



## Staff Report: Rezoning

Case No. ZON24-0003

Planning & Zoning Commission: December 9, 2024

City Council (1<sup>st</sup> Reading): January 7, 2025

City Council (Adoption): January 21, 2025

**Property Owner** River Coast Enterprises, LLC  
**Applicant/Agent:** Juan Manuel Vasquez  
**Project Planner:** Kristina L. Wright, CNU-A, FRA-RA  
**Amendment Request:** Rezone the subject property from R-2, Two-Family Residential, to R-3, Multi-Family Residential.

### Subject Property Information

**Acres:** ±1.14 acres  
**Parcel(s)#:** 2848-002-001  
**Location:** Located in the 700 block of SW 3<sup>rd</sup> Street, at the southwest corner of the intersection of SW 3<sup>rd</sup> Street and SW 7<sup>th</sup> Avenue  
**Existing use:** Undeveloped  
**Existing Future Land Use:** Neighborhood  
**Zoning Designation:** R-2, Two-Family Residential  
**Special District(s)/Plan(s):** N/A  
**Approved Agreement(s):** N/A

**Figure 1. Aerial Location Map**



**Adjacent Property Information**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	Neighborhood	R-2, Two-Family Residential	Undeveloped
<b>South</b>	Neighborhood	R-2, Two-Family Residential	Undeveloped
<b>East</b>	Neighborhood	R-3, Multi-family Residential	Undeveloped
<b>West</b>	Neighborhood	R-2, Two-Family Residential	Undeveloped

**Background:**

The subject property was established as a portion of Lot 2 via the E.G. Smith Addition Plat (Plat Book E, Page -9). The subject property has remained undeveloped for more than 30 years.

Several single-family homes exist within close proximity to the subject property. Many of the properties directly adjacent remain undeveloped.

**Staff Analysis**

***Factual Support***

**Comparison of Zoning District Standards**

	<b>Zoning District</b>	<b>Intent and Purpose</b>	<b>Minimum Lot Area</b>	<b>Maximum Building Height</b>
<b>Existing</b>	R-2, Two-Family Residential	Intended to be of similar residential character to the single-family districts, but also permits two-family dwellings and two dwellings on one lot.	10,000 square feet	35 feet
<b>Proposed</b>	R-3, Multi-Family Residential	Intended to be a multi-family area, including higher residential densities in accordance with the comprehensive plan. This district shall allow single-family, two-family, and multi-family dwellings, residence-offices, and residence-galleries. Professional and business offices that are of compatible scale and intensity may be allowed as special exceptions by the board of adjustment.	10,000 square feet	50 feet

Also see Exhibit A: Permitted Uses Table below.

**Consistency with Comprehensive Plan and Land Development Regulations**

1. The requested zoning change is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
  - a. Future Land Use Element Policy 6.4: Neighborhood: The intent of the Neighborhood category is to identify and reserve predominantly residential and ancillary uses. Existing street pattern, tree canopy cover, character, and residential occupancy shall be considered when designating areas with the Neighborhood category. The form of buildings and development may be regulated by a Corridor Overlay. Residential is the primary use. Single family uses are allowed based on the Land Development Code, up to the maximum density permitted by the Comprehensive Plan. Multi-family uses shall be reviewed through the development process to determine compatibility, with specific approval criteria being further defined in the Land Development Code.

Concentrated areas of neighborhood-serving non-residential (e.g., commercial, office, institutional, educational facilities, recreational or cultural) facilities, at intensities compatible with surrounding neighborhoods, may be permitted. These uses are intended for locations on thoroughfares and collectors within the edges of the neighborhood districts. The type, size, location, and justification for such non-residential facilities shall be based upon the existing and planned availability of supporting street networks, transit, and other public facilities to promote convenience, reduced travel distance, conservation of energy, building and site design, as well as market demand for use as support to the surrounding neighborhood area and impact on the neighborhood residents.

The Neighborhood category is generally characterized as a walkable form with unique and identifiable neighborhoods where the predominant land use is residential and the primary modes of transportation including walking, bicycles, automobiles, and bus transit. Buildings are generally low and mid-rise in character. Housing types associated with this category are predominantly single-family detached homes, attached homes like row houses or townhomes, and garden style multi-family buildings. The history, character, and connectivity of existing neighborhoods should be considered when evaluating development proposals. Higher densities on existing small lots may be allowed to create a mix and diversity of housing types.

Parks and opens spaces ranging in size should be provided throughout the Neighborhood land use category areas. Stormwater management facilities should be designed as recreational amenities and included in parks and open spaces. Public parks or open spaces should be located within walking distance of the majority of housing units within neighborhoods. Parking for non-residential uses will be limited and located on the street and in the rear of the building screened from surrounding residential uses. Non-residential uses should be accessible by sidewalks, bikeways, and public transit.

There is no minimum density and intensity in this future land use category. The maximum density before any incentives is 5 dwelling units per gross acre for single family residential and 12 dwelling units per gross acre for multifamily residential. The maximum intensity before any incentives for non-residential development is 0.25 FAR. The location and application of incentives shall be set forth in the Land Development Code.

*Staff Comment: The Neighborhood Future Land Use category identifies residential as the primary use, and emphasizes that the history, character, and connectivity of existing neighborhoods should be considered when evaluating potential development. The surrounding area is characterized by a mixture of uses, and connectivity will be further evaluated during the*

*site plan review process. The proposed R-3 zoning district is compatible with the underlying Neighborhood future land use category. Multi-family zoning exists to the east, across SW 7<sup>th</sup> Avenue.*

- b. Future Land Use Element Policy 12.1: The City shall require that all development have adequate services and facilities including water, roads, sewage collection and treatment, stormwater drainage, recreation, and solid waste disposal, to the extent required by state law, other provisions of this Comprehensive Plan, or the City’s Land Development Code.

*Staff Comment: As identified in the Level of Service Analysis below, adequate public facilities exist to service the subject property.*

- 2. The requested rezoning is consistent with the following Sections of the Land Development Regulations:

- a. Section 122-133(b)(1): The application requests to rezone parcel or parcels that are a minimum of 30,000 square feet of area not separated by a right-of-way for a street, a street, or a drainage retention area.

*Staff Comment: The subject property contains approximately 1.14 acres, or 49,658.4 square feet, and meets the requirements for consideration of rezoning set forth by the Code of Ordinances.*

- b. Section 122-244 – *District criteria*: Zoning districts allowed under the current land use category.

<b>Neighborhood</b>	R-1, R-1A, R-1AA, R-2, <b>R-3</b> , RZL, RBH-1, RBH-2, RBH-3, OH, RO, B-1, B-1A, G-U, INST, A-1, PD, FBC
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*Staff Comment: As indicated in Section 122-244 above, the R-3 zoning district is a permitted district within the subject property’s Neighborhood future land use designation.*

- c. Section 122-351: The Multi-Family Residential (R-3) district is intended for multi-family residential development, including higher residential densities in accordance with the comprehensive plan.

*Staff Comment: The maximum density allowed by right with a Neighborhood future land use category is 12 dwelling units per acre.*

**Level of Service (LOS)**

**Transportation:** The 2023 Congestion Management Data from the Ocala-Marion TPO for the affected roadway is provided below. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

- **Adopted LOS / Available Capacity:**

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SW 7 <sup>th</sup> RD (SR 464 to SW 10 <sup>th</sup> ST)	2	25 MPH	Local	E	29,340	N/A	N/A

**Potable Water:** City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A city water main runs along SW 7<sup>th</sup> Avenue.

- *Adopted Level of Service (LOS) Potable Water:* 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

**Sanitary Sewer:** City utilities are available at this location; connections will be determined during the site plan or subdivision review process. City gravity mains run along SW 7<sup>th</sup> Avenue and SW 3<sup>rd</sup> Street.

- *Adopted Level of Service (LOS) Sanitary Sewer:* 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

**Solid Waste:** The subject property is located within the City's service area; refuse pickup will be determined during the site plan or subdivision review process.

- *Adopted Level of Service (LOS) Solid Waste:* 3.54 pounds per capita per day for residential development.
- *Available Capacity:* Solid waste is transported to facilities outside of the City.

**Parks and Recreation Facilities:**

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).
- *Available Capacity:* Capacity is available. Per the 2024 population projections from the Florida Bureau of Economic and Business Research (BEBR), the City's estimated 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

**Other Public Facilities:**

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

**Stormwater:** The subject property is located within a Flood Zone and a City of Ocala Flood Study area. As such, any development will be subject to the review and approval of the Stormwater Engineering Department. For any future redevelopment, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-hour storm event.

**Electric:** The subject property is currently serviced by Ocala Electric Utility.

**Fiber:** City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City fiber optic cable runs along SW 7<sup>th</sup> Avenue and SW 3<sup>rd</sup> Street.

**Fire Service:** Ocala Fire Rescue Station #1 is located approximately 0.75 miles from the subject property, which is within the desired industry standard of 1.5 miles for fire service.

**Schools:** The subject property is served by Eighth Street Elementary School (operating at 100.81% capacity), Osceola Middle School (operating at 103.84% capacity), Forest High School (operating at 100.31% capacity). The proposed development of the property may generate the following student population:

<b>Project Dwelling Units (MFR)</b>		
<b>School Level</b>	<b>MFR Student Generation Rate</b>	<b>13 MFR (max. 12 d.u./acre permitted by FLU)</b>
E	0.139	2
M	0.056	1
H	0.067	1

**Conclusions**

**Property History:** It is noted that the property located directly across SW 7<sup>th</sup> Avenue (2851-005-000) is zoned R-3. Development will activate an infill property in the center of the city.

