

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

January 15, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners met in a workshop session in Commission Chambers at 10:00 a.m. on Wednesday, January 15, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INTRODUCTION OF WORKSHOP BY CHAIRMAN KATHY BRYANT

Chairman Bryant advised that the workshop was scheduled this morning to discuss the Evaluation and Appraisal Report (EAR).

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

ROLL CALL

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Also present were County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Tracy Straub, Growth Services Director Chuck Varadin, Deputy Growth Services Director Ken Weyrauch, Senior Planner Chris Rison, and Planner Kathleen Brugnoli.

The Deputy Clerk was in receipt of a 261 page Agenda packet to follow along with the PowerPoint presentation.

WORKSHOP PRESENTATION

1. Provide an Update and Receive Board Input Regarding the Comprehensive Plan Evaluation and Appraisal Report – January 15, 2025.

Growth Services Director Chuck Varadin presented the following recommendation:

Description/Background: Florida Statute Section 163.3191 requires an evaluation of the Comprehensive Plan every seven years to ensure consistency with statutory requirements and community engagement. This evaluation, the Marion County 2025 Evaluation Appraisal Report (EAR), is due February 2025 with identified changes to the Comprehensive Plan to be completed within one year.

The Board has held a series of workshops with Growth Services staff and their consultant, Kimley-Horn and Associates, Inc., to review and provide input regarding the EAR. Today's workshop is anticipated as the last of such workshops. The Board will be presented with a review of the public engagement results from the online survey and community meetings, requested to consider the economic element as well as the potential incorporation of data centers into the Comprehensive Plan, and provided a summary of the action items from the previous workshops.

Future workshops are being scheduled throughout next year for more detailed discussion on those elements of the Comprehensive Plan that need updates/revisions.

Recommended Action: Staff is seeking Board discussion.

Blair Knighting, Kimley-Horn and Associates, Inc. (KHA), Grand Bay Parkway West, Jacksonville, advised that this is the “wrap up” workshop regarding the overall EAR, noting all future EAR workshops would be scheduled to address targeted issues. She stated she will be providing a brief background of the EAR process, past public engagements and workshops, online survey results, public opinion trends and what the next steps would be.

Ms. Knighting advised that the BCC is evaluating its Comprehensive Plan through the EAR process as it relates to Statutory compliance, Legislative changes, as well as the direction of the community in order to plan for growth through the year 2050. Comprehensive Plans are required to be reviewed by State Statute at least every seven (7) years. The last EAR completed by Marion County took place in 2018. The purpose of an EAR is to determine if there is a need to amend the Comprehensive Plan to reflect changes in State requirements since the last time the Comprehensive Plan was updated and to determine if updates are needed based on changes to local conditions. She provided a brief overview of the EAR timeline, noting the EAR process began in April 2024 and KHA is currently compiling the final EAR report to present to staff.

Ms. Knighting commented on the amount of public engagement that took place during this process, which included BCC workshops, stakeholder meetings, workshops with municipalities and other agencies (i.e., Transportation Planning Organization (TPO)), as well as an online survey. She provided an overview of the topics discussed at previous EAR workshops, noting at the first workshop held on June 11, 2024 KHA provided an overview and some input relating to the EAR process and the public engagement plan. During the September 12, 2024 workshop, topics included Conservation and Recreation & Open Space Elements (further discussion needed); Future Land Use Element (FLUE); planning framework and Future Land Use (FLU) designations; as well as the Urban Growth Boundary (UGB) including buffers and step down approaches. At the October 1, 2024 workshop, further discussion was had relating to the FLUE, as well as densities and land uses (further discussion needed). At the October 29, 2024 workshop, discussion included environmentally sensitive areas; urban versus (vs) rural areas both inside and outside the UGB; Planned Service Areas (PSAs); and the Farmland Preservation Areas (FPAs). At the November 7, 2024 workshop, discussion included Airport Overlay Zones (AIR-O); and Environmentally Sensitive Overlay Zones (ESOZ). At the December 9, 2024 workshop, discussion included vested rights; infill & redevelopment; and the Transfer of Development Rights (TDR) program (more discussion needed). Finally, the January 9, 2025 workshop discussion was had relating to transportation needs (interconnectivity between developments, levels of service (LOS), etc.).

Ms. Knighting provided a brief overview of the online survey results, noting there were 668 online survey participants. She noted the online survey was launched on May 31, 2024 and closed on January 2, 2025. Ms. Knighting stated growth and traffic in the County were main topics of concern expressed in the survey.

In response to Chairman Bryant, Ms. Knighting stated she would email all survey results and citizen comments to Commissioners.

Chairman Bryant addressed survey comments relating to the need for more restaurants in specific areas of the County and clarified that the BCC does not go out and solicit businesses to come to a specific area, noting private sector businesses review the demographics of an area when deciding where to locate.

General discussion ensued.

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Ms. Knighting provided a brief overview of the PSAs prioritized elements (low priority to high priority) results of the survey. She stated prioritized elements included green spaces, recreational amenities, art and entertainment, retail and dining, mass transit, and housing. Ms. Knighting commented on final survey results relating to residential and park preferences, noting large-lot single family residential (SFR) was the most preferred housing and passive or neighborhood parks were the most preferred.

Ms. Knighting commented on public engagement trends, which promote sustainable growth, enhance transportation infrastructure and connectivity, as well as preserve and enhance rural and natural landscapes.

Ms. Knighting provided an overview of the next steps moving forward, noting her team will need to update the matrices with all public comments received, send the EAR letter by February 1, 2025, conduct targeted workshops with the BCC (2 times per month from February to June, 2025), and update the Comprehensive Plan based on the results of those targeted workshops.

Chairman Bryant requested staff provide the upcoming workshop agendas to the BCC as soon as possible to allow time for the Commissioners to review the material and hold one-on-ones with staff relating to any questions they may have prior to the workshops.

General discussion ensued.

Commissioner Curry requested KHA put together a presentation relating to the top 3 issues to be addressed for each element so that the Board can present it to the community.

Chairman Bryant opined that the County's Public Information Office may be able to provide that to the Board, once the Board has completed the rest of the process.

Commissioner Stone advised that the Board also discussed reviewing the Land Development Code (LDC) alongside this process and questioned if the Board could receive a list of the topics that are being pulled out of the Comprehensive Plan and being moved to the LDC. Ms. Knighting stated that it would be done to help keep track of those items coming out of the Comprehensive Plan because they are already in the LDC.

Richard Busche, KHA, SE 17th Street, advised that there are 5 sections in the Comprehensive Plan that are currently being drafted and reviewed by staff, which will then be presented to the Land Development Regulations Commission (LDRC) for recommendations prior to being presented to the BCC. Commissioner Zalak requested the BCC be presented with a copy of the material at the same time it is presented to the LDRC. ACA Tracy Straub commented on other items the BCC requested the LDRC review, including animal regulations. Mr. Busche clarified that when the LDRC reviews documents, it is material that is usually vetted and submitted by County staff first, but there are almost always changes recommended by the LDRC. County Administrator Mounir Bouyounes advised that staff can bring back their recommendations, as well as those proposed by the LDRC, similar to the last time when the BCC addressed buffer tables.

General discussion ensued.

Ms. Knighting stated KHA was also directed to bring back more information relating to "Data Centers" and the "Economic Development Element", noting KHA has Data Center experts on staff who forwarded Urban Land Institute (ULI) data information to Growth Services Director Chuck Varadin for his review. She commented on the needs of Data Centers (electricity, water, etc.), noting from a land use/zoning perspective, this type of property would probably want to be located in a warehouse or industrial type land use area. Ms. Knighting advised that these type of businesses usually need a permissible

land use/zoning that allows for height, noting many of these have a first floor height of approximately 30 feet. She stated many of these type of facilities require outdoor storage and usually pull their electricity from transmission lines.

Mr. Bouyounes advised that the Board will need to consider what type of zoning category it wants to utilize for Data Centers and whether to allow it as a permissible use or by a Special Use Permit (SUP).

Chairman Bryant requested Ms. Knighting email her the information she presented relating to Data Centers so that she may do more research.

Commissioner McClain questioned whether staff has had an opportunity to review how other Counties address Data Centers in regard to zoning and land use.

General discussion ensued.

Deputy Growth Services Director Ken Weyrauch advised that he also performed some research on Data Centers, noting there are 17 in the City of Orlando, 14 in Jacksonville, 23 in Tampa and 1 in the City of Gainesville. He stated there would be a lot of traffic initially as the Data Centers are being constructed due to the size of the facility and possible construction phases; however, once the Center is operating there will be a lower amount of traffic. Mr. Weyrauch opined that if the Board decided to allow Data Centers as a permissible use by right, there should be some specific requirements (i.e., glass facade). He noted the Board may want to consider a specific overlay zone that would be appropriate for this type of use.

General discussion resumed.

Mr. Busche suggested the Board may want to partner with the main power companies (Duke and SECO Energy) to have a study performed in order to pre-select areas where those power companies would be able to deliver electricity without the need for additional infrastructure.

General discussion resumed.

Commissioner McClain advised that the State of Florida exempts certain qualifying production activities from certain taxes and questioned whether Data Centers are exempted from any taxes (electrical sales tax, etc.). Mr. Busche stated he would bring that information back to the Board.

Mr. Bouyounes advised that both major electric companies are already reviewing areas throughout the County to determine where they can supply power, noting staff will work with those companies to get a better idea of those locations.

Commissioner Curry out at 10:51 a.m.

Ms. Knighting addressed the Economic Development Element, noting it is not a required Element, but opined that it would be a good for the community to be included in this process. She commented on the equine industry, eco-tourism, etc. as economic drivers. Chairman Bryant concurred, noting those are huge parts of Marion County's economy and should be included in the Comprehensive Plan. It was the general consensus of the Board to concur.

Commissioner Curry returned at 10:52 a.m.

Ms. Knighting commented on the partnership between the County and the Ocala/Marion County Chamber and Economic Partnership (CEP), noting it would be her recommendation to keep the Economic Development Element Goals, Objectives and Policies as reflected in the Agenda packet. She referred to Objective 1.5 (page 253) and 1.6 (page 255), which address economic development incentives in public/private partnerships. Ms. Knighting stated KHA would like to restructure the policies contained in Objective 1.5 and 1.6 to help eliminate redundancy.

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Commissioner Zalak noted he was unsure if the economic development incentives need to be part of this. He clarified that incentives could vary based on the opportunities, jobs created, etc.

Ms. Knighting referred to Objective 1.12, which states “Marion County shall establish annual and long-term (e.g., 5 and/or 10-year) industry recruitment and job creation goals and milestones to address the success of economic development initiatives; as part of this process, the County may establish and adopt an Economic Development Plan.

Commissioner Zalak opined that the language should read “in partnership with the CEP”. General discussion ensued.

Chairman Bryant opined that all language that reads like the County has an Office of Economic Development should be removed. It was the general consensus of the Board to concur.

Ms. Knighting stated KHA will work with County staff and the CEP relating the language under this Element.

General discussion ensued in regard to targeted industries and economic incentives.

BOARD DISCUSSION AND CLOSING COMMENTS

Commissioner Curry addressed overdevelopment, noting he has received comments from realtors who have expressed concern with the excessive amount of residential units in Marion County. He questioned whether there is anything the Board can do to ensure that it does not over develop to the point it hurts the market.

Ms. Knighting opined that the market should dictate the market, noting the importance of having different housing types (single family residential, condominiums, apartments, etc.) at different levels of affordability. She commented on the need to ensure the County’s Comprehensive Plan, as well as density and land use categories, support a variety of housing. Ms. Knighting noted KHA would bring back more information on this subject in March.

Chairman Bryant advised that each time staff presented a new Planning and Zoning (P&Z) request, a “Needs Base Analysis” report would need to be done that reflected how many of those specific types of units are currently on the market. She opined that the private sector would perform an analysis to determine whether or not their product would sell.

General discussion ensued.

County Attorney Minter advised that there was a time back when Chapter 163 was called the Growth Management Act, instead of the Community Planning Act, wherein the Comprehensive Plans required a “Needs Analysis” for particular projects. He clarified that although the Legislature eliminated that requirement years ago, the BCC could still decide to require a Needs Analysis locally if it wanted.

Chairman Bryant expressed concern that the requirement may be considered as government overreach.

ACA Tracy Straub advised that the County does not have the technical expertise on staff to validate a Needs Analysis, noting staff continues to hear that the County still remains short on true affordable housing (0 to 120 percent (%) area median income).

Mr. Weyrauch advised that there is already a requirement in the Comprehensive Plan for a Needs Analysis; however, there are times when it is difficult to get a true analysis from an applicant (finding out the number of certain type units currently on the market). He clarified that the County does not have a Realtor on staff and currently does not have access to the Multiple Listing Service (MLS) database.

Chairman Bryant opined that the County could contract with a qualified Realtor through the Request for Proposal (RFP) process. Mr. Weyrauch stated staff would review that option.

General discussion ensued.

Commissioner McClain stated his preference would be to perform a quarterly or bi-yearly market analysis rather than with every single application.

Mr. Weyrauch advised that Policy 5.1.12 of the FLUE requires a Needs Analysis for all Special Use Permits (SUPs), rezoning requests, and land use amendments. Commissioner Zalak suggested the County require the applicant to provide an MLS report as part of the process.

General discussion resumed.

Commissioner Zalak stated the Board focuses a lot on the Urban Growth Boundary (UGB) for residential subdivisions, Planned Unit Developments (PUDs), etc., noting what he is no longer seeing are small 1 to 5 acre mini-farm subdivision requests (similar to Meadow Wood Farms). He questioned whether the Comprehensive Plan addresses those types of requests as it relates to step-down housing, densities, etc. Mr. Weyrauch noted the County, through its PUD process, does allow for Hamlets (3 to 5 acre lots).

General discussion ensued.

In response to Commissioner Zalak, Mr. Weyrauch advised that a Hamlet allows for 3 to 5 acres, allowing for 40% of the property being buildable and 60% for conservation purposes and is maxed at 150 acres for each Hamlet.

Chairman Bryant commented on the need to have 1 acre lot subdivisions within the UGB. In response to Chairman Bryant, Ms. Straub stated there are approximately 122,000 acres within the UGB.

General discussion resumed.

Chairman Bryant commented on the need to ensure that infrastructure is keeping up with the development being approved.

Commissioner Stone commented on the need to prioritize road projects.

Mr. Minter stated he just emailed the Board an article from the ULI on what a "compact development" is.

(Ed. Note: The Deputy Clerk did not receive a copy of the email.)

There being no further business to come before the Board, the meeting thereupon adjourned at 11:33 a.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk