



## Legislation Details (With Text)

<b>File #:</b>	2024-0095	<b>Status:</b>	Passed
<b>Type:</b>	Ordinance	<b>In control:</b>	City Council
<b>File created:</b>	10/5/2023	<b>Final action:</b>	10/17/2023
<b>On agenda:</b>	10/17/2023		
<b>Title:</b>	Adopt Ordinance 2024-3 to rezone from M-1, Light Industrial, to M-2, Medium Industrial, property located at 3100 SW 3rd Street, parcel number 22767-002-00; approximately 2.11 acres (Case ZON23-45305) (Quasi-Judicial)		
<b>Sponsors:</b>	Jay A. Musleh		
<b>Code sections:</b>			
<b>Attachments:</b>	1. ZON23-45305 - P&Z Agenda Packet, 2. September 11, 2023 Minutes Final, 3. CaseMap, 4. Aerial		

Date	Ver.	Action By	Action	Result
10/17/2023	1	City Council	Adopted	Pass

Submitted By: Emily W. Johnson, AICP

Presentation By: Emily Johnson

Department: Growth Management

### STAFF RECOMMENDATION (Motion Ready):

Adopt Ordinance 2024-3 to rezone from M-1, Light Industrial, to M-2, Medium Industrial, property located at 3100 SW 3<sup>rd</sup> Street, parcel number 22767-002-00; approximately 2.11 acres (Case ZON23-45305) (Quasi-Judicial)

### OCALA'S RELEVANT STRATEGIC GOALS:

Economic Hub, Quality of Place

### PROOF OF PUBLICATION:

Ocala Gazette - October 6, 2023

### BACKGROUND:

- Petitioner: Robert W. Batsel, Jr., Gooding & Batsel, PLLC
- Property Owner: Paglia & Associates, LLC
- The subject property is currently developed with a Recycling Center, which is an allowed use within both the current (M-1) and proposed (M-2) zoning districts.
- The Petitioner is requesting to rezone the subject property from M-1, Light Industrial, to M-2, Medium

Industrial, with the intention of reclassifying the subject property as a Materials Recovery Facility (MRF). MRFs are only permitted in the M-2 and M-3 zoning districts and must comply with the supplementary criteria contained under LDR 122-1225.

- The Petitioner has submitted a separate application for a Code Amendment to Section 122-1225 to amend the supplementary district criteria for MRFs; and an application for a lot reconfiguration to combine the subject property with the southern-adjacent parcel, which is already zoned M-2.
- The Planning and Zoning Commission voted unanimously to recommend approval of the request at the September 11, 2023, meeting.

**FINDINGS AND CONCLUSIONS:** The M-2, Medium Industrial zoning district is consistent with the Employment Center future land use classification. The proposed zoning is consistent and compatible with the surrounding area. Staff recommends approval of the request.

**FISCAL IMPACT:** N/A

**PROCUREMENT REVIEW:** N/A

**LEGAL REVIEW:** The ordinance is pending review by the City Attorney, William E. Sexton.

**ALTERNATIVE:**

- Approve with changes
- Deny
- Table

## ORDINANCE 2024-3

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OCALA, FLORIDA, CHANGING FROM M-1, LIGHT INDUSTRIAL, TO M-2, MEDIUM INDUSTRIAL, FOR CERTAIN PROPERTY LOCATED AT 3100 SW 3RD STREET (22767-002-00), OCALA, FLORIDA (CASE NO. ZON23-45305); PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session, as follows:

Section 1. The following described lands are hereby rezoned and reclassified according to the zoning regulation of the City of Ocala, Florida, as M-2, Medium Industrial:

LOT 2, SOUTH FORTY INDUSTRIAL PARK, AS PER PLAT THEREOF RECORDED IN PLAT BOOK R,

PAGE 98, PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
(AKA: Parcel 22767-002-00)

Section 2. The zoning map of the City of Ocala is hereby amended to reflect the change in zoning classification from M-1, Light Industrial, to M-2, Medium Industrial, as to lands described in Section 1 of this ordinance.

Section 3. 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 the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall take effect upon approval by the Mayor, or upon being law without such approval.

**ATTEST:**

**CITY OF OCALA**

By:  
Angel B. Jacobs  
City Clerk

By:  
James P. Hilty Sr.  
President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on \_\_\_\_\_, 2023.

By: \_\_\_\_\_  
Reuben Kent Guinn  
Mayor

Approved as to form and legality:

By: \_\_\_\_\_  
William E. Sexton  
City Attorney

Ordinance No: 2024-3  
Introduced: 10/3/2023  
Adopted: Click or tap to enter a date.  
Legal Ad No: Ocala Gazette - October 6, 2023 - IXqQepnLtuYxMWvHEEDS