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### Sec. 2.7.1. Applicability.

- A. An application for the rezoning of a parcel of land may be obtained from the Growth Services Department. The application shall include all material and information, including proposed densities and intensities, necessary to demonstrate that the granting of the rezoning request will be consistent with the adopted Comprehensive Plan and any amendments thereto; and will be compatible with the surrounding area.
- B. Rezoning of property initiated by the Board without application by the property owner shall be enacted pursuant to the following procedures:
- (1) In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than ten contiguous acres the Board shall provide due public notice and shall notify by registered mail each real property owner whose land the Board proposes to redesignate. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for a public hearing. Such notice shall be given at least 30 days prior to the date set for the public hearing before the Board, and a copy of such notice shall be kept available for public inspection during the regular business hours at the office of the Planning/Zoning Manager.
  - (2) In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving ten contiguous acres or more, the Board shall provide for public notice and hearings as follows:
    - (a) The Board shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven days after the day that the first advertisement is published. The second hearing shall be held at least ten days after the first hearing and shall be advertised at least five days prior to the public hearing.
    - (b) ~~If published in the print edition of a newspaper, The~~ the required advertisements shall be no less than two columns wide by ten inches long in a standard size newspaper and the headline in the advertisement shall be in a type no smaller than 18 point and shall comply with the provisions of § 125.66(4) FS.
- C. An application for rezoning shall not be construed to be, or be processed as, an application for a special use permit or vice versa. However, an applicant may submit applications in the alternative, one being an application for a rezoning, and the other being an application for a special use permit, upon payment of the applicable fee for each type of application. The Board of County Commissioners may consider such alternative applications with respect to the same parcel at the same public hearing. In such case, each alternative application shall be noticed and advertised so that the public will be on notice that the two alternatives will be considered during the same public hearing. Each alternative will receive the appropriate staff analysis and recommendation in a written report, but such analysis and recommendation may be included in a single staff report as long as the two alternatives are clearly distinguished for the reader. Notwithstanding the foregoing, the Marion County Board of County Commissioners shall have the authority to approve a pending zoning application to a lesser intensive zoning classification than the classification applied for at a public hearing without the necessity of the applicant filing either a revised rezoning application or an alternative application for a less intense zoning application.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-12 , § 1, 5-2-2023)