



City of Apopka

CITY COUNCIL STAFF REPORT

Type of Form: Public Hearing/Ordinances/Resolution

Meeting Date: May 3, 2023

Department: Community Development

SUBJECT:

2604 Marden Road – Small-Scale Future Land Use Amendment from Future Land Use – in Progress to Agriculture

REQUEST:

Accept the first reading of Ordinance Number 3002 and hold it over for second reading and adoption.

SUMMARY:

Owner(s):	Katherine Rose Rudnick
Applicant(s):	Katherine Rose Rudnick
Parcel Identification Number(s):	29-21-28-0000-00-030
Location:	2604 Marden Road
Existing Future Land Use:	Future Land Use – in Progress
Proposed Future Land Use:	Agriculture (max. 1 du/5 ac)
Existing Use(s):	Vacant
Tract Size:	10.67 +/- Acres

FUNDING SOURCE:

Not applicable.

PROJECT SUMMARY:

The proposed Future Land Use designation of Agriculture is compatible with the area because properties in the vicinity have a Future Land Use designation of Agriculture to the east. The applicant's desire is to maintain the existing rural use(s) on the property. This application is being processed simultaneously with an application to rezone the property from T (Transitional) to AG (Agriculture) zoning district.

ORANGE COUNTY NOTIFICATION:

The JPA (Joint Planning Agreement) requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on February 22, 2023.

PUBLIC HEARING SCHEDULE:

April 11, 2023 – Planning Commission (5:30 P.M.)

May 3, 2023 – City Council (1:30 P.M.), First Reading

May 17, 2023 – City Council (7:00 P.M.), Second Reading and Adoption

DULY ADVERTISED:

March 17, 2023 – Apopka Chief

March 22, 2023 – Mailed notices to adjacent property owners; Posters placed on property

RECOMMENDED MOTION:

Development Review Committee (DRC):

Recommends approval of the change in Future Land Use from Future Land Use – in Progress to Agriculture and finds the proposed amendment consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, recommending approval of the future land use amendment, based on the findings and facts presented in the staff report and exhibits

Planning Commission:

At its meeting on April 11, 2023, Planning Commission found the proposed change in Future Land Use from Future Land Use – in Progress to Agriculture consistent with the Comprehensive Plan and Land Development Code, and compatible with the character of the surrounding areas, unanimously recommending approval of the future land use amendment, based on the findings and facts presented in the staff report and exhibits.

Recommended Motion – City Council:

Accept the first reading of Ordinance Number 3002 and hold it over for second reading and adoption on May 17, 2023 or soon thereafter.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES

Direction	Future Land Use	Zoning	Present Use
North	County Rural Settlement	County A-1 (Citrus Rural)	Single Family Residences
East	Residential Low	RSF-1B (Residential Single-Family—Large Lot)	Vacant and Agricultural Facility
South	County Institutional	County A-1	County Waste Management Facility
West	County Institutional	County A-1	County Waste Management Facility

II. LAND USE ANALYSIS

The subject property is in the southern portion of the Joint Planning Area. Rock Springs Ridge single-family subdivision is located to the south. Single-family and agricultural uses are located north and east of the subject property. Development must comply with the Agriculture future land use designation and be consistent with the Comprehensive Plan policies and Development Design Guidelines found in the Land Development Code. The property is approximately 10.67 acres in size. There is an existing single-family residential use the subject property. The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there is a karst feature on a significant portion of the subject property. The parcel has no wetlands and is not located in a flood zone. The parcel is not located in the following areas:

Wekiva Parkway Interchange Vision Plan Area: No
Wekiva River Protection Area: No
Area of Critical State Concern: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The proposed FLUM Amendment request for a change from Future Land Use – in Progress to Agriculture is consistent with the terms of the JPA.

City of Apopka Comprehensive Plan Policies:

Future Land Use Element:

The Comprehensive Plan Future Land Use states that “Agriculture land use is expected to decrease over the planning timeframe as urbanization continues. Many nurseries in the Apopka area are expanding, which tends to offset the smaller ones which are being absorbed by others. This land use currently occupies almost 19 percent of the land in the City; however, it is expected to convert to other land uses.

Transportation Element:

Policies 1.1 and 1.2 state that the City of Apopka is a Transportation Concurrency Exception Area. The property has existing access to Marden Road.

Infrastructure Element:

Policies 1.1.1, 2.1.1 and 5.1.2 state the minimum levels of service for the City’s wastewater and water

systems as well as the City's solid waste collection service. The property has access to City water and wastewater.

Conservation Element:

Policy 4.1 states that a habitat study is required for developments ten (10) acres or more in size. As this property is just over ten acres in size, a habitat study will be required if redeveloped.

Land Use Calculations:

CURRENT: Future Land Use – in Progress (no density attached)
 $0 \text{ DU} \times 10.67 \text{ ac} = 0 \text{ dwelling units}$

PROPOSED: Agriculture (1 dwelling unit per 5 acres)
 $0.2 \text{ DU} \times 10.67 \text{ ac} = 2 \text{ dwelling units}$

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Note: This item is considered legislative. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ATTACHMENTS:

- Maps (PDF)
- Ordinance Number 3002
- OCPS Informal Capacity Determination (PDF)