



# Marion County

## Land Development Regulation Commission

### Meeting Agenda

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Wednesday, August 20, 2025

5:30 PM

McPherson Governmental  
Campus Auditorium

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#### ROLL CALL AND PLEDGE OF ALLEGIANCE

#### 1. Acknowledgement of Proof of Publication

1.1. [Proof of Publication and Following Meetings](#)

#### 2. SCHEDULED ITEMS

2.1. [PUBLIC HEARING: Consideration of Proposed Marion County Land Development Code \(LDC\) Amendments to Revise Article 1, Administration, Division 2 - Definitions](#)

2.2. [PUBLIC HEARING: Consideration of Proposed Revisions to the Marion County Land Development Code \(LDC\) Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out](#)

2.3. [PUBLIC HEARING: Consideration of Proposed Revisions to the Marion County Land Development Code \(LDC\) Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability](#)

2.4. [Workshop: Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 2.19 Final Plat](#)

2.5. [Workshop: Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 6.3 Final Plat Notes and Certification](#)

#### 3. NEW BUSINESS

ADJOURN



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20272

**Agenda Date:** 8/20/2025

**Agenda No.:** 1.1.

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**SUBJECT:**

**Proof of Publication and Following Meetings**

**DESCRIPTION/BACKGROUND:**

Proof of Publications for the 8/20/2025 LDRC Public Hearing

- Next LDRC Workshop will be held on 9/17/2025, at Growth Services Training Room.
- Legal Advertisements will be heard at the First of Two Public Hearings with the Board of County Commissions on 9/3/2025

# LOCALiQ

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

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

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

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a , was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

08/10/2025

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/10/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11564261	# of Copies:
Customer No:	533707	1
PO #:	2.7.1	

**THIS IS NOT AN INVOICE!**

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KAITLYN FELTY  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC  
HEARING BY  
MARION COUNTY LAND  
DEVELOPMENT  
REGULATION  
COMMISSION**

**TO CONSIDER A  
LAND DEVELOPMENT  
CODE AMENDMENT  
RELATED TO ARTICLE  
2, DIVISION 7, ZONING  
CHANGE, SECTION 2.7.1  
APPLICABILITY**

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY LAND DEVELOPMENT REGULATION COMMISSION WILL HOLD A PUBLIC HEARING ON THE **20TH DAY OF AUGUST, 2025, AT 5:30 P.M.** AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, *601 SE 25<sup>TH</sup> AVENUE, OCALA, FLORIDA*, TO CONSIDER THE FOLLOWING PROPOSED ORDINANCE TO AMEND THE LAND DEVELOPMENT CODE IN REGARDS TO **ARTICLE 2, DIVISION 7, ZONING CHANGE, SECTION 2.7.1 APPLICABILITY**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
OF MARION COUNTY, FLORIDA, AMENDING THE LAND  
DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION  
7, ZONING CHANGE, SECTION 2.7.1 APPLICABILITY**

THE ACTION OF THE LAND DEVELOPMENT REGULATION COMMISSION IS SOLELY ADVISORY TO THE BOARD OF COUNTY COMMISSIONERS. ALL INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE LAND DEVELOPMENT CODE AMENDMENT. THE PROPOSED ORDINANCE MAY BE REVIEWED AT THE GROWTH SERVICES DEPARTMENT, PLANNING AND ZONING DIVISION OFFICE, 2710 E. SILVER SPRINGS BLVD., OCALA, FLORIDA, DURING REGULAR BUSINESS HOURS.

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS PUBLIC HEARING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352) 438-2345 AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE HEARING, SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

BE ADVISED THAT IF ANY PERSON OR PERSONS WISH TO APPEAL A DECISION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE ADVERTISED HEARING, A RECORD OF THE PROCEEDINGS WILL BE NEEDED BY SUCH PERSON OR PERSONS AND A VERBATIM RECORD MAY BE NEEDED.

FOR MORE INFORMATION:  
[HTTPS://WWW.MARIONFL.ORG/LEGALNOTICES](https://www.marionfl.org/legalnotices)

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)

PLEASE BE GOVERNED ACCORDINGLY  
DATED THIS 6TH DAY OF AUGUST, 2025.  
BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA  
KATHY BRYANT, CHAIRMAN

# LOCALiQ

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

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

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

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Star Banner, published in Marion County, Florida; that the attached copy of advertisement, being a , was published on the publicly accessible website of Marion County, Florida, or in a newspaper by print in the issues of, on:

08/10/2025

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

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/10/2025

Legal Clerk

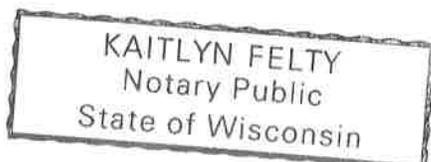
Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11564315	# of Copies:
Customer No:	533707	1
PO #:	2.4.4	

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**NOTICE OF PUBLIC  
HEARING BY  
MARION COUNTY LAND  
DEVELOPMENT  
REGULATION  
COMMISSION**

**TO CONSIDER A  
LAND DEVELOPMENT  
CODE AMENDMENT  
RELATED TO ARTICLE  
2, DIVISION 4, LAND  
DEVELOPMENT CODE  
AMENDMENT, SECTION  
2.4.4 COMPLETION AND  
CLOSE OUT**

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY LAND DEVELOPMENT REGULATION COMMISSION WILL HOLD A PUBLIC HEARING ON THE **20TH DAY OF AUGUST, 2025, AT 5:30 P.M.** AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, *601 SE 25<sup>TH</sup> AVENUE, OCALA, FLORIDA*, TO CONSIDER THE FOLLOWING PROPOSED ORDINANCE TO AMEND THE LAND DEVELOPMENT CODE IN REGARDS TO **ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT**

THE ACTION OF THE LAND DEVELOPMENT REGULATION COMMISSION IS SOLELY ADVISORY TO THE BOARD OF COUNTY COMMISSIONERS. ALL INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE LAND DEVELOPMENT CODE AMENDMENT. THE PROPOSED ORDINANCE MAY BE REVIEWED AT THE GROWTH SERVICES DEPARTMENT, PLANNING AND ZONING DIVISION OFFICE, 2710 E. SILVER SPRINGS BLVD., OCALA, FLORIDA, DURING REGULAR BUSINESS HOURS.

IF REASONABLE ACCOMMODATIONS OF A DISABILITY ARE NEEDED FOR YOU TO PARTICIPATE IN THIS PUBLIC HEARING, PLEASE CONTACT THE ADA COORDINATOR/HR DIRECTOR AT (352) 438-2345 AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE HEARING, SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

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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)

PLEASE BE GOVERNED ACCORDINGLY  
DATED THIS 6TH DAY OF AUGUST, 2025.  
BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA  
KATHY BRYANT, CHAIRMAN

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Notary, State of WI, County of Brown

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KAITLYN FELTY  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC  
HEARING BY  
MARION COUNTY  
LAND DEVELOPMENT  
REGULATION  
COMMISSION  
TO CONSIDER A LAND  
DEVELOPMENT CODE  
AMENDMENT RELATED  
TO ARTICLE 1, DIVISION 2,  
DEFINITIONS**

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY LAND DEVELOPMENT REGULATION COMMISSION WILL HOLD A PUBLIC HEARING ON THE **20TH DAY OF AUGUST, 2025, AT 5:30 P.M.** AT THE MCPHERSON GOVERNMENTAL CAMPUS AUDITORIUM, *601 SE 25TH AVENUE, OCALA, FLORIDA*, TO CONSIDER THE FOLLOWING PROPOSED ORDINANCE TO AMEND THE LAND DEVELOPMENT CODE IN REGARDS TO ARTICLE 1, DIVISION 2, DEFINITIONS.

**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**

THE ACTION OF THE LAND DEVELOPMENT REGULATION COMMISSION IS SOLELY ADVISORY TO THE BOARD OF COUNTY COMMISSIONERS. ALL INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE LAND DEVELOPMENT CODE AMENDMENT. THE PROPOSED ORDINANCE MAY BE REVIEWED AT THE GROWTH SERVICES DEPARTMENT, PLANNING AND ZONING DIVISION OFFICE, 2710 E. SILVER SPRINGS BLVD., OCALA, FLORIDA, DURING REGULAR BUSINESS HOURS.

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PLEASE BE GOVERNED ACCORDINGLY

DATED THIS 6TH DAY OF AUGUST, 2025.  
BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA  
KATHY BRYANT, CHAIRMAN



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20267

**Agenda Date:** 8/20/2025

**Agenda No.:** 2.1.

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**SUBJECT:**

**PUBLIC HEARING: Consideration of Proposed Marion County Land Development Code (LDC) Amendments to Revise Article 1, Administration, Division 2 - Definitions**

**DESCRIPTION/BACKGROUND:**

Staff is proposing to revise the requirements for legal advertisements pursuant to changes to Chapter 50 Florida Statutes, which allow publication on a publicly accessible website. The definition of due public notice would be revised to allow for online publication. The proposed LDC amendments were considered by the Land Development Regulation Commission (LDRC) in a workshop on August 6, 2025.



## 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 **10<sup>th</sup> day of August 2025**: (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): **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. PROPOSING TO REVISE THE REQUIREMENTS FOR LEGAL ADVERTISEMENTS PURSUANT TO CHANGES TO 50.011, FLORIDA STATUTES, WHICH ALLOW PUBLICATION ON A PUBLICLY ACCESSIBLE WEBSITE.**

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; **There are no new direct compliance costs that businesses may reasonably incur with the proposed changes.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **There are no new fees imposed.**

(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **There are no regulatory costs and no revenues will be generated for Marion County.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Indeterminate.**

4. Additional information the governing body deems useful (if any):

## ***DIVISION 2. DEFINITIONS***

**DUE PUBLIC NOTICE.** Publication of notice of the date, time, and place of a required public hearing; the title or titles of proposed ordinances, and the place within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the proposed ordinance. Publication of notice shall be given at least ten days prior to said public hearing in a newspaper of general circulation in the County or on a publicly accessible website under s. 50.0311. Due public notice for public hearings of the Planning and Zoning Commission and the Board for land use permits shall include mailed written notice to all owners of property, within 300 feet of the boundaries of the property subject to the land use change, whose address is known by reference to the latest ad valorem tax records and to all parties of interest who timely request such notice in writing to the Growth Services Director or designee. The mailed notice shall include a brief explanation of the land use permit request and a location map identifying the property under consideration and shall notify the person of the time, date and location of all public hearings. Notices shall also be posted in a conspicuous place or places on or around such lots, parcels, or tracts of lands requesting the land use change. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing by the Growth Services Director, or designee, to the Clerk of the Court. For land use changes initiated by the County, and for ordinances that change the actual lists of permitted, conditional or prohibited uses within a zoning category, the provisions of § 125.66(4) FS shall apply.

## ***DIVISION 2. DEFINITIONS***

**DUE PUBLIC NOTICE.** Publication of notice of the date, time, and place of a required public hearing; the title or titles of proposed ordinances, and the place within the County where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the proposed ordinance. Publication of notice shall be given at least ten days prior to said public hearing in a newspaper of general circulation in the County or on a publicly accessible website under s. 50.0311. Due public notice for public hearings of the Planning and Zoning Commission and the Board for land use permits shall include mailed written notice to all owners of property, within 300 feet of the boundaries of the property subject to the land use change, whose address is known by reference to the latest ad valorem tax records and to all parties of interest who timely request such notice in writing to the Growth Services Director or designee. The mailed notice shall include a brief explanation of the land use permit request and a location map identifying the property under consideration and shall notify the person of the time, date and location of all public hearings. Notices shall also be posted in a conspicuous place or places on or around such lots, parcels, or tracts of lands requesting the land use change. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing by the Growth Services Director, or designee, to the Clerk of the Court. For land use changes initiated by the County, and for ordinances that change the actual lists of permitted, conditional or prohibited uses within a zoning category, the provisions of § 125.66(4) FS shall apply.



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20268

**Agenda Date:** 8/20/2025

**Agenda No.:** 2.2.

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**SUBJECT:**

**PUBLIC HEARING: Consideration of Proposed Revisions to the Marion County Land Development Code (LDC) Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out**

**DESCRIPTION/BACKGROUND:**

Staff is proposing to revise the requirements for legal advertisements pursuant to changes to 50.011, Florida Statutes, which allow publication on a publicly accessible website. This revision would allow for an option for publication on the website for LDC amendments. The proposed LDC amendments were considered by the Land Development Regulation Commission (LDRC) in a workshop on August 6, 2025.



## 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  
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### Business Impact Estimate

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

#### **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT**

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 **10<sup>th</sup> day of August 2025**: (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): **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT. PROPOSING TO REVISE THE REQUIREMENTS FOR LEGAL ADVERTISEMENTS PURSUANT TO CHANGES TO 50.011, FLORIDA STATUTES, WHICH ALLOW PUBLICATION ON A PUBLICLY ACCESSIBLE WEBSITE.**

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; **There are no new direct compliance costs that businesses may reasonably incur with the proposed changes.**
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **There are no new fees imposed.**
- (c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **There are no regulatory costs and no revenues will be generated for Marion County.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Indeterminate.**

4. Additional information the governing body deems useful (if any):

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#### Sec. 2.4.4. Completion and close out.

- A. The Board shall hold public hearings to consider recommendations from the LDRC for approval or denial of proposed LDC amendments. The Board shall provide for public notice and hearings as follows:
- (1) The Board shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven days after the day that the first advertisement is published. The second hearing shall be held at least ten days after the first hearing and shall be advertised at least five days prior to the public hearing.
  - (2) If published in the print edition of a newspaper, ~~The~~ the required advertisements shall be no less than two columns wide by ten inches long in a standard size newspaper and the headline in the advertisement shall be in a type no smaller than 18 point and shall comply with the provisions of § 125.66 FS.
- B. Board decisions, appeals. All recommendations for a LDC amendment shall be approved or denied by a majority vote of the Board members present and voting at the public hearing of the Board. If the vote of the Board results in a tie vote, the tie vote may operate as a deferral to the next Board public hearing or date otherwise designated by the Board and the Board may defer the Amendment until a full Board is present. Appeal of any decision of the Board granting or denying a LDC amendment shall be made by filing a Petition for Writ of Certiorari with the Circuit Court in Marion County within 30 days of rendition of the decision to be reviewed.
- (Ord. No. 13-20, § 2, 7-11-2013)

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#### **Sec. 2.4.4. Completion and close out.**

- A. The Board shall hold public hearings to consider recommendations from the LDRC for approval or denial of proposed LDC amendments. The Board shall provide for public notice and hearings as follows:
- (1) The Board shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven days after the day that the first advertisement is published. The second hearing shall be held at least ten days after the first hearing and shall be advertised at least five days prior to the public hearing.
  - (2) If published in the print edition of a newspaper, the required advertisements shall be no less than two columns wide by ten inches long in a standard size newspaper and the headline in the advertisement shall be in a type no smaller than 18 point and shall comply with the provisions of § 125.66 FS.
- B. Board decisions, appeals. All recommendations for a LDC amendment shall be approved or denied by a majority vote of the Board members present and voting at the public hearing of the Board. If the vote of the Board results in a tie vote, the tie vote may operate as a deferral to the next Board public hearing or date otherwise designated by the Board and the Board may defer the Amendment until a full Board is present. Appeal of any decision of the Board granting or denying a LDC amendment shall be made by filing a Petition for Writ of Certiorari with the Circuit Court in Marion County within 30 days of rendition of the decision to be reviewed.

(Ord. No. 13-20, § 2, 7-11-2013)



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20269

**Agenda Date:** 8/20/2025

**Agenda No.:** 2.3.

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**SUBJECT:**

**PUBLIC HEARING: Consideration of Proposed Revisions to the Marion County Land Development Code (LDC) Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability**

**DESCRIPTION/BACKGROUND:**

Staff is proposing to revise the requirements for legal advertisements pursuant to changes to 50.011, Florida Statutes, which allow publication on a publicly accessible website. This revision would allow for an option for publication on the website for Zoning Changes. The proposed LDC amendments were considered by the Land Development Regulation Commission (LDRC) in a workshop on August 6, 2025.



## 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 2, DIVISION 7, ZONING CHANGE, SECTION 2.7.1. APPLICABILITY**

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 **10<sup>th</sup> day of August 2025**: (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): **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION 7, ZONING CHANGE SECTION 2.7.1. APPLICABILITY. PROPOSING TO REVISE THE REQUIREMENTS FOR LEGAL ADVERTISEMENTS PURSUANT TO CHANGES TO 50.011, FLORIDA STATUTES, WHICH ALLOW PUBLICATION ON A PUBLICLY ACCESSIBLE WEBSITE.**

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; **There are no new direct compliance costs that businesses may reasonably incur with the proposed changes.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **There are no new fees imposed.**

(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **There are no regulatory costs and no revenues will be generated for Marion County.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Indeterminate.**

4. Additional information the governing body deems useful (if any):

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### Sec. 2.7.1. Applicability.

