



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 04/29/2024	BCC Date: 05/21/2024
Case Number	24-S04
CDP-AR	31243
Type of Case	Future Land Use Map Series (FLUMS) amendment Rural Land (RL) to Commercial (COM)
Owner	1415 Brothers Holdings, LLC
Applicant	Tillman & Associates Engineering
Street Address	11374 SW Hwy 484, Dunnellon, FL 34432
Parcel Number	35300-215-02
Property Size	± 15 acres
Future Land Use	Rural Land (RL)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Secondary Springs Protection Overlay Zone (SSPZ)
Staff Recommendation	DENIAL
P&ZC Recommendation	TBD
Project Planner	Kathleen Brugnoli, Planner II
Related Case(s)	Concurrent Rezoning 240509ZC – From General Agriculture (A-1) to Neighborhood Business (B-1) and 240510SU – Special Use Permit for outside storage of boats, recreational vehicles, and trailers in a Neighborhood Business (B-1) zoning classification.

I. ITEM SUMMARY

Tillman & Associates, acting as agent for the property owner, 1415 Brothers Holdings LLC, has filed a Small-Scale Future Land Use Map Series (FLUMS) amendment application to change the land use designation of a ±15-acre site located on SW Hwy 484 abutting, to the north, part of the Florida Greenway (Attachment A). The applicant seeks to change the Future Land Use designation from Rural Land (RL), which allows for a maximum residential development of one (1) dwelling unit per ten (10) gross acres (1 du/10 ac), to a Commercial (COM) land use, which allows for 0-8 dwelling units per acre or a FAR of 1.0 (0-8 du/ac; 1.0 FAR) and can accommodate single-family, multi-family, and commercial uses contingent on the zoning (see Attachment A).

Figure 1, below, is an aerial photograph showing the general location of the subject property. The subject property is situated outside the Urban Growth Boundary (UGB), is located within the Secondary Spring's Protection Overlay Zone, and borders the Florida Greenway which is located directly south of the subject parcel. This property is Rural and is isolated from any other urban land use.

II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **DENIAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it is inconsistent with Land Development Code Section 2.3.3.B, which requires amendments comply and be consistent with the Marion County Comprehensive Plan as well as the provisions of Chapter 163, Florida Statutes.

