

Redlines

Future Land Use Element

DRAFT

INTRODUCTION

The Marion County Future Land Use Element (FLUE) Goals, Objectives and Policies are designed to provide a comprehensive, area-wide vision for sustainable urban, suburban and rural growth that supports a transportation network, variety of land uses, natural and agricultural resources, and open space. The 2045 Future Land Use Map and the Goals, Objectives and Policies established herein, shall guide the future development of areas throughout the County to insure that such future development supports the vision and development pattern of Marion County in a sustainable manner.

GOAL 1: PURPOSE OF THE FUTURE LAND USE ELEMENT

To protect the unique assets, character, and quality of life in the County through the implementation and maintenance of land use policies and a Land Development Code (LDC) that accomplish the following:

1. Promote the conservation and preservation of natural and cultural resources;
2. Support and protect agricultural uses;
3. Protect and enhance residential neighborhoods while allowing for mixed-use/mix of uses of development within the eCounty;
4. Strengthen and diversify the economic base of the County;
5. Promote development patterns that encourage an efficient mix and distribution of uses to meet the needs of the residents throughout the eCounty;
6. Ensure adequate services and facilities to timely serve new and existing development; and
7. Protect and enhance the public health, safety, and welfare; and
8. Protect private property rights.

OBJECTIVE 1.1: PLANNING FRAMEWORK

To create a planning and implementation strategy that will enhance the livability of the County and preserve the County's natural, historical, cultural, physical and economic resources to: discourage urban sprawl, promote sustainable, energy-efficient land use patterns, and reduce pollution, and provide for economic development opportunities.

1. Promote sustainability, energy-efficiency, and resiliency
2. Promote efficient land-use patterns
3. Provide for economic development opportunities
4. Discourage the proliferation of urban sprawl
5. Promote environmental responsibility
6. Promote a sense of place for residents through community assets.

Policy 1.1.1: Marion County Planning Principles

The County shall rely upon the following principles to guide the overall planning framework and vision for the County:

1. Preserve, protect, and manage the County's valuable natural resources.

2. Recognize and protect the rural, equestrian, and agricultural character as an asset of the County's character and economy while providing clear, fair, and consistent standards for the review and evaluation of any appropriate future development proposals.
3. Support the livability of the existing cities and towns in the County by planning for the logical extension of development in a manner that promotes infill development, enhances the scale, intensity, and form of these areas through the introduction of sustainable smart growth principles and joint planning activities.
4. Support economic development through government practices that place a priority on public infrastructure necessary to attract such activities and that foster a local economic development environment that is conducive to the creation and growth of new businesses, the expansion of existing businesses, and is welcoming to private entrepreneur activities.

Policy 1.1.2: Adopted Future Land Use Map (FLUM Series) and 2045 Planning Horizon

The FLUM Series embodies strategies designed to build long-term community value, discourage urban sprawl and ensure that public facilities and services are provided in the most cost-effective, efficient and timely manner, and protect natural, cultural, and environmental resources that are unique to the County. The County provides appropriate goals, objectives, policies, data and analysis for a future land use, long-range planning horizon through the year 2045. The County adopts the FLUM Series as listed below:

Map—Title

1. MARION COUNTY 2045 FUTURE LAND USE MAP
1. WELLS & WELLHEAD PROTECTION AREAS
3. COASTAL HIGH HAZARD AREAS AND EVACUATION ROUTES
4. WATERBODIES (RIVERS AND LAKES)
5. FLOODPLAINS PER 2008 FEMA MAPS
6. WETLANDS
7. MINERAL RESOURCES
8. SOILS (GENERALIZED)
9. TOPOGRAPHY (GENERALIZED)
10. ARCHEOLOGICAL AND HISTORIC AREAS
11. ENVIRONMENTALLY SENSITIVE OVERLAY ZONES
12. TRANSFER OF RIGHTS
13. SPRINGS PROTECTION OVERLAY ZONES
14. REGIONAL ACTIVITY CENTERS (RGAC)
 - a. MARION OAKS / MCGINLEY RGAC
 - b. IRVINE / SUNNY OAKS RGAC
15. DEVELOPMENT OF REGIONAL IMPACT (DRI), BINDING LETTERS OF VESTED RIGHTS/MODIFICATIONS (BLIM) AND FLORIDA QUALITY DEVELOPMENT (FQD) MAP 'H' MASTER PLANS (DRI/FQD)
 - a. OAK RUN DRI
 - b. ON TOP OF THE WORLD DRI
 - c. SPRUCE CREEK GOLF & COUNTRY CLUB FQD
 - d. SPRUCE CREEK SOUTH FQD
 - e. STONECREST DRI
 - f. THE VILLAGES OF MARION FQD
 - g. VILLAGE OF RAINBOW SPRINGS DRI
 - h. GOLDEN OCALA DRI (includes the World Equestrian Center)
 - i. ON TOP OF THE WORLD BLIM

Policy 1.1.3: Accommodating Growth

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

Policy 1.1.4: Private Property Rights

In accordance with the Private Property Rights Elements, ~~T~~he County shall recognize and protect private property rights in the creation and implementation of land use regulations and other government actions; and shall provide compensation or other appropriate relief as provided by law, for actions by the County that are determined to be unreasonable uses of the police power so as to constitute a taking

Policy 1.1.5: Higher Density/Intensity Uses

The County shall encourage infill development and require higher densities and intensities of development to be located within the Urban Growth ~~Boundaries~~Boundary (UGB) ~~and/or~~ Planned Service Areas (PSA), where public or private facilities sufficient infrastructure and services are required to be available.

Policy 1.1.6: Buffering of Uses

The County shall require new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties, as further defined in the LDC.

Policy 1.1.7: Discourage Strip Commercial and Isolated Development

The County shall discourage isolated development scattered and highway strip commercial development by requiring the development of such uses at existing commercial intersections, other commercial nodes, and mixed-use centers with links to the surrounding area. by requiring interconnectivity to surrounding and adjacent uses where feasible.

Policy 1.1.8: Antiquated Subdivision Strategy

The County shall ~~implement programs, such as~~ including but not limited to, encouraging the vacation of antiquated subdivision plats and the Transfer of Vested Rights (TVR), ~~that which~~ encourage antiquated subdivisions outside of the UGB to be eliminated and return to acreage ~~be set aside as preservation areas [(different from Farmland Preservation Area (FPA))]~~, used for agricultural activities or redeveloped as large lot residential uses consistent with the ~~Rural Area~~ — FLUM.

Policy 1.1.9: Density and Intensity Averaging Allowance

The County shall allow for residential density and non-residential intensity averaging over two or more parcels with multiple Future Land Use designations, if the parcels are not within the Farmland Preservation Area(FPA). Where averaging occurs, projects will be subject to development requirements as the combined sites will be considered urban area. of the urban area(s) vs. Urban Areas vs UGB.

1. A Planned Unit Development (PUD) Zoning change shall be required to utilize this policy as follows, with criteria further defined in LDC:
 - a. **Density Averaging:** The number of residential units in the combined parcels must be less than or equal to the total residential units allowed for the individual residential parcels.
 - b. **Intensity Averaging:** The FAR of non-residential uses must be less or equal to the FAR in the individual parcels
2. Where parcels proposed for averaging are transected by the UGB Urban Growth Boundary and include properties with a Rural Land future land use designation, the maximum allowable density of the areas outside of the UGB possessing the Rural Land designation shall not exceed one dwelling unit per acre or exceed a FAR of 0.35. The project shall also be subject to LDC requirements of the Urban Area.

Policy 1.1.10: Rural Areas and Urban Areas

The County is divided into two separate areas which are not land use designations, these areas constitute the Rural and Urban Areas.

1. Rural Areas are only outside the UGB and consist of the following land use designations:
 - a. Rural Land
 - b. Rural Activity Centers
 - c. Public
 - d. Preservation
 - e. World Equestrian Center (WEC)
2. Urban Areas consist of:
 - a. Rural Land inside the UGB
 - b. Low Residential
 - c. Medium Residential
 - d. High Residential
 - e. Urban Residential
 - f. Commercial
 - g. Employment Center
 - h. Commerce District
 - i. Public
 - j. Preservation
 - k. World Equestrian Center (WEC)

GOAL 2: ALLOCATION AND DISTRIBUTION OF LAND USES

Allow for a mix of uses to meet the population growth and economic development needs throughout the County by identifying appropriate areas for residential, commercial, industrial, public, recreation and open space, and conservation land uses.

OBJECTIVE 2.1: FUTURE LAND USE DESIGNATIONS

To implement development patterns that promote a variety of residential, non-residential, and mixed-use development to meet the needs of the community, the County shall adopt future land use designations that allow for mix of uses throughout the County.

Policy 2.1.1: Supply and Allocation of Land

The County shall designate future land uses on the ~~Future Land Use Map~~ FLUM to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data, Inventory & Analysis) and allow for a sufficient allocation of land and land uses to allow for development based on market potential.

Policy 2.1.2: Land Use Requirements

The ~~Future Land Use Map~~ FLUM Series shall designate areas for the uses listed in Table 2-1 and further described in Policy 2.1.13 through Policy 2.1.25. Density and intensity shall be calculated on a gross acreage basis unless otherwise noted. Minimum densities shall be adhered to within the ~~UGB Urban Growth Boundary~~ and ~~Planned Service Areas~~ PSAs unless otherwise approved through the Board.

1. Outside of the UGB or PSAs, the Development Review Committee may grant a step-down density of one FLU designation where insufficient infrastructure exists to support development at the designated density. For example, parcels designated Medium Residential may be developed as Low Residential with DRC approval in these areas. The ~~Future Land Use Map~~ FLUM will be updated to reflect such approvals, coincident with recording the Final Plat.
- ~~2.~~ Maximum density will not be exceeded except through density and/or intensity bonus programs including averaging, TDCs or ~~Planned Service Area~~ PSA incentives.

Policy 2.1.3: Density and/or Intensity Bonus

The County shall allow for density and intensity bonuses es to occur within all Future Land Use designations ~~that are~~ within the UGB, ~~Planned Service Areas~~ PSA and existing Urban Areas consistent with the County's Transfer of Rights Programs in Objective. 9.1.

Policy 2.1.4: Open Space Requirement

A minimum of 350 square feet of open space for each residential ~~lot~~ dwelling unit shall be required in either single or linked multiple tracts within residential development, and the open space shall be accessible to all residents within the development, as further defined in the LDC.

Policy 2.1.5: Permitted and Special Uses

The County shall identify permitted and special uses that are appropriate for each land use designation and zoning classification, as further defined in the Comprehensive Plan, ~~Zoning~~, and LDC.

Policy 2.1.6 Protection of Rural Areas

Rural ~~and agricultural~~ areas shall be protected from premature urbanization, and a vibrant rural economy shall be encouraged outside the UGB and ~~PSAs~~ Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development, such as within the UGB and PSAs.

Policy 2.1.7 Amendment Applications for Conversion of Rural Lands

Applications for conversion ~~/amendment~~ of agricultural properties designated as Rural Land on the ~~Future Land Use Map~~ FLUM to a mixed-use, industrial, commercial, or residential future land

use category shall at a minimum demonstrate the following:

1. The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes;
2. Availability of public infrastructure, including public water and sewer and transportation facilities to serve a more dense or intense use is available at the time of application; or will be available ~~at~~ concurrently with development;
3. ~~3~~The ~~relationship of the~~ proposed amendment site is adjacent to the UGB ~~boundary~~ and/
or other more densely or intensely designated or developed lands;
4. The justification for the conversion/amendment;
5. The amendment is compatible with the surrounding area and meets the intent of the Comprehensive Plan; and
6. The amendment shall also meet the requirements within the LDC.

The Board of County Commissioners ("Board") may require that such conversion is conducted through the Transfer of Development Rights program.

Policy 2.1.8: Community Facilities in Rural Areas

Community facilities, such as schools, churches, synagogues, community centers, and day-care centers may be located in Rural Areas, and Hamlet developments, ~~and Cluster Density Bonus developments~~ by means of the Special Use Permit process, as further defined in the LDC.

Policy 2.1.9: Landfills

The County shall allow landfills under the following conditions:

1. **New Landfills:** As of January 1, 2002, no new landfills, except for Construction and Demolition (C&D) landfills, ~~and Class III landfills~~, shall be permitted in the County.
2. **Existing Landfills and Expansion:** As of January 1, 2007, no existing landfill, except for C&D landfills, Class III landfills, and Marion County's Baseline Landfill, shall be allowed to expand in the County.
3. **Requirements:** All new landfills shall require a Comprehensive Plan Amendment and Special Use Permit (SUP) and comply with the ~~location~~ criteria ~~identified~~ defined in Policy 1.2.5 and 1.2.7 of the Solid Waste Element.

Policy 2.1.10: Wells and Wellfields (> 100,000 GPD)

The County shall ~~implement and~~ maintain an LDC ordinance to require all new and expansion of existing wells and/or wellfields that supply water for qualified Community Water Systems (CWS), as specified in Future Land Use Element (FLUE) Objective 7.6, to obtain a Special Use Permit (SUP) and other approvals as further defined in the LDC. This provision functions as a means to reflect and provide public notice regarding ~~the establishment of~~ establishing the well/wellfield and its concurring Well/Wellfield Protection Area ~~and is. It is~~ not intended to, and shall not, be implemented in a manner that conflicts with the exclusive jurisdiction of the water management districts to regulate the consumptive use of water under Chapter 373, F.S. Upon satisfactory conclusion to the SUP consideration, the well and/or wellfield shall be added to ~~FLUE Series Map #2, Well & Wellhead Protection Areas~~ Map of the Comprehensive Plan, with the next available administrative ~~Comprehensive Plan Amendment Cycle~~ amendment.

Policy 2.1.11: School Siting Criteria

The County shall allow public schools in all future land use designations, except Commerce District and Preservation. Private schools may be permitted or require a Special Use Permit (SUP)

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in the same land use designations as public schools as well as in the Commerce District land use designation as established by the LDC. The County may establish design and development criteria for private schools depending on the school type, student population, and other unique characteristics of the school and the surrounding area to ensure potential impacts are addressed, as further defined in the LDC. In the planning, siting, land acquisition, and development of the schools, evaluation of factors shall include consideration of the following criteria for private schools, ~~and the County shall consider these factors when addressing public school facilities in coordination with the Marion County School Board, consistent with the Interlocal Agreements, the county shall consider the below factors when addressing public school facility sitings: for public school facilities, with the School Board, municipalities, and County:~~

1. The location of schools proximate to urban residential development and contiguous to existing school sites, which provide logical focal points for community activities and serve as the cornerstone for innovative urban design, including opportunities for shared use and collocation with other community facilities;
2. The location of elementary schools proximate to, and within walking distance of, the residential neighborhoods served;
3. The location of high schools on the periphery of residential neighborhoods, with access to major roads;
4. Compatibility of the school site with present and projected uses of adjacent property;
5. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization, efficient use of existing infrastructure, and the discouragement of urban sprawl;
6. Site acquisition and development costs;
7. Safe access ~~or the potential for safe access~~ to and from the school site by pedestrians and vehicles;
8. Existing or planned availability of, or cost to provide, adequate public facilities and services to support the school, including water and sewer service, and transportation facilities;
9. Environmental constraints that would either preclude or render cost infeasible for the development or significant renovation of a public school site;
10. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archeological resource;
11. The site is well drained, and the soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements;
12. The proposed location is not in conflict with the local government comprehensive plan, stormwater management plans, or watershed management plans;
13. The proposed location is not within a velocity flood zone or floodway, as delineated in the applicable comprehensive plan;
14. The proposed site can accommodate the required parking, circulation, and queuing of vehicles; and

The proposed location lies outside the area regulated by Section 333.03(3)(d), F.S., regarding the construction of public educational facilities in the vicinity of an airport

Policy 2.1.12: Agricultural Uses Within an Urban Area

The County may allow the continuation of existing agricultural uses on urban designated lands within the Urban Areas, including within the UGB and PSAs, until the property is utilized for types

of development allowed by the Future Land Use designation, as further defined in the LDC. However, such uses shall not be construed to limit the urban development of the surrounding area as authorized within this policy. Pursuant to FSS 163.3205, solar facilities are permissible in agricultural land use categories.

