



# Marion County

## Board of County Commissioners

### Public Hearing Meeting

### Meeting Agenda

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Thursday, February 26, 2026

5:30 PM

McPherson Governmental  
Campus Auditorium

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### Public Hearing to Consider an Ordinance to Amend the Marion County Land Development Code

INTRODUCTION OF PUBLIC HEARING BY CHAIRMAN CARL ZALAK III

PLEDGE OF ALLEGIANCE

ROLL CALL

PROOF OF PUBLICATION

[Present Minutes from Land Development Regulation Commission Public Hearing](#)

STAFF PRESENTATION

1. [Consider Amendments to Marion County Land Development Code \(LDC\) Article 1, Division 2, Definitions](#)
2. [Consider Amendments to Marion County Land Development Code \(LDC\) Article 4, to Add New Section 4.3.28 - Fly-In Communities](#)
3. [Consider Amendments to Marion County Land Development Code \(LDC\) Article 4, to Add New Section 4.3.29 - Private Airports](#)

PUBLIC COMMENT

BOARD DISCUSSION

CLOSING COMMENTS



Marion County  
Board of County Commissioners Public  
Hearing Meeting

Agenda Item

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**File No.:** 2026-22073

**Agenda Date:** 2/26/2026

**Agenda No.:**

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**SUBJECT:**

**Present Minutes from Land Development Regulation Commission Public Hearing**

**INITIATOR:**

**Ken Weyrauch, Deputy Director**

**DEPARTMENT:**

**Growth Services**

**DESCRIPTION/BACKGROUND:**

Attached are the minutes from the February 4, 2026, Land Development Regulation Commission (LDRC) Public Hearing.

**BUDGET/IMPACT:**

None

**RECOMMENDED ACTION:**

For information only.

The Marion County Land Development Regulation Commission met on February 4, 2026, at 5:30 p.m. in the Board of County Commissioners Auditorium, 601 SE 25<sup>th</sup> Avenue, Ocala, Florida.

### **CALL TO ORDER**

Chairman David Tillman called the meeting to order at 5:33 p.m.

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

Autumn Williams called roll, and the quorum was confirmed.

Board members present were Chairman David Tillman, Richard Busche, Nate Chambers, and Robert Stepp.

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, Planner Kathleen Brugnoli, Development Review Coordinator Elizabeth Madeloni, Administrative Manager Autumn Williams, and Staff Assistant IV Kimberly Lamb.

Chairman David Tillman led the Pledge of Allegiance.

There were members of the public present.

### **ACKNOWLEDGEMENT OF PROOF OF PUBLICATION**

Autumn Williams read the Proof of Publication and advised that the meeting was properly advertised.

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

LDRC Board Member Robert Stepp made a motion to adopt the minutes from the January 21, 2026, meeting. The motion was seconded by Board Member Rick Busche. The motion passed unanimously (4-0).

Following the adoption of the minutes, Chairman David Tillman disclosed a conflict of interest regarding the items on tonight's agenda. He informed those present that he would abstain from voting but would continue to preside over the meeting as the Board Chairman.

## 2. SCHEDULED ITEMS

### **2.1 PUBLIC HEARING: Presentation and Consideration for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Article 1, Division 2 Definitions**

Ken Weyrauch, Growth Services Deputy Director, opened the discussion regarding this item.

There were no additional recommendations or comments from the LDRC Board Members.

The following members of the public spoke during Public Comment:

1. Busy Shires – 4899 NW 90<sup>th</sup> Avenue
  - She confirmed with the board that they had received the handout she provided to Growth Services staff shortly before the meeting. She then referenced line 5 of Article 1, Division 2 Definitions, where she proposed revised language to reduce the number of residential units from 10 to 2, and noted a grammatical change within the same sentence.

LDRC Board Member Rick Busche made a motion to recommend approval as presented to the Board of County Commissioners. Motion was seconded by Board Member Robert Stepp. Motion passed unanimously (3-0), with David Tillman abstaining.

### **2.2 PUBLIC HEARING: Presentation and Consideration for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Article 4 to Add New Section 4.3.28 - Fly-In Communities.**

Ken Weyrauch, Growth Services Deputy Director, opened the discussion regarding this item.

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

The following members of the public spoke during Public Comment:

1. Busy Shires – 4899 NW 90<sup>th</sup> Avenue, Ocala
  - Referenced the handout she provided to Growth Services staff before the meeting, presenting proposed changes to Article 4, Section 4.3.28. Specifically, she proposed reducing the maximum height in Section D(2), line 31, from 50 feet to 30 feet, and adding language in Section F(1) stating: “The lawfully established or vested Fly-In Communities prior to the effective date of this ordinance are:” followed by a list of those communities.

2. Dirk Leeward – PO Box 1476, Ocala
  - Feels the definition of “Fly-In Communities” creates conflicts with language in other sections of the code, as those sections use the term even though it is not formally defined. This could unintentionally alter the meaning of those sections. He asked what would occur during the interim period for applicants who come in while the definition is being revised, and how any resulting gap would be addressed. He reiterated his opposition to requiring PUDs for existing Fly-In Communities.

LDRC Board Member Robert Stepp made a motion to recommend approval as amended to the Board of County Commissioners. Motion was seconded by Board Member Nate Chambers. Motion passed unanimously (3-0), with David Tillman abstaining.

### **2.3. PUBLIC HEARING: Presentation and Consideration for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Article 4 to Add New Section 4.3.29 - Private Airports**

Ken Weyrauch, Growth Services Deputy Director, opened the discussion regarding this item.

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

The following members of the public spoke during Public Comment:

1. Jessica Icerman – 401 E Jackson Street, Suite 2100, Tampa
  - She referenced the letter she submitted in December, noting that it recommended clarifying the language in this section, particularly regarding expansions. She explains that the intent of this is to make it absolutely clear to all parties that once an airport is approved, the limits on expansions for future SUPs apply differently to new airports versus existing ones. She explained the reasons for the detailed list of uses, which were developed in response to public comments received throughout the process. She emphasized that the proposed language for future aviation activities at existing airports should be written so that it will not trigger an SUP, and she wants that distinction to be unmistakably clear.
2. Dirk Leeward – PO Box 1476, Ocala
  - He referenced the language in the final section of the Fly-In Communities provisions and stated that this language should also be applied to the private airports section. He noted inconsistencies in terminology across the sections, such as the use of “geographic boundaries” versus “geographic expansion,” and emphasized the need for consistent wording.

LDRC Board Member Robert Stepp made a motion to recommend approval as amended to the Board of County Commissioners. Motion was seconded by Board Member Nate Chambers. Motion passed unanimously (3-0), with David Tillman abstaining.

**3. NEW BUSINESS**

**3.1 The Public Hearing for Fly-In Communities/Private Airports will be at the BCC 1<sup>st</sup> Public Hearing, February 26, 2026, at 5:30 pm at the McPherson Governmental Campus Auditorium**

**Note: The Next LDRC Workshop will be at the Growth Services Training Room on February 18, 2026, at 5:30 pm**

Chairman David Tillman reminded the board of the upcoming LDRC and BCC meetings related to proposed LDC amendments.

**ADJOURNMENT**

The Public Hearing adjourned at 6:14 p.m.

Attest:

\_\_\_\_\_  
David Tillman, Chairman

\_\_\_\_\_  
Autumn Williams, Administrative Manager

**Land Development Regulation Commission Attendance Report**

2026		January 7	January 21	February 4	February 18	March 4	March 18	April 1	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																							
<b>Chris Howson</b>	Board Member	X	X																						
<b>Gene Losito</b>	Vice Chairman	X	X																						
<b>Richard Busche</b>	Board Member	X	X																						
<b>Robert Stepp</b>	Board Member		X																						
<b>Erica Larson</b>	Board Member	X																							
<b>Vacant</b>	Board Member	-																							
<b>Nate Chambers</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

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Tillman, Jonathan David</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Marion County Land Development Regulation Committee</i>	
MAILING ADDRESS <i>3301 SE 45th Place</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Ocala</i>	COUNTY <i>Marion</i>	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>2/4/2016</i>		NAME OF POLITICAL SUBDIVISION: <i>Marion County</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Jonathan David Tillman, hereby disclose that on 2/4, 20 26 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*I work/represent Tubolair, Bob Bull*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2/4/2026  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**Marion County**  
**Board of County Commissioners Public**  
**Hearing Meeting**  
**Agenda Item**

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**File No.:** 2026-22070

**Agenda Date:** 2/26/2026

**Agenda No.:** 1.

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**SUBJECT:**

**Consider Amendments to Marion County Land Development Code (LDC) Article 1, Division 2, Definitions**

**INITIATOR:**

**Kenneth Weyrauch, Deputy Director**

**DEPARTMENT:**

**Growth Services**

**DESCRIPTION/BACKGROUND:**

Staff will present the attached proposed language to add new definitions to Article 1, Division 2, Definitions of the Land Development Code (LDC), regarding Private Airports and Fly-In Communities.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

**BUDGET/IMPACT:**

None

**RECOMMENDED ACTION:**

Take public comment and provide direction.



**Marion County  
Board of County Commissioners**

Office of the County Attorney

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

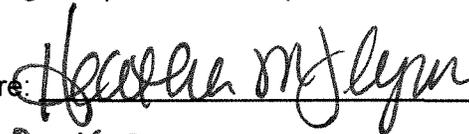
## Proof of Publication

No.: 2026-0022

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 The Board Of County Commissioners Of Marion County, Florida To Consider A Land Development Code Amendment Related To Article 1, Administration, Division 2 Definitions for Thursday, February 26, 2026 was published on the publicly accessible website, MarionFL.org/LegalNotices, of Marion County, Florida on February 16, 2026.

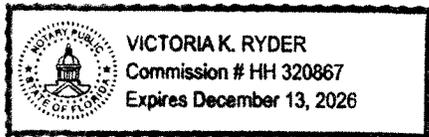
Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

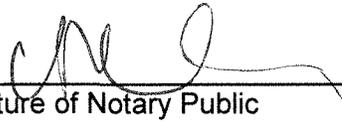
Signature:   
Date: 02-16-26

Business Impact Estimate published with the advertisement and attached.

THIS SECTION PREPARED BY NOTARY:

Sworn and Subscribed before me this 16<sup>th</sup> day of February, 2026, by Heather Flynn who is: personally known to me ✓ or who has produced \_\_\_\_\_ as identification.



  
Signature of Notary Public

Notary Public Stamp

ATTACH COPY FROM WEBSITE POSTING



## **Legal Notices**

# **NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA TO CONSIDER A LAND DEVELOPMENT CODE AMENDMENT RELATED TO ARTICLE 1, ADMINISTRATION, DIVISION 2 DEFINITIONS**

**Post Date:** 02/16/2026 8:00 AM

NOTICE IS HEREBY GIVEN THAT THE 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**

The public hearing will be held on **Thursday, February 26, 2026, at 5:30 p.m., or as soon thereafter**, as may be heard. The meeting will be held at **McPherson Governmental Campus Auditorium at 601 SE 25th Avenue, Ocala, FL, 34471**, to for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 1, in Marion County, Florida, providing for revisions to Division 2, Definitions, specifically related to Private Airports and Fly-In Communities.

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. 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](http://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 forty-eight 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, based on recommendations made by the Marion County Land Development Regulation Commission 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 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](http://www.MarionFL.org/BIE)

2026-0022

*[Return to full list >>](#)*



# LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Williams Autumn (Dept) Planning - 2730  
 Last First  
 (Title) Admin Manager (Phone) x2611  
 Signature Autumn Williams Date 02/08/2026

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for:  Draft Document  Approve as to Form  RESUBMIT LRM No. \_\_\_\_\_  
 Legal Opinion  Other

### Description of Request

Please review the 3 attached draft ordinances for LDC revisions related to Articles 1 and 4. These items have been moved to public hearing by the LDRC Board and are scheduled to proceed to LDC BCC#1 on February 26, 2026 followed by LDC BCC#2 on March 23, 2026. These ordinances will be considered for approval by the Board at the March 23rd meeting.

For more information or discussion, contact:  Same as above  
 (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone) \_\_\_\_\_  
 Last First

Agenda Item?  Yes  No Agenda Date: Monday, March 23, 2026  
 Agenda Deadline Date for **Legal:** Monday, February 16, 2026 Agenda Deadline Date for **Admin:** Thursday, February 19, 2026

**Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.**

DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. \_\_\_\_\_

Assigned to:  Matthew Guy Minter, County Attorney  Dana E. Olesky, Chief Asst. County Attorney  Linda Blackburn Asst. County Attorney  Thomas Schwartz Asst. County Attorney  Valdoston Shealey Asst. County Attorney

### Outcome:

Date Received:

Approved as to form and legal sufficiency  
 Approved with revisions:  Suggested  Completed  
 Other:

Attorney Signature: \_\_\_\_\_ Date \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Returned:  Department  Admin

Completed

## ORDINANCE 26 –

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 1, 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**, 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 February 4, 2026; 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 February 26, 2026, and March 23, 2026;

**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, Division 2, Definitions of the Marion County Land Development Code, 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 does 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 23<sup>rd</sup> day of March, 2026.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

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CARL ZALAK, III, CHAIRMAN

ATTEST:

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GREGORY C. HARRELL  
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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MATTHEW G. MINTER  
COUNTY ATTORNEY

1 **PROPOSED DEFINITIONS, ADD TO ARTICLE 1, DIVISION 2:**

2 Airport - an area of land or water used for, or intended to be used for, landing and takeoff of  
3 aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to  
4 facilitate such use or intended use.

5 Fly-In Community –A residential or mixed-use development of more than ten residential  
6 units which has legal taxiway access to a Private Airport that is utilized by the residents of  
7 the community and their invited guests for operation of their aircraft.

8 Private Airport –An Airport which is not open or available for use by the public but may be  
9 made available to others by invitation of the owners or managers.

1 **PROPOSED DEFINITIONS, ADD TO ARTICLE 1, DIVISION 2:**

2 Airport - an area of land or water used for, or intended to be used for, landing and takeoff of  
3 aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to  
4 facilitate such use or intended use.

5 Fly-In Community –A residential or mixed-use development of more than ten residential  
6 units which has legal taxiway access to a Private Airport that is utilized by the residents of  
7 the community and their invited guests for operation of their aircraft.

8 Private Airport –An Airport which is not open or available for use by the public but may be  
9 made available to others by invitation of the owners or managers.

1 **PROPOSED DEFINITIONS, ADD TO ARTICLE 1, DIVISION 2:**

2 Airport - an area of land or water used for, or intended to be used for, landing and  
3 takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way  
4 necessary to facilitate such use or intended use.

5 Airport Facilities - means airport facilities of all kinds including, but not limited to, landing  
6 fields, hangars, shops, restaurants and catering facilities, terminals, buildings, parking  
7 facilities and all other facilities necessary or desirable for the landing, taking off,  
8 operating, servicing, repairing and parking of aircraft.

9 Fly-In Community - residential or mixed-use development operated exclusively for the  
10 residents of the community of more than five ~~ten~~ residential units that have legal taxiway  
11 access to a Private Airport that is utilized by the aircraft of the residents of the  
12 community and their invited guests.

13 Private Airport – An Airport which is not open or available for use by the public but may  
14 be made available to others without fee by invitation of the owners or managers.

15 Private Airport of Public Interest - A private airport engaged in air ambulance operations,  
16 commercial air tour operations, commuter operations, on-demand operations, public  
17 charter operations, scheduled operations, or supplemental operations.

18

**PROPOSED DEFINITIONS, ADD TO ARTICLE 1, DIVISION 2:**

**Airport** - an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use.

**Airport Facilities** - means airport facilities of all kinds including, but not limited to, landing fields, hangars, shops, restaurants and catering facilities, terminals, buildings, parking facilities and all other facilities necessary or desirable for the landing, taking off, operating, servicing, repairing and parking of aircraft.

**Fly-In Community** - residential or mixed-use development operated exclusively for the residents of the community of more than five residential units that have legal taxiway access to a Private Airport that is utilized by the aircraft of the residents of the community and their invited guests.

**Private Airport** – An Airport which is not open or available for use by the public but may be made available to others without fee by invitation of the owners or managers.

**Private Airport of Public Interest** - A private airport engaged in air ambulance operations, commercial air tour operations, commuter operations, on-demand operations, public charter operations, scheduled operations, or supplemental operations.



## Marion County Board of County Commissioners

Office of the County Attorney

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

### 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 1, DIVISION 2, DEFINITIONS**

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 **16<sup>th</sup> day of February 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): **The ordinance proposes to add definitions of Airport, Fly-In Communities, and Private Airport to the LDC in order to clarify the uses for regulation purposes.**

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;  
(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs.  
**This ordinance does not have a clear, direct economic impact. No new direct or indirect compliance costs are expected with the addition of these definitions.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Zero businesses will be impacted by this ordinance. About twenty to thirty airports will be defined, and about ten Fly-In Communities may be eligible for recognition.**

4. Additional information the governing body deems useful (if any): **These definitions will provide clarity for future development. Making development processes more predictable.**



**Marion County**  
**Board of County Commissioners Public**  
**Hearing Meeting**  
**Agenda Item**

---

**File No.:** 2026-22071

**Agenda Date:** 2/26/2026

**Agenda No.:** 2.

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**SUBJECT:**

**Consider Amendments to Marion County Land Development Code (LDC) Article 4, to Add New Section 4.3.28 - Fly-In Communities**

**INITIATOR:**

**Kenneth Weyrauch, Deputy Director**

**DEPARTMENT:**

**Growth Services**

**DESCRIPTION/BACKGROUND:**

Staff will present the attached proposed language to add a new section 4.3.28, Fly-In Communities, to the Land Development Code (LDC) Article 4.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

**BUDGET/IMPACT:**

None

**RECOMMENDED ACTION:**

Take public comment and provide direction.



**Marion County  
Board of County Commissioners**

Office of the County Attorney

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

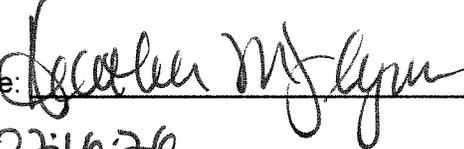
## Proof of Publication

No.: 2026-0023

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 The Board Of County Commissioners Of Marion County, Florida To Consider A Land Development Code Amendment Related To Article 4, Zoning, Division 3 Special Requirements, Section 4.3.28, Fly-In Communities for Thursday, February 26, 2026 was published on the publicly accessible website, MarionFL.org/LegalNotices, of Marion County, Florida on February 16, 2026.

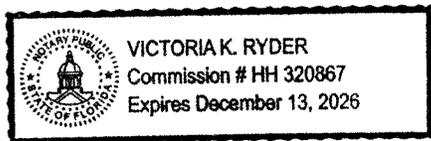
Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

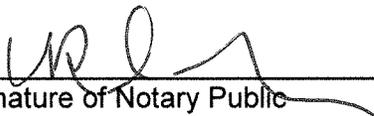
Signature:   
Date: 02-16-26

Business Impact Estimate published with the advertisement and attached.

THIS SECTION PREPARED BY NOTARY:

Sworn and Subscribed before me this 16<sup>th</sup> day of February, 2026, by Heather Flynn who is: personally known to me ✓ or who has produced \_\_\_\_\_ as identification.



  
Signature of Notary Public

Notary Public Stamp

ATTACH COPY FROM WEBSITE POSTING



## **Legal Notices**

# **NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA TO CONSIDER A LAND DEVELOPMENT CODE AMENDMENT RELATED TO ARTICLE 4, ZONING, DIVISION 3 SPECIAL REQUIREMENTS, SECTION 4.3.28, FLY-IN COMMUNITIES**

**Post Date:** 02/16/2026 8:00 AM

NOTICE IS HEREBY GIVEN THAT THE 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 4, ZONING, DIVISION 3 SPECIAL REQUIREMENTS, SECTION 4.3.28, FLY-IN COMMUNITIES**

The public hearing will be held on **Thursday, February 26, 2026, at 5:30 p.m., or as soon thereafter**, as may be heard. The meeting will be held at **McPherson Governmental Campus Auditorium at 601 SE 25th Avenue, Ocala, FL, 34471**, to for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 1, in Marion County, Florida, providing for revisions to Section 4.3.28, Fly-In Communities.

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. 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](http://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 forty-eight 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, based on recommendations made by the Marion County Land Development Regulation Commission 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 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](http://www.MarionFL.org/BIE).

2026-0023

*[Return to full list >>](#)*



# LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Williams Autumn (Dept) Planning - 2730  
 Last First  
 (Title) Admin Manager (Phone) x2611  
 Signature Autumn Williams Date 02/08/2026

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for:  Draft Document  Approve as to Form  RESUBMIT LRM No. \_\_\_\_\_  
 Legal Opinion  Other

### Description of Request

Please review the 3 attached draft ordinances for LDC revisions related to Articles 1 and 4. These items have been moved to public hearing by the LDRC Board and are scheduled to proceed to LDC BCC#1 on February 26, 2026 followed by LDC BCC#2 on March 23, 2026. These ordinances will be considered for approval by the Board at the March 23rd meeting.

For more information or discussion, contact:  Same as above  
 (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone) \_\_\_\_\_  
 Last First

Agenda Item?  Yes  No Agenda Date: Monday, March 23, 2026  
 Agenda Deadline Date for **Legal:** Monday, February 16, 2026 Agenda Deadline Date for **Admin:** Thursday, February 19, 2026

**Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.**

### DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. \_\_\_\_\_

Assigned to:  Matthew Guy Minter, County Attorney  Dana E. Olesky, Chief Asst. County Attorney  Linda Blackburn, Asst. County Attorney  Thomas Schwartz, Asst. County Attorney  Valdoston Shealey, Asst. County Attorney

### Outcome:

Date Received: \_\_\_\_\_

Approved as to form and legal sufficiency  
 Approved with revisions:  Suggested  Completed  
 Other: \_\_\_\_\_

Attorney Signature: \_\_\_\_\_ Date \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Returned:  Department  Admin  \_\_\_\_\_

Completed

## ORDINANCE 26 –

**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 4.3.28, FLY-IN COMMUNITIES; 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 February 4, 2026; 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 February 26, 2026, and March 23, 2026;

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

Note: Deletions are shown in strikethrough 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, Division 3 Special Requirements, Section 4.3.28 Fly-In Communities of the Marion County Land Development Code, Zoning, is hereby amended to reflect the attached revised language:

See Attachment 1 (additions shown in underline text, deletions shown in ~~strikethrough 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 does 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 23<sup>rd</sup> day of March, 2026.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

\_\_\_\_\_  
CARL ZALAK, III, CHAIRMAN

ATTEST:

\_\_\_\_\_  
GREGORY C. HARRELL  
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
MATTHEW G. MINTER  
COUNTY ATTORNEY

1 **Sec. 4.3.28. – Fly-In Communities**

2 A. The purpose of the requirements for a Fly-In Community is to:

- 3 (1) Design the Fly-In Community to ensure a cohesive and well-integrated layout that accommodates  
4 the unique requirements of aircraft operations within residential and community areas. This  
5 should include, but is not limited to, thoughtful planning for aircraft circulation, special accessory  
6 uses, and other features that support the distinct functionality and lifestyle of a Fly-In Community.
- 7 (2) Incorporate elements into the design to minimize the impact of the Fly-In Community on adjacent  
8 property owners.
- 9 (3) Provide flexibility in design to allow a creative approach to the use of the land and related physical  
10 environment, as well as utilizing innovative techniques to enhance the quality of the development.
- 11 (4) Enacts standards and conditions specific to Fly-In Communities enforced through a PUD process,  
12 approved by the Board of County Commissioners.

13 B. Fly-in communities are allowed in all future land use categories where residential uses are permitted.  
14 Mixed-use Fly-In Communities are allowed where future land use categories permit residential and non-  
15 residential uses at a density and intensity allowed by the underlying future land use designation.

16 C. A new or expanded Fly-In Community must be approved by the Board of County Commissioners through  
17 the Planned Unit Development (PUD) process. An expansion shall mean a geographic expansion beyond  
18 the boundaries of a previously approved Fly-In Community or an increase in land use densities or intensities  
19 in excess of those established in a previously approved or vested Fly-In Community. In addition to all other  
20 PUD requirements within the LDC, Fly-In Communities must meet the following requirements:

- 21 (1) The PUD application must include a Conceptual or Master Plan which shall at a minimum depict  
22 the location and extents of all proposed uses, accessory structure heights and setbacks, and  
23 provisions for safe aircraft circulation within the Fly-In Community. The Conceptual or Master Plan  
24 shall also depict the details associated with legal taxiway access to a Private Airport to be accessed  
25 by residents to demonstrate safe interconnection of the Fly-In Community with the Private Airport.
- 26 (2) Accessory use aircraft hangars are limited to a maximum of 50 feet in height.
- 27 (3) A Fly-In Community shall encourage best practices for their residents and invited guests that  
28 include rules and policies for the operation of aircraft within the Fly-In Community.

29 D. The County shall not impose conditions which are otherwise preempted by the Federal Aviation  
30 Administration or the Florida Department of Transportation.

31 E. Expansion of Previously Approved or Vested Fly-In Communities.

- 32 (1) The purpose of this section is to recognize and protect Fly-In Communities lawfully established or  
33 vested prior to the effective date of this ordinance.
- 34 (2) Fly-In Communities lawfully established or vested prior to the effective date of this ordinance shall  
35 be considered a legal conforming use regardless of zoning district and shall not be required to  
36 obtain PUD approval.

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(3) Only the geographic property boundary beyond the limits of a previously approved Fly-In Community property boundary or the increase in land use types or densities or intensities shall be required to obtain PUD approval. In the event that there is a geographic boundary expansion or an increase in land use types or densities or intensities of an existing Fly-In Community that would require a PUD, the County may only review the expanded area and may not condition the previously approved Fly-In Community.

1 **Sec. 4.3.28. – Fly-In Communities**

2 A. The purpose of the requirements for a Fly-In Community is to:

3 (1) Design the Fly-In Community to ensure a cohesive and well-integrated  
4 layout that accommodates the unique requirements of aircraft operations  
5 within residential and community areas. This should include, but is not  
6 limited to, thoughtful planning for aircraft circulation, special accessory  
7 uses, and other features that support the distinct functionality and lifestyle  
8 of a Fly-In Community.

9 (2) Incorporate elements into the design to minimize the impact of the Fly-In  
10 Community on adjacent property owners.

11 (3) Provide flexibility in design to allow a creative approach to the use of the  
12 land and related physical environment, as well as utilizing innovative  
13 techniques to enhance the quality of the development.

14 (4) Enacts standards and conditions specific to Fly-In Communities enforced  
15 through a PUD process, approved by the Board of County Commissioners.

16 B. Fly-in communities are allowed in all future land use categories where residential  
17 uses are permitted. Mixed-use Fly-In Communities are allowed where future land  
18 use categories permit residential and non-residential uses at a density and  
19 intensity allowed by the underlying future land use designation.

20 C. A new or expanded Fly-In Community must be approved by the Board of County  
21 Commissioners through the Planned Unit Development (PUD) process. An  
22 expansion shall mean a geographic expansion beyond the boundaries of a  
23 previously approved Fly-In Community or an increase in land use densities or  
24 intensities in excess of those established in a previously approved or vested Fly-  
25 In Community. In addition to all other PUD requirements within the LDC, Fly-In  
26 Communities must meet the following requirements:

27 (1) The PUD application must include a Conceptual or Master Plan which shall  
28 at a minimum depict the location and extents of all proposed uses,  
29 accessory structure heights and setbacks, and provisions for safe aircraft  
30 circulation within the Fly-In Community. The Conceptual or Master Plan  
31 shall also depict the details associated with legal taxiway access to a Private  
32 Airport to be accessed by residents to demonstrate safe interconnection of  
33 the Fly-In Community with the Private Airport.

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1           (2) Accessory use aircraft hangars are limited to a maximum of 50 feet in  
2           height.

3           (3) A Fly-In Community shall encourage best practices for their residents and  
4           invited guests that include rules and policies for the operation of aircraft  
5           within the Fly-In Community.

6           D. The County shall not impose conditions which are otherwise preempted by the  
7           Federal Aviation Administration or the Florida Department of Transportation.

8           E. Expansion of Previously Approved or Vested Fly-In Communities.

9           (1) The purpose of this section is to recognize and protect Fly-In Communities  
10          lawfully established or vested prior to the effective date of this ordinance.

11          (2) Fly-In Communities lawfully established or vested prior to the effective date  
12          of this ordinance shall be considered a legal conforming use regardless of  
13          zoning district and shall not be required to obtain PUD approval.

14          (3) Only the geographic property boundary beyond the limits of a previously  
15          approved Fly-In Community property boundary or the increase in land use  
16          types or densities or intensities shall be required to obtain PUD approval. In  
17          the event that there is a geographic boundary expansion or an increase in  
18          land use types or densities or intensities of an existing Fly-In Community  
19          that would require a PUD, the County may only review the expanded area  
20          and may not condition the previously approved Fly-In Community.

1 **Sec. 4.3.28. – Fly-In Communities**

2 A. The purpose of the requirements for a Fly-In Community is to:

3 (1) Design the Fly-In Community to ensure a cohesive and well-integrated layout  
4 that accommodates the unique requirements of aircraft operations within  
5 residential and community areas. This should include, but is not limited to,  
6 thoughtful planning for aircraft circulation, special accessory uses, and other  
7 features that support the distinct functionality and lifestyle of a Fly-In  
8 Community.

9 (2) Incorporate elements into the design to minimize the impact of the Fly-In  
10 Community on adjacent property owners.

11 (3) Provide flexibility in design to allow a creative approach to the use of the land  
12 and related physical environment, as well as utilizing innovative techniques to  
13 enhance the quality of the development.

14 (4) Enacts standards and conditions specific to Fly-In Communities enforced  
15 through a PUD process, approved by the Board of County Commissioners.

16 B. Fly-in communities are allowed in all future land use categories where residential  
17 uses are permitted. Mixed-use Fly-In Communities are allowed where future land use  
18 categories permit residential and non-residential uses at a density and intensity  
19 allowed by the underlying future land use designation.

20 C. A new or expanded Fly-In Community must be approved by the Board of County  
21 Commissioners through the Planned Unit Development (PUD) process. An  
22 expansion shall mean a geographic expansion beyond the boundaries of a previously  
23 approved Fly-In Community or an increase in land use densities or intensities in  
24 excess of those established in a previously approved or vested Fly-In Community. In  
25 addition to all other PUD requirements within the LDC, Fly-In Communities must  
26 meet the following requirements:

27 (1) The PUD application must include a Conceptual or Master Plan which shall,  
28 at a minimum, depict the location and extents of all proposed uses, accessory  
29 structure heights and setbacks, and provisions for safe aircraft circulation  
30 within the Fly-In Community. The Conceptual or Master Plan shall also depict  
31 the details associated with legal taxiway access to a Private Airport to be

1 accessed by residents to demonstrate safe interconnection of the Fly-In  
2 Community with the Private Airport.

3 (2) Accessory use of aircraft hangars is limited to a maximum of 5035 feet in  
4 height.

5 (3) A Zoning Compatibility Analysis addressing potential impacts to surrounding  
6 properties and how the PUD application is designed to mitigate any such  
7 impacts. The Analysis shall address:

8 a. Noise

9 b. Type of aircraft and expected aircraft volumes

10 c. Expected air traffic patterns

11 d. Hours of operation

12 e. Lighting levels at the PUD boundary

13 a.f. Provisions for meeting any other special conditions identified by the  
14 Zoning Compatibility Analysis

15 (2)(4) A Fly-In Community shall encourage best practices for its residents  
16 and invited guests that include rules and policies for the operation of aircraft  
17 within the Fly-In Community. Draft community rules and policies shall be  
18 submitted with the PUD application.

19 ~~D. The County shall not impose conditions which are otherwise preempted by the~~  
20 ~~Federal Aviation Administration or the Florida Department of Transportation.~~

21  
22 E.D. Expansion of Previously Approved or Vested Fly-In Communities.

23  
24 (1) The purpose of this section is to recognize and protect Fly-In Communities  
25 lawfully established or vested before the effective date of this ordinance.

26  
27 (2) Fly-In Communities lawfully established or vested before the effective date of  
28 this ordinance shall be considered a legal conforming use regardless of zoning  
29 district and shall not be required to obtain PUD approval.

30  
31 ~~(3) Only the geographic property boundary beyond the limits of a previously~~  
32 ~~approved Fly-In Community property boundary or the increase in land use~~  
33 ~~types, densities, or intensities shall be required to obtain PUD approval. If~~  
34 ~~there is a geographic boundary expansion or an increase in land use types,~~

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densities, or intensities of an existing Fly-In Community that would require a PUD, the County may only review the expanded area and may not condition the previously approved Fly-In Community.

**Sec. 4.3.28. – Fly-In Communities**

A. The purpose of the requirements for a Fly-In Community is to:

- (1) Design the Fly-In Community to ensure a cohesive and well-integrated layout that accommodates the unique requirements of aircraft operations within residential and community areas. This should include, but is not limited to, thoughtful planning for aircraft circulation, special accessory uses, and other features that support the distinct functionality and lifestyle of a Fly-In Community.
- (2) Incorporate elements into the design to minimize the impact of the Fly-In Community on adjacent property owners.
- (3) Provide flexibility in design to allow a creative approach to the use of the land and related physical environment, as well as utilizing innovative techniques to enhance the quality of the development.
- (4) Enacts standards and conditions specific to Fly-In Communities enforced through a PUD process, approved by the Board of County Commissioners.

B. Fly-in communities are allowed in all future land use categories where residential uses are permitted. Mixed-use Fly-In Communities are allowed where future land use categories permit residential and non-residential uses at a density and intensity allowed by the underlying future land use designation.

C. A new or expanded Fly-In Community must be approved by the Board of County Commissioners through the Planned Unit Development (PUD) process. An expansion shall mean a geographic expansion beyond the boundaries of a previously approved Fly-In Community or an increase in land use densities or intensities in excess of those established in a previously approved or vested Fly-In Community. In addition to all other PUD requirements within the LDC, Fly-In Communities must meet the following requirements:

- (1) The PUD application must include a Conceptual or Master Plan which shall, at a minimum, depict the location and extents of all proposed uses, accessory structure heights and setbacks, and provisions for safe aircraft circulation within the Fly-In Community. The Conceptual or Master Plan shall also depict the details associated with legal taxiway access to a Private Airport to be

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accessed by residents to demonstrate safe interconnection of the Fly-In Community with the Private Airport.

(2) Accessory use of aircraft hangars is limited to a maximum of 35 feet in height.

(3) A Zoning Compatibility Analysis addressing potential impacts to surrounding properties and how the PUD application is designed to mitigate any such impacts. The Analysis shall address:

- a. Noise
- b. Type of aircraft and expected aircraft volumes
- c. Expected air traffic patterns
- d. Hours of operation
- e. Lighting levels at the PUD boundary
- f. Provisions for meeting any other special conditions identified by the Zoning Compatibility Analysis

(4) A Fly-In Community shall encourage best practices for its residents and invited guests that include rules and policies for the operation of aircraft within the Fly-In Community. Draft community rules and policies shall be submitted with the PUD application.

D. Expansion of Previously Approved or Vested Fly-In Communities.

(1) The purpose of this section is to recognize Fly-In Communities lawfully established or vested before the effective date of this ordinance.

(2) Fly-In Communities lawfully established or vested before the effective date of this ordinance shall be considered a legal conforming use regardless of zoning district and shall not be required to obtain PUD approval.



## Marion County Board of County Commissioners

Office of the County Attorney

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

### 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 4.3.28, FLY-IN COMMUNITIES**

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 **16<sup>th</sup> day of February 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): **The ordinance proposes to clarify and establish a process for new or expanding residential communities connected to a private airport, Fly-In Communities.**

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;

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

**This ordinance does not have a clear, direct economic impact. No direct or indirect compliance costs are expected with the addition of these regulations. No new fees or regulatory costs are anticipated due to the existing process for new and expanded residential communities connected to private airports is the same; this ordinance just clarifies the process.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Zero businesses will be impacted by this ordinance. About twenty to thirty airports will be defined, and about ten Fly-In Communities may be eligible for recognition.**

4. Additional information the governing body deems useful (if any): **The process for new and the expansion of residential communities connected to private airports is already like this. This process allows for clarity and predictability for development.**



# Marion County

## Board of County Commissioners Public Hearing Meeting

### Agenda Item

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**File No.:** 2026-22072

**Agenda Date:** 2/26/2026

**Agenda No.:** 3.

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**SUBJECT:**

**Consider Amendments to Marion County Land Development Code (LDC) Article 4, to Add New Section 4.3.29 - Private Airports**

**INITIATOR:**

**Kenneth Weyrauch, Deputy Director**

**DEPARTMENT:**

**Growth Services**

**DESCRIPTION/BACKGROUND:**

Staff will present the attached proposed language to add a new section 4.3.29, Private Airports, to the Land Development Code (LDC) Article 4.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

**BUDGET/IMPACT:**

None

**RECOMMENDED ACTION:**

Take public comment and provide direction.



## **Legal Notices**

# **NOTICE OF PUBLIC HEARING BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA TO CONSIDER A LAND DEVELOPMENT CODE AMENDMENT RELATED TO ARTICLE 4, ZONING, DIVISION 3 SPECIAL REQUIREMENTS, SECTION 4.3.29, PRIVATE AIRPORTS**

**Post Date:** 02/16/2026 8:00 AM

NOTICE IS HEREBY GIVEN THAT THE 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 4, ZONING, DIVISION 3 SPECIAL REQUIREMENTS, SECTION 4.3.29, PRIVATE AIRPORTS**

The public hearing will be held on **Thursday, February 26, 2026, at 5:30 p.m., or as soon thereafter**, as may be heard. The meeting will be held at **McPherson Governmental Campus Auditorium at 601 SE 25th Avenue, Ocala, FL, 34471**, to for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 1, in Marion County, Florida, providing for revisions to Section 4.3.29, Private Airports.

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. 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](http://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 forty-eight hours in advance of the hearing, so appropriate arrangements can be made.



**Marion County  
Board of County Commissioners**

Office of the County Attorney

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

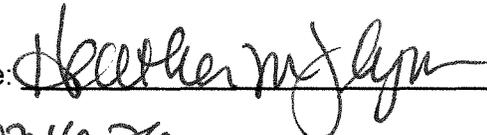
## Proof of Publication

No.: 2026-0024

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 The Board Of County Commissioners Of Marion County, Florida To Consider A Land Development Code Amendment Related To Article 4, Zoning, Division 3 Special Requirements, Section 4.3.29, Private Airports for Thursday, February 26, 2026 was published on the publicly accessible website, MarionFL.org/LegalNotices, of Marion County, Florida on February 16, 2026.