Figure 1
General Location Map



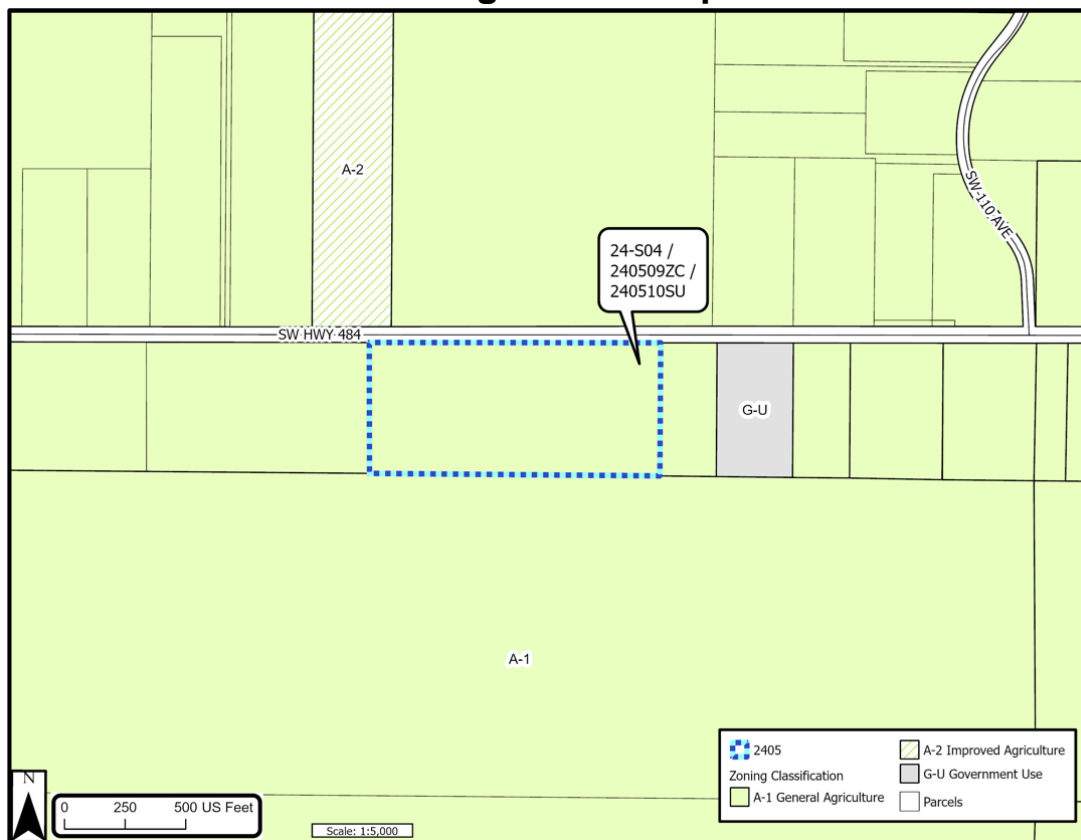
III. NOTICE OF PUBLIC HEARING

Notice of public hearing was mailed to (8) property owners within 300 feet of the subject property on April 12, 2024. A public hearing notice sign was also posted on the property on April 2, 2024. A public hearing notice for the Planning & Zoning Commission hearing was published in the Star Banner on April 15, 2024. As of the date of the initial distribution of this Staff Report, no correspondence in support of or in opposition to the amendment has been received. Evidence of the public hearing notices are on file with the Growth Services Department and are incorporated herein by reference.

BACKGROUND/PROPERTY HISTORY

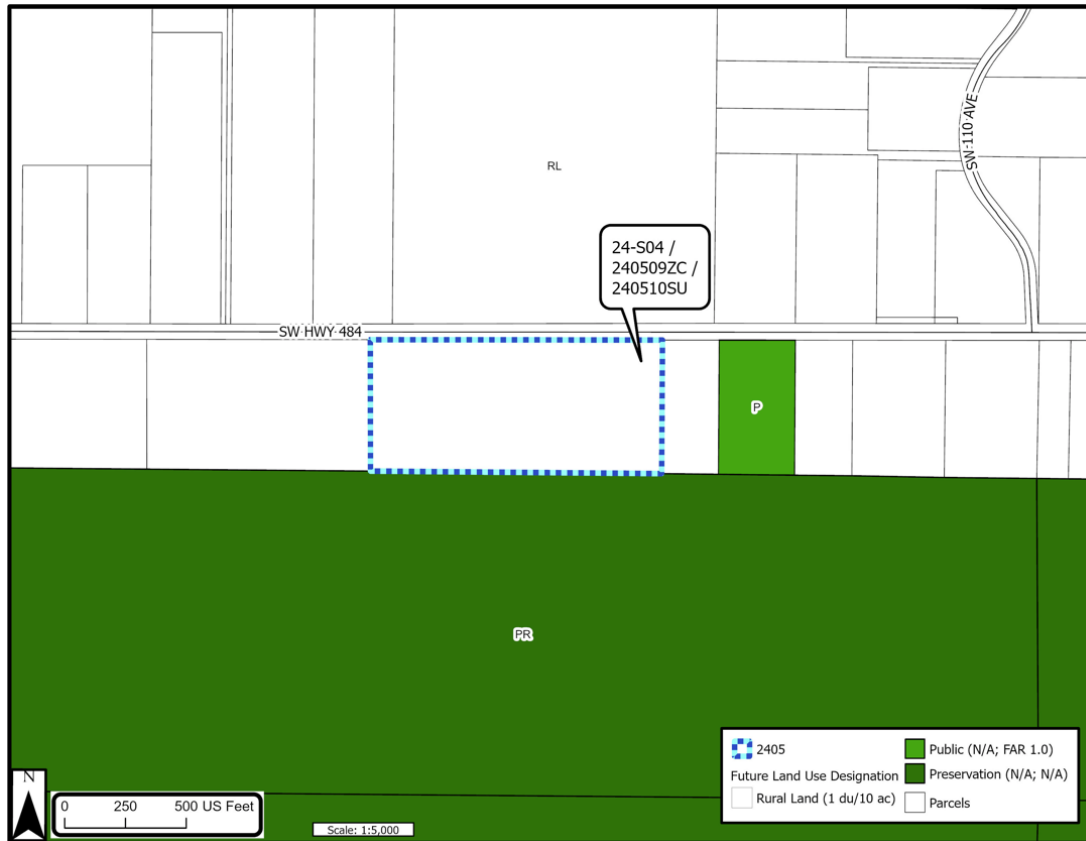
- A. *ZDM history.* Figure 2 shows the subject property is classified General Agriculture (A-1). This is its initial zoning classification.

Figure 2
Zoning District Map



- B. *FLUMS history.* Figure 3 displays the FLUMS designation of the subject property along with that of the surrounding properties. The subject property currently carries a Rural Land (RL) land use, which, according to the Marion County Comprehensive Plan, Policy 2.1.16, “[Is] intended to be used primarily for agricultural uses, associated housing related to farms and agricultural-related commercial and industrial uses. The base density shall be (1) dwelling unit per two (10) gross acres, and the designation is a Rural Area land use.”

Figure 3
Future Land Use Map Series designation



IV. CHARACTER OF THE AREA

A. *Existing site characteristics.*

Figure 4, below, is an aerial photograph showing the subject property and surrounding area. The subject property is metes & bounds, and not located within a subdivision. Parcels to the north (across SW Hwy 484), east, and west all share the same Rural Land use and A-1 zoning classification. To the south, the state owned Greenway property has a land use designation of Preservation and a zoning of A-1.

The parcel has roughly 1200' of frontage on 484 and a depth of approximately 545'. There are three (3) large accessory structures on the property, respectively 3822 square feet, 1479 square feet, and 1800 square feet in size. There is no primary structure on the property but the property card does list a well and septic also existing on site. The subject site has almost four (4) acres located within a FEMA designated flood zone near the center and southwest portions of the property. This lot, and contiguous lots, have an abundance of trees on-site and the parcel north across 484 is a large open pasture area identified on their property record card as "Green Gate Farm". Staff visited the site on April 2, 2024 to post public notice and photograph the property (Attachment B). The property and surrounding area appeared rural in nature with few structures on nearby properties and a very large number of trees and open pasture area. The driveway on to the property appears to be some sort of stone or lime rock, it is not paved, and shows degradation at the transition from road to property as well as some drop-offs that risk breaking at the edges of the road with heavy traffic. SW Hwy 484, at the time of the visit, was busy with long lines of vehicles offering little space to enter the road safely, an issue that has been brought up by Traffic in their DRC comments (Attachment C). The site is guarded from view by mature tree growth and a fence around the property, but what can be seen are the structures shown in the site photos and largely unimproved open areas similar in nature to those surrounding the subject site.

The proposed land use change would increase the maximum density for this property from the current Rural Land limit of one (1) dwelling units per ten (10) gross acre to the proposed Commercial limit of four (0-8) dwelling units per one (1) gross acre or a FAR of 1.0. The change in land use will allow a density and intensity unlike anything in the immediate area.

Figure 4
Aerial Photograph



- B. *Adjacent and surrounding land uses.* Figure 5 is a map based on the Marion County Property Appraisers data showing the existing, adjacent, and surrounding land uses. The subject property is, again, Rural land use with A-1 zoning as are all surrounding properties with the Greenway property to the south being the only exception with Preservation land use.

