



**Marion County
Board of County Commissioners**

Growth Services

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Ocala, FL 34470
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**PLANNING & ZONING SECTION
STAFF REPORT**

Public Hearing Dates	P&Z: 03/31/2025	BCC: 04/14/2025
Case Number	250401ZC	
CDP-AR	32369	
Type of Case	Zoning Change: FROM: Multiple-Family Dwelling (R-3; 4 to 16 DU/AC) TO: Light Industrial (M-1; 0 to 0.75 FAR)	
Owner	BamCore-Florida LLC	
Applicant	Toby Stults, Chief Financial Officer of BamCore-Florida LLC	
Street Addresses	No address. Located on the SE corner of the intersection between Oak Road and Cypress Road, Ocala, FL 34472 Subdivision: Silver Springs Shores, Unit 30, Block 727, Lots 1 - 4	
Parcel Numbers	9030-0727-01	
Property Size	± 2.77 acres	
Future Land Use	Commerce District (CD)	
Existing Zoning Classification	Multiple-Family Dwelling (R-3)	
Overlay Zone/Scenic Area	Primary Springs Protection Overlay Zone (PSPOZ); FEMA Flood Zone 'Unshaded X'; Marion County Flood Prone Area (±0.15 acre portion); Marion County Utilities Service Area	
Staff Recommendation	APPROVAL	
P&ZC Recommendation	APPROVAL	
Project Planner	Erik Kramer	
Related Cases	None	

I. ITEM SUMMARY

Toby Stults, Chief Financial Officer of Bamcore Florida, LLC, filed a zoning change application on behalf of Bamcore Florida, LLC, to convert a ± 2.77 -acre site from Multiple Family Dwelling (R-3) to Light Industrial (M-1) for the intended use of "light industrial". The Parcel Identification Number for the subject property is 9030-0727-01 and the property consists of Lots 1, 2, 3, & 4 within Block 727, Unit 30, of the Silver Springs Shores Subdivision as filed in Plat Book J, Pages 257-262. The property is subject to restrictions under the Special Warranty recorded in 2012 (Attachment E). The property has not been assigned a street address. It is located at the southeast corner of Oak Road and Cypress Road, due ± 0.35 miles southwest from the intersection of SE Maricamp Road and Oak Road. Oak Road and Cypress Road are publicly dedicated and maintained by the County. The property is densely vegetated and has no existing structures, nor internal circulation.

The property is located outside the Urban Growth Boundary; however, it is a part of the Silver Springs Shores Urban Area and situated within the Silver Springs Shores Commerce Center with a Future Land Use designation of Commerce District. Furthermore, the property is also located in Marion County's Utility Service Area with existing centralized water and sewer lines abutting the property on Cypress Road and Oak Road, which presents opportunities to connect to centralized utilities in the future. This property is located within the Primary Springs Protection Zone (PS-SPOZ) which limits certain development activities and property uses. According to FEMA's 2017 Flood Zones designations, the entire property is subject to minimal flood risk (unshaded X); however, Marion County's Flood Prone Area study identifies flood risk for a ± 0.15 -acre portion of the site abutting Oak Road.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application. Staff believes M-1 zoning is appropriate for the subject property based on the character of the surrounding uses, impact on the public interest, and consistency with Marion County's comprehensive plan.

III. NOTICE OF PUBLIC HEARING

A notice of public hearings for this application was mailed to 5 property owners within 300 feet of the subject property on March 14, 2025. A public hearing notice sign was also posted on the property on March 7, 2025. A notice for the public hearings was published in the Ocala StarBanner on March 17th, 2025. As of the date of this Staff Report's initial distribution, no correspondence in support of or opposition to the amendment has been received. Evidence of the public hearing notices is on file with the Growth Services Department and is incorporated herein by reference.

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 zoning change 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 analysis of compliance with these three criteria is 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 highlights the subject property, which currently holds a Commerce District future land use designation. It is generally surrounded by other properties designated for Commerce District use. The Commerce District designation allows for office, commercial, industrial, and public uses. There are two Public parcels used for drainage retention adjacent to the subject property to the east and west. The ±85.72 acre parcel due to the west has an Employment Center future land use designation. This designation is intended to support the same land use categories as Commerce District, as well as recreation, residential, campgrounds, and recreational vehicle parks. Additionally, there is a pocket

of Commercial land use nearby to the north of the subject property which allows for the same uses as Employment Center, minus recreation uses. High Residential land, which surrounds the Commerce District and Employment Center node, allows for residential, public, recreation, and conversation uses.

All the properties in the surrounding area are outside the Urban Growth Boundary; however, they have Urban land use designations and are mostly within the Utility Service Area. All properties shown in Figure 2 are within the Primary Spring Protection Zone.

Figure 2
Future Land Use Map Series Designation

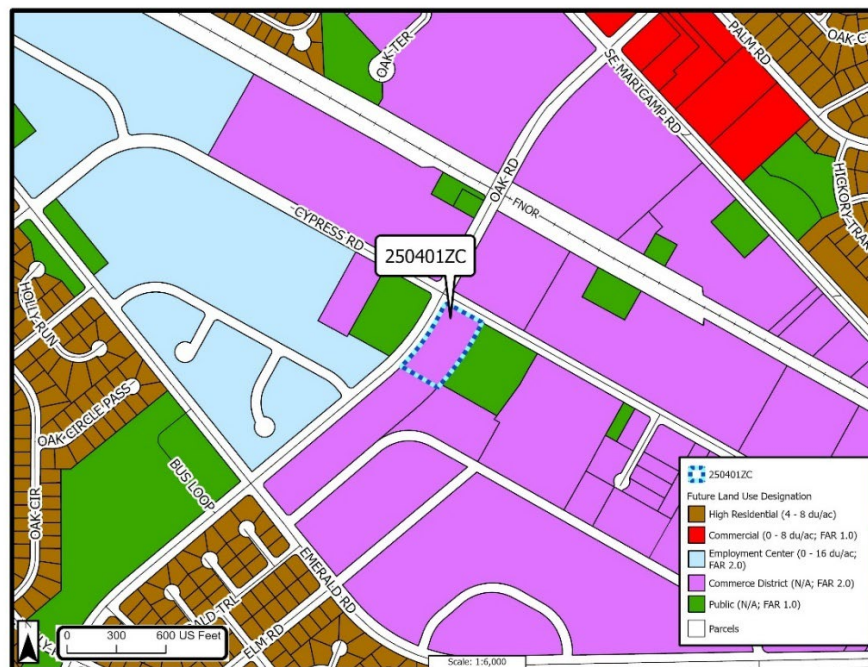


Figure 3 displays the existing R-3 zoning district for the subject property and surrounding properties. Figure 4 shows the proposed M-1 zoning district in relation to the existing zoning of the surrounding properties. The subject property is surrounded by, and proximate to, parcels zoned for M-1 and M-2. There are two R-3 parcels nearby, but not adjacent to the subject property. These R-3 parcels do not host existing residential uses. Staff finds that when looking at zoning designations for properties designated for Commerce District land uses – 167.7 acres are zoned M-1, 127.9 acres are zoned M-2, and 16.8 acres are zoned R-3. Approving BamCore-Florida's requested zoning change would increase the floor area potential of this area by 90,496 square feet.

There are two R-3 parcels nearby, but not adjacent to the subject property. These R-3 parcels do not host existing residential uses. Other nearby zoning districts include a multitude of Single Family Dwelling (R-1) parcels, and one Government Use (G-U) parcel, which hosts Emerald Shores Elementary School. Furthermore, there are some properties zoned for Community Business (B-2) and Regional Business (B-4) adjacent to the Silver Springs Commerce Center.

One important consideration that impacts the compatibility of the proposed zoning change from R-3 to M-1 is the subject property's relationship with the Emerald Village Planned Unit Development (PUD) to the west. The Emerald Village PUD was approved by Ordinance No. 22-35 as noted in the 220508Z PUD approval letter (attachment F). The PUD proposes a maximum of 1,200 multi-family residential dwelling units on ± 84.49 acres of land, an assisted living facility subject to B-2 development standards on ± 6.24 acres, and a commercial site subject to B-2 development standards on ± 3.01 acres. According to the approved Emerald Village PUD concept plan, the proposed commercial site will be located approximately 100 feet from the subject property's parcel boundary, separated by Oak Road. The PUD's B-2 Community Business commercial site provides a transitional use from the more intensive M-1 uses to the future Emerald Village assisted living facility residential units to be located further south along Oak Road and the multiple-family dwellings to be located internally within the Emerald Village PUD.

Staff determines that the proposed zoning change is compatible with the zoning classifications of the surrounding area and would not constitute spot zoning. The proposed M-1 zoning is compatible with the existing Commerce District future land use designation which permits industrial uses but does not permit residential uses under R-3.

Figure 5 depicts Marion County Property Appraisers data showing the existing land uses in the area surrounding the subject property. The parcel to the north, separated by Cypress Road right-of-way, supports an existing industrial use (sheet metal shop and steel fabrication) operated by Union Corrugating Company with Commerce District land use and M-2 zoning. The parcel to the west, separated by Oak Road right-of-way, is currently used as a water/drainage retention area with Public land use and M-1 zoning. The parcel directly adjacent to the east is a water/drainage retention area designated for Public use with M-1 zoning. The parcel to the southwest is currently used for agricultural production (Timber Class 5) with Commerce District land use and M-1 zoning. Timber classifications refer to the productiveness of the timber based on the average total height the trees will reach at 25 or 50 years of age – class 5 is the least productive. The parcel to the southwest, which is also owned by Bamcore Florida LLC, is currently an unused, vacant industrial site with Commerce District land use and M-2 zoning.

Beyond the directly adjacent parcels, the subject property is surrounded by other industrial existing land uses. BamCore Florida LLC owns one nearby property (PID 9030-0726-26) located 385 feet east along Cypress Road. This property is an industrial site used for lumber-related activities according to the Marion County Property Appraiser.

The subject property, if used for a permitted M-1 use, is unlikely to significantly interfere with the use or enjoyment of another's property due to the significant spatial separation from nearby non-industrial uses. Land uses that are less compatible with light industrial uses – such as Emerald Shores Elementary school and various single-family homes – are over 1,000 feet away from the subject property's boundary and separated by right-of-way and buffered by vegetated areas.

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 found that the immediately surrounding area currently hosts multiple active industrial properties, vegetated vacant properties zoned for industrial, and public uses for drainage retention.

TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	Current FLUM Designation	Current Zoning Classification	Marion County Property Appraiser Existing Use
North	Commerce District (CD)	Heavy Industrial (M-2)	Industrial & Cypress Rd ROW
East	Public (P)	Light Industrial (M-1)	Utility (DRA)
Southeast	Commerce District (CD)	Heavy Industrial (M-2)	Vacant Industrial
Southwest	Commerce District (CD)	Light Industrial (M-1)	Agricultural Production
West	Public (P)	Light Industrial (M-1)	Utility (DRA) & Oak Rd ROW

Figure 3
Existing Zoning Classification

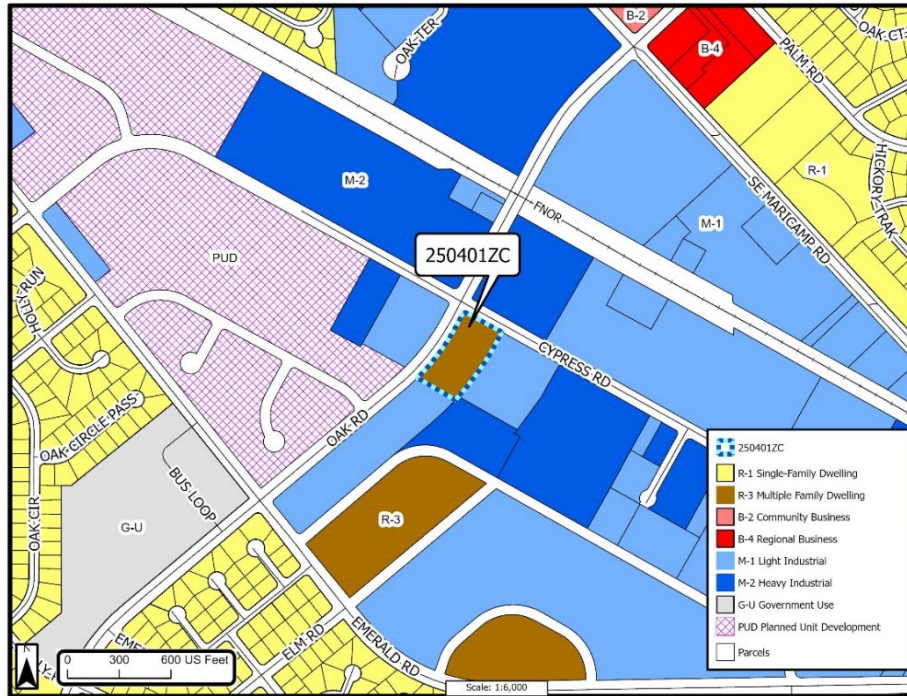


Figure 4
Proposed Zoning Classification

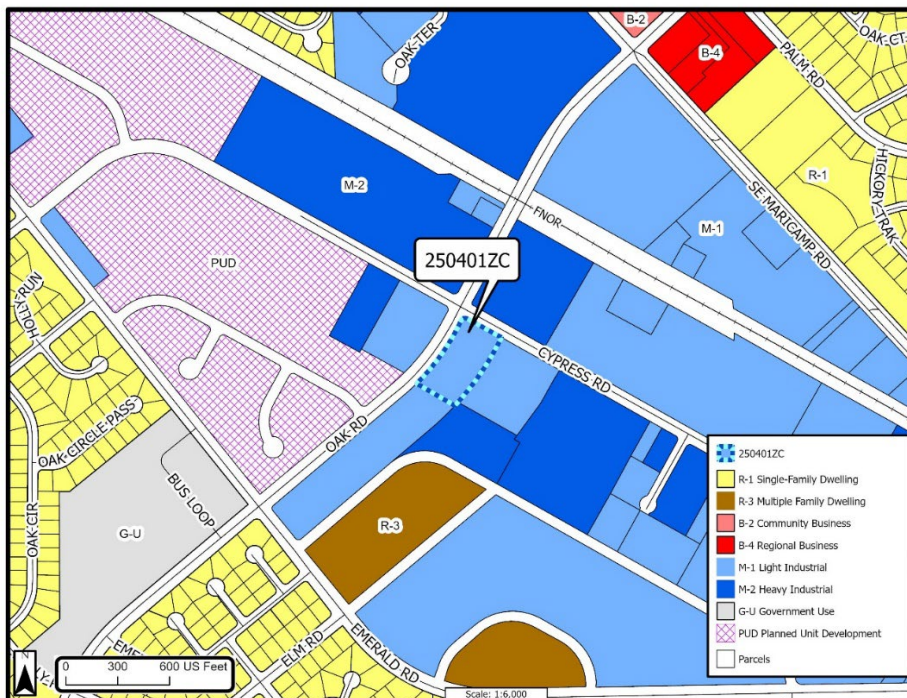
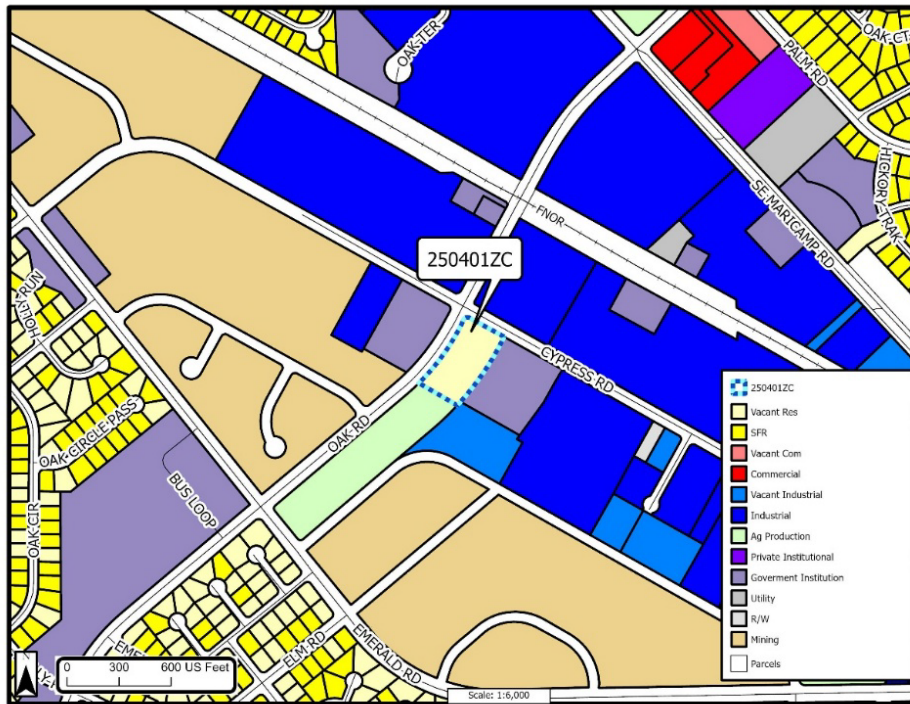


Figure 5
Existing Use per Property Appraiser Property Code



B. How Does the Request Affect the Public Interest?

- a. **Transportation Impacts.** These include roadways, public transit, and other mobility features.
- i. **Roadways.** The subject property is located within ± 0.35 road miles from Maricamp Road – a four-lane arterial capable of supporting trucking operations or other vehicular traffic generated by future light industrial development. Additional traffic studies may be necessary prior to approval of on-site development.
 - ii. **Public Transit.** The SunTran Red line runs along Maricamp Road; however, an M-1 use would likely not attract significant new ridership because industrial uses do not typically involve the direct sale of goods and services to the general public.

- iii. ***Other Mobility Features.*** Sidewalk facilities are provided on the north/west portion of Oak Road right-of-way. There are no existing sidewalk facilities along the south/east portion of Oak Road right-of-way. Cypress Road does not provide any sidewalks. Oak and Cypress do not provide dedicated bicycle facilities. Upon development, sidewalks may be required along the south/east portion of Oak Road, or the developer may elect to provide a fee-in-lieu for construction, as permitted by the LDC. Therefore, the application would not adversely affect the public interest.

Based on the above findings, the impact of the proposed zoning change on transportation **would not adversely affect the public interest.**

- b. **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 Marion County Utilities service area. Marion County has the capacity to serve the potential new potable water needs generated from the proposed zoning change based on the calculations below.

- i. Current R-3 zoning: $[(0 \text{ DU} * 2.33 \text{ persons}) * 150 \text{ gallons}] = 0 \text{ gallons}$
 - 1. Commerce District designation does not allow residential uses.
- ii. Proposed M-1 zoning: $[2.77 \text{ AC} * 2,750 \text{ gallons}] = 7,618 \text{ gallons}$

Based on the above findings, the impact of the proposed zoning change on potable **would not adversely affect the public interest.**

- c. **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 Marion County Utilities service area. Marion County has the capacity to serve the potential new sanitary sewer needs generated from the proposed zoning change based on the calculations below.

