



Marion County

Land Development Regulation Commission

Meeting Agenda

Wednesday, July 1, 2026

5:30 PM

Marion County Main Training
Room at Growth Services

ROLL CALL AND PLEDGE OF ALLEGIANCE

Acknowledgement of Proof of Publication

1. ADOPT THE FOLLOWING MINUTES

1.1. [June 17, 2026](#)

2. SCHEDULED ITEMS

2.1. [Workshop: Discussion of the Proposed Marion County Land Development Code \(LDC\) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Section 4.3.30 Smoke Shops](#)

2.2. [Workshop: Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Section 4.3.12 Roadside Vendors](#)

3. NEW BUSINESS

3.1. [Next LDRC Workshop - July 15, 2026 at 5:30 p.m. \(Growth Services Main Training Room\)](#)

ADJOURN



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2026-23513

Agenda Date: 7/1/2026

Agenda No.: 1.1.

SUBJECT:

..Title

June 17, 2026

..Body

DESCRIPTION/BACKGROUND:

Minutes from the previous LDRC Public Hearing

..end

The Marion County Land Development Regulation Commission met on June 17, 2026, at 5:30 p.m. in the Board of County Commissioners Auditorium, 601 SE 25th Avenue, Ocala, Florida.

CALL TO ORDER

Chairman David Tillman called the meeting to order at 5:30 p.m.

ROLL CALL & PLEDGE OF ALLEGIANCE

Kimberly Lamb called roll, and the quorum was confirmed.

Board members present were Chairman David Tillman, Vice Chairman Gene Losito, Erica Larson, Robert Stepp, Nate Chambers, and Jimmy Gooding. Richard Busche was not present during the roll call, but the Chair confirmed his attendance on record at 5:39 p.m., immediately after roll and previous minutes were approved.

Staff members present were Chief Assistant County Attorney Dana Olesky, Assistant County Administrator Tracy Straub, Growth Services Director Chuck Varadin, Growth Services Deputy Director Ken Weyrauch, Development Review Coordinators Elizabeth Madeloni and Elizabeth Cotos, Parks & Recreation Director Jim Couillard, Project Coordinator Susan Heyen, Growth Services Administrative Manager Autumn Williams, and Administrative Staff Assistant Kimberly Lamb.

Chairman David Tillman led the Pledge of Allegiance.

Following the adoption of the minutes, Board Member Jimmy Gooding disclosed a conflict of interest regarding the item on this evening's agenda. He noted for the record that he would still participate in the discussion of the item, although he is not a voting member at tonight's hearing.

Chairman David Tillman opened the meeting by welcoming the new board member, Jimmy Gooding, and expressing appreciation for their willingness to serve. He then provided a brief overview of how the meeting would proceed, outlining the order of the agenda items and explaining the process for discussion and public comment.

ACKNOWLEDGEMENT OF PROOF OF PUBLICATION

Kimberly Lamb read the Proof of Publication and advised that the meeting was properly advertised.

1. ADOPT THE FOLLOWING MINUTES

LDRC Board Member Nate Chambers made a motion to adopt the minutes from the June 3, 2026, meeting. The motion was seconded by Board Member Robert Stepp. The motion passed unanimously (5-0).

2. SCHEDULED ITEMS

2.1 PUBLIC HEARING - Presentation and Consideration for Proposed Marion County Land Development Code (LDC) Article 6, Division 7 Tree Protection and Replacement

Jim Couillard, Parks & Recreation Director, opened the discussion regarding this item.

LDRC Board Members voiced their recommendations and comments regarding the current language.

The following member of the public spoke during Public Comment:

1. Paul Sanders – 9862 SW 74th Avenue, Ocala
 - Expressed concern regarding his previously approved PUD if he would have to change it once this code goes into effect. He also questioned his buffer zone and how it would be affected by the developer.

LDRC Board Member Gene Losito made a motion to recommend approval as amended to the Board of County Commissioners Hearing on July 8, 2026. Motion was seconded by Board Member Erica Larson. Motion passed unanimously (6-0)

3. NEW BUSINESS

3.1 Next Public Hearing - Section 6.7: Tree Protection and Replacement Continuation of the BCC Second Public Hearing Scheduled for July 8, 2026, at 9:00 a.m., to be held in the McPherson Governmental Campus Auditorium. Note: The Next LDRC Workshop will be at the Growth Services Main Training Room on July 1, 2026, at 5:30 pm

ADJOURNMENT

The workshop adjourned at 7:06 p.m.

Attest:

David Tillman, Chairman

Kimberly Lamb, Administrative Staff Assistant

Land Development Regulation Commission Attendance Report

2026		January 7	January 21	February 4	February 18	February 25	March 4	March 11	March 25	April 15	May 6	May 20	June 3	June 17	July 1	July 15	August 5	August 19	September 2	September 16	October 7	October 21	November 4	November 18	December 2	December 16
David Tillman	Chairman	X		X	X	X	X	X	X	X		X	X	X												
Chris Howson	Board Member	X	X		X	X	X		X		X															
Gene Losito	Vice Chairman	X	X		X		X			X	X	X	X	X												
Richard Busche	Board Member	X	X	X	X	X	X	X	X	X	X	X	X	X												
Robert Stepp	Board Member		X	X					X			X	X	X												
Erica Larson	Board Member	X			X	X	X	X	X		X	X	X	X												
Nate Chambers	Board Member *As of 1/20/26	*		X	X			X	X	X	X	X	X	X												
Jimmy Gooding	Alt. Board Member *As of 6/17/26	-												*												
Marco Mariti	Alt. Board Member *As of 6/17/26	-																								

- N/A

X Present: attendance is counted towards the quorum

* Alternate Present; attendance not counted towards quorum

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Gooding William James III</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Marion County @ LDNC</i>
MAILING ADDRESS <i>1531 SE 36 Ave</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Ocala FL</i>	COUNTY <i>Marion</i>	NAME OF POLITICAL SUBDIVISION: <i>Marion County</i>
DATE ON WHICH VOTE OCCURRED <i>6/17/26</i>		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Willie Joe Gowdy III, hereby disclose that on ~~7th~~ June 17, 2027:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, See * below;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

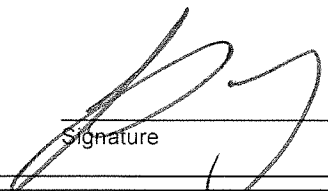
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Article 6, Division 7 of LDC (Tree protection)

** Business associates: Companies owned in whole or in part by Harvey Vandenberg, Chris Drasting, Matt Fabian, + John + Todd Rudnagen*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

6/17/23
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2026-23511

Agenda Date: 7/1/2026

Agenda No.: 2.1.

SUBJECT:

..Title

Workshop: Discussion of the Proposed Marion County Land Development Code (LDC) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Section 4.3.30 Smoke Shops

..Body

DESCRIPTION/BACKGROUND:

Staff have attached the proposed language to add LDC Section 4.3.30 Smoke Shops

..end

LDC CODE UPDATE	
DATE:	July 1, 2026
LDC SECTION:	Section 4.3.30 Smoke Shops
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Text changes to add Section 4.3.30 Smoke Shops are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to where smoke shops are permitted to be located in reference to schools and public parks.</p>	
<p>Additions to the LDC Section</p> <p>Addition to the text of Section 4.3.30 Smoke Shops address the following topics.</p> <ul style="list-style-type: none"> • Identify that the sale of Tobacco and tobacco products or paraphernalia are the primary purpose for the business. • Provide for 1,000’ spacing requirement from all schools and public parks for new smoke shops • Address how the measurement of the 1,000’ is to be conducted • Provide for an opportunity for a Special Use Permit for potential smoke shops that will not meet the spacing requirement. 	
<p>Attachments: Redline LDC Changes to Section 4.3.30 Smoke Shops</p>	

Sec. 4.3.30. Smoke Shops.

- A. No commercial establishment used for the on-premises sale and consumption of tobacco, tobacco products, or tobacco paraphernalia, including providing an area for smoking products as the primary use, but excluding any grocery store, supermarket, convenience store or similar retail establishment that sells products incidental to its principal business, shall be permitted to locate within 1,000 feet of any school, church or public park.
- B. The term "public park" as used in this section shall mean a park open to the general public owned either by Federal, State, County or City Governmental Agencies.
- C. Establishments existing on the effective date of this Code which do not meet the above requirements shall be deemed pre-existing non-conforming uses.
- D. For the purposes of this section a school, church or public park shall be deemed to be existing if all necessary permits for construction have been acquired and remain active.
- E. For purposes of distance limitations, the measurement shall be made by extending a straight line from the nearest building line point of the regulated establishment to the nearest property line point of improved school grounds used as part of the school, or the nearest property line point of the park grounds.
- F. If a school, church or park is located within the limits of an incorporated city or town or within another county and within the vicinity of the smoke shop which is located within unincorporated Marion County, the requirements specified in Sections 4.3.30.A, 4.3.30.B and 4.3.30.E above shall apply.
- G. An applicant may request a SUP for an establishment proposing sales of tobacco, tobacco products, or tobacco paraphernalia, including providing an area for smoking products, but excluding any grocery store, supermarket, supermarket, convenience store or similar retail establishment that sells products incidental to its principal business, where the above referenced spacing requirements cannot be met. Notification of all school, church or public park facilities within the prescribed spacing distances above is required.



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2026-23512

Agenda Date: 7/1/2026

Agenda No.: 2.2.

SUBJECT:

..Title

Workshop: Discussion for Proposed Marion County Land Development Code (LDC) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Section 4.3.12 Roadside Vendors

..Body

DESCRIPTION/BACKGROUND:

have attached the proposed language to update LDC Section 4.3.12

..end

LDC CODE UPDATE	
DATE:	May 20, 2026
LDC SECTION:	Section 4.3.12 Roadside Vendors
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Text changes to Section 4.3.12 Roadside vendors are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to when a roadside vendor operation would require approval under a Minor Site Plan or Major Site Plan.</p>	
<p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.3.12 Roadside Vendors address the following topics.</p> <ul style="list-style-type: none"> • Correct the reference to the permitting agency name from the “Florida Department of Business and Regulation, Division of Hotels and Restaurants” to the “Florida Department of Business and <u>Professional</u> Regulation, Division of Hotels and Restaurants.” • Clarify what qualifies as a roadside vendor by removing the descriptor, “cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood” and replacing it with “Hot Dog Cart or Mobile Food Dispensing Vehicle (aka “Food Truck”).” This change makes the LDC consistent with State definitions and terms. • Add requirements for <u>Special Use Permit and</u> -Minor or Major Site Plan review and approval where more than one roadside vendor operates on a single parcel of land. Revise subsection lettering sequence accordingly. • Clarify the intended temporary nature of roadside vendors. <p>Attachments: Redline LDC Changes to Section 4.3.12 Roadside Vendors</p>	

1 **Sec. 4.3.12. Temporary Roadside ~~vendors~~Vendors.**

2 A. ~~A. Roadside~~Temporary roadside vendors as used herein shall mean a person or business who sells goods as
3 follows:

4 (1) From a roadside stand: fruit, vegetables, produce, peanuts, ~~fireworks,~~ Christmas trees, firewood, or like
5 items; and, dry goods, homemade crafts, etc.; and or

6 (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants
7 approved ~~cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked~~
8 ~~seafood.~~ Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").

9 B. The maximum number of temporary roadside vendors per parcel or area is two vendors. ~~B. Sale of~~
10 ~~the above listed merchandise shall be conducted from a flame retardant tent or pole barn type facility with~~
11 ~~the~~Seasonal firework sales are an exception of peanuts, food vendors and Christmas trees, which are not
12 ~~required to have a structure on the land. This facility shall be located on private property which is either owned~~
13 ~~or leased by the vendor. Sale to temporary roadside vendor regulations. These sales require a temporary use~~
14 ~~permit from the zoning department and a building permit.~~

15 C. ~~C. Temporary roadside vendor sales~~ are prohibited within the publicCounty right-of-way or public easement.

16 ~~C. Roadside vendors~~DD. Temporary roadside vendors are intended to function temporarily and independently.
17 Services such as electric, water, and sewer shall not be permitted ~~on vacant land~~. Permanent structures such as,
18 but not limited to, sheds, carports, modular buildings, etc., ~~shall be~~are prohibited.