Figure 5
Existing and Surrounding Land Uses

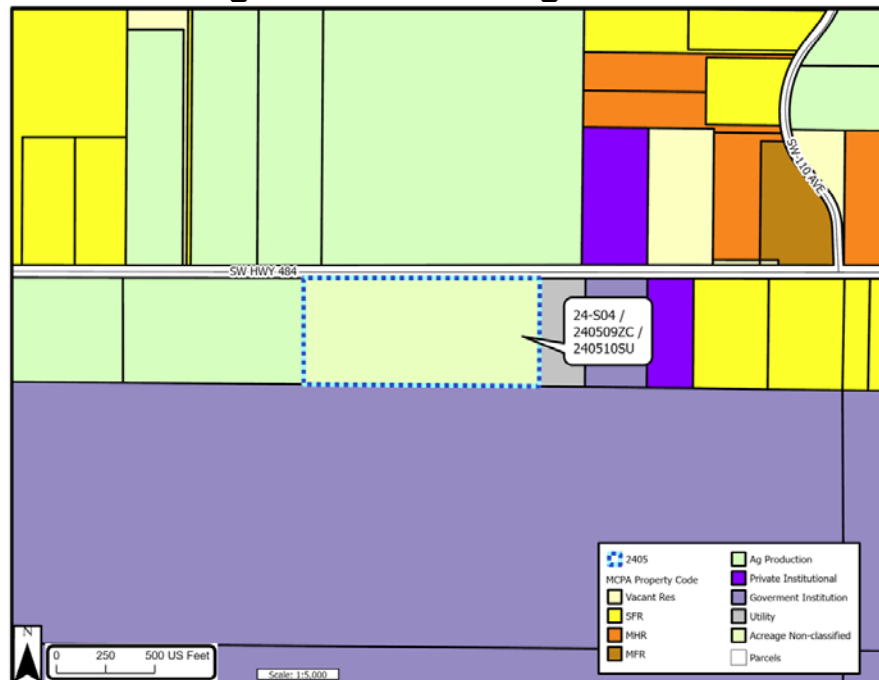
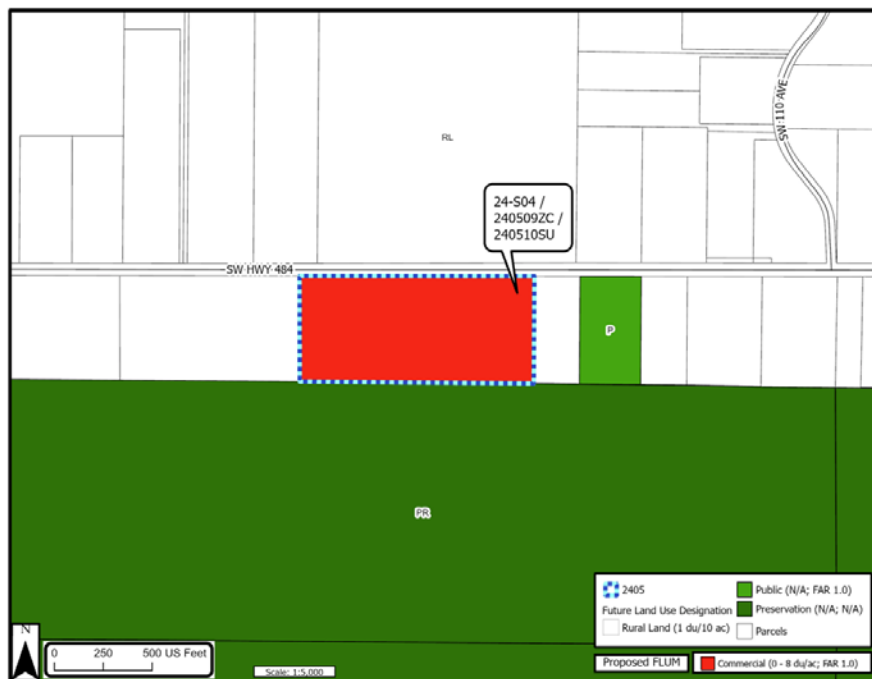


Table 1, below, displays the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Marion County Property Appraiser Existing Use
Subject Property	Rural Land (RL)	General Agriculture (A-1)	Acreage Non-classified
North	Rural Land (RL)	General Agriculture (A-1) Improved Agriculture (A-2)	Grazing Land
South	Preservation (PR)	Community Business (B-2)	State Property
East	Rural Land (RL)	General Agriculture (A-1)	Utilities
West	Rural Land (RL)	General Agriculture (A-1)	Grazing & Residential

C. *Project request.* Figure 6 depicts the FLUMS amendment proposed by this application. Approving the application would change the Rural land use designation to the Commercial land use designation (up to 8 du/ac), allowing the 15-acre lot to develop at a density of up to 120 dwelling units or a FAR of 1.0.

**Figure 6
Proposed FLUMS Designation**



V. ANALYSIS

LDC Section 2.3.3.B requires a Comprehensive Plan Amendment Application to be reviewed for compliance and consistency with the Marion County Comprehensive Plan and Chapter 163, Florida Statutes. Staff's analysis of compliance and consistency with these two decision criteria are addressed below.

A. *Consistency with the Marion County Comprehensive Plan*

1. Future Land Use Element (FLUE).

- a. FLUE Policy 1.1.5 on Higher Density/Intensity Uses provides, "The County shall require higher densities and intensities of development to be located within the Urban Growth Boundaries and Planned Service Areas, where public or private facilities and services are required to be available."

Analysis: The subject site requesting a higher density and intensity land use is neither in the Urban Growth Boundary, nor a Planned Service Area. The request does not meet the requirements set in place by this policy and is **not consistent** with FLUE Policy 1.1.5.

- b. FLUE Policy 1.1.7 on Discouraging Strip Commercial and Isolated Development provides, "The County shall discourage 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."

Analysis: The land use change proposed is not located at a commercial intersection, within a commercial node, or in a mixed use area. The surrounding land uses are, for the most part, Rural and Preservation with the exception of the electrical substation and fire station which are needed to support the agriculture and large lot residential uses on Agriculture property in the area. Approving this change in land use would constitute as isolated commercial development in an area rural in nature. This application is **not consistent** with FLUE Policy 1.1.7.

- c. FLUE Policy 2.1.1 on Supply and Allocation of Land provides, "The County shall designate future land uses on the Future Land Use Map 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."

Analysis: The proposed amendment intends to change 15 acres of Rural Land to Commercial within an area designated are Rural. A market study has not been provided by the applicant to explain why this area, outside the UGB, needs a Commercial use when the UGB is nearby and contains vacant land with the Commercial land use already existing. Recent research in to vacant land within the UGB done by Growth Services staff for Planned Service Area's (PSA's) found that within the UGB, there are approximately 1500 acres of vacant commercial land available; this is the area commercial

development is directed and, based on the amount of land available for this use, there is no need for the proposed land use amendment. This application is **not consistent** with FLUE Policy 2.1.1.

- d. FLUE Policy 2.1.7 on Conversion of Rural Lands Provides, “Applications for conversion of agricultural properties designated as Rural Land on the Future Land Use Map to a mixed use, industrial, commercial or residential future land use category shall demonstrate the following:

The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes;

1. 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.
2. The relationship of the proposed amendment site to the UGB boundary and other more densely or intensely designated or developed lands.

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

Analysis: Development Review Committee (DRC) comments (Attachment C) provided by Marion County Utilities (MCU) explain that while the property is in MCU service area, there are no water or sewer mains within immediate availability. This area has no sidewalks and the closest fixed route stop is at the Veterans clinic in Heathbrook, roughly nine (9) miles northeast of the subject site. The UGB is approximately a mile east of this property and this is not a designated PSA. This application does not meet any of the requirements provided above and is, by definition, sprawl. The application is **not consistent** with FLUE Policy 2.1.7.

- e. FLUE Policy 2.1.22 on Commercial (COM) provides, “This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).”

Analysis: This application is requesting a land use intended for urban areas which this parcel is not located in. East of this site near the intersection of 200/484 is an urban area appropriate for commercial uses as indicated by its inclusion in the UGB, its Future Land Use designation, and its zoning. This site is **not consistent** with FLUE Policy 2.1.22 or the intent of Commercial land use.

- f. FLUE Policy 3.1.4 on Rural Areas outside the UGB provides, “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.

Analysis: The application provided looks to change this rural area located outside the UGB to Commercial for development. The current zoning and land use of the property are appropriate given the surrounding area and uses rural in nature of properties nearby. The request being made with this application meets none of the five criteria above and is **not consistent** with FLUE Policy 3.1.4.

- g. FLUE Policy 5.1.2 on Review Criteria – Changes to the Comprehensive Plan and Zoning Provides, “ 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 necessity for 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;
 6. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
 7. Consistency with the UGB;
 8. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
 9. Compatibility with current uses and land uses in the surrounding area;

10. Water Supply and Alternative Water Supply needs; and 12. Concurrency requirements.

Analysis: No market demand and necessity for change information was provided for staff to review. There are currently no central services or transportation services within the area, the property contains a FEMA designated flood zone and abuts a Preservation space, its located outside the UGB, incompatible with surrounding uses as shown in all previous Comprehensive Plan policies listed, and defined as sprawl. The application is **not consistent** with FLUE Policy 5.1.2.

- h. FLUE Policy 5.1.3 on the Planning & Zoning Commission (P&Z) provides, “The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County’s Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.”

Analysis: This application is scheduled to appear in front of the Planning & Zoning Commission on April 29, 2024. This application is **consistent** with FLUE Policy 5.1.3.

- i. FLUE Policy 5.1.4 on Notice of Hearing provides, “[t]he County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

Analysis: Public notice has been provided as required by the LDC and Florida Statutes, and therefore the application is being processed **consistent** with FLUE Policy 5.1.4.

2. Transportation Element (TE)

- a. TE Policy 2.1.4 on Determination of Impact provides in part, “[a]ll proposed development shall be evaluated to determine impacts to adopted LOS standards.”

Analysis: DRC comments provided by Traffic state the following, “Recommend Denial - A Traffic Impact Analysis submitted with a Comprehensive Plan Amendment is required to compare the potential traffic generated from the existing land use to the maximum potential traffic generated by the proposed land use.... A commercial land use has the potential to significantly increase the amount of traffic generated by this site in this rural area.” Based on the above findings, the application is **not consistent** with TE Policy 2.1.4.

- b. TE Objective 3.1 on Financial Feasibility of Development is, “[t]o encourage development within the Urban Growth Boundary where infrastructure can be provided in a financially feasible manner.”

Analysis: The subject property is not located inside the UGB and, if approved, would not encourage development where infrastructure can be provided in a financially feasible manner. Based on the above, the application is **not consistent** with TE Objective 3.1.

3. Sanitary Sewer Element (SSE)

- a. SSE Policy 1.1.1 provides in relevant part, “The LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand is adopted as the basis for future facility design, determination of facility capacity, and documentation of demand created by new development. This LOS shall be applicable to central sewer facilities and to package treatment plants but shall not apply to individual OSTDS.”

Analysis: Due to the Rural nature of the area, Utilities are not immediately available to this site. However, the density and intensity of a change to a commercial use could very well require expansion of services to this area at the cost of the property owner proposing this zoning change. Based on the figures given above, demand could reach up to 30,000 gallons per day for commercial demand. If these extension requirements were met, the application would be **consistent** with SSE Policy 1.1.1.

4. Potable Water Element (PWE)

- a. PWE Policy 1.1.1 provides in part, “[t]he LOS standard of 150 gallons per person per day (average daily consumption) is adopted as the basis for future facility design, determination of available facility capacity, and determination of demand created by new development with regard to domestic flow requirements, and the non-residential LOS standard shall be 2,750 gallons per acre per day.”

Analysis: Staff finds that based on the proposed non-residential change in land use, this application has the potential to increase demand to 41,250 gallons per day. As mentioned above, infrastructure doesn’t currently extend to this area but may be required at the expense of the property owner, due to the change in density and intensity of Commercial in the Rural area, extending the distance that determines required connection. Based on these findings, the application would be **consistent** with PWE Policy 1.1.1.

5. Solid Waste Element (SWE)

- a. SWE Policy 1.1.1 provides, “[t]he LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. This LOS standard shall be used as the basis to determine the capital facilities or contractual agreements needed to properly dispose of solid waste currently generated in the County and to determine the demand for solid waste management facilities which shall be necessitated by future development.”

Analysis: The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Based on the above findings, the application is **consistent** with SWE Policy 1.1.1.

6. Stormwater Element (SE).

- a. SE Policy 1.1.4 provides, “[t]he demand for stormwater facility capacity by new development and redevelopment shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the applicable design storm LOS standard adopted in Policy 1.1.1 and facility design procedures consistent with accepted engineering practice.”

Analysis: At the time of development order approval, the owner will need to demonstrate that post-development stormwater runoff can be accommodated by the stormwater facilities proposed during development review. Based on the above, the application is **consistent** with SE Policy 1.1.4.

- b. SE Policy 1.1.5 provides, “[s]tormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development.”

Analysis: The owner is advised they will be responsible for funding the stormwater facilities with sufficient capacity to accommodate the post-development runoff. Based on the above findings, the application is **consistent** with SE Policy 1.1.5.

