

MARION COUNTY EAR REPORT UPDATE

Prepared for:

Marion County Growth Services



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	Conservation Element (Chapter 9)								
Goal 1	The County shall maintain, protect, and enhance the diversity and integrity of the County’s natural resources and provide stewardship to maintain the County’s quality of life and economic vitality through the management and conservation of natural resources.		X						
Obj. 1.1	The County shall designate environmentally sensitive and locally significant natural resources for conservation, protection, and enhancement, and Land Development Code (LDC) provisions shall be maintained to implement this Objective and its Policies.		X						
Pol. 1.1.1	<p>The County shall include the following as environmentally sensitive natural resources requiring special protection to avoid adverse impacts to these resources:</p> <ul style="list-style-type: none"> a. Waterbodies designated as Outstanding Florida Waters (<u>OFW</u>), Aquatic Preserves, Scenic Rivers, and/or other similar designations for protection by a local, state, and/or federal program. b. Navigable waterways as designated by the state and/or federal government. c. Wetlands as defined by the state and implemented by the applicable water management district. d. 100-year floodplains and floodways as identified by the Federal Emergency Management Agency Flood Insurance Rate Maps (FEMA FIRM) e. <u>County</u>, State, and/or federally <u>Federally</u> owned natural reservation lands used for conservation and/or recreation purposes, such as State Parks, State Forests, Wildlife Management Areas, and the Ocala National Forest. 						X	<p>Consider deleting portion of “h” because those areas are within the SPZ.</p> <p>Is ESOZ working? Should that be added here? Should we protect native plants in the County.</p>	

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	<p>f. Habitat containing listed flora and fauna identified as protected species by the state and/or federal government.</p> <p>g. Rivers, lakes, and springs with a defined Minimum Flows and Levels (MFLs), as designated by local, state, or federal agencies, particularly in conjunction with local and regional Water Supply Plans; and</p> <p>h. Those areas identified as High and Prime Groundwater Aquifer Recharge Areas (≥ 12" annually as identified by the applicable water management district; H/PARA) and Springs Protection Zones (SPZ), as established in the Future Land Use Element (FLUE) and LDC.</p>								
Pol. 1.1.2	<p>The County shall include the following as locally significant natural resources requiring special protection to minimize adverse impacts to these resources:</p> <p>a. Surface waters of the State.</p> <p>b. Native vegetative communities as identified by the State of Florida's Natural Areas Inventory (FNAI) Program.</p> <p>c. Commercially valuable mineral resources as defined by the state.</p> <p>d. Soils, particularly those identified as prime farmland and locally important farmland as defined by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) which include the following soil series: Blichton, Kanapaha, Micanopy, Fellowship, Kendrick, Flemington, Gainesville, Lochloosa, Hague, and Zuber).</p> <p>e.d. Good quality air, focusing on dust/debris and noxious odors.</p> <p>f.e. Good quality and sufficient quantities of groundwater, particularly addressing potable, agricultural, recreational, and other economically beneficial uses.</p>						X	<p>Should the focus of "good quality air" expand to include the adverse environmental impacts of the transportation system? This could be implemented by encouraging EV infrastructure or alternative fueling infrastructure and/or increasing active transportation as well as multimodal connectivity.</p> <p>"d" can be deleted because we have now designated the FPA and the SPZ is protected.</p>	

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	<p>g-f. Wellhead and wellfields serving centralized potable water systems for municipal and local governments or private systems regulated by the State of Florida Public Service Commission.</p> <p>h-g. Fisheries, wildlife, and-wildlife habitat and marine habitat.</p> <p>i-h. Migratory wildlife routes and ecological corridors; and County-owned and/or managed regional and/or resource-based parks.</p>								
Pol. 1.1.3	The County shall require the identification of environmentally sensitive and locally significant natural resources as part of the review process for development applications, focusing on land use, zoning, subdivision, improvement plan, and site plan applications. The detail of the data in early development review stages may be from generalized county, state, and/or federal sources, while later development review stages will require more detailed site-specific information to be generated by the applicant.		X					Is this being enforced? What is the regulated process, and does the County need a new process for this?	
Pol. 1.1.4	<p>The County may utilize resources developed by federalFederal, stateState, regional, and/or local sources to identify and evaluate environmental characteristics and development potential, including, but not limited to, the following sources:</p> <ol style="list-style-type: none"> USDA NRCS (f/k/a Soil Conservation Service) <i>Soil Survey of Marion County</i>. FEMA FIRM, as amended. Florida Department of Environmental Protection Florida Natural Areas Inventory (FDEP FNAI) Program, including the <i>Natural Areas Inventory of Marion County, Florida</i>. FDEP Florida Fish and Wildlife Conservation Commission (FWC) publications including, but not limited to, Species Richness Maps, species management plans, etc. FDEP Basin Management Action Plans (BMAP). 						This policy is not strictly statutorily required, but it does provide good information for the public, so keeping it would be a good idea.		

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	<p>f. Florida Department of Agriculture and Consumer Services (FDACS) and its jurisdictional agencies' best management practices manuals.</p> <p>g. St. Johns River Water Management District (SJRWMD) and Southwest Florida Water Management District (SWFWMD) publications and programs including, but not limited to, Water Supply Plans, Well/Wellfield Capture Zones Maps, High & Prime Aquifer Recharge Area Maps, and Karst Sensitive Areas Maps.</p> <p>h. Withlacoochee Regional Water Supply Authority Water Supply Plan (WRWSA-WSP).</p> <p>i. Marion County produced publications including, but not limited to, the Marion County Water Supply Plan (MC-WSP), Marion County Aquifer Vulnerability Assessment (MCAVA), Marion County Springs Protection Zones (SPZs), and Marion County Environmentally Sensitive Overlay Zones (ESOZs).</p> <p>h.j. Florida Wildlife Corridor Foundation.</p>								
Pol. 1.1.5	The County will make available to the public maps and other information to allow for the general identification of environmentally sensitive and locally significant natural resources in the County to the greatest extent practicable. When information is provided by non-county sources, the County will facilitate providing that information to the public to the greatest extent practicable.		X						
Obj. 1.2	The County shall protect, conserve, and enhance the quality and natural function of environmentally sensitive and locally significant natural resources within the County, while encouraging and supporting the appropriate use of such resources, as further defined in the LDC.		X						
Pol. 1.2.1	The County shall protect, conserve, and enhance environmentally sensitive and locally significant natural resources from adverse							X	Minor grammar edits and deleted the duplicate "h".

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	<p>impacts to the greatest extent practicable, focusing on, but not limited to, the following activities:</p> <ul style="list-style-type: none"> a. Protection of surface and ground water from activities that degrade and/or introduce pollutants that may adversely affect its quality and/or quantity. b. Protection of surface and navigable waters from activities that adversely impact their use, capacity, quality and/or character. c. Protection of flood storage and floodplain capacity from activities that materially impair floodplain capacity or alter the characteristics of the existing one percent (100-year) Floodplain. d. Protection of qualified central potable water system supply wells and/or wellfields from activities that would adversely affect the public health and/or the ability to maintain such services. e. Protection of identified habitats, such as wetlands, native vegetative communities, including listed species, or critical migratory and/or estuarine habitats, from activities that destroy and/or degrade such habitats from immediate or long-term effects from development, such as pollution, siltation, and/or non-native invasive species. f. Protection of natural reservations including federal, state, regional, and/or local government owned conservation and/or recreation lands and facilities from activities that adversely impact the intended purpose and/or use of those lands. g. Protection of key soil types identified as prime and locally important farmlands and/or known to include commercially valuable minerals from adverse impacts which would prevent and/or discourage their continuing use and/or recovery when suitable environmental management and best practices are used. 							
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	<p>h. Protection of key soil types identified as prime and locally important farmlands and/or known to include commercially valuable minerals from adverse impacts which would prevent and/or discourage their continuing use and/or recovery when suitable environmental management and best practices are used;</p> <p>i.h. Protection of air quality from adverse impacts thatwhich would negatively affect other identified resources and/or the quality and/or character of such resources or surroundings thatwhich would create a public nuisance, such as wind-borne dust or odor.</p>							
Pol. 1.2.2	<p>The County shall require development design, construction, and management techniques to protect environmentally sensitive and locally significant natural resources, including but not limited to the following:</p> <ul style="list-style-type: none"> a. Compliance with stormwater management LOS standards as provided in the Stormwater Element (SE) and reflected in the Capital Improvement Element (CIE). b. The reduction of densities in specified habitats or areas when development is proposed within those areas, unless development is clustered to protect and conserve the habitats, including those adjusted densities provided in FLUE Objective 9.1. c. The clustering of development to create open spaces that function to buffer and protect identified resources on-site and off-site to development and provide habitat linkages when possible. d. The establishment and management of buffers and other land use controls between development activities and identified resources, with emphasis on ensuring the buffer establishes a 						X	<p>Minor edits</p> <p>Who is enforcing this? Does the LDC need to reflect this?</p>

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	<p>balance between the scale and intensity of development and the scope, quality, and character of the resource.</p> <p>e. The use of Marion Friendly flora to prevent or discourage non-native invasive species.</p> <p>f. The implementation of water conservation, irrigation, and fertilizer management provisions.</p> <p>g. The implementation of design and development standards regarding setbacks, lot dimensions, and building location/design, particularly when such sites abut or are determined to be connected, such as but not limited to, hydrologically connected, to identified resources; The use of mitigation for on-site resources through alternative on-site locations, off-site, or monetary methods to ensure the protection/conservation of the resource; the intent of off-site or monetary mitigation is to achieve a minimum of one-for-one mitigation/replacement, with focus on maintaining the mitigation action within the County unless otherwise authorized,</p> <p>h. The Transfer of Development Rights (TDR) and the Transfer of Vested Rights (TVR) Programs as provided within the FLUE; and</p> <p>i. Mestablishment of anaintaining the Urban Growth Boundary (UGB) within which the provision of adequate public facilities shall be provided to all developments.</p>								
Pol. 1.2.3	<u>The County shall work cooperatively with adjacent local governments to conserve, appropriately use, and/or protect unique vegetative communities located within more than one local jurisdiction.</u>	163.3177 (d)(2)(g)			X				Satisfies FS 163.3177(d)(2)(g)
Pol. 1.2.4	<u>The County shall protect surface and navigable waters by regulating the capacity, overuse, and habitat loss of these important</u>				X				Added per Parks Dept. Need to add ordinance

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	<u>resources.</u>								language
Obj. 1.3	The County shall continue to encourage acquisition of environmentally sensitive and/or locally important resources when such acquisition is determined to be in the public interest and particularly when such acquisitions maintain and support the character and quality of life of citizens and visitors and may benefit economic diversity and development in the County.		X						
Pol. 1.3.1	The County shall participate to the greatest extent practicable in efforts to identify and acquire environmentally sensitive and/or locally important resources for conservation and/or recreation purposes. The County, upon affirmative determination by the Board of County Commissioners, may act as a lead agency and/or participate in such resource identification and acquisition.		X						
Pol. 1.3.2	Funds for any land acquisition will be maximized to the fullest extent possible by bonding funds when necessary and by actively seeking matching funds and grants through governmental (e.g., local, regional, state, federal, etc.) or non-governmental (e.g., private and/or non-profile funds and/or trusts, etc.) entities when available.							X	
Pol. 1.3.3	The purchase or acceptance of conservation easements in lieu of acquisition by fee simple title will also be considered and supported when practicable.		X						
Pol. 1.3.4	<u>The County shall create a prioritization list of environmentally sensitive and/or locally important resources for acquisition.</u>				X				Added per Parks Dept.
Obj. 1.4	The County shall encourage and promote the appropriate and practicable use of environmentally sensitive and locally important natural resources in a form that which maintains the County's character and the quality of life of its citizens and supports							X	The character of the resource or the character of life in the area? It's ambiguous here.

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	economic development and diversity.								
Pol. 1.4.1	Recreation, agri-tourism, and eco-tourism activities that which promote and support natural resource conservation, protection, and enhancement, particularly when including an educational component, shall be encouraged.							X	Minor grammar edits.
Pol. 1.4.2	The County shall protect and provide for the extraction of commercially valuable mineral resources as may be authorized by the County through the LDC Special Use Permit process and/or other regulating agencies (e.g., FDEP, SJRWMD, SWFWMD, etc.). Sites of commercially valuable minerals shall be protected from the encroachment of incompatible land uses that would inhibit or preclude the extraction of minerals, particularly uses that would increase the density of people in close proximity to a mineral extraction operation. Land use changes on contiguous land areas that are incompatible with mineral extraction operations shall be prohibited until extraction, mitigation, and reclamation or restoration are completed where mineral extraction operations exist or can be reasonably predicted. LDC provisions shall be maintained to implement this policy.		X						

RECREATION AND OPEN SPACES ELEMENT



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Recreation & Open Space Element (Chapter 10)								
Goal 1	The County will develop <u>maintain</u> a parks and recreation and open space system to ensure adequate opportunity for public access to, and use of, activity and resource-based recreation sites for active and passive recreation to maintain and improve the quality of life of its citizens and support economic diversity and development.							X
Obj. 1.1	The County shall provide and manage parks and recreation and open spaces using a county-wide Level of Service (LOS) in a financially feasible manner, and consistent with the Marion County Parks and Recreation Master Plan (PRMP), as amended.							Under this objective, could add a policy such as: "The County shall encourage the use of native plants and Florida Friendly Landscape techniques when landscaping is added or updated in parks, recreation facilities, and open spaces."
Pol. 1.1.1	The LOS standard for public outdoor parks and recreation facilities shall <u>be a minimum of</u> two (2) acres per 1,000 persons. Marion County may develop and pursue intergovernmental and not-for-profit agency partnerships to meet identified recreation needs, including, but not limited to, placing County-owned/operated facilities on non-Marion County-owned lands.	163.3180						X Research other types of ROS LOSs such as location based or facility types. Need to define "recreation" here. Does this need to be expanded to include other types of recreation. Is the LOS still adequate shall we reevaluate this? Are trails included in the LOS? Based on citizen feedback in surveys we may want to add a goal for more neighborhood parks and protection of rural open spaces.
Pol. 1.1.2	The County shall establish and maintains <u>a the</u> Parks and Recreation Advisory Council (PRAC), or equivalent authority, to provide recommendations to the Board of County Commissioners regarding							X

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	<p>parcs and recreation and open space needs such as land, facilities, and programs as well as costs/funding. Duties of the PRAC shall be established by the Board of County Commissioners and may include, but not be limited to, the following:</p> <p>a. Review and make recommendations regarding the maintenance of, and revisions/updates to, the Marion County Parks and Recreation Master Plan (PRMP)</p> <p>b. Identify and provide guidance regarding opportunities to establish partnerships with other public agencies (e.g., local, regional, state, or federal), quasi-governmental (e.g., community development or special districts), and/or private entities (e.g., private trusts, non-profit trusts, community groups, etc.) to meet parks and recreation and open space needs;</p> <p>c. Identify and provide guidance regarding opportunities to obtain and/or develop funding and/or funding mechanisms to maintain, provide, and meet current and identified parks and recreation and open space needs such as lands, facilities, and/or programs;</p> <p>d. Identify and provide guidance on location needs for parks and recreation and open space needs in relation to the County's Future Land Use Map (FLUM), including identifying opportunities for the use of existing public and/or private lands held for recreation and/or conservation purposes or for surplus local, regional, state, or federal lands.</p>							
Pol. 1.1.3	The County shall establish and maintain a Marion County Parks and Recreation Master Plan (PRMP) which functions to inventory, assess, evaluate, and identify Marion County's existing and future parks and recreation and open space needs and provide guidance on funding the maintenance, improvement, and expansion of the existing and identified needs.						X	
Pol. 1.1.4	The County shall fund through a variety of mechanisms the maintenance, construction, and operation of County-owned and/or		X					

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	operated parks and recreation facilities and open spaces, along with a variety of recreation programs through the Marion County Parks and Recreation Department (MCPRD), or its equivalent.								
Pol.1.1.5	The County shall provide reasonable public access to all County provided parks and recreation and open space sites, facilities, and programs to the greatest extent practicable, in conformance with applicable governmental requirements (e.g., <u>S</u> state and <u>F</u> federal disability standards) and in a manner <u>thatwhich</u> will maintain and not create adverse impacts to such sites, facilities, and programs.							X	Minor edits Does the County aim to provide multimodal access? Such is not mentioned until Policy 1.4.5. This policy is reiterated in Policy 1.4.1. Recommend deleting Policy 1.1.5 and keeping 1.4.1.
Pol. 1.1.6	<u>The County shall encourage the connection of existing wildlife corridors and coordinate with the Florida Wildlife Corridor Foundation in this effort.</u>				X				Added per Parks Dept.
Obj. 1.2	The County shall plan for management, acquisition, facilities development, and programs to meet the County's park and recreation and open space needs using the Marion County Parks and Recreation Master Plan (PRMP), which will include and/or address, at a minimum, the items identified by the policies of this Objective.		X						
Pol. 1.2.1	The PRMP shall be developed and maintained in a manner <u>thatwhich</u> encourages, supports, and includes public participation in all components of the PRMP.							X	Minor edits
Pol.1.2.2	The PRMP shall include policies on the provision of lands, sites, facilities, and programs.		X						What is the difference between "lands" and "sites"?
Pol. 1.2.3	The PRMP shall include provisions <u>thatwhich</u> identify and support a sound financial plan for acquisition, development, and operations.							X	Minor edits
Pol. 1.2.4	The PRMP shall include the following data: a. An inventory of parks and recreation and open space lands, facilities, and programs provided by the County, and those which							X	"lands" and "sites" are used interchangeably here, it seems. Should the new PRMP also incorporate data/standards from

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	<p>are established, operated, and/or funded parks and recreation and open space lands, facilities, and programs, under interlocal or partnership agreements, including a summary of the status of the applicable agreements. The PRMP may also include similar information on non-County parks and recreation and open space lands, facilities, and programs for the purpose of assessing their availability and suitability to the citizens of the County and economic opportunities for recreation and eco-tourism related activities.</p> <p>b. Current needs for parks and recreation and open space sites, facilities, and programs based on estimated recreation demand, and an analysis of the availability, accessibility, and adequacy of existing parks and recreation and open space sites to the public;</p> <p>c. Projected future needs for parks and recreation and open space sites, facilities, and programs based on the established LOS and the projection of the necessary availability, accessibility, and adequacy of the need for those parks and recreation and open space sites, facilities, and programs;</p> <p>d. An annual capital improvement program and budget for five years of proposed acquisition and development shall be developed, including anticipated operations impacts from such improvements for the first year.</p>							Florida's Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or the National Recreation and Park Association's Park Metrics ? The County's provisions don't have to match one-for-one with either, but both provide a benchmark against which one can discuss the adequacy of the established level of service.	
Pol. 1.2.5	<p>The County shall utilize the PRMP and identified public land locations, if any, to locate existing public lands appropriate for desired recreation facilities first before purchasing additional new land. If existing public lands are deemed inappropriate for desired recreation facilities, the County shall utilize the PRMP and the FLUM to identify new properties for desired recreation facilities.</p> <p>a. The County, through the MCPRD, shall assist non-profit participants with establishing public recreation facilities when feasible and when adequate resources are available. These facilities can include schools and municipalities.</p>						X		

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	<p>b. The MCPRD and PRAC shall identify potential sites within delineated recreation service areas in the eCounty, including an initial ranking based on environmental characteristics, location within the service area, accessibility, and potential for meeting existing or future needs for the area. This inventory and ranking shall be maintained as the PRMP is updated. In addition, the MCPRD shall consider any identified Urban Growth Boundary (UGB), as noted in the FLUE, in the analysis for potential parks and recreation sites.</p> <p>c. The County shall encourage and provide access to public water bodies (e.g., Navigable waterways, surface waters of the state, etc.) where feasible through land acquisition and development of fishing and boating facilities.</p> <p>d. The County shall encourage and support increasing the number of greenways <u>and trails</u> connecting to environmentally sensitive and locally important natural resources, which provide and promote recreational opportunities, alternative transportation modes, and wildlife corridors.</p>							
Pol. 1.2.6	When the PRMP identifies any LOS deficiencies, the PRMP shall identify how resolution of the deficiencies will be addressed and shall reflect any necessary funding needs appropriately in the PRMP capital improvements component.		X					
Pol. 1.2.7	Opportunities to partner with public and private agencies and entities to productively and economically operate and use County-owned and operated parks, and recreation and open space sites and facilities shall be evaluated by the PRMP.		X					
Obj. 1.3	The County will utilize existing funding sources and develop new funding sources to provide for parks and recreation and open space needs in a manner that seeks to comply with the Comprehensive Plan LOS standards and any administrative park planning standard <u>best practices</u> established by the PRMP (e.g., neighborhood, community,						X	

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	or regional parks, etc.).								
Pol. 1.3.1	The County shall annually review user and other appropriate fees to defray the operation and maintenance costs of parks and recreational programs.		X						Does this annual review still occur? Is it the responsibility of the MCPRD or the PRAC?
Pol. 1.3.2	The County may utilize the information and data generated from the PRMP, as amended, to identify deficiencies in parks and recreation facilities and correct such deficiencies using development exactions, on-site dedication, fee-in-lieu payment, other funding programs, or other appropriate methods.		X						
Pol. 1.3.3	The County may apply for financial assistance (e.g., grants, loans, etc.) to support funding the acquisition and construction of parks and recreation and open space lands and facilities, as well as the development and provision of recreation programs through the MCPRD to achieve and improve financial feasibility and leverage County funds. In support of these efforts, a five year capital improvement plan shall be created and annually adopted by the County Board of County Commissioners (BCC).						X	The last sentence is repetitive to Policy 1.2.4(d).	
Pol. 1.3.4	The LDC shall contain provisions requiring new residential developments (e.g., subdivisions and <u>planned unit developments, particularly developments of regional impact</u>) to provide minimum open space per dwelling unit consistent with FLUE Policy 2.1.4 as a condition of approval. a. Compliance with this provision may be satisfied by on-site development or, when on-site provision is impractical or not selected by the developer, by providing for off-site development or the payment of a fee-in-lieu to the County for off-site acquisition and/or development, consistent with the PRMP. The LDC shall provide for of the determination of any fee-in-lieu for off-site provision. b. When on-site recreational sites and facilities are established to						X	Need further workshop on this topic. Also added "c" based on comments from staff about interconnectivity to trails etc.	

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	<p>meet the open space requirement, suitable mechanisms must be established to fund the management and maintenance of the space, and the County may require the establishment of a municipal services taxing unit or municipal services benefit unit for such, in addition to any private arrangements made by the developer (e.g., property owners association, development district, etc.).</p> <p><u>c. New recreational facilities shall strive to interconnect with existing recreational facilities in the immediate area.</u></p>							
Obj. 1.4	<p>The County will strive to ensure the design and development of parks and recreation and open spaces provided within the County, whether public and/or private, serve as a model for development to the greatest extent practicable and as further outlined in the policies of this Objective.</p>		X					<p>Could add specific encouragement of Universal Design in site planning and development.</p> <p>Not required but general suggestion -- Could also add policy indicating: "All plans for development or redevelopment of park land resources involving or adjacent to environmentally sensitive lands shall incorporate creative concepts of urban design (stormwater/low impact development) and landscape." It could fall under this objective, or a separate objective could be created to specifically address "environmentally sensitive lands." Such may include the above policy as well as: "Active and passive recreation areas shall be planned in a manner compatible with unique</p>

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									natural features of the site.”
Pol. 1.4.1	Reasonable public access to all recreation sites and facilities shall be provided consistent with applicable sState and fFederal requirements (e.g., building codes, accessibility, etc.).		X						This reiterates Policy 1.1.5. Recommend deleting Policy 1.1.5 and keeping 1.4.1.
Pol. 1.4.2	The County shall make the necessary provisions in location, design, and development of all County-owned/operated recreation sites and facilities to ensure reasonable public access (e.g., building codes, accessibility, etc.) for all new sites and facilities. For existing but access-deficient sites and facilities, the PRMP shall identify such deficiencies and propose/schedule improvements to address the deficiencies.							X	The first sentence reiterates Policy 1.4.1. Deleting it seems to maintain intent.
Pol. 1.4.3	All new sites and facilities planned and developed will be designed to minimize the impact to the natural resources of the property. Existing sites and facilities shall be retrofitted when feasible and, to the greatest extent, practicable when such facilities are renovated and/or expanded. Conformance with local, regional, sState, and/or fFederal best management practices applicable to the site will be a key focus of the site design and development.							X	Minor edits
Pol. 1.4.4	All new sites and facilities shall ensure connection to any available adequate public facility consistent with the provisions of the LDCRs and in a manner thatwhich meets the health and safety needs of the public (e.g., centralized potable water, centralized sanitary sewer, roadway access improvements, etc.). Existing sites and facilities shall be retrofitted to connect to or provide public facilities when feasible and, to the greatest extent, practicable when such facilities are renovated and/or expanded.							X	Minor edits
Pol. 1.4.5	All new sites and facilities shall be designed to provide connection to transportation facilities and other developments. Existing sites and facilities shall be retrofitted where necessary and, when feasible and practicable, to connect to transportation facilities and other							X	Should we use another word in place of “transportation”? I could see how this could be misconstrued. Is the retrofit triggered by (1)

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	developments when such facilities are renovated and/or expanded. For sites within the Urban Growth Boundary, the design and development shall address connection or future connection to non-automotive multi-modal transportation methods such as but not limited to mass transit, sidewalks, bicycles, etc., including addressing opportunities for integration with the Ocala-Marion County Bicycle/Pedestrian Master Plan and any other "trail" plans within the County/UGB which will enhance/improve/maximize public access.								renovation/expansion of the recreation site, (2) renovation/expansion of the facility, OR (3) BOTH?
Pol. 1.4.6	All new residential developments (e.g., subdivisions and particularly developments of regional impact) shall be required to comply with the open space per dwelling unit standard established by FLUE Policy 2.1.4, unless an alternative form of compliance is provided by the developer consistent with Policy 1.3.4.			X					This policy is unnecessary as it simply reiterates Policy 1.3.4 and references the same.
Obj. 1.5	The County recognizes the economic impact of parks and recreation and open space areas and activities for both residents and visitors. The County shall continue to encourage and develop economic opportunities for recreation and eco-tourism services.							X	Should this cross-reference anything in the Economic Development Element? Not required but potential additional policy: "Park and recreation resources may be used by the City as an instrument for environmental education as well as other adaptive education programs. This effort shall facilitate the use of local parks as year-round community education and recreation facilities for all age groups and may be supported by community partnerships or volunteers."
Pol. 1.5.1	The County shall collaborate with the public and private sectors in		X						

GOALS, OBJECTIVES, POLICIES RECREATION OPEN SPACE ELEMENT	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	developing eco-tourism opportunities using the public and private parks and recreation and open space lands within the County and shall encourage and support efforts to market those opportunities.							
Pol. 1.5.2	The County LDC shall maintain provisions to address the establishment of private conservation, eco-tourism, and recreation opportunities by government and/or private/non-profit sector entities.		X					

FUTURE LAND USE ELEMENT



GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

Goal 1	<p>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:</p> <ol style="list-style-type: none"> 1. Promote the conservation and preservation of natural and cultural resources; 2. Support and protect agricultural uses; 3. Protect and enhance residential neighborhoods while allowing for mixed-use/mix of uses of development within the eCounty; 4. Strengthen and diversify the economic base of the County; 5. Promote development patterns that encourage an efficient mix and distribution of uses to meet the needs of the residents throughout the eCounty; 6. Ensure adequate services and facilities to timely serve new and existing development; and 7. Protect and enhance the public health, safety, and welfare; and 8. Protect private property rights. 						X	<p>Minor modification for consistent capitalization of “County” when it refers to Marion County.</p> <p>Minor modification for mixed-use as a hyphenated term.</p>
Obj. 1.1	<p>Planning Framework</p> <p>To create a planning and implementation strategy that will enhance the livability of the County and preserve the County’s natural, <u>historical</u>, cultural, physical, and economic resources to: discourage urban sprawl, promote sustainable, energy-efficient land use patterns, and reduce pollution, and provide for economic development opportunities.</p> <ol style="list-style-type: none"> 1. <u>Promote sustainability, energy efficiency, and resiliency</u> 2. <u>Promote efficient land-use patterns</u> 3. <u>Provide for economic development opportunities</u> 4. <u>Discourage the proliferation of urban sprawl</u> 5. <u>Promote environmental responsibility</u> 						X	To create a list format for clarity and condense redundancy

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	6. Promote a sense of place for residents								
Pol. 1.1.1	<p>Marion County Planning Principles</p> <p>The County shall rely upon the following principles to guide the overall planning framework and vision for the County:</p> <ol style="list-style-type: none"> 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. 							X	Recommend making these policies more actionable.
Pol. 1.1.2	<p>Adopted Future Land Use Map (FLUM Series) and 2045 Planning Horizon</p> <p>The FLUM Series embodies strategies designed to build long-term community value, discourage urban sprawl, and ensure that public facilities and services are provided in the most cost-effective, efficient, and timely manner, and protect natural, cultural, and environmental resources that are unique to the County. The County provides appropriate goals, objectives, policies, data, and analysis for a future land use, long-range planning horizon through the year 2045. The County adopts the FLUM Series as listed below: / OR Keep the</p>			X					<p>The adoption of the map series does not need to be explicitly stated in a policy. Incorporation of the map series with the transmitted GOPs adopts the map series simultaneously.</p> <p>TOC will list maps and each element will have the maps associated with them.</p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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<p><u>paragraph and add 'See Appendix A – X' etc...</u></p> <p><i>Map—Title</i></p> <ol style="list-style-type: none"> 1. MARION COUNTY 2045 FUTURE LAND USE MAP 1. WELLS & WELLHEAD PROTECTION AREAS 3. COASTAL HIGH HAZARD AREAS AND EVACUATION ROUTES 4. WATERBODIES (RIVERS AND LAKES) 5. FLOODPLAINS PER 2008 FEMA MAPS 6. WETLANDS 7. MINERAL RESOURCES 8. SOILS (GENERALIZED) 9. TOPOGRAPHY (GENERALIZED) 10. ARCHEOLOGICAL AND HISTORIC AREAS 11. ENVIRONMENTALLY SENSITIVE OVERLAY ZONES 12. TRANSFER OF RIGHTS 13. SPRINGS PROTECTION OVERLAY ZONES 14. REGIONAL ACTIVITY CENTERS (RGAC) <ol style="list-style-type: none"> a. MARION OAKS / MCGINLEY RGAC b. IRVINE / SUNNY OAKS RGAC 15. DEVELOPMENT OF REGIONAL IMPACT (DRI), BINDING LETTERS OF VESTED RIGHTS/MODIFICATIONS (BLIM) AND FLORIDA QUALITY DEVELOPMENT (FQD) MAP 'H' MASTER PLANS (DRI/FQD) <ol style="list-style-type: none"> a. OAK RUN DRI b. ON TOP OF THE WORLD DRI c. SPRUCE CREEK GOLF & COUNTRY CLUB FQD d. SPRUCE CREEK SOUTH FQD e. STONECREST DRI 								
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GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	<p><i>f. THE VILLAGES OF MARION FQD</i></p> <p><i>g. VILLAGE OF RAINBOW SPRINGS DRI</i></p> <p><i>h. GOLDEN OCALA DRI (includes the World Equestrian Center)</i></p> <p><i>i. ON TOP OF THE WORLD BLIM</i></p>							
Pol. 1.1.3	<p>Accommodating Growth</p> <p>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 eCounty. Changes to the Future Land Use Map shall be considered 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.</p>			X				This policy is redundant to Goal 2, consider combining with Goal 2.
Pol. 1.1.4	<p>Private Property Rights</p> <p><u>In accordance with the Private Property Rights Elements, t</u>The County shall recognize and protect private property rights in the creation and implementation of land use regulations and other government actions. It shall provide compensation or other appropriate relief, as provided by law, for actions by the County that are determined to be unreasonable uses of the police power so as to constitute a taking.</p>			X				This policy can be deleted, as it is covered by the Private Property Rights Element.
Pol. 1.1.5	<p>Higher Density/Intensity Uses</p> <p>The County shall require higher densities and intensities of development to be located within the Urban Growth <u>Boundaries Boundary and</u> or Planned Service Areas, where <u>sufficient infrastructure public or private facilities</u> and services are <u>required to be</u> available.</p>						X	Double check this policy once the PSA language is vetted. Deleted "required to be" for clarity.
Pol. 1.1.6	<p>Buffering of Uses</p> <p>The County shall require new development or <u>substantial</u> redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties, as</p>						X	

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	further defined in the LDC.								
Pol. 1.1.7	<p>Discourage Strip Commercial and Isolated Development</p> <p>The County shall discourage <u>isolated development</u>, scattered and highway strip commercial development by requiring the development of such uses at existing commercial intersections, other commercial nodes, and mixed use <u>mixed-use</u> centers with links to the surrounding area, <u>and require interconnectivity</u>.</p>								<p>How is “links to the surrounding area” defined? Does the phrasing create ambiguity that makes enforcing the policy more difficult?</p> <p>Consider separating into two policies and need to add isolated development to the definitions section.</p> <p>“Linked” is also referenced in the planning principles under the UGB.</p> <p>Minor modification to make “mixed-use” a hyphenated term.</p>
Pol. 1.1.8	<p>Antiquated Subdivision Strategy</p> <p>The County shall implement programs, such as including but not limited to, encouraging the vacation of antiquated subdivision plats and the Transfer of Vested Rights (TVR), that which encourage antiquated subdivisions outside of the UGB to be set aside as preservation areas (different from FPA), used for agricultural activities or redeveloped as large lot residential uses consistent with the Rural Area(s) vs. rural areas vs. Rural Land.</p>						X		Modified language in order to address vacation of plat option.
Pol. 1.1.9	<p>Density and Intensity Averaging Allowance</p> <p>The County shall allow for residential density and non-residential intensity averaging over two or more parcels with multiple Future Land Use designations, if the parcels are not within the Farmland Preservation Area. Where averaging occurs, projects will be subject to development requirements of the urban area(s) vs. <u>Urban Areas vs UGB</u>.</p> <p>1. A PUD Zoning change shall be required to utilize this policy as</p>						X		<p>Need to address this and determine if it can be revised to remove Urban Area or clarify,</p> <p>Need to review the last sentence to determine if it is still desired.</p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)		Florida Statute Citation							Recommended Action
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	<p>follows, with criteria further defined in LDC:</p> <p>a. Density Averaging: The number of residential units in the combined parcels must be less than or equal to the total residential units allowed for the individual residential parcels.</p> <p>b. Intensity Averaging: The FAR of non-residential uses must be less or equal to the FAR in the individual parcels.</p> <p>2. Where parcels proposed for averaging are transected by the UGBUrban Growth Boundary and include properties with a Rural Land future land use designation, the maximum allowable density of the areas outside of the UGB possessing the Rural Land designation shall not exceed one dwelling unit per acre or exceed an FAR of 0.35. The project shall be subject to LDC requirements of the Urban Area.</p>								
Goal 2	<p>Allocation And Distribution of Land Uses</p> <p>Allow for a mix of uses to meet the population growth and economic development needs throughout the County by identifying appropriate areas for residential, commercial, industrial, public, recreation and open space, and conservation land uses.</p>						X		
Obj. 2.1	<p>Future Land Use Designations</p> <p>To implement development patterns that promote a variety of residential, nonresidential, and mixed--use development to meet the needs of the community, the County shall adopt future land use designations that allow for mix of uses throughout the County.</p>						X	Minor modification to mixed-use to make it a hyphenated term.	
Pol. 2.1.1	<p>Supply and Allocation of Land</p> <p>The County shall designate future land uses on the Future Land Use Map to accommodate needs identified within the Comprehensive Plan supporting document (i.e., Data, Inventory & Analysis) and allow for a sufficient allocation of land and land uses to allow for development based on market potential.</p>		X						

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)		Florida Statute Citation							Recommended Action
			Keep	Delete	New	Replace	Move	Modify	Explanation/Modification
Pol. 2.1.2	<p>Land Use Requirements</p> <p>The Future Land Use Map Series shall designate areas for the uses listed in Table 2-1 and further described in Policy 2.1.13 through Policy 2.1.25. Density and intensity shall be calculated on a gross acreage basis unless otherwise noted. Minimum densities shall be adhered to within the Urban Growth Boundary and Planned Service Areas.</p> <ol style="list-style-type: none"> Outside of the UGB or <u>Planned Service Areas (PSAs)</u>, the Development Review Committee may grant a step-down density of one FLU designation where insufficient infrastructure exists to support development at the designated density. For example, parcels designated Medium Residential may be developed as Low Residential with DRC approval in these areas. The Future Land Use Map will be updated to reflect such approvals, coincident with recording the Final Plat. Maximum density will not be exceeded except through density and/or intensity bonus programs including averaging, TDCs or Planned Service Area incentives. 							X	If this policy is working for staff then keep.
Pol. 2.1.3	<p>Density and/or Intensity Bonus</p> <p>The County shall allow for density and intensity bonuses to occur within all Future Land Use designations that are within the UGB, Planned Service Areas and existing Urban Areas consistent with the County's Transfer of Rights Programs in Objective. 9.1.</p>							X	
Pol. 2.1.4	<p>Open Space Requirement</p> <p>A minimum of 350 square feet of open space for each residential lot shall be required in either single or linked multiple tracts within residential development, and the open space shall be accessible to all residents within the development, as further defined in the LDC.</p>								Recommend removing the actual SF amount and work with Parks Dept to update this policy for Rec and Open Space requirements.
Pol. 2.1.5	<p>Permitted and Special Uses</p> <p>The County shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the</p>							X	Recommend adding language that Special uses should be appropriate to the land use

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	Comprehensive Plan, Zoning , and LDC.								designation.
Pol. 2.1.6	Protection of Rural Areas Rural and agricultural areas shall be protected from premature urbanization, and a vibrant rural economy shall be encouraged outside the UGB and PSAsPlanned Service Areas . Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development, such as within the UGB and PSAs.							X	
Pol. 2.1.7	Conversion of Rural Lands Applications for conversion of agricultural properties designated as Rural Land on the Future Land Use Map to a mixed-use, industrial, commercial, or residential future land use category shall demonstrate the following: 1. The amendment will not result in urban sprawl as defined in Chapter 163, Part II, Florida Statutes; 4-2. Availability of public infrastructure, including public water and sewer and transportation facilities to serve a more dense or intense use is available at the time of application; or will be available at concurrently with development. 2-3. The relationship of the proposed amendment site to the UGB boundary and other more densely or intensely designated or developed lands. The Board of County Commissioners may require that such conversion is conducted through the Transfer of Development Rights program.							X	Recommend strengthening this based on public input for keeping the rural lands rural.
Pol. 2.1.8	Community Facilities in Rural Areas Community facilities, such as schools, churches, synagogues, community centers and day-care centers may be located in Rural Areas, Hamlet developments, and Cluster Density Bonus developments by means of the Special Use Permit process, as further		X						This may be deleted based on LDC regulations.

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		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	defined in the LDC.								
Pol. 2.1.9	Landfills The County shall allow landfills under the following conditions: <ol style="list-style-type: none"> New Landfills: As of January 1, 2002, no new landfills, except for Construction and Demolition (C&D) landfills, shall be permitted in the County. Existing Landfills and Expansion: As of January 1, 2007, no existing landfill, except for C&D landfills, shall be allowed to expand in the County. Requirements: All new landfills shall require a Comprehensive Plan Amendment and Special Use Permit (SUP) and comply with the location criteria identified in Policy 1.2.5 of the Solid Waste Element. 							X	Need to review this based on Solid Waste workshop on 9-4
Pol. 2.1.10	Wells and Wellfields (> 100,000 GPD) The County shall implement and maintain an LDC ordinance to require all new and expansion of existing wells and/or wellfields that supply water for qualified Community Water Systems (CWS), as specified in Future Land Use Element (FLUE) Objective 7.6, to obtain a Special Use Permit (SUP) and other approvals as further defined in the LDC. This provision functions as a means to reflect and provide public notice regarding the establishment of establishing the well/wellfield and its concurring Well/Wellfield Protection Area and is . It is not intended to, and shall not, be implemented in a manner that conflicts with the exclusive jurisdiction of the water management districts to regulate the consumptive use of water under Chapter 373, F.S. Upon satisfactory conclusion to the SUP consideration, the well and/or wellfield shall be added to FLUE Series Map #2, <i>Well & Wellhead Protection Areas</i> , with the next available administrative Comprehensive Plan Amendment Cyleamendment .							X	General- If the LDC regulates this, then we need to remove "implement". We should consider removing the exact map# in case our maps change.
Pol. 2.1.11	School Siting Criteria The County shall allow public schools in all future land use							X	

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	<p>designations, except Commerce District and Preservation. Private schools may be permitted or require a Special Use Permit (SUP) in the same land use designations as public schools as well as in the Commerce District land use designation as established by the LDC. The County may establish design and development criteria for private schools depending on the school type, student population, and other unique characteristics of the school and the surrounding area to ensure potential impacts are addressed, as further defined in the LDC. In the planning, siting, land acquisition, and development of the schools, evaluation of factors shall include consideration of the following criteria for private schools, and the County shall consider these factors when addressing public school facilities with the Marion County School Board, consistent with the Interlocal Agreement for public school facilities, with the School Board, municipalities, and County:</p> <ol style="list-style-type: none"> 1. The location of schools proximate to urban residential development and contiguous to existing school sites, which provide logical focal points for community activities and serve as the cornerstone for innovative urban design, including opportunities for shared use and collocation with other community facilities; 2. The location of elementary schools proximate to and within walking distance of the residential neighborhoods served; 3. The location of high schools on the periphery of residential neighborhoods, with access to major roads; 4. Compatibility of the school site with present and projected uses of adjacent property; 5. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization, efficient use of existing infrastructure, and the discouragement of urban sprawl; 6. Site acquisition and development costs; 7. Safe access or the potential for safe access to and from the school site by pedestrians and vehicles; 							
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GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)		Florida Statute Citation							Recommended Action
			Keep	Delete	New	Replace	Move	Modify	Explanation/Modification
	<p>8. Existing or planned availability of, or cost to provide, adequate public facilities and services to support the school, including water and sewer service, and transportation facilities;</p> <p>9. Environmental constraints that would either preclude or render cost infeasible for the development or significant renovation of a public school site;</p> <p>10. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archeological resource;</p> <p>11. The site is well drained, and the soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements;</p> <p>12. The proposed location is not in conflict with the local government comprehensive plan, stormwater management plans, or watershed management plans;</p> <p>13. The proposed location is not within a velocity flood zone or floodway, as delineated in the applicable comprehensive plan;</p> <p>14. The proposed site can accommodate the required parking, circulation, and queuing of vehicles; and</p> <p>15. The proposed location lies outside the area regulated by Section 333.03(3)(d), F.S., regarding the construction of public educational facilities in the vicinity of an airport.</p>								
Pol. 2.1.12	<p>Agricultural Uses Within an Urban Area</p> <p>The County may allow the continuation of existing agricultural uses on urban designated lands within the Urban Areas, including <u>within the UGB and PSAs</u>, until the property is utilized for types of development allowed by the Future Land Use designation, as further defined in the LDC. However, such uses shall not be construed to limit <u>the</u> urban development of the surrounding area as authorized within this policy. <u>Pursuant to FSS 163.3205, solar facilities are permissible in agricultural land use categories.</u></p>	163.3205					X	Clarification needed-Who can make the determination on whether a use "limit[s] the urban development of the surrounding area"? What factors are considered as part of that review? Maybe we use "shall"?	

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<p>Pol. 2.1.13</p> <p>Protection of Rural Neighborhoods</p> <p>Marion County shall recognize <u>that</u> “rural neighborhoods” that occurring within or outside of the UGB deserve special protection from the intrusion of urban uses, densities, and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a “rural neighborhood” is an existing recorded or unrecorded subdivision where the overall density does not exceed one unit per three acres, and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential.</p>			X					<p>Are potential protections defined in the LDC and/or who can determine the necessary protections when reviewing development proposals?</p> <p>How are we protecting them? We need to add an actionable task otherwise this is an objective or goal.</p> <p>Perhaps for the actionable task, we could recommend the Commissioners give deference to the prioritization of the preservation of the rural nature of these legacy neighborhoods?</p> <p>Suggest removing “within” and remove “low residential” to further strengthen protection outside the UGB.</p> <p>Could add added protection such as, “implementing LDC requirements such as additional buffers, step downs, and access regulations.”</p>
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<p>Pol. 2.1.14</p> <p>General definitions for uses:</p> <p>1. Agricultural Use: Any generally accepted, reasonable, and prudent method for the operation of a farm (<u>including solar facilities pursuant to FFS 163.3205</u>), including, but not limited to, horticulture; floriculture; viticulture; forestry; dairy; livestock; poultry; bee; pisciculture, if the land is used principally for the production of tropical fish; aquaculture, including algaculture; sod farming; all forms of farm products as defined in Section 823.14(3),</p>	X						X	<p>Must define open space and agriculturally-related.</p>
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GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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<p>F.S. and farm production. Agricultural Lands are classified as such pursuant to Section 193.461, F.S.</p> <p>2. Commercial Use: Any establishment providing goods and services, including but not limited to, retail stores, restaurants/bars, personal services, business services, healthcare facilities and services, professional offices, medical offices, transient travel and lodging facilities, and similar types of uses as further defined by the LDC. <u>Resiliency Facilities, as defined by FSS 163.3210, are permitted and will continue to be permitted in all commercial land uses and commercial zoning districts.</u></p> <p>3. Industrial Use: Any site or establishment involved in processing, assembly, or manufacturing of goods, warehousing, distribution, research and development, resource extraction or processing, transportation, fabrication, or similar uses as further defined by the LDC. Industrial uses do not generally involve the direct sale of goods and services to the general public.</p> <p>4. Residential Use: One-family dwellings, two-family dwellings, multi-family dwellings, and various forms of group living, and long-term care facilities, and similar types of uses as further defined by the LDC.</p> <p>5. Permanent Open Space: For land use designs or designations required to provide permanent open space, "open space" is defined as undeveloped lands suitable for passive recreation or conservation and agricultural uses. All portions of the open space shall be maintained in a healthy vegetative state and all agricultural uses and activities shall be consistent with the current best management practices adopted by the <u>Florida Department of Environmental Protection (FDEP), Florida Department of Agriculture and Consumer Services (FDACS),</u> and/or the Marion County Board of County Commissioners, whichever is more stringent. The open space shall include, at a minimum, environmentally sensitive lands and locally significant resources required to be conserved and/or protected when practicable. The open space should be provided in a form which that buffers the</p>							
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GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	increased development densities from surrounding lands and supports and/or encourages the formation of wildlife and habitat connections when possible.							
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Pol. 2.1.15	<p>FLUE POLICY</p> <p>Neighborhood Commercial: Neighborhood commercial uses may be permitted within urban residential land use designations (Low, Medium, High, and Urban Residential) as shown on the Future Land Use Map Series, provided the commercial uses are compatible with surrounding land uses and do not adversely affect adjacent areas, or disrupt traffic patterns. These uses are limited to low intensity land usage and site coverage. Allowable neighborhood commercial uses are those that utilize existing residential structures for professional offices or new construction that resembles the appearance of a residential structure, as further defined in the LDC. All neighborhood commercial uses must be located along collector roads or minor arterials. Non-office commercial uses shall be restricted to those uses that primarily serve the immediate residential areas, promote non-automotive travel, and reduce trip lengths.</p>						X	<p>Do I understand correctly that the only NC uses can be in retrofitted residential structures AND they have to be located along collector or minor arterials? Do you have any that exist? Maybe we loosen the restrictions slightly to allow for these uses to realistically develop?</p> <p>This category could be used for small commercial retail in neighborhoods.</p>
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Pol. 2.1.16	<p>Agricultural Uses</p> <p>Rural Land (RL)</p> <p>This land use designation is intended to be used primarily for agricultural uses, associated housing related to farms, and agriculturally-related commercial and industrial uses. Pursuant to FSS 163.3205, solar facilities are permissible in agricultural land use categories. The base density shall be <u>one</u> (1) dwelling unit per ten (10) gross acres, and the designation is a Rural Area land use. The following special provisions shall apply for new development not meeting the base density, as further defined in the LDC:</p> <p>1. Family Division: A parcel of record within Rural Land may be permitted to be subdivided up to three times, provided that no resulting lot is less than one <u>(1)</u> acre outside of the <u>Farmland Preservation Area (FPA)</u> and not less than three (3) acres inside</p>	163.3205 Solar Facilities					X	<p>Minor modification to “agriculturally-related” to make it a hyphenated term.</p> <p>Minor formatting change recommendation – spacing at #3 is inconsistent with the rest of the list.</p>
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GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)		Florida Statute Citation							Recommended Action
			Keep	Delete	New	Replace	Move	Modify	Explanation/Modification
	<p>the FPA consistent with 163.3179, F.S. and as further defined in the LDC.</p> <p>2. Cluster Density Bonus: Rural Areas outside the UGB and not within the FPA Farmland Preservation Area may develop as a cluster density bonus development under the PUD process up to a maximum of one (1) dwelling unit per seven (7) gross acres with a required minimum of 60% permanent open space set aside, as further defined in the LDC.</p> <p>3. Hamlets: Residential uses in the Rural Areas outside the UGB and not within the FPA Farmland Preservation Area may develop as a hamlet development under the PUD process and shall provide a minimum of 60% permanent open space with cluster development in one of the following forms, and as further defined in the LDC:</p> <p>a. one (1) dwelling unit per five (5) acres</p> <p>b. one (1) dwelling unit per 3.5 acres with the permanent open space delineated as a separate tract from the individual developable parcels and shall remain under common ownership by the developer, property owner association, undivided property interest of the developable land within the hamlet, or a third party approved by the County Commissioners.</p>								
Pol. 2.1.17	<p>Residential Uses</p> <p>Low Residential (LR)</p> <p>This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development within the UGB, a PSA or <u>the</u> Urban Area. Parcels outside of, but contiguous to the UGB and outside of the FPA are eligible for conversion to <u>the</u> Low Residential designation through density bonus programs consistent with FLU Policy 2.1.3. The density range shall be up to one (1) dwelling unit per one (1) gross acre, as</p>						X		

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	further defined in the LDC. This land use designation is considered the an Urban Area land use . Where the Low Residential designation abuts the FPA Armland Preservation Area or other Rural Area, hamlet, clustered, or other development methods to preserve large tracts of open space are is encouraged.							
Pol. 2.1.18	Medium Residential (MR) This land use designation is intended to recognize areas suited for primarily single-family residential units <u>for existing and new development</u> within the UGB, PSAs, or and the Urban Area. However, the designation allows for multi-family residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.						X	Should discuss density because category allows multi-family, but 4 units/acre is not able to accommodate MF.
Pol. 2.1.19	High Residential (HR) This land use designation is intended to recognize areas suited for a mixture of single-family and multi-family residential units in existing and new development located within the UGB or Urban Area. The density range shall be four (4) dwelling units to eight (8) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.						X	Should we have a separate workshop regarding density? You can get townhomes in 8 units/acre but true multi-family cannot.
Pol. 2.1.20	Urban Residential (UR) This land use designation is intended to recognize areas suited primarily for multi-family residential units, but allows for single-family residential units to provide for a mix of various housing types to meet the community needs within the UGB or Urban Area. The density range shall be eight (8) dwelling units to sixteen (16) dwelling units per one (1) gross acre, and commercial uses shall be permitted as accessory uses within this land use designation, as further defined in the LDC. This land use designation is an Urban Area land use.						X	Do we not want to encourage mixed-use in this land use category considering it is "urban"?

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<p>Pol. 2.1.21</p> <p>Mixed Uses Rural Activity Center (RAC)</p> <p>This land use designation allows for mixed use nodes of <u>a mix of uses consisting of</u> residential (single-family and multi-family) and commercial uses, including agriculturally related commercial uses, to meet the daily needs of residents in the Rural Area to reduce trips to the Urban Areas of the eCounty for daily needs and services. This designation shall be located at intersections of arterial, collector, and/or major roads and extend no greater than one quarter (1/4) mile) or 1,320 linear feet from the center of the RAC for a maximum of 96 acres. For the Summerfield RAC, which includes an off-set major road intersection pair (S. Hwy 301/SE 145th Street & S. Hwy 301/SE 147th Street) and lies west of the CSX Railroad Line, the one-quarter (1/4) mile) or 1,320 linear feet from the center may be measured from either major road intersection and extend east along SW 147th Street to the CSX Railroad Line The maximum acreage of the Summerfield RAC is not to exceed 125 acres. New RACs shall have at least three existing businesses and be at least five (5) miles from other RACs, as measured from the center of the RAC, unless it can be demonstrated that eighty-five (85) percent of the RAC is developed. To minimize development impacts to the surrounding Rural Area, properties in the RAC shall be designed to provide shared access, obtain access from the lesser road class, and minimize impacts to the operations of the intersection, and compatibility concerns for the surrounding properties. The density range shall be up to two (2) dwelling units per one (1) gross acre, and <u>the intensity shall be a</u> maximum Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation is a Rural <u>Area</u> land use designation.</p>							X	Is there a min size for a RAC?
<p>Pol. 2.1.22</p> <p>Commercial (COM)</p> <p>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</p>							X	“mixed residential development” do we mean mixed-use (i.e. residential and commercial) or do we mean different types of residential uses?

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)		Florida Statute Citation							Recommended Action
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	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 at the <u>intensity shall be a</u> maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land-use designation is allowed in the Urban Area land use and allows for campgrounds and recreational vehicle parks (RVP).								
Pol 2.1.23	Employment Center (EC) This land use is intended to provide a mix of business, enterprise, research, and development, light to moderate intensity commercial, and light industrial activities. This designation also allows residential uses, campgrounds and recreational vehicle parks (RVP). — This land use designation will allow for and encourage mixed-use buildings. The density range for residential units shall be up to sixteen (16) dwelling units per one (1) gross acre, and <u>the intensity shall be</u> a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land-use designation <u>is</u> an Urban land use designation .							X	
Pol. 2.1.24	Non-Residential Commerce District (CD) This land use is intended to provide for more intense commercial and industrial uses than may be suitable in the Employment Center (EC) designation due to noise, odor, pollution, and other nuisance issues. A maximum Floor Area Ratio of 2.0 is allowed, as further defined by the LDC. This land-use designation <u>is</u> an Urban land use designation .							X	This is quite vague about what is permitted here by comparison to the other designations, which is okay if it is defined by the zoning district. It is not clear that this is the most intense land use category.
Pol. 2.1.25	Public (P) This land use is intended to recognize publicly owned properties for the use of the general public or portions of the community infrastructure and services, which includes items such as parks, government buildings, water treatment plants, public safety facilities, schools, etc., with a maximum Floor Area Ratio of <u>is</u> 1.0, as further defined in the LDC. This land-use designation is allowed in the Urban and Rural Area.							X	

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Pol. 2.1.26 Preservation (PR) This land use is intended to recognize publicly or privately owned properties intended for conservation purposes and operated by contractual agreement with or managed by a federal, state, regional, local government, or non-profit agency. Development for recreation, scientific research, education, training facilities, public facilities or services, etc., in this designation shall be limited to result in minimal impact to the preservation of the area as allowed under the contractual agreement or management plan, as further defined in the LDC. This land use designation is allowed in the Urban and Rural Area.							X	Can stormwater facilities be located in this category? This sometimes comes up in other jurisdictions.
Pol. 2.1.27 Municipality (M) This land use is intended to identify properties that are located within municipalities in the County.		X						
Pol. 2.1.28 World Equestrian Center (WEC) This land use is intended to provide for the development of the Golden Ocala World Equestrian Center, a regional attraction consisting of equestrian-related improvements (including indoor and outdoor arenas, barns, show rings, etc.) and other improvements to support the horse community and community in general. This designation also allows for commercial uses (including retail, hotel, office, community uses, and business opportunities), recreational uses, residential uses, recreational vehicle parks (“RVP”), and mixed uses. Any commercial uses on World Equestrian Center (“WEC”) designated lands in the Rural Area (i.e., outside the UGB) shall be limited to equestrian-related uses associated with the World Equestrian Center. Any hotels or other commercial uses that are not permitted in the Rural Lands Future Land Use designation shall be prohibited on WEC--designated lands in the Rural Area (i.e., outside the UGB). As used herein, the term “equestrian-related use” shall mean a land use that is principally rural and equestrian in character and associated with and supportive of equestrian sports. Examples of equestrian-related uses include polo fields, equestrian arenas, equestrian instruction facilities, veterinary		X						

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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<p>clinics, farriers (non-mobile), stables and barns, and feed stores and tack shops. Any and all accessory uses to equestrian-related uses shall be directly ancillary and incidental to such equestrian related use and shall be located on the same lot or parcel as the principal equestrian-related use. The maximum density for residential uses (i) within the Urban Area shall be four (4) dwelling units per one (1) gross acre; and (ii) within the Rural Area shall be one (1) dwelling unit per ten (10) gross acres. The maximum intensity for non-residential uses (i) within the Urban Area (inside the UGB) shall be a Floor Area Ratio of 0.5, as further defined by the LDC; and (ii) within the Rural Area (outside the UGB) shall be a Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation is allowed in the Urban and Rural Area and is limited to the lands described in Exhibit "C" (as may be subsequently amended), and all lands subject to this land use designation shall be developed under a single-unified Planned Unit Development (PUD) zoning district classification on and over the Exhibit "C" land, consistent with Marion County's Land Development Code (LDC).</p>							
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Future Land Use Element Table 2-1: Summary of Future Land Use Designations*

FLU	DENSITY	FAR	USES
RURAL AREAS (Outside UGB)			
AGRICULTURAL USES			
Rural Land (RL)	0 – 1 du/10 ac	N/A	Agriculture, residences associated with agriculture, or Conservation
NON-RESIDENTIAL / MIXED USES			
Rural Activity Center (RAC)	0 – 2 du/ac	0 – 0.35	Office, Commercial, Public, Recreation, Residential
URBAN AREAS (Inside and Outside UGB)			
RESIDENTIAL USES			
Low Residential (LR)	0 – 1 du/ac	N/A	Residential, Public Recreation, Conservation
Medium Residential (MR)	1 – 4 du/ac	N/A	Residential, Public Recreation, Conservation
High Residential (HR)	4 – 8 du/ac	N/A	Residential, Public Recreation, Conservation
Urban Residential (UR)	8 – 16 du/ac	N/A	Residential, Public Recreation, Conservation, Commercial (accessory)
NON-RESIDENTIAL / MIXED USES			
Commercial (COM)	0 – 8 du/ac	0 – 1.0	Office, Commercial, Public, Recreation, Residential, Campgrounds, Recreational Vehicle Park (RVP)

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Employment Center (EC)	0 – 16 du/ac	0 – 2.0	Office, Commercial, Industrial, Public, Recreation, Residential, Campgrounds, RVP
Commerce District (CD)	N/A	0 – 2.0	Office, Commercial, Industrial, Public
ALLOWED IN RURAL AND URBAN AREAS (Inside or Outside UGB)			
NON-RESIDENTIAL / MIXED USES			
Public (P)	N/A	0 – 1.0	Public, Office, Commercial, Recreation, Golf Course
Preservation (PR)	N/A	N/A	Preservation, Conservation
Municipality (M)	N/A	N/A	Municipality
World Equestrian Center (WEC)	<i>Rural Area (Outside UGB)</i>		
	0 – 1 du/10 ac (Rural Area)	0 – 0.35 for Rural Areas (outside the UGB)	Residential, World Equestrian Center with equestrian – related uses per FLUE Policy 2.1.28
	<i>Rural Area (Inside UGB)</i>		
	0 – 4 du/ac (Urban Area)	0 – 0.50 for Urban Areas (inside the UGB)	World Equestrian Center, Office, Commercial, Public, Recreation, Residential, RVP

NOTE:

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

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

	Future Land Use Element (FLUE) (Chapter 1)								
Obj. 2.2	Density Requirements in Environmentally Sensitive Areas Marion County shall specify the land use and density allowed in wetlands, floodplains, contiguous uplands of lakes and rivers, and other environmentally sensitive areas as follows, consistent with this Plan and as further defined in the LDC.		X						
Pol. 2.2.1	Wetlands For areas designated as Urban Area on the Future Land Use Map that are wetlands the base density shall be one (1) unit per five (5) acres.		X						
Pol. 2.2.3	Uplands Adjacent to Waterbodies For areas that are contiguous uplands of lakes, rivers, and other water bodies, as designated <u>shown</u> on the Future Land Use Map, densities							X	Is this policy still appropriate? Septic tanks are discouraged where central sewer is available. 2023 also

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	Future Land Use Element (FLUE) (Chapter 1)								
	in these areas shall be at no more than two <u>(2)</u> dwelling units per gross acre if <u>aerobic-enhanced</u> septic systems are used and no more than one <u>(1)</u> dwelling unit per gross acre if conventional septic systems are used, <u>in compliance with F.S. 381.0065 and 373.811</u> . In upland areas where central wastewater systems are available and utilized, density may be at the density allowed by the underlying land use category.								introduced new regulations requiring the installation of “enhanced nutrient-reducing onsite sewage treatment and disposal systems or other wastewater treatment systems that achieve at least 65% nitrogen reduction.” FS 373.811 FS 381.0065
Pol. 2.2.4	Aggregation of Parcels in Wetlands and 100-Year Flood Plain: Contiguous parcels of record under common ownership shall be considered in the aggregate and shall be required to aggregate to meet the wetland or floodplain density requirements.		X						
Goal 3	Priority Development Area(s) To direct new development and redevelopment activities to appropriate areas of the County to provide the necessary public facility and service infrastructure in a cost-effective and efficient manner.		X						
Obj. 3.1	Urban Growth Boundary (UGB) To establish <u>one-or-more-a boundaries-boundary</u> that clearly identifies Urban Areas where long-term capital improvements shall be directed to create compact and efficient development patterns and allow for sufficient growth opportunities to maintain the County’s long-term viability.							X	
Pol. 3.1.1	Establishment of UGB The County FLUM Series, Map #1, <i>Marion County 2045 Future Land Use Map</i> , designates an UGB that reinforces the preferred land use patterns of Marion County through policies that are designed to							X	Should this be “Urban Area designated land”? Boundary is inconsistent, and

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>effectively discourage the proliferation of urban sprawl. The establishment and maintenance of the UGB shall be accomplished through the following standards:</p> <ol style="list-style-type: none"> 1. The UGB shall encompass a sufficient supply of urban-designated land to support projected demand for the horizon of the Plan, less the supply generated from vested subdivisions (Development of Regional Impact (DRIs), Florida Quality Developments (FQDs), etc.) and Rural Land 2. All new development and redevelopment within the UGB shall be served by central water and wastewater, whether it is provided by the eCounty, municipality, or private provider; 3. All land contained within an UGB delineated on the Future Land Use Map shall be treated as one single urban area for the purposes of these policies; 4. Any parcel of land that overlaps into the UGB by more than 50% by area shall be considered inside the Boundary. Likewise Similarly, any parcel that overlaps outside the UGB by 50% or less shall be considered outside the Boundary; 5. The County shall conduct a review at least every seven (7) years to assess the need to modify the UGB and evaluate the need for public facilities and services within the UGB; and 6. The County shall encourage development to be concentrated within the UGB. 							has not been linked to "UGB", yet. If we use it, then the first time it is used, it should be accompanied by a parenthetical explanation linking the terms
Pol. 3.1.2	<p>Planning Principles within UGB</p> <p>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:</p>						X	Suggest removing #3 as it is not actionable.

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	Future Land Use Element (FLUE) (Chapter 1)								
	<ol style="list-style-type: none"> 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 <u>Encourage and incentivize</u> distinctive, attractive communities with a strong sense of place. 6. Create walkable and linked-interconnected neighborhoods <u>and related support services that support it.</u> 7. Create a range of <u>diverse</u> 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 <u>effective</u>. 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. 								
Pol. 3.1.3	<p>Modification of UGB</p> <p>The County finds that the development rights assigned within this Plan and the development forms allowed by this Plan provide adequate development opportunities within and outside the UGB. To modify the UGB, the following standards must be affirmatively met:</p> <ol style="list-style-type: none"> 1. Market Demand: An analysis of the requested expansion or reduction of the UGB shall be provided to show why a change in 							X	<p>Who can modify the UGB?</p> <p>Should we add a land use analysis or build-out analysis to ensure the expansion is needed?</p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	Future Land Use Element (FLUE) (Chapter 1)							
	<p>development form is required to accommodate the population, housing, or employment needs of the County projected over the planning horizon of this Plan or adjustments that may be needed due to market conditions.</p> <p>2. Contiguity to Existing Urban Development Patterns: It must be demonstrated that the expansion area is contiguous to existing urban patterns of development.</p> <p>3. Availability of Urban Infrastructure: A projection of requirements for public facilities and services must be completed, and the ability to provide those facilities and services to serve the proposed development through private or public means shall be demonstrated.</p> <p>4. Compatibility: An evaluation of existing land uses and environmentally sensitive areas within the expansion area must be completed. Appropriate policies shall be written and adopted into this Plan to provide appropriate protections for the transition of land uses adjacent to rural development, to provide for non-interference with agricultural or conservation activities, and to provide for protection of environmentally sensitive lands.</p> <p>5. Urban Sprawl: It must be demonstrated that the expansion area and development within it will discourage urban sprawl.</p> <p>6. Water Supply: It must be demonstrated that there is available water supply for the proposed expansion area.</p>							
<u>Objective</u>	<p><u>Outside of the UGB</u></p> <p><u>The County shall protect the rural lands and character outside of the UGB.</u></p>			X				<p><u>This is a placeholder-Many comments from citizens about protecting farmland and rural character. Should we try to add more policies to protect the rural areas?</u></p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)							
Pol. 3.1.4	<p>Rural Area Outside of UGB</p> <p>The lands outside of the UGB shall generally be referred to as the Rural Area, and development in this area shall be guided by the following principles and as further defined in the LDC:</p> <ol style="list-style-type: none"> 1. Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting. 2. Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area. 3. Establish a framework for appropriate future opportunities and development options, including standards that address the timing of future development. 4. Create a focused strategy for the regulation of mining and resource extraction activity. 5. Allow for new Rural Land and Rural Activity Center Future Land Use designations with a Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the LDC. 							
Pol 3.1.5	<p>Urban Areas Outside of UGB</p> <p>The County shall maintain existing Future Land Use designations that have been previously adopted that are outside of the UGB to recognize vested development rights. Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan Amendment, analysis to demonstrate the potential need for the creation of such new Urban Areas, and other appropriate documentation in accordance with Policy 3.1.3. It shall not be necessary to modify the UGB to expand or create Urban Areas outside the UGB unless the expansion or creation of <u>the</u> new urban area is within the FPA.</p>						X	

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	Future Land Use Element (FLUE) (Chapter 1)									
Obj. 3.2	<p>Planned Service Areas</p> <p>By June 30, 2022, Planned Service Areas shall be established on the Future Land Use Map series to promote the efficient and cost effective cost-effective development of utility services and to discourage urban sprawl.</p> <ol style="list-style-type: none"> The County County shall develop PSA's within certain areas designated for higher density development and establish priorities for extension of services to each area. Represents designated areas where regional utility service (water and sewer) will be available. Development is encouraged in the PSA because of the availability or future availability of infrastructure to accommodate development. Higher density development is permitted and encouraged within the PSA. 3. The County County shall not subsidize development beyond the boundaries of the PSA Planned Service Area. 4. New development proposed in the PSA shall be allowed only when central water and sewer are provided. 							X	X	Discussion with the Board about this is needed.
Pol. 3.2.1	<p>Incentive Programs</p> <p>The County will create incentives to make development within the PSA desirable and cost affordable. Such incentives may include but are not limited to expedited review processes, retrofitting existing development, increased density bonuses, tax incentives, impact fee structuring, and pre-zoning of vacant, underutilized lands to achieve planned densities.</p>								X	How is "retrofitting existing development" an incentive? What is "impact fee structuring"? What is "pre-zoning"?
Pol. 3.2.2	<p>Limitation on the Extension of Central Utilities</p> <p>The County shall limit the extension of central potable water and sanitary sewer service outside of the UGB and PSAs except (a) where</p>								X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	existing urban densities (e.g. subdivisions) were constructed without central water and sewer, and for which the County determines the provision of central utilities is desirable to promote water conservation or aquifer and springs protection or (b) to connect to an existing urban area. Extension of centralized water or sewer systems outside of the Urban Growth Boundary or Planned Service Areas in order to provide services to existing urban areas or redundancy in the system shall not be construed as justification for increased densities or intensities adjacent to such systems, or otherwise outside of the Urban Growth Boundary.								
Pol. 3.2.3	Periodic Review The County will review and update PSAs based on capital improvement plans at least one time every five years.								
Obj. 3.3	Farmland Preservation Area (FPA) The Farmland Preservation area is intended to encourage preservation of agriculture as a viable use of lands and an asset of Marion County's economy and to protect the rural character of the area. Planning principles within this area are designed to protect significant natural resources, including prime farmland and locally important soils as defined by the United States Department of Agriculture and unique karst geology that provides high recharge to the Floridan Aquifer, a key source of freshwater for central Florida. The County establishes this area as critical to the enhancement and preservation of its designation as the Horse Capital of the World.							X	
Pol. 3.3.1	Elements of Rural Character in the Farmland Preservation Area The County shall preserve and protect rural and equestrian/agricultural character within the Rural Lands, specifically the Farmland Preservation Area, by requiring that all appropriate future development activities within this Area preserve, support, and enhance the fundamental elements of rural character set forth below, and further requiring that all							X	This could be further strengthen to address the buffer issue? Below: should it read FPA not

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>Zoning Changes and Special Use Permits within the FPA<u>Farmland Preservation Area</u> be consistent with and preserve, protect, support, and enhance the rural, equestrian, and farmland character of the FP<u>Armland Preservation Area</u>. The fundamental elements of rural character include the following:</p> <ol style="list-style-type: none"> <i>Scenic Views:</i> The viewshed of arterial and collector roadways in the Rural Area shall be protected from land clearing and other visual intrusions associated with development; such protections, however, shall not restrict the fundamental agricultural uses permitted within this Area. <i>Open Space Protection:</i> Residential development options shall include incentives to promote the protection of open spaces <u>as further regulated through the LDC</u>. <i>Rural Lighting:</i> In order to preserve the rural character of the area, artificial illuminating devices, emission of undesirable rays into the night sky, glare to oncoming traffic, and intrusion of light onto adjacent properties shall be prevented to the greatest extent possible, as further defined in the LDC. <i>Transportation:</i> Roadway design within the Rural Area shall be consistent with the principles of context sensitive design, which considers the relationship of land uses and all aspects of roadway design, including speed, travel lane width, access management, and landscaping. Where feasible, expansion or alteration of existing roadway corridors, including State Facilities, will be the preferred method to meet long-range transportation needs. New transportation corridors intended to be used specifically for the construction of expressways or limited access roadways within the FP<u>Armland Preservation Area</u> shall be developed in such a way as to avoid negative impacts to vital farmlands, key environmental areas, and valuable open space so that transportation and land use are compatible with the rural character of the area. The 							Rural Area? This policy is specific to FPA.

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	Future Land Use Element (FLUE) (Chapter 1)								
	development of any such corridor shall be closely coordinated with the Board of County Commissioners and County Staff. 5. <i>Infrastructure</i> : Other infrastructure, including water and sewer utilities and stormwater facilities within the Rural Area , shall reflect a rural level of service and shall not be modified to the point that it encourages or allows for urban development.								
Pol. 3.3.2	Density Limitations within FPA The County shall implement and maintain density/intensity increases within the FPA as follows: 1. Hamlet and Cluster Density Bonus developments shall not be permitted within the FPA. 2. Density and Intensity Averaging Allowance shall not be permitted within the FPA. 3. Family Division of properties with a minimum of one (1) dwelling unit per three (3) gross acres shall be permitted as allowed in this element and as further defined in the LDC.						X	We could have a minimum lot size in this section to help further protect the FPA and address concerns about small lot sizes.	
Pol. 3.3.3	Establishment of Sending Areas The FPA is an area that automatically qualifies properties designated Rural Land as being within the Transfer of Development Rights (TDR) Sending Area due to the concentration of agricultural activities and designated locally important and prime farmland areas.						X		
Pol. 3.3.4	Standards for Amending the Farmland Preservation Area Any Comprehensive Plan a Amendment that would increase development intensity or density within the FPA, or that would remove one or more parcels from the FPA, shall be required to be accompanied by a concurrent Comprehensive Plan a Amendment to extend the Urban Growth Boundary, or create a new Urban Growth Boundary , to include the parcel(s) under consideration.						X	Suggest removing this section because I do not think the County wants to add more.	

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		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	Future Land Use Element (FLUE) (Chapter 1)								
	Comprehensive Plan aAmendments to expand existing Rural Activity Centers are exempted from this requirement if the Rural Activity Center and the proposed amendment comply with the size, density, and other requirements set forth in Policy 2.1.19.								
Goal 4	Implementation of the Comprehensive Plan To enable the public to know and understand how the County will implement the goals, objectives, and policies of the Comprehensive Plan.		X						
Obj. 4.1	Administration of the Comprehensive Plan The County shall administer and interpret the Comprehensive Plan, Zoning, and LDC and resolve issues that may arise during the development review process in a cost effective cost-effective, efficient, and timely manner to reduce barriers that may unnecessarily discourage economic development activities.		X						
Pol. 4.1.1	Consistency between Comprehensive Plan, Zoning, and LDC The County shall amend and maintain an official land use and zoning map, appropriate land use designations and zoning classifications, and supporting LDC that shall be consistent with each other.		X						
Pol. 4.1.2	Conflicts between Comprehensive Plan, Zoning, and LDC The Comprehensive Plan shall be the governing document. In the event of conflict between the Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has developed a process to allow a variance or waiver of the regulation where a conflict in regulations occurs in accordance with the Comprehensive Plan, Zoning, or LDC.						X		
Pol. 4.1.3	Interpretation of Boundaries for the Comprehensive Plan Whenever possible, Comprehensive Plan boundaries shall be							X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	interpreted as coinciding with manmade boundaries, such as rights-of-way lines, property lines, section lines, or with natural boundaries, such as water bodies, in effect at the time of establishment. In the event that any Comprehensive Plan boundary shown on the FLUM cannot be determined to coincide with any such boundary, the affected party may request an official interpretation from the Growth Services Director or his designee; these interpretations may be appealed to the Board of County Commissioners whose decision shall be final.								
Pol. 4.1.4	Select Uses or Activities with Special Requirements The County shall implement and maintain an LDC that identifies special requirements for select uses and activities, based on issues that may potentially impact the surrounding area and/or environmentally sensitive areas.		X						This policy is not explicitly required to be stated and can be deleted if desired.
Pol. 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.						X		
Pol. 4.1.6	Inapplicability of Policy 2.1.11 to the On Top of the World Development of Regional Impact, Circle Square Woods Vested Development of Regional Impact, and Golden Ocala Development Order. Policy 2.1.11 (Protection of Rural Neighborhoods) shall not apply to the following properties, including any development orders and permits issued for development within the properties: 1. The On Top of the World Development of Regional Impact (“OTOW DRI”), which is governed by the OTOW DRI Amended		X						

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>and Restated Development Order, as amended by Marion County on November 20, 2018, and as may be amended from time to time in the future (“ARDO”).</p> <p>2. The Circle Square Woods Binding Letter of Interpretation for Modification to a Development of Regional Impact with Vested Rights, as amended by Marion County on November 20, 2018, and as may be amended from time to time in the future (BLIM).</p> <p>3. Marion County Ordinance No. 17-28 adopted by the Marion County Board of County Commissioners on October 17, 2017, as supplemented by the Settlement Agreement Concerning Golden Ocala Approvals dated February 20, 2018, as may be amended from time to time in the future (‘collectively the Golden Ocala Development Order’).</p> <p>In the event of a conflict between Policy 2.1.11 of the Comprehensive Plan and the ARDO, the BLIM, or the Golden Ocala Development Order, the ARDO, BLIM, or Golden Ocala Development Order, as applicable, shall be deemed to prevail.</p>							
Goal 5	<p>Changing The Development Regulations</p> <p>To identify criteria and documentation necessary for the County to evaluate and make recommendations on requested changes to the County’s development regulations and process for reviewing and approving requested changes</p>		X					This goal, its objective, and its policies could all be accomplished in the LDC and removed from the Comprehensive Plan if desired.
Obj. 5.1	<p>Comprehensive Plan and Zoning Changes</p> <p>To identify criteria and documentation necessary for the County to evaluate requested changes to following development regulations: Comprehensive Plan policies, Future Land Use Map, and FLUM Series; and Zoning Changes (ZC) and Special Use Permits (SUPs).</p>		X					
Pol. 5.1.1	Application Requirements		X					

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	Future Land Use Element (FLUE) (Chapter 1)							
	The County shall require an application with sufficient details of a request for an amendment to the Comprehensive Plan and the Official Zoning Map, consistent with Chapter 163, F.S., the Comprehensive Plan, Zoning, and LDC.							
Pol. 5.1.2	<p>Review Criteria - Changes to Comprehensive Plan and Zoning</p> <p>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 determine 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:</p> <ol style="list-style-type: none"> 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; 7. Prevention of urban sprawl, as defined by Ch. 163, F.S.; 8. Consistency with the UGB; 9. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC; 10. Compatibility with current uses and land uses in the surrounding area; 11. Water Supply and Alternative Water Supply needs; and 			X				How is suitable defined?

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	Future Land Use Element (FLUE) (Chapter 1)							
	12. Concurrency requirements.							
Pol. 5.1.3	<p>Planning & Zoning Commission (P&Z)</p> <p>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.</p> <p>Ex-officio members shall be appointed to the commission consistent with Florida Statutes and other members may be appointed as the County Commissioners deem suitable, such as: Marion County School Board, U.S. Military, Department of Health, and Public Safety (Fire, EMS, Sheriff.</p>		X					
Pol. 5.1.4	<p>Notice of Public Hearings</p> <p>The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.</p>		X					
Goal 6	<p>Public Infrastructure Planning</p> <p>The County shall implement and maintain short- <u>(10 years)</u> and long-term <u>(at least 20 years)</u> strategies in collaboration with other local, state, and federal agencies to provide public infrastructure to meet the population growth and economic developments needs throughout the County.</p>	FS 163.317 7					X	
Obj. 6.1	<p>Coordination of Public Facilities and Services</p> <p>To ensure the provision of public facilities and services in a timely, efficient, and cost-effective manner, that is in coordination with this element. These policies are general summaries of the requirements,</p>						X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	which are further specified in their respective elements and the Capital Improvements Element .								
Pol. 6.1.1	Public Facilities Guidelines The County shall locate public facilities and services so as to maximize the efficiency of services provided as well as minimize their cost, impacts on the natural environment and resources, and surrounding uses and land uses.							X	Changing “and” to “as well as” here makes the sentence much easier to parse.
Pol. 6.1.2	Concurrency of Services The County shall require that the development of land be timed and staged in conjunction with the provision of supporting public facilities and services to meet the community needs, consistent with this Plan and LDC.							X	
Pol. 6.1.3	Central Water and Wastewater Service The County shall require development within the UGB, Urban Areas, and other developments consistent with this Plan and as required in the LDC to use central water and wastewater. Central water and wastewater treatment facilities shall be constructed in accordance with the Wastewater and Potable Water Elements of this Plan and as further defined in the LDC.							X	“other developments” is not clear. Consider clarifying the intent.
Pol. 6.1.4	Private Water and Wastewater Service The County shall not prohibit the provisions of potable water, septic tanks, and other wastewater treatment facilities by private developers as allowed and regulated in the LDC and appropriate regulating agency .							X	
Pol. 6.1.5	Individual Water and Wastewater Service The County shall require that all development in areas not providing public water and wastewater services shall utilize individual well and							X	Not sure that the comp plan wants to specify where a septic tank should be,

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	Future Land Use Element (FLUE) (Chapter 1)								
	On-Site Treatment and Disposal (OSTDS) facilities in accordance with state law, this Plan, and as further defined in the LDC. Within the UGB, where centralized wastewater is not available and individual OSTDS are utilized, they shall be located in the front yard or street side of all structures to allow for future connection to centralized wastewater when available, but exceptions may be granted due to conditions on the site.								especially if the last sentence grants exceptions.
Pol. 6.1.6	Water Supply Plan The County shall require that all development be able to demonstrate that there is sufficient water supply, including alternative water supplies if necessary, available to meet the needs of the proposed development, whether provided by public or private centralized utilities or private individual sources, consistent with the Southwest Florida Water Management District (SWFWMD), St. John's River Water Management District (SJRWMD), and Withlacoochee Regional Water Supply Authority (WRWSA) Regional Water Supply Plans (RWSP) and the County's Water Supply Plan (WSP), and other plans or entities that may be necessary for the provision of water for the County to meet the needs of existing and future residents and businesses.		X						
Pol. 6.1.7	Transportation Network The County shall require all development to be designed to include an efficient system of internal circulation and address the impacts of development, including multi-modal transportation, for surrounding areas and distribution of traffic flow in the transportation network within the County. Individual lots shall be designed with access to the internal street system and utilize shared access where suitable.							X	
Pol. 6.1.8	Stormwater Run-off The County shall require the developer/owner of any site to be responsible for the management of runoff in a manner so that post-development runoff rates and volumes do not exceed pre-		X						

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	Future Land Use Element (FLUE) (Chapter 1)								
	development conditions consistent with this Plan and as further defined in the LDC.								
Pol. 6.1.9	Public Schools The County shall collaborate with the School Board and municipalities to ensure there are adequate school facilities throughout the eCounty to meet the education needs of the children within the community as further defined in the Interlocal Agreement for Public School Facilities. This policy shall not be construed to cause the Marion County School District to conflict with the State Requirements for Educational Facilities (SREF) in Chapter 1013, F.S., or the Stipulated Agreement regarding school desegregation between the Marion County School Board and the U.S. Department of Justice.							X	
Pol. 6.1.10	Confirmation of Availability of Services The County shall require developers to assess their needs regarding essential services (electric, gas, etc.) and seek confirmation of future availability from appropriate utility suppliers. Confirmation shall be provided by the utility to the County during the development review process; prior to but no later than the issuance of a development order.							X	Suggested reword increases clarity.
Pol. 6.1.11	Location of Public Facilities and Services Public facilities and services needed to provide essential service to existing and future development shall be allowed in all land use designations within the appropriate Zoning classification or <u>by</u> SUP, as further defined in the LDC.							X	Clarified this language because the LDC regulates the location.
Pol. 6.1.12	Coordination with Other Entities The County shall coordinate long-term planning efforts for public facilities and services with the municipalities, private service providers, and other entities within the eCounty that may provide similar services or participate in the process to meet the needs of the community.							X	

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	Future Land Use Element (FLUE) (Chapter 1)								
Pol. 6.1.13	Capital Improvements Program The County shall implement and maintain a Capital Improvements Program for public facilities and services, as further defined in the Capital Improvements Element of this Plan.		X						
Goal 7	Overlay Zones and Special Areas The County shall utilize overlay zones and special areas to identify unique spaces that which require additional development regulations to maintain and protect their unique characteristics or purposes. Each zone or area is described with its respective regulations, and sites may be subject to multiple zones and/or areas. The land use designation and/or Zoning classification for any site remains undisturbed by the creation of a zone or area but may require enhanced development standards than those that would otherwise apply.						X	Do we want to keep the overlays in the Comprehensive Plan? They are typically an LDC regulation. We could also add them to the GIS layers.	
Obj. 7.1	Airport Overlay Zone (AOZ) To ensure compatibility of uses adjacent to and allow the continued operations of public airports in accordance with Chapter 163 and 333, FS.		X						
Pol. 7.1.1	Establishment of AOZ The AOZ shall be established as an overlay around publicly owned major airports within the eCounty and shall address the following criteria, including but not limited to, and as further defined in the LDC: <ol style="list-style-type: none"> Obstructions due to building or other structure height. Noise, odor, animal congregation, and other nuisances. Runway clearance zones at the ends of and extended beyond the runways. 						X	Does the LDC currently regulate this?	

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	Future Land Use Element (FLUE) (Chapter 1)								
Pol. 7.1.2	Airport Master Plans in AOZ Each public airport shall have a plan for the proposed uses of the airport, as adopted in the Transportation Element and Maps.		X						Need to make sure when the CP changes actually occur, we adopt the airport master plans by reference.
Obj. 7.2	Environmentally Sensitive Overlay Zone (ESOZ) To provide a focused effort for the protection of surface waters by improving stormwater quality by better managing stormwater run-off due to development activities.		X						
Pol. 7.2.1	Establishment of ESOZ The County shall regulate intensity of development where environmentally sensitive lands may be subject to the adverse impacts of development or where a specific natural feature or area requires protection. The ESOZ shall be established as an overlay around those areas of the eCounty as adopted in the FLUM Series, Map #11 ESOZ , as further defined in the LDC. The following are a list of areas included in the ESOZ: <ol style="list-style-type: none"> 1. Waterbodies <ol style="list-style-type: none"> a. Springs – Silver and Rainbow Springs b. Lakes – At least 200 acres or larger, as further identified in the LDC c. Spring Runs – Silver, Rainbow, Salt, Glen, and Juniper Springs d. Rivers and Streams – 500 feet landward of the water/wetland edge of perennial wetlands and primary tributaries, as further identified in the LDC 2. Silver River State Park - The ESOZ shall include the entire Silver River State Park property. 						X		

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	Future Land Use Element (FLUE) (Chapter 1)								
Pol. 7.2.2	<p>Permitted Uses</p> <p><u>To ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities, the County shall implement and maintain an regulations in the LDC to identify for permitted and special uses. to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.</u></p>							X	Remove implement because it is already implemented. Reworded for clarity.
Pol. 7.2.3	<p>Required Site Analysis</p> <p>The County shall require a site analysis of soil conditions, geologic characteristics, topographic relief, stormwater run-off, identification of existing natural systems on the site, and other pertinent site characteristics to identify the effects of any proposed development or any changes to existing development that increase density or intensity of use as part of the development review process. Additional requirements shall <u>may</u> be required for development that is in excess of forty (40) acres, consists of twenty (20) or more residential units, involves non-residential development, occurs on property with water frontage, or additional information is requested by another local, state, or federal agency, for which the applicant shall comply with such requests prior to approval from the County.</p>							X	Maybe we say “may” be required? That way staff can ask for additional items not listed?
Pol. 7.2.4	<p>Buffer and Setback Requirements</p> <p>To retain vegetated buffers and adequate setbacks to control erosion and sedimentation into a lake, river, spring, spring run, stream, karst features, and wetlands and thereby protect water quality, promote proper function of septic systems, attenuate flood waters, lessen effects of strong winds, provide privacy, enhance views, and reduce</p>							X	Where are the buffer and setback requirements identified as “below”?

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>noise and buffers.</p> <p>1. Karst Topography/Features: Buffer and setback requirements shall be established based on criteria and standards in Policies 8.2.8 and 8.2.9 of this element and further defined in the LDC.</p> <p>2. Water Boundary Setback Line: Buffer and setback requirements below shall be applied landward from the water boundary setback line, as further defined in the LDC.</p>							
Pol. 7.2.5	<p>Protection of Littoral Zone Vegetation</p> <p>The County shall require the protection of the littoral zone vegetation to limit shoreline erosion and limit potential adverse water quality impacts due to development consistent with Florida Department of Environmental Protection (FDEP) and Florida Fish and Wildlife Commission (FWC) requirements. Protection of such areas is the responsibility of the property owner, and shall be identified on approved site plans.</p>						X	
Pol. 7.2.6	<p>Stormwater Management</p> <p>Optimum design of a stormwater management system shall mimic and use the features and functions of natural drainage systems, such as: natural drainage ways, depressions, wetlands, floodplains, highly permeable soils, and vegetation. The use of swales, berms, or detention/retention areas will be required when necessary to prevent direct flow of stormwater runoff to a receiving water-body.</p>		X					
Pol. 7.2.7	<p>Development within the Floodplain within the ESOZ</p> <p>To reduce flooding potential for property developed in the ESOZ, the following requirements shall be implemented for development within</p>						X	Discussion-if we are able to do compensatory storage-why are we limiting the density can it

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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>the flood-plain:</p> <ol style="list-style-type: none"> Structures – All structures within the flood-plain shall be developed consistent with Policy 7.3.4 of this element. Compensatory Floodplain Storage: One to one compensatory volume storage for any floodplain impacts or encroachment is required. Sewage: No sewage effluent disposal or OSTDS shall be permitted within the 100-year floodplain. Density: Density shall not exceed one dwelling unit per acre. Clearing of Vegetation: Clearing vegetation within the 100-year flood-plain shall be consistent with Objective 7.2 and 7.3 and their policies in this element. 								just fall under Policy 7.2.10 below?
Pol. 7.2.8	<p>Centralized Utilities</p> <p>Central wastewater facilities shall be the preferred method of wastewater treatment for all development in an ESOZ. If publicly or privately owned central wastewater facilities are available within a quarter (1/4) mile of the property line of a development project, then all development within that project will be required to hook up to the central wastewater system.</p> <p>Where regional and sub-regional centralized wastewater facilities are not available, alternative wastewater facilities, including package plants and community cluster systems, may be used. The County shall establish criteria in its LDC for determining when connection to an existing centralized facility is required, and when construction of an alternative wastewater facility may be permitted. Consideration shall be given to such factors as project type, size, density, location, and other relevant factors. All new and expanded facilities shall comply with the treatment and disposal standards established pursuant to Policy 1.6.1 of the Wastewater Element.</p>							X	This needs to be updated. The county's LDC regulations for connection are far stricter now.

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Pol. 7.2.9	<p>On-Site Treatment Disposal Systems (OSTDS)</p> <p>On-site sewage disposal systems (OSTDS), including aerobic and anaerobic systems, which will create an effluent quality comparable to that from a central wastewater treatment system or treatment systems to remove nutrients to be determined by site conditions and density may be allowed when built to County specifications and where density requirements are met.</p> <ol style="list-style-type: none"> Enhanced Septic System Requirements: Within <u>Basin Management Action Plan areas</u>, Springs Protection Areas, and where site conditions, such as, slope, soil conditions, infiltration rates, or natural drainage features so require, enhanced septic systems may be required. These system modifications can include, but are not limited to: lift pumps to remove effluent farther from the high-water line to a safe upland treatment and disposal site, effluent sand filters, and aerobic systems. Placement of OSTDS: All septic tanks and drainfields shall be located in the front yard or street side of all structures to allow for future connection to centralized wastewater when available, but exceptions may be granted due to conditions on the site. Variance for OSTDS: A variance may be requested for existing parcels, which are too small to allow for a residential dwelling or when replacement of an existing septic systems fails, and the requirements of this policy cannot be met. The setback and buffer requirements may be reduced proportionately with the parcel dimensions, as further defined in the LDC. 	FS 373.811						<p>Per FS 373.811, enhanced systems are required in areas covered by an adopted Basin Management Action Plan.</p> <p>In item 3, the inclusion of “when replacement of an existing septic systems fails” seems strange. What’s the intent?</p>
Pol. 7.2.10	<p>Density and Intensity Limitations</p> <p>To limit stormwater flow and discharge from septic tanks, which pose a threat to groundwater and surface water quality through discharges that contain pathogens, toxic materials, phosphorous and nitrogen, which can increase eutrophication in surface waters and contaminate</p>		X					<p>Should we add these density reductions to Table 2-1?</p> <p>For “b”-Discuss whether the county would require an OSTDS in ESOZ areas. When</p>

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<p>groundwater, density restrictions will ensure adequate assimilation and dilution of the contaminants to acceptable concentrations. Density shall be determined by the lesser of the Future Land Use designation or other density restrictions as further stated within this policy, based on the utilization of central or non-centralized water and sewer systems, including use of OSTDS, to meet the development standards within the ESOZ.</p> <p>1. Centralized Utilities Available: Where central wastewater systems are available and utilized, density may be at that of the underlying land use category, except for the ESOZ around Lake Weir as follows:</p> <p>a. Three (3) Dwelling Units per One (1) Gross Acre: Within the ESOZ and the road network surrounding Lake Weir comprised of County Road 25, Sunset Harbor Road, Southeast 105th Avenue, Southeast 100th Avenue, SE 132nd Place, and Southeast 115th Avenue or one thousand (1,000) feet from the mean annual water line of Lake Weir, whichever is farther from Lake Weir.</p> <p>b. Four (4) Dwelling Units per One (1) Gross Acre: Within the ESOZ and beyond the road network described above or one thousand (1,000) feet from the mean annual water line of Lake Weir.</p> <p>2. OSTDS are Available: Density of the development is allowed as follows, until such time as centralized water and wastewater are available for development:</p> <p>a. Within One Thousand (1,000) feet of a Waterbody: The maximum density shall be one dwelling unit per gross acre when an enhanced OSTDS system is utilized, conventional or aerobic septic system with on-site secondary sewage treatment such as rapid sand filters and enhanced drainfields are utilized.</p>								<p>this was last reviewed there were no BMAPS and no statutes regarding enhanced systems.</p>

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

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>the mean annual water line of Lake Weir, the allowable density shall be one unit per gross acre when a conventional or aerobic septic system with on-site secondary sewage treatment such as rapid sand filters and enhanced drainfields are usedan enhanced OSTDS is utilized.</p> <p>(2) Rural Area / Uses</p> <p>The density may be at that of the underlying land use category and clustering shall be encouraged, consistent with Policy 10.1.4 of this element.</p>							
Pol. 7.2.11	<p>Use of Best Management Practices (BMP)</p> <p>The County shall require the implementation of Best Management Practices (BMPs) in the ESOZ to protect surface water from contamination due to silvicultural and agricultural activities on properties within the ESOZ, unless otherwise not required and consistent with Policy 8.1.9 of this element.</p>		X					
Pol. 7.2.12	<p>Waterfront Lot Tract Width</p> <p>Waterfront lots within the ESOZ shall have a minimum tract width of 125 feet, but existing lots not meeting this requirement, as of January 1, 1992, are vested from this minimum tract width requirement.</p>		X					
Obj. 7.3	<p>Flood-plain Overlay Zone (FPOZ)</p> <p>To reduce the exposure of people and property to flooding events.</p>							
Pol. 7.3.1	<p>Establishment of FPOZ/FEMA Flood Insurance Rate Maps (FIRM)</p> <p>The County shall adopt by reference the Flood Insurance Study, dated August 28, 2008, as amended, from the Federal Emergency Management Agency (FEMA) to implement the National Flood Insurance Program in the eCounty. These maps are adopted as part</p>						X	On April 19, 2017, FEMA produced new Flood Insurance Rate Maps for the County. Revise map date.

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	Future Land Use Element (FLUE) (Chapter 1)								
	of the FLUM Series, Map #5: Floodplains per 2008 FEMA Maps.								
Pol. 7.3.2	Modification of FPOZ The County shall update the flood–plain zones based on map amendment revisions made due to FEMA map amendments due to requested changes or identification of errors, consistent with the requirements of Objective 7.3 and its policies of this element.		X						
Pol. 7.3.3	Protection of FPOZ The County shall implement and maintain an LDC that requires the identification of the flood-plain on any proposed development site prior to the issuance of a development order and address s public health, safety, and welfare issues to prevent and reduce potential public and private losses due to flooding. Development may be limited within the floodplain to minimize property flood damage from a storm event. These restrictions and limitations shall include: <ol style="list-style-type: none"> Uses and structures within the flood-plains; Land filling, grading, and clearing that may cause erosion or inhibit flood waters; Development shall comply with the rules of the National Flood Insurance Program; Septic systems shall comply with <u>state law</u>, the Florida Department of Health rules, and other policies of this Plan and the LDC; and Require all subdivisions and site plans to maintain pre-development run-off characteristics and provide compensating storage. 						X		
Pol. 7.3.4	Structures in the FPOZ The County shall require <u>the finished floor of</u> all structures to be elevated at least one (1) foot above the <u>one percent (100-year)</u> flood							X	Modified this language to reflect the updated LDC

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	Future Land Use Element (FLUE) (Chapter 1)								
	elevation, except for water-related and non-habitable accessory structures in accordance to and support of FEMA regulations, Title 44, Code of Federal Regulations (CFR) 60.1 and as further defined in the LDC.								ordinance language.
Obj. 7.4	Springs Protection Overlay Zone (SPOZ) To provide an additional level of water quality protection for springs and groundwater throughout the eCounty by reducing and managing potential groundwater contamination for water supplies.		X						
Pol. 7.4.1	Establishment of SPOZ The County established the boundaries of the SPOZ, which includes both a Primary and Secondary Springs Protection Zone (SPZ), as adopted in the FLUM Series, Map #14 Springs Protection Overlay Zones (SPOZ). 1. Primary SPZ: The Primary SPZ shall be based on the 0 to 10 year recharge travel time 2. Secondary SPZ: The Secondary SPZ shall be the remainder of the county to provide additional protection to surface waterbodies and groundwater and provide protection of other Spring Primary SPZ until such time as the County or other entity completes studies of the remaining springs in the County.		X						
Pol. 7.4.2	Modification of SPOZ The County may update the Primary and Secondary SPZ as additional studies are performed by the eCounty or other entities that demonstrate a need for additional protection standards for either the Silver Springs and Rainbow Springs, for which were the basis of the SPOZ, or other existing or new springs that may be identified.							X	
Pol. 7.4.3	Permitted Uses The County shall implement and maintain an LDC to identify permitted							X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	and special uses to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the quality of the surface waters or groundwater will not be adversely impacted by the development activities.								
Pol. 7.4.4	Required Site Analysis In addition to the ESOZ site analysis requirements of Policy 7.2.3 of this element, an assessment of the development impacts on recharge volume and groundwater quality, with emphasis on nitrogen, to assess whether additional measures are needed and can be provided to mitigate potential impacts shall be required for any new development that increases density or intensity of use within the Primary and Secondary SPZ, as applicable to the site.		X						
Pol. 7.4.5	Required Buffer Area Buffer and setback requirements shall be established based on criteria and standards in Policies 8.2.8 and 8.2.9 of this element and as further defined in the LDC.		X						
Pol. 7.4.6	Stormwater Management Stormwater management systems within the SPOZ shall incorporate low-impact development principles, innovative technology to enhance removal and attenuation of nutrients and other pollutants, and sinkhole formation and contamination reduction methods to reduce surface water and groundwater contamination, as further implemented by other policies of this Plan and defined in the LDC.		X						
Pol. 7.4.7	Centralized Utilities Central wastewater facilities shall be the preferred method of wastewater treatment for all development in an SPOZ in accordance with Policy 7.2.8 of this element, and central water facilities shall be								

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)								
	the preferred method of providing water supply.								
Pol. 7.4.8	On-Site Treatment Disposal Systems (OSTDS) For development where connection to a regional, sub-regional, or alternative wastewater system is not required, then an OSTDS will be required. Within the Primary SPOZ, enhanced OSTDS able to reduce total nitrogen by a minimum of 65% is required if central sewer connection is not available. Where an area or parcel is included in an adopted five-year <u>Ceapital I</u> mprovement <u>Pp</u> lan for provision of central wastewater, or otherwise included in an area prioritized for sewer expansion, an exception to use conventional OSTDS may be granted by the Board of County Commissioners. Under this exception, connection will be required when sewer becomes available, as further defined in the LDC.	FS 373.811						X	Per FS 373.811 , enhanced systems are required in areas covered by an adopted Basin Management Action Plan .
Pol. 7.4.9	Use of Best Management Practices (BMP) The County shall require the implementation of Best Management Practices (BMPs) in the SPOZ to protect groundwater quality from contamination due to silvicultural and agricultural activities on properties within the <u>S</u> POZ, unless otherwise not required and consistent with Policy 8.1.9 of this element.							X	Assuming ESOZ was a typo since the policy is the same as Policy 7.2.11 but applicable to SPOZ here.
Obj. 7.5	Military Operating Area (MOA) To ensure that future development within the adopted MOA will not negatively impact current and long-term use of the military installation, as listed in the <u>OPNAVINST 3550.1 series</u> , the County will promote health and welfare by limiting incompatible land uses and allow compatible land uses within such areas.								Check reference
Pol 7.5.1	Establishment of MOA The MOA shall be established as an overlay for military installations and surrounding areas within the County in the following Sections,		X						

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	Future Land Use Element (FLUE) (Chapter 1)								
	Townships, Ranges.								
	T11S, R24E, Sections 25-36; T12S, R23E, Sections 1, 11-15, 22-28, 32-36; T12S, R24E, all Sections; T12S, R25E, all Sections; T13S, R23E, Sections 1-5, 7-30, 32-36; T13S, R24E, all Sections; T13S, R25E, all Sections; T13S, R26E, all Sections; T14S, R23E, Sections 1-3, 11-13, 25; T14S, R24E, Sections 1-30, 32-36, T11S, R23E, Section 36; T14S, R25E, all Sections; T14S, R26E, all Sections; T15S, R24E, Sections 1-3, 10-14, 24; T15S, R25E, Sections 1-30, 32-36; T15S, R26E, all Sections; T15S, R261/2E, all Sections; T16S, R25E, Sections 1-4, 9-16, 21-28, 33-36; T16S, R26E, all Sections; T17S, R25E, Sections 1-3, 12; and T17S, R26E, Sections 1-18, 20-27, 35-36.								
Pol. 7.5.2	Review of Development and Changes to MOA Regulations							X	Does this need to be in the

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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>The County shall enable input from relevant entities regarding the potential impact development may have to the operations of existing and future military installations within the County during the development review process as follows:</p> <ol style="list-style-type: none"> Review and Comments on Development: The County shall request comments from the appropriate Department of Defense or U.S. Navy officials for any proposed changes to the Comprehensive Plan, Zoning, LDC, building permits, and other requests that may adversely impact military facilities and operations. Applicants shall be required to address any issues that may arise that adversely impact the operations of military installations within the County. Ex-Officio Membership on Advisory Boards: The Planning and Zoning Commission and the Land Development Regulation Commission shall include, as ex-officio members, appropriate Department of Defense or U.S. Navy representatives, to advise them regarding land use and zoning issues with the potential to impact military facilities and operations. 								CP?
Obj. 7.6	<p>Wellhead/Wellfield Protection Area (WHPA) To protect public water supply wells from incompatible uses <u>and known sources of contamination</u>.</p>							X	The purpose is to protect the water quality from contamination.
Pol. 7.6.1	<p>Establishment of WHPA Well/Wellhead Protection Area (WHPA) requirements for a qualified Community Water Systems (CWS), as defined by Chapter 62-521.200(1), FAC and operated by local governments, community or special districts, or private utility providers regulated by the Florida Public Service Commission (PSC), shall be maintained to provide protection of existing and proposed wells and from contamination for the design life of a the facility. When multiple wells are existing and/or suitably planned for future service, in lieu of a WHPA for each</p>		X						

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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Future Land Use Element (FLUE) (Chapter 1)								
individual well, a wellfield protection area approach may be used, provided the identified Wellfield Protection Area encompasses all existing and planned wells to be used by the qualified CWS. Qualified CWS WHPAs are defined and established as listed below and as adopted on the FLUM, Series Map #2 Well & Wellhead Protection Area.								
ZONE	Qualified Community Water System (CWS), Chapter 62-521.200(1), FAC (Municipal/Local Government, Community or Special District, FPSC Regulated Utility)		X					
Primary	≤ 100'							
Secondary	> 100' to ≤ 500'							
Tertiary	> 500' to ≤ 1,000'							
Pol. 7.6.2	Zone Requirements The County shall implement and maintain an LDC regarding the placement and establishment of new land uses and development for WHPAs, at a minimum consistent with Chapters 62-521, 62-532, 62-555.312, and 62-610.200, FAC, as amended.		X					Ensure all code references are up to date / accurate.
Pol. 7.6.3	Land Use and Development Tracking in WHPA The Marion County shall implement and maintain an LDC regarding land use and development that which requires the identification and designation of qualified CWS and WHPAs through development review processes, whether for new development or uses within existing WHPAs or new qualified CWS, which will establish corresponding WHPAs, as determined appropriate.						X	
Pol. 7.6.4	Identification and Designation of Wells in WHPA		X					

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	Future Land Use Element (FLUE) (Chapter 1)								
	The County shall coordinate with the appropriate local, regional, and state agencies to maintain a qualified CWS inventory using the best available data and providing information, including at a minimum, geographic location, capacity, service type, and owner, as well as other information deemed appropriate by the County.								
Goal 8	Resource Protection Strategies To protect the unique assets, character, and quality of life throughout the County, the County will implement and maintain appropriate strategies that minimize potential adverse impacts to the surrounding area created by development through the implementation of land use policies and the LDC.							X	This is anywhere in the County?
Obj. 8.1	Protect Agriculture, Equestrian, And Rural Character To establish a framework for addressing development within the Rural Areas that will encourage the preservation of agriculture as a viable short- and long-term use of lands and as an asset of the County's economy, and that will provide clear, fair, and consistent standards for the review and evaluation of future development proposals		X						
Pol. 8.1.1	Protection of Existing Residential Development The County shall recognize existing residential development and require that new development address issues of compatibility through implementation and maintenance of the LDC that addresses density and intensity impacts of new development to the surrounding area and uses.							X	
Pol. 8.1.2	Support Economic Viability of Agricultural Lands The County shall preserve the economic viability of agricultural lands and prevent the premature conversion of these lands to other uses.							X	How is this policy implemented? It sounds like an objective.
Pol. 8.1.3	Support Agricultural Production		X						

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)								
	Through the resources of the Agricultural Extension Service, the County shall actively promote the conservation of bona fide agricultural uses, and will provide information to agricultural producers to improve production and methods.								
Pol. 8.1.4	Protection of Scenic Views and Vistas All non-agricultural development or uses shall be designed to maintain open vistas and protect the integrity of the rural character of the major roadways within the Rural Area.							X	Again, this is where we can try to protect the buffer area along the ROW? I think that is what the BCC is concerned about with the buffer location?
Pol. 8.1.5	Context Sensitive Transportation Design The County shall require that all future roadway projects outside of the UGB be designed consistent and compatible with the land use context of the area and shall reinforce landscape and habitat preservation by limiting access and roadway intersections. The design shall also incorporate signage and design features to accommodate wildlife crossings near wildlife habitat areas.		X						
Pol. 8.1.6	Central Utilities in Rural Area Outside UGB The County shall limit the extension of central potable water and wastewater service within the Rural Area outside of the UGB or PSAs as follows: <u>4.</u> Individual wells and OSTDS's may be allowed as the method for providing potable water and wastewater service as regulated in the LDC. Individual on-site wells may be allowed as the method of providing potable water; <u>2.1.</u> Individual on-site septic systems may be allowed as the method of disposal of wastewater; <u>3.2.</u> New development shall not be designed nor constructed with centralized water or wastewater systems with the exception of:							X	I am not sure "urban" land uses are defined well. Also, there is a huge push for "septic to sewer" projects due to the environmental issues.

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	Future Land Use Element (FLUE) (Chapter 1)							
	<ul style="list-style-type: none"> a. Serving areas with existing urban FLU designations, as of January 1, 2014, that are outside of the UGB; b. Future Land Use designations, specialized development, and/or overlays allowed in accordance with this element; c. Existing Developer's or Settlement Agreement approved by the County prior to January 1, 2014; or d. Clear and convincing evidence that demonstrates by the proponents of the system expansion that a health or safety problem exists in a built but un-served area for which there is no other feasible solution or to promote water conservation, aquifer, or springs protection in instances where significant adverse impacts are demonstrated to occur by not utilizing centralized water and wastewater. In such cases, the service area expansion plans will be updated concurrent with an administrative land use update, as necessary, based on the use, density, and intensity of the development on the property. e. Extension of centralized water and wastewater shall be at the applicant's expense. 							
Pol. 8.1.7	Central Utilities in Rural Area within UGB The County shall permit the extension of centralized water and wastewater within the Rural Area within the UGB, but costs associated with the extension of services shall be at the developer or property owner's expense, and the service area expansion plans will be updated concurrent with an administrative land use update, as necessary based on the use, density, and intensity of the development on the property.		X					This policy is handled in the LDC.
Pol. 8.1.8	Lighting Standards The County shall implement and maintain lighting standards in the LDC that address outdoor artificial illuminating devices and limit the emission of undesirable rays into the night sky, glare to on-coming		X					

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)							
	traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the community, as well as the ambiance and rural character.							
Pol. 8.1.9	Silvicultural and Agricultural Activities BMPs The County shall protect surface water and groundwater quality using BMPs by encouraging use on a voluntary basis, except where BMPs shall be mandatory to protect environmentally sensitive areas or resources that may potentially be impacted by these activities, consistent with Objective 1.2 and policies of the Conservation Element and as further defined in the LDC.		X					
Obj. 8.2	Protection Of Natural and Historic Resources To preserve and prevent the degradation of natural and historic resources.		X					
Pol. 8.2.1	Contamination - Standards and Regulations The County shall provide performance standards for and regulate development activities that which contaminate air, water, soil, or crops in the LDC.						X	
Pol. 8.2.2	Mining The County shall provide criteria and regulate the extraction of natural mineral resources by addressing the following at a minimum, as further defined in the LDC: 1. Requiring mines to meet all Department of Environmental Protection requirements; 2. Buffering to ensure compatibility with surrounding properties and reduce off-site impacts;						X	We could delete the numbered list if the LDC fully regulates it.

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>3. Address impacts to surface and groundwater;</p> <p>4. Identify habitat protection areas and listed species on the site;</p> <p>5. Phasing schedule and map for the mining activities;</p> <p>6. Reclamation plan after mining activities end.</p>								
Pol. 8.2.3	<p>Archeological and Historic Resources</p> <p>The County shall identify and maintain information about archeological and historic resources that<u>which</u> are in need of protection, as specified in associated policies of the Housing Element of this Plan and as shown in the FLUM Series, Map # 10, Archeological and Historic Areas, which is based on information from the Florida Division of Historic Resources.</p>							X	
Pol. 8.2.4	<p>Wetlands</p> <p>The County shall implement and maintain an<u>a</u> LDC to preserve and protect wetlands in the County and utilize the National Wetlands Inventory, as adopted<u>ed</u> by the FLUM Series, Map #6 Wetlands, and consistent with the Florida Statutes wetland definition.</p>							X	
Pol. 8.2.5	<p>Environmental Assessment for Listed Species (EALS)/Listed Species Review</p> <p>The County shall implement and maintain an<u>a</u> LDC that address<u>es</u> how the e<u>c</u>County will assess and protect threatened and endangered plants and animals on properties during land clearing and the development review process. Areas identified for protection shall be required to incorporate measures such as, but not limited to: clustering, increased open space requirements, low density land use and zoning, and mitigation of impacts. The land development review process shall, at a minimum, provide for review under the following instances, as further defined in the LDC:</p>							X	<p>If the LDC regulates this, we do not need the numbered list in the CP.</p> <p>For #4e-is this referencing itself? If not, what does Section E refer to?</p>

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

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>of listed animals and plants, endangered and threatened species, and species of special concern on the site, including following protocols established by the FWC and USFWS, as follows:</p> <ul style="list-style-type: none"> a. Size and distribution of native habitat b. Listed species' populations c. Feasibility and viability of on-site protection and management of listed species d. Whether or not a wildlife corridor or conservation area exists on-site and evaluate the feasibility of maintaining them e. Appropriateness of mitigating the impacts of development by relocation and/or on-site protection measures for listed species <p>4. Findings of Listed Species on Development Site and Required Actions: The County and the relevant federal and/or state agencies noted within this policy shall implement the following requirements when listed species are determined to be on the development site during land clearing, development review, and construction processes, including maintaining consistency with Chapter 68A-27 FAC.:</p> <ul style="list-style-type: none"> a. Protection of Listed Species: When a site proposed for development or clearing is determined to contain listed species, those listed species and their habitat shall be protected by creating a habitat management plan, inclusive of a conservation easement as required by Section 704.06, FS, or by the designation of a site as permanent open space under an approved management plan, to protect the listed species from the impacts of development or land clearing and demonstrate how viable, sustainable populations shall be maintained. The plan must be prepared by a qualified professional; reviewed by the appropriate regulatory or management agency such as FWC, USFS, USFWS, or DOF; and approved by the County prior to the issuance of a permit 							

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>or development order.</p> <p>b. Mitigation for Listed Species: If protection would result in the taking of private property or, if after consulting the relevant federal and/or state agencies, the County Commissioners determine that mitigation will result in a greater benefit to the relevant species and habitat, mitigation shall be required as a condition of a development order or permit. The method of protection required by the County shall be determined on a case-by-case basis and shall be directly related to the following criteria, whether on or off-site:</p> <ol style="list-style-type: none"> (1) Number and types of listed species present of presumed to be present on the site as determined by a site survey; (2) Size, type, quality, and location of habitat; (3) Life cycle needs supplied by the habitat, i.e., nesting, roosting, breeding, foraging, etc.; (4) Size of the habitat in relation to the size of the site proposed for development or land clearing; and (5) Location of the site and habitat in relation to existing or proposed wildlife corridors, designated conservation areas, lands with conservation easements, or natural reservations; <p>c. Additional Requirements for Off-Site Mitigation: When it is determined by the County that alternative off-site actions will provide equivalent or better protection or viability for affected listed species or habitat, the County has the option of allowing an applicant to meet the requirements of one or more of the following options:</p> <ol style="list-style-type: none"> (1) Monetary contribution to the Parks and Environmental Land Acquisition Program (PELAP) for the acquisition of environmentally sensitive lands within the County, and 							

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<p>the funds shall be applied to lands that are known to contain viable populations of listed species or habitat similar in type and quality to that on the site proposed for development or clearing.</p> <p>(2) Species relocation to similar habitat on protected lands, which must be approved by the appropriate state regulatory or management agency.</p> <p>(3) Land that is within or contiguous with the Ocala National Forest, Cross Florida Greenway, Silver River State Park, Rainbow River State Park, St. Johns River Water Management District lands, or other Preservation designated land within the County can be acquired and donated to the appropriate managing agency. Lands donated under this option must be of equivalent acreage and contain listed species habitat of the same type and value as that upon the proposed development site.</p> <p>(4) Off-site mitigation options shall satisfy the habitat requirements of listed species. Monetary contributions and land donations shall be sufficient to replace the habitat functions of the area to be protected and managed as required in this policy. A minimum of one-for-one replacement value of habitat shall be required for monetary contributions or land donations.</p> <p>d. Requirements for Conservation Easement and Permanent Open Space: The conservation easement or permanent open space per the habitat management plan shall be dedicated to the County, or to a public or non-profit conservation agency or organization; or by virtue of designation of the protected area as Preservation on the Future Land Use Map Series (FLUM). Final development orders, when issued, will identify protected areas that are to be designated as Natural Reservation on the FLUM. These</p>								

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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>areas will be designated as Preservation on the FLUM during the next ensuing plan amendment cycle after issuance of a development order or permit. Acceptance of land dedication or conservation easements, or dedication <u>of</u>as open space under an approved management agreement shall satisfy the habitat requirements of the listed species. The County has the final authorization to accept or reject a particular conservation easement or permanent open space area.</p> <p>e. Release of Conservation Easements and Permanent Open Space: Conservation easements or permanent open space per the habitat management plan may be released only when it is shown by competent substantial evidence that the purpose for which such easements or permanent open <u>space</u> were dedicated have been completed, or are no longer capable of being accomplished because no listed species utilize the site. Landowners shall not be held responsible for ongoing management activities other than those that are required under the habitat management plans specified in section E. of this policy.</p> <p>f. Maintenance of Files: Information, data, agreements, and agency comments associated with this Policy shall be maintained at a central location by the County and shall be available for inspection.</p>								
Pol. 8.2.6	<p>Open Space</p> <p>The County shall encourage open space areas for properties being developed to be clustered to conserve and preserve natural and historic resources within the development to the greatest extent possible during the development review process.</p>		X						
Pol. 8.2.7	<p>Density and Intensity of Development</p> <p>The County shall consider the appropriate density and intensity of</p>		X						

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)								
	development based on the conditions of the site, including the impact on natural and historic resources, as further defined in the LDC.								
Pol. 8.2.8	<p>Karst Topography/Features and High Recharge Area (HRA)</p> <p>The County shall implement and maintain an LDC that addresses identification and development review processes and required buffers related to karst and high recharge areas that may adversely impact surface and groundwater during the development of property. This policy will address the County's circumstances of being situated in a geologic area featuring limestone and rock characteristics identified as karst, promoting the quick and rapid movement of water between the surface and the aquifer. As the aquifer is the vital source of the County's potable water, as well as much of the State of Florida, its protection and preservation is are essential. The LDC shall include, but not be limited to the following:</p> <ol style="list-style-type: none"> 1. Impervious surface area 2. Stormwater management 3. Hazardous materials 4. Vegetation and buffering requirements 5. Alternative and innovative designs 6. Inadequate sediment coverage 7. Wastewater effluent 8. Permitted and prohibited uses 9. Landscape and open space practices, including fertilization and irrigation 10. Solid waste 11. Construction and Demolition (C&D) landfill 						X	If the LDC addresses the numbered list then we should remove. Also, is the list what a plan in one of these areas should demonstrate?	

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Pol. 8.2.9	Buffers for Karst Topography/Features The County shall require buffers to address potential groundwater contamination that could occur due to development near karst features. These minimum buffer widths may be reduced if the applicant demonstrates that: a) a narrower buffer can be calculated using the “Design Methodology for Calculating Buffer Width Based on Infiltration”, as set forth in the Applicant’s Handbook for Regulation of Stormwater Management Systems, SJRWMD 2005, as amended, in which case the width shall be at least the calculated value; or b) for lots of record, the lot size is too small to accommodate permitted development in compliance with the minimum width, in which case the applicant shall, as an alternative, design and construct a vegetated swale and or berm that effectively prevents drainage to the karst feature. Karst buffers shall be maintained in permanent natural vegetative cover.							X	Remove because it is outdated and the LDC handles it.	
Pol. 8.2.10	Setback from Cross Florida Greenway Additional setbacks shall be required that are in proportion to the density and intensity of development adjacent to the Cross Florida Greenway, as further defined in the LDC.		X							Need to double check the LDC regulates it.
Goal 9	Protection of Farmland in The Rural Area To protect farmland in the Rural Area by allowing properties to continue to be utilized for agricultural activities while providing opportunities for property owners to obtain transferrable development credits that can be utilized to encourage development within the UGB and Urban Areas that are more suitable for higher density and intensity development.		X							
Obj. 9.1	Transfer of Rights Programs The County shall implement transfer of rights programs designed to protect natural resources, especially those identified in the		X							It is recommended that the TDR program be evaluated to determine if in its current form

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	Future Land Use Element (FLUE) (Chapter 1)								
	Conservation Element and locally important and prime farmlands within the County. These resources include but are not limited to, the preservation of high water recharge and underground drainage basins, springs, karst areas, sinkholes, sinks, sinkhole ponds, and other karst features.								is a feasible program. IS it working? If there are examples of people using it, was it successful? Does staff need more tools to regulate and maintain the database of transfers?
Pol. 9.1.1	<p>Maximum Density and Intensity Bonus with Transfer of Rights Programs</p> <p>The County shall allow for density and intensity increases with the Transfer of Rights Programs as follows:</p> <ol style="list-style-type: none"> Density Bonus: A maximum of two (2) dwelling units per one (1) gross acre is permitted. The number of Transferrable Development Credits (TDC) required shall comply with the Transfer of Rights Programs. If property developed with the density bonus cannot meet the appropriate Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD zoning shall be required. Intensity Bonus: A maximum increase of the maximum Floor Area Ratio (FAR) of 0.25 is permitted. The number of Transferrable Development Credits (TDC) required shall comply with the Transfer of Rights Programs. If property developed with the intensity bonus cannot meet the appropriate Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD zoning shall be required. Combination of Density and Intensity Bonus: If both density and intensity of development are utilized, then a PUD zoning shall be required to develop the site consistent with the above requirements of this policy. 		X						

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	Future Land Use Element (FLUE) (Chapter 1)								
Pol. 9.1.2	Transfer of Development Rights (TDR) Program The County shall implement and maintain a TDR Program that allows the conservation of designated lands in exchange for Transfer of Development Credits (TDC) that can be utilized in Urban Areas within and outside the UGB and other areas as allowed by this program or Plan.		X						
Pol. 9.1.3	Transfer of Vested Rights (TVR) Program The County shall implement and maintain a TVR Program that allows the conservation of Rural Land designated lands that have been platted into residential subdivision prior to the implementation of the Comprehensive Plan, Zoning, and/or LDC by abandoning wholly or partially theof development rights in exchange for TDCs that can be utilized in Urban Areas within and outside the UGB and other areas as allowed by this program or Plan.						X		
Pol. 9.1.4	Establishment of Sending Areas The County shall designate the following as Sending Areas: 1. TDR Program a. Farmland Preservation Area (FPA): The FPA is a boundary that automatically qualifies properties designated Rural Land as being within the Sending Area due to the concentration of agricultural activities and designated locally important and prime farmland areas. The FPA is shall be shown on the FLUM Series, Map #13, <i>Transfer of Rights</i> . b. Rural Land Properties Outside of FPA: Rural Lands outside the FPA and UGB that are shown on FLUM Series Map #1, <i>Marion County 2045 Future Land Use Map</i> and within an unincorporated area. The lands must demonstrate the presence of \bar{r} and be accepted by the County as having one or more resources listed in Policy 1.1.2 of Conservation Element \bar{r} .						X	Is the acreage feasible?	

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	<p>and must beare a minimum of 30 acres in size. The applicant shall be required to demonstrate that the property meets the intent for conservation for this program.</p> <p>2. TVR Program</p> <p>a. Parcels of record; or</p> <p>b. Antiquated subdivisions; or</p> <p>c. Property not identified by the County, other local, or private provider for the provision of centralized water and wastewater within the next ten (10) years, based on a short- or long-term capital improvements program or long-term County master utility plan.</p> <p>3. Exceptions:</p> <p>a. Rural Land designated properties within the UGB are considered Receiving Areas.</p> <p>b. Rural Land designated properties outside the UGB that were formerly designated Urban Reserve prior to February 10, 2011, are considered Receiving Areas consistent with Objective 9.1 and its policies of this element.</p>							
Pol. 9.1.5	<p>Minimum Requirements to Obtain TDCs</p> <p>Property owners interested in participating in the Transfer of Rights Programs shall submit an application that meets, but is not limited to, the following requirements:</p> <p>1. Conservation Easement: A conservation easement shall be encumbered on the property and the following additional requirements shall apply:</p> <p>a. TDR Program: Residential dwelling units, including family divisions, and non-residential uses, except for bona fide</p>		X					<p>Minimum requirements could be placed in the LDC rather than the Comp Plan.</p> <p>Is this 1:1 ratio working?</p>

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<p>agriculture-related structures or those approved by the conservation easement shall be prohibited.</p> <p>b. TVR Program: An existing residence in the conservation area may be permitted, but no additional development of the site shall be permitted.</p> <p>2. Minimum Parcel Size:</p> <p>a. TDR Program: A parcel of land must be a minimum of 30 acres in size and the associated conservation easement must include a minimum of 30 acres in order for a parcel to be included in the TDR program. Land utilized for this program shall be contiguous and appreciable size, not spread out or consist of multiple isolated small partial or full parcels.</p> <p>b. TVR Program: The lands must consist of a minimum of ten contiguous acres of real property. Parcels or blocks of lots separated only by road right-of-way shall be considered as being contiguous.</p> <p>3. Transfer Rate: The Transfer of Development Credits (TDC) transfer rate shall be as follows:</p> <p>a. Transfer of Development Rights Program: One (1) TDC per one (1) gross acre of qualifying area.</p> <p>b. Transfer of Vested Rights Program:</p> <ol style="list-style-type: none"> 1. One (1) TDC per one (1) vested residential unit or lot. 2. One (1) TDC per acre of vested commercial/non-residential entitlement. If the entitlement is expressed as a total area of non-residential development, the calculation applies to the entitled development potential, not the land area. <p>4. County Commissioner Approval: Transfer Development Credits (TDCs) may only be approved by the Board of County</p>								

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	Commissioners through the petition process and the Board may reject any petition, including, but not limited to, those petitions associated with parcels where conservation easements are, or have been purchased or were otherwise granted prior to petitioning the County for development credits. This process applies to both the TDR and TVR Programs.							
Pol. 9.1.6	<p>Receiving Areas</p> <p>The receiving areas shall include unincorporated areas as shown in FLUM Series Map #12, Transfer of Rights, as further described below for the TDR and TVR Programs:</p> <ol style="list-style-type: none"> LEVEL I – All residential and non-residential properties within the UGB; LEVEL II – All properties designated Rural Land and located within the UGB; and LEVEL III – All properties formerly designated as Urban Reserve, as of January 1, 2010, that are located outside the UGB, except where all or a portion of the property lies within an Environmentally Sensitive Overlay Zone. 		X					
Pol. 9.1.7	<p>Utilization of TDCs</p> <p>Transfer rates for the Receiving Areas shall be assigned as follows for the TDR and TVR Programs:</p> <ol style="list-style-type: none"> Receiving Areas: TDCs may only be utilized within the designated Receiving Areas. Use of TDCs in Receiving Areas: TDCs may be used for either to add residential units and/or FAR to non-residential development as follows: <ol style="list-style-type: none"> For Residential Units: One (1) TDC equals one (1) dwelling unit with a maximum of two (2) dwelling units above the 						X	<p>Are these ratios working/feasible?</p> <p>For 2C-Is this meant to be a number in acres?</p>

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	<p>allowable density of land use designations in the policies of Objective 2.1.</p> <p>b. For Non-Residential Area: One (1) TDC equals 0.05 acre of non-residential development with a maximum increase in FAR of 0.25 above the allowable FAR in the policies of Objective 2.1.</p> <p>c. Open Space: One (1) TDC equals 0.05 acres of open space. TDCs may be used to meet a maximum of 0.25 of a development's required open space.</p> <p>3. Verification of TDCs: The County will verify the validity of the TDCs and their usage on the property within the Receiving Area. Owners of TDCs will identify to the County the specific parcel(s) of land within the Receiving Area where the TDCs are to be utilized.</p> <p>4. Allowances in Receiving Areas: The TDCs may be utilized to the residential and non-residential development densities and intensities in accordance with Objective 2.1 of this element:</p> <p>a. Level I – Residential densities and non-residential intensities within the UGB can utilize TDCs as allowed by this element.</p> <p>b. Level II – Rural Land designated properties may increase residential densities up to that allowed under the Low Residential designation and non-residential intensities as allowed by Commercial or less intense non-residential designation.</p> <p>c. Level III – Rural Land designated properties that were formerly designated Urban Reserve prior to January 1, 2010, may increase residential densities to that allowed under the Low Residential designation and non-residential intensities as allowed by Commercial or less intense non-residential designation, provided that central water and sewer services are available and utilized.</p>							

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	<p>d. Higher Density or Intensity - Additional density or intensity for properties that utilize the Transfer of Rights Programs shall require a Comprehensive Plan Amendment beyond the above allowances.</p> <p>5. Application and Processing Fees: All costs, including costs associated with determining the size and location of the specific Sending and Receiving Area parcels and all recording costs associated with recording the conservation easement and utilization of the TDCs form shall be the responsibility of the owner.</p> <p>6. Development of Property Utilizing TDCs: Property developed that utilizes the Transfer of Rights Programs shall be required to meet all applicable requirements of Florida Statutes, the County's Comprehensive Plan, Zoning, and LDC during the development review process.</p>							
9.1.8	<p>Land Use Amendment to Recognize Increased Density and Intensity</p> <p>The County shall amend the Comprehensive Plan FLUM identifying the specific parcel(s) having a new land use designation due to an increase in density or intensity due to utilizing TDCs, as part of the TDR or TVR Programs, on properties during the next available Large Scale Amendment Cycle, as necessary.</p>		X					
Pol. 9.1.9	<p>Methods to Increase Development Density and Intensity</p> <p>Both Transfer of Rights programs may be utilized to increase density and/or intensity for property, or a Comprehensive Plan Amendment may be applied for as allowed in this element.</p>		X					Is the intention that both programs can be used simultaneously?
Pol. 9.1.10	<p>Tracking System</p> <p>The County shall maintain an internal Transfer of Rights Programs tracking system. The tracking system shall list the parcels within the unincorporated area where TDCs have been issued, where TDCs are</p>		X					Are we tracking?

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	available for use, and where the TDCs have been utilized to increase density and intensity of properties							
Pol. 9.1.11	Evaluation of the Transfer of Rights Programs The County shall assess the Transfer of Rights Programs and consider ways to enhance the utilization of the programs at least once during the Evaluation and Appraisal Report (EAR) process that is required by the State every seven (7) years.		X					
Goal 10	Special Community Planning To allow for recognition of existing and future development areas where the County may implement and maintain various strategies to enhance neighborhood, community, or regional planning areas through specific policies that may be suitable for select areas, and they may not apply countywide in all instances.		X					
Obj. 10.1	Pre-Existing Uses, Structures, and Vested Rights To ensure that existing rights of property owners are preserved in accordance with the Constitution of the State of Florida and the United States. The County shall maintain vested rights regulations within its LDC, which shall generally be guided by principles of statutory vesting and common law vesting.		X					
Pol. 10.1.1	Vested Rights Determinations and Process The County shall implement and maintain vested rights regulations in the LDC, based on such items as: completion of development, common law vesting, and other documentation that demonstrates that significant steps have been taken to secure development rights on properties within the unincorporated area of the County.		X					
Pol, 10.1.2	Vesting of DRI-Scale Developments Within those areas identified as Vested DRI-Scale Developments in						X	"Chapter 380.06 (20), F.S." is cited in this policy. FS 380.06

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	possession of and subject to a valid Binding Letter of Interpretation for Vested Rights (BLIVR), and/or Binding Letter of Modification for Vested Rights (BLIM), issued by the Florida Department of Economic Opportunity pursuant to Chapter 380.06 (20), F.S., prior to the adoption date of this Plan, the continued development of residential and non-residential densities and intensities of use shall be permitted consistent with the project's development plan as acknowledged by the corresponding BLIVR, and/or BLIM, for each development. The BLIM Map H/Development Plan may be adopted as part of the FLUM Series, Map # 15 wherein the BLIM Map H/Development Plan is the effective Future Land Use Map applicable to the BLIM. For BLIMs existing on the effective date of this section, land use allocations may be allocated in accordance with the BLIM provisions without the need to amend the Comprehensive Plan. If the approved BLIM Map H/Development Plan is amended or modified consistent with the provisions of the existing BLIM, the Future Land Use Map shall be amended in a timely manner at no cost to the existing BLIM developer; and the County shall allow for development of the property to proceed as allowed by the amended BLIM and BLIM Map H/Development Plan prior to the land use map being updated by the County.							only goes to 12. We need to get the correct reference- Florida Commerce now. What does "the continued development of residential and non-residential densities and intensities of use shall be permitted...." mean?
Pol. 10.1.3	DRI/FQD Development of Regional Impact or Florida Quality Development This provision identifies and relates to development projects formerly approved consistent with Chapter 380, F.S, with a current Development Order or Amended Development Order (DO/ADO) and approved Master Plan Map H (Map H) that is adopted as part of the FLUM Series, Map #15; wherein the Map H is the effective Future Land Use Map applicable to the DRI/FQD and any depiction of the DRI/FQD within the overall Future Land Use Map (Map #1) is provided solely for general reference purposes. Lands newly designated DRI/FQD or amendments to an existing DRI/FQD shall be developed consistent with the corresponding project's current DO/ADO and Map H, as well as the County's Comprehensive Plan and LDC including, but not limited to,		X					

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	land use densities and intensities, and development standards established therein. Newly designated or amended DRI/FQDs shall designate the land use categories permitted in the DRI/FQD consistent with the categories provided in this element. Any newly designated or amended DRI/FQD that is not consistent with the established Map H and/or underlying land uses shall require a plan amendment concurrent with the approval of the DRI/FQD DO/ADO. An amendment to a DRI shall not require an amendment to the Comprehensive Plan unless the DRI amendment application proposes to change the land use allocations on Map H. For DRIs existing on the effective date of this section, land use allocations may be located in accordance with DRI DO conditions without the need to amend the Comprehensive Plan. If the approved Map H is amended or modified consistent with provisions of the existing DO/ADO, the Future Land Use Map shall be amended in a timely manner at no cost to the existing DRI/FQD; and the County shall allow for development of the property to proceed as allowed by the <u>DO/ADO</u> and amended Map H prior to the land use map being updated by the County.								
Pol. 10.1.4	<p>Aggregation of Parcels of Record or Residential Lots</p> <p>Exceptions to the densities required in the Future Land Use Element shall be allowed for parcels meeting the following criteria:</p> <ol style="list-style-type: none"> Parcel of Record: A designated parcel, tract, or area of land established by plat, metes and bounds description, or otherwise permitted by law, to be used, developed or built upon as a unit, which complies with the applicable building codes and zoning regulations, and which existed on or before January 1, 1992, and under one ownership as of August 11, 1993, as defined below: <ol style="list-style-type: none"> Parcels recorded or registered, and parcels shown on all other unrecorded subdivisions, plats, or surveys in existence as of August 14, 1970, as provided in Chapter 70-803, Laws of Florida (1970); or 						X	Is "Chapter 10D-6 F.A.C." remove-not valid	

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	<p>b. Parcels shown as a specific lot, parcel, or tract which parcel was created on or before January 1, 1992, and recorded in the public records of Marion County, Florida; or</p> <p>c. Parcels in subdivisions approved by the Board of County Commissioners and recorded prior to January 1, 1992; or</p> <p>d. Parcels located in unrecorded subdivisions or registered divisions of land into "flag lots", as that term is commonly known in the County, where parcels were filed and accepted by the County and existing as of January 1, 1992.</p> <p>2. Non-Contiguous Parcels of Record: An exception to the densities required in this element shall be allowed for parcels created on or before January 1, 1992, under one ownership, and evidenced by a properly executed deed or contract for deed held by the purchasing party, as of August 11, 1993, for the purpose of constructing one single-family residential unit. The deed or contract for deed shall be recorded in the public records on or before August 11, 1993, or proven by clear and convincing evidence to have been in existence on or before August 11, 1993. Clear and convincing evidence shall require a copy of the document, properly executed, and copies of canceled checks or other proof of payments having been made prior to August 11, 1993.</p> <p>Non-contiguous parcels means parcels that do not have any common property lines, including parcels which have common property lines and would otherwise be considered contiguous but are separated by unplatted roads or streets which have been dedicated for public use or prescriptive easements for road right-of-way purposes.</p> <p>3. Contiguous Parcels of Record: In limited cases, an exception to the densities required in this element shall be allowed for parcels created on or before January 1, 1992, and under one ownership, as described above, under 1. Parcels of Record, as of</p>							

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	<p>August 11, 1993, may qualify for an exception.</p> <p>Contiguous parcels means parcels with at least one common property line. If a parcel is contiguous to other parcels owned by the same owner or entity, then such owner or entity must aggregate the parcels to meet the underlying density established in this Comprehensive Plan to the greatest extent possible.</p> <p>4. Recorded and Unrecorded Subdivisions: An exception to the densities required in this element shall be allowed for parcels as follows, consistent with the contiguous and non-contiguous parcels of record requirements above:</p> <p>a. Parcels within a phase of the subdivision that have met the applicable conditions set forth below prior to January 1, 1992, shall be permitted to develop at the density established for that subdivision, provided that all Chapter 10D-6, F.A.C. requirements and all other requirements of this Comprehensive Plan are met. Those subdivisions not meeting the requirements listed below will be required to aggregate parcels to meet the density requirements of this Plan; or</p> <p>b. Subdivisions that have direct access to a County paved road and in which all parcels front on a continually maintained paved or stabilized road that meets the standards established by the County; or</p> <p>c. Parcels within subdivisions in which all parcels are served by a storm-water management system that functions at the standards established by the County; or</p> <p>d. Parcels within subdivisions in which the sale of individual lots to persons by the original sub-divider has occurred at the following rates prior to August 11, 1993, if:</p> <p>(1) At least 85 percent of the total number of lots are sold if</p>							

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	<p>the subdivision was created in 1982 or before;</p> <p>(2) At least 60 percent of the total number of lots are sold if the subdivision was created from 1983 to 1987 inclusive;</p> <p>(3) For subdivisions created after 1987 the following conditions apply in order for no aggregation requirements to be placed upon contiguous lots within the subdivision:</p> <p>(a) At least 50 percent of the total number of lots are sold if the subdivision was created in 1988; or</p> <p>(b) At least 50 percent (50%) of the total number of lots are sold by 1994 if the subdivision was created in 1989; or</p> <p>(c) At least 50 percent (50%) of the total number of lots are sold by 1995 if the subdivision was created in 1990; or</p> <p>(d) At least 50 percent (50%) of the total number of lots are sold by 1996 if the subdivision was created in 1991; or</p> <p>(e) At least 50 percent (50%) of the total number of lots are sold by 1997 if the subdivision was created in 1992.</p> <p>The percentage of lots sold is meant to reflect the good faith sale of individual lots to many individuals and not the transfer of large number of lots to investors. The County shall deny this exception if the sale of lots as indicated above does not reflect this intent.</p> <p>5. Compliance with Comprehensive Plan, Zoning, and LDC: Property granted a density exception pursuant to this policy may be subject to all other appropriate Comprehensive Plan, Zoning, and LDC.</p>							

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	6. Appeals: The County shall implement an appeal procedure, as further defined in the LDC.							
Pol. 10.1.5	<p>County Recognition of Pre-Existing Development</p> <p>The County shall ensure that conforming commercial and industrial uses existing as of April 7, 1994, the initial adoption date of the plan, shall be considered conforming uses.</p> <ol style="list-style-type: none"> Proof of Development: Property owners shall be required to provide sufficient documentation to the County to obtain a conformity letter for such existing development. Permitted Use(s): The pre-existing use(s) may expand onto any property with the same ownership, properly zoned and contiguous to the existing commercial or industrial use as of the referenced date. The pre-existing use shall be limited to the number of use(s) on the site and was developed in conformity with the Zoning classification at that time. The recognized pre-existing use may change as long as the use is allowable within the Zoning classification. Subdivision of Property with Pre-Existing Use(s): Should the property thatwhich includes a pre-existing use recognized under this policy be legally subdivided, then the conforming use letter shall apply only to the portion of the property thatwhich historically included the majority of the pre-existing use with primary consideration for the hard improvements such as structures, public water and sewer, driveway and parking supporting the recognized use. Property Compliance: If a property with a vested letter obtains a Comprehensive Plan amendment and Zoning Change for consistency purposes, then the vested letter shall be void and the property shall comply with all applicable Comprehensive Plan, Zoning, and LDC requirements. 						X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	5. Appeals: The County shall implement an appeal procedure as further defined in the LDC.								
Pol. 10.1.6	<p>Non-Conforming Uses and Structures</p> <p>The County shall implement and maintain an LDC that addresses the continued use of or redevelopment of uses or structures that were legally established and in compliance with regulations at the time of establishment, but no longer comply with Comprehensive Plan, Zoning, and/or LDC due to changes in regulations, right-of-way or land acquisition by government agencies, etc. The County will establish performance criteria with regards to continued use and redevelopment of the uses and structures, as further defined in the LDC:</p> <ol style="list-style-type: none"> 1. Improvement and Expansion of Structure: The structure with the non-conforming use may be repaired or expanded to continue the operation of the non-conforming use, provided the improvement cost does not exceed fifty percent (50%) of the assessed value of the structure. 2. Compliance with LDC for Uses and/or Structures: Legally established non-conforming uses and/or structures can continue to operate or be utilized for the use(s) as follows: <ol style="list-style-type: none"> a. Existing / No Changes: LDC that require additional site requirements beyond the existing site shall not be required to be addressed, unless determined necessary by the County to address public safety, welfare, or health issues or compliance with other government agency regulations. b. Expansion / Redevelopment: If the non-conforming use and/or structure is expanded as provided in this policy, then the property shall be required to be brought into compliance with the current LDC, but these requirements may be reduced in accordance with the County's waiver and variance processes. 						X	<p>The numbered items in this policy could be moved to the LDC rather than maintained here.</p> <p>Should item 6 specify whether the home is to be built in the same footprint?</p>	

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>3. Use of Non-Conforming Structure: A non-conforming use may not operate within a non-conforming structure.</p> <p>4. Change of Use: Any change of the non-conforming use shall not further the non-conformity, and shall be consistent with the Comprehensive Plan. A lessor intense use than the existing non-conforming use is permitted, however, any future change of use shall be required to be consistent with or less intense than the last non-conforming use.</p> <p>5. Abandonment of Use: The re-establishment of non-conforming uses that have been discontinued or abandoned shall be prohibited.</p> <p>6. Single-Family Residence: If the home is the primary residence of the property owner, then the home may be replaced if it is a legally established non-conforming use or structure.</p>							
Obj. 10.2	<p>Infill and Redevelopment</p> <p>To encourage the infill and redevelopment to maintain and enhance neighborhood viability, revitalize urban corridors, and discourage urban sprawl.</p>						X	
Pol. 10.2.1	<p>Special Area Planning</p> <p>The County shall consider use of various planning strategies, such as, corridor studies, sector plans, neighborhood plans, redevelopment plans, etc., as necessary for infill and redevelopment opportunities.</p>		X					
Pol. 10.2.2	<p>Redevelopment Partnerships</p> <p>The County shall collaborate and maintain cooperative relationships with local, state, and federal agencies, private sector, and other parties to allow for funding opportunities and technical assistance to be available to meet redevelopment needs within the unincorporated area.</p>		X					

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	Future Land Use Element (FLUE) (Chapter 1)							
Pol. 10.2.3	Funding Sources The County shall continue to seek funding opportunities, such as, Community Development Block Grant Program, grants, and other funding sources for identifying and addressing areas in need of revitalization.		X					
Obj. 10.3	Regional Activity Center (RGAC) Overlay To allow for compact, high intensity, high density multi-use development, which may include a mix of the following uses: retail, office, housing, cultural, recreational and entertainment facilities, hospitality facilities (hotels and motels), and industrial uses that serve a regional area in accordance to Rule 28-24.014(10), F.A.C. and Chapter 380.06(2)(3), F.S., as amended.						X	Does the County want to continue to use RGACs? Most municipalities are not creating new ones just like the DRIs. Is the intent of this that 380.06(2) and 380.06(3) apply or is this a typo?
Pol. 10.3.1	Establishment of RGAC Overlay RGACs shall be designated on the FLUM Series, Map #1 and Map #14, as an overlay zone by a Comprehensive Plan Amendment that which is also consistent with Rule 28-24.014(10), F.A.C. and Chapter 380.06(2)(e), F.S.						X	Need to check references- Regional Activity Centers are not regulated by the State anymore.
Pol. 10.3.2	Development Mix and Form for RGAC The County shall promote an intensive mixture of employment, goods and services, and residential uses in RGACs, achieve the highest standards of quality in the urban and/or urbanizing environment, provide for economic development opportunities, and provide a balanced and constructive tax base. In addition, an RGAC shall promote a compact urban form that which will be less dependent on automobile use, discourage urban sprawl, and promote sustainable land use patterns.						X	How is the County <i>achieving the highest standards of quality in the urban...environment, providing economic development opportunities, and providing a balanced and constructive tax base?</i>
Pol. 10.3.3	Master Plan Requirements for RGAC The adoption of a Comprehensive Plan Amendment for RGACs shall						X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>include a Master Plan that promotes the physical and functional integration of a mixture of land uses <u>and</u> that addresses, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. Developed as a PUD; 2. Provide for a diverse mix of land uses as provided for in Rule 28-24.014(10), F.A.C., housing types, densities and intensities. Areas of similar single-use types and density and intensity shall be discouraged. Development densities and intensities, including minimum and maximum amounts of each land use category, shall be determined and established by the adopted Comprehensive Plan Amendment; 3. Locate only in those areas of the County where major employment centers exist or are encouraged; 4. Provide for a transition of land use intensities near the periphery to allow for and provide compatibility with adjacent land uses; 5. Propose areas of regional employment, regional tourism, and/or education activities and opportunities; 6. Locate at or in reasonable proximity to interstate interchanges or similar facilities with increased capacity and accessibility as defined in Rule 28-24.014(10), F.A.C., Chapter 163, F.S., and committed public facilities, as identified in the Capital Improvements Element of this Plan; 7. Provide, or have the ability to provide, timely adequate public facilities and infrastructure necessary to support the RGAC as defined in Rule 28-24.014(10), F.A.C., Chapter 163, F.S., and committed public facilities, as identified in the Capital Improvements Element of this Plan. 								
Pol. 10.3.4	Adoption of RGAC on the FLUM							X	Check all maps

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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Future Land Use Element (FLUE) (Chapter 1)								
<p>The following RGACs have been adopted on the FLUM, as further shown on the FLUM Series, Map #1 and Map#14.</p> <p>1. Marion Oaks/McGinley Regional Activity Center (RGAC) Location: Surrounded by the Marion Oaks VDRI Subdivision, on the north and south side of SW Hwy 484. Size: ±1,290 acres Parcel IDs: 41200-056-00, 41200-056-02, 41200-056-03, 41205-000-00, 41205-000-01 Range of Uses:</p> <p>a. <u>Employment Center</u> (Commercial - Retail/Office/Light to Moderate (Regional) Business, Light Industrial [Maximum FAR: 2.0], and Residential – single and multi-family units [0 to 16 du/ac]): ±313.8;</p> <p>b. <u>Commerce District</u> (Heavy Commercial and Heavy Industrial): ±962 acres and maximum FAR: 2.0 and</p> <p>c. <u>Public (ROW & DRAs) 2.5 acres</u> Conceptual Plan: Marion Oaks / McGinley Regional Activity Center (RGAC)</p> <p>2. Irvine/Sunny Oaks Regional Activity Center (RGAC) Location: Southeastern corner of I-75 and CR 318. Size: Approximately 453 acres Parcel ID: 03204-000-00 Range of Uses:</p> <p>a. <u>Employment Center</u> – 150 acres</p> <p>1. Residential: 41.7 acres with 250 units (6 du/ac) 20.8 acres with 250 units (12 du/ac)</p>								

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	Future Land Use Element (FLUE) (Chapter 1)								
	<p>2. Commercial/Industrial: 87.5 acres with FAR of 2.0</p> <p>b. <u>Commerce District</u> – 303 acres with FAR of 2.0</p> <p>Conceptual Plan: Irvine / Sunny Oaks Regional Activity Center (RGAC)</p>								
Obj. 10.4	<p>Innovative Planning Strategies</p> <p>To develop and enforce innovative planning techniques and <u>an</u> LDC designed to protect residential neighborhoods, enhance the economic viability of the community, promote the efficient use of infrastructure, preserve natural resources, reinforce the market area concepts, and reduce the proliferation of urban sprawl.</p>							X	
Pol. 10.4.1	<p>Traditional Neighborhood Design (TND)</p> <p>The County shall encourage development to utilize traditional neighborhood design standards as a means to require efficient urban growth patterns that exhibits the following characteristics and conforms <u>to</u>, but <u>is</u> not limited, to<u>by</u> the following design principles, as further defined in the LDC:</p> <ol style="list-style-type: none"> Village or Town Centers with Mixed Uses: A mixture of non-residential and residential uses of various densities, intensities, and types designed to promote walking between uses and a variety of transportation modes, such as bicycles, transit, and automobiles. Functional Neighborhoods: Residential areas are located and designed as neighborhoods, which embrace a full range of urban facilities, including neighborhood retail centers, a variety of housing types, public/civic space, and a variety of open-space amenities, schools, central water and wastewater, and fire/safety accessibility. Walkable Streets: Integrated neighborhoods and compact development that designs a community based on reasonable 							X	<p>“and conforms, but not limited...” while grammatically correct is not actively used in modern American English. Rephrasing will make this document more readable to laymen.</p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>walking distances, the location of parking, and the design of streetlights, signs, and sidewalks.</p> <p>4. Interconnected Circulation Network: An interconnected street system that prioritizes pedestrians and bicycle features and links neighborhoods to shopping areas, civic uses, parks, and other recreational features.</p> <p>5. Open Space and Natural Features: Development activity recognizes the natural and environmental features of the area and incorporates the protection, preservation, and enhancement of these features as a resource amenity to the development.</p>							
Pol. 10.4.2	<p>Transit-Oriented Design (TOD)</p> <p>The County shall encourage development to utilize transit-oriented design standards to reinforce the use of public transportation by locating higher-density, mixed-use development, including employment-oriented businesses and higher-density residential uses, adjacent to transit stops. The TOD standards must, that address, but <u>are</u> not limited to the following, as further defined in the LDC:</p> <ol style="list-style-type: none"> 1. Establishment of block lengths 2. Building setbacks and orientation to the street 3. Establishing minimum density and floor area ratio 4. Uses that support public transportation and walkability 5. Reduction in parking requirements and encourage shared parking 6. Strategies that reduces the usage of automobiles and allows for non-automobile areas 7. Includes design of multi-modal transportation and interconnection links within development and surrounding areas 8. Open-space requirements 						X	<p>“that address, but not limited to...” while grammatically correct is not actively used in modern American English. Rephrasing will make this document more readable to laymen.</p>

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)								
	9. Architectural or building form guidelines 10. Utilization of form-based codes.								
Pol. 10.4.3	Context-Sensitive Design for Roadway Corridors The visual and functional characteristics of streets are important in the design of the community. The following, but not limited to, design principles for the road network shall be encouraged to be used throughout the County, as further defined in the LDC: <ol style="list-style-type: none"> Streets should be designed as a part of the public realm with amenities; Streets should be designed to accommodate a mix of travel modes, including vehicles, bikes, transit, and pedestrians; Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian ways, lighting, signs, front-yard setback areas, and building facades; and Neighborhoods may connect to adjacent activities, subdivisions, and neighborhood-serving businesses through the design of a street and pedestrian system and traffic-calming measures where appropriate. Creative and integrated designs for stormwater retention systems and fencing. 		X						
Pol. 10.4.4	Joint Planning and Interlocal Agreements The County shall utilize joint planning and interlocal agreements to collaborate with the municipalities, School Board, and other entities to address community needs on a regional basis as needed for such activities, <u>including</u> but not limited to, as follows: <ol style="list-style-type: none"> Annexations Extra-territorial jurisdiction 							X	

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	Future Land Use Element (FLUE) (Chapter 1)								
	<ul style="list-style-type: none"> 3. Coordination of public facilities and services 4. Review opportunities for development activities that may impact other jurisdictions 5. Shared-use facilities and services 6. Exchange of information, data, ordinances, resolutions, etc. 								
Obj. 10.5	To recognize innovative planning techniques and the unique nature of large scale development projects that may affect multiple jurisdictions and state resources pursuant to Chapter 380.06(30), Florida Statutes.							X	FS 380.06 only goes up to 12.
Pol. 10.5.1	<p>Golden Ocala</p> <p>This concerns the following Future Land Use Map Amendments - (a) Future Land Use Map (FLUM) Amendment 2016-L04; (b) Future Land Use Map (FLUM) Amendment s 2017-L02 and 2017-D05; and (c) FLUM Amendment 2020-D01 and FLUM Amendment 2020-L02 concerning approximately acres (the "Project" or "Golden Ocala"). The land use and development potential of the Project is hereby limited and governed by the following conditions:</p> <ul style="list-style-type: none"> 1. The Golden Ocala project general land uses and boundary are identified as part of the Marion County Future Land Use Map Series (FLUMS) as identified on Map 15.h. 2. Golden Ocala is a mixed-use development composed of single family, multi-family (includes condominiums), commercial, hotel, recreation, RV units, equestrian facilities, and other uses to support the horse community, the Golden Ocala project, and the community in general. 3. The maximum project entitlements are as follows: 		X						
	Residential Housing								
	Low Residential	400							

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Future Land Use Element (FLUE) (Chapter 1)								
Medium Residential (including original Golden Ocala PUD)	1103							
Equestrian Estate	300							
High Residential	408							
Condominium	170							
Rural	16							
Total Housing Units	2,397							
Non-Residential								
Commercial	4,000,000 square feet							
Equestrian Facility	13,500 seats							
Hotel	1,350 rooms							
Recreational Vehicle	280 units (does not include unoccupied parking areas)							
4. The commercial and other non-residential entitlements may be used for any of the non-residential uses permitted by Marion County in the Commercial and World Equestrian Center future land use categories. A land use tradeoff mechanism will also be included within the County's PUD approval for this Project, and will apply to the entire Project boundary. The land use conversion table will allow for a land use to exceed the Project entitlements above as long as another land use is reduced through the conversion matrix to ensure there is no increase in development								"indoor" what?

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>impacts. The conversion table will also allow for conversion of the uses identified above through local approval and thus, without the requirement for a comprehensive plan amendment.</p> <p>5. Concerning the Marion County's Concurrency Management System:</p> <p>A. The portion of the Project that was the subject of FLUM Amendments 2016-L04 and 2017- D05 is subject to the provisions of a Development Agreement Concerning Concurrency, Impact Fee Credits And Other Matters for Golden Ocala as recorded in OR Book 8791, Page 105, public records of Marion County, Florida (the "2018 Concurrency Agreement").</p> <p>B. Concerning the portion of the Project that is the subject of FLUM Amendments 2020-D01 and 2020-L02, neither the approval of this development project's site for future land use designation, or the approval of this policy shall be deemed a final local development order and the development is not considered, or entitled to, being certified for concurrency under Marion County's Concurrency Management System (LDC Article 1, Division 8). The developer shall address and comply with Marion County's Concurrency Management System, including providing for proportionate share for transportation improvements consistent with Sections 163.3180 and 380.06, Florida Statutes, upon proceeding through Marion County's subsequent development review process as contained within the Marion County Land Development Code (LDC Article 2, etc.). Such compliance may be evidenced by an amendment to the 2018 Concurrency Agreement.</p> <p>6. No Equestrian Estate lot created shall be less than three (3) acres in size measured exclusive of any right-of-way or access easements (except to the extent such access easements provide</p>							

GOALS, OBJECTIVES, POLICIES FUTURE LAND USE ELEMENT (FLUE)	Florida Statute Citation							Recommended Action
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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>access between lots and platted streets, are designed to permit the use of shared driveways to provide such access or are designated easements for utilities or equestrian trails).</p> <p>7. The commercial, common, and non-residential areas, World Equestrian Center, and individual lots and homes shall utilize water conservation techniques. Such techniques may include indoor, irrigation, and landscaping practices as selected by the Developer, required certifications for irrigation contractors working within the development, wastewater contribution for municipal reuse, maximum irrigable areas, or other landscape and vegetative requirements.</p> <p>8. Development of:</p> <p>A. Commercial, condominium, RV, low density residential lots north of US 27 (other than those developed as Equestrian Estate Lots), medium density residential lots and the Equestrian Facility developments shall be served by central potable water and central sanitary sewer service.</p> <p>B. Equestrian Estate lots:</p> <p>1) Located South of US 27, shall be served by central potable water or central sanitary sewer services; and</p> <p>2) Located North of US 27, may, at the option of the developer, be served by (a) wells or on-site sewage treatment and disposal systems (OSTDS) provided that the PUD for any such lots that are served by OSTDS shall contain provisions designed to reduce total nitrogen effluent concentration; or (b) by central potable water or central sanitary sewer services to the foregoing provisions concerning wells and OSTDS are to provide a transition from the urbanized area to rural, which are exceptions to Future Land Use Element Policies 3.1.1, 6.1.3 and 6.1.5, Sanitary Sewer Element Policies 1.2.6,</p>							

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	Future Land Use Element (FLUE) (Chapter 1)							
	<p>1.4.1 and 1.4.7 and Potable Water Element Policy 1.7.1.; and other provisions of this plan requiring central water and sewer.</p> <p>9. Direct vehicular access to NW 100th Avenue south of the northwest quarter of the southwest quarter of Section 11, Township 15 Range 20 is prohibited.</p> <p>10. This Policy supersedes, amends, restates, and replaces historic Objective 6 and Policy 10.6.1 adopted pursuant to FLUM Amendment 2017-L02 and Policy 10.5.1 adopted pursuant to FLUM Amendment 2017-D05 (as modified by the Settlement Agreement concerning Golden Ocala Approvals dated February 20, 2018, and approved by Marion County on such date.</p>							

PROPERTY RIGHTS ELEMENT



GOALS, OBJECTIVES, POLICIES PROPERTY-RIGHTS ELEMENT	Florida Statute Citation							Recommended Action
		Keep	Delete	New	Replace	Move	Modify	Explanation/Modification

	Property Rights Element (Chapter 14)								
Goal 1	The County and Marion County Comprehensive Plan 2035 shall be developed, promulgated, implemented, and applied with sensitivity for private property rights and not be unduly restrictive as provided by Section 163.3164 (10).							X	Will need to update this with 2050 when we update the plan.
Obj. 1.1	Property Rights Element To comply with legislative requirements as outlined in Florida Statute, Section 163.3177(6)(i).		X						
Pol. 1.1.1	The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.		X						
Pol. 1.1.2	The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.		X						
Pol. 1.1.3	The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.		X						
Pol. 1.1.4	The right of a property owner to dispose of his or her property through sale or gift.		X						