Policy 2.1.13: Protection of Rural Neighborhoods

Marion County shall recognize that existing "Rrural Nneighborhoods" ~~that occur within or outside of the UGB~~ deserve special protection from the intrusion of urban uses, densities, and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a "Rrural Nneighborhood" is an existing recorded or unrecorded subdivision where the overall density does not exceed one unit per three acres, and the subdivision has a predominant Future Land Use Designation of Rural Land ~~or Low Residential~~.

Policy 2.1.14: General definitions for uses:

1. **Agricultural Use:** Any generally accepted, reasonable, and prudent method for the operation of a farm (including solar facilities pursuant to FFS 163.3205), including, but not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, if the land is used principally for the production of tropical fish; aquaculture, including algaculture; sod farming; agritourism; all forms of farm products as defined in Section 823.14(3), F.S. and farm production. Agricultural Lands are classified as such pursuant to Section 193.461, F.S.
2. **Commercial Use:** Any establishment providing goods and services, including but not limited to, retail stores, restaurants/bars, personal services, business services, healthcare facilities and services, professional offices, medical offices, transient travel and lodging facilities, and similar types of uses as further defined by the LDC. Resiliency Facilities, as defined by FSS 163.3210, are permitted and will continue to be permitted in all commercial land uses and commercial zoning districts.
3. **Industrial Use:** Any site or establishment involved in processing, assembly, or manufacturing of goods, warehousing, distribution, research and development, resource extraction or processing, transportation, fabrication, or similar uses as further defined by the LDC. Industrial uses do not generally involve the direct sale of goods and services to the general public.
4. **Residential Use:** One-family dwellings, two-family dwellings, multi-family dwellings, and various forms of group living, and long-term care facilities, and similar types of uses as further defined by the LDC.
5. **Permanent Open Space:** For land use designs or designations required to provide permanent open space, "open space" is defined as undeveloped lands suitable for passive recreation or conservation and agricultural uses. All portions of the open space shall be maintained in a healthy vegetative state and all agricultural uses and activities shall be consistent with the current best management practices adopted by the Florida Department of Environmental Protection (FDEP), Florida Department of Agriculture and Consumer Services (FDACS), and/or the Marion County Board of County Commissioners, whichever is more stringent. The open space shall include, at a minimum, be used to protect any environmentally sensitive lands and locally significant resources required to be conserved and/or protected when practicable. The open space should be provided in a form which that buffers the increased development densities from surrounding lands and supports and/or encourages the formation of wildlife and habitat connections when possible.

FLUE Policy 2.1.15: Professional Office and ~~Neighborhood~~-Commercial Uses in Residential Land Use Designations

- A.** ~~Professional office Neighborhood commercial~~ uses may be ~~permitted~~ authorized through the LDC's Special Use Permit process within an Urban Area residential future land use designation as specified in FLUE Table 2-1, particularly the urban residential land use designations (Low, Medium, High, and Urban Residential) land use designations as shown on the ~~Future Land Use Map~~ FLUM Series in conjunction with a residential or mixed-use zoning classification provided the commercial uses are compatible with surrounding land uses and do not adversely affect adjacent areas or disrupt traffic patterns. These uses are limited to low intensity land usage and site coverage. Allowable ~~neighborhood commercial professional office~~ uses may take place in ~~are those that utilize existing converted residential or newly constructed structures that reflect the appearance of residential structures within the neighboring community for professional offices or new construction that resembles the appearance of a residential structure, as further defined in the LDC. All neighborhood commercial~~ Such professional office uses must be located along collector roads or ~~minor arterials~~ and shall obtain suitable change of occupancy and site plan approvals. The professional office use is limited to a 0.20 FAR. Such offices shall not be an addition to existing commercial allotments when a site is part of larger entitled project. For the purposes of this policy, professional office shall be offices of professional occupations or agencies characterized by low traffic and pedestrian volumes, and low density of building development, including but not limited to accountant, appraiser, architect, engineer, insurance adjuster, insurance sales, landscape architect, lawyer, consultant, personnel agency, real estate mortgage or title agency, and investment agency. ~~Non-office commercial uses shall be restricted to those uses that primarily are to serve the immediate residential areas, promote non-automotive travel, and reduce trip lengths.~~
- B.** Commercial uses may be allowed within an Urban Area residential future land use designation as specified in FLUE Table 2-1 as part of a Planned Unit Development (PUD) application consistent with the following:
- a.** Ratio.
 - i.** Commercial uses may be provided with the PUD, at a ratio of two acres of commercial use area per each 250 dwelling units.
 - 1.** MA minimum of 250 units required before any commercial use area may be authorized in the PUD.
 - 2.** The floor area ratio shall not exceed 0.50.
 - b.** Types of Uses. The type of commercial uses permitted in the commercial use area within the PUD project area shall comply with the following:
 - i.** Uses consistent with the B-1 (Neighborhood Business Classification) for projects of a size equal to or greater than 250 dwelling units but less than 800 dwelling units; and
 - ii.** Uses consistent with B-1 and B-2 (Community Business Classification) for projects of a size equal to or greater than 800 dwelling units.
 - iii.** More intense commercial uses and special uses may be permitted by the Board upon review and recommendation of the Development Review Committee, consistent with the LDC.
 - c.** Internal Design. The commercial use areas shall be situated internally to the PUD and buffered so as not to create a detrimental effect on adjacent internal residential areas or create traffic concerns outside of the PUD.
 - i.** Commercial areas shall be designed to serve the residents of the PUD to reduce external traffic and support internal capture. These areas shall not

be located at the perimeter of the PUD or with frontage on or direct access to an existing functionally-classified or major through road. A PUD that provides for the creation of a new internal functionally-classified or major through road, which is not access-controlled and is open and available to the public, may have a commercial use area established along that roadway, subject to compliance with the traffic and access management provisions of the LDC.

- d. The commercial use area and the types of uses, consistent with section (b) above, shall be specifically included in the PUD development plan and phasing schedule.

AGRICULTURAL LAND USE DESIGNATIONS

Policy 2.1.16: Rural Land (RL)

This land use designation is intended ~~to be used~~ primarily for agricultural uses, associated housing related to farms and agriculturally-related commercial and industrial uses, including agritourism. Pursuant to FSS 163.3205, solar facilities are permissible in agricultural land use categories. The base density shall be one (1) dwelling unit per ten (10) gross acres, and the designation is a Rural Area land use. The following special provisions shall apply for new development not meeting the base density, as further defined in the LDC:

1. **Family Division:** A parcel of record within Rural Land may be permitted to be subdivided up to three times, provided that no resulting lot is less than one (1) acre outside of the FPA and not less than three (3) acres inside the FPA consistent with 163.3179, F.S. and as further defined in the LDC.
- ~~2. **Cluster Density Bonus:** Rural Areas outside the UGB and not within the FPA Farmland Preservation Area may develop as a cluster density bonus development under the PUD process up to a maximum of one (1) dwelling unit per seven (7) gross acres with a required minimum of 60% permanent open space set aside, as further defined in the LDC.~~
3. **Hamlets:** Residential uses in the Rural Areas outside the UGB and not within the FPA Farmland Preservation Area may develop as a hamlet development under the PUD process and shall provide a minimum of 60% permanent open space with cluster development in one of the following forms, and as further defined in the LDC:
 - a. one (1) dwelling unit per five (5) acres
 - b. one (1) dwelling unit per 3.5 acres with the permanent open space delineated as a separate tract from the individual developable parcels and shall remain under common ownership by the developer, property owner association, undivided property interest of the developable land within the hamlet, or a third party approved by the County Commissioners.

RESIDENTIAL LAND USE DESIGNATIONS

Policy 2.1.17: Low Residential (LR)

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

Policy 2.1.18: Medium Residential (MR)

This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development within the UGB, PSAs, or and the 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 unit per one (1) gross acre 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.

Policy 2.1.19: High Residential (HR)

This land use designation is intended to recognize areas suited for a mixture of single-family and multi-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.

Policy 2.1.20: Urban Residential (UR)

This land use designation is intended to recognize areas suited primarily for multi-family residential units, but allows for single-family residential units to provide for a mix of various housing types to meet the community needs within the UGB or Urban Area. The density range shall be eight (8) dwelling units to sixteen (16) dwelling units per one (1) gross acre and commercial uses shall be permitted as accessory uses within this land use designation, as further defined in the LDC. This land use designation is an Urban Area land use.

MIXED-USE LAND USE DESIGNATIONS

Policy 2.1.21: Rural Activity Center (RAC)

This land use designation allows for mixed-use nodes of a mix of uses consisting of residential (single-family and multi-family) and commercial uses, including agricultural-related commercial uses to meet the daily needs of residents in the Rural Area to reduce trips to the Urban Areas of the eCounty for daily needs and services. ~~This designation shall be located at intersections of arterial, collector, and/or major roads and extend no greater than one-quarter (1/4 mile) or 1,320 linear feet from the center of the RAC for a maximum of 96 acres. For the Summerfield RAC, which includes an off-set major road intersection pair (S. Hwy 301/SE 145th Street & S. Hwy 301/SE 147th Street) and lies west of the CSX Railroad Line, the one-quarter (1/4 mile) or 1,320 linear feet from the center may be measured from either major road intersection and extend east along SW 147th Street to the CSX Railroad Line. The maximum acreage of the Summerfield RAC is not to exceed 125 acres. New RACs shall have at least three existing businesses and be at least five (5) miles from other RACs, as measured from the center of the RAC, unless it can be demonstrated that eighty-five (85) percent of the RAC is developed. In order to minimize development impacts to the surrounding Rural Area, properties in the RAC shall be designed to provide shared access, obtain access from the lesser road class, and minimize impacts to the operations of the intersection, and compatibility concerns for the surrounding properties. The density range shall be up to two (2) dwelling units per one (1) gross acre, and the intensity shall be a maximum Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation a Rural Area~~ land use designation.

Policy 2.1.22: Commercial (COM)

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 the intensity shall be a~~ maximum Floor Area Ratio of 1.0, as further defined in the LDC. This ~~land use~~ designation is ~~an allowed in the Urban Area~~ land use and allows for campgrounds and recreational vehicle parks (RVP).

Policy 2.1.23: Employment Center (EC)

This land use is intended to provide a mix of business, enterprise, research and development, light to moderate intensity commercial, and light industrial, activities. This designation also allows residential uses, campgrounds and recreational vehicle parks (RVP). ~~—~~This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to sixteen (16) dwelling units per one (1) gross acre, and ~~the intensity shall be a~~ maximum Floor Area Ratio of 2.0, as further defined by the LDC. This ~~land use~~ designation is an Urban land use ~~designation~~.

NON-RESIDENTIAL LAND USE DESIGNATIONS

Policy 2.1.24: Commerce District (CD)

This land use is intended to provide for more intense commercial and industrial uses than may be suitable in the Employment Center (EC) designation due to noise, odor, pollution, and other nuisance issues. A maximum Floor Area Ratio of 2.0 is allowed, as further defined by the LDC. This ~~land use~~ designation is an Urban land use ~~designation~~.

Policy 2.1.25: Public (P)

This land use is intended to recognize publicly owned properties for the use of the general public or portions of the community infrastructure and services, which includes items such as parks, government buildings, water treatment plants, public safety facilities, schools, etc., with a maximum Floor Area Ratio ~~of~~ is 1.0, as further defined in the LDC. This ~~land use~~ designation is allowed in the Urban and Rural Area.

Policy 2.1.26: Preservation (PR)

This land use is intended to recognize publicly, or privately owned properties intended for conservation purposes and operated by contractual agreement with or managed by a federal, state, regional, local government, or non-profit agency. Development for recreation, scientific research, education, training facilities, public facilities or services (including stormwater facilities pursuant to the buffer requirements as defined in the LDC), etc., in this designation shall be limited to result in minimal impact to the preservation of the area as allowed under the contractual agreement or management plan, as further defined in the LDC. This ~~land use~~ designation is allowed in the Urban and Rural Areas.

Policy 2.1.27: Municipality (M)

This land use is intended to identify properties that are located within municipalities in the County.

Policy 2.1.28: World Equestrian Center (WEC)

This land use is intended to provide for the development of the Golden Ocala World Equestrian Center, a regional attraction consisting of equestrian-related improvements (including indoor and outdoor arenas, barns, show rings, etc.) and other improvements to support the horse community and community in general. This designation also allows for commercial uses (including retail, hotel, office, community uses and business opportunities), recreational uses, residential uses, recreational vehicle parks ("RVP") and mixed uses. Any commercial uses on World Equestrian Center ("WEC") designated lands in the Rural Area (i.e., outside the UGB) shall be limited to equestrian-related uses associated with the World Equestrian Center. Any hotels or other commercial uses that are not permitted in the Rural Lands Future Land Use designation shall be prohibited on WEC-designated lands in the Rural Area (i.e., outside the UGB). As used herein, the term "equestrian-related use" shall mean a land use that is principally rural and equestrian in character and associated with and supportive of equestrian sports. Examples of equestrian-related uses include polo fields, equestrian arenas, equestrian instruction facilities, veterinary clinics, farriers (non-mobile), stables and barns, and feed stores and tack shops. Any and all accessory uses to equestrian-related uses shall be directly ancillary and incidental to such equestrian related use and shall be located on the same lot or parcel as the principal equestrian-related use. The maximum density for residential uses (i) within the Urban Area shall be four (4) dwelling units per one (1) gross acre; and (ii) within the Rural Area shall be one (1) dwelling unit per ten (10) gross acres. The maximum intensity for non-residential uses (i) within the Urban Area (inside the UGB) shall be a Floor Area Ratio of 0.5, as further defined by the LDC; and (ii) within the Rural Area (outside the UGB) shall be a Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation is allowed in the Urban and Rural Area and is limited to the lands described in Exhibit "C" (as may be subsequently amended), and all lands subject to this land use designation shall be developed under a single-unified ~~Planned Unit Development (PUD)~~ zoning district classification on and over the Exhibit "C" land, consistent with Marion County's ~~Land Development Code (LDC)~~.

Policy 2.1.29 Commercial Recreation

This land use classification provides for low-intensity outdoor recreational uses and accessory facilities owned and/or operated by private or non-profit entities for commercial tourism purposes.

- a. General permitted uses: include outdoor recreational facilities such as fish camps, campgrounds, marinas, and similar uses not listed above.
- b. Minimum Required Open Space: at least 60% of the site shall be open space. The intent of this land use category is to preserve as much of the natural existing native vegetation as feasible.
- c. Maximum Impervious Surface Ratio: 0.40

Future Land Use Element Table 2-1: Summary of Future Land Use Designations*

FLU	DENSITY	FAR	USES
RURAL AREAS (Outside UGB)			
AGRICULTURAL USES			
Rural Land (RL)	0 – 1 du/10 ac	N/A	Agriculture, residences associated with agriculture, or Conservation.
NON-RESIDENTIAL / MIXED USES			
Rural Activity Center (RAC)	0 - 2 du/ac	0 – 0.35	Office, Commercial, Public, Recreation, Residential
URBAN AREAS (Inside and Outside UGB)			
RESIDENTIAL USES			
Low Residential (LR)	0 - 1 du/ac	N/A	Residential, Public, Recreation, Conservation
Medium Residential (MR)	1 – 4 du/ac	N/A	Residential, Public, Recreation, Conservation
High Residential (HR)	4 - 8 du/ac	N/A	Residential, Public, Recreation, Conservation
Urban Residential (UR)	8 - 16 du/ac	N/A	Residential, Public, Recreation, Conservation, Commercial (accessory)
NON-RESIDENTIAL / MIXED USES			
Commercial (COM)	0 – 8 du/ac	0 – 1.0	Office, Commercial, Public, Recreation, Residential, Campgrounds, Recreational Vehicle Park (RVP)
Employment Center (EC)	0 - 16 du/ac	0 – 2.0	Office, Commercial, Industrial, Public, Recreation, Residential, Campgrounds, RVP
Commerce District (CD)	N/A	0 – 2.0	Office, Commercial, Industrial, Public
Commercial Recreation	<u>N/A</u>	<u>0 – 0.35</u>	<u>Campgrounds, fish camps, marinas</u>
ALLOWED IN RURAL AND URBAN AREAS (Inside or Outside UGB)			
NON-RESIDENTIAL / MIXED USES			
Public (P)	N/A	0 – 1.0	Public, Office, Commercial, Recreation, Golf Course
Preservation (PR)	N/A	N/A	Preservation, Conservation
Municipality (M)	N/A	N/A	Municipality
World Equestrian Center (WEC)**	<i>Rural Area (Outside UGB)</i>		
	0-1 du/10 ac (Rural Area)	0 – 0.35 for Rural Areas (outside the UGB)	Residential, World Equestrian Center with equestrian-related uses per FLUE Policy 2.1.28

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	<i>Urban Area (Inside UGB)</i>		
	0-4 du/ac (Urban Area)	0 - 0.50 for Urban Areas (inside the UGB)	World Equestrian Center, Office, Commercial, Public, Recreation, Residential, Recreational Vehicle Park (RVP)

NOTE:

* Existing Future Land Use designations that do not comply with the table above are either properties that were recognized by the prior Comprehensive Plan or may be the creation of a new Urban or Rural Area, as further defined in this and other elements of this Plan.

** Lower densities may be allowed as applicable to a specific parcel and included in Policy 10.5.1 or as further defined in other elements of this plan.

OBJECTIVE 2.2: DENSITY REQUIREMENTS IN ENVIRONMENTALLY SENSITIVE AREAS

Marion County shall specify the land use and density allowed in wetlands, floodplains, contiguous uplands of lakes and rivers, and other environmentally sensitive areas as follows, consistent with this Plan and as further defined in the LDC:

Policy 2.2.1: Wetlands

For areas designated as Urban Area on the [Future Land Use Map](#) ~~FLUM~~ that are wetlands the base density shall be one (1) unit per five (5) acres.

Policy 2.2.2: 100-Year Flood Plain

For areas designated as Urban Area on the Future Land Use Map that are within 100-year flood plain, the base density shall be one (1) unit per acre.

Policy 2.2.3: Uplands Adjacent to Waterbodies

For areas that are contiguous uplands of lakes, rivers, and other water bodies, ~~as designated shown~~ on the ~~Future Land Use Map~~ ~~FLUM~~, densities in these areas shall be at no more than two (2) dwelling units per gross acre if ~~aerobic-enhanced~~ septic systems are used and no more than one (1) dwelling unit per gross acre if conventional septic systems are used, ~~in compliance with F.S 381.0065 and 373.811~~. In upland areas where central wastewater systems are available and utilized, density may be at the density allowed by the underlying land use category.

Policy 2.2.4: Aggregation of Parcels in Wetlands & 100-Year Flood Plain: Contiguous parcels of record under common ownership shall be considered in the aggregate and shall be required to aggregate to meet the wetland or floodplain density requirements.

GOAL 3: PRIORITY DEVELOPMENT AREA(S)

To direct new development and redevelopment activities to appropriate areas of the County in order to provide the necessary public facility and service infrastructure in a cost-effective and efficient manner.

OBJECTIVE 3.1: URBAN GROWTH BOUNDARY ~~(UGB)~~

To establish ~~one or more boundaries~~ a boundary that clearly identifies Urban Areas where long-term capital improvements shall be directed to create compact and efficient development patterns and allow for sufficient growth opportunities to maintain the County's long-term viability.

Policy 3.1.1: Establishment of UGB

The County FLUM Series, ~~Map #1~~, *Marion County 2045 Future Land Use Map*, designates an UGB that reinforces the preferred land use patterns of Marion County through policies ~~that are~~ designed to effectively discourage the proliferation of urban sprawl. The establishment and maintenance of the UGB shall be accomplished through the following standards:

1. The UGB shall encompass a sufficient supply of urban designated land to support projected demand for the horizon of the plan, less the supply generated from vested subdivisions (Development of Regional Impact (DRIs), Florida Quality Developments (FQDs), etc.) and Rural Land
2. All new development and redevelopment within the UGB shall be served by central water and wastewater, whether it is provided by the eCounty, municipality, or private provider;
3. All land contained within an UGB delineated on the Future Land Use Map FLUM shall be treated as one single urban area for the purposes of these policies;
4. Any parcel of land that overlaps into the UGB by more than 50% by area shall be considered inside the Boundary. ~~Likewise Similarly~~, any parcel that overlaps the UGB by 50% or less shall be considered outside the Boundary;
5. The County shall conduct a review at least every seven (7) years to assess the need to modify the UGB and evaluate the need for public facilities and services within the UGB; and
6. The County shall encourage development to be concentrated within the UGB.

Policy 3.1.2: Planning Principles within UGB

The County shall implement long-term planning principles to guide the creation of land use policy and development regulations within the County, which shall be implemented through the policies contained in the County Comprehensive Plan and as further defined in the LDC. These principles shall include:

1. Preserve open space, natural beauty and critical environmental areas.
2. Allow for a mix of land uses to create compact residential, commercial, and employment hubs.
- ~~3. Strengthen and direct development towards existing communities and development.~~
- ~~4.3.~~ Encourage compact and mixed-use building design.
- ~~5.4.~~ Foster Encourage and ~~incentivize~~ distinctive, attractive communities with a strong sense of place as described in the County's Vision Statement.
- ~~6.5.~~ Create walkable and linked-interconnected neighborhoods and related support services.
- ~~7.6.~~ Create a range of diverse housing opportunities and choices.
- ~~8.7.~~ Provide a variety of transportation choices.

~~9-8.~~ Encourage community and stakeholder collaboration.

~~10.~~ Make development decisions predictable, fair and cost-effective

~~11.~~ Encourage interconnected development, multi-modal transportation opportunities, links to the surrounding neighborhoods, and alternative transportation routes.

~~12-9.~~ Establish priority areas for public facility and service infrastructure.

Policy 3.1.3: Protection of Rural Lands Outside the UGB

The County may require additional buffering or setback requirements for new developments which are inside and adjacent to the UGB to protect existing adjacent rural development outside of the UGB as further defined in the LDC.

Policy 3.1.34: Modification of UGB

The County finds that the development rights assigned within this Plan and the development forms allowed by this Plan provide adequate development opportunities within and outside the UGB. ~~To~~ In order for the Board to modify the UGB the following standards must be affirmatively met:

1. **Market Demand:** An analysis of the requested expansion or reduction of the UGB shall be provided to show why a change in development form is required to accommodate the population, housing or employment needs of the County projected over the planning horizon of this Plan or adjustments that may be needed due to market conditions.
2. **Contiguity to Existing Urban Development Patterns:** It must be demonstrated that the expansion area is contiguous to existing urban patterns of development.
3. **Availability of Urban Infrastructure:** A projection of requirements for public facilities and services must be completed and the ability to provide those facilities and services to serve the proposed development through private or public means shall be demonstrated.
4. **Compatibility:** An evaluation of existing land uses and environmentally sensitive areas within the expansion area must be completed. Appropriate policies shall be written and adopted into this Plan to provide appropriate protections for the transition of land uses adjacent to rural development, to provide for non-interference with agricultural or conservation activities, and to provide for protection of environmentally sensitive lands.
5. **Urban Sprawl:** It must be demonstrated that the expansion area and development within it will discourage urban sprawl.
6. **Water Supply:** It must be demonstrated that there is available water supply for the proposed expansion area.

Policy 3.1.45: Rural Area Outside of UGB

The lands outside of the UGB shall generally be referred to as the Rural Area and development in this area shall be guided by the following principles and as further defined in the LDC:

1. Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
2. Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area.
3. Establish a framework for appropriate future opportunities and development options including standards that address the timing of future development.
4. Create a focused strategy for the regulation of mining and resource extraction activity.

5. Allow for new Rural Land and Rural Activity Center Future Land Use designations with a Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the LDC.

5.6. Promote agritourism to incentivize the continued operation of agricultural activities and to generate rural employment opportunities.

Policy 3.1.56: Urban Areas Outside of UGB

The County shall maintain existing Future Land Use designations that have been previously adopted that are outside of the UGB to recognize vested development rights. Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan Amendment, analysis to demonstrate the potential need for the creation of such new Urban Areas, and other appropriate documentation in accordance with Policy 3.1.34. It shall not be necessary to modify the UGB to expand or create Urban Areas outside the UGB unless the expansion or creation of the new urban area is within the FPA.

OBJECTIVE 3.2: PLANNED SERVICE AREAS—THIS WILL BE UPDATED AT A LATER DATE

By June 30, 2022, Planned Service Areas ~~PSA~~ shall be established on the Future Land Use Map ~~FLUM~~ series to promote the efficient and cost-effective development of utility services and to discourage urban sprawl.

1. The County shall develop PSA's within certain areas designated for higher density development and establish priorities for extension of services to each area.
2. Represents designated areas where regional utility service (water and sewer) will be available. Development is encouraged in the PSA because of the availability or future availability of infrastructure to accommodate development.
- ~~3. Higher density development is permitted and encouraged within the PSA.~~
- ~~4.3.~~ The county shall not subsidize development beyond the boundaries of the Planned Service Area. ~~PSA.~~
- ~~5.4.~~ New development proposed in the PSA shall be allowed only when central water and sewer are provided.

Policy 3.2.1: Incentive Programs

The County will create incentives to make development within the PSA desirable and cost affordable. Such incentives may include but are not limited to expedited review processes, retrofitting existing development, increased density bonuses, tax incentives, impact fee structuring and pre-zoning of vacant, underutilized lands to achieve planned densities.

Policy 3.2.2 Limitation on the Extension of Central Utilities

The County shall limit the extension of central potable water and sanitary sewer service outside of the UGB and PSAs except (a) where existing urban densities (e.g. subdivisions) were constructed without central water and sewer, and for which the County determines the provision of central utilities is desirable to promote water conservation or aquifer and springs protection or (b) to connect to an existing urban area. Extension of centralized water or sewer systems outside of the Urban Growth Boundary ~~UGB~~ or Planned Service Areas ~~PSA~~ in order to provide services to existing urban areas or redundancy in the system shall not be construed as justification for increased densities or intensities adjacent to such systems, or otherwise outside of the Urban Growth Boundary ~~UGB~~.

Policy 3.2.3 Periodic Review

The County will review and update PSAs based on capital improvement plans at least one time every five years.

OBJECTIVE 3.3: FARMLAND PRESERVATION AREA

The Farmland Preservation ~~a~~Area (FPA) is intended to encourage preservation of agriculture as a viable use of lands and an asset of Marion County's economy and to protect the rural character of the area. Planning principles within this area are designed to protect significant natural resources, including prime farmland and locally important soils as defined by the United States Department of Agriculture and unique karst geology that provides high recharge to the Floridan Aquifer, a key source of freshwater for central Florida. The County establishes this area as critical to the enhancement and preservation of its designation as the Horse Capital of the World.

Policy 3.3.1 Elements of Rural Character in the Farmland Preservation Area

The County shall preserve and protect rural and equestrian/agricultural character within the Rural Lands, specifically the ~~Farmland Preservation Area~~FPA, by requiring that all appropriate future development activities within this Area preserve, support, and enhance the fundamental elements of rural character set forth below, and further requiring that all Zoning Changes and Special Use Permits within the ~~Farmland Preservation Area~~FPA be consistent with and preserve, protect, support, and enhance the rural, equestrian, and farmland character of the ~~Farmland Preservation Area~~FPA. The fundamental elements of rural character include the following:

1. *Scenic Views*: The viewshed of arterial and collector roadways in the Rural Area shall be protected from land clearing and other visual intrusions associated with development; such protections, however, shall not restrict the fundamental agricultural uses permitted within this Area.
2. *Open Space Protection*: Residential development options shall include incentives to promote the protection of open spaces as further regulated through the LDC.
3. *Rural Lighting*: In order to preserve the rural character of the area, artificial illuminating devices, emission of undesirable rays into the night sky, glare to oncoming traffic and intrusion of light onto adjacent properties shall be prevented to the greatest extent possible, as further defined in the LDC.
4. *Transportation*: Roadway design within the Rural Area shall be consistent with the principles of context sensitive design, which considers the relationship of land uses and all aspects of roadway design, including speed, travel lane width, access management, and landscaping. Where feasible, expansion or alteration of existing roadway corridors, including State Facilities, will be the preferred method to meet long-range transportation needs. New transportation corridors intended to be used specifically for the construction of expressways or limited access roadways within the ~~Farmland Preservation Area~~FPA shall be developed in such a way as to avoid negative impacts to vital farmlands, key environmental areas, and valuable open space so that transportation and land use are compatible with the rural character of the area. The development of any such corridor shall be closely coordinated with the Board ~~of County Commissioners~~ and County Staff.
5. *Infrastructure*: Other infrastructure including water and sewer utilities and stormwater facilities within the Rural Area shall reflect a rural level of service and shall not be modified to the point that it encourages or allows for urban development.

5.6.Equestrian/Agriculture: In order to support the sustainability of equestrian/agricultural uses, agritourism should be encouraged as an alternative to conversion to non-equestrian/non-agricultural uses.

Policy 3.3.2: Density Limitations within FPA

The County shall implement and maintain density intensity increases within the FPA as follows:

1. Hamlet and Cluster Density Bonus developments shall not be permitted within the FPA.
2. Density and Intensity Averaging Allowance shall not be permitted within the FPA.
3. Family Division of properties with a minimum of one (1) dwelling unit per three (3) gross acres shall be permitted as allowed in this element and as further defined in the LDC.

Policy 3.3.3 Establishment of Sending Areas

The FPA is an area that automatically qualifies properties designated Rural Land as being within the Transfer of Development Rights (TDR) Sending Area due to the concentration of agricultural activities and designated locally important and prime farmland areas as further defined in Goal 9 below and the LDC.

Policy 3.3.4 Standards for Amending the Farmland Preservation Area

Any Comprehensive Plan ~~a~~A~~mendment~~ that would increase development intensity or density within the FPA, or that would remove one or more parcels from the FPA, shall be required to be accompanied by a concurrent Comprehensive Plan ~~a~~A~~mendment~~ to extend the ~~Urban Growth Boundary UGB, or create a new Urban Growth Boundary,~~ to include the parcel(s) under consideration. ~~—~~Comprehensive Plan ~~a~~A~~mendments~~ to expand existing Rural Activity Centers are exempted from this requirement if the Rural Activity Center and the proposed amendment comply with the size, density, and other requirements set forth in Policy 2.1.19.

GOAL 4: IMPLEMENTATION OF THE COMPREHENSIVE PLAN

To enable the public to know and understand how the County will implement the goals, objectives, and policies of the Comprehensive Plan.

OBJECTIVE 4.1: ADMINISTRATION OF THE COMPREHENSIVE PLAN

The County shall administer and interpret the Comprehensive Plan, Zoning, and LDC and resolve issues that may arise during the development review process in a cost-effective, efficient, and timely manner in order to reduce barriers that may unnecessarily discourage economic development activities.

Policy 4.1.1: Consistency between Comprehensive Plan, Zoning, and LDC

The County shall amend and maintain an official land use and zoning map, appropriate land use designations and zoning classifications, and supporting LDC that shall be consistent with each other.

Policy 4.1.2: Conflicts between Comprehensive Plan, Zoning, and LDC

The Comprehensive Plan shall be the governing document. In the event of conflict between the Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has developed a process to allow a variance or waiver of the regulation where a conflict in regulations occurs in accordance ~~with~~ the Comprehensive Plan, Zoning, or LDC.

Policy 4.1.3: Interpretation of Boundaries for the Comprehensive Plan

Whenever possible, Comprehensive Plan boundaries shall be interpreted as coinciding with manmade boundaries, such as rights-of-way lines, property lines, section lines, or with natural boundaries such as water bodies in effect at the time of establishment. ~~In the event that~~ if any Comprehensive Plan boundary shown on the FLUM cannot be determined to coincide with any such boundary, the affected party may request an official interpretation from the Growth Services Director or ~~his~~ designee; these interpretations may be appealed to the Board ~~of County Commissioners~~ whose decision shall be final.

Policy 4.1.4: Select Uses or Activities with Special Requirements

The County shall implement and maintain an LDC that identifies special requirements for select uses and activities, based on issues that may potentially impact the surrounding area and/or environmentally sensitive areas.

Policy 4.1.5: Review of Development and Building Permits

The County shall review all development and building permits during the development review process to ensure that new development or redevelopment is consistent and complies with all requirements of the Comprehensive Plan, Zoning, and LDC prior to issuing final approval for development within the County.

Policy 4.1.6: Inapplicability of Policy 2.1.11 to the On Top of the World Development of Regional Impact, Circle Square Woods Vested Development of Regional Impact and Golden Ocala Development Order.

Policy 2.1.11 (Protection of Rural Neighborhoods) shall not apply to the following properties, including any development orders and permits issued for development within the properties:

1. The On Top of the World Development of Regional Impact ("OTOW DRI"), which is governed by the OTOW DRI Amended and Restated Development Order, as amended by Marion County on November 20, 2018, and as may be amended from time to time in the future ("ARDO").
2. The Circle Square Woods Binding Letter of Interpretation for Modification to a Development of Regional Impact with Vested Rights, as amended by Marion County on November 20, 2018 and as may be amended from time to time in the future (BLIM).
3. Marion County Ordinance No. 17-28 adopted by the Marion County Board of County Commissioners on October 17, 2017, as supplemented by the Settlement Agreement Concerning Golden Ocala Approvals dated February 20, 2018, as may be amended from time to time in the future ('collectively the Golden Ocala Development Order').

In the event of a conflict between Policy 2.1.11 of the Comprehensive Plan and the ARDO, the BLIM or the Golden Ocala Development Order, the ARDO, BLIM or Golden Ocala Development Order, as applicable, shall be deemed to prevail.

GOAL 5: CHANGING THE DEVELOPMENT REGULATIONS

To identify criteria and documentation necessary for the County to evaluate and make recommendations on requested changes to the County's development regulations and process for reviewing and approving requested changes

OBJECTIVE 5.1: COMPREHENSIVE PLAN AND ZONING CHANGES

To identify criteria and documentation necessary for the County to evaluate requested changes to following development regulations: Comprehensive Plan policies, ~~Future Land Use Map~~FLUM, and FLUM Series, ~~and~~ Zoning Changes (ZC) and Special Use Permits (SUPs).

Policy 5.1.1: Application Requirements

The County shall require an application with sufficient details of a request ~~for an amendment to~~ amend the Comprehensive Plan and the Official Zoning Map, consistent with Chapter 163, F.S., the Comprehensive Plan, Zoning, and LDC.

Policy 5.1.2: Review Criteria - Changes to Comprehensive Plan and Zoning

Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review, and make a determination that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

1. ~~Market demand and~~ Justification for the necessity ~~for of~~ the change;
2. Availability and potential need for improvements to public or private facilities and services;
3. Allocation and distribution of land uses and the creation of mixed use areas;
4. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
5. Agricultural activities and rural character of the area;
- ~~76.~~ 76. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
- ~~87.~~ 87. Consistency with the UGB;
- ~~98.~~ 98. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
- ~~109.~~ 109. Compatibility with current uses and land uses in the surrounding area;
- ~~110.~~ 110. Water Supply and Alternative Water Supply needs; and
- ~~112.~~ 112. Concurrency requirements.

~~Policy 5.1.3: Planning & Zoning Commission (P&Z)~~

~~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 of this advisory board.~~

~~Ex-officio members shall be appointed to the commission consistent with Florida Statutes and other members may be appointed as the County Commissioners deem suitable, such as: Marion County School Board, U.S. Military, Department of Health, and Public Safety (Fire, EMS, Sheriff)~~

~~Policy 5.1.4: Notice of Public Hearings~~

~~The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.~~

GOAL 6: PUBLIC INFRASTRUCTURE PLANNING

The County shall implement and maintain short (10 years) and long-term (at least 20 years) strategies in collaboration with other local, state, and federal agencies in order to provide public infrastructure to meet the population growth and economic developments needs throughout the County.

OBJECTIVE 6.1: COORDINATION OF PUBLIC FACILITIES AND SERVICES

To ensure the provision of public facilities and services in a timely, efficient, and cost-effective manner, that is in coordination with this element. These policies are general summaries of the requirements, which are further specified in their respective elements and the ~~Capital~~ Improvements ~~Element~~.

Policy 6.1.1: Public Facilities Guidelines

The County shall locate public facilities and services ~~so as~~ to maximize the efficiency of services provided as well as ~~and~~ minimize their cost, impacts on the natural environment and resources, and surrounding uses and land uses.

Policy 6.1.2: Concurrency of Services

The County shall require that the development of land be timed and staged in conjunction with the provision of supporting public facilities and services to meet ~~the~~ community needs, consistent with this Plan and LDC.

Policy 6.1.3: Central Water and Wastewater Service

The County shall require development within the UGB, Urban Areas, and other developments consistent with this Plan and as required in the LDC to use central water and wastewater. Central water and wastewater treatment facilities shall be constructed in accordance with the Wastewater and Potable Water Elements of this Plan and as further defined in the LDC.

Policy 6.1.4: Private Water and Wastewater Service

The County shall not prohibit the provisions of potable water, septic tanks and other wastewater treatment facilities by private developers as allowed and regulated in the LDC.

Policy 6.1.5: Individual Water and Wastewater Service

The County shall require that all development in areas not providing public water and wastewater services shall utilize individual well and on-site treatment and disposal (OSTDS) facilities in accordance with state law, this Plan, and as further defined in the LDC. ~~Within the UGB, where centralized wastewater is not available and individual OSTDS are utilized, they shall be located in the front yard or street side of all structures to allow for future connection to centralized wastewater when available, but exceptions may be granted due to conditions on the site.~~

Policy 6.1.6: Water Supply Plan

The County shall require that all development be able to demonstrate that there is sufficient water supply, including alternative water supplies if necessary, available to meet the needs of the proposed development, whether provided by public or private centralized utilities or private individual sources, consistent with the Southwest Florida Water Management District (SWFWMD), St. John's River Water Management District (SJRWMD), and Withlacoochee Regional Water Supply Authority (WRWSA) Regional Water Supply Plans (RWSP) and the County's Water Supply Plan (WSP), and other plans or entities that may be necessary for the provision of water for the County to meet the needs of existing and future residents and businesses.

Policy 6.1.7: Transportation Network

The County shall require all development to be designed to include an efficient system of internal circulation and address the impacts of development, including multi-modal transportation for surrounding areas and distribution of traffic flow in the transportation network within the eCounty. Individual lots shall be designed with access to the internal street system and utilize shared access where suitable.

Policy 6.1.8: Stormwater Run-off

The County shall require the developer/owner of any site to be responsible for the management of runoff in a manner so that post-development runoff rates and volumes do not exceed pre-development conditions consistent with this Plan and as further defined in the LDC.

Policy 6.1.9: Public Schools

The County ~~shall~~ should collaborate with the School Board and municipalities to ensure ~~there are~~ adequate school facilities throughout the eCounty to meet the education needs of the children within the community as further defined in the Interlocal Agreement for Public School Facilities. This policy shall not be construed so as to cause the Marion County School District to be in conflict with the State Requirements for Educational Facilities (SREF) in Chapter 1013, F.S., or the Stipulated Agreement regarding school desegregation between the Marion County School Board and the U.S. Department of Justice.

Policy 6.1.10: Confirmation of Availability of Services

The County shall require developers to assess their needs regarding essential services (electric, gas, etc.) and seek confirmation of future availability from appropriate utility suppliers. Confirmation shall be provided by the utility to the County during the development review process, ~~but no later than the prior to~~ issuance of a development order.

Policy 6.1.11: Location of Public Facilities and Services

Public facilities and services needed to provide essential service to existing and future development shall be allowed ~~in all land use designations with~~within the appropriate Zoning classification or by SUP, as further defined in the LDC.

Policy 6.1.12: Coordination with Other Entities

The County shall coordinate long-term planning efforts for public facilities and services with the municipalities, private service providers, and other entities within the ~~e~~County that may provide similar services or participate in the process to meet the needs of the community.

Policy 6.1.13: Capital Improvements Program

The County shall implement and maintain a Capital Improvements Program for public facilities and services, as further defined in the Capital Improvements Element of this Plan.

GOAL 7: OVERLAY ZONES AND SPECIAL AREAS

The County shall utilize overlay zones and special areas to identify unique spaces which that require additional development regulations to maintain and protect their unique characteristics or purposes. Each zone or area is described with its respective regulations, and sites may be subject to multiple zones and/or areas. The land use designation and/or Zoning classification for any site remains undisturbed by the creation of a zone or area, but may require enhanced development standards than those that would otherwise apply.

OBJECTIVE 7.1: AIRPORT OVERLAY ZONE (AOZ)

To ensure compatibility of uses adjacent to and allow the continued operations of public airports in accordance with Chapter 163 and 333, FS.

Policy 7.1.1: Establishment of AOZ

The AOZ shall be established as an overlay around publicly owned major airports within the county and shall address the following criteria, including but not limited to, and as further defined in the LDC:

1. Obstructions due to building or other structure height.
2. Noise, odor, animal congregation, and other nuisances
3. Runway clearance zones at the ends of and extended beyond the runways

Policy 7.1.2: Airport Master Plans in AOZ

Each public airport shall have a plan for the proposed uses of the airport, as adopted in the Transportation Element and Maps.

OBJECTIVE 7.2: ENVIRONMENTALLY SENSITIVE OVERLAY ZONE (ESOZ)

To provide a focused effort for the protection of surface waters by improving stormwater quality by better managing stormwater run-off due to development activities.

Policy 7.2.1: Establishment of ESOZ

The County shall regulate intensity of development where environmentally sensitive lands may be subject to the adverse impacts of development or where a specific natural feature or area requires protection. The ESOZ shall be established as an overlay around those areas of the county as adopted in the FLUM Series, [Map #11-ESOZ](#), ~~as and~~ further defined in the LDC. The following ~~are is~~ a list of areas included in the ESOZ:

1. **Waterbodies**
 - a. **Springs** – Silver and Rainbow Springs
 - b. **Lakes** – At least 200 acres or larger, as further identified in the LDC
 - c. **Spring Runs** – Silver, Rainbow, Salt, Glen, and Juniper Springs
 - d. **Rivers and Streams** – 500 feet landward of the water/wetland edge of perennial wetlands and primary tributaries, as further identified in the LDC
2. **Silver River State Park** - The ESOZ shall include the entire Silver River State Park property.

Policy 7.2.2: Permitted Uses

~~To ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities, the County shall implement and maintain a regulations in the LDC to identify for permitted and special uses, to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.~~

Policy 7.2.3: Required Site Analysis

The County shall require a site analysis of soil conditions, geologic characteristics, topographic relief, stormwater run-off, identification of existing natural systems on the site, and other pertinent site characteristics to identify the effects of any proposed development or any changes to existing development that increase density or intensity of use as part of the development review process. Additional requirements ~~shall may~~ be required for development that is in excess of forty (40) acres, consists of twenty (20) or more residential units, involves non-residential development, occurs on property with water frontage, or additional information is requested by another local, state, or federal agency, for which the applicant shall comply with such requests prior to approval from the County.

Policy 7.2.4: Buffer and Setback Requirements

~~In order to~~To retain vegetated buffers and adequate setbacks to control erosion and sedimentation into a lake, river, spring, spring run, stream, karst features, and wetlands and thereby protect water quality, promote proper function of septic systems, attenuate flood waters, lessen effects of strong winds, provide privacy, enhance views, and reduce noise and buffers.

1. Karst Topography/Features:

Buffer and setback requirements shall be established based on criteria and standards in Policies 8.2.8 and 8.2.9 of this element, and as further defined in the LDC.

2. Water Boundary Setback Line:

Buffer and setback requirements below shall be applied landward from the water boundary setback line, as further defined in the LDC.

Policy 7.2.5: Protection of Littoral Zone Vegetation

The County shall require the protection of the littoral zone vegetation to limit shoreline erosion and ~~limit~~ potential adverse water quality impacts due to development consistent with [Florida Department of Environmental Protection](#) (FDEP) and Florida Fish and Wildlife [Conservation Commission](#) (FWC) requirements. Protection of such areas is the responsibility of the property owner, and shall be identified on approved site plans.

Policy 7.2.6: Stormwater Management

Optimum design of a stormwater management system shall mimic and use the features and functions of natural drainage systems, such as: natural drainage ways, depressions, wetlands, floodplains, highly permeable soils, and vegetation. The use of swales, berms, or detention/retention areas will be required when necessary to prevent direct flow of stormwater runoff to a receiving water body.

Policy 7.2.7: Development within the Flood Plain [within the ESOZ](#)

In order to reduce flooding potential for property developed in the ESOZ, the following requirements shall be implemented for development within the flood plain:

1. **Structures** – All structures within the flood plain shall be developed consistent with Policy 7.3.4 of this element.
2. **Compensatory [Floodplain Storage](#):** One to one compensatory [volume](#) storage [for any floodplain impacts or encroachment](#) is required.
3. **Sewage:** No sewage effluent disposal [or OSTDS](#) shall be permitted within the 100-year floodplain.
4. **Density:** Density shall not exceed one dwelling unit per acre.
5. **Clearing of Vegetation:** Clearing vegetation within the 100-year flood plain shall be consistent with Objective 7.2 and 7.3 and their policies in this element.

Policy 7.2.8: Centralized Utilities

Central wastewater facilities shall be the preferred method of wastewater treatment for all development in an ESOZ [and further regulated by the LDC](#). If publicly or privately owned central wastewater facilities are available within a quarter mile of the property line of a development project, then all development within that project will be required to hook up to the central wastewater system.

Where regional and sub-regional centralized wastewater facilities are not available, alternative wastewater facilities, including package plants and community cluster systems, may be used. The County shall establish criteria in its LDC for determining when connection to an existing centralized facility is required, and when construction of an alternative wastewater facility may be permitted. Consideration shall be given to such factors as project type, size, density, location and other relevant factors. All new and expanded facilities shall comply with the treatment and disposal standards established pursuant to Policy 1.6.1 of the Wastewater Element.

Policy 7.2.9: On-Site Treatment Disposal Systems (OSTDS)

On-site sewage disposal systems (OSTDS), including aerobic and anaerobic systems, which will create an effluent quality comparable to that from a central wastewater treatment system or treatment systems to remove nutrients to be determined by site conditions and density may be allowed when built to County specifications and where density requirements are met.

1. **Enhanced Septic System Requirements:** Within [Basin Management Action Plan areas](#), Springs Protection Areas, and where site conditions, such as, slope, soil conditions, infiltration rates, or natural drainage features so require, enhanced septic systems may be required. These system modifications can include, but are not limited to: lift pumps to remove effluent farther from the high-water line to a safe upland treatment and disposal site, effluent sand filters, and aerobic systems.
2. **Placement of OSTDS:** All septic tanks and drainfields shall be located in the front yard or street side of all structures to allow for future connection to centralized wastewater when available, but exceptions may be granted due to conditions on the site. [Placement of the OSTDS is further regulated in the LDC.](#)
3. **Variance for OSTDS:** A variance may be requested for existing parcels, which are too small to allow for a residential dwelling or when replacement of an existing septic systems fails [to meet the LDC or the F.A.C.](#), and the requirements of this policy cannot be met. The setback and buffer requirements may be reduced proportionately with the parcel dimensions, as further defined in the LDC.

Policy 7.2.10: Density and Intensity Limitations

In order to limit stormwater flow and discharge from septic tanks, which pose a threat to groundwater and surface water quality through discharges that contain pathogens, toxic materials, phosphorous and nitrogen, which can increase eutrophication in surface waters and contaminate groundwater, density restrictions will ensure adequate assimilation and dilution of the contaminants to acceptable concentrations. Density shall be determined by the lesser of the Future Land Use designation or other density restrictions as further stated within this policy, based on the utilization of central or non-centralized water and sewer systems, including use of OSTDS, to meet the development standards within the ESOZ.

1. **Centralized Utilities Available:** Where central wastewater systems are available and utilized, density may be at that of the underlying land use category, except for the ESOZ around Lake Weir as follows:
 - a. **Three (3) Dwelling Units per One (1) Gross Acre:** Within the ESOZ and the road network surrounding Lake Weir comprised of County Road 25, Sunset Harbor Road, Southeast 105th Avenue, Southeast 100th Avenue, SE 132nd Place, and Southeast 115th Avenue or one thousand (1,000) feet from the mean annual water line of Lake Weir, whichever is farther from Lake Weir.
 - b. **Four (4) Dwelling Units per One (1) Gross Acre:** Within the ESOZ and beyond the road network described above or one thousand (1,000) feet from the mean annual water line of Lake Weir.
2. **OSTDS are Available:** Density of the development is allowed as follows, until such time as centralized water and wastewater are available for development:
 - a. **Within One-Thousand (1,000) feet of a Waterbody:** The maximum density shall be one dwelling unit per gross acre when a conventional or aerobic septic system with on-site secondary sewage treatment such as rapid sand filters and enhanced drainfields are utilized.

- b. **Beyond 1,000 feet from a Waterbody and within the ESOZ:** A maximum of two dwelling units per gross acre will be allowed when appropriate septic systems, either enhanced conventional or enhanced aerobic are utilized.
- c. **Stressed Waterbodies:** Densities, intensities of use, or rate of development may be reduced in areas where bodies of water are under stress. The Trophic State Index (TSI) shall be used as a means for indicating the stress from nutrient loading placed upon a water body. When the TSI number increases by ten (10) points in two (2) years, it shall be presumed that this water body is under stress due to excess nutrient loading.
- d. **Lake Weir:** For the Urban Area and Rural Area surrounding Lake Weir that are within the ESOZ, the following density standards shall apply:
 - (1) **Urban Area / Uses**
 - (a) **One (1) Dwelling Unit per Two (2) Gross Acres:** Within the ESOZ and the road network surrounding Lake Weir comprised of County Road 25, Sunset Harbor Road, Southeast 105th Avenue, Southeast 100th Avenue, SE 132nd Place, and Southeast 115th Avenue or one thousand (1,000) feet from the mean annual water line of Lake Weir, whichever is farther from Lake Weir, the allowable density shall be one dwelling unit per two (2) gross acres when a conventional or aerobic septic system with on-site secondary sewage treatment such as rapid sand filters and enhanced drainfields are used.
 - (b) **One (1) Dwelling Unit per One (1) Gross Acre:** Within the ESOZ and beyond the road network described above or one thousand (1,000) feet from the mean annual water line of Lake Weir, the allowable density shall be one unit per gross acre when a conventional or aerobic septic system with on-site secondary sewage treatment such as rapid sand filters and enhanced drainfields are used.
 - (2) **Rural Area / Uses**

The density may be at that of the underlying land use category and clustering shall be encouraged, consistent with Policy 10.1.4 of this element.

Policy 7.2.11: Use of Best Management Practices (BMP)

The County shall require the implementation of Best Management Practices (BMPs) in the ESOZ to protect surface water from contamination due to silvicultural and agricultural activities on properties within the ESOZ, unless otherwise not required and consistent with Policy 8.1.9 of this element.

Policy 7.2.12: Waterfront Lot Tract Width

Waterfront lots within the ESOZ shall have a minimum tract width of 125 feet, but existing lots not meeting this requirement, as of January 1, 1992, are vested from this minimum tract width requirement.

OBJECTIVE 7.3: FLOOD PLAIN OVERLAY ZONE (FPOZ)

To reduce the exposure of people and property to flooding events.

Policy 7.3.1: Establishment of FPOZ / FEMA Flood Insurance Rate Maps (FIRM)

The County shall adopt by reference the Flood Insurance Study, ~~dated August 28, 2008~~, as amended, from the Federal Emergency Management Agency (FEMA) to implement the National Flood Insurance Program in the eCounty. These maps are adopted as part of the FLUM Series, Map #5: *Floodplains per 2008 FEMA Maps*.

Policy 7.3.2: Modification of FPOZ

The County shall update the flood plain zones based on map amendment revisions that are made due to FEMA map amendments due to requested changes or identification of errors, consistent with the requirements of Objective 7.3 and its policies of this element.

Policy 7.3.3: Protection of FPOZ

The County shall ~~implement and~~ maintain an LDC that requires the identification of the flood plain on any proposed development site prior to the issuance of a development order and addresses public health, safety, and welfare issues to prevent and reduce potential public and private losses due to flooding. Development may be limited within the floodplain in order to minimize property flood damage from a storm event. These restrictions and limitations shall include:

1. Uses and structures within the flood plains;
2. Land filling, grading, and clearing that may cause erosion or inhibit flood waters;
3. Development shall comply with the rules of the National Flood Insurance Program;
4. Septic systems shall comply with state law, the Florida Department of Health rules and other policies of this Plan and the LDC; and
5. Require all subdivisions and site plans to maintain pre-development run-off characteristics and provide compensating storage.

Policy 7.3.4: Structures in the FPOZ

The County shall require the finished floor of all structures to be elevated at least one (1) foot above the one percent (100-year) flood elevation, except for water-related and non-habitable accessory structures in accordance to and support of FEMA regulations, Title 44, Code of Federal Regulations (CFR) 60.1 and as further defined in the LDC.

OBJECTIVE 7.4: SPRINGS PROTECTION OVERLAY ZONE (SPOZ)

To provide an additional level of water quality protection for springs and groundwater throughout the ~~e~~CCounty by reducing and managing potential groundwater contamination for water supplies.

Policy 7.4.1: Establishment of SPOZ

The County established the boundaries of the SPOZ, which includes both a Primary and Secondary Springs Protection Zone (SPZ), as adopted in the FLUM Series, ~~Map #14~~ Springs Protection Overlay Zones (SPOZ).

1. **Primary SPZ:** The Primary SPZ shall be based on the 0 to 10 year recharge travel time
2. **Secondary SPZ:** The Secondary SPZ shall be the remainder of the county to provide additional protection to surface waterbodies and groundwater and provide protection of other Spring Primary SPZ until such time as the County or other entity completes studies of the remaining springs in the County.

Policy 7.4.2: Modification of SPOZ

The County may update the Primary and Secondary SPZ as additional studies are performed by the ~~e~~CCounty or other entities that demonstrate a need for additional protection standards for either the Silver Springs and Rainbow Springs, for which were the basis of the SPOZ, or other existing or new springs that may be identified.

Policy 7.4.3: Permitted Uses

The County shall ~~implement and~~ maintain an LDC to identify permitted and special uses to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.

Policy 7.4.4: Required Site Analysis

In addition to the ESOZ site analysis requirements of Policy 7.2.3 of this element, an assessment of the development impacts on recharge volume and groundwater quality, with emphasis on nitrogen, to assess whether additional measures are needed and can be provided to mitigate potential impacts shall be required for any new development that increases density or intensity of use within the Primary and Secondary SPZ, as applicable to the site.

Policy 7.4.5: Required Buffer Area

Buffer and setback requirements shall be established based on criteria and standards in Policies 8.2.8 and 8.2.9 of this element, and as further defined in the LDC.

Policy 7.4.6: Stormwater Management

Stormwater management systems within the SPOZ shall incorporate low-impact development principles, innovative technology to enhance removal and attenuation of nutrients and other pollutants, and sinkhole formation and contamination reduction methods to reduce surface water and groundwater contamination, as further implemented by other policies of this Plan and defined in the LDC.

Policy 7.4.7: Centralized Utilities

Central wastewater facilities shall be the preferred method of wastewater treatment for all development in an SPOZ in accordance to Policy 7.2.8 of this element and central water facilities shall be the preferred method of providing water supply.

Policy 7.4.8: On-Site Treatment Disposal Systems (OSTDS)

For development where connection to a regional, sub-regional, or alternative wastewater system is not required, then an OSTDS will be required. Within the Primary SPOZ, enhanced OSTDS able to reduce total nitrogen by a minimum of 65% is required if central sewer connection is not available. Where an area or parcel is included in an adopted five-year ~~e~~Capital ~~i~~Improvement ~~p~~Plan for provision of central wastewater, or otherwise included in an area prioritized for sewer expansion, an exception to use conventional OSTDS may be granted by the Board ~~of County Commissioners~~. Under this exception, connection will be required when sewer becomes available, as further defined in the LDC.

Policy 7.4.9: Use of Best Management Practices (BMP)

The County shall require the implementation of Best Management Practices (BMPs) in the SPOZ to protect groundwater quality from contamination due to silvicultural and agricultural activities on properties within the ~~ESOZ~~SPOZ, unless otherwise not required and consistent with Policy 8.1.9 of this element.

OBJECTIVE 7.5: MILITARY OPERATING AREA (MOA)

To ensure that future development within the adopted MOA will not negatively impact current and long-term use of the military installation, as listed in the OPNAVINST 3550.1 series, the County will promote health and welfare by limiting incompatible land uses, and allow compatible land uses within such areas.

Policy 7.5.1: Establishment of MOA

The MOA shall be established as an overlay for military installations and surrounding areas within the County in the following Sections, Townships, Ranges:

T11S, R24E, Sections 24 5-36;	T11S, R23E, Section 36;
T12S, R23E, Sections 1, 11-15, 22-28, 32-36;	T14S, R25E, all Sections;
T12S, R24E, all Sections;	T14S, R26E, all Sections;
T12S, R25E, all Sections;	T15S, R24E, Sections 1-3, 10-14, 24;
T13S, R23E, Sections 1- 5 , 7 -30, 32-36;	T15S, R25E, Sections 1-30, 32-36;
T13S, R24E, all Sections;	T15S, R26E, all Sections;
T13S, R25E, all Sections;	T15S, R261/2E, all Sections;
T13S, R26E, all Sections;	T16S, R25E, Sections 1-4, 9-16, 21-28, 33-36;
T14S, R23E, Sections 1-3, 11-13, 24 -25;	T16S, R26E, all Sections;
T14S, R24E, Sections 1-30, 32-36;	T17S, R25E, Sections 1-3, 12; and
	T17S, R26E, Sections 1-18, 20-27, 35-36.

Policy 7.5.2: Review of Development and Changes to MOA Regulations

The County shall enable input from relevant entities regarding the potential impact development may have to the operations of existing and future military installations within the County during the development review process as follows:

1. **Review and Comments on Development:** The County shall request comments from the appropriate Department of Defense or U.S. Navy officials for any proposed changes to the Comprehensive Plan, Zoning, LDC, building permits, and other requests that may adversely impact military facilities and operations. Applicants shall be required to address any issues that may arise that adversely impact the operations of military installations within the County.
2. **Ex-Officio Membership on Advisory Boards:** The Planning and Zoning Commission and the Land Development Regulation Commission shall include, as ex-officio members, appropriate Department of Defense or U.S. Navy representatives, to advise them regarding land use and zoning issues with the potential to impact military facilities and operations.

OBJECTIVE 7.6: WELLHEAD / WELLFIELD PROTECTION AREA (WHPA)

To protect public water supply wells from incompatible uses [and known sources of contamination](#).

Policy 7.6.1: Establishment of WHPA

Well/Wellhead Protection Area (WHPA) requirements for a qualified Community Water Systems (CWS), as defined by Chapter 62-521.200(1), FAC and operated by local governments, community or special districts, or private utility providers regulated by the Florida Public Service Commission (PSC), shall be maintained to provide protection of existing and proposed wells and from contamination for the design life of ~~a~~ the facility. When multiple wells are existing and/or suitably planned for future service, in lieu of a WHPA for each individual well, a wellfield protection area approach may be used provided the identified Wellfield Protection Area encompasses all existing and planned wells to be used by the qualified CWS. Qualified CWS WHPAs are defined and established as listed below and as adopted on the FLUM, [Series Map #2-Well & Wellhead Protection Area](#):

ZONE	Qualified Community Water System (CWS), Chapter 62-521.200(1), FAC (Municipal/Local Government, Community or Special District, FPSC Regulated Utility)
Primary	$\leq 100'$
Secondary	$> 100'$ to $\leq 500'$
Tertiary	$> 500'$ to $\leq 1,000'$

Policy 7.6.2: Zone Requirements

The County shall implement and maintain a LDC regarding the placement and establishment of new land uses and development for WHPAs, at a minimum consistent with Chapters 62-521, 62-532, 62-555.312, and 62-610.200, FAC, as amended.

Policy 7.6.3: Land Use and Development Tracking in WHPA

~~The~~ Marion County shall ~~implement and~~ maintain an LDC regarding land use and development ~~which that~~ requires the identification and designation of qualified CWS and WHPAs through development review processes, whether for new development or uses within existing WHPAs or new qualified CWS, which will establish corresponding WHPAs, as determined appropriate.

Policy 7.6.4: Identification and Designation of Wells in WHPA

The County shall coordinate with the appropriate local, regional, and state agencies to maintain a qualified CWS inventory using the best available data and providing information, including at a minimum, geographic location, capacity, service type, and owner, as well as other information deemed appropriate by the County.

GOAL 8: RESOURCE PROTECTION STRATEGIES

To protect the unique assets, character, and quality of life throughout the ~~e~~County, the County will implement and maintain appropriate strategies that minimize potential adverse impacts ~~to the surrounding area created~~ by development through the implementation of land use policies and ~~the~~ LDC.

OBJECTIVE 8.1: PROTECT AGRICULTURE, EQUESTRIAN, AND RURAL CHARACTER

To establish a framework for addressing development within the Rural Areas that will encourage the preservation of agriculture as a viable short- and long-term use of lands and as an asset of the County's economy, and that will provide clear, fair, and consistent standards for the review and evaluation of future development proposals.

Policy 8.1.1: Protection of Existing Residential Development

The County shall recognize existing residential development and require that new development address issues of compatibility through implementation and maintenance of the LDC that address ~~es density and intensity~~ impacts of new development to the surrounding area and uses.

Policy 8.1.2: Support Economic Viability of Agricultural Lands

The County shall preserve the economic viability of agricultural lands and prevent the premature conversion of these lands to other uses. Strategies to encourage protection and support the economic viability of such lands should include opportunities to promote agritourism.

Policy 8.1.3: Support Agricultural Production

Through the resources of the Agricultural Extension Service, the County shall actively promote the conservation of bona fide agricultural uses, and will provide information to agricultural producers to improve production and methods. The County will also promote agritourism in an effort to encourage preservation of agricultural uses.

Policy 8.1.4: Protection of Scenic Views and Vistas

All non-agricultural development or uses shall be designed to maintain open vistas and protect the integrity of the rural character of the major roadways within the Rural Area.

Policy 8.1.5: Context Sensitive Transportation Design

The County shall require that all future roadway projects outside of the UGB be designed consistent and compatible with the land use context of the area and shall reinforce landscape and habitat preservation by limiting access and roadway intersections. The design shall also incorporate signage and design features to accommodate wildlife crossings near wildlife habitat areas.

Policy 8.1.6: Central Utilities in Rural Area Outside UGB

The County shall limit the extension of central potable water and wastewater service within the Rural Area outside of the UGB or PSAs as follows:

- ~~4.—1. Individual wells and OSTDS's may be allowed as the method for providing potable water and wastewater service as regulated in the LDC. Individual on-site wells may be allowed as the method of providing potable water;~~
- ~~1. Individual on-site septic systems may be allowed as the method of disposal of wastewater;~~
- ~~2.~~ 2. New development shall not be designed nor constructed with centralized water or wastewater systems with the exception of:
 - a. Serving areas with existing urban FLU designations, as of January 1, 2014, that are outside of the UGB;
 - b. Future Land Use designations, specialized development, and/or overlays allowed in accordance with this element;

- c. Existing Developer's or Settlement Agreement approved by the County prior to January 1, 2014; or
- d. Clear and convincing evidence that demonstrates by the proponents of the system expansion that a health or safety problem exists in a built but un-served area for which there is no other feasible solution or to promote water conservation, aquifer, or springs protection in instances where significant adverse impacts are demonstrated to occur by not utilizing centralized water and wastewater. In such cases, the service area expansion plans will be updated concurrent with an administrative land use update, as necessary based on the use, density, and intensity of the development on the property.
- e. Extension of centralized water and wastewater shall be at the applicant's expense.

Policy 8.1.7: Central Utilities in Rural Area within UGB

The County shall permit the extension of centralized water and wastewater within the Rural Area within the UGB, but costs associated with the extension of services shall be at the [developer or](#) property owner's expense, and the service area expansion plans will be updated concurrent with an administrative land use update, as necessary based on the use, density, and intensity of the development on the property.

Policy 8.1.8: Lighting Standards

~~The County shall implement and maintain lighting standards in the LDC that address outdoor artificial illuminating devices and limit the emission of undesirable rays into the night sky, glare to on-coming traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the community, as well as the ambiance and rural character.~~

Policy 8.1.9: Silvicultural and Agricultural Activities BMPs

The County shall protect surface water and groundwater quality through the use of BMPs by encouraging use on a voluntary basis, except where BMPs shall be mandatory to protect environmentally sensitive areas or resources that may potentially be impacted by these activities, consistent with Objective 1.2 and policies of the Conservation Element and as further defined in the LDC.

OBJECTIVE 8.2: PROTECTION OF NATURAL AND HISTORIC RESOURCES

To preserve and prevent the degradation of natural and historic resources.

Policy 8.2.1: Contamination - Standards and Regulations

The County shall provide performance standards for and regulate development activities [which that](#) contaminate air, water, soil, or crops in the LDC.

Policy 8.2.2: Mining

The County shall provide criteria and regulate the extraction of natural mineral resources by addressing the following at a minimum, as further defined in the LDC:

1. Requiring mines to meet all Department of Environmental Protection requirements;
2. Buffering to ensure compatibility with surrounding properties and reduce off-site impacts;

3. Address impacts to surface and groundwater;
4. Identify habitat protection areas and listed species on the site;
5. Phasing schedule and map for the mining activities;
6. Reclamation plan after mining activities end.

Policy 8.2.3: Archeological and Historic Resources

The County shall identify and maintain information about archeological and historic resources ~~which~~ that are in need of protection, as specified in associated policies of the Housing Element of this Plan and as shown in the FLUM Series, ~~Map # 10,~~ Archeological and Historic Areas, which is based on information from the Florida Division of Historic Resources.

Policy 8.2.4: Wetlands

The County shall implement and maintain an LDC to preserve and protect wetlands in the County and utilize the National Wetlands Inventory, as ~~adopted~~ adopted by the FLUM Series, ~~Map #6~~ Wetlands, and consistent with the Florida Statutes wetland definition.

Policy 8.2.5: Environmental Assessment for Listed Species (EALS) / Listed Species Review

The County shall implement and maintain an LDC that addresses es how the eCounty will assess and protect threatened and endangered plants and animals on properties during land clearing and the development review process. Areas identified for protection shall be required to incorporate measures such as, but not limited to: clustering, increased open space requirements, low density land use and zoning, and mitigation of impacts. The land development review process shall, at a minimum, provide for review under the following instances, as further defined in the LDC:

1. **Development and Land Clearing:** All development or land clearing shall require development review, except for bona fide silvicultural or agricultural activities, ~~for properties containing more the 40 acres, involving twenty (20) or more residential units, or, is located within the ESOZ.~~
2. **Exemptions from Listed Species Review:** A wildlife and plant survey shall not be required under the following circumstances:
 - a. Lands depicted on 1986/87 LANDSAT Satellite Imagery Map or the Cooperative Land Cover SPOT imagery (2010-2013), whichever is more recent, produced by the Florida Fish and Wildlife Conservation Commission (FWC) as: exotic plant communities or barren land.
 - b. Silvicultural activities that are part of a resource management plan approved by the appropriate state agency.
 - c. Credible information is presented to the County and relevant state agencies that no listed species or important habitat exists on the development site. Such evidence shall be reviewed and comments shall be provided for a final determination on the need or lack of listed species review being required for the development site within 45 days of receiving a request for comment upon a particular exemption. Relevant state agencies shall include, but are not limited to, the following:
 - (1) Florida Fish and Wildlife Conservation Commission (FWC)
 - (2) U.S. Fish and Wildlife Service (USFWS)
 - (3) Division of Forestry (DOF) of the Florida Department of Agriculture and Consumer Services FDACS.
 - (4) U.S Forest Service (USFS)

3. **Survey of Listed Plant and Animal Species or Communities:** A survey shall be required to ~~address-identify~~ the types of animals and vegetation, as specified in the LDC, and it shall be conducted by an ecologist, biologist, or similar professional~~;~~ and include an inventory of listed animals and plants, endangered and threatened species, and species of special concern on the site, including following protocols established by the FWC and USFWS, as follows:
 - a. Size and distribution of native habitat
 - b. Listed species' populations
 - c. Feasibility and viability of on-site protection and management of listed species
 - d. Whether or not a wildlife corridor or conservation area exists on-site and evaluate the feasibility of maintaining them
 - e. Appropriateness of mitigating the impacts of development by relocation and/or on-site protection measures for listed species
4. **Findings of Listed Species on Development Site and Required Actions:** The County and the relevant federal and/or state agencies noted within this policy shall implement the following requirements when listed species are determined to be on the development site during land clearing, development review, and construction processes, including maintaining consistency with Chapter 68A-27 FAC.:
 - a. **Protection of Listed Species:** When a site proposed for development or clearing is determined to contain listed species, those listed species and their habitat shall be protected by creating a habitat management plan, inclusive of a conservation easement as required by Section 704.06, FS~~;~~ or by the designation of a site as permanent open space under an approved management plan, to protect the listed species from the impacts of development or land clearing and demonstrate how viable, sustainable populations shall be maintained. The plan must be prepared by a qualified professional~~;~~ reviewed by the appropriate regulatory or management agency such as FWC, USFS, USFWS, or DOF; and approved by the County prior to the issuance of a permit or development order.
 - b. **Mitigation for Listed Species:** If protection would result in the taking of private property or, if after consulting the relevant federal and/or state agencies, the County Commissioners determine that mitigation will result in a greater benefit to the relevant species and habitat, mitigation shall be required as a condition of a development order or permit. The method of protection required by the County shall be determined on a case-by-case basis and shall be directly related to the following criteria, whether on or off-site:
 - (1) Number and types of listed species present of presumed to be present on the site as determined by a site survey;
 - (2) Size, type, quality, and location of habitat;
 - (3) Life cycle needs supplied by the habitat, i.e., nesting, roosting, breeding, foraging, etc.;
 - (4) Size of the habitat in relation to the size of the site proposed for development or land clearing; and
 - (5) Location of the site and habitat in relation to existing or proposed wildlife corridors, designated conservation areas, lands with conservation easements, or natural reservations;

- c. **Additional Requirements for Off-Site Mitigation:** When it is determined by the County that alternative off-site actions will provide equivalent or better protection or viability for affected listed species or habitat, the County has the option of allowing an applicant to meet the requirements of one or more of the following options:
- (1) Monetary contribution to the Parks and Environmental Land Acquisition Program (PELAP) for the acquisition of environmentally sensitive lands within the County, and the funds shall be applied to lands that are known to contain viable populations of listed species or habitat similar in type and quality to that on the site proposed for development or clearing.
 - (2) Species relocation to similar habitat on protected lands, which must be approved by the appropriate state regulatory or management agency.
 - (3) Land that is within or contiguous with the Ocala National Forest, Cross Florida Greenway, Silver River State Park, Rainbow River State Park, St. Johns River Water Management District lands, or other Preservation designated land within the County can be acquired and donated to the appropriate managing agency. Lands donated under this option must be of equivalent acreage and contain listed species habitat of the same type and value as that upon the proposed development site.
 - (4) Off-site mitigation options shall satisfy the habitat requirements of listed species. Monetary contributions and land donations shall be sufficient to replace the habitat functions of the area to be protected and managed as required in this policy. A minimum of one-for-one replacement value of habitat shall be required for monetary contributions or land donations.
- d. **Requirements for Conservation Easement and Permanent Open Space:** The conservation easement or permanent open space per the habitat management plan shall be dedicated to the County, or to a public or non-profit conservation agency or organization; or by virtue of designation of the protected area as Preservation on the ~~Future Land Use Map Series (FLUM) Series~~. Final development orders, when issued, will identify protected areas that are to be designated as Natural Reservation on the FLUM. These areas will be designated as Preservation on the FLUM during the next ensuing plan amendment cycle after issuance of a development order or permit. Acceptance of land dedication or conservation easements, or dedication as-of open space under an approved management agreement shall satisfy the habitat requirements of the listed species. The County has the final authorization to accept or reject a particular conservation easement or permanent open space area.
- e. **Release of Conservation Easements and Permanent Open Space:** Conservation easements or permanent open space per the habitat management plan may be released only when it is shown by competent substantial evidence that the purpose for which such easements or permanent open space were dedicated have been completed, or are no longer capable of being accomplished because no listed species utilize the site. Landowners shall not be held responsible for ongoing management activities other than those that are required under the habitat management plans specified in sSection E. of this policy.
- f. **Maintenance of Files:** Information, data, agreements, and agency comments associated with this Policy shall be maintained at a central location by the County and shall be available for inspection.

Policy 8.2.6: Open Space

The County shall encourage open space areas for properties being developed to be clustered to conserve and preserve natural and historic resources within the development to the greatest extent possible during the development review process.

Policy 8.2.7: Density and Intensity of Development

The County shall consider the appropriate density and intensity of development based on the conditions of the site, including the impact on natural and historic resources, as further defined in the LDC.

Policy 8.2.8: Karst Topography/Features and High Recharge Area (HRA)

The County shall implement and maintain an LDC that addresses identification and development review processes and required buffers related to karst and high recharge areas that may adversely impact surface and groundwater during the development of property. This policy will address the County's circumstances of being situated in a geologic area featuring limestone and rock characteristics identified as karst, promoting the quick and rapid movement of water between the surface and the aquifer. ~~As the aquifer is the vital source of the County's potable water, as well as much of the State of Florida, its protection and preservation is essential. The LDC shall include, but not limited to the following:~~

- ~~1. Impervious surface area~~
- ~~2. Stormwater management~~
- ~~3. Hazardous materials~~
- ~~4. Vegetation and buffering requirements~~
- ~~5. Alternative and innovative designs~~
- ~~6. Inadequate sediment coverage~~
- ~~7. Wastewater effluent~~
- ~~8. Permitted and prohibited uses~~
- ~~9. Landscape and open space practices, including fertilization and irrigation~~
- ~~10. Solid waste~~
- ~~11. Construction and Demolition (C&D) landfill~~

Policy 8.2.9: Buffers for Karst Topography/Features

The County shall require buffers to address potential groundwater contamination that could occur due to development near karst features. ~~These minimum buffer widths may be reduced if the applicant demonstrates that: a) a narrower buffer can be calculated using the "Design Methodology for Calculating Buffer Width Based on Infiltration", as set forth in the Applicant's Handbook for Regulation of Stormwater Management Systems, SJRWMD 2005, as amended, in which case the width shall be at least the calculated value; or b: for lots of record, the lot size is too small to accommodate permitted development in compliance with the minimum width, in which case the applicant shall, as an alternative, design and construct a vegetated swale and or berm that effectively prevents drainage to the karst feature.~~ Karst buffers shall be maintained in permanent natural vegetative cover.

Policy 8.2.10: Setback from Cross Florida Greenway

Additional setbacks shall be required that are in proportion to the density and intensity of development adjacent to the Cross Florida Greenway, as further defined in the LDC.

GOAL 9: PROTECTION OF FARMLAND IN THE RURAL AREA

To protect farmland in the Rural Area by allowing properties to continue to be utilized for agricultural activities while providing opportunities for property owners to obtain ~~transferrable~~transferable development credits that can be utilized to encourage development within the UGB and Urban Areas that are more suitable for higher density and intensity development.

OBJECTIVE 9.1: TRANSFER OF RIGHTS PROGRAMS –WORKING ON THIS SECTION

The County shall implement transfer of rights programs designed to protect rural, agricultural, and natural resources, especially those identified in the Conservation Element and locally important and prime farmlands within the County. These resources include, but are not limited to, the preservation of high-water recharge and underground drainage basins, springs, karst areas, sinkholes, sinks, sinkhole ponds, and other karst features.

Policy 9.1.1: Maximum Density and Intensity Bonus with Transfer of Rights Programs

The County shall allow for density and intensity increases with the Transfer of Rights Programs as follows:

1. **Density Bonus:** ~~An additional maximum of two-three (23)~~ A maximum of three (3) dwelling units per one (1) gross acre may be achieved for qualifying Rural Lands inside the UGB and further defined in the LDC.

The number of Transferrable Development Credits (TDC) required shall comply with the Transfer of Rights Programs. If property developed with the ~~density bonus~~TDC program cannot meet the appropriate Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD zoning shall be required.

- a. Requests for the use of one (1) dwelling unit per one (1) acre over the maximum density within the existing land use and zoning district may be approved administratively so long as all other provisions of the Transfer of Rights Program is met.
 - b. Any request over one (1) dwelling unit per one (1) acre over the maximum density within the existing land use and zoning district shall require Board approval.
2. **Intensity Bonus:** A maximum increase of the maximum Floor Area Ratio (FAR) of 0.25 is permitted. The number of Transferrable Development Credits (TDC) required shall comply with the Transfer of Rights Programs. If property developed with the intensity bonus cannot meet the appropriate Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD zoning shall be required.

3. **Combination of Density and Intensity Bonus:** If both density and intensity of development are utilized, then a PUD zoning shall be required to develop the site consistent with the above requirements of this policy.

Policy 9.1.2: Transfer of Development Rights (TDR) Program

The County shall ~~implement and~~ maintain a TDR Program that allows the conservation of designated lands in exchange for Transfer of Development Credits (TDC) that can be utilized in Urban Areas within and outside the UGB and other areas as allowed by this program or Plan.

Policy 9.1.3: ~~Transfer of Vested Rights (TVR) Program~~

The County shall implement and maintain a TVR Program that allows the conservation of Rural Land designated lands that have been platted into residential subdivision prior to the implementation of the Comprehensive Plan, Zoning, and/or LDC by abandoning wholly or partially ~~of the~~ development rights in exchange for TDCs that can be utilized in Urban Areas within and outside the UGB and other areas as allowed by this program or Plan.

Policy 9.1.4: Establishment of Sending Areas

The County shall designate the following as Sending Areas:

1. **TDR Program**

- a. **Farmland Preservation Area (FPA):** The FPA is a boundary that automatically qualifies properties designated Rural Land as being within the Sending Area due to the concentration of agricultural activities and designated locally important and prime farmland areas. The FPA ~~is~~ shall be shown on the FLUM Series, ~~Map #13, Transfer of Rights.~~
- b. **Rural Land Properties Outside of FPA:** Rural Lands outside the FPA and UGB that are shown on FLUM Series ~~Map #1, Marion County 2045 Future Land Use Map~~ and within an unincorporated area. The lands ~~must demonstrate the presence of, and be accepted by the County as having one or more resources listed in Policy 1.1.2 of Conservation Element, and are~~ must be a minimum of 30 acres in size. The applicant shall be required to demonstrate that the property meets the intent for conservation for this program.

2. **TVR Program**

- a. Parcels of record; or
- b. Antiquated subdivisions; or
- c. Property not identified by the County, other local, or private provider for the provision of centralized water and wastewater within the next ten (10) years, based on a ~~short~~ or long-term capital improvements program or long-term County master utility plan.

3. **Exceptions:**

- a. Rural Land designated properties within the UGB are considered Receiving Areas.
- b. Rural Land designated properties outside the UGB that were formerly designated Urban Reserve prior to February 10, 2011, are considered Receiving Areas consistent with Objective 9.1 and its policies of this element.

Policy 9.1.5: Minimum Requirements to ~~Obtain~~ be issued TDCs

Property owners interested in participating in the Transfer of Rights Programs shall submit an application that meets, but ~~not is~~ limited to, the following requirements:

1. **Conservation Easement:** A conservation easement shall be encumbered on the property and the following additional requirements shall apply:
 - a. **TDR Program:** ~~—Residential dwelling units, including family divisions, and non-residential uses, except for bona fide agriculture-related structures or those approved by the conservation easement shall be prohibited.~~
 - b. **TVR Program:** ~~—An existing residence in the conservation area may be permitted, but no additional development of the site shall be permitted.~~
2. **Minimum Parcel Size:**
 - a. **TDR Program:** ~~—A parcel of land must be a minimum of 30 acres in size and the associated conservation easement must include a minimum of 30 acres~~ ~~in order~~ ~~for a parcel to be included in the TDR program.~~ ~~—Land utilized for this program shall be contiguous and appreciable size, not spread out or consist of multiple isolated small partial or full parcels.~~
 - b. **TVR Program:** ~~—The lands must consist of a minimum of ten contiguous acres of real property.~~ ~~—Parcels or blocks of lots separated only by road right-of-way shall be considered as being contiguous.~~
3. **Transfer Credit Rate:** ~~—The Transfer of Development Credits (TDC) transfer rate shall be as follows:~~
 - a. Transfer of Development Rights Program:
 1. One (1) TDC per one (1) gross acre of qualifying area.
 2. One (1) TDC equals one (1) acres of open space reduction is permitted but may not completely eliminate the need for open space as required by the LDC.
 3. One (1) TDC equals 0.05 acres of non-residential development with a maximum increase in FAR of 0.25 above the allowable FAR in the policies of Objective 2.1.
 - b. Transfer of Vested Rights Program:
 1. One (1) TDC per one (1) vested residential unit or lot.
 2. One (1) TDC per acre of vested commercial/non-residential entitlement. If the entitlement is expressed as a total area of non-residential development, the calculation applies to the entitled development potential, not the land area.
4. **County Commissioner Approval:** ~~The application of credits to a sending area Transfer Development Credits (TDCs) may only be approved by the Board of County Commissioners through the petition process and the Board may reject any petition application, including, but not limited to, those petitions applications associated with parcels where conservation easements are, or have been purchased or were otherwise granted prior to petitioning the County for development credits. This process applies to both the TDR and TVR Programs.~~

Policy 9.1.6: Transfer of Credits

The transfer of credits between parties is subject to approval by the Growth Services Director or designee and is based upon the submission of an application for transfer provided by the Growth Services Department.

Policy 9.1.67: Receiving Areas

The receiving areas shall include unincorporated areas as shown in FLUM Series Map ~~#12;~~ *Transfer of Rights*, as further described below for the TDR and TVR Programs:

1. **LEVEL I** – All residential and non-residential properties within the UGB;
2. **LEVEL II** – All properties designated Rural Land and located within the UGB; and

3. **LEVEL III** – All properties formerly designated as Urban Reserve, as of January 1, 2010, that are located outside the UGB, except where all or a portion of the property lies within an Environmentally Sensitive Overlay Zone.

Policy 9.1.78: Utilization of TDCs

Transfer rates for the Receiving Areas shall be assigned as follows for the TDR and TVR Programs:

1. **Receiving Areas:** TDCs may only be utilized within the designated Receiving Areas.
2. **Use of TDCs in Receiving Areas:** TDCs may be used ~~for~~ either to add residential units and/or FAR to non-residential development as follows:
 - a. **For Residential Units:** One (1) TDC equals one (1) dwelling unit. The Allowances in Receiving Areas section below (Policy 9.1.7.4) contains the maximum density allowed by land use designation, with a maximum of two (2) dwelling units above the allowable density of land use designations in the policies of Objective 2.1.
 - b. **For Non-Residential Area:** One (1) TDC equals 0.05 acres of non-residential development with a maximum increase in FAR of 0.25 above the allowable FAR in the policies of Objective 2.1.
 - c. **Open Space:** One (1) TDC equals 0.05one (1) acres of open space. ~~TDCs may be used to meet a maximum of 0.25 of a development's required open space.~~
3. **Verification of TDCs:** The County will verify the validity of the TDCs and their usage on the property within the Receiving Area. Owners of TDCs will identify to the County the specific parcel(s) of land within the Receiving Area where the TDCs are to be utilized.
4. **Allowances in Receiving Areas:** The TDCs may be utilized to increase the residential and non-residential development densities and intensities in accordance ~~to with~~ Objective 2.1 of this element and below:
 - a. **LEVEL I** – Residential densities and non-residential intensities within the UGB can utilize TDCs as allowed by this element. A maximum of three (3) dwelling units per acre above the existing land use density may be permitted.
 - ~~a-b.~~ **LEVEL II** – Rural Land designated properties may increase residential densities up to up to three (3) units per acre that allowed under the Low Residential designation and non-residential intensities as allowed by Commercial or less intense non-residential designation.
 - ~~b-c.~~ **LEVEL III** – Rural Land designated properties that were formerly designated Urban Reserve prior to January 1, 2010, may increase residential densities to that allowed under the Low Residential designation and non-residential intensities as allowed by Commercial or less intense non-residential designation, provided that central water and sewer services are available and ~~utilized~~utilized. A maximum of one (1) dwelling unit per acre may be permitted.
5. **Higher Density or Intensity** - Additional density or intensity for properties that utilize the Transfer of Rights Programs shall require a Comprehensive Plan Amendment beyond the above allowances.
6. **Application and Processing Fees:** All costs, including costs associated with determining the size and location of the specific Sending and Receiving Area parcels and all recording costs associated with recording the conservation easement and utilization of the TDCs form shall be the responsibility of the owner.

7. Development of Property Utilizing TDCs:

- a. Requests not exceeding an additional one (1) unit per acre over the existing land use and zoning designation shall be reviewed administratively as part of the development review process.
- b. Request exceeding an additional one (1) unit per acre over the existing land use and zoning designation shall be reviewed through the PUD application process.
- c. The redemption of credits for open space (Policy 9.1.7.2.c) may be reviewed and permitted administratively through the development review process.
- d. Property developed that utilizes the Transfer of Rights Programs shall be required to meet all applicable requirements of Florida Statutes, the County's Comprehensive Plan, Zoning, and LDC during the development review process.

Policy 9.1.89: Land Use Amendment to Recognize Increased Density and Intensity

The County shall amend the Comprehensive Plan FLUM identifying the specific parcel(s) having a new land use designation due to an increase in density or intensity due to utilizing TDCs, as part of the TDR or TVR Programs, on properties during the next available Large Scale Amendment Cycle, as necessary.

Policy 9.1.910: Methods to Increase Development Density and Intensity

Both Transfer of Rights programs may be utilized to increase density and/or intensity for property or a Comprehensive Plan Amendment may be applied for as allowed in this element.

Policy 9.1.4011: Tracking System

The County shall maintain an internal Transfer of Rights Programs tracking system. The tracking system shall list the parcels within the unincorporated area where TDCs have been issued, where TDCs are available for use, and where the TDCs have been utilized to increase density and intensity of properties.

Policy 9.1.4412: Evaluation of the Transfer of Rights Programs

The County shall assess the Transfer of Rights Programs and consider ways to enhance the utilization of the programs at least once during the Evaluation and Appraisal Report (EAR) process that is required by the State every seven (7) years.

GOAL 10: SPECIAL COMMUNITY PLANNING

To allow for recognition of existing and future development areas where the County may implement and maintain various strategies to enhance neighborhood, community, or regional planning areas through specific policies that may be suitable for select areas, and they may not apply countywide in all instances.

OBJECTIVE 10.1: PRE-EXISTING USES, STRUCTURES, AND VESTED RIGHTS

To ensure that existing rights of property owners are preserved in accordance with the Constitution of the State of Florida and the United States. The County shall maintain vested rights regulations within its LDC, which shall generally be guided by principles of statutory vesting and common law vesting.

Policy 10.1.1: Vested Rights Determinations and Process

The County shall implement and maintain vested rights regulations in the LDC, based on such items as, completion of development, common law vesting, and other documentation that demonstrates that significant steps have been taken to secure development rights on properties within the unincorporated area of the County.

Policy 10.1.2: Vesting of DRI-Scale Developments

Within those areas identified as Vested DRI-Scale Developments in possession of and subject to a valid Binding Letter of Interpretation for Vested Rights (BLIVR), and/or Binding Letter of Modification for Vested Rights (BLIM), issued by the Florida [Department of Economic Opportunity pursuant to Chapter 380.06 \(20\), F.S., Commerce](#) prior to the adoption date of this Plan, the continued development of residential and non-residential densities and intensities [of use](#) shall be permitted consistent with the project's development plan as acknowledged by the corresponding BLIVR, and/or BLIM, for each development. The BLIM Map H/Development Plan may be adopted as part of the FLUM Series, [Map # 15](#) wherein the BLIM Map H/Development Plan is the effective [Future Land Use Map FLUM](#) applicable to the BLIM. For BLIMs existing on the effective date of this section, land use allocations may be allocated in accordance with the BLIM provisions without the need to amend the Comprehensive Plan. If the approved BLIM Map H/Development Plan is amended or modified consistent with the provisions of the existing BLIM, the [Future Land Use Map FLUM](#) shall be amended in a timely manner at no cost to the existing BLIM developer; and the County shall allow for development of the property to proceed as allowed by the amended BLIM and BLIM Map H/Development Plan prior to the land use map being updated by the County.

Policy 10.1.3: DRI/FQD Development of Regional Impact or Florida Quality Development

This provision identifies and relates to development projects formerly approved consistent with Chapter 380, F.S, with a current Development Order or Amended Development Order (DO/ADO) and approved Master Plan Map H (Map H) that is adopted as part of the FLUM Series, [Map #15](#); wherein the Map H is the effective [Future Land Use Map FLUM](#) applicable to the DRI/FQD and any depiction of the DRI/FQD within the overall [Future Land Use Map \(Map #1\) FLUM](#) is provided solely for general reference purposes. Lands newly designated DRI/FQD or amendments to an existing DRI/FQD shall be developed consistent with the corresponding project's current DO/ADO and Map H, as well as the County's Comprehensive Plan and LDC including, but not limited to, land use densities and intensities, and development standards established therein. Newly designated or amended DRI/FQDs shall designate the land use categories permitted in the DRI/FQD consistent with the categories provided in this element. Any newly designated or amended DRI/FQD that is not consistent with the established Map H and/or underlying land uses shall require a plan amendment concurrent with the approval of the DRI/FQD DO/ADO. An amendment to a DRI shall not require an amendment to the Comprehensive Plan unless the DRI amendment application proposes to change the land use allocations on Map H. For DRIs existing on the effective date of this section, land use allocations may be located in accordance with DRI DO conditions without the need to amend the Comprehensive Plan. If the approved Map H is amended or modified consistent with provisions of the existing DO/ADO, the [Future Land Use Map FLUM](#) shall be amended in a timely manner at no cost to the existing DRI/FQD; and the County shall allow for development of the property to proceed as allowed by the [DO/ADO](#) and amended Map H prior to the land use map being updated by the County.

Policy 10.1.4: Aggregation of Parcels of Record or Residential Lots

Exceptions to the densities required in the Future Land Use Element shall be allowed for parcels meeting the following criteria:

1. **Parcel of Record:** A designated parcel, tract, or area of land established by plat, metes and bounds description, or otherwise permitted by law, to be used, developed or built upon as a unit, which complies with the applicable building codes and zoning regulations, and which existed on or before January 1, 1992, and under one ownership as of August 11, 1993, as defined below:
 - a. Parcels recorded or registered and parcels shown on all other unrecorded subdivisions, plats, or surveys in existence as of August 14, 1970, as provided in Chapter 70-803, Laws of Florida (1970); or
 - b. Parcels shown as a specific lot, parcel, or tract which parcel was created on or before January 1, 1992 and recorded in the public records of Marion County, Florida; or
 - c. Parcels in subdivisions approved by the Board of County Commissioners and recorded prior to January 1, 1992; or
 - d. Parcels located in unrecorded subdivisions or registered divisions of land into "flag lots", as that term is commonly known in the County, where parcels were filed and accepted by the County and existing as of January 1, 1992.
2. **Non-Contiguous Parcels of Record:** An exception to the densities required in this element shall be allowed for parcels created on or before January 1, 1992, under one ownership, and evidenced by a properly executed deed or contract for deed held by the purchasing party, as of August 11, 1993 for the purpose of constructing one single-family residential unit. The deed or contract for deed shall be recorded in the public records on or before August 11, 1993 or proven by clear and convincing evidence to have been in existence on or before August 11, 1993. Clear and convincing evidence shall require a copy of the document, properly executed, and copies of canceled checks or other proof of payments having been made prior to August 11, 1993.

Non-contiguous parcels means parcels that do not have any common property lines, including parcels ~~which-that~~ have common property lines and would otherwise be considered contiguous but are separated by unplatted roads or streets which have been dedicated for public use or prescriptive easements for road right-of-way purposes.

3. **Contiguous Parcels of Record:** In limited cases, an exception to the densities required in this element shall be allowed for parcels created on or before January 1, 1992 and under one ownership, as described above, under 1. Parcels of Record, as of August 11, 1993 may qualify for an exception.

Contiguous parcels means parcels with at least one common property line. If a parcel is contiguous to other parcels owned by the same owner or entity, then such owner or entity must aggregate the parcels to meet the underlying density established in this Comprehensive Plan to the greatest extent possible.

4. **Recorded and Unrecorded Subdivisions:** An exception to the densities required in this element shall be allowed for parcels as follows, consistent with the contiguous and non-contiguous parcels of record requirements above:
 - a. Parcels within a phase of the subdivision which have met the applicable conditions set forth below prior to January 1, 1992 shall be permitted to develop at the density established for that subdivision, provided that all ~~Chapter 10D-6, F.A.C. requirements and all other~~ requirements of this Comprehensive Plan are met. Those subdivisions not meeting the requirements listed below will be required to aggregate parcels to meet the density requirements of this Plan; or

- b. Subdivisions that have direct access to a County paved road and in which all parcels front on a continually maintained paved or stabilized road that meets the standards established by the County; or
- c. Parcels within subdivisions in which all parcels are served by a storm water management system that functions at the standards established by the County; or
- d. Parcels within subdivisions in which the sale of individual lots to persons by the original sub-divider has occurred at the following rates prior to August 11, 1993 if:
 - (1) At least 85 percent of the total number of lots are sold if the subdivision was created in 1982 or before;
 - (2) At least 60 percent of the total number of lots are sold if the subdivision was created from 1983 to 1987 inclusive;
 - (3) For subdivisions created after 1987 the following conditions apply in order for no aggregation requirements to be placed upon contiguous lots within the subdivision:
 - (a) At least 50 percent ~~(50%)~~ of the total number of lots are sold if the subdivision was created in 1988; or
 - (b) At least ~~50 percent (50%)~~ of the total number of lots are sold by 1994 if the subdivision was created in 1989; or
 - (c) At least ~~50 percent (50%)~~ of the total number of lots are sold by 1995 if the subdivision was created in 1990; or
 - (d) At least ~~50 percent (50%)~~ of the total number of lots are sold by 1996 if the subdivision was created in 1991; or
 - (e) At least ~~50 percent (50%)~~ of the total number of lots are sold by 1997 if the subdivision was created in 1992.

The percentage of lots sold is meant to reflect the good faith sale of individual lots to many individuals and not the transfer of large number of lots to investors. The County shall deny this exception if the sale of lots as indicated above does not reflect this intent.

- 5. **Compliance with Comprehensive Plan, Zoning, and LDC:** Property granted a density exception pursuant to this policy may be subject to all other appropriate Comprehensive Plan, Zoning, and LDC.
- 6. **Appeals:** The County shall implement an appeal procedure, as further defined in the LDC.

Policy 10.1.5: County Recognition of Pre-Existing Development

The County shall ensure that conforming commercial and industrial uses existing as of April 7, 1994, the initial adoption date of the plan, shall be considered conforming uses.

- 1. **Proof of Development:** Property owners shall be required to provide sufficient documentation to the County to obtain a conformity letter for such existing development.
- 2. **Permitted Use(s):** The pre-existing use(s) may expand onto any property with the same ownership, properly zoned and contiguous to the existing commercial or industrial use as of the referenced date. The pre-existing use shall be limited to the number of use(s) on the site and was developed in conformity with the Zoning classification at that time. The recognized pre-existing use may change as long as the use is allowable within the Zoning classification.

