

**Official Minutes of  
MARION COUNTY  
BOARD OF COUNTY COMMISSIONERS**

September 3, 2025

**CALL TO ORDER:**

The Marion County Board of County Commissioners (BCC) met in a special session in Commission Chambers at 5:31 p.m. on Wednesday, September 3, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

**INTRODUCTION OF PUBLIC HEARING BY CHAIRMAN KATHY BRYANT**

Chairman Bryant advised that the public hearing was scheduled this afternoon to consider an Ordinance amending the Marion County Land Development Code (LDC).

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

**ROLL CALL**

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5. Also present were Chief Assistant County Attorney Dana Olesky, County Administrator Mounir Bouyounes and Assistant County Administrator (ACA) Tracy Straub.

**PROOF OF PUBLICATION**

Deputy Clerk Lewter advised that there are nine (9) Proofs of Publication to be presented for this afternoon's meeting.

The first Proof of Publication is Legal ad number 11570523 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 2, Division 21, Major Site Plan, Section 2.21.1, Applicability.

The second Proof of Publication is Legal ad number 11570781 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 2, Division 22, Stand Alone Permits, Section 2.22.2, Driveway Connection.

The third Proof of Publication is Legal ad number 11570156 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 6, Division 13, Stormwater Management, Section 6.13.3, Types of Stormwater Management Facilities.

The fourth Proof of Publication is Legal ad number 11570500 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 6, Division 13, Stormwater Management, Section 6.13.4, Stormwater Quantity Criteria.

The fifth Proof of Publication is Legal ad number 11570797 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 6, Division 13, Stormwater Management, Section 6.13.5, Flood Plain and Protection.

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The sixth Proof of Publication is Legal ad number 11570247 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 6, Division 13, Stormwater Management, Section 6.13.8, Stormwater Conveyance Criteria.

The seventh Proof of Publication is Legal ad number 11570471 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 6, Division 13, Stormwater Management, Section 6.13.9, Grading Criteria.

The eighth Proof of Publication is Legal ad number 11570563 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 7, Division 3, Design Details, Section 7.3.1, Transportation and Stormwater.

The ninth Proof of Publication is Legal ad number 11570814 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on August 18, 2025. The Notice states the Board will consider an Ordinance amending the Marion County LDC relating to Article 7, Division 3, Design Details, Section 7.3.2, Utilities.

The Deputy Clerk was in receipt of an 99 page Agenda Packet to follow along with the PowerPoint presentation.

County Engineer Steven Cohoon, Office of the County Engineer (OCE), advised of some technical difficulties loading the presentation.

Chairman Bryant advised that the Land Development Review Committee (LDRC) Chair David Tillman is present today.

David Tillman, Tillman & Associates Engineering, LLC, SE 16<sup>th</sup> Avenue, LDRC Chairman, commented on changes made to the lot grading plans, noting they changed from 75 foot lots or less to 85 foot lots or less. He stated the language was vetted through the community and Marion County Building Industry Association (MCBIA) at 75 feet. The proposed change to 85 feet will have a larger impact and increase costs to development. Chairman Bryant advised that Mr. Tillman's comments relate to Agenda Item 7.

## **STAFF PRESENTATION**

1. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 2, Division 21 - Major Site Plan Section 2.21.1 Applicability

County Engineer Steven Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 2, Division 21 - Major Site Plan Section 2.21.1 Applicability.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cohoon advised that staff will go through all the proposed changes, noting there were two bring back items relating to the lot width and landscaping/buffering around drainage retention areas (DRAs) that will also be addressed.

Stormwater Engineer Jason Cambre, OCE, provided a brief overview of the proposed language changes. He stated the changes in Section A were primarily made to require stormwater compliance in place of a waiver when existing and proposed impervious ground coverage equals or exceeds the lesser of 35 percent (%) of the gross site area or 9,000 square feet. Many single family residences and farm properties fall into this category, especially the 35%. Mr. Cambre advised that Section D addresses single family residential lots or tracts, which are not otherwise exempt from the requirements of a Major Site Plan. These lots shall be subject to stormwater compliance. He stated a DRC waiver hearing will not be required and the owner/developer can work directly with staff.

