



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 04/28/2025	BCC Date: 05/19/2025
Case Number	250507ZP
CDP-AR	32481
Type of Case	Rezoning from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) for a maximum of 151 multi-family dwelling units.
Owner	Lake Louise, LLC.
Applicant/Agent(s)	Kimley-Horn & Associates, Inc.
Street Address / Site Location	No site address
Parcel Number	3060-007-004, 3060-004-001
Property Size	±9.51 acres
Future Land Use	Urban Residential (UR)
Zoning Classification	Single-Family Dwelling (R-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), Primary Springs Protection Overlay Zone (PSPOZ)
Staff Recommendation	DENIAL
P&ZC Recommendation	TBD
Project Planner	Kathleen Brugnoli
Historic/Related Case(s)	190711SU: Hay Production in R-1 – Approved; 22-S08: Small Scale Map Amendment from Medium Residential (MR) to Urban Residential (UR) – Approved.

I. ITEM SUMMARY

Kimley Horn & Associates, Inc., on behalf of property owners, Lake Louise, LLC., has filed an application for a rezoning from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) on 9.48 -acres on the east side of SW 7th Ave. north of SW 32nd St., pursuant to the provisions of Land Development Code (LDC) Division 2.7 – Zoning and LDC Section 4.2.31.

The proposed PUD includes a maximum of 151 multi-family dwelling units. In 2022, a land use amendment was granted for the property changing the future land use from Medium Residential (1-4 du/ac) to Urban Residential (8-16 du/ac). This amendment was approved to make the subject property consistent, in terms of density, with the adjacent property within the City of Ocala due to the applicant wanting to create a cohesive development in this area. Since 2022, the applicant has had two projects approved adjacent to the subject property. To the south of the subject property is an apartment complex with 326 units on 20.87-acres (15.6 du/ac) To the east and southeast of the subject property is a Planned Development, with a bubble plan, that is approved for 543 multi-family units on ± 69-acres (7.8 du/ac). The amenities and stormwater for the subject property are proposed to be on the Planned Development property to the east and southeast. Currently, there is no timeline for the project start or buildout of this Planned Development inside the City of Ocala. Figure 1 is an aerial photograph showing the general location of the subject property. The property is located in the Urban Growth Boundary (UGB) and the County's Primary Springs Secondary Protection Overlay Zone (P-SPOZ).

Figure 1
General Location Map

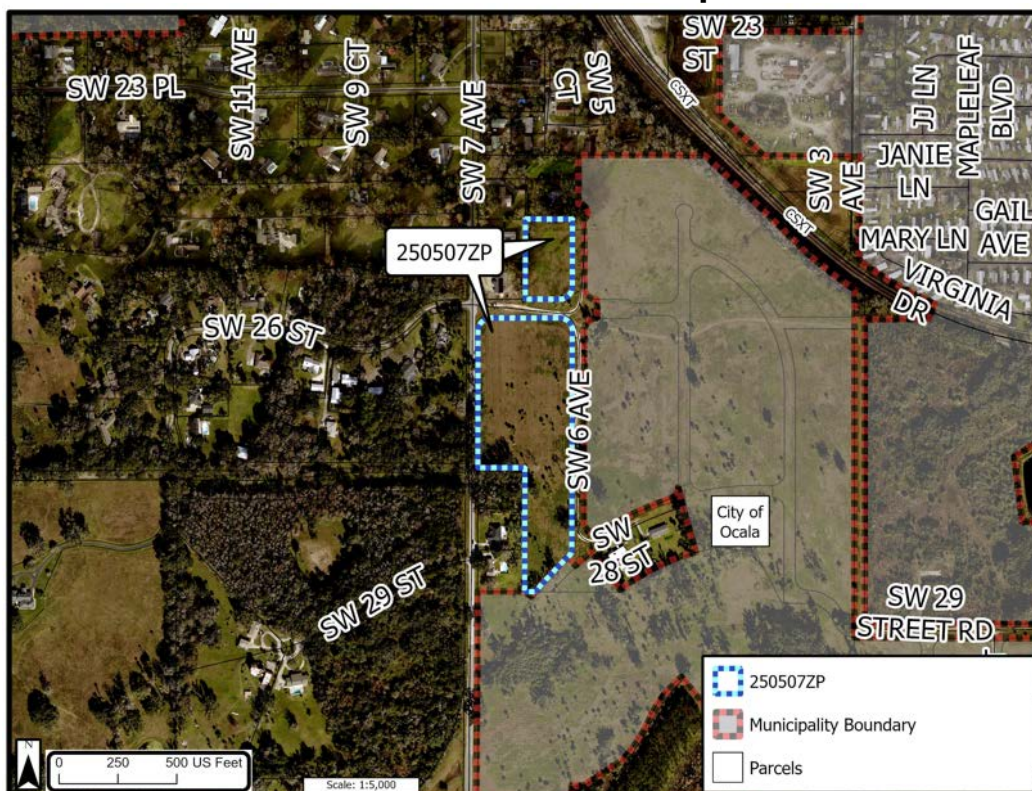
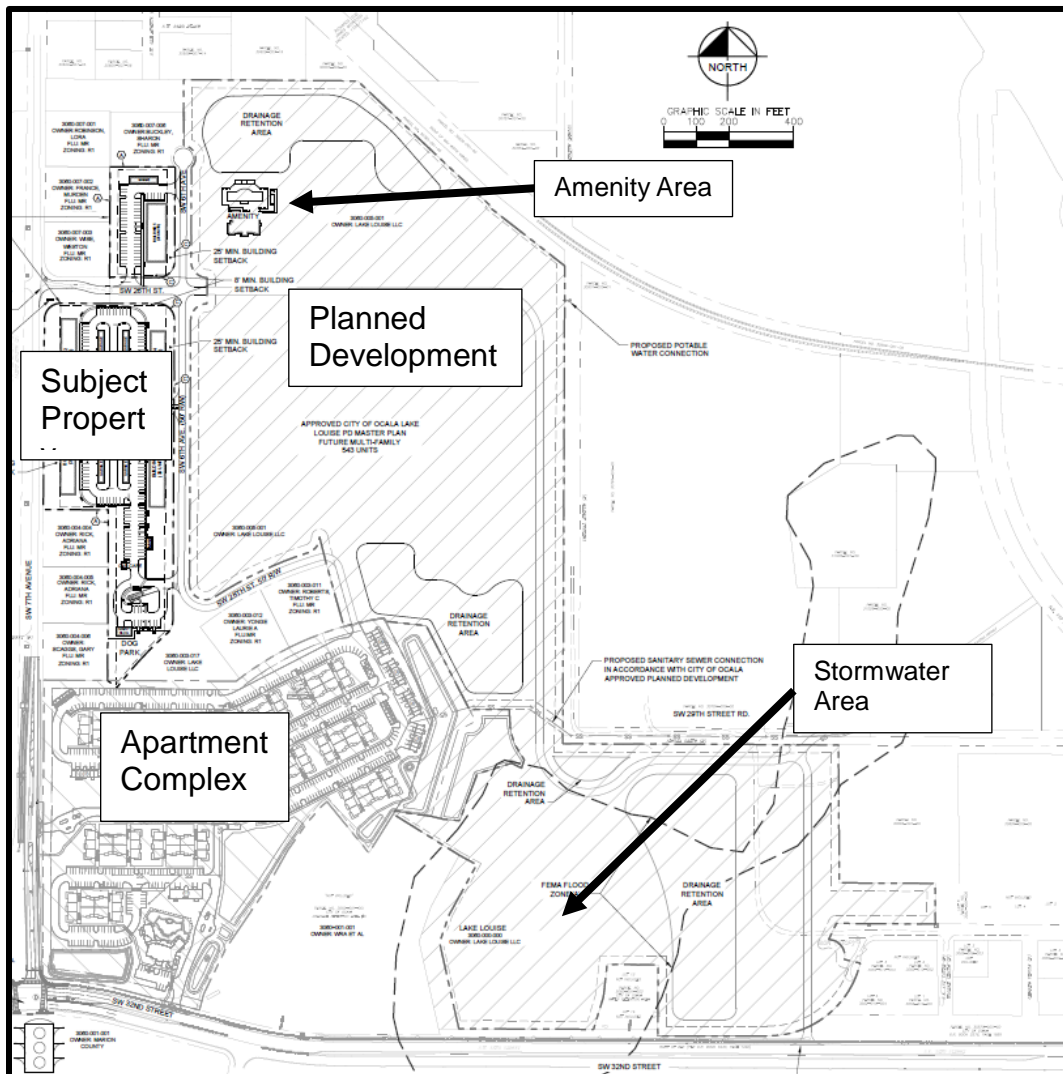


Figure 2
Adjacent Developments



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **Denial** of the applicant's request because it is inconsistent with LDC Section 2.7.3.E.2, which requires that granting a rezoning will not adversely affect the public interest, that the rezoning is consistent with the Marion County Comprehensive Plan (MCCP), and that the rezoning is compatible with land uses in the surrounding area, and with LDC Section 4.2.31 on Planned Unit Development. The proposed PUD is missing information crucial to staff analysis and appears to utilize off-site improvements that have no easement with the subject site for use and have not yet been developed. Without a complete application, staff cannot confirm that the plan will not adversely affect public interest and that it is consistent with the Comprehensive Plan. This development appears to be premature and staff recommends denial until a full Planned Unit Development can be provided for analysis.

III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C., notice of public hearing was mailed to all property owners (19) within 300 feet of the subject property April 11, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on April 17, 2025 and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on April 14, 2025. Evidence of the above-described public notices is 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 Planning and Zoning 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 is addressed below.

- A. *Compatibility 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 an aerial photograph displaying existing and surrounding site conditions. Figure 3 displays the site and surrounding areas' future land use designations as shown in Map 1 of the Comprehensive Plan Future Land Use Map Series (FLUMS), Figures 4 and 5, respectively, display the existing and surrounding properties' existing zoning classifications and the site's proposed zoning classification. Figure 6 shows the uses of the subject property and surrounding properties as classified by the Marion County Property Appraiser. Table A displays the tabular information from Figures 3, 4, and 6.

Figure 3
FLUMS Designation

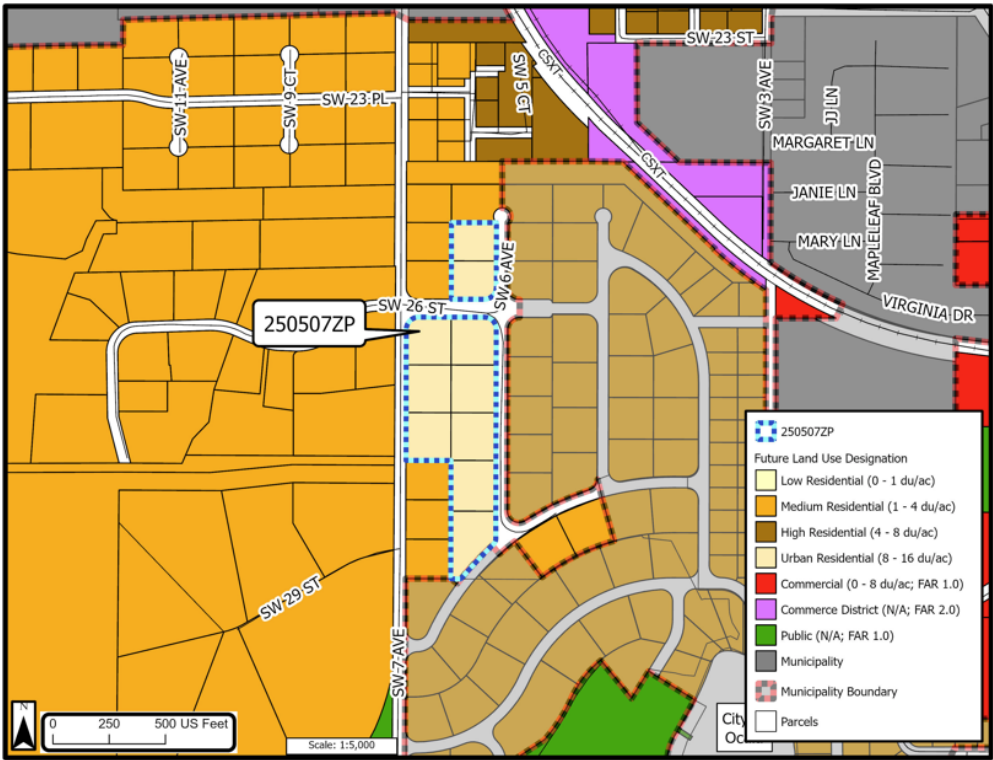


Figure 4
Existing Zoning Classification

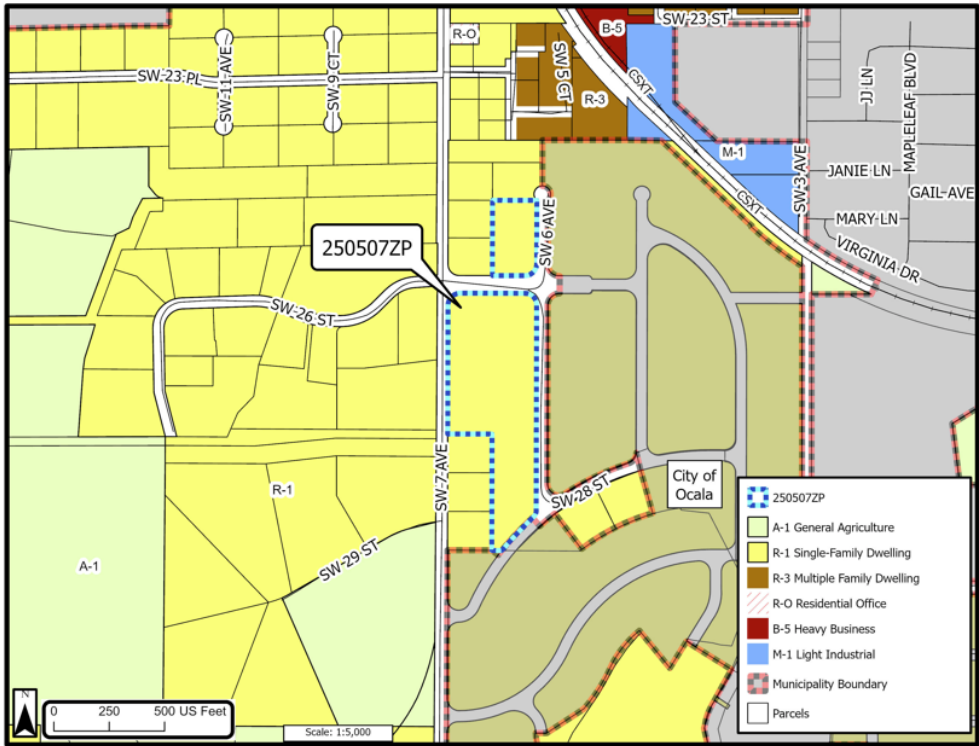


Figure 5
Proposed Zoning Classification

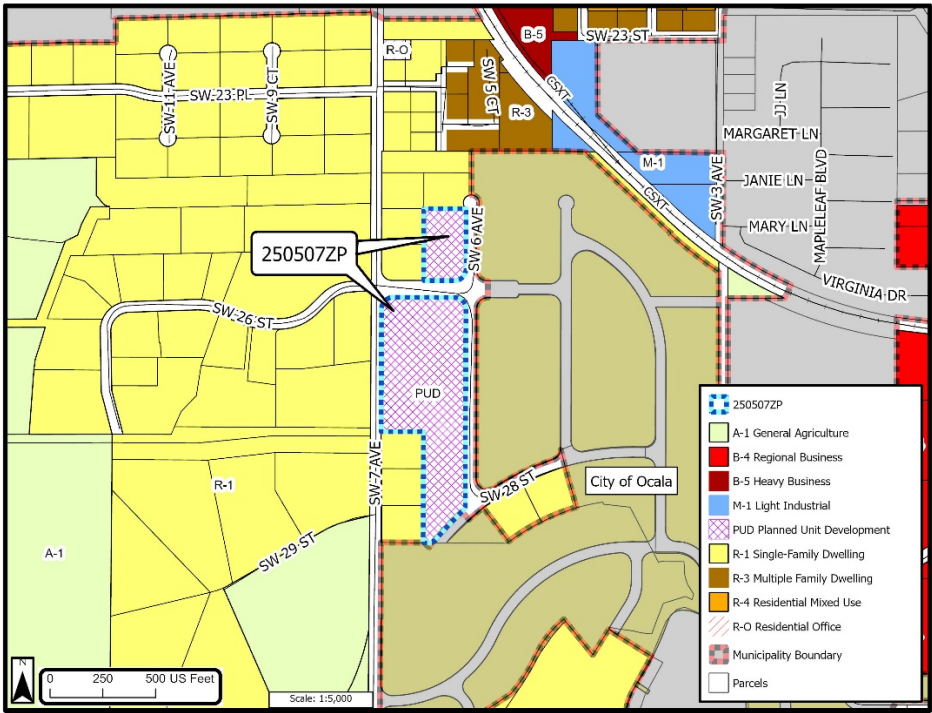


Figure 6
Existing and Surrounding Land Uses

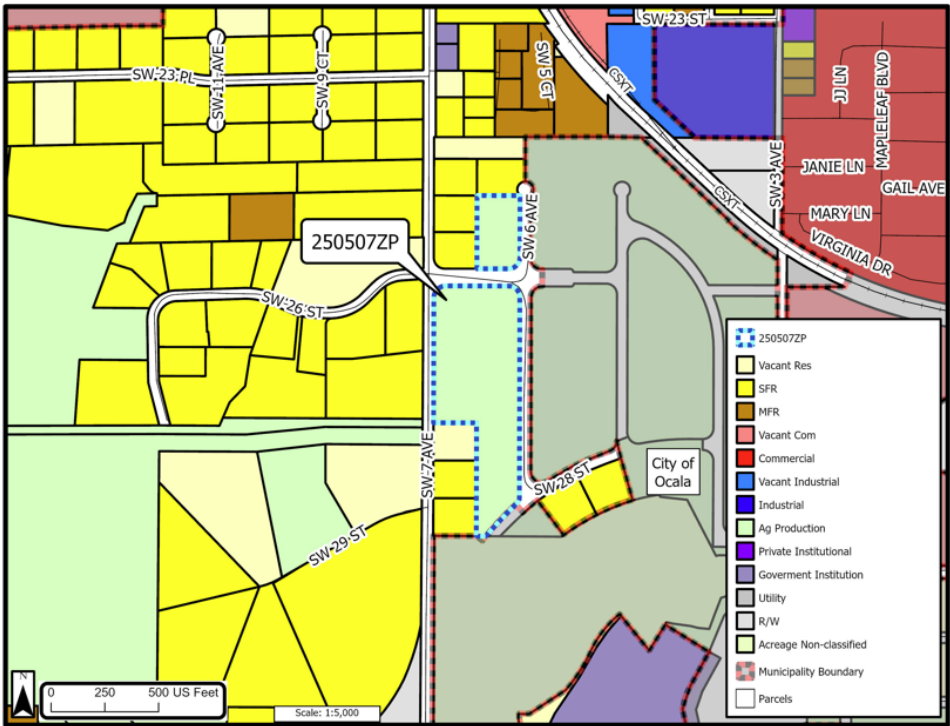


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Urban Residential (UR)	Single-Family Dwelling (R-1)	Ag Production
North	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residential
South	Municipality Medium Residential (MR)	Municipality (PD) Single-Family Dwelling (R-1)	Municipality Vacant and Development Residential
East	Municipality (PD)	Municipality (PD)	Municipality (PD)
West	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residential

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on April 17, 2025 (Attachment B) and finds the subject parcels to be vacant and undeveloped. Both properties are currently being used agriculturally as cropland. The area is open with palm trees spread throughout. There's currently a limerock road in to the property which serves the individual homes already existing within the area.

The plan proposed includes three 35-unit structures and two 23-unit structures. The maximum building height provided would be 40' with a required minimum 30' separation between the buildings.

The setbacks proposed follow Section 4.2.31 of the LDC, which states setbacks are an item that PUD's may provide for approval or denial in the development process.

Table 2 below summarizes the PUD's proposed and *staff's recommended setbacks for the PUD*:

TABLE 2. SETBACKS (IN FEET)			
Direction	Adjoining Use	Proposed	Recommended
North	Single-Family Residential	8'	8'
South	Single-Family Residential Multiple-Family Dwelling	8'	8'
East	Single-Family Residential	25'	25'
West	Single-Family Residential	25'	25'

Figure 7
Lake Louise Site Plan

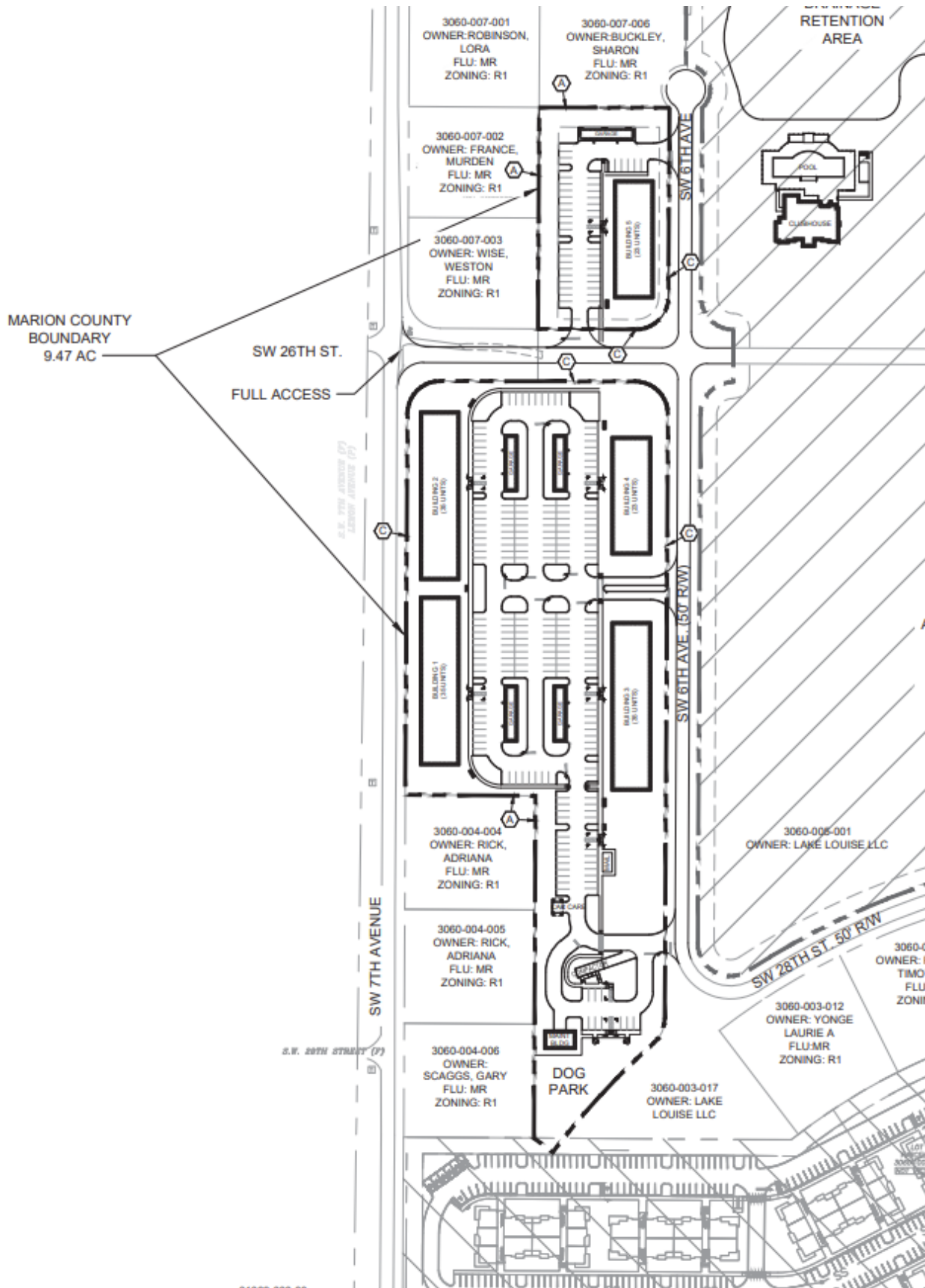


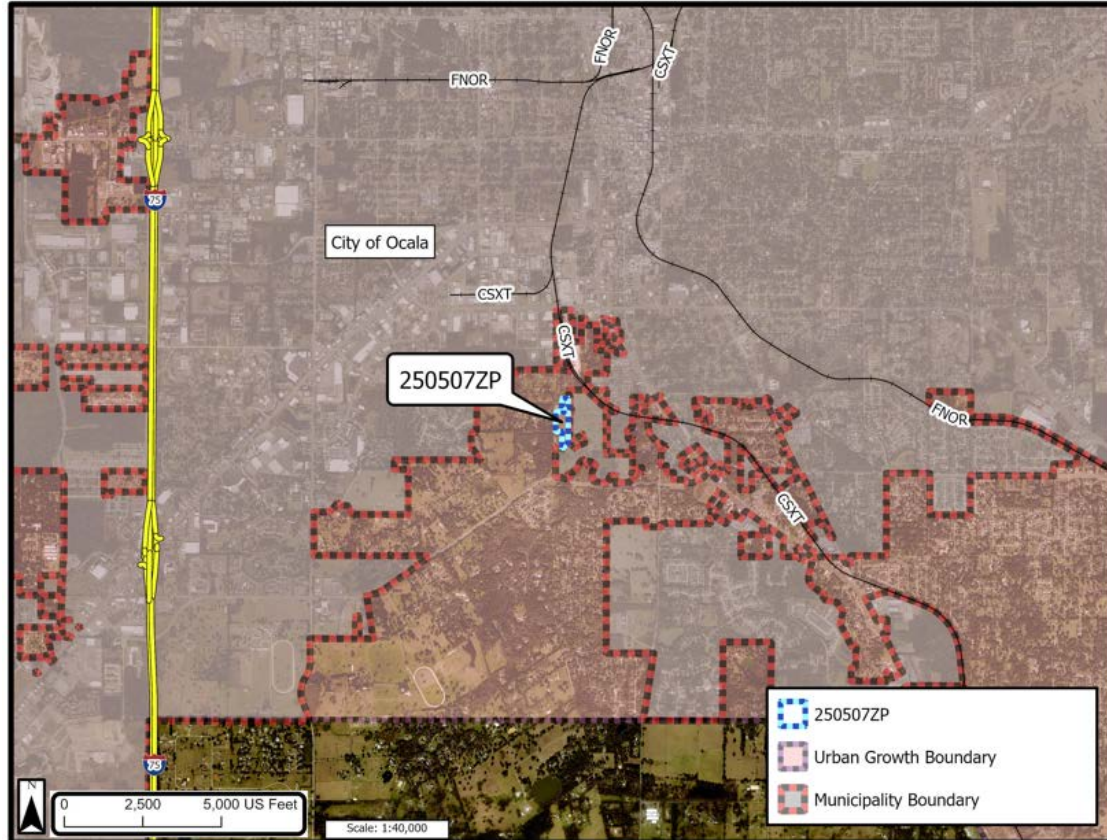
Table 3 summarizes the PUD's proposed, and staff's recommended, buffers for the PUD. Attachment A Page 3 includes buffer diagrams for the PUD's proposed buffering types and labels each of the property boundary lines with the buffer type.

