



**Marion County
Board of County Commissioners**

Growth Services

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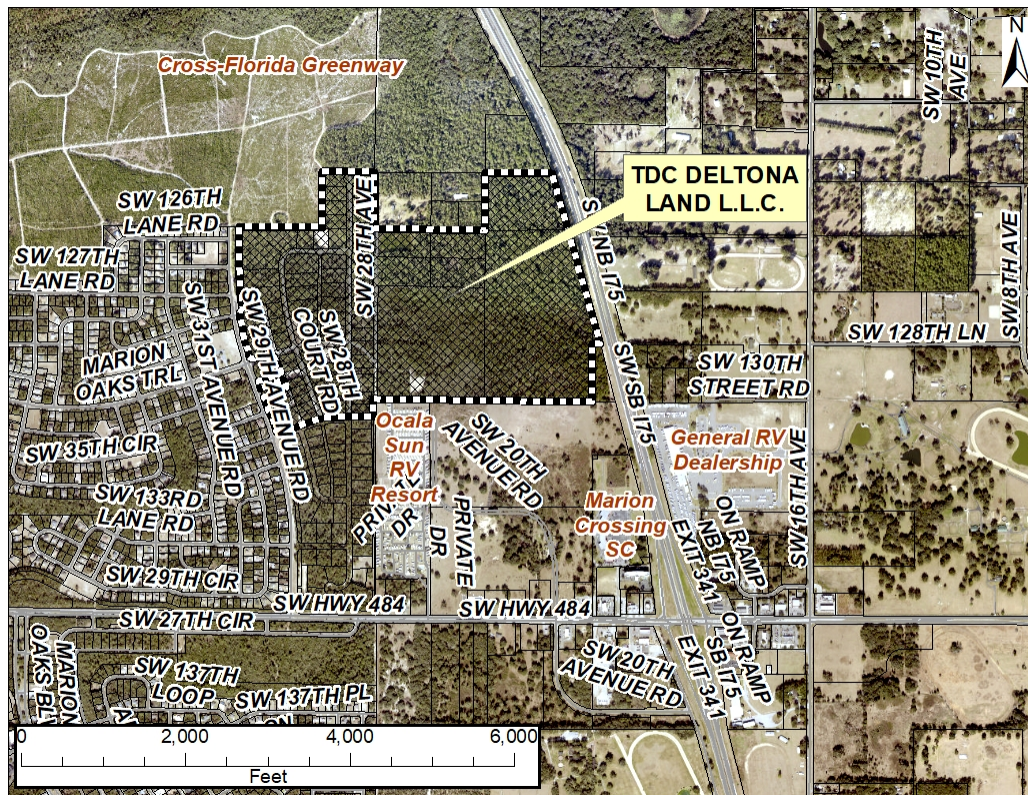
**PLANNING & ZONING SECTION
STAFF REPORT**

	P&ZC Date: 11/28/2022	BCC Date: 6/6/2023
	This item's consideration was postponed by the Board on 12/20/2022; pending completion of the related project traffic impact analysis. This consideration has been duly advertised and noticed for this hearing.	
Case Number(s)	22-S20	
CDP-AR	29233	
Type of Case	Future Land Use Map Series (FLUMS) Amendment <i>FROM:</i> Public (P), Preservation (PR) and Rural Land (RL) <i>TO:</i> Employment Center (EC)	
Owner/Applicant	TDC Deltona Land, LLC. c/o Steve Kros, and Marion County	
Agent	W. James Gooding III, Esq.; Richard V. Busche, Kimley-Horn and Associates, Inc.	
Street Address	None assigned	
Parcel Number(s)	8007-0000101, 8007-0002-26, 8007-1094+05, 8007-1098+01, 8007-1100+09, 8007-1131+04, 41200-034-00, 41200-036-00, and various rights-of-way; reference Attachment A	
Property Size	±40.21 acres	
Future Land Use	Preservation (PR), Public (P), and Rural Land (RL)	
Zoning Classification	General Agriculture (A-1), Single-Family Dwelling (R-1), Community Business (B-2), Regional Business (B-4), and Light Industrial (M-1)	
Overlay Zone And/Or Scenic Area	Outside the Urban Growth Boundary, In the Urban Area associated with the Marion Oaks VDRI, Secondary Springs Protection Overlay Zone, Secondary	
Staff Recommendation	APPROVAL	
P&ZC Recommendation	APPROVAL (ON CONSENT)	
Project Planner	Kathleen Brugnoli, Planner II	
Related Case(s)	<ol style="list-style-type: none"> 221208ZP – for a PUD Rezoning 23-DA04 – Chapter 163, F.S., Development Agreement Plat Vacation/Road Right-of-Way Abrogation [171006Z – PID 41200-006-00, A-1 to PUD – withdrawn] 	

