Staff Report: Rezoning

Case No. ZON24-45822
Planning & Zoning Commission: November 13, 2024
City Council (1st Reading): December 3, 2024
City Council (Adoption): December 17, 2024

Property Owner/Applicant:	C.L.D. Properties, LTD
Agent:	Tracy Rains, Dinkins Realty, LLC
Project Planner:	Kristina L. Wright, CNU-A, MAURP, FRA-RA
Amendment Request:	Rezone the subject property from B-2 (County), Community Business to B-2 (City), Community Business.

Subject Property Information

Acres:	±1.29 acres
Parcel(s)#:	21537-002-00
Location:	4001 NW Blitchton Road
Existing use:	Vacant, previously developed as a saloon in Marion County and later used for overflow tractor-trailer parking for adjacent commercial uses.
Future Land Use Designation:	Commercial (County)
Zoning Designation:	B-2 (County), Community Business
Concurrent Applications:	Annexation (ANX24-45821) and future land use change (LUC24-45821) requesting Medium Intensity/Special District
Special District(s)/Plan(s):	N/A
Approved Agreement(s):	N/A

Figure 1. Aerial Location Map

Adjacent Property Information

Direction	Future Land Use	Zoning District	Current Use
North	Commercial (County)	B-2 (County), Community Business	Budget Host Inn
South	Low Intensity	No Zoning	Vacant/undeveloped
East	Medium Intensity/Special District	B-2, Community Business	Car wash
West	Commercial (County)	B-2 (County), Community Business	Budget Host Inn

Applicant Request

The petitioner is requesting to rezone a 1.29-acre parcel (21537-002-00) from B-2, Community Business (County), to B-2, Community Business (City).

The petitioner has submitted concurrent applications to annex the subject property into City limits (ANX24-45820); and to change the future land use designation from Commercial (County), to Medium Industrial/Special District (City) (LUC24-45821).

Background:

The subject property, identified by Parcel Identification Number 21537-002-00, contains an approximate 1.29 acres, and is located at 4001 NW Blitchton Road. The property was once developed as a saloon in Marion County, until it was destroyed by a fire and later demolished in 1995. It appears that this property has been utilized as overflow tractor-trailer truck parking for adjacent commercial uses since that time.

The subject property is contiguous to the City limits and are adjacent to properties serviced by City utilities. The adjacent property to the east (parcel 21544-000-00) was annexed into the city in 1986 through Ordinance 1892.

Staff Analysis

Factual Support

Comparison of Zoning District Standards

	Zoning District	Intent and Purpose	Minimum Lot Area	Maximum Building Height
Existing (County)	B-2, Community Business	Intended for shopping and limited service needs of several neighborhoods, a community, or substantial land area. Retail stores are intended to include general merchandise, fashion, durable goods, and	None	50 feet

		personal services. All commercial activity involving retail sales or rentals shall take place in a completely enclosed building.		
Proposed	B-2, Community Business	Intended for community businesses, including retail sales, personal and business services, and all office uses. Businesses shall be based on walk-in trade, rather than delivery of supplies and large commodities.	10,000 square feet	50 feet

Also see Exhibit A: Permitted Uses Table below.

Consistency with Comprehensive Plan and Land Development Regulations

1. The requested zoning change is consistent with the following Objectives and Policies of the City of Ocala Future Land Use Element:

   a. Future Land Use Element Policy 6.2: Medium Intensity/Special District: The intent of the Medium Intensity/Special District is to identify neighborhood and community-serving activity centers, generally represented as "Medium Low" or "Medium High" on the Ocala 2035 Vision. The Medium Intensity/Special District should facilitate developments with two (2) or more uses. Permitted uses include residential, office, commercial, public, recreation, educational facilities, and institutional. Light industrial shall only be allowable in designated locations as specified in the Land Development code and must meet the intent of the Medium Intensity/Special District category, including form and design guidelines as applicable.

   The character, function, and form of new buildings or development on vacant land shall be regulated by a form-based code zoning district that includes design standards adopted specifically for a Medium Intensity/Special District identified in Objective 8, a Planned Development (PD) zoning district that includes specific design standards related to the surrounding uses, or a chapter 163 Development agreement with specific design standards. Existing developed and public properties shall be regulated by the Land Development Code.

