

1 INTRODUCTION

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The Marion County Future Land Use Element Goals, Objectives and Policies are designed to provide a comprehensive, area-wide vision for sustainable urban, suburban and rural growth that supports a transportation network, variety of land uses, natural and agricultural resources, and open space. The 2035 Future Land Use Map and the Goals, Objectives and Policies established herein, shall guide the future development of areas throughout the County to insure that such future development supports the vision and development pattern of Marion County in a sustainable manner.

10 GOAL 1: PURPOSE OF THE FUTURE LAND USE ELEMENT

11 To protect the unique assets, character, and quality of life in the County through the
12 implementation and maintenance of land use policies and a Land Development Code (LDC) that
13 accomplish the following:

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- 1. Promote the conservation and preservation of natural and cultural resources;
- 2. Support and protect agricultural uses;
- 3. Protect and enhance residential neighborhoods while allowing for mixed use development within the county;
- 4. Strengthen and diversify the economic base of the County;
- 5. Promote development patterns that encourage an efficient mix and distribution of uses to meet the needs of the residents throughout the county;
- 6. Ensure adequate services and facilities to timely serve new and existing development; and
- 7. Protect and enhance the public health, safety, and welfare.
- 8. Protect private property rights.

27 OBJECTIVE 1.1: PLANNING VISION AND FRAMEWORK

28 To create a planning vision and implementation strategy that will enhance the livability of the
29 County and preserve the County’s natural, cultural, and physical resources to discourage urban
30 sprawl, promote sustainable, energy-efficient land use patterns, and reduce pollution, and provide
31 for economic development opportunities.

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33 Policy 1.1.1: Marion County Planning Principles

34 The County shall rely upon the following principles to guide the overall planning framework and vision for
35 the County:

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- 1. Preserve, protect and manage the County’s valuable natural resources to insure that the integrity of these areas is sustained into the future.
- 2. Recognize and protect the rural and equestrian/agricultural character of the county as viable short- and long-term uses of land and 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.

Policy 1.1.2: Adopted Future Land Use Map (FLUM Series) and 2035 Planning Horizon

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 2035. The County adopts the FLUM Series as listed below:

<i>Map</i>	<i>Title</i>
1.	MARION COUNTY 2035 FUTURE LAND USE MAP
2.	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)
	a. MARION OAKS / MCGINLEY RGAC
	b. IRVINE / SUNNY OAKS RGAC
15.	DEVELOPMENT OF REGIONAL IMPACT AND FLORIDA QUALITY DEVELOPMENT MAP 'H'
	MASTER PLANS (DRI/FQD)
	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
	f. THE VILLAGES OF MARION FQD
	g. VILLAGE OF RAINBOW SPRINGS DRI

Policy 1.1.3: Accommodating Growth

The County shall designate on the Future Land Use Map sufficient area in each land use designation to distribute development to appropriate locations throughout the county. This shall be in coordination with and 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 environment and natural resources.

1 **Policy 1.1.4: Private Property Rights**

2 The County shall recognize and protect private property rights in the creation and implementation of land
3 use regulations and other government actions; and shall provide compensation or other appropriate relief
4 as provided by law, for actions by the County that are determined to be unreasonable uses of the police
5 power so as to constitute a taking
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7 **Policy 1.1.5: Higher Density/Intensity Uses**

8 The County shall require higher densities and intensities of development to be located in Urban Areas,
9 whether inside or outside the Urban Growth Boundary, or other areas where public or private facilities and
10 services are required to be available.
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12 **Policy 1.1.6: Buffering of Uses**

13 The County shall require new development or substantial redevelopment to provide buffering to address
14 compatibility concerns and reduce potential adverse impacts to surrounding properties, as further defined
15 in the LDC.
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17 **Policy 1.1.7: Discourage Strip Commercial and Isolated Development**

18 The County shall discourage scattered and highway strip commercial development by requiring the
19 development of such uses at existing commercial intersections, other commercial nodes, and mixed use
20 centers with links to the surrounding area.
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22 **Policy 1.1.8: Antiquated Subdivision Strategy**

23 The County shall continue to support efforts and programs, such as the Transfer of Vested Rights (TVR),
24 that encourage antiquated subdivisions, where the necessary infrastructure and services is not available
25 or planned to occur, to be set aside as preservation areas, used for agricultural activities, redeveloped as
26 large lot residential uses consistent with the Rural Area, or developed at the platted densities at a time
27 when public facilities and services are made available to subdivisions.
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29 **Policy 1.1.9: Density and Intensity Averaging Allowance**

30 The County shall allow for residential density and non-residential (commercial and industrial) averaging over
31 two or more parcels with multiple Future Land Use designations. A PUD Zoning change shall be required to
32 utilize this allowance as follows, with criteria further defined in LDC:
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- 34 1. **Density Averaging:** The number of residential units in the combined parcels must be less or equal
35 to the total residential units in individual residential parcels.
- 36
- 37 2. **Intensity Averaging:** The intensity of non-residential uses must be less or equal to the intensities in
38 the individual parcels.
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40 **GOAL 2: ALLOCATION AND DISTRIBUTION OF LAND USES**

41 **Allow for a mix of uses to meet the population growth and economic development needs**
42 **throughout the County by identifying appropriate areas for residential, commercial, industrial,**
43 **public, recreation and open space, and conservation.**
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45 **OBJECTIVE 2.1: FUTURE LAND USE DESIGNATIONS**

1 To implement development patterns that promote a variety of residential, non-residential, and
2 mixed use development to meet the needs of the community, the County shall adopt future land
3 use designations that allow for mix of uses throughout the County.
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5 **Policy 2.1.1: Supply and Allocation of Land**

6 The County shall designate future land uses on the Future Land Use Map to accommodate needs identified
7 within the Comprehensive Plan supporting document (i.e., Data, Inventory & Analysis) and allow for a
8 sufficient allocation of land and land uses to allow for development based on market potential.
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10 **Policy 2.1.2: Land Use Requirements**

11 The Future Land Use Map Series shall designate areas for the uses listed in Table 2-1 and shall not exceed
12 the maximum density and intensity contained in the Table, unless density and/or intensity bonus points
13 are obtained for development. Density and intensity shall be calculated on a gross acreage basis unless
14 otherwise noted.
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16 **Policy 2.1.3: Density and/or Intensity Bonus**

17 The County shall allow for density and intensity bonus to occur within all Future Land Use designations
18 that are within the UGB and Urban Areas consistent with the County's Transfer of Rights Programs in
19 Objective. 9.1.
20

21 **Policy 2.1.4: Open Space Requirement**

22 A minimum of 350 square feet of open space for each residential lot shall be required in either a single or
23 linked multiple tracts, to the greatest extent possible, within residential development and the open space
24 shall be accessible to all residents within the development.
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26 **Policy 2.1.5: Permitted and Special Uses**

27 The County shall identify permitted and special uses for each land use designation and zoning
28 classification, as further defined in the Comprehensive Plan, Zoning, and LDC.
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30 **Policy 2.1.6: Community Facilities in Rural Areas**

31 Community facilities, such as schools, churches, synagogues, community centers and day-care centers
32 may be located in Rural Areas outside of Rural Communities, Hamlet developments, and Cluster Density
33 Bonus developments by means of the Special Use Permit process, as further defined in the LDC.
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Table 2-1: Summary of Future Land Use Designations *

FLU	DENSITY	FAR	USES
RURAL AREAS (Inside and Outside UGB)			
RESIDENTIAL USES			
Rural Land (RL)	0 – 1 du/10 ac	N/A	Agriculture, Residential, Conservation, and authorized density exceptions with and/or without providing Permanent Open Space
NON-RESIDENTIAL / MIXED USES			
Rural Activity Center (RAC)	0 - 2 du/ac	0 – 0.35	Office, Commercial, Public, Recreation, Residential
Rural Community (RC)	0 - 3 du/ac	0 – 0.70	Residential, Commercial, Industrial, Public, Recreation & Permanent Open Space, Preservation
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 – 6 du/ac	0 – 1.0	Office, Commercial, Public, Recreation, Residential, Campgrounds, RVP
Employment Center (EC)	0 - 12 du/ac	0 – 2.0	Office, Commercial, Industrial, Public, Recreation, Residential, Campgrounds, Recreational Vehicle Park (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

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NOTE:

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* 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.

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Policy 2.1.7: Landfills

The County shall allow landfills under the following conditions:

1. **New Landfills:** As of January 1, 2002, no new landfills, except for Construction and Demolition (C&D) landfills, shall be permitted in the County.
2. **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.
3. **Requirements:** All landfills shall require a Special Use Permit (SUP) and comply with the location criteria identified in Policy 1.2.5 of the Solid Waste Element.

Policy 2.1.8: Wells and Wellfields (> 100,000 GPD)

The County shall implement and maintain a LDC 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 the well/wellfield and its concurring Well/Wellfield Protection Area and 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, FS. Upon satisfactory conclusion to the SUP consideration, the well and/or wellfield shall be added to FLUE Series Map #2, *Well & Wellhead Protection Areas*, with the next available administrative Comprehensive Plan Amendment Cycle.

Policy 2.1.9: School Siting Criteria

The County shall allow public schools in all future land use 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 the 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:

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;

- 1 5. Whether existing schools can be expanded or renovated to support community redevelopment
2 and revitalization, efficient use of existing infrastructure, and the discouragement of urban
3 sprawl;
- 4 6. Site acquisition and development costs;
- 5 7. Safe access to and from the school site by pedestrians and vehicles;
- 6 8. Existing or planned availability of, or cost to provide, adequate public facilities and services to
7 support the school, including water and sewer service and transportation facilities;
- 8 9. Environmental constraints that would either preclude or render cost infeasible for the
9 development or significant renovation of a public school site;
- 10 10. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places
11 or designated by the affected local government as a locally significant historic or archeological
12 resource;
- 13 11. The site is well drained and the soils are suitable for development or are adaptable for
14 development and outdoor educational purposes with drainage improvements;
- 15 12. The proposed location is not in conflict with the local government comprehensive plan, storm
16 water management plans, or watershed management plans;
- 17 13. The proposed location is not within a velocity flood zone or floodway, as delineated in the
18 applicable comprehensive plan;
- 19 14. The proposed site can accommodate the required parking, circulation and queuing of vehicles;
20 and
- 21 15. The proposed location lies outside the area regulated by Section 333.03(3), F.S., regarding the
22 construction of public educational facilities in the vicinity of an airport.

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24 **Policy 2.1.10: Agricultural Activities and Uses Within an Urban Area**
25 The County may allow the continuation of existing agricultural activities and uses within the Urban Area
26 as a continuing transitional use until the property is utilized for those uses or types of development
27 allowed by the Future Land Use designation and/or Zoning District, as further defined in the LDC.

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29 **Policy 2.1.11: General definitions for uses:**

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31 1. **Commercial Use:** Any establishment providing goods and services, including but not limited to,
32 retail stores, restaurants/bars, personal services, business services, healthcare facilities and
33 services, professional offices, medical offices, transient travel and lodging facilities, and similar
34 types of uses as further defined by the LDC.
- 35
36 2. **Industrial Use:** Any site or establishment involved in processing, assembly or manufacturing of
37 goods, warehousing, distribution, research and development, resource extraction or processing,
38 transportation, fabrication or similar uses as further defined by the LDC. Industrial uses do not
39 generally involve the direct sale of goods and services to the general public.
- 40
41 3. **Residential Use:** One-family dwellings, two-family dwellings, multi-family dwellings, and various
42 forms of group living and long term care facilities, and similar types of uses as further defined by
43 the LDC.
- 44
45 4. **Permanent Open Space:** For land use designs or designations required to provide permanent
46 open space, open space is defined as undeveloped lands suitable for passive recreation,
47 conservation, and agricultural uses. All portions of the open space shall be maintained in a healthy

1 vegetative state and all agricultural uses and activities shall be consistent with the current best
2 management practices adopted by FDEP, FDACS, and/or the Marion County Board of County
3 Commissioners, whichever is more stringent. The open space shall include at a minimum
4 environmentally sensitive lands and locally significant resources required to be conserved and/or
5 protected when practicable. The open space should be provided in a form which buffers the
6 increased development densities from surrounding lands and supports and/or encourages the
7 formation of wildlife and habitat connections when possible.
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9 **FLUE Policy 2.1.12: Neighborhood Commercial**

10 Neighborhood commercial uses may be permitted within urban residential land use designations (Low,
11 Medium, High, and Urban Residential) as shown on the Future Land Use Map Series provided the
12 commercial uses are compatible with surrounding land uses and do not adversely affect adjacent
13 residential areas or disrupt traffic patterns. These uses are primarily intended to serve the residential
14 areas. These uses are limited to low intensity land usage and site coverage so as to ensure that these uses
15 maintain a well landscaped appearance so as to readily blend with adjacent residential land uses.
16 Allowable neighborhood commercial uses are those that utilize existing residential structures for
17 professional offices. Proposed neighborhood commercial uses that are non-office uses or that would
18 require construction of a new structure will be required to undergo the Special Use Permit process as
19 provided in the LDC or the Planned Unit Development process as provided in the LDC (but is not subject
20 to the minimum lot size requirements thereof). All neighborhood commercial uses must be located along
21 collector roads or minor arterials. Non-office commercial uses shall be restricted to those uses that
22 primarily are to serve the immediate residential areas, promote non-automotive travel, and reduce trip
23 lengths.
24

25 **RESIDENTIAL USES**

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27 **Policy 2.1.13: Rural Land (RL)**

28 This land use designation is intended to be used primarily for agricultural uses, low density residential
29 units on large lots or family divisions and associated housing related to farms or other agricultural-related
30 commercial and industrial uses. The base density shall be (1) dwelling unit per ten (10) gross acres, and
31 the following special provisions shall apply for development not meeting the base density, as further
32 defined in the LDC:
33

- 34 1. **Family Division:** Property within Rural Land may be permitted to be subdivided into one (1) acre
35 lot, as permitted in Chapter 163, F.S. and as further defined in the LDC.
36
- 37 2. **Cluster Density Bonus:** Residential uses in the Rural Areas outside the UGB and not within the
38 Farmland Preservation Area may develop as a cluster density bonus development under the PUD
39 process up to a maximum of one (1) dwelling unit per seven (7) gross acres with a required
40 minimum of 60% permanent open space set aside, as further defined in the LDC.
41
- 42 3. **Hamlets:** Residential uses in the Rural Areas outside the UGB and not within the Farmland
43 Preservation Area may develop as a hamlet development under the PUD process and shall provide
44 a minimum of 60% permanent open space with cluster development in one of the following forms,
45 and as further defined in the LDC:
46
47 a. one (1) dwelling unit per five (5) acres

- 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.

Policy 2.1.14: Low Residential (LR)

This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development along the outer edges of the UGB or Urban Area. The density range shall be up to one (1) dwelling unit per one (1) gross acre, as further defined in the LDC. This land use designation is allowed in the Urban Area.

Policy 2.1.15: Medium Residential (MR)

This land use designation is intended to recognize areas suited for primarily single-family residential units, but allows for multi-family residential units to allow for a mix of uses for existing development and new development 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 allowed in the Urban Area.

Policy 2.1.16: High Residential (HR)

This land use designation is intended to recognize areas suited for a mixture of single-family and multi-family residential units to recognize existing and new development that is 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 allowed in the Urban Area.

Policy 2.1.17: 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 allowed in the Urban Area.

NON-RESIDENTIAL / MIXED USES

Policy 2.1.18: Rural Community (RC)

This land use designation is intended to allow for the establishment of self-sufficient, mixed use, and/or unincorporated cities that are master planned communities within the Rural Areas of the county. This designation allows for a mix of residential (single-family and multi-family), commercial, industrial, and other uses that are not permitted within the Rural Area. This type of development shall be required to provide a minimum of 40% permanent open space and be approved with a PUD zoning classification. Properties that are suitable to request this designation shall consist of a minimum of 300 acres or may be allowed to recognize existing unincorporated cities that may be less than 300 acres in size. The density range shall be up to three (3) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 0.75 for non-residential uses, as further defined in this Plan and LDC. This land use designation is allowed in the Rural Area.

Policy 2.1.19: Rural Activity Center (RAC)

This land use designation is intended to encourage and allow for mixed use nodes of residential (single-family and multi-family), commercial uses, and agricultural-related commercial uses to meet the daily needs of residents in the Rural Area to reduce trips to the Urban Areas of the county for daily needs and services. This designation shall be located at intersections 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. 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. In order 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 maximum Floor Area Ratio of 0.35, as further defined by the LDC. This land use designation is allowed in the Rural Area.

Policy 2.1.20: Commercial (COM)

This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to six (6) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Policy 2.1.21: Employment Center (EC)

This land use is intended to provide for a central regional area that allows for a mix of business, enterprise, research and development, light to moderate intensity commercial and industrial, and employment activities. It also allows residential uses that stand-alone or support the commercial and industrial area, and/or provide transitions to surrounding uses and less intense land uses. This land use designation will allow for and encourage mixed use buildings. The density range for residential units shall be up to twelve (12) 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 allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP).

Policy 2.1.22: Commerce District (CD)

This land use is intended to provide for an area where 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 that may be more suited away from residential and other mixed use land use designations with a maximum Floor Area Ratio of 2.0, as further defined by the LDC. This land use designation is allowed in the Urban Area and Rural Area.

Policy 2.1.23: Public (P)

This land use is intended to recognize publicly owned properties intended 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 is 1.0, as further defined in the LDC. This land use designation is allowed in the Urban and Rural Area.

1 **Policy 2.1.24: Preservation (PR)**

2 This land use is intended to recognize publicly or privately owned properties intended for conservation
3 purposes and operated by contractual agreement with or managed by a federal, state, regional or local
4 government or non-profit agency. Development for recreation, scientific research, education and training
5 facilities, public facilities or services, etc. in this designation shall be limited to result in minimal impact to
6 the preservation of the area as allowed under the contractual agreement or management plan, as further
7 defined in the LDC. This land use designation is allowed in the Urban and Rural Area.

8
9 **Policy 2.1.25: Municipality (M)**

10 This land use is intended to identify properties that are located within municipalities in the County.

11
12 **OBJECTIVE 2.2: DENSITY REQUIREMENTS IN ENVIRONMENTALLY SENSITIVE AREAS**

13 Marion County shall specify the land use and density allowed in wetlands, floodplains, contiguous
14 uplands of lakes and rivers, and other environmentally sensitive areas as follows, consistent with
15 this Plan and as further defined in the LDC:

16
17 **Policy 2.2.1: Wetlands**

18 For areas designated as Urban Area on the Future Land Use Map that are wetlands the base density shall
19 be one (1) unit per five (5) acres.

20
21 **Policy 2.2.2: 100-Year Flood Plain**

22 For areas designated as Urban Area on the Future Land Use Map that are within 100-year flood plain, the
23 base density shall be one (1) unit per acre.

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25 **Policy 2.2.3: Uplands Adjacent to Waterbodies**

26 For areas that are contiguous uplands of lakes, rivers, and other water bodies within Urban Areas as
27 designated on the Future Land Use Map, densities in these areas shall be at no more than two dwelling
28 units per gross acre if aerobic septic systems are used and no more than one dwelling unit per gross acre
29 if conventional septic systems are used. In upland areas where central wastewater systems are available
30 and utilized, density may be at the density allowed by the underlying land use category.

31
32 **Policy 2.2.4: Rural Areas with Environmentally Sensitive Areas:** Underlying densities shall apply to
33 development in the Rural Areas and clustering away from environmentally sensitive areas shall be
34 required.

35
36 **Policy 2.2.5: Aggregation of Parcels in Wetlands & 100-Year Flood Plain:** Contiguous parcels of record
37 under common ownership shall be considered in the aggregate and shall be required to aggregate to meet
38 the wetland or floodplain density requirements.

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1 **GOAL 3: PRIORITY DEVELOPMENT AREA(S)**

2 **To direct new development and redevelopment activities to appropriate areas of the County**
3 **in order to provide the necessary public facility and service infrastructure in a cost-effective**
4 **and efficient manner.**

6 **OBJECTIVE 3.1: URBAN GROWTH BOUNDARY (UGB)**

7 To establish one or more boundaries or areas that clearly identifies where Rural Areas, which
8 allow agricultural activities and low residential development to occur, and where Urban Areas,
9 which allow for compact, higher density and intensity residential and non-residential
10 development, and where long-term capital improvements for Urban Areas shall be directed to
11 create compact and efficient development patterns and allow for sufficient growth opportunities
12 to maintain the County’s long-term viability.

14 **Policy 3.1.1: Establishment of UGB**

15 The County FLUM Series, Map #1, *Marion County 2035 Future Land Use Map*, designates an UGB that
16 reinforces the preferred land use patterns of Marion County through policies that are designed to effectively
17 discourage the proliferation of urban sprawl. The establishment and maintenance of the UGB shall be
18 accomplished through the following standards:

- 19
- 20 1. The UGB shall be established to encompass a sufficient supply of urban designated land to support
- 21 projected demand for the horizon of the plan, less the supply generated from vested subdivisions
- 22 (DRIs, FQDs, etc.) and Rural Land
- 23 2. All new development within the UGB shall be served by central water and wastewater, whether it
- 24 is provided by the county, municipality, or private provider;
- 25 3. All land contained within an UGB delineated on the Future Land Use Map shall be treated as one
- 26 single urban area for the purposes of these policies;
- 27 4. Any parcel of land that overlaps the UGB by more than 50% by area shall be considered inside the
- 28 Boundary. Likewise, any parcel that overlaps the UGB by 50% or less shall be considered outside
- 29 the Boundary;
- 30 5. The County shall conduct a review at least every seven (7) years to assess the need to modify the
- 31 UGB and evaluate the need for public facilities and services within the UGB; and
- 32 6. The County shall encourage development to be concentrated within the UGB.
- 33

34 **Policy 3.1.2: Planning Principles within UGB**

35 The County shall implement long-term planning principles to guide the creation of land use policy and
36 development regulations within the County, which shall be implemented through the policies contained in
37 the County Comprehensive Plan and as further defined in the LDC. These principles shall include:

- 38
- 39 1. Preserve open space, natural beauty and critical environmental areas.
- 40 2. Allow for a mix of land uses to create compact residential, commercial, and employment hubs.
- 41 3. Strengthen and direct development towards existing communities and development.
- 42 4. Encourage compact and mixed use building design.
- 43 5. Foster distinctive, attractive communities with a strong sense of place.
- 44 6. Create walkable and linked neighborhoods.
- 45 7. Create a range of housing opportunities and choices.
- 46 8. Provide a variety of transportation choices.

- 9. Encourage community and stakeholder collaboration.
- 10. Make development decisions predictable, fair and cost effective
- 11. Encourage interconnected development, multi-modal transportation opportunities, links to the surrounding neighborhoods, and alternative transportation routes.
- 12. Establish priority areas for public facility and service infrastructure.

Policy 3.1.3: Modification of UGB

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:

- 1. **Market Demand:** An analysis of the requested expansion or reduction of the UGB shall be provided to show why a change in 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.
- 2. **Contiguity to Existing Urban Development Patterns:** It must be demonstrated that the expansion area is contiguous to existing urban patterns of development.
- 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.
- 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.
- 5. **Urban Sprawl:** It must be demonstrated that the expansion area and development within it will discourage urban sprawl.
- 6. **Water Supply:** It must be demonstrated that there is available water supply for the proposed expansion area.

Policy 3.1.4: Rural Area Outside of UGB

The lands outside of the UGB shall generally be referred to as the Rural Area and development in this area shall be guided by the following principles and as further defined in the LDC:

- 1. Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
- 2. Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area.
- 3. Promote lower densities in outlying rural areas which have infrastructure limitations to development within the planning horizon.
- 4. Establish a framework for appropriate future opportunities and development options including standards that address the timing of future development.

- 1 5. Create a focused strategy for the regulation of mining and resource extraction activity.
- 2 6. Allow for new residential, commercial, and industrial Future Land Use designations with a
- 3 Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the
- 4 LDC.
- 5 7. Rural Activity Centers, Rural Community, and other land use designations and overlays allowed by
- 6 the Comprehensive Plan shall also be permitted in the Rural Area outside of the UGB.

7
8 **Policy 3.1.5: Rural Area and Agricultural Activities within UGB**

9 The County may allow for agricultural activities and low density development that is generally associated
10 within the Rural Area to occur within the UGB. The County shall utilize the goals, objectives, and policies
11 within the Comprehensive Plan, Zoning, and LDC to implement and maintain appropriate strategies and
12 standards for the allowance of agricultural activities and uses within the UGB.

13
14 **Policy 3.1.6: Urban Areas Outside of UGB**

15 The County shall maintain existing Future Land Use designations that have been previously adopted that
16 are outside of the UGB to recognize the vested development rights. The lands outside of the UGB that
17 have a Future Land Use designation other than Rural Land, other designation that addresses rural or
18 agricultural-related activities, or other allowable designation of this Plan may request a Comprehensive
19 Plan Amendment for a designation that would typically be encouraged or permitted only within the UGB.
20 Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan
21 Amendment, analysis to demonstrate the potential need for the creation of a new UGB, and other
22 appropriate documentation in accordance with the UGB, Comprehensive Plan Amendment, and other
23 policy requirements of this Plan.

24
25
26 **GOAL 4: IMPLEMENTATION OF THE COMPREHENSIVE PLAN**

27 **To enable the public to know and understand how the County will implement the goals,**
28 **objectives, and policies of the Comprehensive Plan.**

29
30 **OBJECTIVE 4.1: ADMINISTRATION OF THE COMPREHENSIVE PLAN**

31 The County shall administer and interpret the Comprehensive Plan, Zoning, and LDC and resolve
32 issues that may arise during the development review process in a cost effective, efficient, and
33 timely manner in order to reduce barriers that may unnecessarily discourage economic
34 development activities.

35
36 **Policy 4.1.2: Consistency between Comprehensive Plan, Zoning, and LDC**

37 The County shall amend and maintain an official land use and zoning map, appropriate land use
38 designations and zoning classifications, and supporting LDC that shall be consistent with each other.

39
40 **Policy 4.1.3: Conflicts between Comprehensive Plan, Zoning, and LDC**

41 The Comprehensive Plan shall be the governing document. In the event of conflict between the
42 Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has
43 developed a process to allow a variance or waiver of the regulation where a conflict in regulations occurs
44 in accordance to the Comprehensive Plan, Zoning, or LDC.

45
46

Policy 4.1.4: Interpretation of Boundaries for the Comprehensive Plan

Whenever possible, Comprehensive Plan boundaries shall be 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.

Policy 4.1.5: Select Uses or Activities with Special Requirements

The County shall implement and maintain a LDC that identifies special requirements for select uses and activities, based on issues that may potentially impact the surrounding area and/or environment sensitive areas.

Policy 4.1.6: 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.

GOAL 5: CHANGING THE DEVELOPMENT REGULATIONS

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

OBJECTIVE 5.1: COMPREHENSIVE PLAN AND ZONING CHANGES

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).

Policy 5.1.1: Application Requirements

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.

Policy 5.1.2: Review Criteria - Changes to Comprehensive Plan and Zoning

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, and the County shall review, and make a determination that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

1. Market demand and necessity for the change;
2. Availability and potential need for improvements to public or private facilities and services;
3. Allocation and distribution of land uses and the creation of mixed use areas;
4. Environmentally sensitive areas, natural and historic resources, and other resources in the County;
5. Agricultural activities and rural character of the area;

- 1 7. Prevention of urban sprawl, as defined by Ch. 163, F.S.;
- 2 8. Consistency with the UGB;
- 3 9. Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
- 4 10. Compatibility with current uses and land uses in the surrounding area;
- 5 11. Water Supply and Alternative Water Supply needs; and
- 6 12. Concurrency requirements.

7

8 **Policy 5.1.3: Planning & Zoning Commission (P&Z)**

9 The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning &

10 Zoning Commission, which will act as the County’s Local Planning Agency. The purpose of the advisory

11 board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The

12 County shall implement and maintain standards to allow for a mix of representatives from the community

13 and set standards for the operation and procedures for this advisory board.

14

15 Ex-officio members shall be appointed to the commission consistent with Florida Statutes and other

16 members may be appointed as the County Commissioners deem suitable, such as: Marion County School

17 Board, U.S. Military, Department of Health, and Public Safety (Fire, EMS, Sheriff)

18

19 **Policy 5.1.4: Notice of Public Hearings**

20 The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.

21

22

23 **GOAL 6: PUBLIC INFRASTRUCTURE PLANNING**

24 **The County shall implement and maintain short and long-term strategies in collaboration with**

25 **other local, state, and federal agencies in order to provide public infrastructure to meet the**

26 **population growth and economic developments needs throughout the County.**

27

28 **OBJECTIVE 6.1: COORDINATION OF PUBLIC FACILITIES AND SERVICES**

29 To ensure the provision of public facilities and services in a timely, efficient, and cost-effective

30 manner, that is in coordination with this element. These policies are general summaries of the

31 requirements, which are further specified in their respective elements and capital improvements

32 element.

33

34 **Policy 6.1.1: Public Facilities Guidelines**

35 The County shall locate public facilities and services so as to maximize the efficiency of services provided and

36 minimize their cost, impacts on natural environment and resources, and surrounding uses and land uses.

37

38 **Policy 6.1.2: Concurrency of Services**

39 The County shall require that the development of land be timed and staged in conjunction with the provision

40 of supporting public facilities and services to meet the community needs, consistent with this Plan and LDC.

41

42 **Policy 6.1.3: Central Water and Wastewater Service**

43 The County shall require development within the UGB, Urban Areas, and other developments consistent

44 with this Plan and as required in the LDC to use central water and wastewater. Central water and

45 wastewater treatment facilities shall be constructed in accordance with the Wastewater and Potable Water

46 Elements of this Plan and as further defined in the LDC.

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Policy 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.

Policy 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 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.

Policy 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.

Policy 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.

Policy 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-development conditions consistent with this Plan and as further defined in the LDC.

Policy 6.1.9: Public Schools

The County shall collaborate with the School Board and municipalities to ensure there are adequate school facilities throughout the county 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 so as to cause the Marion County School District to be in 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.

Policy 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, but no later than the issuance of a development order.

Policy 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 with the appropriate Zoning classification or SUP, as further defined in the LDC.

Policy 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 county that may provide similar services or participate in the process to meet the needs of the community.

Policy 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.

GOAL 7: OVERLAY ZONES AND SPECIAL AREAS

The County shall utilize overlay zones and special areas to identify unique spaces 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.

OBJECTIVE 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.

Policy 7.1.1: Establishment of AOZ

The AOZ shall be established as an overlay around publicly owned major airports within the county and shall address the following criteria, but not limited to, as further defined in the LDC:

1. Obstructions due to building or other structure height.
2. Noise, odor, animal congregation, and other nuisances
3. Runway clearance zones at the ends of and extended beyond the runways

Policy 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.

OBJECTIVE 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.

Policy 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.

1 The ESOZ shall be established as an overlay around those areas of the county as adopted in the FLUM
2 Series, Map #11 ESOZ, as further defined in the LDC. The following are a list of areas included in the ESOZ:

3
4 **1. Waterbodies**

- 5 a. **Springs** – Silver and Rainbow Springs
6 b. **Lakes** – At least 200 acres or larger, as further identified in the LDC
7 c. **Spring Runs** – Silver, Rainbow, Salt, Glen, and Juniper Springs
8 d. **Rivers and Streams** – 500 feet landward of the water/wetland edge of perennial wetlands and
9 primary tributaries, as further identified in the LDC

- 10
11 **2. Silver River State Park** - The ESOZ shall include the entire Silver River State Park property.
12

13 **Policy 7.2.2: Permitted Uses**

14 The County shall implement and maintain a LDC to identify permitted and special uses to ensure that the
15 function of a protected natural feature will not be materially impaired, diminished, or harmed by
16 development activities and that the quality of the surface waters or groundwater will not be adversely
17 impacted by the development activities.
18

19 **Policy 7.2.3: Required Site Analysis**

20 The County shall require a site analysis of soil conditions, geologic characteristics, topographic relief,
21 stormwater run-off, identification of existing natural systems on the site, and other pertinent site
22 characteristics to identify the effects of any proposed development or any changes to existing
23 development that increase density or intensity of use as part of the development review process.
24 Additional requirements, as defined in the LDC, shall be required for development that is in excess of forty
25 (40) acres, consists of twenty (20) or more residential units, involves non-residential development, occurs
26 on property with water frontage, or additional information is requested by another local, state, or federal
27 agency, for which the applicant shall comply with such requests prior to approval from the County.
28

29 **Policy 7.2.4: Buffer and Setback Requirements**

30 In order to retain vegetated buffers and adequate setbacks to control erosion and sedimentation into a
31 lake, river, spring, spring run, stream, karst features, and wetlands and thereby protect water quality,
32 promote proper function of septic systems, attenuate flood waters, lessen effects of strong winds, provide
33 privacy, enhance views, and reduce noise and buffers.
34

35 **1. Karst Topography/Features:**

36 Buffer and setback requirements shall be established based on criteria and standards in Policies
37 8.2.8 and 8.2.9 of this element, and as further defined in the LDC.
38

39 **2. Water Boundary Setback Line:**

40 Buffer and setback requirements below shall be applied landward from the water boundary
41 setback line, as further defined in the LDC.
42

43 **Policy 7.2.5: Protection of Littoral Zone Vegetation**

44 The County shall require the protection of the littoral zone vegetation to limit shoreline erosion and limit
45 potential adverse water quality impacts due to development consistent with Florida Department of
46 Environmental Protection (FDEP) requirements.
47

Policy 7.2.6: Stormwater Management

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.

Policy 7.2.7: Development within the Flood Plain

In order to reduce flooding potential for property developed in the ESOZ, the following requirements shall be implemented for development within the flood plain:

1. **Structures** – All structures within the flood plain shall be developed consistent with Policy 7.3.4 of this element.
2. **Compensatory Storage:** One to one compensatory storage is required.
3. **Sewage:** No sewage effluent disposal shall be permitted within the 100-year floodplain.
4. **Density:** Density shall not exceed one dwelling unit per acre.
5. **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.

Policy 7.2.8: Centralized Utilities

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 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.

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.

Policy 7.2.9: On-Site Treatment Disposal Systems (OSTDS)

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.

1. **Enhanced Septic System Requirements:** Where site conditions, such as, slope, soil conditions, infiltration rates, or natural drainage features so require, modified 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.

- 2. **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.
- 3. **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.

Policy 7.2.10: Density and Intensity Limitations

In order 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 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.

- 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:
 - 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.
 - 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.
- 2. **OSTDS are Available:** Density of the development is allowed as follows, until such time as centralized water and wastewater are available for development:
 - a. **Within One-Thousand (1,000) feet of a Waterbody:** The maximum density shall be one dwelling 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 utilized.
 - 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 septic systems, either enhanced conventional or enhanced aerobic are utilized.
 - 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 increase by ten (10) points in two (2) years, it shall be presumed that this water body is under stress due to excess nutrient loading.

d. **Lake Weir:** For the Urban Area and Rural Area surrounding Lake Weir that are within the ESOZ, the following density standards shall apply:

(1) **Urban Area / Uses**

(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 used.

(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 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 used.

(2) **Rural Area / Uses**

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.

Policy 7.2.11: Use of Best Management Practices (BMP)

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.

Policy 7.2.12: Waterfront Lot Tract Width

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.

OBJECTIVE 7.3: FLOOD PLAIN OVERLAY ZONE (FPOZ)

To reduce the exposure of people and property to flooding events.

Policy 7.3.1: Establishment of FPOZ / FEMA Flood Insurance Rate Maps (FIRM)

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 county. These maps are adopted as part of the FLUM Series, Map #5: *Floodplains per 2008 FEMA Maps*.

Policy 7.3.2: Modification of FPOZ

The County shall update the flood plain zones based on map amendment revisions that are 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.

Policy 7.3.3: Protection of FPOZ

The County shall implement and maintain a LDC that require the identification of the flood plain on any proposed development site prior to the issuance of a development order and address 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 in order to minimize property flood damage from a storm event. These restrictions and limitations shall include:

1. Uses and structures within the flood plains;
2. Land filling, grading, and clearing that may cause erosion or inhibit flood waters;
3. Development shall comply with the rules of the National Flood Insurance Program;
4. Septic systems shall comply with the Florida Department of Health rules and other policies of this Plan and the LDC; and
5. Require all subdivisions and site plans to maintain pre-development run-off characteristics and provide compensating storage.

Policy 7.3.4: Structures in the FPOZ

The County shall require all structures to be elevated at least one foot above the 100-year flood 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.

OBJECTIVE 7.4: SPRINGS PROTECTION OVERLAY ZONE (SPOZ)

To provide an additional level of water quality protection for springs and groundwater throughout the county by reducing and managing potential groundwater contamination for water supplies.

Policy 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.

Policy 7.4.2: Modification of SPOZ

The County may update the Primary and Secondary SPZ as additional studies are performed by the county 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.

1 Policy 7.4.3: Permitted Uses

2 The County shall implement and maintain a LDC to identify permitted and special uses to ensure that the
3 function of a protected natural feature will not be materially impaired, diminished, or harmed by
4 development activities and that the quality of the surface waters or groundwater will not be adversely
5 impacted by the development activities.
6

7 Policy 7.4.4: Required Site Analysis

8 In addition to the ESOZ site analysis requirements of Policy 7.2.3 of this element, an assessment of the
9 development impacts on recharge volume and groundwater quality, with emphasis on nitrogen, to assess
10 whether additional measures are needed and can be provided to mitigate potential impacts shall be
11 required for any new development that increases density or intensity of use within the Primary and
12 Secondary SPZ, as applicable to the site.
13

14 Policy 7.4.5: Required Buffer Area

15 Buffer and setback requirements shall be established based on criteria and standards in Policies 8.2.8 and
16 8.2.9 of this element, and as further defined in the LDC.
17

18 Policy 7.4.6: Stormwater Management

19 Stormwater management systems within the SPOZ shall incorporate low-impact development principles,
20 innovative technology to enhance removal and attenuation of nutrients and other pollutants, and sinkhole
21 formation and contamination reduction methods to reduce surface water and groundwater
22 contamination, as further implemented by other policies of this Plan and defined in the LDC.
23

24 Policy 7.4.7: Centralized Utilities

25 Central wastewater facilities shall be the preferred method of wastewater treatment for all development
26 in an SPOZ in accordance to Policy 7.2.8 of this element.
27

28 Policy 7.4.8: On-Site Treatment Disposal Systems (OSTDS)

29 For development where connection to a regional, sub-regional, or alternative wastewater system is not
30 required, then an OSTDS will be required.
31

32 Policy 7.4.9: Use of Best Management Practices (BMP)

33 The County shall require the implementation of Best Management Practices (BMPs) in the SPOZ to protect
34 groundwater quality from contamination due to silvicultural and agricultural activities on properties
35 within the ESOZ, unless otherwise not required and consistent with Policy 8.1.9 of this element.
36

37 OBJECTIVE 7.5: MILITARY OPERATING AREA (MOA)

38 To ensure that future development within the adopted MOA will not negatively impact current
39 and long-term use of the military installation, as listed in the OPNAVINST 3550.1 series, the
40 County will promote health and welfare by limiting incompatible land uses, and allow compatible
41 land uses within such areas.
42

1 **Policy 7.5.1: Establishment of MOA**

2 The MOA shall be established as an overlay for military installations and surrounding area within the
 3 County in the following Sections, Townships, Ranges:

4

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.
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5
 6 **Policy 7.5.2: Review of Development and Changes to MOA Regulations**

7 The County shall enable input from relevant entities regarding the potential impact development may
 8 have to the operations of existing and future military installations within the County during the
 9 development review process as follows:

- 10
 11 1. **Review and Comments on Development:** The County shall request comments from the
 12 appropriate Department of Defense or U.S. Navy officials for any proposed changes to the
 13 Comprehensive Plan, Zoning, LDC, building permits, and other requests that may adversely impact
 14 military facilities and operations. Applicants shall be required to address any issues that may arise
 15 that adversely impact the operations of military installations within the County.
 16
 17 2. **Ex-Officio Membership on Advisory Boards:** The Planning and Zoning Commission and the Land
 18 Development Regulation Commission shall include, as ex-officio members, appropriate
 19 Department of Defense or U.S. Navy representatives, to advise them regarding land use and
 20 zoning issues with the potential to impact military facilities and operations.
 21

22 **OBJECTIVE 7.6: WELLHEAD / WELLFIELD PROTECTION AREA (WHPA)**

23 To protect public water supply wells from incompatible uses.

24
 25 **Policy 7.6.1: Establishment of WHPA**

26 Well/Wellhead Protection Area (WHPA) requirements for a qualified Community Water Systems (CWS),
 27 as defined by Chapter 62-521.200(1), FAC and operated by local governments, community or special
 28 districts, or private utility providers regulated by the Florida Public Service Commission (PSC), shall be
 29 maintained to provide protection of existing and proposed wells and from contamination for the design
 30 life of a the facility. When multiple wells are existing and/or suitably planned for future service, in lieu of
 31 a WHPA for each individual well, a wellfield protection area approach may be used provided the identified
 32 Wellfield Protection Area encompasses all existing and planned wells to be used by the qualified CWS.
 33 Qualified CWS WHPAs are defined and established as listed below and as adopted on the FLUM, Series
 34 Map #2 Well & Wellhead Protection Area:
 35
 36
 37

ZONE	Qualified Community Water System (CWS), Chapter 62-521.200(1), FAC (Municipal/Local Government, Community or Special District, FPSC Regulated Utility)
Primary	≤ 100'
Secondary	> 100' to ≤ 500'
Tertiary	> 500' to ≤ 1,000'

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Policy 7.6.2: Zone Requirements

The County shall implement and maintain a 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.

Policy 7.6.3: Land Use and Development Tracking in WHPA

The Marion County shall implement and maintain a LDC regarding land use and development which require 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.

Policy 7.6.4: Identification and Designation of Wells in WHPA

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 LDC.

OBJECTIVE 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.

Policy 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 LDC that address density and intensity impacts of new development to the surrounding area and uses.

Policy 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.

Policy 8.1.3: Support Agricultural Production

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.

Policy 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.

Policy 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.

Policy 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 as follows:

1. Individual on-site wells as the method of providing potable water;
2. Individual on-site septic systems as the method of disposal of wastewater;
3. New development shall not be designed nor constructed with centralized water or wastewater systems with the exception of:
 - a. Serving existing Urban Area, as of January 1, 2014, that is 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.

Policy 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 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.

Policy 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 traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a

1 detrimental effect on the welfare and safety of the community, as well as the ambiance and rural
2 character.

3

4 **Policy 8.1.9: Silvicultural and Agricultural Activities BMPs**

5 The County shall protect surface water and groundwater quality through the use of BMPs by encouraging
6 use on a voluntary basis, except where BMPs shall be mandatory to protect environmentally sensitive areas
7 or resources that may potentially be impacted by these activities, consistent with Objective 1.2 and policies
8 of the Conservation Element and as further defined in the LDC.

9

10 **OBJECTIVE 8.2: PROTECTION OF NATURAL AND HISTORIC RESOURCES**

11 To preserve and prevent the degradation of natural and historic resources.

12

13 **Policy 8.2.1: Contamination - Standards and Regulations**

14 The County shall provide performance standards for and regulate development activities which contaminate
15 air, water, soil or crops in the LDC.

16

17 **Policy 8.2.2: Mining**

18 The County shall provide criteria and regulate the extraction of natural mineral resources by addressing the
19 following at a minimum, as further defined in the LDC:

20

- 21 1. Requiring mines to meet all Department of Environmental Protection requirements;
- 22 2. Buffering to ensure compatibility with surrounding properties and reduce off-site impacts;
- 23 3. Address impacts to surface and groundwater;
- 24 4. Identify habitat protection areas and listed species on the site;
- 25 5. Phasing schedule and map for the mining activities;
- 26 6. Reclamation plan after mining activities end.

27

28 **Policy 8.2.3: Archeological and Historic Resources**

29 The County shall identify and maintain information about archeological and historic resources which are in
30 need of protection, as specified in associated policies of the Housing Element of this Plan and as shown in
31 the FLUM Series, Map # 10, Archeological and Historic Areas, which is based on information from the Florida
32 Division of Historic Resources.

33

34 **Policy 8.2.4: Wetlands**

35 The County shall implement and maintain a LDC to preserve and protect wetlands in the County and utilize
36 the National Wetlands Inventory, as adopt by the FLUM Series, Map #6 Wetlands, and consistent with the
37 Florida Statutes wetland definition.

38

39 **Policy 8.2.5: Environmental Assessment for Listed Species (EALS) / Listed Species Review**

40 The County shall implement and maintain a LDC that address how the county will assess and protect
41 threatened and endangered plants and animals on properties during land clearing and the development
42 review process. Areas identified for protection shall be required to incorporate measures such as, but not
43 limited to: clustering, increased open space requirements, low density land use and zoning, and mitigation
44 of impacts. The land development review process shall, at a minimum, provide for review under the
45 following instances, as further defined in the LDC:

46

- 1 1. **Development and Land Clearing:** All development or land clearing, except for bona fide silvicultural
2 or agricultural activities, for properties containing more the 40 acres, involving twenty (20) or more
3 residential units, or is located within the ESOZ.
4
- 5 2. **Exemptions from Listed Species Review:** A wildlife and plant survey shall not be required under
6 the following circumstances:
7
 - 8 a. Lands depicted on 1986/87 LANDSAT Satellite Imagery Map or the Cooperative Land Cover
9 SPOT imagery (2010-2013), whichever is more recent, produced by the Florida Fish and Wildlife
10 Conservation Commission (FWC) as: exotic plant communities or barren land.
11
 - 12 b. Silvicultural activities that are part of a resource management plan approved by the appropriate
13 state agency.
14
 - 15 c. Credible information is presented to the County and relevant state agencies that no listed
16 species or important habitat exists on the development site. Such evidence shall be reviewed
17 and comments shall be provided for a final determination on the need or lack of listed species
18 review being required for the development site within 45 days of receiving a request for
19 comment upon a particular exemption. Relevant state agencies shall include, but not limited
20 to, the following:
21
 - 22 (1) Florida Fish and Wildlife Conservation Commission (FWC)
 - 23 (2) U.S. Fish and Wildlife Service (USFWS)
 - 24 (3) Division of Forestry (DOF) of the Florida Department of Agriculture and Consumer Services
 - 25 (4) U.S Forest Service (USFS)
 - 26
- 27 3. **Survey of Listed Plant and Animal Species or Communities:** A survey shall be required to address
28 the types of animals and vegetation, as specified in the LDC, and it shall be conducted by an
29 ecologist, biologist, or similar professional, and include an inventory of listed animals and plants,
30 endangered and threatened species, and species of special concern on the site, including following
31 protocols established by the FWC and USFWS, as follows:
32
 - 33 a. Size and distribution of native habitat
 - 34 b. Listed species' populations
 - 35 c. Feasibility and viability of on-site protection and management of listed species
 - 36 d. Whether or not a wildlife corridor or conservation area exists on-site and evaluate the feasibility
37 of maintaining them
 - 38 e. Appropriateness of mitigating the impacts of development by relocation and/or on-site
39 protection measures for listed species
40
- 41 4. **Findings of Listed Species on Development Site and Required Actions:** The County and the relevant
42 federal and/or state agencies noted within this policy shall implement the following requirements
43 when listed species are determined to be on the development site during land clearing,
44 development review, and construction processes, including maintaining consistency with Chapter
45 68A-27 FAC.:
46

- 1 a. **Protection of Listed Species:** When a site proposed for development or clearing is
2 determined to contain listed species, those listed species and their habitat shall be protected
3 by creating a habitat management plan, inclusive of a conservation easement as required by
4 Section 704.06, FS. or by the designation of a site as permanent open space under an
5 approved management plan, to protect the listed species from the impacts of development
6 or land clearing and demonstrate how viable, sustainable populations shall be maintained.
7 The plan must be prepared by a qualified professional; reviewed by the appropriate
8 regulatory or management agency such as FWC, USFS, USFWS, or DOF; and approved by the
9 County prior to the issuance of a permit or development order.
10
- 11 b. **Mitigation for Listed Species:** If protection would result in the taking of private property or,
12 if after consulting the relevant federal and/or state agencies, the County Commissioners
13 determine that mitigation will result in a greater benefit to the relevant species and habitat,
14 mitigation shall be required as a condition of a development order or permit. The method of
15 protection required by the County shall be determined on a case-by-case basis and shall be
16 directly related to the following criteria, whether on or off-site:
17
- 18 (1) Number and types of listed species present or presumed to be present on the site as
19 determined by a site survey;
 - 20 (2) Size, type, quality, and location of habitat;
 - 21 (3) Life cycle needs supplied by the habitat, i.e., nesting, roosting, breeding, foraging, etc.;
 - 22 (4) Size of the habitat in relation to the size of the site proposed for development or land
23 clearing; and
 - 24 (5) Location of the site and habitat in relation to existing or proposed wildlife corridors,
25 designated conservation areas, lands with conservation easements, or natural
26 reservations;
- 27
- 28 c. **Additional Requirements for Off-Site Mitigation:** When it is determined by the County that
29 alternative off-site actions will provide equivalent or better protection or viability for affected
30 listed species or habitat, the County has the option of allowing an applicant to meet the
31 requirements of one or more of the following options:
32
- 33 (1) Monetary contribution to the Parks and Environmental Land Acquisition Program (PELAP)
34 for the acquisition of environmentally sensitive lands within the County, and the funds
35 shall be applied to lands that are known to contain viable populations of listed species or
36 habitat similar in type and quality to that on the site proposed for development or
37 clearing.
 - 38 (2) Species relocation to similar habitat on protected lands, which must be approved by the
39 appropriate state regulatory or management agency.
 - 40
 - 41 (3) Land that is within or contiguous with the Ocala National Forest, Cross Florida Greenway,
42 Silver River State Park, Rainbow River State Park, St. Johns River Water Management
43 District lands, or other Preservation designated land within the County can be acquired
44 and donated to the appropriate managing agency. Lands donated under this option must
45 be of equivalent acreage and contain listed species habitat of the same type and value as
46 that upon the proposed development site.
- 47

(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.

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 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 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.

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 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.

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.

Policy 8.2.6: Open Space

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.

Policy 8.2.7: Density and Intensity of Development

The County shall consider the appropriate density and intensity of development based on the conditions of the site, including the impact on natural and historic resources, as further defined in the LDC.

Policy 8.2.8: Karst Topography/Features and High Recharge Area (HRA)

The County shall implement and maintain a LDC that address 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 essential. The LDC shall include, but not limited to the following:

- 1
- 2 1. Impervious surface area
- 3 2. Stormwater management
- 4 3. Hazardous materials
- 5 4. Vegetation and buffering requirements
- 6 5. Alternative and innovative designs
- 7 6. Inadequate sediment coverage
- 8 7. Wastewater effluent
- 9 8. Permitted and prohibited uses
- 10 9. Landscape and open space practices, including fertilization and irrigation
- 11 10. Solid waste
- 12 11. Construction and Demolition (C&D) landfill

13
14 **Policy 8.2.9: Buffers for Karst Topography/Features**

15 The County shall require buffers to address potential groundwater contamination that could occur due to
16 development near karst features. These minimum buffer widths may be reduced if the applicant
17 demonstrates that: a) a narrower buffer can be calculated using the “Design Methodology for Calculating
18 Buffer Width Based on Infiltration”, as set forth in the *Applicant’s Handbook for Regulation of Stormwater*
19 *Management Systems*, SJRWMD 2005, as amended, in which case the width shall be at least the calculated
20 value; or b: for lots of record, the lot size is too small to accommodate permitted development in compliance
21 with the minimum width, in which case the applicant shall, as an alternative, design and construct a
22 vegetated swale and or berm that effectively prevents drainage to the karst feature. Karst buffers shall be
23 maintained in permanent natural vegetative cover.

24
25 **Policy 8.2.10: Setback from Cross Florida Greenway**

26 Additional setbacks shall be required that are in proportion to the density and intensity of development
27 adjacent to the Cross Florida Greenway, as further defined in the LDC.

28
29
30 **GOAL 9: PROTECTION OF FARMLAND IN THE RURAL AREA**

31 **To protect farmland in the Rural Area by allowing properties to continue to be utilized for**
32 **agricultural activities while providing opportunities for property owners to obtain transferrable**
33 **development credits that can be utilized to encourage development within the UGB and Urban**
34 **Areas that are more suitable for higher density and intensity development.**

35
36 **OBJECTIVE 9.1: TRANSFER OF RIGHTS PROGRAMS**

37 The County shall implement transfer of rights programs designed to protect natural resources,
38 especially those identified in the Conservation Element and locally important and prime farmlands
39 within the County. These resources include, but are not limited to, the preservation of high water
40 recharge and underground drainage basins, springs, karst areas, sinkholes, sinks, sinkhole ponds,
41 and other karst features.

42
43 **Policy 9.1.1: Maximum Density and Intensity Bonus with Transfer of Rights Programs**

44 The County shall allow for density and intensity increases with the Transfer of Rights Programs as follows:

45

- 1 1. **Density Bonus:** A maximum of two (2) dwelling units per one (1) gross acre is permitted. The
 2 number of Transferrable Development Credits (TDC) required shall comply with the Transfer of
 3 Rights Programs. If property developed with the density bonus cannot meet the appropriate
 4 Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD zoning shall
 5 be required.
 6
- 7 2. **Intensity Bonus:** A maximum increase of the maximum Floor Area Ratio (FAR) of 0.25 is
 8 permitted. The number of Transferrable Development Credits (TDC) required shall comply with
 9 the Transfer of Rights Programs. If property developed with the intensity bonus cannot meet the
 10 appropriate Zoning development standards, such as setbacks, minimum lot size, etc., then a PUD
 11 zoning shall be required.
 12
- 13 3. **Combination of Density and Intensity Bonus:** If both density and intensity of development are
 14 utilized, then a PUD zoning shall be required to develop the site consistent with the above
 15 requirements of this policy.
 16

17 **Policy 9.1.2: Transfer of Development Rights (TDR) Program**

18 The County shall implement and maintain a TDR Program that allows the conservation of Rural Land
 19 designated lands in exchange for Transfer of Development Credits (TDC) that can be utilized in Urban Areas
 20 within and outside the UGB and other areas as allowed by this program or Plan.
 21

22 **Policy 9.1.3: Transfer of Vested Rights (TVR) Program**

23 The County shall implement and maintain a TVR Program that allows the conservation of Rural Land
 24 designated lands that have been platted into residential subdivision prior to the implementation of the
 25 Comprehensive Plan, Zoning, and/or LDC by abandoning wholly or partially of development rights in
 26 exchange for TDCs that can be utilized in Urban Areas within and outside the UGB and other areas as allowed
 27 by this program or Plan.
 28

29 **Policy 9.1.4: Establishment of Sending Areas**

30 The County shall designate the following as Sending Areas:
 31

32 1. **TDR Program**

33

34 a. **Farmland Preservation Area (FPA):** The FPA is a boundary that automatically qualifies
 35 properties designated Rural Land as being within the Sending Area due to the concentration of
 36 agricultural activities and designated locally important and prime farmland areas. The FPA is
 37 shall be shown on the FLUM Series, Map #13, *Transfer of Rights*.
 38

39 b. **Rural Land Properties Outside of FPA:** Rural Lands outside the FPA that are shown on FLUM
 40 Series Map #13, *Transfer of Rights* and within an unincorporated area, which demonstrate the
 41 presence of, and are accepted by the County as having the resources listed in Policy 1.1.2 of
 42 Conservation Element, and are a minimum of 30 acres in size. The applicant shall be required
 43 to demonstrate that the property meets the intent for conservation for this program.
 44

45 2. **TVR Program**

46 a. Parcels of record; or
 47

- b. Antiquated subdivisions; or
- 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.

3. **Exceptions:**

- a. Rural Land designated properties within the UGB are considered Receiving Areas.
- 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.

Policy 9.1.5: 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. Family Division of properties with a minimum of one (1) dwelling unit per one (1) gross acre shall be permitted as allowed in this element and as further defined in the LDC.

Policy 9.1.6: Minimum Requirements to Obtain TDCs

Property owners interested in participating in the Transfer of Rights Programs shall submit an application that meets, but not limited to, the following requirements:

- 1. **Conservation Easement:** A conservation easement shall be encumbered on the property and the following additional requirements shall apply:
 - a. **TDR Program:** Residential dwelling units, including family divisions, and non-residential uses, except for bona fide agriculture-related structures or those approved by the conservation easement shall be prohibited.
 - b. **TVR Program:** An existing residence in the conservation area may be permitted, but no additional development of the site shall be permitted.
- 2. **Minimum Parcel Size:**
 - 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.
 - 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.
- 3. **Transfer Rate:** The Transfer of Development Credits (TDC) transfer rate shall be as follows for both the TDR and TVR Programs:

- a. Residential Units: one (1) dwelling unit per one (1) gross acre.
- b. Non-Residential Square Footage: 0.005 Floor Area Ratio (FAR) per one (1) gross acre.

4. **County Commissioner Approval:** Transfer Development Credits (TDCs) may only be approved by the Board of County 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.

Policy 9.1.7: Receiving Areas

The receiving areas shall include unincorporated areas as shown in FLUM Series Map #13, *Transfer of Rights*, as further described below for the TDR and TVR Programs:

1. LEVEL I – All residential and non-residential properties within the UGB;
2. LEVEL II – All properties designated Rural Land and located within the UGB; and
3. LEVEL III – All properties formerly designated as Urban Reserve, as of January 1, 2010, that are located outside the UGB.

Policy 9.1.8: Utilization of TDCs

Transfer rates for the Receiving Areas shall be assigned as follows for the TDR and TVR Programs:

1. **Receiving Areas:** TDCs may only be utilized within the designated Receiving Areas.
2. **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:
 - a. **For Residential Units:** One (1) TDC equals one (1) dwelling unit with a maximum of two (2) dwelling units above the allowable density of land use designations in the policies of Objective 2.1.
 - b. **For Non-Residential FAR:** One (1) TDC equals 0.005 FAR with a maximum increase in FAR of 0.25 above the allowable FAR in the policies of Objective 2.1.
3. **Verification of TDCs:** The County will verify that 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.
4. **Allowances in Receiving Areas:** The TDCs may be utilized to the residential and non-residential development densities and intensities in accordance to Objective 2.1 of this element:
 - a. **LEVEL I** – Residential densities and non-residential intensities within the UGB can utilize TDCs as allowed by this element.
 - 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.

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.

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.

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.

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.

Policy 9.1.9: Land Use Amendment to Recognize Increased Density and Intensity

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.

Policy 9.1.10: Methods to Increase Development Density and Intensity

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.

Policy 9.1.11: Tracking System

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 available for use, and where the TDCs have been utilized to increase density and intensity of properties.

Policy 9.1.12: 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.

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.

OBJECTIVE 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.

Policy 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.

Policy 10.1.2: Vesting of DRI-Scale Developments

Within those areas identified as Approved DRI-Scale Developments in 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.

Policy 10.1.3: DRI/FQD Development of Regional Impact or Florida Quality Development

This provision identifies and relates to development projects approved consistent with Chapter 380, F.S., and Rules 9J-2 and 9J-28, F.A.C., 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, 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 DO/ADO and Map H are amended or modified consistent with provisions of the existing DO/ADO and Map H, 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 and DO/ADO and Map H prior to the land use map being updated by the County.

Policy 10.1.4: Aggregation of Parcels of Record or Residential Lots

Exceptions to the densities required in the Future Land Use Element shall be allowed for parcels meeting the following criteria:

1. **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

1 complies with the applicable building codes and zoning regulations, and which existed on or
 2 before January 1, 1992, and under one ownership as of August 11, 1993, as defined below:
 3

- 4 a. Parcels recorded or registered and parcels shown on all other unrecorded subdivisions, plats,
 5 or surveys in existence as of August 14, 1970, as provided in Chapter 70-803, Laws of Florida
 6 (1970); or
- 7 b. Parcels shown as a specific lot, parcel, or tract which parcel was created on or before January
 8 1, 1992 and recorded in the public records of Marion County, Florida; or
- 9 c. Parcels in subdivisions approved by the Board of County Commissioners and recorded prior
 10 to January 1, 1992; or
- 11 d. Parcels located in unrecorded subdivisions or registered divisions of land into "flag lots", as
 12 that term is commonly known in the County, where parcels were filed and accepted by the
 13 County and existing as of January 1, 1992.

- 14
- 15 2. **Non-Contiguous Parcels of Record:** An exception to the densities required in this element shall
 16 be allowed for parcels created on or before January 1, 1992, under one ownership, and evidenced
 17 by a properly executed deed or contract for deed held by the purchasing party, as of August 11,
 18 1993 for the purpose of constructing one single-family residential unit. The deed or contract for
 19 deed shall be recorded in the public records on or before August 11, 1993 or proven by clear and
 20 convincing evidence to have been in existence on or before August 11, 1993. Clear and convincing
 21 evidence shall require a copy of the document, properly executed, and copies of canceled checks
 22 or other proof of payments having been made prior to August 11, 1993.

23

24 Non-contiguous parcels means parcels that do not have any common property lines, including
 25 parcels which have common property lines and would otherwise be considered contiguous but
 26 are separated by unplatted roads or streets which have been dedicated for public use or
 27 prescriptive easements for road right-of-way purposes.

- 28
- 29 3. **Contiguous Parcels of Record:** In limited cases, an exception to the densities required in this
 30 element shall be allowed for parcels created on or before January 1, 1992 and under one
 31 ownership, as described above, under 1. Parcels of Record, as of August 11, 1993 may qualify for
 32 an exception.

33 Contiguous parcels means parcels with at least one common property line. If a parcel is
 34 contiguous to other parcels owned by the same owner or entity, then such owner or entity must
 35 aggregate the parcels to meet the underlying density established in this Comprehensive Plan to
 36 the greatest extent possible.

- 37
- 38 4. **Recorded and Unrecorded Subdivisions:** An exception to the densities required in this element
 39 shall be allowed for parcels as follows, consistent with the contiguous and non-contiguous parcels
 40 of record requirements above:

- 41 a. Parcels within a phase of the subdivision which have met the applicable conditions set forth
 42 below prior to January 1, 1992 shall be permitted to develop at the density established for
 43 that subdivision, provided that all Chapter 10D-6, F.A.C. requirements and all other
 44 requirements of this Comprehensive Plan are met. Those subdivisions not meeting the
 45 requirements listed below will be required to aggregate parcels to meet the density
 46 requirements of this Plan; or
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- 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
- 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
- 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:
 - (1) At least 85 percent of the total number of lots are sold if the subdivision was created in 1982 or before;
 - (2) At least 60 percent of the total number of lots are sold if the subdivision was created from 1983 to 1987 inclusive;
 - (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:
 - (a) At least 50 percent of the total number of lots are sold if the subdivision was created in 1988; or
 - (b) At least 50 percent (50%) of the total number of lots are sold by 1994 if the subdivision was created in 1989; or
 - (c) At least 50 percent (50%) of the total number of lots are sold by 1995 if the subdivision was created in 1990; or
 - (d) At least 50 percent (50%) of the total number of lots are sold by 1996 if the subdivision was created in 1991; or
 - (e) At least 50 percent (50%) of the total number of lots are sold by 1997 if the subdivision was created in 1992.

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.

- 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.
- 6. **Appeals:** The County shall implement an appeal procedure, as further defined in the LDC.

Policy 10.1.5: County Recognition of Pre-Existing Development

The County shall insure that conforming commercial and industrial uses existing as of April 7, 1994, the initial adoption date of the plan, shall be considered conforming uses.

- 1. **Proof of Development:** Property owners shall be required to provide sufficient documentation to the County to obtain a conformity letter for such existing development.

- 2. **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.
- 3. **Subdivision of Property with Pre-Existing Use(s):** Should the property which 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 which 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.
- 4. **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.
- 5. **Appeals:** The County shall implement an appeal procedure as further defined in the LDC.

Policy 10.1.6: Non-Conforming Uses and Structures

The County shall implement and maintain a LDC that address 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:

- 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:
 - 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.
- 3. **Use of Non-Conforming Structure:** A non-conforming use may not operate within a non-conforming structure.
- 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 lesser 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.

5. **Abandonment of Use:** The re-establishment of non-conforming uses that have been discontinued or abandoned shall be prohibited.

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.

OBJECTIVE 10.2: INFILL AND REDEVELOPMENT

To encourage the infill and redevelopment to maintain and enhance neighborhood viability, revitalize urban corridors, and discourage urban sprawl.

Policy 10.2.1: SPECIAL AREA PLANNING

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.

Policy 10.2.2: REDEVELOPMENT PARTNERSHIPS

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.

Policy 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.

OBJECTIVE 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.

Policy 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 which is also consistent with Rule 28-24.014(10), F.A.C. and Chapter 380.06(2)(e), F.S.

Policy 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, a RGAC shall promote a compact urban form which will be less dependent on automobile use, discourage urban sprawl, and promote sustainable land use patterns.

Policy 10.3.3: Master Plan Requirements for RGAC

The adoption of a Comprehensive Plan Amendment for RGACs shall include a Master Plan that promotes the physical and functional integration of a mixture of land uses that addresses, at a minimum, the following:

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.

Policy 10.3.4: Adoption of RGAC on the FLUM

The following RGACs have been adopted on the FLUM, as further shown on the FLUM Series, Map #1 and Map#14:

1. MARION OAKS / MCGINLEY REGIONAL ACTIVITY CENTER (RGAC)

Location: Surrounded by the Marion Oaks Subdivision, on the south side of Hwy 484.
 Size: Approximately 1,290 acres
 Parcel IDs: 41200-056-00, 41200-056-02, 41200-056-03, 41205-000-00, 41205-000-01

Range of Uses:

- a. Employment Center (Commercial - Retail/Office/Light to Heavy Business, Light Industrial, and Residential – single and multi-family units [0 to 12 du/ac]): 570 acres and maximum FAR: 2.0
- b. Commerce District (Heavy Commercial and Industrial; Retail/Office/Light to Moderate Business): 385 acres and maximum FAR: 2.0
- c. High Residential (Single and Multi-Family Units - 4 to 8 du/ac): 150 acres
- d. Urban Residential (Single and Multi-Family Units – 8 to 16 du/ac and accessory commercial uses): 183 acres

Conceptual Plan: Marion Oaks / McGinley Regional Activity Center (RGAC)

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:

- a. Employment Center – 150 acres
 - 1. Residential: 41.7 acres with 250 units (6 du/ac)
20.8 acres with 250 units (12 du/ac)
 - 2. Commercial/Industrial: 87.5 acres with FAR of 2.0
- b. Commerce District – 303 acres with FAR of 2.0

Conceptual Plan: Irvine / Sunny Oaks Regional Activity Center (RGAC)

OBJECTIVE 10.4: INNOVATIVE PLANNING STRATEGIES

To develop and enforce innovative planning techniques and 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.

Policy 10.4.1: Traditional Neighborhood Design (TND)

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, but not limited, to the following design principles, as further defined in the LDC:

- 1. **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.
- 2. **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.
- 3. **Walkable Streets:** Integrated neighborhoods and compact development that designs a community based on reasonable walking distances, the location of parking, and the design of streetlights, signs, and sidewalks.
- 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.
- 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.

Policy 10.4.2: Transit-Oriented Design (TOD)

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

1 employment-oriented businesses and higher-density residential uses, adjacent to transit stops, that
2 address, but not limited to the following, as further defined in the LDC:

- 3
- 4 1. Establishment of block lengths
- 5 2. Building setbacks and orientation to the street
- 6 3. Establishing minimum density and floor area ratio
- 7 4. Uses that support public transportation and walkability
- 8 5. Reduction in parking requirements and encourage shared parking
- 9 6. Strategies that reduces the usage of automobiles and allows for non-automobile areas
- 10 7. Includes design of multi-modal transportation and interconnection links within development and
11 surrounding areas
- 12 8. Open-space requirements
- 13 9. Architectural or building form guidelines
- 14 10. Utilization of form-based codes
- 15

16 **Policy 10.4.3: Context-Sensitive Design for Roadway Corridors**

17 The visual and functional characteristics of streets are important in the design of the community. The
18 following, but not limited to, design principles for the road network shall be encouraged to be used
19 throughout the County, as further defined in the LDC:

- 20
- 21 1. Streets should be designed as a part of the public realm with amenities;
- 22 2. Streets should be designed to accommodate a mix of travel modes, including vehicles, bikes,
23 transit, and pedestrians;
- 24 3. Streets should be designed holistically considering the pavement, curbing, bikeways,
25 pedestrianways, lighting, signs, front-yard setback areas, and building facades; and
- 26 4. Neighborhoods may connect to adjacent activities, subdivisions, and neighborhood-serving
27 businesses through the design of a street and pedestrian system and traffic-calming measures
28 where appropriate.
- 29 5. Creative and integrated designs for stormwater retention systems and fencing.
- 30

31 **Policy 10.4.4: Joint Planning and Interlocal Agreements**

32 The County shall utilize joint planning and interlocal agreements to collaborate with the municipalities,
33 School Board, and other entities to address community needs on a regional basis as needed for such
34 activities, but not limited to, as follows:

- 35
- 36 1. Annexations
- 37 2. Extra-territorial jurisdiction
- 38 3. Coordination of public facilities and services
- 39 4. Review opportunities for development activities that may impact other jurisdictions
- 40 5. Shared-use facilities and services
- 41 6. Exchange of information, data, ordinances, resolutions, etc.