

1
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
27
28
29
30
31
32

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE 19-
(Unified Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA AMENDING THE UNIFIED LAND DEVELOPMENT CODE IN THE ALACHUA COUNTY CODE OF ORDINANCES, PART III, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; INCLUDING AMENDMENTS TO CHAPTER 402 ARTICLE 10 DEVELOPMENT PLAN REVIEW; PROVIDING FOR MODIFICATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR LIBERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Board of County Commissioners of Alachua County adopted its 2011-2030 Comprehensive Plan, which became effective on July 22, 2011; and

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

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

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

4 WHEREAS, a duly noticed public hearing was conducted on such proposed amendments on
5 October 8, 2019 by the Board of County Commissioners, with the hearing being held after 5:00
6 o'clock p.m.;

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

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

12 Section 2. Unified Land Development Code. The Unified Land Development Code of the
13 Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit "A" attached
14 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 public
17 hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by
18 the Board and filed by the Clerk to the Board.

19 Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to
20 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 County
22 Commissioners of Alachua County, Florida, and it is hereby provided that, at such time as the
23 Development Regulations of Alachua County are codified, the provisions of this ordinance shall

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

7 Section 5. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in
8 order to effectively carry out the purposes hereof which are deemed not to adversely affect public
9 health, safety, or welfare.

10 Section 6. Severability. If any section, phrase, sentence or portion of this ordinance is for any
11 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be
12 deemed a separate, distinct and independent provision, and such holding shall not affect the validity of
13 the remaining portions thereof.

14 Section 7. Effective Date. A certified copy of this ordinance shall be filed with the Department
15 of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by
16 the Board of County Commissioners, and shall take effect upon filing with the Department of State.

1 DULY ADOPTED in regular session, this 8th day of October, 2019.

2 BOARD OF COUNTY COMMISSIONERS OF

3 ALACHUA COUNTY, FLORIDA
4
5

6 BOARD OF COUNTY COMMISSIONERS OF

7 ALACHUA COUNTY, FLORIDA
8

9 By: _____

10 Charles S. Chestnut, IV, Chair

11 ATTEST:

12 _____ APPROVED AS TO FORM

13 J. K. 'Jess' Irby, Esq.
14

15 _____

16 (SEAL)

Alachua County Attorney

17
18 DEPARTMENT APPROVAL

19 AS TO CORRECTNESS

20 
21 _____

22 Department of Growth Management

23 Authorized Designee
24
25
26
27