



**Marion County
Board of County Commissioners**

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 05/28/2025	BCC Date: 06/16/2025
Case Number	25-S07
CDP-AR	32663
Type of Case	Future Land Use Map Series (FLUMS) amendment from Public (P) to Medium Residential (MR).
Owner	Sandy Clay, LLC
Applicant	Tillman & Associates Engineering, LLC.
Street Address	No Address Assigned
Parcel Number	37896+000-01
Property Size	± 15.52 acres
Future Land Use	Public (P)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), Primary Springs Protection Overlay Zone (P-SPOZ)
Staff Recommendation	APPROVAL
P&ZC Recommendation	TBD
Project Planner	Kathleen Brugnoli, Planner
Related Case(s)	250605ZP – Zoning change from General Agriculture (A-1) to Planned Unit Development (PUD).

I. ITEM SUMMARY

Tillman & Associates Engineering, LLC., acting as agent for the property owner, Sandy Clay, LLC., has filed a Small-Scale Future Land Use Map Series (FLUMS) amendment application to change the land use designation of a ± 15.52 -acre site located on SE 92nd Loop (Attachment A). The applicant seeks to change the Future Land Use designation from Public (P), which doesn't allow for residential development to a Medium Residential (MR) land use, which allows for 1-4 dwelling units per acre (see Attachment A).

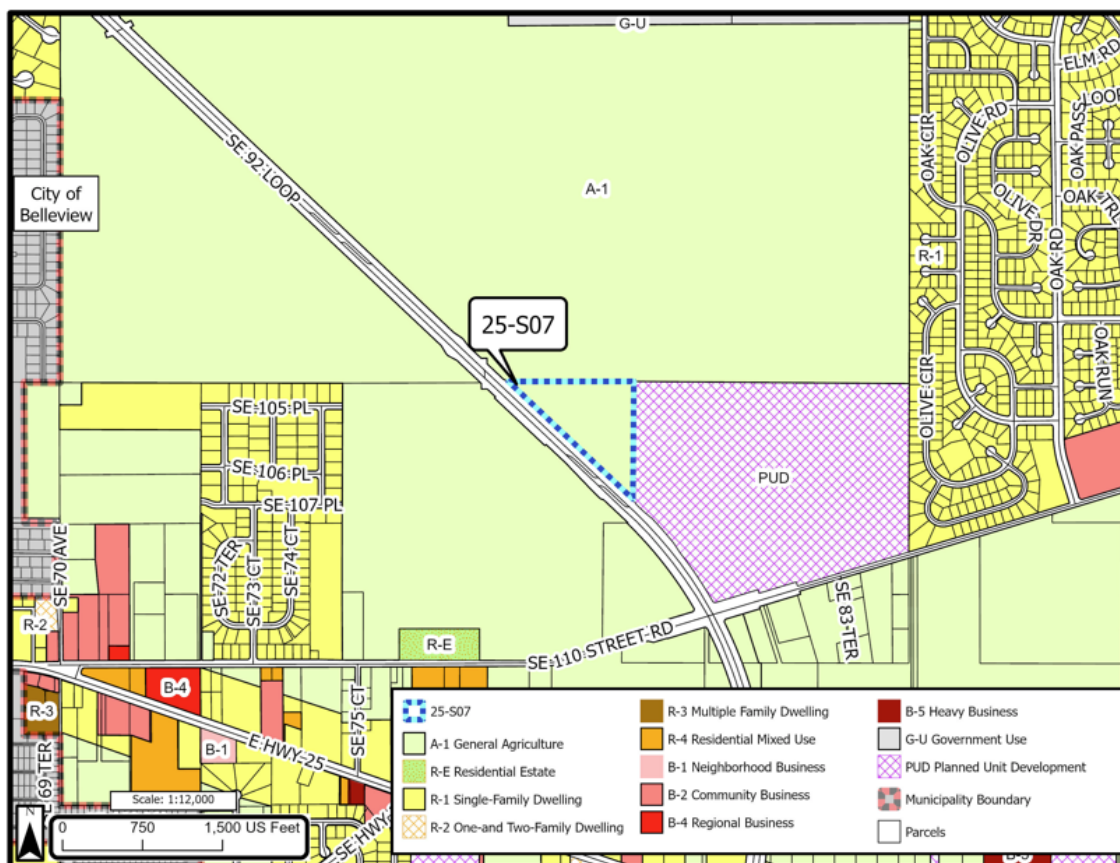
Figure 1, below, is an aerial photograph showing the general location of the subject property. The subject property is situated outside the Urban Growth Boundary (UGB) and is located within the Primary Spring's Protection Overlay Zone (P-SPOZ).

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.

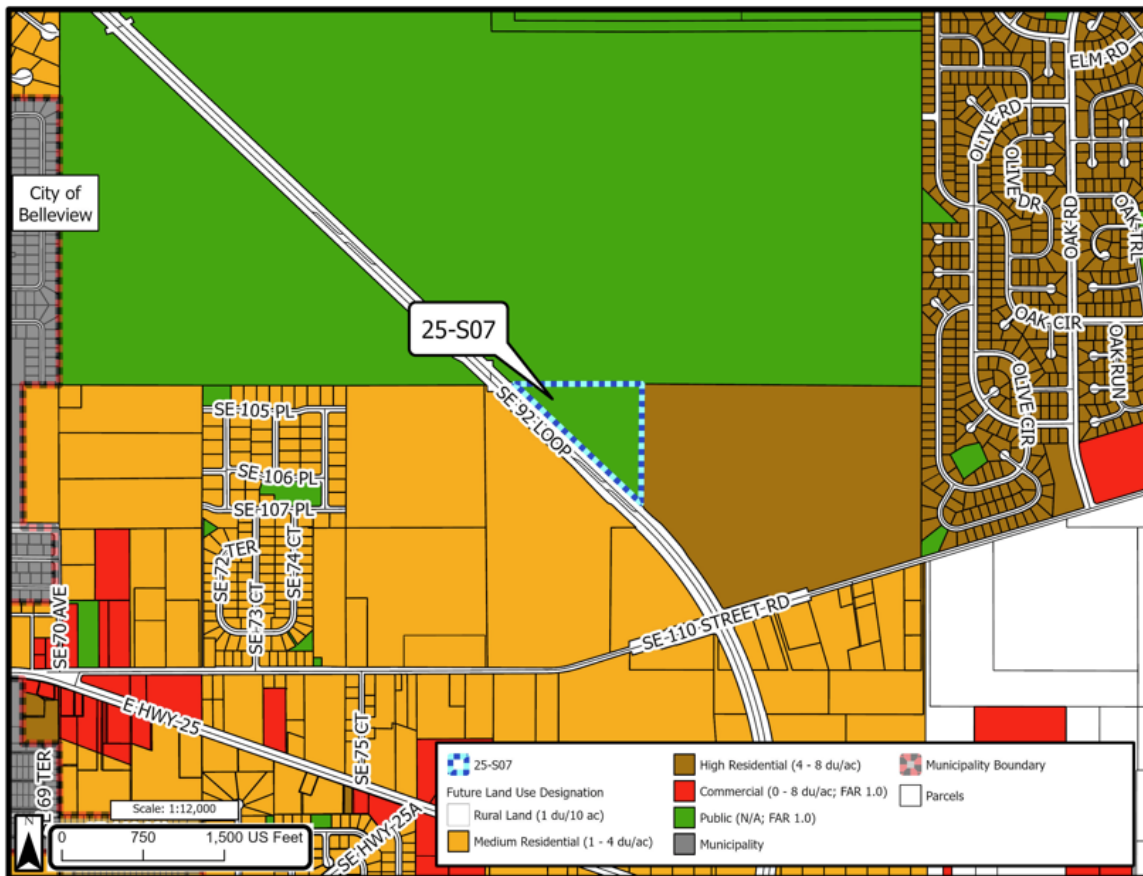
Figure 1
General Location Map





- 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 Public (P) land use, as it was being utilized by Marion County as a water retention area. This parcel sits directly south of the City of Ocala's spray field and irrigation site.

Figure 3
Future Land Use Map Series designation



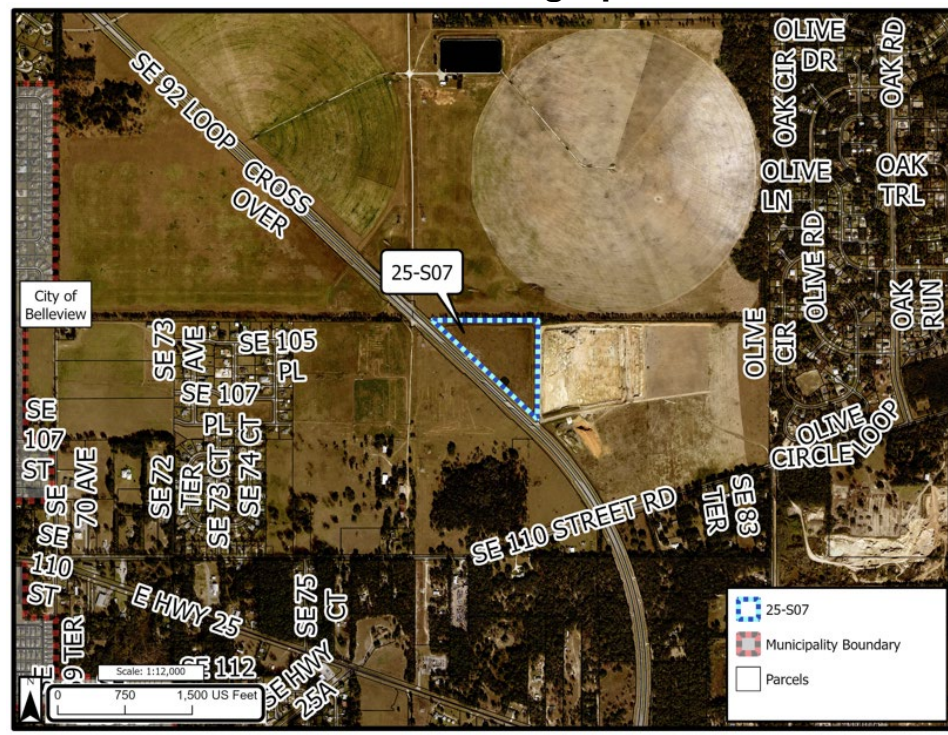
IV. CHARACTER OF THE AREA

A. Existing site characteristics.

Figure 4, below, is an aerial photograph showing the subject property and surrounding area. Staff visited the site on May 16, 2025 to post public notice and photograph the property (Attachment B). The property is currently being used as a retention area with no trees or vegetation on the property

The proposed land use change would allow for residential development at a density of 1-4 dwelling units per acre. The change in land use will allow a density similar to that of the area surrounding it and will allow for development with the PUD to the east as is the intent with this application and the concurrent rezoning application to amend the existing PUD (250605ZP)

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 labeled as Utility for use and is contiguous to Government Institution to the north. The parcel east of the subject site is currently designated as Agriculture Production but received a PUD approval in 2023.

Figure 5
Existing and Surrounding Land Uses

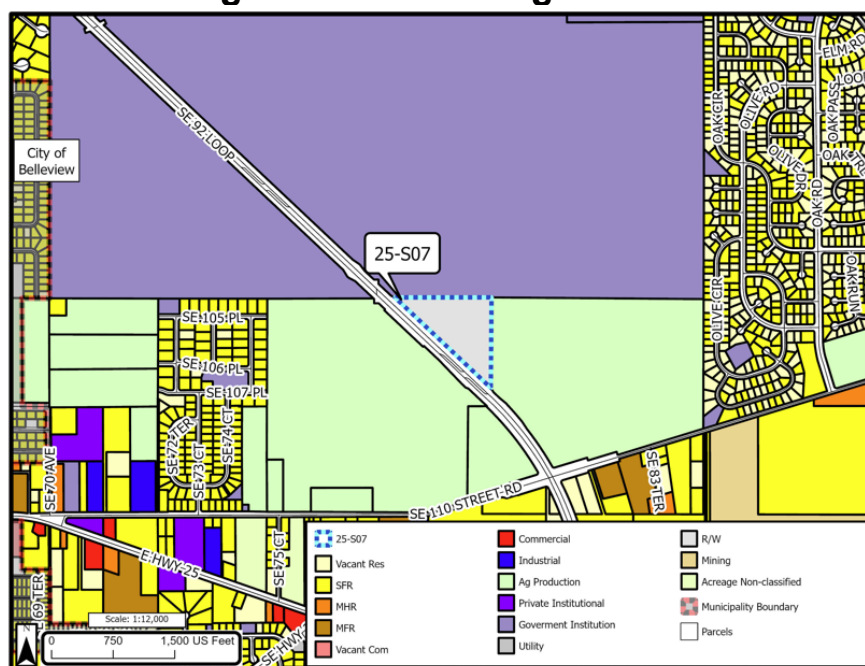
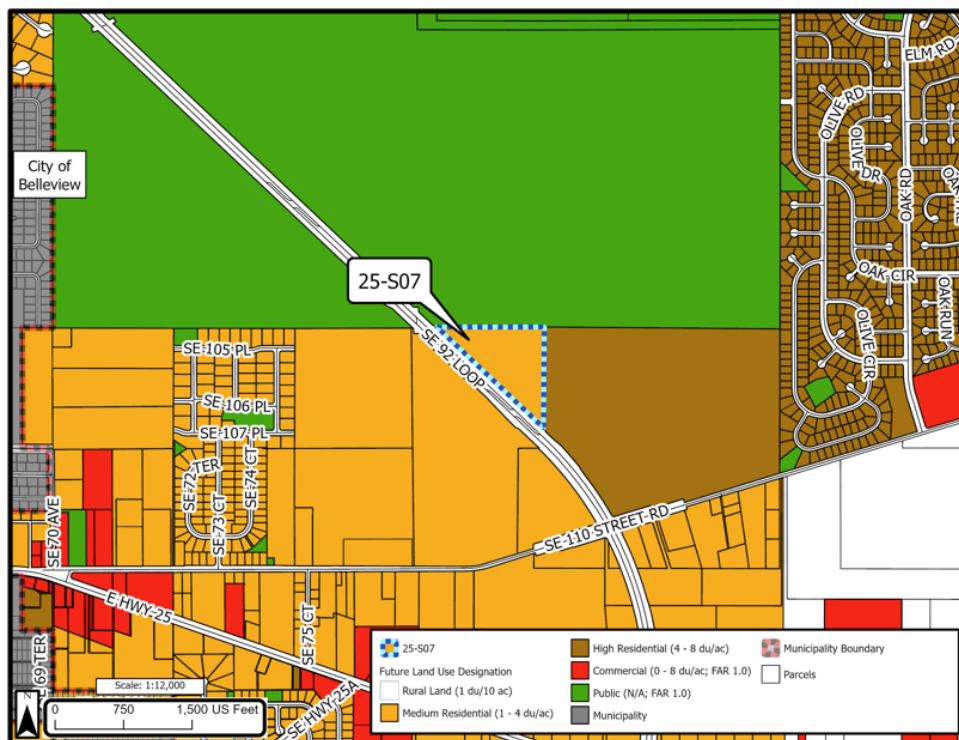


Table 1, below, displays the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Marion County Property Appraiser Existing Use
Subject Property	Public (P)	General Agriculture (A-1)	Right-of-way
North	Public (P)	General Agriculture (A-1)	Municipal Property
South	Medium Residential (MR)	General Agriculture (A-1)	Grazing Land
East	High Residential (HR)	Planned Unit Development (PUD)	Miscellaneous Agriculture
West	Medium Residential (MR)	General Agriculture (A-1)	Grazing Land

- C. *Project request.* Figure 6 depicts the FLUMS amendment proposed by this application. Approving the application would change the Public (P) land use designation to the Medium Residential (MR) land use designation (1-4 du/ac), allowing the 15.52-acre parcel to develop at a maximum density of up to 62 dwelling units

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 1.1.5: Higher Density/Intensity Uses - The County shall require higher densities and intensities of development to be located within the Urban Growth Boundaries and Planned Service Areas, where public or private facilities and services are required to be available.

Analysis: The subject site requesting a higher density and intensity land use is located within the Urban Growth Boundary and in an area where central water and sewer services are available for connection. The request meets the requirements set in place by this policy and is **consistent** with FLUE Policy 1.1.5.

- b. FLUE Policy 2.1.18: This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation

allows for multifamily residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Analysis: The land use change proposed allows for residential development to occur which is the intent as shown in the concurrent PUD amendment application. The subject parcel is also within the Urban Growth Boundary (UGB) making Medium Residential an appropriate request as it's an urban area land use designation. This application is **consistent** with FLUE Policy 2.1.18.

- c. FLUE Policy 3.1.2: Planning Principles within UGB - The County shall implement long-term planning principles to guide the creation of land use policy and development regulations within the County, which shall be implemented through the policies contained in the County Comprehensive Plan and as further defined in the LDC. These principles shall include:
1. Preserve open space, natural beauty and critical environmental areas.
 2. Allow for a mix of land uses to create compact residential, commercial, and employment hubs.
 3. Strengthen and direct development towards existing communities and development.
 4. Encourage compact and mixed-use building design.
 5. Foster distinctive, attractive communities with a strong sense of place.
 6. Create walkable and linked neighborhoods.
 7. Create a range of housing opportunities and choices.
 8. Provide a variety of transportation choices.
 9. Encourage community and stakeholder collaboration.
 10. Make development decisions predictable, fair and cost effective
 11. Encourage interconnected development, multi-modal transportation opportunities, links to the surrounding neighborhoods, and alternative transportation routes.
 12. Establish priority areas for public facility and service infrastructure.

Analysis: The proposed amendment establishes a residential land use similar to that of the nearby property to the east. In doing so, the subject site can develop in a manner similar to the PUD approval to the east linking the two areas and encouraging interconnected development. This application is **consistent** with FLUE Policy 3.1.2

- d. 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 make a determination 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: While a market demand or necessity for change were not provided, the MR land use proposed will provide a mix of land uses and densities in an area predominantly HR. The desired land use is similar with that of the area surrounding and is appropriate given the location within the UGB which also addresses the prevention of urban sprawl. The application is **consistent** with FLUE Policy 5.1.2.

- e. 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 May 28, 2025. This application is **consistent** with FLUE Policy 5.1.3.

- f. 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 provided by Traffic state the following, “RECOMMEND DENIAL: SE 92nd Place Rd is projected as being at LOS F in a background condition during buildout and this project will further negatively impact that roadway traffic. Proposed development increases the daily trips from the previously proposed 3,916 to 3,960 (1.1% increase) and increases the max peak hour trips from 378 to 402 (6.3% increase).” A traffic methodology is currently under review and a subsequent traffic study will be required. The findings of the study will determine what, if any, improvements will be needed to nearby roadways in order to address LOS concerns. Based on the above findings, the application is **inconsistent** with TE Policy 2.1.4 as impacts are addressed.

- 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 located inside the UGB, an area the Comprehensive Plan encourages for the land use being requested. If approved, the amendment would encourage development where infrastructure can be provided in a financially feasible manner. 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: Based on the maximum of four dwelling units per acre for 15.52-acres, this parcel could generate an additional 17,050 gallons per day for residential demand. Utilities states the location is within City of Belleview’s utility service area and would be served by them for future development. The application is **consistent** with SSE Policy 1.1.1.

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 residential change in land use, this application has the potential to increase demand to 23,250 gallons per day. As mentioned above, City of Bellevue serves the area and future development would be required to connect. Based on these findings, the application is **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, “[s]tormwater 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 60th day of enrollment for the 2024-2025 school year: Legacy Elementary (88%), Lake Weir Middle (89%), and Belleview High School (109%). While there are areas of overcrowding, overall, the county's school availability has capacity. 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. Belleview Fire Station #18, located at 11941 SE 55th Avenue Rd., is roughly 3.5 miles southwest of the proposed land use amendment. 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 findings the application is **consistent** with this section.

In summation, staff concludes that the application is **consistent** with the Comprehensive Plan.

B. Consistency with Chapter 163, Florida Statutes.

1. Section 163.3177(6)(a)8 provides, "[f]uture 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: Traffic has the potential to negatively impact the area and the proposed land use change was recommend denial by Traffic, the property is located inside the UGB with central services available and access to the public schools listed, as well as Fire Rescue in case of emergency and any stormwater concerns will be addressed and mitigated at the time of development. Based on this information, the application provides availability to all needed facilities and services and **complies with and conform 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 report 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 3.1.2 and 5.1.2, providing that there is ample residential land uses

in the vicinity and the subject property has met the minimum standard for proof of demand. 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 seeks to establish development inside the UGB at contiguous to a corner location already permitted for residential development. Public facilities and services are present in the area and immediately available to service the parcel. The amendment would encourage infill within an area that would also link related residential land uses. Staff finds the application discourages urban sprawl, and based on this finding, the proposed amendment is **consistent** with F.S. Section 163.3177(6)(a)9a.

- 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 discourages urban sprawl by being located within the UGB and promotes cost-effective development by being in a place where public facilities are available to service the parcel. Central water and sewer services will allow for maximum development based on density as land for wells and septic drain fields will not be required. The MR being sought is a step down from the higher intensity HR that borders the property. Based on these findings, 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 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-S04 because the application **is consistent with**:

- A. The Marion County Comprehensive Plan, specifically with:
 - 1. FLUE Policies 1.1.5, 2.1.8, 3.1.2, 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. SWE Policy 1.1.1;
 - 6. SE Policy 1.1.4, 1.1.5;

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; and
 - 2. F.S. Section 163.3.177(6)(a)9, subsections a and b.

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. Application.
- B. Site Photos.
- C. Development Review Committee Comments.
- D. Fire Impact Study
- E. Surrounding Property Owner Notification