- i. Current R-3 zoning: $[(0 \text{ DU} * 2.33 \text{ persons}) * 110 \text{ gallons}] = 0 \text{ gallons}$
 - 1. Commerce District designation does not allow residential uses.
- ii. Proposed M-1 zoning: $[2.77 \text{ AC} * 2,000 \text{ gallons}] = 5,540 \text{ gallons}$

Based on the above findings, the impact of the proposed zoning change on sanitary sewer **would not adversely affect the public interest.**

- d. **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 findings, the impact of the proposed zoning change on solid waste **would not adversely affect the public interest.**

- e. **Recreation Impacts.** Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. The intent of the proposed zoning change is to provide operate a light industrial use permitted under M-1 zoning. A commercial/industrial level of service standard is not currently in place for Marion County. The intent is to provide operate a light industrial use permitted under M-1 zoning.

Based on the above findings, the impact of the proposed zoning change on recreation **would not adversely affect the public interest.**

- f. **Stormwater/Drainage Impacts.** 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 flood plain areas but does contain some flood prone areas as determined by Marion County's independent flood risk studies. Development of 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 findings, the impact of the proposed zoning change on stormwater/drainage **would not adversely affect the public interest.**

- g. **Fire Rescue/Emergency Services Impact.** The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, staff evaluate availability within a 5-mile radius around the subject property as evidence of the availability of such services. Fire Station #17, located at 2122 Pine Road, Ocala, FL 34472 is 2.2 road miles northwest of the subject property. The expected, unimpeded travel time from Fire Station #17 to the subject property is 4 minutes according to Google Maps.

The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, staff evaluate availability within a 5-mile radius around the subject property as evidence of the availability of such services.

Based on the above findings, the impact of the proposed zoning change on fire rescue/emergency services **would not adversely affect the public interest.**

- h. **Law Enforcement Impact.** The Comprehensive Plan does not establish a level of service standard for law enforcement services but staff have evaluated availability within a 5-mile radius around the subject property as evidence of the availability of such services. The nearest Sherriff substation is located approximately 1.7 road miles northwest of the subject property at 692 NW 30th Ave, Ocala, FL 34475. The expected, unimpeded travel time from the nearest Sherriff substation to the subject property is 3 minutes according to Google Maps.

Based on the above findings, the impact of the proposed zoning change on law enforcement **would not adversely affect the public interest.**

- i. **Public Schools Impact.** The following figures are provided for the 120th day of enrollment for the 2023-2024 school year: Emerald Shores Elementary (98.6%), Lake Weir Middle (84.78%), and Lake Weir High (69.09%). Emerald Shores Elementary and Lake Weir Middle are approaching capacity limits. The proposed zoning change to M-1 does not allow residential uses. Therefore, the zoning change would not generate additional students nor put additional demand on Marion County public schools.

Based on the above findings, the impact of the proposed zoning change on public schools **would not adversely affect the public interest.**

In summary, when weighing the impacts on County infrastructure and services, as discussed above, approving the zoning change from R-3 to M-1 **would not adversely affect the public interest.**

C. How is this Request Consistent with the Comprehensive Plan?

- a. **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: Under FLUE Policy 1.1.3, the County is required to designate appropriate areas for growth to balance social and economic needs – including employment opportunities – while protecting the County’s agricultural and environmental resources. The subject property is not located within an environmentally sensitive overlay zone; however, it is located within the primary springs protection zone, and there is an existing agricultural use directly to the south. Light industrial uses are permissible within the primary springs zone, although, future development must be consistent with all policies outlined under FLUE 7.4: Springs Protection Overlay Zone (SPOZ) and adhere to all regulations established by LDC Article 5.4. – Springs Protection Overlay Zone (SPOZ). Future development under the proposed M-1 must also provide a type B buffer as required by LDC Section 4.2.27.G to protect the adjacent agricultural/timberland use from proposed industrial uses. The rezoning to M-1 will direct industrial uses to an appropriate area as evidenced by the subject property and surrounding property’s Commerce District future land use designation (see FLUE Policy 2.1.24 below). Future development will be held to the County’s LDC standards.

Thus, this application is **consistent** with Policy 1.1.3.

b. FLUE Policy 2.1.24 – Commerce District (CD).

“This land use is intended to provide for more intense commercial and industrial uses than may be suitable in the Employment Center (EC) designation due to noise, odor, pollution, and other nuisance issues. A maximum Floor Area Ratio of 2.0 is allowed, as further defined by the LDC. This land use designation [is] an Urban land use designation.”

Analysis: The CD future land use designation does not provide density standards, nor does it allow residential uses. Office, commercial, industrial, and public uses are appropriate and allowed land use categories within the CD designation. CD future land use allows M-1 and M-2 industrial uses. The proposed zoning change application seeks to rezone the subject property from R-3 to M-1. The development standard for the floor area ratio of M-1 zoning districts is a maximum of 0.75, which is within the 0 to 2.0 floor area ratio range allowable under CD future land use.

Thus, this application is **consistent** with FLUE Policy 2.1.24.

c. FLUE Policy 5.1.2 on Review Criteria – Changes to the Comprehensive Plan and Zoning.

“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
11. Concurrency requirements.

Analysis: The proposed Zoning Change is **consistent** with FLUE Policy 5.1.2 for the following reasons:

- i. ***Market Demand and Necessity.*** The applicant has not provided written demonstration or analysis of market demand or necessity for the proposed change, but has verbally expressed a desire for additional space to support operations associated with the BamCore-Florida’s existing facility which is within 400 feet of the subject property.
- ii. ***Impact on Agricultural Activities and Rural Character.*** The subject property is located within an urbanized area – all properties within a 0.50-mile radius have a future land use designation that falls under the “Urban Area” category of land use. The nearest property designated for Rural Land – one of two designations for the Rural Area category – is located 0.55 miles to the south. There is an agricultural use directly to the southwest of

the subject property. This ±6.26 agricultural property hosts planted timberland with no residential component on site. The agricultural property has a CD land use designation and is likely to be converted to another property use in the future due to its location in an urbanized area and CD land use entitlements.

- iii. ***Prevention of Urban Sprawl.*** Future development of the subject property would be considered infill due to its character as a pocket of vacant, undeveloped land in an existing urbanized area. Several properties nearby are connected to centralized utilities, including the BamCore-Florida facility situated nearby on Cypress Road, and connections are available for this property.
 - iv. ***Compatibility with Surrounding Uses.*** The surrounding area is urbanized with industrial and public (drainage retention) uses in close proximity and commercial, residential, and public (elementary school) greater than 1000 feet away. The proposed uses allowed under the proposed M-1 zoning change would be compatible with existing uses surrounding areas designated for CD uses and are unlikely to have a detrimental effect on nearby non-industrial uses.
 - v. ***Consistency with Comprehensive Plan and Land Development Code (LDC).*** The zoning change request from R-3 to M-1 would be consistent with the intent of FLUE Policy 2.1.24. Furthermore, the subject property dimensions exceed the minimum lot width required by M-1 development standards and provide sufficient land area to meet the minimum setback requirements.
- d. **FLUE Policy 5.1.3 on Planning and Zoning Commission.**
- “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 the March 31st, 2025 Planning and Zoning Commission; therefore, the application is **consistent** with FLUE Policy 5.1.3.

e. **FLUE Policy 5.1.4 on Notice of Hearing.**

“The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

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

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

V. 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 Zoning Change request is **compatible with surrounding uses, will not adversely impact the public interest, and is consistent with the County's comprehensive plan.**

VI. ALTERNATIVE ACTIONS

A. Deny the Zoning Change Request

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. Table the Zoning Change Request

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.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval.

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

IX. LIST OF ATTACHMENTS

- A. Application Package;
- B. DRC Comments;
- C. Surrounding Property Notification;
- D. Site and Area Photographs;
- E. 2012 Special Warranty Deed; and
- F. Emerald Shores PUD Ordinance-ZP Approval Letter 220508Z