3. **Subdivision of Property with Pre-Existing Use(s):** Should the property ~~which that~~ includes a pre-existing use recognized under this policy be legally subdivided, then the conforming use letter shall apply only to the portion of the property ~~which that~~ historically included the majority of the pre-existing use with primary consideration for the hard improvements such as structures, public water and sewer, driveway and parking supporting the recognized use.
4. **Property Compliance:** If a property with a vested letter obtains a Comprehensive Plan amendment and Zoning Change for consistency purposes, then the vested letter shall be void and the property shall comply with all applicable Comprehensive Plan, Zoning, and LDC requirements.
5. **Appeals:** The County shall implement an appeal procedure as further defined in the LDC.

Policy 10.1.6: Non-Conforming Uses and Structures

The County shall implement and maintain an LDC that addresses the continued use of or redevelopment of uses or structures that were legally established and in compliance with regulations at the time of establishment, but no longer comply with Comprehensive Plan, Zoning, and/or LDC due to changes in regulations, right-of-way or land acquisition by government agencies, etc. The County will establish performance criteria with regards to continued use and redevelopment of the uses and structures, as further defined in the LDC.:

1. **Improvement and Expansion of Structure:** ~~The structure with the non-conforming use may be repaired or expanded to continue the operation of the non-conforming use, provided the improvement cost does not exceed fifty percent (50%) of the assessed value of the structure.~~
2. **Compliance with LDC for Uses and/or Structures:** ~~Legally established non-conforming uses and/or structures can continue to operate or be utilized for the use(s) as follows:~~
 - a. **Existing / No Changes:** ~~LDC that require additional site requirements beyond the existing site shall not be required to be addressed, unless determined necessary by the County to address public safety, welfare, or health issues or compliance with other government agency regulations.~~
 - b. **Expansion / Redevelopment:** ~~If the non-conforming use and/or structure is expanded as provided in this policy, then the property shall be required to be brought into compliance with the current LDC, but these requirements may be reduced in accordance with the County's waiver and variance processes.~~
3. **Use of Non-Conforming Structure:** ~~A non-conforming use may not operate within a non-conforming structure.~~
4. **Change of Use:** ~~Any change of the non-conforming use shall not further the non-conformity, and shall be consistent with the Comprehensive Plan. A lesser intense use than the existing non-conforming use is permitted, however, any future change of use shall be required to be consistent with or less intense than the last non-conforming use.~~
5. **Abandonment of Use:** ~~The re-establishment of non-conforming uses that have been discontinued or abandoned shall be prohibited.~~
6. **Single-Family Residence:** ~~If the home is the primary residence of the property owner, then the home may be replaced if it is a legally established non-conforming use or structure.~~

OBJECTIVE 10.2: INFILL AND REDEVELOPMENT

To encourage ~~the~~ infill and redevelopment to maintain and enhance neighborhood viability, revitalize urban corridors, and discourage urban sprawl.

Policy 10.2.1: ~~SPECIAL AREA PLANNING~~ Special Area Planning

The County shall consider use of various planning strategies, such as, corridor studies, sector plans, neighborhood plans, redevelopment plans, etc., as necessary for infill and redevelopment opportunities.

Policy 10.2.2: ~~REDEVELOPMENT PARTNERSHIPS~~ Redevelopment Partnerships

The County shall collaborate and maintain cooperative relationships with local, state, and federal agencies, private sector, and other parties to allow for funding opportunities and technical assistance to be available to meet redevelopment needs within the unincorporated area.

Policy 10.2.3: ~~FUNDING SOURCES~~ Funding Sources

The County shall continue to seek funding opportunities, such as, Community Development Block Grant Program, grants, and other funding sources for identifying and addressing areas in need of revitalization.

OBJECTIVE 10.3: REGIONAL ACTIVITY CENTER (RGAC) OVERLAY

To allow for compact, high intensity, high density multi-use development, which may include a mix of the following uses: retail, office, housing, cultural, recreational and entertainment facilities, hospitality facilities (hotels and motels), and industrial uses that serve a regional area in accordance to Rule 28-24.014(10), F.A.C. and Chapter 380.06(2)(3), F.S., as amended.

Policy 10.3.1: Establishment of RGAC Overlay

RGACs shall be designated on the FLUM Series, ~~Map #1 and Map #14~~, as an overlay zone by a Comprehensive Plan Amendment ~~which that~~ is also consistent with Rule 28-24.014(10), F.A.C. and Chapter 380.06(2)(e), F.S.

Policy 10.3.2: Development Mix and Form for RGAC

The County shall promote an intensive mixture of employment, goods and services, and residential uses in RGACs, achieve the highest standards of quality in the urban and/or urbanizing environment, provide for economic development opportunities, and provide a balanced and constructive tax base. In addition, a RGAC shall promote a compact urban form ~~which that~~ will be less dependent on automobile use, discourage urban sprawl, and promote sustainable land use patterns.

Policy 10.3.3: Master Plan Requirements for RGAC

The adoption of a Comprehensive Plan Amendment for RGACs shall include a Master Plan that promotes the physical and functional integration of a mixture of land uses that addresses, at a minimum, the following:

1. Developed as a PUD;

2. Provide for a diverse mix of land uses as provided for in Rule 28-24.014(10), F.A.C., housing types, densities and intensities. Areas of similar single-use types and density and intensity shall be discouraged. Development densities and intensities, including minimum and maximum amounts of each land use category, shall be determined and established by the adopted Comprehensive Plan Amendment;
3. Locate only in those areas of the County where major employment centers exist or are encouraged;
4. Provide for a transition of land use intensities near the periphery to allow for and provide compatibility with adjacent land uses
5. Propose areas of regional employment, regional tourism, and/or education activities and opportunities;
6. Locate at or in reasonable proximity to interstate interchanges or similar facilities with increased capacity and accessibility as defined in Rule 28-24.014(10), F.A.C., Chapter 163, F.S., and committed public facilities, as identified in the Capital Improvements Element of this Plan;
7. Provide, or have the ability to provide, timely adequate public facilities and infrastructure necessary to support the RGAC as defined in Rule 28-24.014(10), F.A.C., Chapter 163, F.S., and committed public facilities, as identified in the Capital Improvements Element of this Plan.

Policy 10.3.4: Adoption of RGAC on the FLUM

The following RGACs have been adopted on the FLUM, ~~as further shown on the FLUM Series, Map #1 and Map #14:~~

1. MARION OAKS / MCGINLEY REGIONAL ACTIVITY CENTER (RGAC)

Location: Surrounded by the Marion Oaks VDRI Subdivision, on the north and south side of SW Hwy 484.

Size: ±1,290 acres

Parcel IDs: 41200-056-00, 41200-056-02, 41200-056-03, 41205-000-00, 41205-000-01

Range of Uses:

- a. Employment Center (Commercial - Retail/Office/Light to Moderate (Regional) Business, Light Industrial [Maximum FAR: 2.0], and Residential – single and multi-family units [0 to 16 du/ac]): ±313.8;
- b. Commerce District (Heavy Commercial and Heavy Industrial): ±962 acres and maximum FAR: 2.0 and
- c. Public (ROW & DRAs) 2.5 acres

Conceptual Plan: Marion Oaks / McGinley Regional Activity Center (RGAC)

2. IRVINE / SUNNY OAKS REGIONAL ACTIVITY CENTER (RGAC)

Location: Southeastern corner of I-75 and CR 318.

Size: Approximately 453 acres

Parcel ID: 03204-000-00

Range of Uses:

- a. Employment Center – 150 acres
 1. Residential: 41.7 acres with 250 units (6 du/ac)
20.8 acres with 250 units (12 du/ac)

2. Commercial/Industrial: 87.5 acres with FAR of 2.0
 - b. Commerce District – 303 acres with FAR of 2.0
- Conceptual Plan: Irvine / Sunny Oaks Regional Activity Center (RGAC)

OBJECTIVE 10.4: INNOVATIVE PLANNING STRATEGIES

To develop and enforce innovative planning techniques and LDC designed to protect residential neighborhoods, enhance the economic viability of the community, promote the efficient use of infrastructure, preserve natural resources, reinforce the market area concepts, and reduce the proliferation of urban sprawl.

Policy 10.4.1: Traditional Neighborhood Design (TND)

The County shall encourage development to utilize traditional neighborhood design standards as a means to require efficient urban growth patterns that exhibits the following characteristics and conforms to, but is not limited, ~~to-by~~ the following design principles, as further defined in the LDC:

1. **Village or Town Centers with Mixed Uses:** A mixture of non-residential and residential uses of various densities, intensities, and types designed to promote walking between uses and a variety of transportation modes, such as bicycles, transit, and automobiles.
2. **Functional Neighborhoods:** Residential areas are located and designed as neighborhoods, which embrace a full range of urban facilities including neighborhood retail centers, a variety of housing types, public/civic space, and a variety of open-space amenities, schools, central water and wastewater, and fire/safety accessibility.
3. **Walkable Streets:** Integrated neighborhoods and compact development that designs a community based on reasonable walking distances, the location of parking, and the design of streetlights, signs, and sidewalks.
4. **Interconnected Circulation Network:** An interconnected street system that prioritizes pedestrians and bicycle features and links neighborhoods to shopping areas, civic uses, parks, and other recreational features.
5. **Open Space and Natural Features:** Development activity recognizes the natural and environmental features of the area and incorporates the protection, preservation, and enhancement of these features as a resource amenity to the development.

Policy 10.4.2: Transit-Oriented Design (TOD)

The County shall encourage development to utilize transit-oriented design standards to reinforce the use of public transportation by locating higher-density, mixed-use development, including employment-oriented businesses and higher-density residential uses, adjacent to transit stops. The TOD standards must ~~that~~ address, but ~~not are~~ limited to the following, as further defined in the LDC:

1. Establishment of block lengths
2. Building setbacks and orientation to the street
3. Establishing minimum density and floor area ratio
4. Uses that support public transportation and walkability
5. Reduction in parking requirements and encourage shared parking
6. Strategies that reduces the usage of automobiles and allows for non-automobile areas

7. Includes design of multi-modal transportation and interconnection links within development and surrounding areas
8. Open-space requirements
9. Architectural or building form guidelines
10. Utilization of form-based codes

Policy 10.4.3: Context-Sensitive Design for Roadway Corridors

The visual and functional characteristics of streets are important in the design of the community. The following, but not limited to, design principles for the road network shall be encouraged to be used throughout the County, as further defined in the LDC:

1. Streets should be designed as a part of the public realm with amenities;
2. Streets should be designed to accommodate a mix of travel modes, including vehicles, bikes, transit, and pedestrians;
3. Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian ways, lighting, signs, front-yard setback areas, and building facades; and
4. Neighborhoods may connect to adjacent activities, subdivisions, and neighborhood-serving businesses through the design of a street and pedestrian system and traffic-calming measures where appropriate.
5. Creative and integrated designs for stormwater retention systems and fencing.

Policy 10.4.4: Joint Planning and Interlocal Agreements

The County shall utilize joint planning and interlocal agreements to collaborate with the municipalities, School Board, and other entities to address community needs on a regional basis as needed for such activities, [including](#) but not limited to, as follows:

1. Annexations
2. Extra-territorial jurisdiction
3. Coordination of public facilities and services
4. Review opportunities for development activities that may impact other jurisdictions
5. Shared-use facilities and services
6. Exchange of information, data, ordinances, resolutions, etc.

OBJECTIVE 10.5: Large Scale Developments

To recognize innovative planning techniques and the unique nature of large scale development projects that may affect multiple jurisdictions and state resources pursuant to Chapter 380.06(30), Florida Statutes.

Policy 10.5.1: Golden Ocala

This concerns the following Future Land Use Map Amendments - (a) Future Land Use Map (FLUM) Amendment 2016-L04; (b) Future Land Use Map (FLUM) Amendments 2017-L02 and 2017-D05; and (c) FLUM Amendment 2020-D01 and FLUM Amendment 2020-L02 concerning approximately acres (the "Project" or "Golden Ocala"). The land use and development potential of the Project is hereby limited and governed by the following conditions:

MARION COMPREHENSIVE PLAN REDLINES: 1 - Future Land Use Element

1. The Golden Ocala project general land uses and boundary are identified as part of the Marion County Future Land Use Map Series (FLUMS) as identified on Map 15.h.
2. Golden Ocala is a mixed-use development composed of single family, multi-family (includes condominiums), commercial, hotel, recreation, RV units, equestrian facilities, and other uses to support the horse community, the Golden Ocala project and the community in general.
3. The maximum project entitlements are as follows:

RESIDENTIAL HOUSING	
Low Residential	400
Medium Residential (including original Golden Ocala PUD)	1103
Equestrian Estate	300
High Residential	408
Condominium	170
Rural	16
Total Housing Units	2,397
NON-RESIDENTIAL	
Commercial	4,000,000 square feet
Equestrian Facility	13,500 seats
Hotel	1,350 rooms
Recreational Vehicle	280 units (does not include unoccupied parking areas)

4. The commercial and other non-residential entitlements may be used for any of the non-residential uses permitted by Marion County in the Commercial and World Equestrian Center future land use categories. A land use tradeoff mechanism will also be included within the County's PUD approval for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development impacts. The conversion table will also allow for conversion of the uses identified above through local approval and thus, without the requirement for a comprehensive plan amendment.
5. Concerning the Marion County's Concurrency Management System:
 - A. The portion of the Project that was the subject of FLUM Amendments 2016-L04 and 2017- D05 is subject to the provisions of a Development Agreement Concerning Concurrency, Impact Fee Credits And Other Matters for Golden Ocala as recorded in OR Book 8791, Page 105, public records of Marion County, Florida (the "2018 Concurrency Agreement").
 - B. Concerning the portion of the Project that is the subject of FLUM Amendments 2020-D01 and 2020-L02, neither the approval of this development project's site for future land use designation, or the approval of this policy shall be deemed a final local development order and the development is not considered, or entitled to, being

- certified for concurrency under Marion County's Concurrency Management System (LDC Article 1, Division 8). The developer shall address and comply with Marion County's Concurrency Management System, including providing for proportionate share for transportation improvements consistent with Sections 163.3180 and 380.06, Florida Statutes, upon proceeding through Marion County's subsequent development review process as contained within the Marion County [Land Development Code](#) LDC (LDC Article 2, etc.). Such compliance may be evidenced by an amendment to the 2018 Concurrency Agreement.
6. No Equestrian Estate lot created shall be less than three (3) acres in size measured exclusive of any right-of-way or access easements (except to the extent such access easements provide access between lots and platted streets, are designed to permit the use of shared driveways to provide such access, or are designated easements for utilities or equestrian trails).
 7. The commercial, common and non-residential areas, World Equestrian Center, and individual lots and homes shall utilize water conservation techniques. Such techniques may include indoor [water conservation facilities](#), irrigation and landscaping practices as selected by the Developer, required certifications for irrigation contractors working within the development, wastewater contribution for municipal reuse, maximum irrigable areas, or other landscape and vegetative requirements.
 8. Development of:
 - A. Commercial, condominium, RV, low density residential lots north of US 27 (other than those developed as Equestrian Estate Lots), medium density residential lots and the Equestrian Facility developments shall be served by central potable water and central sanitary sewer service.
 - B. Equestrian Estate lots:
 - 1) Located South of US 27, shall be served by central potable water or central sanitary sewer services; and
 - 2) Located North of US 27, may, at the option of the developer, be served by (a) wells or on-site sewage treatment and disposal systems (OSTDS) provided that the PUD for any such lots that are served by OSTDS shall contain provisions designed to reduce total nitrogen effluent concentration; or (b) by central potable water or central sanitary sewer services to the foregoing provisions concerning wells and OSTDS are to provide a transition from the urbanized area to rural, which are exceptions to Future Land Use Element Policies 3.1.1, 6.1.3 and 6.1.5, Sanitary Sewer Element Policies 1.2.6, 1.4.1 and 1.4.7 and Potable Water Element Policy 1.7.1.; and other provisions of this plan requiring central water and sewer.
 9. Direct vehicular access to NW 100th Avenue south of the northwest quarter of the southwest quarter of Section 11, Township 15 Range 20 is prohibited.
 10. This Policy supersedes, amends, restates and replaces historic Objective 6 and Policy 10.6.1 adopted pursuant to FLUM Amendment 2017-L02 and Policy 10.5.1 adopted pursuant to FLUM Amendment 2017-D05 (as modified by the Settlement Agreement concerning Golden Ocala Approvals dated February 20, 2018 and approved by Marion County on such date.)