



**Marion County  
Board of County Commissioners**

**Growth Services**

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>P&amp;Z Date: 6/30/2025</b>	<b>BCC Date: 7/21/2025</b>
<b>Case Number</b>	250705ZC
<b>CDP-AR</b>	32749
<b>Type of Case</b>	<b>Rezoning</b> from General Agriculture (A-1) to Recreational Vehicle Park (P-RV)
<b>Owner</b>	Raymond Rains for the Estate of John Rains Sr.
<b>Applicant</b>	Sunkissed RV Resort / James Gooding III
<b>Street Address/Site Location</b>	No Address Assigned
<b>Parcel Number(s)</b>	45984-000-00
<b>Property Size</b>	±20.27 Acres
<b>Future Land Use</b>	Rural Land (RL)
<b>Existing Zoning Classification</b>	General Agriculture (A-1)
<b>Overlays Zones/Special Areas</b>	Secondary Springs Protection Zone (SSPZ)
<b>Staff Recommendation</b>	<b>Approval</b>
<b>P&amp;Z Recommendation</b>	<b>Approval</b>
<b>Project Planner</b>	Kenneth Odom, Senior Planner/Transportation Planner
<b>Related Cases</b>	Companion Case: 25-S09 Land Use Amendment from Rural Land (RL) to Commercial (COM)



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application.

## III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (10 owners) within 300 feet of the subject property on F 7, 2024. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on June 20, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on May 12, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

## IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

### A. *How is the request compatible with surrounding uses?*

Compatibility is defined as a condition in which land uses, or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is a general location aerial displaying existing and surrounding site conditions.

Figure 2 shows the subject property as well as the adjacent and surrounding properties to the south, north and west are designated as Rural Land (RL). Properties to the east are designated as Commercial (COM). The property is outside of the urban growth boundary and within the Secondary Springs Protection Zone. The proposed companion land use amendment would serve as an extension to an established use and would be compatible with the surrounding area.

### B. *How does the proposed Development Agreement impact the compatibility?*

The applicant proposes a development agreement with this zoning change to create a conditional zoning. This is not a Chapter 163 Developer's Agreement but rather an agreement that is attached to the zoning change and recorded with the



Clerk of Court to be found with a title search. The proposed development agreement offers five items related to this parcel and they are as follows. 1) limits the use to only be an expansion of the existing Sunkissed Village RV Resort. 2) Modifies the buffers on the west and north boundary from a Type D buffer to a modified Type D buffer that adds a berm to the Type D buffer, the applicant worked with the neighbors for the buffers. 3) Further limits the lighting on the property to reduce glare on neighboring properties, the existing LDC does not allow for light to be cast off-site. This proposal requires two types and heights of lighting which ultimately will allow common areas to be lit while reducing light pollution. 4) The proposed RV park will not have access to SE 80<sup>th</sup> Avenue. 5) To amend or eliminate this proposed development agreement the subject property will be required to undergo a zoning change with public notice. Ultimately the proposed agreement conditions offered by the applicant will reduce impacts to surrounding properties.

