

7.0 IMPLEMENTATION

7.1. GENERAL

OBJECTIVE 7.1

To establish standards through the adopted goals, objectives and policies of the Comprehensive Plan in conjunction with the adopted maps within the Future Land Use Element and within the other elements to guide decisions affecting land use and development. To provide for implementation of the Comprehensive Plan through land development regulations and an ongoing Capital Improvements Program. To provide a process for Plan revision, Map amendments, and establishment of Special Area Plans, incorporating citizen participation.

Policy 7.1.1 The Future Land Use designation within an area considered to be an enclave, as defined in the Alachua County Boundary Adjustment Act, shall consider the existing land use, infrastructure, and the Comprehensive Plan of the surrounding municipality.

Policy 7.1.2 Proposed changes in the zoning map shall consider:

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan
- b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.
- c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice
- d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare

Policy 7.1.3 As part of the periodic update of the Comprehensive Plan and any proposed amendments to the Urban Cluster, determine a sufficient and nonexcessive amount of land within the Urban Cluster to accommodate urban uses for a ten year and twenty year time frame.

- a. The determination (methodology is shown in Appendix A) shall be based on a comparison of:
 - (1) a forecast need for land for urban residential and non-residential development based on projected population, average household size, a residential vacancy rate, and a market factor. The market factor for the ten year time frame shall be 2.0. The market factor for the 20 year time frame shall be 1.5

- (2) land available in the Urban Cluster for urban residential and non-residential uses. Mapping of environmentally sensitive areas shall be utilized as a factor for determining land availability
- b. If the comparison shows that the land available is less than the forecast need for land, the following measures shall be considered:
 - (1) revisions to density standards and land development regulations, or other measures, to accommodate greater population within the existing Urban Cluster
 - (2) coordination with municipalities regarding possible reallocation of forecast need to the incorporated areas
 - (3) phased expansion of the Urban Cluster
- c. If the forecast need for one type of land use exceeds the supply of land for that particular use, a revision to the allocation of land uses within the Urban Cluster shall be considered before the Urban Cluster is expanded.
- d. If this methodology determines expansion of the Urban Cluster is warranted, the evaluation of appropriate location shall be subject to analysis including the following economic, infrastructure, transportation, and conservation and recreation criteria:
 - (1) rural character and viable agriculture land and the potential impact of expansion of the Urban Cluster on existing agricultural uses
 - (2) economic development considerations including affordable housing
 - (3) relationship to existing and planned future urban services and infrastructure
 - (4) access to the regional transportation network and multi-modal transportation systems
 - (5) Conservation and Preservation land uses
 - (6) planned recreation/open space or greenway systems
- e. In addition to meeting the requirements identified above, any proposed amendment to expand the Urban Cluster must include a commitment to purchase development rights at a rate equivalent to or greater than the proposed increase in density or intensity through the Transfer of Development Rights program in accordance with Section 9.0 of this Element.

Policy 7.1.3.A In order to phase development for the Urban Cluster and promote efficient use of land and infrastructure and minimize sprawl, an urban services line is designated in the Future Land Use Map series. This line identifies the limits of the area within the Urban Cluster within which phased development shall be promoted through the year 2010.

Policy 7.1.3.B Any new development proposals in areas designated for urban residential uses within the Urban Cluster but outside the Urban Services Line shall require special review and approval.

- a. Applications for such approvals shall be considered based on the following factors:

1. Documented commitment by both the applicant and the provider of centralized potable water and sanitary sewer facilities to connect the new development to such facilities.
 2. Adequacy of the local road network to serve the development as demonstrated through a transportation impact analysis on the arterial and collector road system, including relationship to existing road network and impacts to Level of Service standards, and an overall plan for the proposed project site and surrounding area, including an interconnected local road and bicycle pedestrian network. Impacts to level of service standards may be addressed through demonstrated compliance with the requirements for Projects That Promote Public Transportation under Policies 1.1.9 through 1.1.9.5 in the Transportation Mobility Element, or with the policies for Transit Oriented Development under Objectives 1.7 of this Element.
 3. Existing public transit within 1/4 mile of the development or a planned public transit line, or alternatives, which are funded and assured to be operational in time to serve the first phase of the development and each subsequent phase.
 4. Availability of Neighborhood and Community recreation within effective service areas.
 5. Adequacy of public protection facilities, such as law enforcement, fire services and emergency medical services, to serve the development, including impacts to Level of Service guidelines established in the Capital Improvements Element.
 6. Adequacy of public schools to serve the development and impacts to school capacity per School Board of Alachua County school zones.
 7. A management plan for Conservation areas, as identified in the Conservation and Open Space Element, within the proposed project site, including site planning techniques to preserve environmentally sensitive areas.
- b. New development proposals for parcels located outside the Urban Services Line that are included in a development plan with interconnected roads linking the development with property within the Urban Services Line for which Planned Development zoning approval has been granted by the Board of County Commissioners as of plan adoption, or Preliminary Plan review has been completed by the Development Review Committee as of Plan adoption, may be approved by the County's Development Review Committee if the development is demonstrated to meet the requirements of Policy 7.1.3.B.a.1 through 7 above.
- c. New development proposals that do not meet the requirements under 7.1.3.B.b. shall be considered by the Board of County Commissioners as part of a Planned Development application. Such a proposal in conjunction with a Planned Development application may be approved after meeting the requirements under Policy 7.1.3.B.a. above, with additional consideration given to the following factors:
1. Enhancement of local jobs-housing mix, including proximity to or inclusion of employment opportunities.
 2. Inclusion of a mixed use village center as part of the development proposal.

3. Provision of affordable housing.
4. Purchase of development rights from designated sending areas through the County's Transfer of Development Rights program.
5. Fiscal impacts to the public of providing services to the proposed development.
6. Applicants for approval of developments under a. through c. above shall conduct a facilitated neighborhood charette or other similar forum to inform the surrounding neighborhoods of the scope, scale and character of the proposed development and its impacts, and to get input on neighborhood concerns. The LDRs shall specify the minimum requirements and procedures that must be followed to insure the integrity of the process.

Policy 7.1.3.C The Urban Services Line shall be reevaluated prior to 2006 for adequate capacity, based on factors such as population growth rates and density rates compared to forecasts, build out rates, extent of build out, housing prices, market factors, and effects of environmental constraints on development within the Urban Services Line. In addition this evaluation shall take into account the ability to provide infrastructure and services beyond the Urban Services Line.

Policy 7.1.4 Urban development shall provide, as part of the development, facilities necessary to accommodate interconnections, such as sidewalks, pedestrian paths, bicycle facilities, connecting roadways, and mass transit facilities needed to accommodate transportation mode shifts.

Policy 7.1.5 As urban development occurs, facilities, and sites for facilities, to connect neighborhoods and public uses, such as sidewalks, pedestrian paths, bicycle facilities, connecting roadways, and mass transit facilities needed to accommodate transportation mode shifts, shall be obtained.

- a. Provision of such sites and facilities shall be based on evaluation of thresholds of development scale and impacts related to demands for use of such facilities. Standards for evaluation and provisions for contribution, dedication, purchase, or other mechanisms shall be provided in the land development regulations.

Policy 7.1.6 Areas designated for urban residential densities are identified on the Future Land Use Map within the urban cluster shown on the map, and certain additional areas representing existing development at urban residential densities. The policies and densities applicable to the Low Density Residential category shall also apply to that portion of any lot of record existing as of October 2, 1991, which was partially within and partially outside of the urban cluster provided that the area of the lot outside of the urban cluster does not exceed five (5) acres. The development must be contiguous to the area identified for low density residential land use on the Future Land Use Map and provide the equivalent infrastructure and services. For purposes of this policy, roadway, conservation, or utility easements shall not preclude contiguity. Development must be consistent with all Comprehensive Plan policies.

Policy 7.1.7 The development of 480 acres (Parcel #04427-000-000) designated Low Density Residential by the approval of Application #CPA-15-97 shall be developed subject to the following requirements:

- a. An overall development plan shall be submitted prior to development within the 480-acre area. The development shall provide for a variety of lot sizes/densities consistent with the Alachua County Comprehensive Plan.
- b. All development shall be connected to centralized sanitary sewer and centralized potable water supply.
- c. The 480-acre parcel shall be developed at an average density of not more than two (2) dwelling units per acre.

These site specific requirements may be reconsidered through a public hearing process involving notification to surrounding property owners.

Policy 7.1.8 Buffers shall be required between two adjacent uses as generally described in the Buffer Group Matrix table.

As part of the update of the land development regulations to implement the Comprehensive Plan, buffer requirements shall be further specified, including buffer height and width, amount and type of plant material, and use of walls, fences, and berms. Use of effective transitional design practices shall be recognized in the land development regulations as an alternative to or in combination with buffers, to integrate development along the edges of different land use categories and within mixed use developments.

(Buffer Group Matrix on next page)

Policy 7.1.9 Buffers may be used for resource based recreation provided that the total buffer remains intact.

Policy 7.1.10 Land proposed to be donated for school sites must be approved by the School Board of Alachua County. The following minimum size guidelines have been recommended by the School Board: Elementary School - 25 acres, Middle School - 35 acres, High School - 65 acres. These guidelines shall not preclude smaller sized sites if determined to be acceptable by the School Board.

Policy 7.1.11 All new development shall meet level of service requirements for roadways, potable water and sanitary sewer, stormwater, solid waste, mass transit, public schools, and improved recreation in accordance with LOS standards adopted in the elements addressing these facilities.

Policy 7.1.12 The concurrency management provisions of the land development regulations shall specify the period for which certification of level of service compliance shall be valid.

Policy 7.1.13 The County shall prepare and annually update a 5 year Capital Improvement Programs in accordance with the Capital Improvements Element of this Plan.

Policy 7.1.14 Development regulations implementing this Future Land Use Element shall be prepared in accordance with and consistent with the Policies and Standards contained herein and adopted within one year of the effective date of this update of this Plan.

Policy 7.1.15 The following policies shall govern existing situations which do not conform to the provisions of the Plan:

- a. The land development regulations shall provide for the vesting of Developments of

Regional Impact (DRI) and developments where development has commenced and is continuing in good faith, in accordance with the provisions of Section 163.3167(8), F.S.; and address existing lots of record.

- b. Nothing in this Comprehensive Plan shall be construed or applied to result in a temporary or permanent taking of private property without due process of law.
- c. Nothing contained herein shall be construed as affecting validly existing vested rights. It shall be the duty and responsibility of the person alleging vested rights to demonstrate affirmatively the legal requisites of vested rights. Rights shall vest based upon a determination according to the standards and procedures adopted by the Board of County Commissioners, including those standards established in Florida case law.

BUFFER GROUP MATRIX -- Adjacent Existing Use or ≠ Future Land Use Designation

**Proposed
Use**

	Agriculture	Low Density	Medium Density	Medium-High Density	High Density	Office	Neighborhood Convenience	Tourist/ Entertainment	Roadway Commercial	Activity Center Commercial	Light Industry	Heavy Industry
Agriculture	*	Ag	Ag	Ag	Ag	*	*	*	*	*	*	*
Low Density	Ag	*	L	M	H	M	M	M	H	M - H	M - H	H
Medium Density	Ag	M	*	L	M	L	M	L - M	M	L - M	M - H	H
Medium-High Density	Ag	H	M	*	L	L	L - M	L - M	M	L	M - H	H
High Density	Ag	H	M	L	*	L	L - M	L - M	M	L - M	M - H	H
Office	*	H	M	M	M	*	L	*	*	* - L	L	M
Neighborhood Convenience	*	M - H	M	L - M	L - M	L	*	L	*	* - L	L	M
Tourist Entertainment	*	M - H	L - M	L - M	L - M	*	L	*	L	* - L	M	M
Roadway Commercial	*	H	M	M	M	*	*	L	*	* - L	L	M
Activity Center Commercial	0	M - H	L - M	L	L	* - L	L	L	L	*	L	M
Light Industry	*	M	M	M	M	L	L	M	L	L - M	*	L
Heavy Industry	M	H	H	H	H	M	M	M	M	M	L	*

BUFFER GROUPS

- AG Combination of hedges and shrubs
- L Low density combination of canopy and understory trees.
- M Medium density combination of canopy and understory trees and shrubs with screening
- H High density combination of canopy and understory trees, shrubs, and evergreen/conifers with screening
- * No buffer required.

- Policy 7.1.16 The following general requirements shall be provided for in the land development regulations:
- a. Zoning categories shall provide a range of densities, intensities, and uses to implement the future land use categories. Mixes of different dwelling types shall occur within planned developments, Transit Oriented Developments, and Traditional Neighborhood Developments and shall be encouraged in all residential zoning categories.
 - b. Clustering and other flexible design options shall be permitted through land development regulations.
 - c. Gross density shall be consistent with this Plan, however, provision should be included within the land development regulations for awarding density credit based on provision for inclusionary housing, consistency with green building standards, or where provided in other Elements and Sections of the Comprehensive Plan. In the case of family homestead exceptions or hardship variances, gross density limits established in the Plan may be exceeded provided the other provisions of the implementing zoning district are followed.
 - d. Mixed use developments shall be encouraged. Commercial development outside of areas specifically designated in accordance with Sections 3 and 6 of this element shall only be permitted within Transit Oriented Developments or Traditional Neighborhood Developments as specified in the Urban Residential policies, including location, density, and design standards.
- Policy 7.1.17 The land development regulations shall provide for evaluation of certain uses through processes by which special exceptions, special use permits, and temporary use permits may be granted. These certain uses include uses with intensities or characteristics that may create an adverse impact on surrounding neighborhoods or institutions which are evaluated on a case-by-case basis to ensure that the size, extent and character of that use is compatible with the surrounding uses. The regulations to implement this policy shall identify the general category of uses that will be subject to this process and the specific factors which will be utilized to evaluate whether or not a special exception, special use permit or temporary use permit should be granted.
- Policy 7.1.18 The County shall reduce existing land uses that are inconsistent with the provisions of this Comprehensive Plan through regulations addressing non-conforming land uses.
- Policy 7.1.19 The County's land development regulations shall include the following provisions for nonconforming lots, structures and uses of land or structures:
- a. Nonconforming lots of record shall be recognized within any zoning district in which single family dwellings are permitted. A single family dwelling may be erected, expanded, or altered on any single lot of record, subject to other restrictions in the land development regulations. Such lots must be in separate ownership and not contiguous to other lots in the same ownership.
 - b. Nonconforming uses of land shall be recognized where the lawful use of land exists which is not permitted by the land development regulations. Such use may be continued, so long as it remains otherwise lawful, subject to limitation concerning enlargement, movement, discontinuance, and structural addition.
 - c. Nonconforming structures shall be recognized where a structure exists lawfully that would not be permitted to be built under the land development regulations by reason of restrictions on requirements other than use concerning the structure, such structure may be continued so long

as it remains otherwise lawful, subject to limitations concerning provisions addressing enlargement or alteration, destruction, and movement.

- Policy 7.1.20 The land development regulations shall provide for the use of a parcel of property solely as a homestead by an individual who is the grandparent, parent, step-parent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the person who conveyed the parcel to said individual, notwithstanding the density or intensity of use assigned to the parcel by the Future Land Use Map of the Comprehensive Plan. Such a provision shall apply only once to any individual. The regulations to implement this policy shall provide procedures for lot splits or subdivision of land for the purpose of conveying a lot or parcel to individuals meeting these requirements for the establishment of a homestead and shall provide for minimum lot size of the lots so created and the remaining lot. Lot splits or subdivisions of land permitted pursuant to this policy shall be subject to compliance with all other applicable Comprehensive Plan policies and Federal, State, Regional, and County regulations.
- Policy 7.1.21 To encourage higher quality development, an incentive-based development plan scoring system shall be explored as part of the update of the land development regulations. Such a system may rate factors such as environmental, mobility, and design quality of proposed developments according to a set of performance indicators, and award incentives based on corresponding scores.
- Policy 7.1.22 It shall be the policy of Alachua County to establish a mechanism for consideration of large-scale Comprehensive Plan Amendments; up to two times a year per criteria in the land development regulations, small-scale Comprehensive Plan Amendments and Plan Amendments due to emergency, and amendments due to any proposed Development of Regional Impact, consistent with Section 163.3187, Florida Statutes.
- Policy 7.1.23 All amendments shall be considered based on his applicable policies and objectives of this Element shall be considered in light of the Basic Principles upon which the Plan is based, and shall be consistent with all Elements of the Plan.
- Policy 7.1.24 Prior to amending this Element, every consideration shall first be given to alternatives to detailed map changes. Such alternatives might include clarifying text amendments and additional policy statements.
- Policy 7.1.25 All amendments to the Comprehensive Plan shall meet the requirements of Chapter 163.3181, Florida Statutes, and Section 9J-5.004, F.A.C. for public participation in the comprehensive planning process.

- Policy 7.1.26 Land development regulations shall set forth required public participation methods for all comprehensive plan updates and amendments. Land development regulations shall also provide complementary or additional public participation methods to be used. For comprehensive plan amendments, these complementary methods shall include notification by mail to persons who own real property within 400 feet of a proposed plan amendment, notifying them of the comprehensive plan amendment, its potential impact, opportunity for written and oral comment to be considered at the public hearings, and the schedule of public hearings.
- Policy 7.1.27 A Neighborhood Referral System will enable representative neighborhood organizations to review and comment on land use and development cases prior to planning and zoning decisions made at public hearings by expanding the notification procedures to include neighborhood organizations. Representative neighborhood organizations will also provide a link to County government for educational and service provisions.
- Policy 7.1.28 A planning framework that includes geographically focused special area plans shall be implemented to promote and provide cohesive communities. These plans shall include both rural and urban areas, and utilize neighborhoods (including village centers), districts (including activity centers), and corridors as basic planning components. This planning framework shall be implemented through a Community and Neighborhood Planning program, which empowers communities and neighborhoods to develop plans that address the specific needs and circumstances of their area. The County shall provide guidance to the program to assure that county-wide comprehensive planning goals are met. These plans shall incorporate the community and neighborhood vision and goals and shall include provisions to:
- a. Enhance the community’s livability
 - b. Protect the character of the neighborhood
 - c. Provide amenities for neighborhood residents
 - d. Plan for neighborhood traffic management
 - e. Protect natural resources
- Policy 7.1.29 A Special Area Plan shall be implemented through the Community and Neighborhood Planning Program to provide for the continuation and enhancement of the traditional character, settlement patterns, and uses of the Arredondo area.
- Policy 7.1.30 Annexations shall be in accordance with the Alachua County Boundary Adjustment Act as specified in Policies under Objective 4 of the Intergovernmental Coordination Element.
- Policy 7.1.31 Alachua County shall coordinate with the Metropolitan Transportation Planning Organization, the City of Gainesville, FDOT, and other entities, to complete a study for the area identified as Plan East Gainesville. Upon completion, the study shall be considered for adoption in the comprehensive plan as a special area plan.