



MARION COUNTY GROWTH SERVICES

2/2/2022

P&Z: 1/24/2022 BCC: 3/1/2022

Item Number

220203Z

[CDP-AR# 27743]

Type of Application

Rezoning

Rezoning Request:

From: A-1 (General Agriculture)

To: PUD (Planned Unit Development)

Owner:

B. Smith Hialeah, LLC

Applicant:

Tillman and Associates Engineering, LLC, David Tillman

Location: South side of NW Hwy 318, beginning ±600' east of I-75 and extending ±1 mile to the east, and extending ±1 mile south from NW Hwy 318.

Parcel #/Acreage

03204-000-00 / ±453 Acres

Development

Agreement(s): PEND

Future Land Use

Employment Center (EC) and Commerce District (CD)

Staff

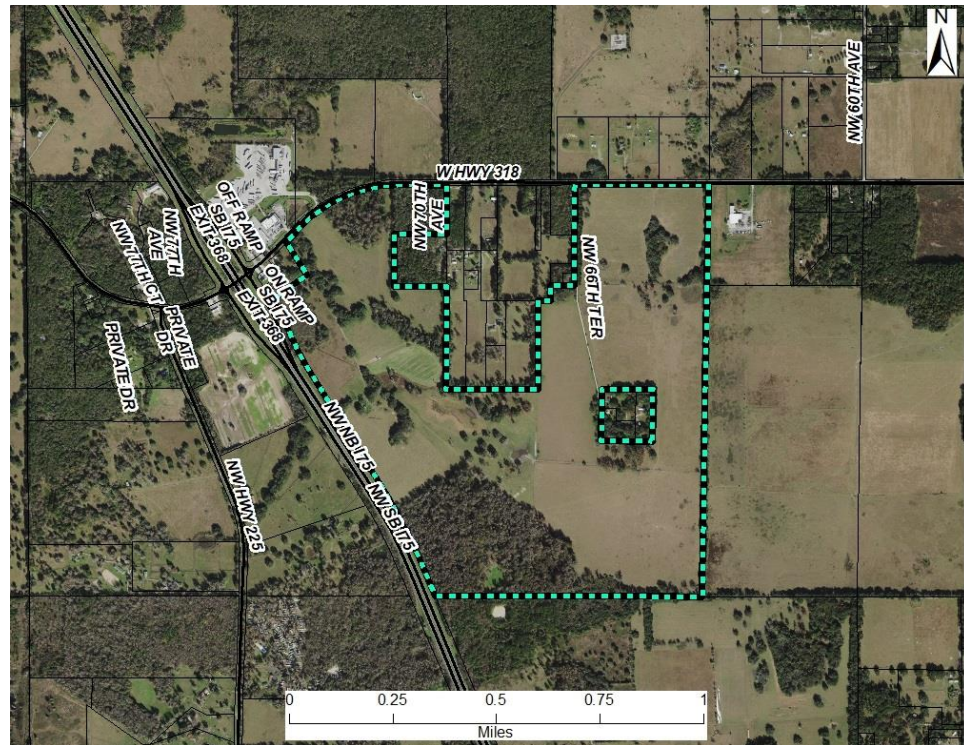
Recommendation
APPROVAL WITH CONDITIONS

P&Z

Recommendation:
TBD

Project Planner

Christopher Rison,
Senior Planner



Item Summary

Staff is recommending **Approval with Development Conditions** for a rezoning from A-1 (General Agriculture) to PUD (Planned Unit Development) for a non-residential multi-use project including commercial, industrial, public/utility uses on ±453 acres, in accordance with Marion County Land Development Code (LDC), Article 2, Division 7 "Zoning Change." The proposed PUD is the subject Comprehensive Plan Future Land Use Element (FLUE) Policy 10.3.4.2 and FLUE Map 14.b.2. that establishes the Irvine/Sunny Oaks Regional Activity Center (RGAC). The site's future land use designations and RGAC identification were established by prior Comprehensive Plan Amendments in 2012 and 2014 and a general Developer's Agreement was also required. An executed Agreement related to the 2012 Amendment was submitted and recorded. The 2014 Amendment expanded the extent of the land use designations and established the RGAC, wherein an updated Agreement was submitted by the applicant; however, the Agreement consideration was appealed by an affected party, and the appeal case is currently pending. Given this PUD Rezoning Application, revisiting of the Agreement is necessary due to the change of the mix of uses, and that may also serve to resolve the pending appeal.

Public Notice

Notice of public hearing was mailed to 26 property owners within 1,000 feet of the subject property.

Location

Code Actions: None

**FLUM Designation
Development Eligibility**

Category	Amount
Employment Center ±150 AC	
Residential 16 DU/AC*	2,400 DU
Commercial or Industrial 2.0 FAR	13.0 MSF
Commerce District ±303 AC 2 FAR	26.4 MSF

*2014 Comp Plan Update
increased Employment
Center maximum density to
16 DU/AC

**Proposed Land Area
Allocations and
Maximum Development
Amounts**

Category	Amount
Employment Center as Residential 16 DU/AC	N/A 0 DU
Employment Center as COM ±28 AC 0.35 FAR	±427 KSF
Employment Center as FIRE STATION	1.5 AC
Employment Center as IND ±122 AC 0.25 FAR	±1.3 MSF
Commerce District as IND ±282 AC 0.25 FAR	±3.0 MSF
Commerce District as Utilities	21 AC

**Development Amounts
Proposed Versus Eligible**

COM	17.5%
IND	12.5%

The site consists of ±453 acres generally located at the southeast corner of the on I-75 and NW Hwy 318 interchanges. The site fronts along NW Hwy 318 beginning ±600' east of I-75, and reaches up to ±1 mile to the east, while extending ±1 mile south from NW Hwy 318. The site fully surrounds a set of three out-parcels in the south east, and wraps around a series of parcels along the south side of NW Hwy 318.

Background/Request

As noted, the site is part of a Comprehensive Plan identified Regional Activity Center with Employment Center and Commerce District future land use designations. The applicant is proposing a multi-use PUD to include commercial and industrial development along with a fire station site, water treatment facility site and wastewater treatment facility site. The site's Employment Center and Commerce District land uses enable both commercial and industrial uses with a maximum floor area ratio (FAR) of 2.0. Residential uses are also eligible in the Employment Center land use designation up to sixteen dwelling units per acre (16 DU/AC); however, no residential uses are proposed except for the allowance for accessory security residence uses related to the non-residential uses. The site's acreage is allocated as 28 acres of Commercial with the remainder as Industrial and a reduced FAR standard of 0.35 is proposed for the Commercial with 0.25 proposed for the Industrial. The final amount of the Industrial lands is dependent upon the final determinations and extent of three public facility site locations identified as a fire station site (1.5 acres), a water treatment facility site (2.8 acre), and a wastewater treatment facility site (18 acres).

The site is predominantly an open pasture/field with some forested areas and various existing tree lines along some site boundaries. The site is generally a U-shape wrapping around an outparcel area that fronts on Hwy 318 that is flanked by the site's east and west Hwy 318 frontages. Another ±10 acres outparcel, consisting of three parcels, is fully surrounded by the site is in the southeastern area of the site. The is largely a "sandy" habitat that may make the site suitable habitat for some listed species. Some areas of non-sandy soils are present, and those soils coincide with flood zone and flood prone areas and limited wetland areas. However, the site is not within an Environmentally Sensitive Overlay Zone (ESOZ) and is located in the general Countywide Secondary Springs Protection Zone. No central water and central sewer services are currently available in the area. As previously noted, the PUD proposes utility sites, and the coordination of the facility with Marion County Utilities is a focus of the project's Development Agreement provisions.

