



## Staff Report: Public Hearing

Case No. PD24-45735

Planning & Zoning Commission: June 9, 2025

City Council (Adoption): July 1, 2025

**Applicant:** Boyd Real Estate LLC  
**Property Owner:** 25<sup>th</sup> Avenue Ocala LLC  
**Project Planner:** Emily W. Johnson, AICP  
**Amendment Request:** Public hearing to amend the PD, Planned Development, Plan and Standards Book.

### Parcel Information

**Acres:** ±12.61 acres  
**Parcel(s)#:** 24274-000-00  
**Location:** The northeast corner of the intersection of NE 25<sup>th</sup> Avenue and NE 28<sup>th</sup> Street  
**Existing use:** Vacant/Undeveloped  
**Future Land Use Designation:** Neighborhood  
**Zoning Designation:** PD, Planned Development  
**Special District(s)/Plan(s):** PD Plan approved by Resolution 2025-5  
**Approved Agreement(s):** N/A

**Figure 1. Aerial Location Map**



### Adjacent Property Information

| <b><u>Direction</u></b> | <b><u>Future Land Use</u></b>               | <b><u>Zoning District</u></b>  | <b><u>Current Use</u></b>  |
|-------------------------|---|--|--|
| <b>North</b>            | Medium Residential (County)                 | R-1, Single-Family Dwelling (County)   | Church/Place of Worship  |
| <b>East</b>             | Neighborhood                                | R-1A, Single-Family Residential  | Single-Family Residence  |
| <b>South</b>            | Neighborhood                                | R-1A, Single-Family Residential  | Single-Family Residences (Raven Glen subdivision), adjacent to NE 28 <sup>th</sup> Street      |
| <b>West</b>             | Medium Residential (County)<br>Neighborhood | R-1, Single Family Dwelling (County)<br>R-1A, Single-Family Residential<br>A-1, Agricultural | Single-Family Residences (Baldwin Heights subdivision), adjacent to NE 25 <sup>th</sup> Avenue |

### Applicant Request

The petitioner is requesting to amend the PD, Planned Development, Plan and Standards Book. Specifically, the petitioner has submitted the request to amend the following (no other changes are proposed to the PD Plan or Standards Book):

- Reduce the width of the road right-of-way along the eastern boundary from 50-feet to 45-feet.
- Reduce the street-side setback for corner lots from 15-feet to 10-feet.
- Reduce the width of the utility easements from 10-feet to 5-feet.

### Background:

On November 19, 2024, the City Council adopted Ordinance 2025-6 to rezone the subject property from INST, Institutional, to PD, Planned Development. The PD Plan and Standards Book were subsequently adopted via Resolution 2025-5, for the construction of 55 single-family homes, including passive recreation areas, a pavilion, playground, a perimeter walking trail, and landscape buffers along the perimeter of the site. The following background information was presented at the original rezoning and public hearings:

- The south 200-feet of the subject property was annexed into the City in 1964 with a zoning designation of Agricultural (A-1). The remainder of the property was annexed in 2005, with a requested zoning designation of Planned Unit Development (PUD-05) and a land use classification of Low Density Residential; while the annexation and land use change were approved, the Conceptual PUD Plan was not approved, and the northern portion of the subject property was designated as “No Zoning.”
- On January 22, 2013, the City Council adopted Comprehensive Plan Amendments consistent with the 2035 Vision, which eliminated the Low-Density Residential Future Land Use

Classification; the subject property is currently classified as Neighborhood.

- In 2015, the entire property was rezoned Institutional (INST). However, a site plan has never been submitted to facilitate development. The subject property is currently vacant and undeveloped.
- The subject property lies at the northernmost boundary of the City limits along NE 25<sup>th</sup> Avenue. The surrounding area is residential in nature, and primarily developed with single-family residences as the urban environment transitions into Marion County. Nearby subdivisions include:
  - Raven Glen Unit 1 (PB 7 Pg 1), which is zoned R-1A and was platted in 2002. The plat approved 128 lots on 49.93 acres (density of 2.56 dwelling units per acre). The lots are approximately 80-feet-wide by 120-feet-long.
  - Raven Glen Unit 2 (PB 9 Pg 1), which is zoned R-1A and was platted in 2005. The plat approved 111 lots on 42.55 acres (density of 2.60 dwelling units per acre). The lots are approximately 80-feet-wide by 120-feet-long.
  - Baldwin Heights (PB S Pg 96), which is zoned R-1 (County) and was platted in 1978. The plat approved 11 lots on approximately 3.60 acres (density of 3.05 dwelling units per acre). The lots are approximately 104-feet-wide by 140-feet-long.
  - Carol Estates (PB V, Pg 26), which is zoned R-1 (County) and was platted in 1982. The plat approved 137 lots on approximately 61.60 acres (density of 2.22 dwelling units per acre). Lot sizes are approximately 90-feet-wide by 150-feet-long.

### **Staff Analysis**

#### ***Factual Support***

#### **Proposed PD Plan and Standards**

The amended PD Plan and Standards Book reflect a reduction in the width the road right-of-way along the eastern boundary from 50-feet to 45-feet. The Standards Book indicates that the right-of-way will be publicly dedicated and maintained by the City. The requested road width deviates from Subsection 114-91(n), which requires that roads be a minimum of 50-feet in width.

Additionally, the applicant is requesting a reduction the street-side setback for corner lots from 15-feet to 10-feet, and the width of the utility easements from 10-feet to 5-feet. The amended PD Plan depicts a 5-foot Electric Utility Easement on either side of the typical right-of-way. The requested reduction has been reviewed by Ocala Electric Utility (OEU) and approved on with the condition that the requirements of Subsection 70-602(o)(3) will be met.

#### **Neighborhood Meeting**

A neighborhood meeting was held in June 2024, with the agent providing information regarding the proposed development and nearby residents asking questions pertaining to the level of affordability, traffic, roadway and access conditions, and wildlife.

Due to the timing and nature of the amendment request, a second neighborhood meeting was deemed unnecessary. The approved uses, unit count, and subdivision layout will not be substantially altered by the amendment request.

## Consistency with Comprehensive Plan

The requested amendment is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:

1. 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 include walking, bicycles, automobiles, and bus transit. Buildings are generally low and mid-rise in character. Housing types associated with this category are predominately 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 in order to create a mix and diversity of housing types.

Parks and open 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.

*Staff Comment: The Neighborhood Future Land Use classification 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 single-family residential uses, and connectivity will be further evaluated during the subdivision review process. The proposed PD amendment will not alter the approved density*

*or development pattern of the PD.*

2. Future Land Use Element Policy 7.2: City guidelines shall be context-sensitive to providing appropriate transitions between adjacent land uses with particular emphasis on building compatibility between neighborhoods and non-residential uses.

*Staff Comment: The existing PD zoning district is compatible with the existing neighborhood development pattern and provides for development at a density that is contextually appropriate for the area.*

3. 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, there appears to be adequate public facilities exist to service the subject property.*

### **Consistency with Land Development Regulations**

The requested amendment is consistent with the following Sections of the City of Ocala Code of Ordinances:

1. Section 122-946(a): Substantial changes to a PD plan shall require city council approval, and any revised PD plan approved by city council shall be adopted by resolution prior to approval of a site plan or conceptual subdivision plan that includes substantial changes. A revised PD plan proposing substantial changes shall meet all requirements of this division and shall be heard at public hearings before the planning and zoning commission and city council after due public notice. Changes in land uses and density/intensity greater than five percent shall be considered substantial. For purposes of this subsection, other substantial changes are defined as: changes to project access, circulation plan, land use arrangement, buffers, a change to the approved PD standards book or the elements required to be included therein, and any other changes deemed substantial by the site plan review committee.

*The applicant is proposing changes to the project circulation plan, as well as a reduction in setbacks and utilities easement width.*

2. Subsection 70-602(o)(3): A ten foot utility easement parallel to the right of way on both sides will be required for all underground subdivisions. Exceptions may be granted by the Electric Utility providing all the following conditions are met:

- a. There must be a substantial reason that providing an electric (utility) easement would be detrimental to the project and not in the best interest of the city (or Marion County) as a whole.

*The applicant is requesting the easement reduction on the basis that the original PD plan did not appropriately account for the site geometry. The approved lot layout and roadway configuration cannot be maintained if the 10-foot utility easement is required to fall outside of the right-of-way, which would be detrimental to the project as a whole.*

- b. Where a subdivision has reduced setback provisions that would place transformers closer than 20 feet to buildings.

*The applicant is requesting to reduce setbacks to 15-feet from the front property line, 5-feet from interior side property lines, 10-feet from street side property lines, and 10-feet from rear property lines.*

- c. Those developments where curb and gutter are used and a minimum of 12 feet from back-of-curb to back of right-of-way is present on both sides of the right-of-way. The maximum slope from back-of-curb to back of right-of-way shall be no more than .1, with no swales or other obstructions that would interfere with the safe operation and maintenance of the electric facilities.

*The applicant is proposing right-of-way cross sections depicting an optional curb. The 50-foot-wide cross section depicts 14-feet from the back-of-curb to the back-of-right-of-way, with a 5-foot-wide electric utilities easement located outside of the right-of-way. The 45-foot-wide cross section depicts a variable distance between the back-of-curb and the back-of-right-of-way, with a 5-foot-wide electric utilities easement located within the right-of-way.*

- d. There must be no foreseeable need to widen the roadways within the project to the point that would require relocation of installed OEU facilities.

*The proposed roadways are interior to a subdivision with a specified number of lots. There is no foreseeable need to widen the roadways.*

- e. There must be room within the right-of-way to set aside the five-foot furthest from the road on both sides of the right-of-way solely for installation of underground and pad mounted electric facilities. This reserved area must be specified on the Improvement Plan and be approved by OEU prior to final approval by the city or Marion County.

*The applicant is proposing cross sections which depict 5-foot easements reserved specifically for the installation of electric facilities. OEU has reviewed the proposed cross sections and conditionally approved the request.*

- f. If water or gas facilities are to be installed within the right-of-way, there must be at least a five-foot horizontal separation between electric and water or gas facilities.

*The applicant is proposing cross sections which depict 5-foot easements reserved specifically for the installation of electric facilities. Any easements proposed outside of the right-of-way for other utilities will be considered and approved as part of the subdivision plans.*

- g. Locating the electric facilities within the right-of-way will not pose any increased safety risk of injury or property damage to either OEU or the public.

*OEU has reviewed the proposed cross sections and conditionally approved the request.*

### **Variations from Code of Ordinances**

The petitioner is requesting the following variation to the Code of Ordinances as part of this request:

1. Subsection 114-91(n): Street right-of-way widths and sight distances shall be as follows unless otherwise indicated or required by law:

| Street Type | Minimum ROW (feet) |
|-------------|--------------------|
|-------------|--------------------|

|                    |    |
|--------------------|----|
| With curb & gutter | 50 |
| Marginal access    | 50 |

*The applicant is requesting to reduce the right-of-way along the eastern boundary of the subdivision from 50-feet to 45-feet. The subject right-of-way provides marginal access to the internal lots of the subdivision, and connects to NE 28<sup>th</sup> Street as a stabilized secondary emergency access. The Standards Book indicates that the right-of-way will be publicly dedicated and maintained by the City.*

### Level of Service (LOS)

**Transportation:** The 2023 congestion management data from the Ocala-Marion TPO for the affected roadway is provided below.

- **Adopted LOS / Available Capacity:**

| Road/<br>Street Name    | Lanes | Speed<br>Limit | Functional<br>Classification | Adopted<br>LOS | LOS<br>Capacity | 2023<br>AADT | Existing<br>LOS |
|-------------------------|-------|----------------|------------------------------|----------------|-----------------|--------------|-----------------|
| NE 25 <sup>th</sup> Ave | 2     | 35 MPH         | Collector                    | E              | 11,232          | 8,000        | D               |

Developments proposing to generate 100 or more net new PM peak hour trips are required to submit a traffic study as part of the subdivision review. The affected segment of NE 25<sup>th</sup> Avenue is currently operating above the adopted Level of Service.

**Potable Water:** City utilities are available at this location; connections will be determined during the subdivision review process. A city water main runs along NE 25<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:** The proposed development will be required to extend sewer services to this project. A force main is available along NE 25<sup>th</sup> Avenue to the south and west of the subject property; and an existing 8" gravity main currently serves the Raven Glen Unit 1 subdivision to the south. Connections will be determined during the subdivision review process.

- *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 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. The City's 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 not located within a Flood Zone. 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 within the Ocala Electric Utility service territory.

**Fiber:** Service is not currently available at this location. There are 45 service requests in the single-family residential subdivisions located to the south of the subject property (Raven Glen Units 1 and 2).

**Fire Service:** Ocala Fire Rescue Station #5 is located approximately 0.5 miles from the subject property at 2340 NE 25<sup>th</sup> Avenue. This distance falls within the desired industry standard of 1.5 miles for fire service.

**Schools:** The subject property is serviced by Ocala Springs Elementary (operating at 121.48% capacity), Fort King Middle (68.36%) and Vanguard High Schools (89.33%). The proposed development may generate up to 6 additional Elementary School-aged students, 3 additional Middle School-aged students, and 4 additional High School-aged students.

| Project Dwelling Units (SFR) |                             |   |                                 |
|------------------------------|-----------------------------|---|---------------------------------|
| School Level                 | SFR Student Generation Rate | 63 SFR<br>(max. 5 d.u./acre permitted by FLU) | 55 SFR<br>(proposed by PD Plan) |
| E                            | 0.13                        | 8   | 7                               |
| M                            | 0.064                       | 4   | 3                               |
| H                            | 0.094                       | 5   | 5                               |

**Staff Findings and Recommendation**

- The proposed amendment is consistent with the existing Neighborhood Future Land Use classification pursuant to Code of Ordinances Section 122-244.
- The amended PD Plan is consistent with the minimum standards required for a reduced electric utilities easement pursuant to Subsection 70-602(o)(3).
- The applicant is requesting a variation to Subsection 114-91(n), to allow for a 45-foot-wide right-of-way. This variation is in addition to the variations previously approved by city council for PD24-45735 under Resolution 2025-5.
- The proposed amendment is not anticipated to alter the project's impact on Levels of Service. Adequate public facilities exist to service the proposed development. The proposed development will be required to extend sewer services to this project.



|                              |   |
|------------------------------|---|
| <b>Staff Recommendation:</b> | <b>Approval of the revision to PD24-45735</b> |
|------------------------------|---|