

Understanding Permit Stacking: Why It Happens and Why It's Risky

Permit stacking occurs when multiple approvals—such as a Temporary Use Permit (TUP), Limited Use, and Special Exception—are combined to authorize a use that no single permit would allow alone. While often presented as flexible or temporary, stacked permits can effectively bypass zoning safeguards and create long-term commercial impacts in rural areas.

Why the BOCC Might Allow Stacked Permitting

- **Administrative Convenience:** Staff may view it as a flexible workaround to accommodate mixed uses without requiring full rezoning.
- **Economic or Political Pressure:** Boards may be urged to support 'local business' or 'tourism' and see permit stacking as a compromise.
- **Misinterpretation of Code:** Sections like ULDC §404.14.5 (Rural Event Center) may be applied too broadly, allowing unintended high-intensity uses.
- **Incremental Approval:** Starting with temporary or limited permits allows step-by-step approvals that evolve into permanent use.

Why Stacked Permitting Is Problematic

- **Circumvents Public Process:** Skips rezoning hearings and Comprehensive Plan review required by Florida Statute §163.3215.
- **Creates Regulatory Confusion:** Overlapping conditions from multiple departments make enforcement inconsistent and unclear.
- **Sets Dangerous Precedent:** Once one property is allowed to stack permits, others can demand the same treatment under equal protection.
- **Contradicts Comprehensive Plan:** Undermines Alachua County's rural and agricultural protection goals without formal amendment.

Although permit stacking can appear to offer flexibility or compromise, in practice it blurs zoning boundaries, reduces public oversight, and weakens the Comprehensive Plan's intent to preserve rural land. Clear and consistent application of land use codes—and avoidance of cumulative or overlapping permits—is essential to maintaining community integrity and planning transparency.

References: Alachua County ULDC §404.14.5; Florida Statute §163.3215 – Verified October 2025