

# Ordinance

No. 5613

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP SERIES OF THE CITY OF OCALA, FLORIDA, COMPREHENSIVE PLAN AS REQUIRED IN SECTIONS 163.3161 THROUGH AND INCLUDING SECTION 163.3245, FLORIDA STATUTES; DETAILING THE LAND USE CHANGE INVOLVED AND TO AMEND THE FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL (COUNTY), MEDIUM DENSITY RESIDENTIAL (COUNTY), HIGH DENSITY RESIDENTIAL (COUNTY), COMMERCIAL (COUNTY), AND INDUSTRIAL (COUNTY), TO LOW DENSITY RESIDENTIAL (CITY) MEDIUM DENSITY RESIDENTIAL (CITY), RETAIL SERVICES (CITY) AND MEDIUM INDUSTRIAL (CITY), FOR PROPERTY LOCATED SOUTH OF NW BLITCHTON ROAD AND WEST OF I-75, CASE LUC06-0031, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR 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. The City of Ocala Comprehensive Plan, Future Land Use Map Series is hereby amended 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 following described lands are hereby reclassified on the City of Ocala Comprehensive Plan, Future Land Use Map as Low Density Residential, Medium Density Residential, Retail Services, and Medium Industrial (City), and the attached map, dated August 24, 2006, is incorporated by reference into this ordinance:

## #1 Retail Services

THE SE ¼ OF THE SW ¼ LYING SOUTH OF U.S. HIGHWAY 27, SECTION 3, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA. EXCEPT THE EAST 525.00 FEET THEREOF. (AKA: 21512-000-00)

## #2 Low Density Residential

COMMENCE AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION, COUNTY, FLORIDA; THENCE S.00°24'34"E.. ALONG THE WEST BOUNDARY OF SAID SECTION, 350.71 FEET TO A POINT OF BEGINNING; THENCE N.66°44'22"E. A DISTANCE OF 227.98 FEET TO A POINT OF CURVATURE; THENCE ALONG A 260.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH, THROUGH A CENTRAL ANGLE OF 23°18'49", A DISTANCE OF 105.64 FEET; THENCE LEAVING SAID CURVE ON A RADIAL BEARING OF S.11°48'11"W. A DISTANCE OF 249.55 FEET TO A POINT OF CURVATURE; THENCE ALONG A 150.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH THROUGH A CENTRAL ANGLE OF 167°19'03", A DISTANCE OF 438.04 FEET; THENCE LEAVING SAID CURVE ON A NON TANGENT BEARING. N.89°19'02"E. A DISTANCE OF 247.40 FEET TO A POINT OF CURVATURE; THENCE ALONG A 260.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST, THROUGH A CENTRAL ANGLE OF 89°47'24" A DISTANCE OF 407.45 FEET TO A POINT OF TANGENCY; THENCE N.00°28'22"W. A DISTANCE OF 18.32 FEET; THENCE S.80°03'29"E. A DISTANCE OF 101.67 FEET; THENCE N.89°19'02"E. A DISTANCE OF 235.00 FEET; THENCE N.89°16'03"E. A DISTANCE OF 504.75 FEET; THENCE S.00°37'54"E. A DISTANCE OF 260.12 FEET; THENCE N.89°22'06"E. A DISTANCE OF 30.00 FEET; THENCE S.00°37'54"E. A DISTANCE OF 73.95 FEET TO A POINT OF CURVATURE; THENCE ALONG A 700.00 FOOT RADIUS CURVE CONCAVE TO THE WEST THROUGH A CENTRAL ANGLE OF 45°37'54" A DISTANCE OF 557.50 FEET TO A POINT OF TANGENCY; THENCE S.45°00'00"W. A DISTANCE OF 257.27 FEET; THENCE S.89°19'02"W. A DISTANCE OF 1466.50 FEET; THENCE N.00°24'34"W. A DISTANCE OF 971.77 FEET TO THE POINT OF BEGINNING. (AKA:21670-002-00)

#3 Low Density Residential

THE SE ¼ OF THE NE ¼ OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA. (AKA: 21635-000-00)

#4 Low Density Residential

THE SW ¼ OF THE NW ¼ AND THE NW 1/4 OF THE SW ¼ OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA; LESS AND EXCEPT ALL REAL PROPERTY IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2056, PAGES 1203 THROUGH 1208, PUBLIC RCORDS OF MARION COUNTY, FLORIDA. (AKA: 21670-000-00)

#5 Low Density Residential

COMMENCING AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, THENCE N.00°24'19"W. ALONG THE WEST BOUNDARY OF SAID NE 1/4 OF THE SW 1/4, A DISTANCE OF 19.43 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°24'19"W. ALONG SAID BOUNDARY 2628.06 FEET; THENCE S.89°43'10"E. 1273.88 FEET: THENCE S.00°28'39"W. 769.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 955.00 FEET; THENCE SOUTHWESTERLY ALONG AND WITH THE ARC OF SAID CURVE A CENTRAL ANGLE OF 57°09'55", AN ARC DISTANCE OF 952.85 FEET AND SUBTENDED BY A CHORD BEARING DISTANCE OF S.29°03'36"W. 913.81 FEET TO THE POINT OF TANGENCY; THENCE S.57°38'33"W. 477.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 955.00 FEET; THENCE SOUTHWESTERLY ALONG AND WITH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°08'13", AN ARC DISTANCE OF 952.38 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF S.29°04'27"W. 913.40 FEET TO THE POINT OF BEGINNING. (AKA: A PORTION OF 21676-000-00)

#6 Medium Density Residential

BEGINNING AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, THENCE N.00°11'22"E. ALONG THE WEST BOUNDARY OF SAID NE 1/4 OF THE SW 1/4, A DISTANCE OF 19.43 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 955.00 FEET; THENCE NORTHEASTERLY ALONG AND WITH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°08'13", AN ARC DISTANCE OF 952.38 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.29°04'27"E. 913.40 FEET TO THE POINT OF TANGENCY; THENCE N.57°38'33"E. 477.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 955.00 FEET; THENCE NORTHEASTERLY ALONG AND WITH THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°09'55", AN ARC DISTANCE OF 952.85 FEET AND SUBTENDED BY A CHORD BEARING AND DISTANCE OF N.29°03'36"E. 913.81 FEET TO THE POINT OF TANGENCY; THENCE N.00°28'39"E. 769.38 FEET; THENCE S.89°43'10"E. 50.00 FEET; THENCE S.00°28'39"W. 1325.96 FEET; THENCE S.00°35'03"W. 1324.41 FEET; THENCE S.89°35'42"W. 1322.71 FEET TO THE POINT OF BEGINNING. (AKA: A PORTION OF 21676-000-00)

#7 Medium Industrial

THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, EXCEPT THE NORTH 420.00 FEET OF THE SW 1/4 OF THE NE 1/4; AND EXCEPT THE SOUTH 140.00 YARDS OF THE EAST 210 YARDS; AND EXCEPT THE NORTH 1/2 OF THE SE 1/4 OF THE NW 1/4; AND EXCEPT THE NORTH 240.00 FEET OF THE EAST 907.5 FEET OF THE SOUTH 1/2 OF THE SE 1/4 OF THE NE 1/4; AND THE NORTH 10 CHAINS OF THE SE 1/4 OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA; EXCEPT THE EAST 13 1/2 CHAINS THEREOF. (AKA: 21670-003-00)

Medium Industrial (BAYI)

COMMENCE AT THE S.E. CORNER OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 21 EAST, MARION COUNTY FLORIDA; THENCE N00°30'38"E ALONG THE EAST BOUNDARY OF SAID SECTION 10 A DISTANCE OF 982.87 FEET TO THE NORTH BOUNDARY OF THE SOUTH 983 FEET OF THE SOUTH 1/2 OF THE S.E. 1/4 OF SAID SECTION 10; THENCE N89°59'34"W ALONG SAID NORTH BOUNDARY 16.05 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT OF WAY LINE OF N.W. 38th AVENUE (60 FEET WIDE); THENCE CONTINUE N89°59'34" W ALONG SAID NORTH BOUNDARY 2617.77 FEET TO THE N.W. CORNER OF SAID SOUTH 983 FEET OF SOUTH 1/2 OF S.E. 1/4, SAID POINT ALSO BEING THE N.E. CORNER OF THE SOUTH 983 FEET OF THE EAST 3/8 OF THE S.E. 1/4 OF S.W. 1/4 OF SAID SECTION 10; THENCE N89°36'03"W ALONG THE NORTH BOUNDARY OF SAID SOUTH 983 FEET OF EAST 3/8 OF S.E. 1/4 OF S.W. 1/4 A DISTANCE OF 497.17 FEET TO THE N.W. CORNER THEREOF, THENCE N00°21'42"E ALONG THE WEST BOUNDARY OF SAID EAST 3/8 OF S.E. 1/4 OF S.W. 1/4 A DISTANCE OF 343.35 FEET TO THE N.W. CORNER OF THEREOF; THENCE S89°43'11"E ALONG THE NORTH BOUNDARY OF SAID S.E. 1/4 OF S.W. 1/4 A DISTANCE OF 497.06 FEET TO THE N.E. CORNER THEREOF, SAID POINT ALSO BEING THE N.W. CORNER OF THE AFORESAID SOUTH 1/2 OF THE S.E.

1/4 OF SECTION 10; THENCE N00°20'35"E ALONG THE WEST BOUNDARY OF SAID SE 1/4 OF SECTION 10 A DISTANCE OF 663.69 FEET TO THE N.W. CORNER OF THE SOUTH 10 CHAINS OF THE NORTH 1/2 OF SAID S.E. 1/4; THENCE S89°52'45"E ALONG THE NORTH BOUNDARY OF SAID SOUTH 10 CHAINS OF NORTH 1/2 OF S.E. 1/4 A DISTANCE OF 2620.72 FEET TO THE AFORESAID WEST RIGHT OF WAY LINE OF N.W. 38th AVENUE, THENCE S00°30'47"W ALONG SAID WEST RIGHT OF WAY LINE 1002.90 FEET TO THE POINT OF BEGINNING (AKA:21671-002-00 & 21671-002-12)

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 18<sup>th</sup> day of January, 2007.

ATTEST:

Valerie J. Forster  
Valerie J. Forster  
City Clerk

CITY OF OCALA

By: Mary S. Rich  
Mary S. Rich  
President, Ocala City Council

Approved / Denied by me as Mayor of the City of Ocala, Florida, on December 27, 2006.

By: Randall Ewers  
Randall Ewers  
Mayor

Approved as to form and legality:

Eric P. Gifford  
~~Patrick G. Gilligan~~  
City Attorney  
**Eric P. Gifford**  
Assistant City Attorney

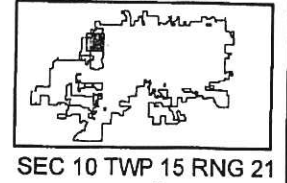
Ordinance No. 5613  
Introduced: December 4, 2006  
Adopted: December 19, 2006  
Legal Ad No. 0773799

**ORDINANCE MAP**

P&Z MEETING: 8/24/2006

**CASE NUMBER:** LUC06-0031  
**PARCEL NUMBER:** 21512-000-00, 21635-000-00, 21670-000-00, 21670-002-00, 21670-003-00, 21671-002-00, 21671-002-12 & 21676-000-00  
**PROPERTY SIZE:** APPROX 21.1 ACRES RS, 199.4 ACRES LDR, 30.8 ACRES MDR, 127.38 ACRES MI (378.7 ACRES TOTAL)  
**ZONING:** B-4, P-MH, R-4, R-1, A-1, M-2 (COUNTY)  
**PROPOSED:** CHANGE THE COMPREHENSIVE PLAN AMENDMENT LAND USE DESIGNATION FROM LDR, MDR, HDR, COMM & IND (COUNTY) TO LOW & MEDIUM DENSITY RESIDENTIAL, RETAIL SERVICES, AND MEDIUM INDUSTRIAL

**LOCATION MAP**



500 Feet



Plotted: Jul 30, 2006 LUC06-0031

**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)	

Prepared by CITY OF OCALA PLANNING DEPARTMENT