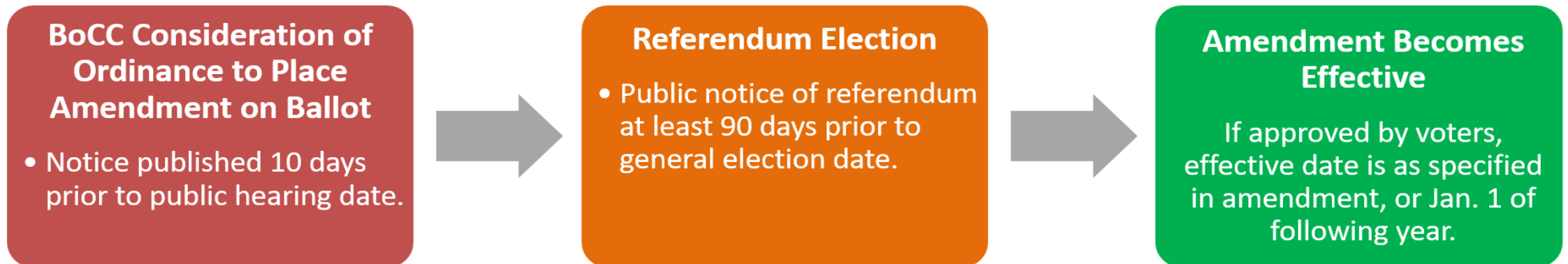
2. Countywide Impact Fees

3. Protections for Citizen-Initiated Ordinances

Process for BoCC-Initiated Charter Amendments

Key Dates:

- **May 2020** – BoCC public hearing on ordinance to place amendment on ballot
- **June 12, 2020** – Deadline to notify Supervisor of Elections about number of proposed charter amendments that will be on ballot (both CRC-initiated and BoCC-initiated)
- **July 2020** – Notice of referendum published (required 90 days prior to election)
- **August 21, 2020** – Deadline to provide ballot language to Supervisor of Elections.
- **November 3, 2020** – General Election



County Land Use and Zoning Authority

Previous Board Direction from August 6, 2019:

Bring back language for a Charter amendment referendum that proposes:

- A plan that would designate areas (to be determined) for which land use and zoning control would remain under the authority of the County, based and modeled on the Seminole County plan.