The site is a vacant U-shaped property that wraps around an area of outparcels with the east and west "ends" of the "U" fronting along Hwy 318. The Petro Stopping Center truck stop and Wendys restaurant, zoned B-5 and B-2 respectively, are on the north side of Hwy 318 across from the west part of site. All four corners of the I-75/Hwy 318 interchange are designated Employment Center with various commercial zonings, including a Commercial PUD in the SW quadrant of the interchange. The outparcel lands within the center of the "U" are A-1 zoned acreage tracts with a Rural land use designation. An additional outparcel area in the southeast is designated Rural Land with A-1 zoning. The properties south and east of the site are larger A-1 zoned acreage tracts with a Rural land use designation; however, the existing DeConna Ice Cream facility (est. 1988) adjoins the northeast corner of the site wherein that facility has a Commerce District land use designation with a mix of M-1 and A-1 zoning.

Policy 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 a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation is an Urban land use designation.

Policy 2.1.24: 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 is an Urban land use designation.

The project's PUD Rezoning Application is accompanied by a Conceptual Plan (dated 12/1/2021) proposing a commercial area in the northwest part of the site along and parallel to Hwy 318 with a public fire station site at the east end of the commercial area. The remainder of the site will then include two utility treatment facility sites (potable water and wastewater) with the remaining property encompassing industrial uses. The Conceptual Plan includes two option illustrations "A" and "B" respectively that propose possible alternative arrangements for the industrial area portion of the PUD, depending on the mix/size of industrial use structures that may result.

The Development Review Committee (DRC) considered the PUD Rezoning Application and identified various concerns related the project. Traffic Engineering identified traffic study information does not include current traffic count information. Marion County Utilities staff has noted the proposed utility site's may not adequately accommodate service needs, particularly based on design, capacity, and placement needs, and Growth Services staff further notes that buffering for the wastewater treatment facility is a concern. Fire services staff has identified a series of concerns related to the proposed fire station site. The site does not conform to the County's now typical minimum 3-acre site standard developed since the site's initial 2012 Plan Amendment and Developer's Agreement were approved. Additionally, the station location is impacted by an identified flood prone area, is significantly southwest of the area's current fire service district location, and is in proximity to the interchange on a curve in Hwy 318 that raises access and safety issues given the existing and anticipated traffic variety and increase expected at the area in the long-term.

Uses & Design

The PUD proposes to generally permit all uses allowed in the B-1, B-2, B-3, B-4, B-5, M-1, and M-2 zoning classifications, but proposes some uses will require consideration by Special Use Permit. No uses are identified as fully prohibited. Uses in the PUD's commercial area are "limited to B-1 through B-4 uses" however *staff recommends that it be clear that the B-3 (Specialty Business) zoning class uses are also not permitted in the commercial area as that zoning is ordinarily encompassed with the B-5 (Heavy Business) zoning class.*

Uniform general development standards are proposed for the commercial and industrial uses areas as identified by the plan although the standards are uniform for each area. These standards would also be applicable to the public facility sites proposed in conjunction with the PUD. Marion County's PUD zoning class requires a special setback and height standards where the PUD development abuts existing residential structure sites. Compliance with the special setback standards is not indicated on the plan however some existing residential structures are located on properties abutting the PUD and the PUD proposes an increased height allowance of 65' for the PUD. *Staff recommends that compliance with the PUD setback/height provisions be a requirement for the PUD to be addressed with the project's final PUD Master Plan and subsequent development plans.*

LDC Section 4.2.31.E(4)(b) - PUD Height Standards Dissimilar Uses:

1. Residential and non-residential. When commercial, industrial, or institutional uses are provided within a PUD within 100 feet of the boundary edge of the PUD, the following shall apply to that development when the abutting existing use or zoning classification outside the PUD is residential:

- a. A non-residential structure may not exceed a height that is twice the height of the closest existing abutting residential structure; however, the height of the non-residential structure shall also not exceed the maximum height allowed in the abutting residential zoning classification.
- b. If the residential zoned land directly adjacent to the PUD is vacant land, then the height of a non-residential structure within the PUD shall not exceed the maximum height allowed in the abutting residential classification.

ESTIMATED TRIPS BASED ON MAX DEVELOPMENT

COMMERCIAL

(Shopping Center):

AADT: 12,831 trips

PM PEAK: 1,240 trips

INDUSTRIAL

(High-cube Warehouse /
Dist. Center):

AADT: 4,692 trips

PM PEAK: 335 trips

TOTAL TRIPS:

AADT: 17,523 trips

PM PEAK: 1,575 trips

MARION COUNTY BUFFER TYPES

A-Type Buffer: Minimum 30' wide, three shade trees & five accent trees per 100 LF, with shrubs & groundcovers for at least 50% of the buffer area.

B-Type Buffer: Minimum 20' wide with an internal wall, two shade trees & three accent trees per 100 LF, with shrubs & groundcovers for at least 50% of the buffer area.

C-Type Buffer: Minimum 15' wide, two shade & three accent trees per 100 LF, with shrubs & groundcovers for at least 50% of the buffer area.

D-Type Buffer: Minimum 15' wide with an internal wall, two shade & three accent trees per 100 LF, with shrubs & groundcover for at least 25% of the buffer area.

E-Type Buffer: Minimum 5' wide, four shade trees per 100 LF, and a double-staggered

Limited general architectural standards are proposed for the commercial and industrial areas requiring “façade colors shall be low reflectance, subtle, or neutral tone colors, building trim and accent areas may feature brighter colors, including primary colors.” The standards would accommodate current commercial trends. For the industrial area, architectural illustrations show architecturally distinct wall appearances/finishes to create a varied appearance which staff supports and *staff further recommends including a specific condition requiring the indicated standard along with specifying that unpainted general unfinished concrete appearances are not acceptable.* Finally, the applicant has not specifically addressed signage and *staff recommends that a master sign plan be required for the overall PUD to address the commercial and industrial use identification signage consistent with LDC requirements for such plans.*

Access & Movement

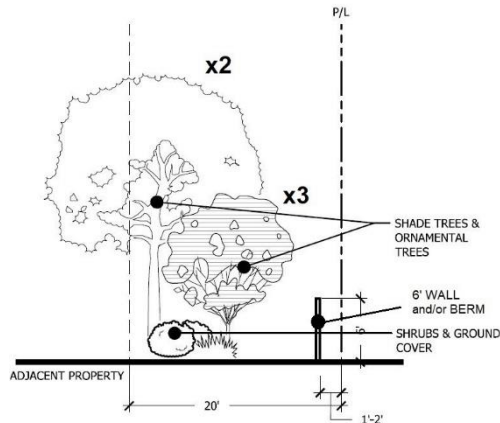
Two main access points are proposed to Hwy 318 to provide access to a central internal roadway form a “U” within the PUD. Hwy 318 is a main east-west transportation corridor across northern Marion County that includes interstate crossing and access opportunities along with connectivity to US Hwy 27, US Hwy 441, US Hwy 301 and CR Hwy 315. Development along Hwy 318 will be required to comply with LDC provisions regarding access management and cross access with final access management plans being addressed upon completion of the site’s final formal traffic study and final PUD Master Plan. The applicant proposes not providing internal sidewalks however this is not supported by staff at this time as some multi-modal internal access between the industrial and commercial uses may occur, particularly as commercial uses are proposed to be eligible within the industrial area. At a minimum, sidewalks are required along Hwy 318 and within the formal commercial area consistent with LDC; however, *staff recommends that a sidewalk compliant with the LDC be provided along one side of the main internal roadway to accommodate multi-modal interconnection between the PUD’s future uses.*

A traffic study was previously submitted for the site related to the historic Plan Amendment for the site. That study addressed a variety of uses but identified likely level of service failures were anticipated with 2021. The PUD Application was accompanied by an updated traffic assessment; however, the Traffic Engineering Division identified issues related to the assessment noting that it used 2020 traffic counts rather than 2021 counts and using the current counts level of service deficiencies are expected. Additionally, traffic engineering and planning staff note the interstate interchange and conditions on Hwy 318 may present additional future design challenges due to existing geometries. *Prior to the final approval of any final PUD Master Plan, completion and review of the project’s formal traffic study will be required with the resolution of any level of service and/or design deficiencies identified being addressed consistent with the applicable LDC provisions.*

Buffers

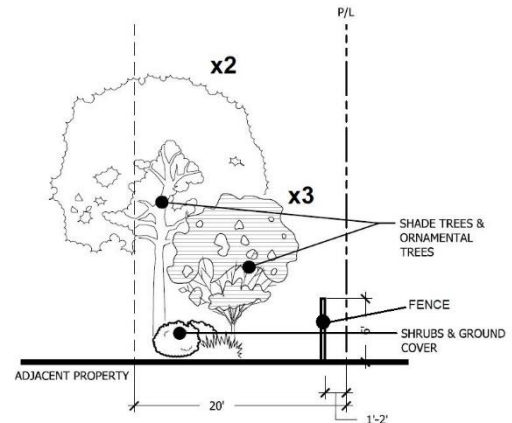
hedgerow to be six feet high within three years.

The PUD Conceptual Plan proposes various buffers along the project's perimeter, however no internal buffers between the PUD's uses are proposed. A Type 'C' Buffer is proposed along Interstate 75 and Hwy 318 consistent with LDC requirements. Along the site's south and west boundaries that abut agricultural lands, a Type 'B' Buffer (minimum 25' wide, minimum 6' high wall, two shade trees and three accent trees per 100 LF with shrubs and groundcover for at least 50% of the buffer area). The applicant proposes a Modified Type 'B' Buffer (minimum 20' wide, minimum 6' high privacy fence or berm, two shade trees and three accent trees per 100 LF with shrubs and groundcover for at least 50% of the buffer area – image below) replacing the wall with a minimum privacy fence.



TYPE 'B'
BUFFER DETAIL
SCALE: N.T.S.

LDC Type 'B' Buffer

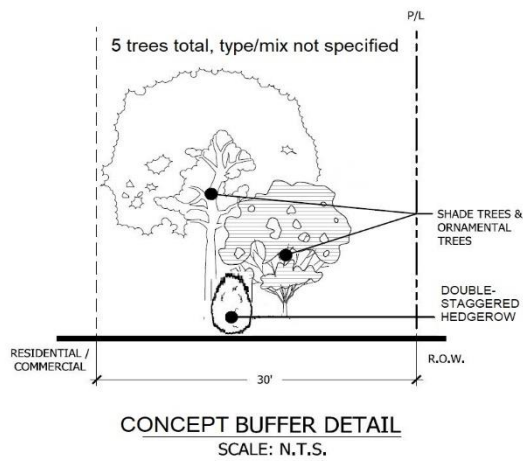


MODIFIED TYPE 'B'
BUFFER DETAIL
SCALE: N.T.S.

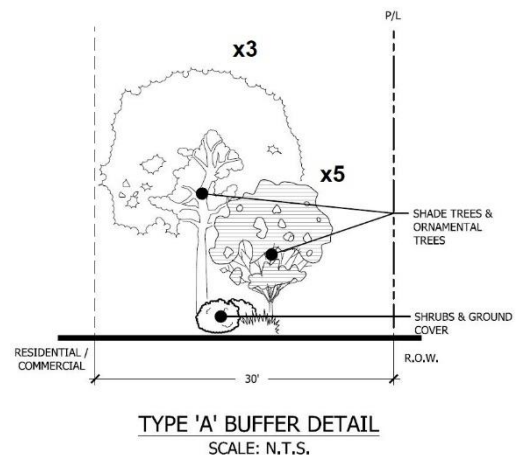
Applicant's Proposed Type 'B' Buffer

Along the site's boundaries for the north and southeast outparcel areas, the Irvine/Sunny Oaks RGAC Concept Plan proposed a specialized buffer to be 30' wide at a minimum with five unspecified trees per 100 LF and a double-staggered hedgerow. The applicant proposes to adjust the buffer design along the north outparcel area, and essentially revise the buffer type along the southeast outparcel.

The applicant proposes to provide the north outparcel area buffer as a Type 'A' Buffer (30' minimum width, with three shade trees and five accent ornamental trees, with shrubs and groundcover to reach a minimum of 3' within one year – image below) reducing the shrub component from a continuous double-staggered hedgerow. Staff has concerns regarding the removal of the continuous double-staggered hedgerow as the PUD site is expected to include large vehicle intensive operations such as distribution centers. *Staff recommends the double-staggered hedgerow requirement be maintained for understory visual screening; however, an opaque wall or fence, berm, or combination of them, may be provided as an alternative, with the selected method complying with LDC height requirements for such features.*

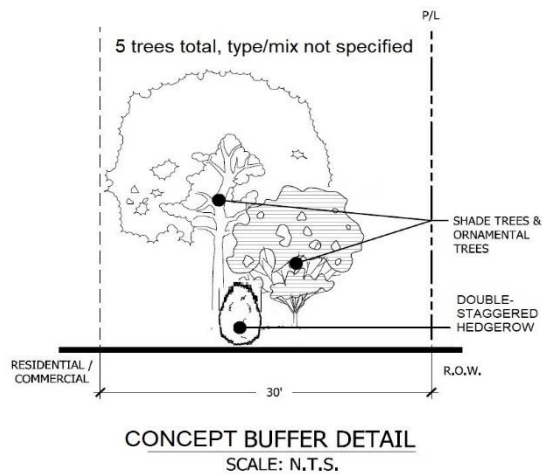


RGAC Concept Buffer

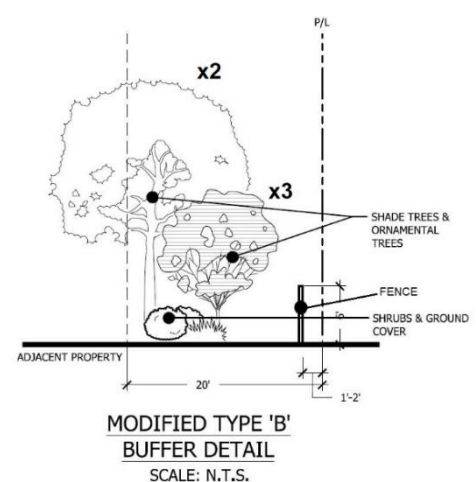


Applicant's Proposed Type 'A' Buffer

Along the site's boundaries for the southeast outparcel area, the applicant proposes to establish the previously noted Modified Type 'B' Buffer (minimum 20' wide, minimum 6' high privacy fence or berm, two shade trees and three accent trees per 100 LF with shrubs and groundcover for at least 50% of the buffer area – image below). The change specifies the type and mix of trees but reduces the buffer width by 10' to a minimum 20' wide and reducing the planting requirement from a double-staggered hedgerow to 50% shrub/groundcover while adding a fence requirement.



RGAC Concept Buffer



Applicant's Proposed Type 'A' Buffer

Public Facilities

The PUD proposes three separate public facility locations for a fire station, water treatment facility, and wastewater treatment facility. The applicant has indicated that the water treatment and wastewater treatment facility locations may shift across the site as final designs are prepared, and a shift in the fire station site is expected. Additionally, the applicant has discussed coordinating the water and wastewater facilities with Marion County to enable coordination with other existing and proposed area development. This effort is intended to ensure multiple smaller facilities are not created in the vicinity of each other when more common central facilities would provide opportunities for cooperation and increased efficiency. As such, in the event Marion County Utilities determines central water and central sewer services are available through an alternative source, *staff recommends that the PUD project shall then connect to the*

alternative source consistent with applicable LDC provisions. Further, in the event development of the PUD's water and wastewater facilities is determined by Marion County Utilities to be necessary, staff recommends that the location and design of the final water and wastewater treatment facilities be subject to provision with the site's final PUD Master Plan, including evaluations of sizing and efficiencies, for review by Marion County Utilities.

The proposed wastewater treatment facility adjoins the southeastern outparcel area that includes single-family residences where buffering such facilities is a particular concern. The LDC requires public facilities to buffer their development depending on the type of adjoining development. As such, *staff recommends that each of public facilities be required to comply with LDC provisions for buffering public facilities; development of the facilities would be eligible to seek LDC Waivers wherein an applicant may appeal any decision of the DRC regarding such waivers to the Board of County Commissioners.*

The proposed fire station location presents concerns due to environmental, site size, access, and service area issues. An alternative location shifted to the site's east side, adjoining the existing DeConna Ice Cream facility, is better suited and effective. A further alternative may include participating in attaining an off-site location. *Staff recommends that final placement and design parameters of the fire station site, should it remain on-site, shall be addressed with the submission of the site's final PUD Master Plan when it is submitted for DRC review and subsequent final Board of County Commissioners review and consideration, wherein, at that time, alternative off-site locations may also be in further consideration.*

Analysis

In reaching its decision, the Commission must address the following:

- a. Granting the proposed zoning change will not adversely affect the public interest.** The site is urban designated but lies outside the Urban Growth Boundary (UGB) in the Farmland Preservation Area (FPA). The site is a designated Regional Activity Center that will include a commercial use area that may serve the surroundings, the site's industrial uses and support Interstate travelers. A traffic study will identify required improvements and be coordinated with an overall access management plan including cross access to be provided with the site's final PUD Master Plan. Public facility sites will be provided and/or addressed to meet the site needs and potentially assist in meeting the needs of other properties in the long term. The PUD design standards and buffers will manage the site appearance. The proposed PUD, as recommended, will not adversely affect the public interest, subject to compliance with the conditions noted by staff.
- b. The proposed zoning change is consistent with the current Comprehensive Plan.** The FLUE Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates this property Employment Center and Commerce District, further FLUE Policy10.3.4 identifies the site as a Regional Activity Center. The commercial and industrial uses will accommodate local and regional facilities and accommodate complimentary uses while providing interstate access for the industrial facilities. The proposed PUD, as recommended, is consistent

with the Comprehensive Plan, subject to compliance with the conditions noted by staff.

- c. The proposed zoning change is compatible with land uses in the surrounding area.** The proposed PUD will allow a mix of uses to provide commercial service options to the surroundings and industrial development opportunities, along with those using the interstate and other regional roadways. The PUD design standards and buffers will manage the site appearance, including compliance with PUD setback standards related to adjoining uses. The proposed PUD, as recommended, will be compatible with the surrounding area, subject to compliance with the conditions noted by staff.

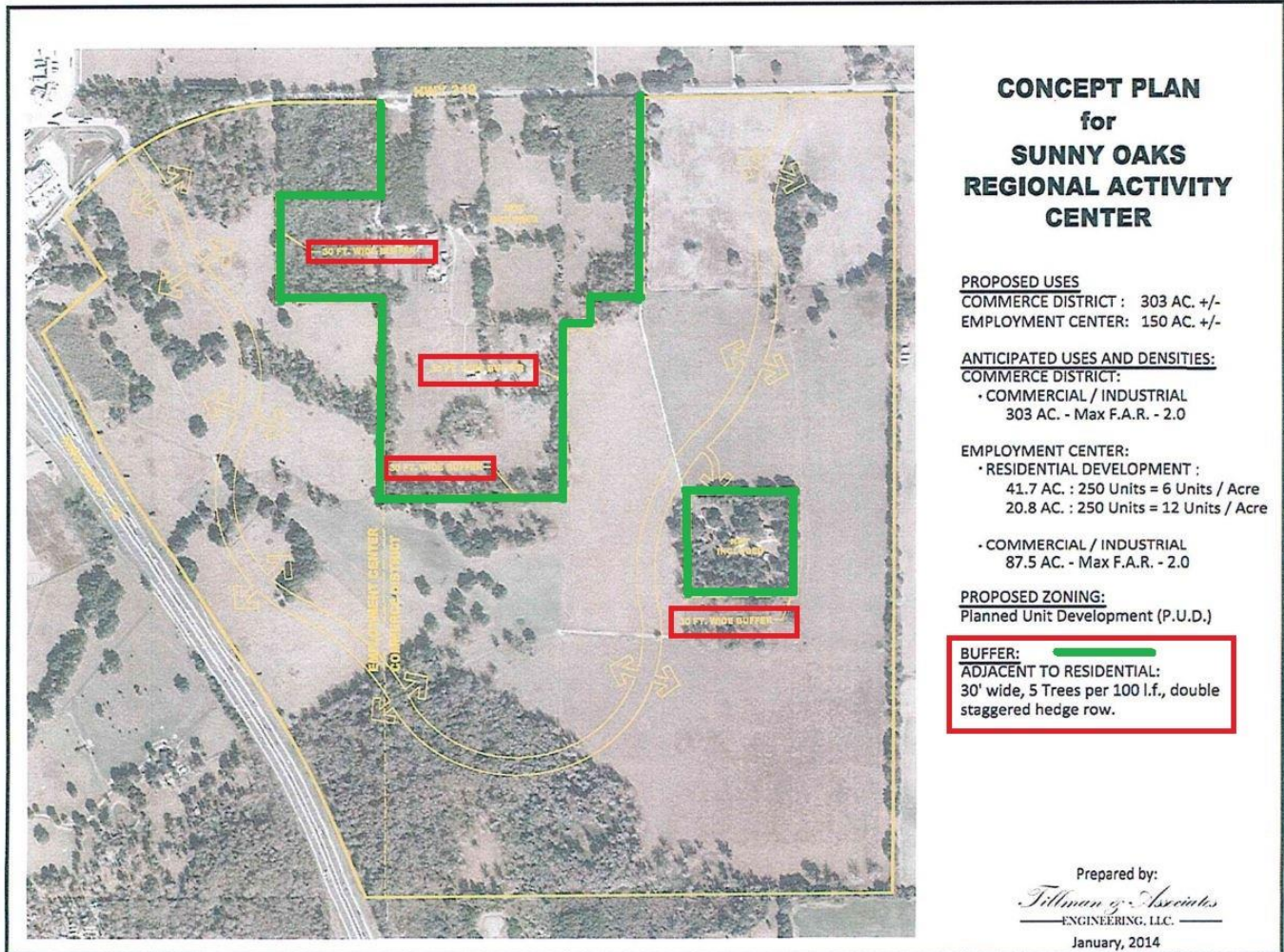
Recommendation: Approval with Development Conditions:

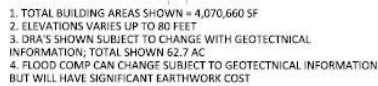
1. The PUD shall consist of the following uses consistent with the PUD Application and PUD Concept Plan (Received 12/1/2021; attached):
 - a. A ±28 acre commercial area allowing B-1, B-2, and B-4 zoning use standards provided in Land Development Code (LDC) Division 4.2, with a maximum gross development amount of up to 427,000 gross square footage,
 - b. A ±282 acre industrial area allowing B-1, B-2, B-3, B-4, B-5, M-1 and M-2 use standards provided in LDC Division 4.2, with a gross maximum development amount of 4.4 million gross square feet,
 - c. Two utility facility locations – 1) Water Treatment Facility and 2) Wastewater Treatment Facility wherein the final facility locations and sizes shall be identified on the final PUD Master Plan and subject to Marion County Utilities review and approval as part of the final PUD Master Plan review.
 - d. One fire station site wherein the final location and size shall be identified on the final PUD Master Plan and subject to Fire Services review and approval as part of final PUD Master Plan review.
2. Final placement and design parameters of the fire station site, should it remain on-site, shall be addressed with the submission of the site's final PUD Master Plan submitted for DRC review and subsequent final Board of County Commissioners consideration, wherein, at that time, alternative off-site locations may also be in further consideration.
3. The PUD project shall be connected to central water and central sewer facilities. The project shall provide for connection to available facilities as determined by Marion County Utilities. In the event such facilities are not available from alternative sources, the facilities shall be established on-site as provided by this PUD's approval. In the event such facilities are determined to be available by Marion County Utilities from an alternative location, the PUD project shall connect to those facilities as directed in lieu of completing the facilities shown and referenced in this PUD.
4. All site development shall comply with the minimum and maximum commercial and industrial development standards as provided in the PUD Concept Plan materials and these development approval conditions. Further, the PUD development shall comply with the LDC Section 4.2.31.94(b)1.a and 1.b regarding PUD height standards for commercial and industrial uses adjoining residential structures or residential zoned lands.
5. All Commercial and Industrial development shall conform to the PUD architectural standard information; additionally, such structures with exterior walls exceeding 100' in length, shall have architecturally differentiated

