



Marion County

Board of County Commissioners

Public Hearing Meeting

Meeting Agenda

Tuesday, March 25, 2025

9:00 AM

**McPherson Governmental
Campus Auditorium**

**The First of Two Public Hearings to Consider an Ordinance to Amend the
Marion County Land Development Code**

INTRODUCTION OF PUBLIC HEARING BY CHAIR KATHY BRYANT

PLEDGE OF ALLEGIANCE

ROLL CALL

PROOF OF PUBLICATION

STAFF PRESENTATION

1. [PUBLIC HEARING to Consider the Land Development Code Amendments
Related to Section 4.2.11 Multiple Family Dwelling \(R-3\) Classification](#)
2. [PUBLIC HEARING to Consider the Land Development Code Amendments
Related to Article 1 Administration, Division 2 - Definitions and New Section
4.3.28 Limitations on Ownership and Possession of Dogs and Cats](#)

PUBLIC COMMENT

BOARD DISCUSSION AND CLOSING COMMENTS



Marion County

Board of County Commissioners Public Hearing Meeting

Agenda Item

File No.: 2025-18505

Agenda Date: 3/25/2025

Agenda No.: 1.

SUBJECT:

PUBLIC HEARING to Consider the Land Development Code Amendments Related to Section 4.2.11 Multiple Family Dwelling (R-3) Classification

INITIATOR:

Kenneth Weyrauch, Deputy Director

DEPARTMENT:

Growth Services

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 4.2.11 Multiple Family Dwelling (R-3) Classification to improve separation requirements. Following several workshops, the proposed changes were considered by the Land Development Regulation Commission (LDRC) in a public hearing held on March 5, 2025. LDRC recommended approval of the Multiple Family Dwelling, Section 4.2.11.

This is the first of two (2) public hearings with the Board of County Commissioners. The second public hearing is scheduled for April 8, 2025 at 6:00 p.m.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

No action required at this time, receive public comment. The second Public Hearing will be held on Tuesday, April 8, 2025 at 6:00 pm.

LOCALiQ

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

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Ashlyne Tuck
Marion County Attorneys' Office - 330
601 SE 25Th AVE # 108
Ocala FL 34471-2690

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:

03/14/2025

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 03/14/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$268.68

Tax Amount: \$0.00

Payment Cost: \$268.68

Order No: 11099517

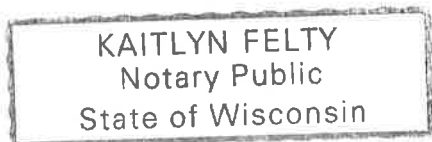
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NOTICE OF
PUBLIC HEARING BY

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE MARION COUNTY, FLORIDA, LAND DEVELOPMENT CODE (LDC) AS SPECIFIED BELOW:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 1, ADMINISTRATION, DIVISION 2-DEFINITIONS, AND CREATING ARTICLE 4, ZONING, DIVISION 3-SPECIAL REQUIREMENTS, SECTION 4.3.28 LIMITATIONS ON OWNERSHIP AND POSSESSION OF DOGS AND CATS.

A public hearing conducted by the Marion County Board of County Commissioners will be held on Tuesday, March 25, 2025, at 9:00 a.m. at the McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 1, Administration, Division 2-Definitions, and creating Article 4, Zoning, Division 3-Special Requirements, Section 4.3.28 Limitations on Ownership and Possession of Dogs and Cats.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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 forty-eight hours in advance of the hearing, so appropriate arrangements can be made.

A copy of the proposed ordinance is available for public inspection at the Growth Services Department, 2710 East Silver Springs, Ocala, FL 34470. Any person who decides to appeal any decision of the Board of County Commissioners with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made. For more information:

[HTTPS://WWW.MARIONFL.ORG/L
EGALNOTICES](https://www.marionfl.org/legal/NOTICES)

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 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

PLEASE BE GOVERNED
ACCORDINGLY

DATED THIS 5TH DAY OF
MARCH, 2025.
BOARD OF COUNTY
COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN
11099517

AFFIDAVIT OF PUBLICATION

Ashlyne Tuck
Marion County Attorneys' Office - 330
601 SE 25TH AVE # 108
Ocala FL 34471-2690

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:

03/14/2025

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 03/14/2025

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: 11099834

Customer No: 533707

PO #:

of Copies:

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Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING BY

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 4, DIVISION 2, SECTION 42.11 MULTIPLE FAMILY DWELLING (R-3) CLASSIFICATION

A public hearing conducted by the Marion County Board of County Commissioners will be held on Tuesday, March 15, 2025, at 9:00 a.m. at the McPherson Governmental Center Auditorium of 601 SE 25TH Avenue, Ocala, FL, 34471, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 4, in Marion County, Florida, providing for revisions to Division 2, Section 42.11 Multiple Family Dwelling (R-3) Classification.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 436-2345 forty-eight hours in advance of the hearing, so appropriate arrangements can be made.

A copy of the proposed ordinance is available for public inspection at the Growth Services Department, 2700 East Silver Springs, Ocala, FL 34470. Any person who desires to appeal any decision of the Board of County Commissioners with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made. For more information:

[HTTPS://WWW.MARIONFL.ORG/PUBLICNOTICES](https://www.marionfl.org/publicnotices)

Effective October 1, 2023, a Florida legislative act relating to local ordinances, amending F.S. 122.64(3)(b), 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 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. 122.64(3)(c), 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
PLEASE BE GOVERNED
ACCORDINGLY
DATED THIS 5TH DAY OF
MARCH, 2025
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN
11099834

ORDINANCE 25 –

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 4, DIVISION 2, SECTION 4.2.11 MULTIPLE FAMILY (R-3); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on March 5, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on March 25, 2025 and April 8, 2025;

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

Note: Deletions are shown in strikeout text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 4 of the Marion County Land Development Code, Zoning, Division 2, Section 4.2.11, Multiple Family (R-3) zoning classification is hereby amended to reflect the attached revised language:

See Attachment 1 (additions shown in underline text, deletions shown in ~~strike-through text~~).

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. 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 by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and 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 shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this 8th day of April, 2025.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MATTHEW G. MINTER
COUNTY ATTORNEY

Sec. 4.2.11. Multiple-Family Dwelling (R-3) classification.

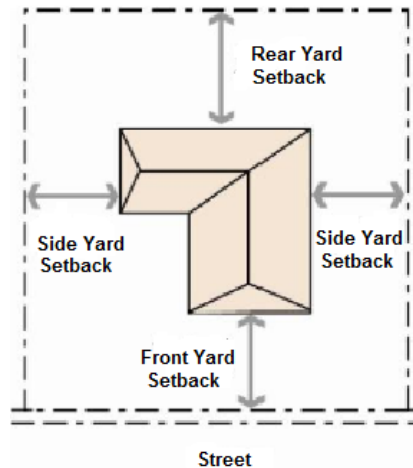
- A. Intent of Classification. The Multi-Family Dwelling classification is intended to provide for high-density and urban residential development, including multi-family dwellings in areas served by public or private water and sewer facilities.
- B. Permitted Uses:
- Multiple-family dwellings
 - Two-family dwelling (when consistent with land use)
 - Single-family dwelling
 - Manufactured buildings (DCA approved residential units)
 - Church, Places of Worship
 - Community or personal use garden
 - Community residential home with six or less residents
 - Convalescent home, adult congregate living facility
 - Public lodging establishments including resort condominium, non-transient apartment, transient apartment, rooming house, bed and breakfast inn, or resort dwelling
 - Public or private golf course or tennis facility, which may include a country club or clubhouse
 - School, accredited, public, private, parochial
 - Public Park, playground or other public recreational use
- C. Special Uses (requiring permit):
- Accessory uses on noncontiguous vacant lot
 - Art gallery
 - Cemetery, crematory, mausoleum
 - Community residential home with seven or more residents
 - Daycare, child, adult
 - Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state or federal regulations)
 - Horses or cattle for personal use (See special lot area and number requirements in Sec. 4.2.6.F)
 - Library
 - Museums
 - Parking of commercial vehicles, see Sec. 4.3.21
 - Plant nursery, wholesale
 - Pot-bellied pigs as pets
 - Private clubs and community centers
 - Professional office
 - Recreation building
 - Rehabilitation center, physical

Sewage treatment plants with an inflow exceeding 5,000 gallons per day

Sprayfields (or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law)

Water well fields

D. Development Standards:



Maximum Density:

4 du/acre for Single-family

6 du/acre for two-family

8 du/acre for Multiple-family

8-16 du/acre High-Urban Density

(Vested or underlying land use designation, unless qualifies for the density exceptions provisions in Section 4.3.2.)

Minimum Lot Area:

7,500 square feet Single-family

12,500/7,700 square feet Two-family

12,500/7,700 square feet 3 or more family

Minimum Lot Width:

85/70* feet Single-family

100/70* feet Two-family

100/70* feet 3 or more family

Maximum Building Height: 40 feet

Maximum Floor Ratio: None

E. Setbacks:

Minimum Front Setback: 25/20* feet

Minimum Rear Setback: 25/20* feet

Minimum Side Setback: 8 feet

Accessory Structures: 8 feet rear and side, Height Limit: 20 feet (see placement requirement in Sec. 4.2.6.C.(8))

*For new residential subdivision development where central water and central sewer services are utilized.

Smaller lots sizes may be approved administratively through the waiver process in Article 2, Division 10 including DRC, Development Review Committee, recommendation and approval by the Board.

F. Special Requirements

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

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

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

Sec. 4.2.11. Multiple-Family Dwelling (R-3) classification.

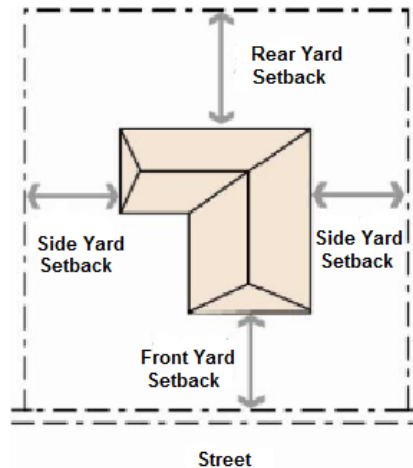
- A. Intent of Classification. The Multi-Family Dwelling classification is intended to provide for high-density and urban residential development, including multi-family dwellings in areas served by public or private water and sewer facilities.
- B. Permitted Uses:
- Multiple-family dwellings
 - Two-family dwelling (when consistent with land use)
 - Single-family dwelling
 - Manufactured buildings (DCA approved residential units)
 - Church, Places of Worship
 - Community or personal use garden
 - Community residential home with six or less residents
 - Convalescent home, adult congregate living facility
 - Public lodging establishments including resort condominium, non-transient apartment, transient apartment, rooming house, bed and breakfast inn, or resort dwelling
 - Public or private golf course or tennis facility, which may include a country club or clubhouse
 - School, accredited, public, private, parochial
 - Public Park, playground or other public recreational use
- C. Special Uses (requiring permit):
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 - Art gallery
 - Cemetery, crematory, mausoleum
 - Community residential home with seven or more residents
 - Daycare, child, adult
 - Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state or federal regulations)
 - Horses or cattle for personal use (See special lot area and number requirements in Sec. 4.2.6.F)
 - Library
 - Museums
 - Parking of commercial vehicles, see Sec. 4.3.21
 - Plant nursery, wholesale
 - Pot-bellied pigs as pets
 - Private clubs and community centers
 - Professional office
 - Recreation building
 - Rehabilitation center, physical

Sewage treatment plants with an inflow exceeding 5,000 gallons per day

Sprayfields (or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law)

Water well fields

D. Development Standards:



Maximum Density:

4 du/acre for Single-family

6 du/acre for two-family

8 du/acre for Multiple-family

8-16 du/acre High-Urban Density

(Vested or underlying land use designation, unless qualifies for the density exceptions provisions in Section 4.3.2.)

Minimum Lot Area:

7,500 square feet Single-family

12,500/7,700 square feet Two-family

12,500/7,700 square feet 3 or more family

Minimum Lot Width:

85/70* feet Single-family

100/70* feet Two-family

100/70* feet 3 or more family

Maximum Building Height: 40 feet

Maximum Floor Ratio: None

E. Setbacks:

Minimum Front Setback: 25/20* feet

Minimum Rear Setback: 25/20* feet

Minimum Side Setback: 8 feet

Accessory Structures: 8 feet rear and side, Height Limit: 20 feet (see placement requirement in Sec. 4.2.6.C.(8))

*For new residential subdivision development where central water and central sewer services are utilized.

Smaller lots sizes may be approved administratively through the waiver process in Article 2, Division 10 including DRC, Development Review Committee, recommendation and approval by the Board.

F. Special Requirements

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

- a. A multiple-family structure may not exceed a height that is twice the height of the closest existing single-family residence; however, the height of the multiple-family structure shall also not exceed the maximum height allowed in the abutting residential zoning classification. The minimum height limitation shall not be less than 30'.
- b. If single-family residential classification zoned land directly adjacent to the parcel is vacant land, then the height of a multiple-family structure within the parcel shall not exceed the maximum height allowed in the abutting residential single-family residential classification.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)



Marion County

Board of County Commissioners Public Hearing Meeting

Agenda Item

File No.: 2025-18507

Agenda Date: 3/25/2025

Agenda No.: 2.

SUBJECT:

PUBLIC HEARING to Consider the Land Development Code Amendments Related to Article 1 Administration, Division 2 - Definitions and New Section 4.3.28 Limitations on Ownership and Possession of Dogs and Cats

INITIATOR:

**Dana Olesky, Chief Assistant County
Attorney**

DEPARTMENT:

Attorney

DESCRIPTION/BACKGROUND:

Staff at the direction of the Board, proposed changes to the Land Development Code (LDC) to incorporate recent amendments to the Animal Control Ordinance as well as provide possible limitations on ownership and possession of dogs and cats in unincorporated Marion County. Following several workshops, the proposed amendments were considered by the Land Development Regulation Commission (LDRC) in a public hearing held on March 5, 2025. LDRC recommended approval of the amendments to Article 1 Administration, Division 2- Definitions with the inclusion of definitions for Animal Related Business, Animal Related Organization, Commercial Breeder, High-Volume Owner, and Kennel (referenced as Attachment 1). Additionally, the LDRC considered staff's proposal of creation of a new section regarding limitations on ownership and possession of dogs and cats (referenced as Attachment 2), however, LDRC recommended denial of the creation of the new section in light of the approved definitions.

The proposed Ordinance is attached, including an underline/strike through version of the proposed code and a clean version of the proposed code.

This is the first of two (2) public hearings with the Board of County Commissioners. The second public hearing is scheduled for April 8, 2025 at 6:00 p.m.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

No action required at this time, receive public comment. The second Public Hearing will be held on Tuesday, April 8, 2025 at 6:00 pm.

1 **ANIMAL RELATED BUSINESS.** Any for-profit person or business that renders services to, for or
2 by any domestic animal. Examples of animal related business include, but are not limited to, boarding
3 facilities, doggie day cares, groomers and training facilities. Animal related business does not include the
4 offices or practices of State-certified and licensed veterinarians.

5 **ANIMAL RELATED ORGANIZATION.** Any not for profit entity that has tax exempt status in
6 accordance with Section 501(c)(3) of the Internal Revenue Code and whose primary mission includes the
7 rescue, welfare, care, and/or adoption/placement of stray, abandoned, or surrendered animals, and
8 which does not obtain animals from a breeder or broker for payment or compensation.

9 **COMMERCIAL BREEDER.** Any person, firm, partnership, corporation, or other association that
10 engages in the breeding of four (4) or more dogs or cats, in aggregate.

11 **HIGH-VOLUME OWNER.** Any person, business, or organization who owns, harbors, or keeps
12 more than fifteen (15) dogs or cats, in aggregate, at a property or structure, for any purpose, including,
13 but not limited to, housing, boarding, breeding, training, show or exhibition, hunting, sale, rescue,
14 adoption or personal pet or use. Such definition does not include any property or structure where a
15 Florida state licensed veterinarian practices and has a premises permit, as required by F.S. Ch. 474, or
16 any property or structure used as a veterinary hospital, medical research laboratory, pari-mutuel dog
17 racing establishment, or any governmental agency, or to any boarding kennel operated in conjunction
18 with any of the foregoing. Such definition shall not include Marion County Animal Services.

19 **KENNEL.** Any place or premises where four or more dogs and/or cats, in aggregate, over four
20 months of age are groomed, bred, raised, boarded, or trained for compensation or income including an
21 Animal Related Business; Animal Related Organization; Commercial Breeder; and High-Volume Owners
22 with over thirty (30) dogs and/or cats in aggregate.

1 **ANIMAL RELATED BUSINESS.** Any for-profit person or business that renders services to, for or
2 by any domestic animal. Examples of animal related business include, but are not limited to, boarding
3 facilities, doggie day cares, groomers and training facilities. Animal related business does not include the
4 offices or practices of State-certified and licensed veterinarians.

5 **ANIMAL RELATED ORGANIZATION.** Any not for profit entity that has tax exempt status in
6 accordance with Section 501(c)(3) of the Internal Revenue Code and whose primary mission includes the
7 rescue, welfare, care, and/or adoption/placement of stray, abandoned, or surrendered animals, and
8 which does not obtain animals from a breeder or broker for payment or compensation.

