

Ordinance

No. 5575

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF OCALA, FLORIDA CONCERNING LAND USE; AMENDING THE FUTURE LAND USE ELEMENT BY ADDING AN OBJECTIVE REGARDING THE ADOPTION OF FUTURE LAND USE AMENDMENTS WITH DEVELOPMENT CONDITIONS AND A POLICY ADDRESSING DEVELOPMENT CONDITIONS RELATED TO FUTURE LAND USE MAP AMENDMENT LUC05-0051; 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 Objective 12 and Policy 12.1.

OBJECTIVE 12: Adopt Future Land Use Map Amendments with specific development conditions that are consistent with the City's adopted LOS standards and Future Land Use Element, and compatible with the surrounding uses.

POLICY 12.1: Future Land Use Map (FLUM) Amendment LUC05-0051 adopted by Ordinance Number 5574 on 10-25-06, changes the future land uses on the Amendment area from Commercial (County) and High Density Residential (County) to Retail Services (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 LUC05-0051 is hereby limited by the following conditions:

1. The property owner/developer will reduce the amount of square footage allowed and projected number of peak hour trips generated from the square footage allowed, and peak

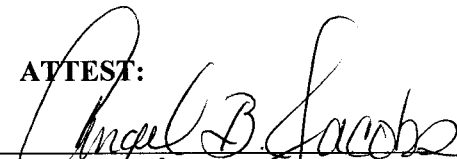
- hour trips generated allowed under the previously adopted projected Marion County Future Land Use Designations of the Amendment area;
- 2. The total development of the Amendment area shall not exceed 290,000 square feet of building area for retail uses;
- 3. The property owner/developer must submit a development plan that is consistent with the City's shopping center regulations and as part of the development plan must provide additional buffers along the eastern property line.
- 4. The freestanding signage for the Amendment area shall only include ground signs;
- 5. 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
- 6. 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 would be applicable by 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 10th day of January, 2007.

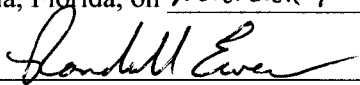
ATTEST:


 Valerie J. Forrester
 Senior Deputy City Clerk

CITY OF OCALA

By: 
 Daniel Owen
 President, Ocala City Council

~~Approved~~/ Denied by me as Mayor of the City of Ocala, Florida, on November 1st, 2006.

By: 
 Randall Ewers
 Mayor

Approved as to form and legality:


 Patrick G. Gilligan
 City Attorney

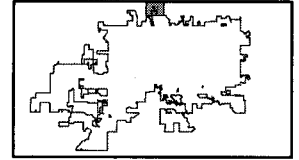
Ordinance No. 5575
 Introduced: October 10, 2006
 Adopted: October 25, 2006
 Legal Ad No. 0773759

ORDINANCE MAP

P&Z MEETING: 4/24/2006

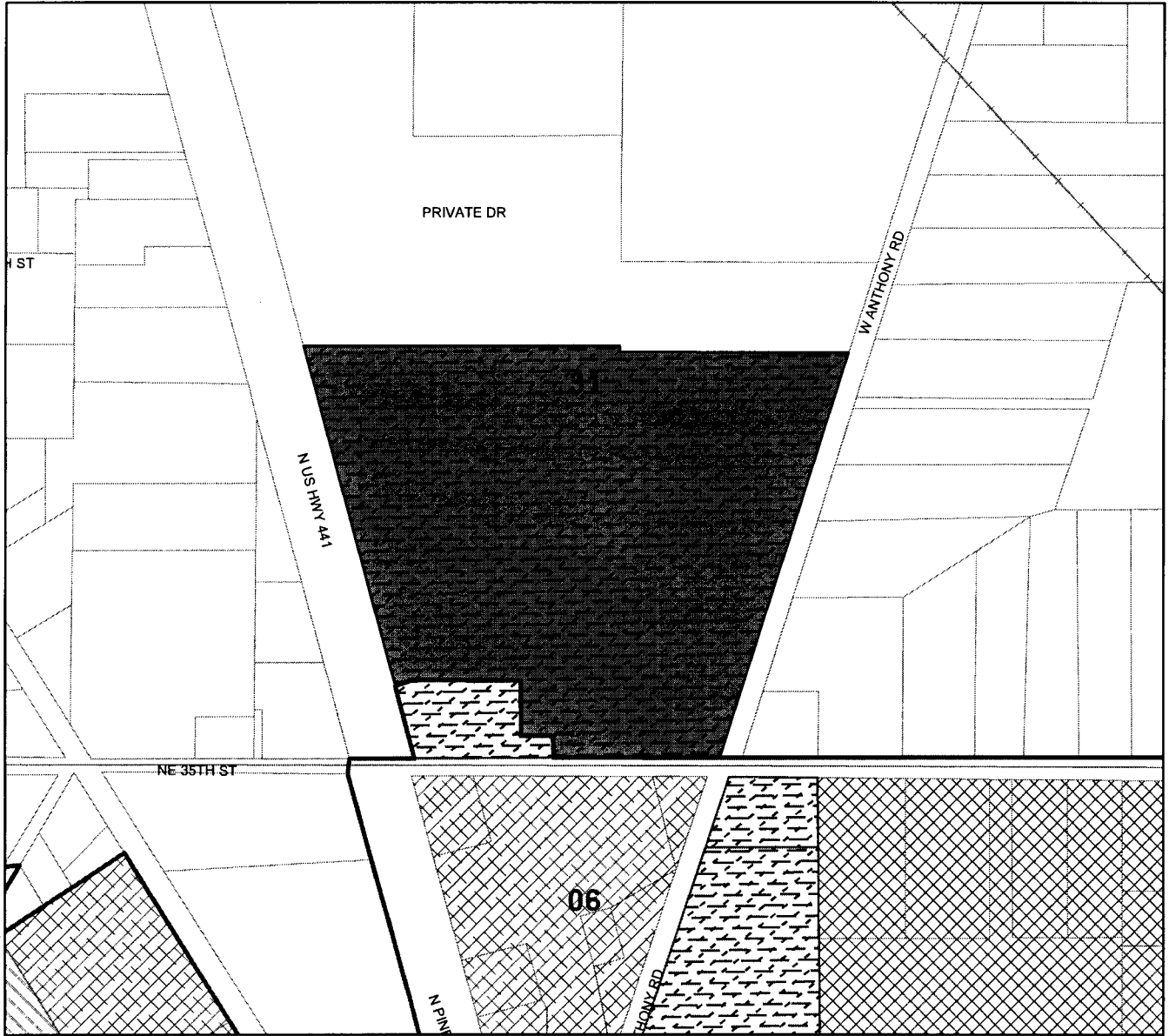
CASE NUMBER: LUC05-0051
PARCEL NUMBER: 15392-000-00
PROPERTY SIZE: APPROX 37.8 ACRES
ZONING: R-3, MULTI-FAMILY DWELLING & B-4, REGIONAL BUSINESS (COUNTY)
PROPOSED: CHANGE THE COMPREHENSIVE PLAN AMENDMENT LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL & COMMERCIAL (COUNTY) TO RETAIL SERVICES

LOCATION MAP



SEC 31, TWP 14, RNG 22

500 Feet



Plotted: Mar 29, 2006 LUC05-0051

FUTURE LAND USE 2012

Low Density Residential	Neighborhood Business	Light Industrial	Recreation & Open Space	Public Facilities (CRA)	Marion County
Medium Density Residential	Professional Services	Medium Industrial	Agricultural	PARKS:(CRA)	City Limits
High Density Residential	Retail Services	Heavy Industrial	Pending LandUse	Mixed Use 1 (CRA)	
Very High Density Residential	Wholesale & Other Business	Public Buildings & Facilities	Downtown Commercial(CRA)	Mixed Use 2 (CRA)	