



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

Public Hearing Dates	P&Z: 7/28/2025	BCC: 8/18/2025
Case Number	25-S10	
CDP-AR	32806	
Type of Case: Small-Scale Comprehensive Plan Amendment	<i>Future Land Use Designation Change:</i> FROM: High Residential (HR; 4-8 DU/AC) TO: Commercial (COM; 0-8 DU/AC or 1.0 FAR)	
Owner	Oak Run Associates, LTD (Steven Miller, President, Development & Construction Corporation of America, as GP of Oak Run Associates, LTD)	
Applicant	Fred N. Roberts, Jr. Esq., Klein and Klein, PA	
Street Addresses	11437, 11517, 11621, 11637 and 11641 SW 90th Terrace, Ocala, FL 34481	
Parcel Numbers	7000-000-000	
Property Size	±9.13 acres	
Future Land Use	High Residential (HR; 4-8 DU/AC) [Oak Run Development of Regional Impact (DRI)]	
Zoning Classification	Planned Unit Development (PUD)	
Overlay Zones / Special Areas	In Urban Growth Boundary (UGB), In Primary Springs Protection Overlay Zone (P-SPOZ), In Marion County Utilities NE Regional Service Area; NOT in the Farmland Preservation Area	
Staff Recommendation	APPROVAL	
P&ZC Recommendation	APPROVAL (ON CONSENT)	
Related Cases	N/A	
Code Cases	N/A	

I. ITEM SUMMARY

Fred N. Roberts, Jr. Esq., of Klein and Klein, PA, filed a small-scale comprehensive plan amendment application on behalf of Oak Run Associates, LTD [Steven Miller, President, Development & Construction Corporation of America (DECCA), as GP of Oak Run Associates, LTD], to change a ± 9.13 acre site from High Residential (HR) to Commercial (COM). The Parcel Identification Number for the property is 7000-000-000; the site addresses are 11437, 11517, 11621, 11637 and 11641 SW 90th Terrace, Ocala, FL 34481, within the Oak Run Development of Regional Impact (DRI) and the legal description is provided within the application (see Attachment A). Marion County's 2013/2014 Comprehensive Plan Update integrated of the County's approved and established Developments of Regional Impact and their authorized development plans and land uses within the Future Land Use Map. *The site Oak Run DRI's identified the site as an initial site support/construction yard that would then be occupied by commercial uses upon the completion of development (Attachment B). The 2013/2014 Comprehensive Plan Update inadvertently identified the site as High Residential rather than Commercial that was overlooked by staff due to the scale of the map updating. This Amendment Application is proposed in order to correct the land use designation to reflect the site's originally authorized use. An Amendment is necessary in to order to formally adopt the correction to the Comprehensive Plan Future Land Use Map by ordinance.*

II. STAFF SUMMARY RECOMMENDATION

Staff is recommending the **APPROVAL** of the Small-Scale Future Land Use Map Series (FLUMS) amendment because it correct the land use representation authorized for the site by the Oak Run DRI's original development approval, and is therefore consistent 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, be compatible with the surrounding uses, and not adversely affect the public interest.

Figure 1
General Aerial Location Map



III. NOTICE OF PUBLIC HEARING

Notice of public hearing was provided pursuant to LDC Section 3.5.3.A and B as listed in following Table A. As of the issuance of this report, staff has received 24 letters of opposition to the requests related to the Golden Ocala - World Equestrian Center applications.

TABLE A. PUBLIC NOTICE SUMMARY			
METHOD	FORMAT	DATE	LDC Section
Newspaper Legal Notice	Display Ad	Ad Run: 7/14/2025	3.5.3.A & 3.5.3.B(1)(b)
Sign	Small-Scale CPA	Posted: 7/16/2025	3.5.3.B(1)
300-foot Mail Notice	SPO Letter 74 - owners	Mailed: 7/11/2025	3.5.3.B(2)

IV. BACKGROUND/PROPERTY HISTORY

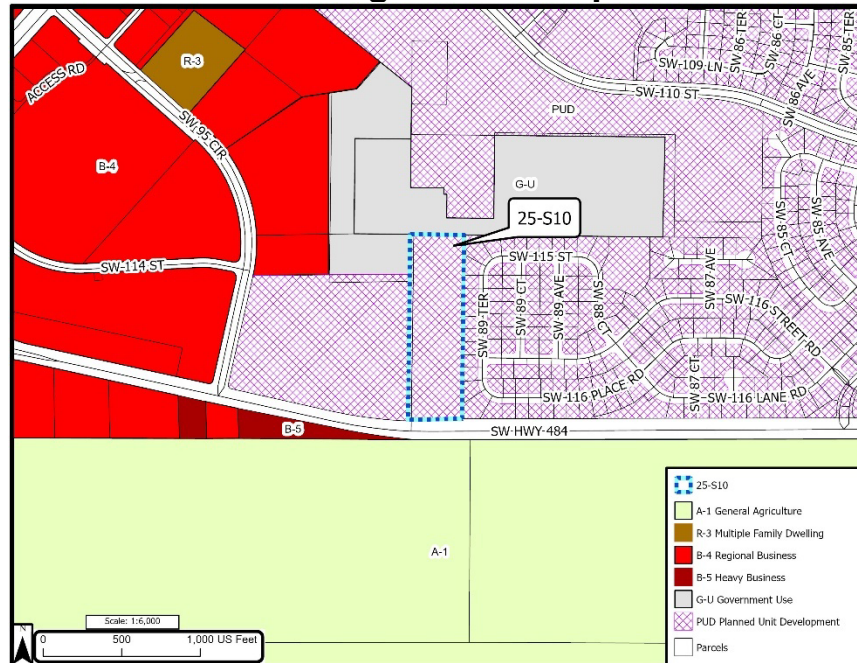
- A. *FLUMS history.* Figure 2 displays the current FLUMS designation of the subject property along with that of the surrounding properties. The subject property has a High Residential (HR) future land use, established with the 2013/2014 Marion County Comprehensive Plan Update; however, that designation overlooked the established Commercial use enabled for the site by the Oak Run DRI approval. The property owner is requesting that the site's land use designation be corrected to reflect to the historic approval in order to facilitate now establishing previously enabled commercial activity on the site.

Figure 2
Current Future Land Use Map Designation



- B. *ZDM history.* Figure 3 shows the subject property is currently zoned Planned Unit Development (PUD), reflecting the original PUD approval granted for the initial commencement of the Oak Run DRI.

Figure 3
Zoning District Map



V. CHARACTER OF THE AREA

A. *Existing site characteristics.*

The subject property includes a series of non-residential structures with associated parking originally used for the development and construction operation for the Oak Run DRI infrastructure and residential homes. SW Hwy 484 runs along the south side of the site that features a non-residential driveway to SW Hwy 484, a designated Arterial road, that provides access to the site and Marion County's Oak Run SW Regional Utility Facilities to the north. The site is located in the Urban Growth Boundary, in the County-wide Secondary Springs Protection Overlay Zone (S-SPOZ), and in Marion County's SW Utility Service Area, and not in the Farmland Preservation Area (FPA). Figure 4, following, is an aerial photograph showing the subject property and surrounding flood plain and flood prone areas. The site does not include any identified flood plain per the Federal Emergency Management Agency's Flood Insurance Rate Maps Series (FEMA FIRM); however, the Marion County Stormwater Division's Watershed Management Program (WMP) identifies a flood prone area that generally coincides with an existing on-site stormwater retention pond.

Figure 4
Flood Plain and Flood Prone Areas



B. *Adjacent and surrounding land uses.* Figure 5 is an aerial photograph of the site and surrounding area development, while Figure 6 is a map showing the existing and surrounding land uses based on the Marion County Property Appraisers Office property use code data. North of the site is the Marion County Utilities Oak Run SW Regional Utility Facility site that extends to the east and west. South of the site, across SW Hwy 484 is the Cross-Florida Greenway. The property to the west is designated Commercial and that property was approved for a multiple-family PUD (221008ZP, 1/17/2023); however, the site remains vacant and no development plans for the intended PUD have been filed at this time. The site's east boundary is shared with existing residential homes in the Oak Run Neighborhood 8-B (Plat Book 1, Pages 86-91; Recorded 10/9/1989, see Attachment C).

