

Submitted By: Emily W. Johnson, AICP

Presentation By: Emily W. Johnson, AICP

Department: Growth Management

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**STAFF RECOMMENDATION** (Motion Ready):

Introduce Ordinance 2024-XX to rezone approximately 4.63 acres for property located at 1712 SE Lake Weir Avenue (Parcel 2920-010-008) from Institutional (INST) to Limited Community Business (B-2A) (Case ZON24-45752) (Quasi-Judicial).

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**OCALA'S RELEVANT STRATEGIC GOALS:**

Quality of Place

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**PROOF OF PUBLICATION:**

N/A

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**BACKGROUND:**

- Petitioner: The Board of Trustees of the FL Annual Conference of The United Methodist Church
- Property Owner: The Board of Trustees of the FL Annual Conference of The United Methodist Church
- Agent: Derek Batsel, Boyd-Mox Development, LLC

The petitioner is requesting to change the zoning from Institutional (INST) to Limited Community Business (B-2A), to add a transitional recovery facility to the existing church/place of worship site.

Transitional recovery facilities are not a permitted use within the existing INST, Institutional, zoning district. The proposed B-2A zoning district allows for both the existing church/place of worship and the proposed transitional recovery facility, subject to the supplemental regulations contained under Code of Ordinances Section 122-1198(c).

The subject property is located at the southwest corner of the intersection of SE 17<sup>th</sup> Street/SR 464 and SE Lake Weir Road/CR 464A. The surrounding area along SE 17<sup>th</sup> Street includes a mix of properties with B-2, B-1, RO, O-1, and SC zoning designations. These properties are developed with primarily commercial, and office uses. The area south and west of the subject property is developed with single family homes having R-1 zoning. The proposed B-2A zoning provides for a limited range of commercial and residential uses compatible with the area.

**FINDINGS AND CONCLUSIONS:**

- The proposed rezoning is consistent with the Low Intensity Future Land Use classification.
- The proposed B-2A zoning district provides more opportunity for commercial, office, and healthcare uses a compared to the existing INST zoning.

- Compared to the nearby B-2 zoned properties, the proposed B-2A, Limited Community Business, zoning district allows for a more limited set of permitted uses.
- The proposed B-2A zoning district allows for the proposed transitional recovery facility use.
- The proposed B-2A zoning district allows for the continuation of the existing church/place of worship use.
- The proposed zoning is compatible with the surrounding area.
- Adequate public facilities exist to service the proposed development.

Staff recommends approval.

**FISCAL IMPACT:** N/A

**ALTERNATIVES:**

- Approve with changes.
- Deny
- Table

**SUPPORT MATERIALS:**

- Staff Report
- Case Map
- Aerial Map

# ORDINANCE 2024-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OCALA, FLORIDA, CHANGING FROM INSTITUTIONAL, INST TO LIMITED COMMUNITY BUSINESS, B-2A FOR CERTAIN PROPERTY LOCATED AT 1712 SE LAKE WEIR AVENUE (PARCEL NUMBER 2920-010-008), APPROXIMATELY 4.63 ACRES (CASE NO. ZON24-45752); PROVIDING DIRECTION TO STAFF; REPEALING INCONSISTENT AND/OR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY OF ORDINANCE PROVISIONS; PROVIDING FOR MODIFICATIONS ARISING FROM CONSIDERATIONS AT A PUBLIC HEARING; PROVIDING DIRECTION TO THE CODIFIER; 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 lands described below are hereby rezoned and reclassified according to the zoning regulation of the City of Ocala, Florida, as B-2A, Limited Community Business:

Lot 8, Block J, DRUID HILLS REVISED PORTION, according to the plat thereof recorded in Plat Book F, Page 69, of the Public Records of Marion County, Florida;

LESS AND EXCEPT that portion conveyed to the City of Ocala by Warranty Deed recorded in Official Records Book 53, Page 512 and LESS AND EXCEPT that portion conveyed to the State of Florida by Deed recorded in Official Records Book 554, Page 720.

Section 2. Direction to Staff. The City Council of the City of Ocala, Florida directs staff to take any and all steps necessary to effectuate the adoption and implementation of this ordinance; and all other matters as provided for above and herein as well as to ensure the orderly and effective administration and implementation of the intent of this ordinance and the specific matters outlined herein.

Section 3. Repealing Inconsistent and/or Conflicting Provisions. The City Council of the City of Ocala, Florida hereby specifically repeals, to the extent of any such conflict, any and all ordinances, resolutions, policies, procedures, and/or other articles which are conflicting and/or inconsistent with this ordinance and the intent and direction provided by the City Council herein.

Section 4. Severability of Ordinance Provisions. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, it is the intent of the City Council of the City of Ocala, Florida that (1) such portion shall be deemed a separate, distinct and independent provision; (2) such holding shall not affect the validity of the remaining portions hereof; and (3) this ordinance be adopted as though any such provision was not included herein.

Section 5. Modifications Arising from Consideration at a Public Hearing. It is the intention of the City Council of the City of Ocala, Florida that (1) the provisions of this ordinance may be modified as a result of its consideration by the City Council of matters that may arise during the public hearing(s) at which this ordinance is considered; and (2) any such modifications shall be incorporated into the final version of this ordinance.

Section 6. Direction to the Codifier. It is the intention of the City Council of the City of Ocala, Florida that (1) the zoning map of the City of Ocala is hereby amended to reflect the change in zoning classification from INST, Institutional to B-2A, Limited Community Business as to lands described in Section 1 of this ordinance; (2) the sections and paragraphs of this ordinance may be renumbered or relettered in order to accomplish said intention; (3) terms or headings not affecting the intent of this ordinance may be changed to further accomplish said intention; and (4) any scrivener's error(s) contained herein which do not affect the intent of this ordinance be corrected with the authorization of the City Manager or their designee and without the need for additional public hearings or consideration by City Council.

Section 7. This ordinance shall become effective upon approval by the mayor, or upon becoming law without such approval.

**ATTEST:**

By: \_\_\_\_\_

Angel B. Jacobs

City Clerk

**CITY OF OCALA**

By: \_\_\_\_\_

Barry Mansfield

President, Ocala City Council

Approved/Denied by me as Mayor of the City of Ocala, Florida, on \_\_\_\_\_, 2024.

By: \_\_\_\_\_

Ben Marciano

Mayor

Approved as to form and legality:

By: \_\_\_\_\_

William E. Sexton

City Attorney

Ordinance No: 2024-XX

Introduced: Click or tap to enter a date.

Adopted: Click or tap to enter a date.

Legal Ad No: Click or tap here to enter text