	<p>finishes to avoid a uniform homogenous appearance, and all structures shall, at a minimum, be painted (so as to present and maintain a finished appearance rather than a standard unfinished concrete appearance).</p> <ol style="list-style-type: none"> 6. A master sign plan shall be provided for the overall PUD to address the commercial and residential use identification signage consistent with LDC requirements for such plans. 7. A sidewalk consistent with LDC standards shall be provided along one side of the main internal roadway to accommodate multi-modal interconnection between the PUD's future uses. 8. Prior to obtaining final PUD Master Plan approval, completion and review of the project's formal traffic study will be required with the resolution of any level of service and/or design deficiencies identified being addressed consistent with the applicable LDC provisions. 9. The Type 'A' Buffer provided to the internal northern outparcel area shall also include the provision of a double-staggered hedgerow for visual understory screening. However, an opaque wall or fence, berm, or combination thereof, may be provided as an alternative, with the selected alternative method complying with LDC height requirements for such features. 10. The fire station, water treatment facility, and wastewater treatment facility locations may be placed in alternative locations on the site; however, regardless of location, the development of each facility shall comply with applicable LDC buffering provisions for such public facilities, including being eligible to seek LDC Waivers wherein an applicant may appeal any decision of the Development Review Committee (DRC) regarding such waivers to the Board of County Commissioners. 11. The final PUD Master Plan, or equivalent, shall require review and approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the LDC's Zoning Application notice provisions at the applicant's expense.
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**COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MAP 14.B.2 –
IRVINE/SUNNY OAKS REGIONAL ACTIVITY CENTER CONCEPT PLAN
W/BUFFER INFORMATION**

Map 14b2 Irvine/Sunny Oaks RGAC -- Conceptual Plan



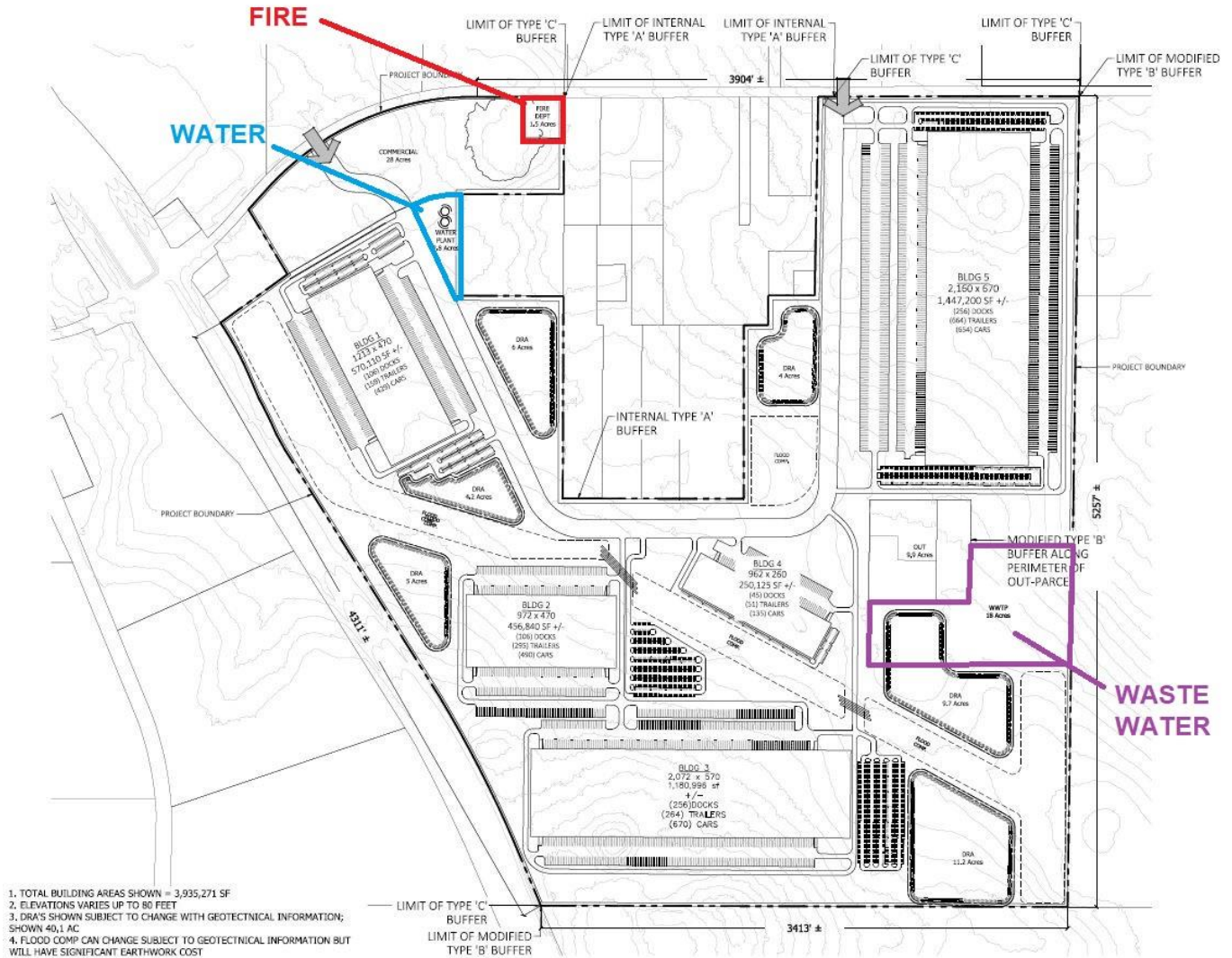
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BUILDING #	SQ. FOOTAGE	CAR SPACES	TRAILER SPACES	DOCK SPACES
1	570,110	429	159	106
2	1,447,200	1,010	638	351
3	684,450	386	121	181
4	684,450	386	121	181
5	684,450	386	121	181
TOTALS:	4,070,660	2597	1160	1000

Concept Plan Option "B"

^
N

OPTION B'



BUILDING #	SQ. FOOTAGE	CAR SPACES	TRAILER SPACES	DOCK SPACES
1	570,110	429	159	106
2	456,840	490	295	106
3	1,180,996	670	264	256
4	250,125	135	51	45
5	1,477,200	654	664	256
TOTALS:	3,935,271	2378	1433	769

CONCEPT PLAN EXCERPTS - CONTINUED

Development Standards

MINIMUM BUILDING SETBACKS:

INDUSTRIAL:

FRONT: 40'

REAR: 25'

SIDE: 25'

COMMERCIAL:

FRONT: 40'

REAR: 25'

SIDE: 10'

BUILDING HEIGHT:

MAXIMUM: 65'

FAR ALLOWED: 2.0

FAR PROPOSED: COMMERCIAL AREA (28 ACRES)-.35
INDUSTRIAL AREA- .25

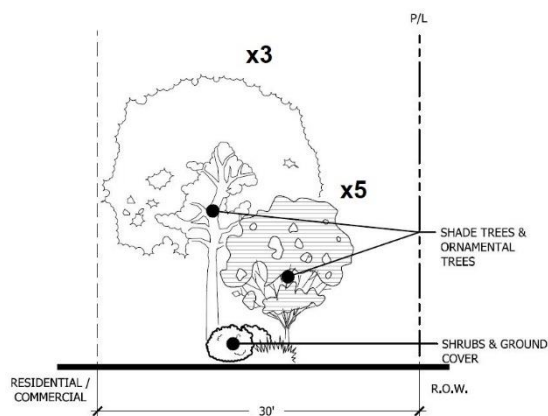
LIST OF PERMITTED USES:

ALL PERMITTED USES WITHIN B-1, B-2, **B-3**, B-4, B-5 ,
M-1, AND M-2 USES (COMMERCIAL AREA LIMITED TO
B-1 THROUGH B-4 USES):

*THE FOLLOWING USES ARE NOT PERMITTED,
HOWEVER MAY BE ALLOWED TO BE CONSIDERED
THROUGH THE SPECIAL USE PROCESS:

CEMETERY, CREMATORY, MAUSOLEUM; GARBAGE
TRANSFER STATION; AMUSEMENT PARK; AIRPORT/
HELIPORT, PRIVATE OR GENERAL AVIATION;
RACETRACK, ANY KIND; SHOOTING RANGE,
OUTDOOR (ENCLOSED PERMITTED); SPORTS ARENA;
ADULT ENTERTAINMENT; COMPOSTING OF
RESIDUALS, SEWAGE SLUDGE, AND FOOD WASTE;
MOTOR VEHICLE JUNKYARD, OR RECYCLING FACILITY.

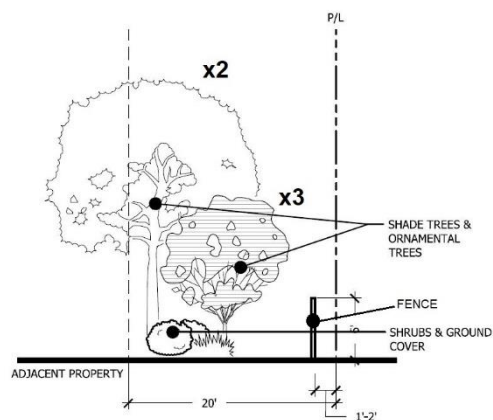
CONCEPT PLAN EXCERPTS – CONTINUED - BUFFERS



TYPE 'A' BUFFER DETAIL
SCALE: N.T.S.

TYPE 'A' BUFFER

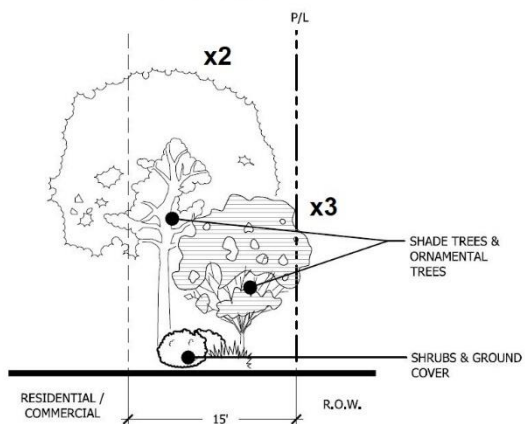
BUFFER SHALL CONSIST OF A 30-FOOT WIDE LANDSCAPE STRIP WITHOUT A BUFFER WALL, THE BUFFER SHALL CONTAIN AT LEAST THREE SHADE TREES AND FIVE ACCENT/ORNAMENTAL TREES FOR EVERY 100 LINEAL FEET OR FRACTIONAL PART THEREOF. SHRUBS AND GROUNDCOVERS, EXCLUDING TURFGRASS, SHALL COMPRISE AT LEAST 50 PERCENT OF THE REQUIRED BUFFER AREA AND SHALL FORM A LAYERED LANDSCAPE SCREEN WITH A MINIMUM HEIGHT OF THREE FEET ACHIEVED WITHIN ONE YEAR OF PLANTING.



MODIFIED TYPE 'B' BUFFER DETAIL
SCALE: N.T.S.

MODIFIED TYPE 'B' BUFFER:

BUFFER SHALL CONSIST OF A 20-FOOT WIDE LANDSCAPE STRIP WITH A PRIVACY FENCE OR BERM, THE BUFFER SHALL CONTAIN AT LEAST TWO SHADE TREES AND THREE ACCENT/ORNAMENTAL TREES FOR EVERY 100 LINEAL FEET OR FRACTIONAL PART THEREOF. SHRUBS AND GROUNDCOVERS, EXCLUDING TURFGRASS, SHALL COMPRISE AT LEAST 50 PERCENT OF THE REQUIRED BUFFER.



TYPE 'C' BUFFER DETAIL
SCALE: N.T.S.

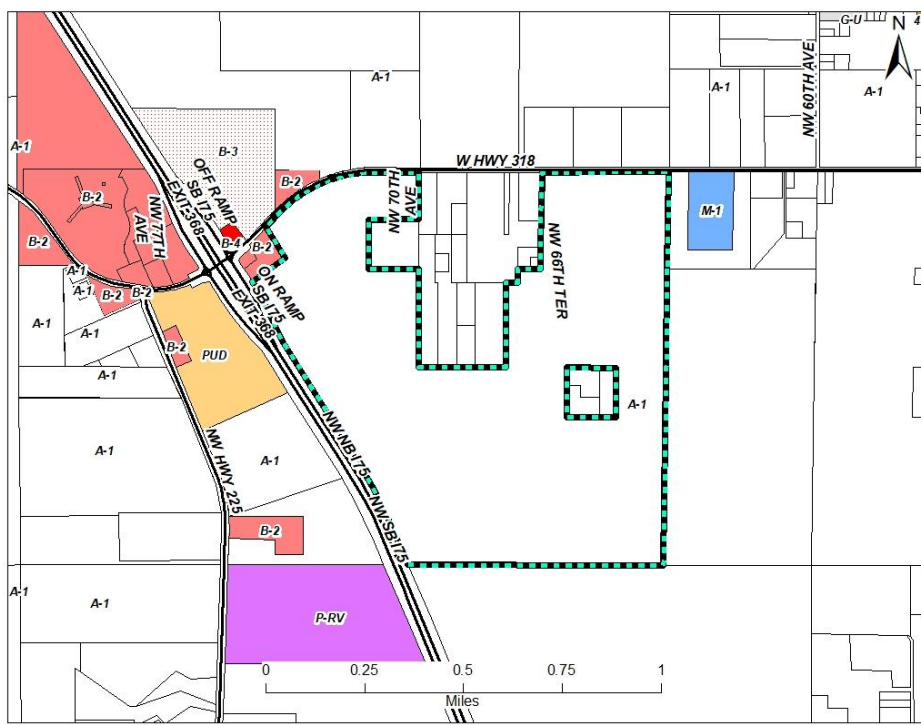
TYPE 'C' BUFFER:

BUFFER SHALL CONSIST OF A 15-FOOT WIDE LANDSCAPE STRIP WITHOUT A BUFFER WALL, THE BUFFER SHALL CONTAIN AT LEAST TWO SHADE TREES AND THREE ACCENT/ORNAMENTAL TREES FOR EVERY 100 LINEAL FEET OR FRACTIONAL PART THEREOF. SHRUBS AND GROUNDCOVERS, EXCLUDING TURFGRASS, SHALL COMPRISE AT LEAST 50 PERCENT OF THE REQUIRED BUFFER AND FORM A LAYERED LANDSCAPE SCREEN WITH A MINIMUM HEIGHT OF THREE FEET ACHIEVED WITHIN ONE YEAR.

