



**GREGORY C. HARRELL**

CLERK OF COURT AND COMPTROLLER – MARION COUNTY, FLORIDA

CLERK OF COURT  
RECORDER OF OFFICIAL RECORDS  
CLERK AND ACCOUNTANT OF THE BOARD OF COUNTY COMMISSIONERS  
CUSTODIAN OF COUNTY FUNDS AND COUNTY AUDITOR

POST OFFICE BOX 1030  
OCALA, FLORIDA 34478-1030  
TELEPHONE (352) 671-5604  
WWW.MARIONCOUNTYCLERK.ORG

TO: Marion County Board of County Commissioners

FROM: Gregory C. Harrell, Clerk of Circuit Court and Comptroller

DATE: June 17, 2025

RE: Ordinances 25-15, 25-16, 25-17, 25-18, 25-19 And 25-20

The 2013 Legislature passed legislation that changed the manner by which County Ordinances were to be filed with the Florida Department of State and the manner in which the Department would acknowledge that filing. "An Act relating to paper reduction", Chapter 2013-192, amended Section 125.66, Florida Statutes, to require the Clerks of the Board of County Commissioners to file Ordinances and Amendments, as well as Emergency Ordinances, by e-mail to the Department. In turn, the Department would acknowledge receipt of such documents by return e-mail.

Attached, please find e-mail correspondence from the Clerk's Office to the Department and their acknowledgement related to the above Ordinance(s).

GCH/smm



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**

Governor

**CORD BYRD**

Secretary of State

May 29, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 25-15, which was filed in this office on May 29, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp



## Susan Mills McAllister

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**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Thursday, May 29, 2025 02:17 PM  
**To:** Susan Mills McAllister; County Ordinances  
**Cc:** Debra Windberg; Debra Lewter; Tiffany Burdette  
**Subject:** RE: MRN20250519\_ORDINANCE\_2025\_15  
**Attachments:** Marion20250529\_Ordinance25\_15\_Ack.pdf

Good afternoon,

Attached is the acknowledgement letter for Marion County Ordinance 25-15.

Thank you,

### David Parrish

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Thursday, May 29, 2025 11:49 AM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Tiffany Burdette <tiffanyb@marioncountyclerk.org>  
**Subject:** MRN20250519\_ORDINANCE\_2025\_15

### EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

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Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-15, which includes Resolution 25-R-149. The Ordinance was adopted by the Marion County Board of County Commissioners on Monday, May 19, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



**Susan Mills McAllister**

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

## Susan Mills McAllister

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**From:** Susan Mills McAllister  
**Sent:** Thursday, May 29, 2025 11:49 AM  
**To:** countyordinances@dos.myflorida.com  
**Cc:** Debra Windberg; Debra Lewter; Tiffany Burdette  
**Subject:** MRN20250519\_ORDINANCE\_2025\_15  
**Attachments:** MRN20250519\_ORDINANCE\_2025\_15.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-15, which includes Resolution 25-R-149. The Ordinance was adopted by the Marion County Board of County Commissioners on Monday, May 19, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



### Susan Mills McAllister

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

### Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

## **ORDINANCE NO. 25-15**

### **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL USE PERMIT APPLICATIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

**WHEREAS**, property owner(s) have submitted petition(s) for rezoning and/or special use permits, and such applications identify the property by metes and bounds description or by the Marion County Property Appraiser parcel number, and such identifications of property are hereby incorporated into this ordinance by reference, and

**WHEREAS**, the Board has considered the recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. Now therefore,

**BE IT ORDAINED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. REZONING AND SPECIAL USE PERMIT APPROVALS.** The Board hereby approves the below-listed applications for Rezoning and Special Use Permits. NOTE: The terms and conditions of Board approvals of the Special Use Permits are stated in the Board Resolution corresponding to each Special Use Permit Petition shown below.

1. **AGENDA ITEM 1.1.1. 250501SU** – AKBNNB, LLC, Special Use Permit to allow for the sale and consumption of alcohol within 1,000 feet of a religious institution, in a Community Business (B-2) zone, 1.28 acre parcel, on Parcel Account Number 31856-006-01, site address 5855 SE 5<sup>th</sup> Street, Ocala, FL 34472.

**Subject to all terms and conditions of Resolution 25-R-149 attached hereto and incorporated herein by reference.**

2. **AGENDA ITEM 1.1.2. 250503ZC** – Sarah Meier, Zoning Change from Community Business (B-2) portion of the parcel to General Agriculture (A-1), for all permitted uses, on ±5.36 acre portion of a 10.56 acre parcel, on Parcel Account Number 05786-003-01, no address assigned.

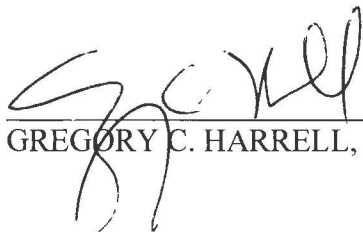
3. **AGENDA ITEM 1.1.3. 250504ZC** – Billie L. Armstrong, Zoning Change from Community Business (B-2) to Single-Family Dwelling (R-1), for all permitted uses, 1.43 acre parcel, on Parcel Account Number 9019-0000-05, no address assigned.
4. **AGENDA ITEM 1.1.4. 250505ZC** – Gary and John Martin, Zoning Change from Mixed Residential (R-4) to Rural Residential (RR-1), for all permitted uses, 4.60 acre parcel, on Parcel Account Number 3499-003-116, site address 10850 SW 105<sup>th</sup> Avenue, Ocala, FL 34481.
5. **AGENDA ITEM 1.2.1. 250506ZC** – Moser Family Trust, Zoning Change from General Agriculture (A-1) to Residential Estate (R-E), for all permitted uses, 9.05 acre parcel, on Parcel Account Number 41409-006-09, site address 4480 SE 120<sup>th</sup> Street, Belleview, FL 34420.

**SECTION 3. EFFECTIVE DATE.** A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office.

**DULY ADOPTED** in regular session this 19<sup>TH</sup> day of MAY, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

  
\_\_\_\_\_  
GREGORY C. HARRELL, CLERK

  
\_\_\_\_\_  
KATHY BRYANT, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON MAY 29,  
2025 ADVISING ORDINANCE WAS FILED ON MAY 29, 2025.

## **RESOLUTION NO. 25-R-149**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 28, 2025; and

**WHEREAS**, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Monday, May 19, 2025. Now, therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. SPECIAL USE PERMIT PETITION 250501SU – Vesna Palushaj c/o AKBNB, LLC**, the petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Vesna Palushaj on behalf of The Brunch House, Ocala, FL 34476, to allow for the sale and consumption of alcohol within 1,000 feet of a religious institution, in a Community Business (B-2) zone, on approximate 1.28 acre parcel, on Parcel Account Number 31856-006-01, Site Address 5855 SE 5<sup>th</sup> Street, Ocala, FL 34472.

**SECTION 2. FINDINGS AND CONDITIONS.** The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission and approves the Special Use Permit subject to the following conditions:

1. Alcohol sales shall be limited to the hours of operation of the restaurant.
2. The Special Use Permit shall run with the applicant (Veshna Palushaj) and not the property.
3. The Special Use shall terminate upon closure or sale of the business. Sale of the business shall constitute a requirement to reapply for a Special Permit to continue operations.
4. The Special Use Permit shall expire May 19, 2030; however, it may be renewed administratively for up to 3 consecutive times for 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
  - There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit.
  - Neighboring property owners within 500' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or

- The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

**SECTION 3. REVOCATION.** Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.


**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** in regular session this 19<sup>th</sup> day of May, 2025.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

  
\_\_\_\_\_  
GREGORY C. HARRELL, CLERK

  
\_\_\_\_\_  
KATHY BRYANT, CHAIRMAN





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

May 29, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 25-16, which was filed in this office on May 29, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp

## Debra Windberg

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**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Thursday, May 29, 2025 02:17 PM  
**To:** Susan Mills McAllister; County Ordinances  
**Cc:** Debra Windberg; Debra Lewter; Tiffany Burdette  
**Subject:** RE: MRN20250520\_ORDINANCE\_2025\_16  
**Attachments:** Marion20250529\_Ordinance25\_16\_Ack.pdf

Good afternoon,

Attached is the acknowledgement letter for Marion County Ordinance 25-16.

Thank you,

**David Parrish**

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Thursday, May 29, 2025 11:51 AM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Tiffany Burdette <tiffanyb@marioncountyclerk.org>  
**Subject:** MRN20250520\_ORDINANCE\_2025\_16

### EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-16, which includes Resolution 25-R-164. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, May 20, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

## Susan Mills McAllister

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**From:** Susan Mills McAllister  
**Sent:** Thursday, May 29, 2025 11:51 AM  
**To:** countyordinances@dos.myflorida.com  
**Cc:** Debra Windberg; Debra Lewter; Tiffany Burdette  
**Subject:** MRN20250520\_ORDINANCE\_2025\_16  
**Attachments:** MRN20250520\_ORDINANCE\_2025\_16.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-16, which includes Resolution 25-R-164. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, May 20, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

2505 BCC#1  
5/20/25

# LOCALiQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Autumn Williams  
Marion County Growth Services  
2710 E Silver Springs BLVD  
Ocala FL 34470-7006

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

05/05/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/05/2025

Legal Clerk

Notary, State of WI. County of Brown

My commission expires

Publication Cost: \$255.12

Tax Amount: \$0.00

Payment Cost: \$255.12

Order No: 11268933

Customer No: 533584

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance

KAITLYN FELTY  
Notary Public  
State of Wisconsin

## NOTICE OF INTENTION TO CONSIDER ADOPTION OF AN ORDINANCE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, WILL HOLD A PUBLIC HEARING ON THE 20TH DAY OF MAY, 2025 AT 2:00 PM. AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, 401 SE 25TH AVENUE, OCALA, FLORIDA TO CONSIDER APPROVAL OF THE FOLLOWING COMPREHENSIVE PLAN AMENDMENT, REZONING AND/OR SPECIAL USE PERMIT APPLICATIONS, AND TO CONSIDER ADOPTION OF A PROPOSED ORDINANCE ALL INTERESTED PARTIES MAY APPEAR AT THIS PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. SAID ORDINANCE ENTITLED AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING LAND USE CHANGE, REZONING AND SPECIAL USE PERMIT PETITIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP, PROVIDING FOR AN EFFECTIVE DATE.

1. 220506ZP - More Management, LLC, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, to amend the existing Planned Unit Development (PUD 170452) to revise the townhome development standards to reduce the minimum townhome unit width from 25-feet to 20-feet for a maximum total of 499 residential units with no other changes proposed, on an approximate 111.12 Acre Parcel, on Parcel Account Number 25770-055-05. No Address Assigned.

2. 220507ZP - Corta Ocala, LLC, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, to amend the existing Planned Unit Development (PUD 240502ZP) to include one additional parcel and modify ingress and egress, on an approximate 9.13 Acre Tract, on Parcel Account Numbers 2501-200-016, 2501-200-019, 2501-200-020, 2501-200-021, 2501-200-022, 2501-200-023, 2501-200-024, 2501-200-025, 2501-200-026, 2501-200-027, 2501-200-028, 2501-200-029, 2501-200-030, 2501-200-031, 2501-200-032, and 2501-200-033. Site Addresses 8418, 8422, 8424, 8426, 8428, 8430, 8440 SW Hwy 200, Ocala, FL 34481.

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352)438-2245 AT LEAST FORTYEIGHT (48) HOURS IN ADVANCE OF THE HEARING. SO APPROPRIATE ARRANGEMENTS CAN BE MADE. BE ADVISED THAT IF ANY PERSON OR PERSONS WISH TO APPEAL A DECISION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, MADE AT THE ABOVE ADVERTISED MEETING, A RECORD OF THE PROCEEDINGS WILL BE NEEDED BY SUCH PERSON OR PERSONS AND A VERBATIM RECORD MAY BE NEEDED.

FOR MORE INFORMATION:  
[HTTPS://WWW.MARIONFL.ORG/LEGAL/NOTICES](https://www.marionfl.org/legal/NOTICES)

PLEASE BE GOVERNED  
ACCORDINGLY

DATED THIS 6TH DAY  
OF APRIL, 2025

BOARD OF COUNTY  
COMMISSIONERS  
MARION COUNTY, FLORIDA

D. WINDBERG, DEPUTY CLERK

11268933

## **ORDINANCE NO. 25-16**

### **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A REZONING APPLICATION AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

**WHEREAS**, property owner(s) have submitted petition(s) for rezoning and such application identifies the property by metes and bounds description or by the Marion County Property Appraiser parcel number, and such identification of property is hereby incorporated into this ordinance by reference, and

**WHEREAS**, the Board has considered the recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. Now therefore,

**BE IT ORDAINED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. REZONING APPROVAL.** The Board hereby approves the below-listed application for Rezoning. NOTE: The terms and conditions of Board approval of the Planned Unit Development are stated in the Board Resolution corresponding to the Planned Unit Development Petition shown below.

1. **AGENDA ITEM 15.2.2. 250509ZP** – Corta Ocala, LLC, Zoning Change from Planned Unit Development (PUD) to Planned Unit Development (PUD) to amend the existing PUD (240506ZP) to include one (1) additional parcel and modify ingress and egress, 9.13 acre tract, on Parcel Account Numbers 3501-200-018, 3501-200-019, 3501-200-020, 3501-200-021, 3501-200-022, 3501-200-023, 3501-200-034, 3501-200-035, 3501-200-036, 3501-200-037, 3501-200-038, 3501-200-039, 3501-200-040, 3501-400-002, 3501-400-003, and 3501-400-004, site addresses 8410, 8422, 8424, 8426, 8428, 8430, 8440 SW Highway 200, Ocala, FL 34481.

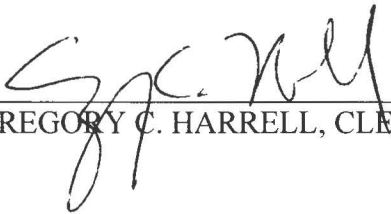
**Subject to all terms and conditions of Resolution 25-R-164 attached hereto and incorporated herein by reference.**

**SECTION 3. EFFECTIVE DATE.** A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office.

**DULY ADOPTED** in regular session this 20<sup>TH</sup> day of MAY, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

  
\_\_\_\_\_  
GREGORY C. HARRELL, CLERK

  
\_\_\_\_\_  
KATHY BRYANT, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON MAY 29,  
2025 ADVISING ORDINANCE WAS FILED ON MAY 29, 2025.



# RESOLUTION NO. 25-R-164

## A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT ON A ±9.13 ACRE TRACT FOR CORTA OCALA, LLC, ZONING CASE NUMBER 250509ZP; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 28, 2025; and

**WHEREAS**, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 20, 2025. Now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 250509ZP – Corta Ocala, LLC**, the application requesting a Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Corey Presnick, Neptune Beach, FL 32266, to amend the existing Planned Unit Development (PUD 240506ZP) to include one (1) additional parcel and modify ingress and egress, on an approximately 9.13 acre tract, on Parcel Account Numbers 3501-200-018, 3501-200-019, 3501-200-020, 3501-200-021, 3501-200-022, 3501-200-023, 3501-200-034, 3501-200-035, 3501-200-036, 3501-200-037, 3501-200-038, 3501-200-039, 3501-200-040, 3501-400-002, 3501-400-003, and 3501-400-004, Site Addresses 8410, 8422, 8424, 8426, 8428, 8430, 8440 SW Highway 200, Ocala, FL 34481.

**SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS.** The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the Planned Unit Development, and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

1. The PUD is restricted to a total of 30 dwelling units, multifamily, and 7.59-acres of commercial uses consistent with the Marion County Land Development Code, the PUD Application, PUD Site Plan (dated 03/27/2025; Attachment B), and the following conditions.
2. Buffers shall be provided as shown on the submitted Master Plan and the following requirements:
  - A. Buffers along SW Highway 200 shall be Type-C per LDC.
  - B. Buffers along the property boundary of the multifamily area shared with the existing adjoining commercial uses on the west side of the property shall be Type-A per LDC.



- C. Buffers between proposed parcel 5 (multi-family) and parcels 2 & 3 (commercial) shall be modified to Type B/C as 10' wide on each lot, totaling 20' wide landscape strip without a wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer, subject to the approval of the Marion County Landscape Architect.
  - D. Buffers along SW 84th Road Avenue shall be a 25' wide landscape buffer from the right of way SW 84th Ave. Road. A minimum 8' wall or a minimum 2' high berm topped with a minimum 6' high opaque privacy fence shall be provided along the full length of the southeast boundary of the site along the SW 84th Ave. Rd. The choice of landscape material will be subject to the approval of the Marion County Landscape Architect.
  - E. Buffers between the added parcel #3501-400-002 and the adjacent residential use parcel 3501-400-001 shall be provided per LDC requirement.
  - F. Buffer types and illustrations shall be submitted with the site plan phase for approval.
- 3. All access point locations shall be worked out to the satisfaction of the Development Review Committee during the time of Development Review before the Site Plan approval.
  - 4. All internal and external vehicle circulation shall be paved.
  - 5. Show multimodal facilities on the Site Plan. Include multimodal paths for pedestrians, bikes, and golf carts externally and internally.
  - 6. Show accessible pedestrian connections from the PUD area to all adjacent land uses on the site plan.
  - 7. Show accessible sidewalks along at least one side of internal roads and connections to multimodal paths.
  - 8. Show parking calculation on the site plan.
  - 9. The PUD shall connect to Marion County Utilities. The developer shall work with Marion County Utilities regarding water and sewer connection extension during the site plan phase of the project. The owner will be responsible for funding the extension of the utility line to the property.
  - 10. A Major Site Plan submittal will need to be reviewed and approved through DRC for the proposed development of the site.
  - 11. Stormwater review during the Development Review phase will determine the size and depth of the retention area needed to serve the development. Please ensure LDC 6.13 is met with the Major Site Plan.
  - 12. An easement agreement with the property owners to use the cross-access through adjacent properties shall be obtained before the site plan is approved.
  - 13. On the Site Plan, provide a typical illustration and table showing all setbacks.
  - 14. Overhangs such as building pop-outs, cantilevers, and/or other extensions that project outward from the principal structure shall be reviewed similarly to the Multiple Family Dwelling (R-3) zoning classification of the LDC.
  - 15. On the Site Plan, provide a typical illustration and table showing a maximum height limit for principal and accessory structures.

16. The multiple-family structure may not exceed a height that is twice the height of the closest existing single-family residence.
17. If single-family residential classification zoned land directly adjacent to the PUD is vacant land, then the height of a multiple-family structure within the PUD shall not exceed the maximum height allowed in the abutting residential single-family residential classification.
18. The cross-access driveway connecting the approved PUD development site to SW 100th St shall be designed and constructed in accordance with County standards and as approved by the County Engineer.

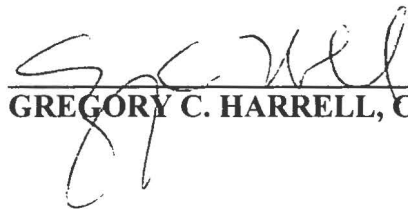
**SECTION 3. COMPLIANCE/REVOCATION.** Violation or failure to comply with one or more condition(s) of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect immediately upon the effective date of this Zoning Change's corresponding Rezoning and Special Use Permit Ordinance, No. 25-16.

**DULY ADOPTED** in regular session this 20<sup>th</sup> day of May, 2025.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

  
\_\_\_\_\_  
**GREGORY C. HARRELL, CLERK**

  
\_\_\_\_\_  
**KATHY BRYANT, CHAIRMAN**



## **FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**

Governor

**CORD BYRD**

Secretary of State

June 3, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 2025-17, which was filed in this office on June 2, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp

## Debra Lewter

---

**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Tuesday, June 03, 2025 09:18 AM  
**To:** Susan Mills McAllister; County Ordinances  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** RE: MRN20250523\_ORDINANCE\_2025\_17  
**Attachments:** Marion20250602\_Ordinance2025\_17\_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 2025-17.

Thank you,

### David Parrish

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Monday, June 2, 2025 3:46 PM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>  
**Subject:** MRN20250523\_ORDINANCE\_2025\_17

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

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Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-17, which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



**Susan Mills McAllister**

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

## Susan Mills McAllister

---

**From:** Susan Mills McAllister  
**Sent:** Monday, June 02, 2025 03:46 PM  
**To:** countyordinances@dos.myflorida.com  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** MRN20250523\_ORDINANCE\_2025\_17  
**Attachments:** MRN20250523\_ORDINANCE\_2025\_17.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-17, which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



### Susan Mills McAllister

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

### Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

## Susan Mills McAllister

---

**From:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Sent:** Tuesday, June 03, 2025 10:08 AM  
**To:** Susan Mills McAllister  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** Marion County, FL Code of Ordinances - 1985(10237) & Marion County, FL Land Development Code - 2013(13949) ORDBANK

We have received your files.

Thank you very much.

Have a great day,

Ords Administrator  
[municodeords@civicplus.com](mailto:municodeords@civicplus.com)  
1-800-262-2633  
P.O. Box 2235  
Tallahassee, FL 32316

When available, please send all documents in WORD format to [municodeords@civicplus.com](mailto:municodeords@civicplus.com). However, if WORD format is not available, we welcome any document format including PDF.



Powering and Empowering Local Governments

JPB

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Monday, June 2, 2025 4:15 PM  
**To:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>  
**Subject:** Marion County Ordinance 25-17

Good afternoon,

Attached is Ordinance 25-17 (Fire Rescue Impact Fees), which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise of any problem you may have opening the attached Word documents.

Sincerely,

**Susan Mills McAllister**





Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

**ORDINANCE NO. 2025-17**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REGARDING FIRE RESCUE IMPACT FEES; CREATING DIVISION 3, ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE RELATING TO FIRE RESCUE IMPACT FEES; ADOPTING A NEW SECTION 10-335 OF THE MARION COUNTY CODE ON FINDINGS, A NEW SECTION 10-336 ON DEFINITIONS APPLICABLE TO FIRE RESCUE IMPACT FEES, A NEW SECTION 10-337 ON COMPUTATION OF AMOUNT OF FEES, A NEW SECTION 10-338 ON DEVELOPER CONTRIBUTION CREDITS, A NEW SECTION 10-339 ON USE OF FUNDS, A NEW SECTION 10-340 ON FIRE RESCUE IMPACT FEE SCHEDULE; AMENDING SECTION 10-282 OF THE MARION COUNTY CODE ON ADOPTION OF IMPACT FEE TECHNICAL STUDIES; DIRECTING THE PROVISION OF NOTICE OF IMPACT FEE RATES; PROVIDING FOR SEVERABILITY, CODIFICATION, LIBERAL CONSTRUCTION, AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA:**

**SECTION 1. ADOPTION OF THE FIRE RESCUE IMPACT FEE ORDINANCE.**

The Board of County Commissioners hereby enacts and adopts the Fire Rescue Impact Fee Ordinance, to be codified as Division 3, Article XI of Chapter 10 of the Marion County Code of Ordinances, which shall read as follows:

**DIVISION 3. – FIRE RESCUE IMPACT FEES**

**Sec. 10-335. - Findings.** It is hereby ascertained, determined, and declared:

(1) Development necessitated by the growth contemplated in the Marion County Comprehensive Plan and the Technical Study for Fire Rescue Impact Fees will require Infrastructure improvements to the Fire Rescue System to accommodate the new development generated by such growth and maintain the standards of service provided by the Fire Rescue System.

(2) The County operates both a Fire Protection System and an EMS System that together deliver consolidated fire protection and EMS rescue services through cross-trained personnel and some dual-use capital equipment and capital facilities that together form the County's Fire Rescue System.

(3) Future growth, as represented by Impact Generating Land Development Activity, should contribute to the cost of Infrastructure improvements to the Fire Rescue System required to accommodate the impacts generated by such growth as contemplated in the comprehensive plan.

(4) The required Infrastructure improvements to the Fire Rescue System needed to accommodate existing development shall be financed by revenue sources of the county other than Fire Rescue Impact Fees. The required Infrastructure improvements to the Fire Rescue System needed to eliminate any deficiencies shall be financed by revenues other than Fire Rescue Impact Fees.

(5) Implementation of the Fire Rescue Impact Fees to require Impact Generating Land Development Activity within the County to contribute its fair share to the cost of required Infrastructure is an integral and vital element of the regulatory plan of growth management of the County.

(6) There is a rational nexus between future growth, as measured by Impact Generating Land Development Activity, and the need to expand the Fire Rescue System through the acquisition and construction of new Buildings, apparatus, equipment, and other Infrastructure in order to maintain the standards of service currently provided by the Fire Rescue System. The Fire Rescue Impact Fees adopted herein for each Impact Fee Land Use Category are proportional to the impact expected to be generated by Impact Generating Land Development Activity.

(7) Because the County is the sole provider of emergency medical services within the County, the EMS System benefits all residents of the County; therefore, the EMS Impact Fee shall be imposed in all unincorporated areas of the County and within all municipal areas for so long as they participate in the EMS System.

(8) Because the County is the primary provider of fire protection services within the unincorporated area of the County and within the cities of Belleview, Dunnellon, Reddick, and McIntosh, the Fire Protection System benefits all residents of those areas; therefore, the Fire Protection Impact Fee shall be imposed in all unincorporated areas of the County and within the incorporated areas of Belleview, Dunnellon, Reddick, and McIntosh.

(9) The Board expressly finds that the Infrastructure improvements and additions to the Fire Rescue System provide a benefit to all Impact Generating Land Development Activity within the County that is in excess of the actual Fire Rescue Impact Fees and the collection of Fire Rescue Impact Fees is an important source of funding for the County capital improvement plan. The Board has determined that ad valorem tax revenue and other revenues will not be sufficient to provide the Infrastructure improvements to the Fire Rescue System

that are necessary to accommodate Impact Generating Land Development Activity within the County.

(10) The purpose of this Ordinance is to require payment of Fire Rescue Impact Fees by those who engage in Impact Generating Land Development Activity to provide for the cost of Infrastructure improvements to the Fire Rescue System that are required to accommodate such growth. This Ordinance shall not be construed to permit the collection of Fire Rescue Impact Fees in excess of the amount reasonably anticipated to offset the demand on the Fire Rescue System generated by such applicable Impact Generating Land Development Activity.

(11) In recognition that capital facility planning is an evolving process, it is the intent of the Board that needed Infrastructure improvements to the Fire Rescue System be identified and evaluated periodically to ensure Fire Rescue Impact Fee revenues are allocated to provide benefits to new development as required by law. By periodically reevaluating Fire Rescue Impact Fees and planned improvements capital improvements, the County can ensure fees are imposed equitably and lawfully and are utilized effectively based upon actual and anticipated growth needs at the time of their imposition. Therefore, the cost of reviewing, updating, and adjusting this Ordinance is necessary to ensure that Fire Rescue Impact Fees are imposed and administered in accordance with applicable law.

(12) The technical study entitled "Marion County Fire Rescue & EMS Impact Fee Update Study" dated February 28, 2025, prepared by Benesch, sets forth a reasonable methodology and analysis for the determination of the impact of new development on the needs for and costs of additional fire protection and EMS Infrastructure in Marion County.

(13) The data set forth in the Technical Study which was employed in the calculation of the Fire Rescue Impact Fee rates imposed herein is the most recent and localized data available for the Fire Rescue System and was not more than 4 years old at the time of the updated Fire Rescue Impact Fee Study. The Fire Rescue Impact Fee rates included herein were adopted within twelve (12) months of the initiation of the Technical Study.

(14) The Fire Rescue Impact Fees collected by the County pursuant to this Ordinance may be used to pay existing debt related to the construction of Infrastructure or for previously approved capital projects. The Board legislatively finds and determines that this Infrastructure or previously approved capital projects that are funded by the Fire Rescue Impact Fees are proportional and have a rational nexus to the impacts generated by new development that contributes Fire Rescue Impact Fees towards the funding of these facilities and

that there is available capacity to serve those properties from the debt funded Infrastructure from previously approved projects.

**Sec. 10-336. – Definitions Applicable to Fire Rescue Impact Fees.** The following words, terms, and phrases when used in this Ordinance shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

*EMS Impact Fee* means the portion of the Fire Rescue Impact Fee imposed by the Board that relates to the EMS System.

*EMS System* means the Infrastructure, including Land, Buildings, apparatus, and equipment, provided by the County that is used for handling of emergency medical incidents.

*Fire Protection Impact Fee* means the portion of the Fire Rescue Impact Fee imposed by the Board that relates to the Fire Protection System.

*Fire Protection System* means the Infrastructure, including Land, Buildings, apparatus, and equipment, provided by the County that is used for suppression and prevention of fires and other disasters and the handling of incidents involving hazardous materials within the County.

*Fire Rescue Impact Fee* means collectively the Fire Protection Impact Fee and EMS Impact Fee imposed pursuant to this Ordinance to fund growth-necessitated Infrastructure for the Fire Rescue System.

*Fire Rescue System* means collectively mean the EMS System and Fire Protection System.

*Infrastructure* means a fixed capital expenditure or fixed capital outlay providing additional capacity to the Fire Rescue System, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvements to the Fire Rescue System that have a life expectancy of at least 5 years; related Land acquisition, Land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the Public Facility into service. The term also includes a fire department vehicle, an emergency medical service vehicle, and the equipment necessary to outfit the vehicle for its official use.

**Sec. 10-337. – Computation of Amount of Fees.**

(a) All Impact Generating Land Development Activity within the County, including all municipal areas, shall pay the EMS Impact Fees, as established in this division, at the time of issuance of a Certificate of Occupancy.

(b) All Impact Generating Land Development Activity within the unincorporated area of the County, including the municipal areas of the City of Belleview, City of Dunnellon, City of Reddick, and City of McIntosh, shall pay the Fire Protection Impact Fees, as established in this division, as a condition of issuance of a Certificate of Occupancy.

(c) At the time a complete application for a Building Permit is submitted for the construction of an Impact Generating Land Development Activity, the County will determine the amount of Fire Rescue Impact Fees to be paid. The impact fee shall be in the amounts set forth in section 10-340 and payable pursuant to Section 10-276.

(d) If the Impact Generating Land Development Activity includes fractional units, the fee shall be computed to the appropriate fraction.

(e) If the Impact Generating Land Development Activity is requested for mixed uses, then the Fire Rescue Impact Fee shall be determined through using the schedule adopted in Section 10-340 by apportioning the space committed to uses specified on the schedule.

(f) Pursuant to Section 10-275, in the case of a change of use, redevelopment or modification of an existing use which requires the issuance of a Building Permit, Site Plan approval, or Certificate of Occupancy, the Fire Rescue Impact Fee shall be based on the net increase in the impact fee for the new use as compared to the existing use.

(g) If the land development activity being commenced cannot be classified into an Impact Fee Land Use Category identified in section 10-340, then:

(1) The County Administrator shall use the fee schedule for the most nearly comparable Impact Fee Land Use Category to determine the Fire Rescue Impact Fee. If the County Administrator determines there is no comparable type of land use on the fee schedule, then the County Administrator shall calculate the appropriate Fire Rescue Impact Fee utilizing the methodology in the applicable Technical Study. The County Administrator shall utilize as a standard in this determination the impact assumed in the most comparable Impact Fee Land Use Category or any other generally accepted standard source of planning and cost impact analysis. The County Administrator shall determine the applicable Impact Fee Land Use Category for the Impact Generating Land Development Activity;

(2) Or the Feepayer may at their option determine the amount of Fire Rescue Impact Fees by use of an Independent Impact Analysis pursuant to section 10-278 of this article.

(h) Any Person undertaking an Impact Generating Land Development Activity who is in doubt as to the type or amount of any Impact Fees due may request, in writing, a nonbinding statement of Impact Fees due for the Impact Generating Land Development Activity from the County Administrator, who shall expeditiously respond, in writing, to the request. The County Administrator may



require sufficient drawings or plans related to the proposed development as a basis for his written answer.

**Sec. 10-338. – Developer Contribution Credits.**

(a) A credit shall be granted against the Fire Rescue Impact Fee imposed in this Article pursuant to a written impact fee credit agreement that has been approved by the Board for certain conveyance of suitable Land or other Infrastructure for the Fire Rescue System required to be made pursuant to a Development Order by the County, a municipal development order that is the subject of a written impact fee credit agreement approved by the Board for credit, or pursuant to a voluntary impact fee credit agreement made in connection with Impact Generating Land Development Activity. Such conveyances or improvements shall be subject to the following standards:

(1) The Land shall be an integral part of the Fire Rescue System, which is scheduled for acquisition in the County five (5) year capital improvement plan or any municipal five (5) year CIP. The Board may, by super majority vote, allow impact fee credits for conveyance of land for projects anticipated for acquisition beyond the five (5) year county CIP or beyond the first five (5) years of any municipal CIP.

(2) The non-Land Infrastructure to be acquired or constructed shall be an integral part of the Fire Rescue System which is scheduled for addition or construction in the five (5) year county CIP or any municipal CIP. The Board may, by super majority vote, allow for impact fee credits for acquisition or construction of Infrastructure for projects anticipated for construction beyond the County five (5) year CIP or beyond the first five (5) years of any municipal CIP.

(3) All conveyances of Land and other Infrastructure, together with right-of-way or easements required by the County, shall be conveyed to the County pursuant to ordinances, resolutions or regulations then in effect and in a form acceptable to the county attorney provided however, this requirement may be waived by the Board where the conveyance is to any municipality or the state.

(4) If the Development Order requires the Feepayer to contribute Land or other Infrastructure or construct, expand, or pay for Land acquisition or construction or expansion of other Infrastructure, or portion thereof, which complies with the requirements of subsections 10-338(a) (1) and (2), and the Feepayer is also subject to Impact Fees or exactions to meet the same needs, the Feepayer shall receive a Fire Rescue Impact Fee credit on a dollar-for-dollar basis at fair market value as of the date of conveyance pursuant to an impact fee credit agreement with the County in conformance with subsection (f). The nongovernmental Feepayer need not be required, by virtue of this credit, to competitively bid or negotiate any part of the construction or design of the Infrastructure, unless otherwise required by the County, or unless the estimated



cost of construction exceeds two million dollars (\$2,000,000.00), in which case the project shall be competitively bid unless waived by the Board.

(5) Any credit granted for conveyance of Land or contribution or construction of other Infrastructure shall be valued in accordance with subsection (d).

(6) Any Feepayer seeking a credit against Impact Fees for development within any municipality shall contact the County Impact Fee Coordinator immediately and the County shall participate with the city during negotiation of the development order to be submitted to the Board for approval.

(b) A Feepayer who desires to contribute Land or acquire or construct other Infrastructure in lieu of payment, or in partial payment, of the Fire Rescue Impact Fee shall, prior to issuance of a Building Permit, submit to the County Administrator a proposed plan for the contribution of the Land or for the acquisition or construction of other Infrastructure for the Fire Rescue System. The County Administrator shall review the proposed plan to determine if it meets the requirements of this Section. If the amended proposed plan meets the requirements for credit, the County Administrator shall submit the proposed plan to the Board. If the proposed plan does not meet the requirements for credit, the County Administrator shall notify the applicant in writing. Upon such notice, the applicant may amend the application to meet the requirements for credit and, if applicable, may request the Board to add the project to the County CIP during its yearly update. The proposed plan of construction, dedication or contribution shall include:

(1) A designation and legal description of the Impact Generating Land Development Activity for which the plan is being submitted;

(2) A list of the contemplated Land or other Infrastructure to be donated;

(3) A legal description and a written appraisal prepared in conformity with subsection (d)(1) of this Section for any Land proposed to be dedicated or conveyed;

(4) An estimate of proposed acquisition or construction costs certified by a registered professional engineer or vendor quotation/invoice; and

(5) A proposed time schedule for completion of the proposed plan of construction, dedication or conveyance.

(c) Upon submission of a complete plan, the County Administrator shall schedule a presentation before the Board at a regularly scheduled meeting or a special meeting called for the purpose of reviewing the proposed plan, and shall

provide the applicant and Owner written notice of the time and place of the presentation. The Board may authorize the county attorney to prepare an impact fee credit agreement with the feepayer only if:

(1) Such proposed plan is in conformity with contemplated improvements and additions to the Fire Rescue System contained in the first five (5) years of the county capital improvement plan or a municipal CIP or otherwise approved by supermajority vote of the Board, and

(2) Such proposed plan, viewed in conjunction with other existing or proposed plans, will not adversely impact the cash flow or liquidity of the Fire Rescue Impact Fee trust account in such a way as to frustrate or interfere with other planned or ongoing growth-necessitated improvements and additions to the Fire Rescue System; and

(3) The proposed plan is consistent with the public interest. Upon approval of a proposed plan of construction or contribution, the County Administrator shall determine the amount of developer credit based upon the standards of valuation described in subsection (d) below, and shall approve the timetable for completion of construction.

(d) The Feepayer credit shall be applied to reduce the Fire Rescue Impact Fee on a dollar-for-dollar basis at fair market value and shall be determined according to the following standards of valuation:

(1) The value of contributed Land shall be based upon a written appraisal of fair market value by a qualified and professional appraiser acceptable to the County and based on an appraisal of the fair market value of the property to be contributed, as of the date of the contribution. However, the County may require submission of an additional appraisal by an appraiser selected by the County, at the expense of the applicant, if the appraisal submitted by the applicant is in excess of the value derived on the basis of the current county property appraiser's assessment multiplied by a factor of 1.50.

(2) The actual cost of construction of other Infrastructure for the Fire Rescue System shall be based upon costs certified by a professional engineer or approved vendor quotation/invoice. However, in no event shall any credit be granted for the donation of Infrastructure in excess of the estimated costs approved by the County unless the acquisition or construction project is competitively bid, in which case the credit shall be the actual cost or one hundred twenty (120) percent of the bid amounts whichever is less.

(e) All cost estimates shall be based upon, and all construction plans and specifications and applicable competitive bidding procedures shall be in conformity with the standards and procedures of the County. All plans and specification shall be approved by the County prior to commencement of construction.

(f) Upon approval for the contribution of Land or acquisition or construction of other Infrastructure, an impact fee credit agreement shall be entered into between the County and the Owner. A nonrefundable processing, review and audit fee of two thousand five hundred dollars (\$2,500.00), which fee is equal to or less than the County's anticipated actual costs associated with the processing, review, and audit of the developer contribution credit, shall be due once the plan has been approved and prior to the preparation of an impact fee credit agreement by the county attorney. The agreement shall include, but not be limited to:

(1) Identification of the parties including a listing of all persons or entities who, collectively, own one hundred (100) percent of the fee simple interest in the real property described in the agreement. If requested by the county attorney, the applicant and owner shall provide to the county attorney, at no cost to the County, an attorney's opinion identifying the record owner, his authority to enter into the agreement and identify any lienholder having lien or encumbrance on the real property which is the subject of the agreement. Said opinion shall specifically describe each of the recorded instruments under which the record owner holds title, each lien or encumbrance, and cite appropriate recording information and incorporate by reference a copy of all such reference instruments.

(2) A finding that the construction or contributions contemplated by the agreement are consistent with the comprehensive plan.

(3) A legal description of the site of the Impact Generating Land Development Activity subject to the agreement.

(4) The duration of the agreement shall be for a period of five (5) years unless the applicant requests a longer period in which the Board may approve a period of up to twenty (20) years. All credits available under an impact fee credit agreements shall be transferable within the County. In no event shall the duration exceed twenty (20) years, exclusive of any moratoria, from the date of recording in the official records.

(5) A description of the construction or contributions to the Fire Rescue System to be made pursuant to the agreement.

(6) An acknowledgment that the construction or contributions contemplated under the agreement shall be construed and characterized as work done and property rights acquired by the County for the improvement of the Fire Rescue System and that the County has exclusive control of the construction or contributions, including whether or not they are subsequently transferred to another governmental agency.

(7) Adoption of the approved time schedule for completion of the plan.

(8) Determination of the amount of credit to be granted.

(9) A requirement that the Owner keep or provide for retention of adequate records and supporting documentation which concern or reflect total project cost of the Land or other Infrastructure to be contributed. This information

shall be available to the County, or its duly authorized agent or representative, for audit, inspection or copying, for a minimum of five (5) years from the termination of the agreement.

(10) A requirement that the credit for the Fire Rescue Impact Fees identified in the agreement shall run with the land for which the Fire Rescue Impact Fee is being assessed and shall be reduced for each Building Permit issued thereon until the development project is either completed or the credits are exhausted or no longer available.

(11) That the burdens of the agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

(12) An acknowledgment that the failure of the agreement to address any permit, condition, term, or restriction shall not relieve either the applicant or the Owner, or their successors, of the necessity of complying with any law, ordinance, rule or regulation governing said permitting requirements conditions, terms or restrictions.

(13) Compliance with the risk management guidelines which may be established by the County's risk management department from time to time, including but not limited to insurance and indemnification language acceptable to the County.

(14) Annual review and audit of performance under the agreement to determine whether or not there has been demonstrated good faith compliance with the terms of the agreement and to report the credit applied toward payment of Fire Rescue Impact Fees and the balance of available and unused credit. If the Board finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the agreement, the agreement may be revoked or modified by the County.

(15) To allow for modification or revocation of the agreement as is necessary to comply with relevant state or federal laws, if state or federal laws are enacted after the execution of the agreement which are applicable to and preclude parties' compliance with the terms of the agreement.

(16) To allow amendment or cancellation by mutual consent of the parties to the agreement or by their successors in interest.

(17) Recording of the agreement in the official records within fourteen (14) days after the County enters into the agreement.

(g) A Feepayer seeking an impact fee credit agreement pursuant to proposed improvements under a municipal Development Order may request Board approval of a written impact fee credit agreement prior to the issuance of a municipal Development Order. Any Feepayer that anticipates seeking a credit pursuant to a municipal Development Order shall contact the County Impact Fee coordinator immediately upon becoming aware of its possible eligibility for a credit. The County shall be entitled to review all studies and participate with the municipality in negotiations with the Feepayer. Prior to municipal approval of the

Development Order, the Feepayer shall prepare and submit a proposed impact fee credit agreement to the County Administrator for review and comment. If the Board approves the impact fee credit agreement and the municipality approves the Development Order, the Feepayer will be entitled to credits as set forth in the impact fee credit agreement pursuant to the provisions of this section without further Board approval. The Board may grant partial credits for proposed improvements under a municipal Development Order.

(h) Any Land to be dedicated to the County shall be dedicated no later than the time at which Fire Rescue Impact Fees are required to be paid under this section. The portion of the fee represented by a credit for acquisition or construction shall be deemed paid when the acquisition or construction is completed and accepted by the County or when Adequate Security for the completion of the construction has been provided.

(i) Any developer contribution credit granted from the Fire Rescue Impact Fee shall only be for construction or contributions made to the Fire Rescue System to accommodate growth within the County. Credits granted under this section shall run with the land and may be assigned to other developments, regardless of ownership, within the County.

(j) If the Fire Rescue Impact Fee rates are increased after a credit is granted under this section, the credit holder shall be entitled to the full benefit of the intensity or density prepaid by the credit amount as of the date the credit was established.

#### **Sec. 10-339. – Use of Funds.**

(a) All Fire Rescue Impact Fee funds collected under this Ordinance and shall be used solely to provide growth-necessitated Infrastructure improvements to the County's Fire Rescue System, and not for maintenance or operations. Funds on deposit in the Fire Rescue Impact Fee trust account shall not be used for any expenditure that would be classified as a maintenance or repair expense. Fire Rescue Impact Fees may be used for the following purposes, including, but not limited to:

(1) Land acquisition, including any cost of acquisition or condemnation;

(2) Fees for professional services, including, but not limited to architecture, engineering, surveying, landscaping, soils and material testing, legal, appraisals, and construction management and consultant fees to study and update this Ordinance;

(3) Design and construction plan preparation;

(4) Site development and on-site and off-site improvements incidental to the construction thereto;

(5) Any permitting or application fees necessary for the construction;

(6) Design and construction of new fire rescue Infrastructure;

(7) Design and construction of new drainage facilities required by the construction new fire rescue Infrastructure;

(8) Relocating utilities required by the construction of fire rescue Infrastructure;

(9) Landscaping;

(10) Construction management and inspection;

(11) Surveying, soils, and materials testing;

(12) Acquisition of qualified apparatus, vehicles, and equipment for the Fire Rescue System;

(13) Repayment of monies borrowed from any budgetary fund of the County which was used to fund growth necessitated Infrastructure improvements to the Fire Rescue System as provided herein.

(c) Proceeds collected from Fire Rescue Impact Fees and all interest accrued on such funds shall be used solely within those areas served by the EMS System and Fire Protection System, respectively.

(d) There is hereby established a Marion County Fire Protection Impact Fee Trust Fund and a Marion County EMS Impact Fee Trust Fund for the purpose of ensuring that the fees collected pursuant to this Ordinance are designated and held separately to provide growth-necessitated Infrastructure improvements for the Fire Protection System and EMS System, respectively. The Fire Protection Impact Fees shall be deposited into the Fire Protection Impact Fee Trust fund immediately upon receipt and the EMS Impact Fees shall be deposited into the EMS Impact Fee Trust Fund immediately upon receipt.

(e) Funds shall be encumbered and expended in the order in which they are collected. Any proceeds in a trust fund account on deposit, not immediately necessary for expenditure, may be invested in interest bearing assets. All income derived from this investment shall be added to and retained in the trust fund account.

(f) Each year, at the time the annual county budget is reviewed, the County Administrator shall propose appropriations to be spent from the Fire Protection



and EMS Impact Fee Trust Funds. After review of the County Administrator's recommendation, the Board shall approve, modify, or deny the recommended expenditures of the trust fund monies. Any amounts not appropriated from a trust fund account, together with any interest earnings, shall be carried over in the specific trust fund account to the following fiscal year.

**Sec. 10-340. – Fire Rescue Impact Fee Schedule.**

(a) Except as otherwise provided by the terms of this Article, all Impact Generating Land Development Activity within the unincorporated area of the County and within the incorporated areas of the cities of Belleview, Dunnellon, Reddick, and McIntosh shall pay the Fire Protection Impact Fees set forth in the schedule below as a condition of issuance of a Certificate of Occupancy:

**Marion County**

**Fire Protection Impact Fee Rates**

ITE	Land Use	Impact Unit	Fire Protection Impact Fee
<b>RESIDENTIAL:</b>			
210/215	Single Family		
	- 1,500 sf or less	du	\$663
	- 1,501 to 2,499 sf	du	\$753
	- 2,500 sf and greater	du	\$829
220/221/222	Multi-Family	du	\$505
210/240	Mobile Home	du	\$643
251	Senior Adult Housing - Detached	du	\$453
252	Senior Adult Housing - Attached	du	\$300
<b>TRANSIENT, ASSISTED, GROUP:</b>			
253	Congregate/Assisted Care Facility	du	\$396
310	Hotel	room	\$567
320	Motel	room	\$486
620	Nursing Home	bed	\$491
<b>RECREATIONAL:</b>			
411	Public Park	acre	\$19
416	RV Park/Campground	site	\$219
420	Marina	berth	\$57
430	Golf Course	hole	\$381
445	Movie Theater	screen	\$2,212
492	Racquet Club/Health Spa	1,000 sf	\$1,001
495	Recreational Community Center	1,000 sf	\$863
<b>INSTITUTIONAL:</b>			
520	Elementary School (Private)	student	\$48
522	Middle School (Private)	student	\$43
525	High School (Private)	student	\$38



540	University/Junior College (7,500 or fewer students) (Private)	student	\$48
550	University/Junior College (more than 7,500 students) (Private)	student	\$38
560	Church	1,000 sf	\$224
565	Day Care Center	1,000 sf	\$405
590	Library	1,000 sf	\$977
<b>MEDICAL:</b>			
610	Hospital	1,000 sf	\$610
640	Animal Hospital/Veterinary Clinic	1,000 sf	\$648
<b>OFFICE:</b>			
710	Office	1,000 sf	\$453
720	Medical Office/Clinic	1,000 sf	\$553
770	Business Park	1,000 sf	\$439
<b>RETAIL:</b>			
822	Retail 6,000 sfgla or less	1,000 sfgla	\$939
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	\$939
821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	\$1,306
820	Retail greater than 150,000 sfgla	1,000 sfgla	\$896
840/841	New/Used Auto Sales	1,000 sf	\$701
850	Supermarket	1,000 sf	\$1,077
862	Home Improvement Superstore	1,000 sf	\$863
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	\$806
890	Furniture Store	1,000 sf	\$148
<b>SERVICES:</b>			
911	Bank/Savings Walk-In	1,000 sf	\$524
912	Bank/Savings Drive-In	1,000 sf	\$677
931	Restaurant	1,000 sf	\$2,731
n/a	Small Local Restaurant	1,000 sf	\$2,340
941	Quick Lube	service bay	\$724
942	Automobile Care Center	1,000 sf	\$739
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	\$629
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	\$991
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	\$1,292
947	Self-Service Car Wash	service bay	\$415
948	Automated Car Wash	car tunnel	\$4,585
<b>INDUSTRIAL:</b>			
110	General Light Industrial	1,000 sf	\$214

140	Manufacturing	1,000 sf	\$253
150	Warehousing	1,000 sf	\$48
151	Mini-Warehouse	1,000 sf	\$14
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	\$67

(b) Except as otherwise provided by the terms of this Article, all Impact Generating Land Development Activity within the unincorporated and all incorporated areas of the County shall pay the EMS Impact Fee set forth in the schedule below as a condition of issuance of a Certificate of Occupancy:

**Marion County**

**EMS Impact Fee Rates**

ITE	Land Use	Impact Unit	EMS Impact Fee
<b>RESIDENTIAL:</b>			
210/215	Single Family		
	- 1,500 sf or less	du	\$208
	- 1,501 to 2,499 sf	du	\$238
	- 2,500 sf and greater	du	\$261
220/221/222	Multi-Family	du	\$173
210/240	Mobile Home	du	\$198
251	Senior Adult Housing - Detached	du	\$143
252	Senior Adult Housing - Attached	du	\$103
<b>TRANSIENT, ASSISTED, GROUP:</b>			
253	Congregate/Assisted Care Facility	du	\$131
310	Hotel	room	\$176
320	Motel	room	\$151
620	Nursing Home	bed	\$152
<b>RECREATIONAL:</b>			
411	Public Park	acre	\$6
416	RV Park/Campground	site	\$68
420	Marina	berth	\$18
430	Golf Course	hole	\$118
445	Movie Theater	screen	\$685
492	Racquet Club/Health Spa	1,000 sf	\$310
495	Recreational Community Center	1,000 sf	\$267
<b>INSTITUTIONAL:</b>			
520	Elementary School (Private)	student	\$15
522	Middle School (Private)	student	\$13
525	High School (Private)	student	\$12
540	University/Junior College (7,500 or fewer students) (Private)	student	\$15

550	University/Junior College (more than 7,500 students) (Private)	student	\$12
560	Church	1,000 sf	\$69
565	Day Care Center	1,000 sf	\$126
590	Library	1,000 sf	\$303
<b>MEDICAL:</b>			
610	Hospital	1,000 sf	\$189
640	Animal Hospital/Veterinary Clinic	1,000 sf	\$201
<b>OFFICE:</b>			
710	Office	1,000 sf	\$140
720	Medical Office/Clinic	1,000 sf	\$171
770	Business Park	1,000 sf	\$136
<b>RETAIL:</b>			
822	Retail 6,000 sfgla or less	1,000 sfgla	\$291
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	\$291
821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	\$405
820	Retail greater than 150,000 sfgla	1,000 sfgla	\$278
840/841	New/Used Auto Sales	1,000 sf	\$217
850	Supermarket	1,000 sf	\$334
862	Home Improvement Superstore	1,000 sf	\$267
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	\$250
890	Furniture Store	1,000 sf	\$46
<b>SERVICES:</b>			
911	Bank/Savings Walk-In	1,000 sf	\$162
912	Bank/Savings Drive-In	1,000 sf	\$210
931	Restaurant	1,000 sf	\$846
n/a	Small Local Restaurant	1,000 sf	\$725
941	Quick Lube	service bay	\$225
942	Automobile Care Center	1,000 sf	\$229
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	\$195
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	\$307
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	\$400
947	Self-Service Car Wash	service bay	\$129
948	Automated Car Wash	car tunnel	\$1,421
<b>INDUSTRIAL:</b>			
110	General Light Industrial	1,000 sf	\$66
140	Manufacturing	1,000 sf	\$78
150	Warehousing	1,000 sf	\$15

151	Mini-Warehouse	1,000 sf	\$4
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	\$21

## **SECTION 2. AMENDMENT OF SECTION 10-282 OF THE MARION COUNTY**

**Code.** Section 10-282 of the Marion County Code, Adoption of Impact Fee Technical Studies, is hereby amended as follows:

### **Sec. 10-282. Adoption of Impact Fee Technical Studies.**

\* \* \*

(b) The Board hereby adopts and incorporates by reference the Technical Study entitled "Marion County Fire Rescue & EMS Impact Fee Study," dated February 28, 2025 and prepared by Benesch, including the assumptions, conclusions, supporting data sources, and findings therein as to the determination of the anticipated costs of Infrastructure improvements to the County Fire Rescue System required to accommodate growth, which Technical Study is on file with the office of the County Administrator and available for public inspection.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

## **SECTION 3. NOTICE OF IMPACT FEE RATES.**

(a) In accordance with Section 10-284 of the Marion County Code, no later than July 1, 2025, the County Administrator is hereby directed to publish a notice once in a newspaper of general circulation within the County which notice shall include: (A) a brief and general description of the Fire Rescue Impact Fees, (B) a description of the geographic area in which the Fire Rescue Impact Fees will be collected; (C) the Fire Rescue Impact Fees rates to be imposed for each Impact Fee Land Use Category; and (D) that the Fire Rescue Impact Fees rates will go into effect for all Building Permit applications received on October 1, 2025 and thereafter.

(b) In the event, this notice is not published at least ninety (90) prior to the initial October 1, 2025 implementation date for the Fire Rescue Impact Fees, then the October 1, 2025 implementation date shall be adjusted to ensure that the Fire Rescue Impact Fees rates are not implemented earlier than ninety (90) days after the date of publication of the notice.

(c) The obligations herein for the payment of the Fire Rescue Impact Fees shall apply to all Impact Generating Land Development Activity that applies for a Building Permit on or after the applicable implementation date.

#### **SECTION 4. MISCELLANEOUS.**

(a) If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

(b) It is the intention of the Board, and it is hereby ordained that the relevant provisions of this Ordinance shall become and be made a part of the Marion County Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article" or other appropriate word.

(c) The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

(d) A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official



acknowledgment from the Secretary of State that this Ordinance has been filed with such office; provided the revisions to the Fire Rescue Impact Fees rates shall become effective as provided in Sections 1 and 3 hereof.

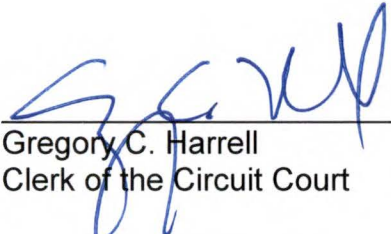
**DULY ADOPTED** this 23 day of May, 2025.

**MARION COUNTY BOARD OF COUNTY COMMISSIONERS**

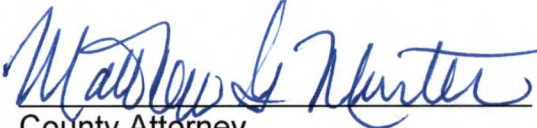
  
Kathy Bryant, Chairman

**Attest:**

RECEIVED NOTICE FROM SECRETARY OF STATE ON JUNE 3, 2025 ADVISING ORDINANCE WAS FILED ON JUNE 2, 2025.

  
Gregory C. Harrell  
Clerk of the Circuit Court

**APPROVED AS TO FORM:**

  
County Attorney



## **FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**

Governor

**CORD BYRD**

Secretary of State

June 3, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 2025-18, which was filed in this office on June 2, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp



## Debra Lewter

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**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Tuesday, June 03, 2025 09:18 AM  
**To:** Debra Lewter; County Ordinances  
**Cc:** Debra Windberg; Susan Mills McAllister  
**Subject:** RE: MRN20250523\_ORDINANCE\_2025\_18  
**Attachments:** Marion20250602\_Ordinance2025\_18\_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 2025-18.

Thank you,

### David Parrish

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Debra Lewter <DebraL@marioncountyclerk.org>  
**Sent:** Monday, June 2, 2025 3:51 PM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Subject:** MRN20250523\_ORDINANCE\_2025\_18

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

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Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-18, which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



**Debra Lewter**

Clerk, Commission Records

352-671-5620 | [DebraL@marioncountyclerk.org](mailto:DebraL@marioncountyclerk.org)

**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

**Debra Lewter**

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**From:** Debra Lewter  
**Sent:** Monday, June 02, 2025 03:51 PM  
**To:** CountyOrdinances@dos.myflorida.com  
**Cc:** Debra Windberg; Susan Mills McAllister  
**Subject:** MRN20250523\_ORDINANCE\_2025\_18  
**Attachments:** MRN20250523\_ORDINANCE\_2025\_18.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-18, which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

## Susan Mills McAllister

---

**From:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Sent:** Tuesday, June 03, 2025 10:08 AM  
**To:** Susan Mills McAllister  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** Marion County, FL Code of Ordinances - 1985(10237) & Marion County, FL Land Development Code - 2013(13949) ORDBANK

We have received your files.

Thank you very much.

Have a great day,

Ords Administrator  
[municodeords@civicplus.com](mailto:municodeords@civicplus.com)  
1-800-262-2633  
P.O. Box 2235  
Tallahassee, FL 32316

When available, please send all documents in WORD format to [municodeords@civicplus.com](mailto:municodeords@civicplus.com). However, if WORD format is not available, we welcome any document format including PDF.



Powering and Empowering Local Governments

JPB

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Monday, June 2, 2025 4:17 PM  
**To:** Municode Ords Admin <MunicodeOrds@civicplus.com>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>  
**Subject:** Marion County Ordinance 25-18

Good afternoon,

Attached is Ordinance 25-18 (Transportation Impact Fees), which was adopted by the Marion County Board of County Commissioners on Friday, May 23, 2025.

Please advise of any problem you may have opening the attached Word document.

