



**Marion County  
Board of County Commissioners**

**Growth Services**

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>P&amp;ZC Date: 05/28/2025</b>	<b>BCC Date: TBD</b>
<b>Case Number</b>	250605ZP
<b>CDP-AR</b>	32664
<b>Type of Case</b>	<b>Rezoning</b> from General Agriculture (A-1) and Planned Unit Development (PUD) to Planned Unit Development (PUD).
<b>Owner</b>	Sandy Clay, LLC.
<b>Applicant/Agent(s)</b>	Tillman & Associates, LLC.
<b>Street Address / Site Location</b>	No Address Assigned
<b>Parcel Number</b>	37896+000-01 & 37896-000-00
<b>Property Size</b>	±119.75 acres
<b>Future Land Use</b>	Medium Residential (MR) & High Residential (HR)
<b>Zoning Classification</b>	General Agriculture (A-1), Community Business (B-2), Rural Activity Center (RAC)
<b>Overlay Zone/Scenic Area</b>	Urban Growth Boundary (UGB), Primary Springs Protection Overlay Zone (P-SPOZ), Secondary Springs Protection Overlay Zone (SSPOZ)
<b>Staff Recommendation</b>	<b>APPROVAL WITH CONDITIONS</b>
<b>P&amp;ZC Recommendation</b>	<b>TBD</b>
<b>Project Planner</b>	Kathleen Brugnoli, Planner
<b>Historic/Related Case(s)</b>	860733Z – A-1 to B-2 – Approved; 120501Z – A-1 to Rural Activity Center (RAC) – Approved; 220905SU – Special use permit for overflow grass parking – Approved;

## I. ITEM SUMMARY

Tillman & Associates, LLC., on behalf of property owners, Sandy Clay LLC., has filed an application to rezone a 119.75-acre parcel on the southeast corner of SE 110<sup>th</sup> Street Rd. and SE 92<sup>nd</sup> Loop from General Agriculture (A-1) and Planned Unit Development (PUD) to Planned Unit Development (PUD), pursuant to the provisions of Land Development Code (LDC) Division 2.7 – Zoning and LDC Section 4.2.31.

The proposed PUD includes 442 detached single-family dwellings on ±119.75 acres, a reduction from the previously approved PUD which allowed for 452 units consisting of both single-family dwellings and townhomes on approximately 104.23 acres. Figure 1 is an aerial photograph showing the general location of the subject property. The subject property is in the Urban Growth Boundary (UGB) and both the Primary and Secondary Springs Protection Overlay Zone (P-SPOZ and S-SPOZ).

**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 (53 owners) within 300 feet of the subject property on May 9, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on May 16, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on May 12, 2025. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, letters of opposition have been received.

## IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria is addressed below.

- A. *Compatibility with surrounding uses.* Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is an aerial photograph displaying existing and surrounding site conditions. Figure 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), Figures 3 and 4, respectively, display the existing and surrounding properties' existing zoning classifications and the site's proposed zoning classification. Figure 5 shows the uses of the subject property and surrounding properties as classified by the Marion County Property Appraiser. Table A displays the tabular information from Figures 2, 3, and 5.

Figure 2  
FLUMS Designation

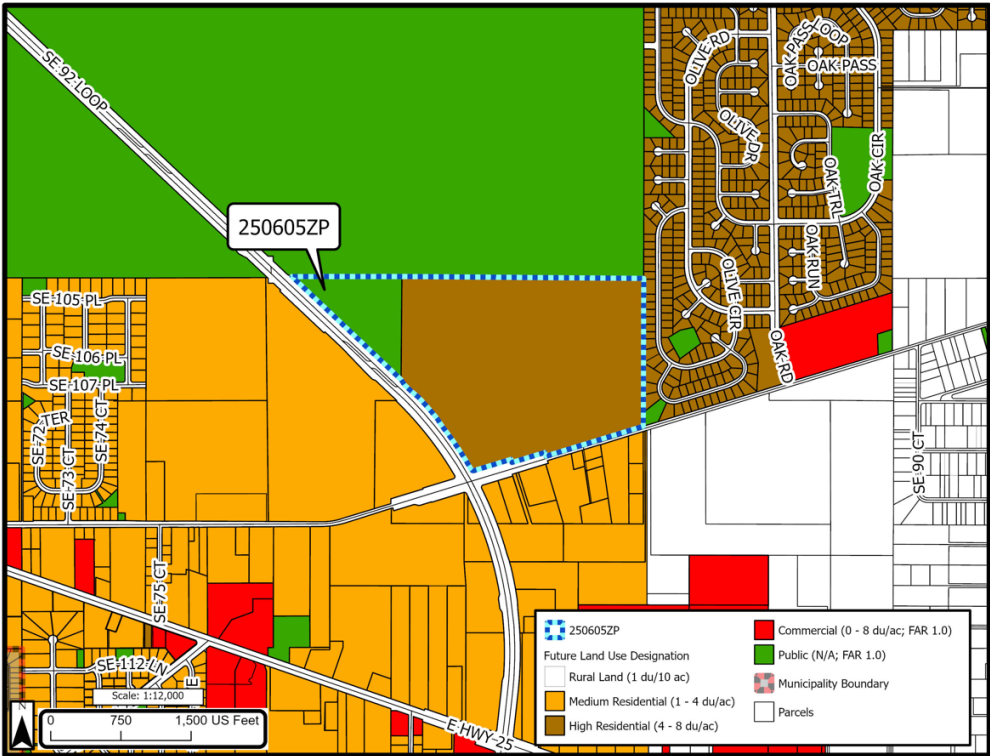


Figure 3  
Existing Zoning Classification

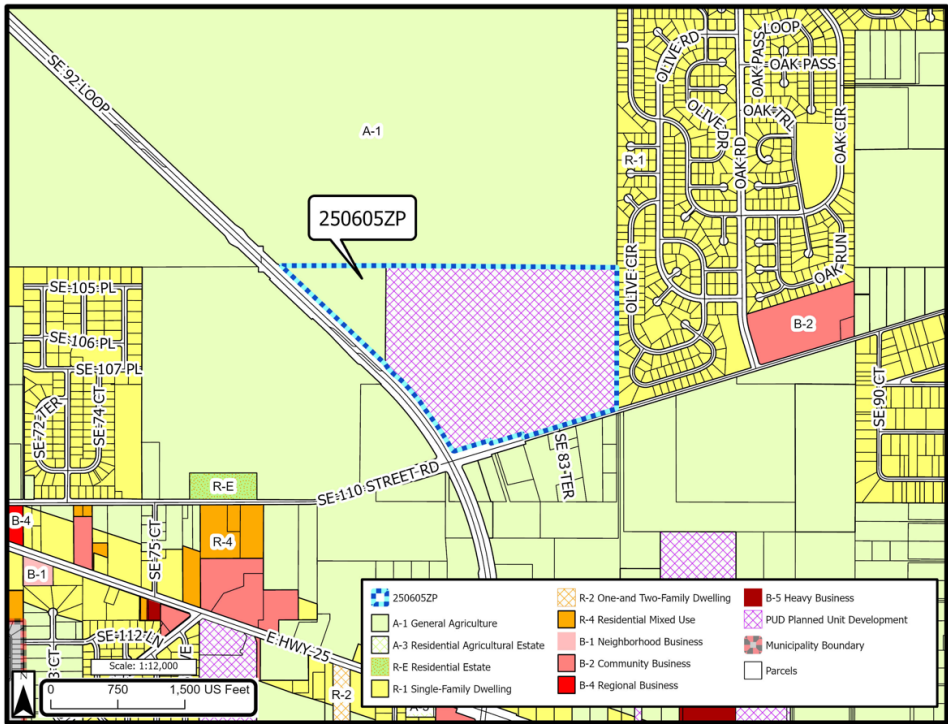




Figure 4  
Proposed Zoning Classification

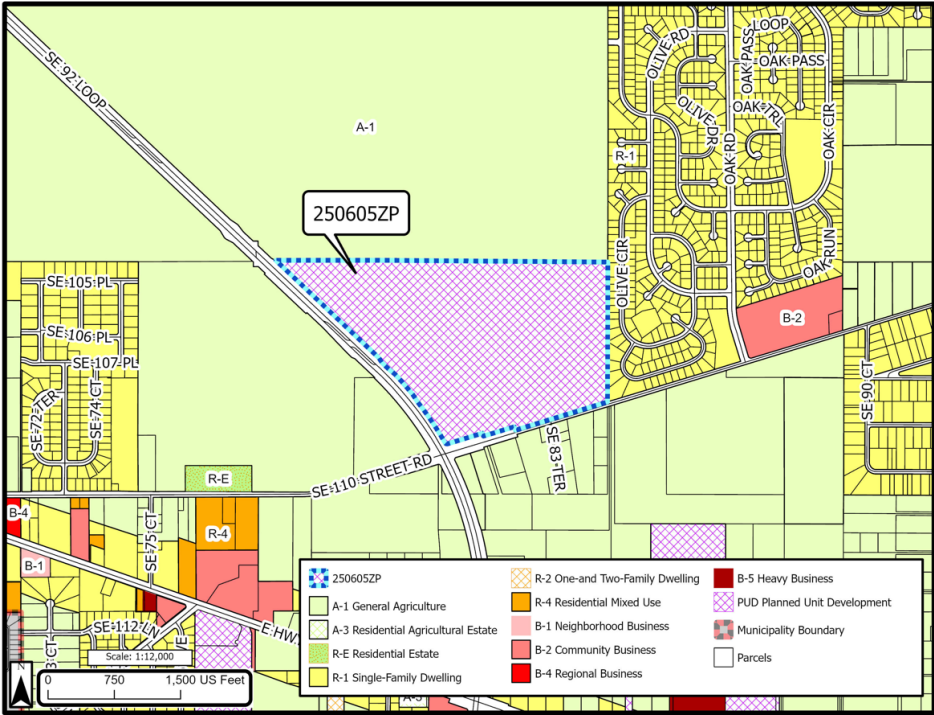
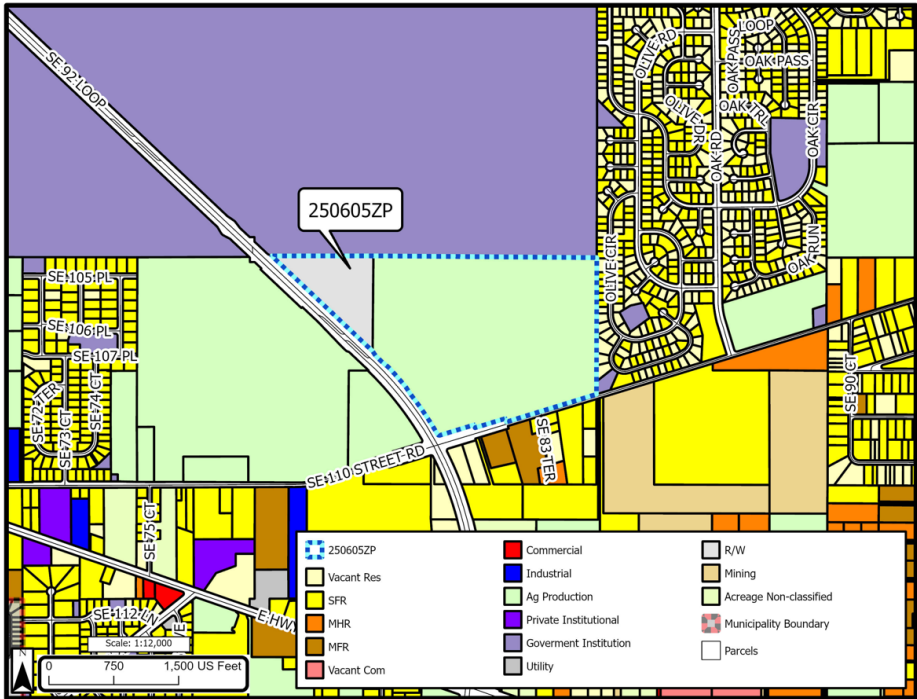


Figure 5  
Existing and Surrounding Land Uses



<b>TABLE 1. ADJACENT PROPERTY CHARACTERISTICS</b>			
<b>Direction</b>	<b>FLUMS</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>Site</b>	High Residential (HR) Medium Residential (MR)	Planned Unit Development (PUD) General Agriculture (A-1)	Ag Production R/W
<b>North</b>	Commercial (COM)	General Agriculture (A-1)	Private Institutional (Municipal Property)
<b>South</b>	ROW Medium Residential (MR)	General Agriculture (A-1)	Residential Multi-Family
<b>East</b>	High Residential (HR)	Single-Family Dwelling (R-1)	Residential
<b>West</b>	ROW Medium Residential (MR)	General Agriculture (A-1)	Ag Production

Consistent with LDC Section 2.7.3.D, staff conducted a site visit (Attachment B) on May 16, 2025. The site of the original PUD has large areas of excavation and mounds of dirt/sand now towards the “rear” (west) of the property. However, these excavation type activities have taken place over the entire property and appear to move locations throughout the time they have taken place. Currently, there are two points of ingress/egress for the property, one on SE 92<sup>nd</sup> Loop, which appears to be the main access point used, and a secondary access point on SE 110<sup>th</sup> Street Rd. which shows fewer indications of use. The parcel being added to the PUD is currently being used as a retention area and has no structures, trees, vegetation, etc. on-site.

Maximum building height of the proposed PUD is limited to 40’ which is the same as the residential uses contiguous to the PUD. Two lot sizes are proposed with 239 units being 40’x110’ and the remaining 203 lots being 50’x110’. Setbacks are 20’ front, 15’ rear, and 5’/15’ for side and side abutting ROW. Accessory uses are permitted, “Comparable to uses permitted in residential zoning,” and must be 5’ setbacks from rear and side property lines. Based on the height and setback limitations and the conceptual plan providing a product similar in use to the existing residential areas contiguous, staff finds the setbacks proposed appropriate for the Planned Unit Development plan. The setbacks proposed follow Section 4.2.31 of the LDC, which states setbacks are an item that PUD’s may provide for approval or denial in the development process.

Table 2 below provides proposed and recommended setbacks in table form:

<b>TABLE 2. SETBACKS (IN FEET)</b>		
<b>Direction</b>	<b>Proposed</b>	<b>Recommended</b>
<b>Front</b>	20’	20’
<b>Rear</b>	15’	15’
<b>Side</b>	5’	5’
<b>Side (on ROW)</b>	15’	15’

**Figure 6  
Sandy Clay Site Plan**



Table 3 summarizes the PUD's proposed, and staff's recommended, buffers for the PUD. Attachment A Pages 17-20 include buffer cross sections, details/diagrams, and renderings for the proposed buffering types. Buffers proposed meet or exceed those required by Land Development Code (LDC).

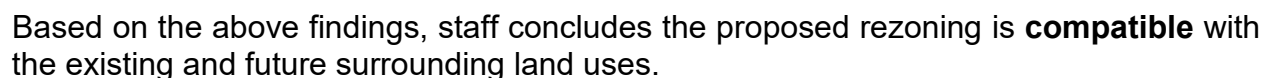
<b>TABLE 3. BUFFERS</b>				
<b>Direction</b>	<b>Adjoining Use</b>	<b>Required</b>	<b>Proposed</b>	<b>Recommended</b>
<b>North</b>	Municipality	15' C-Type	15' C-Type	<b>Proposed Buffer</b>
<b>South</b>	ROW	15' C-Type	15' C-Type	<b>Proposed Buffer</b>
<b>East</b>	Residential	5' E-Type	15' C-Type	<b>Proposed Buffer</b>
<b>West</b>	ROW	15' C-Type	15' C-Type	<b>Proposed Buffer</b>

Figure 7 below shows residential development in the surrounding area and the number of units approved for each. Projects shown with a yellow dot have been approved by BCC and are in the process of receiving approval from Development



## FIGURE 7

### Residential Development



1. Transportation impacts. These include roadways, public transit, and other mobility features.

- a. Roadways. A Traffic Methodology (AR 32572) is currently under review for the PUD and pending resubmittal to address staff comments from review. Traffic included comments in their most recent review for the rezoning application (Attachment C) stating the following, *“Site was previously approved for 433 single family detached homes and 108 townhomes, yielding 3,916 daily weekday trips, with 378 of those occurring during the PM peak hour. The new proposal is for 442 single family detached homes with no townhomes, yielding 3,960 weekday daily trips (1.1% increase) with 402 of those occurring during the PM peak hour (6.3% increase). In addition, to SE 92<sup>nd</sup> Place Rd. being negatively impacted and already projected to operate at a LOS F during buildout, other impacted roadways include CR 25, SE 110<sup>th</sup> St. Rd. and SE 92<sup>nd</sup> Loop. During*



*the previous proposal, none were at capacity, nor were they expected to reach capacity at the time of development. Since then, several new developments have been proposed for the area and are under review of have been improved including Carissa Oaks, &-Eleven, Central FL RV Park, C-25 Group, and a mixed-use subdivision along SR 35 under review by the City of Belleview. This proposal must be reviewed in context of these developments and their related impact on the roadways as well.”* While there are approvals for these items, not all have commenced development and the subsequent Traffic Study that will need to be available for review by the time of the Board of County Commissioner public hearing will need to address and road deficiencies.

- b. Public transit. There are no fixed route services available in this area.
- c. Other mobility features. The PUD site plan includes the following statement in the PUD notes, “Sidewalks to be provided along one side of internal streets as needed and along SE 110<sup>th</sup> Street. Pay “fee-in-lieu” may be utilized at developer’s option.”

Based on the above findings, it is concluded the application’s proposed **transportation impacts may adversely affect public interest**. However, timing of this development and other developments in the area will determine how much of an adverse impact. Offsite improvements determined by OCE and the traffic study will be very important.

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 proposed 442 residences, the rezoning could result in an overall generation of 165,750 gallons per day. DRC comments (Attachment C) provided by Marion County Utilities indicate this development would have availability from City of Belleview Utilities. As long as the applicant hooks into available City of Belleview water services, it is concluded the application’s **potable water impacts would not adversely affect the public interest**.
3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the 442 residences, the proposed rezoning would result in an overall generation of up to 121,550 gallons per day. The DRC comments from Utilities indicate this development would have availability from City of Belleview Utilities for sanitary sewer services. As long as the applicant hooks into available City of Ocala sewer services, it is concluded the application’s **sanitary sewer impacts would not adversely affect the public interest**.
4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day. The

SWE does not establish a LOS standard for solid waste generation for non-residential uses. The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Based on the above, it is concluded the application's **solid waste impacts would not adversely affect the public interest.**

5. Fire rescue/emergency services. Silver Springs Shores Fire Station #17, located at 2122 Pine Rd., is approximately four miles north of the subject property and is the station listed under property statistics as being the station for the subject parcel's fire boundary. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, Marion County has established a 5-mile drive time from the subject property as evidence of the availability of such services. Based on the above, the rezoning **may adversely affect the public interest depending on the timing of development and County efforts to address the existing operational deficiencies identified.**

TABLE 6: FIRE SUPPRESSION/NON-TRANSPORT RESPONSE ANALYSIS			
Station	Travel Time (Minutes)	FY 22/23 Incident Reliability (% / Status)	Incidents/Unit*
#30 – Spruce Creek	6	7.62% / Low	2,415
#18 – Belleview	8	10.34% / Moderate	1,765
#17 – Silver Springs Shores	7	9.27% / Low	3,269
#10 – The Villages	11	11.56% / Low	4,255
*The threshold to consider adding additional Suppression/Non-Transport units is 2,000 incidents; there are no additional budgeted units for this area to date. Source: Marion County Fire Services			

TABLE 7: TRANSPORT/AMBULANCE RESPONSE ANALYSIS			
Station	Travel Time (Minutes)	FY 22/23 Incident Reliability (% / Status)	Incidents/Unit*
#30 – Spruce Creek	6	3.80% / Low	1,644
#18 – Belleview	8	5.63% / Moderate	2,212
#17 – Silver Springs Shores	7	28.19% / High	4,214
#10 – The Villages	11	8.60% / Low	3,013
*The threshold to consider adding additional Transport/Ambulance units is 2,500 incidents. There are no additional budgeted units for this area to date. Source: Marion County Fire Services			

6. Law enforcement. The Silver Springs Shores District Office, located at 501 Water Rd., is roughly 3.5 miles northeast 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. Emerald Shores Elementary is ±1.3 miles from the subject site at 4200 NW 89<sup>th</sup> Place, Lake Weir Middle School is roughly 6 miles away at 10218 SE Sunset Harbor Rd., and Lake Weir High School is also

roughly 3.25 miles away at 10351 SE Maricamp Rd. Based on attendance on the 60th day of the 2024-2025 school years, Emerald Shores was at 101% capacity, Lake Weir Middle was at 89% and Lake Weir High was at 72%. While there are areas of localized overcrowding the county, overall, has capacity. It is concluded that the proposed rezoning's impact to **public schools would not adversely affect the public interest.**

In conclusion, staff finds while the traffic impacts may adversely affect the public interest, the timing of various developments being a large unknown, it is determined that overall **the public facility impacts 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 1.1.5: Higher Density/Intensity Uses. The County shall require higher densities and intensities of development to be located within the Urban Growth Boundaries and Planned Service Areas, where public or private facilities and services are required to be available.

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

2. Policy 2.1.18: Medium Residential: This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs, and Urban Area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling units per one (1) gross acres to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

**Analysis:** The parcel of land being incorporated in the PUD has a MR land use. Based on the concept plan provided, this area will remain as a water retention area and will provide a secondary access to the PUD which is comprised of single-family dwellings. This area, as its intending to be used, didn't need the High Residential (HR) land use the rest of the PUD has as the desire isn't to increase the number of dwellings or use the newly incorporated area for residences allowing the MR to act as a "step-down" from the HR land use. Based on the information provided, the application is **consistent** with FLUE Policy 2.1.18.

3. FLUE Policy 2.1.19: High Residential: This land use designation is intended to recognize area suited for a mixture of single-family and muti-family residential units in existing and new development that is located within the UGB or Urban Area. The density range shall be four (4) dwelling units to eight (8) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use



**Analysis:** The PUD site plan proposes a maximum of 442 single-family homes, a density permitted by the size and land use of the parcel. In fact, the number of units is being reduced from that which was granted in 2023 which was a maximum of 452 units and included both single-family and townhomes. The HR land use is an Urban Area land use, and the PUD site is located within the Urban Growth Boundary (UGB) making this request compatible with the location and land use. The application **is consistent** with FLUE Policy 2.1.19.

4. 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 May 28, 2025 Planning and Zoning Commission and, therefore, the application **is consistent** with this FLUE Policy 5.1.3.

5. 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 methodology is currently under review. An approved traffic study will need to be available before this item goes to BCC. Once an approved traffic study is received, the application will be **consistent** with TE Policy 2.1.4.

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 PUD site plan shows two access points, one of SE 92<sup>nd</sup> Loop near the northwest portion of the property and another on SE 110th Street near the middle of the southern property boundary line. The need for roadway improvements will be provided in the approved traffic study. Once

the traffic study determines required improvements to be implemented by the owner, the application will be **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 the City of Belleview Utilities Service Area and the PUD concept plan provided states the project will be connecting to those existing services in the area. Based on the above findings, it is concluded the application **is consistent** with SSE Policy 1.1.3.

9. 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:** As stated previously, City of Belleview provides water connection in the area and the PUD will be required to connect. Based on the above findings, it is concluded the application **is consistent** with PWE Policy 1.6.4

10. 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.

11. 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 they 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.

## V. PLANNED UNIT DEVELOPMENT (PUD) ANALYSIS

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

A. LDC Section 4.2.31.B addresses permitted uses.

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

**Analysis:** The PUD proposes single-family residences and notes that accessory uses allowed comparable to those permitted in residential would be allowed. Development standards were provided addressing setbacks, height, etc. No additional uses were listed as allowable.

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

- *The PUD shall be limited to those uses as indicated within the PUD plan.*
  - *The PUD shall be developed consistent with the PUD Plan. In the event an alternative use other than those listed is proposed; the site shall go through the PUD Rezoning Application process to ensure due public notice is provided.*
  - *PUD is limited to 442 single-family detached dwellings units.*
  - *A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.*
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 seek to include uses other than residential for this PUD. Therefore, the application is **consistent** with LDC Section 4.2.31.B.(2).

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

**Analysis:** Future owners of lots within the PUD would need to obtain a special use permit to do anything other than using their property residentially.

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



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

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

**Analysis:** The PUD provides renderings showing the style of homes proposed on Page 21 of Attachment A. Homes shown are one or two stories with several different sizes and floor plans available; the homes shown are Taylor Morrison products. Amenities information, including color renderings were also provided with the application (Attachment A Pages 22-27). The amenity center shown includes a clubhouse  $\pm 750$  sq. ft. with a pool  $\pm 2,300$  sq. ft., a playground, shade structure  $\pm 200$  sq. ft., and a dog park  $\pm 3,294$  sq. ft. The property, including common areas, is said shall be maintained by an established HOA or the developer. To address timing of amenities, staff recommends the following condition:

- *By the 50<sup>th</sup> CO for residences in the PUD, amenities shall be completed and operational.*

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

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

**Analysis:** Staff finds the property has a size of  $\pm 119.75$  acres and therefore is **consistent** with this section.

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

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

**Analysis:** The PUD Plan includes  $\pm 119.75$  acres of property with MR and HR land use designations. As such, the density permitted when considering the amount of land for each land use designation would be 895 units. The PUD seeks a maximum of 442 single-family dwellings putting them in the 4-5 du/ac range. The proposed PUD is **consistent** with the section.

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

**Analysis:** The PUD Plan falls within the available density and intensity permitted by their land use, they have immediate availability to water and sewer connection, and their location provides frontage on two roads. The proposed PUD **is consistent** with the section.

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

**Analysis:** While a land use change has been submitted concurrent with this PUD, the applicant does not seek to use this land use change to increase density for the PUD. 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 does not seek to blend density or intensity of the parcel and is, in fact, looking to reduce the density previously approved with the 2023 PUD when the parcel was strictly HR. As such, staff finds this section is **not applicable**.

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

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

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

**Analysis:** Staff finds the PUD proposes its own setbacks and height limitations as provided in Section A of this report. Staff finds the PUD is **consistent** with this section of the LDC.

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

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

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

**Analysis:** The PUD Plan proposes a series of buffers that either meet or exceed those required by the LDC as demonstrated previously in this report. Attachment A Pages 17-20 include the buffer information and renderings. Staff finds the applicant's proposed buffers to be appropriate making this item **consistent** with the provision.

- *Buffers shall be as indicated in the PUD's Landscape Buffer Plan.*
  - *North – 15' wide C-Type Buffer*
  - *East – 15' wide C-Type Buffer*
  - *South – 15' wide C-Type Buffer*
  - *West – 15' wide C-Type Buffer*

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

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



**Analysis:** Staff finds two access points are proposed for the PUD and will be required to meet Traffic's requirements for development making this application **consistent** with this provision as recommended.

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

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

**Analysis:** The PUD Plan shows sidewalks internally throughout the project. Staff finds the application **is consistent** with this provision as recommended.

- *Sidewalk to be provided internally as shown in the PUD site plan.*

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:** The PUD itself shows design accommodations for cars as well as people by providing sidewalks throughout. Staff finds the application is **consistent** with this provision, provided any connectivity required by the traffic study is implemented.

4. LDC Section 4.2.31.E.(1)(d) provides parking and loading spaces shall be provided consistent with the requirements for developed uses as listed in Section 6.11.8; however alternative parking and loading standards may be proposed, provided such standards are based on accompanying technical information and analysis provided by a qualified professional. The use of shared parking is encouraged, along with the integration of parking as part of a multi-use structure as provided in Section 4.2.6.D(8).

**Analysis:** Each home has its own driveway for parking. The clubhouse/amenity area also features a parking lot for residents who choose to drive there rather than walking. Staff finds the application 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:** Central water & sewer service are addressed and there's immediately available to the site. 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.

**Analysis:** Attachment A Page 22, indicates that ±25.66-acres of the PUD are devoted to water retention areas. The DRAs will be required to hold the total stormwater runoff volume generated from the 100-year, 24-hour storm event, with no off-site discharge.”

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

**Analysis:** The drainage analysis, as indicated above, will include three large basins that will send runoff captured in to the designated DRA, capable of holding runoff generated from the 100-year, 24-hour storm event, and requiring no off-site discharge.

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

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

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

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

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

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

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

**Analysis:** The PUD Plan proposes the sites various setbacks and height limitations.

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

**Analysis:** The PUD Plan does not propose any such encroachments for setbacks.

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

**Analysis:** Staff finds setbacks ensure the 10-foot minimum is being met.

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

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

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

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

**Analysis:** As previously provided in this report, single-family dwellings with a 40' maximum building height are the development immediately abutting the parcel to the east. All other property boundary lines abut rights-of-way or Agricultural properties operated by the City of Ocala. As such the PUD will be **consistent with this section**.

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

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

**Analysis:** 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.*

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

**Analysis:** Outdoor lighting is not addressed in the application. A condition has already been recommended to address this issue.

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

**Analysis:** Outdoor lighting is not addressed in the application. A condition has already been recommended to address this requirement.

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

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

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

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

1. LDC Section 4.2.31.E.(7)(a) provides that for a PUD implementing a Rural Land - Residential Cluster, Rural Land - Hamlet, or Rural Community development form as authorized by the Comprehensive Plan future land use element and Division 3.3, the PUD shall be subject to the following:
  - a. The PUD shall identify all the required natural open space (NOS) acreage to be permanently conserved consistent with the Comprehensive Plan and this Code, with particular attention to Sec. 6.6.6.A., along with the intended form and/or method of conservation.
  - b. If the PUD is also subject to a native habitat vegetation preservation requirement as listed in Section 6.6.5, the minimum 15% native habitat to be preserved should be included within the natural open space, thereby simultaneously complying with the NOS and native habitat conservation requirements; additionally, the applicant is encouraged to preserve as much of the native habitat within the NOS as possible.
  - c. The PUD shall provide a minimum of five percent improved open space as provided in Section 6.6.6.B, with this improved open space being focused on satisfying the recreation facility needs of the PUD as listed in (7)(c) below.

**Analysis:** The PUD site has a MR and HR FLUMS 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 PUD plan states ±27.24 acres are provided for open space which is approximately 22% open space.

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 figures provided above ensure the 20% minimum is being met.

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



- recreational lands supporting the active water-oriented recreation uses may be counted at 100 percent.
- 2) Waterbodies not available or used for the noted active water-oriented recreation uses may be used in calculations of IOS but shall not exceed 10 percent of the total IOS; however, the adjoining recreational lands supporting the waterbody that are established as recreation/amenity space may be counted at 100 percent recreational space. Only those waterbodies which are available to the development for water-oriented recreation use such as boating, fishing, water skiing, swimming and have associated recreational land areas may be used in meeting these requirements.
  - f. If golf courses and/or driving ranges are provided to partially fulfill recreation space requirements, a maximum of 60 percent of the golf course and/or driving range land may be counted toward the required IOS. A golf course, driving range, and waterbodies combined cannot exceed 75 percent of the required IOS.

**Analysis:** The PUD plan provides open space calculations in Attachment A on page 22. The PUD is meeting minimum requirements for improved open space.

- 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 does not include any Commercial uses, 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. 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 **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 considered the application at their April 21, 2025 meeting and recommended approval with conditions to the Planning & Zoning Commission.

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

**Analysis:** The PUD will come back before the Board as a final Master plan if the rezoning with conceptual plan is approved.

- The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.

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

**Analysis:** The final development plan for this PUD will be brought back to the Board for final action.

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 submittal was a conceptual plan and was not submitted with a final development plan.

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

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

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

- N. LDC Section 4.2.31.K addresses PUD amendments.

**Analysis:** This rezoning is also an amendment to a previously approved PUD and will require DRC approval prior to development.

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

## VII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Commission to **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 1.1.5, 2.1.18, 2.1.19, 5.1.3, 5.1.4;
  2. TE Policy 2.1.4, and Objective 2.2;
  3. SSE 1.1.3;
  4. PWE 1.6.4;
  5. SE 1.1.4, 1.1.5;
- C. **Is compatible** with the surrounding uses as the request is to expand the existing PUD to include more retention area as well as modifying the residential product to be solely detached single-family.

The following development conditions are proposed to mitigate the potential for any negative impacts to the surrounding area:

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

<b>TABLE 2. SETBACKS (IN FEET)</b>		
<b>Direction</b>	<b>Proposed</b>	<b>Recommended</b>
<b>Front</b>	20'	20'
<b>Rear</b>	15'	15'
<b>Side</b>	5'	5'
<b>Side (on ROW)</b>	15'	15'

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

<b>TABLE 3. BUFFERS</b>				
<b>Direction</b>	<b>Adjoining Use</b>	<b>Required</b>	<b>Proposed</b>	<b>Recommended</b>
<b>North</b>	Municipality	Type "C"	Type "C"	<b>Proposed Buffer</b>
<b>South</b>	ROW	Type "C"	Type "C"	<b>Proposed Buffer</b>
<b>East</b>	Residential	Type "E"	Type "C"	<b>Proposed Buffer</b>
<b>West</b>	ROW	Type "C"	Type "C"	<b>Proposed Buffer</b>

3. The PUD shall be limited to those uses as indicated within the PUD plan.
4. The PUD shall be developed consistently with the PUD plan. In the event an alternative use other than those listed is proposed, the site shall go through the PUD rezoning application process to ensure due public notice is provided.
5. The PUD is limited to 442 single-family detached dwelling units.
6. A property owner's association OR the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision.
7. By the 50<sup>th</sup> CO for residences in the PUD, amenities shall be completed and operational.
8. Requirements provided as a result of the approved Traffic Study and Traffic review must be implemented.
9. Sidewalk to be provided internally as shown in the PUD site plan.
10. 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.
11. The final PUD Master Plan must be brought back and heard by the Board of County Commissioners for final approval.

## **VIII. PLANNING & ZONING COMMISSION RECOMMENDATION**

To be determined.

## **IX. BOARD OF COUNTY COMMISSIONERS ACTION**

To be determined.

## **X. LIST OF ATTACHMENTS**

- A. Rezoning Application.
- B. Site Photos.
- C. DRC Staff Comments.
- D. Residential Fire Impact Study
- E. 230108ZP Resolution
- F. Surrounding Property Owner Notification.