

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

March 27, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in a workshop session in Commission Chambers at 2:32 p.m. on Thursday, March 27, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INTRODUCTION OF WORKSHOP BY CHAIRMAN KATHY BRYANT

Chairman Bryant advised that the workshop was scheduled this afternoon to discuss the Comprehensive Plan.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

ROLL CALL

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Also present were County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Tracy Straub, Growth Services Director Chuck Varadin, Deputy Growth Services Director Ken Weyrauch, Senior Planner Chris Rison and County Engineer Steven Cohoon.

The Deputy Clerk was in receipt of a 65 page Agenda packet to follow along with the PowerPoint presentation.

WORKSHOP PRESENTATION

1. Workshop to Discuss Updates to the Comprehensive Plan.

Growth Services Director Chuck Varadin presented the following recommendation:

Description/Background: Florida Statute Section 163.3191 requires an evaluation of the Comprehensive Plan every seven years to ensure consistency with statutory requirements and community engagement. This Evaluation Appraisal Report (EAR) identified changes to the Comprehensive Plan that need to be completed over the next year (by February 2026).

The workshop today is the fourth of ten workshops scheduled over a five (5) month period. During this series of workshops, the Board will focus on gaining consensus for proposed changes to the Comprehensive Plan and discuss broader topics that will help set the vision for guiding future growth and development in Marion County. Today's workshop will focus on discussing bring back items (capital improvements and floor area ratios), as well as landfills and solid waste, special uses, and overlay zones. The Board will also review proposed edits (denoted as "redlines") to the Sanitary Sewer, Solid Waste, and Stormwater elements of the Comprehensive Plan.

Recommended Action: Staff is seeking Board discussion and consensus on the proposed edits.

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Blair Knighting, Kimley-Horn and Associates, Inc. (KHA), provided a brief overview of the upcoming meetings.

Chairman Bryant advised that there will be a short recess to address technical issues.

There was a recess at 2:35 p.m.

The meeting resumed at 2:39 p.m.

Chairman Bryant on behalf of the Board wished County Administrator Mounir Bouyounes a happy birthday.

Ms. Knighting advised today's focus will be on some bring back items, landfills, solid waste, special uses, overlay zones and redline language. She stated the first bring back item is the Capital Improvements Element, noting KHA worked with the County Administrator to update language in Policies 1.2.3 and 1.2.4 to ensure it is inline with State Statutes.

Ms. Knighting presented a 1 page handout entitled, "Floor Area Ratio (FAR), which is the second bring back. She advised that KHA analyzed Marion County and utilized data from CoStar to perform an analysis of the real estate market. Ms. Knighting stated there is a range of FAR in Marion County from low FAR (free standing retail) to high FAR (hospital). She provided a brief overview of the different FAR categories/characteristics, as well as provided examples of them throughout the County.

Commissioner Zalak stated the High FAR examples are within the City of Ocala limits.

Chairman Bryant commented on the possibility of having a High FAR building within a Planned Service Area (PSA), noting a decision cannot be made today until more conversation takes place on how the Board is envisioning PSAs.

Ms. Knighting recommended the Board consider the data provided as it relates to PSAs. She opined that the PSAs should have a higher FAR and higher density in certain condensed areas because the goal is for those areas to be walkable.

Commissioner McClain advised that he is in support of considering higher FARs for PSAs.

Commissioner Zalak questioned if a PSA would have a different Future Land Use (FLU) category. Ms. Knighting advised that this is something the Board will have to decide.

Chairman Bryant stated during her one-on-one with Ms. Knighting they discussed the possibility of a PSA in the Marion Oaks area, noting it would make sense to try to capture some of the internal traffic. She advised that the Board would not want to hinder the goal by not having the appropriate FAR in place.

General discussion ensued.

Ms. Knighting addressed the Future Land Use Element (FLUE) redlines as it relates to landfills, noting the focus is to ensure the County could expand the baseline landfill. She stated it is KHA understanding that the Board does not want any new landfills and is only seeking to expand the existing facilities.

Commissioner Zalak expressed concern with redline of the language "except for Construction and Demolition (C&D) landfills". He opined that any new landfill should be C&D as well as Class 3 because the County does not want those items in the Solid Waste landfill. Commissioner Zalak commented on the need for a facility on the west side of the County. He stated anyone who wishes to have a landfill operation would be required to come before the Board for a Special Use Permit (SUP) and meet all the Department of Environmental Protection (DEP) criteria.

Commissioner Zalak questioned if a transfer station would be in a different category. Ms. Knighting advised that KHA did not address transfer stations. She stated certain zonings

do allow transfer stations with a SUP.

In response to Chairman Bryant, Commissioner Zalak provided an overview of what is allowed in a Class 3 landfill. He stated there is not a Class 3 landfill in Marion County, noting all those items are dropped at the Baseline Landfill and staff either transfer it to Heart of Florida Landfill or it is buried.

General discussion ensued.

Ms. Knighting advised that transfer stations are allowed in B-5, M-1 and M-2 with a SUP, noting there is not a zoning category that allows them by right.

In response to Commissioner Zalak, Ms. Knighting stated the language can be modified to state "except for Construction and Demolition (C&D) and Class 3 landfills". She stated all new landfill requests would need to come before the Board for consideration.

Ms. Knighting addressed Redlines relating to the Solid Waste Element, noting most of the changes are to clean up the existing language.

Commissioner Zalak requested the deletion of Policy 1.2.5b, noting the impact would be subject to the opinion of the Solid Waste Director at that time. He opined that a new Solid Waste Management facility should be evaluated based on a business decision by the BCC and not be an element in the Comprehensive Plan.

Commissioner McClain opined that the whole Policy 1.2.5 should be deleted. Commissioner Zalak concurred.

Mr. Bouyounes advised that the County is obligated to continue taking the garbage and to have a facility that can operate in a positive financial situation. He stated without guidelines it is unclear what will happen to future operations.

Commissioner McClain commented on the possibility of this matter being addressed through a different process (i.e. SUP) and not through the Comprehensive Plan.

Mr. Bouyounes questioned if it is not required in the Comprehensive Plan what will make someone aware it needs to be done. Chairman Bryant opined that the financial analysis could be included as part of the application process.

General discussion ensued.

Mr. Bouyounes advised that staff can review the language and bring back recommendations to the Board.

Mr. Minter stated it would be a good idea to have a de minimis exception agreed to by everyone, which is obvious and would not have a material impact and require someone to spend a lot of money.

Mr. Bouyounes reiterated that staff will consider the language and bring options back to the Board for review.

Ms. Knighting addressed the language changes to Policies 1.2.6 and 1.2.7. She stated KHA will bring back language options for Policy 1.2.5 and 1.2.7, as well as FLUE for the landfills.

Mr. Bouyounes advised that Policy 1.2.7 is mostly existing language and questioned what KHA will be suggesting. Ms. Knighting stated in the FLU Policy it refers to the need to meet both Policy 1.2.4 and Policy 1.2.7. She advised that the Board could strike Policy 1.2.7 from the FLUE.

Ms. Knighting commented on the language changes for Objective 1.4.

Ms. Knighting addressed the Redlines for FLUE Special Uses. She stated special uses should be appropriate for the land use category they are in; therefore, the language has been modified to include "that are appropriate" for Policy 2.1.5: Permitted and Special Uses. Ms. Knighting advised that at the next LDRC meeting there will be a request to modify the LDC to reflect this language as well.

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Ms. Knighting provided a brief overview of the language changes made to the FLUE Overlay Zones, noting the Environmentally Sensitive Overlay Zone (ESOZ) is where most of the changes were made. She advised that the LDC is more strict relating to centralized utilities; therefore, language was removed from Policy 7.2.8 and now refers back to the LDC.

Chairman Bryant passed the gavel to Commissioner Zalak who assumed the Chair.

Commissioner Bryant out at 3:12 p.m.

In response to Commissioner Curry, Ms. Knighting advised that there is a ton of language in the LDC specific to Lake Weir, noting all new development has to follow the criteria in section 6.14.2 of the LDC.

Commissioner Bryant returned at 3:13 p.m.

Chairman Zalak returned the gavel to Commissioner Bryant, who resume the Chair.

General discussion ensued.

Ms. Knighting commented on the proposed language changes for Policies 7.2.9 and 7.2.10, which is already regulated by the LDC.

In response to Commissioner Zalak, Ms. Knighting advised that the LDC does specify areas, such as around Lake Weir and County Road (CR) 25.

Commissioner Curry commented on the potential to implement overlay zones around other bodies of water in the County to protect from development.

Mr. Weyrauch advised that the ESOZ does cover a lot of lakes within the County, but there are lakes that are not covered.

In response to Commissioner Curry, Mr. Weyrauch advised that staff reviews the County Code to ensure development is following all the rules. He stated the Board cannot place an overlay zone on a property after a project has already been brought forward.

Commissioner Zalak stated overlay zones have to be in place prior to development.

Mr. Bouyounes advised that if a development is brought before the Board for a land use or zoning change at that time the Board can have discussions relating additional restrictions.

Chairman Bryant questioned if there is an inventory of the County lakes, Mr. Weyrauch advised that there is an inventory of the lakes under the ESOZ, but not every lake in the County.

Chairman Bryant stated Lake Weir has been identified as a impaired water body, which is one of the reasons it is part of an overlay zone.

Ms. Straub clarified that the ESOZ was in place prior to Lake Weir being identified as an impaired water body.

General discussion ensued.

Ms. Straub advised that the ESOZ list is limited and is on the larger more recognized identified waters bodies. She stated there has been a lot of changes to the Water Management District's regulations. When the ESOZ was developed the County's regulations regarding stormwater standards were much less, but today the County and Districts's standards have become more rigorous. Ms. Straub stated the ESOZ focuses on setbacks and protections against direct runoff into water bodies. She stated a discussion will have to take place to decide what is the intent of the ESOZ and what is the goal, noting the language may be able to be simplified.

Chairman Bryant directed staff to bring back a recommendation to the Board relating to this matter.

Ms. Knighting advised that KHA is proposing to remove Policy 7.2.12 relating to waterfront lot tract width because it is already addressed in the LDC.

Ms. Knighting stated some of the township/ranges did not match in the LDC relating to Military Operating Area (MOA); therefore, that information was updated based on the LDC. She addressed the proposed changes to Objective 7.6 Wellhead/Wellfield Protection Area (WHPA).

Ms. Knighting advised that prior to retiring, former Utilities Director Jody Kirkman reviewed the Sanitary Sewer Element and provided feedback to KHA of necessary changes. She stated Mr. Kirkman requested the LOS be removed from the Comprehensive Plan, but after receiving feedback from the State relating to a different project it was clear the State wants the LOS to remain in the Comprehensive Plan; therefore, the LOS language was unstruck.

In response to Commissioner Zalak, Ms. Knighting advised that the LOS is defined based on the demand. She stated the standard LOS of 110 gallons per person per day for residential demand is similar to other municipalities.

Utilities Director Tony Cunningham advised that he has read through the proposed changes, but he has not had the chance to check to see how the LOS standard of 110 gallons compares to the County's actual usage. He stated he will review and clarify the language if needed.

In response to Commissioner Zalak, Mr. Cunningham advised that this element is used to assist with future planning to ensure there is capacity available for the LOS demand on the system. He stated this data is a small piece of the overall way the Department plans infrastructure.

Ms. Knighting advised that Policy 1.1.7 was added to ensure the County was protected when private utilities are acquired. She stated KHA reintroduced the LOS to the Stormwater Element, noting the LOS is also included in the LDC.

In response to Commissioner Zalak, Ms. Straub commented on the water retention requirements established by Southwest Florida Water Management District (SWFWMD) and St. Johns River Water Management District (SJRWMD).

Ms. Knighting addressed agritourism opportunities such as adding policy to the FLUE regarding agritourism as per F.S. and recognizing the use as an opportunity to support agriculture - FLUE Policy 3.1.4; adding agritourism as defined in s. 570-85 – 570.89, F.S. to the general definition of Agricultural Use in FLUE Pol. 2.1.14 and incorporate term in Agricultural Uses – Rural Land Designation (RL) – Objective 3.3 and Policy 3.3.1; referencing agritourism in the FPA policies, Objective 8 & Policy 8.1.2 and 8.1.3; Economic Element could recognize and identify opportunities to market agritourism to Bonafide Agricultural operations in Marion County - also a rural job generator; Home Occupation requirements in Agricultural zoning should not apply to agritourism activities; Update each AGR zoning classification intent to include and encourage agritourism as a way to support the preservation of agricultural activities; and Consider opportunities to allow agritourism related accommodations in AG or market nearby Rural Commercial/Rural Resort/RV Park zoning for agritourism supporting accommodations.

In response to Commissioner McClain, Ms. Knighting advised that the home occupation requirements are located in the LDC, noting F.S. requires it be allowed in certain areas. Chairman Bryant advised that she is in support of adding policy to the FLUE regarding agritourism.

Commissioner Zalak requested agritourism be defined.

Ms. Knighting stated agritourism is a support use to the agriculture and cannot be the primary fund generator.

Commissioner McClain advised that there is a definition for agritourism activity in the F.S.

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Mr. Weyrauch stated the primary use of a barn or agricultural building is supposed to be bonafide agricultural.

Commissioner McClain read the definition of agritourism into the record and advised that new structures are not supposed to be built to accommodate this use.

Commissioner Zalak advised of an apple orchard in Tennessee that has a restaurant onsite that sells apple products along with other foods, noting it brings in more funds than the whole apple operation. He stated that type of use would not be allowed in Marion County.

Ms. Knighting opined that this use would require a SUP and is not what is intended under the F.S., noting KHA would verify and bring more information back to the Board.

Chairman Bryant advised that allowing farm to table could provide opportunity for unique destinations.

General discussion ensued.

Commissioner McClain expressed appreciation to the Board for considering agritourism options. He commented on the benefits of finding ways to encourage people to hold on to these agricultural properties.

Chairman Bryant directed KHA to bring back agritourism options for Board review.

There being no further business to come before the Board, the meeting thereupon adjourned at 3:50 p.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk