



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 8/25/2025	BCC Date: 9/15/2025
Case Number	250904ZC
CDP-AR	32904
Type of Case	Rezoning from Single-Family Dwelling (R-1) to Community Business (B-2).
Owner	Richard Taylor
Applicant	Angela Thomas
Street Address/Site Location	No address assigned
Parcel Number(s)	1470-002-005
Property Size	±2.38 AC
Future Land Use	Commercial (COM)
Existing Zoning Classification	Single-Family Dwelling (R-1)
Overlays Zones/Special Areas	Primary Springs Protection Zone (PSPZ) & Urban Growth Boundary (UGB)
Staff Recommendation	APPROVAL
P&Z Recommendation	APPROVAL (BY CONSENT)
Project Planner	Jared Rivera-Cayetano
Related Cases	None

I. ITEM SUMMARY

Angela Thomas, on behalf of Richard Taylor, filed a rezoning application to change the zoning of a ±2.38-acre property from Single-Family Dwelling (R-1) to Community Business (B-2). The Parcel Identification Number for the subject property is 1470-002-005; the site has not been assigned an address. Located within the Ocala Highland Estates subdivision, the legal descriptions are provided within the rezoning application (see Attachment A). The site is located within the Secondary Springs Protection Zone (PSPZ). The site is located inside the Urban Growth Boundary (UGB). The applicant does not have a specific planned use for this property at this time; however, Staff finds that Community Business (B-2) zoning would make the zoning and land use consistent and would allow the parcel to be used primarily for commercial purposes, as promoted by the Marion County Comprehensive Plan.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning application. Staff finds that Community Business (B-2) zoning would make the zoning and land use consistent and allow the parcel to be used primarily for commercial purposes. Approving this request would ultimately give the property a zoning classification that will not adversely affect the public

interest, is consistent with the Marion County Comprehensive Plan, and is compatible with land uses in the surrounding area.

III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (21 owners) within 300 feet of the subject property on August 8, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on August 13, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on August 11, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

IV. ANALYSIS

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

A. *Compatibility with Surrounding Area*

"Compatibility" is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, 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, above, is a general location aerial displaying existing and surrounding site conditions.

Figure 2, below, displays shows the location of nearby subdivisions. The subject property is composed of two (2) smaller lots as originally platted for the Ocala Highland Estates subdivision. Ocala Springs Shopping Center is located to the northwest of the subject property, across NW 70th Street. Although the project has not completed the formal subdivision process at this time, Adena Golf and Country Club is located to the north and northeast of the subject property, across NW 70th Street.

Figure 2
Existing Subdivisions



Figure 3, below, shows the Future Land Use (FLU) designation of the subject property, designated as Commercial (COM). Notably, this land use designation spans across all lots in the Ocala Highland Estates subdivision that front NW 70th Street and US Highway 441. Most other parcels along these corridors have a similar commercial designation, including more intense designations such as Commerce District (CD) and Employment Center (EC). Within the Ocala Highland Estates subdivision, all other lots to the south of the subject property have a Medium Residential (MR) land use designation. Properties related to the Adena Golf and Country Club project have a Low Residential (LR) designation.

The surrounding properties are all within the Primary Springs Protection Overlay Zone (PSPOZ) and within the Urban Growth Boundary (UGB).

**Figure 3
FLUMS Designation**

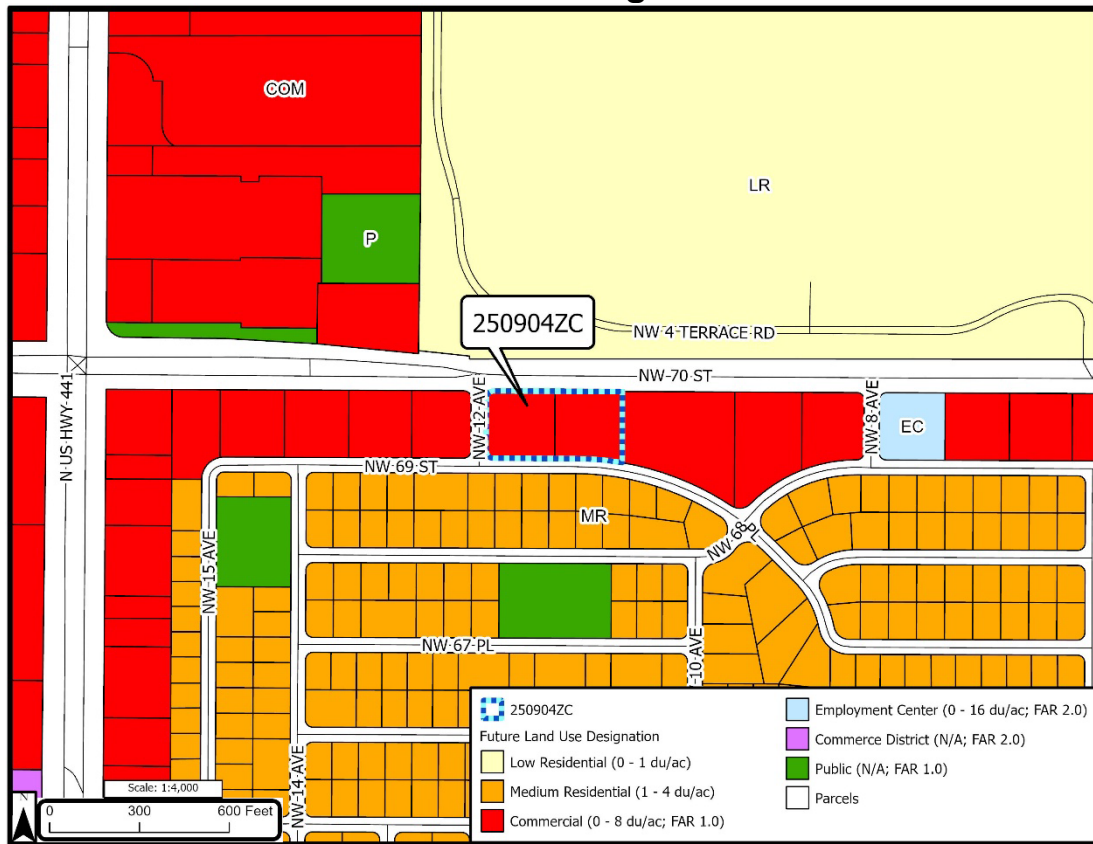


Figure 4, below, displays the existing zoning classifications for the subject properties in relation to the existing zoning classifications of the surrounding properties, and Figure 5 shows the zoning classification proposed by the applicant.

Within the Ocala Highlands Estates subdivision, all lots that front US Highway 441, including its intersection with SW 70th Street, are zoned for commercial uses. Most other parcels along these corridors have a similar commercial zoning classification, including more intense designations such as Regional Business (B-4). Properties related to the Ocala Springs Shopping Center have a Planned Unit Development (PUD).

Lots that front NW 70th Street are zoned for Single Family Dwelling (R-1) and Community Business (B-2). There is one (1) property (PID 1470-013-006) approximately 0.15 miles to the east of the subject property zoned for Light Industrial (M-1). This specific lot was rezoned in 1987.

Within the rest of the Ocala Highland Estates subdivision, all other lots to the south of the subject property have a residential zoning. Properties related to the Adena Golf and Country Club project have a Planned Unit Development (PUD) classification allowing for low-density residential development, as well as recreational amenities including golf courses and a clubhouse area.

Figure 4
Zoning Classification

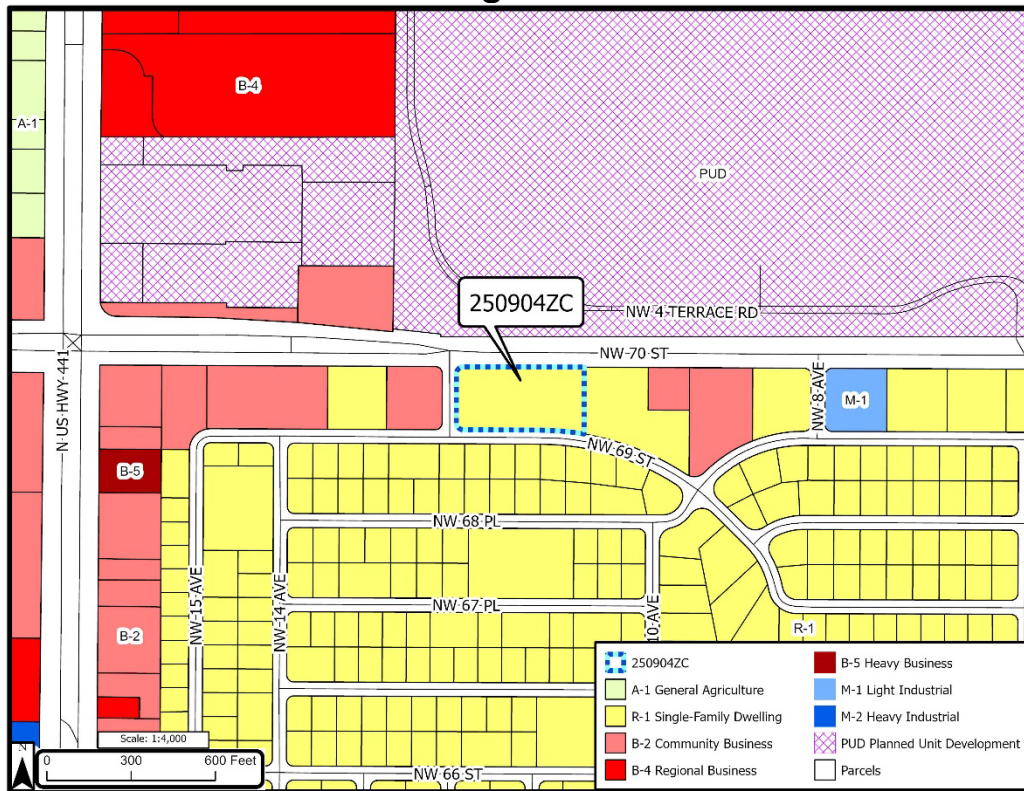


Figure 5.
Proposed Zoning Classification

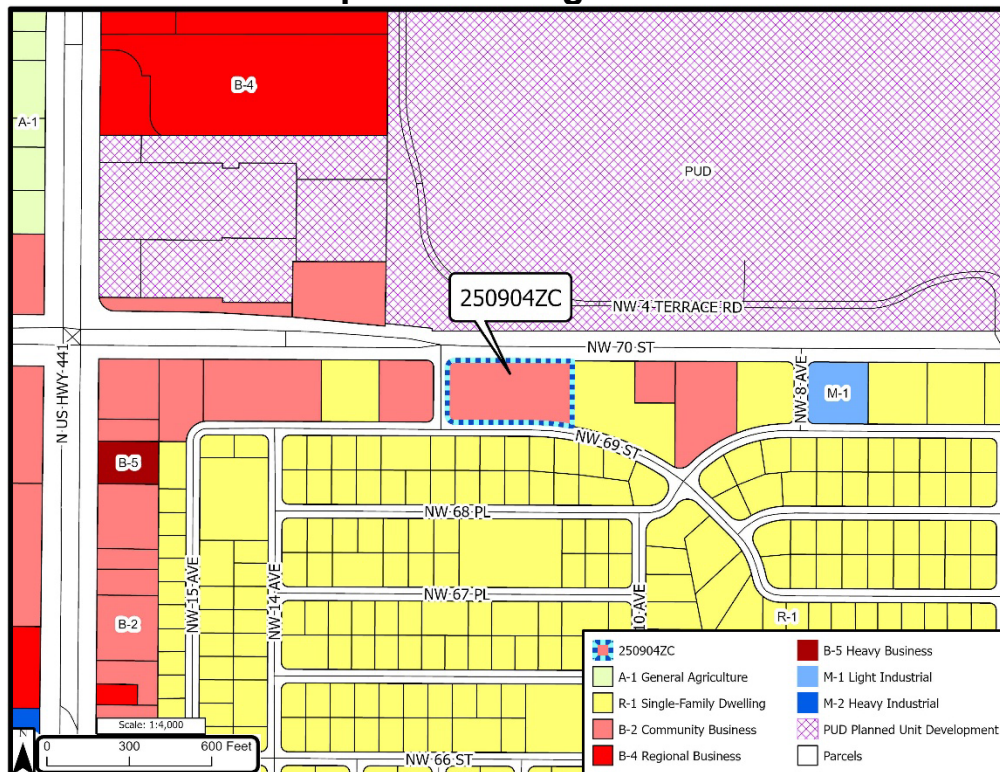


Figure 6, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

Within the Ocala Highland Estates subdivision, there are several vacant lots that front US Highway 441 and NW 70th Street, whether for commercial or residential purposes. Most other parcels along these corridors are used for commercial purposes, including properties related to the Ocala Springs Shopping Center and Adena Golf and Country Club projects. The latter is due to the existing golf courses on premises.

Within the rest of the Ocala Highland Estates subdivision, all other lots to the south of the subject property are characterized by residential uses.

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on August 13, 2025 and found that the subject property is vacant with scattered vegetation. Residential properties can be seen from NW 70th Street. The parcel directly to the east of the subject property (PID 1470-002-003) is used for a church. Meanwhile, a parcel less than 500 feet to the west of the subject property (PID 1470-001-004) is currently used for the sale and repair of tractors and other agricultural equipment. There is a small commercial node at the intersection of NW 70th Street and N Highway 441.

Site photos are attached to this report (see Attachment C).

Figure 6.
Existing Use per Property Appraiser

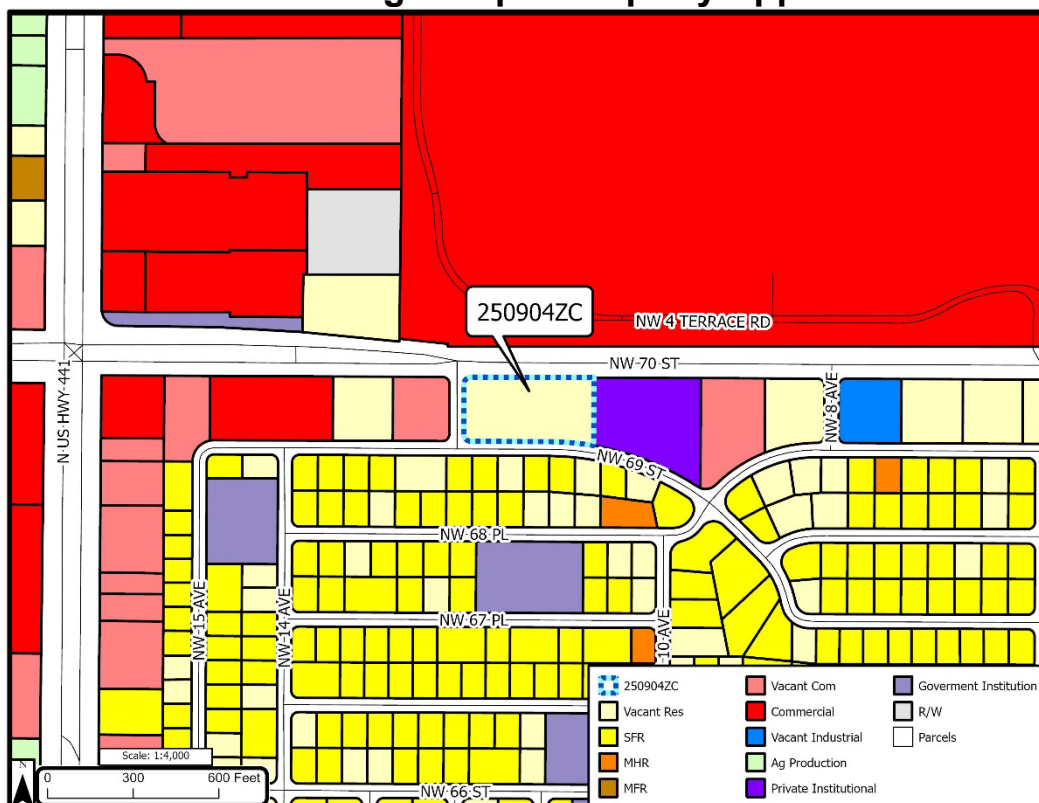


Figure 7, below, identifies nearby under-review, DRC-approved, or permitted residential developments. Given the subject property's location within the Ocala Highland Estates subdivision—within the Urban Growth Boundary (UGB) and along two (2) major corridors (US Highway and NW 70th Street)—there are some large residential developments nearby. Adena Golf and Country Club, with 202 proposed residential units, is under development review.

Figure 7.
Surrounding Residential Developments

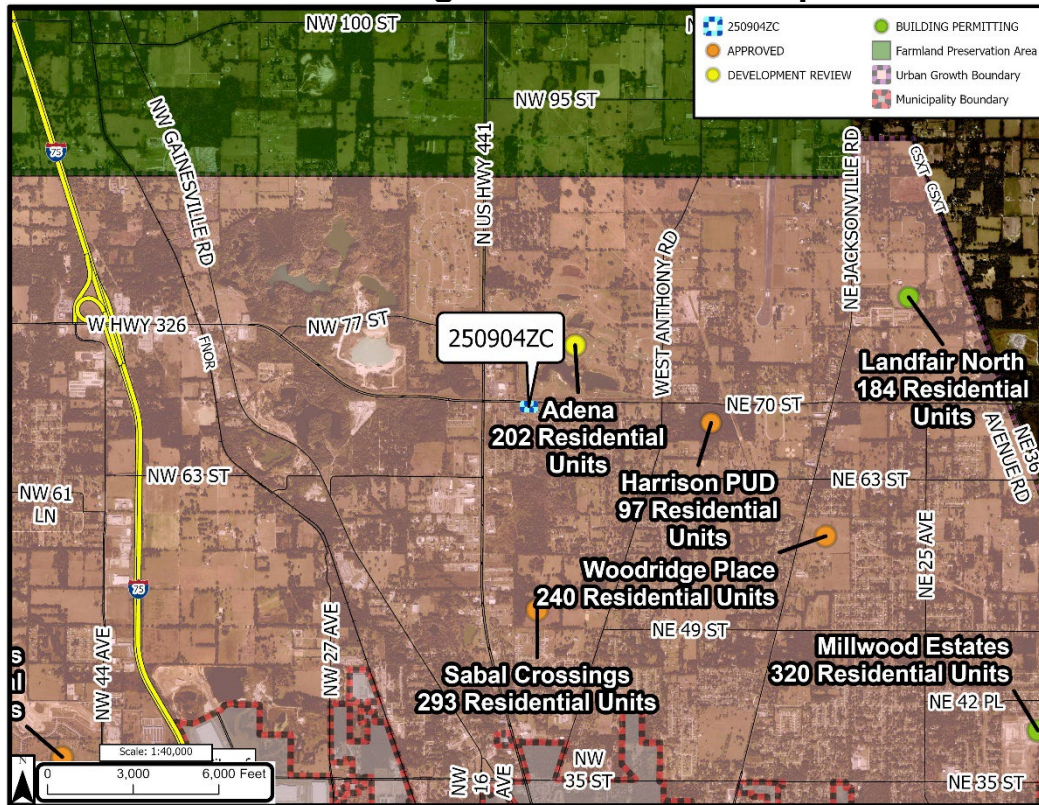


Table A, below, assembles the information in Figures 3, 4, 5, and 6 in tabular form.

The Marion County Land Development Code (LDC) includes several provisions to ensure compatibility between different land uses. Aside from certain activities (displays during business hours, etc.), all commercial activity involving sales or storage in B-2 zoning must take place in a completely enclosed building, unless a Special Use Permit (SUP) is approved for outdoor commercial activities. Section 6.8.6 of the Marion County LDC requires a Type C buffer on any commercial property boundary facing an arterial or collector right-of-way (ROW) or an institutional parcel (including places of worship).

Based on the above findings, the proposed rezoning application is **compatible** with the existing and future surrounding land uses.

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Commercial (COM)	Single-Family Dwelling (R-1)	Vacant Residential
North	Right-of-Way & Low Residential (LR)	Right-of-Way & Planned Unit Development (PUD)	Right-of-Way & Commercial
South	Right-of-Way & Medium Residential (MR)	Right-of-Way & Single-Family Dwelling (R-1)	Right-of-Way, Single Family Residential & Vacant Residential
East	Commercial (COM)	Single-Family Dwelling (R-1) & Community Business (B-2)	Private Institutional
West	Right-of-Way & Commercial (COM)	Right-of-Way & Community Business (B-2)	Right-of-Way & Vacant Commercial

B. Effect on Public Interest

1. Transportation impacts. These include roadways, public transit, and other mobility features.

- a. Roadways. The subject parcel has access to NW 70th Street—also known as W Highway 326—to the north, NW 8th Avenue to the west, and NW 69th Street to the south. NW 70th Street is a state highway under the Florida Department of Transportation (FDOT) Strategic Intermodal System (SIS), while NW 8th Avenue and NW 69th Street are local subdivision roads maintained by Marion County. NW 70th Street currently meets County Level of Service (LOS) standards for an Urban FDOT roadway, as established by the Marion County Comprehensive Plan.

US Highway 441 is also located to the west of the Ocala Highlands Estate subdivision. The segment of US Highway 441 north of SW 70th Street is also a state highway under the FDOT Strategic Intermodal System.

Although the applicant does not have a specific planned use for this property at this time, the proposed rezoning would allow commercial uses that could reasonably yield 1,897 daily trips, 44 AM peak HR trips, and 175 PM Peak HR trips, based on a retail/shopping center use and according to calculations from the Office of the County Engineer (OCE). Staff notes that, per LDC Sec. 4.2.18, Community

Business (B-2) zoning allows several uses, including automobile rentals, churches, hotels, drug stores, and fast food restaurants with drive-throughs. The applicant did not provide a traffic impact statement for the proposed rezoning; however, during development review, a formal traffic impact analysis will be required for the proposed use and road improvements will be identified and coordinated.

- b. Public transit. There are no fixed route services in the area.
- c. Other mobility features. No sidewalks exist along any roadways listed as contiguous to this parcel; however, sidewalks would be required along NW 70th Street upon development.

Based on the above findings, the transportation impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

TABLE 2. Zoning Transportation Impacts			
Use	Units	Trip Rate (per unit)	Estimated Daily Trips
Existing: Single-Family Dwelling (R-1)	1 dwelling unit + 1 guest home	9.44 trips/day (ITE code 210) x 2	±20 trips/day
Potential: Community Business (B-2)-Shopping Center	22,000 SF (Typical)	37.75 trips/day per 1,000 SF (ITE Code 820) x 22	±832 trips/day
Potential: Community Business (B-2)-Convenience Store/Gasoline Station	5,000 SF (Typical)	624.20 trips/day per 1,000 SF (ITE Code 853) x 5	±3,122 trips/day

Source: ITE Trip Generation Manual, 10th Edition, LU Code 210-Single Family Detached Housing; LU Code 820-Shopping Center; LU Code 853-Convenience Store w/ Gasoline Pumps.

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of approximately 150 gallons per person per day for residential demand and 2,750 gallons per acre per day for non-residential demand. Although the applicant does not have a specific planned use for this property at this time, the proposed rezoning would, at most, result in a potential demand of 6,545 gallons per day.

The property is within the Marion County service area. Central potable water service is within 1,300 feet from the subject property. Connection distance will be determined during the development review process. If outside

connection distance, any new development shall meet County potable water standards, including for any potential wells, at the time of development review. Based on the above findings, if approved, the potable water impacts of the rezoning request **would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of approximately 110 gallons per person per day for residential demand and 2,000 gallons per acre per day for commercial and industrial demand. Although the applicant does not have a specific planned use for this property at this time, the proposed rezoning would, at most, result in a potential demand of 4,760 gallons per day.

The property is within the Marion County service area. Central wastewater service is immediately available. Connection, including the installation of a private lift station and a grinder pump, will be required at the time of development review for any use other than a single-family dwelling unit. Therefore, the wastewater impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

4. Solid waste impacts. SWE Policy 1.1.1 provides "The LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. The Comprehensive Plan does not establish a level of service standard for commercial or industrial purposes. However, any solid waste from any new development would need to be hauled off-site to a County-accepted landfill. All garbage collection areas shall be buffered and/or screening according to Section 6.8.9 of the Marion County Land Development Code (LDC). Based on the above, the solid waste impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
5. Recreation. Recreation Element Policy 1.1.1 adopts a level of service standard of two (2) acres per 1,000 persons. Given the nature of a zoning request to a Community Business (B-2) zoning classification, the site is not expected to generate a significant number of residents—if at all. Therefore, the recreation impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site is indicated to be entirely within the Primary Springs Protection Zone (PSPZ) and FEMA Flood Zone X. Section 5.4.4 of the Marion County Land Development Code (LDC) limits certain uses within the Primary Springs Protection Zone (PSPZ), including junk yards and other heavy industrial and commercial uses. Furthermore, any development of the site that undergoes Marion County's formal site review processes will be required to comply with a 100-year frequency 24-hour duration design storm. If the proposed impervious coverage exceeds 9,000 SF, the site

would be subject to the Major Site Plan review process. Based on the above, the stormwater/drainage impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

7. Fire rescue/emergency services. The Anthony Fire Station #1, located at 3199 NE 70th St, Ocala, FL 34479 is approximately 3.3 miles (by automobile) east of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Staff has established a 5-mile drive time from the subject property as evidence of the availability of such services. Based on the above, the fire rescue/emergency impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
8. Law enforcement. The nearest Sherriff substation is located roughly 1.4 miles (by automobile) northwest of the subject property at 8311 N Hwy 441, Ocala, FL 34475. The Comprehensive Plan does not establish a level of service standard for law enforcement services; however, staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the law enforcement impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
9. Public schools. Given the nature of a zoning request to a Community Business (B-2) zoning classification, the site is not expected to generate a significant student population—if at all. Therefore, the public schools impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

When weighing the totality of the circumstances, **the public interest will not be adversely affected** if this rezoning request is approved.

C. *Consistency with the Comprehensive Plan*

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

Analysis: Policy 2.1.22 on Commercial (COM) includes provisions specifying allowable residential density, which does render the existing residential zoning of the subject property compatible with its underlying Future Land Use designation to some degree. However, the applicant seeks a zoning classification of Community Business (B-2), which is specifically

intended to provide for “shopping and limited service[s],” per the Marion County Land Development Code (LDC) Sec. 4.2.18. In addition, properties zoned for B-2 are limited to a maximum Floor Area Ratio (FAR) of 1.0. Commercial development is the intended primary use for this zoning classification, with only one (1) accessory dwelling unit permitted per store. This zoning change thus aligns with the intent of the Commercial use and is **consistent** with Policy 2.1.22.

2. **FLUE 3.1.2** on Planning Principles within UGB provides, "The County shall implement long-term planning principles to guide the creation of land use policy and development regulations within the County, which shall be implemented through the policies contained in the County Comprehensive Plan and as further defined in the LDC. These principles shall include:

- (1) Preserve open space, natural beauty and critical environmental areas.
- (2) Allow for a mix of land uses to create compact residential, commercial, and employment hubs.
- (3) Strengthen and direct development towards existing communities and development.
- (4) Encourage compact and mixed use building design.
- (5) Foster distinctive, attractive communities with a strong sense of place.
- (6) Create walkable and linked neighborhoods.
- (7) Create a range of housing opportunities and choices.
- (8) Provide a variety of transportation choices.
- (9) Encourage community and stakeholder collaboration.
- (10) Make development decisions predictable, fair and cost effective.
- (11) Encourage interconnected development, multi-modal transportation opportunities.
- (12) Links to the surrounding neighborhoods, and alternative transportation routes.
- (13) Establish priority areas for public facility and service infrastructure."