Figure 5
Aerial Photograph with Subdivisions

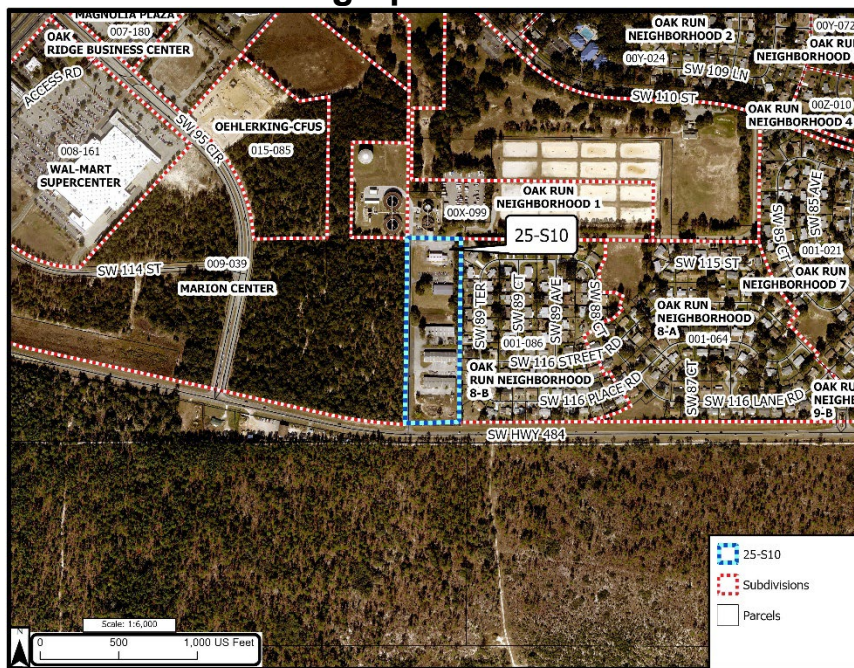


Figure 6
Existing and Surrounding Land Uses

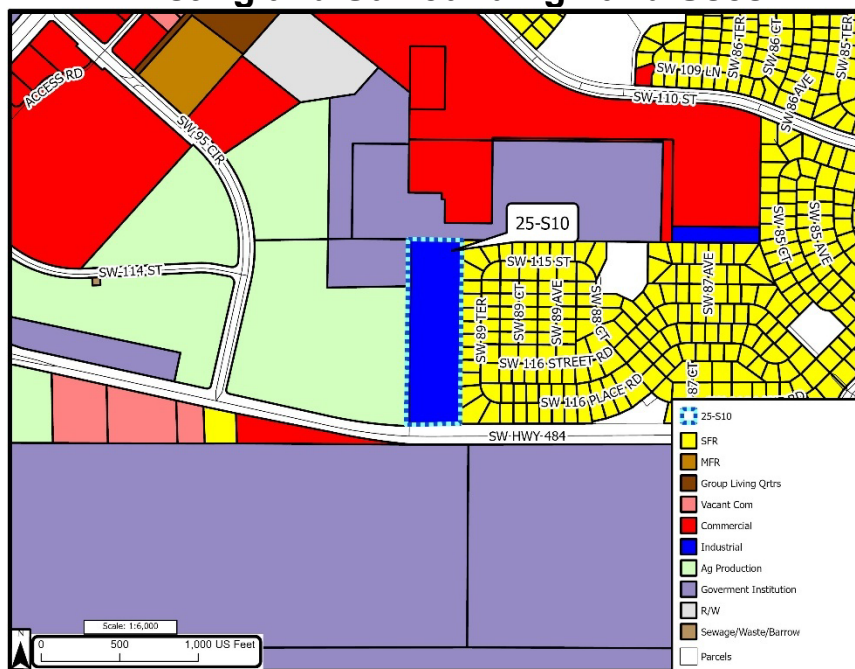


Table A, following, lists the FLUMS, Zoning Classification, and existing uses on the subject site and surrounding uses.

TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
Subject Property	High Residential (HR)	Planned Unit Development (PUD)	Offices and office/warehouse space
North	Public (P)	Government Use (G-U)	MC Oak Run SW Regional Utility Facilities
South	Preservation (PR)	General Agriculture (A-1)	Cross-Florida Greenway
East	High Residential (HR)	Planned Unit Development (PUD)	Single-Family Retirement Residences (Oak Run, Unit 8-B)
West	Commercial (COM)	Planned Unit Development (PUD)	Vacant (PUD 221008ZP for Multiple-family Apartment Complex)

C. *Project request.* Following Figure 7 depicts the FLUMS amendment proposed by this application. The application requests changing the site's future land use designation from High Residential (HR; 4 – 8 DU/AC) to Commercial (COM; 0-8 DU/AC or 1.0 FAR). The site was identified for commercial use with the original approval of the Oak Run DRI, and the amendment will correct and restore the appropriate land use designation for the site consistent with that original approval.

Figure 7
Proposed FLUMS Designation



The adjoining property north is the Public designated Marion County Oak Run SW Regional Utility Facility, while the adjoining vacant property west is designated Commercial. An October 2022 PUD Rezoning approval authorized a residential apartment complex on that site; however, no applications to proceed with that

development have been filed at this time. South, across SW Hwy 484, is the Cross-Florida Greenway with a Preservation future land use designation. East of the site is Oak Run Neighborhood 8-B designated High Residential that is part of the original Oak Run PUD. The requested Commercial will correct and restore the original Commercial land use designation as enabled with the original approval of the Oak Run DRI. Staff notes that the site and surrounding properties to the north, east, west and southwest are all within the UGB and within the general County-wide Secondary Springs Protection Overlay Zone. In summation, staff concludes that the application is **compatible** with the site and character of the area as originally enabled by the establishment of the Oak Run DRI.

VI. 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. 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 development within the county;*
 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 county;*
 6. *Ensure adequate service and facilities to timely serve new and existing development;*
 7. Protect and enhance the public health, safety, and welfare; and
 8. ***Protect private property rights.***

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Goal 1.

- b. FLUE 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 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.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Policy 1.1.1.

- c. FLUE 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.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded.

The application is **consistent** with FLUE Policy 1.1.6.

- d. FLUE 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 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: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the

development concluded. The application is **consistent** with FLUE Policy 2.1.22.

- e. 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 decide 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
 11. Concurrency requirements.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The application is **consistent** with FLUE Policy 5.1.2.

- f. FLUE 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 this advisory board.

Analysis: This application is scheduled to appear in front of the P&Z on July 28, 2025. This application is **consistent** with FLUE Policy 5.1.3.

- g. FLUE Policy 5.1.4: Notice of Hearing - The 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.

- h. FLUE 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 as further defined in the LDC.

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. The application is **consistent** with FLUE Policy 6.1.3.

2. Transportation Element (TE)

- a. TE Policy 2.1.4: Determination of Impact - All proposed development shall be evaluated to determine impacts to adopted LOS standards.

Analysis: The initial Oak Run DRI approval, and various subsequent approvals, were accompanied by traffic study information which addressed the site as a component of the overall development. The site's use for site support facilities, typically contractor storage warehouses with office space, were completed and operational for a number of years. As the residential development has approached conclusion, the extent of use for the site has been reduced as well. Implementing commercial use of the existing facilities, as constructed would not likely generate any additional trips beyond those generated in the past which is currently ±94 daily trips, ±9 am peak hour trips and ±10 pm peak hour trips. In the event part or all of the site was redeveloped for more traditional commercial uses (office, retail, etc.), revised/new site plans would be required and such plans would need to be accompanied by an updated site traffic operational study that would focus on access to the site. Based on the above findings, the application is **consistent** with TE Policy 2.1.4.

- b. TE Objective 3.1: Financial Feasibility of Development - To encourage development within the Urban Growth Boundary (UGB) where infrastructure can be provided in a financially feasible manner.

Analysis: The subject property is within the UGB, and includes frontage on SW Hwy 484 and is part of the Oak Run DRI that is connected to Marion County's Oak Run SW Regional Utility Facilities. The application is **consistent** with TE Objective 3.1.

3. Sanitary Sewer Element (SSE)

- a. SSE Policy 1.1.1: "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: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. The application is **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: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site is currently receiving central utility services from Marion County's Oak Run SW Regional Utility Facilities. Based on these findings, the application is generally **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 proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site

support area would also be utilized for commercial use as the development concluded. The site's existing development, as a non-residential activity, currently provides for private collection services which will continue as the site transitions to other potential non-residential commercial uses. 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."
- b. SE Policy 1.1.5 provides, "Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development."

Analysis: The proposed land use change will correct and restore the appropriate Commercial land use designation for the site, consistent with the original Oak Run DRI's approval that established the site support area would also be utilized for commercial use as the development concluded. The site's existing development provides for on-site stormwater management historically established. As the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, including impervious surface and stormwater design standards. Based on the above, the application is **consistent** with SE Policy 1.1.4 and 1.1.5.

7. Public School.

- a. As an existing commercial site that is expected to continue in commercial use, consistent with the established Oak Run DRI and PUD, a student population is not anticipated from the subject property. For reference, the site is located in the Marion Oaks Elementary, Horizon Academy at Marion Oaks Middle School, and West Port High School districts as projected for the 2025/2026 school year, with the high school changing to the new High School CCC at Marion Oaks for the 2026/2027 school year. Therefore, it is concluded that the application is **consistent** with this section.

8. Fire Rescue/Emergency

- a. The Ray Lloyd, Jr. Fire Station #31 at 11240 SW Hwy 484, Dunnellon, is located ±2.2 miles west of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services.

Analysis: The Fire Services Department provides services to the existing developed site, and as the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, including related fire codes, along with any applicable potential assessments and/or impact fees for the development proposed. As such, staff finds the application is **consistent** with this section.

9. Law Enforcement/Sheriff.

- a. The Sheriff's Southwest SR 200 District Office, located at 9048 SW Hwy 200, Ocala, is located ± 2 miles north/northwest of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement/sheriff services. Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services.

Analysis: The Marion County Sheriff's Office (MCSO) provides services to the existing developed site, and as the site transitions to other potential non-residential uses, use of the site will be subject to Marion County LDC provisions regarding development and design, along with any applicable potential assessments and/or impact fees for the development proposed. As such, staff finds the application is **consistent** with this section.

In summation, staff concludes that the application is **consistent** with the Comprehensive Plan, as the site is located within the Urban Growth Boundary (UGB) and will correct and restore the appropriate future land use designation for the site the reflects this historic Oak Run DRI approval. Further, adequate public facilities are in place, and any changes of use will be subject to Marion County LDC provisions regarding development and design.

B. *Consistency with Chapter 163, Florida Statutes (F.S.).*

1. Section 163.3177(6)(a)8, F.S. "Future 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. Services are present in the area, and final connection determinations would be made at the time of development review. The site will function as a transitional area between uses where urban services are available or underway. Based on this information, the application **does 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 reports and it was found that the application **does 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 functionally addressed in the analysis of FLUE Policies. Therefore, the application **does 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 notes the site is within the County UGB and will provide for a mix of uses and transition between residential uses and a larger Commercial land use designated node to the west; further the site has existing access to the existing transportation network, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated. Staff finds the application is **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 notes the site is within the County UGB and will provide for a mix of uses and transition between residential uses and a larger Commercial land use designated node to the west; further the site has existing access to the existing transportation network, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated. Based on this

finding, the proposed amendment is **consistent** with F.S. Section 163.3177(6)(a)9b.

In summation, staff concludes that the application is **consistent** with F.S. Section 163.3177(6)(a), as the site is located within the Urban Growth Boundary (UGB) and will establish a future land use designation that reflects the site's original approvals that also allows the site to act as a transition between a designated Commercial node area and residential area to the east. Further, adequate public facilities are in place, and any modifications the site uses will require compliance with applicable LDC provisions to ensure possible impacts are suitably mitigated .

VII. 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 with findings to the Board of County Commissioners to **DENY** the proposed 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 act to **TABLE OR CONTINUE** 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.
- C. 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 with findings to the Board of County Commissioners to **APPROVE** the proposed small-scale FLUMS amendment.

VIII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (P&Z) 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 for **APPROVAL** of the proposed small-scale FLUMS amendment number 25-S10based on the following:

- A. The application **is consistent** with the following Comprehensive Plan provisions:
 - 1. FLUE Goal 1, Policies 1.1.1, 1.1.6, 2.1.19, 5.1.2,5.1.3, 5.1.4, and 6.1.3,
 - 2. TE Policy 2.1.4, and Objective 3.1
 - 3. SSE Policy 1.1.1,
 - 4. PWE Policy 1.1.1,
 - 5. SW Policy 1.1.1,
 - 6. SE Policies 1.1.4 and 1.1.5;
- B. The application **does comply with and conform** to Florida Statutes, Sections Section 163.3177(6)(a)8 and 163.3177(6)(a)9, subsections a and b, as provided in prior report sections VI.A and VI.B

IX. PLANNING & ZONING COMMISSION RECOMMENDATION

The Planning & Zoning Commission voted to agree with staff's findings and recommendation, and recommend approval of the proposed Amendment on consent with a vote of 5-0.

X. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

XI. LIST OF ATTACHMENTS

- A. Application.
- B. Resolution No. 86-R-293, Oak Run DRI Development Order.
- C. Oak Run Neighborhood 8-B Subdivision, Plat Book 1, Pages 86-91.
- D. DRC Staff Review Comments (AR 32806).
- E. Site/Sign Photos.