

Submitted By: Breah Miller, Planner II

Presentation By: Breah Miller, Planner II

Department: Growth Management

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**STAFF RECOMMENDATION** (Motion Ready):

Introduce Ordinance 2024-XX to rezone approximately 8.85 acres of a portion of the property located in the 2600 block of NE 36th Avenue (Parcel 24241-010-00) from M-1, Light Industrial, to M-2, Medium Industrial (Case ZON24-45799) (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: Felicia Brooks
- Property Owner: Felicia Brooks

The applicant has requested to rezone 8.85 acres of the total 9.16 acres of the subject property from M-1, Light Industrial, to M-2, Medium Industrial, to facilitate the development of a recreational vehicle and boat outdoor storage establishment. No site or conceptual plan has been submitted; however, site plan approval will be required. The northern portion of the property is being utilized by a 100-foot-wide segment of a 200-foot-wide Duke Energy easement.

In 2006, a land use and zoning change was subsequently denied due to the location of the easement and access concerns. The petitioner has acquired the adjoining property to the south along NE 36<sup>th</sup> providing unified ownership of approximately 200-feet of frontage along NE 36<sup>th</sup> Avenue. Retaining the M-1 zoning along the frontage of NE 36<sup>th</sup> Avenue will serve as a buffer and help maintain the light industrial character along NE 36<sup>th</sup> Avenue.

**FINDINGS AND CONCLUSIONS:**

- The proposed rezoning is consistent with the Employment Center Future Land Use classification.
- Adequate public facilities exist within an 1/8-mile radius; however, it will be the developer's obligation to extend services to meet their needs. City Water Resources indicate that the ability to connect to existing infrastructure exists.
- The rezoning maintains the frontage along NE 36<sup>th</sup> Avenue with the M-1 zoning to maintain the light industrial character of this corridor.

- The Duke energy transmission easement along with buffering and development standards (upon site development) will help to minimize potential impact to the surrounding properties.

**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-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OCALA, FLORIDA, CHANGING FROM M-1, LIGHT INDUSTRIAL, TO M-2, MEDIUM INDUSTRIAL, FOR A PORTION OF THE PROPERTY LOCATED IN THE 2600 BLOCK OF NE 36TH AVENUE (PARCEL 24241-010-00), APPROXIMATELY 8.85 ACRES (CASE NO. ZON24-45799); 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:

## Pending Legal Description

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:

## INSERT LEGAL

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 M-1, Light Industrial, to M-2, Medium Industrial, 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:**

**CITY OF OCALA**

By: \_\_\_\_\_  
Angel B. Jacobs  
City Clerk

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.