

Submitted By: Kristina L. Wright, CNU-A, FRA-RA

Presentation By: Kristina L. Wright, CNU-A, FRA-RA

Department: Growth Management

STAFF RECOMMENDATION (Motion Ready):

Introduce Ordinance 2024-XX to rezone approximately 25.67 for properties located approximately 600-feet north of the intersection at US Highway 27 and NW 49th Avenue, Lot 1 and Drainage Retention Area Tract A of the Foxwood III Replat (P.B. 14, Pg. 197) (Parcel 21509-001-01 and 21509+001-01) from PUD, Planned Unit Development (County), to R-3, Multi-Family Residential (City) (Case ZON24-45695) (Quasi-Judicial).

OCALA’S RELEVANT STRATEGIC GOALS:

Quality of Place

PROOF OF PUBLICATION:

N/A

BACKGROUND:

- Petitioner: Second Nine Partners LLC
- Property Owner: Second Nine Partners LLC
- Agent: Guy Lemieux, Second Nine Partners LLC

The subject property area consists of a developed tract for drainage retention and a remainder property from the original Shops at Foxwood plat. The subject property area is currently located in unincorporated Marion County and zoned PUD, Planned Unit Development (County), with an underlying Commercial Future Land Use classification (County). On April 5, 2022, the Marion County Board of County Commissioners approved a conceptual PUD plan for the development of 396 multi-family dwelling units.

The petitioner is requesting to rezone from PUD, Planned Unit Development (County) to R-3, Multi-Family Residential District (City), in association with a concurrent annexation (ANX24-45693), to connect to existing utilities and facilitate future multi-family residential development. Pursuant to Code of Ordinances Section 122-246, all annexed territory shall be considered to be zoned in the same or most closely corresponding zoning classification given it by the County zoning code.

Adequate public facilities exist to service the subject properties. The petitioner has submitted concurrent applications for an Annexation (Case: ANX24-45693) and land use change to Low Intensity (Case: LUC24-45694).

FINDINGS AND CONCLUSIONS: The requested R-3, Multi-Family Residential zoning district is consistent with the comprehensive plan and the requested Low Intensity future land use classification. The amendment will not adversely affect the community’s health, safety, convenience, prosperity, or general welfare. The proposed R-3 zoning is consistent with Section 122-244 of the Code of Ordinances and with the proposed future land use of the property.

Staff recommends approval.

FISCAL IMPACT: N/A

ALTERNATIVES:

- Approve with changes.
- Deny
- Table

SUPPORT MATERIALS:

- Staff Report
- Case Map
- Aerial Map
- Foxwood Commons PUD Approval Letter
- Foxwood III Plat

ORDINANCE 2024-XX

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OCALA, FLORIDA, CHANGING FROM PUD, PLANNED UNIT DEVELOPMENT (COUNTY), TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (CITY), FOR THE PROPERTIES LOCATED APPROXIMATELY 600-FEET NORTH OF THE INTERSECTION AT US HIGHWAY 27 AND NW 49TH AVENUE, LOT 1 AND DRAINAGE RETENTION AREA TRACT A OF THE FOXWOOD III REPLAT (P.B. 14, PG. 197), PARCELS 21509-001-01 AND 21509+001-01, APPROXIMATELY 25.67 ACRES (CASE NO. ZON24-45694); 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 following described lands are hereby rezoned and reclassified according to the zoning regulation of the City of Ocala, Florida, as R-3, Multi-Family Residential:

SECTION 03, TOWNSHIP 15, RANGE 21, PLAT BOOK 014 PAGE 197, FOXWOOD III, LOT 1

AND

SECTION 03, TOWNSHIP 15, RANGE 21, PLAT BOOK 014 PAGE 197, FOXWOOD III, TRACT A- WRA

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 PUD, Planned Unit Development (County) to R-3, Multi-Family Residential (City) 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: 7/2/2024
Adopted: Click or tap to enter a date.
Legal Ad No: Click or tap here to enter text.