Sincerely,



## **Susan Mills McAllister**

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

## **Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

ORDINANCE NO. 2025- 18

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REGARDING IMPACT FEES FOR TRANSPORTATION FACILITIES; FINDING EXTRAORDINARY CIRCUMSTANCES EXIST NECESSITATING AN INCREASE IN TRANSPORTATION IMPACT FEE RATES IN EXCESS OF THOSE PHASE-IN LIMITATIONS SET FORTH IN SECTION 163.31801, FLORIDA STATUTES; REDESIGNATING ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE OF ORDINANCES AS "IMPACT FEES;" PROVIDING CERTAIN RECITALS; AMENDING ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE REGARDING IMPACT FEES FOR TRANSPORTATION FACILITIES, INCLUDING SECTION 10-271 SHORT TITLE, AUTHORITY, AND APPLICABILITY, SECTION 10-272 INTENT AND PURPOSE, SECTION 10-273 DEFINITIONS, SECTION 10-275 WHO MUST PAY IMPACT FEES, SECTION 10-277 REBATE OF IMPACT FEES PAID, SECTION 10-278 INDEPENDENT IMPACT ANALYSIS, SECTION 10-279 LOCAL STUDIES; FIVE-YEAR UPDATE, SECTION 10-280 REVIEW HEARINGS BEFORE A HEARING OFFICER, SECTION 10-321 FINDINGS, SECTION 10-322 COMPUTATION OF AMOUNT OF FEES, SECTION 10-323 DEVELOPER CONTRIBUTION CREDITS, SECTION 10-325 USE OF FUNDS, SECTION 10-327 TRANSPORTATION IMPACT FEE SCHEDULE; REPEALING SECTION 10-282 OF THE MARION COUNTY CODE ON INDEXING; REPEALING SECTION 10-283 OF THE MARION COUNTY CODE ON ANNUAL INDEXING PROCEDURE; ADOPTING A NEW SECTION 10-282 OF THE MARION COUNTY CODE ON ADOPTION OF IMPACT FEE TECHNICAL STUDIES; ADOPTING A NEW SECTION 10-283 OF THE MARION COUNTY CODE ON ADMINISTRATIVE CHARGES; ADOPTING A NEW SECTION 10-286 OF THE MARION COUNTY CODE ON EXEMPTIONS; ADOPTING A NEW SECTION 10-287 OF THE MARION COUNTY CODE ON PENALTIES AND LIENS; ADOPTING A NEW SECTION 10-324 OF THE MARION COUNTY CODE ON DEFINITIONS APPLICABLE TO TRANSPORTATION IMPACT FEES; REPEALING SECTION 10-326 OF THE MARION COUNTY CODE ON MOBILE HOME IMPACT FEES; DIRECTING THE PROVISION OF NOTICE OF IMPACT FEE RATES; PROVIDING FOR SEVERABILITY, CODIFICATION, LIBERAL CONSTRUCTION, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Marion County, Florida currently imposes and collects Impact Fees for Transportation Facilities, as provided in Chapter 10, Article XI of the Marion County Code of Ordinances (“Marion County Code”); and

**WHEREAS**, pursuant to Section 10-279, the County recently completed a new technical study pertaining to the Transportation Impact Fees, and implementation of the recommendations within that study, along with recent updates to state law pertaining to impact fees, necessitates that the Marion County Board of County Commissioners (“Board”) make certain amendments to Chapter 10, Article XI of the Marion County Code; and

**WHEREAS**, in accordance with Section 163.31801(6), Florida Statutes, the Board has held not less than two publicly noticed workshops dedicated to the extraordinary circumstances set forth in the demonstrated-need analysis, entitled “Marion County Transportation Impact Fee Supplement, Demonstration of Extraordinary Circumstances,” dated March 19, 2025, and prepared by Benesch; and

**WHEREAS**, based upon the findings and conclusions in the demonstrated-need analysis and after considering all information and comment provided at the publicly-noticed workshops, the Board hereby finds that the County has experienced extraordinary circumstances -- including rapid population growth, significant increases in building permits leading to growth in demand for Public Facilities capacity, significant increases in Capital Improvement and land costs, and projected revenue losses if the Transportation Impact Fees are not increased – that justify the need to exceed the statutory phase-in limitations set forth in Section 163.31801(6), Florida Statutes; and



**WHEREAS**, the Board hereby finds based on the extraordinary circumstances set forth in the demonstrated-need analysis that it is necessary and in the best interests of the health, safety, and welfare of the citizens of Marion County to impose the updated Transportation Impact Fee rates set forth herein; and

**WHEREAS**, upon adoption of this Ordinance, notice of the Transportation Impact Fee rates imposed herein shall be provided in accordance with Section 10-284 of the Marion County Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. REDESIGNATING ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE.** Article XI of Chapter 10 of the Marion County Code is hereby redesignated from "Impact Fee for Transportation Facilities" to "Impact Fees."

**SECTION 3. AMENDMENT OF SECTION 10-271 OF THE MARION COUNTY CODE.** Section 10-271 of the Marion County Code, entitled Short Title, Authority and Applicability, is hereby amended as follows

Sec. 10-271. Short title, authority ~~and applicability~~.

(a) This article shall be known and may be cited as the "Marion County Impact Fee Ordinance ~~for Transportation Facilities~~."

(b) The Board of County Commissioners of Marion County (~~hereafter the "board"~~) has the authority to adopt this article pursuant to Article VIII, Section 1 of the Florida Constitution and Chapters 125 and 163, Florida Statutes.

(c) ~~Chapter 336, Florida Statutes, invests the board with general superintendence and control of all county roads and structures within Marion County including all collector roads in the unincorporated areas of~~

~~Marion County and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas and all urban minor arterial roads not in the state highway system.~~

[underline indicates additions; strikethrough indicates deletions]

#### **SECTION 4. AMENDMENT OF SECTION 10-272 OF THE MARION COUNTY**

**CODE.** Section 10-272 of the Marion County Code, entitled Intent and Purpose, is hereby amended as follows:

##### **Sec. 10-272. Intent, and purpose, and findings.**

(a) This article is intended to implement and be consistent with the Marion County Comprehensive Plan to assess new development a pro rata share of the costs required to finance Infrastructure and Capital Improvements to Public Facilities ~~transportation—improvements~~ necessitated by new development.

(b) The purpose of this article is to ensure that new development bears a fair share of the cost of capital expenditures necessary to provide Public Facilities in the County as contemplated by the comprehensive plan. ~~require the impact generating land development activity within the county to provide for capital improvements and additions to the Major Road Network System system which are necessitated by impact generating land development activity through the payment of impact fees.~~

(c) This Article shall not be construed to permit the collection of Impact Fees from Impact Generating Land Development Activity in excess of the amount reasonably anticipated to offset the cost of the demand from the Impact Generating Land Development Activity.

(d) This Article is intended to be consistent with the principles for allocating a fair share of the cost of new Public Facilities to new users. This article is intended to require development to contribute its proportionate share of the funds, land, or public facilities necessary to accommodate any impacts having a rational nexus to the proposed development and for which the need is reasonably attributable to the proposed development.

(e) The State of Florida through the enactment of Sections 163.3203 and 163.31801, Florida Statutes, has found that Impact Fees are an important source of revenue for a local government to use in funding the Capital Improvements and Infrastructure necessitated by new growth and that Impact Fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction provided that any Impact

Fee adoption or amendment must meet certain minimum standards as set out in Section 163.31801, Florida Statutes.

(f) The implementation of Impact Fees for Public Facilities to assist the County in funding growth-necessitated improvements is in the best interests of the citizens of Marion County, Florida.

(g) The Administrative Charge authorized for the Impact Fees pursuant to Section 10-282 is equal to or less than the actual costs of administration and collection of the Impact Fees in accordance with Section 163.31801, Florida Statutes, or its statutory successor in function.

(h) Providing incentives for the creation of Private Schools by exempting Private Schools from the County's Impact Fees serves to reduce the burden on public educational facilities, benefit the community as a whole and constitutes a valid public purpose. Further Private Schools may provide fiscal benefits to the County in excess of the cost of the project's impact to the County's Public Facilities that provides additional justification for exempting Private Schools from the County's Impact Fees.

[underline indicates additions; strikethrough indicates deletions]

## **SECTION 5. AMENDMENT OF SECTION 10-273 OF THE MARION COUNTY**

**CODE.** Section 10-273 of the Marion County Code, entitled Definitions, is hereby amended as follows:

### **Sec. 10-273. General Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Adequate security* means cash, a cashiers check, a letter of credit, property, or any other thing of value reasonably acceptable to the county.

*Accessory Building or Structure* means a detached, subordinate Building, meeting all property development regulations, the use of which is clearly incidental and related to the use of the principal Building or use of Land and which is located on the same lot as the principal Building or use.

*Administrative Charge* means the fee imposed in Section 10-283 to offset the actual costs associated with the collection and administration of Impact Fees imposed pursuant to this Article. The Administrative Charge is in addition to the Impact Fees imposed for Impact Generating Land Development Activity.



Alternative Impact Fee means any alternative Impact Fee calculated by an applicant and approved by the Board pursuant to Section 10-278 hereof.

Apartment means a structure that includes more than one dwelling unit. For impact fee determining purposes, duplex, triplex and quadruplex shall be categorized as "Apartment Residential 1-2 stories (per dwelling unit)."

Arterial road means a road providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. In addition, every United States numbered highway is an arterial road.

Board means the Marion County Board of County Commissioners.

Building means any structure, either temporary or permanent, designed or built for the support, enclosure shelter or protection of persons, chattels or property of any kind. This term shall include manufactured homes, trailers, mobile homes or any vehicles serving in any way the function of a Building. This term shall not include temporary construction sheds or trailers erected to assist in construction and maintained during the term of a construction.

Building area means the area expressed in square feet (sf) included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts, but including all Floor Area. The area of a Building or portion of a Building without surrounding walls shall be the usable area under the horizontal projection of the roof or floor above. Building Area is the applicable unit of measurement for those Impact Fee Land Use Categories where the Impact Fee is determined based on square feet (sf).

Building permit means that development permit issued by the County or a city under the authority of law that is required before the construction or siting of a structure Building or portion thereof and, for purposes of this Article on Impact Fees, includes move-on permits, electrical permits, tie-down permits, or other development approvals for those structures or Buildings, such as a Mobile Home, that do not require a Building Permit to be constructed or occupied.

Capital improvement means any project eligible for inclusion as a road project in the Major Road Network System system, including expenditures for transportation planning, right of way acquisition, engineering, and construction, and facility planning, land acquisition, site improvements, and necessary off-site improvements. The term does not include routine or periodic maintenance as those terms are defined in subsections 334.03(18) or (23), Florida Statutes (2015). This term also does not include routine resurfacing.

Certificate of Occupancy means the official document or certificate issued by the County or a city under the authority of law, authorizing the occupancy of any Building or parts thereof and, for purposes of this Article on Impact Fees, includes move-on permits, electrical permits, tie-down permits, or

other development approvals for those structures or Buildings, such as a Mobile Home, that do not require a Certificate of Occupancy to be occupied.

~~Collector road means a road providing service which is of average traffic volume, trip length, and operating speed. Such a road also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.~~

County means Marion County, Florida.

County Administrator means the chief administrative officer of the County appointed by the Board or such person's designee.

~~Development order means an order granting a comprehensive plan amendment changing the land use of property or an order granting or granting with conditions an application for a development permit as defined in subsection 163.3164(156), Florida Statutes.~~

~~Developer contribution means a feepayer's donation and conveyance of land, Capital Improvements, or Infrastructure as a contribution to the County's Public Facilities, right-of-way or drainage retention areas for, or contribution toward or construction of, off-site road improvements to the Major Road Network System.~~

Dwelling unit (du) means a Building, or a portion thereof, which is designed for residential occupancy, consisting of one or more rooms which are arranged, designed or used to provide complete independent living quarters for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. The terms shall not include hotels, motels, time-shares, tourist or trailer camps allowing a rental of less than three months, or residential facilities which provide 24 hours a day medical care.

Encumbered means monies committed by contract or purchase order in a manner that obligates the county to expend the Encumbered amount upon delivery or completion of goods, services or real property provided by a vendor, supplier, contractor, or owner. For purposes of the Transportation Impact Fee, the execution of an agreement with the Florida Department of Transportation by the County for the construction of improvements or additions to a designated improvement to the state highway system, with or without reimbursement, shall be considered to have encumbered Transportation Impact Fees collected for that improvement or addition.

Existing land development activity means the most intense use of land since January 1, 1990. In the case of a building that has been vacant since January 1, 1990, the last documented use of the building shall be used. In the case of the Ocala Redevelopment Area, as defined by resolution 88-52 of the City of Ocala Council, the most intensive use of the land since 1965 shall be used. The board may, by resolution, adopt a different period of time for county and municipal community redevelopment areas.

Feepayer shall means a person who is commencing Land Development Activity covered by this article. A Feepayer may also be referred to as the applicant or developer.

Floor Area shall mean the sum of the gross floor area for each of a Building's stories, measured from the exterior faces of the structure.

Government Property means property owned by the United States of America or any agency thereof, a sovereign state or nation, the State of Florida or any agency or political subdivision thereof, a city, a special district, or a school district.

Generation of traffic shall mean the production or attraction of traffic.

Impact Fees means the fees imposed by the Board pursuant to this Article.

Impact Fee Land Use Category means those categories of land use incorporated in the impact fee rate schedules adopted in this Article XI, as identified by ITE LUC code.

Impact generating land development activity means land development activity designed or intended to permit a use of the land which will cause an increased the impact on the County's Public Facilities generation of vehicle-miles of travel for such land development activity.

Independent Impact Analysis means a study prepared by an applicant and submitted to the County Administrator pursuant to Section 10-278.

ITE LUC means the Impact Fee Land Use Category based on the publication Trip Generation Manual, 11th Edition, 2021, as supplemented, published by the Institute of Transportation Engineers, or the most recent edition thereof.

Land means the earth, water, and air above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

Land development activity means is any activity which requires the issuance of a Building Permit.

Major road network system means all principal and minor arterial roads, and major and minor collector roads within Marion County, including proposed arterial and collector roads of this type. The Major Road Network System shall also include new roads approved by the board by resolution and those proposed section line roads, required to be dedicated and/or constructed as part of new final development orders, which the county determines to meet collector or arterial road definition. The Major Road Network System shall also include arterial and collector roads shown on the Marion County Comprehensive Plan Future Traffic Circulation Functional Classification Map, or listed in the transportation planning organization's (TPO's) long range transportation plan (LRTP) or the county transportation improvement plan (TIP) or municipal capital improvement plans (CIP) or capital improvement elements.

A-Mobile home is means a structure transportable in one or more sections which is eight (8) feet or more in width and which is built upon an integral chassis and designed to be used as a dwelling unit when connected to the required utilities. This definition also includes manufactured homes.

A-Multifamily residence is means a building or portion thereof, used for residential purposes, and which contains two (2) or more separate dwelling units.

Nonresidential means Impact Generating Land Development Activity that is not Residential.

Owner means the person holding legal title to the real property.

~~Off-site road improvement means a road improvement, which meets the definition of a capital improvement, located outside the boundaries of the parcel proposed for development, which is required in order to serve the development's external trips on the Major Road Network System. Off-site road improvements do not include access improvements.~~

Person means individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other entity.

Private School means a nonpublic school that provides instructional services that meet the intent of Section 1003.01(16), Florida Statutes, for children in any grade from kindergarten through high school, but not including home education programs or personalized education programs, as defined in Section 1002.01, Florida Statutes, or private tutoring programs as provided in Section 1002.43, Florida Statutes..

Public Facilities means major capital facilities for which the Board imposes an Impact Fee pursuant to this Article XI, Chapter 10 of the Marion County Code.

Residential means Impact Generating Land Development Activity consisting of Mobile Homes, Multifamily Residences, or Single Family Residences.

~~Right-of-way means land in which the state, the department of transportation, a county, or a municipality owns the fee or has an easement devoted to or required for use as a transportation facility.~~

~~Road shall include highways, streets, sidewalks, bike lanes or paths, alleys, multi-modal facilities associated with road capacity only, and other ways open to travel by the public, including the roadbed, right of way, and all culverts, drains, sluices, ditches, water storage areas, drainage retention areas, waterways, embankments, slopes, retaining walls, and bridges necessary for the maintenance of travel.~~

~~Road construction district shall have the meaning ascribed to it in section 10-325 of this article.~~



~~Road necessary to provide direct access to the development shall mean road improvements and right-of-way dedications for any road or intersection improvement that is not part of the Major Road Network System system, and whose function at the time of its construction is primarily to allow access to the development.~~

*A Single-family residence* is means a detached dwelling unit used for single family residential purposes, and for the purposes of calculating the Impact Fee rate, includes Mobile Homes that are not within a mobile home park.

~~Site-related road improvements are road improvements and right-of-way dedications which do not meet the same needs as the impact fee and which are (a) internal, on-site land or facilities required by local regulations, or (b) off-site improvements necessary to provide safe and adequate services to the development. Site-related improvements include, but are not limited to, the following: (1) site driveways and roads; (2) right and left turn lanes leading to those driveways; (3) traffic control measures for those driveways; (4) frontage roads; and (5) road necessary to provide direct access to the development.~~

*Site Plan* means, for the purposes of this Article, a plan approved by the County or a city to ensure that development activities occur in compliance with all land development regulations and specifying the specific arrangement of Buildings and other improvements on site in relation to each other, existing site conditions, and information on the nature and intensity of land use.

*Technical study means* is the periodic methodological study prepared by a qualified consultant in order to determine the amount of impact fees imposed by this article, as adopted pursuant to section 10-282 hereof.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

## **SECTION 6. AMENDMENT OF SECTION 10-275 OF THE MARION COUNTY**

**CODE.** Section 10-275 of the Marion County Code, entitled Who Must Pay Impact Fees, is hereby amended as follows:

### **Sec. 10-275. Who must pay impact fees.**

(a) Any person who, ~~after the effective date of this article,~~ shall commence any new impact generating land development activity, shall be required to pay the impact fees in the manner and amount set forth in this article.

(b) In the case of a change of use, redevelopment, or modification of an existing use which requires the issuance of a building permit, Site Plan approval, or a Certificate of Occupancy, the impact fee shall be based upon

the net increase in the impact fee for the new use as compared to the existing use land development activity. If a subsequent change in the nature of an existing use land development activity, or a replacement of the existing use land development activity to be permitted generates additional traffic impact on the Public Facilities, then the new use land development activity shall pay impact fees only to the extent of the net increase in the impact of the use land development activity. The amount of the impact fee that is due as a result of the change in land use shall be paid prior as a condition of to the issuance of a certificate of occupancy for construction or remodeling. If the change of land use does not require the issuance of a building permit, or site plan approval, or a Certificate of Occupancy, then there shall be no requirement to pay an impact fee. The planning division shall calculate the impact fee due to a change in use. Under no circumstances will a refund of the impact fee be granted for change of use. Where portable buildings utilized for education have paid an impact fee at one site and such buildings are relocated to another site, no additional impact fees will be required for such relocation.

(c) Any land development activity, for which a complete application for a building permit has been submitted prior to the effective date of any impact fee increase, may pay impact fees for that land development activity at the rate in effect at the time a complete application for a building permit has been submitted, provided however, this provision shall apply only as long as such building permit remains valid.

(d) Notwithstanding any provision to the contrary, any modification to an existing use which does not exceed five hundred (500) square feet, and the addition of a room to a residential structure which does not create an additional dwelling unit, shall be deemed de minimis impacts and no impact fee shall be due for such modifications. Except for residential additions, which do not create an additional dwelling unit, de minimis impact modifications shall be limited to one per calendar year per parcel. The addition of a dwelling unit greater than (one thousand) 1,000 s.f.g.l.a. in size, to a parcel already occupied by a single-family residence, when not attached to such single-family residence by a habitable space, shall be considered as an additional dwelling unit subject to payment of a separate impact fee.

(e) ~~Reserved.~~ The payment of the impact fees shall be in addition to all other fees, charges, or assessments due for the issuance of a Building Permit or Certificate of Occupancy.

(f) ~~Education facilities. The board hereby finds that providing incentives for the creation of private educational facilities reduces the burden on public educational facilities, benefits the community as a whole and constitutes a valid public purpose. The board further finds that private educational facilities may provide fiscal benefits to the county in excess of the cost of the project's impact to the county's Major Road Network System. The board further finds that by operation of state law public educational facilities are~~

~~exempt from the payment of impact fees. Therefore, the board may, in its sole discretion, grant a partial or total rebate of all impact fees actually paid in cash on account of an impact generating land development activity when the original occupant of such development activity was a private educational facility from kindergarten through high school, upon letter application from the fee payer. To be considered for such rebate, an application for rebate must be filed with the county administrator within seven (7) years of the date of payment of such Fees, and the improvements must still be in use as a private educational facility as of the date of the application. Payment of any rebates made to the applicant shall be made from the county's general fund.~~

[underline indicates additions; strikethrough indicates deletions]

## **SECTION 7. AMENDMENT OF SECTION 10-277 OF THE MARION COUNTY**

**CODE.** Section 10-277 of the Marion County Code, entitled Rebate of Fees Paid, is hereby amended as follows:

### **Sec. 10-277. Rebate of fees paid.**

(a) Any funds not expended or Encumbered by the end of the calendar quarter immediately following seven (7) years from the date on which the impact fee was paid ~~may~~ shall be returned to the feepayer with interest at the rate earned in the impact fee ordinance trust fund, if any, in accordance with the procedures in this section.

(b) The Board may, by resolution, extend for up to three (3) years the date at which the funds may be rebated. Such an extension shall be made upon a finding that within the three-year period, eligible improvements are scheduled to be constructed that are reasonably attributable to the feepayer's land development activity and that the fees for which the time of rebate is extended shall be spent for those Capital Improvements or Infrastructure.

(c) For purposes of computation of time and expenditure of collected fees, the first fees collected shall be deemed the first fees Encumbered or expended spent. ~~For purposes of this section, funds shall be considered expended when contracts(s) have been awarded by the county committing the funds or when the funds have actually been spent, whichever is earlier.~~ Rebates shall be made only in accordance with the following procedures:

(1) To qualify for a rebate, the feepayer or his successor in interest must submit a petition for a rebate within one hundred eighty (180) days of the time identified in subsection (a) or (b) above, as applicable.

(2) The petition for rebate shall be submitted to the county administrator or his designee and shall contain:

a. A notarized sworn statement that the petitioner is the then current owner of the property on behalf of which the impact fee was paid;

b. A copy of the dated receipt issued for payment of such fee, or such other record as would indicate payment of such fee;

c. A certified copy of the latest recorded deed; and

d. A copy of the most recent ad valorem tax bill.

(3) The county administrator or his designee shall review the rebate application within thirty (30) days from the date of its receipt and determine whether an impact fee rebate is appropriate. If rebate is determined not to be appropriate, the applicant will be notified in writing.

(4) Any impact fee collected shall be rebated to the feepayer or his successor in interest if the fees have not been spent or encumbered prior to the time identified in subsection 10-277(a) or (b) above. ~~Impact fees collected shall be deemed to be spent or encumbered on the basis that the first fee collected shall be the first fee spent.~~

(5) Any application submitted after the one hundred eighty- ~~(180-~~ ) day period provided in subsection 10-277(c) shall not be accepted and the applicant shall have no further right to a rebate of impact fees. The impact fee rebate shall be made to the applicant within sixty (60) days of such determination of appropriateness as indicated in subsection 10-277(c)(3).

[underline indicates additions; ~~strikethrough~~ indicates deletions]

## **SECTION 8. AMENDMENT OF SECTION 10-278 OF THE MARION COUNTY**

**CODE.** Section 10-278 of the Marion County Code, entitled Independent Impact Analysis, is hereby amended as follows:

### **Sec. 10-278. Independent impact analysis.**

(a) At the option of the feepayer, ~~the~~ an Alternative Impact Fee may be computed by the use of an independent impact analysis. The person who prepares the independent impact analysis shall be approved by the county administrator or his designee on the basis of professional training and experience in the preparation of impact analyses. The feepayer shall be responsible for preparation of a complete independent impact analysis, which must be submitted to the County Administrator prior to the issuance of a Certificate of Occupancy for the subject Impact Generating Land Development Activity. Upon review and analysis, and the county administrator or his designee shall submit a recommendation to the board to accept, reject or modify that analysis and the proposed Alternative Impact Fee. The Board shall determine whether to accept, reject, or modify the

Independent Impact Analysis and the Alternative Impact Fee ~~The decision of the board may be appealed to the circuit court within thirty (30) days of the decision.~~

(b) If the an Alternative Impact Fee is computed by an independent impact analysis, the analysis must be consistent with the following:

(1) The independent impact analysis shall be based on data, information, assumptions, and the methodology defined in the independent impact analysis guidelines provided in the Marion County Impact Fee Administrative Procedures Manual .The independent impact analysis shall study all demand component variables utilized in the formula and shall not be acceptable if less than all demand components are studied. The independent impact analysis shall utilize the cost and audit components set forth in the most current applicable technical study referenced herein or the Independent Impact Analysis may utilize alternative data sources provided that (i) the alternative source is a generally accepted standard source of planning information and cost impact analysis performed pursuant to a generally accepted methodology consistent with the applicable Technical Study and (ii) the alternative source is based upon the most recent and localized data that is available within 4 years of the Independent Impact Analysis submission and adequate to support the conclusions contained in such study. For purposes of any Independent impact Analysis, the Impact Generating Land Development Activity shall be presumed to have the maximum impact on the Capital Facilities for the appropriate Impact Fee Land Use Category.

(2) If the independent impact analysis is prepared in connection with a contribution agreement ~~by which terms the fee will be paid at the time of discretionary action by the board~~, the statement shall be submitted by the county administrator or his designee to the board for its review and at the same time it considers the ~~action to be taken~~ contribution agreement.

(3) If the independent impact analysis covers a development located within a municipality, the county shall make a copy of the analysis available for municipal review and comment.

(c) A processing and review fee of five hundred dollars (\$500.00) shall be submitted with the independent impact analysis, which fee is equal to or less than the County's anticipated actual costs associated with the review and administration of an Independent Impact Analysis. County staff processing and reviewing the analysis shall keep records of the time and cost of such review and if the total cost of processing and review is less than five hundred dollars (\$500.00), a rebate of the difference shall be provided to the applicant.

(d) An Applicant who submits an Independent Impact Analysis for a proposed Alternative Impact Fee pursuant to this section and desires the issuance of a Certificate of Occupancy prior to the resolution of a pending Alternative Impact Fee shall pay the applicable Impact Fee at the time of

said application for Certificate of Occupancy. Said payment shall be deemed "Under Protest" and shall not be construed as a waiver of any rights. Any difference in the amount of the Impact Fees after resolution of the pending Alternative Impact Fee shall be refunded or paid, as applicable.

[underline indicates additions; strikethrough indicates deletions]

## **SECTION 9. AMENDMENT OF SECTION 10-279 of the MARION COUNTY**

**CODE.** Section 10-279 of the Marion County Code, Local Studies; Five-Year Updates, is hereby amended as follows:

### **Sec. 10-279. - ~~Local studies; five-year updates~~Review Requirement.**

This Article and the Technical Study for each Impact Fee imposed herein shall be reviewed by the County approximately every five (5) years. The initial and each subsequent review shall consider but not be limited to all components of the applicable Technical Study. The purpose of this review is to demonstrate that the Impact Fees do not exceed reasonably anticipated costs associated with growth necessitated improvements to the Public Facilities. In the event the review of this Article and a Technical Study required by this section alters or changes the assumptions, conclusions and findings of the Technical Study then said study shall be amended and updated to reflect the assumptions, conclusions and findings of such reviews and the applicable Impact Fees shall be amended in accordance therewith. Once a Technical Study is initiated, if the Impact Fee rates are going to be increased, those increases must be adopted within twelve (12) months.

~~The county administrator or his designee shall periodically perform studies, as directed by the board, to determine whether the data utilized to establish the impact fees stated herein are consistent with local experience. At least every five (5) years, the county administrator shall inform the board regarding the progress of and results obtained in such studies, and may make recommendations regarding changes to the impact fees. The county administrator may recommend to the board the performance of studies within such five-year period consistent with local experience, as necessary.~~

[underline indicates additions; strikethrough indicates deletions]



## SECTION 10. AMENDMENT OF SECTION 10-280 OF THE MARION COUNTY

**CODE.** Section 10-280 of the Marion County Code, Review Hearings Before a Hearing Officer, is hereby amended as follows:

### **Sec. 10-280. - Review hearings before a hearing officer.**

\* \* \*

- (b) Such a hearing shall be limited to the review of the following:
- (1) The application or calculation of the appropriate impact fee pursuant to this Article ~~section 10-322~~.
  - (2) The application or calculation of the appropriate rebate of impact fee pursuant to section 10-277.
  - (3) The refusal or valuation of developer impact fee credit for dedication of land or construction of improvements.
  - (4) The county's ~~administrator's~~ rejection of an independent impact analysis pursuant to Section 10-278.
  - (5) A claim that the new fee schedule constitutes an unlawful impairment of an existing construction or development contract.

\* \* \*

- (g) The application fee for appeals to the hearing officer shall be eight hundred dollars (\$800.00), which fee is equal to or less than the County's anticipated actual costs associated with the review and administration of such an appeal. This fee and shall be paid when the applicant files his request to a review hearing with the zoning director. If the total fees paid to the hearing officer for issuance of the hearing officer's final order on review is less than eight hundred dollars (\$800.00), the county will provide a rebate of the excess application fee to the applicant.

[underline indicates additions; ~~strikethrough~~ indicates deletions; \*\*\* indicates omitted text that was not amended]

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## **SECTION 11. REPEAL OF SECTION 10-282 THE MARION COUNTY CODE.**

Section 10-282 of the Marion County Code, entitled Indexing, is hereby repealed in its entirety.

**SECTION 12. REPEAL OF SECTION 10-283 OF THE MARION COUNTY CODE.**

Section 10-283 of the Marion County Code, entitled Annual Indexing Procedure, is hereby repealed in its entirety.

**SECTION 13. ADOPTION OF NEW SECTION 10-282 OF THE MARION COUNTY CODE.** A new Section 10-282 of the Marion County Code, entitled Adoption of Impact Fee Technical Studies, is hereby created to read as follows:

**Sec. 10-282. Adoption of Impact Fee Technical Studies.**

(a) The Board hereby adopts and incorporates by reference the Technical Study entitled "Marion County Transportation Impact Fee Study," dated February 28, 2025 and prepared by Benesch, including the assumptions, conclusions, supporting data sources, and findings therein as to the determination of the anticipated costs of Capital Improvements and additions to the Major Road Network System required to accommodate growth, which Technical Study is on file with the office of the County Administrator and available for public inspection.

**SECTION 14. ADOPTION OF NEW SECTION 10-283 OF THE MARION COUNTY CODE.** A new Section 10-283 of the Marion County Code, entitled Administrative Charges, is hereby created to read as follows:

**Sec. 10-282. Administrative Charges.** In addition to the Impact Fees imposed in this Article, the County or city, whichever entity is collecting the Impact Fee, may charge an additional \$25 Administrative Charge for each Residential Impact Fee collected and an additional \$35 Administrative Charge for each Nonresidential Impact Fee collected to defray the costs of collecting and administering the Impact Fees, which charges are equal to or less than the actual costs of administration and collection.

**SECTION 15. ADOPTION OF NEW SECTION 10-286 OF THE MARION COUNTY CODE.** A new Section 10-286 of the Marion County Code, entitled Exemptions, is hereby created to read as follows:

**Sec. 10-286. Exemptions.**

(a) The following shall be exempted wholly or in part from payment of the transportation impact fee:

(1) Alterations or expansion of an existing Building where no additional units are created, the use is not changed, and where no additional impact on Public Facilities is caused by the alterations or expansions over and above that produced by the existing use.

(2) The construction of Accessory Buildings or Structures which will not produce additional impact on Public Facilities over and above that produced by the principal Building or use of the land.

(3) The replacement of an existing Mobile Home on the same Land, provided the applicant presents evidence to the County Administrator that the existing Mobile Home was licensed by the State of Florida, located in Marion County and use as a residence since January 1, 1990. Evidence may include a mobile home certificate of payment, electric utility service statements, tax roll records or other such records that demonstrate that the existing Mobile Home was used as a residence. A statement from any individual verifying the residence is not acceptable.

(4) Government Property, including public schools and charter schools.

(5) Private Schools.

(b) Any claim of exemption must be made no later than the time of application for a Certificate of Occupancy. Any claim not so made shall be deemed waived.

**SECTION 16. ADOPTION OF NEW SECTION 10-287 OF THE MARION COUNTY CODE.** A new Section 10-287 of the Marion County Code, entitled Penalties, is hereby created to read as follows:

**Sec. 10-287. Penalties.** A violation of this Article shall be prosecuted as provided in Section 125.69, Florida Statutes; however, in addition to or in lieu of any criminal prosecution, Marion County shall have the power to sue in civil court or to use the code enforcement process as provided by Chapter 162, Florida Statutes to enforce the provisions of this Article.

## SECTION 17. AMENDMENT OF SECTION 10-321 OF THE MARION COUNTY

**CODE.** Section 10-321 of the Marion County Code, entitled Findings, is hereby amended as follows:

### **Sec. 10-321. Findings.**

It is hereby ascertained, determined and declared:

(1) Development necessitated by the growth contemplated in the Marion County Comprehensive Plan and the Technical Study for Transportation Impact Fees will require Capital Improvements and additions to the Major Road Network System to accommodate the new development generated by such growth and maintain the standards of service provided by the Major Road Network System. Both existing development and development necessitated by the growth contemplated in the comprehensive plan will require improvements and additions to the Major Road Network System system to accommodate and maintain traffic at the level of service adopted by municipalities and the county.

(2) Future growth, as represented by Impact Generating Land Development Activity, should contribute to the cost of Capital Improvements and additions to the Major Road Network System required to accommodate traffic generated by such growth as contemplated in the comprehensive plan.

(3) The required Capital Improvements and additions to the Major Road Network System needed to accommodate existing traffic at the level of service adopted by municipalities and the county shall be financed by revenue sources of municipalities and the county other than transportation impact fees. The required Capital Improvements to the Major Road Network System needed to eliminate any deficiencies shall be financed by revenues other than Transportation Impact Fees.

(4) Implementation of a the Transportation Impact Fees structure, to require future impact generating land development activity to contribute the cost of required transportation capital improvements and additions, is an integral and vital element of the regulatory plan of growth management incorporated in the comprehensive plan of the county.

(5) There is a rational nexus between future growth, as measured by Impact Generating Land Development Activity, and the need to expand the Major Road Network System through the acquisition and construction of new Buildings, equipment, Right-of-Way, Land, transportation improvements, and other Capital Improvements in order to maintain the standards of service currently provided by the Major Road Network System. The Transportation Impact Fees adopted herein for each Impact Fee Land

Use Category are proportional to impact expected to be generated by Impact Generating Land Development Activity.

(56) The Board expressly finds that Capital Improvements and additions to the Major Road Network System provide a benefit to all Impact Generating Land Development Activity within the county in excess of the Transportation Impact Fee and the collection of Transportation Impact Fees is ~~the a~~ major source of funding for the county five (5) year transportation improvement program. The Board has determined that ad valorem tax revenue and other revenues will not be sufficient to provide the Capital Improvements to the Major Road Network System that are necessary to accommodate new Impact Generating Land Development Activity within the County.

(7) The purpose of this Article is to require payment of Transportation Impact Fees by those who engage in Impact Generating Land Development Activity to provide for the cost of Capital Improvements to the Major Road Network System that are required to accommodate such growth. This Article shall not be construed to permit the collection of Transportation Impact Fees in excess of the amount reasonably anticipated to offset the demand on the Major Road Network System generated by such applicable Impact Generating Land Development Activity.

(68) In recognition that transportation planning is an evolving process, it is the intent of the Board that needed Capital Improvements to the Major Road Network System be identified and evaluated periodically to ensure ~~insure~~ Transportation Impact Fee revenues are allocated to provide benefits to new development as required by law. By periodically reevaluating Transportation Impact Fees and planned road improvements, the County can ensure ~~insure~~ fees are imposed equitably and lawfully and are utilized effectively based upon actual and anticipated growth needs at the time of their imposition. Therefore, the cost of reviewing, updating, and adjusting this division is necessary to ensure ~~insure~~ that Transportation Impact Fees are imposed and administered in accordance with applicable law.

(79) The County has a responsibility to provide and maintain all roads ~~in~~ the County Road System in Marion County and cooperates with cities and the State of Florida in the provision of non-County Roads in the Major Road Network System, including Collector and Arterial Roads within the City Street System and the State Highway System. ~~in both the unincorporated areas as well as the incorporated areas.~~ New Impact Generating Land Development Activity occurring both within unincorporated and incorporated areas has impacts upon the Major Road Network System and county road system and state highway system within Marion County. placing a fair share of the ~~burden of the~~ cost of providing the Capital Improvements and additions to the Major Road Network System required by Impact Generating Land Development Activity ~~within incorporated areas~~ constitutes a county purpose. In recognition of these findings, it is the intent of the Board to impose the Transportation Impact Fee on all Impact

Generating Land Development Activity occurring within the county, including areas within municipal boundaries.

(810) The technical study entitled "Marion County Transportation Impact Fee Update Study" dated ~~June 15, 2015~~February 28, 2025, prepared by ~~Tindale Oliver and Associates~~ Benesch, sets forth a reasonable methodology and analysis for the determination of the impact of new development on the needs for and costs of additional transportation Capital Improvements ~~facilities~~ in Marion County.

(11) The data set forth in the Technical Study which was employed in the calculation of the Transportation Impact Fee rates imposed herein is the most recent and localized data available for the Major Road Network System and was not more than 4 years old at the time of the updated Technical Study. The increased Transportation Impact Fee rates included herein were adopted within twelve (12) months of the initiation of the Technical Study.

(12) The Transportation Impact Fees collected by the County pursuant to this Article may be used to pay existing debt related to the construction of Capital Improvements or for previously approved Capital Improvements. The Board legislatively finds and determines that these Capital Improvements funded by the Transportation Impact Fees are proportional and have a rational nexus to the impacts generated by new development that contributes Transportation Impact Fees towards the funding of these facilities and that there is available capacity to serve those properties from the debt funded Infrastructure from previously approved projects.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

## **SECTION 18. AMENDMENT OF SECTION 10-322 OF THE MARION COUNTY**

**CODE.** Section 10-322 of the Marion County Code, entitled Computation of Amount of Fees, is hereby amended as follows:

### **Sec. 10-322. Computation of amount of fees.**

(a) All Impact Generating Land Development Activity within the County, including all municipal areas, shall pay the Transportation Impact Fees, as established in this division, as a condition of issuance of a Certificate of Occupancy.

(b) At the time a complete application for a building permit is submitted for the construction of an impact generating land development activity, the county will determine the amount of Transportation Impact Fees to be paid. The impact fee shall be in the amounts set forth in section 10-327 and payable pursuant to Section 10-276.



(c) If the Impact Generating Land Development Activity includes fractional units, the fee shall be computed to the appropriate fraction.

(d) If the Impact Generating Land Development Activity is requested for mixed uses, then the Transportation Impact Fee shall be determined through using the schedule adopted in Section 10-327 by apportioning the space committed to uses specified on the schedule.

(e) Pursuant to Section 10-275, in the case of a change of use, redevelopment or modification of an existing use which requires the issuance of a building permit, Site Plan approval, or certificate of occupancy, the impact fee shall be based on the net increase in the impact fee for the new use as compared to the existing ~~usel~~and development activity.