9 **COMMERCIAL BREEDER.** Any person, firm, partnership, corporation, or other association that
10 engages in the breeding of four (4) or more dogs or cats, in aggregate.

11 **HIGH-VOLUME OWNER.** Any person, business, or organization who owns, harbors, or keeps
12 more than fifteen (15) dogs or cats, in aggregate, at a property or structure, for any purpose, including,
13 but not limited to, housing, boarding, breeding, training, show or exhibition, hunting, sale, rescue,
14 adoption or personal pet or use. Such definition does not include any property or structure where a
15 Florida state licensed veterinarian practices and has a premises permit, as required by F.S. Ch. 474, or
16 any property or structure used as a veterinary hospital, medical research laboratory, pari-mutuel dog
17 racing establishment, or any governmental agency, or to any boarding kennel operated in conjunction
18 with any of the foregoing. Such definition shall not include Marion County Animal Services.

19 **KENNEL.** Any place or premises where four or more dogs and/or cats, in aggregate, over four
20 months of age are groomed, bred, raised, boarded, or trained for compensation or income including an
21 Animal Related Business; Animal Related Organization; Commercial Breeder; and High-Volume Owners
22 with over thirty (30) dogs and/or cats in aggregate.

Sec. 4.3.28. Limitations on Ownership of Dogs and Cats.

The number of dogs and cats owned in unincorporated Marion County are limited as follows:

A. On all non-agriculturally zoned properties, the number of dogs shall not exceed four (4) per residence. The number of cats shall not exceed eight (8) per residence.

B. On all agriculturally zoned properties under ten (10) acres, the number of dogs shall not exceed six (6) per residence. The number of cats shall not exceed ten (10) per residence. If the number of dogs or cats, in aggregate, exceeds fifteen (15), an animal permit as a High-Volume Owner, as defined herein, from Marion County Animal Services must also be obtained.

C. On all agriculturally zoned properties over ten (10) acres, the number of dogs shall not exceed ten (10) per residence. The number of cats shall not exceed fifteen (15) per residence. If the number of dogs or cats, in aggregate, exceeds fifteen (15), an animal permit as a High-Volume Owner, as defined herein, from Marion County Animal Services must also be obtained.

D. High Volume Owners, as defined herein, must apply for an exemption from these limitations through the Special Use permit review and permitting process.

E. Service animals are exempt from these requirements and are not counted toward the total number of animals permitted.

Sec. 4.3.28. Limitations on Ownership of Dogs and Cats.

The number of dogs and cats owned in unincorporated Marion County are limited as follows:

- A. On all non-agriculturally zoned properties, the number of dogs shall not exceed four (4) per residence. The number of cats shall not exceed eight (8) per residence.
- B. On all agriculturally zoned properties under ten (10) acres, the number of dogs shall not exceed six (6) per residence. The number of cats shall not exceed ten (10) per residence. If the number of dogs or cats, in aggregate, exceeds fifteen (15), an animal permit as a High-Volume Owner, as defined herein, from Marion County Animal Services must also be obtained.
- C. On all agriculturally zoned properties over ten (10) acres, the number of dogs shall not exceed ten (10) per residence. The number of cats shall not exceed fifteen (15) per residence. If the number of dogs or cats, in aggregate, exceeds fifteen (15), an animal permit as a High-Volume Owner, as defined herein, from Marion County Animal Services must also be obtained.
- D. High Volume Owners, as defined herein, must apply for an exemption from these limitations through the Special Use permit review and permitting process.
- E. Service animals are exempt from these requirements and are not counted toward the total number of animals permitted.

ORDINANCE 25 – __

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 1, ADMINISTRATION, DIVISION 2, DEFINITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, from December, 2024 to February, 2025, the Land Development Regulation Commission (LDRC) held a series of workshops to review, revise, and consider staff proposed LDC amendments identified herein; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on March 5, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on March 25, 2025 and April 8, 2025;

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

Note: Deletions are shown in ~~strikeout~~ text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 1 of the Marion County Land Development Code, Administration, Division 2, Definitions, is hereby amended to reflect the attached revised definitions:

See Attachment 1 (additions shown in underline text, deletions shown in ~~strike-through text~~).

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. 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 by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and 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 shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this 8th day of April, 2025.

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

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT