



**Marion County
Board of County Commissioners**

Growth Services

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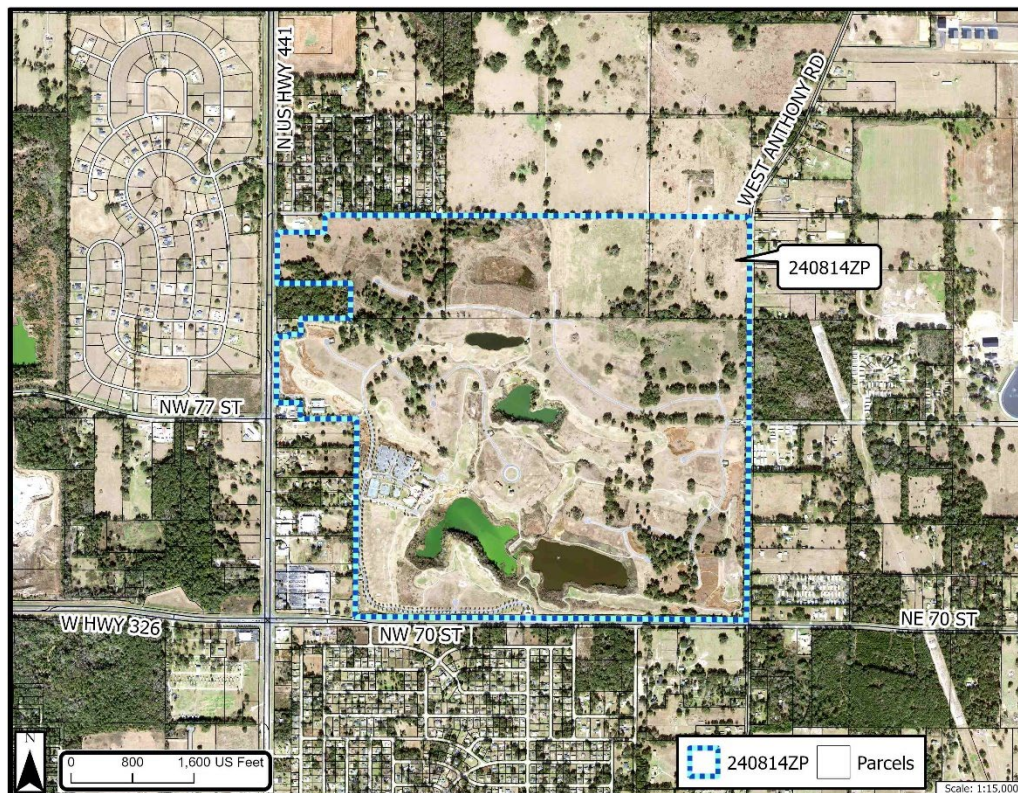
**PLANNING & ZONING SECTION
STAFF REPORT**

Dates	P&ZC: 07/29/2024	BCC: 08/20/2024
Case Number	240814ZP	
CDP-AR	31749	
Type of Case – Rezoning (Amendment To PUD)	<p>From Planned Unit Development (PUD) for single-family residences and condo/villa residences up to 236 total dwelling units, with accompanying amenities; and semi-public/private golf course and clubhouse</p> <p>To Planned Unit Development (PUD) single-family residences, <u>duplex/townhouse residences</u>, and condo/villa residences up to 236 total dwelling units, with accompanying amenities; semi-public/private golf course and clubhouse; <u>and revised development standards</u>.</p>	
Owner	Adena GC Holdings, LLC	
Applicant/Agent(s)	Tillman & Associates Engineering, LLC	
Street Address / Site Location	544 NW 78 th Lane Road	
Parcel Number(s)	14699-000-07 (±486.37 acres), 14699-001-00 (±53.48 acres), 14605-002-00 (±40.00 acres), and 14606-002-00 (±80.00 acres)	
Property Size	±659.85 acres	
Future Land Use	Low Residential (LR)	
Zoning Classification	Planned Unit Development (PUD)	
Overlay Zone(s) & Scenic Area(s)	Within Urban Growth Boundary (UGB), Within Silver Springs Primary Protection Overlay Zone (SPPOZ)	
Staff Recommendation	APPROVAL WITH CONDITIONS	
P&ZC Recommendation	APPROVAL WITH CONDITIONS	
Project Planner	Christopher Rison AICP, Senior Planner	
Historic/Related Case(s)	20090910Z (Approved), 20160711Z (Approved) , 20200704Z (Withdrawn), 20200810Z (Withdrawn)	

I. ITEM SUMMARY

Tillman and Associates Engineering, LLC., on behalf of Adena GC, LLC., has filed an application to amend the existing Adena Golf & Country Club Planned Unit Development (Adena PUD) to enable **duplex/townhome development** within the project and **update/revise the PUD overall development standards** (see Attachments A and B), pursuant to the provisions of Land Development Code (LDC) Division 2.7 – Zoning and LDC Section 4.2.31. The Adena PUD is made up of four parcels - 14699-000-07, 14699-001-00, 14605-002-00, and 14606-002-00 totaling ±659.85 acres. The Adena PUD main overall address is 750 NE 70th Street. Figure 1 is an aerial photograph showing the general location of the subject property. The subject property is within the Urban Growth Boundary, within the County's Silver Springs Primary Protection Overlay Zone (SSPPOZ), and within Marion County Utilities Service Area.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** of the applicant's request because it is consistent 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 will not adversely affect the public interest based upon the intensity of use, consistency with the Comprehensive Plan, and compatibility with the surrounding uses.

III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C., notice of public hearing was mailed to all property owners (23 owners) within 300 feet of the subject property on April 12, 2024. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property the week of July 15, 2024, notice of public hearing was mailed to all property owners (87 owners) within 300 feet of the subject property on July 12, 2024, and due public notice was published in the Ocala Star-Banner on July 15, 2024. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference. As of August 7, 2024, no letters of support have been received; a letter of opposition to the project's access has been received and that party also appeared and provided public comment at the Planning and Zoning Commission's public hearing regarding this Zoning Application.

IV. PLANNED UNIT DEVELOPMENT (PUD) ANALYSIS

Land Development Code Section 4.2.31 establishes specific requirements for a PUD. A PUD provides a process for the evaluation of unique individually planned, residential, non-residential, and mixed-use development, which may not otherwise be permitted in the standard zoning classification of the LDC. The Adena PUD is an existing approved PUD accommodating up to 236 dwelling units, wherein it is in active use and development, including infrastructure installation/completion (roadways, stormwater, and utilities) and the development and operation of the site's golf course and country club. This proposed PUD Amendment provides an updated Concept Plan (Attachment B) and focuses on introducing a new residential dwelling product type – specifically a duplex/townhouse model, and revising the PUD development standards to provide allow duplex/townhouse models, and proposes new and/or revisions related to other existing uses in the PUD (Attachment C). This staff report's PUD analysis will focus on the proposed PUD Amendment components and changes. An analysis of conformance to the PUD 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 current Adena PUD allows single-family residential homes and condominiums (condos). The proposed PUD Amendment will provide for an additional dwelling unit type of duplex/townhome, which will allow for an alternative fee-simply ownership form and/or multiple-family dwelling form. The PUD Amendment further clarifies development standards for generally accessory uses related to the residential community and the golf course. Additionally, an alternative condominium development standard is proposed to that reduces setbacks with a companion reduction in maximum potential height. The proposed uses are consistent with the land use and development standards similar to those of our residential zoning

classifications. Based on the above, staff concludes the application is **consistent** with this section.

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 does not propose any SUP. Therefore, this requirement is **not applicable**.

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 this is a new PUD request and that this section is **not applicable**.

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

Analysis: Proposed uses are called out within the conceptual plan, to include single-family detached residential, single-family attached residential, and multiple family residential uses with corresponding development standards, wherein the total number of units shall not exceed 236 dwelling units consistent with the site Low Residential future land use designation. 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 proposed PUD Amendment will provide for a variety of dwelling unit types, and the Concept Plan is accompanied by concept illustrations of the residential types (see Attachment B, page 4). Architectural standards are also indicated for the non-residential uses that support the residential community and golf course. Further, staff notes the Adena PUD's clubhouse complex, golf club facilities, and golf maintenance areas are currently in place and operational on a limited basis at this time. As recommended, staff finds the application to **be consistent** with this section of code as recommended.

- 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 ±52.15 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 indicates this site will accommodate the creation of 236 residential dwelling units. Based on the size of the parcel and High Residential land use, this PUD **complies** with the corresponding minimum and maximum densities.

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 is within the density provided by its existing land use and will be served by central water and sewer services. Additionally, the requested development is similar and compatible to that of the surrounding subdivisions. Based on this information, staff believed the proposed PUD is **consistent** with this 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 is entirely Low Residential land use and does not propose any sort of blending. 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: Under the site's Low Residential land use designation, the overall PUD is eligible for 659 dwelling units. The original PUD is approved for up to 236 dwelling units as a combination of single-family and condo (multiple-family) dwellings. The PUD Amendment proposes adding an additional residential dwelling unit type of duplex/townhouse to provide for possible fee-simple ownership. The 236 dwelling units represent 36% of the potential dwelling units under the Low Residential land use designation potential. Staff finds this proposal is **consistent** with this section.

- 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.

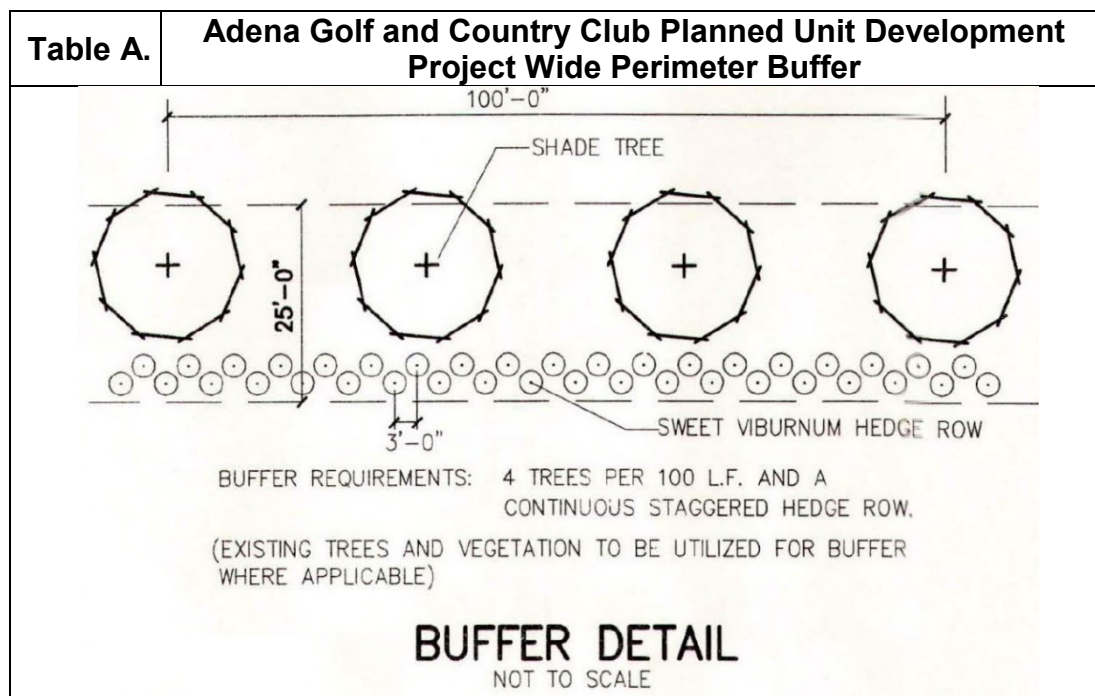
Analysis: The current Adena PUD allows single-family residential homes and condominiums (condos). The proposed PUD Amendment will provide for an additional dwelling unit type of duplex/townhome, which will allow for an alternative fee-simple ownership form and/or multiple-family dwelling form. The PUD Amendment further clarifies development standards for generally accessory uses related to the residential community and the golf course. Additionally, an alternative condominium development standard is proposed to that reduces setbacks with a companion reduction in maximum potential height. The proposed uses is consistent with the land use and with development standards similar to those of our residential zoning classifications. As such, the varied alternative standards will ensure that setbacks to the overall PUD Boundary will be established, while enabling interior setbacks, particularly for multiple-family dwellings, to be subject to the Developer's design and applicable Building and Fire Codes. As such, 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 current Adena PUD is required to provide a uniform 25-foot wide perimeter buffer surrounding the PUD, as illustrated in Table A below. No change to the required buffer is proposed, and staff notes significant portions of the buffer, such as along Hwy 326, and the majority of West Anthony Road are functionally in place having been planted in the past, or being existing maintained vegetation.



Staff finds the buffers provided by the applicant are **consistent** with this section.

- 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 Adena PUD includes two primary access points currently established to SR Hwy 326 and West Anthony Road, with a limited golf maintenance facility access to N. US Hwy 441. The PUD's internal Phase 1 roadways are currently developed.

The current development review processes for the Adena PUD have not identified the need for additional right-of-way for the major roadways being used for access by the PUD. Staff notes that additional right-of-way may be required as development progresses, particularly with the initiation of Phase 2, and required supporting improvements identified at that time, which may include providing additional right-of-way for the major roadways as noted by the Office of the County Engineer's Traffic Division staff review remarks (Attachment E).

The PUD proposes to reduce the PUD's minimum local roadway right-of-way width to 40-feet; however, staff notes this is a potential concern depending on the placement of supporting infrastructure to support the development. As such, ***staff recommends that the use of a minimum internal 40-foot wide right-of-way using supplemental 10-foot wide easements on each side to accommodate infrastructure development be subject to review and approval of the Development Review Committee (DRC), wherein if the DRC disagrees/denies such use, the developer/applicant may appeal to the Board of County Commissioners comparable to the LDC Waiver Application process.*** As such, **as recommended**, staff finds the application is **consistent** with this provision.

- *Internal PUD road right-of-ways shall comply with the original Adena PUD minimum with of 50-foot wide with minimum 10-foot wide multi-purpose (e.g., utility, drainage, etc.) easements on each side, for a minimum functional width of 60-feet. A minimum 40-foot wide right-of-way may be proposed and used subject to review and approval by the Development Review Committee (DRC), wherein if the DRC disagrees/denies such use, the developer/applicant may appeal the denial to the Board of County Commissioners comparable to the LDC Waiver Application process.*

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 current Adena PUD was not required to provide internal sidewalk/bike access. Staff further notes the PUD is a golf course community wherein golf cart access throughout the development may be readily accommodated. The development of the PUD was not required to provide for sidewalks along SR Hwy 326, West Anthony Road or N. Hwy 441 as part of its prior approvals, and as no increase in the PUD development amount is requested, staff does not recommend revisiting the issue at this time. As such, staff finds the application is **consistent** with this provision.

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: As noted previously, the current Adena PUD is a golf course community wherein golf cart access throughout the development may be readily accommodated. As such staff finds the application is **consistent** with this provision.

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 does not propose deviations from parking requirements or design standards. Residential and amenity structures will be required to comply with LDC parking standards; however, specialized design waivers may be requested through the Development Review Committee LDC Waiver Application process for specific alternative proposals. The existing golf course clubhouse facility is currently established consistent with the LDC including in relation to ADA accessibility needs. As such, staff notes the plan is **consistent** with this provision.

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: The existing Adena PUD is currently connected to Marion County Utilities central water & central sewer services. As such, the plan is **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.
- b. LDC Section 6.13.3 addresses four different types of stormwater management facilities.

Analysis: The existing Adena PUD is currently developed to include an approved stormwater management system with a series of private retention area, particularly in the active phases of development, and will be required to comply with the LDC as development progresses. In the DRC Staff Remarks Letter, the Stormwater division of the Office of the County Engineer notes the site includes Flood Prone and Wetland areas, and appropriate stormwater and development plans will be required through subsequent development review processes (Attachment E). As such, the plan is **consistent** with this provision.

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.
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 any easements required for maintenance and upkeep of the PUD infrastructure will be determined during the Development Review phase of the process with buildable areas and easements finalized and/or determined during the Major Site Plan and/or Improvement Plan/Final Plat development review processes.

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 Amendment proposes new development type setbacks and heights, along with adjustments to existing PUD setbacks and heights and qualifications of some uses. These are reflected in the Development Standards Table provided as Attachment C to this report. Staff finds the PUD will be **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 Amendment proposes new development type setbacks and heights, along with adjustments to existing PUD setbacks and heights and qualifications of some uses. These are reflected in the Development Standard Summary provided as Attachment C to this report. Staff finds 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: The PUD Amendment proposes additional and revised building development and separation standards; however, such details will also be required by the site's final development review plans. A key provision of certain standards is compliance with applicable building and fire safety codes, wherein staff notes such standards apply to all development in various manners. As such, staff recommends a development condition to ensure the PUD will be **consistent** with this section.

- *Building separations shall meet all requirements placed on development by Building and Fire Safety codes.*

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.

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

Analysis: The PUD proposes a variety of maximum building heights including new standards and revisions of existing standards (see Attachments B and C). For the multiple-family components, setbacks and height limits are based on the PUD Boundary for a number of uses to support compliance with the specialize setbacks required for PUDs. One revision addresses condominiums providing for a reduced 50-foot PUD Boundary setback when the maximum height is reduced to 45-feet, similar to the County's standard residential zoning classifications. The PUD Amendment proposes additional provisions for non-residential components of the development with consideration to their placement in regards to the overall PUD Boundary. 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.).
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.
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: The PUD Plan does not display the location of exterior lighting. As such, *staff recommends the PUD site 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.*

- *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.*

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: Buffers have been addressed previously in this report. They **conform to the** LDC requirements and the PUD's prior approval.