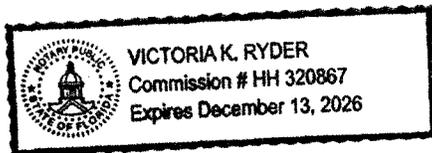
Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

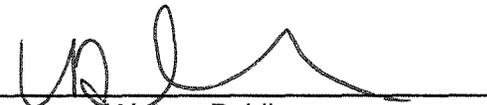
Signature:   
Date: 02.16.26

Business Impact Estimate published with the advertisement and attached.

THIS SECTION PREPARED BY NOTARY:

Sworn and Subscribed before me this 16<sup>th</sup> day of February, 2026, by Heather Flynn who is: personally known to me  or who has produced \_\_\_\_\_ as identification.



  
Signature of Notary Public

Notary Public Stamp

ATTACH COPY FROM WEBSITE POSTING

All persons are advised that, if they decide to appeal a decision of the Board of County Commissioners of Marion County, Florida, based on recommendations made by the Marion County Land Development Regulation Commission 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 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](http://www.MarionFL.org/BIE).

2026-0024

*[Return to full list >>](#)*



# LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Williams Autumn (Dept) Planning - 2730  
 Last First  
 (Title) Admin Manager (Phone) x2611  
 Signature Autumn Williams Date 02/08/2026

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for:  Draft Document  Approve as to Form  RESUBMIT LRM No. \_\_\_\_\_  
 Legal Opinion  Other

### Description of Request

Please review the 3 attached draft ordinances for LDC revisions related to Articles 1 and 4. These items have been moved to public hearing by the LDRC Board and are scheduled to proceed to LDC BCC#1 on February 26, 2026 followed by LDC BCC#2 on March 23, 2026. These ordinances will be considered for approval by the Board at the March 23rd meeting.

For more information or discussion, contact:  Same as above  
 (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone) \_\_\_\_\_  
 Last First

Agenda Item?  Yes  No Agenda Date: Monday, March 23, 2026  
 Agenda Deadline Date for **Legal:** Monday, February 16, 2026 Agenda Deadline Date for **Admin:** Thursday, February 19, 2026

**Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.**

DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. \_\_\_\_\_

Assigned to:  Matthew Guy Minter, County Attorney  Dana E. Olesky, Chief Asst. County Attorney  Linda Blackburn, Asst. County Attorney  Thomas Schwartz, Asst. County Attorney  Valdoston Shealey, Asst. County Attorney

### Outcome:

Date Received:

Approved as to form and legal sufficiency  
 Approved with revisions:  Suggested  Completed  
 Other:

Attorney Signature: \_\_\_\_\_ Date \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Returned:  Department  Admin

Completed

**ORDINANCE 26 –**

**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 4.3.29, PRIVATE AIRPORTS; 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 February 4, 2026; 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 February 26, 2026, and March 23, 2026;

**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, Division 3 Special Requirements, Section 4.3.29 Private Airports of the Marion County Land Development Code, Zoning, 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 does 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 23<sup>rd</sup> day of March, 2026.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

\_\_\_\_\_  
CARL ZALAK, III, CHAIRMAN

ATTEST:

\_\_\_\_\_  
GREGORY C. HARRELL  
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
MATTHEW G. MINTER  
COUNTY ATTORNEY

**New - Sec. 4.3.29 – Private Airports**

A new or expanded (defined as a geographic expansion beyond the limits of a previously approved Private Airport) Private Airport listed as a Special Use in a zoning category, or as deemed by the Growth Services Director to be permissible in a zoning category, must be approved through a Special Use Permit process meeting all requirements of Article 2, Division 8 except as modified below. Alternatively, a Private Airport may be approved through a Planned Unit Development process in accordance with Article 4, Division 2, Section 4.2.31 except as modified below.

A. A Special Use Permit application must additionally include the following items:

(1) A formal written application for a SUP on a form provided by the Growth Services Department is submitted to the Planning/Zoning Manager indicating that a private airport SUP is sought and stating the grounds on which it is requested.

(2) A fee in the amount established by resolution of the Board shall accompany the application. The fee schedule is available at the Growth Services Department.

(3) A Conceptual Plan prepared in accordance with the provisions of Article 6 and at an appropriate scale showing:

a. The limits of the proposed Private Airport Special Use Permit boundary in relation to adjacent properties.

b. A conceptual site plan for the Private Airport Special Use depicting the general layout of airport facilities, aviation support buildings, and onsite automobile circulation and parking.

c. The proposed buffers, setbacks, and structure heights for uses within the Private Airport.

d. Provisions for ingress and egress

e. Provisions for utilities, with reference to locations, availability and compatibility.

f. Provisions for screening and buffering of dissimilar uses and of adjacent properties

g. Provisions for general compatibility with adjacent properties, and other property in the surrounding area

h. Provisions for meeting any special requirements required by the site analysis for the Private Airport Special Use.

- i. Only the expansion of the geographic property boundary beyond the limits of a previously approved Private Airport property boundary shall be required to obtain SUP approval. In the event that there is a geographic property expansion that would require a SUP, the County may only review the expanded area and may not condition the previously approved Private Airport.

**New - Sec. 4.3.29 – Private Airports**

A new or expanded (defined as a geographic expansion beyond the limits of a previously approved Private Airport) Private Airport listed as a Special Use in a zoning category, or as deemed by the Growth Services Director to be permissible in a zoning category, must be approved through a Special Use Permit process meeting all requirements of Article 2, Division 8 except as modified below. Alternatively, a Private Airport may be approved through a Planned Unit Development process in accordance with Article 4, Division 2, Section 4.2.31 except as modified below.

- A. A Special Use Permit application must additionally include the following items:
- (1) A formal written application for a SUP on a form provided by the Growth Services Department is submitted to the Planning/Zoning Manager indicating that a private airport SUP is sought and stating the grounds on which it is requested.
  - (2) A fee in the amount established by resolution of the Board shall accompany the application. The fee schedule is available at the Growth Services Department.
  - (3) A Conceptual Plan prepared in accordance with the provisions of Article 6 and at an appropriate scale showing:
    - a. The limits of the proposed Private Airport Special Use Permit boundary in relation to adjacent properties.
    - b. A conceptual site plan for the Private Airport Special Use depicting the general layout of airport facilities, aviation support buildings, and onsite automobile circulation and parking.
    - c. The proposed buffers, setbacks, and structure heights for uses within the Private Airport.
    - d. Provisions for ingress and egress
    - e. Provisions for utilities, with reference to locations, availability and compatibility.
    - f. Provisions for screening and buffering of dissimilar uses and of adjacent properties
    - g. Provisions for general compatibility with adjacent properties, and other property in the surrounding area
    - h. Provisions for meeting any special requirements required by the site analysis for the Private Airport Special Use.

- i. Only the expansion of the geographic property boundary beyond the limits of a previously approved Private Airport property boundary shall be required to obtain SUP approval. In the event that there is a geographic property expansion that would require a SUP, the County may only review the expanded area and may not condition the previously approved Private Airport.

1 **New - Sec. 4.3.29 – Private Airports**

2 A new or expanded (defined as a modification to the existing layout and/or an increase in the  
3 types or intensities of existing or previously approved Airport Facilities, and/or a geographic  
4 expansion beyond the limits of a previously approved Private Airport) Private Airport listed as  
5 a Special Use in a zoning category, or as deemed by the Growth Services Director to be  
6 permissible in a zoning category, must be approved through a Special Use Permit process  
7 meeting all requirements of Article 2, Division 8 except as modified below. Alternatively, a  
8 Private Airport may be approved through a Planned Unit Development process in  
9 accordance with Article 4, Division 2, Section 4.2.31, except as modified below.

10 Heliport facilities for hospitals and first responder government agencies are exempt from the  
11 Special Use Permit requirements.

12 A. A Special Use Permit application must additionally include the following items:

13 (1) A formal written application for a Special Use Permit on a form provided by the Growth  
14 Services Department is submitted to the Planning/Zoning Manager, indicating that a  
15 Private Airport, or Private Airport of Public Interest, Special Use Permit is sought  
16 and stating the grounds on which it is requested.

17 (2) A fee in the amount established by resolution of the Board shall accompany the  
18 application. The fee schedule is available at the Growth Services Department.

19 (3) A Conceptual Plan prepared in accordance with the provisions of Article 6 and at an  
20 appropriate scale showing:

21 a. The limits of the proposed Private Airport Special Use Permit boundary in  
22 relation to adjacent properties.

23 b. A conceptual site plan for the Private Airport Special Use depicting the  
24 general layout of Airport Facilities, aviation support buildings, and onsite  
25 automobile circulation and parking.

26 c. The proposed buffers, setbacks, and structure heights for uses within the  
27 Private Airport.

28 d. Provisions for ingress and egress

29 e. Provisions for utilities, with reference to locations, availability, and  
30 compatibility.

31 f. Provisions for screening and buffering of dissimilar uses and of adjacent  
32 properties

1 g. Provisions for general compatibility with adjacent properties, and other  
2 properties in the surrounding area

3 ~~h. Provisions for meeting any special requirements required by the site~~  
4 ~~analysis for the Private Airport Special Use.~~

5 ~~i.h. Only the geographic property boundary beyond the limits of a previously~~  
6 ~~approved Private Airport property boundary shall be required to obtain~~  
7 ~~SUP approval. If there is a geographic property expansion that would~~  
8 ~~require an SUP, the County may only review the expanded area and may~~  
9 ~~not condition the previously approved Private Airport.~~

10 (4) A Zoning Compatibility Analysis addressing potential impacts to surrounding  
11 properties and how the Special Use Permit application is designed to mitigate any  
12 such impacts. The Analysis shall address:

13 a. Noise

14 b. Type of aircraft and expected aircraft volumes

15 c. Expected air traffic patterns

16 d. Hours of operation

17 e. Lighting levels at the Special Use Permit boundary

18 f. Provisions for meeting any other special conditions identified by the  
19 Zoning Compatibility Analysis.

20

**New - Sec. 4.3.29 – Private Airports**

A new or expanded (defined as a modification to the existing layout and/or an increase in the types or intensities of existing or previously approved Airport Facilities, and/or a geographic expansion beyond the limits of a previously approved Private Airport) Private Airport listed as a Special Use in a zoning category, or as deemed by the Growth Services Director to be permissible in a zoning category, must be approved through a Special Use Permit process meeting all requirements of Article 2, Division 8 except as modified below. Alternatively, a Private Airport may be approved through a Planned Unit Development process in accordance with Article 4, Division 2, Section 4.2.31, except as modified below.

Helicopter facilities for hospitals and first responder government agencies are exempt from the Special Use Permit requirements.

- A. A Special Use Permit application must additionally include the following items:
- (1) A formal written application for a Special Use Permit on a form provided by the Growth Services Department is submitted to the Planning/Zoning Manager, indicating that a Private Airport, or Private Airport of Public Interest, Special Use Permit is sought and stating the grounds on which it is requested.
  - (2) A fee in the amount established by resolution of the Board shall accompany the application. The fee schedule is available at the Growth Services Department.
  - (3) A Conceptual Plan prepared in accordance with the provisions of Article 6 and at an appropriate scale showing:
    - a. The limits of the proposed Private Airport Special Use Permit boundary in relation to adjacent properties.
    - b. A conceptual site plan for the Private Airport Special Use depicting the general layout of Airport Facilities, aviation support buildings, and onsite automobile circulation and parking.
    - c. The proposed buffers, setbacks, and structure heights for uses within the Private Airport.
    - d. Provisions for ingress and egress
    - e. Provisions for utilities, with reference to locations, availability, and compatibility.
    - f. Provisions for screening and buffering of dissimilar uses and of adjacent properties

- g. Provisions for general compatibility with adjacent properties, and other properties in the surrounding area

- h.

(4) A Zoning Compatibility Analysis addressing potential impacts to surrounding properties and how the Special Use Permit application is designed to mitigate any such impacts. The Analysis shall address:

- a. Noise
- b. Type of aircraft and expected aircraft volumes
- c. Expected air traffic patterns
- d. Hours of operation
- e. Lighting levels at the Special Use Permit boundary
- f. Provisions for meeting any other special conditions identified by the Zoning Compatibility Analysis.



## Marion County Board of County Commissioners

Office of the County Attorney

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

### 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 4.3.29, PRIVATE AIRPORTS**

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 **16<sup>th</sup> day of February 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): **This ordinance proposes to clarify the regulations of new or expanding private airports.**

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;

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

**Unknown, the ordinance does not have a clear, direct economic impact. No new direct or indirect compliance costs are expected with the ordinance.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **None until a new private airport is proposed or an existing private airport intends to expand.**

4. Additional information the governing body deems useful (if any): **This ordinance provides clarity to the regulation process for private airports.**