



Marion County
Board of County Commissioners

Growth Services

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PLANNING & ZONING SECTION
STAFF REPORT

Public Hearing Dates	P&Z: 6/30/2025	BCC: TBD
Case Number	25-S09	
CDP-AR	32748	
Type of Case: Small-Scale Comprehensive Plan Amendment	<i>Future Land Use Designation Change:</i> FROM: Rural Land (1 to 10 DU/AC) TO: Commercial (COM – 1.0 FAR)	
Owner	Raymond Rains for the Estate of John Rains Sr.	
Applicant	Sunkissed RV Resort / James Gooding III	
Street Addresses	No address assigned	
Parcel Numbers	45984-000-00	
Property Size	±20.27 acres	
Future Land Use	Rural Land (RL)	
Zoning Classification	General Agriculture (A-1)	
Overlay Zone/Scenic Area	Outside of Urban Growth Boundary (UGB), In Secondary Springs Protection Overlay Zone (SSPZ)	
Staff Recommendation	APPROVAL WITH CONDITIONS	
P&ZC Recommendation	TBD	
Related Cases	250705ZC: Rezone from General Agriculture (A-1) to Recreational Vehicle Park (P-RV)	
Code Cases	N/A	

I. ITEM SUMMARY

James Gooding III, agent for the applicant, Sunkissed RV Resort and landowner Raymond Rains (Personal Representative) for the Estate of John Rains Jr, has filed a small-scale land use amendment to change a ±20.27-acres Rural Land (RL) to Commercial (COM) (see Attachment A). The Parcel Identification Number for the subject parcel is 45984-000-00; there is no assigned address as the subject parcel is unimproved at this time. The legal description is provided within the application (see Attachment A). The application proposes rezoning the entire ±20.27-acre parcel for all uses permitted within the proposed zoning classification. The site is located outside of the Urban Growth Boundary (UGB) and in the County-wide Secondary Springs Protection Zone (SS-SPOZ). No code cases have been found to be active at this location.

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, be compatible with the surrounding uses, and do not adversely affect the public interest.

Figure 1
General Location Map - Fall 2023 Aerial



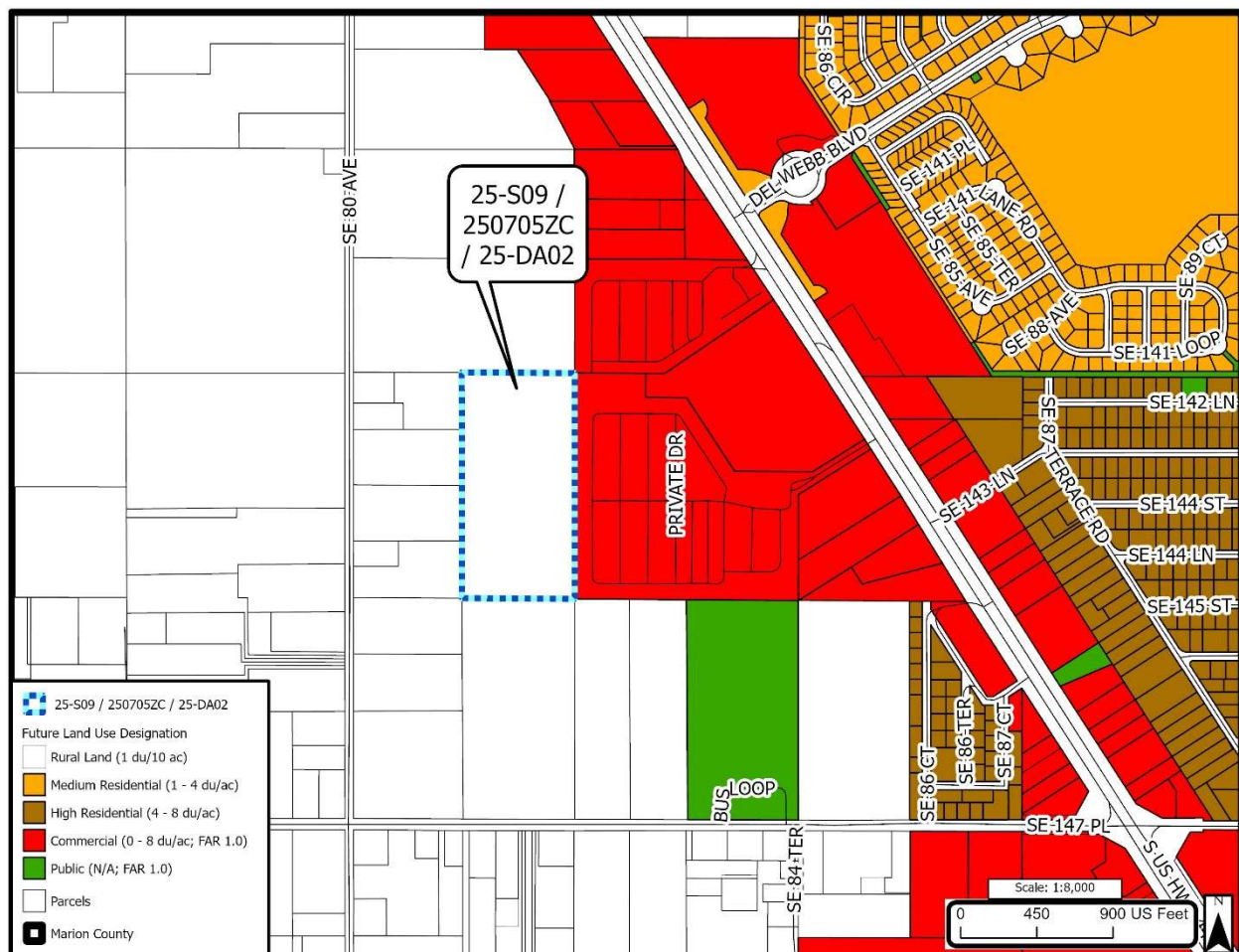
III. NOTICE OF PUBLIC HEARING

Notice of public hearing was mailed to (10) property owners within 300 feet of the subject property on May 9, 2025. A public hearing notice sign was also posted on the property on June 20, 2025. A public hearing notice for the Planning & Zoning Commission hearing was published in the Star Banner on May 12, 2025. Evidence of the public hearing notices are on file with the Growth Services Department and are incorporated herein by reference. As of the date of the initial distribution of this Staff Report, no correspondence in support of or in opposition to the amendment has been received.

IV. BACKGROUND/PROPERTY HISTORY

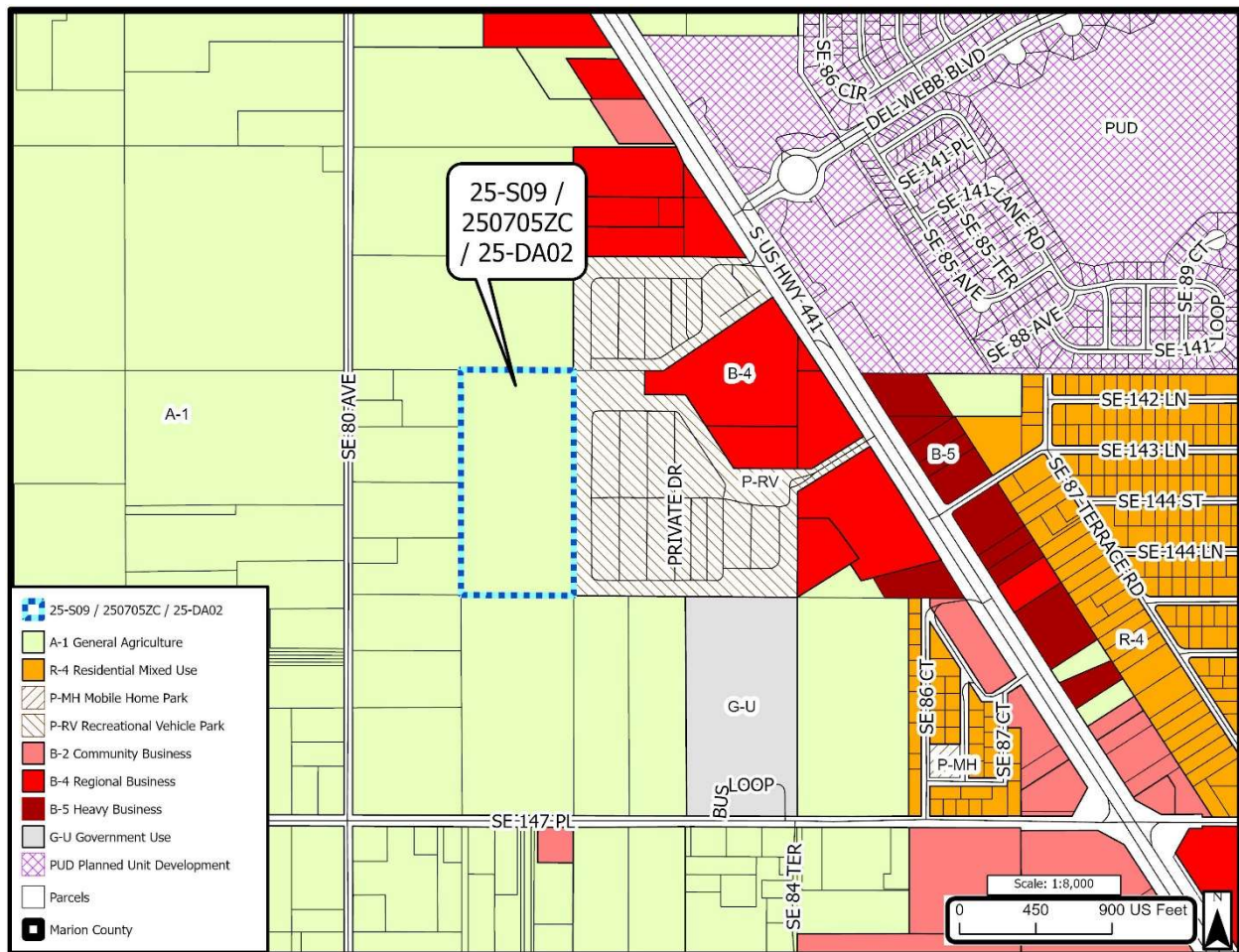
- A. FLUMS history. Figure 2 displays the current FLUMS designation of the subject property along with that of the surrounding properties. The subject parcel has most recently been used as crop land and currently retains a Rural Land (RL) designation which is compatible with all agricultural uses. With the April 1994 adoption of the Marion County Comprehensive Plan, the property's then established future land use designation was Rural Land (RL).

Figure 2
Future Land Use Map Series Designation



- B. *ZDM history.* Figure 3 shows the subject property is currently zoned General Agriculture (A-1), with the areas to the west, south and north featuring General Agriculture (A-1). The Recreation Vehicle Park (P-RV), Regional Business (B-4) and Heavy Business (B-5) comprise the majority of the zoning to the eastern areas.

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 properties are located on the west side of US 441, approximately 4.9 miles north of Marion/Lake County border. There are no structures constructed on the subject parcel. There are no FEMA or Marion County designated flood zones on the subject parcel (Figure 4a).

25-S09 / 250705ZC / 25-DA02

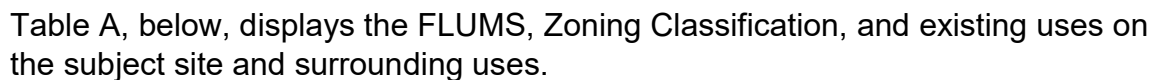
Scale: 1:2,500

0 150 300 US Feet

Marion County

[illegible]

- Figure 5**
Existing and Surrounding Land Uses

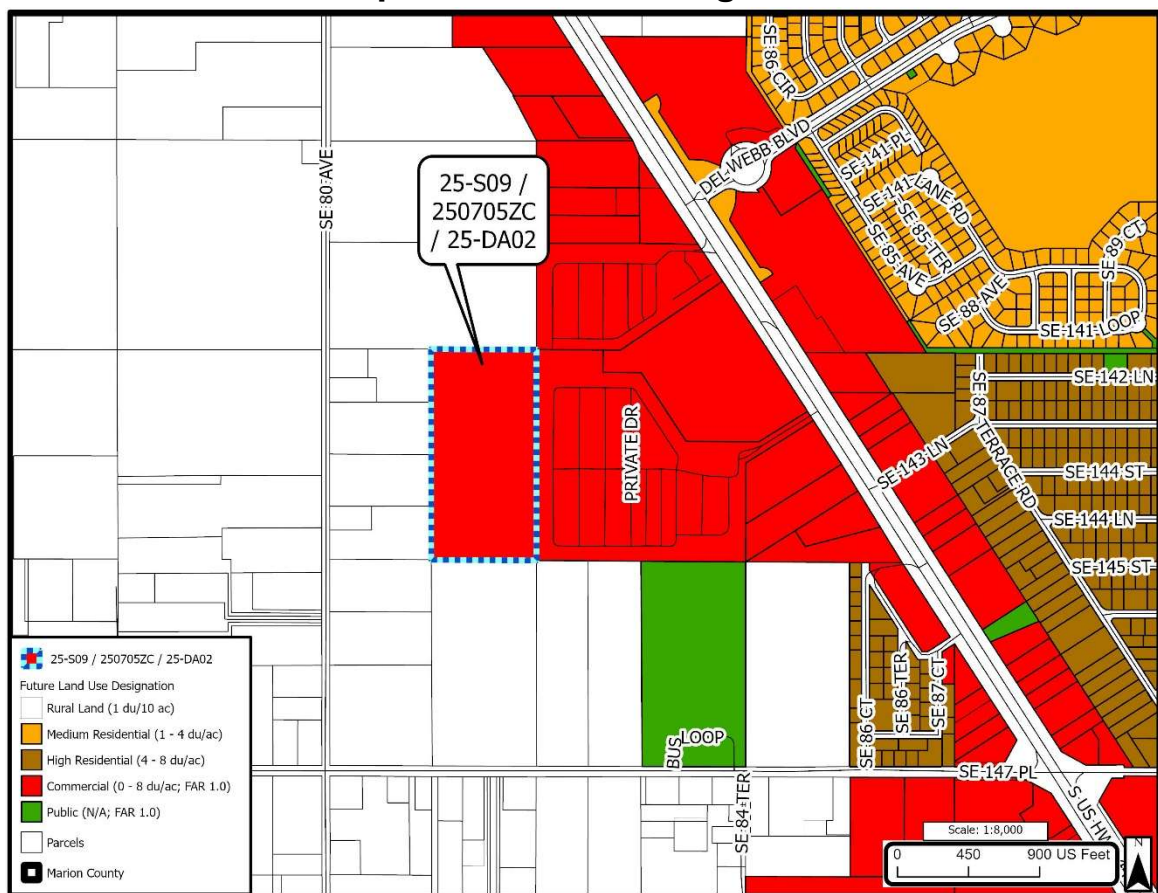


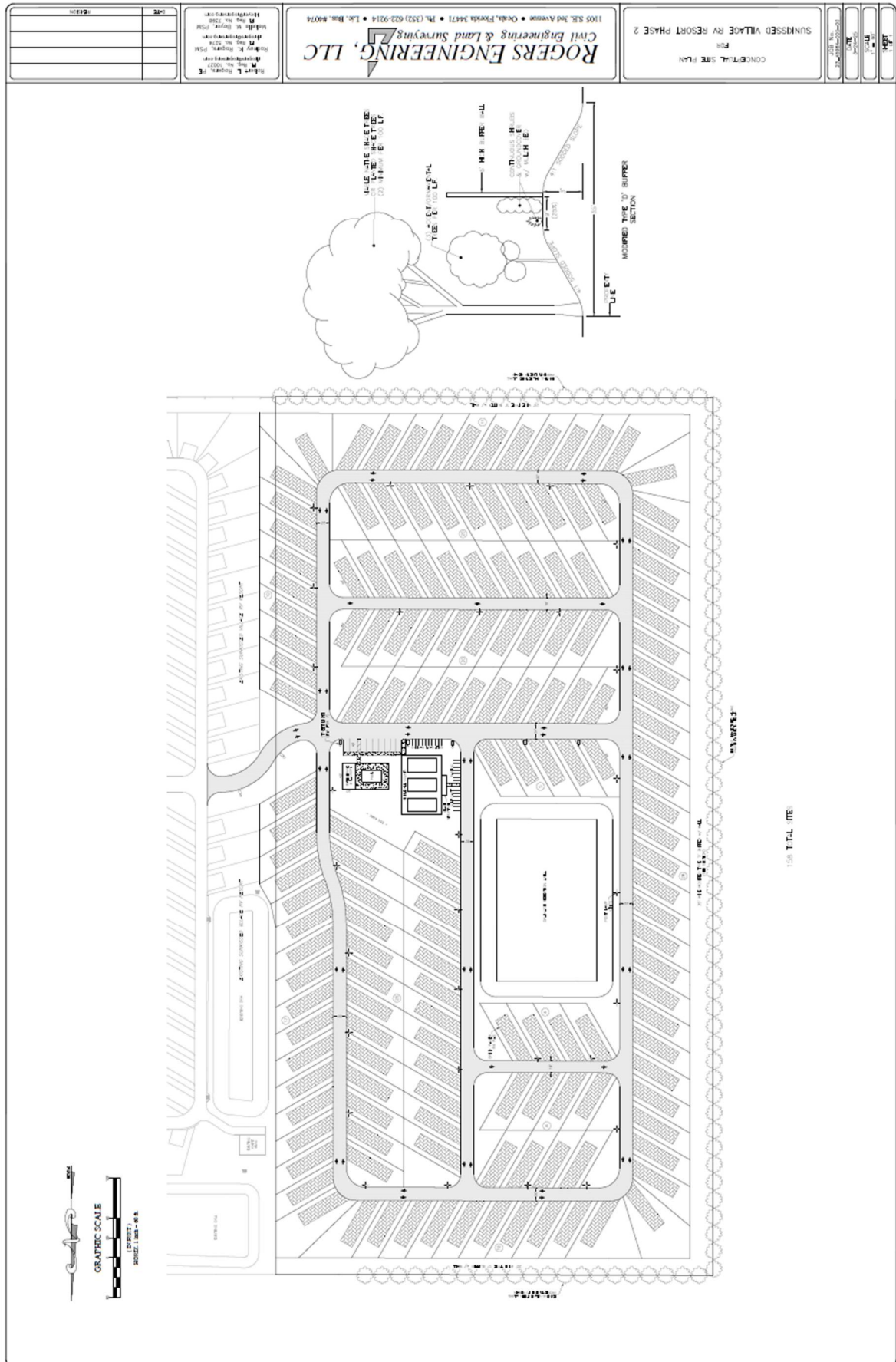
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
Subject Property	Rural Land (RL)	General Agriculture (A-1)	Cropland Class III (53)
North	Rural Land (RL)	General Agriculture (A-1)	Grazing Class IV (63)
South	Rural Land (RL)	General Agriculture (A-1)	Grazing Class V (63)

TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
East	Commercial (COM)	Recreational Vehicle Park (P-RV)	Camps/Campgrounds (36)
West	Rural Land (99)	General Agriculture (A-1)	Improved Residential (01) Improved Mobile Home (02)

C. *Project request.* Figure 6 depicts the FLUMS amendment proposed by this application. Approving the application would change the future land use designation from Rural Land (RL – 1 to 10 DU/AC) to Commercial (COM – Max FAR 1.0). There are residential and historical agricultural land uses that are located immediately to the west, south and north of the subject parcel. The subject parcel is on the edge of commercial designated parcels and the proposed land use change would expand that area.

Figure 6
Proposed FLUMS Designation





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 applicant is requesting a land use amendment that would significantly increase the potential density/intensity of the subject parcel and while the subject parcel is outside of the Urban Growth Boundary (UGB), it is contiguous with a burgeoning commercial corridor and is adjacent to an existing RV park. The requested land use amendment, and companion rezoning, are intended to expand the existing RV park. The expansion of the Commercial (COM) area will not pose a threat to the surrounding parcels as this area is rapidly urbanizing and this identical use is present on two parcels in the immediate area. Staff finds that the proposed land use amendment poses little impact to the surrounding area and is therefore **is consistent** with FLUE Policy 1.1.1.

- b. FLUE Policy 2.1.22: This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross

acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and Recreational Vehicle Parks (P-RV).

Analysis: The subject parcel is currently designated to be Rural Land (RL) which is consistent with parcels to the west, north and south. As previously stated, there are Commercial (COM) designated parcels along the border of US 441 on both the east and west sides. However, it is reasonable to assume that the bordering Rural Land parcels will convert to commercial uses in the future as this corridor continues to develop. The change of land use for these parcels is to be expected. The proposed use established in this area already. The Sunkissed RV Park exists immediately east of the subject parcel. There is also the Southern Oaks RV Park to the north, Camping World RV Sales and PPL RV Sales adjacent to the east. With the knowledge that these commercial areas will continue to develop, it is intuitive to keep these similar uses clustered along this corridor. This application **is consistent** with FLUE Policy 2.1.22.

- c. 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 study has been submitted that indicates that during peak season, the RV park is at capacity and additional demand exists for at least four months out of the year. The area will be serviced by Marion County Utilities for on-site water and sewer. These services are currently available in the existing portion of RV

park. The proposed expansion of the Sunkissed RV Resort does not represent urban sprawl as RV Resorts and sales already exist on adjacent parcels. The proposed land use amendment does not violate any of the eleven criteria. The application is **consistent** with FLUE Policy 5.1.2.

- d. 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 June 30, 2025. This application is **consistent** with FLUE Policy 5.1.3.

- e. 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.”

A Traffic Impact Analysis will be required per LDC 2.3.2.C(3).g and based upon County Traffic Impact Analysis Guidelines.

Based on the above findings, the application is **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 parcels do not lie within the UGB, but municipal services are available. Growth Service staff contend that “infrastructure can be provided in a financially feasible manner” as services exist and it will be the responsibility of the applicant to extend those services. **Per Marion County Utilities:** “Parcel 45984-000-00; Project is located within Marion County Utilities’ service area; expansion of the adjacent “Sunkissed RV” parcel 46055-000-00 will add to its water and sewer service capacity, connected through a

master meter. Development of this parcel for additional RVs will require ownership to pay additional capacity charges for the expansion when the property is permitted through Growth Services. Capacity charges can be estimated through Development Review at the time of Site Plan submittal if requested. Any water or wastewater lines as part of this development will remain under private ownership as MCU's responsibility ends at the property line where the master meter is." 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: 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. Based on the residential calculation, the proposed rezoning would result in a potential demand for 40,420 gallons per day.

The property is outside the UGB but within Marion County Utilities' Service Areas. Per the Marion County Department of Health "Park will need to have an amendment to the RV Park permit through the Department of Health in Marion County. Central Sewer/Central Water." Sewage services can be accommodated through capacities that are currently available. Based on these findings, the application is **not 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 property is outside of the UGB and is within the Marion County Utilities' Service Area. Projected daily usage would be 55,577 gallons per day. Potable water impacts would not adversely affect the public interest. Per the Marion County

Department of Health “Park will need to have an amendment to the RV Park permit through the Department of Health in Marion County. Central Sewer/Central Water.” 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: The County has identified and arranged 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: The capacity of stormwater storage facilities will be calculated during the design and engineering phases of the project should it be approved. 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 owners have been 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 proposed rezoning is commercial in nature and will not generate new students. 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 site is officially located in the service district for Marion County's Spruce Creek #18, located at 7900 SE 135th Street, approximately 1.08 miles northeast of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above findings, the application is **consistent** with this section.
9. Law Enforcement/Sheriff.
- a. The site is officially located in the service district for Marion County's South Marion/The Villages, located at 8230 SE 165th Lane, approximately 4.71 miles south of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above findings, the application is **consistent** with this section.

In summation, when weighing the totality of the circumstances, the application is **consistent** with the Comprehensive Plan.

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

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

Analysis: Section A of this staff report included a detailed analysis of the availability of facilities, services and suitability. Services are present in the area and the proposed use of the subject parcel is an expansion of an established use. Based on this information, the application **does 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 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. 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 that the proposed use does not promote urban sprawl, makes efficient use of municipal infrastructure and services by concentrating the use with like uses, will not impact sensitive natural features, will serve as a delineation between urban and rural lands and utilizes existing access points to the US 441 corridor. Overall, staff finds the application **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: The site is located outside the County UGB but is served by municipal water and sewer services which will be extended at the applicant's expense. It expands but maintains concentration of a commercial use that is already established in the area. While it will convert Rural Land (RL) to Commercial (COM), this is an expansion of the US 441 commercial corridor which has been anticipated and does not suggest urban sprawl. The proposed land use amendment, even with the proposed rezoning, still maintains compatibility with the surrounding area or F.S. Section 163.3.177(6)(a)9. Based on this finding, the proposed amendment **is consistent** with F.S. Section 163.3.177(6)(a)9.

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 **DENIAL** 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 **APPROVAL WITH CONDITIONS** of the proposed small-scale FLUMS amendment number 25-S09 based on the following:

- A. The application **is consistent** with the following Comprehensive Plan provisions:
 - 1. FLUE Policies 5.1.2, 5.1.3 and 5.1.4,
 - 2. FLUE Policy 1.1.1, 2.1.13, 2.1.22,
 - 3. SSE Policy 1.1.1, 1.1.4
 - 4. PWE Policy 1.1.1,
 - 5. SWE Policy 1.1.1,
 - 6. SE Policies 1.1.1, 1.1.5,
 - 7. TE Objectives 2.1.4 and 3.1

- B. The application **does comply with and conform to** Florida Statutes, Sections 163.3177(6)(a)8a, 163.3177(6)(a)8c, 163.3177(6)(a)8b 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

TBD

X. BOARD OF COUNTY COMMISSIONERS ACTION

TBD

XI. LIST OF ATTACHMENTS

- A. Application.
- B. DRC Staff Review Comments.
- C. Site/Sign Photos.
- D. Letters of Support