

Legal Reference Sheet – Land Use & Property Rights Concerns

Wildflower Music Park Opposition

Alachua County Unified Land Development Code (ULDC)

- §404.07 – Standard Use Table: If festivals/entertainment uses are not listed for AG zoning, they are not permitted.
- §404.17 – Agricultural Uses: Agricultural uses are permitted by right in AG districts; festivals are not agricultural uses.
- §406.97 – Natural Resource Impacts: Requires minimizing impact on wetlands, conservation areas, and wildlife.
- Chapter 410 – Definitions: Agritourism must relate to bona fide farms, livestock, or forestry. Festivals do not qualify.
- §404.72 (Draft Amendment) – Farm Stay: Limited overnight stays (4 RVs/tents/cabins). Festivals exceed this scale.

Florida Statutes & State Law

- Florida Statute §570.86 – Agritourism: Counties may regulate substantial offsite impacts (noise, traffic, trespass).
- Florida Statute §70.001 – Bert J. Harris, Jr. Property Rights Act: Relief if government actions burden property use/value.
- Florida Constitution – Article X, Section 4: Homestead rights to quiet use/enjoyment must be protected.
- Florida Trespass Law (HB 621, 2024): Stronger rights to remove trespassers with sheriff support.

Agricultural Protections & Guidelines

- Alachua County Property Appraiser – Agricultural Classification: Land must show real agricultural use to qualify.
- UF/IFAS Agritourism Guidance (EDIS WC349): Agritourism does not include structures or facilities for general public accommodation.

Alachua County Comprehensive Plan – Conservation & Land Use Policies

- COSE Policies: Require protection of wetlands, habitat, and ecological corridors.
- Future Land Use Element: Rural AG intended for farmland preservation, not mass festivals.

How to Use This Sheet in Opposition

- Cite ULDC provisions to show festivals are not permitted in AG zoning.
- Use §570.86 to demand regulation of offsite impacts (noise, traffic, trespass).
- Invoke the Bert Harris Act if property value or enjoyment is burdened.
- Apply conservation policies (wetlands, habitat) to argue environmental harm.
- Challenge agritourism claims using statutory definitions and IFAS guidance.
- Assert homestead rights to quiet enjoyment and protection from trespass.