**Figure 2**  
**FLUMS Designation**

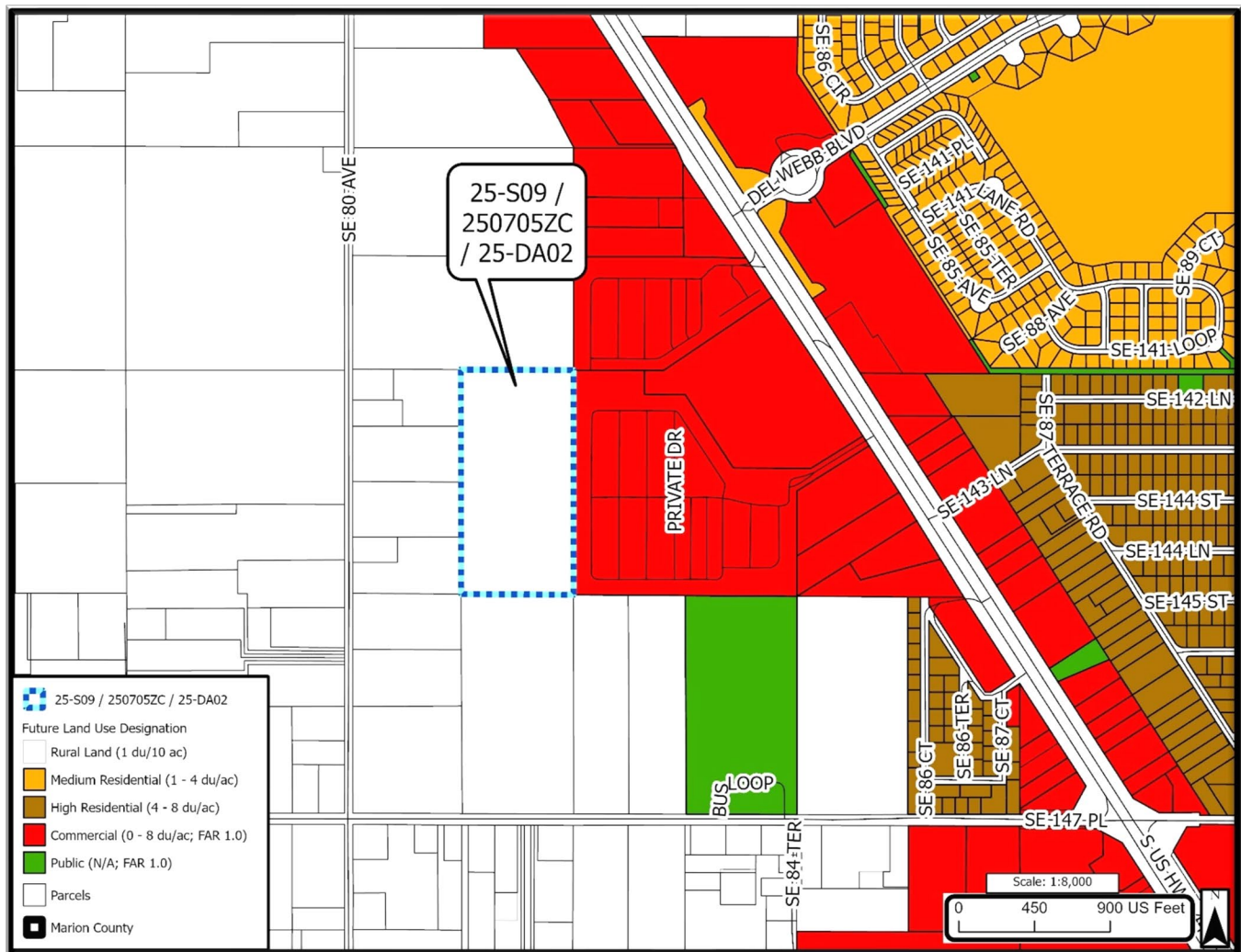


Figure 3 displays the zoning for the subject property in relation to the existing zoning of the surrounding properties and Figure 4 shows the proposed zoning. While the subject parcel is currently zoned as General Agriculture (A-1), and is adjacent to other parcels of identical zoning, the proposed rezoning would serve as an extension to an established Recreational Vehicle Park (P-RV).

The site is located outside of the Urban Growth boundary and within the Secondary Springs Protection Zone. However, it is in proximity to a rapidly urbanizing area within the southern portion of Marion County near Spruce Creek Country Club, The Villages. Orange Blossom Hills and the commercial corridors that serve these communities. Additionally, Figure 5 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). Many nearby uses of the subject parcels are intended for expansion areas of light and medium zoning intensities by zoning designation and land use.

**Figure 3.**  
**Zoning Classification**

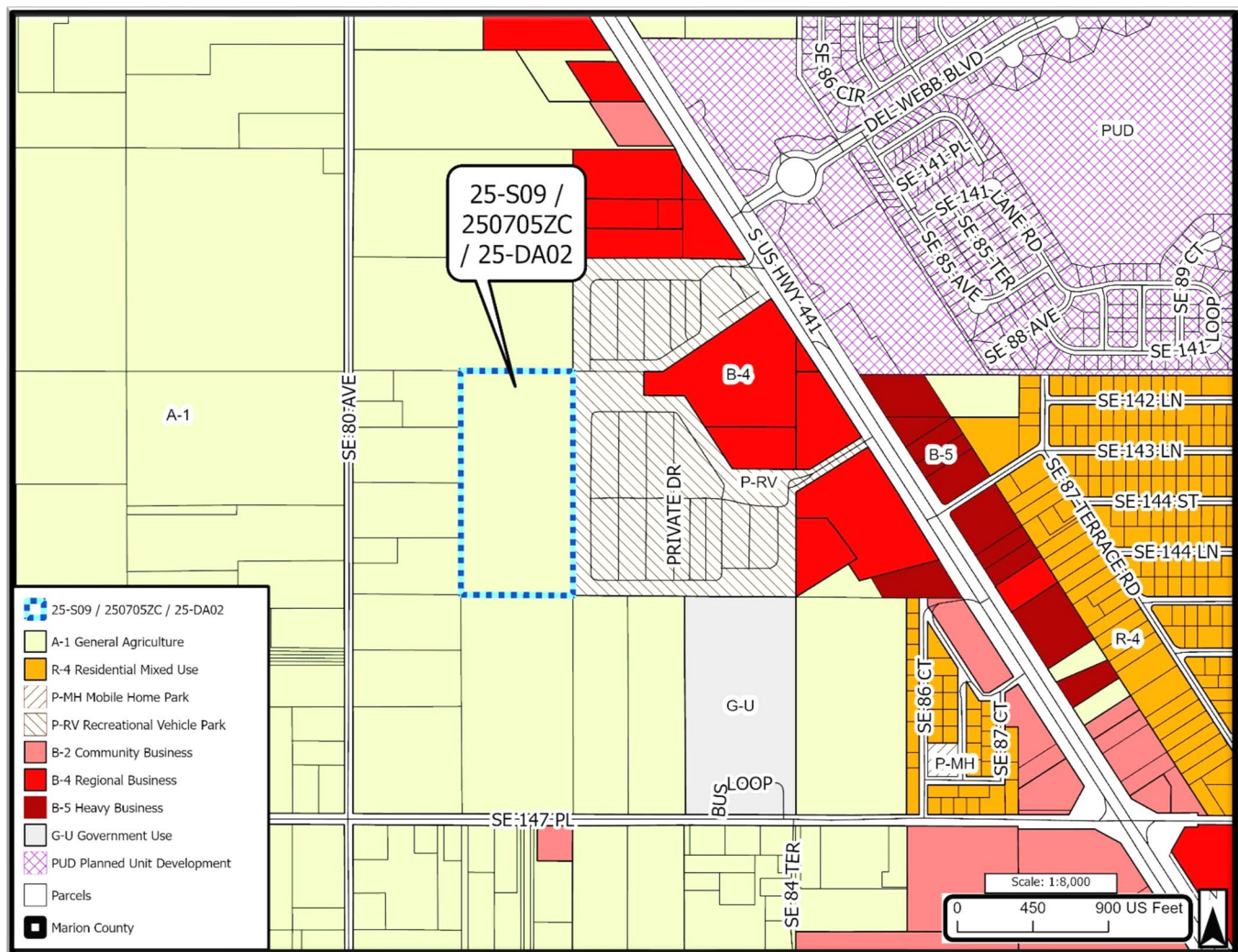
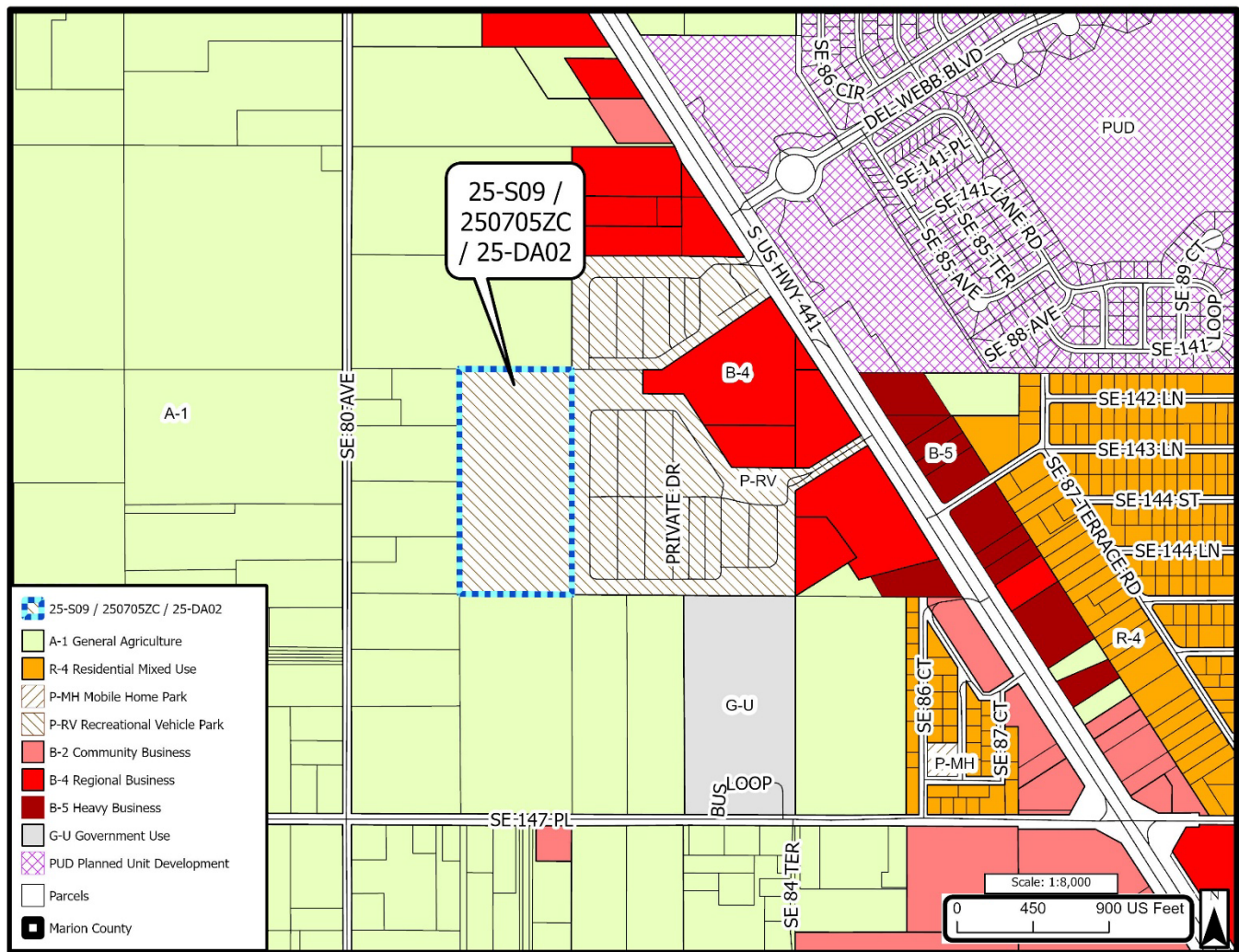




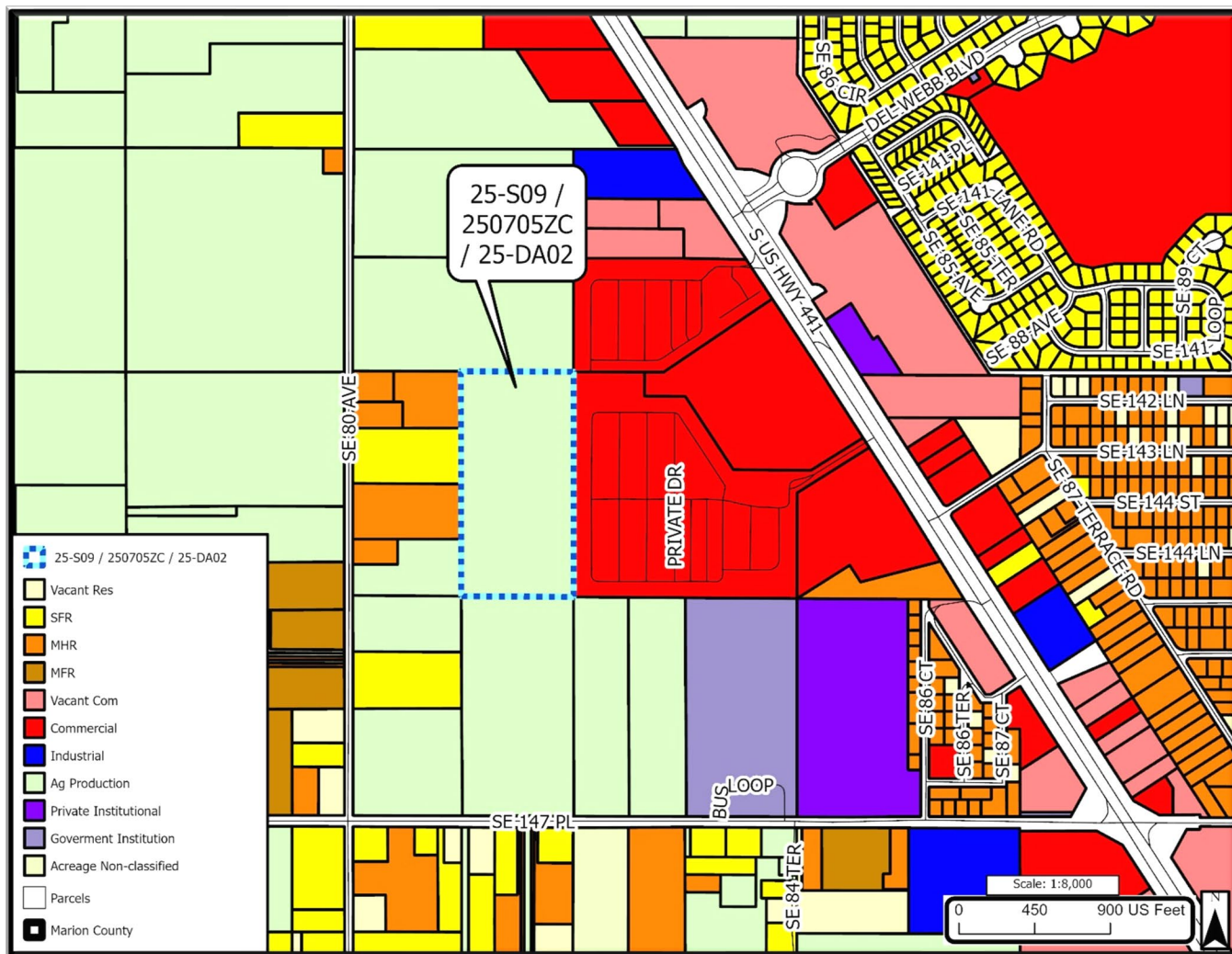
Figure 5 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