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

1. LDC Section 4.2.31.E.(7)(a-c) 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.

Analysis: The PUD site has a Low Residential land use designation and 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 previously approved PUD plan provided open space through buffers, golf course area, stormwater areas, and on-site recreational amenities. The existing PUD currently includes completed recreational amenities including clubhouse, pool, various courts, and the on-site golf course facilities. As such, at this time, staff proposes the PUD is **consistent** with this section.

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 previously approved PUD plan provided open space through buffers, golf course area, stormwater areas, and on-site recreational amenities. The existing PUD currently includes completed recreational amenities including clubhouse, pool, various courts, and the on-site golf course facilities. As such, at this time, staff proposes the PUD is **consistent** with this section.

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. (1 and 2) Waterbodies in the PUD may be used to partially fulfill IOS space or recreational space 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 previously approved PUD plan provided open space through buffers, golf course area, stormwater areas, and on-site recreational amenities. The existing PUD currently includes completed recreational amenities including clubhouse, pool, various courts, and the on-site golf

course facilities. As such, at this time, staff proposes the PUD is **consistent** with this section.

- 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 does not propose any commercial use areas, 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 was conducted with representatives from Tillman and Associates Engineering, LLC, and staff. Thus, this application **meets this requirement**.

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 accompanied by a Conceptual 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 typicals 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 was determined to currently meet the minimum requirements for submission and **is consistent** with this provision.

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 initially considered the application at their July 15, 2024 meeting and recommended transmittal of the site for PUD consideration, subject to review comments and any final development conditions.

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: As the PUD Application was accompanied by a Conceptual Plan (see Attachment B), and subsequent development plan(s) will be required as noted by this provision.

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, whereing the Board has recently expressed that final development plans for PUD are to be brought back in front of the Board for final action as follows:

“The final PUD Master Plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the LDC notice provisions and at the Applicant’s expense; further, the Developer may present the final PUD Master Plan, or equivalent, as separate plan areas to reflect project phases, such as those based on geographic locations or development timing.”

Analysis: The current Adena PUD was not obligated to bring final development plans back to the Board of final action. The Adena PUD Phase 1 is currently completing the final development review processes,

including Final Plat, and primary Phase 1 infrastructure improvements are complete. As such, staff does not recommend such a condition for this PUD Amendment.

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 only a conceptual plan was submitted for consideration.

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.

1. Changes to the plan of development which will affect the following items shall be subject to review and approval by Development Review Committee:
 - a) Changes in the alignment, location, direction or length of any internal local street,
 - b) Changes or adjustments in lot or parcel development standards which do not reduce the minimum lot or parcels standards listed in item (a)3,
 - c) Changes in commercial gross leasable areas (GLA) for individual lots or tracts which do not result in increased overall GLA square footage,
 - d) Changes in industrial building square footage or lot coverage percentage which do not result in increased overall building square footage or total lot coverage percentage,
 - e) Changes in mixed use land uses and overall dwelling unit densities, or commercial GLA square footage or industrial building square footage or total lot coverage percentage, which do not result in an increase to the above categories,

- f) Reorientation or slight shifts or changes in building or structure locations including setbacks,
 - g) Major changes listed below which are subject to final review and approval by the Board.
2. Changes which will modify or increase the density or intensity of items shall be subject to review and approval by the Board through the PUD rezoning application process.
- a) Intent and character of the development.
 - b) Location of internal and external arterial or collector streets and connection points between and to those streets within the development.
 - c) Minimum lot/parcel sizes including heights or project design standards based on use such as residential vs. non-residential.**
 - d) Building setbacks.**
 - e) Dwelling unit types or mixes and maximum development density and units.**
 - f) Maximum commercial gross leasable areas (GLA) for individual lots or tracts and project wide.
 - g) Industrial building square footage or lot coverage percentage for individual lots or tracts and project wide.
 - h) Minimum size and general location of common open space including buffer areas or zones and method of ownership and maintenance.**
 - i) Conservation open space areas with intended method of preservation ownership or maintenance.
 - j) Location of water and sewage facilities.

Analysis: This application proposes adding a dwelling unit type with accompanying development standards to the existing PUD, along with modifying some of the existing development standards for the existing dwelling unit types. As such, this application is being considered as a PUD Amendment for Board of County Commissioners review consideration, **consistent with this section.**

V. ANALYSIS

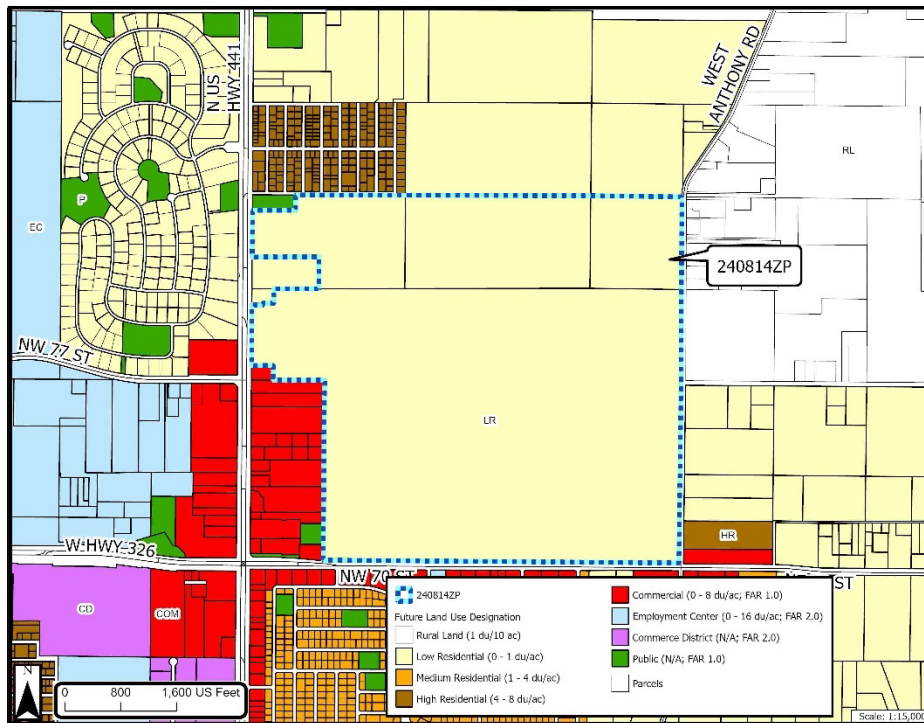
LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and 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 2 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), Figure 3 displays the site's proposed zoning and surrounding properties' existing zoning classifications. Figure 4 shows the uses of the subject property and surrounding properties as classified by the Marion County Property Appraiser's (MCPA) data property use code. Table A displays the information from Figures 2, 3, and 4 in tabular form.

