

RESOLUTION NO. 26-R-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT ON AN OVERALL ±65.51 ACRE TRACT FOR MARION GAMING MANAGEMENT, LLC, ZONING CASE NUMBER 260509ZP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026. Now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

1. **SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 260509ZP – Marion Gaming Management, LLC**, the application requesting an Amendment Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by David Tillman with Tillman & Associates Engineering, LLC, Ocala, FL 34471, to allow for an addition of six (6) pickleball courts, two (2) manufactured buildings, and modify conditions concerning buffers and construction access on a approximate 65.51 Acre Tract, on Parcel Account Numbers 48476-001-00 and 48476-002-00, Site Address 17996 S. US Highway 301, Summerfield, FL 34491

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the Planned Unit Development, and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

1. [Modified] The PUD Master Plan approved under this case shall constitute the final PUD Master Plan for Case No. 20191106Z as amended. Any future modifications shall require BCC approval with proper notice and advertisement at the applicant's expense.
2. [New condition] PUD Zoning allowable land uses are limited to: RV park (not to exceed 220 lots), gaming facility, horse track, pickleball courts (up to six courts), temporary manufactured structure/trails (up to two for office and storage uses), and B-2 permitted uses.
3. [Modified] Total commercial and recreational floor area shall not exceed 80,000 SF. The cardroom operation gaming floor area shall not exceed 26,000 SF, counted as part of total

commercial and recreational 80,000 SF.

4. *[Modified]* The buffers shall be designed, installed and maintained as follows:

A. Northern Boundary:

- a. RV Park area: Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation.
- b. Other area: Modified Type D Buffer, with minimum 15-foot width. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.

B. Western Boundary:

- a. The Owner shall submit and obtain approval of PUD Amendment to include the adjacent parcel to the west (PID 48476-000-00) and development plan within five years of the approval date of this PUD Master Plan. Until such time as the adjacent parcel is incorporated into the PUD and developed pursuant to an approved development plan, a six-foot-high vinyl fence shall be installed and maintained along the western boundary of the subject property. Should the adjacent property be incorporated and developed as part of the PUD, the vinyl fence may be removed upon approval of the PUD Amendment, and the western boundary buffer requirements shall be re-evaluated based on the uses and development approved for the adjacent parcel. In the event the development plan of the adjacent parcel to the west is not approved within the required timeframe or the adjacent parcel (PID 48476-000-00) is sold or conveyed to different owner(s), the following buffer shall be installed and maintained within five years from the approval date of this PUD Master Plan or within ninety days of the ownership change: Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation. A landscape plan identifying all critical root zones shall be submitted to the Marion County Landscape for review and approval during Major Site Plan.

C. Southern and Eastern Boundary:

- a. The Owner shall submit an affidavit, in a form acceptable to the Marion County Growth Services and signed by the adjacent property owner(s), acknowledging and accepting the proposed modified buffer and buffer deferral, within thirty days of the approval date of this PUD Master Plan. In the event the adjacent property is sold or conveyed to different owner(s), the subject property Owner shall submit the required affidavit signed by the new adjacent property owner(s) within sixty days of the ownership change in order to maintain the approved buffer deferral. Failure to submit the affidavit within the required timeframe shall result in the requirement to install and maintain the buffer same as Northern boundary requirement within ninety days of the ownership change.

5. All project development shall be served by Marion County Utilities central potable water and central sanitary sewer services. Utility easements of adequate size to serve current and future development phases shall be dedicated to Marion County Utilities prior to or concurrent with Major Site Plan approval.

6. Lighting shall be limited to full cutoff fixtures as defined by IESNA, scaled and located to minimize glare and light diffusion to adjoining properties. All exterior lighting shall comply with LDC Section 6.19.

7. All on-site speakers and public address systems shall be designed and installed to direct and maintain announcements, music, and general noise into the property, and no such system audio broadcast/speaker components shall be installed or mounted greater than 25 feet above ground level. The facility and all uses thereon (including pickleball courts and the outside bar) shall comply with the Marion County Noise and Vibration Control Ordinance and the noise standards applicable to the surrounding agricultural lands under the “plainly audible” standard.

8. [Modified] Access to the property shall be limited to S. US 301 via a paved driveway apron, including obtaining approval and permitting by the Florida Department of Transportation. Additional access may be provided to SE 177th Place subject to compliance with Marion County Land Development Regulations (e.g., access management requirements, emergency access only, driveway permit requirements, etc.) All construction traffic shall use the primary entrance from S. US 301.

9. [New condition] Where Drainage Retention Areas (DRAs) are located partially or wholly on parcels other than the project parcels (48476-001-00 and 48476-002-00), recorded drainage easements shall be established across both the subject property and the adjacent parcel(s) prior to approval of any Major Site Plan involving those DRAs. The easements shall run with the land and shall be in a form acceptable to the Marion County Stormwater section.

SECTION 3. COMPLIANCE/REVOICATION. Violation or failure to comply with one or more conditions of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon the effective date of this Zoning Change's corresponding Rezoning Ordinance, No. 26-__.

DULY ADOPTED in regular session this 19th day of May 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIRMAN