



Marion County

Board of County Commissioners

Public Hearing Meeting

Meeting Agenda

**Wednesday, September 3, 2025 5:30 PM McPherson Governmental
Campus Auditorium**

First of Two Public Hearings to Consider an Ordinance to Amend the Marion County Land Development Code

INTRODUCTION OF PUBLIC HEARING BY CHAIR KATHY BRYANT

Today's meeting is the first Public Hearing of two. The Second Public Hearing is scheduled with the Board of County Commissioners on September 16, 2025 at 10:00 a.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PROOF OF PUBLICATION

[Present Cover Documents from Land Development Regulation Commission
Public Hearing and BCC Public Hearing](#)

STAFF PRESENTATION

1. [Presentation and Consideration of Revisions to the Marion County Land
Development Code Amendments Article 1, Division 2, Definitions](#)
2. [Presentation and Consideration of Revisions to the Marion County Land
Development Code Amendments Article 2, Division 4, Land Development
Code Amendment, Section 2.4.4 Completion and Close Out](#)
3. [Presentation and Consideration of Revisions to the Marion County Land
Development Code Amendments Article 2, Division 7, Zoning Change,
Section 2.7.1 Applicability](#)

PUBLIC COMMENT

BOARD DISCUSSION AND CLOSING COMMENTS



Marion County

Board of County Commissioners Public Hearing Meeting

Agenda Item

File No.: 2025-20480

Agenda Date: 9/3/2025

Agenda No.:

SUBJECT:

Present Cover Documents from Land Development Regulation Commission Public Hearing and BCC Public Hearing

INITIATOR:

Ken Weyrauch, Deputy Director

DEPARTMENT:

Growth Services

DESCRIPTION/BACKGROUND:

Attached are:

- Proof of Publications
- The Land Development Regulation Commission minutes from the Public Hearing held on August 20, 2025.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

For information only.



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:

08/18/2025

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 08/18/2025

Legal Clerk

Notary, State of WI, County of Brown

8.25.26

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MARIAH VERHAGEN
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State of Wisconsin

NOTICE OF PUBLIC HEARING BY

NOTICE IS HEREBY GIVEN THAT THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING THE MARION COUNTY, FLORIDA, LAND DEVELOPMENT CODE (LDC) AS SPECIFIED BELOW:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 6, DIVISION 13, STORMWATER MANAGEMENT, SECTION 6.13.4, STORMWATER QUANTITY CRITERIA

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 6, Division 13, Stormwater Management, in Marion County, Florida, providing for revisions to Section 6.13.4, Stormwater Quantity Criteria.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 438-2345 forty-eight hours in advance of the hearing, so appropriate arrangements can be made.

A copy of the proposed ordinance is available for public inspection at the Growth Services Department, 2710 East Silver Springs, Ocala, FL 34470. Any person who decides to appeal any decision of the Board of County Commissioners with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made. 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

PLEASE BE GOVERNED ACCORDINGLY

DATED THIS 15th DAY OF MAY, 2025.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN



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

PO Box 631244 Cincinnati, OH 45263-1244

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Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 6, Division 13, Stormwater Management, in Marion County, Florida, providing for revisions to Section 6.13.9 Grading Criteria.

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MARION COUNTY, FLORIDA

KATHY BRYANT, CHAIRMAN



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Legal Clerk

Notary, State of WI, County of Brown

8.25.26

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 6, Division 13, Stormwater Management, in Marion County, Florida, providing for revisions to Section 6.13.8 Stormwater Conveyance Criteria.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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Legal Clerk

Notary, State of WI, County of Brown

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 6, Division 13, Stormwater Management, in Marion County, Florida, providing for revisions to Section 6.13.3, Types of Stormwater Management Facilities.

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Legal Clerk

Notary, State of WI, County of Brown

8.25.26

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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, SECTION 7.3.2, UTILITIES, REVISE UT102 TYPE A BED TRENCH, AND REVISE UT103 TYPE B BED TRENCH

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 7, Division 3, Design Details, in Marion County, Florida, providing for revisions to Section 7.3.2 Utilities.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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Legal Clerk

Notary, State of WI, County of Brown

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 6, Division 13, Stormwater Management, in Marion County, Florida, providing for revisions to Section 6.13.5 Flood Plain and Protection.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 2,, Division 22, Stand Alone Permits, in Marion County, Florida, providing for revisions to Section 2.22.2 Driveway Connection.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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PLEASE BE GOVERNED ACCORDINGLY

DATED THIS 15th DAY OF MAY, 2025.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN



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:

08/18/2025

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 08/18/2025

Legal Clerk

Notary, State of WI, County of Brown

8.25.26

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11570563	# of Copies:
Customer No:	533707	0
PO #:	2025-728-7.3.1	

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MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING BY

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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, SECTION 7.3.1, TRANSPORTATION AND STORMWATER, TO REVISE TS034 DRAINAGE RETENTION AREA, ADD TS039 BEDDING AND TRENCHING WITH UNDERCUTTING, AND ADD TS040 BEDDING AND TRENCHING WITHOUT UNDERCUTTING

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 7, Division 3, Design Details, in Marion County, Florida, providing for revisions to Section 7.3.1 Transportation and Stormwater.

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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

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08/18/2025

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Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/18/2025

Legal Clerk

Notary, State of WI, County of Brown

8.25.26

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11570523	# of Copies:
Customer No:	533707	0
PO #:	LRM 2025-726-2.21.1	

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MARIAH VERHAGEN
Notary Public
State of Wisconsin

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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 2, DIVISION 21, MAJOR SITE PLAN, SECTION 2.21.1, APPLICABILITY

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), Article 2, Division 21, Major Site Plan, in Marion County, Florida, providing for revisions to Section 2.21.1 Applicability.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN

LOCALiQ

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PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Heather Flynn
Marion County Attorneys' Office - 330
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08/22/2025

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 08/22/2025

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:	11594752	# of Copies:
Customer No:	533707	1
PO #:	LDRC 2.4.4	

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KAITLYN FELTY
Notary Public
State of Wisconsin

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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 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), in Marion County, Florida, providing for revisions to Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

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DATED THIS 19TH DAY OF AUGUST, 2025.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN

LOCALiQ

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AFFIDAVIT OF PUBLICATION

Heather Flynn
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601 SE 25Th AVE # 108
Ocala FL 34471-2690

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Legal Clerk

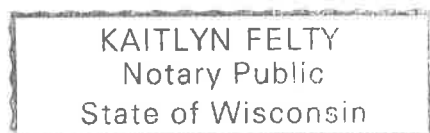
Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11594770	# of Copies:
Customer No:	533707	1
PO #:	LDRC Definitions	

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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 1, DIVISION 2, DEFINITIONS

A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), in Marion County, Florida, providing for revisions to Article 1, Division 2, Definitions.

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BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
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AFFIDAVIT OF PUBLICATION

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Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 08/22/2025


Legal Clerk


Notary, State of WI, County of Brown

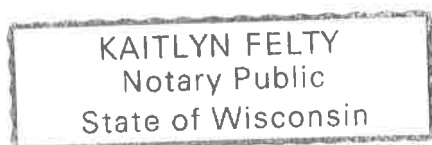
3.7.27

My commission expires

Publication Cost:	\$503.00	
Tax Amount:	\$0.00	
Payment Cost:	\$503.00	
Order No:	11594795	# of Copies:
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PO #:	LDRC 2.7.1	

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A public hearing conducted by the **Marion County Board of County Commissioners** will be held on **Wednesday, September 3, 2025, at 5:30 p.m.** at the **McPherson Governmental Campus Auditorium at 601 SE 25TH Avenue, Ocala, FL, 34471**, for the purpose of considering the proposed amendment related to Marion County Land Development Code (LDC), in Marion County, Florida, providing for revisions to Article 2, Division 7, Zoning Change, Section 2.7.1. Applicability.

The Marion County Board of County Commissioners shall receive and consider public comment regarding the proposed LDC amendment in this public hearing, the first of two, pursuant to Florida Statutes and the LDC.

If reasonable accommodations of a disability are needed for you to participate in this meeting, please contact the ADA Coordinator/HR Director at (352) 438-2345 forty-eight hours in advance of the hearing, so appropriate arrangements can be made.

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DATED THIS 19TH DAY OF AUGUST, 2025.
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA
KATHY BRYANT, CHAIRMAN

The Marion County Land Development Regulation Commission met on August 20, 2025, at 5:30 p.m. in the Board of County Commissioners Auditorium, 601 SE 25th Avenue, Ocala, Florida.

CALL TO ORDER

Chairman David Tillman called the Meeting to Order at 5:37 p.m.

ROLL CALL & PLEDGE OF ALLEGIANCE

Nate Mittler called roll, and the quorum was confirmed.

Board members present were Chairman David Tillman, Richard Busche, Christopher Howson, Robert Stepp, and Erica Larson.

Chairman David Tillman led the Pledge of Allegiance.

Staff members present were Chief Assistant County Attorney Dana Olesky, Growth Services Director Chuck Varadin, Growth Services Deputy Director Ken Weyrauch, Development Review Coordinator Elizabeth Madeloni, Senior Planner Chris Rison, County Engineer Steven Cohoon, Land Development Manager Aaron Pool, Administrative Manager Nate Mittler, and Staff Assistant Rebecca Brinkley.

Members of the public were present.

1. ACKNOWLEDGEMENT OF PROOF OF PUBLICATION

Nate Mittler read the Proofs of Publication and advised that the meeting was properly advertised.

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

Dana Olesky, Assistant County Attorney, opened the discussion regarding this item.

There were no recommendations or comments from LDRC Board Members.

There was no public comment for this item.

Board Member Christopher Howson made a motion to recommend approval as presented to the Board of County Commissioners. Motion was seconded by Board Member Robert Stepp. Motion passed unanimously (4-0).

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

Dana Olesky, Assistant County Attorney, opened the discussion regarding this item.

There were no recommendations or comments from LDRC Board Members.

There was no public comment for this item.

Board Member Christopher Howson made a motion to recommend approval as presented to the Board of County Commissioners. Motion was seconded by Board Member Robert Stepp. Motion passed unanimously (4-0).

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

Dana Olesky, Assistant County Attorney, opened the discussion regarding this item.

There were no recommendations or comments from LDRC Board Members.

There was no public comment for this item.

Board Member Christopher Howson made a motion to recommend approval as presented to the Board of County Commissioners. Motion was seconded by Board Member Robert Stepp. Motion passed unanimously (4-0).

The Public Hearing portion of the meeting was adjourned.

Board Member Robert Stepp made a motion to adjourn the Public Hearing portion of the meeting and continue with the Workshop portion of the meeting. Motion was seconded by Board Member Christopher Howson. Motion passed unanimously (4-0).

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

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

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

There was no public comment for this item.

Steven Cohoon noted items that need to be followed up on. The Board agreed that more discussion on the language was needed. Mr. Cohoon will make edits to the verbiage and bring the item back to a future workshop.

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

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

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

There was no public comment for this item.

Steven Cohoon noted items that need to be followed up on. The Board agreed that more discussion on the language was needed. Mr. Cohoon will make edits to the verbiage and bring the item back to a future workshop.

3. NEW BUSINESS

No new business.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

Attest:

David Tillman, Chairman

Rebecca Brinkley,
Staff Assistant

Land Development Regulation Commission Attendance Report

2025		January 15	February 5	February 19	March 5	March 19 – No Quorum	March 26	April 2	April 16	May 7	May 21 – PH & WS	June 4	June 18	July 2	July 16	July 23 – PH	August 6	August 20 – PH & WS	September 3 – Canceled	September 17	October 1	October 16	November 5	November 19	December 3	December 17
Chris Howson	Board Member	X	X		X	-	X	X	X	X		X	X	X	X			X	-							
James Stockton, III *Board Duties Ended as of 8/19/25	Board Member					-												-	-	-	-	-	-	-	-	-
Gene Losito	Board Member	X			X	-	X	X	X		X		X	X		X			-							
Jonny Heath	Board Member		X	X	X	-					X				X				-							
Richard Busche	Board Member	X	X	X	X	-	X	X	X		X			X	X	X	X	X	-							
Robert Stepp	Board Member		X	X	X	-	X		X			X			X		X	X	-							
David Tillman	Board Member	X	X	X	X	-	X	X		X	X	X		X	X	X	X	X	-							
*Erica Larson	Alternate	*		*	*	-	*	*		X		X	X		*	X		*	-							

- N/A

X Present; attendance is counted towards quorum

* Alternate Present; attendance not counted towards quorum



Marion County

Board of County Commissioners Public Hearing Meeting

Agenda Item

File No.: 2025-20391

Agenda Date: 9/3/2025

Agenda No.: 1.

SUBJECT:

Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 1, Division 2, Definitions

INITIATOR:

Kenneth Weyrauch, Deputy Director

DEPARTMENT:

Growth Services

DESCRIPTION/BACKGROUND:

Staff will present the attached proposed amendment of Land Development Code (LDC) Article 1, Division 2 Definitions updating the requirements for due public notice.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for September 16, 2025, at 10:00 a.m. in the McPherson Governmental Campus Auditorium.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

Take public comment and provide direction.

ORDINANCE 25 – __

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 1, ADMINISTRATION, DIVISION 2, DEFINITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on August 20, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on September 3, 2025, and September 16, 2025;

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

Note: Deletions are shown in ~~strikeout~~ text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 1 of the Marion County Land Development Code, Administration, Division 2, Definitions, is hereby amended to reflect the attached revised definitions:

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

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent

jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this ____ day of _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

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 Board of County Commissioners

Office of the County Attorney

601 SE 25th 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 **10th 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):



Marion County

Board of County Commissioners Public Hearing Meeting

Agenda Item

File No.: 2025-20394

Agenda Date: 9/3/2025

Agenda No.: 2.

SUBJECT:

Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out

INITIATOR:

Kenneth Weyrauch, Deputy Director

DEPARTMENT:

Growth Services

DESCRIPTION/BACKGROUND:

Staff will present the attached proposed amendment of Land Development Code (LDC), Article 2, Division 4, Section 2.4.4 Completion and close out updating the requirements for legal advertisements.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for September 16, 2025, at 10:00 a.m. in the McPherson Governmental Campus Auditorium.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

Take public comment and provide direction.

ORDINANCE 25 – __

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 2, DIVISION 4, LAND DEVELOPMENT CODE AMENDMENT, SECTION 2.4.4 COMPLETION AND CLOSE OUT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on August 20, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on September 3, 2025, and September 16, 2025;

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

Note: Deletions are shown in ~~strikeout~~ text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 2, Division 4, Land Development Code Amendment, Section 2.4.4 Completion and Close Out of the Marion County Land Development Code, is hereby amended to reflect the attached revised definitions:

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

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase,

or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this ____ day of _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

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)

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 Board of County Commissioners

Office of the County Attorney

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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 **10th 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):



Marion County
Board of County Commissioners Public
Hearing Meeting
Agenda Item

File No.: 2025-20395

Agenda Date: 9/3/2025

Agenda No.: 3.

SUBJECT:

Presentation and Consideration of Revisions to the Marion County Land Development Code Amendments Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability

INITIATOR:

Kenneth Weyrauch, Deputy Director

DEPARTMENT:

Growth Services

DESCRIPTION/BACKGROUND:

Staff will present the attached proposed amendment of Land Development Code (LDC) Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability updating the requirements for legal advertisements.

The proposed LDC amendment was considered by the Land Development Regulation Commission (LDRC) in a public hearing held August 20, 2025. The LDRC recommended approval of this item and forwarded it to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for September 16, 2025, at 10:00 a.m. in the McPherson Governmental Campus Auditorium.

BUDGET/IMPACT:

None

RECOMMENDED ACTION:

Take public comment and provide direction.

ORDINANCE 25 – __

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) AMENDING ARTICLE 2, DIVISION 7, ZONING CHANGE, SECTION 2.7.1 APPLICABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on August 20, 2025; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on September 3, 2025, and September 16, 2025;

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

Note: Deletions are shown in ~~strikeout~~ text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

A. Article 2, Division 7, Zoning Change, Section 2.7.1 Applicability of the Marion County Land Development Code, is hereby amended to reflect the attached revised definitions:

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

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent

jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners do not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this ____ day of _____, 2025.

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

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)

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 Board of County Commissioners

Office of the County Attorney

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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 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 **10th 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):