



**Marion County  
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>P&amp;ZC Date: 07/29/2024</b>	<b>BCC Date: 08/20/2024</b>
<b>Case Number</b>	24-S07
<b>CDP-AR</b>	31617
<b>Type of Case</b>	Future Land Use Map Series (FLUMS) amendment from Rural Activity Center (RAC) and Rural Land (RL) to Rural Activity Center (RAC) for a ±19.2-acre portion of an overall ±34.31-acre parcel.
<b>Owner</b>	Meridian Land Holdings, LLC.
<b>Applicant</b>	Austin T. Dailey, Esq. with Klein & Klein, LLC.
<b>Street Address</b>	5465 NW 110 <sup>th</sup> Avenue, Ocala, FL 34482
<b>Parcel Number</b>	12550-000-00
<b>Property Size</b>	±19.2-acre portion of an overall ±34.31-acre parcel.
<b>Future Land Use</b>	Rural Land (RL) and Rural Activity Center (RAC)
<b>Zoning Classification</b>	General Agriculture (A-1) and Community Business (B-2)
<b>Overlay Zone/Scenic Area</b>	Farmland Preservation Area (FPA), Secondary Springs Protection Overlay Zone (SSPZ)
<b>Staff Recommendation</b>	<b>APPROVAL</b>
<b>P&amp;ZC Recommendation</b>	<b>APPROVAL (on consent)</b>
<b>Project Planner</b>	Kathleen Brugnoli, Planner II
<b>Related Case(s)</b>	Concurrent – 240816ZC: Rezoning to RAC, 240817ZC: Rezoning to Rural Commercial.

## I. ITEM SUMMARY

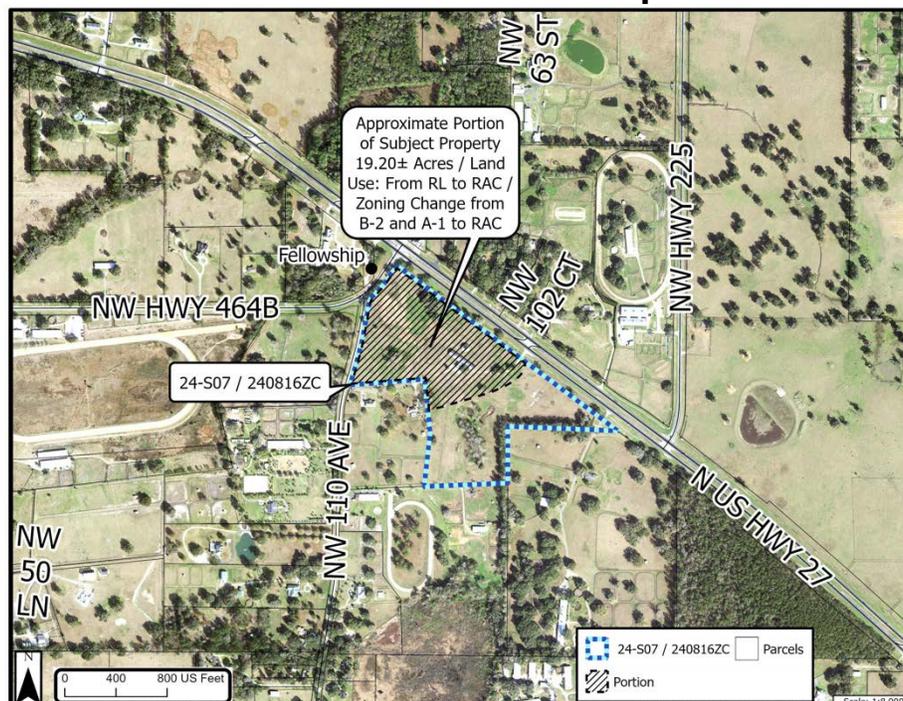
Austin T. Dailey, Esq. with Klein & Klein LLC., acting as agent for the property owner, Meridian Land Holdings, LLC., has filed a Small-Scale Future Land Use Map Series (FLUMS) amendment application to change the land use designation of a  $\pm 19.2$ -acre portion of an overall  $\pm 34.31$ -acre site located at the intersection of N US Hwy 27 and NW Hwy 464B (Attachment A). The applicant seeks to change the Future Land Use designation from Rural Land (RL) and Rural Activity Center (RAC) to just RAC for the 19.2-acre portion. RAC allows for a maximum residential development of two (2) dwelling units per acre or a Floor Area Ratio (FAR) of 0.35 (see Attachment A).

Figure 1, below, is an aerial photograph showing the general location of the subject property. The subject property is situated outside the Urban Growth Boundary (UGB), is located within the Secondary Spring's Protection Overlay Zone, and is also within the Farmland Preservation Area (FPA). This property is partially located within an established RAC and looks to increase the area located within the RAC to place a business.

## II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **APPROVAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it is consistent with Land Development Code Section 2.3.3.B, which requires amendments comply and be consistent with the Marion County Comprehensive Plan as well as the provisions of Chapter 163, Florida Statutes.

**Figure 1**  
**General Location Map**



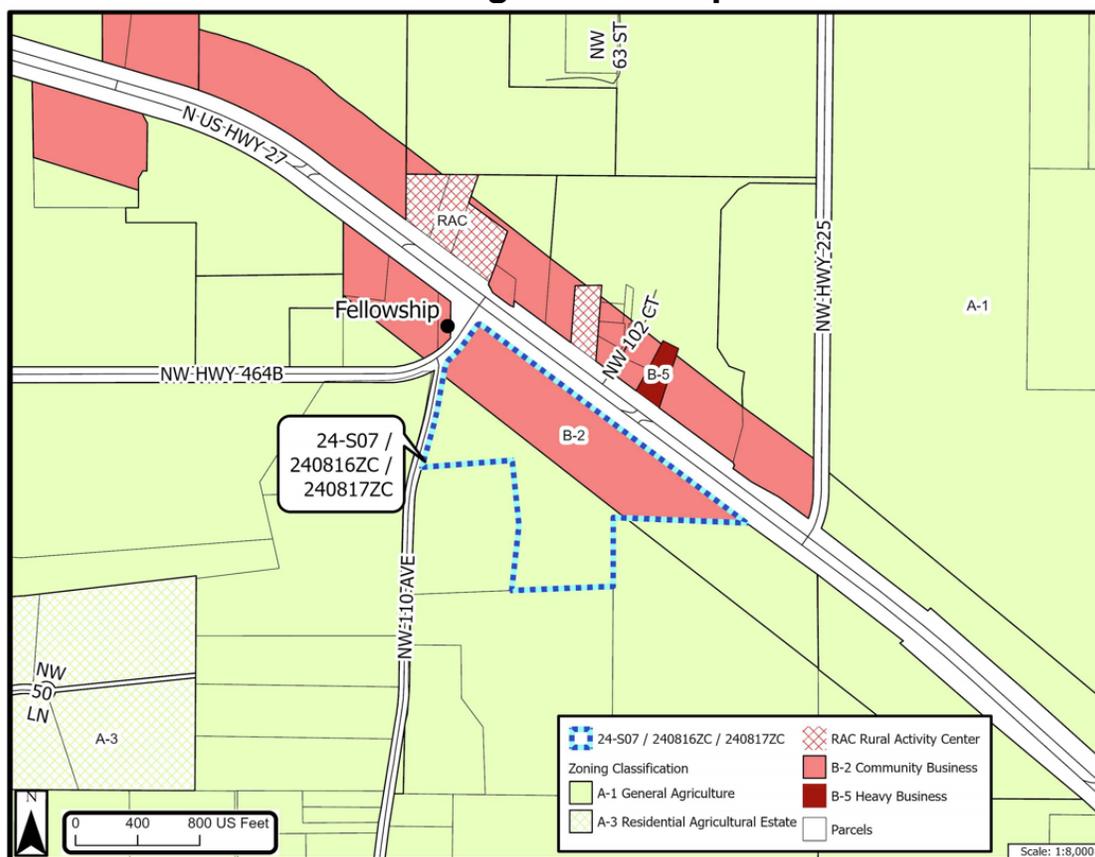
### III. NOTICE OF PUBLIC HEARING

Notice of public hearing was mailed to (16) property owners within 300 feet of the subject property on July 12, 2024. A public hearing notice sign was also posted on the property on July 12, 2024. A public hearing notice for the Planning & Zoning Commission hearing was published in the Star Banner on July 15, 2024. As of the date of the initial distribution of this Staff Report, no correspondence in support of or in opposition to the amendment has been received. Evidence of the public hearing notices are on file with the Growth Services Department and are incorporated herein by reference.

### BACKGROUND/PROPERTY HISTORY

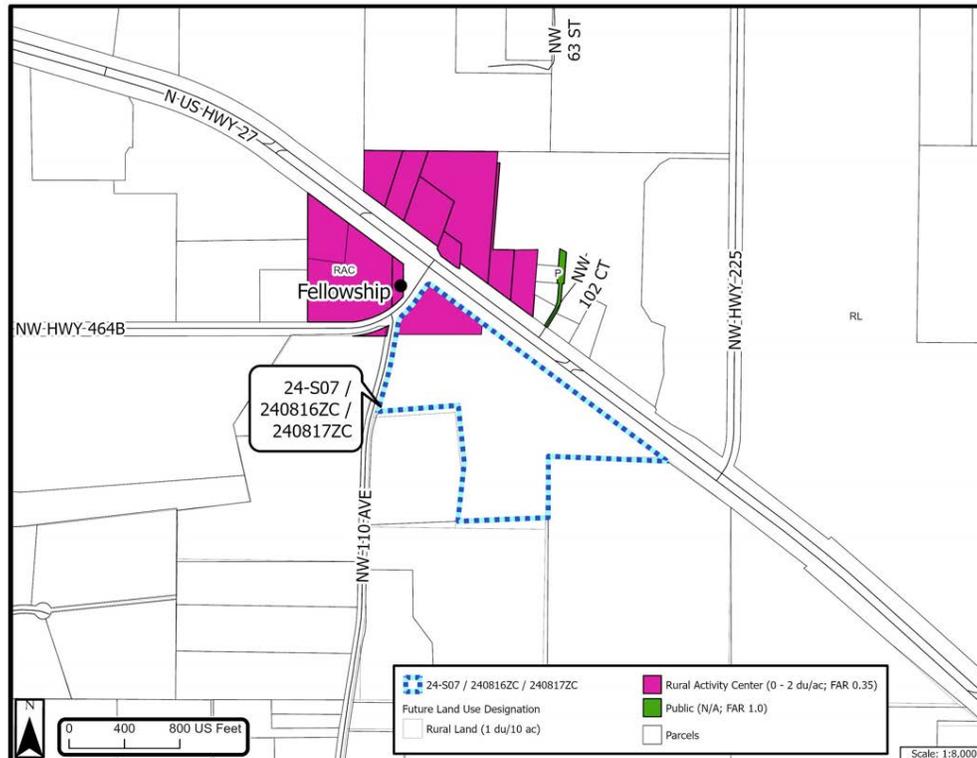
- A. *ZDM history.* Figure 2 shows the subject property is classified General Agriculture (A-1) and Community Business (B-2). This is its initial zoning classification.

**Figure 2  
Zoning District Map**



- B. *FLUMS history.* Figure 3 displays the FLUMS designation of the subject property along with that of the surrounding properties. The subject property currently carries a Rural Land (RL) land use as well as a small portion being Rural Activity Center (RAC). The northwest portion of the subject site is located within a designated Rural Activity Center at the intersection of N US Hwy 27 and NW Hwy 464B.

**Figure 3**  
**Future Land Use Map Series designation**



## IV. CHARACTER OF THE AREA

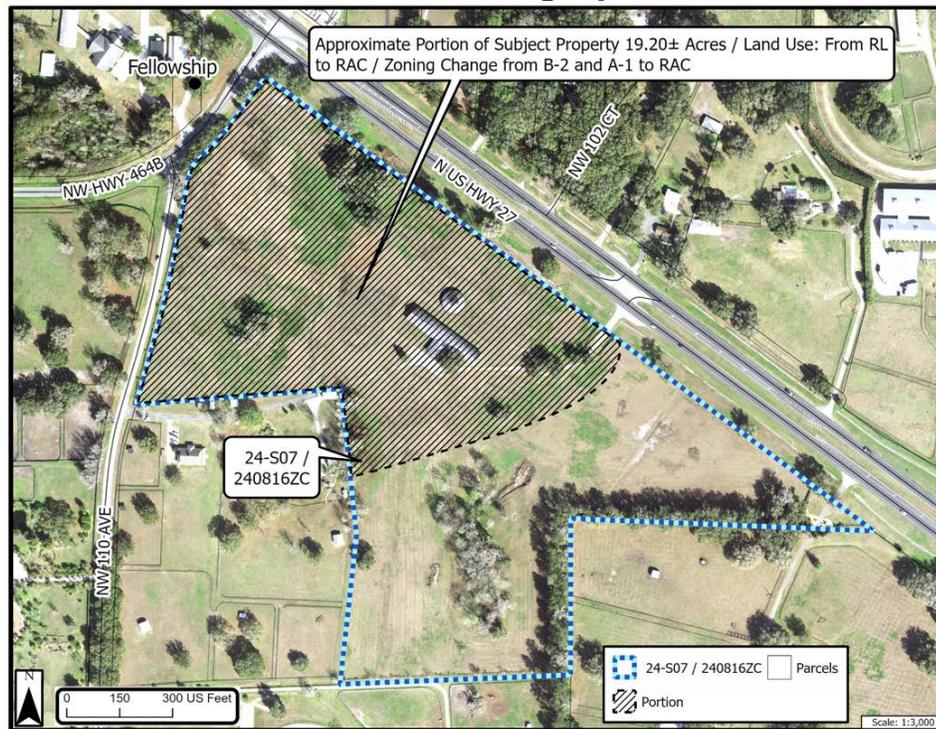
### A. *Existing site characteristics.*

Figure 4, below, is an aerial photograph showing the subject property and surrounding area. The subject property is metes & bounds and not located within a subdivision. The parcel fronts on three roads with approximately 670' fronting NW 110<sup>th</sup> Avenue, 315' on NW Hwy 464B, and over 2000' of frontage on N US Hwy 27. The property card indicates the parcel has a farm office, horse barn, and round pen and is currently served by a well and septic. A lower-lying area on the southern portion of the property appears to be within a FEMA-designated flood zone; however, development is not proposed to take place within that area.

Staff visited the site on July 12, 2024, to post public notice and photograph the property (Attachment B). The parcel is predominantly open pasture area with a few spots where old-growth trees are densely packed within a small area and along the northeastern right-of-way. All properties sitting south of the subject property are Agricultural in use with parcels to the west being the same. Parcels to the north and northeast a mix of Private Institutional (Fellowship Baptist Church), Animal Rescue, and commercial, and parcels to the east are a mix of residential, agriculture, and uses of service to agriculture uses; FL. Vet Association is among the parcels to the east.

The proposed land use change would increase the land within the RAC but not to a point exceeding the 96-acre limitation enforced the Comprehensive Plan. Additionally, the intended use will provide a service to meet the daily needs of the residents in this Rural Area and, as such, will reduce the number of trips to Urban Areas of the county for those needs and services.

**Figure 4**  
**Aerial Photograph**



- B. *Adjacent and surrounding land uses.* Figure 5 is a map based on the Marion County Property Appraisers data showing the existing, adjacent, and surrounding land uses. The subject property is currently designated as Non-Classified Acreage, with much of the western and southern properties being Agriculturally used. The northeast and northwest are the areas where commercial uses are seen mixed in with some smaller parcel residential development.

**Figure 5**  
**Existing and Surrounding Land Uses**

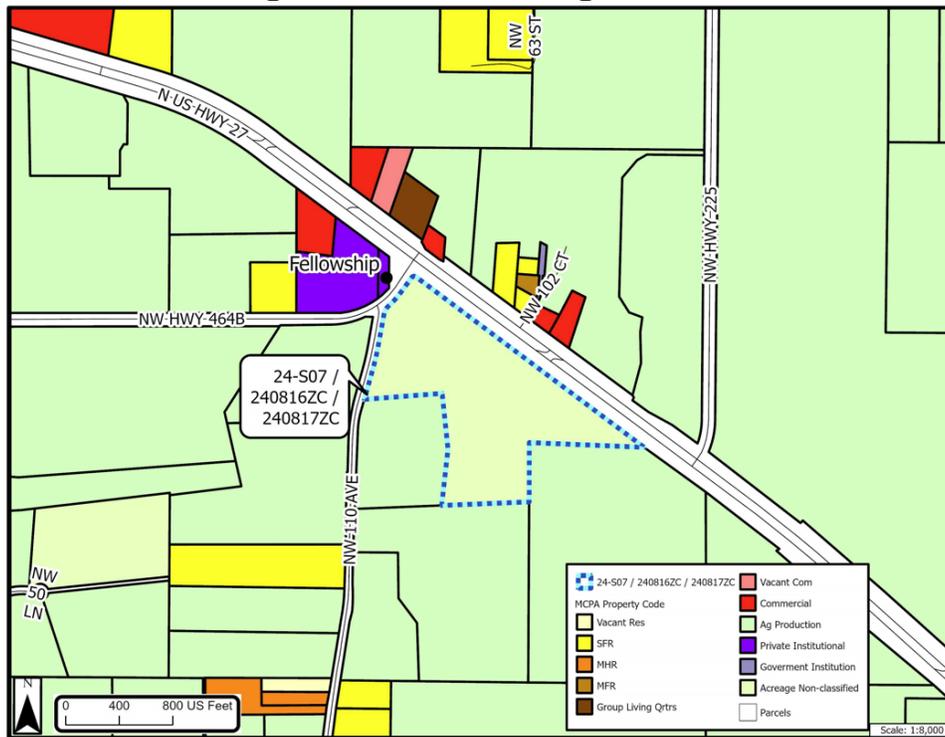
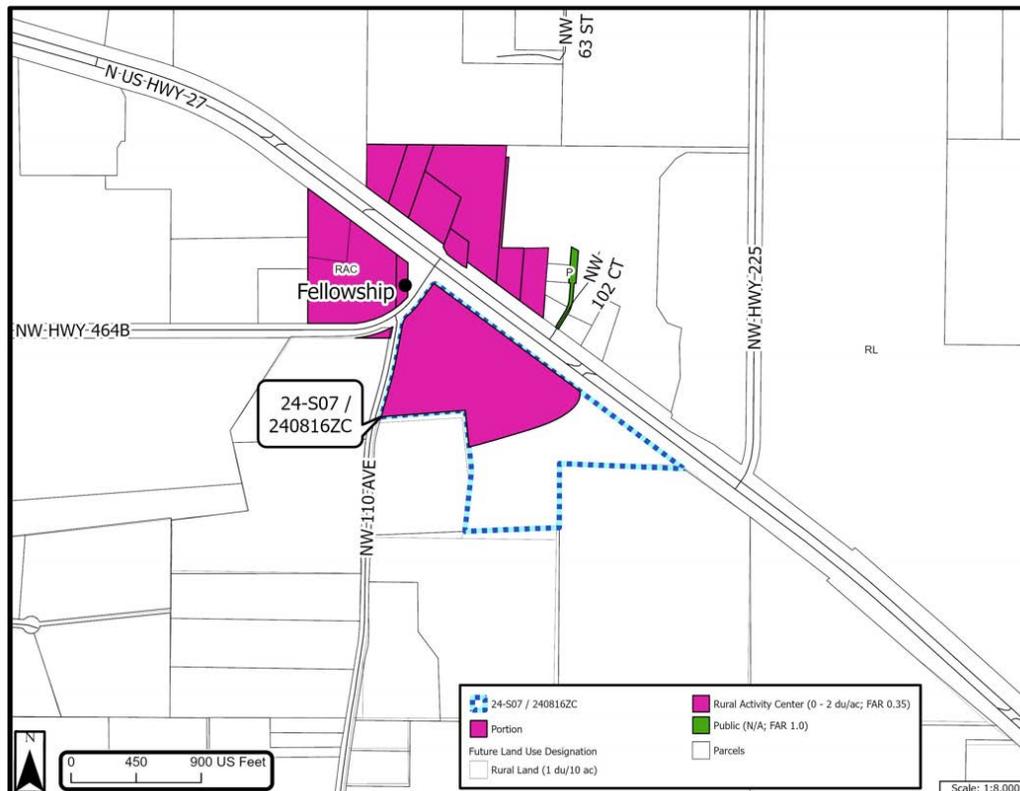


Table 1, below, displays the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

<b>TABLE 1.</b>			
<b>ADJACENT PROPERTY CHARACTERISTICS</b>			
<b>Direction</b>	<b>FLUM Designation</b>	<b>Zoning Classification</b>	<b>Marion County Property Appraiser Existing Use</b>
<b>Subject Property</b>	Rural Land (RL) Rural Activity Center (RAC)	General Agriculture (A-1) Community Business (B-2)	Acreage Non-classified
<b>North</b>	Rural Activity Center (RAC)	Rural Activity Center (RAC) Community Business (B-2)	Charitable Services Commercial Store Grazing Land
<b>South</b>	Rural Land (RL)	General Agriculture (A-1)	Grazing Land
<b>East</b>	Rural Activity Center (RAC) Rural Land (RL)	Rural Activity Center (RAC) Community Business (B-2) Heavy Business (B-5)	Improved Residential Professional Services Grazing Land
<b>West</b>	Rural Activity Center (RAC) Rural Land (RL)	General Agriculture (A-1)	Grazing Land

- C. *Project request.* Figure 6 depicts the FLUMS amendment proposed by this application. Approving the application would change a portion of the Rural land use designation on the property to Rural Activity Center (RAC) allowing the 19.2-acres to develop at a density of 0-2 dwelling units per acre or 0.35 FAR.

**Figure 6**  
**Proposed FLUMS Designation**



## V. ANALYSIS

LDC Section 2.3.3.B requires a Comprehensive Plan Amendment Application to be reviewed for compliance and consistency with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes. Staff's analysis of compliance and consistency with these two decision criteria are addressed below.

### A. *Consistency with the Marion County Comprehensive Plan*

#### 1. Future Land Use Element (FLUE).

a. FLUE Policy 1.1.1: Marion County Planning Principles - The County shall rely upon the following principles to guide the overall planning framework and vision for the County:

1. Preserve, protect and manage the County's valuable natural resources.
2. Recognize and protect the rural equestrian and agricultural character as an asset of the County's character and economy while providing clear, fair and consistent standards for the

review and evaluation of any appropriate future development proposals.

3. Support the livability of the existing cities and towns in the County by planning for the logical extension of development in a manner that enhances the scale, intensity and form of these areas through the introduction of sustainable smart growth principles and joint planning activities.

4. Support economic development through government practices that place a priority on public infrastructure necessary to attract such activities and that foster a local economic development environment that is conducive to the creation and growth of new businesses, the expansion of existing businesses, and is welcoming to private entrepreneur activities.

**Analysis:** The subject site is requesting a land use that will both allow commercial development to support the rural area but also limit the density and intensity to that of Rural Activity Center, the established use and density at this intersection and designated commercial node. The intended use looks to supported economic development by creating new business growth. The application is **consistent** with FLUE Policy 1.1.1.

- b. FLUE Policy 1.1.3: Accommodating Growth - The County shall designate on the Future Land Use Map sufficient area in each land use designation to distribute development to appropriate locations throughout the county. Changes to the Future Land Use Map shall be considered in order to accommodate the existing and projected population and its need for services, employment opportunities, and recreation and open space while providing for the continuation of agriculture activities and protection of the environment and natural resources.

**Analysis:** This change looks to expand the RAC land use on a property that already has a small portion within this designation. When the RAC node was established in the area, some parcels were already being used residentially or otherwise already, meaning the RAC designation could not fully develop on the acreage granted the designation. This parcel looks to increase the size of the RAC in order to create a space to provide goods and services for the local area without forcing those who are not using their RAC designation to relocate or change their use. This application is **consistent** with FLUE Policy 1.1.3.

