

ORDINANCE 24- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO THE REFORMATTING OF THE LIST OF PERMITTED AND SPECIAL USE PERMIT USES, DEVELOPMENT STANDARDS, SETBACKS FOR USES AND STRUCTURES FOR PRINCIPLE, GENERAL ACCESSORY, AND SPECIALTY USES FROM A LIST FORMAT TO A TABLE FORMAT, AND TO PROVIDE FOR SCRIVENER CORRECTIONS FOR SECTIONS 4.2.22. RECREATIONAL RESORT AND 4.2.31. PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon counties the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; 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, consistent with LDC Section 1.4.3.B., on November 8, 2023, the Land Development Regulation Commission (LDRC) held a duly noticed public hearing to review, revise, and consider the county's staff LDRC recommendations on the proposed Ordinance and to make recommendations to the Board regarding same; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board held duly noticed public hearings on April 2, 2024, and April 16, 2024, to review and consider the county's staff recommendations as well as LDRC recommendations on the proposed Ordinance amending the LDC.

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

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE. The following amendments to the LDC are hereby by 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, Zoning Classification, is hereby amended to reflect the attached revised format

change from lists to tables and to amend Section 4.2.22 Recreational Resort to reflect the attached revisions:

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

B. Article 4 of the Marion County Land Development Code, Zoning, Division 2, Zoning Classification, Section 31, Planned Unit Development (PUD), is hereby amended to reflect the attached revised revisions:

See Attachment 2 (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 16th day of April, 2024.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

MICHELLE STONE, CHAIRMAN

ATTEST:

GREGORY C. HARRELL, CLERK

APPROVED AS TO FORM:

MATTHEW G. MINTER, COUNTY ATTORNEY