Table A displays the information of Figures 2, 3, and 5 in tabular form. Consistent with LDC Section 2.7.3.D, staff conducted a site visit and finds the subject property undeveloped at this time. Surrounding properties consist of residential uses to the west, agriculture/residential to the south, RV parks to the east and northeast, RV sales east adjacent to US 441 and agricultural use to the north.

**Figure 4.**  
**Proposed Zoning Classification**



**Figure 5.**



<b>Direction</b>	<b>FLUM Designation</b>	<b>Zoning Classification</b>	<b>Existing Use per Property Appraiser Code</b>
<b>North</b>	Rural Land (RL)	General Agriculture (A-1)	Grazing Class IV (63)
<b>South</b>	Rural Land (RL)	General Agriculture (A-1)	Grazing Class V (64)
<b>East</b>	Commercial (COM)	Recreational Vehicle Park (P-RV)	Camps/Campgrounds (36)

<b>West</b>	Rural Land (RL)	General Agriculture (A-1)	Improved Residential (01) Improved Mobile Home (02)
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Figure 5 provided by the Marion Property Appraiser's Office

Based on the above findings, the proposed rezoning application **is compatible** with the existing and future surrounding land uses. This area has been designated for heavy and intensive commercial/industrial activities.

*How does the request affect the public interest?*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
  - a. Roadways. US 441 will serve as the primary access corridor for operations at this location. No other potential connections for vehicular access are immediately available. However, the proposed use is not a high-volume trip generator and US 441 has a capacity of 38,430 trips per day with approximately 33,300 trips currently utilized now. That is an approximate capacity use of eighty-seven percent (87%).
  - b. Public transit. There are no fixed route services in the area.
  - c. Other mobility features. Sidewalks do not currently exist along the US 441 corridor and are not planned at this time. In this area, pedestrian need is not expected to be generated by this use. Therefore, the application would not adversely affect the public interest.

Based on the above findings, the rezoning roadway **impacts would not adversely affect the public interest.**

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand.

The property is within the Marion County Utilities' Service Area and within the current connection distance. The proposed use is a commercial activity that is projected to use approximately 55,743 gallons of water per day. Based on the above findings, the rezoning's **potable water impacts would not adversely affect the public interest.**



3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a 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.

The property is within the Marion County Utilities' Service Area and within current connection distance. The proposed activity at this location would generate approximately 40,540 gallons of sewage each day. Based on the above findings, the rezoning's **sanitary sewer impacts would not adversely affect the public interest.**

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. A commercial/industrial level of service standard is not currently in place for Marion County as such operations are required to provide for individual commercial collection wherein disposal within Marion County is alternatively addressed. Based on the above, the rezoning **solid waste impacts would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. A commercial/industrial level of service standard is not currently in place for Marion County, but the proposed use would include additional amenities as part of the RV park use such as Bocce, shuffleboard and a pool with a clubhouse. Based on the proposed zoning, the rezoning **recreation impacts would not adversely affect the public interest.**

6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any FEMA identified flood plain areas or Marion County identified flood prone areas. Any new development resulting in additional impervious features on the site will be required to comply with a 100-year frequency 24-hour duration design storm as the site development proceeds through Marion County's site development review processes. Based on the above, the rezoning **stormwater/drainage impacts would not adversely affect the public interest.**

7. Fire rescue/emergency services. The site is officially located in the service district for Marion County's Spruce Creek Fire Station #30, located at 7990 SE 135<sup>th</sup> Street, approximately 1.12 miles north of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the rezoning **fire rescue/emergency impacts would not adversely affect the public interest.**

8. Law enforcement. The Marion County Sheriff's Department The Villages/South Marion District Office is located approximately 2.33 miles

south of the subject property at 629 NW 30<sup>th</sup> Avenue. The Comprehensive Plan does not establish a level of service standard for law enforcement services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the application's **law enforcement impacts would not adversely affect the public interest.**

9. Public schools. The proposed rezoning is commercial in nature and will not generate new students. Therefore, the application's **public-school impacts would not adversely affect the public interest.**

In summation, when weighing the totality of the circumstances, **the public interest is not adversely affected.**

C. *How is this request consistent with the Comprehensive Plan?*

FLUE Policy 1.1.6: Buffering of Uses requires new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties as defined in the LDC.

Analysis: The subject parcels are currently undeveloped but will be subject to all buffering requirements per the Marion County Land Development Code. All buffer requirements will be reviewed and approved through the site development process and subject to approval by the Development Review Committee.

Policy 2.1.22: This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Analysis: The proposed rezoning will be compatible with the site's proposed small scale land use amendment change application to the Commercial (COM) future land use designation. The requested P-RV zoning is being requested in order to assign the correct zoning designation to accommodate the proposed use of Recreational Vehicle Park. The proposed rezoning is consistent with FLUE Policy 2.1.22.

FLUE Policy 5.1.3 on Planning and Zoning Commission 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: The proposed zoning change is scheduled for June 30, 2025, Planning and Zoning Commission and, therefore, the application is consistent with this FLUE Policy 5.1.3.

FLUE Policy 5.1.4 on Notice of Hearing provides, “The 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.

FLUE Policy 7.4.3 (P/SSPZ) Permitted Uses provides that the County shall implement and maintain an LDC to identify permitted and special uses to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.

Analysis: The site is within the Countywide Secondary Springs Protection Zones wherein specific design standards, focused on stormwater management, may be required Approval of the requested P-RV zoning for the subject property will control the range of uses for the site, while remaining eligible uses will require implementation of SPZ design standards, particularly depending on soil and subsurface characteristics and/or FDEP requirements. Compliance with the LDC’s site and development standards to stormwater impacts for the site under the P-RV zoning would be consistent with FLUE Policy 7.4.3.

Transportation Element (TE) Policy 2.1.4 on determination of impact provides in part “All proposed development shall be evaluated to determine impacts to adopted LOS standards.”



Analysis: The rezoning site is currently unimproved and will be required to submit a traffic methodology to determine the appropriate level of analysis that will be necessary for the development of the subject parcels. Staff concludes the proposed rezoning will be consistent with TE Policy 2.1. 4..

Based on the above findings, the proposed rezoning **is consistent with the Comprehensive Plan.**

## V. 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 **DENY** the rezoning amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support a recommendation for the approval of the Ordinance, and make a recommendation to adopt a proposed Ordinance to **APPROVE** the rezoning amendment.
- C. 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 **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.

## VI. STAFF RECOMMENDATION

Staff recommends the Board 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 **APPROVE** the proposed rezoning because the application:

- A. Will not adversely affect the public interest as the impacts to public utilities and infrastructure would be minimal.
- B. Is consistent with the Comprehensive Plan provisions because it in compliance will all considered elements of the comprehensive plan and land development codes.
- C. Is compatible with the surrounding uses because the proposed zoning would allow rezoning of a parcel to a more intense use that is still consistent with adjacent uses.

## VII. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval, 3-1

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

To be determined.

## **IX. LIST OF ATTACHMENTS**

- A. Rezoning application filed
- B. Site and Area Photographs
- C. DRC Comments
- D. Development Agreement
- E. Conceptual Plan