CONCEPT PLAN EXCERPTS – CONTINUED – BUFFER NOTES

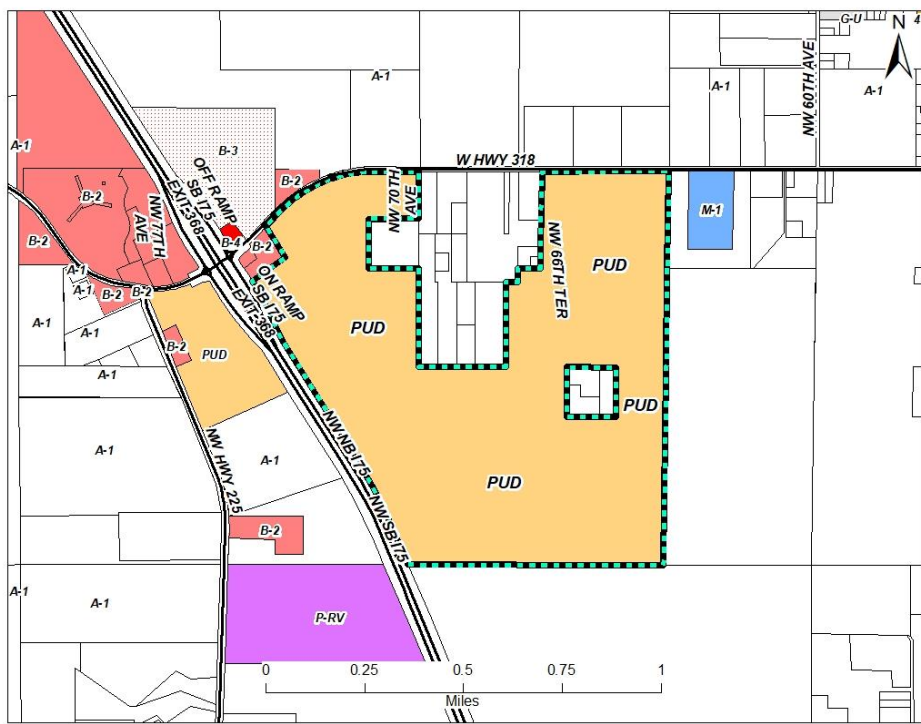
1. BUFFERS ALONG THE PERIMETER OF THE P.U.D. ARE REQUIRED AS DESCRIBED IN THESE NOTES AND ON THE PLAN(S).
2. TREES REQUIRED IN BUFFERS ARE BASED ON TOTAL INCHES PROVIDED, RATHER THAN NUMBER OF TREES, AND ARE CREDITED AS INCH FOR INCH.
3. PERIMETER BUFFERS ARE NOT REQUIRED IF, AT TIME OF SITE DEVELOPMENT, ADJACENT PARCELS ARE OWNED BY DEVELOPER OR A RELATED ENTITY, OR HAVE THE SAME USE OF LAND.
4. EXISTING BUFFERS ARE EXEMPT; PLAN MAY NOT SHOW ALL EXISTING BUFFERS.
5. VIABLE EXISTING TREES AND OTHER EXISTING VEGETATION WITHIN A BUFFER SHALL BE ACCEPTABLE TO MEET BUFFER REQUIREMENTS, FOLLOWING REVIEW AND APPROVAL BY COUNTY LANDSCAPE ARCHITECT ON A CASE-BY-CASE BASIS. EXISTING TREES ARE MEASURED AND CREDITED AS DIAMETER AT BREAST HEIGHT.
6. SHADE TREES IN BUFFERS CAN CREDIT TOWARDS REQUIRED REPLACEMENT TREES AND NON-RESIDENTIAL SHADE TREE REQUIREMENTS, AS OUTLINED IN THE LDC.
7. BUFFERS ALONG POWER LINES SHALL FOLLOW THE GUIDELINES OF UF TREES AND POWER LINES CENTRAL FLORIDA TREE LIST ([HTTPS://HORT.IFAS.UFL.EDU/TREESANDPOWERLINES](https://hort.ifas.ufl.edu/treesandpowerlines)).
8. DIVERSITY REQUIREMENTS SHALL NOT APPLY TO OAK TREES. REFERENCE SECTION 6.8.10 C (1)(D) OF THE MARION COUNTY LDC.
9. PALM TREE LIMITS APPLY. REFERENCE 6.8.10 C (4)(A) OF THE MARION COUNTY LDC.
10. WHERE THERE IS A DISCREPANCY BETWEEN THE OVERALL BUFFER PLAN AND THESE NOTES, NOTES SHALL TAKE PRECEDENCE.
11. WHERE FENCES ARE DESIGNATED AS A REQUIRED ELEMENT OF A BUFFER; THAT FENCE MAY BE SUBSTITUTED WITH A CONTINUOUS HEDGE OR OTHER OPAQUE PLANTING WHICH MEETS THE HEIGHT REQUIREMENT AT THE TIME OF PLANTING.
12. WALLS, FENCES, AND/OR EARTHEN BERMS MAY BE USED IN LIEU OF PLANTINGS WITHIN BUFFERS ALONG THE PUD PERIMETER. LOCATION AND EXTENT OF SUBSTITUTED WALLS, FENCES, AND BERMS, SHALL BE DETERMINED DURING THE COUNTY SITE PLAN AND/OR IMPROVEMENT PLAN REVIEW PROCESS FOR EACH INDIVIDUAL PROJECT.
13. AT THE REQUEST OF THE DEVELOPER OR A RELATED ENTITY, CHANGES AND UPDATES TO THE P.U.D. BUFFER PLAN ARE ALLOWABLE SUBJECT TO REVIEW AND APPROVAL BY THE DEVELOPMENT REVIEW COMMITTEE (DRC); THE DRC DECISION IS APPEALABLE TO THE COUNTY COMMISSION