**Figure 2
FLUMS Designation**



**Figure 3
Proposed Zoning Classification**

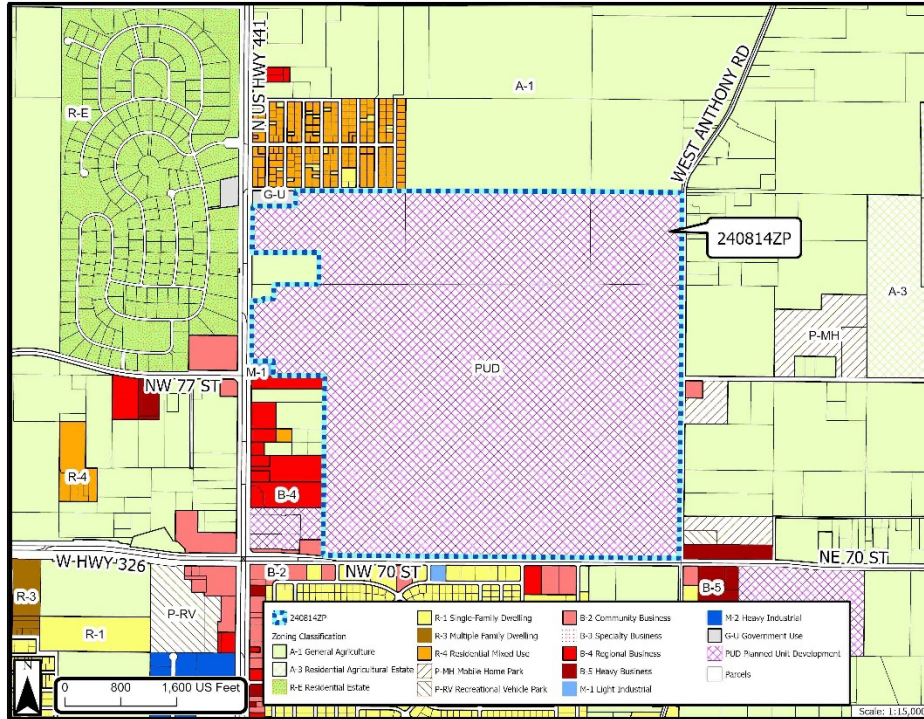


Figure 4
Existing and Surrounding Land Uses

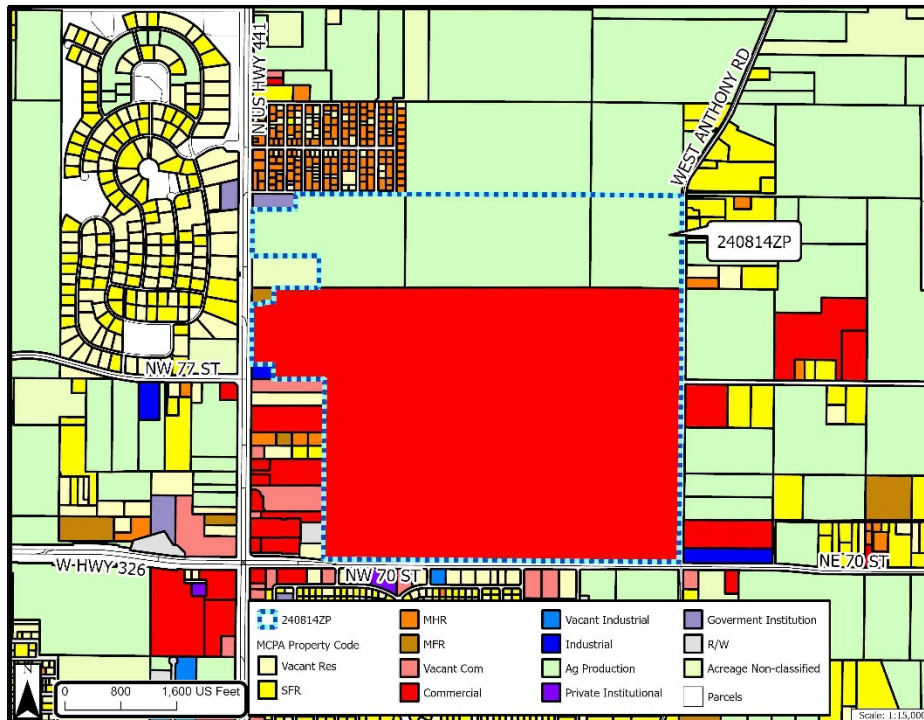


TABLE B. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use Per MCPA Property Code*
North	High Residential	Single-Family Dwelling (R-1)	Concordia Park Subdivision

	Rural Land	Mixed Residential (R-4) General Agriculture (A-1)	Ag Production (Adena GC Holdings)
South	Commercial Employment Center Medium Residential Low Residential Commercial	Community Business (B-2) Single-Family Dwelling (R-1) Light Industrial (M-1) Regional Business (B-4) Community Business (B-2) General Agriculture (A-1)	Ocala Highlands Estates and First Addition (Commercial sites, vacant lots) Ag Production
East	Rural Land Low Residential High Residential Commercial	Community Business (B-2) Manufactured Home Park (P-MH) General Agriculture (A-1) Manufactured Home Park (P-MH) Recreational Vehicle Park (P-RV) Heavy Business (B-5)	Villages of Ocala West MHP Ag Production Cliftwood MHP Warehouse/Office Space
West	Public Low Residential Commercial/Public	Governmental Use (G-U) General Agriculture (A-1) Residential Estate (R-E) Light Industrial (M-1) Regional Business (B-4) General Agriculture (A-1) Planned Unit Development (PUD) Community Business (B-2)	Sheriff North District Office Ag Production & Irish Acres Subdivision Seiler & Sons Farms Complex Residential Ag Tracts Various Retail Commercial Sites (Dollar General, Tractor Supply, Ocala Springs SC)
*The main Adena PUD site is identified as “commercial” as the golf course/clubhouse are actively in use at this time. The northern portions of the site remain identified as “ag production.”			

Consistent with LDC Section 2.7.3.D, staff conducted a site visit (Attachment F). As noted, the Adena PUD is currently an approved and established project that includes various infrastructure improvements along with the existing golf course and clubhouse facility. A significant variety of uses surround the site, particularly to the west and south. East of the site are larger parcels with limited commercial or historic residential mobile home park uses. North of the site is the existing Concordia Park Subdivision consisting of ±1/4 acre lots occupied predominantly by manufactured home. Other lands north of the site, east of Concordia Park, are commonly owned lands held by the current property owner. The arrangement of the overall Adena PUD is not proposed to change significantly, except for staff's noted concerns regarding the PUD Boundary setbacks related to the new duplex/townhome, condo/villa, and non-residential development types wherein the added and revised development standards are summarized in Attachment C to this report.

Based on the above findings, staff concludes the proposed rezoning is **compatible** with the existing and future surrounding land uses, and with conditions set in place by staff, any chance of incompatibilities will be mitigated.

B. *Effect on public interest.*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways.
 - 1) Access. The existing Adena PUD is currently authorized for main two access points – one to NE Hwy 326 and one to N. West

Anthony Road. A limited golf course maintenance entrance is provided to N. US Hwy 441. This PUD Amendment application does not propose any modification to those access points or their access limitations.

- 2) Trip Generation. This application to amend the PUD was accompanied by a Traffic Impact Statement (see Attachment D) that demonstrates the addition of the proposed duplex/townhome dwelling unit type will not increase expected traffic generations, and may result in a decrease and attached forms of residential development ordinarily result in traffic generation rates less than those of detached single-family residences, and this is reflected in the Office of the County Engineer's Transportation Divisions' DRC Staff Review Remarks (see Attachment E).
- b. Public transit. There are no fixed route services available in this area.
- c. Other mobility features. The PUD Conceptual plan illustrates the current Adena PUD Phase 1 area wherein the original PUD was not subject to providing internal sidewalks. Due to the PUDs overall Low Residential density levels and the PUDs form as a golf course community, staff does not object to the provision of internal sidewalks at this time.

Based on the above findings, it is concluded the application's proposed transportation impacts, **would not adversely affect public interest subject to appropriate development conditions as discussed elsewhere in the report.**

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. The PUD Amendment does not propose any change to the maximum number of dwelling units possible for the PUD, and the Adena PUD is currently connected to Marion County Utilities' central potable water systems. 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. The PUD Amendment does not propose any change to the maximum number of dwelling units possible for the PUD, and the Adena PUD is currently connected to Marion County Utilities' central sewer systems. It is concluded the application's **sanitary sewer impacts would not adversely affect the public interest.**
4. Recreation. Recreation Element Policy 1.1.1 adopts a level of service standard (LOS) of two (2) acres per 1,000 persons. The PUD Amendment does not propose any change to the maximum number of dwelling units possible for the PUD, and the Adena PUD currently includes recreational amenities as part of the development golf course/clubhouse complex. Marion County includes a variety of local, regional, state, and national

conservation and recreation lands, wherein Marion County readily complies with its recreation LOS; further PUDs are required to address open space and potential resident recreation needs, which are discussed further in this report. Based on the above, it is concluded the rezoning **recreation impacts would not adversely affect the public interest.**

5. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. There are no FEMA Special Flood Hazard Areas, while a small on-site Flood Prone area (< 0.5 ac) has been identified by Marion County. Stormwater engineering's remarks (See Attachment E) note that the project's stormwater management system will be reviewed as part of the Improvement Plan/Major Site Plan stage of review. As noted by stormwater, site development will be subject to full stormwater review including compliance with LDC. Therefore, the application **would not adversely affect the public interest.**
6. 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 which are required to arrange for private collection services. The PUD Amendment does not propose any change to the maximum number of dwelling units possible for the PUD, and the Adena PUD currently includes recreational amenities that use private commercial disposal services. 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.**
7. Fire rescue/emergency services. Anthony Fire Station #1, located at 3199 NE 70th Street, Ocala, ±2.9 miles east of the subject property. Formally, there is no established LOS provided for emergency services, although locations within 5-miles of a fire station are encouraged. It is concluded the application's **fire rescue/emergency impacts would not adversely affect the public interest.**
8. Law enforcement. The Sheriff's North Multi-District Substation, located at 8311 N. US Hwy 441, Ocala, immediately adjoins the PUD, but is roughly ±1.6 miles northwest of the subject property. Formally, there is no established LOS provided for emergency services, although locations within 5-miles of a sheriff station are encouraged; further, sheriff deputies are mobile officers moving throughout established districts. Due to the proximity of the facility, it is concluded the application's **law enforcement impacts would not adversely affect the public interest.**
9. Public schools. The PUD Amendment does not propose any change to the maximum number of dwelling units possible for the PUD. The generation of student populations is based not solely on residential dwellings, but is

influenced by the dwelling types, such as single-family detached, attached, etc. The additional of the additional duplex/townhouse dwelling type is not expected to significantly affect student populations. Therefore, the application's public-school impacts **would not adversely affect the public interest**.

In conclusion, staff finds the proposed rezoning **will not adversely affect the public interest** as proposed and recommended, as the potential impacts will be addressed by the proposed PUD development conditions.

C. *Comprehensive Plan consistency.*

1. FLUE Policy 1.1.3 Accommodating Growth: The County shall designate on the Future Land Use Map sufficient area in each land use designation to distribute development to appropriate locations throughout the county. Changes to the Future Land Use Map shall be considered in order to accommodate the existing and projected population and its need for services, employment opportunities, and recreation and open space while providing for the continuation of agriculture activities and protection of the environment and natural resources.