- c. FLUE Policy 1.1.7: Discourage Strip Commercial and Isolated Development - The County shall discourage scattered and highway strip commercial development by requiring the development of such uses at existing commercial intersections, other commercial nodes, and mixed-use centers with links to the surrounding area.

**Analysis:** The proposed amendment intends to change 15.75-acres of Rural Land to Rural Activity Center, the remaining 3.25-acres of 19.2-acre request already have the RAC land use being requested. The parcel sits at an intersection and within a node of RAC land use. This amendment encourages development in an area deemed appropriate based on the Comprehensive Plan. This application is **consistent** with FLUE Policy 1.1.7.

- d. FLUE Policy 2.1.6: Protection of Rural Areas - Rural and agricultural areas shall be protected from premature urbanization and a vibrant rural economy shall be encouraged outside the UGB and Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development such as within the UGB and PSAs.

**Analysis:** This application looks to encourage a vibrant rural economy while protecting the area from premature urbanization by limiting development to that permitted with RAC. Additionally, this limitation protects from incompatible commercial development more appropriate for a Commercial area within the UGB or PSA. The application is **consistent** with FLUE Policy 2.1.6.

- e. FLUE Policy 2.1.21: Rural Activity Center (RAC) - This land use designation allows for mixed use nodes of residential (single-family and multi-family) and commercial uses, including agricultural-related commercial uses to meet the daily needs of residents in the Rural Area to reduce trips to the Urban Areas of the county for daily needs and services. This designation shall be located at intersections of arterial, collector, and/or major roads and extend no greater than one-quarter (1/4 mile) or 1,320 linear feet from the center of the RAC for a maximum of 96 acres. For the Summerfield RAC which includes an off-set major road intersection pair (S. Hwy 301/SE 145th Street & S. Hwy 301/SE 147th Street) and lies west of the CSX Railroad Line, the one-quarter (1/4 mile) or 1,320 linear feet from the center may be measured from either major road intersection and extend east along SW 147th Street to the CSX Railroad Line. The maximum acreage of the Summerfield RAC is not to exceed 125 acres. New RACs shall have at least three existing businesses and be at least five (5) miles from other RACs, as measured from the center of the RAC, unless it can be demonstrated that eighty-five (85) percent of the RAC is developed. In order to minimize development impacts to the surrounding Rural Area, properties in the RAC shall be designed to provide shared access, obtain access from the lesser road class, and minimize impacts to the operations of the intersection, and compatibility concerns for the surrounding properties. The density range shall be up to two (2) dwelling units per one (1) gross acre and maximum Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation a Rural land use designation.

**Analysis:** The intent of RAC is to provide mixed use nodes of residential and commercial with the commercial focusing on agriculture related goods and services to serve the rural community in the surrounding area. This land use amendment to RAC application is requesting to add additional RAC land use to the existing node of RAC. The parcel is located at an intersection of a state road and two collector roads. Additionally, the land use change does not look to extend past the maximum 1,320 linear feet from the center of the existing RAC or exceed the 96-acre maximum as provided in the Comprehensive Plan. This site is **consistent** with FLUE Policy 2.1.21 and the intent of Rural Activity Center land use.

- f. FLUE Policy 3.1.4 on Rural Areas outside the UGB provides, “The lands outside of the UGB shall generally be referred to as the Rural Area and development in this area shall be guided by the following principles and as further defined in the LDC:
1. Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
  2. Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area.
  3. Establish a framework for appropriate future opportunities and development options including standards that address the timing of future development.
  4. Create a focused strategy for the regulation of mining and resource extraction activity.
  5. Allow for new Rural Land and Rural Activity Center Future Land Use designations with a Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the LDC.

**Analysis:** The application provided looks to amend a portion of the property's land use (and subsequently, zoning) to RAC. This policy provides the ability to do this provided the need is there and the principles provided are met. The proposed development looks to provide agriculture related goods and services to the rural surrounding area which will reduce drive time for residents in need of the supplies being sold, create new jobs to be filled, support the operation of farms and the rural nature of the area, and support the existing RAC. The request being made with this application meets the criteria above and is **consistent** with FLUE Policy 3.1.4.

- g. FLUE Policy 5.1.2 on Review Criteria – Changes to the Comprehensive Plan and Zoning Provides, “Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review, and decide that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive

Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

1. Market demand and necessity for the change;
2. Availability and potential need for improvements to public or private facilities and services;
3. Allocation and distribution of land uses and the creation of mixed-use areas;
4. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
5. Agricultural activities and rural character of the area;
6. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
7. Consistency with the UGB;
8. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
9. Compatibility with current uses and land uses in the surrounding area;
10. Water Supply and Alternative Water Supply needs; and
12. Concurrency requirements.

**Analysis:** A market demand and necessity for change was provided for staff to review (Attachment C). The site is located at the intersection of two collector roads and a state highway in a node intended for commercial type services to support the rural area. The RAC statement of market demand and necessity states, "The current RAC encompasses approximately 32.8 acres, which is well below the Comprehensive Plan maximum of 96 acres.... Business uses account for ±23.7 acres, and the remaining ±9.1 acres consist of horse farms, vacant land, and the subject property which is not currently in use. Within the RAC's current footprint, there is a commercial utilization rate (not including horse farms) of ±72.26%...Once the subject property's RAC portion is expanded and utilized, the utilization rate for commercial property within this RAC will be ±87.18%." Roughly nine acres of the RAC designation are being used in a way that is not commercial in nature, these uses most likely predate land use and zoning altogether which allows them to continue; However, in protecting the rights of these properties, the opportunity for utilization of the RAC is reduced. This expansion will allow those individuals to keep their existing uses while also allowing the RAC to grow and improve, doing so in a location consistent with the Comprehensive Plan that discourages urban sprawl. The application is **consistent** with FLUE Policy 5.1.2.

- h. FLUE Policy 5.1.3 on the Planning & Zoning Commission (P&Z) provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board."

**Analysis:** This application is scheduled to appear in front of the Planning & Zoning Commission on July 29, 2024. This application is **consistent** with FLUE Policy 5.1.3.

- i. FLUE Policy 5.1.4 on Notice of Hearing provides, “[t]he County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

**Analysis:** Public notice has been provided as required by the LDC and Florida Statutes, and therefore the application is being processed **consistent** with FLUE Policy 5.1.4.

2. Transportation Element (TE)

- a. TE Policy 2.1.4 on Determination of Impact provides in part, “[a]ll proposed development shall be evaluated to determine impacts to adopted LOS standards.”

**Analysis:** DRC comments (Attachment D) provided by Traffic state the following, “Recommend Denial – There is no traffic information provided. The Code requires a traffic analysis be submitted with a comprehensive plan amendment. A traffic methodology must be reviewed and approved prior to submitting the traffic analysis. Changing the Land use to allow for RAC uses on the ensure 34-acre parcel will significantly increase the traffic generating potential of this site.” The application submitted for review was not for the entire parcel but rather a portion of it to be developed at a maximum, of .35 FAR as permitted by RAC. While the Traffic methodology and impact analysis was not provided with the application, it is a requirement of the major site plan process and will not be able to develop without providing this information. When a site plan is submitted with intent to develop the property, then a traffic impact assessment or traffic study will be submitted to determine the impact to the local road network and any off-site improvements needed. Based on the above findings, the application is **not consistent** with TE Policy 2.1.4.

- b. TE Objective 3.1 on Financial Feasibility of Development is, “[t]o encourage development within the Urban Growth Boundary where infrastructure can be provided in a financially feasible manner.”

**Analysis:** The subject property is not located inside the UGB; However, it is located in a RAC designated node with roadways capable of supporting traffic generated. Based on the above, the application is **consistent** with TE Objective 3.1.

3. Sanitary Sewer Element (SSE)

- a. SSE Policy 1.1.1 provides in relevant part, “The LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand is adopted as the basis for future facility design, determination of facility capacity, and documentation of demand created by new development. This LOS shall be applicable to central sewer facilities

and to package treatment plants but shall not apply to individual OSTDS.”

**Analysis:** Due to the Rural nature of the area, Utilities are not immediately available to this site. This LOS standard would not be applicable to this application as it would be served by an OSTDS.

4. Potable Water Element (PWE)

- a. PWE Policy 1.1.1 provides in part, “[t]he LOS standard of 150 gallons per person per day (average daily consumption) is adopted as the basis for future facility design, determination of available facility capacity, and determination of demand created by new development with regard to domestic flow requirements, and the non-residential LOS standard shall be 2,750 gallons per acre per day.”

**Analysis:** Staff finds that based on the proposed non-residential change in land use, this application has the potential to increase demand up to 52,800 gallons per day. As mentioned above, infrastructure doesn’t currently extend to this area and the site would be served by well. Based on these findings, the application would be **consistent** with PWE Policy 1.1.1.

5. Solid Waste Element (SWE)

- a. SWE Policy 1.1.1 provides, “[t]he LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. This LOS standard shall be used as the basis to determine the capital facilities or contractual agreements needed to properly dispose of solid waste currently generated in the County and to determine the demand for solid waste management facilities which shall be necessitated by future development.”

**Analysis:** The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Based on the above findings, the application is **consistent** with SWE Policy 1.1.1.

6. Stormwater Element (SE).

- a. SE Policy 1.1.4 provides, “[t]he demand for stormwater facility capacity by new development and redevelopment shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the applicable design storm LOS standard adopted in Policy 1.1.1 and facility design procedures consistent with accepted engineering practice.”

**Analysis:** At the time of development order approval, the owner will need to demonstrate that post-development stormwater runoff can be accommodated by the stormwater facilities proposed during development review. Based on the above, the application is **consistent** with SE Policy 1.1.4.

- b. SE Policy 1.1.5 provides, “Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development.”

**Analysis:** The owner is advised they will be responsible for funding the stormwater facilities with sufficient capacity to accommodate the post-development runoff. Based on the above findings, the application is **consistent** with SE Policy 1.1.5.

7. Public School.
- a. The following figures are provided for the 60<sup>th</sup> day of enrollment for the 2023-2024 school year: Fessenden Elementary (102.57%), Howard Middle (65.21%), West Port High School (116.83%). While there are areas of overcrowding, overall, there is capacity within Marion County Schools. Based on the above findings, the proposed development would not adversely affect public interest. Therefore, it is concluded that the application is **consistent** with this section.
8. Fire Rescue/emergency.
- a. Meadowood Farms Fire Station #12, located at 120 NW 110<sup>th</sup> Avenue, is roughly four miles southwest of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services. Based on the above findings, the application is **consistent** with this section.

In summation, staff concludes that the application, while meeting some of the above criteria, is **consistent** with the Comprehensive Plan.

B. *Consistency with Chapter 163, Florida Statutes.*

1. Section 163.3177(6)(a)8 provides, “Future land use map amendments shall be based upon the following analyses:
- a. An analysis of the availability of facilities and services.
- b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
- c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.”

**Analysis:** Section A of this staff report included a detailed analysis of the availability of facilities and services, and drew the following conclusions: The infrastructure needed to support a Rural Activity Center use already exists in the area. Given that the parcel already possesses the desired land use for a portion of the property, the land use requested is appropriate for the area and would be compatible. RAC nodes are limited to 96 acres, this request would, if approved, only put this RAC at 48.83-acres which is well within the maximum allowable area. Based on this information, the application **complies with and conforms to** F.S. Section 163.3177(6)(a)8a.

The analysis of the suitability of the plan amendment for its proposed use was addressed in the “Character of the area” section of this staff reports and it was found that the application **complies with and conforms to** F.S. Section 163.3177(6)(a)8b.

The analysis of the minimum amount of land needed to achieve the goals and requirements of this section was addressed in the analysis of FLUE Policies. Therefore, the application **complies with and conforms to** F.S. Section 163.3177(6)(a)8c.

2. Section 163.3177(6)(a)9 provides, “[t]he future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
  - a. Subsection ‘a’ provides, “[t]he primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
    - (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
    - (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
    - (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
    - (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
    - (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
    - (VI) Fails to maximize use of existing public facilities and services.
    - (VII) Fails to maximize use of future public facilities and services.
    - (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
    - (IX) Fails to provide a clear separation between rural and urban uses.
    - (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
    - (XI) Fails to encourage a functional mix of uses.

- (XII) Results in poor accessibility among linked or related land uses.
- (XIII) Results in the loss of significant amounts of functional open space.

**Analysis:** Staff finds the proposed amendment does not meet the the indicators provided above and is **consistent** with F.S. Section 163.3177(6)(a)9a as the application does not encourage urban sprawl.

- b. Subsection 'b' provides, "[t]he future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
  - (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
  - (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
  - (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
  - (IV) Promotes conservation of water and energy.
  - (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
  - (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
  - (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
  - (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164."

**Analysis:** Staff finds the proposed amendment is directing growth to an area that will not have adverse impacts or harm the surrounding natural ecosystem. It promotes the use of existing infrastructure and the preservation of the agricultural area. The Rural Activity Center designation would provide goods and services for the nearby surrounding rural area in a node designated for such uses. Based on this finding, the proposed amendment is **consistent** with F.S. Section 163.3.177(6)(a)9b.

## VI. ALTERNATIVE ACTIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the proposed small-scale FLUMS amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

## VII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **APPROVE** the proposed small-scale FLUMS amendment number 24-S07 because the application **is consistent with**:

- A. The Marion County Comprehensive Plan, specifically with:
  1. FLUE Policies 1.1.1, 1.1.3, 1.1.7, 2.1.6, 2.1.21, 3.1.4, 5.1.2, 5.1.3, 5.1.4
  2. TE Objective 3.1
  3. SSE Policy 1.1.1
  4. PWE Policy 1.1.1
  5. SE Policies 1.1.4 and 1.1.5

While the application is not consistent with TE Policy 2.1.4, planning staff views the consistency with the other policies to outweigh this issue because the traffic impact analysis or traffic study will have to be submitted and approved prior to the development of the site.

And **complies with and conforms to**:

- B. The Florida Statutes, specifically with:
  1. F.S. Section 163.3177(6)(a)8, subsection a, b, and c
  2. F.S. Section 163.3.177(6)(a)9, subsections a and b

## **VIII. PLANNING & ZONING COMMISSION RECOMMENDATION**

Approval (on consent).

## **IX. BOARD OF COUNTY COMMISSIONERS ACTION**

To be determined.

## **X. LIST OF ATTACHMENTS**

- A. Application.
- B. Site Photos.
- C. RAC Statement of Need.
- D. Development Review Committee Comments.
- E. Surrounding Property Owners Notification.