

Ordinance

No. 5768

AN ORDINANCE AMENDING ~~THE~~ COMPREHENSIVE PLAN OF THE CITY OF OCALA, FLORIDA CONCERNING LAND USE; AMENDING THE FUTURE LAND USE ELEMENT BY ADDING A POLICY ADDRESSING DEVELOPMENT CONDITIONS RELATED TO FUTURE LAND USE MAP AMENDMENT LUC07-0034; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the legislature of the State of Florida adopted the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as contained in Section 163.3161 through and including Section 163.3245, 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;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF OCALA, FLORIDA, in regular sessions 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 163.3245, Florida Statutes and pursuant to Section 106-38 of the Code of Ordinances, City of Ocala, Florida, the City of Ocala Comprehensive Future Land Use Element is hereby amended by adding Policy 12.25.

POLICY 12.25: Future Land Use Map (FLUM) Amendment LUC07-0034 adopted by Ordinance Number 5767 on December 18, 2007, changes the future land use on the amendment area from Low Density Residential (City) to Medium Density Residential (City). Development shall meet the requirements of all applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by FLUM Amendment LUC07-0034 is hereby limited based on the following:

1. The property shall be developed as a Planned Unit Development in conjunction with the related property;
2. This site in conjunction with the remaining parcel for the Planned Unit Development (PID 23812-001-00) shall not increase the total number of

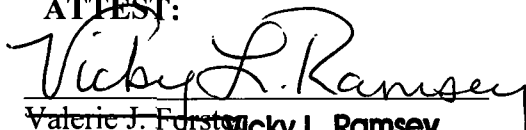
- previously approved units for the site;
3. Prior to final development approval, the property owner will be required to submit a traffic impact analysis that is consistent with the City's Traffic Study Guidelines and Concurrency Management System;
 4. The property owner/developer will be required to provide all necessary traffic improvements as determined by the traffic analysis, or provide (as to required improvements for which proportionate share payments may or must be made under the City's Code of Ordinances) required proportionate share contribution payments;

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.

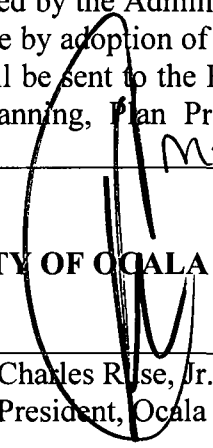
Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever occurs earlier. 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 Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. This ordinance shall take effect on the 21st day of March, 2008.

ATTEST:


~~Valerie J. Forster~~ **Vicky L. Ramsey**
City Clerk Deputy City Clerk

CITY OF OCALA

By: 
Charles Ruse, Jr.
President, Ocala City Council

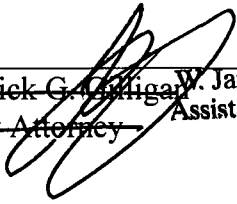
Approved / Denied by me as Mayor of the City of Ocala, Florida, on
December 27th, 2007.

By: 
Randall Ewers
Mayor

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Approved as to form and legality:


~~Patrick G. Colligan~~ **W. James Gooding III**
~~City Attorney~~ **Assistant City Attorney**

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Introduced: December 4, 2007

Adopted: December 18, 2007

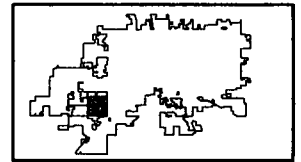
Legal Ad No. 0771008

ORDINANCE MAP

CASE NUMBER: LUC07-0034
PARCEL NUMBER: A PORTION OF 23812-001-00
PROPERTY SIZE: APPROX 11.02 ACRES
ZONING: PUD-6, PLANNED UNIT DEVELOPMENT
PROPOSED: CHANGE THE COMPREHENSIVE PLAN AMENDMENT LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL

P&Z MEETING: 8/27/2007

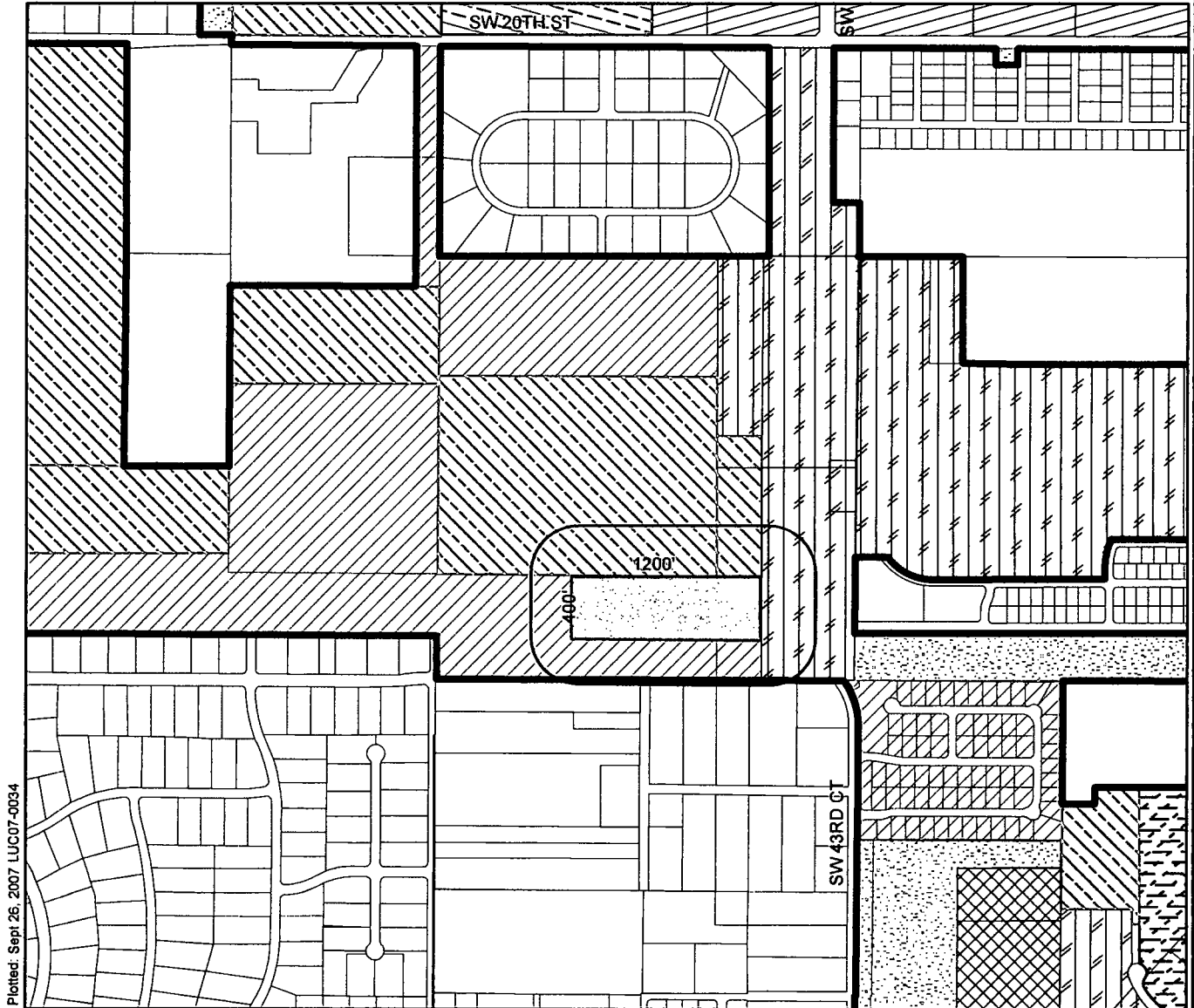
LOCATION MAP



SEC 27 TWP 15 RNG 21

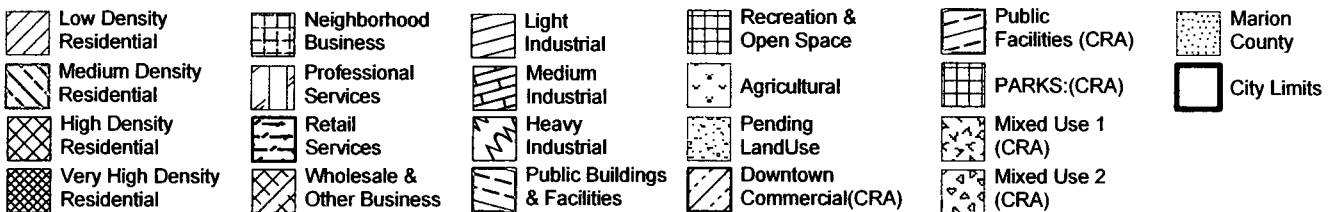
500

Feet



Plotted: Sept 26, 2007 LUC07-0034

FUTURE LAND USE 2012



Prepared by CITY OF OCALA PLANNING DEPARTMENT