Analysis: The Adena PUD is designated Low Residential (LR) and is within the Urban Growth Boundary, which is a desired location for development to ensure adequate public facilities are provided. Further, the site is located in the Silver Springs Primary Protection Zone wherein the project is served by central sanitary sewer services as preferred. Staff concludes the proposed rezoning is **consistent** with FLUE Policy 1.1.3.

2. FLUE Policy 2.1.17: Low Residential (LR) This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development within the UGB, a PSA or Urban Area. Parcels outside of, but contiguous to the UGB and outside of the FPA are eligible for conversion to Low Residential designation through density bonus programs consistent with FLU Policy 2.1.3. The density range shall be up to one (1) dwelling unit per one (1) gross acre, as further defined in the LDC. This land use designation is considered the Urban Area. Where Low Residential abuts the Farmland Preservation Area or other Rural Area, hamlet, clustered or other development methods to preserve large tracts of open space is encouraged.

Analysis: Under the site's Low Residential land use designation, the overall PUD is eligible for 659 dwelling units. The original PUD is approved for up to 236 dwelling units as a combination of single-family and condo (multiple-family) dwellings. The PUD Amendment proposes adding an addition residential dwelling unit type of duplex/townhouse to provide for possible fee-simple ownership. The 236 dwelling units represent 36% of the potential dwelling units under the Low Residential land use designation potential. Staff finds this proposal **is consistent** with FLUE Policy 2.1.19.

3. FLUE Policy 3.1.2: Planning Principles with 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 Adena PUD is a currently approved PUD that provides for a variety of housing types with significant open space and amenities that remains consistent with the site's Low Residential designation while using central water and central sewer services, reflecting the site's location in the Silver Springs Primary Springs Protection Zone. Staff concludes the proposed rezoning **is consistent** with FLUE Policy 3.1.2.

4. FLUE Policy 4.1.5: Review of Development and Building Permits: The County shall review all development and building permits during the development review process to ensure that new development or redevelopment is consistent and complies with all requirements of the Comprehensive Plan, Zoning, and LDC prior to issuing final approval for development within the county.

Analysis: In review of the proposed development, staff finds the zoning and land use are consistent with one another and the development standards included in the conceptual plan and recommended by staff will be consistent with other development standards in place in the surrounding area. **The application is consistent** with FLUE Policy 4.1.5.

5. FLUE Policy 5.1.2: Review Criteria – Changes to Comprehensive Plan and Zoning. Before approval of a Comprehensive Plan Amendment (CPA), Zoning Changes (ZC), or Special Use Permit (SUP), the applicant shall demonstrate 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: Staff finds the proposed rezoning demonstrates an appropriate use within a residential designated area within the UGB as it proposes residential development with a mix of single-family dwellings and multiple family dwellings. This development does not meet the requirements to be classified as urban sprawl and is consistent with the UGB. It is compatible with current uses in the surrounding area and consistent with planning principles in the Comprehensive Plan, Zoning, and the LDC. Staff finds the rezoning **is consistent** with FLUE Policy 5.1.2.

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 amendment is scheduled for the July 29, 2024 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.

5. TE Policy 2.1.4 on determination of impact provides in part “All proposed development shall be evaluated to determine impacts to adopted LOS standards.”

Analysis: A Traffic Impact Statement (Attachment C) accompanied the PUD Amendment as no change in the overall maximum number of residential dwelling units is proposed. The PUD Amendment provides for an additional form of residential dwelling wherein the traffic generation rate is typically less than a general detached single-family residential traffic generation rate as previously used for consideration of the current PUD. The Office of the County Engineer’s Traffic Division noted the additional development type is not expected to increase the PUD’s potential trip generation and may result in a reduction in trips generated (Attachment E). Further the Adena PUD Phase 1 is generally constructed at this time, and upon the introduction of Phase 2, traffic updates will be required as part of the overall development review process steps (e.g., Master Plan Update, Preliminary Plat, Improvement Plan, Final Plat), *wherein the PUD developer will be required to address and provide any necessary transportation improvements (access/operation and/or system, right-of-way, etc.) will need to be addressed to the satisfaction of the County Engineer, which is recommended as condition of approval.* Based on the above findings and prior recommendation, it is concluded the application is **consistent** with TE Policy 2.1.4.

- *In conjunction with initiation of development for Phase 2, the PUD developer will be required to address and provide any necessary transportation improvements (access/operation and/or system, right-of-way, etc.) will need to be addressed to the satisfaction County Engineer.*

6. TE Objective 2.2. on Access Management provides “To maintain the intended functionality of Marion County’s roadway network, access management standards shall be established which provides access controls and manage the number and location of public roadways, private roadways, driveways, median openings, and traffic signals.”

Analysis: The Adena PUD Phase 1 if generally constructed at this time. With the initiation of Phase 2 development, it is recommended that any necessary transportation improvements based on updated traffic updates be provided as previously noted. As such, staff concludes the application is **consistent** with TE Objective 2.2.

8. SSE Policy 1.1.3 provides “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: The site is within Marion County’s Utility Service Area and the Adena PUD development is currently served by Marion County Utilities’

central water and central sewer systems. Based on the above findings, it is concluded the application **is consistent** with SSE Policy 1.1.3.

9. SSE Policy 1.2.1 provides “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 PUD Conceptual Plan provides that these services are available through Marion County Utilities. Based on the findings, it is concluded the application **is consistent** with SSE Policy 1.2.1.

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

Analysis: Water to be provided by Marion County Utilities wherein services lines are currently in place for the Adena PUD. Based on the above findings, it is concluded the current application **is consistent** with PWE Policy 1.6.4.

11. SE Policy 1.1.4 provides, “The demand for stormwater facility capacity by new development and redevelopment shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the applicable design storm LOS standard adopted in Policy 1.1.1 and facility design procedures consistent with accepted engineering practice.

Analysis: At the time of development order approval, the owner will need to demonstrate post-development stormwater runoff can be accommodated by the proposed stormwater facility, which facility could potentially include reducing the form, intensity, and/or density of the proposed development (e.g., units, building SF, impervious square feet). Based on the above, it is concluded the application **is consistent** with SE Policy 1.1.4.