- A. An application for the rezoning of a parcel of land may be obtained from the Growth Services Department. The application shall include all material and information, including proposed densities and intensities, necessary to demonstrate that the granting of the rezoning request will be consistent with the adopted Comprehensive Plan and any amendments thereto; and will be compatible with the surrounding area.
- B. Rezoning of property initiated by the Board without application by the property owner shall be enacted pursuant to the following procedures:
- (1) In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than ten contiguous acres the Board shall provide due public notice and shall notify by registered mail each real property owner whose land the Board proposes to redesignate. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for a public hearing. Such notice shall be given at least 30 days prior to the date set for the public hearing before the Board, and a copy of such notice shall be kept available for public inspection during the regular business hours at the office of the Planning/Zoning Manager.
  - (2) In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving ten contiguous acres or more, the Board shall provide for public notice and hearings as follows:
    - (a) The Board shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven days after the day that the first advertisement is published. The second hearing shall be held at least ten days after the first hearing and shall be advertised at least five days prior to the public hearing.
    - (b) ~~If published in the print edition of a newspaper, The~~ the required advertisements shall be no less than two columns wide by ten inches long in a standard size newspaper and the headline in the advertisement shall be in a type no smaller than 18 point and shall comply with the provisions of § 125.66(4) FS.
- C. An application for rezoning shall not be construed to be, or be processed as, an application for a special use permit or vice versa. However, an applicant may submit applications in the alternative, one being an application for a rezoning, and the other being an application for a special use permit, upon payment of the applicable fee for each type of application. The Board of County Commissioners may consider such alternative applications with respect to the same parcel at the same public hearing. In such case, each alternative application shall be noticed and advertised so that the public will be on notice that the two alternatives will be considered during the same public hearing. Each alternative will receive the appropriate staff analysis and recommendation in a written report, but such analysis and recommendation may be included in a single staff report as long as the two alternatives are clearly distinguished for the reader. Notwithstanding the foregoing, the Marion County Board of County Commissioners shall have the authority to approve a pending zoning application to a lesser intensive zoning classification than the classification applied for at a public hearing without the necessity of the applicant filing either a revised rezoning application or an alternative application for a less intense zoning application.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-12 , § 1, 5-2-2023)

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### **Sec. 2.7.1. Applicability.**

- A. An application for the rezoning of a parcel of land may be obtained from the Growth Services Department. The application shall include all material and information, including proposed densities and intensities, necessary to demonstrate that the granting of the rezoning request will be consistent with the adopted Comprehensive Plan and any amendments thereto; and will be compatible with the surrounding area.
- B. Rezoning of property initiated by the Board without application by the property owner shall be enacted pursuant to the following procedures:
  - (1) In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than ten contiguous acres the Board shall provide due public notice and shall notify by registered mail each real property owner whose land the Board proposes to redesignate. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for a public hearing. Such notice shall be given at least 30 days prior to the date set for the public hearing before the Board, and a copy of such notice shall be kept available for public inspection during the regular business hours at the office of the Planning/Zoning Manager.
  - (2) In cases in which the proposed ordinance changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or changes the actual zoning map designation of a parcel or parcels of land involving ten contiguous acres or more, the Board shall provide for public notice and hearings as follows:
    - (a) The Board shall hold two advertised public hearings on the proposed ordinance. At least one hearing shall be held after 5:00 p.m. on a weekday, unless the Board, by a majority plus one vote elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven days after the day that the first advertisement is published. The second hearing shall be held at least ten days after the first hearing and shall be advertised at least five days prior to the public hearing.
    - (b) If published in the print edition of a newspaper, the required advertisements shall be no less than two columns wide by ten inches long in a standard size newspaper and the headline in the advertisement shall be in a type no smaller than 18 point and shall comply with the provisions of § 125.66(4) FS.
- C. An application for rezoning shall not be construed to be, or be processed as, an application for a special use permit or vice versa. However, an applicant may submit applications in the alternative, one being an application for a rezoning, and the other being an application for a special use permit, upon payment of the applicable fee for each type of application. The Board of County Commissioners may consider such alternative applications with respect to the same parcel at the same public hearing. In such case, each alternative application shall be noticed and advertised so that the public will be on notice that the two alternatives will be considered during the same public hearing. Each alternative will receive the appropriate staff analysis and recommendation in a written report, but such analysis and recommendation may be included in a single staff report as long as the two alternatives are clearly distinguished for the reader. Notwithstanding the foregoing, the Marion County Board of County Commissioners shall have the authority to approve a pending zoning application to a lesser intensive zoning classification than the classification applied for at a public hearing without the necessity of the applicant filing either a revised rezoning application or an alternative application for a less intense zoning application.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-12 , § 1, 5-2-2023)



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20270

**Agenda Date:** 8/20/2025

**Agenda No.:** 2.4.

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**SUBJECT:**

**Workshop: Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 2.19 Final Plat**

**DESCRIPTION/BACKGROUND:**

Staff has attached the proposed language to update LDC Section 2.19 Final Plat to comply with recent State Legislation.

## ***DIVISION 19. FINAL PLAT***

### **Sec. 2.19.1. Applicability.**

The Final Plat shall be submitted for approval and recording in the public records of Marion County for each development where platting is required by this Code and shall comply with Ch. 177 FS. All subdivision improvements shall be dedicated private unless otherwise approved by DRC or required by this Code.

(Ord. No. 13-20, § 2, 7-11-2013)

### **Sec. 2.19.2. Submittal requirements.**

- A. Final Plat applications shall be submitted to the Office of the County Engineer.
- B. ~~A fee in the amount have been~~ established by ~~Resolutions~~ of the Board ~~for various departments shall accompany the application. The fee schedule is available at the Office of the County Engineer and available online at marionfl.org.~~
- C. Digital submission of plans shall be coordinated through the Office of the County Engineer and available through [www.marioncountyfl.org/ePlans.aspx](http://www.marioncountyfl.org/ePlans.aspx) ~~designated online portal.~~
- ~~D. For paper submissions, the number of copies submitted shall be established by resolution.~~
- ~~E. Development Review Plan Application available at the Office of the County Engineer.~~
- F. General application requirements shall be as shown on Table 2.11-1 Application Requirements.
- G. ~~Boundary Survey and Title Certification~~ Opinion or Property Information Report. All Final Plats ~~or replats~~ submitted to Marion County ~~shall must~~ be accompanied by a boundary survey and title opinion or property information report in accordance with § 177.041 FS. ~~The boundary survey must be performed preceding the initial submittal of the plat and the title opinion or property information report must be no more than 30 days old, of an attorney, licensed in Florida, or a certification by an abstractor or title company certifying the record title owner of the lands is as described and shown on the plat.~~
- H. Legal documents such as Declaration of Covenants and Restrictions, By-Laws, Articles of Incorporation, ordinances, resolutions, etc.
- I. Copy of control field notes and/or GPS observation and reduction information in a digital version in a format pre-approved by the Office of the County Engineer or hard copy form with closure report showing adjustment to Florida State Plane Coordinate System.
- J. A signed and sealed letter of intent, by the platting surveyor, will be submitted to the Office of the County Engineer prior to the final approval of the plat. This letter of intent will detail the setting of the PCPs and lot corners after recording and/or indicate that the setting of the monumentation has been guaranteed by bond/surety in accordance with § 177.091 FS.
- K. Copies of the current Certified Corner Record as submitted to the State of Florida by the signing surveyor and mapper, referencing any section corner shown or referenced by the plat shall be submitted to the County Surveyor prior to plat approval.

(Ord. No. 13-20, § 2, 7-11-2013)

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### Sec. 2.19.3. Review and approval procedures.

- A. An executed mylar (24 inches × 36 inches, 2 mil. thickness) and digital version of the plat, in a format pre-approved by the Office of the County Engineer, shall be submitted for use during review and approval by the Development Review Committee.
- B. If there are internal roads within the development, an additional digital version of the plat shall be provided in a format pre-approved by 9-1-1 Management for the purpose of maintaining the street centerline file.
- C. Upon approval by review staff, the executed mylar shall be signed by the County Surveyor and the Development Review Committee.
- D. DRC's approval shall be presented to the [Board-County Administrator or designee as the Administrative Official for Marion County](#) for final action [in accordance with § 177.071 FS](#). The [Board's-Administrative Official's](#) approval shall expire 90 calendar days from the date such approval was granted, unless within such period the plat is duly recorded in the public records of Marion County. The [Board-Administrative Official](#) may extend this date.
- E. Upon approval by the [Administrative Official-Board](#), the signed plat shall be returned to the Office of the County Engineer for recording.

(Ord. No. 13-20, § 2, 7-11-2013)

### Sec. 2.19.4. Completion and close out.

- A. The Final Plat cannot be approved and recorded until all improvements are completed and accepted, or an improvement agreement has been approved by the Board.
- B. The Final Plat cannot be recorded until an application fee, a deposit sufficient to recover the estimated costs for advertising any public hearings, the appropriate fees for recording of the plat, and the appropriate fees for recording all accompanying documents have been submitted [to the Office of the County Engineer](#).
- C. No Final Plat shall be accepted for filing by the Clerk of the Circuit Court until it has been approved by the [Administrative Official-Board](#) as indicated on the plat by [thi](#)se [signatures-of-the-Chair](#) and [that of the](#) Clerk, and for the purposes of maintaining the improvements for this plat, a Community Development District (CDD), or other State recognized governmentally established special district for the purposes of maintaining the improvements for this plat has been established, or the process to establish a Municipal Service Benefit Unit (MSBU) satisfying the requirements of Sec. 6.3.1.F. has been commenced. To create the MSBU ordinance, the Municipal Service Taxing Unit/Assessment (MSTU) Department or its successor must receive a written request from the developer containing the proposed plat information, official development name, and agreement to pay associated advertisement costs for the required public hearings to establish the MSBU. Once the written request has been received by the MSTU Department and the ordinance has been approved by the County Attorney's Office, the above MSBU commencement requirement shall be deemed satisfied. Upon final plat approval, the MSTU Department will schedule a public hearing for the purpose of adopting the ordinance and establishing the MSBU. Except for property conveyed to the public or Home Owners Association/Property Owners Association (HOA/POA), title to property within the boundaries of the final plat cannot be conveyed until after the MSBU ordinance is adopted.
- D. After the Final Plat has been recorded, the Clerk of the Circuit Court will release the original plat to a printing company of the Developer's choice. The printing company shall, at the Developer's expense, furnish and deliver two mylar (2 mil. thickness) prints and five paper prints (to include two 24 inches × 36 inches and three 11 inches × 17 inches) and one electronic file in 400 dpi TIF Group 4 format on CD to the Clerk of the Circuit Court. All prints shall be of acceptable, recordable quality.

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Created: 2024-03-29 12:10:37 [EST]

(Supp. No. 5)

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(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-09, § 3(Att. 3), 4-13-2023)

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(Supp. No. 5)

Created: 2024-03-29 12:10:37 [EST]

## ***DIVISION 19. FINAL PLAT***

### **Sec. 2.19.1. Applicability.**

The Final Plat shall be submitted for approval and recording in the public records of Marion County for each development where platting is required by this Code and shall comply with Ch. 177 FS. All subdivision improvements shall be dedicated private unless otherwise approved by DRC or required by this Code.

(Ord. No. 13-20, § 2, 7-11-2013)

### **Sec. 2.19.2. Submittal requirements.**

- A. Final Plat applications shall be submitted to the Office of the County Engineer.
- B. Fees have been established by Resolutions of the Board for various departments. Fee schedules are available online at marionfl.org.
- C. Digital submission of plans shall be coordinated through the Office of the County Engineer and available through a designated online portal.
- D. General application requirements shall be as shown on Table 2.11-1 Application Requirements.
- E. Boundary Survey and Title Opinion or Property Information Report. All Final Plats or replats submitted to Marion County must be accompanied by a boundary survey and title opinion or property information report in accordance with § 177.041 FS. The boundary survey must be performed preceding the initial submittal of the plat and the title opinion or property information report must be no more than 30 days old certifying the record title owner of the lands is as described and shown on the plat.
- F. Legal documents such as Declaration of Covenants and Restrictions, By-Laws, Articles of Incorporation, ordinances, resolutions, etc.
- G. Copy of control field notes and/or GPS observation and reduction information in a digital version in a format pre-approved by the Office of the County Engineer or hard copy form with closure report showing adjustment to Florida State Plane Coordinate System.
- H. A signed and sealed letter of intent, by the platting surveyor, will be submitted to the Office of the County Engineer prior to the final approval of the plat. This letter of intent will detail the setting of the PCPs and lot corners after recording and/or indicate that the setting of the monumentation has been guaranteed by bond/surety in accordance with § 177.091 FS.
- I. Copies of the current Certified Corner Record as submitted to the State of Florida by the signing surveyor and mapper, referencing any section corner shown or referenced by the plat shall be submitted to the County Surveyor prior to plat approval.

(Ord. No. 13-20, § 2, 7-11-2013)

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**Sec. 2.19.3. Review and approval procedures.**

- A. An executed mylar (24 inches × 36 inches, 2 mil. thickness) and digital version of the plat, in a format pre-approved by the Office of the County Engineer, shall be submitted for use during review and approval by the Development Review Committee.
- B. If there are internal roads within the development, an additional digital version of the plat shall be provided in a format pre-approved by 9-1-1 Management for the purpose of maintaining the street centerline file.
- C. Upon approval by review staff, the executed mylar shall be signed by the County Surveyor and the Development Review Committee.
- D. DRC's approval shall be presented to the County Administrator or designee as the Administrative Official for Marion County for final action in accordance with § 177.071 FS. The Administrative Official's approval shall expire 90 calendar days from the date such approval was granted, unless within such period the plat is duly recorded in the public records of Marion County. The Administrative Official may extend this date.
- E. Upon approval by the Administrative Official, the signed plat shall be returned to the Office of the County Engineer for recording.

(Ord. No. 13-20, § 2, 7-11-2013)

**Sec. 2.19.4. Completion and close out.**

- A. The Final Plat cannot be approved and recorded until all improvements are completed and accepted, or an improvement agreement has been approved by the Board.
- B. The Final Plat cannot be recorded until an application fee, a deposit sufficient to recover the estimated costs for advertising any public hearings, the appropriate fees for recording of the plat, and the appropriate fees for recording all accompanying documents have been submitted.
- C. No Final Plat shall be accepted for filing by the Clerk of the Circuit Court until it has been approved by the Administrative Official as indicated on the plat by this signature and that of the Clerk, and for the purposes of maintaining the improvements for this plat, a Community Development District (CDD), or other State recognized governmentally established special district for the purposes of maintaining the improvements for this plat has been established, or the process to establish a Municipal Service Benefit Unit (MSBU) satisfying the requirements of Sec. 6.3.1.F. has been commenced. To create the MSBU ordinance, the Municipal Service Taxing Unit/Assessment (MSTU) Department or its successor must receive a written request from the developer containing the proposed plat information, official development name, and agreement to pay associated advertisement costs for the required public hearings to establish the MSBU. Once the written request has been received by the MSTU Department and the ordinance has been approved by the County Attorney's Office, the above MSBU commencement requirement shall be deemed satisfied. Upon final plat approval, the MSTU Department will schedule a public hearing for the purpose of adopting the ordinance and establishing the MSBU. Except for property conveyed to the public or Home Owners Association/Property Owners Association (HOA/POA), title to property within the boundaries of the final plat cannot be conveyed until after the MSBU ordinance is adopted.
- D. After the Final Plat has been recorded, the Clerk of the Circuit Court will release the original plat to a printing company of the Developer's choice. The printing company shall, at the Developer's expense, furnish and deliver two mylar (2 mil. thickness) prints and five paper prints (to include two 24 inches × 36 inches and three 11 inches × 17 inches) and one electronic file in 400 dpi TIF Group 4 format on CD to the Clerk of the Circuit Court. All prints shall be of acceptable, recordable quality.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-09, § 3(Att. 3), 4-13-2023)



# Marion County

## Land Development Regulation Commission

### Agenda Item

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**File No.:** 2025-20271

**Agenda Date:** 8/20/2025

**Agenda No.:** 2.5.

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**SUBJECT:**

**Workshop: Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 6.3 Final Plat Notes and Certification**

**DESCRIPTION/BACKGROUND:**

Staff has attached the proposed language to update LDC Section 6.3 Final Plat Notes and Certification to comply with recent State Legislation.

### ***DIVISION 3. FINAL PLAT NOTES AND CERTIFICATION***

#### **Sec. 6.3.1. Final plat requirements.**

- A. A title block consisting of a formal title with one or more subtitles, centered at the top of each sheet of the Final Plat, as follows:
- (1) The title shall be the formal name of the proposed subdivision. The name shall not duplicate the name of any other existing subdivision in the County, unless the subdivision is part of an overall development bearing that common name. This portion of the title block shall be largest print included within the title block;
  - (2) In compliance with § 177.081 FS, the Final Plat shall be reviewed for conformity with Ch. 177 FS and the Marion County Land Development Code. Evidence of this review and final approval shall be shown in the form of a signed stamped certification to be placed on the left hand margin of the cover sheet of the plat by the reviewing professional surveyor and mapper.
  - (3) The following sub-titles shall be provided, in a print subordinate to the print of the formal title, as applicable, in the following order:
    - (a) The master or overall development name and phase, if it was not included as part of the formal name;
    - (b) *"A HAMLET SUBDIVISION"* if the final plat is for a hamlet subdivision created under the provisions of Section 3.3.3.A(2);
    - (c) *"A PLANNED UNIT DEVELOPMENT"* if the final plat is for a project within a PUD created under the provision of Article 4;
    - (d) *"A REPLAT OF ..."* and then listing a summary of the components for any pre-existing subdivision being replatted by the final plat;
    - (e) The Sections, Townships, and Ranges applicable to the final plat; and
    - (f) The name of the county and state;
- B. A two-inch high by five-inch wide space shall be provided and reserved in the upper right-hand corner of each sheet to include only the following recording and sheet information:
- (1) To be used by the Clerk of the Circuit Court for recording information:  
*"PLAT BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_"*
  - (2) The general sheet listings for the plat, completed appropriately:  
*"Sheet \_\_\_\_\_ of \_\_\_\_\_"*
- C. Information requirements:
- (1) If the Final Plat exceeds one sheet, the following shall be provided on the first sheet:
    - (a) A location sketch on page one showing the subject site and general location of the subject site in relation to the surrounding area;

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- (b) An index diagram showing the entire subdivision and indexing each area shown on succeeding sheets shall be provided on the first sheet if the Final Plat exceeds one sheet. The index diagram shall include clearly labeled match lines.
- (2) "Not included" parcels to be labeled "not a part of this plat";
  - (3) Dimensions and locations of all lots, tracts, parcels, blocks, and rights-of-way, with each lot, tract, parcel, and block individually distinguishable, located, and identified. For corner lots, show the restricted areas where driveways cannot be placed;
  - (4) Dimensions and locations of all known existing easements with each easement type individually distinguishable, located, and identified, including their Marion County Official Record Book and Page;
  - (5) Dimensions and locations of all proposed easements with each easement type individually distinguishable, located, and identified;
  - (6) Dimensions and locations of all existing or recorded streets intersecting or contiguous to the boundary of the plat by bearing and distances, using the street number as designated by 9-1-1 Management;
  - (7) Dimensions and locations of all proposed streets using the street number as designated and assigned by 9-1-1 Management;
  - (8) All adjacent property identified by the subdivision name, plat book and page number; if not platted, so state;
  - (9) County and city limit lines within or abutting the tract;
  - (10) The existing future land use designation and zoning classification of the subject property and adjoining properties at the time of approval by the ~~Board~~ [Administrative Official for Marion County](#). This information may be provided graphically using the location sketch, on the individual sheets best representing the subject and adjoining properties, and/or in a text form as referenced in Section 6.3.1.C(15)(a);
  - (11) For projects subject to a PUD zoning consistent with Division 4, a summary of the corresponding development standards shall be provided, including one or more typical setback graphics which reflect the standards applicable to the area of the Final Plat;
  - (12) If any portion of the property depicted on the plat, outside of a designed and designated stormwater facility, includes the one percent (100-year) flood plain that will not be amended and removed from the FEMA FIRM prior to the recording of the plat, this flood plain shall be delineated graphically on the plat with a note detailing source reference, date, elevation, and mapping method used.
  - (13) The metes and bounds legal description of the site consistent with the provisions of Section 6.4.4, including a final summary sentence, appropriately completed, that states "*CONTAINING \_\_\_\_\_ ACRES, MORE OR LESS,*" with the acreage provided to one one-hundredth of an acre at a minimum;
  - (14) The purpose/use, improvements, and maintenance responsibilities for all tracts shall be listed on the plat in a list or table form;
  - (15) The following statements shall be captioned as "*ADVISORY NOTICES*" and be provided in a prominent manner on the plat, as appropriate, in the following order:
    - (a) "The current future land use designation and zoning classification for the property described hereon is [complete accordingly] and [complete accordingly] respectively." This item may be deleted in the event the subject property's land use and zoning have been provided graphically consistent with Section 6.3.1.C(10) above;
    - (b) "According to the National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) Community Panel #[complete accordingly], Marion County, Florida, Dated [complete

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accordingly], the property described hereon lies in Flood Zone [complete accordingly (X, A, AE, etc.) for all zones applicable to the property]. The flooding limits have been identified here within as currently established at the time of final plat recording. All persons with an interest in the lands described hereon should evaluate current floodplain limits as they may be amended from time to time as determined by FEMA;"

- (c) When stormwater is not contained within the limits of the plat, provide the note as follows: "Stormwater runoff generated from the improvements associated with this plat are discharged into the lands described in Marion County Public Records [Official Record Book {###}, Page {###}] or [Tract {??} as depicted in Plat Book{###}, Page{###}];"
- (d) As related to covenants, restrictions, or reservations:
  - 1. *WHEN COVENANTS*, restrictions, or reservations are established by the developer they shall be indicated as follows and completed accordingly: "*COVENANTS, RESTRICTIONS, AND/OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN IN THIS PLAT ARE FILED IN MARION COUNTY OFFICIAL RECORD BOOK NO. \_\_\_\_\_, PAGE \_\_\_\_\_.*"
  - 2. The following shall minimally be provided: "There may be additional restrictions that are not recorded or referenced on this plat that may be found in the Marion County Official Records;"
- (e) "All lots/tracts shall use this subdivision's internal roadways for vehicle/driveway access. Direct vehicle/driveway access to \_\_\_\_\_ is prohibited."
- (f) "*This plat contains \_##\_ lots and \_##\_ miles of roads.*"
- (g) If the project is part of DRI/FQD, then the following note shall be provided: "DEVELOPMENT OF THE PROPERTY AS SHOWN ON THIS [SITE PLAN/SUBDIVISION PLAT] IS SUBJECT TO THE TERMS AND CONDITIONS OF THE [PROJECT NAME DRI/FQD] DEVELOPMENT ORDER, AS MAY BE AMENDED FROM TIME TO TIME, INCLUDING PROVISIONS REGARDING THE CONCURRENCY OF PUBLIC FACILITIES."
- (h) "This project has not been granted concurrency approval and/or granted and/or reserved any public facility capacities. Future rights to develop the resulting property(ies) are subject to a deferred concurrency determination, and final approval to develop the property has not been obtained. The completion of concurrency review and/or approval is deferred to a later development review stage."
- (i) "~~The Board of County Commissioners~~ Administrative Official of Marion County, Florida, as a condition of precedent to the approval and acceptance of this plat for recording in the Public Records, does hereby notify all present and future owners of the property described hereon that the lands included in this plat are subject to special assessments as may be permitted by law to finance cost incurred in connection with the maintenance, operation, and construction of infrastructure as determined necessary in the opinion of said Administrative Official ~~Board~~ or other governing body having jurisdiction."
- (j) Acknowledgment of Contiguous Sustainable Agricultural Lands. If the subdivision plat is contiguous to sustainable agricultural land as defined by § 163.3163 FS, then the following shall apply:
  - 1. The following note shall be provided on the plat:  
"*ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND.*"

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*The developer, successors, and assigns, hereby acknowledge and understand the subdivision herein described and established is contiguous to sustainable agricultural land as shown on this plat.*

*It is acknowledged and understood by the parties that the farm operation on the contiguous sustainable agricultural land identified herein may be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, section 823.14, Florida Statutes."*

2. All lands identified as qualified continuous sustainable agriculture lands shall be identified on the plat in a clear manner, similar to the identification of "unplatted" lands as required in Section 6.3.1.C(8).
  3. Compliance with this provision shall deem the requirement for the individual property owners or permittees within this subdivision contiguous to sustainable agricultural land to be in compliance with § 163.3163 FS.
- D. The Final Plat shall contain, on the first page, the following dedications executed and acknowledged as required by law, in the forms set forth below:
- (1) All dedications shall be in the following forms or as approved by the County Attorney (*Italic*), with the appropriate items below. When a name or entity is used within a dedication item, the exact legal name of the entity shall be provided.
    - (a) "DEVELOPER'S ACKNOWLEDGEMENT AND DEDICATION"

*"KNOW ALL MEN BY THESE PRESENTS, that [exact corporate name, state of incorporation, or individual's name], fee simple owner of the land described and platted herein, as [exact subdivision name], being in Marion County, has caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows:"*
    - (b) Streets, Rights-of-way, and Parallel Access Easements, select as appropriate:
      1. For Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated for the use and benefit of the public."*
      2. For Non-Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated privately to the [entity name]. All public authorities and their personnel providing services to the subdivision are granted an easement for access. The Board of County Commissioners of Marion County, Florida, shall have no responsibility, duty, or liability whatsoever regarding such streets. Marion County is granted an easement for emergency maintenance in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."*
      3. For Cross Access Easements. *"All parallel access easements shown on this plat are hereby dedicated for the use and benefit of the public, and maintenance of said easements is the responsibility of [entity name]."*
    - (c) Utility Easements, select as appropriate:
      1. *"[All utility easements shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction, installation, maintenance, and operation of utilities by any utility provider."*
      2. *"[All utility tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."*

- (d) Stormwater easements and facilities, select as appropriate:
1. "[All stormwater and drainage easements as shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction and maintenance of such facilities."
  2. "[All stormwater management tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."
  3. When any stormwater easement and/or management tract is not dedicated to the public or Marion County directly, the following statement shall be added to the dedication language: "Marion County is granted the right to perform emergency maintenance on the [stormwater easement and/or management tract, complete accordingly] in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."
- (e) Park, Recreation, Amenity areas. "Tracts [identify each tract as appropriate] are dedicated in perpetuity for the [exclusive use and enjoyment of the owners of lots in this subdivision or use and enjoyment of the public, complete accordingly] and shall be the perpetual maintenance obligation of [state exact name of entity or Marion County, Florida, complete accordingly]."
- (f) If a Conservation Easement is required the following shall be provided: "A conservation easement [as shown or on tract and identify the tract, complete accordingly] is dedicated to [the Board of County Commissioners of Marion County, Florida or entity name, if not Marion County] for the purpose of preservation of [listed species, habitat, Karst feature and/or native vegetation, complete accordingly]."

(2) Add the appropriate closing.

(a) If corporation:

IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its \_\_\_\_\_ and its corporate seal to be affixed hereto by and with the authority of its board of directors this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(FULL CORPORATE NAME), a corporation of the State of \_\_\_\_\_

By: \_\_\_\_\_

(Signature of president or vice president or chief executive above)

Type Name and Title of Officer (signature must have two (2) witnesses or be under corporate seal).

(b) If individual:

IN WITNESS WHEREOF, (I) (we), (name(s)), have hereunto set (my) (our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

WITNESSES:

\_\_\_\_\_ (signature)

(Typed name)

\_\_\_\_\_

(c) Add the acknowledgement (witnesses and notary) of those executing the dedication consistent with § 689.01 FS.

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(3) Add the appropriate joinder and consent to the dedication by a mortgagee or other party of interest using one, or a combination of, the following methods:

(a) Provide the joinder and consent to the dedication by a mortgagee or other party in interest as a direct statement on the Final Plat as follows:

"[MORTGAGEE or PARTY OF INTEREST] CONSENT

The undersigned hereby certifies that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage(s), lien(s), or other encumbrance(s) which (is)(are) recorded in Official Record Book \_\_\_\_\_ at page(s) \_\_\_\_\_ of the public records of Marion County, Florida, shall be subordinated to the dedication shown hereon."

1. Provide the appropriate closing.

a. If corporation:

IN WITNESS WHEREOF, *The said Corporation has caused the presents to be signed by its \_\_\_\_\_ and its Corporate Seal to be affixed hereon by and with the authority of its Board of Director this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

*(Full Corporate Name), A Corporation of the State of \_\_\_\_\_*

*By (Signature of President Vice President or Chief Executive Officer)*

\_\_\_\_\_  
(Typed name and title of Officer)

*(AFFIX CORPORATE SEAL) or have two witnesses as listed in Item 2 below.*

b. If individual:

IN WITNESS WHEREOF, *(I) (We), \_\_\_\_\_ Do hereunto set (my) (our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

WITNESSES (repeat signature below as necessary for each owner).

*(Signature) \_\_\_\_\_*

*(Typed name)*

c. Add the acknowledgment (witnesses and notary) of those executing the Mortgagee or party of interest consent consistent with § 689.01 FS.

2. Provide the joinder and consent as a separate instrument joining in and ratifying the plat and all dedications thereon, in accordance with § 177.081 FS, as follows:

a. The final plat and the separate instrument(s) shall be recorded within the Marion County Public Records concurrently and include coordinated references between the documents as provided in following Section 6.3.1.D(3)(a)2.b and c.

b. The following statement shall be placed on the final plat: *"A separate instrument(s) serving as joinder and consent for a mortgagee or other party of interest to the Plat depicted hereon has been separately filed and recorded in the Marion County Public Records Official Record Book (enter number), pages (enter number) to (enter number)," as assigned by the Clerk of the Court's Office.*

c. The separate instrument shall utilize the same general form as provided in Section 6.3.1.D(3)(a)1(a) above and shall include the final plat's official name as

listed on the final plat and include a blank entry reference for the Marion County Public Records Plat Book and Page(s) as assigned by the Clerk of the Court's Office.

E. Certifications and Approvals. The Final Plat shall contain on the first page the following certifications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

- (1) The Surveyors and Mappers Certification shall contain the signature, Florida registration number, and name of firm, if applicable (if submitted by a firm the signing surveyors name will also appear in a legible manner), street address, and embossed seal of the Surveyor certifying the plat and will contain the following statement:

*"I certify this plat, prepared under my direction and supervision, complies with the requirements of Chapter 177, Florida Statutes, meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers, and is in accordance with the requirements of the Marion County Land Development Code, and that this plat does not adversely affect the legal access of adjacent parcels."*

- (2) Development Review Committee certification shall appear in the following form:

APPROVAL BY COUNTY OFFICIALS - DEVELOPMENT REVIEW COMMITTEE:

BY: \_\_\_\_\_ County Engineering

BY: \_\_\_\_\_ County Fire Services

BY: \_\_\_\_\_ County Planning

BY: \_\_\_\_\_ County Surveyor

BY: \_\_\_\_\_ County Utilities

BY: \_\_\_\_\_ County Zoning

- (3) ~~Administrative Official Board of County Commissioners~~ and Clerk of Circuit Court certification shall include the following:

~~"CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS~~APPROVAL BY ADMINISTRATIVE AUTHORITY

THIS IS TO CERTIFY, that on \_\_\_\_/\_\_\_\_/\_\_\_\_ the foregoing Plat was approved by the ~~Board of County Commissioners~~County Administrator or designee as the Administrative Official for of Marion County, Florida.

\_\_\_\_\_  
[Printed Name of ~~County Administrator or Designee~~Chair], ~~Chair~~Administrative Official  
~~Board of County Commissioners of Marion County, Florida~~

Attest:

\_\_\_\_\_  
[Printed Name of Clerk]  
Clerk of the Circuit Court"

- (4) Clerk's certification for acceptance and recording shall include the following:

*"I, Clerk of Circuit Court of Marion County, Florida, do hereby accept this plat of \_\_\_\_ [list legal name of subdivision] \_\_\_\_ for recording. This Plat filed for record this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_: \_\_\_\_ am/pm and recorded on page \_\_\_\_\_ of plat book \_\_\_\_\_ in the Office of the Clerk of Circuit Court of Marion County, Florida*

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BY: \_\_\_\_\_  
[Printed Name of Clerk]  
*Clerk of the Circuit Court*"

F. The following supporting documentation shall also be provided as appropriate:

- (1) A copy of the documents demonstrating either:
  - a. The establishment of a corresponding CDD or other State recognized, governmentally established special district responsible for the maintenance and operation of the dedicated improvements; or
  - b. The commencement of the process to establish a Municipal Service Benefit Unit (MSBU) responsible for the maintenance and operation of the dedicated improvements as described in Sec. 2.19.4.C. If the MSBU option is selected by the developer, it shall be established to provide maintenance and upkeep for, at minimum, roads and drainage infrastructure. Other improvements, such as, but not limited to, street lighting or recreation, can be added to the MSBU if desired by the development.

The purpose for the establishment of the MSBU is for the MSBU to act as a mechanism to fund and manage any needed maintenance and/or improvements to roads, drainage and other suitably identified infrastructure within the development in the event that a home owners' association/property owners' association (HOA/POA) is unable or unwilling to do so. Nothing herein shall be construed as a limitation of the authority of the County or any MSBU created.

- (2) For a subdivision with privately dedicated improvements, a copy of the completed and filed documents demonstrating the private entity is properly established, operating, and eligible to be responsible for the improvements so dedicated to the association. In the case of an entity previously created and encompassing the proposed subdivision, documents demonstrating the continued establishment of the entity and its acceptance of responsibility for the improvements to be conveyed shall be required;
- (3) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant, in a form to be recorded and cross-referenced to the submitted Final Plat. In the case where covenants and restrictions are previously recorded and applicable to a proposed subdivision, a copy of the effective covenants and deed restrictions shall also be provided;
- (4) A certificate of title demonstrating the following:
  - (a) The lands as described and shown on the plat are in the name of, and apparent record title is held by, the person, persons, or organizations executing the dedication;
  - (b) That all taxes have been paid on said property as required by § 197.192 FS, as amended; and
  - (c) The official record book and page number of all mortgages, liens, or other encumbrances against the land, and the names of all persons holding an interest in such mortgage, lien or encumbrance.

The title certification shall be an opinion of a Florida attorney-at-law or the certification of an abstract or title insurance company licensed to do business in Florida. The County reserves the right to require that the title certification be brought current at the time of Final Plat approval.

- (5) When required in conjunction with an Improvement or Maintenance Agreement, an itemized cost estimate prepared and certified by the developer's engineer including the cost of construction of all required improvements in the following form:

"CERTIFICATE OF COST ESTIMATE

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I, \_\_\_\_\_, A Florida registered engineer, License No. \_\_\_\_\_, do hereby certify to Marion County that a cost estimate has been prepared under my responsible direction for those improvements itemized in this exhibit and that the total cost estimate for said improvements is \$ \_\_\_\_\_. This estimate has been prepared, in part, to induce approval by the County of a Final Plat for the \_\_\_\_\_ Subdivision, and for the purpose of establishing proper surety amounts associated therewith.

\_\_\_\_\_(Signature)  
(Name, Florida Registered Engineer  
License No. \_\_\_\_\_)"  
(AFFIX SEAL)

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-09 , § 4(Att. 4), 4-13-2023)

### ***DIVISION 3. FINAL PLAT NOTES AND CERTIFICATION***

#### **Sec. 6.3.1. Final plat requirements.**

- A. A title block consisting of a formal title with one or more subtitles, centered at the top of each sheet of the Final Plat, as follows:
- (1) The title shall be the formal name of the proposed subdivision. The name shall not duplicate the name of any other existing subdivision in the County, unless the subdivision is part of an overall development bearing that common name. This portion of the title block shall be largest print included within the title block;
  - (2) In compliance with § 177.081 FS, the Final Plat shall be reviewed for conformity with Ch. 177 FS and the Marion County Land Development Code. Evidence of this review and final approval shall be shown in the form of a signed stamped certification to be placed on the left hand margin of the cover sheet of the plat by the reviewing professional surveyor and mapper.
  - (3) The following sub-titles shall be provided, in a print subordinate to the print of the formal title, as applicable, in the following order:
    - (a) The master or overall development name and phase, if it was not included as part of the formal name;
    - (b) *"A HAMLET SUBDIVISION"* if the final plat is for a hamlet subdivision created under the provisions of Section 3.3.3.A(2);
    - (c) *"A PLANNED UNIT DEVELOPMENT"* if the final plat is for a project within a PUD created under the provision of Article 4;
    - (d) *"A REPLAT OF ..."* and then listing a summary of the components for any pre-existing subdivision being replatted by the final plat;
    - (e) The Sections, Townships, and Ranges applicable to the final plat; and
    - (f) The name of the county and state;
- B. A two-inch high by five-inch wide space shall be provided and reserved in the upper right-hand corner of each sheet to include only the following recording and sheet information:
- (1) To be used by the Clerk of the Circuit Court for recording information:  
*"PLAT BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_"*
  - (2) The general sheet listings for the plat, completed appropriately:  
*"Sheet \_\_\_\_\_ of \_\_\_\_\_"*
- C. Information requirements:
- (1) If the Final Plat exceeds one sheet, the following shall be provided on the first sheet:
    - (a) A location sketch on page one showing the subject site and general location of the subject site in relation to the surrounding area;

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- (b) An index diagram showing the entire subdivision and indexing each area shown on succeeding sheets shall be provided on the first sheet if the Final Plat exceeds one sheet. The index diagram shall include clearly labeled match lines.
- (2) "Not included" parcels to be labeled "not a part of this plat";
  - (3) Dimensions and locations of all lots, tracts, parcels, blocks, and rights-of-way, with each lot, tract, parcel, and block individually distinguishable, located, and identified. For corner lots, show the restricted areas where driveways cannot be placed;
  - (4) Dimensions and locations of all known existing easements with each easement type individually distinguishable, located, and identified, including their Marion County Official Record Book and Page;
  - (5) Dimensions and locations of all proposed easements with each easement type individually distinguishable, located, and identified;
  - (6) Dimensions and locations of all existing or recorded streets intersecting or contiguous to the boundary of the plat by bearing and distances, using the street number as designated by 9-1-1 Management;
  - (7) Dimensions and locations of all proposed streets using the street number as designated and assigned by 9-1-1 Management;
  - (8) All adjacent property identified by the subdivision name, plat book and page number; if not platted, so state;
  - (9) County and city limit lines within or abutting the tract;
  - (10) The existing future land use designation and zoning classification of the subject property and adjoining properties at the time of approval by the Administrative Official for Marion County. This information may be provided graphically using the location sketch, on the individual sheets best representing the subject and adjoining properties, and/or in a text form as referenced in Section 6.3.1.C(15)(a);
  - (11) For projects subject to a PUD zoning consistent with Division 4, a summary of the corresponding development standards shall be provided, including one or more typical setback graphics which reflect the standards applicable to the area of the Final Plat;
  - (12) If any portion of the property depicted on the plat, outside of a designed and designated stormwater facility, includes the one percent (100-year) flood plain that will not be amended and removed from the FEMA FIRM prior to the recording of the plat, this flood plain shall be delineated graphically on the plat with a note detailing source reference, date, elevation, and mapping method used.
  - (13) The metes and bounds legal description of the site consistent with the provisions of Section 6.4.4, including a final summary sentence, appropriately completed, that states "*CONTAINING \_\_\_\_\_ ACRES, MORE OR LESS,*" with the acreage provided to one one-hundredth of an acre at a minimum;
  - (14) The purpose/use, improvements, and maintenance responsibilities for all tracts shall be listed on the plat in a list or table form;
  - (15) The following statements shall be captioned as "*ADVISORY NOTICES*" and be provided in a prominent manner on the plat, as appropriate, in the following order:
    - (a) "The current future land use designation and zoning classification for the property described hereon is [complete accordingly] and [complete accordingly] respectively." This item may be deleted in the event the subject property's land use and zoning have been provided graphically consistent with Section 6.3.1.C(10) above;
    - (b) "According to the National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) Community Panel #[complete accordingly], Marion County, Florida, Dated [complete accordingly], the property described hereon lies in Flood Zone [complete accordingly] (X, A, AE,

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etc.) for all zones applicable to the property]. The flooding limits have been identified here within as currently established at the time of final plat recording. All persons with an interest in the lands described hereon should evaluate current floodplain limits as they may be amended from time to time as determined by FEMA;"

- (c) When stormwater is not contained within the limits of the plat, provide the note as follows: "Stormwater runoff generated from the improvements associated with this plat are discharged into the lands described in Marion County Public Records [Official Record Book {###}, Page {###}] or [Tract {??}] as depicted in Plat Book{###}, Page{###};"
- (d) As related to covenants, restrictions, or reservations:
  - 1. *WHEN COVENANTS*, restrictions, or reservations are established by the developer they shall be indicated as follows and completed accordingly: "*COVENANTS, RESTRICTIONS, AND/OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN IN THIS PLAT ARE FILED IN MARION COUNTY OFFICIAL RECORD BOOK NO. \_\_\_\_\_, PAGE \_\_\_\_\_.*"
  - 2. The following shall minimally be provided: "There may be additional restrictions that are not recorded or referenced on this plat that may be found in the Marion County Official Records;"
- (e) "All lots/tracts shall use this subdivision's internal roadways for vehicle/driveway access. Direct vehicle/driveway access to \_\_\_\_\_ is prohibited."
- (f) "*This plat contains \_##\_ lots and \_##\_ miles of roads.*"
- (g) If the project is part of DRI/FQD, then the following note shall be provided: "DEVELOPMENT OF THE PROPERTY AS SHOWN ON THIS [SITE PLAN/SUBDIVISION PLAT] IS SUBJECT TO THE TERMS AND CONDITIONS OF THE [PROJECT NAME DRI/FQD] DEVELOPMENT ORDER, AS MAY BE AMENDED FROM TIME TO TIME, INCLUDING PROVISIONS REGARDING THE CONCURRENCY OF PUBLIC FACILITIES."
- (h) "This project has not been granted concurrency approval and/or granted and/or reserved any public facility capacities. Future rights to develop the resulting property(ies) are subject to a deferred concurrency determination, and final approval to develop the property has not been obtained. The completion of concurrency review and/or approval is deferred to a later development review stage."
- (i) "*The Administrative Official of Marion County, Florida, as a condition of precedent to the approval and acceptance of this plat for recording in the Public Records, does hereby notify all present and future owners of the property described hereon that the lands included in this plat are subject to special assessments as may be permitted by law to finance cost incurred in connection with the maintenance, operation, and construction of infrastructure as determined necessary in the opinion of said Administrative Official or other governing body having jurisdiction.*"
- (j) Acknowledgment of Contiguous Sustainable Agricultural Lands. If the subdivision plat is contiguous to sustainable agricultural land as defined by § 163.3163 FS, then the following shall apply:
  - 1. The following note shall be provided on the plat:

*"ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND.*

*The developer, successors, and assigns, hereby acknowledge and understand the subdivision herein described and established is contiguous to sustainable agricultural land as shown on this plat.*

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*It is acknowledged and understood by the parties that the farm operation on the contiguous sustainable agricultural land identified herein may be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, section 823.14, Florida Statutes."*

2. All lands identified as qualified continuous sustainable agriculture lands shall be identified on the plat in a clear manner, similar to the identification of "unplatted" lands as required in Section 6.3.1.C(8).
  3. Compliance with this provision shall deem the requirement for the individual property owners or permittees within this subdivision contiguous to sustainable agricultural land to be in compliance with § 163.3163 FS.
- D. The Final Plat shall contain, on the first page, the following dedications executed and acknowledged as required by law, in the forms set forth below:
- (1) All dedications shall be in the following forms or as approved by the County Attorney (*Italic*), with the appropriate items below. When a name or entity is used within a dedication item, the exact legal name of the entity shall be provided.
    - (a) "DEVELOPER'S ACKNOWLEDGEMENT AND DEDICATION"

*"KNOW ALL MEN BY THESE PRESENTS, that [exact corporate name, state of incorporation, or individual's name], fee simple owner of the land described and platted herein, as [exact subdivision name], being in Marion County, has caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows:"*
    - (b) Streets, Rights-of-way, and Parallel Access Easements, select as appropriate:
      1. For Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated for the use and benefit of the public."*
      2. For Non-Public Streets. *"[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated privately to the [entity name]. All public authorities and their personnel providing services to the subdivision are granted an easement for access. The Board of County Commissioners of Marion County, Florida, shall have no responsibility, duty, or liability whatsoever regarding such streets. Marion County is granted an easement for emergency maintenance in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."*
      3. For Cross Access Easements. *"All parallel access easements shown on this plat are hereby dedicated for the use and benefit of the public, and maintenance of said easements is the responsibility of [entity name]."*
    - (c) Utility Easements, select as appropriate:
      1. *"[All utility easements shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction, installation, maintenance, and operation of utilities by any utility provider."*
      2. *"[All utility tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."*
    - (d) Stormwater easements and facilities, select as appropriate:

1. *"[All stormwater and drainage easements as shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction and maintenance of such facilities."*
  2. *"[All stormwater management tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities."*
  3. When any stormwater easement and/or management tract is not dedicated to the public or Marion County directly, the following statement shall be added to the dedication language: *"Marion County is granted the right to perform emergency maintenance on the [stormwater easement and/or management tract, complete accordingly] in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk."*
- (e) Park, Recreation, Amenity areas. *"Tracts [identify each tract as appropriate] are dedicated in perpetuity for the [exclusive use and enjoyment of the owners of lots in this subdivision or use and enjoyment of the public, complete accordingly] and shall be the perpetual maintenance obligation of [state exact name of entity or Marion County, Florida, complete accordingly]."*
- (f) If a Conservation Easement is required the following shall be provided: *"A conservation easement [as shown or on tract and identify the tract, complete accordingly] is dedicated to [the Board of County Commissioners of Marion County, Florida or entity name, if not Marion County] for the purpose of preservation of [listed species, habitat, Karst feature and/or native vegetation, complete accordingly]."*
- (2) Add the appropriate closing.
- (a) If corporation:
- IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its \_\_\_\_\_ and its corporate seal to be affixed hereto by and with the authority of its board of directors this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
- (FULL CORPORATE NAME), a corporation of the State of \_\_\_\_\_
- By: \_\_\_\_\_  
(Signature of president or vice president or chief executive above)
- Type Name and Title of Officer (signature must have two (2) witnesses or be under corporate seal).
- (b) If individual:
- IN WITNESS WHEREOF, (I) (we), (name(s)), have hereunto set (my) (our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
- WITNESSES:
- \_\_\_\_\_ (signature)  
(Typed name)
- \_\_\_\_\_
- (c) Add the acknowledgement (witnesses and notary) of those executing the dedication consistent with § 689.01 FS.
- (3) Add the appropriate joinder and consent to the dedication by a mortgagee or other party of interest using one, or a combination of, the following methods:

- 
- (a) Provide the joinder and consent to the dedication by a mortgagee or other party in interest as a direct statement on the Final Plat as follows:

"[MORTGAGEE or PARTY OF INTEREST] CONSENT

The undersigned hereby certifies that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage(s), lien(s), or other encumbrance(s) which (is)(are) recorded in Official Record Book \_\_\_\_\_ at page(s) \_\_\_\_\_ of the public records of Marion County, Florida, shall be subordinated to the dedication shown hereon."

1. Provide the appropriate closing.

- a. If corporation:

IN WITNESS WHEREOF, *The said Corporation has caused the presents to be signed by its \_\_\_\_\_ and its Corporate Seal to be affixed hereon by and with the authority of its Board of Director this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

*(Full Corporate Name), A Corporation of the State of \_\_\_\_\_*

*By (Signature of President Vice President or Chief Executive Officer)*

\_\_\_\_\_  
(Typed name and title of Officer)

*(AFFIX CORPORATE SEAL) or have two witnesses as listed in Item 2 below.*

- b. If individual:

IN WITNESS WHEREOF, *(I) (We), \_\_\_\_\_ Do hereunto set (my) (our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

WITNESSES (repeat signature below as necessary for each owner).

*(Signature) \_\_\_\_\_*

*(Typed name)*

- c. Add the acknowledgment (witnesses and notary) of those executing the Mortgagee or party of interest consent consistent with § 689.01 FS.

2. Provide the joinder and consent as a separate instrument joining in and ratifying the plat and all dedications thereon, in accordance with § 177.081 FS, as follows:

- a. The final plat and the separate instrument(s) shall be recorded within the Marion County Public Records concurrently and include coordinated references between the documents as provided in following Section 6.3.1.D(3)(a)2.b and c.

- b. The following statement shall be placed on the final plat: *"A separate instrument(s) serving as joinder and consent for a mortgagee or other party of interest to the Plat depicted hereon has been separately filed and recorded in the Marion County Public Records Official Record Book (enter number), pages (enter number) to (enter number)," as assigned by the Clerk of the Court's Office.*

- c. The separate instrument shall utilize the same general form as provided in Section 6.3.1.D(3)(a)1(a) above and shall include the final plat's official name as listed on the final plat and include a blank entry reference for the Marion County Public Records Plat Book and Page(s) as assigned by the Clerk of the Court's Office.

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E. Certifications and Approvals. The Final Plat shall contain on the first page the following certifications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

- (1) The Surveyors and Mappers Certification shall contain the signature, Florida registration number, and name of firm, if applicable (if submitted by a firm the signing surveyors name will also appear in a legible manner), street address, and embossed seal of the Surveyor certifying the plat and will contain the following statement:

*"I certify this plat, prepared under my direction and supervision, complies with the requirements of Chapter 177, Florida Statutes, meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mappers, and is in accordance with the requirements of the Marion County Land Development Code, and that this plat does not adversely affect the legal access of adjacent parcels."*

- (2) Development Review Committee certification shall appear in the following form:

APPROVAL BY COUNTY OFFICIALS - DEVELOPMENT REVIEW COMMITTEE:

BY: \_\_\_\_\_ County Engineering

BY: \_\_\_\_\_ County Fire Services

BY: \_\_\_\_\_ County Planning

BY: \_\_\_\_\_ County Surveyor

BY: \_\_\_\_\_ County Utilities

BY: \_\_\_\_\_ County Zoning

- (3) Administrative Official and Clerk of Circuit Court certification shall include the following:

*"APPROVAL BY ADMINISTRATIVE AUTHORITY*

*THIS IS TO CERTIFY, that on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ the foregoing Plat was approved by the County Administrator or designee as the Administrative Official for Marion County, Florida.*

\_\_\_\_\_  
[Printed Name of County Administrator or Designer],  
*Administrative Official*

*Attest:*

\_\_\_\_\_  
[Printed Name of Clerk]  
*Clerk of the Circuit Court"*

- (4) Clerk's certification for acceptance and recording shall include the following:

*"I, Clerk of Circuit Court of Marion County, Florida, do hereby accept this plat of \_\_\_\_\_ [list legal name of subdivision]\_\_\_\_\_ for recording. This Plat filed for record this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_: \_\_\_\_\_ am/pm and recorded on page \_\_\_\_\_ of plat book \_\_\_\_\_ in the Office of the Clerk of Circuit Court of Marion County, Florida*

BY: \_\_\_\_\_  
[Printed Name of Clerk]  
*Clerk of the Circuit Court"*

F. The following supporting documentation shall also be provided as appropriate:

- (1) A copy of the documents demonstrating either:

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- a. The establishment of a corresponding CDD or other State recognized, governmentally established special district responsible for the maintenance and operation of the dedicated improvements; or
  - b. The commencement of the process to establish a Municipal Service Benefit Unit (MSBU) responsible for the maintenance and operation of the dedicated improvements as described in Sec. 2.19.4.C. If the MSBU option is selected by the developer, it shall be established to provide maintenance and upkeep for, at minimum, roads and drainage infrastructure. Other improvements, such as, but not limited to, street lighting or recreation, can be added to the MSBU if desired by the development.

The purpose for the establishment of the MSBU is for the MSBU to act as a mechanism to fund and manage any needed maintenance and/or improvements to roads, drainage and other suitably identified infrastructure within the development in the event that a home owners' association/property owners' association (HOA/POA) is unable or unwilling to do so. Nothing herein shall be construed as a limitation of the authority of the County or any MSBU created.

- (2) For a subdivision with privately dedicated improvements, a copy of the completed and filed documents demonstrating the private entity is properly established, operating, and eligible to be responsible for the improvements so dedicated to the association. In the case of an entity previously created and encompassing the proposed subdivision, documents demonstrating the continued establishment of the entity and its acceptance of responsibility for the improvements to be conveyed shall be required;
- (3) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant, in a form to be recorded and cross-referenced to the submitted Final Plat. In the case where covenants and restrictions are previously recorded and applicable to a proposed subdivision, a copy of the effective covenants and deed restrictions shall also be provided;
- (4) A certificate of title demonstrating the following:
  - (a) The lands as described and shown on the plat are in the name of, and apparent record title is held by, the person, persons, or organizations executing the dedication;
  - (b) That all taxes have been paid on said property as required by § 197.192 FS, as amended; and
  - (c) The official record book and page number of all mortgages, liens, or other encumbrances against the land, and the names of all persons holding an interest in such mortgage, lien or encumbrance.

The title certification shall be an opinion of a Florida attorney-at-law or the certification of an abstract or title insurance company licensed to do business in Florida. The County reserves the right to require that the title certification be brought current at the time of Final Plat approval.

- (5) When required in conjunction with an Improvement or Maintenance Agreement, an itemized cost estimate prepared and certified by the developer's engineer including the cost of construction of all required improvements in the following form:

"CERTIFICATE OF COST ESTIMATE

I, \_\_\_\_\_, A Florida registered engineer, License No. \_\_\_\_\_, do hereby certify to Marion County that a cost estimate has been prepared under my responsible direction for those improvements itemized in this exhibit and that the total cost estimate for said improvements is \$ \_\_\_\_\_. This estimate has been prepared, in part, to induce approval by the County of a Final Plat for the \_\_\_\_\_ Subdivision, and for the purpose of establishing proper surety amounts associated therewith.

\_\_\_\_\_(Signature)  
(Name, Florida Registered Engineer

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License No. \_\_\_\_\_)"  
(AFFIX SEAL)

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 23-09, § 4(Att. 4), 4-13-2023)