

**To:** Local Planning Agency and Community Redevelopment Board

**From:** Terry O'Neil, City Development Director

**Date:** September 1, 2016

**Re:** Ordinance 2332-2016

**Background**

Contingent on site development occurring under a Residential Planned Unit Development (R-PUD), in securing a developer for the city-owned Triangle Parcel, the City Commission has expressed its willingness to consider up to thirty (30) residential units per acre. The Triangle property's land use is "*Downtown Redevelopment*" and is currently zoned "*Urban Center*" under the Urban Code. That said, while the City's comprehensive plan clearly states that up to 30 units per acre may be allowed by either an Urban Code Conditional Use Approval (UCCUA), formerly known as an "Urban Code Exception", or by R-PUD zoning, staff only recently realized that, notwithstanding the comprehensive plan, the City's Land Development Code (LDC) currently mentions only the "Urban Code Conditional Use Approval" process as a means of granting up to 30 units per acre in the Urban Code District.

Accordingly, in light of the Commission's preferred method for development approval, prior to taking up this evening's Triangle R-PUD application, staff has brought forward a corrective ordinance which establishes consistency with the comprehensive plan by amending the LDC to allow up to 30 units per acre in the Urban Code District via R-PUD zoning.

The UCCUA process and R-PUD zoning are both quasi-judicial in nature and share many of the same characteristics in terms of governing development on a site specific basis. UCCUA's are approved by a resolution involving at least one hearing before the Community Redevelopment Board (CRB) and one hearing before the City Commission. R-PUD zoning is approved by ordinance and requires at least one hearing before the LPA and at least two public hearings before the City Commission. In sum, in that at least one additional public hearing is required, the R-PUD approval process is a bit more rigorous.