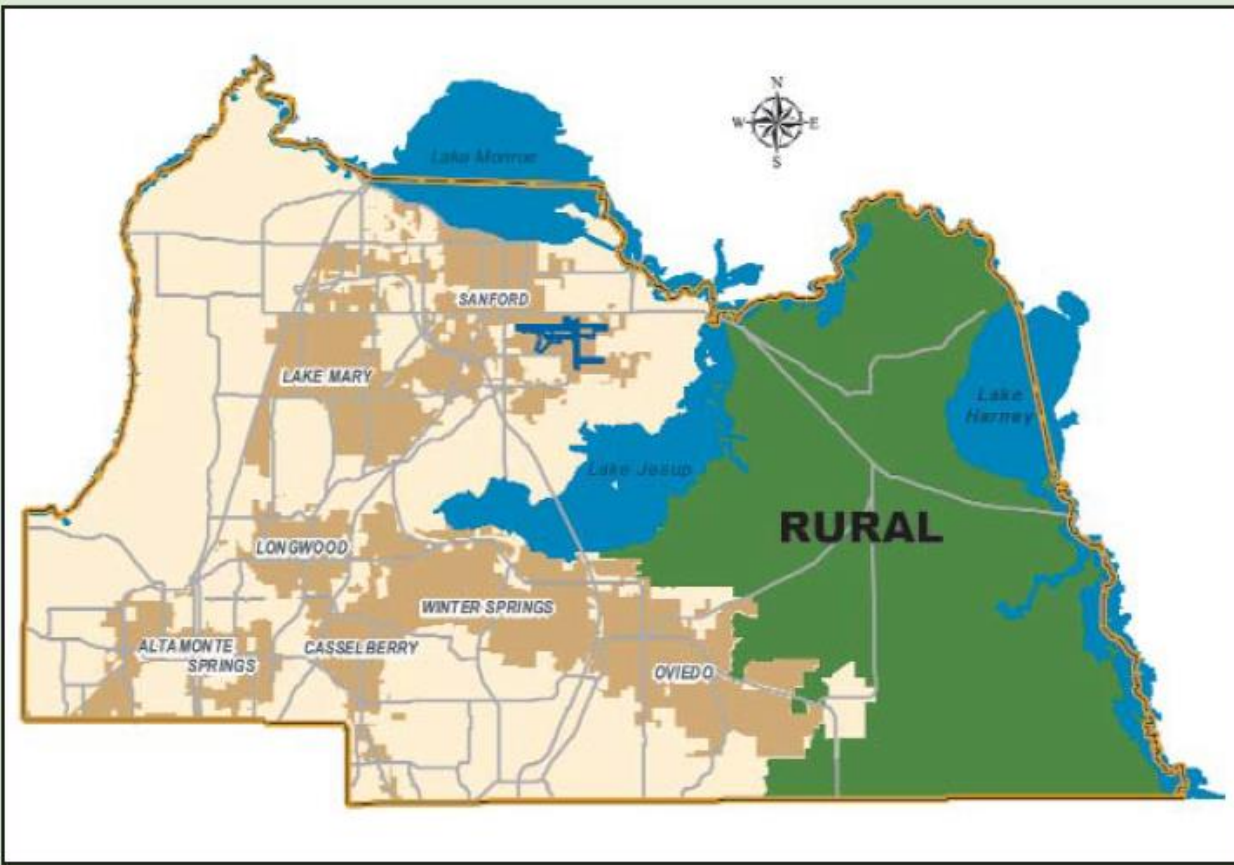
Alachua County Charter

Existing Language on Land Use Planning

Section 1.5, “Land Use Planning”

Each municipality shall be responsible for land use planning within its respective boundaries and the county shall be responsible for land use planning in the unincorporated area. Notwithstanding the foregoing, the county and any municipality may enter into an interlocal agreement to provide for joint planning in portions of the unincorporated area not located within any area designated pursuant to general or special law as a reserve for annexation by another municipality or in portions of the area within such municipality.

Seminole County Rural Area Model



- “East Rural Area” and policies adopted in County Comprehensive Plan in 1991 based on the East Seminole County Rural Area Study which looked at ways to preserve rural character in this area.
- Area contains rural density residential, agriculture, significant environmental resources, and limited public services and infrastructure.

Seminole County Charter Model

- 2004 - Rural Area was approved by voters for inclusion in County Charter.
 - Map and legal description of the Area are referenced in the Charter.
- County Commission may remove property from the Rural Area by amending the Charter by ordinance.
- County Commission may not expand the Rural Area beyond the area that is identified in the Charter.

Seminole County Charter Model

- Within the Rural Area, the future land use designations that are identified in the Seminole County Comprehensive Plan control the density and intensity of development.
- Seminole County Commission must approve any changes to the future land use designation of any property within the Rural Area, regardless of whether it is located within a municipality.
- Municipal ordinances in conflict superseded to the extent of such conflict.
- Charter is silent on zoning.

Potential Alachua County Charter Amendment on Land Use and Zoning

Considerations for which staff is seeking Board direction:

1. General purpose of charter amendment.
2. Areas for which land use and zoning would remain under County authority.
3. How would land use and zoning authority be defined?
4. Process for land use or zoning changes if lands in County-controlled areas are annexed.

Potential Alachua County Charter Amendment on Land Use and Zoning

1. GENERAL PURPOSE OF CHARTER AMENDMENT

Possible examples:

- Consistent planning framework for rural areas of County
- Preserve areas of rural and agricultural land use, and discourage sprawl
- Protect areas with significant natural resource value

Potential Alachua County Charter Amendment on Land Use and Zoning

2. AREAS FOR WHICH LAND USE AND ZONING WOULD REMAIN UNDER ALACHUA COUNTY AUTHORITY

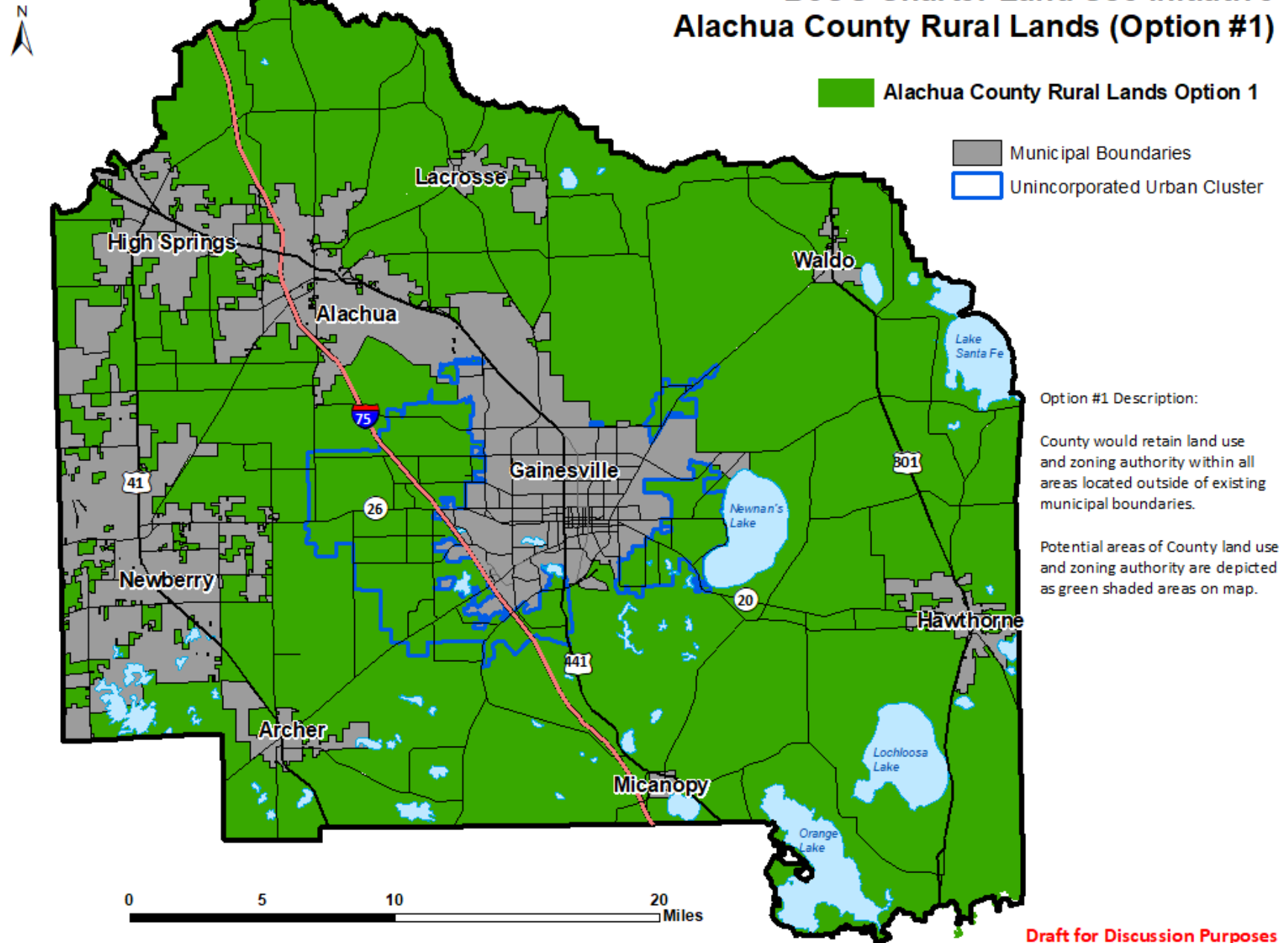
- Areas outside of existing city boundaries
- Rural areas only, or include unincorporated Urban Cluster?
- Existing unincorporated enclaves?
- Allow for areas around edges of city boundaries where City Comp Plan and zoning could apply if those areas are annexed?

Map Option #1

County retains land use and zoning authority within all unincorporated areas outside of existing city boundaries.

Shown as green shaded areas on map

BoCC Charter Land Use Initiative Alachua County Rural Lands (Option #1)



Draft for Discussion Purposes

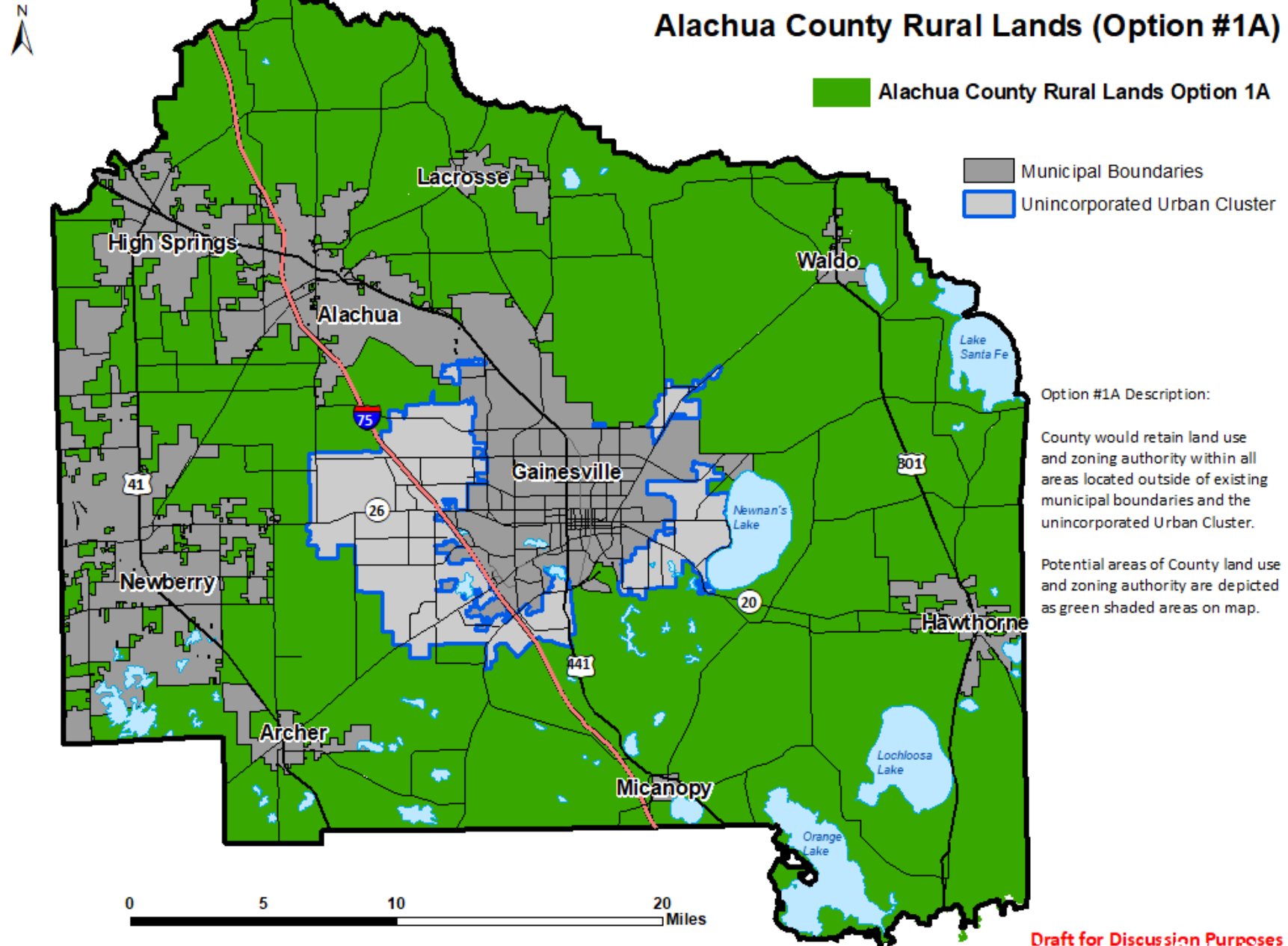
Alachua County Growth Management Department
February 3, 2020

Map Option #1A

County retains land use and zoning authority within all unincorporated areas outside of existing city boundaries and the unincorporated Urban Cluster.

Shown as green shaded areas on map

BoCC Charter Land Use Initiative Alachua County Rural Lands (Option #1A)



Draft for Discussion Purposes

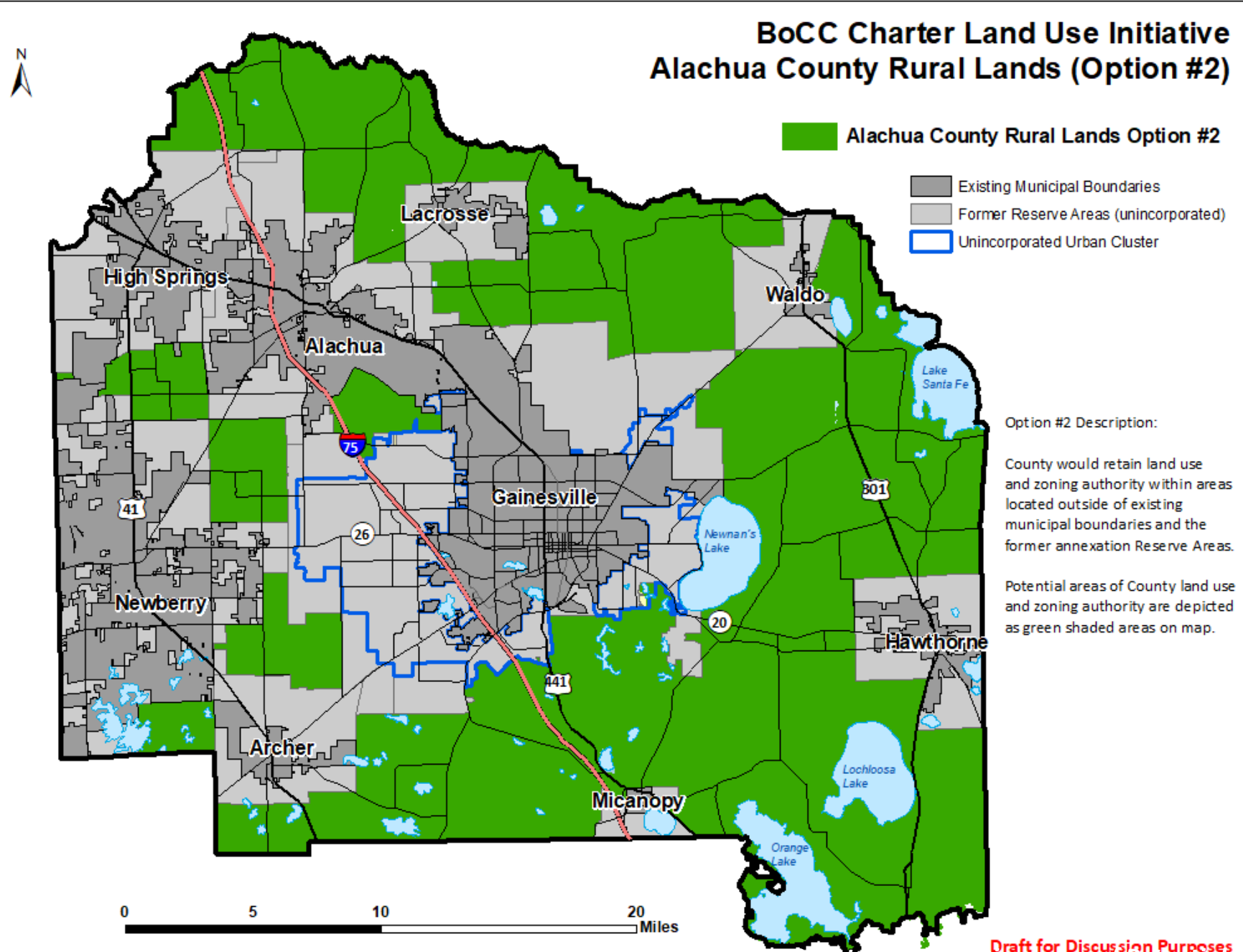
Alachua County Growth Management Department
February 3, 2020

Map Option #2

County retains land use and zoning authority within all unincorporated areas outside of existing city boundaries and former Reserve Areas.

Shown as shaded green areas on map

BoCC Charter Land Use Initiative Alachua County Rural Lands (Option #2)

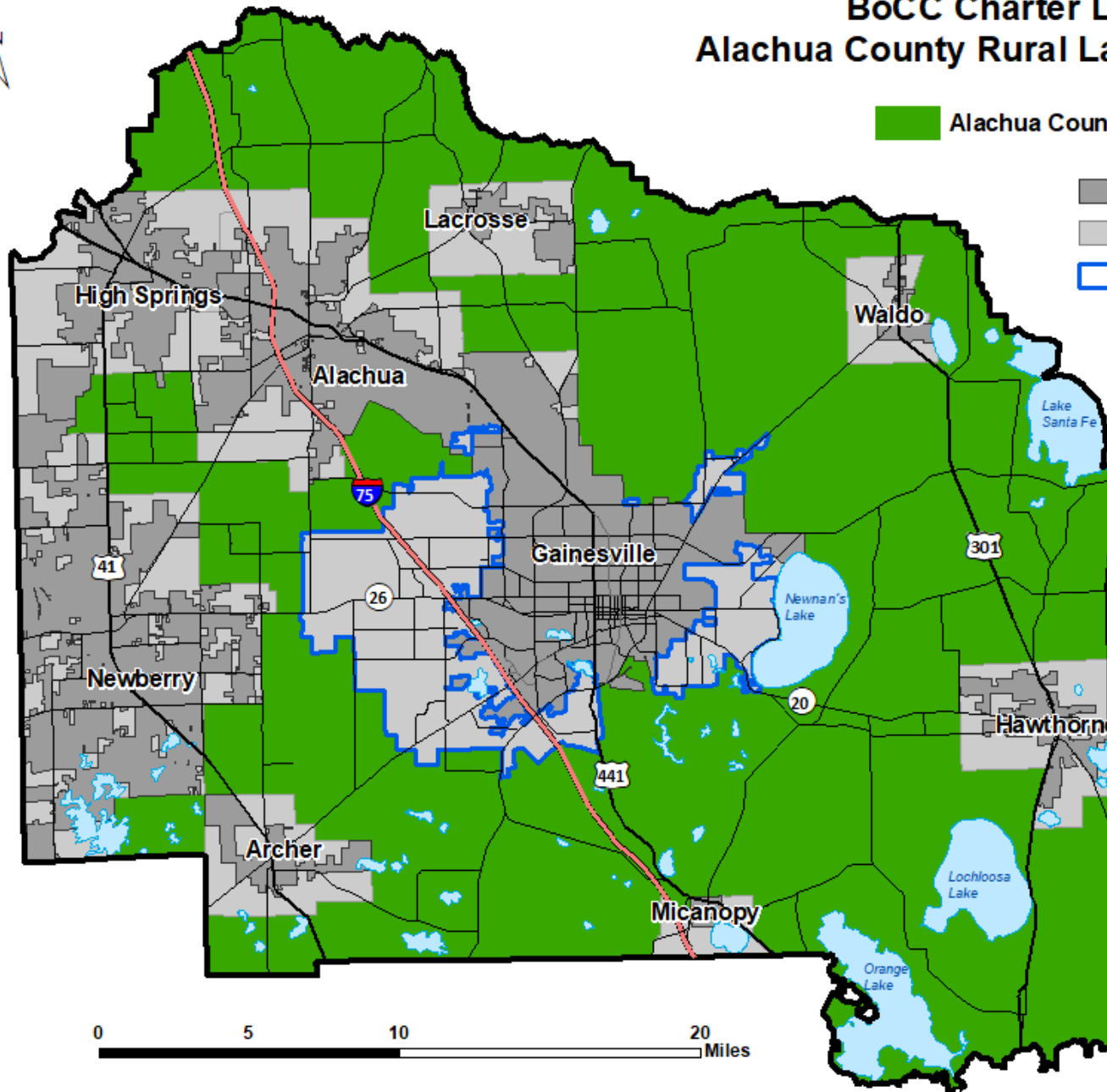


Map Option #2A

County retains land use and zoning authority within all unincorporated areas located outside of existing city boundaries and modified versions of former Reserve Areas.

Shown as shaded green areas on map

BoCC Charter Land Use Initiative Alachua County Rural Lands (Option #2A)



Alachua County Rural Lands Option 2A

- Existing Municipal Boundaries
- Modified Former Reserve Areas (unincorporated)
- Unincorporated Urban Cluster

Option #2A Description:

County would retain land use and zoning authority within areas located outside of existing municipal boundaries and modified versions of the former annexation Reserve Areas.

Potential areas of County land use and zoning authority are depicted as green shaded areas on map.