12. SE Policy 1.1.5 provides “Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development.”

Analysis: The applicant is advised the owner will be responsible for funding the stormwater facilities with sufficient capacity to accommodate the post-development runoff. Based on the above findings, it is concluded the application **is consistent** with SE Policy 1.1.5.

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

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 **DENY** 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** 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 Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and **APPROVE with conditions** the proposed rezoning because the application:

- A. **Will not adversely** affect the public interest based upon impacts to the surrounding area;
- B. **Is consistent** with the following Comprehensive Plan provisions
 1. FLUE Policy 1.1.3, 2.1.17, 3.1.2, 4.1.5, 5.1.2, 5.1.3, 5.1.4
 2. TE Policy 2.1.4, and Objective 2.2,
 3. SSE 1.1.1, 1.1.3, 1.2.1
 4. PWE 1.1.1, 1.6.4
 5. SWE 1.1.1
 6. SE 1.1.4, 1.1.5
- C. **Is compatible** with the surrounding uses due to the similarly proposed intensity and type of residential development being requested, and proposed development standards and overall project buffer.

If the Board chooses agree with staff's recommendation, the following development conditions are proposed to mitigate negative impacts to the surrounding area:

1. The PUD shall be developed consistent with the PUD Concept Plan, and the development conditions provided with this approval.
2. The PUD shall comply with the following design and development standards listed in Table 2.A below:

TABLE 2.A. ADENA GCC - PROPOSED DESIGN & DEVELOPMENT STANDARDS (20240814ZP)								
Development Type		Minimum		Minimum Setbacks			Height	
		Width	Area	Front	Rear	Side		
SFR* (detached & site built; estate- or villa-type, etc.)	Principle Structure	60'	5,000 SF	10'	10'	5'	65'	
	Accessory Structure	N/A	N/A	10'	10'	5'	30'	
	Rear Pool & Enclosure	N/A	N/A	N/A	5'	5'	30'	
Duplex/Townhome (site-built; 1 or more common walls; 0' setback reflects common wall)	Individual Unit/Lot							
	Principle Structure	20'	1,200 SF	20'	10'	10'/0'	45'	
	Accessory Structure	N/A	N/A	20'	5'	5'/0'	30'	
	Pool & Enclosure	N/A	N/A	20'	5'	5'/0'	30'	
	Set/Series of Units/Lots (Overall building)							
	Principle Structure	N/A	N/A	25'	25'	25'	N/A	
	Accessory Structure	N/A	N/A	25'	25'	25'	N/A	
	Pool & Enclosure	N/A	N/A	25'	25'	25'	N/A	
	<i>Duplex/Townhouse development provides development standards for individual units, and standards for the overall set/series of units. The standards for the set/series of units are measured from the overall PUD Boundary. Additionally, individual duplex/townhome structures shall comply with applicable Florida Building Code and Fire Code Standards regarding building separations from other building and building site property lines, along with applicable site plan requirements for multiple family uses.</i>							
	Condo	Principle Structure Alt. 1	N/A	N/A	100'	100'	100'	65'
Principle Structure Alt. 2		N/A	N/A	50'	50'	50'	45'	
Accessory Structure		N/A	N/A	50'	50'	50'	30'	
Pool & Enclosure		N/A	N/A	50'	50'	50'	30'	
<i>Condo development provides development standards for the set/series of units (overall building) that are measured from the overall PUD Boundary. Additionally, individual condo structures shall comply with applicable Florida Building Code and Fire Code Standards regarding building separations from other building and building site property lines, along with applicable site plan requirements for multiple family uses.</i>								
Non-Residential (clubhouses, amenities, maintenance, and storage facilities)	Clubhouses, recreation amenities, etc.							
	Principle Structure	60'	5,000 SF	20'	10'	10'	65'	
	Accessory Structure	N/A	N/A	10'	10'	10'	30'	
	Rear Pool & Enclosure	N/A	N/A	N/A	5'	10'	30'	
	Golf maintenance/storage facilities POA maintenance/storage facilities (non-commercial)							

These listed development standards are measured from the overall PUD Boundary. Additionally, structures shall comply with applicable Florida Building Code and Fire Code Standards regarding building separations from other buildings and building site property lines, along with applicable site plan requirements for said uses.							
Principle Structure	N/A	N/A	25'	25'	25'	45'	
Accessory Structure and/or Storage "Bins"	N/A	N/A	25'	25'	25'	30'	
Gross Maximum Residential Units: 236 residential dwelling units							
*SFR units (lots) may also include customary single-family accessory structures as permitted in Marion County's Land Development Code (LDC) Section 4.2.9 Single-Family Dwelling (R-1) zoning classification, including allowing an accessory non-commercial dwelling unit identified as a single-family/guest cottage/apartment, consistent with LDC Section 4.3.18							

3. Internal PUD road rights-of-way shall comply with the original Adena PUD minimum with of 50-feet wide with minimum 10-foot wide multi-purpose (e.g., utility, drainage, etc.) easements on each side, for a minimum functional width of 60-feet. A minimum 40-foot wide right-of-way may be proposed and used subject to review and approval by the Development Review Committee (DRC), wherein if the DRC disagrees/denies such use, the developer/applicant may appeal the denial to the Board of County Commissioners comparable to the LDC Waiver Application process.
4. Building separations shall meet all requirements placed on development by Building and Fire Safety codes.
5. 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.
6. In conjunction with initiation of development for Phase 2, the PUD developer will be required to address and provide any necessary transportation improvements (access/operation and/or system, right-of-way, etc.) will need to be addressed to the satisfaction County Engineer.

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

On motion from Commissioner Gaekwad, second by Kroiter, the Planning and Zoning Commission motioned to agree with staff's findings and recommendation, and recommend approval with conditions of this Zoning Application, with a vote of 8-0.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. Rezoning Application filed May 29, 2024.
- B. Concept Plan
- C. Development Standards Table - Revised
- D. Traffic Impact Statement

- E. DRC Staff Review Remarks
- F. Site & surroundings photos.