**Land Development Code / Comprehensive Plan Consistency:** Pursuant to Code of Ordinances Section 122-286 properties in the requested R-3 zoning district shall be at least 100-feet-wide and contain at least 10,000 square feet. The subject property meets the minimum lot width and area requirements of the R-3 zoning district. The requested R-3 zoning district is consistent with the existing Neighborhood Future Land Use category pursuant to Code of Ordinances Section 122-244. The underlying Neighborhood Future Land Use has a maximum density of 12 dwelling units per acre for multi-family residential development. Based on the 1.14-acre size of the subject property, there is a potential for 13 residential units. Any future development will have to meet the requirements for site plan approval, including architectural review requirements for multi-family dwellings under subsection 122-216(t).

**Zoning Comparison:** The existing R-2 zoning district allows for single-family residential and two-family dwelling units (duplexes). The proposed R-3 zoning district would expand the permitted residential types to include single-family dwelling units, two-family dwelling units, single-family attached dwellings (townhomes) and multi-family dwellings. Additionally, the expansion of the R-3 will further expand non-residential uses, which are included in the attached permitted uses table. Pursuant to Section 122-260 of the Code of Ordinances, site boundaries adjacent to any lesser intense zoning district or use requires buffering.

**Surrounding Area / Compatibility:** The property is surrounded by residential development but primarily single-family development, which is zoned R-2, except across SW 7<sup>th</sup> Avenue where there is R-3, Multi-Family Residential zoning.

**Staff Findings and Recommendation**

- The proposed rezoning is consistent with the existing Neighborhood Future Land Use designation, pursuant to Code of Ordinances Section 122-244.
- The proposed zoning change to the R-3 would expand development options for the subject property by adding the following permitted uses by right: conference center, bed and breakfast, single-family

attached dwellings (townhomes), multi-family dwellings, and increase the maximum number of residents in a community residential home from 8-12 residents.

- No Level of Service issues have been identified for public facilities as a result of the zoning amendment.

<b>Staff Recommendation:</b> <i>Approval</i>
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**Exhibit A: Permitted Uses Table**

Permitted Use Type	R-2, Two-Family Residential	R-3, Multi-Family Residential
<i>Residential Operation</i>	<ul style="list-style-type: none"> <li>• Community residential home (max 8 residents)</li> <li>• Home occupation</li> <li>• Residence-gallery*</li> <li>• Residence-office*</li> </ul>	<ul style="list-style-type: none"> <li>• Bed and breakfast</li> <li>• Community residential home (max 12 residents)</li> <li>• Home occupation</li> <li>• Fraternity or sorority house*</li> <li>• Residence – Gallery*</li> <li>• Residence – Office*</li> <li>• Rooming/boarding house*</li> </ul>
<i>Residential Type</i>	<ul style="list-style-type: none"> <li>• Single-family dwelling</li> <li>• Two-family dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-family dwelling</li> <li>• Single-family dwelling</li> <li>• Single-family (attached) dwelling unit</li> <li>• Two-family dwelling</li> </ul>
<i>Business Service</i>	<ul style="list-style-type: none"> <li>• Parking lot*</li> </ul>	<ul style="list-style-type: none"> <li>• Parking Lot*</li> </ul>
<i>Hospitality and Tourism</i>	<i>None Permitted</i>	<ul style="list-style-type: none"> <li>• Conference center</li> <li>• Antique gallery/art gallery/museum*</li> </ul>
<i>Office Use</i>	<i>None Permitted</i>	<ul style="list-style-type: none"> <li>• Professional and business office*</li> </ul>
<i>Personal Service</i>	<i>None Permitted</i>	<i>None Permitted</i>
<i>Community Service</i>	<ul style="list-style-type: none"> <li>• Church/place of worship*</li> <li>• Day care facility*</li> </ul>	<ul style="list-style-type: none"> <li>• Church/place of worship*</li> <li>• Day care facility*</li> <li>• Private club*</li> </ul>
<i>Educational Use</i>	<i>None Permitted</i>	<i>None Permitted</i>
<i>Recreational Use</i>	<i>None Permitted</i>	<ul style="list-style-type: none"> <li>• Recreation facility, indoor*</li> </ul>
<i>Public Use</i>	<ul style="list-style-type: none"> <li>• Park/open space area*</li> </ul>	<ul style="list-style-type: none"> <li>• Park/open space area*</li> </ul>

<i>Health Care Use</i>	<ul style="list-style-type: none"><li>• Assisted living facility*</li></ul>	<ul style="list-style-type: none"><li>• Assisted living facility</li><li>• Neighborhood wellness center*</li><li>• Transitional recovery facility*</li></ul>
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\*Permitted by Special Exception