



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 1/26/2026	BCC Date: 2/17/2026
Case Number	260204SU
EPL Number	PL SUP-000013-2025
Type of Case	Special Use Permit for permanent food truck park
Owner	Carla Garcia
Applicant	Walter Pimentel
Street Address/Site Location	No Address Assigned
Parcel Number(s)	41577-001-00
Property Size	±2.02 AC
Future Land Use	Commercial (COM)
Existing Zoning Classification	Neighborhood Business (B-1)
Overlays Zones/Special Areas	Urban Growth Boundary (UGB) & Secondary Springs Protection Zone (SSPZ)
Staff Recommendation	APPROVAL WITH CONDITIONS
P&Z Recommendation	NO RECOMMENDATION (3-3 VOTE)
Project Planner	Jared Rivera-Cayetano
Related Cases	Rezoning Case No. 110501Z – General Agriculture (A-1) to Neighborhood Business (B-1) CPA Case No. 09-S02 – Rural Land to Limited Commercial

I. ITEM SUMMARY

Walter Pimental, on behalf of Carla Garcia, filed a Special Use Permit (SUP) application for a ±2.02-acre property with a zoning classification of Neighborhood Business (B-1). The Parcel Identification Numbers for the subject property is 41577-001-00; the site has not been assigned an address. The subject property is not part of an existing subdivision, the legal descriptions are provided within the SUP application (see Attachment A). The site is located inside the Urban Growth Boundary (UGB) and within the Secondary Springs Protection Zone (SSPZ). The intention of this Special Use Permit request is to allow a permanent food truck park. The Special Use Permit request is *not* in response to an on-going code case.

Figure 2 (and Attachment A) provides a preliminary site plan for the requested use. The submitted concept plan currently indicates twenty-four (24) food trucks and approximately 120 seats within an open-air pavilion to serve as a central dining hall. Hand-washing stations and ceiling fans are proposed within the pavilion hall. The submitted SUP concept plan provides parking around the dining hall/food trucks. Permanent bathrooms consistent with the Florida Building Code are provided. Buffers are provided along SE Highway 484, along a drainage retention area (DRA) to the east, and along residential lots to the north. ~~A six-foot vinyl fence is provided/requested along the latter in lieu of a buffer wall.~~ During the Planning and Zoning Commission hearing, the applicant agreed to provide a six-foot wall, as required by County code. Additional waivers are requested related to access and utilities.

**To reflect changes since the Planning and Zoning Commission hearing, sections highlighted in Green have been added and ~~sections highlighted in Red have been removed~~.*

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II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS**. Staff finds that the approval of this application, as conditioned, would allow a commercial use that is not dissimilar from other uses (in terms of food service, etc.) explicitly listed as permitted uses or special uses for B-1 zoning. The project must still undergo formal development review processes and must meet County standards related to utilities, access, signage, landscaping, and other zoning standards. Staff finds the proposed use is thus consistent with the Marion County Comprehensive Plan, compatible with the surrounding area, and will not adversely affect the public interest. The conditions in Section VII of this report are recommended to address compliance with the requirements in the Marion County Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B.

III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C, 2.7.3.B and 2.7.3.E to apply to SUP applications. Consistent with LDC Section 2.7.3.B., notice of public hearing was mailed to all property owners (47 owners) within 300 feet of the subject property on January 9, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on January 6, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on January 12, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. [Opposition has been received from 107 residents, including a petition of 106 residents received by Planning staff between the draft submission of the staff report and the Planning and Zoning Commission hearing.](#)

IV. BACKGROUND/CHARACTER OF AREA

A. *Existing Site Conditions.*

Figure 1, above, is a general location aerial displaying existing and surrounding site conditions. Figure 3 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

In general, properties to the east of the intersection between SE 47th Avenue and SE Highway 484 are characterized as non-residential, including commercial, industrial, and institutional properties. Select institutional properties are specifically used as drainage retention areas (DRAs).

Properties to the north, south, and west of the SE 47th Avenue/SE Highway 484 intersection are predominantly residential. Notably, properties to the west and south of the intersection are within the pre-existing Belleview Heights Estates subdivision. Properties directly to the north of the subject property are within the Tropicana Village subdivision.

Staff conducted a site visit with on January 6, 2026. An additional site visit was conducted on January 27, 2026. Staff found that the subject property, along SE Highway 484, is located to the east of an existing Dollar General store and to the west of an existing DRA. The subject property itself is vacant, with a limited number of trees on-site. The property contains stormwater culverts and an existing apron along SE Highway 484. Notably, the Dollar General store has access to SE 47th Avenue. Staff observed several commercial vehicles loading/unloading on site.

B. *Zoning Classification.*

Figure 4 displays the existing zoning classifications for the subject property in relation to the existing zoning classifications of the surrounding properties.

In general, properties to the east of the SE 47th Avenue/SE Highway 484 intersection are zoned for commercial uses, including select properties within Belleview city limits located at the intersection of Highway 484 and SE 132nd Street Road. Staff notes several rezonings to commercial zoning classifications have been previously approved along SE Highway 484, including for the subject property itself. Staff notes select DRA properties are currently zoned for General Agriculture (A-1).

Properties directly to the north of the subject property within the Tropicana Village subdivision are currently zoned Mixed Residential (R-4), while properties within the existing Belleview Heights Estates subdivision are currently zoned Single Family Dwelling (R-1).

C. *FLUM Designation.*

Figure 5 displays the existing Future Land Use (FLU) designation for the subject property in relation to the existing FLU designation of the surrounding properties. In general, properties—with the exception of DRA properties designated as Public (P)—to the east of the SE 47th Avenue/SE Highway 484 intersection are designated as Commercial (COM), including properties within Belleview city limits at the intersection of Highway 484 and SE 132nd Street Road.

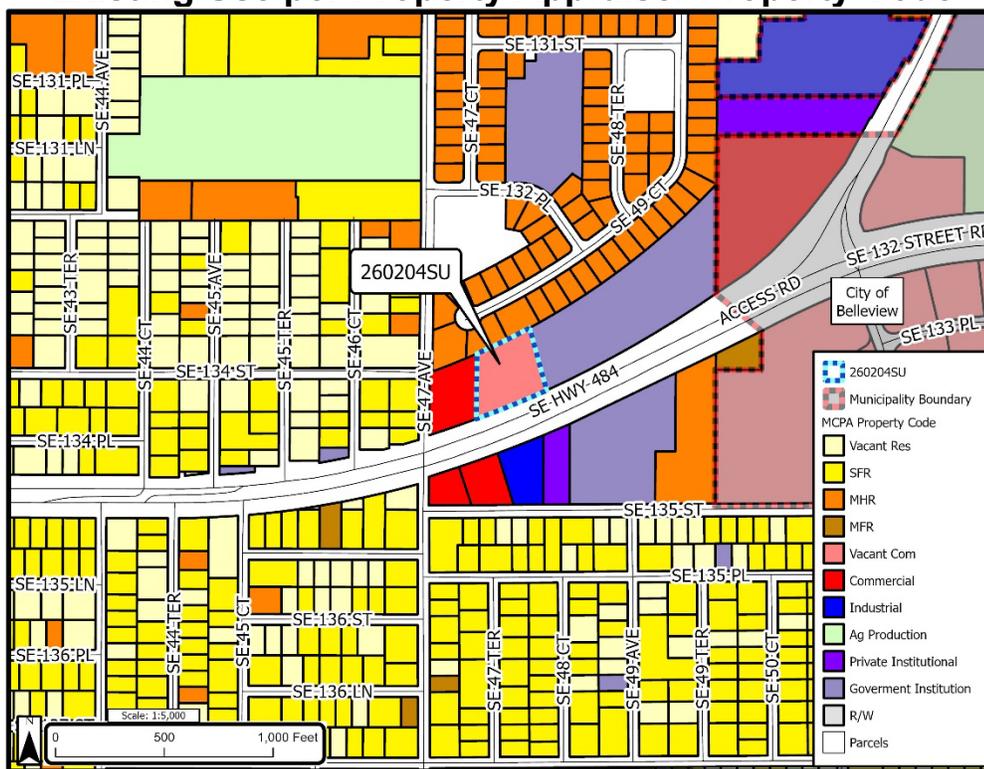
Properties within the Tropicana Village and the Belleview Heights Estates subdivisions are designated as Medium Residential (MR), with the exception of homeowners' association (HOA) properties designated as Public (P).

