



## Legislation Text

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**File #:** 21-0708, **Version:** 1

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### **Agenda Item Name:**

Public Hearing on Unified Land Development Code Amendments Relating to the County Growth Management Area Charter Provisions

### **Presenter:**

Ben Chumley, Principal Planner, Growth Management (352) 374-5249

### **Description:**

This is a public hearing to consider the adoption of an ordinance to amend the Alachua County Unified Land Development Code (ULDC) as needed to implement the provisions of the County Growth Management Area Charter amendment, which was approved by Alachua County voters in November 2020 and became effective on January 1, 2021.

### **Recommended Action:**

That the Board of County Commissioners:

1. Convene as the Land Development Regulation Commission, and find the proposed ULDC amendments consistent with the Alachua County Comprehensive Plan.
2. Reconvene as the Board of County Commissioners and adopt the ordinance amending the Unified Land Development Code.

### **Prior Board Motions:**

June 22, 2021: BoCC voted to authorize advertisement of public hearing on proposed ULDC amendments to implement County Growth Management Area Charter provisions.

### **Fiscal Consideration:**

The proposed amendments to the Unified Land Development Code will not have an impact on the Alachua County budget or result in additional costs to the County.

Costs to cover advertising the public hearing is covered in 008.65.6500.554, sufficient budget exists to cover costs.

### **Background:**

In November 2020, the voters of Alachua County approved an amendment to the Alachua County Home Rule Charter to establish the "County Growth Management Area" (see Map of Area, attached). This amendment went into effect on January 1, 2021. Section 1.5 of the County's Charter (see Charter Language, attached) now provides that, within the County Growth Management Area, the County's comprehensive plan and land development regulations exclusively govern the development of land, regardless of whether the property is located inside or outside municipal boundaries. The Charter authorizes the Board to enact ordinances to implement the Charter provisions and provides

that the Charter and any implementing ordinances prevail over conflicting municipal ordinances.

Several revisions to the Alachua County Unified Land Development Code (ULDC) are necessary to implement the County Growth Management Area provisions of Section 1.5 of the County's Charter. The proposed amendments to the ULDC include adding a new subsection, 400.03.05, to recognize the County Growth Management Area and its effect pursuant to the County's Charter as part of the ULDC. The proposed amendments would provide that municipalities retain the right to process applications for development orders (this includes rezonings, special exceptions, special use permits, development plans, and building permits) on land that is within both the County Growth Management Area and a municipal boundary, and that such applications shall be consistent with the Alachua County Comprehensive Plan and the Alachua County ULDC. The proposed amendments would also require municipalities to provide the County with a copy of such applications within 10 days of the municipality's receipt of the application. This notification would allow for County staff to review such applications, and to provide technical assistance to the municipalities to ensure their consistency with the County's comprehensive plan and land development regulations.

The proposed amendments to the ULDC would remove several existing references to the unincorporated area throughout the Code where those references are either unnecessary or potentially contrary to the new Charter provisions regarding the County Growth Management Area. The proposed amendments would also add a definition of the County Growth Management Area in the Defined Terms section of the ULDC.