



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

File #: 2024-0704

Agenda Item #: c.

M A F Ocala, Inc / ZON23-45498

Petitioner: M A F Ocala, Inc.

Planner: Divya Govindaraju 352-629-8305
dgovindaraju@ocalafl.gov

A request to rezone from B-5, Heavy Business (County), to M-2, Medium Industrial (City), for property located in the 6000 block of SW 38th Street (Parcel 23820-011-00, 23820-012-00, 23820-012-01, 23820-012-02, 23820-012-03); approximately 19.4 acres

Recommended Action: Approval

City Council Tentative Schedule: Upon recommendation of approval or denial by the P & Z Commission, this item will be presented to City Council for introduction at the **Tuesday, March 5, 2024**, City Council meeting and second and final hearing at the **Tuesday, March 19, 2024** City Council meeting.

CITY OF OCALA**Meeting Date: February 12, 2024****PLANNING AND ZONING COMMISSION MEMO**

Subject: Zoning Change**Submitted by:** Divya Govindaraju**City Council Date:** March 05, 2024 (1st reading)
March 19, 2024 (2nd & final reading/public hearing)

STAFF RECOMMENDATION (Motion Ready): **Approval** of a request to rezone from B-5, Heavy Business (County), to M-2, Medium Industrial (City), for property located in the 6000 block of SW 38th Street (Parcel 23820-011-00, 23820-012-00, 23820-012-01, 23820-012-02, 23820-012-03); approximately 19.4 acres. (Case ZON23-45498).

OCALA'S RELEVANT STRATEGIC GOALS: Economic Hub

BACKGROUND:

- **Petitioner:** M A F Ocala, Inc
- **Agent:** N/A
- **Property Owner:** M A F Ocala, Inc
- The petitioner is requesting to rezone the subject properties to the M-2, Medium Industrial, zoning district for the proposed recreation vehicle and boat storage facility. A site plan has not been submitted at this time.
- The subject properties are in unincorporated Marion County and the petitioner has submitted concurrent applications for annexation (ANX23-45495) and a land use change to Low Intensity (Case: LUC23-5497).
- The subject properties are surrounded by industrial uses and is in an area characterized by business and industrial uses. The subject property meets minimum frontage (100-feet) and minimum area (20,000-square feet) requirements for the requested M-2, Medium Industrial, zoning district.
- Located to the south of the Ocala International Airport, the property requires an avigation easement.

FINDINGS AND CONCLUSIONS: The M-2, Medium Industrial, zoning district is consistent with the Low Intensity future land use classification. Adequate public facilities exist to service the proposed development. The proposed zoning is consistent and compatible with the surrounding area.

FISCAL IMPACT: N/A

ALTERNATIVES:

- Approve with changes.
- Deny
- Table

SUPPORT MATERIALS:

- Staff Report
- Aerial Map
- Case Map



Staff Report

Case No. ZON23-45498

Planning & Zoning Commission: February 12, 2024

City Council (1st Reading): March 05, 2024

City Council (Adoption): March 19, 2024

Petitioner: M A F Ocala, Inc.
Property Owner: M A F Ocala, Inc.
Agent: N/A
Project Planner: Divya Govindaraju
Applicant Request: Rezone from B-5, Heavy Business, (County) to M-2, Medium Industrial (City)

Existing Future Land Use: Commerce District (County)

Proposed Future Land Use: Low Intensity (City)

Existing Zoning District: B-5, Heavy Business (County)

Proposed Zoning District: M-2, Medium Industrial (City)

Parcel Information

Acres: ± 19.4 acres
Parcel(s)#: 23820-011-00, 23820-012-00, 23820-012-01, 23820-012-02 and 23820-012-03
Location: Properties located at the northwest corner of the intersection of SW 60th Avenue and SW 38th Street
Existing use: Vehicle Storage/Vacant/Undeveloped
Overlay(s): N/A

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Low Intensity	GU, Governmental Use	Undeveloped
West	CD, Commerce District (County)	B-5, Heavy Business (County)	Undeveloped
South	EC, Employment Center (County)	PUD, Planned Unit Development (County)	Undeveloped
East	Low Intensity	PD, Planned Development	Undeveloped
	Low Intensity	B-2, Community Business	Undeveloped

Background

The subject properties, identified by Parcel Identification Numbers 23820-011-00, 23820-012-00, 23820-012-01, 23820-012-02 and 23820-012-03 contain an approximate 19.4 acres. They are generally located at the northwest corner of the intersection of SW 60th Avenue and SW 38th Street. Located to the south of the Ocala International Airport, the property requires an aviation easement. This easement limits the right to generate noise, dust, turbulence, vibration, illumination, air currents, fumes, exhaust, smoke, and other effects inherent to the operation of aircraft. This agreement is important for maintaining safety and accommodating aviation needs near the airport.

The eastern most properties in this request, parcel numbers 23820-012-00, 23820-012-01 and 23820-012-02 are vacant/undeveloped. The western most properties, parcel numbers 23820-012-03 and 23820-011-00, are currently used for the storage of vehicles and shipping containers. Pursuant to Section 122-782 of the Ocala Code of Ordinances, the existing use of storage of vehicles and shipping containers on grass, is not permitted principal use in the requested M-2, Medium Industrial, zoning district. The applicant has indicated that the existing non-conforming uses on the subject properties shall not continue.

The subject properties are in unincorporated Marion County and the petitioner has submitted concurrent applications for annexation (ANX23-45495) and a land use change to Low Intensity (Case: LUC23-5497). It is the petitioner's intent to develop the subject property as a Recreational Vehicle and Boat storage facility. The proposed M-2, Medium Industrial, zoning district is consistent with the requested Low Intensity land use.

Existing and Proposed Development Standards

	Future Land Use	Zoning District	Intent and Purpose	Minimum Lot Area (square feet)	Maximum Building Height (feet)
Existing	Commercial District (County)	B-5, Heavy Business (County)	The Heavy Business classification is intended to provide for those uses such as retail or wholesale, repair, and service, which may require larger parcels for the outside storage of materials or equipment in inventory or waiting repair. Businesses are intended to serve clients and customers from a regional area providing access for large delivery trucks.	None	50 ft
Proposed	Low Intensity (City)	M-2, Medium Industrial (City)	The M-2, Medium Industrial, zoning district is intended primarily for the wholesale distribution, warehouse storage,	20,000 sf	60 ft

			outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures.		
Low Intensity, future land use permits a maximum density of 3-18 units per acre or an intensity of 0.75 floor area ratio (FAR)					

Staff Analysis

The subject property is surrounded by industrial uses and is in an area characterized by business and industrial uses. The subject properties meet minimum frontage requirement (100-feet) and the minimum area requirement (20,000 square feet) for the requested M-2, Medium Industrial, zoning district.

The M-2, Medium Industrial, zoning district is consistent with the requested Low Intensity future land use classification, pursuant to Section 122-244 of the Ocala Code of Ordinances. Adequate public facilities exist to service the proposed development. The proposed zoning is consistent and compatible with the surrounding area.

Factual Support

1. The requested rezoning is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:
 - a. Policy 6.3: Low Intensity The intent of the Low Intensity land use classification is to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity/Central Core and Medium Intensity/Special District districts. Low Intensity may contain a single use. Mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Low Intensity category, including form and design guidelines as applicable. It is also the intent of this category to promote a walkable suburban form.
 - b. Objective 12: The Future Land Use Element shall require efficient use of existing services, facilities, and infrastructure to discourage urban sprawl and promote a clustered urban development pattern.
 - i. Policy 12.1: The City shall require that all development have adequate services and facilities including water, roads, sewage collection and treatment, stormwater drainage, recreation, and solid waste disposal, to the extent required by state law, other provisions of this Comprehensive Plan, or the City's Land Development Code.
 - ii. Policy 12.2: The City shall permit new industrial development only when City sewer lines are available concurrent with the industrial development and have capacity sufficient to

handle the wastewater. Wastewater connections are subject to the requirements of Section 367.111, Florida Statutes. Industries with wastewater which do not meet City quality standards set forth in Ch. 24-164 shall be required to pretreat their wastewater before transporting it to publicly owned sewage treatment facilities.

- c. Objective 14: The City shall continue existing regulations or adopt new regulations to ensure that development is consistent with the Future Land Use Map and are compatible with neighboring development, available services and facilities, and topography and soil conditions.
 - i. Policy 14.1.5: Industrial uses will not be allowed to use local residential streets as a major means of transportation.
- 2. The requested rezoning is consistent with the following Sections of the City of Ocala Code of Ordinances:
 - a. Section 122-133(b)(1): The application requests to rezone parcel or parcels that are a minimum of 30,000 square feet of area not separated by a right-of-way for a street, a street, or a drainage retention area.
 - b. Section 122-244 - District criteria: Zoning districts allowed under each land use classification.

Low Intensity	R-1, R-1A, R-1AA, R-2, R-3, RZL, RBH-1, RBH-2, RBH-3, OH, RO, O-1, OP, B-1, B-1A, B-2, B-2A, B-4, B-5, SC, M-1, M-2, G-U, INST, A-1, PD, FBC
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 - c. Section 122-781: The medium industrial (M-2) district is intended primarily for the wholesale distribution, warehouse storage, outdoor storage and sales, research and development and light manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor manufacturing activities associated with permitted uses may be allowed in the M-2 district as a special exception. Service establishments serving the industrial uses or district shall be permitted.
- 3. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Level of Service Impact Analysis

Transportation: The subject properties have approximately 1,200-feet of frontage along SW 38th St, and 400-feet of frontage along SW 60th Avenue. The 2023 Congestion Management Data from the Ocala-Marion Transportation Planning Organization for the affected roadway is provided below. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
SW 38 th St (From SW 80 th Ave and SW 60 th Ave)	2	45 MPH	Collector	E	12,744	10,500	C
SW 60 th Ave (From SW	4	45 MPH	Arterial	E	35,820	17,200	C

38th St to SW 20th St)							
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Electric: The subject properties are in the Ocala Electric Utility service territory.

Internet: Service is available. A City fiber optic cable runs along SW 38th Street in front of the subject properties.

Potable Water: Service is available. A City water main runs along SW 38th Street in front of the subject properties. Connections will be determined during the site plan or subdivision review and approval process.

Sanitary Sewer: Service is available. A City force main runs along SW 38th Street in front of the subject properties. Connections will be determined during the site plan or subdivision review and approval process.

Stormwater: The subject properties are not located within a FEMA Flood Zone. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-hour storm event.

Solid Waste: Trash pickup will be available when the properties are annexed into city. Service is available to the properties within the City limits to the north, west and east.

Fire Service: Ocala Fire Rescue Station #6, located at 5220 SW 50th Ct, is approximately 1.55 miles from the subject properties.

Schools: This rezoning is not anticipated to affect any school district

Staff Recommendation: <i>Approval</i>
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Permitted Uses Table:

Permitted Use Type	B-5, Heavy Business (County)	Both Districts	M-2, Medium Industrial
<i>Residential Operation</i>	•	•	•
<i>Residential Type</i>	•	•	•
<i>General Retail</i>	<ul style="list-style-type: none"> • Construction equipment sales • Farm irrigation, equipment sales, installation, and repair • Farm produce, sales, packing, crating, shipping, retail, wholesale • Flea market, new and used merchandise, inside, outside. • Industrial equipment, sales, lease, new, used. • Produce sales, outside. • Shops performing custom work such as, air conditioning, cabinet, carpentry, concrete, electrical, heating, grinding, irrigation, metals, painting, pipes, plumbing, pumps, septic tanks, sheet metal, sharpening, swimming pools, ventilating, welding, tire recapping, varnishing, vulcanizing including maintenance, repair. 	•	<ul style="list-style-type: none"> • Furniture store, with a minimum of 10,000 square feet of warehouse space. • Home garden/hobby farm equipment sales • Used merchandise store.
<i>Vehicular Sales</i>	•	•	•
<i>Agricultural Use</i>	<ul style="list-style-type: none"> • Agricultural gypsum, lime, 		<ul style="list-style-type: none"> • Indoor greenhouse • Indoor hemp facility

	<ul style="list-style-type: none"> ground limestone, sulfur Farm supply store including seed, feed, fertilizer, fencing posts, tack. Grain elevator Hatchery, fish, or fowl, wholesale Worm farm 		
<i>Business Service</i>	<ul style="list-style-type: none"> Awning, canvas, repair Bakery, industrial, commercial Bookbinding Cold storage plant, locker Dry cleaning plant Ice storage house Theater, drive-in 	•	<ul style="list-style-type: none"> Advertising service (on-site/off-site signs). Construction service establishment. Day labor service establishment Equipment rental and leasing. General business service. Maintenance and cleaning service. Parking garage (or structure). Parking lot. Pest control service. Radio/TV broadcasting facility. Security systems service.
<i>Eating or Drinking Establishment</i>	<ul style="list-style-type: none"> Restaurant 	•	<ul style="list-style-type: none"> Alcoholic beverage establishment (off-premises consumption). Restaurant (enclosed).
<i>Hospitality and Tourism</i>	•	•	•
<i>Office Use</i>	<ul style="list-style-type: none"> Research, testing lab 	•	<ul style="list-style-type: none"> Commercial photography (art and graphic design service). Computer maintenance and repair. Photofinishing laboratory. Prepackaged software services. Print shop. Professional and business office.
<i>Personal Service</i>	<ul style="list-style-type: none"> Horses or cattle, 	•	<ul style="list-style-type: none"> Bail bonds agency.

	<ul style="list-style-type: none"> not a sales operation (See special lot area and number requirements in Sec. 4.2.6.F) Kennel Manufacturer representative offices, warehouses 		<ul style="list-style-type: none"> Kennel. Major household repair establishment. Mini warehouse Minor household repair establishment. Recycling collection point.
<i>Adult Use Establishment</i>	<ul style="list-style-type: none"> Adult entertainment 	•	•
<i>Vehicular Service</i>	<ul style="list-style-type: none"> Automobile parts, new, used. Motor freight terminal, truck stop facilities including gas station, restaurants, convenience stores. 	•	<ul style="list-style-type: none"> Repair garage. Self-service/convenience store
<i>Community Service</i>	<ul style="list-style-type: none"> Cemetery, crematory, mausoleum Monuments, memorials 	•	<ul style="list-style-type: none"> * Day care facilities
<i>Educational Use</i>	•	•	<ul style="list-style-type: none"> Community education center. Vocational/professional school.
<i>Recreational Use</i>	<ul style="list-style-type: none"> Amusement Park Dude Ranch, riding academy Sports arena Shooting facility, outdoor 		<ul style="list-style-type: none"> *Recreation facility, indoor
<i>Public Use</i>	<ul style="list-style-type: none"> Airport, general aviation Heliports Water wellfields 	• Airport	<ul style="list-style-type: none"> Airport
<i>Health Care Use</i>	•		<ul style="list-style-type: none"> Medical and dental laboratory. Veterinarian office.
<i>High-Impact Industrial Use</i>	<ul style="list-style-type: none"> Gas meter facility and supply lines, high-pressure, except where such 		<ul style="list-style-type: none"> Construction and demolition landfill Materials recovery facility

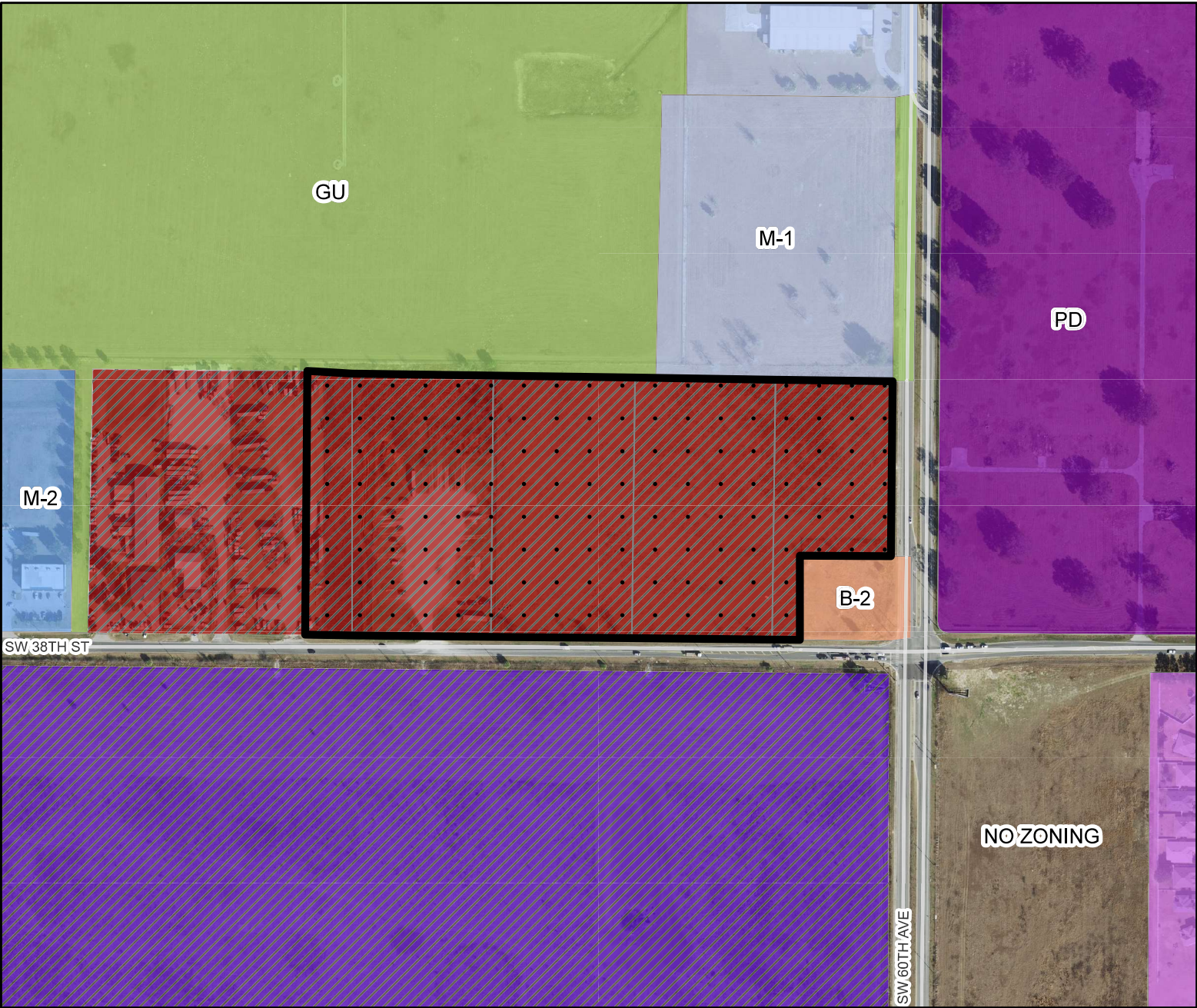
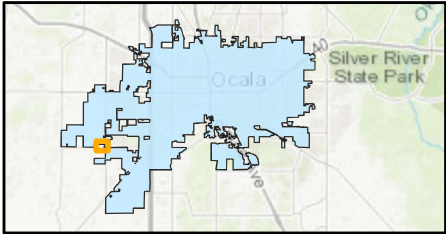
	<p>permits are pre-empted by state or federal regulations.</p> <ul style="list-style-type: none"> • Sewage treatment plants with an inflow exceeding 5,000 gallons per day • Sprayfields or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law • Trailers, manufacturing • Redemption, recycle center for used aluminum, glass, plastic, or steel 		<ul style="list-style-type: none"> • *Industrial dry-cleaning plant • *Outdoor manufacturing.
<i>Low-Impact Industrial Use</i>	<ul style="list-style-type: none"> • Assembly, fabrication of goods using components manufactured elsewhere, brought to the site. • <u>Boat yard</u> • Carpet, rug cleaning • Construction or contractor yard • Fuel oil, sales and storage, retail, wholesale • Pallet repair • Garbage transfer station • Laundry, commercial plant • Lumberyards, building materials • Machine shop • Milk distributing station. 	Boat Storage	<ul style="list-style-type: none"> • Assembly of electronics components. • Carpet and upholstery cleaning. • Manufacturing, light. • Newspaper printing facilities. • Packing and crating. • <u>Recreational vehicle and boat outdoor storage.</u> • Recycling center.

	<ul style="list-style-type: none">• Moving, storage firms, truck terminals• Newspaper printing plant• Wholesale businesses, warehouses• Utility company service yards• Storage warehouses, including farm products		
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*Permitted by Special Exception

CASE MAP

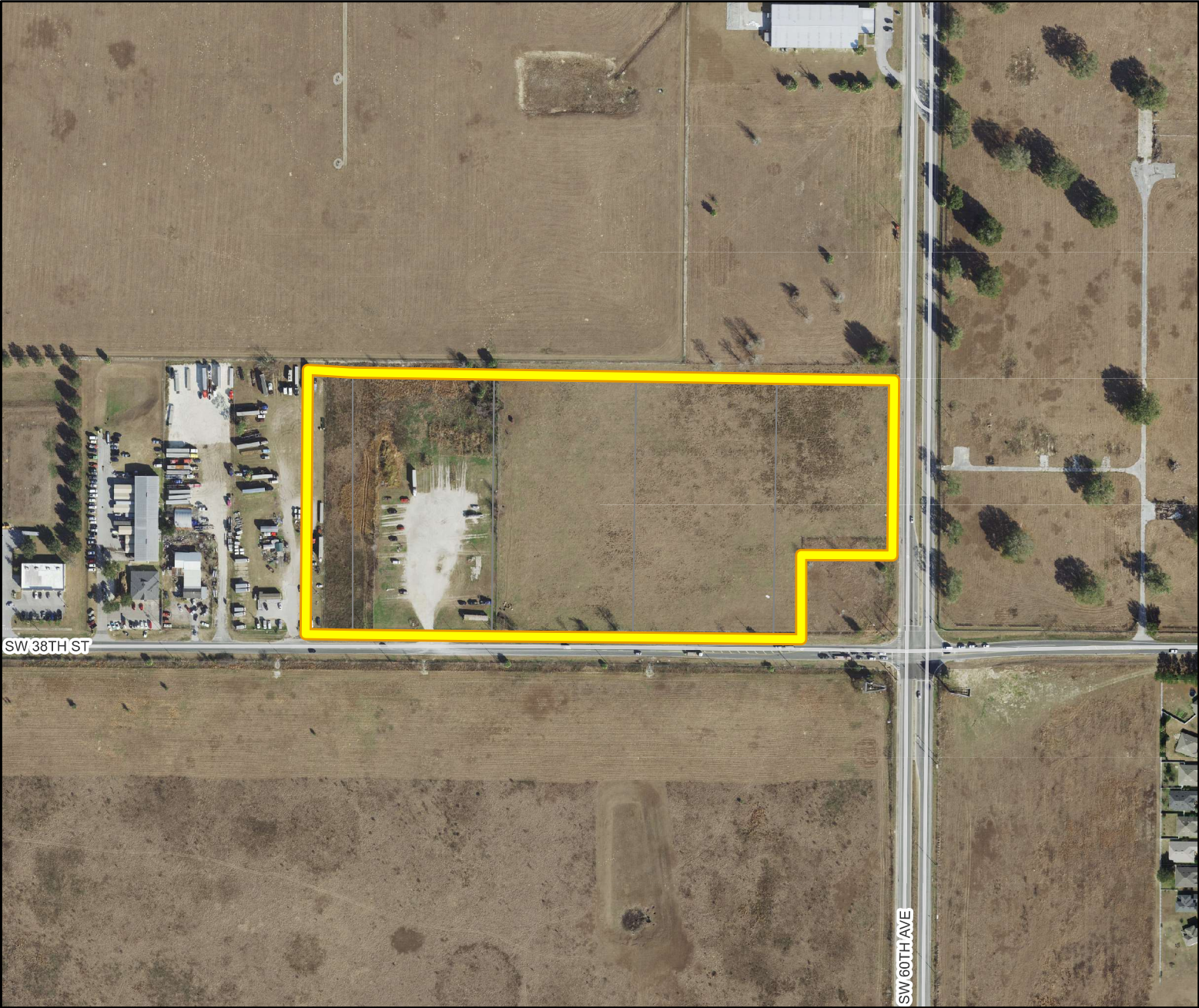
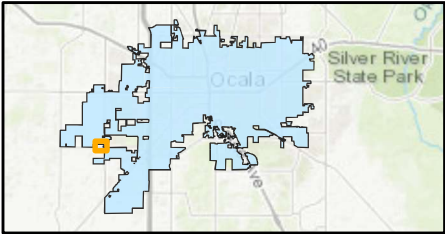
Case Number: ZON23-45498
Parcel: 23820-012-03 23820-012-00 23820-012-01 23820-01-02
Property Size: Approximately 19.4 acres
Land Use Designation: Commerce District (County)
Zoning: Heavy Business (County)
Proposal: A request for rezoning from B-5, Heavy Business (County) to M-2, Medium Industrial for RV and Boat Storage and potential warehouse use



- Property
- Parcels
- B-2:Community Business
- GU:Governmental Use
- M-1:Light Industrial
- M-2:Medium Industrial
- PUD-04:Planned Unit Development-4 Units
- Planned Development
- B-5, Heavy Business (county)
- PUD, Planned Unit Development (county)

AERIAL MAP

Case Number: ZON23-45498
Parcel: 23820-012-03, 23820-012-00, 23820-012-01, 23820-01-02
Property Size: Approximately 19.4 acres
Land Use Designation: Commerce District (County)
Zoning: Heavy Business (County)
Proposal: A request for rezoning from B-5, Heavy Business (County) to M-2, Medium Industrial for RV and Boat Storage and potential warehouse use



 Property
 Parcels