Analysis: The proposed zoning change would direct development close to an existing commercial node at the intersection of two (2) roads under the Florida Department of Transportation (FDOT) Strategic Intermodal System (SIS). Furthermore, the subject parcel is within walking distance from several residential properties. The proposed zoning change would allow some degree of mixed-use development, with one (1) accessory dwelling unit permitted per store. Therefore, this rezoning request meets the criteria above and is **consistent** with FLUE Policy 3.1.2.

3. **FLUE Policy 4.1.1** on Consistency between Comprehensive Plan, Zoning, and LDC provides, "The County shall amend and maintain an official land use and zoning map, appropriate land use designations and zoning

classifications, and supporting LDC that shall be consistent with each other.”

Analysis: In this situation, the proposed commercial zoning is more compatible with the Future Land Use designation granted to the parcel than the existing residential zoning classification. The proposed rezoning would thus bring the parcel in to compliance with the governing document, the Comprehensive Plan. As such, the proposed rezoning would be **consistent** with FLUE Policy 4.1.1.

4. **FLUE Policy 5.1.2** on Review Criteria for Changes to Comprehensive Plan and Zoning provides, “Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review, and make a determination that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

- (1) Market demand and necessity for the change;
- (2) Availability and potential need for improvements to public or private facilities and services;
- (3) Allocation and distribution of land uses and the creation of mixed use areas;
- (4) Environmentally sensitive areas, natural and historic resources, and other resources in the County;
- (5) Agricultural activities and rural character of the area;
- (6) Prevention of urban sprawl, as defined by Ch. 163, F.S.;
- (7) Consistency with the UGB;
- (8) Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
- (9) Compatibility with current uses and land uses in the surrounding area;
- (10) Water Supply and Alternative Water Supply needs; and
- (11) Concurrency requirements.”

Analysis: The proposed zoning change is consistent with Comprehensive Plan intentions for areas within the Urban Growth Boundary (UGB).

All nine (9) lots fully zoned for residential uses along SW 70th Street are currently undeveloped. If the proposed zoning change is denied, the subject property would only be permitted up to one (1) primary residential structure and one (1) accessory guest home, unless the subject property undergoes an extended subdivision process as required by the Marion County Land Development Code (LDC).

Meanwhile, twenty-one (21) lots out of thirty-six (36) lots with a commercial zoning in the Ocala Highland Estates subdivision contain some degree of development. According to the Florida Department of Transportation (FDOT), the segment of SW 70th Street along the Ocala Highlands Estate subdivision has an Annual Average Daily Traffic (AADT) count of 12,200 vehicles. The segment of US Highway 441 along the subdivision has an AADT count of 21,000, and a Truck AADT count of 2,562. The proposed zoning change would thus support commercial activity along two (2) major FDOT roadways.

Furthermore, central wastewater service is immediately available, while central potable water service may be within connection distance depending on the proposed use. Therefore, this rezoning request meets the criteria above and is **consistent** with FLUE Policy 5.1.2.

5. **FLUE Policy 5.1.3** on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

Analysis: The proposed zoning change was heard on August 25, 2025 by the Planning and Zoning Commission, which recommended **APPROVAL** by consent. Therefore, the application is **consistent** with FLUE Policy 5.1.3.

6. **FLUE Policy 5.1.4** on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

Analysis: Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed consistent with FLUE Policy 5.1.4.

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

V. ALTERNATIVE ACTIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the rezoning amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to

support a recommendation on the proposed Ordinance, and make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VI. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) Commission 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 approving the application:

- A. Will not adversely affect the public interest;
- B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 2.1.22, 3.1.2, 4.1.1, 5.1.2, 5.1.3, and 5.1.4;

and
- C. Is compatible with the surrounding uses because the proposed zoning change.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

APPROVAL (BY CONSENT).

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for September 15, 2025 at 1:30 PM.

IX. LIST OF ATTACHMENTS

- A. Application
- B. DRC Comments Letter
- C. Site Photos