

DIVISION 5. - MILITARY OPERATING AREA (MOA)

Sec. 5.5.1. - Purpose and intent.

- A. The MOA is intended to acknowledge, support, and protect the continued and safe operation of Federal and/or State military installations located within, and in proximity to, Marion County while providing for reasonable use and development of land consistent with § 163.3175 FS, Marion County Comprehensive Plan Future Land Use Element Appendix A, Section A-5 - Military Operating Area, and the US Navy Jacksonville Bombing Range Air Installation Study(ies) (RAICUZ and/or Land Use), completed consistent and/or in conjunction with OPNAVINST 3550.1A and published by the US Navy, as amended.
- B. The MOA is a method to advise property owners, residents, and visitors of the potential to experience effects from identified military installations which are the basis for the overall MOA and specific sub-areas which are subject to specialized development regulations intended to limit and/or manage the encroachment of incompatible development.
- C. The specialized development regulations within this division are intended to supplement other regulations within this Code and in the event of conflicts, the more restrictive provisions will apply, particularly with regard to preserving and maintaining the operational capabilities of the military installations within the MOA.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 5.5.2. - Applicability.

- A. MOA provisions shall apply to all lands and/or development within unincorporated Marion County and the established MOA, as set forth in this division.
- B. MOA military installations:
  - (1) US Jacksonville Training Range Complex - Pinecastle Range.
  - (2) US Jacksonville Training Range Complex - Lake George Range.
  - (3) US Jacksonville Training Range Complex - Rodman Range.
- C. The MOA includes the geographic area listed in Table 5.5-1, Marion County Military Operating Area, and the following geographic sub-areas:

Table 5.5-1 Marion County Military Operating Area

Township	Range	Sections
11S	23E	36
	24E	24-36

12S	23E	1, 11-15, 22-28, 32-36
	24E	All
	25E	All
13S	23E	1, 30, 32-36
	24E	All
	25E	All
	26E	All
	J.M. Hernandez Grant	All (aka Section 42)
14S	23E	1-3, 11-13, 24-25
	24E	1-30, 32-36
	25E	All
	26E	All
15S	24E	1-3, 10-14, 24
	25E	1-30, 32-36
	26½ E	All
	26E	All
	Arredondo Grant	All (aka Section 37)
16S	25E	1-4, 9-16, 21-28, 33-36
	26E	All
17S	25E	1-3, 12
	26E	1-18, 20-27, 35-36

(1) The following MOA sub-areas are lands owned by the US Forest Service and managed jointly via interagency agreement between the US Forest Service and the US Navy, and as such, are not regulated as part of this MOA:

- (a) Range Target and Buffer Area (RTBA),
- (b) Range Safety Zone A (RSZ-A), and
- (c) Range Safety Zone B (RSZ-B).

(2) The following are MOA sub-areas are regulated in accordance with this division:

(a) Restricted Airspace (RESAIR) as provided in Table 5.5-2 MOA Restricted Airspace.

**Table 5.5-2 MOA Restricted Airspace**

Township	Range	Sections
11S	24E	24-25, 36
12S	24E 25E	1 3-10, 15-22, 25-29, 33-36
13S	24E 25E 26E	36 31-36 14, 31
	J.M. Hernandez Grant	That part lying SE of a line between the NW Corner of Section 36, Township 13S, Range 25E and the SW Corner of Section 14, Township 13S, Range 26E.
14S	24E 25E 26E	1, 12-13, 24-25, 36 All All
15S	25E 26½ E 26E	1-5, 8-17, 20-28, 34-36 All All
	Arredondo Grant	All (aka Section 37)
16S	25E 26E	1-3,10-15, 23-26, 36 All
17S	26E	1-6, 8-15, 23-25

(b) Range Safety Zone C (RSZ-C) as provided in Table 5.5-3 MOA Range Safety Zone "C".

Table 5.5-3 MOA Range Safety Zone "C"

East/West	Township	Range	Sections
West	12S	23E	35-36
	13S	23E	1-3, 9-17, 21-28, 34-36
		24E	6-8, 17-21, 27-35
14S	23E	1, 12	
East	14S	24E	1-18, 20-28, 34-36
		25E	7, 17-21, 28-34
	15S	24E	1-2, 12
		25E	1-18, 20-28, 34-36
		26½ E	12-13, 24-25, 36
16S	26E	16-22, 25-36	
	Arredondo Grant	That part lying SW of a line between the NE Corner of Section 25, Township 15S, Range 26E, and the NE Corner of Section 16, Township 15S, Range 26E.	
16S	25E	1-3, 10-15, 23-26, 36	
	26E	All	
17S	26E	1-5, 9-15, 23-25	

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 5.5.3. - Design, development, and use standards and restrictions.

A. All MOA area, including all sub-areas, as noted:

(1) Acknowledgment Military Operating Area (AMOA).