CURRENT ZONING

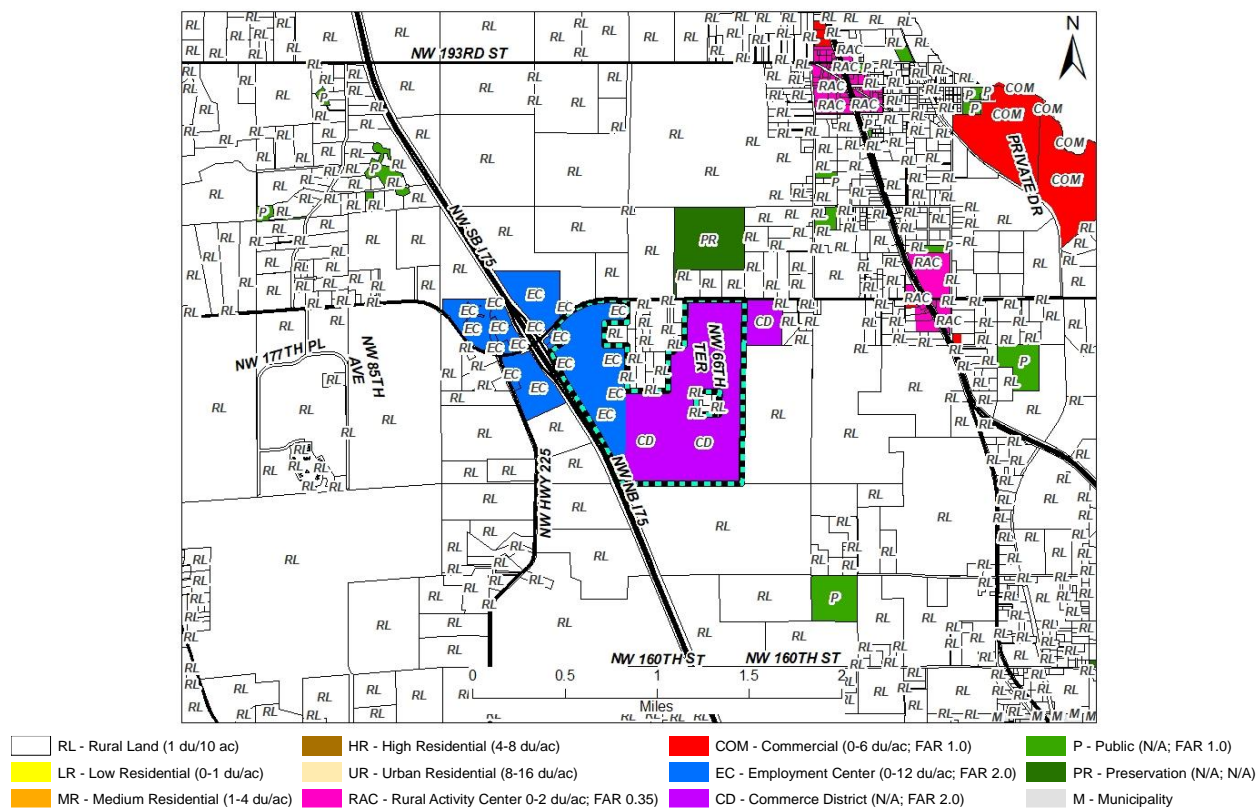


ZONING DISTRICT			
A-1 General Agriculture	R-3 Multiple Family Dwelling	R-O Residential Office	RI Rural Industrial
A-2 Improved Agriculture	R-4 Residential Mixed Use	B-1 Neighborhood Business	M-1 Light Industrial
A-3 Residential Agricultural Estate	MH Manufactured Housing	B-2 Community Business	M-2 Heavy Industrial
RR-1 Rural Residential	P-MH Mobile Home Park	B-3 Specialty Business	I-C Industrial Complex
R-E Residential Estate	P-RV Recreational Vehicle Park	B-4 Regional Business	G-U Government Use
R-1 Single-Family Dwelling	RR Recreational Resort	B-5 Heavy Business	R-PUD Residential Planned Unit Development
R-2 One-and Two-Family Dwelling	RAC Rural Activity Center	RC-1 Rural Commercial	PUD Planned Unit Development

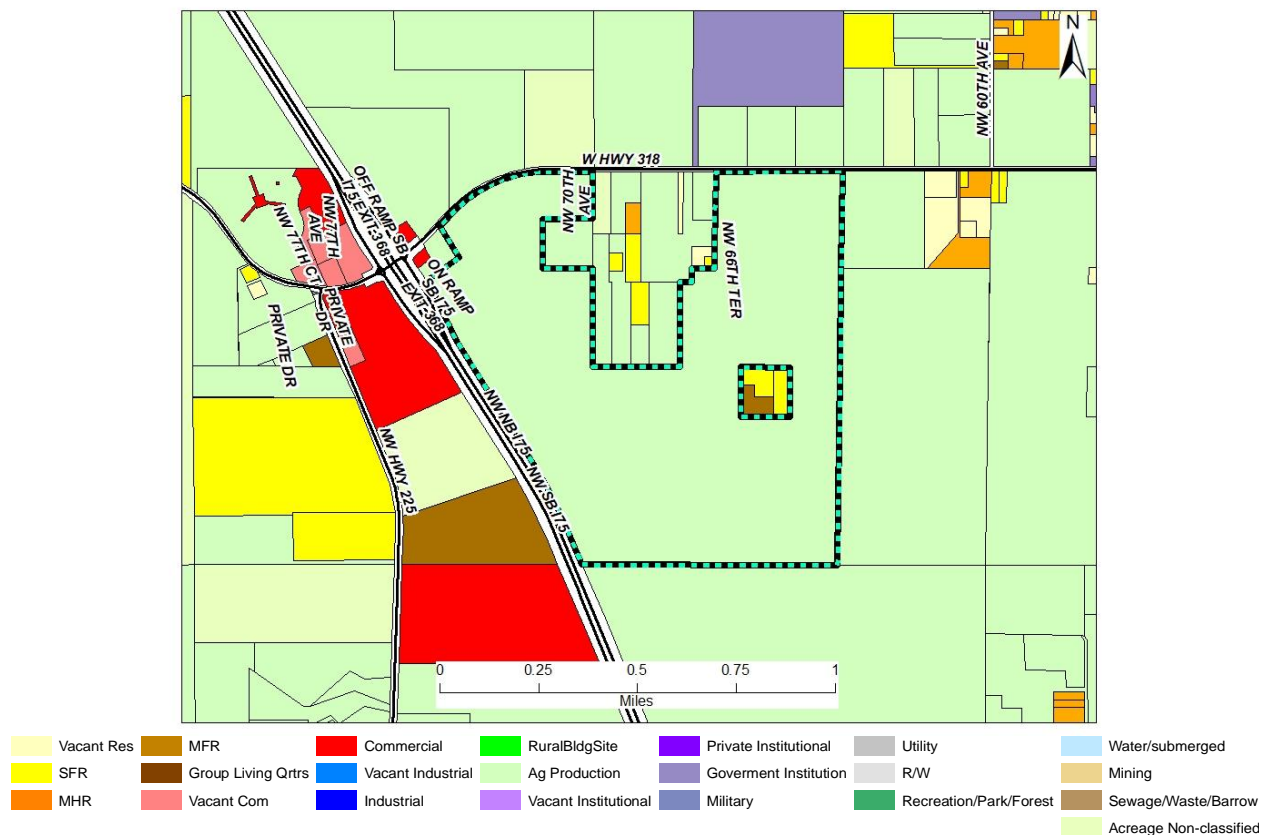
PROPOSED ZONING



EXISTING FUTURE LAND USE DESIGNATIONS



PROPERTY USE PER MARION COUNTY PROPERTY APPRAISER PROPERTY USE CODE



[illegible][illegible]

PUD HEIGHT STANDARDS

LDC SECTION 4.2.31.E (4) **Heights:**

(a) All PUD maximum heights shall be set forth with the PUD, and be identified in a manner that addresses height limits for all principal and accessory structures as follows:

1. Similar to the authorization of uses in Section 4.2.6.A(4), the PUD may use or reference an existing standard zoning classification's maximum height standard or propose alternative height limits.
2. The maximum height limit for all PUDs shall be seventy-five feet; however, an alternative maximum height limit may be proposed, subject to ensuring the safe and effective provision of services, maintenance, and support of the PUD development (e.g., fire service/ladder truck) and the provision of sufficient buffering to surrounding uses both within and outside the PUD.
3. All maximum height limits for principal and accessory structures shall be provided in both typical illustration and table format. The typical illustration and table shall be included on all development plan submissions as related to the development type, and shall particularly be provided on the Master Site Plan and/or Final Plat Plan.

(b) **Dissimilar Uses:**

1. **Residential and non-residential.** When commercial, industrial, or institutional uses are provided within a PUD *within 100 feet of the boundary edge of the PUD*, the following shall apply to that development **when the abutting existing use or zoning classification outside the PUD is residential:**

a. *A non-residential structure may not exceed a height that is twice the height of the closest existing abutting residential structure; however, the height of the non-residential structure shall also not exceed the maximum height allowed in the abutting residential zoning classification.*

b. If the residential zoned land directly adjacent to the PUD is vacant land, then the height of a non-residential structure within the PUD shall not exceed the maximum height allowed in the abutting residential classification.

c. An alternative height limit may be proposed; however, it is the PUD applicant's responsibility to fully demonstrate the alternative will be sufficiently mitigated to address potential impacts of the increased height of the non-residential use in relation to the existing residential use and/or residential zoning classification; however, the Board is not obligated to agree and/or accept the alternative proposal.

2. **Single-family and multiple-family residential.** When multiple-family residential uses are provided within a PUD within 100 feet of the boundary edge of the PUD, the following shall apply to that development when the abutting existing use is a single-family use or the zoning classification outside the PUD permits only single-family residential uses:

a. A multiple-family structure may not exceed a height that is twice the height of the closest existing single-family residence; however, the height of the multiple-family structure shall also not exceed the maximum height allowed in the abutting residential zoning classification.

b. If single-family residential classification zoned land directly adjacent to the PUD is vacant land, then the height of a multiple-family structure within the PUD shall not exceed the maximum height allowed in the abutting residential single-family residential classification.

c. An alternative height limit may be proposed; however, it is the PUD applicant's responsibility to fully demonstrate the alternative will be sufficiently mitigated to address potential impacts of the increased height of the multiple-family residential use in relation to the existing residential use and/or residential zoning classification.