Mr. Cambre advised that Section E provides exemptions for single family and farm parcels that are on 10 acres or greater. He stated these properties have a low likelihood of impacting adjacent properties; therefore, they would not need to apply for stormwater compliance. The property would be able to have up to 3% or 30,000 square feet of impervious ground coverage and no compliance or waiver would be required.

Mr. Cambre stated Section F adds the ability for private subdivisions that have privately maintained stormwater systems to no longer have to go through the stormwater compliance or waiver process. He advised that Section G will now exempt bona fide agriculture activity that by Florida Statute (FS) local government cannot subject to applications for permits except for the cases of flood plain.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

2. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 2, Division 22 - Stand Alone Permits Section 2.22.2 Driveway Connection

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 2, Division 22 - Stand Alone Permits Section 2.22.2 Driveway connection.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre advised that the proposed change will require drainage be addressed when applying for driveway connection, noting also added is the requirement for an inspection to take place when a culvert is deemed necessary.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

3. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 6, Division 13 - Stormwater Management Section 6.13.3 Types of Stormwater Management Facilities

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 6, Division 13 - Stormwater Management Section 6.13.3 Types of stormwater management facilities.

This is the second of two required public hearings.

Budget/Impact: None.

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Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre advised that the requirement for berm width has been revised and language has been added similar to what is required by the Water Management Districts (WMDs). Staff has proposed striking the requirement for landscaping on public frontage. He stated in the case of commercial stormwater management areas the access requirements have been clarified when vertical walls are utilized, as well as clarified what types of safety barriers are required when in the proximity of vehicular traffic.

In response to Chairman Bryant, Mr. Cohoon provided a brief overview of the different DRA possibilities as shown on the overhead screens.

General discussion ensued.

Mr. Cohoon advised that removing the buffer/landscape requirement would eliminate those costs. He stated there is language included in Section 2 for the waiver process, noting language in Section 3 is intended to address a scenario where a developer or County coming in with a road project has an agreement to share the DRA.

Chairman Bryant opined that she would rather have the minimum requirement included and have someone come in to request a waiver than to have no requirement at all.

Ms. Straub advised that the County already has a requirement regarding landscaping, noting this request is to reduce the landscaping and that is why the provided business impact statement does not reflect that cost.

Mr. Tillman advised that it is his understanding that this was just for County roadway projects. He commented on the required maintenance impact with the increased landscaping.

In response to Commissioner Stone, Mr. Tillman stated the strike through language would leave the County with no criteria and there would be no tree planting.

Chairman Bryant questioned if this only applies to County DRAs. Mr. Cohoon advised that this is for government roadway projects and DRAs for its infrastructure.

Commissioner Zalak expressed support for requiring landscaping.

General discussion resumed.

Mr. Cohoon presented a 1 page handout containing the additional proposed public and private landscaping requirements.

General discussion resumed.

Ms. Straub advised that the statement was made that this will only apply to County projects, but it is not reflected in the language presented.

Commissioner Zalak stated this would be for any DRA that is located on a roadway public or private. Mr. Cohoon concurred.

In response to Commissioner Stone, Commissioner Zalak opined that Mr. Cohoon can determine what size trees are appropriate.

Commissioner McClain requested an estimate of the cost associated with the landscaping.

General discussion ensued.

Chairman Bryant stated staff knows when designing a roadway if it makes sense to install landscaping, noting that is when it should be brought before the Board. She expressed support for the strike through version. As the County is planning new roads or developing projects and there is an opportunity for an enhancement for the community then they can consider additional landscaping.

Commissioner Stone concurred.

Mr. Cohoon advised that staff will make an effort going forward to bring things before the Board for consideration as it relates to beautification in the community.

Commissioner Stone commented on the “fee in lieu of” funds that could be available to this type of project.

General discussion ensued.

Chairman Bryant directed staff to work with the County’s Landscape Architect to determine what plantings are appropriate.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

4. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 6, Division 13 - Stormwater Management Section 6.13.4 Stormwater Quantity Criteria

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 6, Division 13 - Stormwater Management Section 6.13.4 Stormwater quantity criteria.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre provided a brief overview of the proposed language changes, which adds 100 year 24-hour frequency duration criteria for both open and closed basins, as well as the 25 year 24-hour frequency duration criteria to the closed basin volume requirements. He stated there is now also a change to the downstream flooding condition where previously zero cubic feet per second of discharge rate and zero cubic feet of discharge volume was permitted, now staff is proposing to allow the post development condition to discharge, but there would be a 25% reduction to the peak discharge rate in open basins and a 25% reduction to the volume in closed basins.

