

STAFF REPORT REGULAR MEETING

AGENDA DATE: January 21, 2025

DEPARTMENT: Community Sustainability

TITLE:

Ordinance No. 2024-18 – Second Reading – amending Chapter 23, Article 3 to correct inconsistencies for assisted living facilities and nursing home uses; and Chapter 23, Article 3 to revise the minimum lot area and lot width for properties on the west side of Dixie Highway and correct the minimum area per unit

SUMMARY:

The subject amendments to the City’s Land Development Regulations (LDRs) were drafted to clarify several provisions, address general housekeeping items, and resolve inconsistencies.

BACKGROUND AND JUSTIFICATION:

The subject amendment consists of multiple housekeeping modifications, as well as several other issues that were identified by staff, including:

- Use Table: Creating a high-intensity nursing home/assisted living facilities use to permit development of these facilities over 7,500 square feet and removing assisted living facilities and nursing home uses from the Residential use category, as these uses are already captured in the Institutional use category.
- Minimum Lot Size: Revising the minimum lot width and lot area for parcels on the west side of Dixie Highway in the MU-DH zoning district to match the requirements for parcels on the east side of Dixie Highway and correcting the maximum density for parcels on the west side of Dixie Highway.

The **Planning & Zoning Board (PZB)** unanimously voted to recommend approval of the proposed text amendments at their meeting on November 6, 2024, with the recommendation that the “Retirement Home” use in the Land Development Regulations be revised to “Independent Senior Living” to better reflect current terminology.

The **Historic Resources Preservation Board (HRPB)** unanimously voted to recommend approval of the proposed text amendments at their meeting on November 13, 2024, with the same recommended revisions as the Planning and Zoning Board.

Following the PZB and HRPB meetings, staff researched how many sections of the LDRs would require amendment to implement the recommended terminology change to “Independent Senior Living” and it was determined that the change would require alterations to multiple sections of the code that were not previously included in Ordinance 2024-18, which would substantially change the ordinance caption that was presented to the PZB and HRPB. As such, staff recommends that the proposed terminology change be implemented in the next available housekeeping ordinance, which is currently scheduled for spring 2025.

At its meeting on December 17, 2024, the **City Commission** voted to approve the proposed amendments, with the exception of the proposed revisions to the townhouse and townhouse complex

definitions. Due to the changes, the ordinance came back to the Commission for an amended first reading on January 7, 2025 where it was approved unanimously on first reading.

MOTION:

Move to approve/disapprove Ordinance 2024-18 amending Chapter 23, Article 3 to correct inconsistencies for assisted living facilities and nursing home uses; and Chapter 23, Article 3 to revise the minimum lot area and lot width for properties on the west side of Dixie Highway and correct the minimum area per unit.

ATTACHMENT(S):

Ordinance 2024-18
Exhibit A to Ordinance
PZB/HRPB Staff Report