



**Marion County
Board of County Commissioners**

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

**PLANNING & ZONING SECTION
STAFF REPORT**

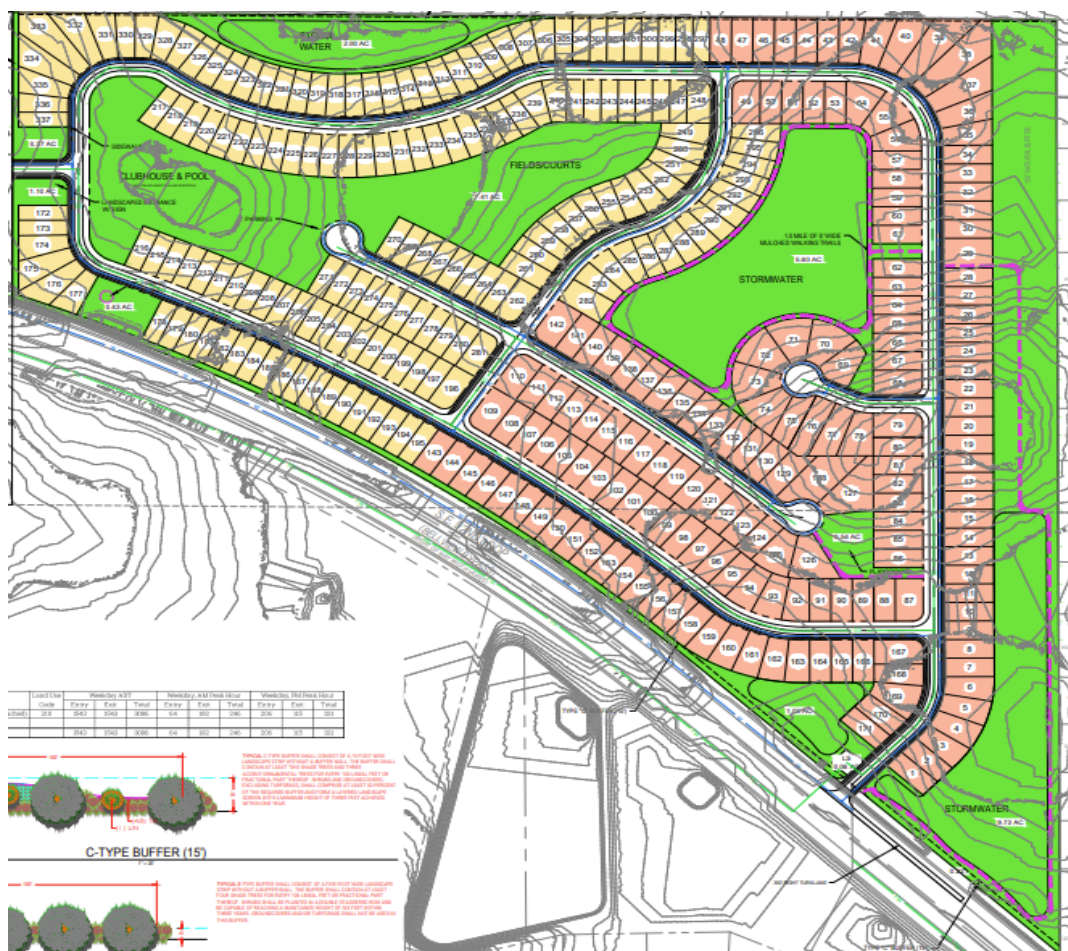
P&ZC Date: 04/29/2024	BCC Date: 05/21/2024
Case Number	240205ZP
CDP-AR	30892
Type of Case	Rezoning from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) to allow a maximum of 337 single-family residences.
Owner	Ocala 85, LLC.
Applicant/Agent(s)	JMJ Group, LLC. – Gerald J. Pionessa, Jr., P.E.
Street Address / Site Location	No address
Parcel Number	37515-000-01; 37515-000-05
Property Size	±84.37 acres
Future Land Use	Medium Residential (MR)
Zoning Classification	Single-Family Residential (R-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), in the Silver Springs Primary Protection Overlay Zone (SSPOZ)
Staff Recommendation	APPROVAL WITH CONDITIONS
P&ZC Recommendation	DENIAL
Project Planner	Kathleen Brugnoli, Planner II
Historic/Related Case(s)	None

I. ITEM SUMMARY

Gerald J. Pionessa with JMJ Group LLC, on behalf of Ocala 85 LLC., has filed an application to rezone an 84.37-acre property on the north side of SE 92nd Loop from Single-Family Dwelling (R-1) to Planned Unit Development (PUD) (see Attachment A), pursuant to the provisions of Land Development Code (LDC) Division 2.7 – Zoning and LDC Section 4.2.31.

The proposed PUD includes 50' wide lots on the eastern portion of the site and 40' wide lots on the western portion of the site. A narrative provided with the application states, "The Belleview 85 community is a to-be-built for sale single family residential community.... The community is projected to serve the growing labor force in the Ocala and Marion County market." The application and conceptual plan propose 337 lots which is the maximum permitted given the acreage and land use of the property. Figure 1 shows the proposed conceptual plan and Figure 2 shows the general location of the subject property. The subject property is situated in the Urban Growth Boundary (UGB) and in the County's Silver Springs Primary Protection Overlay Zone (SSPPOZ).

**Figure 1
Conceptual Plan**



**Figure 2
General Location Map**



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL with conditions** of the applicant's request because it is consistent with LDC Section 2.7.3.E.2, which requires that granting a rezoning will not adversely affect the public interest, that the rezoning is consistent with the Marion County Comprehensive Plan (MCCP), and that the rezoning is compatible with land uses in the surrounding area, and with LDC Section 4.2.31 on Planned Unit Development. The proposed PUD will not adversely affect the public interest based upon the intensity of use, consistency with the Comprehensive Plan, and compatibility with the surrounding uses.

