



# Marion County

## Land Development Regulation Commission

### Meeting Agenda

---

Wednesday, May 20, 2026

5:30 PM

Growth Services Main Training  
Room

---

#### ROLL CALL AND PLEDGE OF ALLEGIANCE

#### Acknowledgement of Proof of Publication

#### 1. ADOPT THE FOLLOWING MINUTES

1.1. [May 6, 2026](#)

#### 2. SCHEDULED ITEMS

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

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

#### 3. NEW BUSINESS

3.1. [Next LDRC Workshop will be on 6/3/2026](#)

#### ADJOURN



# Marion County

## Land Development Regulation Commission

### Agenda Item

---

**File No.:** 2026-23047

**Agenda Date:** 5/20/2026

**Agenda No.:** 1.1.

---

**SUBJECT:**  
**May 6, 2026**

**DESCRIPTION/BACKGROUND:**  
Minutes from the Previous LDRC Workshop

The Marion County Land Development Regulation Commission met on May 6, 2026, at 5:30 p.m. in the Growth Services Main Training Room, 2710 E Silver Springs Blvd, Ocala, Florida.

## **CALL TO ORDER**

Vice Chairman Gene Losito called the meeting to order at 5:32 p.m.

## **ROLL CALL & PLEDGE OF ALLEGIANCE**

Kimberly Lamb called roll, and the quorum was confirmed.

Board members present were Vice Chairman Gene Losito, Richard Busche, Chris Howson, Erica Larson, and Nate Chambers.

Staff members present were Chief Assistant County Attorney Dana Olesky, Assistant County Administrator Tracy Straub, Growth Services Director Chuck Varadin, Growth Services Deputy Director Ken Weyrauch, Planners Kathleen Brugnoli and Ken Odom, GIS Technician Antony Alva, County Engineer Steven Cohoon, and Administrative Staff Assistant Kimberly Lamb.

Vice Chairman Gene Losito led the Pledge of Allegiance.

There were members of the public present.

## **ACKNOWLEDGEMENT OF PROOF OF PUBLICATION**

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

### **1. ADOPT THE FOLLOWING MINUTES**

LDRC Board Member Richard Busche made a motion to adopt the minutes from the April 15, 2026, meeting. The motion was seconded by Board Member Erica Larson. The motion passed unanimously (5-0).

### **2. SCHEDULED ITEMS**

**2.1 Workshop: Discussion for Proposed Marion County Land Development Code (LDC) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Section 4.3.6 Manufactured Home, Park Trailer, and Recreational Vehicle Regulations.**

Kathleen Brugnoli, Planner, opened the discussion regarding this item.

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

LDRC Board Member Nate Chambers made a motion, which was seconded by Board Member Chris Howson. The motion passed unanimously (5-0).

**2.2 Workshop: Discussion for Proposed Marion County Land Development Code (LDC) Amendments Presented by Staff. The LDRC will Review and Provide Recommendations Regarding Article 2 Division 15 Mass Grading**

Steven Cohoon, County Engineer, opened the discussion regarding this item.

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

Chuck Varadin, Growth Services Director, and Ken Odom, Planner, added additional comments.

The following members of the public spoke during Public Comment:

1. Harvey Vandeven – 1240 SE 12<sup>th</sup> Court, Ocala
  - Expresses significant concerns regarding the requirement for a Special Use Permit (SUP) to move dirt. Emphasized that while some individuals may be abusing current allowances, implementing an SUP is unreasonable and would create inequities, as some people will be able to afford the permit process while others will not. Also, noted that impact fees have already increased, adding further financial strain. Explained that when possible, they reuse dirt on another site, which helps reduce costs. In the Dunnellon area, there is only one sand mine, meaning an SUP requirement would likely result in substantial additional traffic. Explained that mass-grading permits are already difficult to obtain and suggested instead placing clear rules and conditions directly on the permits, such as requiring water trucks for dust control, limiting movement on windy days, and other operational safeguards. Requiring an SUP, they stated, crosses a line, and they intend to strongly oppose the change.
2. Richard McGinley – 5700 SW Highway 484, Ocala
  - Expressed concerns about the extended timeframe proposed for permitting. Also shared that doing their own mass grading—such as separating sand from clay—has historically saved significant money. The proposed timeline is not viewed as reasonable. also mentioned that operations should not occur when wind levels are too high, noted the need for an adjacent well due to water-table issues, and supported the idea of incorporating a recreation plan.

