

**Marion County
Board of County Commissioners**

Office of the County Attorney

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2330
Fax: 352-438-2331

Proof of Publication

No.: 2026-0183

STATE OF FLORIDA
COUNTY OF MARION
PREPARED BY HEATHER FLYNN:

Before the undersigned authority personally appeared Heather Flynn, who on oath says that they are the Legal Services Manager of Marion County, Florida; that the attached copy of advertisement: Notice of Public Hearing by Marion County Land Development Regulation Commission to Consider A Land Development Code Amendment related to Article 4, Zoning, Division 3, Special Requirements, Section 4.3.30, Smoke Shops for Wednesday, August 5, 2026 was published on the publicly accessible website, MarionFL.org/LegalNotices, of Marion County, Florida on July 21, 2026. Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Signature: _____

Date: 07.21.26

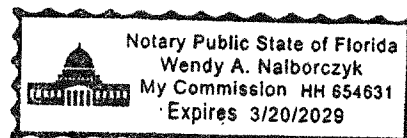
☒ Business Impact Estimate published with the advertisement and attached.

THIS SECTION PREPARED BY NOTARY:

Sworn and Subscribed before me this 21st day of July, 2026, by Heather Flynn who is:
personally known to me ✓ or who has produced _____ as identification.

Wendy A. Nalborczyk
Signature of Notary Public

Notary Public Stamp



ATTACH COPY FROM WEBSITE POSTING



Legal Notices

NOTICE OF PUBLIC HEARING BY MARION COUNTY LAND DEVELOPMENT REGULATION COMMISSION TO CONSIDER A LAND DEVELOPMENT CODE AMENDMENT RELATED TO ARTICLE 4, ZONING, DIVISION 3, SPECIAL REQUIREMENTS, SECTION 4.3.30, SMOKE SHOPS

Post Date: 07/21/2026 8:00 AM

The Marion County Land Development Regulation Commission will hold a public hearing on **Wednesday, August 5, 2026, at 5:30 p.m., or as soon thereafter**, as may be heard. The meeting will be held at the **McPherson Governmental Campus Auditorium at 601 SE 25th Avenue, Ocala, FL, 34471**, to consider the following proposed ordinance to amend the Land Development Code in regard to Article 4, Zoning, Division 3, Special Requirements, Section 4.3.30, Smoke Shops:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 4, ZONING, DIVISION 3, SPECIAL REQUIREMENTS, SECTION 4.3.30, SMOKE SHOPS

The action of the Land Development Regulation Commission is solely advisory to the Board of County Commissioners of Marion County, Florida. All interested parties may appear at the public hearing and be heard with respect to the proposed land development code amendments. The proposed ordinance may be reviewed at the Growth Services Department Planning and Zoning Division, 2710 E. Silver Springs Blvd, Ocala, Florida, (352) 438-2600. Visit www.marioncountyfl.org and click on the meetings tab on the homepage for the most up to date information.

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 438-2345 at least forty-eight (48) hours in advance of the hearing, so appropriate arrangements can be made.

All persons are advised that, if they decide to appeal a decision of the Board of County Commissioners of Marion County, Florida at this public hearing, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Effective October 1, 2023, a Florida legislative act relating to local ordinances, amending F.S.125.66(3)(a), requires a Business Impact Statement to be prepared by the governing body of a county before the enactment of a proposed ordinance in accordance with the provisions of F.S., the Business Impact Estimate (BIE) must be published on the County's website and must include certain information, such as a summary of the proposed ordinance, including a statement of the public purpose, an estimate of the direct economic impact, and a good faith estimate of the number of businesses likely to be impacted, and any additional information the governing body determines may be useful. In accordance to F.S. 125.66(3)(a), a number of ordinances are exempt from complying with the business impact statement. Marion County's business impact estimates are posted on the Marion County website under Public Relations at: www.MarionFL.org/BIE. You can find the Business Impact Estimate for this particular notice **here**.

2026-0183

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Business Impact Estimate

In accordance with Section 125.66(3)(a), F.S., a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Marion County Board of County Commissioners' website no later than the date the notice proposed enactment/notice of intent to consider the proposed ordinance, is advertised in the newspaper (which, per Section 125.66(2)(a), F.S., is ten (10) days before the Public Hearing).

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 4, ZONING, DIVISION 3, SPECIAL REQUIREMENTS, SECTION 4.3.30 SMOKE SHOPS

This Business Impact Estimate is provided in accordance with Section 125.66(3)(a), *Florida Statutes*. If one or more boxes are checked below, this means that the Marion County Board of County Commissioners is of the view that a business impact estimate is not required by state law for the proposed ordinance.

Notwithstanding, Marion County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Marion County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

Consistent with the posting requirement set forth in Section 125.66(3)(a), F.S., the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 21st **day of July, 2026:** (Date being published)

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): **Creation of Sec. 4.3.30. Smoke Shops of the Land Development Code. Minimum distance requirements were established from one smoke shop to another, as well as from a smoke shop to a school, licensed daycare center, church, place of worship, or public park. Definitions are provided, pre-existing smoke shops are addressed, and the special use permit process is outlined as a method for locating a smoke shop within the minimum distance requirements.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in unincorporated Marion County, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible;

and

(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

This code will apply to Smoke Shops going forward. Existing smoke shops will not be impacted and are considered as pre-existing non-conforming uses. Should a new smoke shop wish to locate within the minimum distance requirements established with this section of code, they will need to apply for a special use permit which, at this time, carries a fee of \$1000.00

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **This code will apply to Smoke Shops going forward. Existing smoke shops will not be impacted and are considered as pre-existing non-conforming uses.**

4. Additional information the governing body deems useful (if any): **N/A**