III. NOTICE OF PUBLIC HEARING

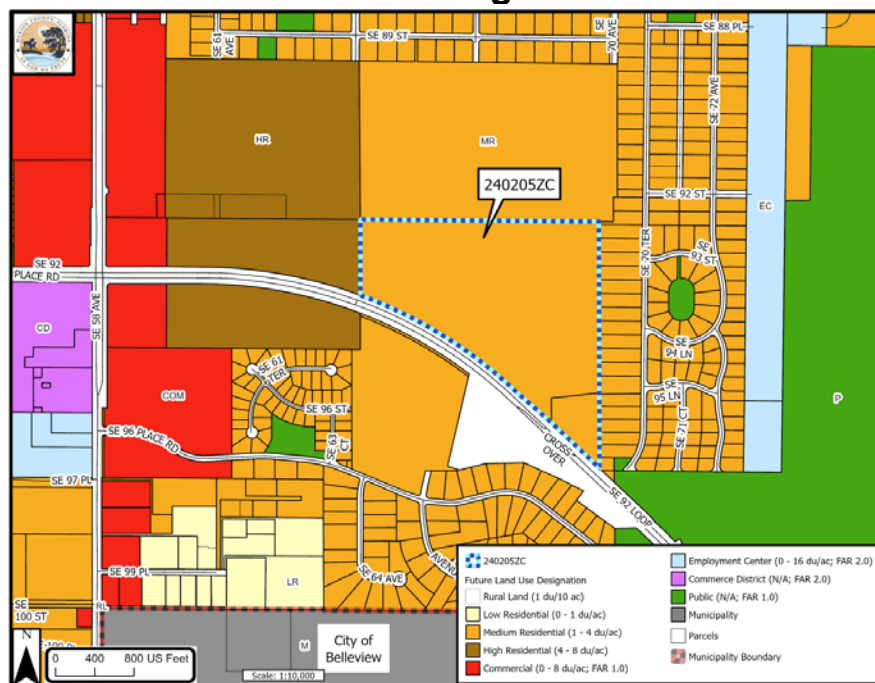
Consistent with LDC Section 2.7.3.C., notice of public hearing was mailed to all property owners (23 owners) within 300 feet of the subject property on April 12, 2024. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property the week of April 2, 2024 and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on April 15, 2024. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

IV. ANALYSIS

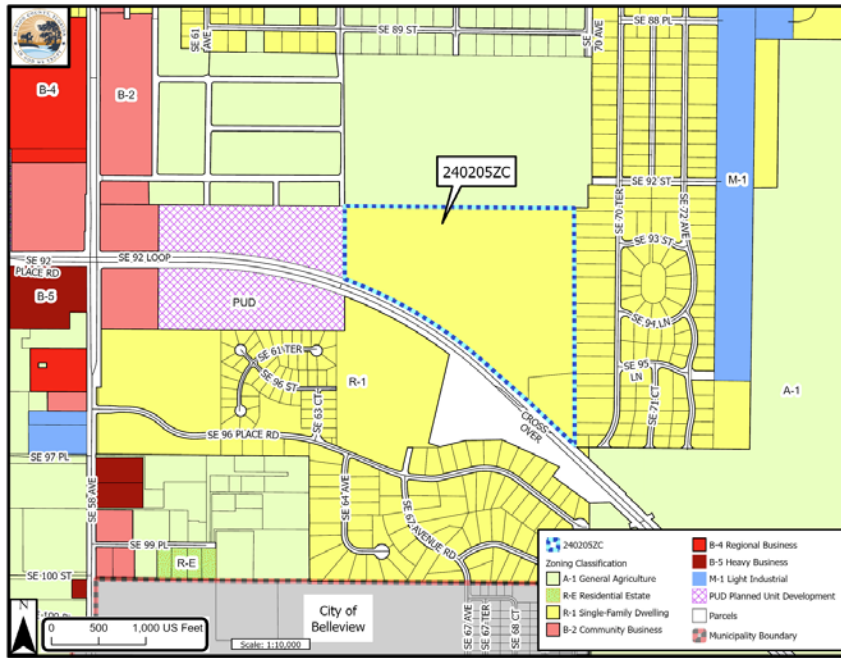
LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and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

- A. *Compatibility with surrounding uses.* Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 2 is an aerial photograph displaying existing and surrounding site conditions. Figure 3 displays the site and surrounding areas' future land use designations as shown in Map 1 of the Comprehensive Plan Future Land Use Map Series (FLUMS), Figures 4 and 5 respectively, display the existing and surrounding properties' existing zoning classifications and the site's proposed zoning classification. Figure 6 shows the uses of the subject property and surrounding properties as classified by the Marion County Property Appraiser. Table A displays the information from Figures 3, 4, and 6 in tabular form.

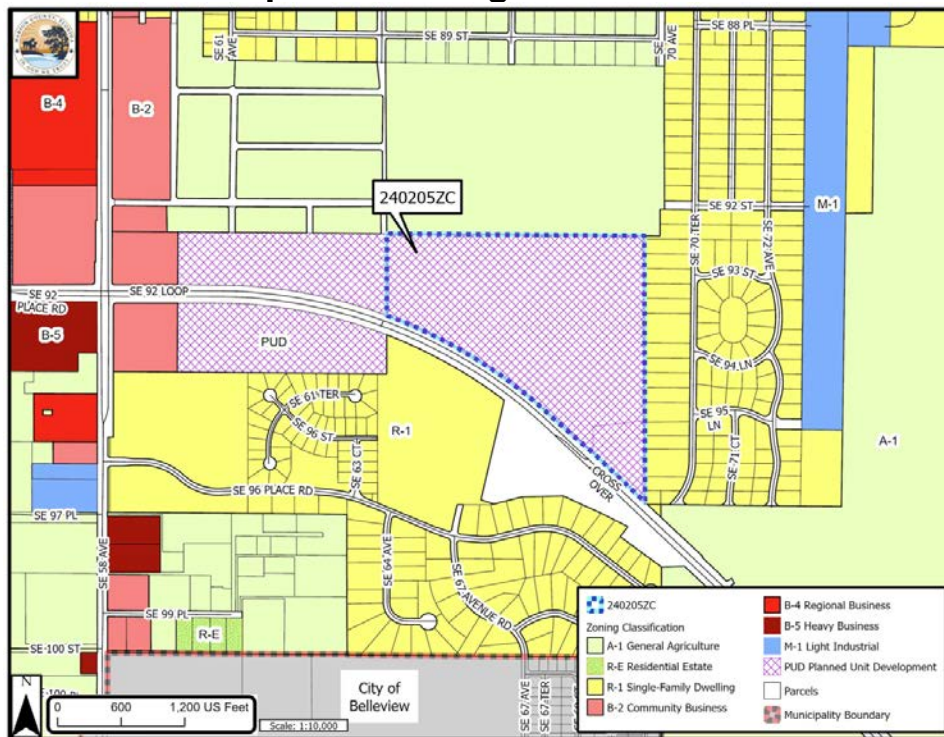
**Figure 3
FLUMS Designation**



**Figure 4
Existing Zoning Classification**



**Figure 5
Proposed Zoning Classification**



**Figure 6
Existing and Surrounding Land Uses**

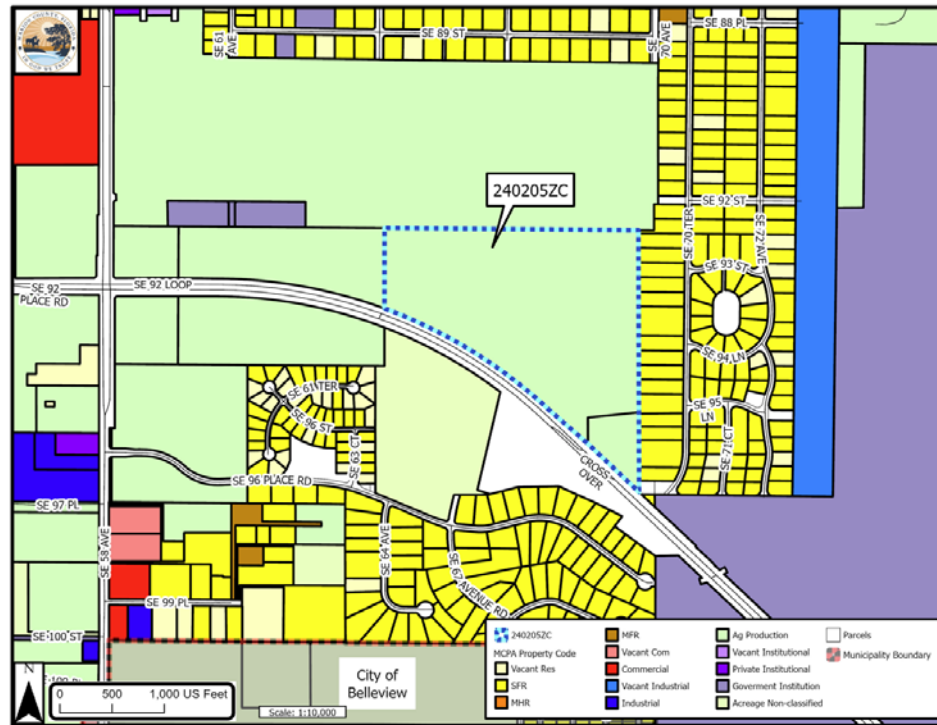


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Medium Residential (MR)	Single-Family Dwelling (R-1)	Grazing Land
North	Medium Residential (MR)	General Agriculture (A-1)	Grazing Land
South	Medium Residential (MR)	Single-Family Dwelling (R-1)	Non Classified
East	Medium Residential (MR)	Single-Family Dwelling (R-1)	Improved Residential
West	High Residential Commercial (HR)	Planned Unit Development (PUD)	Grazing Land

Consistent with LDC Section 2.7.3.D, staff conducted a site visit (Attachment C) and finds the subject property vacant and mostly comprised of flat, open pasture area. The northern and eastern property boundary lines have a small buffering of trees and there are a handful of trees within the interior of the property, otherwise the area is just grassy land currently being used as grazing land for cows.

The PUD proposes Setbacks of 20' from front and rear property lines, 20' from street side property lines, and 5' from interior side property lines. The setbacks proposed are similar to those of previously approved PUD's and follow Section 4.2.31 of the LDC which states setbacks are an item that PUD's may provide for approval or denial in the development process.

The proposed buffers comply with, or exceed, those required by LDC. Staff finds the buffers proposed by the developer are most appropriate and offer increased disturbance mitigation by providing a natural vegetative buffer for the existing residential to the east.