The Board agreed that more discussion on the language was needed and will bring the item back to a future Workshop.

**3. NEW BUSINESS**

**3.1 Next LDRC Workshop will be scheduled for May 20, 2026**

**ADJOURNMENT**

The workshop adjourned at 7:09 p.m.

Attest:

\_\_\_\_\_  
Gene Losito, Vice Chairman

\_\_\_\_\_  
Kimberly Lamb, Administrative Staff Assistant

DRAFT

## Land Development Regulation Commission Attendance Report

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

- N/A

X Present: attendance is counted towards the quorum

\* Alternate Present; attendance not counted towards quorum



# Marion County

## Land Development Regulation Commission

### Agenda Item

---

**File No.:** 2026-23048

**Agenda Date:** 5/20/2026

**Agenda No.:** 2.1.

---

**SUBJECT:**

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

**DESCRIPTION/BACKGROUND:**

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

LDC CODE UPDATE	
DATE:	May 20, 2026
LDC SECTION:	Section 4.3.30 Smoke Shops
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p><b>Background</b></p> <p>Text changes to add Section 4.3.30 Smoke Shops are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to where smoke shops are permitted to be located in reference to schools and public parks.</p>	
<p><b>Additions to the LDC Section</b></p> <p>Addition to the text of Section 4.3.30 Smoke Shops address the following topics.</p> <ul style="list-style-type: none"> <li>• Identify that the sale of Tobacco and Tobacco products or paraphernalia are the primary purpose for the business.</li> <li>• Provide for 1,000’ spacing requirement from all schools and public parks for new smoke shops</li> <li>• Address how the measurement of the 1,000’ is to be conducted</li> <li>• Provide for an opportunity for a Special Use Permit for potential smoke shops that will not meet the spacing requirement.</li> </ul>	
<p>Attachments: Redline LDC Changes to Section 4.3.30 Smoke Shops</p>	

---

### **Sec. 4.3.30. Smoke Shops.**

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

---

### **Sec. 4.3.30. Smoke Shops.**

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



# Marion County

## Land Development Regulation Commission

### Agenda Item

---

**File No.:** 2026-23049

**Agenda Date:** 5/20/2026

**Agenda No.:** 2.2.

---

**SUBJECT:**

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

**DESCRIPTION/BACKGROUND:**

Staff have attached the proposed language to update LDC Section 4.3.12

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

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

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

- 4 (1) From a roadside stand: fruit, vegetables, produce, peanuts, ~~fireworks,~~ Christmas trees, firewood; ~~and,~~  
5 dry goods, homemade crafts, etc.; and or
- 6 (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants  
7 approved ~~cart; food such as but not limited to hot dogs or sausages, barbecued meat and uncooked~~  
8 seafood. Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").

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

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

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

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

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

- 24 (1) Hours of operation may be between 6 a.m. and 10 p.m.
- 25 (2) Driveway access shall be controlled, and driveway permits shall be obtained from the appropriate  
26 permitting agency.
- 27 (23) Adequate parking area shall be provided on site for customers including ~~handicapped~~ persons with  
28 disabilities, who shall be provided service without leaving their vehicle if requested.
- 29 (3) ~~Parking areas shall be covered with a layer (minimum 1½" thick) of bark chips, sawdust, shavings or~~  
30 ~~combination thereof, or construct a stabilized base parking area or pave the parking area.~~
- 31 (4) On site temporary restroom facilities are to be provided when more than two ~~persons~~ employees are  
32 employed on the site present.
- 33 (5) Water and soap for the washing of hands shall be available on site.
- 34 (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.
- 35 (7) ~~Products to be sold will be covered overnight or removed from the site and if required by State law,~~  
36 ~~refrigeration will be provided.~~
- 37 (7) Overnight food, vegetables, produce, etc. storage is not permitted.
- 38 (8) A Temporary roadside stand stands for the sale of farm products raised or produced on the premises shall  
39 be permitted in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.) provided  
40 such stands are located not less than 30 feet from any street, highway or right of way. A site plan will be  
41 submitted as part of the building permit process for a permanent structure or for the installation of

~~electrical, water or rest room facilities. The applicable site plan shall be submitted as set forth in Article 2 of this Code, at least 30 feet from the right of way. Non temporary roadside stands for farm products shall be regulated by applicable Site Plan and Building Plan regulations.~~

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

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

- (1) Maximum number of vendors
- (2) Layout of the site
- (3) Access to the site
- (4) Parking, including ADA Parking
- (5) Restroom and handwashing facilities
- (6) Lighting
- (7) Signage
- (8) Buffering
- (9) Trash/dumpster placement and pickup
- (10) Overnight storage

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

---

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

- 2 A. Temporary roadside vendors as used herein shall mean a person or business who sells goods as follows:
- 3 (1) From a roadside stand: fruit, vegetables, produce, peanuts, Christmas trees, firewood, dry goods,  
4 homemade crafts, etc.; or
- 5 (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants  
6 approved Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").
- 7 B. The maximum number of temporary roadside vendors per parcel or area is two vendors.
- 8 C. Temporary roadside vendor sales are prohibited within the public right-of-way or public easement.
- 9 D. Temporary roadside vendors are intended to function temporarily and independently. Services such as electric,  
10 water, and sewer shall not be permitted. Permanent structures such as, but not limited to, sheds, carports,  
11 modular buildings, etc., are prohibited.
- 12 E. Temporary roadside vendors conducting sales from a tent, pole-barn type facility, or other temporary structure  
13 shall obtain all applicable Building and Safety Department approvals for permitting.
- 14 F. Temporary roadside vendors are allowed by right in the following zoning classifications: A-1, A-2, A-3, B-1, B-2,  
15 B-3, B-4, B-5, M-1, and RAC, and shall at a minimum comply with the following criteria:
- 16 (1) Hours of operation may be between 6 a.m. and 10 p.m.
- 17 (2) Driveway access shall be controlled, and driveway permits shall be obtained from the appropriate  
18 permitting agency.
- 19 (3) Adequate parking area shall be provided on site for customers including persons with disabilities, who shall  
20 be provided service without leaving their vehicle if requested.
- 21 (4) On site temporary restroom facilities are to be provided when more than two employees are present.
- 22 (5) Water and soap for the washing of hands shall be available on site.
- 23 (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.
- 24 (7) Overnight food, vegetables, produce, etc. storage is not permitted.
- 25 (8) Temporary roadside stands for the sale of farm products raised or produced on the premises shall be  
26 permitted in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.).
- 27 (9) All advertising signs, trash, and other necessities shall be removed when the temporary roadside vendor  
28 ceases business for the day. The maximum number of signs shall not exceed four signs per vendor and shall  
29 be no larger than six square feet in size. Signage shall not be placed in public right of way or public easement.
- 30 G. Operation of more than two temporary roadside vendors, mobile food dispensing vehicles, food trucks, etc. on  
31 a single parcel of land or shared area, or roadside vendors not operating on a temporary basis, shall require a  
32 Special Use Permit and either a Minor Site Plan or Major Site Plan approval as set forth in Article 2 of this Code,  
33 and be consistent with the underlying land use designation and zoning classification for the property. The Special  
34 Use Permit, at a minimum, shall address the following;
- 35 (1) Maximum number of vendors
- 36 (2) Layout of the site
- 37 (3) Access to the site
- 38 (4) Parking, including ADA Parking
- 39 (5) Restroom and handwashing facilities

- 
- 1 (6) Lighting
  - 2 (7) Signage
  - 3 (8) Buffering
  - 4 (9) Trash/dumpster placement and pickup
  - 5 (10) Overnight storage
  - 6
  - 7



# Marion County

## Land Development Regulation Commission

### Agenda Item

---

**File No.:** 2026-23050

**Agenda Date:** 5/20/2026

**Agenda No.:** 3.1.

---

**SUBJECT:**

**Next LDRC Workshop will be on 6/3/2026**

**DESCRIPTION/BACKGROUND:**

For informational purposes only