

1  
2 ALACHUA COUNTY  
3 BOARD OF COUNTY COMMISSIONERS  
4

5 **ORDINANCE 2021-**  
6 (Unified Land Development Code Amendment)  
7  
8

9 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA  
10 COUNTY FLORIDA AMENDING THE ALACHUA COUNTY CODE OF ORDINANCES,  
11 TITLE 40, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF  
12 LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA;  
13 INCLUDING AMENDMENTS TO CHAPTER 404 USE REGULATIONS; RELATED TO  
14 ADAPTIVE REUSE STANDARDS, MULTIFAMILY DWELLINGS, AND FUNERAL  
15 HOMES; PROVIDING FOR MODIFICATIONS; A REPEALING CLAUSE;  
16 SEVERABILITY; INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER'S  
17 ERRORS; LIBERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE  
18

19 WHEREAS, the Board of County Commissioners of Alachua County, Florida, is  
20 authorized, empowered and directed to adopt land development regulations to implement the  
21 Comprehensive Plan and to guide and regulate the growth and development of the County in  
22 accordance with the Local Government Comprehensive Planning and Land Development  
23 Regulation Act (Section 163.3161 et seq.) Florida Statutes; and

24 WHEREAS, the Board of County Commissioners of Alachua County adopted its 2019-  
25 2040 Comprehensive Plan, which became effective on December 13, 2019; and

26 WHEREAS, the Board of County Commissioners of Alachua County adopted its Unified  
27 Land Development Code, which became effective on January 30, 2006; and

28 WHEREAS, the Board of County Commissioners of Alachua County, Florida, wishes to  
29 make amendments to the Alachua County Code of Ordinances Part III, Unified Land  
30 Development Code, relating to development of land in Alachua County; and

31 WHEREAS, the Board of County Commissioners, acting as the Land Development  
32 Regulation Commission, has determined that the land development regulations that are the  
33 subject of this ordinance are consistent with the Alachua County Comprehensive Plan; and,

1           WHEREAS, a duly noticed public hearing was conducted on such proposed amendment  
2 on January 12, 2021 by the Board of County Commissioners, with the hearing being held after 5  
3 o'clock p.m.; and,

4           WHEREAS, a duly noticed public hearing was conducted on such proposed amendment  
5 on January 26, 2021 by the Board of County Commissioners, with the hearing being held after 5  
6 o'clock p.m.;

7           BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
8 ALACHUA COUNTY, FLORIDA:

9           Section 1. Legislative Findings of Fact. The Board of County Commissioners of  
10 Alachua County, Florida, finds and declares that all the statements set forth in the preamble of  
11 this ordinance are true and correct.

12           Section 2. Unified Land Development Code. The Unified Land Development Code of  
13 the Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit A and  
14 attached hereto.

15           Section 3. Modification. It is the intent of the Board of County Commissioners that the  
16 provisions of this ordinance may be modified as a result of considerations that may arise during  
17 public hearings. Such modifications shall be incorporated into the final version of the ordinance  
18 adopted by the Board and filed by the Clerk to the Board.

19           Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith  
20 are, to the extent of the conflict, hereby repealed.

21           Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of  
22 County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time

1 as the Development Regulations of Alachua County are codified, the provisions of this ordinance  
2 shall become and be made part of the Unified Land Development Code of Alachua County,  
3 Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such  
4 intention, and the word "ordinance" may be changed to "section," "article," or other appropriate  
5 designation. The correction of typographical errors that do not affect the intent of the ordinance  
6 may be authorized by the County Manager or designee, without public hearing, by filing a  
7 corrected or re-codified copy of the same with the Clerk of the Circuit Court.

8 Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally  
9 construed in order to effectively carry out the purposes hereof which are deemed not to adversely  
10 affect public health, safety, or welfare.

11 Section 7. Severability. If any section, phrase, sentence or portion of this ordinance is  
12 for any reason held invalid or unconstitutional by any court of competent jurisdiction, such  
13 portion shall be deemed a separate, distinct and independent provision, and such holding shall  
14 not affect the validity of the remaining portions thereof.

15 Section 8. Effective Date. A certified copy of this ordinance shall be filed with the  
16 Department of State by the Clerk of the Board of County Commissioners within ten (10) days  
17 after enactment by the Board of County Commissioners, and shall take effect upon filing with  
18 the Department of State.

1 DULY ADOPTED in regular session, this 26<sup>th</sup> day of January, A.D., 2021.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_

Ken Cornell, Chair

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM

J.K. Irby, Clerk Esq.

\_\_\_\_\_

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

\_\_\_\_\_

Department of Growth Management

Authorized Designee



## ARTICLE II. USE TABLE

P = Permitted Use by Right

A = Accessory Use

L = Limited Use

Blank Cell = Prohibited Uses

SE = Special Exception

NA = Not Applicable

SU = Special Use Permit

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP	HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS		
Farmworker housing	SE	SE		SE		SE	SE	SE	SE			SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			Section 404.19		
<b>RESOURCE-BASED RECREATION</b>																																
Resource-based recreation, except as listed below	P	P	P	P		P	P	P	P			P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P				
Dock	L	L	L	L		L	L	L	L			L	L	L		L	L	L	L	L	L	L	L	L	L	L	L	L			Section 404.108	
Hunting or fishing camp	L SE		L SE																								L SE			Section 404.109		
Marina																											P SE			Section 404.110		
Residential recreational camp	SE		SE																								SE			Section 404.111		
<b>CONSERVATION</b>																																
Public wildlife refuge	P		P																													
Public park or historic site	P	P	P	P		P	P	P	P			P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P				
<b>RESIDENTIAL USES</b>																																
<b>HOUSEHOLD LIVING</b>																																
Single-family detached dwelling	P	A	P	P		P	P	P	P					P																	A	P
Single-family attached dwelling						P	P	P	P					P																	P	
Manufactured home	L	A						L				L																				Section 404.21
Mobile home	L							L				L																				Section 404.22
Manufactured or mobile home park												L																				Section 404.23
Accessory living unit	A			A		A	A	A																								Section 404.24
Security quarters	A	A	A	A		A	A	A	A			A	A	A		A	A	A	A	A	A	A	A			A	A	A			Section 404.25	
Model home	A			A		A	A	A	A																				A		Section 404.26	
Multiple-family dwelling									P					P															P		<a href="#">Section 404.20.5</a>	

## ARTICLE II. USE TABLE

P = Permitted Use by Right

L = Limited Use

SE = Special Exception

SU = Special Use Permit

A = Accessory Use

Blank Cell = Prohibited Uses

NA = Not Applicable

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP	HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS	
Residential over commercial														P	P	P	P	P										P			
<b>GROUP HOUSING</b>																															
Assisted living facility									L					L	L	L		L										L	Section 404.27		
Nursing home									SE						P	P	L		L									P	Section 404.27.5		
Dormitory									P						P																
Fraternity or sorority house									P																						
Community residential home, small	L			L		L	L	L	L					L														L	Section 404.28		
Community residential home, large	SE								L					L														L	Section 404.29		
<b>PUBLIC AND CIVIC USES</b>																															
<b>ADULT AND CHILD CARE</b>																															
Adult day care									L					L	L	L	A	L	L	L	L	L	L	L	L	L	L	L	L	Section 404.30	
Childcare facility	SE	SE		SE	SE	L	SE	L						L	L	L	A	L	L	L	L	L	L	L	L	L	L	L	L	Section 404.31	
Family childcare home	L			L	L	L	L	L	L					L														L	Section 404.32		
<b>EDUCATIONAL FACILITIES</b>																															
Educational facility, private (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA	NA					NA	SU	Section 404.34															
Educational facility, public (pre-K-12)	NA	NA	NA	NA	NA	NA	NA	NA	NA					NA	L	Section 404.34															
Educational facility, vocational, business or technical school; college or university	A															P	P		P	P	P	P	P	P	P			P			
<b>COMMUNITY SERVICES</b>																															
Government Buildings and facilities	SU	SU	SU	L SU	L SU	L SU	L SU	L SU	L SU					L SU	P	Section 404.35															
Cemetery	L SU	L SU	L SU	L SU					L SU		Section 404.36																				
Funeral home														SE			P	P										P	Section 404.37		



## ARTICLE II. USE TABLE

P = Permitted Use by Right

L = Limited Use

SE = Special Exception

SU = Special Use Permit

A = Accessory Use

Blank Cell = Prohibited Uses

NA = Not Applicable

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP	HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS
Minor utilities, except as listed below	P	P		L		L	L	L	L			L	L	P		P	P	P	P	P	P	P	P	P	P	P	P	P		Section 404.49
Broadcasting or communications tower	SE																			SE	SE		SE	SE	SE	SE		SE		Section 404.50
Amateur radio tower	A	A		A		A	A	A	A			A	A	A		A	A	A	A	A	A		A	A	A	A	A	A		
<b>PERSONAL WIRELESS SERVICE FACILITIES</b>																														
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	Article XII													
<b>COMMERCIAL USES</b>																														
<b>HOME-BASED BUSINESSES</b>																														
Home-based business, general	A			A		A	A	A	A			A	A	A														A		Section 404.62
Home-based business, rural	A																													Section 404.63
<b>ENTERTAINMENT AND RECREATION</b>																														
Entertainment and recreation, except as listed below																			P	SE	P		SE					P		
Outdoor recreation	L SE		L SE										L SE						L SE	L SE	L SE		L SE					L SE		Section 404.64
Motorized Sports																			SE											Section 404.65
Private motorized vehicle practice facility	SE																													Section 404.66
Amusement or theme park																			SE											
Zoo																			SE	SE										
Golf course	L			L		L	L																							Section 404.66.5
Theater or cabaret, sexually oriented																					L									
<b>FOOD AND BEVERAGE</b>																														
Restaurant	L																	P	P	P	P		P	A	A	P	P		Section 404.67.5	

## ARTICLE II. USE TABLE

P = Permitted Use by Right

L = Limited Use

SE = Special Exception

SU = Special Use Permit

A = Accessory Use

Blank Cell = Prohibited Uses

NA = Not Applicable

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP	HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS	
Restaurant, with drive-through																		SE	L	L	L	L			A		L				
Incidental food and beverage sales		A																A	A	A	A	A	A	A	A	A	A	A		Section 404.69	
Cocktail lounge, bar, tavern, or nightclub													SE							P	P	P					SE	P			
Mobile food sales		L																L	L	L	L	L	L	L	L	L	L	L		Section 404-69.1	
<b>BUSINESS AND PROFESSIONAL SERVICES</b>																															
Restaurant	L																	P	P	P	P	P	P	A	A	P	P			Section 404.67.5	
Restaurant, with drive-through																		SE	L	L	L	L	L			A		L			
Incidental food and beverage sales		A																A	A	A	A	A	A	A	A	A	A	A		Section 404.69	
Cocktail lounge, bar, tavern, or nightclub													SE						P	P	P	P					SE	P			
Mobile food sales		L																L	L	L	L	L	L	L	L	L	L	L		Section 404.69.1	
<b>BUSINESS AND PROFESSIONAL SERVICES</b>																															
Business and professional services, except as listed below														P	P	P	P	P	P	P	P	P	P	P	P	P		P			
Bank or financial institution																P	P	P	P	P	P							L		Section 404.107	
Radio or television station, excluding towers																				P	P	P	P	P	P			P			
<b>PERSONAL SERVICES</b>																															
Personal services, except as listed below																P	P	P	P	P	P	P						P			
Gym or fitness center																P	P		P	P	P	P	SE					P			
Indoor sports training facility																		P	P	P	P	P	L	L			P		Section 404.106		

## ARTICLE II. USE TABLE

P = Permitted Use by Right

L = Limited Use

SE = Special Exception

SU = Special Use Permit

A = Accessory Use

Blank Cell = Prohibited Uses

NA = Not Applicable

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP	HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS		
Dance, art, or similar studio														P		P	P						P	SE				P				
<b>OVERNIGHT ACCOMMODATIONS</b>																																
Hotel or motel															P		P	P	P	P	P								SE	L		
Bed and breakfast	L			L		L	L							L					P											L		
Rooming house									P					P	P																	
RV Park/ Campground													L																			
<b>RETAIL SALES AND SERVICES</b>																																
Retail sales and service, except as listed below	L																	P	P	P	P								P		Section 404.71.5	
Neighborhood convenience center																		L	L	L	L			L	L						Section 404.72	
Convenience store																		L	L	L	L		L				L	P		Section 404.73		
Pharmacy															L		L	L	L	L								L		Section 404.74		
Dry cleaners																		P	P	P	P							L		Section 404.74.5		
Furniture store																		P	P	P	P		P					P				
Media sales and rental																		L	L	L	L							L		Section 404.75		
Large scale retail																					L		L	L				P		Section 404.75.5		
Flea Market																																
Media, sexually oriented																					L	L										
Sex shop																						L										
<b>COMMERCIAL ANIMAL RAISING</b>																																
Commercial animal raising	SE																															
<b>SELF-SERVICE STORAGE FACILITIES</b>																																
Self-service storage facilities																				L			L	L	L			L		Section 404.76		
<b>VEHICLE SALES AND SERVICE</b>																																

## ARTICLE II. USE TABLE

P = Permitted Use by Right

L = Limited Use

SE = Special Exception

SU = Special Use Permit

A = Accessory Use

Blank Cell = Prohibited Uses

NA = Not Applicable

Zoning District	A	A-RB	C-1	RE	RE-1	R1-aa	R-1b	R-1c	R-2	R-2a	R-3	RM	RM-1	RP		HM	BP	AP	BR	BR-1	BH	BA	BA-1	BW	ML	MS	MP	MB	TOD	TND	STANDARDS
Car wash																					P	P		P	P						
Vehicle sales and service																						P		SE		P		L	L		Section 404.77
Vehicle and trailer rental																					A	P				P					Section 404.78
Service station																					P	P		SE					L		Section 404.78.5
Vehicle repair																										P					Section 404.79
Fuel sales		A																	SE	A	A	A		SE				A			Section 404.80
<b>OUTDOOR STORAGE AND DISPLAY</b>																															
Outdoor storage		A														A					A	A		A		A	A				Section 404.81
Outdoor display		A																A	A	A	A		A		A	A					Section 404.82
Remote Parking																					L	L		L		L					§404.82.3
<b>INDUSTRIAL USES</b>																															
<b>WHOLESALE, WAREHOUSING, STORAGE AND DISTRIBUTION</b>																															
Wholesaling, warehousing, storage, and distribution, except as listed below	SE	SE																						P	P	P					Section 404.82.1
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	A	A	A																		Section 404.82.5
Storage yard																										L	SE				
Construction and Maintenance Services																					P	P		P	P	P					
<b>LIGHT INDUSTRIAL</b>																															
Light industrial, except as listed below																									P	P		L			Section 404.83.5





---

## SEC 404.20.5 – MULTIPLE FAMILY DWELLING

A multiple family dwelling is allowed as permitted use in R-2, R-2a, R-3, RP, within TNDs/TODs and as a limited use in BH, subject to the following standards.

(a) *Adaptive Reuse.* Multiple Family Dwellings must be a part of an adaptively reused hotel or motel structure. Expansion of the use in newly constructed structures is allowed such that the total number of dwelling units is equivalent to **no more than 200%** of the number of rooms in the existing hotel or motel structure.

(b) *Water/Sewer.* The use must be served by centralized water and sewer.

---

## SEC. 404.37. - FUNERAL HOMES.

Funeral homes are permitted by right in the AP, **BR** and BP districts and within traditional neighborhood or TODs. In the RP district, where a funeral home may be allowed by special exception, the following standards shall apply.

- (a) *Permitted services.* No embalming and crematory services shall be permitted.
- (b) *Building size and height.*
  - (1) Within TND or TOD, the building shall meet the design standards of Chapter 407, Article 7.
  - (2) In the RP district, the gross leasable area of the funeral home shall not exceed 7,000 square feet and the building height shall not exceed two stories. Where the funeral home is adjacent to properties zoned single-family residential, the maximum building height shall not exceed one story.

(Ord. No. 05-10, § 2, 12-8-05; Ord. No. 10-16, § 2(Exh. A), 8-10-10)