Draft for Discussion Purposes

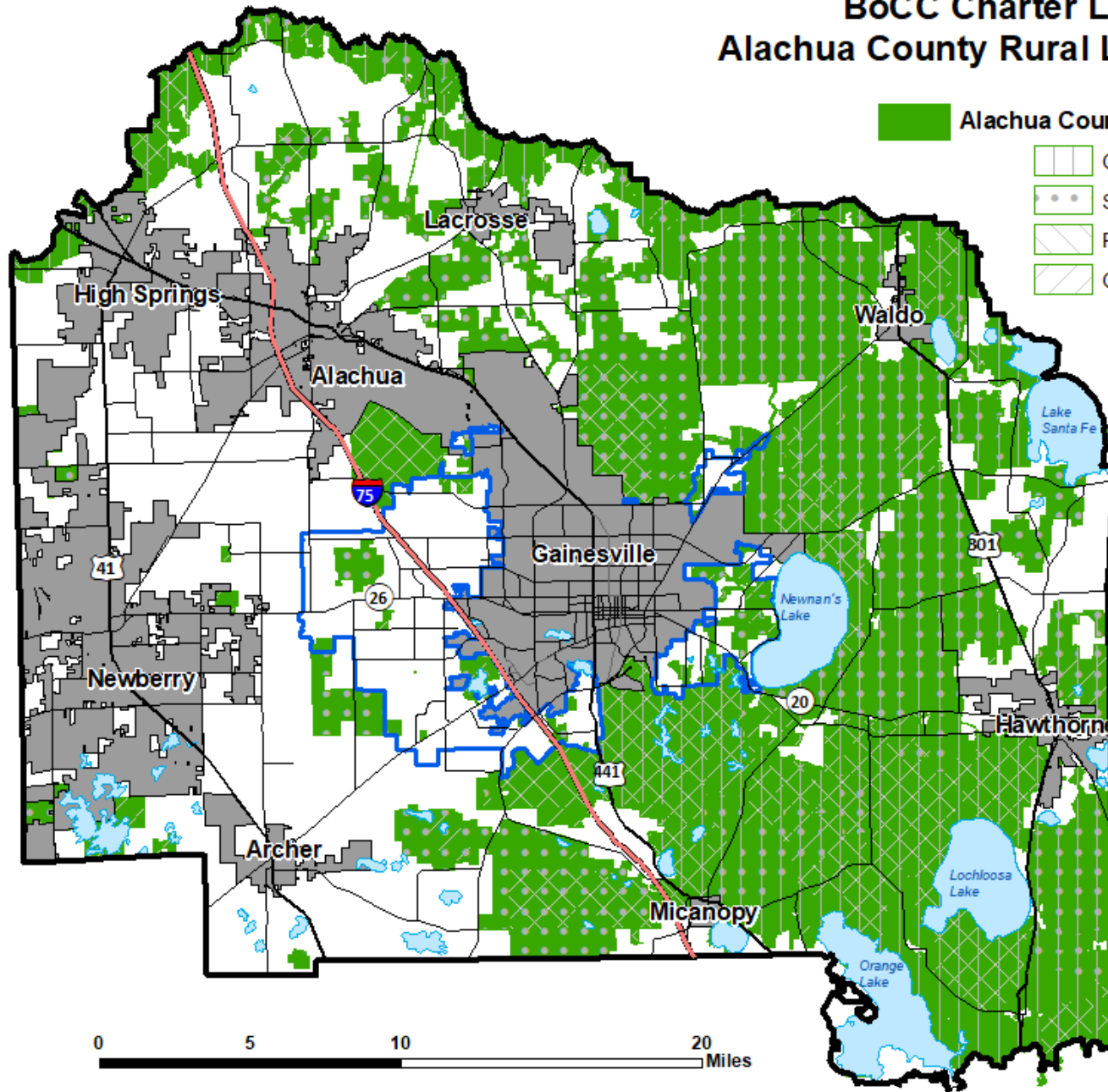
Alachua County Growth Management Department
February 3, 2020

Map Option #3

County retains land use and zoning jurisdiction within “Critical Ecological Corridors”, “Strategic Ecosystems”, and “Preservation” areas as designated in the Alachua County Comprehensive Plan, as well as within conservation easements.

Shown as shaded green areas on map

BoCC Charter Land Use Initiative Alachua County Rural Lands (Option #3)



Alachua County Rural Lands Option #3

- Critical Ecological Corridor
- Strategic Ecosystems
- Preservation Future Land Use
- Conservation Easements

- Unincorporated Urban Cluster
- Municipal Boundaries

Option #3 Description:

County would retain land use and zoning authority within areas designated as “Critical Ecological Corridors”, “Strategic Ecosystems”, or “Preservation” in the Alachua County Comprehensive Plan, as well as known conservation easements.