(a)

Prior to the issuance of a building permit for construction, expansion, and/or renovation of a new or existing structure for human habitation/occupancy wherein a new Certificate of Occupancy/Final Inspection will be required prior to habitation/occupancy of the structure consistent with Florida Building Code, the property owner shall sign and submit a written acknowledgement that the project site is located within the Marion County Military Operating Area. The acknowledgement shall be recorded in the Marion County Official Records by the owner or permit applicant prior to issuance of the permit and shall conform to the following, allowing for the appropriate owner signature (e.g., individual, corporate, etc.):

ACKNOWLEDGEMENT OF MILITARY OPERATING AREA (AMOA)

(printed/typed name of property owner)

(printed/typed building permit number)

(printed/typed address of permitted structure)

(printed/typed parcel identification number of structure property)

*I, the above stated, understand that my property located as referenced above and further described in the attached legal description, is located within the Marion County Military Operating Area as established by the Marion County Comprehensive Plan and Land Development Regulations, consistent with § 163.3175 FS.*

*I acknowledge and understand that military operations may be conducted within the Military Operating Area as authorized by Federal and/or State agencies with such jurisdiction, and such operation may affect this property. I further understand that I should contact the appropriate Federal or State agency for information regarding such military operations.*

*Signature: ...(signature of property owner)*

*Date: ...(date)*

- (b) The requirement to complete and record the AMOA shall be deemed satisfied once a minimum of one executed AMOA has been recorded in the Marion County Official Records in regards to the permit's subject property, and the execution and recording of a new/additional AMOA for subsequent permits shall not be required.
- (2) Height Limits. No structure shall be erected, and no vegetation shall be permitted to grow, that exceeds any of the following height limitations, subject to compliance with the most restrictive height limit applicable by area/sub-area designation:
  - (a) Military Operating Area: 500 feet
  - (b) Range Safety Zone "C" West: 400 feet

- (c) Range Safety Zone "C" East: 300 feet
  - (d) Restricted Airspace: 200 feet
- B. Restricted Airspace prohibited land uses:
- (1) Any use which interferes with the lawful operation of an airborne aircraft.
  - (2) Any permanent use of any type which produces electronic interference with navigation signals or with radio communication between aircraft and the airport.
  - (3) Any airport obstruction, as prohibited by the Federal Aviation Administration.
- C. East Range Safety Zone "C":
- (1) Residential development shall comply with one of the following:
    - (a) A gross density greater than one dwelling unit per 10 acres shall be prohibited;
    - (b) A legally created parcel of record established prior to October 12, 2013, or a lot/parcel within a subdivision eligible for continued development under Section 4.3.2, may be eligible for one single-family residence, subject to compliance with the underlying zoning classification, DOH standards, and the other applicable design standards within this division; or
    - (c) A parcel is eligible for family division consistent with Section 2.16.1.B(10) and subject to the following requirements:
      - 1. No resulting parcel (parent and each division) shall be less than two (2) acres in size,
      - 2. An AMOA shall be executed and recorded for all resulting parcels (parent and each division), and
      - 3. Development of each parcel shall be subject to compliance with the underlying zoning classification, DOH standards, and the other applicable design standards within this section.
  - (2) Non-residential development shall comply with one of the following:
    - (a) No new lots/parcels shall be less than ten (10) acres in size; or
    - (b) A legally created parcel of record established prior to October 12, 2013, or a lot/parcel within a subdivision eligible for continued development under Section 4.3.2, may be eligible for development, subject to compliance with the underlying zoning classification, DOH standards, and the other applicable design standards within this division.
  - (3) Prohibited land uses:
    - (a) The storage of explosive materials above the ground.
    - (b) Any use which interferes with the lawful operation of an airborne aircraft.
    - (c) Any permanent use of any type which produces electronic interference with navigation signals or with radio communication between aircraft and the airport.
    - (d) Any airport obstruction, as prohibited by the Federal Aviation Administration.
  - (4) A private property owner participating in one of the Marion County Transfer of Development Rights Programs in Division 3.4, may be eligible for up to a 20 percent bonus in Transfer of Development Credits as determined by the Board, depending upon the location and extent of the Conservation

Easement provided by the owner.

D. West Range Safety Zone "C":

(1) Prohibited land uses:

- (a) The storage of explosive materials above the ground.
- (b) Any use which interferes with the lawful operation of an airborne aircraft.
- (c) Any permanent use of any type which produces electronic interference with navigation signals or with radio communication between aircraft and the airport.
- (d) Any airport obstruction, as prohibited by the Federal Aviation Administration.

- (2) A private property owner participating in one of the Marion County Transfer of Development Rights Programs in Division 3.4, may be eligible for up to a 10 percent bonus in Transfer of Development Credits as determined by the Board, depending upon the location and extent of the Conservation Easement provided by the owner.

(Ord. No. 13-20, § 2, 7-11-2013)