Table 3 below summarizes the PUD's proposed and *staff's recommended buffers for the PUD*:

TABLE 3. BUFFERS				
Direction	Adjoining Use	Required	Proposed	Recommended
North	AG/Grazing Land	Type "E"	Type "E"	Type "E"
South	ROW	Type "C"	Type "C"	Type "C"
East	Residential	None	150' natural vegetative buffer	150' natural vegetative buffer
West	Proposed ROW	Type "C"	Type "C"	Type "C"

Based on the above findings, staff concludes the proposed rezoning is **compatible** with the existing and future surrounding land uses, and with conditions set in place by staff, any chance of incompatibilities will be mitigated.

B. Will not adversely affect the public interest.

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. An approved Traffic Study and methodology is on file for the PUD (Attachment C). The traffic study indicates this development would produce approximately 3,086 daily trips with 225 peak a.m. and 311 peak p.m. trips. "Access to the development will be provided via a full access extension of SE 64th Avenue to SE 92nd Loop, a right-in right-out connection to SE 92nd Loop, and a left-in right-in right-out connection SE 92nd Loop." Westbound, drivers have the option of using SE 58th Ave. (Baseline) or US Hwy 441. Eastbound, drivers have options of utilizing E Hwy 25 or another opportunity to get on Hwy 441 further south in the Summerfield area.
 - b. Public transit. There are no fixed route services available in this area.
 - c. Other mobility features. The PUD Conceptual plan shows sidewalks internally throughout the subdivision and also to the proposed ROW to be shared with the western PUD under development, encouraging interconnectivity. Sidewalks are already in place along the portion of SE 92nd Loop that this PUD fronts.

Based on the above findings, it is concluded that the application's proposed transportation impacts **would not adversely affect public interest**. If the PUD zoning change is approved, staff recommends the following condition to help mitigate adverse impacts:

- *A sidewalk shall be provided internally consistent with PUD's conceptual plan.*
2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the proposed 337 residences, the rezoning would result in an overall generation of 121,320 gallons per day. DRC comments provided by Marion County Utilities indicate this development would be served by City of Belleview Utilities. As long as the applicant abides by the requirements put in place by Utilities, it is concluded the application's **potable water impacts would not adversely affect the public interest.**
 3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the 337 residences, the proposed rezoning would result in an overall generation of 88,968 gallons per day. The DRC comments from Utilities indicate this development would be served by City of Belleview Utilities. As long as the applicant abides by the requirements put in place by Utilities, it is concluded the application's **sanitary sewer impacts would not adversely affect the public interest.**
 4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day. The SWE does not establish a LOS standard for solid waste generation for non-residential uses. The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Based on the above, it is concluded the application's **solid waste impacts would not adversely affect the public interest.**
 5. Fire rescue/emergency services. Silver Springs Shores Fire Station #17, located at 2122 Pine Road, Ocala FL, 34472, is roughly 6 miles northeast of the subject property. Formally, there is no established LOS provided for emergency services. It is concluded the application's **fire rescue/emergency impacts would not adversely affect the public interest.**
 6. Law enforcement. The Sheriff's South Multi-District Substation, located at 83260 SE 80th Street Ocala FL 34470, is roughly 3.6 miles northwest of the subject property. Due to the proximity of the facility, it is concluded the application's **law enforcement impacts would not adversely affect the public interest.**
 7. Public schools. Legacy Elementary is 2.8 miles from the subject site at 8496 Juniper Road, Belleview Middle School is roughly four miles away at 10500

SE 36th Avenue, and Belleview High School is also roughly four miles away at 10400 SE 36th Avenue. Based on attendance on the 60th day of the 2023-2024 school years, Legacy was at 81% capacity, Belleview Middle was at 110% and Belleview High was at 119%. While there are areas of localized overcrowding the county, overall, has capacity. It is concluded that the proposed rezoning's impact to **public schools would not adversely affect the public interest.**

In conclusion, staff finds **the public facility impacts will not adversely affect the public interest** as proposed and recommended, as the potential impacts will be addressed by the proposed PUD development conditions.

C. *Comprehensive Plan consistency.*

1. FLUE Policy 1.1.3 Accommodating Growth: The County shall designate on the Future Land Use Map sufficient area in each land use designation to distribute development to appropriate locations throughout the county. Changes to the Future Land Use Map 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.

Analysis: The development proposed is utilizing the already existing Medium Residential (MR) land use and is located within the Urban Growth Boundary which is the desired location for this kind of development and is considered to be a project of infill. The subject site also offers easy access Ocala, Belleview, Summerfield, and The Villages which makes it desirable to many current and future citizens with jobs in the nearby area. Staff concludes the proposed rezoning is **consistent** with FLUE Policy 1.1.3.

2. FLUE Policy 2.1.18 Medium Residential: This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and urban area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or urban area. The density range shall be from one (1) dwelling units per one (1) gross 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.

Analysis: Staff finds the property is located in a residential area of medium and high residential land uses; some of the surrounding subdivisions include Silver Springs Estates, Leeward Air Ranch, and Golf Park with the contiguous lot to the west proposing a mix of single-family and multi-family development. The subject site is developing within the permitted 1.4 dwelling units per area and is located within the UGB. The proposed residential use is compatible with the surrounding residential uses and offers similar intensity to existing subdivisions in the area. As recommended, staff concludes the proposed rezoning **is consistent** with FLUE Policy 1.1.6

3. FLUE Policy 3.1.2: Planning Principles with 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. Encourage compact and mixed use building design.
 5. Foster distinctive, attractive communities with a strong sense of place.
 6. Create walkable and linked neighborhoods.
 7. Create a range of housing opportunities and choices.
 8. Provide a variety of transportation choices.
 9. 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. Establish priority areas for public facility and service infrastructure

Analysis: The PUD proposal includes many of the planning principles listed above. The PUD is located in an area of existing communities, looks to create linked and walkable neighborhoods by providing sidewalks and including connection to the proposed PUD to the west. This PUD is also developing within an area that has appropriate utility infrastructure already in place with the City of Belleview. Staff concludes the proposed rezoning **is consistent** with FLUE Policy 1.1.7.

4. FLUE 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.

Analysis: In review of the proposed development, staff finds the zoning and land use are consistent with one another and the development standards included in the conceptual plan meet or exceed those development standards seen in straight zoning for a residential zoning classification. **The application is consistent** with FLUE Policy 4.1.5.

5. FLUE Policy 5.1.2: review Criteria – Changes to Comprehensive Plan and Zoning. Before approval of a Comprehensive Plan Amendment (CPA), Zoning Changes (ZC), or Special Use Permit (SUP), the applicant shall demonstrate 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:

- I. Market demand and necessity for the change
- II. Availability and potential need for improvements to public or private facilities and services;
- III. Allocation and distribution of land uses and the creation of mixed use areas;
- IV. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
- V. Agricultural activities and rural character of the area;
- VI. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
- VII. Consistency with the UGB;
- VIII. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
- IX. Compatibility with current uses and land uses in the surrounding area;
- X. Water supply and alternative water supply needs; and
- XI. Concurrency requirements.

Analysis: Staff finds the proposed rezoning demonstrates an appropriate use within a residential area as it proposes single-family dwellings with a MR land use, a future land use designated to lands with the intent that they develop residentially. This development does not meet the requirements to be classified as urban sprawl and is consistent with the UGB. It is compatible with current uses in the surrounding area and consistent with planning principles in the Comprehensive Plan, Zoning, and the LDC. Staff finds the rezoning **is consistent** with FLUE Policy 5.1.2.

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

Analysis: The proposed Zoning Change amendment is scheduled for the April 29, 2024 Planning and Zoning Commission and, therefore, the application **is consistent** with this FLUE Policy 5.1.3.

7. FLUE Policy 5.1.4 on Notice of Hearing provides "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

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

5. TE Policy 2.1.4 on determination of impact provides in part "All proposed development shall be evaluated to determine impacts to adopted LOS standards."

Analysis: DRC comments from Traffic indicate a traffic impact analysis wasn't submitted with the rezoning to PUD with concept plan, but a later submittal did take place providing the necessary information for Traffic to review. The Traffic Impact Analysis provided the following conclusions: The proposed development is expected to generate 3,086 new daily trips with 225 peak AM and 311 peak PM trips, all studied roadway segments were shown to have sufficient capacity under existing conditions, however, a portion of SE 92nd Place Road may want to consider widening from two to four lanes to accommodate future development in the area. Based on the above findings, it is concluded the application is **consistent** with TE Policy 2.1.4.

6. TE Objective 2.2. on Access Management provides "To maintain the intended functionality of Marion County's roadway network, access management standards shall be established which provides access controls and manage the number and location of public roadways, private roadways, driveways, median openings, and traffic signals."

Analysis: The PUD concept provided will be served by three access points, a right-in right-out connection to SE 92nd Loop, a left-in right-out connection on SE 92nd Loop, and a full access extension of SE 64th Avenue to SE 92nd Loop that will be a shared access with the neighboring PUD to the west. Staff conducted a meeting with both applicants and they were in agreement that they would work together to construct the shared right-of-way; a condition is being placed on the PUD to affirm this. Based on the above findings, staff concludes the application is **consistent** with TE Objective 2.2.

- Applicant to work with BaseDev Land Trust, also developing a PUD, to construct the portion of SE 64th Avenue to be used by both PUD's. If Ocala 85 (aka Blue River) develops first, they will be responsible for providing this access from SE 92nd Loop up to the point that they propose to connect on the west side of their PUD. If Ocala 85 (aka Blue River) develops after Basedev Land Trust, they will be responsible for developing the portion of road from Basedev Land Trust up to their proposed connection on the west side of their PUD.

8. SSE Policy 1.1.3 provides "The County shall encourage the construction of sanitary sewer facilities by public or private sources, or jointly, in accordance with the Marion County Water and Wastewater Utility Master Plan, and the LDC."

Analysis: The site is within City of Belleview Utilities Service Area and, according to the conceptual plan, will connect by extension of lines from their current location on Baseline Road. Based on the above findings, it is concluded the application **is consistent** with SSE Policy 1.1.3.

9. SSE Policy 1.2.1 provides "Within the UGB, all new development approval requests (CPAs, rezonings, site plans, etc.) will require proof that central sanitary sewer and water service from a County approved provider is or will be available. Approved providers in the UGB are MCUD, the cities of Ocala, Belleview or Dunnellon, and private utilities authorized by the County within its service area."

Analysis: The PUD Conceptual Plan provides that these services are available through City of Belleview Utilities and was confirmed in DRC Comments from Marion County Utilities. Based on the findings, it is concluded the application **is consistent** with SSE Policy 1.2.1.

10. PWE Policy 1.6.4 provides "Adequate potable water supplies and facilities which meet the adopted LOS standards shall be available concurrent with the impacts or development."

Analysis: Water to be provided by City of Belleview Utilities. Based on the above findings, it is concluded the current application **is consistent** with PWE Policy 1.6.4

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

Analysis: At the time of development order approval, the owner will need to demonstrate post-development stormwater runoff can be accommodated by the proposed stormwater facility, which facility could potentially include reducing the form, intensity, and/or density of the proposed development (e.g., units, building SF, impervious square feet). Based on the above, it is concluded the application **is consistent** with SE Policy 1.1.4.

12. SE Policy 1.1.5 provides "Stormwater facilities meeting the adopted LOS shall be available concurrent with the impacts of the development."

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

In conclusion, based upon the totality of the circumstances, staff concludes the rezoning application is **consistent** with the Comprehensive Plan.

V. PLANNED UNIT DEVELOPMENT (PUD) ANALYSIS

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

A. LDC Section 4.2.31.B addresses permitted uses.

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

Analysis: The conceptual plan proposes single-family residential homes, a use consistent with the land use and with development standards similar to those of our residential zoning classifications.

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

- *The PUD shall be limited to 337 single-family residences.*
- *The PUD shall be developed consistent with the PUD Plan, and the development conditions provided.*
- *The following development standards as listed.*
 - *Setbacks: front property line 20', side property line 5', side property lines fronting a ROW 20', rear property lines 20'*
 - *Accessory structures shall have 5' setbacks from side and rear property lines*
 - *Maximum Residence Building Height: 40'*
 - *Maximum Accessory Building Height: 20'*

2. LDC Section 4.2.31.B.(2) provides uses identified as ordinarily requiring a Special Use Permit may be authorized as permitted within all or a part of a PUD without the necessity of a separate SUP application provided it meets on of three criteria;

Analysis: Staff finds the application does not propose any SUP. Therefore, this requirement is **not applicable**.

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

Analysis: Staff finds this is a new PUD request and that this section is **not applicable**.

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

Analysis: Proposed uses are called out within the conceptual plan, *"Proposed uses include single family detached homes on 40 and 50 feet wide lots, active and passive recreational amenities, and associated transportation, utility, and drainage infrastructure."* As such the PUD is **consistent** with this requirement.

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

Analysis: The PUD provides architectural renderings a variety of one and two-story homes including neutral colors and varying types of stacked stone, and finished on the homes along with shutters and columns on most styles.. A list of amenities are proposed, including but not limited to: a 1,900 square foot clubhouse featuring a community BBQ and outdoor kitchen, sheltered community gathering space, and a sundeck. The pool will be roughly 1,900 square feet in size and have a pool deck no less that 1,000 square feet. The pool area will also provide restrooms and outdoor showers. The community will incorporate sports fields in to tiered retention areas and offers a fully enclosed dog park with seating. Two additional "pocket parks" .43 acres in size and .54 acres in size are also listed. The property is being developed as one phase and is under one ownership.

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

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

Analysis: Staff finds the property has a size of ±84.37 acres and therefore is **consistent** with this section.

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

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

Analysis: The PUD Plan indicates this site will create 337 single-family residential lots. Based on the size of the parcel and Medium Residential land use, this PUD is within the maximum allowable density.

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

Analysis: The PUD plan is within the density provided by its existing land use and will be served by central water and sewer services. Additionally the requested development is similar to that of the surrounding subdivisions. Based on this information, staff believed the proposed PUD is **consistent** with this section.

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

Analysis: Staff finds the application does not propose any density/intensity increase through comprehensive plan amendment. Thus, staff concludes this section is **not applicable**.

4. LDC Section 4.2.31.D.(4) allows for blending of densities/intensities if the subject property has more than one FLUMS designation.

Analysis: Staff finds the subject property is entirely Medium Residential land use and does not propose any sort of blending. Staff finds this section is **not applicable**.

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

Analysis: Staff finds that the FLUMs of the subject property are existing and do not propose a blending of intensity or density. Staff finds this section is **not applicable**.

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

Analysis: Staff finds the PUD proposes setbacks similar to those seen in traditional Residential zonings and very common to previous PUD

approvals. In fact, the proposed front and rear setbacks for this PUD are the same as those permitted within Single-Family Dwelling (R-1) zoning for new subdivisions that have water and sewer connection. As such, the PUD is **consistent with this section**.

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

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

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

Analysis: The PUD Plan proposes a series of buffers along the site's boundaries that meet and/or exceed those required by the LDC. Staff finds the buffers provided by the applicant are **consistent** with this section.

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

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

Analysis: Paved access is provided for each individual parcel on to a paved road within the subdivision that leads out to SE 92nd Loop. A shared access, SE 64th Avenue, will be utilized by this PUD and the PUD to the west. As such, staff finds the application is **consistent** with this provision as recommended.

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

Analysis: The PUD Plan shows internal access provided by sidewalks throughout the subdivision. Sidewalks external to the project are already existing on this portion of SE 92nd Loop. **Staff has recommended a development condition, and as such staff finds the application is consistent with this provision.**

3. LDC Section 4.2.31.E.(1)(c) provides the PUD shall include multi-modal design accommodating pedestrian, bicycle, transit, and vehicular access focusing on integrating the modes with the proposed PUD uses and expected activity levels and/or focus (e.g., employment, residential, institutional, etc.).

Analysis: The PUD Plan shows sidewalks along \as previously stated in this report. Staff has recommended a development condition (above), and as such staff finds the application is **consistent** with this provision.

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

Analysis: The renderings provided indicate single-family homes will have a garage as well as driveway space to accommodate off-street parking and meetings requirements per the LDC. The clubhouse area also provides paved lined parking with an ADA accessible spot provided, and as such the plan is **consistent** with this provision.

5. LDC Section 4.2.31.E.(1)(e) requires all appropriate utility infrastructure shall be made available to and provided for the PUD.

Analysis: Central water & sewer service are addressed on the PUD Plan, and notes from Utilities corroborate that City of Belleview will be providing these. As such, the plan is **consistent** with this provision.

6. LDC Section 4.2.31.E.(1)(f) requires all appropriate and necessary stormwater infrastructure shall be provided for the PUD development to ensure compliance with this Code.
 - a. LDC Section 6.13.2 addresses the minimum requirements for stormwater management.

Analysis: Stormwater provided feedback in DRC Comments (Attachment D) stating, "A Major Site Plan submittal will need to be reviewed and approved through DRC for the proposed development of the site. This site will be required to have a stormwater management system and the applicant proposes 3 DRAs. There are no County Flood Prone Areas/FEMA/Wetlands across the project site. Please ensure LDC 6.13 is met with the Major Site Plan."

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

Analysis: The PUD Plan proposes a series of private retention areas to serve the entire site that will contain the 100 year 24-hour post storm event and be routed via curb and gutter system. Stormwater review during the Development Review phase will determine the size and depth of the retention areas needed to serve the development.

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

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

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

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

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

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

1. LDC Section 4.2.31.E.(3)(a)3 provides all setbacks for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all

development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.

Analysis: The PUD Plan proposes the sites various setbacks and heights and will comply with these development standards as they are conditioned in the approval of the PUD rezoning.

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

Analysis: The PUD Plan does not propose any such encroachments for setbacks. Staff finds the PUD will be **consistent with this section**

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

Analysis: Detailed building separations were not provided within the PUD Plan; however, such details will be required by the site's final development review plans. As noted, building separations are also subject to building and fire safety codes which allow some design and construction flexibility. As such, staff recommends a development condition to ensure the PUD will be **consistent with this section**.

- *Building separations shall meet all requirements placed on development by Building and Fire Safety codes.*

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

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

Analysis: Plan notes provided on the PUD Plan list the maximum building height of 40-feet but a typical illustration showing the maximum height was not provided.

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

Analysis: As previously reviewed and recommended by staff, the PUD Plan provides a maximum building height of 40-feet. As such the PUD will be **consistent with this section.**

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

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

Analysis: The PUD Plan does not display the location of exterior lighting. As such, *staff recommends the PUD site comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.*

- *PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.*

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

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

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

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

I. LDC Section 4.2.31.E.(6) provides buffers shall be provided externally and internally, between the PUD and surroundings and between internal PUD uses, in

order to maintain compatibility between uses and avoid and/or limit adverse impacts between uses and nuisance situations as follows:

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

Analysis: Buffers have been addressed previously in this report. They meet and/or exceed those buffers required by LDC.

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

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

Analysis: The PUD site has a Medium Residential FLUMS designation and does not propose a Rural Land Residential Cluster or Hamlet, therefore, this section of the LDC is not applicable.

2. LDC Section 4.2.31.E.(7)(b) provides for all other PUDs, whether residential, institutional, commercial, industrial, or mixed-use, improved open space (IOS) consistent with Section 6.6.6.B shall be provided as a minimum of 20 percent of the PUD gross land area.

Analysis: The PUD plan provides open space calculations; the required 20% minimum being 16.87 acres and the total provided (including open space, DRA's, and buffers) being 20.3 acres, or 24.1% of the site.

3. LDC Section 4.2.31.E.(7)(c) establishes the following design guidelines for open space:
 - a. IOS shall be permanently set aside and shall be designated on the PUD and be established as separate properties/tracts to be owned and managed by a governing association for the PUD, whether a private property owners association, community development district, or municipal service unit unless otherwise approved by the Board upon recommendation by the DRC.
 - b. The PUD's minimum required IOS amounts shall be listed on the PUD's related plans, and shall be depicted depending on the level of development review, allowing for more general with conceptual and proceeding to detailed for platting and/or site planning.
 - c. IOS is intended to be integrated into the PUD design and provide the primary avenue for satisfying overall landscaping requirements for all development as required in Divisions 6.7, 6.8, and 6.9.
 - d. IOS shall be integrated throughout the PUD to provide a linked access system to the IOS.
 - e. IOS shall be improved, including compatible structures, to the extent necessary to complement the PUD uses.

Analysis: The PUD site and improved open spaces shown meet the design guidelines provided.

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

- 1) Waterbodies available and used for active water-oriented recreation uses such as boating, kayaking, canoeing, paddle boarding, fishing, water/jet skiing, and swimming may be used in calculations of IOS area of waterbodies but shall not exceed 50 percent of the total IOS; however, the adjoining recreational lands supporting the active water-oriented recreation uses may be counted at 100 percent.
 - 2) Waterbodies not available or used for the noted active water-oriented recreation uses may be used in calculations of IOS but shall not exceed 10 percent of the total IOS; however, the adjoining recreational lands supporting the waterbody that are established as recreation/amenity space may be counted at 100 percent recreational space. Only those waterbodies which are available to the development for water-oriented recreation use such as boating, fishing, water skiing, swimming and have associated recreational land areas may be used in meeting these requirements.
- f. If golf courses and/or driving ranges are provided to partially fulfill recreation space requirements, a maximum of 60 percent of the golf course and/or driving range land may be counted toward the required IOS. A golf course, driving range, and waterbodies combined cannot exceed 75 percent of the required IOS.

Analysis: Based on the eligibility standards provided, the proposed PUD meets and exceeds minimum Improved Open Space requirements.

- K. LDC Section 4.2.31.E.(8)(a through e) address Maximum Commercial Use Area in a Residential PUD in a Residential Future Land Use Designation.

Analysis: The PUD site does not propose and commercial use areas, therefore this section of the LDC is not applicable.

- L. LDC Section 4.2.31.F. addresses the pre-application meeting.

1. LDC Section 4.2.31.F.1 requires a pre-application meeting be conducted before a PUD rezoning application can be accepted.

Analysis: A pre-application meeting was conducted. Thus, this application meets this requirement.

2. LDC Section 4.2.31.F.(2)(a) requires a PUD application be accompanied by a Conceptual Plan, Master Plan, Major Site Plan or Preliminary Plat.

Analysis: The PUD application is accompanied by a Conceptual Plan.

3. LDC Section 4.2.31.F.(2)(b) requires the PUD Rezoning Application shall be accompanied by a Conceptual Plan provide documentation addressing the following:
 - a. The name of the proposed PUD shall be centered at the top of the sheet along the long dimension of the sheet.

- b. Vicinity map that depicts relationship of the site to the surrounding area within a 1-mile radius.
- c. Drawing of the boundaries of the property showing dimensions of all sides.
- d. Provide the acreage of the subject property along with a legal description of the property.
- e. Identify the Comprehensive Plan future land use and existing zoning of the subject property and for all properties immediately adjacent to the subject property.
- f. Identify existing site improvements on the site.
- g. A list of the uses proposed for the development.
- h. A typical drawing of an interior lot, corner lot, and cul-de-sac lot noting setback requirements. For residential development, the typical drawings will show a standard house size with anticipated accessory structure.
- i. Proposed zoning and development standards (setbacks, FAR, building height, etc.).
- j. Identify proposed phasing on the plan.
- k. Identify proposed buffers.
- l. Identify access to the site.
- m. Preliminary building lot typicals with required yard setbacks and parking lot locations.
- n. Preliminary sidewalk locations.
- o. Proposed parallel access locations.
- p. Show 100-year floodplain on the site.
- q. Show any proposed land or right of way dedication.
- r. Identify any proposed parks or open spaces.
- s. A note describing how the construction and maintenance of private roads, parking areas, detention areas, common areas, etc. will be coordinated during development and perpetually after the site is complete.
- t. Architectural renderings or color photos detailing the design features, color pallets, buffering details.

Analysis: The application submitted was determined to currently meet the minimum requirements for submission and **is consistent** with this provision.

3. LDC Section 4.2.31.F.(3) requires the Development Review Committee (DRC) to make a recommendation for approval, approval with conditions, or for denial to the Planning and Zoning Commission and to the Board.

Analysis: The DRC considered the application at their January 8, 2024 meeting and recommended approval.

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

Analysis: As the PUD Application was accompanied by a Conceptual Plan, a subsequent development plan(s) will be required as noted by this provision.

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

Analysis: With respect to the wishes of our Board of County Commissioners, final development plans for PUDs are to be brought back in front of the Board for final action.

- *The final PUD Master Plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the Applicant's expense.*

6. LDC Section 4.2.31.F.(4)(c) provides if necessary, a final development plan (entire project or phase) may be submitted with the conceptual plan for consideration.

Analysis: Staff finds that only a conceptual plan was submitted for consideration.

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

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

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

N. LDC Section 4.2.31.K addresses PUD amendments.

Analysis: This application is for the initial PUD approval and, consequently, this section is not applicable.

VI. ALTERNATIVE ACTIONS

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

VII. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Planning & Zoning Commission to **APPROVE with conditions** the proposed rezoning because the application:

- A. **Will not adversely** affect the public interest based upon impacts to the surrounding area;
- B. **Is consistent** with the following Comprehensive Plan provisions
 1. FLUE Policy 1.1.3, 2.1.18, 3.1.2, 4.1.5, 5.1.2, 5.1.3, 5.1.4
 2. TE Policy 2.1.4, and Objective 2.2,
 3. SSE 1.1.1, 1.1.3, 1.2.1
 4. PWE 1.1.1, 1.6.4
 5. SWE 1.1.1
 6. SE 1.1.4, 1.1.5
- C. **Is compatible** with the surrounding uses due to the similarly proposed intensity and type of residential development being requested.

If Planning & Zoning Commission chooses agree with staff's recommendation, the following development conditions are proposed to mitigate negative impacts to the surrounding area:

1. The PUD shall comply with the PUD Development Buffers listed in Table 3 below

TABLE 3. BUFFERS				
Direction	Adjoining Use	Required	Proposed	Recommended
North	AG/Grazing Land	Type "E"	Type "E"	Type "E"
South	ROW	Type "C"	Type "C"	Type "C"
East	Residential	None	150' natural vegetative buffer	150' natural vegetative buffer
West	Proposed ROW	Type "C"	Type "C"	Type "C"

2. A sidewalk shall be provided internally consistent with PUD's conceptual plan.
3. Applicant to work with BaseDev Land Trust, also developing a PUD, to construct the portion of SE 64th Avenue to be used by both PUD's. If Ocala 85 (aka Blue River) develops first, they will be responsible for providing this access from SE 92nd Loop up the the point that they propose to connect on the west side of their PUD. If Ocala 85 (aka Blue River) develops after Basedev Land Trust, they will be responsible for developing the portion of road from Basedev Land Trust up to their proposed connection on the west side of their PUD.
4. Development conditions
 - The PUD shall be limited to 337 single-family residences.
 - The PUD shall be developed consistent with the PUD Plan, and the development conditions provided.
 - The following development standards as listed.
 - Setbacks: front property line 20', side property line 5', side property lines fronting a ROW 20', rear property lines 20'
 - Accessory structures shall have 5' setbacks from side and rear property lines
 - Maximum Residence Building Height: 40'
 - Maximum Accessory Building Height: 20'
5. Building separations shall meet all requirements placed on development by Building and Fire Safety Codes.
6. PUD site must comply with the County's LDC lighting standards that require lighting be shielded so as to not cast direct lighting off-site and a photometric plan be provided during major site plan review to ensure no negative impacts to neighboring parcels.
7. The final PUD master plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the LDC notice provisions and at the Applicant's expense.

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

Denial.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. Rezoning Application filed November 28, 2023.
- B. Site Photos.
- C. Traffic Study
- D. DRC Comments