(~~ef~~) If the land development activity being commenced cannot be classified into an Impact Fee Land Use Category ~~development type~~ identified in section 10-327, ~~then the fee payer may, at his option, use:~~

(1) The County Administrator shall use the fee schedule for the most nearly comparable Impact Fee Land Use Category to determine the Transportation Impact Fee. The County Administrator shall be guided in the selection of a comparable type by Florida Department of Transportation (FDOT) and/or Institute of Transportation Engineers (ITE) traffic generation statistics. If the County Administrator determines that there is no comparable type of land use on the above fee schedule, then the County Administrator shall determine the fee by:

(a) Using traffic generation statistics contained in the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers or trip generation statistics supplied and certified by a registered state professional engineer;

(b) Using for average trip length the average trip length of all average trip lengths for the applicable land use type as set out in this article (i.e., residential, office and financial, industrial, recreational, institutional, retail) that were used in calculating the above fee schedule;

(c) Using as a percent new trips the average percent new trips for the applicable land use type (i.e., residential, office and financial, industrial, recreational, institutional, retail) that were used in calculating the above fee schedule; and

(d) Applying the formula set forth in applicable Technical Study to calculate the Transportation Impact Fee.



~~The current edition of the Institute of Transportation Engineers (ITE) manual entitled Trip Generation and the methodology used in the impact fee Study, to determine the trip generation component of the transportation impact fee.~~

(2) Or the feepayer may at his option determine the amount of Transportation Impact Fees by use of an independent impact analysis pursuant to section 10-278 of this article.

(dg) Any person undertaking an Impact Generating Land Development Activity ~~land development activity subject to impact fee payment~~ who is in doubt as to the type or amount of any Impact Fees due may request, in writing, a nonbinding statement of Impact Fees due for the Impact Generating Land Development Activity ~~land development activity~~ from the County Administrator ~~or his designee~~, who shall expeditiously respond, in writing, to the request. The County Administrator may require sufficient drawings or plans related to the proposed development ~~to permit as a basis for his written answer.~~

[underline indicates additions; strikethrough indicates deletions]

## **SECTION 19. AMENDMENT OF SECTION 10-323 OF THE MARION COUNTY**

**CODE.** Section 10-323 of the Marion County Code, entitled Developer Contribution Credits, is hereby amended as follows:

### **Sec. 10-323. Developer contributions/credits.**

(a) A credit shall be granted against the transportation impact fee imposed in this Article ~~section 10-322~~ pursuant to a written impact fee credit agreement that has been approved by the board for certain conveyance of right-of-way, including any required water retention areas, or for the contribution toward or construction of off-site road improvements to the Major Road Network System required to be made pursuant to a development order by the county, a municipal development order that is the subject of a written impact fee credit agreement approved by the board for credit, or pursuant to an voluntary impact fee credit agreement made in connection with impact generating land development activity. Such conveyances or improvements shall be subject to the following standards:

(1) The ~~conveyance of~~ right-of-way or other Land shall be an integral part of the Major Road Network System; which ~~is~~ are scheduled for ~~right-of-way~~ acquisition in the five (5) year county transportation improvement plan (TIP) or any municipal five (5) year CIP. The board may,

by super majority vote, allow impact fee credits for conveyance of right-of-way for projects anticipated for acquisition beyond the five (5) year county TIP or beyond the first five (5) years of any municipal CIP.

(2) The off-site road improvements to be constructed shall be an integral part of the Major Road Network System which are scheduled for construction in the five (5) year county TIP or any municipal CIP, and shall exclude site-related road improvements. The board may, by super majority vote, allow for impact fee credits for construction of off-site road improvements for projects anticipated for construction beyond the five (5) year county TIP or beyond the first five (5) years of any municipal CIP.

(3) Conveyance of right-of-way and off-site road improvements on principal and minor arterial or major or minor collector roads identified in the TPO long range transportation plan may be approved for a credit agreement by a supermajority vote of the board.

(4) All conveyances of right-of-way or off-site road improvements, together with appurtenant right-of-way or easements required by the county, shall be conveyed to the county pursuant to ordinances, resolutions or regulations then in effect and in a form acceptable to the county attorney provided however, this requirement may be waived by the board where conveyance is to any municipality or the state.

(5) If the development order requires the developer to contribute land or a ~~public facility~~ Capital Improvement or construct, expand, or pay for land acquisition or construction or expansion of a ~~public facility~~ Capital Improvement, or portion thereof, which complies with the requirements of subsections 10-323(a)(1) through (3), and the developer is also subject to impact fees or exactions to meet the same needs, the developer shall receive a Transportation Impact Fee credit on a dollar-for-dollar basis at fair market value as of the date of conveyance pursuant to ~~may enter into an impact fee credit agreement with the county in conformance with subsection (f). that credits a development order exaction or fee toward an impact fee or exaction for the same need. For purposes of this section, the contribution or construction will meet the same needs if the improvement complies with the requirements of subsection 10-323(3).~~ The nongovernmental developer need not be required, by virtue of this credit, to competitively bid or negotiate any part of the construction or design of the ~~facility~~ Capital Improvement, unless otherwise required by the county, or unless the estimated cost of construction exceeds two million dollars (\$2,000,000.00), in which case the project shall be competitively bid unless waived by the board.

(6) Any credit granted for conveyance of right-of-way or other Land, or contribution or construction of other Capital Improvements shall be valued in accordance with subsection 10-323(ed).

(7) Any developer seeking a credit against impact fees for development within any municipality shall contact the county impact fee coordinator immediately and the county shall review all traffic studies and

participate with the city during negotiation of the development order to be submitted to the board for approval.

(b) A feepayer who desires to contribute land or construct an off-site road improvement in lieu of payment, or in partial payment, of the Transportation Impact Fee shall, prior to issuance of a building permit, submit to the county administrator or his designee a proposed plan for the contribution of the land or for the construction of the off-site road improvement to the Major Road Network System. The county administrator or his designee shall review the proposed plan to determine if it meets the requirements of section 10-323. If the amended proposed plan meets the requirements for credit, the county administrator or his designee shall submit the proposed plan to the board. If the proposed plan does not meet the requirements for credit, the county administrator or his designee shall notify the applicant in writing. Upon such notice, the applicant may amend the application to meet the requirements for credit and, if applicable, may request the board to add all or a portion of the proposed off-site road improvements to the county transportation improvement plan during its yearly update. ~~If the amended proposed plan meets the requirements for credit, the county administrator or his designee shall resubmit the proposed plan to the board. In the case of a credit requiring a supermajority vote, the county administrator or his designee shall also submit the proposed plan to the board.~~ The proposed plan of construction, dedication or contribution shall include:

(1) A designation and legal description of the impact generating land development activity for which the plan is being submitted;

(2) A list of the contemplated ~~off-site road improvements~~ Land or Capital Improvements to be donated;

(3) A legal description and a written appraisal prepared in conformity with subsection 10-323(ed)(1) of this section of any land proposed to be dedicated or conveyed;

(4) An estimate of proposed construction costs certified by a registered professional engineer; and

(5) A proposed time schedule for completion of the proposed plan of construction, dedication or conveyance.

\* \* \*

(d) ~~The amount of developer credit to~~ shall be applied to reduce the transportation impact fee on a dollar-for-dollar basis at fair market value and shall be determined according to the following standards of valuation:

(1) The value of contributed land shall be based upon a written appraisal of fair market value by a qualified and professional appraiser acceptable to the county and based on an appraisal of the fair market value of the property to be contributed, as of the date of the contribution. However, the county may require submission of an additional appraisal by an

appraiser selected by the county, at the expense of the applicant, if the appraisal submitted by the applicant is in excess of the value derived on the basis of the current county property appraiser's assessment multiplied by a factor of 1.50.

(2) The actual cost of construction of off-site road improvements to the Major Road Network System shall be based upon costs certified by a professional engineer. However, in no event shall any credit be granted for the construction of off-site road improvements in excess of the estimated costs approved by the county unless the construction project is competitively bid, in which case the credit shall be the actual cost or one hundred twenty (120) percent of the bid amounts whichever is less.

\* \* \*

(f) Upon approval for the contribution of land or construction of off-site road improvements, an impact fee credit agreement shall be entered into between the county and the owner. A nonrefundable processing, review and audit fee of two thousand five hundred dollars (\$2,500.00), which fee is equal to or less than the County's anticipated actual costs associated with the processing, review, and audit of the developer contribution credit, shall be due once the plan has been approved and prior to the preparation of an impact fee credit agreement by the county attorney. The agreement shall include, but not be limited to:

\* \* \*

(4) The duration of the agreement shall be for a period of five (5) years unless the applicant requests a longer period in which the board may approve a period of up to twenty (20) years. All credits available under an impact fee credit agreements shall be transferable within the applicable Road Construction District or to a development within an adjoining road construction district if the construction or contributions that generated the credit will provide direct benefit to the assignee development. In no event shall the duration exceed twenty (20) years, exclusive of any moratoria, from the date of recording in the official records.

\* \* \*

(10) A requirement that the credit for the ~~road~~ Transportation impact fees identified in the agreement shall run with the land for which the transportation impact fee is being assessed and shall be reduced ~~by the entire amount of the transportation impact fee due~~ for each building permit issued thereon until the development project is either completed or the credits are exhausted or no longer available.

\* \* \*

(h) Any road right-of-way or Land ~~required~~ to be dedicated to the county ~~as a condition of development approval~~ shall be dedicated no later than the time at which impact fees are required to be paid under this section. The portion of the fee represented by a credit for construction shall be deemed

paid when the construction is completed and accepted by the county for maintenance or when adequate security for the completion of the construction has been provided.

(i) Any developer contribution credit granted from the transportation impact fee shall only be for construction or contributions made to the Major Road Network System to accommodate growth within the respective road construction district where the impact generating land development activity is located. Credits granted under this section shall run with the land and may be assigned to other developments, regardless of ownership, within the same road construction district or to a development within an adjoining road construction district if the construction or contributions that generated the credit will provide direct benefit to the assignee development.

(j) If the Transportation Impact Fee rates are increased after a credit is granted under this section, the credit holder shall be entitled to the full benefit of the intensity or density prepaid by the credit amount as of the date the credit was established.

[underline indicates additions; ~~strike through~~ indicates deletions; \*\*\* indicates omitted text that was not amended]

**SECTION 20. ADOPTION OF NEW SECTION 10-324 OF THE MARION COUNTY CODE.** A new Section 10-324 of the Marion County Code, entitled Definitions Applicable to Transportation Impact Fees, is hereby created to read as follows:

**Sec. 10-324. Definitions Applicable to Transportation Impact Fees.**

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Arterial Road* means a Road providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. In addition, every State of Florida and United States numbered highway is an Arterial Road.

*Capital Improvement* means a fixed capital expenditure or fixed capital outlay providing additional capacity to the Major Road Network System, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvements to the Major Road Network System that have a life expectancy of at least five years; related Land acquisition, Land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the Public Facility into service. The term "capital improvement" is intended to be consistent with the term "infrastructure" in Section 163.31801, Florida Statutes.

*Collector Road* means a Road providing service which is of average traffic volume, trip length, and operating speed. Such a road also collects and distributes traffic between local roads or Arterial Roads and serves as a linkage between land access and mobility needs.

*Major Road Network System* means all principal and minor Arterial Roads and major and minor Collector Roads within Marion County, including Roads within the state highway system as defined in Section 334.03(24), Florida Statutes, and proposed Arterial and Collector Roads, but excluding the city street system as defined in Section 334.03(3), Florida Statutes, local roads as defined in Section 334.03(14), Florida Statutes, interstate highways, and toll facilities. The Major Road Network System shall also include new Roads approved by the Board by resolution and those proposed section line Roads, required to be dedicated and/or constructed as part of new final development orders, which the County determines to meet Collector Road or Arterial Road definitions. The Major Road Network System shall also include Arterial Roads and Collector Roads shown on the Marion County Comprehensive Plan Future Traffic Circulation Functional Classification Map, or listed in the transportation planning organization's (TPO's) long range transportation plan (LRTP) or the county transportation improvement plan (TIP) or municipal capital improvement plans (CIP) or capital improvement elements.

*Off-site Road Improvement* means a Road improvement, which meets the definition of a Capital Improvement, located outside the boundaries of the parcel proposed for development, which is required to serve the development's external trips on the Major Road Network System. Off-site road improvements do not include Site-related Road Improvements.

*Right-of-Way* means land in which the state, the department of transportation, a county, or a municipality owns the fee or has an easement devoted to or required for use as a transportation facility.

*Road* shall include highways, streets, sidewalks, bike lanes or paths, alleys, multi-modal facilities associated with road capacity only, and other ways open to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, drainage retention areas, waterways, embankments, slopes, retaining walls, and bridges necessary for the maintenance of travel.

*Road Construction District* shall have the meaning ascribed to it in Section 10-325 of this Article.

*Site-related Road Improvements* are road improvements and right-of-way dedications which do not qualify as Capital Improvements, as defined herein, and which are internal, on-site land or facilities required by local regulations. Site-related improvements include, but are not limited to, the following: (1) site driveways and roads; (2) right and left turn lanes leading to those driveways; (3) traffic control measures for those driveways; (4)



frontage roads; and (5) road necessary to provide direct access to the development.

*Transportation Impact Fee* means the fees imposed pursuant to this Article to fund growth-necessitated Capital Improvements to the Major Road Network System.

## **SECTION 21. AMENDMENT OF SECTION 10-325 OF THE MARION COUNTY**

**CODE.** Section 10-325 of the Marion County Code, entitled Use of Funds, is hereby amended as follows:

### **Sec. 10-325. Use of funds.**

(a) All Transportation Impact Fee funds collected under this division are ~~expressly designated for the accommodation of impacts reasonably attributable to the proposed development, and~~ shall be used solely for the purpose of to provide growth-necessitated Capital Improvements for roads on to the County's Major Road Network System. , and not for maintenance or operations. Funds on deposit in the respective Transportation Impact Fee trust accounts shall not be used for any expenditure that would be classified as a maintenance or repair expense, nor shall they be used on local roads or on interstate highways. Transportation Impact Fees may be used for the following purposes, including, but not limited to:

- (1) Design and construction plan preparation;
- (2) Permitting;
- (3) Right-of-way and other Lands acquisition, including costs of acquisition or condemnation;
- (4) Construction of new through lanes;
- (5) Construction of new turn lanes;
- (6) Construction of new bridges;
- (7) Construction of new drainage facilities in conjunction with new roadway construction;
- (8) Purchase and installation of new traffic signalization;
- (9) Construction of new curbs, medians and shoulders;
- (10) Construction management and inspection;
- (11) Surveying and soils and material testing;
- (12) Fees for professional services, including, but not limited to, architecture, engineering, surveying, landscaping, soils and material testing, legal, appraisals, construction managements, and consultant fees



to study and update this division and to provide specific trip characteristic studies;

(13) Environmental mitigation costs;

(14) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the county to provide funds to construct or acquire Capital off-site roadway Improvements on to the Major Road Network System if allowable in accordance with Section 163.31801(4)(i), Florida Statutes. ~~Funds on deposit in the respective Transportation Impact Fee trust accounts shall not be used for any expenditure that would be classified as a maintenance or repair expense, nor shall they be used on local roads or on interstate highways;~~

(15) Intelligent transportation system costs that increase roadway capacity or optimize the use of roadway capacity or optimize the use of road capacity including but not limited to, new traffic signals, computerized signalization systems, computerized traffic monitoring systems and computerized changeable message systems;

(16) Construction of sidewalks, multi-use trails, bicycle lanes that are linearly adjacent to a capital roadway improvement

(17) Construction of mass transit enhancements (e.g., transit shelters, bus turnouts or bus bulbs);

(17) Site development and on-site and off-site improvements incidental to construction of Capital Improvements;

(18) Relocating utilities required by construction of Capital Improvements; and

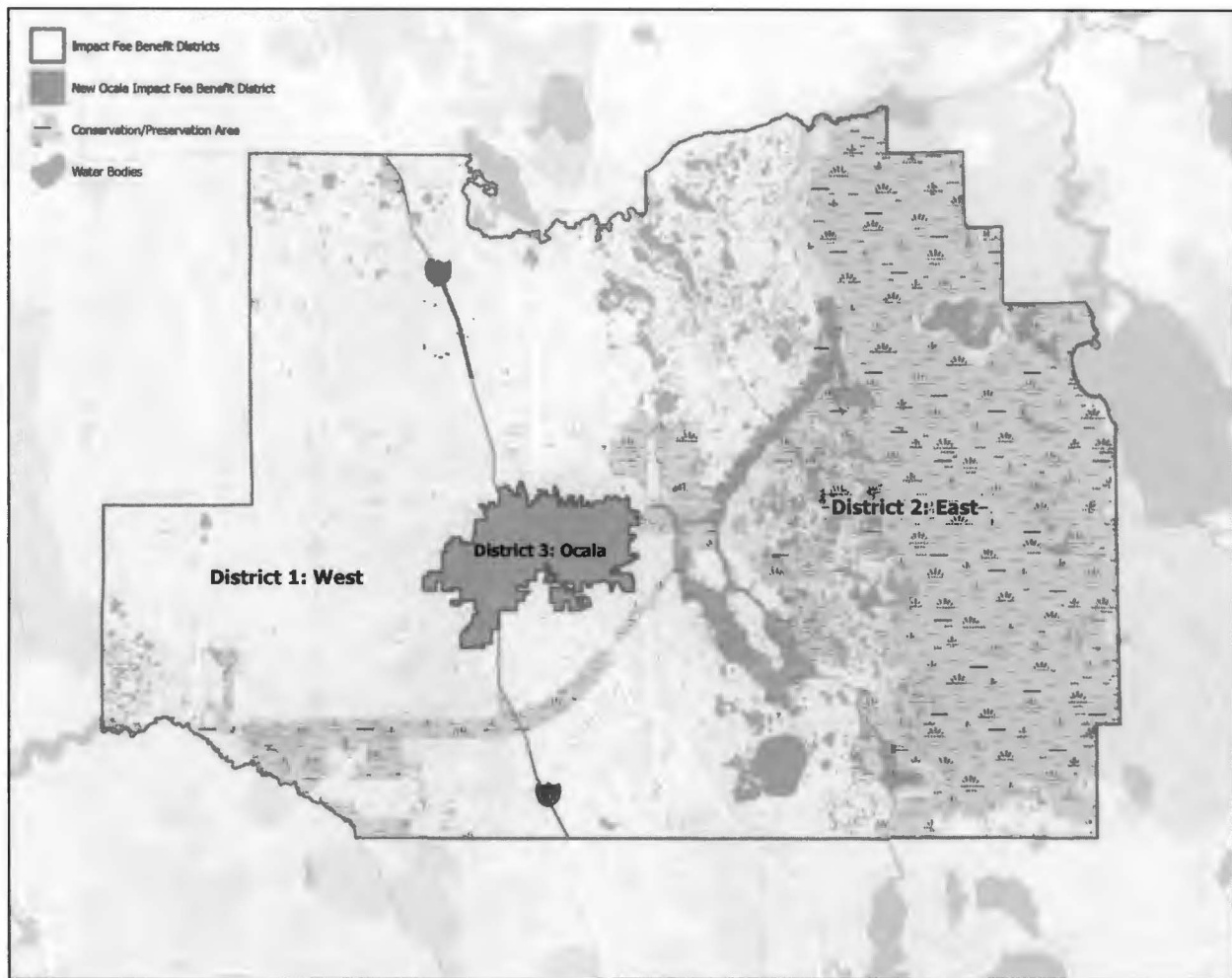
(19) Repayment of any monies borrowed from any budgetary fund of the County which was used to fund growth-necessitated Capital Improvements to the Major Road Network System.

(b) There are hereby established ~~two~~ three (3) road construction districts as shown ~~below on Exhibit A~~ and described as follows:

(1) West county district: The west county district includes all lands in unincorporated and incorporated Marion County, which are west of I-75, but excluding all Lands within the Ocala District; and

(2) East county district: The east county district includes all lands in unincorporated and incorporated Marion County, which are east of I-75 but excluding all Lands within the Ocala District; and

(3) Ocala District: The Ocala District includes all lands within the incorporated area of the City of Ocala as it exists on the effective date of this Article, including all enclaves within the incorporated area, as such term in defined in Section 171.031(5), Florida Statutes.



(c) Proceeds collected from ~~road~~ Transportation Impact Fees and all interest accrued on such funds shall be used solely within the road construction district from which the fees have been collected, in effect at the time impact fees were paid, or for projects in other road construction districts which are of direct benefit to the district from which funds were collected. The ~~board~~ County Administrator may approve the use of funds collected in one district for a project in another district after a specific finding that the project will be a direct benefit to the district where funds were collected. ~~There were previously four (4) road construction districts as established by Ordinance No. 94 33, which districts are depicted herein and attached hereto as Exhibit B. Solely for the purpose of expenditure of transportation impact fees that have been collected within those four (4) districts before the effective date of this article, those four (4) districts and their corresponding trust accounts shall remain in effect until all funds that were previously collected within any of those districts has been spent within such district, or within another district based on a specific board finding of direct benefit as provided above.~~

(d) There is hereby established a Marion County Transportation Impact Fee Ordinance Trust Fund for each road construction district for the purpose of ensuring that the fees collected pursuant to this division are designated and held separately to provide growth-necessitated Capital Improvements in accordance with this Article ~~for use in an accommodation~~ of impacts reasonably attributable to the proposed land development activity within the road construction district from which they are collected. Transportation Impact Fees shall be deposited into the appropriate trust fund immediately upon receipt.

(e) Funds shall be encumbered and expended in the order in which they are collected. Any proceeds in a trust fund account on deposit, not immediately necessary for expenditure, may be invested in interest bearing assets. All income derived from this investment shall be added to and retained in the trust fund account.

(f) Each year, at the time the annual county budget is reviewed, the county administrator or his designee shall propose appropriations to be spent from the road construction district trust fund. After review of the county administrator's recommendation, the board shall approve, modify, or deny the recommended expenditures of the trust fund monies. Any amounts not appropriated from a trust fund account, together with any interest earnings, shall be carried over in the specific trust fund account to the following fiscal year period.

[underline] indicates additions; ~~strikethrough~~ indicates deletions

## SECTION 22. AMENDMENT OF SECTION 10-327 OF THE MARION COUNTY

**CODE.** Section 10-327 of the Marion County Code, entitled Transportation Impact Fee Schedule, is hereby amended as follows:

### **Sec. 10-327. Transportation Impact Fee schedule.**

(a) Except as otherwise provided by the terms of this article, all Impact Generating Land Development Activity shall pay the transportation impact fees set forth in the shall be paid in accordance with the schedule set forth below as a condition of issuance of a Certificate of Occupancy. The Impact Fee rates in this subsection (a) shall remain in effect until the updated rates in subsection (b) go into effect.

MARION COUNTY TRANSPORTATION IMPACT FEE SCHEDULE

ITE LUC	Land Use	Unit	Impact Fee Amount
	<i>RESIDENTIAL:</i>		
210	Single family (detached)—1,500 s.f. or less	du	\$1,093.00

	Single family (detached)—Greater than 1,500 s.f. and less than 2,500 s.f.	du	1,397.00
	Single family (detached)—2,500 s.f. or greater	du	1,562.00
220	Multi-family (apartment); 1—2 stories	du	903.00
222/223	Multi-family (apartment); 3+ stories	du	568.00
240	Mobile home park	du	514.00
252	Assisted care living facility (ACLF)	du	184.00
	<i>LODGING:</i>		
310	Hotel	room	375.00
320	Motel	room	267.00
	<i>RECREATION:</i>		
412	General recreation/county park	acre	136.00
430	Golf course	hole	2,774.00
492	Racquet club/health spa	1,000 s.f.	2,065.00
520	Elementary school (private)	student	55.00
522	Middle school (private)	student	76.00
530	High school (private)	student	80.00
540	University/Jr. College (7,500 or fewer students) (private)	student	156.00
550	University/Jr. College (more than 7,500 students) (private)	student	116.00
560	Church	1,000 s.f.	410.00
565	Day care center	1,000 s.f.	1,318.00
590	Library	1,000 s.f.	2,377.00
610	Hospital	1,000 s.f.	879.00
620	Nursing home	bed	80.00
640	Animal hospital/veterinary clinic	1,000 s.f.	539.00
	<i>OFFICE:</i>		
710	Office	1,000 s.f.	676.00
720	Medical office/clinic	1,000 s.f.	1,528.00
770	business park	1,000 s.f.	785.00
	<i>RETAIL:</i>		
820	Retail 6,000 s.f.g.l.a. or less	1,000 s.f.g.l.a.	442.00
820	Retail greater than 6,000 s.f.g.l.a.	1,000 s.f.g.l.a.	1,014.00
841	New/used auto sales	1,000 s.f.	1,325.00
850	Supermarket	1,000 s.f.	1,490.00
853	Convenience market w/gasoline	1,000 s.f.	3,963.00
862	Home improvement superstore	1,000 s.f.	619.00
880/881	Pharmacy/drug store with or w/o drive-thru	1,000 s.f.	791.00
890	Furniture store	1,000 s.f.	217.00
911	Bank/savings walk-in	1,000 s.f.	1,720.00
912	Bank/savings drive-in	1,000 s.f.	2,260.00
931	Restaurant	1,000 s.f.	2,803.00
n/a	Small local restaurant	1,000 s.f.	1,340.00



941	Quick lube	service bay	1,334.00
942	Automobile care center	1,000 s.f.	1,047.00
944	Gas/service station	fuel pos.	850.00
947	Self-service car wash	service bay	811.00
<b>INDUSTRIAL:</b>			
110	General light industrial	1,000 s.f.	428.00
140	Manufacturing	1,000 s.f.	234.00
150	Warehousing	1,000 s.f.	218.00
151	Mini-warehouse	1,000 s.f.	78.00
152	High-cube warehouse	1,000 s.f.	102.00

(b) Except as otherwise provided by the terms of this Article, effective on October 1, 2025 and each subsequent October 1 as specified in the schedule below, all Impact Generating Land Development Activity shall pay the Transportation Impact Fees set forth in the schedule below as a condition of issuance of a Certificate of Occupancy.

**Marion County**

**Transportation Impact Fee Rates**

ITE	Land Use	Unit	Effective Oct. 1, 2025	Effective Oct. 1, 2026	Effective Oct. 1, 2027	Effective Oct. 1, 2028
<b>RESIDENTIAL:</b>						
210	Single Family (Detached) - 1,500 sf or less	du	\$3,072	\$3,510	\$3,949	\$4,388
	Single Family (Detached) - 1,501 to 2,499 sf	du	\$3,723	\$4,254	\$4,786	\$5,318
	Single Family (Detached) - 2,500 sf and greater	du	\$4,099	\$4,684	\$5,270	\$5,855
215	Single Family (Attached)	du	\$3,224	\$3,685	\$4,145	\$4,606
220	Multi-Family Housing (Low-Rise, 1-3 floors)	du	\$2,513	\$2,872	\$3,231	\$3,590
221/ 222	Multi-Family Housing (Mid/High-Rise, 4+ floors)	du	\$1,688	\$1,930	\$2,171	\$2,412
240	Mobile Home Park	du	\$1,362	\$1,556	\$1,751	\$1,945
251	Senior Adult Housing - Detached	du	\$1,373	\$1,570	\$1,766	\$1,962
252	Senior Adult Housing - Attached	du	\$923	\$1,055	\$1,187	\$1,319
<b>TRANSIENT, ASSISTED, GROUP:</b>						

253	Congregate/Assisted Care Facility	du	\$364	\$416	\$468	\$520
310	Hotel	room	\$1,655	\$1,891	\$2,128	\$2,364
320	Motel	room	\$795	\$909	\$1,022	\$1,136
620	Nursing Home	bed	\$428	\$489	\$550	\$611
<b>RECREATION:</b>						
411	Public Park	acre	\$240	\$274	\$309	\$343
416	RV Park/Campground	site	\$476	\$544	\$612	\$680
420	Marina	berth	\$937	\$1,071	\$1,205	\$1,339
430	Golf Course	hole	\$11,880	\$13,577	\$15,274	\$16,971
445	Movie Theater	screen	\$13,726	\$15,687	\$17,648	\$19,609
492	Racquet Club/Health Spa	1,000 sf	\$10,858	\$12,410	\$13,961	\$15,512
495	Recreational Community Center	1,000 sf	\$8,684	\$9,924	\$11,165	\$12,405
<b>INSTITUTIONS:</b>						
520	Elementary School (Private)	student	\$475	\$542	\$610	\$678
522	Middle School (Private)	student	\$446	\$510	\$573	\$637
525	High School (Private)	student	\$460	\$526	\$591	\$657
540	University/Junior College (7,500 or fewer students) (Private)	student	\$788	\$900	\$1,013	\$1,125
550	University/Junior College (more than 7,500 students) (Private)	student	\$585	\$668	\$752	\$835
560	Church	1,000 sf	\$1,723	\$1,970	\$2,216	\$2,462
565	Day Care Center	1,000 sf	\$4,456	\$5,092	\$5,729	\$6,365
590	Library	1,000 sf	\$15,333	\$17,523	\$19,714	\$21,904
<b>MEDICAL:</b>						
610	Hospital	1,000 sf	\$3,649	\$4,170	\$4,692	\$5,213
640	Animal Hospital/Veterinary Clinic	1,000 sf	\$1,941	\$2,218	\$2,496	\$2,773
<b>OFFICE:</b>						
710	Office	1,000 sf	\$3,336	\$3,813	\$4,289	\$4,766
720	Medical Office/Clinic	1,000 sf	\$7,673	\$8,769	\$9,865	\$10,961
770	Business Park	1,000 sf	\$3,947	\$4,510	\$5,074	\$5,638
<b>RETAIL:</b>						
822	Retail 6,000 sfgla or less	1,000 sfgla	\$1,306	\$1,493	\$1,679	\$1,866
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	\$2,227	\$2,546	\$2,864	\$3,182



821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	\$4,505	\$5,148	\$5,792	\$6,435
820	Retail greater than 150,000 sfgla	1,000 sfgla	\$4,861	\$5,555	\$6,250	\$6,944
840/841	New/Used Auto Sales	1,000 sf	\$5,773	\$6,598	\$7,422	\$8,247
850	Supermarket	1,000 sf	\$6,671	\$7,624	\$8,577	\$9,530
862	Home Improvement Superstore	1,000 sf	\$2,821	\$3,224	\$3,627	\$4,030
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	\$4,194	\$4,794	\$5,393	\$5,992
890	Furniture Store	1,000 sf	\$1,357	\$1,551	\$1,745	\$1,939
<b>SERVICES:</b>						
911	Bank/Savings Walk-In	1,000 sf	\$4,054	\$4,634	\$5,213	\$5,792
912	Bank/Savings Drive-In	1,000 sf	\$7,259	\$8,296	\$9,333	\$10,370
931	Restaurant	1,000 sf	\$13,153	\$15,032	\$16,911	\$18,790
n/a	Small Local Restaurant	1,000 sf	\$6,199	\$7,084	\$7,970	\$8,855
941	Quick Lube	service bay	\$6,648	\$7,598	\$8,547	\$9,497
942	Automobile Care Center	1,000 sf	\$4,686	\$5,355	\$6,025	\$6,694
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	\$4,536	\$5,184	\$5,832	\$6,480
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	\$6,963	\$7,958	\$8,952	\$9,947
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	\$9,108	\$10,410	\$11,711	\$13,012
947	Self-Service Car Wash	service bay	\$3,984	\$4,553	\$5,122	\$5,691
948	Automated Car Wash	car tunnel	*	*	*	*
<b>INDUSTRIAL:</b>						
110	General Light Industrial	1,000 sf	\$1,502	\$1,716	\$1,931	\$2,145
140	Manufacturing	1,000 sf	\$1,458	\$1,666	\$1,875	\$2,083
150	Warehousing	1,000 sf	\$529	\$604	\$680	\$755
151	Mini-Warehouse	1,000 sf	\$298	\$340	\$383	\$425
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	\$435	\$497	\$559	\$621
n/a	Mine/Commercial Excavation	1,000 cy	\$2.00	\$2.29	\$2.57	\$2.86

\*Rate to be established by a new County study and adopted by subsequent ordinance amendment.

[underline] indicates additions; ~~strikethrough~~ indicates deletions]

### **SECTION 23. REPEAL OF SECTION 10-326 OF THE MARION COUNTY CODE.**

Section 10-326 of the Marion County Code, entitled Mobile Home Impact Fees, is hereby repealed in its entirety.

### **SECTION 24. NOTICE OF IMPACT FEES.**

(a) In accordance with Section 10-284 of the Marion County Code, no later than July 1, 2025, the County Administrator is hereby directed to publish a notice once in a newspaper of general circulation within the County which notice shall include: (A) a brief and general description of the Transportation Impact Fees, (B) a description of the geographic area in which the Transportation Impact Fees will be collected; (C) the Transportation Impact Fees rates to be imposed for each Impact Fee Land Use Category; and (D) that the updated Transportation Impact Fees rates will go into effect for all Building Permit applications received on October 1, 2025 and thereafter in accordance with the phased in rate schedule adopted in Section 10-327(b).

(b) In the event, this notice is not published at least ninety (90) days prior to the initial October 1, 2025 implementation dates for the increased Transportation Impact Fees, then the initial October 1, 2025 implementation date shall be adjusted to ensure that the increased Transportation Impact Fees rates are not implemented earlier than ninety (90) days after the date of publication of the notice.

(c) In the event the Transportation Impact Fee rate for an Impact Fee Land Use Category is decreasing, then that rate shall initially go into effect for all Impact Generating Land Development Activity that applies for a Building Permit on or after June 1, 2025

following the effective date of this Ordinance as provided in Section 25(d), notwithstanding the implementation dates specified in Section 10-327(b).

(d) The obligations herein for the payment of the Transportation Impact Fees shall apply to all Impact Generating Land Development Activity that applies for a Building Permit on or after the applicable implementation date.

## **SECTION 25. MISCELLANEOUS.**

(a) If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

(b) It is the intention of the Board, and it is hereby ordained that the relevant provisions of this Ordinance shall become and be made a part of the Marion County Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article" or other appropriate word.

(c) The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

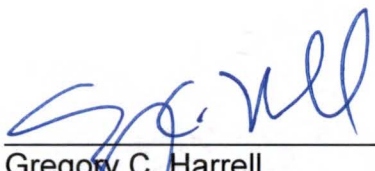
(d) A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office; provided the revisions to the Transportation Impact Fees rates shall become effective as provided in Sections 22 and 24 hereof.

DULY ADOPTED this 23 day of May, 2025 by a vote of 4 in favor and  
1 opposed.

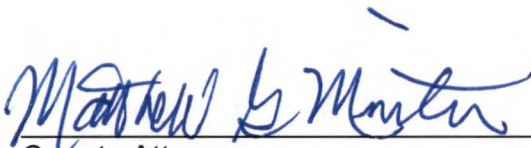
**MARION COUNTY BOARD OF COUNTY  
COMMISSIONERS**

  
Kathy Bryant, Chairman

**Attest:**

  
Gregory C. Harrell  
Clerk of the Circuit Court

**APPROVED AS TO FORM:**

  
County Attorney

RECEIVED NOTICE FROM SECRETARY OF STATE  
ON JUNE 3, 2025 ADVISING ORDINANCE WAS  
FILED ON JUNE 2, 2025.



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**

Governor

**CORD BYRD**

Secretary of State

June 4, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 25-19, which was filed in this office on June 4, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp

**Susan Mills McAllister**

---

**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Wednesday, June 04, 2025 01:52 PM  
**To:** Susan Mills McAllister; County Ordinances  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** RE: MRN20250603\_ORDINANCE\_2025\_19  
**Attachments:** Marion20250604\_Ordinance25\_19\_Ack.pdf

Good afternoon,

Attached is the acknowledgement letter for Marion County Ordinance 25-19.

Thank you,

**David Parrish**

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Wednesday, June 4, 2025 11:29 AM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>  
**Subject:** MRN20250603\_ORDINANCE\_2025\_19

---

**EMAIL RECEIVED FROM EXTERNAL SOURCE**

---

The attachments/links in this message have been scanned by Proofpoint.

---

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-19, which was adopted by the Marion County Board of County Commissioners on Tuesday, June 3, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,





## **Susan Mills McAllister**

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

## **Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

**ORDINANCE NO. 25- 19**

**AN ORDINANCE OF MARION COUNTY, FLORIDA, RELATING TO THE ENHANCEMENT OF AFFORDABLE HOUSING OPPORTUNITIES; AMENDING CHAPTER 2, ARTICLE IX, SECTION 2-283 OF THE MARION COUNTY CODE OF ORDINANCES TO PROVIDE ALTERNATIVE STANDARDS AND PROCEDURES FOR DISPOSITION OF SURPLUS REAL PROPERTY; CREATING SECTION 2-284 PROVIDING FOR ALTERNATIVE STANDARDS AND PROCEDURES FOR DISPOSITION OF SURPLUS REAL PROPERTY SUITABLE FOR AFFORDABLE HOUSING; CREATING A LOCAL PREFERENCE; PROVIDING FOR DEPOSIT OF PROCEEDS FROM ALL SURPLUS REAL PROPERTY SALES INTO THE AFFORDABLE HOUSING TRUST FUND, UNLESS OTHERWISE DESIGNATED BY THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Marion County, Florida ("Board") previously adopted Ordinance No. 98-11 establishing a local affordable housing assistance program and trust fund to provide for the housing needs of its citizens; and

**WHEREAS**, the Board, then adopted Ordinance No. 01-18, to provide for alternative standards and procedures for the disposition of Marion County real property declared as surplus, to be disposed of in a manner that is in the best interest of, and results in the greatest benefit to, Marion County pursuant to Section 125.35(3), Florida Statutes; and

**WHEREAS**, Marion County owns, or may come into the possession of, certain real property which the Board of County Commissioners may determine and declare to be surplus suitable for affordable housing in the best interest of the County; and

**WHEREAS**, in order to provide Marion County with the flexibility and discretion needed to ensure permanent affordable housing for its residents, adopts standards and procedures and best practices for the disposition of surplus real property deemed suitable for affordable housing, pursuant to Section 125.379 (3), Florida Statutes, to include: sales with affordable housing restrictions under competitive bid, long-term ground leases and donations to non-profit housing organizations; and

**WHEREAS**, the Board, seeking to provide the maximum opportunity for increased participation of local developers in the county's bid process, in order to ensure permanent affordable housing in the County, declares a local preference for the highest competitive bidder respecting surplus properties deemed suitable for affordable housing and offered for sale or long-term lease; and

**WHEREAS**, the Board determines that the promotion of the health, safety and welfare of the citizens of Marion County will be best served by declaring that the proceeds from all surplus

property sales in Marion County be deposited into the Affordable Housing Trust Fund, unless otherwise designated by the Board of County Commissioners, and

**NOW THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners of Marion County, Florida, as follows:

**SECTION 1.** Section 2-283 and 2-284 Amendments. Per section 1-6.3 – Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, Chapter 2 of the Marion County Code, Administration, Article IX, Surplus Real Property Disposition, Section 2-283, Standards and procedures for disposition of surplus real property, and new Section 2-284, is hereby amended to read as follows (additions are shown in underline text and deletions are shown in strikeout text):

**Sec. 2-283. – Standards and procedures for disposition of surplus real property not suitable for Affordable Housing.**

- a. Interested persons may acquire surplus real property not suitable for affordable housing by making written application to the county administrator and following the procedures set forth herein.
- b. Prior to the board offering any parcel of land, with an assessed value as determined by the most recent tax roll in excess of five thousand dollars (\$5,000.00), for sale, the board shall establish a minimum acceptable bid amount for the parcel.
- c. Upon determination by the board to accept bids for a surplus parcel or parcels, the board shall cause to be published in a newspaper of general circulation published in the county, a notice of intent to consider disposition of county property once a week for at least two (2) consecutive weeks. Such surplus lands and any terms or conditions established by the board, shall be described in the notice. The notice shall include a provision notifying the public of the means of obtaining copies of the standards and procedures for disposition. The bid package shall constitute the standards upon which disposition will be determined.
- d. In addition to the published notice described above, the board may authorize the advertisement of surplus parcels by the county, or a private professional service provider, through the utilization of additional means of notification, including, but not limited to, newspapers, periodicals, publications, on-site signs, and other media sources. The board may authorize the use of the services of private professional service providers to assist in the marketing and disposition of parcels declared as surplus by the board. If the board utilizes private professional service providers, the selection of such service providers and contracts to provide said services, shall be accomplished and completed in accordance with established Marion County purchasing procedures and applicable county ordinances and state statutes. For the purposes of this article private professional service providers shall include real estate brokers, real estate agents, and attorneys.
- e. In all cases, the board reserves the right to reject any and all bids and cancel the bid as they may deem in the best interest of the county. The board may require a deposit to be made or a bid bond to be given, in such form or in such amount as the board determines, with each bid submitted.

