

PLANNING AND ZONING COMMISSION MEMO

Subject: Land Use Policy Amendment
Submitted By: Emily W. Johnson, AICP
City Council Date: July 18th, 2023 (transmittal for State review)

Staff Recommendation (Motion Ready): **Approval** of an amendment to the Future Land Use Element of the Comprehensive Plan by deleting Policy 18.3 relating to development conditions for property located at 2015 NE 14th Street and the parcel directly to the east, approximately 9.84 acres (Case FLUP23-45191).

OCALA'S RELEVANT STRATEGIC GOALS: Economic Hub

BACKGROUND:

- Petitioner: 4B Investments, LLC
- Property Owner: 4B Investments, LLC
- Agent: W. James Gooding III, Gooding & Batsel, PLLC
- On October 25, 2006, the City Council adopted a Future Land Use Map (FLUM) Amendment LUC06-0002 by Ordinance No. 5579, which changed the future land use of the subject properties from Low Density Residential and Public Buildings and Facilities to Medium Density Residential. Future Land Use Element Policy 18.3 was adopted by Ordinance No. 5580 in association with LUC06-0002 and imposed the following development conditions on the subject properties:
 1. Development on the Amendment area shall not exceed 12 units per acre, with the dwelling unit type being restricted to those allowed under the Low Density Residential Future Land Use Classification;
 2. The property shall be developed as a PUD to address density, site design, architectural characteristics, buffers around the entire site and access along both frontages;
 3. The development must provide secured access connection, to and from NE 19th Avenue;
 4. Prior to final development approval, the property owner/developer will be required to submit a traffic analysis that is consistent with the City's Traffic Study Guidelines and Concurrency Management System requirements; and
 5. 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 proportional share payments would be applicable by the City's Code of Ordinances) required proportionate share contribution payments.
- The current request is to delete the policy and associated development conditions, in order to allow for the subject properties to be developed in a manner consistent with the present

Low Intensity future land use designation. The maximum development potential of this site with the requested deletion of the future land use policy is 177 dwellings, 59 more than is presently permitted.

- Deletion of the Policy would allow for development of apartment dwellings on the subject properties. Presently, apartments are prohibited via the Policy's condition that dwelling unit types be restricted to those allowed under the Low Density Residential Future Land Use Classification. The Low Density Residential FLU exclusively allowed for detached and attached single-family houses, duplexes, townhouses and mobile homes.
- The remainder of the development conditions would be addressed as part of the City's development review process.

FINDINGS AND CONCLUSIONS: The proposed deletion of the future land use Policy would allow for future development consistent with the Low Intensity future land use designation and compatible with the surrounding area.

FISCAL IMPACT: N/A

ALTERNATIVES:

- Approve
- Deny
- Table

SUPPORT MATERIALS:

- Policy Redline
- Staff Report
 - Attachment "A" – Justification Table (Provided by Applicant)
- Case Map
- Case Aerial