   A Medium Intensity/Special District is intended to promote a walkable urban form with buildings at moderate build-to lines from the street and public right-of-way, as depicted in Figure C. Parking may occur on-street or in the moderate build-to line of buildings, though rear and side yard parking is encouraged, as depicted in Figure D. Shade for pedestrians should be provided through landscaping or building design. Open space in Medium Intensity/Special District areas consists of large neighborhood and community parks.

   The minimum density and intensity before any incentives in this future land use category is 5 dwelling units per gross acre of 0.15 FAR. The maximum density and intensity before any incentives is 30 dwelling units per acre of 4.0 FAR. The location and application of incentives shall be set forth in the Land Development Code.

   Increased density and intensity incentives may be approved for inclusion of workforce housing, green building, and sustainable design standards, setting aside right-of-way for trials, employment-generating uses, exemplary urban design, or other benefits to the city as specified in the Land Development Code. The location and application of incentives shall be set forth in the Land Development Code.

Staff Comment: Commercial land uses are permitted within the Medium Intensity/Special District Future Land Use Classification. Existing commercial uses surround the subject property and serve the commercial corridor on NW Blitchton Road/US Highway 27 and traffic exiting Interstate 75 due to the proximity to the interchange.

b. Future Land Use Element 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.

Staff Comment: As identified in the Level of Service Analysis below, adequate public facilities exist to service the subject property.

2. The requested rezoning is consistent with the following Sections of the Land Development Regulations:

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.

Staff Comment: The subject property contains approximately 1.29 acres and meets the requirements for consideration of rezoning set forth by the Code of Ordinances.

b. Section 122-244 – *District criteria:* Zoning districts allowed under the current land use classification.

Medium Intensity/Special District	R-1**, R-1A**, R-1AA**, R-2**, R-3**, RZL**, RO**, O-1**, OP**, B-1**, B-1A**, B-2**, B-2A**, B-4**, SC**, M-1**, M-2**, G-U**, INST**, A-1***, PD**, FBC**

*** New development of vacant parcels on 5 acres or more shall be regulated by a Form-Based Code (FBC) Zoning District, a Planned Development (PD) District, or a Chapter 163 Development Agreement. Existing development, public uses, or vacant parcels less than 5 acres in the Medium Intensity/Special District land use classification shall be regulated by their existing zoning district.*

**** As of June 1, 2014, a rezoning application for A-1 must be associated with an annexation case where a portion of the annexed property is already zoned A-1 in the county.*

Staff Comment: As indicated in Section 122-244 above, the B-2 zoning district is a permitted district within the subject property's proposed Medium Intensity/Special District future land use with the caveat that "Existing development, public uses, or vacant parcels less than 5 acres in the Medium Intensity/Special District land use classification shall be regulated by their existing zoning district." *However, since this is a property being annexed into the city with the same corresponding zoning code and since the adjacent parcels are Medium Intensity/Special District, this request is the most consistent and compatible.*

c. Section 122-621: The Community Business (B-2) district is intended for community businesses, including retail sales, personal and business services, and all office uses.

Staff Comment: The proposed B-2 zoning district is consistent with the intended use of community business (Sec. 122-622(3)c(4)).

Level of Service (LOS)

Transportation: The 2023 Congestion Management Data from the Ocala-Marion TPO 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.

- **Adopted LOS / Available Capacity:**

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2023 AADT	Existing LOS
US HWY 27/NW Blitchton RD (From I-75 to NW 44th Ave)	4	45 MPH	Arterial	D	55,700	21,700	B

The affected segment of NW Blitchton Road is currently operating above the adopted Level of Service.

Potable Water: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A 16-inch city water distribution main runs along NW Blitchton Road.

- *Adopted Level of Service (LOS) Potable Water:* 300 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 167 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of the City's water system is 24.4 million gallons daily (mgd).

Sanitary Sewer: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A city 8-inch gravity main runs along NW Blitchton Road.

- *Adopted Level of Service (LOS) Sanitary Sewer:* 250 gallons per day (gpd) per equivalent residential unit (ERU), or the equivalent of 80 gallons per capita daily (gpcd).
- *Available Capacity:* Capacity is available. The permitted capacity of Water Reclamation Facility #2 is 6.5 million gallons daily (mgd) and the permitted capacity of Water Reclamation Facility #3 is 4.0 million gallons daily (mgd).

Solid Waste: The subject property is located within the City's service area; refuse pickup will be determined during the site plan or subdivision review process.

- *Adopted Level of Service (LOS) Solid Waste:* 3.54 pounds per capita per day for residential development.
- *Available Capacity:* Solid waste is transported to facilities outside of the City.

Parks and Recreation Facilities:

- *Adopted Level of Service (LOS) Solid Waste:* 4.6 developed park acres per 1,000 population for each Regional Park Service Area (RPSA).
- *Available Capacity:* Capacity is available. Per the 2024 population projections from the Florida Bureau of Economic and Business Research (BEBR), the City's estimated 69,283 population requires 318.70 developed park acres. The city currently owns and maintains 622.27 developed park acres, pursuant to the Fall 2024 Activity Guide released by the Recreation and Parks Department.

Other Public Facilities:

The following public facilities do not have adopted Level of Service standards and are provided as additional information.

Stormwater: The subject property is not located within a Flood Zone. For any future redevelopment, 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.

Electric: The subject property is currently serviced by Ocala Electric Utility.

Fiber: City utilities are available at this location; connections will be determined during the site plan or subdivision review process. A City fiber optic cable runs along NW Blitchton Road.

Fire Service: Ocala Fire Rescue Station #1 is located approximately 2.4 miles from the subject property, which exceeds the desired industry standard of 1.5 miles for fire service.

Schools: The future commercial subject development is not anticipated to have an impact on schools.

Conclusions

Property History:

Land Development Code / Comprehensive Plan Consistency: Pursuant to Code of Ordinances Section 122-286 properties in the requested B-2zoning district shall be at least 100-feet-wide and contain at least 10,000 square feet. The subject property meets the minimum lot width and lot area requirements of the B-2 zoning district. The requested B-2 zoning district is consistent with the existing Medium Intensity/Special District Future Land Use classification pursuant to Code of Ordinances Section 122-244 which stipulates that vacant parcels less than 5 acres shall be regulated by their existing zoning district.

Zoning Comparison: The requested B-2 zoning district permits many of the same retail and eating/drinking establishments as the existing B-2 in the county. A significant difference of note is the number of low intensity industrial uses that are permitted in the existing B-2 within the county. The proposed B-2 in the city has two low intensity industrial uses, whereas the county permits ten, as reflected in Exhibit A: Permitted Uses Table.

Surrounding Area / Compatibility: The applicant is seeking a similar zoning classification to match the existing county zoning; therefore, remaining consistent and compatible with the surrounding properties. The requested B-2 zoning is compatible with the surrounding uses. Overall, commercial development, including restaurants, hotels, and retail are prominent along the corridor. NW Blitchton Road is a major arterial roadway and serves as a primary thoroughfare and interchange for Interstate 75.

Staff Findings and Recommendation

- The proposed rezoning is consistent with the proposed Medium Intensity/Special District Future Land Use (LUC24-45821) classification pursuant to Code of Ordinances Section 122-244.
- The requested B-2, Community Business zoning district allows for a variety of commercial uses andallows similar uses to the existing county B-2 zoning classification.
- Public facilities exist to service the proposed development.

Staff Recommendation:	***Approval***

Exhibit A. Permitted Uses Table

Permitted Use Type	B-2, Community Business(County)	B-2, Community Business (City)
Agricultural	• Horses or cattle, not a sales operation (See special lot area and number requirements in Sec. 4.2.6.F) * • Lumberyards, building material sales. • Plant nursery wholesale*	
Residential Operation		• Bed and breakfast • Community residential home (max 14 residents) • Fraternity or sorority house • Residence-gallery • Residence-office Rooming/boarding house
Residential Type		• Single-family dwelling • Single-family (attached) dwelling • Two-family dwelling Multi-family dwelling*
General Retail	• Automobile parts, new • Bar, alcohol sales • Employment office • Food catering • Game arcade, coin-operated • Garden supply • Gun shop • Stores, drug • Paint and wallpaper • Produce, outside building* • Used merchandise, outside building, including flea market* • Swimming pool supplies*	• Auto supply store • Bakery store • Department store • Drugstore • Electronics store • Furniture store • Garden and nursery sales • Grocery store • Hardware store • Home decorating store • Pharmacy • Roadside fruit and vegetable sales • Specialty retail stores • Swimming pool sales (enclosed) • Used merchandise store • Videotape store
Business Service	• Advertising specialties • Air-conditioning, heating, ventilation equipment sales, service repair • Automobile rental • Automobile, truck sales, new, used* • Bicycle sales, rentals • Boats, marine motor sales, service • Golf cart, LSV sales	• Equipment rental and leasing • General business service • Parking garage • Parking lot • Pest control service • Radio/TV broadcasting facility • Security systems service

	• Household appliance, furnishings, sales, repair • Lawn mowers, power, sales, repair • Model home sales lot, model home complex • Motorcycle sales, service* • Office furniture, equipment, sales, service • Pest control agency, supplies* • Pawnshop • Recreational vehicle rental • Recreational vehicle sales* • Tattoo, body-piercing parlor • Taxidermist • Storage warehouses* • Trailers, sales, and service*	
Eating or Drinking Establishment	• Restaurant, including fast food, drive-through • Seafood shop • Nightclub • Package liquor store	• Alcoholic beverage establishment (off-premises consumption) • Alcoholic beverage establishment (on-premises consumption) • Fast-food restaurant • Restaurant (enclosed), (drive-through window permitted as an accessory use)
Hospitality and Tourism	• Hotel, motel	• Antique gallery/art gallery/museum • Conference center • Hotel/convention center Motel
Office Use		• Commercial photography (art and graphic design service) • Computer maintenance and repair • Financial institution • Photocopying and duplicating services • Photofinishing laboratory • Prepackaged software services • Print shop • Professional and business office
Personal Service		• Check cashing establishment • Coin-operated laundry • Emergency shelter • Funeral home/crematory • Hairstyling shop • Laundry and dry-cleaning pickup • Laundry and dry-cleaning service • Major household repair establishment • Mini warehouse (self-service storage facility)

		• Minor household repair establishment • Recreational vehicle park • Recycling collection point • Tattoo or body piercing establishment
Vehicular Service	• Automobile repair, no paint or body work • Automobile paint and body shop*	• Auto repair, minor • Automobile cleaning, detailing service • Drive-through facility (non-restaurant) • Full-service station • Self-service station/convenience store
Community Service	• Church, Places of Worship	• Church/place of worship • Day care facility • Library • Private club
Educational Use		• College/university • Community education center • School, private elementary and secondary • Speech and language center/school • Vocational/professional school
Recreational Use	• Bowling alley • Marina • Poolroom • Recreation building • Theater	• Bowling center • Commercial recreation, indoor • Dance/art/music studio • Motion picture theaters, except drive-in • Physical fitness center • Recreation facility, indoor • Commercial outdoor baseball batting facility* • Commercial recreation, outdoor* • Driving range* • Miniature golf*
Public Use	• Parking garage, public • Post office, privately owned, leased • Utility company service yards • Water wellfields*	• Post office • Park/open space area* • Public transportation terminal*
Health Care Use		• Assisted living facility • Medical and dental laboratory • Medical and dental office • Transitional recovery facility • Transitional treatment facility • Veterinarian office
Low-Impact Industrial Use	• Bakery, industrial, commercial • Bottling plant (non-alcoholic beverages)*	• Microbrewery/microdistillery • Assembly of electronics components*

	• Cemetery, crematory, mausoleum* • Construction or contractor yard* • Garbage transfer station* • Gas, bottled, refill cylinders* • Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state of federal regulations) * • Parking of commercial vehicles in excess of 16,000lbs. not used by permitted business* • Sewage treatment plants (inflow exceeding 5,000 gpd)* • Spray fields (or other type of effluent disposal area when application rate exceeds 5,000 gpd, if allowed by law)*	

*****Permitted by Special Exception