



**Marion County  
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>Public Hearing Dates</b>	<b>P&amp;Z: 12/30/2024</b>	<b>BCC: 1/13/2025</b>
<b>Case Number</b>	25-S01	
<b>CDP-AR</b>	32165	
<b>Type of Case: Small-Scale Comprehensive Plan Amendment</b>	<i>Future Land Use Designation Change:</i> <b>FROM:</b> Low Residential (LR; up to 1 DU/AC) <b>TO:</b> Employment Center (EC; 2.0 FAR; up to 16 DU/AC)	
<b>Owner</b>	8640 SE 73, LLC	
<b>Applicant</b>	Mastroserio Engineering, Inc.; Paulo Mastroserio	
<b>Street Addresses</b>	8640 SW 73 <sup>rd</sup> Avenue, Ocala, FL 34476; Green Turf Acres Unrecorded Subdivision (#20) Lot 23	
<b>Parcel Numbers</b>	3564-023-000	
<b>Property Size</b>	±4.42 acres	
<b>Future Land Use</b>	Low Residential (LR)	
<b>Zoning Classification</b>	General Agriculture (A-1) [ <i>Concurrent Rezoning Application for Regional Business (B-4)</i> ]	
<b>Overlay Zone/Scenic Area</b>	In Urban Growth Boundary (UGB), In Secondary Springs Protection Overlay Zone (SSPZ), In Marion County Utilities SW Regional Service Area	
<b>Staff Recommendation</b>	<b>DENIAL</b>	
<b>P&amp;ZC Recommendation</b>	<b>DENIAL</b>	
<b>Related Cases</b>	<b>250109ZC:</b> Rezoning from General Agriculture (A-1) to Regional Business (B-4)	
<b>Code Cases</b>	<b>964669:</b> Storing manufactured homes in A-1 zone, potentially related to sales operation to the west on Green Turf Acres Lot 32. Homes removed, case closed on 11/4/2024.	

## I. ITEM SUMMARY

Paolo Mastroserio, with Mastroserio Engineering, Inc., filed a small-scale comprehensive plan amendment application on behalf of 8640 SE 73, LLC, to change a  $\pm 4.42$  acre site from Low Residential (LR) to Employment Center (EC). The Parcel Identification Number for the property is 3564-023-000; the site is addressed as 8640 SW 73<sup>rd</sup> Avenue, Ocala, and the legal description is provided within the application (see Attachment A). The subject property is Lot 23 of the Green Turf Acres Unrecorded (UNR) Subdivision No. 20, and forms the northwest corner of the SW Hwy 200 and SW 73<sup>rd</sup> Avenue intersection at the south entrance to the Green Turf Acres UNR Subdivision. The site is located within the Urban Growth Boundary, in the County-wide Secondary Springs Protection Zone (SS-SPOZ), and in Marion County's SW Utility Service Area. A concurrent rezoning application to change the site's zoning from General Agriculture (A-1) to Regional Business (B-4) has also been submitted (250109ZC). The original application requested a Commercial (COM) designation; however, staff noted the concurrent Rezoning Application was for Regional Business (B-4) zoning that is a greater intensity than the Neighborhood Business (B-1) or Community Business (B-2) zoning classes uses as referenced in the Commercial (COM) land use designation, and the applicant modified the request to Employment Center (EC). The site was the subject of a Code Enforcement Case related to storing manufactured homes on the site, as that use is not permitted in A-1 zoning and no appropriate building permits were pulled for the placement of the manufactured homes. The storage was apparently in relation to a manufactured home sales operation to the east of the site on Green Turf Acres Lot 32 under related ownership - refer to Comprehensive Plan Amendment 24-L02, and Rezoning Application 250110ZC.

## II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **DENIAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it is not 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, be compatible with the surrounding uses, and not adversely affect the public interest.

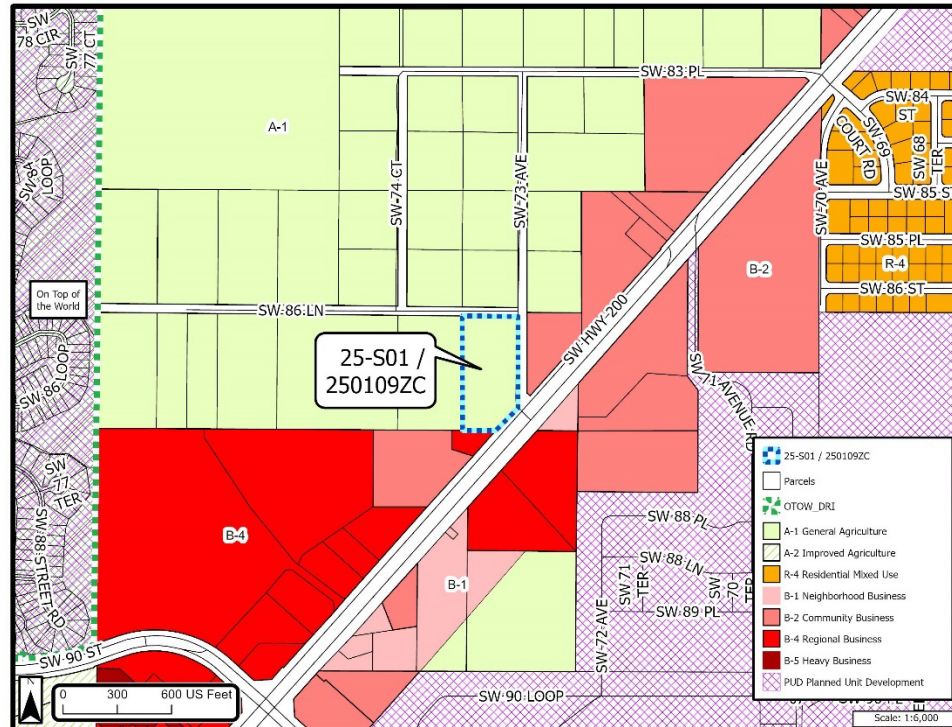
**Figure 1**  
**General Location Map – Fall 2023 Aerial**





- B. *ZDM history.* Figure 3 shows the subject property is currently zoned General Agriculture (A-1).

**Figure 3**  
**Zoning District Map**



## V. CHARACTER OF THE AREA

### A. Existing site characteristics.

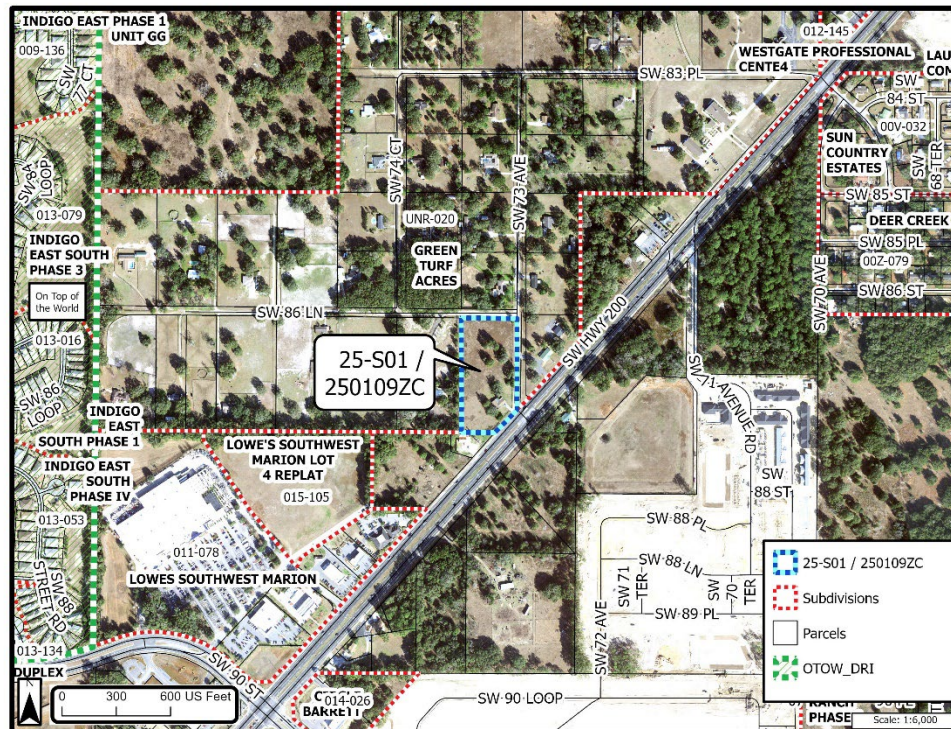
Figure 4, following, is an aerial photograph showing the subject property and surrounding area. The subject property is Lot 23 of the Green Turf Acres Unrecorded Subdivision Plat No. 20 as filed with Marion County on July 9, 1970 (see Attachment B). The site includes limited frontage on SW Hwy 200 and frontage on SW 73<sup>rd</sup> Avenue, an internal roadway established by the Green Turf Acres Unrecorded Subdivision. Staff notes SW 73<sup>rd</sup> Avenue functions as private right-of-way that is not maintained by Marion County and appears to be a slag-type roadway along the site's frontage.

The site includes an existing residence (1972; 1,574 SF) including an existing driveway that connects to SW 73<sup>rd</sup> Avenue at its intersection with SW Hwy 200. The site is not located within any FEMA-designated flood zone or identified flood-prone area. *Staff notes the site was the subject of a Code Enforcement Case related to the storage of manufactured homes on the site, in conflict with the site's land use designation & zoning, apparently in relation to an improper manufactured home sales operation to the east on Green Turf Acres Lot 32 that is under related ownership. At this time, the manufactured homes placed on the site have been*

removed, and the case closed as of November 4, 2024. This application and its concurrent rezoning application are a proposal to enable that use.

Staff notes that the original Green Turf Acres Unrecorded Subdivision consisted of 37 lots on 155 acres resulting in an average lot size of 4.2 acres. Staff notes Lot 37 was the largest lot at ±10 acres that has been historically occupied by various church uses; excluding Lot 37, the resulting average lot size is 4.0 acres. Staff notes that some lots were "split" in the past under family division options; however, recent amendments to the family division provisions will no longer enable family divisions within Green Turf Acres, and a recent request to rezone a lot to Residential Estate (R-E) to enable further division was denied by the Board. The current average lot size within Green Turf Acres is ±3.3 acres, excluding the original Lot 37 based on the subdivision's remaining 145 acres. FLUE Policy 2.1.13, notes that "Marion County shall recognize "rural neighborhoods" that occur within or outside of the UGB deserve special protection from the intrusion of urban uses, densities and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a rural neighborhood is an existing recorded or unrecorded subdivision where the overall density does not exceed *one unit per three acres* and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential." *Given FLUE Policy 2.1.13, staff proposes the Green Turf Acres Unrecorded Subdivision qualifies for recognition as a "rural neighborhood."*

**Figure 4**  
**Aerial Photograph - Fall 2023 Aerial**



B. *Adjacent and surrounding land uses.* Figure 5 is a map based on the Marion County Property Appraisers Property Use Code data showing the existing, adjacent, and surrounding land uses. Properties to the west, northwest, north, and

northeast are all other Green Turf Acres Subdivision lots featuring a Low Residential future land use designation and a General Agriculture (A-1) zoning classification that are occupied by single-family homes. The property to the east is Lot 32, that is the subject of a request to amend that property's land use designation to Employment Center (EC) and rezone that property to Community Business (B-4) (25-S02 and 250110ZC, respectively), similar to the requests for this subject property. Southwest of the site is a ±0.45 acre Commercial designated site with a Regional Business (B-4) zoning recently occupied by the J&J Seafood retail site. *Marion County Property Appraiser's information indicates that the ±0.45 acre site is now owned by the same owner of Green Turf Acres Lot 32 to the west of the site, that is the subject of the previously noted land use designation and rezoning changes.*

**Figure 5  
Existing and Surrounding Land Uses**

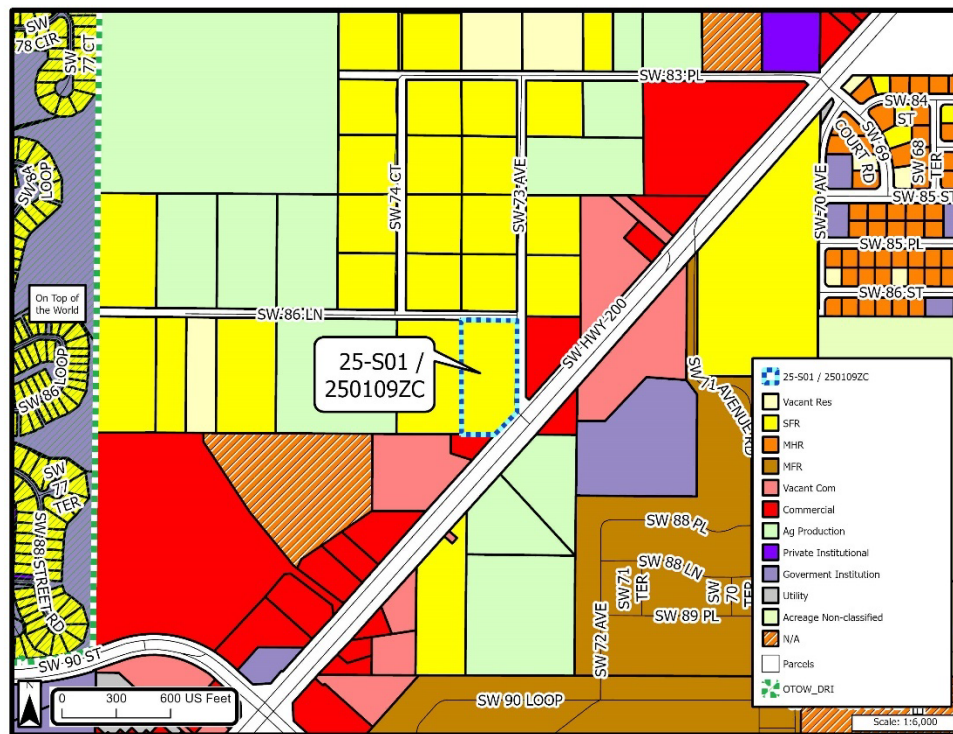


Table A, below, displays the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

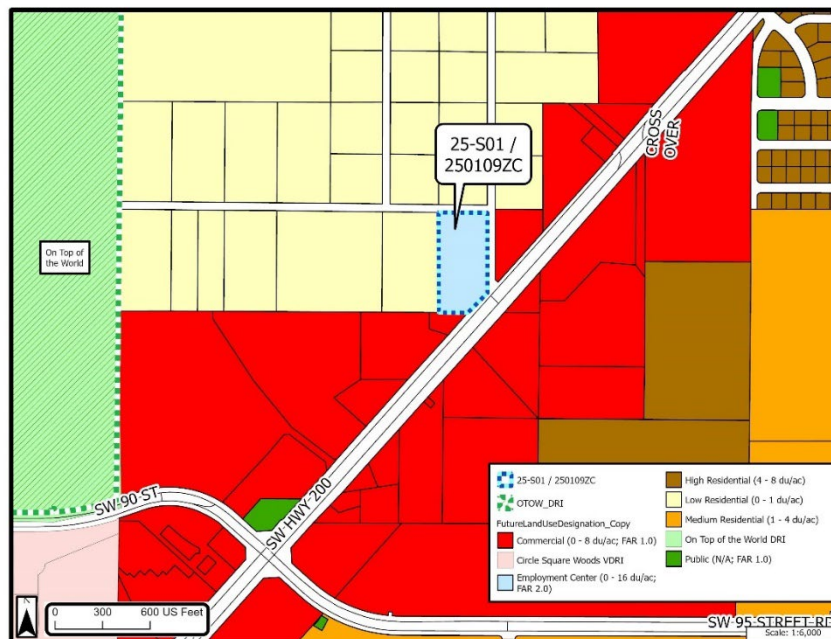
TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
<b>Subject Property</b>	Low Residential (LR)	General Agriculture (A-1)	Single-family Residence (1972)
<b>North</b>	Low Residential (LR)	General Agriculture (A-1)	Single-family Residence (1985)
<b>Southwest<sup>1</sup></b>	Commercial (COM)	Regional Business (B-4)	J&J Seafood (retail) (1983)

TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
Southeast	Commercial (COM)	Regional Business (B-4)	Commercial Vacant Commercial (with Ag Exemption)
East <sup>1</sup>	Commercial (COM) <i>Employment Center (EC) Requested</i>	Community Business (B-2) <i>Regional Business (B-4) Requested</i>	Commercial Office <i>(Manufactured home sales operation – code enforcement case)</i>
	Commercial (COM)	Neighborhood Business (B-1)	Commercial Office
West	Low Residential (LR)	General Agriculture (A-1)	Single-family Residence (1972)

<sup>1</sup>The Marion County Property Appraiser lists North Pointe Mobile Home Sales, LLC., as the owner of Green Turf Acres Subdivision Tract 32 and the ±0.45 acre site located southwest of the subject property; Tract 32 is the affiliated manufactured home sales operation location undergoing similar land use and zoning change reviews.

C. *Project request.* Following Figure 6 depicts the FLUMS amendment proposed by this application. Approving the application would change the future land use designation from Low Residential (LR – Up to 1 DU/AC) to Employment Center (EC – Max FAR 2.0; up to 16 DU/AC), which would significantly increase potential residential development intensity of the site, and establish the County's highest non-residential land use designation with a floor area ratio of 2.0. The subject property is Green Turf Acres Unrecorded Subdivision Lot 23, which is situated as an "internal" lot in the subdivision with limited frontage on SW Hwy 200, wherein its access would be from SW 73<sup>rd</sup> Avenue that is a privately maintained roadway with a substandard road surface.

**Figure 6  
Proposed FLUMS Designation**



For reference, Green Turf Acres Lot 23 was historically a larger parcel, wherein FDOT acquired a 75' wide strip of land along Hwy 200 from the site to accommodate the widening of Hwy 200. The site originally had  $\pm 175'$  of frontage along Hwy 200, but that amount increased to  $\pm 175'$  today, while the site originally had  $\pm 564'$  of frontage along SW 73<sup>rd</sup> Avenue, but that amount decreased to  $\pm 506'$  of frontage.

## VI. 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 requested land use change for the site will significantly increase the potential density/intensity of the site, projecting further into the Green Turf Acres Subdivision consisting of lower intensity residential uses, functionally creating a limited "spot" of potential higher intensity development surrounded by lower intensity development, and also further affecting an established rural neighborhood and its existing substandard roadway infrastructure. The application is **not consistent** with FLUE Policy 1.1.1.

##### b. FLUE Policy 2.1.13: Protection of Rural Neighborhoods - Marion County shall recognize "rural neighborhoods" that occur within or outside of the UGB deserve special protection from the intrusion of



urban uses, densities and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a rural neighborhood is an existing recorded or unrecorded subdivision where the overall density does not exceed *one unit per three acres* and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential.

**Analysis:** The proposed land use change would significantly increase in the potential development density and intensity for the site and enable potentially intense uses under a corresponding zoning category, such as the Regional Business (B-4) zoning as requested by the concurrent rezoning application submitted for this subject property. The resulting increase in development potential would create a significant encroachment into the subdivision, and increase infrastructure demands in a functionally private subdivision with limited roadway conditions; further, Marion County and the State of Florida Department of Transportation limit access to state roadways in favor of local roads particularly in relation to active intersections such as the SW 73<sup>rd</sup> Avenue and SW Hwy 200 intersection which would further impact the character of the subdivision. This application is **not consistent** with FLUE Policy 2.1.13.

- c. FLUE Policy 2.1.23: Employment Center (EC) - This land use is intended to provide a mix of business, enterprise, research and development, light to moderate intensity commercial, and light industrial, activities. This designation also allows residential uses, campgrounds and recreational vehicle parks (RVP). - This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to sixteen (16) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation an Urban land use designation.

**Analysis:** A land use designation change to the Employment Center (EC) designation would significantly increase in the potential development density and intensity for the site and enable potentially intense uses under a corresponding zoning category, such as the Regional Business (B-4) zoning as requested by the concurrent rezoning application submitted for this subject property. The resulting increase in development potential would create a significant encroachment into the subdivision, and increase infrastructure demands in a functionally private subdivision with limited roadway conditions; further, Marion County and the State of Florida Department of Transportation limit access to state roadways in favor of local roads particularly in relation to active intersections such as the SW 73<sup>rd</sup> Avenue and SW Hwy 200 intersection which would further impact the character of the subdivision. This application is **not consistent** with FLUE Policy 2.1.23, particularly in relation to FLUE Policy 2.1.13.

- 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 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
  11. Concurrency requirements.

**Analysis:** A market demand and necessity for change analysis was not provided for the request; however, the site currently features a Low Residential (LR) future land use designation and the site is within the UGB. However, the requested Employment Center (EC) future land use designation would significantly increase the potential development density and intensity of the site in relation to the surrounding Commercial (COM) designated properties, effectively creating an isolated "spot" of higher intensity use. Additionally, the increased development potential would create a further incursion into the Green Turf Acres Unrecorded Subdivision creating further compatibility concerns with Green Turf Acres Unrecorded Subdivision "rural neighborhood" character, including potential infrastructure concerns given the current condition of SW 73<sup>rd</sup> Avenue and the site's location on the SW 73<sup>rd</sup> Avenue & SW Hwy 200 intersection. The application is **not 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 December 30, 2024. 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 (Attachment E) provided by Traffic state the following:

"RECOMMEND DENIAL - This application did not contain a Traffic Impact Analysis as required by Section 2.3.2 of the LDC. A change in land use from Rural Lands to Commercial will significantly increase the trip generating potential from this site. All this traffic will be loaded directly onto SR 200. Furthermore, due to the limited amount of frontage this parcel has on SR 200, access will have to come from SW 73rd Avenue which is a non-County maintained paved subdivision street in poor condition. It is a part of the Green Turf Acres subdivision. If necessary, this road and the connection to SR 200 will have to be improved to support the commercial traffic. It should be noted that this parcel is a part of the Green Turf Acres subdivision which is a residential subdivision."

While the Traffic methodology and impact analysis was not provided with the application, it is a requirement of the major site plan process and would be required for a subsequent development application to develop the site more intensely. However, staff notes that development at a general commercial retail facility could generate 1,938 daily trips and 889 PM peak hour trips at a FAR of 0.25, significantly lower than the Employment Center (EC) land use designation's potential FAR of 2.0. As such, and as noted by the Traffic remarks, the significant level of potential site development at a significant intersection on SW Hwy 200, accessed via a privately maintained roadway that is currently in poor condition while providing a key access point to the Green Turf Acres Unrecorded Subdivision are significant concerns regarding this application. 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 includes frontage on SW 73<sup>rd</sup> Avenue, a privately maintained roadway that is functionally a substandard roadway. Increased development on the subject property would further impact the need to use of SW 73<sup>rd</sup> Avenue for access to the site which is a significant concern. Based on the above, the application is **not 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:** The site is located within the UGB in Marion County's SW Utility Services Area. Currently, the site's residence uses an on-site treatment and disposal system (septic and drainfield) for sanitary sewer. Residential development of the site could accommodate up to 70 dwelling units, wherein sanitary sewer water demand would increase would increase from 1,053 gallons per day to 18,840 gallons per day. Potential non-residential demand would increase from zero gallons per day to 8,840 gallons per day. Utilities are generally available in the area, wherein a force main is present on the north side of SW Hwy 200 along the site's frontage. Based on these findings, the application is generally **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:** The site is located within the UGB in Marion County's SW Utility Services Area. Currently, the site's residence uses an on-site well for potable water. Residential development of the site could accommodate up to 70 dwelling units, wherein potable water demand would increase from 1,440 gallons per day to 25,200 gallons per day. Potential non-residential demand would increase from zero

gallons per day to 12,155 gallons per day. Utilities are generally available in the area, wherein a water main is present on the south side of SW Hwy 200 across from the site's frontage. Based on these findings, the application is generally **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:** Residential development of the site could accommodate up to 70 dwelling units that could generate up to 1,046 pounds per day of solid waste. A non-residential use level of service is not established by the County; further, non-residential uses are required to arrange for suitable pick-up and hauling (e.g., dumpster, etc.) as authorized by the County. 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 current school year: Hammett Bowen, Jr. Elementary (111.01%), Liberty Middle School (92.64%), and West Port High School (116.83%). Residential development of the site at 16 DU/AC as a multiple-family development could generate up to 70 dwelling units generating an estimated 7-elementary, 3-middle, and 3-high school students for a total of 13 students. 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. The Friendship Fire Station #21, located at 7884 SW 90<sup>th</sup> Street, is ±0.84 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.
  
9. Law Enforcement/Sheriff.
  - a. The Sheriff's Southwest District Office/SR 200, located at 9084 SW Hwy 200, is ±2.74 miles southwest of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement/sheriff 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 **not consistent** with the Comprehensive Plan, particularly when related to compatibility with surrounding uses, intrusion of intense uses into the overall Green Turf Acres rural neighborhood, and traffic infrastructure impacts.

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. Services are present in the area, and final connection determinations would be made at the time of development review. However, the potential traffic impacts and implications on a currently substandard private roadway serving a rural neighborhood are a significant

concern. Based on this information, the application **does not comply 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 reports and it was found that the application **does not comply with and conform 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 functionally addressed in the analysis of FLUE Policies, particularly in relation to the change's impact on the Green Turf Acres Unrecorded Subdivision rural neighborhood. Therefore, the application **does not comply with and conform 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 notes the site is within the County UGB; however, the site's unique location within the Green Turf Acres Unrecorded Subdivision that qualifies as a "rural neighborhood" and the site's singular "spot" location internal to the subdivision with its location at an intersection that features a local private substandard roadway conflicts with provisions outlined within F.S. Section 163.3177(6)(a)9a. Staff finds the application is **not 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 notes the site is within the County UGB; however, the site's unique location within the Green Turf Acres Unrecorded Subdivision that



qualifies as a “rural neighborhood” and the site’s singular “spot” location encroaching into the subdivision with its location at an intersection that features a local private substandard roadway conflicts with provisions outlined within F.S. Section 163.3.177(6)(a)9b. Based on this finding, the proposed amendment is **not consistent** with F.S. Section 163.3.177(6)(a)9b.

## VII. 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.

## VIII. 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 for **DENIAL** of the proposed small-scale FLUMS amendment number 25-S02 based on the following:

- A. While the application is **consistent** with the following Comprehensive Plan provisions:
  - 1. FLUE Policies 5.1.3, and 5.1.4,
  - 2. SSE Policy 1.1.1,
  - 3. PWE Policy 1.1.1,
  - 4. SW Policy 1.1.1,
  - 5. SE Policies 1.1.4 and 1.1.5;

The application is **not consistent** with the following provisions Comprehensive Plan provisions:

- 1. FLUE Policies 1.1.1, 2.1.13, 2.1.23, and 5.1.2,
- 2. TE Objectives 2.1.4, and 3.1

The significant increase in the potential development intensity on a property within the existing Green Turf Acres Unrecorded Subdivision that represents a rural neighborhood, the site’s location as a limited “spot” encroaching into the subdivision, and the lower intensity of the surrounding land use, and the unique location of the site at the intersection of SW Hwy 200 and SW 73<sup>rd</sup> Avenue, a functionally substandard roadway, are significant concerns. Staff as such recommends the amendment application is functionally **not consistent** with the Marion County Comprehensive Plan.

- B. The application **does not comply with and conform** to Florida Statutes, Sections Section 163.3177(6)(a)8 and 163.3177(6)(a)9, subsections a and b, as provided in prior report sections VI.A and VI.B

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

The Planning & Zoning Commission voted to agree with staff's findings and recommendation and voted unanimously to recommend **DENIAL** of FLUM Amendment Application 25-S01.

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

To be determined.

## **XI. LIST OF ATTACHMENTS**

- A. Application.
- B. Green Turf Acres Unrecorded Subdivision No. 20 Plat, 7/9/1970
- C. DRC Staff Review Comments.
- D. Code Enforcement Report with Photos Lot 23 – closed.
- E. Site/Sign Photos.
- F. Reference FLUM Definitions and Zoning Class Intents.
- G. Definitions related to Model Centers, Manufactured Buildings, and Manufactured Homes.
- H. Community Business (B-2) versus Regional Business (B-4) Table.