The subject property is within the Secondary Springs Protection Overlay Zone (SSPOZ) and inside the Urban Growth Boundary (UGB), as established by the Marion County Comprehensive Plan.

Table 1, below, assembles the information in Figures 3, 4, and 5 in tabular form. Site photos are attached to this report (see Attachment C).

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Commercial (COM)	Neighborhood Business (B-1)	Vacant Commercial
North	Medium Residential (MR)	Mixed Residential (R-4)	Mobile Home Residential
South	Right-of-Way & Commercial (COM)	Right-of-Way, Community Business (B-2) & Regional Business (B-4)	Right-of-Way, Commercial, Industrial & Private Institutional
East	Public (P)	General Agriculture (A-1)	Government Institutional
West	Commercial (COM)	Neighborhood Business (B-1)	Commercial

Figure 3
Existing Use per Property Appraiser Property Code



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Commission shall make a written finding that granting the SUP will address nine specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

- A. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: The subject property currently has one (1) access apron along SE Highway 484, an arterial road maintained by Marion County. That said, Staff notes the subject property may not meet driveway spacing standards to allow the existing apron—especially given the location of an existing merge lane to the east of the subject property. Although access through SE Highway 484 may not be allowed by County code, Staff notes the project would still have cross access through the Dollar General property. SE 47th Avenue to the west of the Dollar General is a major local road maintained by Marion County. Given that the subject property may not meet driveway spacing standards, the applicant is requesting a waiver from the LDC to allow a driveway along SE Highway 484.

No traffic analysis was provided; however, the special use could allow up to 160 peak-hour trips if twenty-six (26) food trucks are proposed. Twenty-four (24) food trucks could allow 148 peak-hour trips, not dissimilar from more popular fast-food restaurants built in Marion County (i.e. McDonald's, Chick-Fil-A, etc.). If twenty-four (24) food trucks are approved, Staff notes that a traffic study would be required during the formal development review process to identify and coordinate necessary road improvements based on the number of food trucks proposed. The developer will be able to adjust the number of food trucks; a greater number of food trucks will require additional roadway and intersection improvements at the developer's expense.

Staff nonetheless notes public concerns related to access through the existing Dollar General parking lot/loading area, as well as concerns related to parking enforcement (of parking in the adjacent Dollar General property), Staff has therefore amended standards related to the number of food trucks to limit potential trip generation. Staff specifically recommends fifteen (15) food trucks, the maximum number of food trucks that could provided without triggering LDC thresholds for a traffic study—typically associated with the highest trip-generating land uses. The tables below were expanded following the P&Z Commission hearing to provide a *high-level* comparison of different land uses only. That said, regardless of trip generation, Staff notes the SE Highway 484 currently meets County Level of Service (LOS) standards for Urban Arterial roads. Sidewalks along SE Highway 484 are required by code.

Given existing capacity on SE Highway 484, Staff finds the application is **consistent** with provisions for ingress and egress, provided that the following condition(s) are met:

- A site plan shall be submitted for approval through the development review process. The number of food trucks allowed on-site shall ~~remain consistent with the approved site plan~~ not exceed fifteen.
- Access shall be provided consistent with County standards.

Units	Trip Rate (per unit)*	Estimated Daily Trips
9 food carts	6.16 PM peak-hour trips (ITE Code 926) x 9	± 55.44 PM peak-hour trips
16 food carts	6.16 PM peak-hour trips (ITE Code 926) x 16	± 98.56 PM peak-hour trips
24 food carts	6.16 PM peak-hour trips (ITE Code 926) x 24	± 147.84 PM peak-hour trips

*Peak hour of adjacent street traffic, one hour between 4 and 6 PM.

Source: ITE Trip Generation Manual, 12th Edition, LU Code 926-Food Cart Pod

Use	Units**	Trip Rate (per unit)*	Estimated Daily Trips
Quality Restaurant	344 seats	0.28 PM peak-hour trips (ITE Code 931) x 344	± 96.32 PM peak-hour trips
High-Turnover (Sit-Down) Restaurant	142 seats	0.42 PM peak-hour trips (ITE code 932) x 142	± 59.64 PM peak-hour trips
Fast Food Restaurant with Drive-Through	103 seats	0.97 PM peak-hour trips (ITE code 934) x 103	± 99.91 PM peak-hour trips

*Peak hour of adjacent street traffic, one hour between 4 and 6 PM, on a weekday.

**Based on average number of seats in ITE-cited studies, per ITE Trip Generation Manual, 10th Edition.

Source: ITE Trip Generation Manual, 10th Edition, LU Code 931-Quality Restaurant, LU Code 932-High-Turnover (Sit-Down) Restaurant, LU Code 934-Fast-Food Restaurant with Drive-Through Window

- B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

Analysis: The submitted SUP concept plan currently indicates twenty-four (24) food trucks and approximately 120 seats within the subject property. Section 6.11.8 of the Marion County Land Development Code (LDC) requires one (1) parking space for every four (4) seats for restaurants. The Marion County LDC would thus require approximately 30 parking spaces.

That said, Office of the County Engineer (OCE) staff has indicated concerns with the number of parking spaces indicated in the SUP concept plan, as food truck parks may have higher turnover compared to traditional site-down restaurants.

Where land use types are not listed by the Marion County LDC, documentation from professional sources including the Institute of Transportation Engineers (ITE) or the American Planning Association (APA) would typically be required. However, Staff notes there is limited data related to parking generation specifically from food truck parks. Furthermore, few municipalities have established parking standards specifically for food truck parks. Within central Florida, Osceola County has established a standard of four (4) parking spaces for the first food truck, with an additional two (2) spaces for each additional food truck. Twenty-four (24) food trucks would require fifty (50) parking spaces.

Given that the subject property is surrounded by clearly-delineated commercial development to the west, residential development to the north, and a water retention area (WRA) to the east, there are limited spaces for food trucks to “spillover” into adjacent properties except for the existing Dollar General property. Staff has thus recommended standards related to the number of food trucks to limit potential parking generation. Fifteen (15) food trucks, as recommended by Staff, would require at least thirty-two (32) parking spaces. The SUP concept plan currently proposes fifty-six (56) parking spaces. Staff has added conditions to further clarify accessible parking space requirements based on LDC standards.

Therefore, Staff finds that the application **is consistent** with LDC provisions for off-street parking and loading provided that the following condition(s) are met:

- *The site shall provide four (4) parking spaces for the first food truck with two (2) parking spaces per each additional food truck. The size and material of*

the parking spaces shall be provided consistent with the Marion County Land Development Code (LDC).

- *Accessible parking spaces shall be provided based on the total number of parking spaces provided, consistent with LDC standards.*

C. *Provisions for refuse and service area, with particular reference to the items in (1) and (2) above.*

Analysis: The applicant intends to provide several garbage bins, with a main garbage collection area—required to meet LDC Section 6.8.7—to be located within the subject property. The applicant indicates that waste removal (both solid waste and grease removal) will be provided through a private contractor.

Staff therefore concludes that the application **is consistent** with LDC provisions for refuse and service areas.

D. *Provision for utilities, with reference to locations, availability, and compatibility.*

Analysis: The subject property is currently served by SECO Energy for electricity. Any electrical work will need to meet applicable County and State standards at the time of permitting. The applicant has indicated that food trucks are able to be connected to the nearby electrical utility system; *Staff has thus added added conditions following the P&Z hearing and following discussions with the applicant regarding the use of generators.*

The subject property is within the City of Belleview Utilities service area. Staff notes the nearest central potable water and wastewater lines are between 900 and 1,600 feet from subject property boundaries. Marion County Utilities Department staff has indicated that the subject property, as currently proposed, will likely trigger connection requirements based on current County standards. Given the distance between the subject property and existing water/wastewater lines, the applicant is requesting a waiver from County standards. If approved, Staff notes that any wells and septic systems would be required to meet Department of Health (DOH) and Department of Environmental Protection (DEP) standards at the time of permit review.

Regardless of connection to central utilities, grease traps will need to be provided to County and/or City of Belleview standards. Staff therefore concludes that the application **is consistent** with LDC provisions for utilities, provided that the following condition(s) are met:

- *All food trucks shall be connected to the electrical utility system consistent with County and State standards. Individual generators shall be prohibited.****
- *Potable water and wastewater shall be provided consistent with County standards. †*

- *Grease traps shall be provided to County standards, as determined during development review.*

E. Provision for *screening and buffering* of dissimilar uses and of adjacent properties where necessary.

Analysis: The Marion County Land Development Code (LDC) includes several provisions to ensure compatibility between different land uses during the development review process. As a commercial use, Section 6.8.6 of the Marion County LDC does not require buffers on all property boundaries abutting commercially-zoned properties, the submitted concept plan provides a six-foot security fence around the proposed food truck area/dining hall.

As a commercial use, Section 6.8.6 of the Marion County LDC requires that a Type C buffer—composed of a 15-foot landscape strip without a buffer wall—be provided along SE Highway 484 to the south and along the existing DRA to the east. The submitted concept plan provides a twenty-foot landscaping strip along SE Highway 484 and a fifteen-foot landscaping strip along the DRA property to the east.

That said, Section 6.8.6 of the Marion County LDC would require a Type B buffer—composed of a 20-foot landscape strip with a buffer wall—on all property boundaries abutting a residential parcel. The submitted concept plan provides a 25-foot landscaping strip along residential lots in the existing Tropicana Village subdivision to the north. Although landscaping is required by code to be installed on the public view side of the wall, the submitted concept plan instead provides a six-foot vinyl fence along the subject property perimeter. The applicant has since agreed to provide a six-foot wall.

Staff therefore finds the application **is consistent** with provisions for screening and buffering, provided that the following condition(s) are met:

- *Buffer widths shall be provided consistent with the submitted concept plan. Required plantings and buffer wall shall be provided consistent with County standards, including placement. ††*

F. Provision for *signs*, if any, and *exterior lighting* with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.

Analysis: The applicant may construct one (1) free-standing sign along SE Highway 484. Staff notes such sign will require approval through the permitting process and will need to meet County standards within LDC Article 4, Division 4 on advertising signs.

Given the requested use, a photometric plan will need be provided during the formal development review process and the exact location and design of exterior

lighting shall be determined. Furthermore, Staff conditions related to Buffers have been proposed to further mitigate spillover concerns, especially along the rear of the subject property.

Staff therefore concludes that the application **is consistent** with LDC provisions for signs and exterior lighting, provided that the subject property undergoes formal development review and permitting processes.

- *A photometric plan shall be provided during the development review process.*

G. Provision for *required yards and other green space.*

Analysis: The subject property, as proposed by the applicant, will likely contain more than 9,000 square feet, or at least thirty-five (35) percent of the gross site area. Thus, the subject property will likely be subject to the Major Site Plan review process. Open space, tree preservation, stormwater management, and other zoning requirements (setbacks, floor area ratio, etc.) will be evaluated during such process.

Staff therefore concludes that the application **is consistent** with LDC provisions for green space.

H. Provision for general *compatibility with adjacent properties and other property in the surrounding area.*

Analysis: "Compatibility" is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Figure 1 above provides a general location aerial displaying existing and surrounding site conditions. Figure 2 above displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

First, properties to the north, south, and west of the SE 47th Avenue/SE Highway 484 intersection are predominantly residential, primarily within the pre-existing Belleview Heights Estates and Tropicana Village subdivisions. The latter is located directly to the north of the subject property.

Second, properties to the east of the intersection between SE 47th Avenue, SE Highway 484, and SE 132nd Street Road are generally characterized as non-residential. The subject property is located directly to the east of an existing Dollar General store and to the west of an existing DRA.

In both cases, staff conditions related to Buffers have been proposed. Staff therefore finds the application **is consistent** with provisions for compatibility, provided that the staff condition(s) are met.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

Analysis: Section 4.3.12 of the Marion County Land Development Code allows food trucks by right on properties zoned Neighborhood Business (B-1), such roadside vendors are required to remove all signs after operations cease for the day. Permanent structures are prohibited. LDC Section 4.2.17 allows sit-down restaurants by right on properties zoned Neighborhood Business (B-1); however, any commercial activity is required to take place in a completely enclosed building by code.

As such, a food truck park as a type of restaurant with an outdoor “kitchen” and seating would require a SUP on a property with a zoning classification of B-1. Several conditions were amended following the publication of the initial Staff report and prior to the P&Z Commission hearing to require regular inspections, based on additional correspondence with Fire Rescue staff. Several conditions were amended following the P&Z Commission hearing to reflect applicant intentions (related to property ownership, hours of operations, etc.)

To further mitigate issues specific to the proposed special use, Staff recommends the following condition(s):

- *The site shall be developed and operated consistent with the submitted concept plan.*
- *The Special Use Permit shall run with the property owner, Carla Garcia, or with a corporate entity under the management of the applicant, Walter Pimentel.^{†††} Should the subject property change in property ownership, approval shall be required through a new Special Use Permit.*
- *The business shall be limited to the hours of ~~7:00~~10:00 AM and ~~10:00~~9:00 PM ~~each day~~ between Monday and Thursday. The business shall be limited to the hours between 10:00 AM and 9:30 PM on Friday and Saturday[‡]*
- *Permanent bathrooms shall be provided consistent with Florida Building Code standards for commercial bathrooms.*
- *Concrete pads shall be provided to accommodate all food trucks. Food trucks shall not park on open ground.*
- *The on-site sales and consumption of alcoholic beverages shall be prohibited, unless approved through a new Special Use Permit.*
- *Amplified noise shall be prohibited.*
- *All food preparation shall occur within the food trucks. No food preparation shall occur outside any food truck.*^{‡‡}
- *The subject property shall be subject to, at a minimum, annual inspections by Fire Rescue and Growth Services staff, to be arranged by the food truck manager.*

- *A list of food trucks, and changes thereof, shall be provided by the manager to Fire Rescue and Growth Services prior to any commercial activity. ##*
- *The Special Use Permit shall expire on February 17, 2029; however, it may be renewed administratively three times for ~~three~~five years## each by written instrument signed and issued by the Growth Services Director (or designee), unless:*
 - *There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;*
 - *Neighboring property owners within 300 feet of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit; and/or*
 - *The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or equivalent review process at the time).*

J. Consistency with the Comprehensive Plan.

1. **FLUE Policy 2.1.5** on Permitted and Special Use provides, “The County shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.”

Analysis: Section 4.3.12 of the Marion County Land Development Code allows food trucks by right on properties zoned Neighborhood Business (B-1)—albeit at a limited capacity. Meanwhile, LDC Section 4.2.17 allows sit-down restaurants by right on properties zoned Neighborhood Business (B-1), whereby people can order and consume food on-site. Furthermore, Staff notes fast-food restaurants and restaurants with drive-through, which are more intensive in terms of trip and parking generation compared to sit-down restaurants, are explicitly listed as a special use for B-1 zoning.

Therefore, a food truck park as a type of restaurant with outdoor “kitchens” and seating is an eligible special use on a property with a zoning classification of B-1. This application **is thus consistent** with FLUE Policy 2.1.5, provided that all previously-listed conditions are met.

2. **Policy 2.1.22** on Commercial (COM) provides, “This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development

as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).”

Analysis: The subject site is designated as Commercial (COM) and proposes an outdoor food truck park. Staff finds that a food truck park, although a use with outdoor “kitchens” and seating, is similar in operations to other uses explicitly allowed by right or by special use in B-1 zoning, which is specifically intended to “provide for neighborhood retail and shopping facilities that would be appropriate with surround residential areas,” per LDC Section 4.2.17.

The proposed uses thus align with the intent of the Commercial land use designation and **is consistent** with Policy 2.1.22.

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

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

Analysis: The subject property is within an existing Urban Area (as designated by the Marion County Comprehensive Plan) and would likely be within connection distance to City of Belleview central water and wastewater facilities.

Although a use with outdoor “kitchens” and seatings, a food truck park is similar in operations to other uses explicitly allowed by right or by special use in B-1 zoning. Furthermore, the subject property is located within an existing portion of SE Highway 484 designated for commercial development and is in close proximity to existing residential development (see existing Belleview Heights Estates and Tropicana Village subdivisions).

Staff notes that the site will need to undergo formal site plan review processes and will thus need to meet LDC standards related to signage, landscaping, and other zoning standards including setbacks, floor area ratio, and building height. This special use would therefore meet Criteria 2 , 3, and 5 of FLUE Policy 3.1.2, and **is thus consistent** with FLUE Policy 3.1.2.

Based on the above findings, staff concludes the SUP **is consistent** with LDC Sections 2.8.2.D and 2.8.3.B. The conditions in Section VII of this report are recommended to further address compliance.

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 **DENY** the Special Use Permit.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the Special Use Permit.
- 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, make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) Commission enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE WITH CONDITIONS** the Special Use Permit based on compatibility in the area, compliance with the Comprehensive Plan, and lack of adverse impacts to the surrounding area.

To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are recommended in the event that the Board chooses to agree with staff recommendation and approve the requested special use with the conditions* that:

1. *The site shall be developed and operated consistent with the submitted concept plan.*
2. *The Special Use Permit shall run with the property owner, Carla Garcia, or with a corporate entity under the management of the applicant, Walter Pimentel. Should the subject property change in property ownership, approval shall be required through a new Special Use Permit.*
3. *A site plan shall be submitted for approval through the development review process. The number of food trucks allowed on-site shall ~~remain consistent with the approved site plan~~ not exceed fifteen.*
4. *The business shall be limited to the hours of ~~7:00~~ 10:00 AM and ~~10:00~~ 9:00 PM ~~each day~~ between Monday and Thursday. The business shall be limited to the hours between 10:00 AM and 9:30 PM on Friday and Saturday.*
5. *The on-site sales and consumption of alcoholic beverages shall be prohibited, unless approved through a new Special Use Permit.*
6. *Amplified noise shall be prohibited.*
7. *All food preparation shall occur within the food trucks. No food preparation shall occur outside any food truck.*
8. *Concrete pads shall be provided to accommodate all food trucks. Food trucks shall not park on open ground.*
9. *Permanent bathrooms shall be provided consistent with Florida Building Code standards for commercial bathrooms.*
10. *Access shall be provided consistent with County standards.*
11. *The site shall provide four (4) parking spaces for the first food truck with two (2) parking spaces per each additional food truck. The size and material of the parking spaces shall be provided consistent with the Marion County Land Development Code (LDC).*
12. *All food trucks shall be connected to the electrical utility system consistent with County and State standards. Individual generators shall be prohibited.*
13. *Potable water and wastewater shall be provided consistent with County standards.*
- a. *Grease traps shall be provided to County standards, as determined during development review.*
14. *Buffer widths shall be provided consistent with the submitted concept plan. Required plantings and buffer wall shall be provided consistent with County standards, including placement.*
15. *A photometric plan shall be provided during the development review process.*

16. The subject property shall be subject to, at a minimum, annual inspections by Fire Rescue and Growth Services staff, to be arranged by the food truck manager.
 - a. A list of food trucks, and changes thereof, shall be provided by the manager to Fire Rescue and Growth Services prior to any commercial activity.
17. The Special Use Permit shall expire on February 17, 2029; however, it may be renewed administratively three times for ~~three~~five years each by written instrument signed and issued by the Growth Services Director (or designee), unless:
 - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;
 - b. Neighboring property owners within 300 feet of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit; and/or
 - c. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or equivalent review process at the time).

**The applicant requests waivers to LDC standards related to utilities and access.*

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

NO RECOMMENDATION (3-3 VOTE)

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for February 17, 2026 at 2:00 PM.

X. LIST OF ATTACHMENTS

- A. Application
- B. DRC Comments Letter
- C. Site Photos
- D. Rezoning Case No. 110501Z
- E. CPA Case No. 09-S02