TABLE 3. BUFFERS FOR PARCEL 3060-007-004				
Direction	Adjoining Use	Required	Proposed	Recommended
North	Single-Family Residential	A-Type	A-Type	A-Type
South	Single-Family Residential Multiple-Family Dwelling	C-Type	C-Type	C-Type
East	Single-Family Residential	C-Type	C-Type	C-Type
West	Single-Family Residential	A-Type	A-Type	A-Type

TABLE 4. BUFFERS FOR PARCEL 3060-004-001				
Direction	Adjoining Use	Required	Proposed	Recommended
North	Single-Family Residential	C-Type	C-Type	C-Type
South	Single-Family Residential Multiple-Family Dwelling	A-Type in SW corner near residences	A-Type in SW corner near residences	A-Type in SW corner near residences
East	Single-Family Residential	C-Type	C-Type	C-Type
West	Single-Family Residential	C-Type	C-Type	C-Type

Figure 8 below shows residential development in the surrounding area and the number of units approved for each. Much of the area shown is located within City of Ocala's jurisdiction. There are no recent developments nearby within Marion County's jurisdiction.

FIGURE 8
Residential Development



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

B. *Will not adversely affect the public interest.*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. An approved Traffic Study (Attachment C) has been provided for the project (AR 31583). Based on the projected numbers included within the Traffic Study, the project is expected to generate approximately 1,269 daily trips, with 61 AM peak hour trips and 85 PM peak hour trips. The PUD includes points for ingress/egress on SW 7th Ave. as well as SW 29th Street Rd.
 - b. Public transit. The nearest public transit is roughly 1.5-miles to the northwest, at the intersection of SW 10th St. and SW Martin Luther King Ave., on the Orange route for Suntran.
 - c. Other mobility features. DRC Comments (Attachment D) provided by Traffic indicate, "Sidewalks are required on the east side of SW 7th Ave." Sidewalks already exist along SW 32nd Street from S Pine Ave. to SW College Rd. (Hwy 200).

Based on the above findings, it is concluded the application's proposed **transportation impacts would not adversely affect the public interest.**

2. 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. Based on the maximum proposed of 151 units, the rezoning could result in an overall generation of 56,625 gallons per day. DRC comments (Attachment D) provided by Marion County Utilities indicate, *"Parcel is within MCU territory, but has water and sewer available from City of Ocala. A letter from City of Ocala stating service availability and connection requirements shall be submitted prior to building permit issuance. Ensure City of Ocala has seen and approved utility connections as they are not part of MCU's review process. If City of Ocala does not have availability, MCU will review possible connections for water and sewer."* As long as the developer abides by the requirements put in place by Utilities, it is concluded the application's **potable water impacts would not adversely affect the public interest.**
3. 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. Based on the maximum proposed of 151 residences, the rezoning could result in an overall generation of up to 41,525 gallons per day. The DRC comments from Utilities, again, indicate this development may have availability to City of Ocala connection and must provide a letter stating such. As long as the developer abides by the requirements put in place by Utilities, it is concluded the application's **sanitary sewer impacts would not adversely affect the public interest.**
4. 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. The SWE does not establish a LOS standard for solid waste generation for non-residential uses. 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, it is concluded the application's **solid waste impacts would not adversely affect the public interest.**
5. Fire rescue/emergency services. Shady Fire Station #16, located at 7151 S. Magnolia Ave., is approximately 3.55 miles south 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 time from the subject property as evidence of the availability of such services. Staff finds the application **may adversely affect the public interest depending on the timing of development and County efforts to address the existing operational deficiency identified.**

TABLE 5: FIRE SUPPRESSION/NON-TRANSPORT RESPONSE ANALYSIS

Station	Travel Time (Minutes)	FY 22/23 Incident Reliability (% / Status)	Incidents/Unit*
#16 – Shady	6	0.59% / Low	1,187
#23 – Majestic Oaks	12	3.03% / Low	892
#28 – Rolling Greens	16	8.9% / Low	2,943
#20 – Golden Ocala	19	7.03% / Low	2,319

*The threshold to consider adding additional Suppression/Non-transport units is 2,000 incidents; there are no additional budgeted units for this area to date.

Source: Marion County Fire Services

TABLE 6: TRANSPORT/AMBULANCE RESPONSE ANALYSIS

Station	Travel Time (Minutes)	FY 22/23 Incident Reliability (% / Status)	Incidents/Unit*
#1 – Anthony	5	23.65% / Mod.	2,926
#19 – Sparr	12	24.55% / Mod.	2,437
#28 – Rolling Greens	15	3.93% / Low	3,383
#20 – Golden Ocala	19	30.43% / High	3,963

*The threshold to consider adding additional Transport/Ambulance units is 2,500 incidents; there are no additional budgeted units for this area to date.

Source: Marion County Fire Services

6. Law enforcement. The Sheriff's South Multi-District Office, located at 3260 SE 80th St., is roughly 5 miles southeast of the subject property. Due to the proximity of the facility, it is concluded the application's **law enforcement impacts would not adversely affect the public interest.**
7. Public schools. Shady Hill Elementary is 2.8 miles from the subject site at 5959 S. Magnolia Ave., Osceola Middle is 1.8 miles from the subject site at 526 SE Tusawilla Ave., and Belleview High is roughly 8.6 miles away at 10400 SE 36th Ave. Based on attendance on the 60th day of the 2024-2025 school years, Shady Hill was at 87% capacity, Osceola Middle was at 98% and Belleview High was at 115%. While there are areas of localized overcrowding the county, overall, has capacity. It is concluded that the proposed rezoning's impact to **public schools would not adversely affect the public interest.**

In conclusion, staff finds the public facility impacts **may adversely affect the public interest** if issues with mobility features, water & sewer, and Fire Rescue/Emergency services are not addressed.

C. *Comprehensive Plan consistency.*

1. 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: Staff finds the property is located with the Urban Growth Boundary (UGB) at a location where water and sewer services are available. The site was approved for Urban Residential land use in 2022, an increase from the previous Medium Residential land use. The proposed PUD intends to develop the subject site in the same manner that the "City portion" of Lake Louise is being developed. While the project spans both City and County parcels, the residential product will be the same for both. Staff concludes the proposed zoning change **is consistent** with FLUE Policy 1.1.1.

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

Analysis: The project site is located with the UGB and has availability to public water and sewer services. Staff concludes the proposed zoning change **is consistent** with FLUE Policy 1.1.5.

3. FLUE Policy 2.1.20: Urban Residential: This land use designation is intended to recognize areas suited primarily for multi-family residential units, but allows for single-family residential units to provide for a mix of various housing types to meet the community needs within the UGB or Urban Area. The density range shall be eight (8) dwelling units to sixteen (16) dwelling units per one (1) gross acre and commercial uses shall be permitted as accessory uses within this land use designation, as further defined in the LDC. This land use designation is an Urban Area land use.

Analysis: The PUD site plan proposes a maximum of 151 multi-family dwelling units on the subject site. Consistent with the Urban Residential land use, the proposed product is multi-family and intends to build to the maximum allowed units per UR land use and the 9.48 acres. Staff

concludes the proposed zoning change **is consistent** with FLUE Policy 2.1.20.

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

Analysis: The proposed PUD will expand on a multi-family residential area approved for development contiguous to the subject site linking the sites and building based on the same development standards. The proposed will allow for a mix of land uses and housing types and will encourage variety in housing opportunities within an area that, in years past, was predominantly single-family. Based on the principles being met as shown above, staff finds the rezoning is **consistent** with FLUE Policy 3.1.2.

5. FLUE Policy 4.1.2: Conflicts between Comprehensive Plan, Zoning, and LDC: The Comprehensive Plan shall be the governing document. In the event of conflict between the Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has developed a process to allow a variance or waiver of the regulation where a conflict in regulations occurs in accordance to the Comprehensive Plan, Zoning, or LDC.

Analysis: Currently, the subject site has an Urban Residential land use that was shown previously to be suited primarily for multi-family use. The current zoning classification of Single-Family Dwelling (R-1) is allowed with the land use but does not take advantage of the density allowed with UR. The multi-family PUD requested uses the density as permitted and does so within an

area inside the UGB where water and sewer services are available. Staff finds the rezoning **is consistent** with FLUE Policy 4.1.2.

6. 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 is scheduled for the April 28, 2025 Planning and Zoning Commission and, therefore, the application **is consistent** with this FLUE Policy 5.1.3.

7. 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: Staff finds public notice has been provided as required by the LDC and Florida Statutes and, therefore, concludes the application is being processed **consistent** with FLUE Policy 5.1.4.

8. FLUE Policy 6.1.3: Central Water and Wastewater Service: The County shall require development within the UGB, Urban Areas, and other developments consistent with this Plan and as required in the LDC to use central water and wastewater. Central water and wastewater treatment facilities shall be constructed in accordance with the Wastewater and Potable Water Elements of this Plan and as further defined in the LDC.

Analysis: Central water and sewer services are available in the area and require connection by the Developer. Staff finds the rezoning **is consistent** with FLUE Policy 6.1.3.

9. TE Policy 2.1.4: Determination of Impact: All proposed development shall be evaluated to determine impacts to adopted LOS standards. Land Development Regulations (LDRs) shall be established which determine the level and extent of the analysis required based on the extent of the project and its projected trip generation. The information shall at a minimum provide for a review of site access, circulation, access management, safety, and, when of sufficient size, roadway links analysis and intersection analysis will be provided including Average Annual Daily Trips (AADT) and/or peak hour (AM, PM, Sat/Sun).

Analysis: A completed and approved Traffic Study for the proposed development has been provided. Attachment C Page 18 provides the conclusion of the study and does not require any additional roadway improvements; however, the county has requested an ingress southbound left turn lane be constructed on SW 7th Ave. at the north full access

driveway. Provided that the County requested improvements are made, Staff finds the application to be **consistent** with TE Policy 2.1.4.

10. TE Policy 2.3.2: Provision of Multimodal Connections: Where site and location analysis determine that there is a need, the County shall provide or require the provision of bicycle and/or pedestrian ways, and/or other alternative modes of transportation through the Land Development Code to connect residential, recreational, schools and commercial areas internally and to adjacent properties unless such facilities would create a safety hazard.

Analysis: Sidewalks are provided internally and DRC comments from Traffic indicate a sidewalk along SW 7th Ave. will be required. SE 32nd St. already has an existing sidewalk stretching from S. Pine Ave. to SW College Rd. Staff finds sidewalks are provided and required making this application **consistent** with FLUE Policy 6.1.3.

11. SSE Policy 1.1.3: The County shall encourage the construction of sanitary sewer facilities by public or private sources, or jointly, in accordance with the Marion County Water and Wastewater Utility Master Plan, and the LDC.

Analysis: Marion County Utilities states sanitary sewer shall be provided by City of Ocala Utility Service, however confirmation of this from City of Ocala has not been provided. Staff finds the application is **not consistent** with SSE Policy 1.1.3.

12. SSE Policy 1.2.1: Within the UGB, all new development approval requests (CPAs, rezonings, site plans, etc.) will require proof that central sanitary sewer and water service from a County approved provider is or will be available. Approved providers in the UGB are MCUD, the cities of Ocala, Belleview or Dunnellon, and private utilities authorized by the County within its service area.

Analysis: The proposed project is located within the UGB. While the project is within the City of Ocala service area, proof of availability has not yet been provided. Staff finds the application is **not consistent** with SSE Policy 1.2.1.

9. PWE Policy 1.6.4: Adequate potable water supplies and facilities which meet the adopted LOS standards shall be available concurrent with the impacts or development.

Analysis: Utilities states the project is within City of Ocala Utilities extension area and will be required to connect. However, the applicant hasn't provided a letter from City of Ocala confirming availability of services at this location. Staff finds the application is **not consistent** with PWE Policy 1.6.4.

10. SE 1.1.5: Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development.

Analysis: Stormwater review shall take place during the Major Site Plan review process which must occur prior to construction. However, the site plan provided currently includes no stormwater facilities on-site. Thus, the application is **not consistent** with SE Policy 1.1.5.

In conclusion, based upon the totality of the circumstances, staff concludes the rezoning application is **consistent** with some the Comprehensive Plan Policies analyzed.

V. PLANNED UNIT DEVELOPMENT (PUD) ANALYSIS

Land Development Code Section 4.2.31 establishes specific requirements for a PUD. An analysis of conformance to those requirements are addressed below.

A. LDC Section 4.2.31.B addresses permitted uses.

1. LDC Section 4.2.31.B.(1) allows any permitted use, special use, or accessory use in any zoning classification listed within the County's LDC provided the proposed use is consistent with the County's future land use designation for the site, and the provisions of the LDC for each use.

Analysis: The PUD proposes all uses as permitted by Multi-Family Dwelling (R-3) zoning. The development proposed includes up to 151 multi-family units in 23 or 35-unit buildings, a dog park, and a car care area.

Based on the above, staff concludes the application **is consistent** with this section, subject to the following conditions:

1. *The PUD shall be limited to a maximum of 151 detached single-family residences.*
2. *The PUD shall be developed consistent with the PUD Plan provided.*

2. LDC Section 4.2.31.B.(2) provides uses identified as ordinarily requiring a Special Use Permit may be authorized as permitted within all or a part of a PUD without the necessity of a separate SUP application provided it meets on of three criteria;

Analysis: Staff finds the application lists all uses permitted in R-3 to be allowed by right in the PUD. No special uses are being proposed within the PUD. Therefore, the application is **consistent** with LDC Section 4.2.31.B.(2).

3. LDC Section 4.2.31.B.(3) provides owners of parcels within the PUD may subsequently request the authorization of additional special uses following approval of the PUD by undertaking the SUP application process for the proposed additional use without applying for an amendment to the PUD.

Analysis: Staff finds that a list of proposed uses matching that of the County's R-3 zoning classification was provided with the PUD. Any use

outside the uses proposed would require a special use permit to be applied for and granted. The application is **consistent** with LDC Section 4.2.31.B.(3).

4. LDC Section 4.2.31.B.(4) establishes three (3) methods for setting forth the list of permitted and special uses.

Analysis: The PUD proposes all allowed uses within R-3. As such, the PUD is **consistent** with this requirement.

5. LDC Section 4.2.31.B.(5) provides the intended character of the PUD shall be identified, including the structure types, architectural styles, ownership forms, amenities, and community management form (e.g., property owner association, community development classification, municipal service unit, etc.) or suitable alternative.

Analysis: The PUD provides renderings in Attachment A Pages 9-12 of the intended style of the apartments. Shown are multi-family structures as well as garages to serve the residents. Amenities listed include a dog park and car care areas. The master plan indicates the property owner will be responsible for maintaining all improvements (streets, parking areas, drainage system, and common areas) in perpetuity.

As recommended, staff finds the application to **be consistent** with this section of code.

- B. LDC Section 4.2.31.C establishes a minimum PUD size of 0.5 acres or 21,780 square feet.

Analysis: Staff finds the property has a size of ± 9.51 acres and therefore is **consistent** with this section.

- C. LDC Section 4.2.31.D addresses density and intensity.

1. LDC Section 4.2.31.D(1) provides the maximum allowable density/intensity for a PUD cannot exceed that established by the Comprehensive Plan Future Land Use Designation(s) for the site, along with any density or intensity bonuses and/or transfers acquired for the site as enabled by the Comprehensive Plan and the LDC; however, if the PUD site is vested for a higher density/intensity as established consistent with the Comprehensive Plan and the LDC, the PUD may propose densities and/or intensities consistent with the vested status.

Analysis: The PUD Plan includes ±9.51 acres of property with an Urban Residential (UR) land use designation. As such, the density permitted is 8-16 du/acre. At the maximum, this site could develop up to 151 dwelling units which is the amount being requested. The proposed PUD is **consistent** with the section.

2. LDC Section 4.2.31.D.(2) provides the Board is not obligated to authorize the maximum density/intensity as potentially allowed by the Comprehensive Plan future land use designation(s) and/or bonuses and/or transfers acquired for the PUD site. The criteria for establishing a maximum density/intensity includes existing zoning, adequacy of existing and proposed public facilities and services, site characteristics, and the requirements of the Comprehensive Plan for any residential or non-residential land use involving the area in question, with additional focus on the compatibility of the PUD's proposed uses with the adjoining and surrounding properties.

Analysis: The PUD Plan falls within the density and intensity permitted by their land use, they have availability to water and sewer connection, and they are located within the Urban Growth Boundary. This PUD looks to develop in a similar manner as the "City portion" of Lake Louise which was approved for multi-family units. The proposed PUD is **consistent** with the section.

3. LDC Section 4.2.31.D.(3) provides density/intensity increases may be attained through one of three methods.

Analysis: Staff finds the application does not propose any density/intensity increase through comprehensive plan amendment. Thus, staff concludes this section is **not applicable**.

4. LDC Section 4.2.31.D.(4) allows for blending of densities/intensities if the subject property has more than one FLUMS designation.

Analysis: Staff finds the subject property has a single land use designation of Urban Residential. As such, staff finds this section is **not applicable**.

5. LDC Section 4.2.31.D.(5) addresses averaging.
 - a. LDC Section 4.2.31.D.(5)(a) provides the gross amount of density/intensity of uses in a PUD may be allocated to any area of the total PUD site; however, proposed uses that are subject to the special setback and/or protection zone/area requirements shall be required to comply with those applicable standards as established within the Comprehensive Plan and this Code both within, and to areas outside the boundary, of the PUD.

Analysis: Staff finds that the future land use of the subject property does not propose a blending of intensity or density. Staff finds this section is **not applicable**.

- b. LDC Section 4.2.31.D.(5)(b) allows alternative setback and/or protection zone/areas meeting the intent of the Code for uses internal to the PUD site as part of the PUD review and consideration, subject, however to the Comprehensive Plan.

Analysis: Staff finds the PUD proposes its own setbacks and height limitations. Setbacks proposed are 25' from front and rear property lines,

and 8' from side property lines. Maximum building height proposed is 40'. Staff finds the PUD is **consistent** with this section.

- c. LDC Section 4.2.31.D.(5)(c) provides that if the PUD is for a cluster type project that must be enabled as a PUD as established by the Comprehensive Plan (e.g., Rural Residential Cluster or Hamlet Division 3.3), then the PUD shall be subject to compliance with the applicable natural open space preservation requirements, with the remaining lands available for development then being eligible for density and/or intensity averaging, subject to any special requirements of the particular PUD cluster type as required by the Comprehensive Plan and this Code.

Analysis: Staff finds that the PUD is not a hamlet or rural residential cluster. Thus, staff finds that this section is **not applicable**.

- 6. LDC Section 4.2.31.D.(6) requires the PUD to comply with the minimum buffer requirements as established in this Code, or an alternative design meeting the intent of the Code may be proposed for consideration. If an alternative design is proposed, the proposal shall include, at a minimum, scaled typical vertical and horizontal cross-sections of the buffer, including depictions of all proposed alternative buffer improvements and scaled representations of the existing principal structures and improvements that are located on the adjoining properties being buffered from the PUD. LDC Section 4.2.31.E.(6) provides buffers shall be provided externally and internally, between the PUD and surroundings and between internal PUD uses, in order to maintain compatibility between uses and avoid and/or limit adverse impacts between uses and nuisance situations

Analysis: The PUD Plan proposes a series of buffers that either meet or exceed those required by the LDC as demonstrated previously in this report. Attachment A Page 5 includes a layout with diagrams showing the buffers. Staff finds the applicant buffers to be appropriate making this item **consistent** with the provision.

- *Buffers for the northern parcel (3060-007-004) shall be as indicated in the PUD's Landscape Buffer Plan.*
 - *North – 30' A-Type buffer*
 - *East – 15' C-Type Buffer*
 - *South – 15' C-Type Buffer*
 - *West – 30' A-Type buffer*
- *Buffers for the southern parcel (3060-004-001) shall be as indicated in the PUD's Landscape Buffer Plan.*
 - *North - 15' C-Type Buffer*
 - *East - 15' C-Type Buffer*
 - *South (and SE around residential) - 30' A-Type buffer*
 - *West -15' C-Type Buffer*

- D. LDC Section 4.2.31.E.(1) addresses three types of access.

1. LDC Section 4.2.31.E.(1)(a) provides all properties resulting from a PUD shall have paved access to paved public or private street right-of-way; however, ingress/egress or cross-access easements may be proposed as an alternative to a right-of-way as part of the PUD, provided all access is paved.

Analysis: The traffic methodology provided has not been approved, thus, and approved traffic study has not yet been provided to address potential improvements. The PUD concept plan provided shows two access points for ingress/egress with one to the north on NE 42nd St. and one to the east on NE Jacksonville Rd. Staff finds access does exist to the property and proposed access points will be required to meet Traffic's requirements making this application **consistent** with this provision as recommended with the condition provided below.

- Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.

2. LDC Section 4.2.31.E.(1)(b) provides the PUD shall include pedestrian and/or bicycle facilities internally to address internal circulation needs and externally to provide for integration of the PUD to surrounding existing for future facilities.

Analysis: The PUD Plan indicates there will be internal sidewalks for the apartments and DRC comments address sidewalks along rights-of-way abutting the subject site. Staff finds, if improvements developed as required by Traffic, the application **is consistent** with this provision as recommended.

- *Sidewalk to be provided internally as shown in the PUD site plan.*
- *Sidewalks, as required by Traffic, shall be developed along SW 7th Ave.*

3. LDC Section 4.2.31.E.(1)(c) provides the PUD shall include multi-modal design accommodating pedestrian, bicycle, transit, and vehicular access focusing on integrating the modes with the proposed PUD uses and expected activity levels and/or focus (e.g., employment, residential, institutional, etc.).

Analysis: Sidewalks are being provided and are addressed in the comments above. Staff finds the application is **consistent** with this provision, provided any additional connectivity required by the Traffic is also implemented.

4. LDC Section 4.2.31.E.(1)(d) provides parking and loading spaces shall be provided consistent with the requirements for developed uses as listed in Section 6.11.8; however alternative parking and loading standards may be proposed, provided such standards are based on accompanying technical information and analysis provided by a qualified professional. The use of

shared parking is encouraged, along with the integration of parking as part of a multi-use structure as provided in Section 4.2.6.D(8).

Analysis: The PUD conceptual plan provided indicates parking will be provided in front of the apartment buildings and in between buildings next to garages. The amenities provided (car care area and dog park) also provide parking accommodations making the application **consistent** with this section.

5. LDC Section 4.2.31.E.(1)(e) requires all appropriate utility infrastructure shall be made available to and provided for the PUD.

Analysis: Central water & sewer service are addressed with availability to the site through City of Ocala service connection, however a letter confirming this from the City of Ocala has not yet been provided. As such, the plan is **not consistent** with this provision.

6. LDC Section 4.2.31.E.(1)(f) requires all appropriate and necessary stormwater infrastructure shall be provided for the PUD development to ensure compliance with this Code.

- a. LDC Section 6.13.2 addresses the minimum requirements for stormwater management.

Analysis: Stormwater was not addressed with the application and doesn't appear to be shown on the site plan provided. The application is **not consistent** with this section.

- *The DRA will be required hold the total stormwater runoff volume generated from the 100-year, 24-hour storm event, with no off-site discharge.*

- b. LDC Section 6.13.3 addresses four different types of stormwater management facilities.

Analysis: Stormwater management facilities are not addressed with the site plan or development standards. The application is **not consistent** with this section.

- E. LDC Section 4.2.31.E.(2) addresses easements.

1. LDC Section 4.2.31.E.(2)(a) provides easements shall be provided to address the maintenance and upkeep of all PUD infrastructure (e.g., Stormwater systems, utilities, etc.) and/or when necessary to allow adjoining property owners reasonable access for the maintenance and upkeep of improvements (e.g., access for zero-lot line structure, etc.). Any easements necessary shall be provided, established, and conveyed consistent with the provisions of Article 6.

Analysis: Staff finds any easements required for maintenance and upkeep of the PUD infrastructure will be determined during the Development Review phase of the process.

2. LDC Section 4.2.31.E.(2)(b) provides no principal or accessory structure may be erected, placed upon, or extend over any easement unless authorized in writing by the entity holding title to said easement, with such authorization being recorded in the Marion County Official Records. Such authorizations may include, and are encouraged to set forth, terms and conditions, regarding the easement encroachment (e.g., duration, maintenance, removal, sunset, etc.) for reference by all current and future parties.

Analysis: Staff finds that buildable areas and easements will be finalized and/or determined during the Development Review phase of the development process.

F. LDC Section 4.2.31.E.(3) addresses setbacks and separation requirements.

1. LDC Section 4.2.31.E.(3)(a)3 provides all setbacks for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.

Analysis: The PUD Plan proposes the sites various setbacks, height, and floor area ratio amounts in a table format but does not provide a typical illustration showing these. The PUD is **not consistent** with this section

2. LDC Section 4.2.31.E.(3)(c) provides building pop-outs, cantilevers, and/or other extensions that project outward from the principal structure, particularly those that make up habitable space, shall comply with established principal structure setbacks; however, the PUD may propose authorized encroachments not to exceed two feet into any setback, subject to compliance with building construction standards (e.g., fire code) for the encroachment structure, except no encroachment into an established front yard setback is permitted.

Analysis: The PUD Plan does not propose any such encroachments for setbacks. Thus, the PUD will be **consistent with this section**

3. LDC Section 4.2.31.E.(3)(d)2. a. provides at a minimum, structures on the same property shall be separated by a minimum of ten feet, In the event a dedicated easement is between the structures, the separation between structures shall be increased to provide a minimum of five feet of separation from each structure to the boundary of the easement.

Analysis: Staff finds any additional separations that are made a requirement due to development relative to easements and on-site structures shall be addressed during the Development Review phase of the process.

G. LDC Section 4.2.31.E.(4) addresses heights.

1. LDC Section 4.2.31.E.(4)(a)2. provides the maximum height limit for all PUDs shall be seventy-five feet; however, an alternative maximum height limit may be proposed, subject to ensuring the safe and effective provision of services, maintenance, and support of the PUD development (e.g., fire service/ladder truck) and the provision of sufficient buffering to surrounding uses both within and outside the PUD.
2. LDC Section 4.2.31.E.(4)(a)3. provides all maximum height limits for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.

Analysis: Design standards provided list the maximum building height of 40' but a typical illustration showing the maximum height was not provided.

3. LDC Section 4.2.31.E.(4)(b) addresses PUD heights in relation to dissimilar uses.

Analysis: As previously provided in this report, multi-family dwellings with a 40' maximum building height are proposed with abutting residential being limited to the same 40' maximum building height. As such the PUD will be **consistent with this section.**

H. LDC Section 4.2.31.E(5) addresses outdoor lighting.

1. LDC Section 4.2.31.E(5)(a) requires the following be illuminated: Potentially dangerous and/or hazardous locations to promote and maintain health and safety (e.g., roadway intersections, cross-walk locations, etc.); Structures and facilities to discourage and deter criminal activity (e.g., loading docks, utility facilities, etc.); and Structures and facilities consistent with their authorized hours of operation (e.g., recreation facilities, business, etc.).

Analysis: Attachment A Page 8 addresses lighting, "Lighting assemblies along driveways shall be consistent in type and color and should generally not exceed 35 feet in height and shall be used adjacent to existing residential. Lighting should be directed away from adjacent properties and no more than 1-foot candle is permitted beyond property lines. Light fixtures may allow for additional elements such as banners or hanging planters." The standards sufficiently address outdoor lighting and a standard lighting plan condition is being provided by staff.

- *PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.*

2. LDC Section 4.2.31.E(5)(b) provides all lighting shall be installed in a manner to illuminate the identified structure, facility, or activity while ensuring the lighting does not cast direct light on adjacent dwellings or properties in a negative manner, or cast light in an upward manner so as to illuminate the night sky and/or become a hazard to air navigation.

Analysis: Outdoor lighting was previously addressed in the report. A condition has been recommended to address lighting.

3. LDC Section 4.2.31.E(5)(c) provides all outdoor lighting shall be provided consistent with the provisions of Section 6.12.14 and Division 6.19.

Analysis: Outdoor lighting was previously addressed in the report. A condition has been recommended to address lighting.

- I. LDC Section 4.2.31.E.(6) provides buffers shall be provided externally and internally, between the PUD and surroundings and between internal PUD uses, in order to maintain compatibility between uses and avoid and/or limit adverse impacts between uses and nuisance situations as follows:

1. Buffers shall be provided between the proposed PUD uses and the PUD's surroundings, and between the PUD's internal uses, in a manner that conforms to the requirements of Section 6.8.6; however, a PUD may propose alternative buffer standards and designs provided the intent of the buffer requirement is satisfied,
2. A PUD may propose the elimination of internal buffers within the PUD; however, for significantly dissimilar uses (e.g., residential versus industrial), mechanisms to ensure future PUD residents and occupants are aware of the elimination of such requirements may be required in response to such a proposal.

Analysis: The provision of perimeter buffers has been previously addressed. A condition has already been recommended to address this requirement.

- J. LDC Section 4.2.31.E(7) addresses open space.

1. LDC Section 4.2.31.E.(7)(a) provides that for a PUD implementing a Rural Land - Residential Cluster, Rural Land - Hamlet, or Rural Community development form as authorized by the Comprehensive Plan future land use element and Division 3.3, the PUD shall be subject to the following:
 - a. The PUD shall identify all the required natural open space (NOS) acreage to be permanently conserved consistent with the Comprehensive Plan and this Code, with particular attention to Sec.

6.6.6.A., along with the intended form and/or method of conservation.

- b. If the PUD is also subject to a native habitat vegetation preservation requirement as listed in Section 6.6.5, the minimum 15% native habitat to be preserved should be included within the natural open space, thereby simultaneously complying with the NOS and native habitat conservation requirements; additionally, the applicant is encouraged to preserve as much of the native habitat within the NOS as possible.
- c. The PUD shall provide a minimum of five percent improved open space as provided in Section 6.6.6.B, with this improved open space being focused on satisfying the recreation facility needs of the PUD as listed in (7)(c) below.

Analysis: The PUD site does not propose a Rural Land Residential Cluster or Hamlet, therefore this section of the LDC is not applicable.

2. LDC Section 4.2.31.E.(7)(b) provides for all other PUDs, whether residential, institutional, commercial, industrial, or mixed-use, improved open space (IOS) consistent with Section 6.6.6.B shall be provided as a minimum of 20 percent of the PUD gross land area.

Analysis: The PUD plan states the minimum 20% open space will be provided but does not give detailed figures or list the areas being designated for open space on the site plan. The application is currently **not consistent** with this section of the LDC as there are no figures provided to confirm the minimum open space requirement.

- *The PUD must meet the LDC requirement of a minimum of 20% improved open space.*
- *A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.*

3. LDC Section 4.2.31.E.(7)(c) establishes the following design guidelines for open space:
 - a. IOS shall be permanently set aside and shall be designated on the PUD and be established as separate properties/tracts to be owned and managed by a governing association for the PUD, whether a private property owners association, community development district, or municipal service unit unless otherwise approved by the Board upon recommendation by the DRC.
 - b. The PUD's minimum required IOS amounts shall be listed on the PUD's related plans, and shall be depicted depending on the level of development review, allowing for more general with conceptual and proceeding to detailed for platting and/or site planning.

- c. IOS is intended to be integrated into the PUD design and provide the primary avenue for satisfying overall landscaping requirements for all development as required in Divisions 6.7, 6.8, and 6.9.
- d. IOS shall be integrated throughout the PUD to provide a linked access system to the IOS.
- e. IOS shall be improved, including compatible structures, to the extent necessary to complement the PUD uses.

Analysis: The PUD plan states the minimum 20% open space will be provided but does not give detailed figures or list the areas being designated for open space on the site plan making the application **not consistent** with this section of the LDC.

- 4. LDC Section 4.2.31.E.(7)(d) establishes the following improved open space eligibility standards:
 - a. Landscape buffers required for the PUD perimeter to surrounding properties, and within the PUD to provide internal buffering shall be counted at 100 percent,
 - b. Parks, playgrounds, beaches, bikeways, pedestrian walks, equestrian trails, and other similarly improved, usable outdoor areas shall be counted at 100 percent,
 - c. Up to 25 percent of stormwater facilities may be counted to satisfy area/acreage requirements for required IOS. A higher percentage may be approved by DRC, depending on the design and lay of the facility, wherein the stormwater facilities provide a stable, dry, surface for extended periods of time and are not subject to erosion and/or damage to key design components when subjected to active use by PUD residents, employees, and patrons.
 - d. Parking areas and road rights-of-way may not be included in calculations of IOS; however, separate tracts exclusive of rights-of-way providing landscaping buffers, or landscaped pedestrian, bicycle and other non-vehicular multi-use trails may be classified as IOS.
 - e. Waterbodies in the PUD may be used to partially fulfill IOS space or recreational space requirements in accordance with the following criteria:
 - 1) Waterbodies available and used for active water-oriented recreation uses such as boating, kayaking, canoeing, paddle boarding, fishing, water/jet skiing, and swimming may be used in calculations of IOS area of waterbodies but shall not exceed 50 percent of the total IOS; however, the adjoining recreational lands supporting the active water-oriented recreation uses may be counted at 100 percent.
 - 2) Waterbodies not available or used for the noted active water-oriented recreation uses may be used in calculations of IOS but shall not exceed 10 percent of the total IOS; however, the adjoining recreational lands supporting the waterbody that are established as recreation/amenity space may be counted at 100 percent recreational space. Only those waterbodies which are available to the development for water-oriented recreation use such as boating, fishing, water skiing,

swimming and have associated recreational land areas may be used in meeting these requirements.

- f. If golf courses and/or driving ranges are provided to partially fulfill recreation space requirements, a maximum of 60 percent of the golf course and/or driving range land may be counted toward the required IOS. A golf course, driving range, and waterbodies combined cannot exceed 75 percent of the required IOS.

Analysis: The PUD plan states the minimum 20% open space will be provided but does not give detailed figures or list the areas being designated for open space on the site plan. The application is **not consistent** with LDC Section 4.2.31.E.(7)(c).

- K. LDC Section 4.2.31.E.(8)(a through e) address Maximum Commercial Use Area in a Residential PUD in a Residential Future Land Use Designation.

Analysis: The PUD site features no Commercial Use area, therefore this section of the LDC is not applicable.

- L. LDC Section 4.2.31.F. addresses the pre-application meeting.

1. LDC Section 4.2.31.F.1 requires a pre-application meeting be conducted before a PUD rezoning application can be accepted.

Analysis: A pre-application meeting took place with Growth Services staff on March 25, 2025 and a follow-up meeting was held on April 16, 2025 to discuss the missing information needed for proper review.

2. LDC Section 4.2.31.F.(2)(a) requires a PUD application be accompanied by a Conceptual Plan, Master Plan, Major Site Plan or Preliminary Plat.

Analysis: The PUD application is being provided by the applicant as a Master plan.

3. LDC Section 4.2.31.F.(2)(b) requires the PUD Rezoning Application shall be accompanied by a Conceptual Plan provide documentation addressing the following:
 - a. The name of the proposed PUD shall be centered at the top of the sheet along the long dimension of the sheet.
 - b. Vicinity map that depicts relationship of the site to the surrounding area within a 1-mile radius.
 - c. Drawing of the boundaries of the property showing dimensions of all sides.
 - d. Provide the acreage of the subject property along with a legal description of the property.
 - e. Identify the Comprehensive Plan future land use and existing zoning of the subject property and for all properties immediately adjacent to the subject property.
 - f. Identify existing site improvements on the site.
 - g. A list of the uses proposed for the development.

- h. A typical drawing of an interior lot, corner lot, and cul-de-sac lot noting setback requirements. For residential development, the typical drawings will show a standard house size with anticipated accessory structure.
- i. Proposed zoning and development standards (setbacks, FAR, building height, etc.).
- j. Identify proposed phasing on the plan.
- k. Identify proposed buffers.
- l. Identify access to the site.
- m. Preliminary building lot typical with required yard setbacks and parking lot locations.
- n. Preliminary sidewalk locations.
- o. Proposed parallel access locations.
- p. Show 100-year floodplain on the site.
- q. Show any proposed land or right of way dedication.
- r. Identify any proposed parks or open spaces.
- s. A note describing how the construction and maintenance of private roads, parking areas, detention areas, common areas, etc. will be coordinated during development and perpetually after the site is complete.
- t. Architectural renderings or color photos detailing the design features, color pallets, buffering details.

Analysis: The application submitted **is not consistent** with this provision and is currently missing items required for proper analysis.

- 3. LDC Section 4.2.31.F.(3) requires the Development Review Committee (DRC) to make a recommendation for approval, approval with conditions, or for denial to the Planning and Zoning Commission and to the Board.

Analysis: The DRC considered the application at their March 10, 2025 meeting.

- 4. LDC Section 4.2.31.F.(4)(a) requires the final development plan (either entire project or phase), submission, shall include but not be limited to, a master plan, a major site plan, improvement plan, a preliminary plat and/or final plat, as deemed necessary for the specific project.

Analysis: The PUD application included states this is a master plan.

- 5. LDC Section 4.2.31.F.(4)(b) require final development plan be in accordance with requirements of the Land Development Code and be considered by the DRC. At the direction of the Board, DRC, or Growth Services Director, the final development plan may be brought back to the Board for final action.

Analysis: Due to completeness and sufficiency issues, staff would not consider this application to be a true PUD Master Plan. As such, staff recommends the true final PUD development plan be required to come back

before the Board of County Commissioners for a final master plan approval if this application is heard and approved by the board.

- The final PUD master plan must be brought back and heard by the Board of County Commissioners for final approval.
6. LDC Section 4.2.31.F.(4)(c) provides if necessary, a final development plan (entire project or phase) may be submitted with the conceptual plan for consideration.

Analysis: Staff finds that a final development plan was not submitted with the conceptual plan.

M. LDC Section 4.2.31.J addresses PUD time limits and provides:

1. The Board may establish time limits for the submittal of a master plan, major site plan, preliminary plat, or final plat for the development of an approved conceptual plan.
2. Any such time limits may be extended by the Board for reasonable periods upon the petition of the developer for an amendment to the conceptual plan and based upon good cause, as determined by the Board; provided that any such extension of time shall not automatically extend the normal expiration date of a building permit, site plan approval, or other development order. If time limits contained in the approved development plan are not completed or not extended for good cause, no additional permits will be approved.
3. Time limits for completion and close out of master plans, major site plans, preliminary plats, and final plats once approved shall be according to Article 2 of this Code Review and approval procedures.

Analysis: Staff does not recommend the imposition of any conditions to address time limits as timing is already addressed under LDC Section 4.2.31.L.

N. LDC Section 4.2.31.K addresses PUD amendments.

Analysis: This application is for the initial PUD approval following expiration of the previously approved PUD and, consequently, this section is not applicable.

VI. ALTERNATIVE ACTIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **Approve** the rezoning amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance, and make a recommendation to the

Board of County Commissioners to adopt a proposed Ordinance to **Approve with amended conditions** the rezoning amendment.

- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Planning & Zoning Commission to **DENY** the proposed rezoning because the application:

- A. **May adversely** affect the public interest based upon impacts to the surrounding area;
- B. **Is consistent** with the following Comprehensive Plan provisions
1. FLUE Policy 1.1.1, 1.1.5, 2.1.20, 3.1.2, 4.1.2, 5.1.3, 5.1.4, 6.1.3;
 2. TE 2.1.4, 2.3.2;

But **is inconsistent** with the following Comprehensive Plan provisions

1. SSE 1.1.3, 1.2.1
2. PWE 1.6.4
3. SE 1.1.5

- C. **Is compatible** with the surrounding uses as the request is to expand the existing residential use of the surrounding area.

If the board chooses to go against staff recommendation and approve the PUD, the following development conditions are proposed to mitigate the potential for any negative impacts to the surrounding area:

1. The PUD shall comply with the PUD Development Setbacks listed in Table 2 below

TABLE 2. SETBACKS (IN FEET)			
Direction	Adjoining Use	Proposed	Recommended
North	Single-Family Residential	8'	8'
South	Single-Family Residential Multiple-Family Dwelling	8'	8'
East	Single-Family Residential	25'	25'
West	Single-Family Residential	25'	25'

2. The PUD shall comply with the PUD Development Buffers listed in Tables 3 and 4 below and as listed within the buffering plan provided.

TABLE 3. BUFFERS FOR PARCEL 3060-007-004

Direction	Adjoining Use	Required	Proposed	Recommended
North	Single-Family Residential	A-Type	A-Type	A-Type
South	Single-Family Residential Multiple-Family Dwelling	C-Type	C-Type	C-Type
East	Single-Family Residential	C-Type	C-Type	C-Type
West	Single-Family Residential	A-Type	A-Type	A-Type

TABLE 4. BUFFERS FOR PARCEL 3060-004-001

Direction	Adjoining Use	Required	Proposed	Recommended
North	Single-Family Residential	C-Type	C-Type	C-Type
South	Single-Family Residential Multiple-Family Dwelling	A-Type in SW corner near residences	A-Type in SW corner near residences	A-Type in SW corner near residences
East	Single-Family Residential	C-Type	C-Type	C-Type
West	Single-Family Residential	C-Type	C-Type	C-Type

3. The PUD shall be limited to a maximum of 151 multi-family units.
4. The PUD shall be developed consistent with the PUD plan provided.
5. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
6. Sidewalk to be provided internally as shown in the PUD site plan.
7. Sidewalk shall be provided along SW 7th Ave.
8. The DRA will be required hold the total stormwater runoff volume generated from the 100-year, 24-hour storm event, with no off-site discharge.
9. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
10. The PUD must meet the LDC requirement of a minimum of 20% improved open space.
11. The final PUD master plan must be brought back and heard by the Board of County Commissioners for final approval.

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. Rezoning Application.
- B. Site Photos.
- C. Traffic Study.
- D. DRC Staff Comments.
- E. MCFR and MCSO Responses
- F. City of Ocala Development Information
- G. Historic Related Cases.
- H. Surrounding Property Owner Map.