19 ~~D. Permitted Zoning Classifications. Sale of listed merchandise will be~~EE. Temporary roadside vendors
20 conducting sales from a tent, pole-barn type facility, or other temporary structure shall obtain all applicable
21 Building and Safety dDepartment approvals for permitting.

22 FF. Temporary roadside vendors are allowed by right in the following zoning classifications: A-1, A-2, A-3, B-1, B-2,
23 B-3, B-4, B-5, M-1, and RAC, upon meetingand shall at a minimum comply with the following conditionscriteria:

24 (1) ~~Hours of operation may be between 6 a.m. and 10 p.m.~~

25 (1) Driveway access shall be controlled, and driveway permits shall be obtained from the appropriate
26 permitting agency.

27 (2) Adequate parking area shall be provided on site for customers including ~~handicapped~~persons with
28 disabilities, who shall be provided service without leaving their vehicle if requested.

29 (3) ~~Parking areas shall be covered with a layer (minimum 1½" thick) of bark chips, sawdust, shavings or~~
30 ~~combination thereof, or construct a stabilized base parking area or pave the parking area.~~

31 (4) On site temporary restroom facilities are to be provided when more than two ~~persons~~employees are
32 employed on the sitepresent.

33 (5) Water and soap for the washing of hands shall be available on site.

34 (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.

35 (7) ~~Products to be sold will be covered overnight or removed from the site and if required by State law,~~
36 ~~refrigeration will be provided.~~

37 (7) Overnight food, vegetables, produce, etc. storage is not permitted.

38 (8) All advertising signs, trash, and other necessities shall be removed when the temporary roadside vendor
39 ceases business for the day. The maximum number of signs shall not exceed four signs per vendor and shall
40 be no larger than six square feet in size. Signage shall not be placed in public right of way or public easement.

1 (8) Tables and chairs are not permitted

2 (9) A roadside ~~stand~~stands for the sale of farm products raised or produced on the premises shall be permitted
3 in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.) ~~provided such stands~~
4 are located not less than 30 feet from any street, highway or right of way. A site plan will be submitted as
5 part of the building permit process for a permanent structure or for the installation of electrical, water or
6 rest room facilities. The applicable site plan shall be submitted as set forth in Article 2 of this Code. ~~at least~~
7 30 feet from the right of way. ~~Non-temporary roadside stands for farm products shall be regulated by~~
8 applicable Site Plan and Building Plan regulations.

9 ~~(9) All advertising signs shall be removed when the temporary roadside vendor ceases business for the day.~~
10 ~~The maximum number of signs shall not exceed four signs per vendor and shall be no larger than six square~~
11 ~~feet in size.~~

12 H.G. Operation of more than two temporary roadside vendors, mobile food dispensing vehicles, food trucks, etc. on
13 a single parcel of land or shared area, or roadside vendors not operating on a temporary basis, shall require a
14 Special Use Permit and either a Minor Site Plan or Major Site Plan approval as set forth in Article 2 of this Code,
15 and be consistent with the underlying land use designation and zoning classification for the property. The Special
16 Use Permit, at a minimum, shall address the following;

17 (1) Maximum number of vendors

18 (2) Layout of the site

19 (3) Access to the site

20 (4) Parking, including ADA Parking

21 (5) Restroom and handwashing facilities

22 (6) Lighting

23 (7) Signage

24 (8) Buffering

25 (9) Trash/dumpster placement and pickup

26 (10) Overnight storage

27 _____



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2026-23514

Agenda Date: 7/1/2026

Agenda No.: 3.1.

SUBJECT:

..Title

Next LDRC Workshop - July 15, 2026 at 5:30 p.m. (Growth Services Main Training Room)

..Body

DESCRIPTION/BACKGROUND:

For informational Purposes only.

..end