7. Public School.

- a. The following figures are provided for the 60th day of enrollment for the 2023-2024 school year: Dunnellon Elementary (100%), Dunnellon Middle (72.45%), and West Port High School (123%). While there are areas of overcrowding, overall, the county’s school availability has capacity. Based on the above findings, the proposed development would not adversely affect public interest. Therefore, it is concluded that the application is **consistent** with this section.

8. Fire Rescue/emergency.

- a. Ray Lloyd Jr. Fire Station #31, located at 11240 SW HWY 484, is roughly 240’ east of the proposed development. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above findings the application is **consistent** with this section.

In summation, staff concludes that the application, while meeting some of the above criteria, is **not consistent** with the Comprehensive Plan.

B. *Consistency with Chapter 163, Florida Statutes.*

1. Section 163.3177(6)(a)8 provides, “[f]uture land use map amendments shall be based upon the following analyses:
 - a. An analysis of the availability of facilities and services.
 - b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
 - c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.”

Analysis: Section A of this staff report included a detailed analysis of the availability of facilities and services, and drew the following conclusions: Traffic has the potential to negatively impact the area and the proposed land use change was recommended denial by Traffic, the property is located outside the UGB with no central services available and no transportation services available, the location does have access to the public schools listed, as well as Fire Rescue in case of emergency; and any stormwater concerns will be addressed and mitigated at the time of development. Based on this information, the application does not provide availability to all needed facilities and services and **does not comply with and conform to** F.S. Section 163.3177(6)(a)8a.

The analysis of the suitability of the plan amendment for its proposed use was addressed in the “Character of the area” section of this staff report and it was found that the application **does not comply with and conform to** F.S. Section 163.3177(6)(a)8b.

The analysis of the minimum amount of land needed to achieve the goals and requirements of this section was addressed in the analysis of FLUE Policies 2.1.1 and 2.1.22, providing that there is ample commercial land in the vicinity and the subject property has not met the minimum standard for proof of demand. Therefore, the application **does not comply with and conform to** F.S. Section 163.3177(6)(a)8c.

2. Section 163.3177(6)(a)9 provides, “[t]he future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
 - a. Subsection ‘a’ provides, “[t]he primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
 - (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
 - (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

- (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
- (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
- (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
- (VI) Fails to maximize use of existing public facilities and services.
- (VII) Fails to maximize use of future public facilities and services.
- (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
- (IX) Fails to provide a clear separation between rural and urban uses.
- (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- (XI) Fails to encourage a functional mix of uses.
- (XII) Results in poor accessibility among linked or related land uses.
- (XIII) Results in the loss of significant amounts of functional open space.

Analysis: Staff finds the proposed amendment is located outside the UGB, Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development, fails to adequately protect an on-site floodplain as well as adjacent preserved Greenway spaces, fails to adequately protect adjacent agriculture areas, and fails to provide a clear separation between rural and urban areas. Staff finds the application encourages urban sprawl, and based on this finding, the proposed amendment is **not consistent** with F.S. Section 163.3177(6)(a)9a.

- b. Subsection 'b' provides, "[t]he future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
 - (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

- (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
- (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
- (IV) Promotes conservation of water and energy.
- (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
- (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
- (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
- (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.”

Analysis: Staff finds the proposed amendment is not directing growth to an area that will not have adverse impacts or protect the surrounding natural ecosystem, it does not promote walkability, infrastructure, or preservation of agricultural areas or open spaces. Rather than mediate sprawl, this application would create sprawl. Based on this finding, the proposed amendment is **not consistent** with F.S. Section 163.3.177(6)(a)9b.

VI. ALTERNATIVE ACTIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **APPROVE** the small-scale FLUMS amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the proposed small-scale FLUMS amendment number 24-S04 because the application **is not consistent with:**

- A. The Marion County Comprehensive Plan, specifically with:
 - 1. FLUE Policies 1.1.5, 1.1.7, 2.1.1, 2.1.7, 2.1.22, 3.1.4, 5.1.2
 - 2. TE Objective 3.1;
 - 3. TE Policy 2.1.4;

And does **not comply with and conform to:**

- B. The Florida Statutes, specifically with:
 - 1. F.S. Section 163.3177(6)(a)8, subsection a, b, and c; and
 - 2. F.S. Section 163.3.177(6)(a)9, subsections a and b.

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. Application.
- B. Site Photos.
- C. Development Review Committee Comments.