- f. Prior to final action approving the disposition of such parcel or parcels, the board shall cause to be published once a week for at least two (2) consecutive weeks, in a newspaper of general circulation published in the county, notice of the board's intent to consider final action on the disposition of a surplus parcel or parcels. The notice shall include the description of the parcel, the proposed purchase price, the date and the time of the regular meeting of the board at which final action will be considered on the proposed disposition. Said notice shall include a provision that interested persons may object either in person at said regular meeting, or by submitting written objections prior to said regular meeting. The board shall, on the date and time as established in the notice, consider all objections and, by majority vote, either approve or reject the proposed disposition.
- g. In the event the board does not receive a bid or bids meeting the minimum acceptable bid amount; or in the event the bid or bids received do not comply with other terms and conditions set forth in the notice; or in the event the board in its discretion rejects all bids because they are not in the county's interest, the board may authorize proceeding with the following disposition standards and procedures:
  - 1. Upon direction by the board to Marion County staff or a private professional service provider, the surplus parcels shall continue to be marketed by appropriate methods as necessary to provide for broad dissemination of the availability of the surplus parcel for purchase, for such period of time as directed by the board.
  - 2. During the period of time directed by the board to market the surplus parcels, the county staff or private professional service provider shall bring to the board, at a regularly scheduled meeting of the board, all offers to purchase a surplus parcel which meet or exceed the established minimum acceptable bid amount. The board may consider offers which include conditions or options which are proposed or agreed to by the proposed purchaser. Upon consideration by the board of the offer, the board shall either reject the offer or direct that a proposed agreement for sale and purchase be prepared, with or without changes to the proposed purchase price and conditions or options. The proposed purchaser shall within fifteen (15) days of receipt of the proposed sale and purchase agreement prepared at the board's direction, either reject, execute or propose a modification to the proposed sale and purchase agreement. If a modification is offered by the proposed purchaser, the modified sale and purchase agreement shall be brought to the board at the next regularly scheduled meeting and the provisions of this paragraph may, at the option of the board, be repeated.
  - 3. During the period of time directed by the board to market the surplus parcels, the county staff or private professional service provider shall provide to the board notice of all offers to purchase a surplus parcel which do not meet the established minimum acceptable bid amount, including any conditions or options. Upon review of the offer, the board may, at a regularly scheduled meeting of the board, direct that a proposed agreement for sale and purchase be prepared, with or without changes to the proposed purchase price and conditions or options. The proposed purchaser shall within fifteen (15) days of receipt of the proposed sale and purchase agreement prepared at the board's direction, either reject, execute or propose a

modification to the proposed sale and purchase agreement. If a modification is offered by the proposed purchaser, the modified sale and purchase agreement shall be brought to the board at the next regularly scheduled meeting and the provisions of this paragraph may, at the option of the board, be repeated.

4. The procedures as outlined above, may be repeated throughout the period of time as established by the board for the marketing of a surplus parcel.
5. Prior to final action approving the disposition of such parcel or parcels, the board shall cause to be published once a week for at least two (2) consecutive weeks, in a newspaper of general circulation published in the county, the board's intent to consider final action on the disposition of a surplus parcel or parcels. The notice shall include the description of the parcel, the proposed purchase price, the date and the time of the regular meeting of the board at which final action will be considered on the proposed disposition. Said notice shall include a provision that interested persons may object either in person at said regular meeting, or by submitting written objections prior to said regular meeting. The board shall, on the date and time as established in the notice, consider all objections and, by majority vote, either approve or reject the proposed disposition.
6. Proceeds from surplus property sales deemed not suitable for affordable housing are to be deposited into the Affordable Housing Trust Fund, as established by Ordinance 98-11 and codified in Chapter 9.3, Article III, Sec. 9.3-44, Marion County Code of Ordinances, to be used to purchase land for development of affordable housing or to increase the Trust Fund for affordable housing projects, in furtherance of the Affordable Housing Program, with the exception of properties that were purchased by the County with restricted funds, or unless otherwise designated by the Board of County Commissioners.

**Sec. 2-284. – Standards and procedures for disposition of surplus real property suitable for Affordable Housing.**

- a. In order to provide the County with the flexibility and discretion needed to ensure permanent affordable housing for its residents, the following standards and procedures are adopted as best practices for the disposition of surplus real property deemed suitable for affordable housing, pursuant to Section 125.379 (3), Florida Statutes, to include: sales with affordable housing restrictions under competitive bid and local preference for increased local developer participation, long-term ground leases and donations to non-profit housing organizations. Community Services shall evaluate each surplus property suitable for affordable housing and determine the most favorable disposition process in conformance with applicable laws and the best interests of the County and its residents.
- b. Interested persons may acquire or lease surplus real property deemed suitable for affordable housing and offered for sale or long-term lease, by making written application to the county administrator pursuant to Section 2-283 and following the additional procedures set forth herein.



- c. Once a local developer application has been approved by the community services department, the developer will be included in a database of affordable housing local developers. Community Services will be required to notify any matching local developers on the database of any surplus parcels open to written bids. Applications will be renewed bi-annually by local developers to verify that all requirements as stated in the definition of local developer are met.
- d. All surplus property sales requiring the receipt of competitive bids under this section shall be upon invitation for competitive bids. Invitations for bids shall be issued and shall include bid specifications, bid evaluation criteria, and all principal terms and conditions applicable to the sale. The bid evaluation criteria that will affect the bid price and/or be considered in evaluation for the award shall conform to Section 2-283.
- e. If a high bid is received by a responsive responsible bidder who is not a local developer, and the second highest bidder is a local developer submitting a responsive responsible bid within ten (10) percent of the high bid, both the high bidder and the second high bidder will have the opportunity to present a best and final offer (bid off). The high bidder and the second high bidder will be notified by email of the opportunity to present a best and final offer. The notice will be sent to the email listed in the solicitation response form. The best and final offer will be submitted in a sealed envelope by a date and time set forth by the Community Services department. The highest responsive, responsible bidder of the best and final offer (bid off) will be recommended for award of the bid. Developers shall affirm in writing their compliance as a local developer at the time of submitting their bid or proposal. A developer who knowingly misrepresents the local developer status of its firm in a proposal or bid will lose the privilege to claim local developer status for a period of one year. The Community Services director, at his/her discretion, may also recommend that the firm be referred for debarment in accordance with the Marion County Code of Ordinances.
- f. In cases of tie bids (monetary as well as all award criteria identified) of two (2) or more responsible and responsive bidders subject to such award, the award shall be made to the bidder doing business from a location within the county. If there is more than one bidder so situated, the award shall be made based on a coin toss by the county administrator or his/her designee before at least three (3) witnesses.
- g. In the event that the highest responsible and responsive bidder defaults on the contract awarded through the competitive sealed bid process, the Board of County Commissioners may award the contract to the next highest responsible and responsive bidder. When awarding a contract to the next highest bidder due to default of the highest bidder, the board of county commissioners shall reserve the right to seize the bid bond of the highest bidder for failure to faithfully perform under the terms of the bid specifications.
- h. When bonding is required, bonding requirements shall be stated in the bid documents as provided in Section 2-283.
- i. Proceeds from surplus property sales deemed suitable for affordable housing are to be deposited into the Affordable Housing Trust Fund, as established by Ordinance 98-11 and



codified in Chapter 9.3, Article III, Sec. 9.3-44, Marion County Code of Ordinances, to be used to purchase land for development of affordable housing or to increase the Trust Fund for affordable housing projects, in furtherance of the Affordable Housing Program, with the exception of properties that were purchased by the County with restricted funds, or unless otherwise designated by the Board of County Commissioners.

**SECTION 2. REPEAL OF ORDINANCES.** All ordinances, or parts of ordinances, in conflict with this ordinance are to the extent of such conflict hereby repealed.

**SECTION 3. SEVERABILITY.** It is declared to be the intent of the Marion County Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of the Ordinance.


**SECTION 4. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Marion County, Florida, that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

**SECTION 5. EFFECTIVE DATE.** A certified copy of this ordinance shall be filed with the Department of State by the Clerk within ten days after enactment by the Board, and shall take effect upon receipt of official acknowledgment of filing as provided in Section 125.66(2), Florida Statutes.

**DULY ADOPTED** this 3<sup>RD</sup> day of June, 2025.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA**

  
\_\_\_\_\_  
GREGORY C. HARRELL, CLERK

  
\_\_\_\_\_  
KATHY BRYANT, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON JUNE 4,  
2025 ADVISING ORDINANCE WAS FILED ON JUNE 4, 2025.



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**

Governor

**CORD BYRD**

Secretary of State

June 4, 2025

Gregory C. Harrell  
Clerk of Court  
Marion County  
P.O. Box 1030  
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 25-20, which was filed in this office on June 4, 2025.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

AL/dp

**Susan Mills McAllister**

---

**From:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Sent:** Wednesday, June 04, 2025 01:52 PM  
**To:** Susan Mills McAllister; County Ordinances  
**Cc:** Debra Windberg; Debra Lewter  
**Subject:** RE: MRN20250603\_ORDINANCE\_2025\_20  
**Attachments:** Marion20250604\_Ordinance25\_20\_Ack.pdf

Good afternoon,

Attached is the acknowledgement letter for Marion County Ordinance 25-20.

Thank you,

**David Parrish**

Government Operations Consultant II  
Office of the General Counsel  
Department of State  
Room 701 – The Capitol – Tallahassee, FL  
P: (850) 245-6270

**From:** Susan Mills McAllister <SusanM@marioncountyclerk.org>  
**Sent:** Wednesday, June 4, 2025 11:42 AM  
**To:** County Ordinances <CountyOrdinances@dos.fl.gov>  
**Cc:** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>  
**Subject:** MRN20250603\_ORDINANCE\_2025\_20

---

**EMAIL RECEIVED FROM EXTERNAL SOURCE**

---

The attachments/links in this message have been scanned by Proofpoint.

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Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 25-20, which was adopted by the Marion County Board of County Commissioners on Tuesday, June 3, 2025.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



**Susan Mills McAllister**

Clerk, Commission Records

352-671-5727 | [SusanM@marioncountyclerk.org](mailto:SusanM@marioncountyclerk.org)

**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | [www.marioncountyclerk.org](http://www.marioncountyclerk.org)

*"Here to serve and protect the public trust"*

**ORDINANCE NO. 25-20**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE MARION COUNTY CODE OF ORDINANCES, CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS AND EMPLOYEES, DIVISION 2 COUNTY ADMINISTRATOR, SECTION 2-48 POWERS AND DUTIES PARAGRAPH (4), TO CLARIFY THE AUTHORITY OF THE COUNTY ADMINISTRATOR WITH RESPECT TO CONTRACTS, APPLICATIONS, AND AGREEMENTS; AMENDING ARTICLE VII PROCUREMENT CODE SECTION 2-237 AUTHORITY OF COUNTY ADMINISTRATOR OR HIS OR HER DESIGNEE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE: AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, Section I of the Florida Constitution, and Chapter 125, Florida Statutes, the Board of County Commissioners of Marion County, Florida ("Board"), has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law, and such power may be exercised by the enactment of county ordinances and resolutions; and

**WHEREAS**, Section 125.73, Florida Statutes, provides for the appointment of a County Administrator, who shall be the administrative head of the county and shall be responsible for the administration of all departments of the county government which the Board has authority to control; and

**WHEREAS**, the Board previously adopted Ordinance 21-10 to streamline the approval of events, permits, mortgage satisfactions, environmental reviews, agreements under \$50,000, estoppel certificates verifying compliance and satisfaction with contractual obligations and risk management claim settlements; and

**WHEREAS**, the County Administrator, in consultation with the Board, has identified a need to clarify and update provisions of the County Code of Ordinances describing the powers and duties of the County Administrator with respect to signature authority; and

**WHEREAS**, recent changes to Marion County's State Housing Initiatives Partnership Local Housing Assistance Plan 2025-2028, require an increase to the County Administrator's authority to execute documents that exceed the \$50,000 threshold; and

**WHEREAS**, it is in the best interest of the public health, safety and welfare of the County to amend Code Section 2-48 and 2-237 to modify the authority of the County Administrator as provided in this Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. CODE AMENDMENT.** The Marion County Code of Ordinances, Chapter 2 – Administration, Article III – Officers and Employees, Division 2 – County Administrator, Sec. 2-48 – Powers and Duties, paragraph (4) and Chapter 2 – Administration, Article VII –Procurement Code, Section 2-237 – Authority of county administrator or his or her designee is hereby amended as follows (deletions shown in ~~striketrough~~-type, and additions shown in underscore type):

## **Chapter 2 ADMINISTRATION**

### **Article III – OFFICERS AND EMPLOYEES**

#### **Division 2 – County Administrator**

##### **Sec. 2-48. Powers and Duties**

The County Administrator shall by way of enumeration and not by way of limitation have the following specific powers and duties:

...

(4) To coordinate under the direction of the board of county commissioners' leases, contracts and other agreements for the county and to see that all terms and conditions of same are faithfully executed and performed and to notify the board of county commissioners of violations thereof and make recommendations concerning the nature and location of county improvements.

(a) The County Administrator or his designee, which may include an Assistant County Administrator, the Fire Chief, an Executive Director or a Director, is authorized to enter into and execute documents (i.e. agreements, permits, purchase orders and contracts) including County obligations not to exceed \$50,000, which may consist of event contracts, health department service agreements, maintenance agreements, risk management claim settlements as limited by the County Code of Ordinances, operational permits, bingo licenses, mortgage satisfactions, environmental reviews, deposit collection service agreements and as custodian for county facilities documents. Any such agreements and documents, when fully executed, shall be kept as Public Record per State Statutes.

(b) The County Administrator or Assistant County Administrator or Fire Chief or Executive Director or Director as designated by the County Administrator and in consultation with the Marion County Board of County Commissioners Chairman may only execute and submit grant applications to federal or state agencies, or not-for-profit organizations meeting one of the following criteria:

(i) Florida Department of Environmental Protection (FDEP), Florida Department of Transportation (FDOT), Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), Florida Department of Economic Opportunity (DEO), United States Department of Agriculture (USDA) and Water Management District (WMD) Grant applications for projects in the County Capital Improvement Program (GIP) up to \$10,000,000.

(ii) Withlacoochee Regional Water Supply Authority (WRWSA) Grant applications for water conservation initiatives up to \$100,000.

(iii) Federal Emergency Management Agency (FEMA) and Hazard Mitigation Grant Program (HMGP) applications up to \$10,000,000.



(iv) Grant applications where there is no requirement or obligation for either matching funds or in-kind services from the County. However, an exception to this requirement is where the Board has set aside an appropriation for funds available for such matching funds in the current fiscal year budget, in which case, the grant may be applied for with a commitment for matching funds up to the budgeted amount.

(v) Grant applications where the matching amount is less than \$50,000 in any fiscal year.

(vi) Grant applications where a one-time matching amount is less than \$100,000.

(c) The County Administrator may execute contracts and agreements not to exceed \$100,000 for the Purchase Assistance; New Construction Home Ownership-Community Land Trust programs; and Homeowner Rehabilitation program specifically outlined in the State Housing Initiatives Partnership Local Housing Assistance Plan.

All executed applications shall be provided on a future Board agenda as a notation for the record. Notwithstanding that the above referenced documents meets one of the foregoing criteria of Sections 1 and 2, above, the documents shall not be submitted without advance Board approval, if it requires an assumption of unknown levels of liability (such as a contractual indemnification agreement) or undefined levels of long-term service commitments on the part of the County.

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## **Article VII – PROCUREMENT CODE**

### **Sec. 2-237- Authority of county administrator or his or her designee.**

Unless otherwise provided for in this article, the procurement of all goods and services shall be under the supervision and management of the county administrator or his/her designee. It shall be the duty, responsibility, and authority of the county administrator or his/her designee to:

- (1) Supervise the procurement of all goods and services except as otherwise provided for herein, required by the board of county commissioners and departments and agencies under its control, and for which payment is made from funds of the county.
- (2) In conjunction with using agencies, prepare and enforce standard specifications which shall apply to all goods and services purchased for the use of the county.
- (3) Maintain current files, or contract with a qualified agency for maintenance of current files, for sources of supply for goods and services required by the county
- .(4) Perform other related duties as may be assigned by the board of county commissioners.
- (5) Sign, duly issued purchase orders or assign said responsibility to a designee.
- (6) Take all reasonable steps to insure that the specifications for an item to be procured are developed to permit competition among businesses whenever practicable
- .(7) Oversee the procedures for the disposal of county property which becomes surplus to the county's needs

(8) Maintain a system of accountability and numbering of all contracts for purchase of goods and services under the jurisdiction of the board of county commissioners whether exempt from the procurement system or not. After review and approval by the county attorney office, county administrator shall have the authority to approve and execute all contracts under fifty thousand dollars (\$50,000), except for contracts and agreements related to the State Housing Initiatives Partnership Local Housing Assistance Plan. The county administrator shall have the authority to approve and execute all contracts and agreements not to exceed one hundred thousand dollars (\$100,000) for the Purchase Assistance; New Construction Home Ownership-Community Land Trust programs; and/or Homeowner Rehabilitation programs specifically outlined in the State Housing Initiatives Partnership Local Housing Assistance Plan.

(9) Recommend the rejection of all bids as may be in the best interest of the county where competitive sealed bids have been required for the procurement of goods and services and such rejection of bids is approved by the board of county commissioners.

## **SECTION 2. SEVERABILITY.**

It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

## **SECTION 3. REPEAL OF ORDINANCES.**

All ordinances or parts of ordinances, in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

## **SECTION 4. INCLUSION IN COUNTY CODE.**

It is the intent of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

## **SECTION 5. EFFECTIVE DATE.**

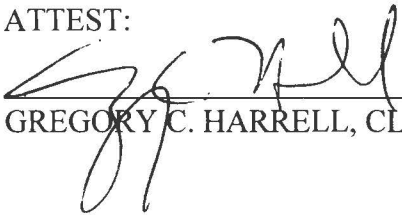
A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the Office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect in accordance with Section 125.66, Florida Statutes.

**DULY ADOPTED** in regular session this 3<sup>RD</sup> day of June, 2025.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

  
KATHY BRYANT, CHAIRMAN

ATTEST:

  
GREGORY C. HARRELL, CLERK

RECEIVED NOTICE FROM SECRETARY OF STATE ON JUNE 4,  
2025 ADVISING ORDINANCE WAS FILED ON JUNE 4, 2025.