In response to Chairman Bryant, Mr. Cambre advised that the proposed language has not changed from the first public hearing.

Commissioner Zalak questioned if it was more or less drainage from the predevelopment phase. Mr. Cohoon stated it would be less than the existing conditions.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

5. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 6, Division 13 - Stormwater Management, Section 6.13.5 Flood Plain and Protection

County Engineer Steven Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 6, Division 13 - Stormwater Management Section 6.13.5 Flood plain and protection.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

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Mr. Cambre advised that this Item relates to flood plain volume and conveyance protection. The proposed language would add the no fill requirement that was previously applicable to Federal Emergency Management Agency (FEMA) flood zones to County determined flood prone areas. He stated it also requires mass grading plans, major site plans and improvement plans to file letters of map change.

In response to Chairman Bryant, Mr. Cambre advised that the proposed language has not changed from the first public hearing.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

6. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 6, Division 13 - Stormwater Management Section 6.13.8 Stormwater Conveyance Criteria

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 6, Division 13 - Stormwater Management Section 6.13.8 Stormwater conveyance criteria.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre advised that there were some minor changes to reflect updated references with respect to rainfall depths, noting the removal of the 24 hour duration for rational method as this is typically a duration between 10 to 30 minutes depending on the time of concentration. He stated clarification was added relating to lane spread for the outside travel lane. A category has also been added for auxiliary or turn lanes, and a table has been added regarding minimum easement width. Mr. Cambre advised that there has been some consideration for stormwater flow velocity with respect to minimum velocity. In response to Chairman Bryant, Mr. Cambre advised that the proposed language has not changed from the first public hearing.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

7. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 6, Division 13 - Stormwater Management Section 6.13.9 Grading Criteria

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 6, Division 13 - Stormwater Management Section 6.13.9 Grading criteria.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre advised that at the previous meeting the Board discussed the lot widths that the grading criteria would be applicable to. He commented on the lots that would be affected in Rainbow Park, noting at less than or equal to 75 foot width only 29% of the parcels would be impacted.

In response to Chairman Bryant, Mr. Cambre provided an overview of the vacant parcels and parcels with buildings within Rainbow Park. He stated 68% of the vacant parcels in Rainbow Park are less than or equal to 85 feet in width and 72% are less than or equal to 90 feet wide.

Chairman Bryant questioned if there is a way to go with the LDRC recommendation and then put a special requirement just in Rainbow Park.

Commissioner Stone stated this area is very flood prone and a lot of concerns have been received from residents as it continues to develop.

Ms. Straub advised that Rainbow Park is an excellent example, noting it consists of primarily dirt roads. She stated there are a handful of other subdivisions that have similar grading issues.

General discussion ensued.

Mr. Cohoon advised that staff have not seen any issues with any properties above 90 feet width. He stated Rainbow Park is not the only community in Marion County having these issues, noting this can be an issue anywhere in the County with lots smaller than 90 feet. In response to Commissioner Stone, Mr. Cohoon requested the Board continue this matter and allow staff to bring back more information.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

In response to Chairman Bryant, Mr. Bouyounes advised that it was his understanding that the County would move forward with the 75 foot width and if staff comes back with additional language, it will be addressed separately at a later date.

Commissioner McClain suggested moving forward with the 85 foot language and allowing for a waiver for the identified subdivisions where there is a large amount of lots having issues.

Chairman Bryant stated that would create a lot more work for staff.

Commissioner Zalak questioned if the lots could be identified by topography. Mr. Bouyounes advised that he was unsure if that is possible.

Mr. Cohoon advised that 85 foot would include 33,000 parcels Countywide and the 75 foot includes 13,000 parcels Countywide. This number increases by 8% if they go with 90 foot.

Chairman Bryant questioned if there is any way to apply a topography methodology to determine the problem areas. Ms. Straub advised that her recommendation for the Board to move forward with a number, but still allow staff to deal with issues on a case by case basis. She stated the County does not have the updated technology to provide that type of detailed analysis.

General discussion ensued.

Mr. Cohoon recommended the Board move forward with the 75 foot width as suggested by the LDRC, noting if there appears to be an issue the matter can be brought back before the Board to be modified.

Chairman Bryant opined that the language should be added excluding certain subdivisions that are known problems.

Mr. Tillman expressed support for giving the County Engineer the authority to grant waivers if there is not an issue.

Chairman Bryant expressed concern with adding the additional workload to staff.

Mr. Cohoon advised that his office is notified when there is a problem, noting over the last year, OCE has been notified a lot. He stated once the requirements are established there will be an automatic flag through the new system.

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Commissioner Curry out at 6:34 p.m.

In response to Mr. Bouyounes, Mr. Cohoon advised that every driveway permit for a public road subdivision does come through OCE. He stated every lot in Rainbow Park is flagged. Chairman Bryant stated if the staff feels they can handle it she is fine with moving forward with the 85 foot width and allowing staff to determine if a waiver is appropriate.

Commissioner Stone stated she thought they were going to move forward with 75 foot width.

Mr. Cohoon advised that LDRC's recommendation was 75 foot width, noting he does not object to going along with the LDRC. He stated if something becomes problematic staff would come back before the Board for a resolution. Mr. Cohoon advised that staff is amenable to a greater number because it will ensure they catch more issues.

Chairman Bryant clarified that staff would make do with the LDRC's recommendation of the 75 foot width, but would prefer the 85 foot width with the ability for the County Engineer or his designee to grant a waiver when applicable.

Ms. Straub advised that the language would need to be added to allow the County Engineer or his designee to grant a waiver.

Chairman Bryant opened the floor for public comment

There being none, Chairman Bryant advised that public comment is now closed.

Commissioner Curry returned at 6:38 p.m.

Chairman Bryant passed the gavel to Commissioner Zalak who assumed the Chair.

Commissioner Bryant out at 6:39 p.m.

General discussion ensued.

Commissioner Bryant returned at 6:41 p.m.

Chairman Zalak returned the gavel to Commissioner Bryant, who resumed the Chair.

General discussion resumed.

Ms. Oleksy advised that the proposed language would add a sentence at the end of Section B.5. stating the "The County Engineer or their designee may waive the requirements at their discretion."

It was the general consensus of the Board to concur.

8. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 7, Division 3 - Design Details Section 7.3.1 Transportation and Stormwater

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 7, Division 3 - Design Details Section 7.3.1 Transportation and Stormwater.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre provided a brief overview of the proposed changes, noting nothing has been modified since the last public hearing.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.



9. Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 7, Division 3 - Design Details Section 7.3.2 Utilities

County Engineer Cohoon, OCE, presented the following recommendation:

Description/Background: Staff will present the attached proposed amendment of Land Development Code (LDC) Article 7, Division 3 - Design Details Section 7.3.2 Utilities.

This is the second of two required public hearings.

Budget/Impact: None.

Recommended Action: Take public comment and motion to recommend approval of the proposed LDC Amendments.

Mr. Cambre provided a brief overview of the proposed changes, noting nothing has been modified since the last public hearing.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

### **PUBLIC COMMENT**

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

### **BOARD DISCUSSION AND CLOSING COMMENTS**

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt Ordinance 25-38 amending the Marion County Land Development Code. The motion was unanimously approved by the Board (5-0).

Ordinance 25-38 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 2, DIVISION 21, MAJOR SITE PLAN, AND DIVISION 22, STAND ALONE PERMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt Ordinance 25-39 amending the Marion County Land Development Code. The motion was unanimously approved by the Board (5-0).

Ordinance 25-39 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 6, DIVISION 13, STORMWATER MANAGEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt Ordinance 25-40 amending the Marion County Land Development Code. The motion was unanimously approved by the Board (5-0).

Ordinance 25-40 is entitled:

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 7, DIVISION 3, DESIGN DETAILS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

There being no further business to come before the Board, the meeting thereupon adjourned at 6:47 p.m.

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Kathy Bryant, Chairman

Attest:

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Gregory C. Harrell, Clerk