

ORDINANCE 2022-62

AN ORDINANCE AMENDING THE CITY OF OCALA, FLORIDA, COMPREHENSIVE PLAN PURSUANT TO SECTIONS 163.3161 THROUGH AND INCLUDING 163.3248, FLORIDA STATUTES, CONCERNING A FUTURE LAND USE TEXT (POLICY) AMENDMENT (CASE NO. FLUP22-44631), AMENDING FUTURE LAND USE POLICY 18.14 ADDRESSING DEVELOPMENT CONDITIONS ON CERTAIN PROPERTY LOCATED AT THE EAST SIDE OF SW 60TH AVENUE, BETWEEN SW 31ST STREET AND SW 38TH STREET PARCEL NUMBERS 23817-002-00 & 23817-002-02 (61.39 ACRES); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the legislature of the State of Florida adopted the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, pursuant to Section 163.3161 through Section 163.3248, Florida Statutes, which required the City of Ocala, Florida to prepare and adopt a comprehensive plan in accordance with the requirements of the said act; and

WHEREAS, the City of Ocala has prepared a comprehensive plan which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the City of Ocala on October 22, 1991, adopted this plan including a Future Land Use Map as part of the Future Land Use Map Series; and

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 provides for the amendment of an adopted plan or element or portion thereof; and

WHEREAS, on October 19, 2010, City Council adopted the Ocala 2035 Vision; and

WHEREAS, one of the strategies of the Ocala 2035 Vision was to initiate Comprehensive Plan Amendments (adopted on January 22, 2013) to be consistent with the Ocala 2035 Vision.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

Section 1. As required by the Florida Local Government Comprehensive Planning and Land Development Regulation Act of 1985 contained in Section 163.3161 through and including

Section 163.3248, Florida Statutes, and pursuant to Section 106-38 of the Code of Ordinances, City of Ocala, Florida, the City of Ocala Comprehensive Plan Future Land Use Element is hereby amended by amending Policy 18.14 to read as follows:

Policy 18.14: Future Land Use Policy (FLUP) FLUP22-44631 was adopted on _____, by ordinance number____, concerning property generally located at the east side of SW 60th Avenue, between SW 31st Street and SW 38th Street, 23817-002-00 & 23817-002-02. Development shall meet the requirements of all applicable goals, objectives, policies, and map designations of the Comprehensive Plan; however, land use and development potential of the 61.39 acres property are hereby limited based on the following:

1. Allowable uses shall be consistent with allowable uses in Low Intensity Future Land Use category, as defined in the City of Ocala Comprehensive Plan. The maximum allowable intensity of the overall development plan shall not exceed the PM peak hour net new trips equivalent to 600,000 square feet of commercial development, as defined in the Institute of Transportation Engineer's Trip Generation Manual, latest edition.
2. Planned Development Plan for the entire 61.39 acres shall be provided prior to the submittal of any subdivision or final development application to address:
 - a. Architectural design standards.
 - b. Landscape and buffering standards to include a minimum fifty (50) foot landscaped buffer between commercial development uses along the eastern boundary of the property for the adjacent agricultural and residential properties, and a minimum twenty-five (25) foot landscape buffer between residential development uses along the eastern boundary of the property for the adjacent agricultural and residential properties;
 - c. The property owner/developer will be required to submit a traffic impact analysis that is consistent with the City's Traffic Study Guidelines and Concurrency Management System;
 - d. The property owner/developer will be required to provide all necessary traffic improvements mitigations as determined by a traffic analysis;
 - e. The property owner/developer will be required to provide an Access Management Plan to address site access;
 - f. All new freestanding signage to be located on the Amendment Parcel or any portion thereof at the time of development shall be limited to ground mounted signage structures; and

- g. Residential construction standards shall be further defined through the PD plan which shall address noise, vibration attenuation and other applicable building standards to reduce impacts from the nearby airport.
- 3. An aviation easement must be placed on the entire 61.39 acres as well as meet all requirements of Florida Statute Chapter 333 Airport Zoning. This also includes the requirement to obtain permitting from the Department of Transportation prior to any construction. Recordation of the aviation easement must take place at least 30 days prior to the final adoption of the proposed policy amendment.
- 4. The Planned Development shall only have one secured and gated emergency access point on SW 31st Street located to the north of the 61.39 acres in accordance with the City's standards. No other access point shall be approved on SW 31st Street.
- 5. Height limitation for a multi-family development shall not exceed 35 feet in height within a 100 ft. area along the northern and eastern boundaries. All other multi-family development areas shall not exceed 45 feet in height. The 100 ft. area on the northern and eastern boundaries will be identified on the PD Plan.

Section 2. Severability Clause. Should any provision or section of this ordinance be held by a Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect upon approval by the Mayor, or upon becoming law without such approval.

Section 5. If this ordinance becomes effective, the effective date of the comprehensive plan text amendment adopted hereby shall be:

- a. If this amendment is not timely challenged, the effective date shall be 31 days after the state land planning agency notifies the local government that this plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be

sent to the state land planning agency at 107 East Madison Street, MSC 160, Tallahassee, Florida 32399-4120.

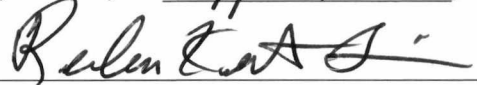
ATTEST:

By: 
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: 
Ire Bethea Sr.
President, Ocala City Council

 Approved/Denied by me as Mayor of the City of Ocala, Florida, on 7/28, 2022.

By: 
Reuben Kent Guinn
Mayor

Approved as to form and legality:

By: 
Robert W. Batsel, Jr.
City Attorney

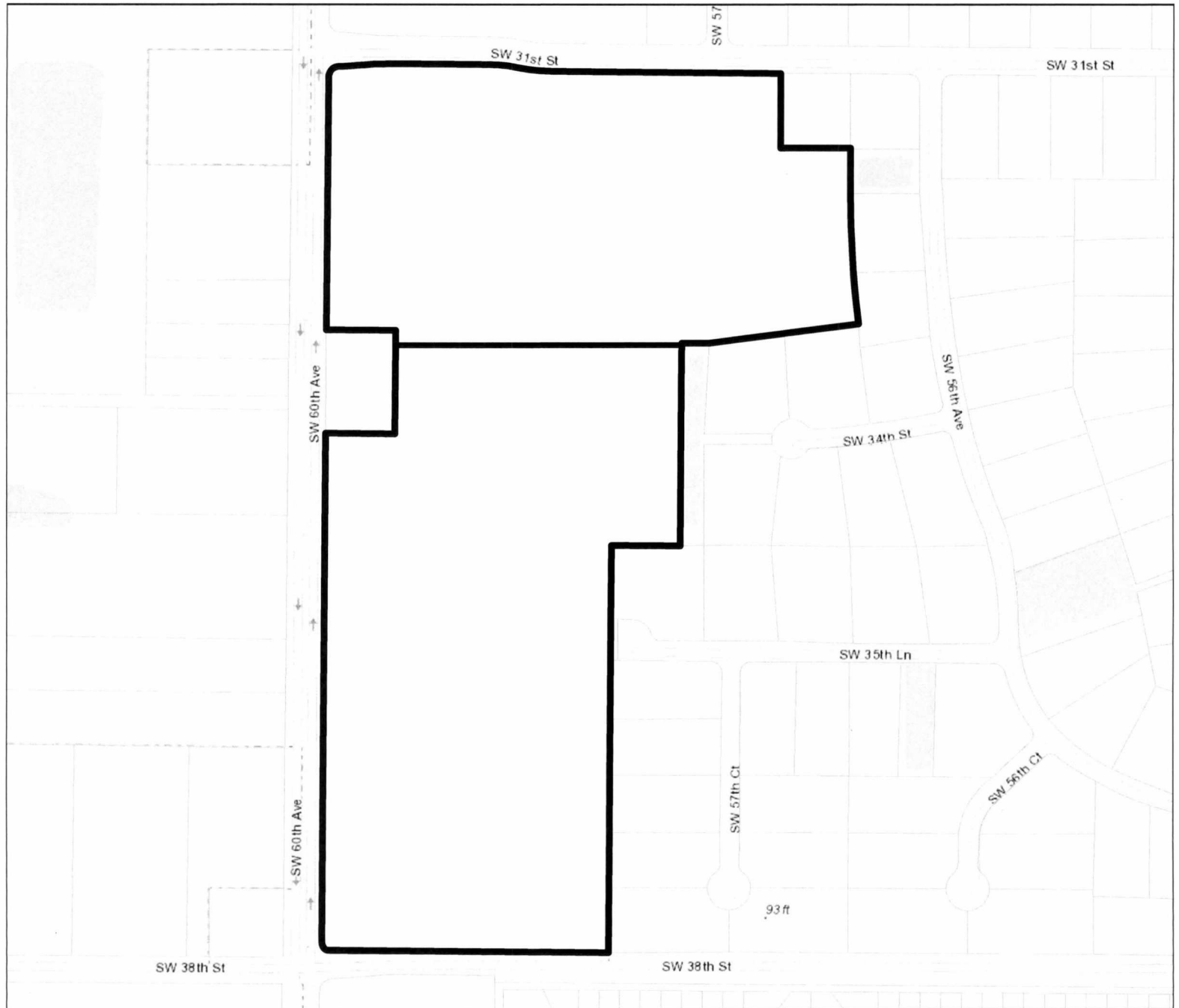
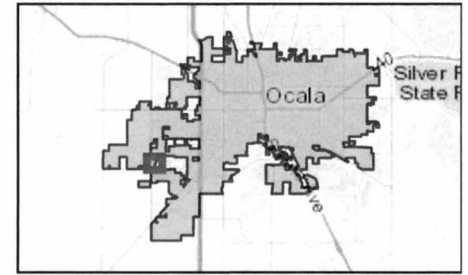
Ordinance No: 2022-62
Introduced: 6/21/2022
Postponed: 7/5/2022
Adopted: 7/19/2022
Legal Ad No: 7498269

FLUP CASE MAP

P & Z Meeting: February 14, 2022

Location Map

Case Number: FLUP22-44631
Parcel Number: 23817-002-00 & 23817-002-02
Property Size: Approximately 61.39 acres
Land Use Designation: LI, Low Intensity (City)
Zoning: No Zoning
Proposal: Request to amend Future Land Use Policy 18.14 to require Planned Development (PD) zoning, provide buffer requirements and limit development potential for property located on the east side of SW 60th



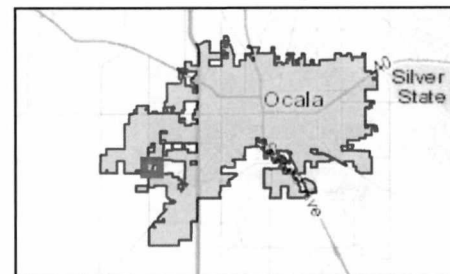
Legend
Property
Parcels

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Legend

- Property
- Parcels

0 295 590 Feet



Prepared by the City of Ocala
Growth Management Department