Potential areas of County land use and zoning authority are depicted as green shaded areas on map.

Draft for Discussion Purposes

Potential Alachua County Charter Amendment on Land Use and Zoning

3. How would County land use and zoning authority be defined?

- Comprehensive Plan
 - Allowable uses
 - Density and intensity
 - Development policies (e.g., clustering requirement for rural subdivisions, resource protection policies, water & sewer extension policies, rural area lot cap)
- Land Development Regulations (including zoning)
 - Zoning categories and their related standards
 - Development standards such as subdivision regulations and conservation resource protection standards

Potential Alachua County Charter Amendment on Land Use and Zoning

4. **Process for land use or zoning changes if lands in County-controlled areas are annexed**
 - **Current Process:** Upon annexation, property continues to be governed by Alachua County Comprehensive Plan, future land use, and zoning designations until cities adopt City future land use and zoning designations through the public hearing process.
 - **Potential Charter Model:** Upon annexation, City or property owner could apply for amendment to Alachua County future land use and zoning within incorporated areas that are under the County's land use and zoning authority per the Charter.
 - Questions about how this would be implemented in terms of relationship of County Comprehensive Plan/Zoning to City Comprehensive Plan/Zoning.

Potential Alachua County Charter Amendment on Land Use and Zoning

Board discussion, questions, and direction on Charter amendment relating to land use and zoning

Next Topic: Countywide Impact Fees

Countywide Impact Fees

Previous Board Direction from August 6, 2019:

Bring back language for a Charter amendment referendum that proposes:

- Full recovery impact fees would be collected countywide regardless of jurisdiction.

Countywide Impact Fees

- Impact Fees are a mechanism to have new development pay its proportionate share cost of providing new infrastructure capacity
- Impact Fees for County-maintained facilities could be adopted Countywide without a Charter amendment
- Examples of County-wide impact fees exist throughout the State and include a variety of facilities
 - Transportation
 - Parks
 - Public Safety
 - Public Buildings

Countywide Impact Fees

- Part of charging impact fees is a commitment to provide new capacity in some type of infrastructure that is necessary to support new development
 - New fire stations
 - New travel lanes
 - New public buildings
- The County's existing impact fees and multi-modal transportation mitigation are not formulated to include impacts within municipalities

Countywide Impact Fees

- Any methodology for collection within the municipalities would also need to contemplate expenditures on County facilities within or proximate to those areas, depending on the facility type
- While Impact Fees can be implemented Countywide, collection in jurisdictions where the County does not issue building permits is often complicated and would likely require additional employee time

Countywide Impact Fees

Board discussion and direction on
countywide impact fees

Next Topic: Protections for Citizen-
Initiated Ordinances

Protections for Citizen Initiated Ordinances

Previous Board Direction from August 6, 2019:

1. Direct the County Attorney to prepare an ordinance to modify and strengthen protections for citizen initiated ordinances that would not allow any actions by the County Commission for five (5) years, and any changes would require a super majority vote. The super majority vote would extend in perpetuity.
2. Make sure that any proposed referenda from the Board be communicated to the Charter Review Commission.

Protections for Citizen Initiated Ordinances

- CAO is prepared to provide proposed charter amendment language to increase protections for citizen-initiated ordinances based on previous Board direction (no amendment for 5 years, then supermajority vote).
- The proposed charter amendment, if approved by the voters, could have practical impacts on the efficacy of citizen initiated ordinances

Protections for Citizen Initiated Ordinances

- Potential impacts of heightened protections for citizen initiated ordinances:
 - There may be circumstances where the Board wishes to amend a citizen-initiated ordinance in order to fix legal or enforcement issues that arise due to changing conditions, changes in law, or implementation issues.
 - Example: The airboat curfew originally reserved enforcement to the Sheriff alone. The Board later adopted an amendment to expand enforcement options to make the ordinance more effective and fulfill the purpose of the ordinance.
- Proposed Charter amendment would prohibit the Board from amending ordinances to fix such issues for 5 years.

Next Step on BoCC-Initiated Charter Amendments

If directed by the Board, staff will return with draft ordinances for authorization to advertise.

- Ordinance(s) would include proposed Charter language revisions and any relevant maps
- BoCC approval of ordinance by supermajority is required to place proposed Charter amendment on ballot