I. ITEM SUMMARY

W. James Gooding III, Esq., on behalf of the landowners, TDC Deltona Land, LLC, et. al., has filed a Small-Scale Future Land Use Map Series (FLUMS) amendment application to change the future land use designation of a series of parcels totaling ± 40.21 -acres from Rural Land (RL - 1 du/10 ac), Public (P), and Preservation (PR) to Employment Center (EC), which allows a density ranging from 0-16 du/ac (Attachment A). The parcels are part of a larger ± 228.10 -acre site, lying $\pm 1/2$ mile north of SW Hwy 484 between Interstate 75 (I-75) and SW 29th Avenue Road. Figure 1 is an aerial photograph showing the general location of the overall site containing the subject properties. The subject properties are situated outside the Urban Growth Boundary (UGB) but in or adjoining the Marion Oaks Vested Development of Regional Impact (VDRI) Urban Area. The subject properties are in the county-wide secondary springs protection zone (SPOZ). The lands south/southeast of the site are the existing Marco Polo Industries Industrial Park PUD.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **APPROVAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it is consistent with Land Development Code Section 2.3.3.B, which requires amendments comply and be consistent with the Marion County Comprehensive Plan and the provisions of Chapter 163, Florida Statutes.

III. NOTICE OF PUBLIC HEARING

Notice of public hearing was mailed to all property owners (45 owners) within 300 feet of the subject property on May 19, 2023. A public hearing notice sign was posted on the property on May 23, 2023. A public hearing notice for the Planning & Zoning Commission hearing was published in the Star Banner on May 22, 2023. As of the date of the initial distribution of this Staff Report, no correspondence in support of or in opposition to the amendment has been received. Evidence of the public hearing notices are on file with the Growth Services Department and are incorporated herein by reference.

IV. BACKGROUND/PROPERTY HISTORY

The Comprehensive Plan Amendment proposes to change the future land use designation of a series of parcels that are part of a larger overall site. The majority of the overall site consists of property previously held by the Deltona Corporation as part of the Marion Oak Vested Development of Regional Impact (VDRI). The area including the subject property parcels are part of the "Special Business Area" for the Marion Oaks VDRI functionally serving as the community's intended commerce park area. Figure 2 provides an image of the Marion Oaks Master Plan as provided in past records for the Marion Oaks VDRI.

Figure 2
Marion Oaks Community Master Plan



V. ANALYSIS

LDC Section 2.3.3.B provides a Comprehensive Plan amendment shall be reviewed for compliance and consistency with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes. Staff's analysis of compliance and consistency with these two decision criteria are addressed below.

A. *Is the request compatible with land uses in surrounding area?*

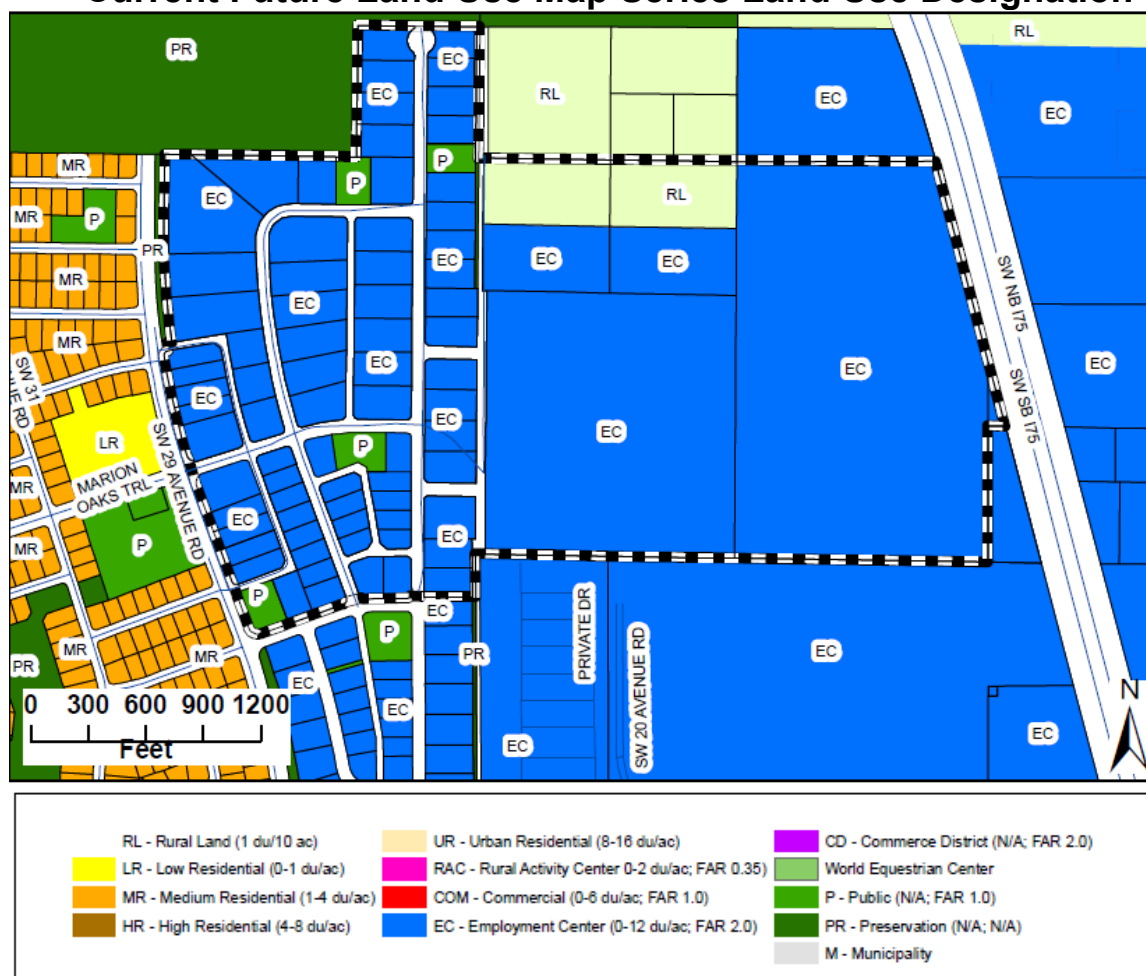
1. *Existing site characteristics.* Figure 3 is an aerial photograph showing the overall site that includes the subject properties. A site visit was conducted on where staff observed the subject site to be heavily wooded and vacant except for areas cleared for historically planned or existing rights-of-ways or powerline easements (see Attachment C). According to the Soil Survey of Marion County, Florida, the site includes a variety of soils including Candler, Astatula, and Arredondo soils. All of the soil types are well to excessively drained and reasonably accommodate development. Based upon available contour data on the Marion County Interactive map, the site is relatively flat with a slight change in grade towards the northeast corner of the property (see Attachment B). The site including the subject properties is within the SPOZ.

Figure 3
Existing and Surrounding Site Characteristics



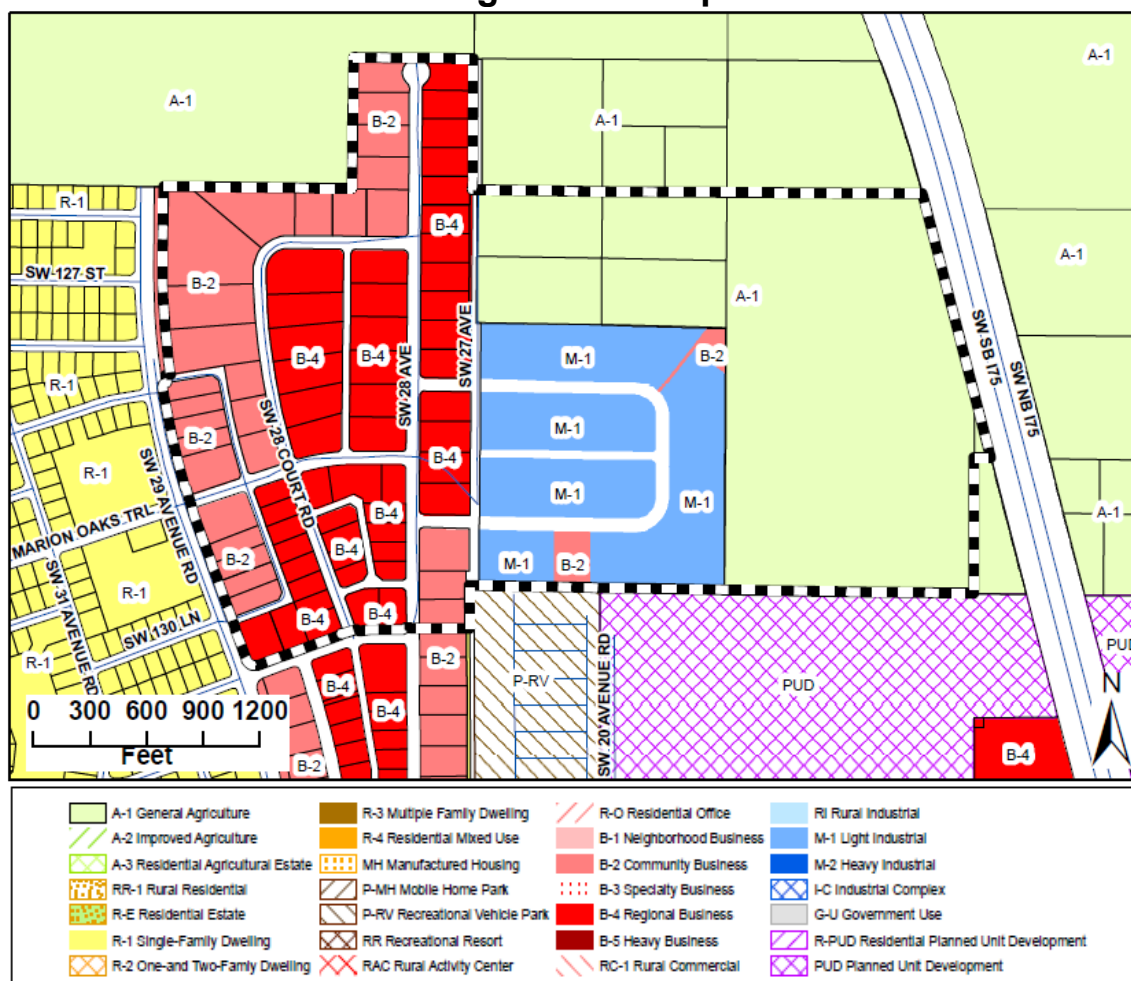
2. *Future Land Use Map Series (FLUMS) history.* Figure 4 is the current FLUMS and it shows the subject properties are designated a mix of Rural Land (RL), Preservation (PR), and Public (P). The other parts of the large overall site are designated Employment Center (EC). Based upon the FLUMS designation shown, the two (2) RL properties would currently be limited to a maximum of two (2) dwelling units (residence and family/guest cottage) given their General Agriculture (A-1) zoning.

Figure 4
Current Future Land Use Map Series Land Use Designation



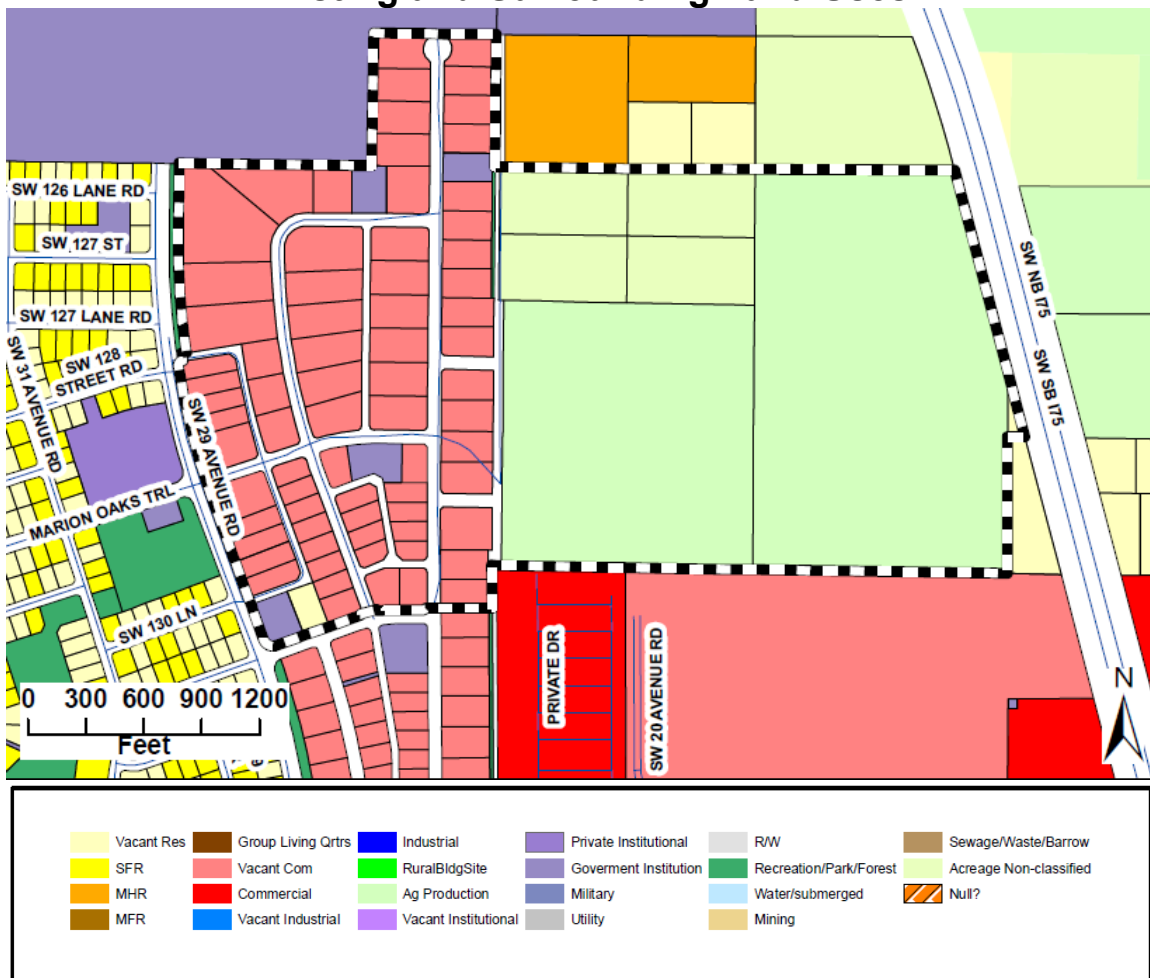
3. *Zoning District Map (ZDM) history.* Figure 5 shows the subject properties consist of multiple zonings: General Agriculture (A-1), Single-Family Dwelling (R-1), Community Business (B-2), Regional Business (B-4), and Light Industrial (M-1). These are the current zoning districts. Three (3) of the zoning classifications have minimum size requirements (A-1, R-1, and M-1); however, a companion PUD Rezoning Application (221208ZP) for the subject properties and the overall site has been submitted for concurrent consideration with the Comprehensive Plan Amendment, which will unify the site under a single zoning district classification.

Figure 5
Zoning District Map



4. *Existing and surrounding land uses.* Figure 6 is a map based on the Marion County Property Appraisers data showing the existing, abutting and surrounding land uses. Table 1 displays the FLUMS, Zoning Classification, and existing uses on the subject site and surround uses. To the east are parcels registered as non-classified or ag production, to the south is commercial, west is residential, and north is a mix of state forest land as well as some home sites and non-classified acreage.

Figure 6
Existing and Surrounding Land Uses



5. **Project request.** Figure 7 displays that the land use designations proposed by this Comprehensive Plan Amendment Application that would change the subject properties' various land use designations to an Employment Center (EC) designation, resulting in a single unified land use designation for the overall site.

Figure 7
Proposed FLUMS Designation

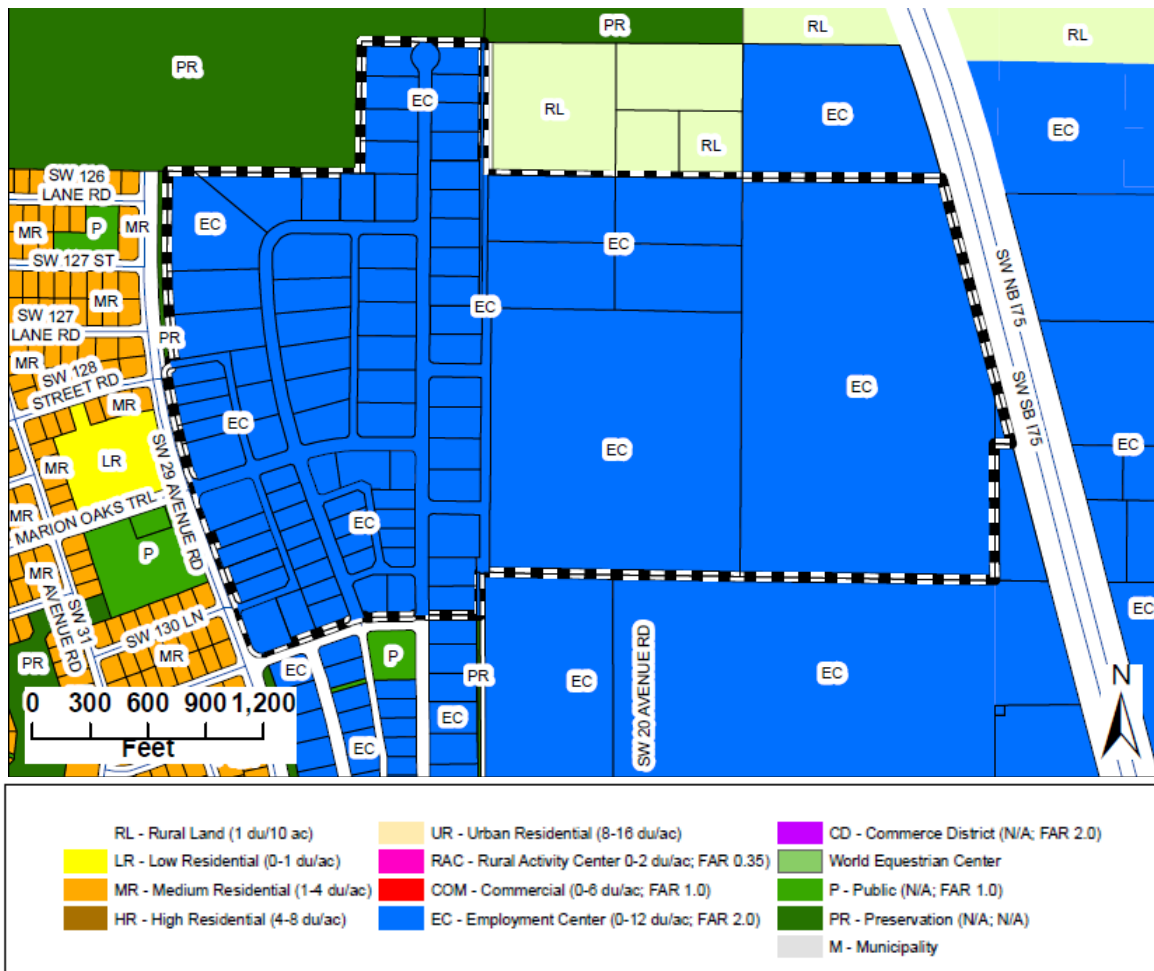


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Marion County Property Appraiser Existing Use
North	Preservation and Rural Land	General Agriculture (A-1)	Cross Florida Greenway Vacant Ag tracts Improved Mobile Home
South	Employment Center (EC) And Public (P)	RV Park (P-RV) Planned Unit Development (PUD)	Vacant Ocala Sun RV Resort Vacant Commercial Distribution Facility
East	Employment Center (EC)	Regional Business (B-4)	I-75 Vacant Commercial Community Shopping Center
West	Low Residential (LR) Medium Residential (MR) Public (P)	Single-Family Dwelling (R-1)	Church Vacant & Improved Residential Lots DRA

Figures 2 through 7 identify the overall site including the subject properties' physical characteristics, existing uses, current zoning districts and existing & proposed future land use designations. Table 1 also summarizes the future land use, zoning, and existing uses of the overall site. The proposed land use amendment will serve to unify the overall site into a single future land use designation that will accommodate redesign of the site's original subdivision layout to address current economic, market, and industry trends that have begun to bring economic development opportunities to the Marion Oaks VDRI community originally created in ±1973 – 50 years ago. The undeveloped nature of the surroundings will enable the establishment of uses that may serve as further catalysts for the continued vitality of the community. Land use buffer requirements will be imposed through Marion County's Land Development Code (LDC) and potentially through other means as a companion rezoning application for PUD has been submitted for the site (221208ZP). Given these circumstances, staff finds the proposed future land use designation changes to unify the overall site noted to a single Employment Center future land use designation is **compatible and consistent** with the surrounding uses and land uses.

B. How does the request affect the public interest?

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. The ±40.21 acres, at maximum development under the Employment Center land use designation, could accommodate over 3.5 million square feet (MSF) of development based on a 2.0 floor area ratio (FAR). However, achieving that level of development would require multi-story development which is not a common characteristic for development in unincorporated Marion County. Further, the subject properties are part of a larger overall site subject to a companion PUD Rezoning Application

(221208ZP) for a project currently titled Trailhead Logistics Park North. The applicant has provided a traffic analysis prepared by Kimley-Horn (see Attachment D) identifying both the current traffic projections from the subject properties and the proposed traffic projections based on the companion PUD application that reflects a development intensity with Marion County's recent development trends. Using the 11th edition of ITE Trip Generation Manual, high-cube transload and short-term storage warehouse as well as general light industrial were used to find potential trip generation. The PUD proposes approximately 3.6 million square feet of development split among three buildings. Based on the uses and sizes of buildings provided, the PUD is projected to generate approximately 5,726 daily trips with 600 AM peak hour trips and 392 PM peak hour trips. Two main points of access are available to the overall site, a continuation of SW 20th Avenue Road to the southern portion of the property and a connection to SW 29th Avenue Road. The connection for SW 20th Avenue Road at Hwy 484 is signalized. Additionally, SW 29th Avenue Road was originally expected to serve the original planned Marion Oak commerce park area and as such that roadway is an 80' wide right-of-way that includes a limited 4-lane section, that is proposed for full 4-laning south to Hwy 484 with the companion PUD. Given the limited land area of the proposed amendment, and its inclusion in an overall larger site as noted, staff proposes the amendment's traffic impacts will **not adversely affect** the public interest.

- b. Public transit. There are no fixed route services from available in the area, the closest existing stop is about eight miles northwest of the subject property.
- c. Other mobility features. Limited sidewalks are available in the area. As part of a larger PUD, sidewalks will be addressed based on the project's access and routing as part of the development review process.

Based on the above findings, it is concluded the application's proposed **roadway impacts will 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 40.21 acres of non-residential property, the rezoning would result in a proposed generation of 110,558 gallons per day (GPD). Marion County Utilities' remarks in the DRC comments letter (see Attachment E) identify that water and sewer service is available and connection is expected consistent with LDC requirements. Thus, it is concluded the application's **potable water impacts would not adversely affect the public interest.** As a condition of approval, staff recommends:
- 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 40.21 acres of non-residential property, the proposed rezoning would result in a generation of 82,400 gallons per day (GPD). Marion County Utilities' remarks in the DRC comments letter (see Attachment E) identify that water

and sewer service is available and connection is expected consistent with LDC requirements. Thus, it is concluded the application's **sanitary sewer impacts would not adversely affect the public interest**. A condition for approval has already been recommended.

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. Marion Oaks Fire Station #24 is located roughly 3 miles southwest at 102 Marion Oaks Lane. Liberty Fire Station #32 is located approximately 3.5 miles away to the northwest at 11350 SW 49th Ave. With two Fire Stations within a 5-mile radius of the subject property, it is concluded the application's **fire rescue/emergency impacts would not adversely affect the public interest**.
6. Law enforcement. The Marion Oaks Sheriff's Substation, located at 280 Marion Oaks Lane, is roughly 2.5 miles south 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. The schools within the area are West Port High, Horizon Academy at Marion Oaks, and Marion Oaks Elementary Schools. While the requested Employment Center future land use designation enables residential, regional commercial, and light industrial uses, the location of the subject properties and the companion PUD Rezoning Application (221208ZP) proposes a non-residential use of the site given its unique location and proximity to I-75. It is concluded that the proposed rezoning **public schools' impacts would not adversely affect the public interest**.

In conclusion, staff finds **the public facility impacts will not adversely affect the public interest**.

C. How is this request consistent with the Comprehensive Plan?

1. Future Land Use Element (FLUE).
 - a. Policy 1.1.3 on Accommodating Growth provides "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 majority of the subject properties are in the Marion Oaks community Urban Area or represent a limited infill addition to the Urban Area in the “gap” between Marion Oaks and I-75. Further, the majority of the subject properties are part of the Marion Oaks community’s originally intended commerce park area that will provide economic opportunities to serve the needs of the growing community. Changing the land use to EC will bring the parcels will unify the subject properties under a single land use designation with the overall site and surroundings lying east of SW 29th Avenue Road. The application is **consistent with Policy 1.1.3**.

- b. FLUE Policy 1.1.7 on discouraging strip commercial and isolated development states, “The County shall discourage scattered and highway strip commercial development by requiring the development of such uses at existing commercial intersections, other commercial nodes, and mixed-use centers with links to the surrounding area.”

Analysis: The subject properties will unify and expand an Employment Center node focused around the I-75 & Hwy 484 interchange, wherein the unified area will be able to provide economic development options for the Marion Oaks community to the west and southwest. Because the request is proposing to make changes within an existing node of the same use, the application is **consistent with Policy 1.1.5**.

- c. 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 FLUM amendment was considered by the Planning and Zoning Commission (PZC) on November 28th, 2022, wherein the PZC recommended approval of the request and therefore, the application is **consistent with Policy 5.1.3**.

- d. 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 Policy 5.1.4**.

2. Transportation Element (TE)

- a. 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: Kimley-Horn provided a traffic analysis report that was included with the amendment application (see Attachment D) indicated a maximum intensity buildout could exceed 3.5 MSF and generate 4,904 daily trips with 280 peak am and 350 peak pm trips. However, Marion County trends and the companion PUD Rezoning Application (221208ZP) note a lower development ratio is expected bringing the proposed intensity of this 40.21 acres to a buildout of 634,756 sq. ft. for high-cube warehouse was found to be 889 daily trips with 51 peak am and 63 peak pm trips. Based on the Ocala Marion TPO CMP database, 2021 AADT counts were shown as 6800 trips with 2026 AADT counts of 7200 trips for Marion Oaks Trail. The road is operating at a LOS C with 2026 projections maintaining the same LOS. If this 40.21-acre site were developed out to its maximum potential, it would exceed the projected traffic counts by approximately 400 trips. However, mitigation of traffic related issues will be required in the event that the overall development impacts LOS. Traffic counts are currently unavailable for SW 20th Ave. Rd. as it is a local road at this time, but will serve as the second of two access points for the property. It is concluded the application is **consistent with TE Policy 2.1.4.**

- b. 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 proposed amendment and companion PUD Rezoning Application will accommodate two access points to both SW Hwy 484 and SW 29th Avenue Road, along with Marion Oaks Trail. Further, the DRC Comments indicate this specific change of 40.21 acres to EC would generate less than 100 peak hour trips and therefore would not create a significant impact. Therefore, the application is **consistent with TE Objective 2.2.**

3. Sanitary Sewer Element (SSE)

- a. SSE Policy 1.1.1 provides “The LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand is adopted as the basis for future facility design, determination of facility capacity, and documentation of demand created by new development. This LOS shall be applicable to central sewer facilities and to package treatment plants but shall not apply to individual OSTDS. DRIs and FQDs that demonstrate the suitability of differing LOS standards may be allowed to adhere to the differing standard if approved by the County.”

Analysis: Utilities confirmed that the site will be on Marion County central sewer services (Attachment E). 40.21 acres of industrial demand could generate up to 80,420 gallons per day. Based on the above findings, it is concluded the application is **consistent with SSE Policy 1.1.1.**

- b. 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: Public sewer services provided by Marion County Utilities will be utilized. Based on the above findings, it is concluded the application is **consistent with SSE Policy 1.1.3.**

4. Potable Water Element (PWE)

- a. PWE Policy 1.1.1 provides in part “The LOS standard of 150 gallons per person per day (average daily consumption) is adopted as the basis for future facility design, determination of available facility capacity, and determination of demand created by new development with regard to domestic flow requirements, and the non-residential LOS standard shall be 2,750 gallons per acre per day.”

Analysis: Staff finds water to the property is immediately available from Marion County Utilities and will be utilized. The 40.21 acres included in this comp plan amendment has the potential to generate 110,577 gallons per day. Based on the above findings, it is concluded the application is **consistent with PWE Policy 1.1.1.**

- b. 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: Potable water is immediately available to the site. Based on the above findings, it is concluded the application is **consistent with PWE Policy 1.6.4.**

5. Solid Waste Element (SWE)

- a. SWE Policy 1.1.1 provides “The LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. This LOS standard shall be used as the basis to determine the capital facilities or contractual agreements needed to properly dispose of solid waste currently generated in the County and to determine the demand for solid waste management facilities which shall be necessitated by future development.”

Analysis: The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. The owner is placed on notice that should disposal facilities become unavailable, permits shall not be issued for the dwelling units. Based on the above findings, it is concluded the application is **consistent with SWE Policy 1.1.1.**

6. Stormwater Element (SE).

- a. 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: This is just a change in land use and does not propose structures. However, at the time of development, Stormwater will be a review. The DRC comments note conformance with LDC Section 6.13 will be required. Based on the above, it is concluded the application is **consistent with SE Policy 1.1.4.**

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

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

In summation, staff concludes that the application is **consistent** with the Comprehensive Plan.

D. How is this request consistent with Chapter 163, Florida Statutes?

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

Analysis: Section V of this staff report found that transportation facilities would not be adversely impacted by this land use change, utilities are available for connection in the area, the land and topography is conducive to development, and minimum lot requirements are being met. Based upon this information, the application **complies and conforms to** F.S. Section 163.3177(8) a.

The analysis of the suitability of the plan amendment for its proposed use was addressed in the existing site characteristics section of this staff report and, therefore, it is concluded the application **complies and is in conformance** with F.S. Section 163.3177(8)b.

The analysis of the minimum amount of land needed to achieve the goals and requirements of this section was address in the analysis of FLUE Policy 1.1.3 and, therefore, it is concluded the application **complies and is in conformance** with F.S. Section 163.3177(8)c.

2. Section 163.3177(9) provides “The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

- a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
 - (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - (VI) Fails to maximize use of existing public facilities and services.
 - (VII) Fails to maximize use of future public facilities and services.
 - (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - (IX) Fails to provide a clear separation between rural and urban uses.
 - (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - (XI) Fails to encourage a functional mix of uses.
 - (XII) Results in poor accessibility among linked or related land uses.
 - (XIII) Results in the loss of significant amounts of functional open space.

Analysis: Staff finds the proposed amendment is located within the Marion Oaks VDRI Urban Area and corresponds to the historic Marion Oaks Community Master Plan and it in proximity to utilities connections and near the I-75 commercial node. Based on the above findings, it is concluded the proposed amendment is **consistent** with F.S. Section 163.3177(9)a.

- b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that

does not have an adverse impact on and protects natural resources and ecosystems.

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
- (IV) Promotes conservation of water and energy.
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Analysis: The application demonstrates at least four of the items I-VIII, specifically items I, II, III, and VIII. Based on the above finding, it is concluded the proposed amendment is **consistent** with F.S. Section 163.3.177(9) b.

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 **DENY** the small scale FLUMS amendment with suitable findings.
- 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 adopt the proposed Ordinance to **APPROVE** the small-scale FLUMS amendment suitable findings.
- 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 decision on adopting the proposed Ordinance, and **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed decision on the proposed Ordinance.

VII. STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Comprehensive Plan Amendment 22-S20 based upon the Staff Report and all other competent substantial evidence presented at the hearing, and the recommendation of the Planning & Zoning Commission, and motion for the Board of County Commissioners to adopt the findings and conclusion contained herein and **APPROVE** the proposed Comprehensive Plan Amendment 22-S20 because the application:

- A. The Amendment is compatible with the surrounding uses and land uses;
- B. The Amendment does not adversely affect the public interest;
- C. The Amendment is consistent with the Marion County Comprehensive Plan, and specifically with:
 - 1. FLUE Policies 1.1.3, 1.1.7, 5.1.3, and 5.1.4
 - 2. TE Objectives 2.2
 - 3. TE Policy 2.1.4
 - 4. SSE Policies 1.1.1 and 1.1.3
 - 5. PWE Policies 1.1.1 and 1.6.4
 - 6. SWE Policy 1.1.1
 - 7. SE Policies 1.1.4 and 1.1.5;
- D. The Amendment is consistent with the Florida Statutes, and specifically with
 - 1. F.S. Section 163.3177(8) and
 - 2. F.S. Section 163.3188(9)

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

Attachment A – Comprehensive Plan Application
Attachment B – Survey
Attachment C – Site Photos
Attachment D – Traffic Analysis Report
Attachment E – DRC Comments