



Marion County

Land Development Regulation Commission

Meeting Agenda

Wednesday, May 7, 2025

5:30 PM

Growth Services Training Room

ROLL CALL AND PLEDGE OF ALLEGIANCE

Acknowledgement of Proof of Publication

1. ADOPT THE FOLLOWING MINUTES

1.1. [April 16, 2025](#)

2. SCHEDULED ITEMS

2.1. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 4.3.12 Roadside Vendors](#)

2.2. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 4.2.30 Government Use \(G-U\) Classification](#)

2.3. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 4.2.2 General Requirements for all Agricultural Classifications.](#)

2.4. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 2.21.1 Applicability](#)

2.5. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 6.13.4 Stormwater Quantity Criteria](#)

2.6. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 6.13.5 Watershed storage volume and conveyance protection](#)

2.7. [Discussion for Proposed Marion County Land Development Code \(LDC\) Amendments to Review and Update Section 6.13.9 Grading Criteria](#)

3. NEW BUSINESS

ADJOURN



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19025

Agenda Date: 5/7/2025

Agenda No.: 1.1.

SUBJECT:
April 16, 2025

DESCRIPTION/BACKGROUND:
Minutes from the previous LDRC Workshop.

The Marion County Land Development Regulation Commission met on April 16, 2025, at 5:30 p.m. in the Growth Services Main Training Room, 2710 E Silver Springs Blvd, Ocala, Florida.

CALL TO ORDER

Vice Chairman Gene Losito Called the Meeting to Order at 5:30 p.m.

ROLL CALL & PLEDGE OF ALLEGIANCE

Rebecca Brinkley called roll, and the quorum was confirmed.

Board members present were Vice Chairman Gene Losito, Christopher Howson, Richard Busche, and Robert Stepp.

Vice Chairman Gene Losito led the Pledge of Allegiance.

Staff members present were Assistant County Attorney Dana Olesky, Growth Services Director Chuck Varadin, Growth Services Deputy Director Ken Weyrauch, Planner Kathleen Brugnoli, Development Review Coordinator Elizabeth Madeloni, Planner Sarah Wells, and Staff Assistant Rebecca Brinkley.

There were no members of the public present.

ACKNOWLEDGEMENT OF PROOF OF PUBLICATION

Rebecca Brinkley read the Proof of Publication and advised that the meeting was properly advertised.

1. ADOPT THE FOLLOWING MINUTES

Robert Stepp made a motion to adopt the minutes from the April 2, 2025, meeting. The motion was seconded by Christopher Howson. The motion passed unanimously (4-0).

2. SCHEDULED ITEMS

2.1. Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Article 1, Division 2 Definitions

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

Ken Weyrauch informed the board that, subsequent to the LDRC meeting held on April 2, 2025, updates had been made to the language by the FEMA Liaison. The Board reviewed the additional changes to the language based on prior discussion. These updates will finalize the board recommendations, and a public hearing was set for May 21, 2025, at 5:30 p.m. Richard Busche made a motion to adopt

additional changes and to proceed to the public hearing. Motion was seconded by Robert Stepp. Motion passed unanimously (4-0).

2.2. Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 2.8.1 Special Use Permit

Kathleen Brugnoli, Planner, opened the discussion regarding this item.

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

Kathleen Brugnoli, Planner, made changes to the document as needed and noted items that need to be followed up on. The Board agreed that more discussion on the language was needed. Kathleen will make edits to the verbiage and bring the item back to a future workshop.

2.3. Discussion for Proposed Marion County Land Development (LDC) Amendments to Review and Update Section 4.2.30 Government Use (G-U) Classification

Kathleen Brugnoli, Planner, opened the discussion regarding this item.

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

These updates will finalize the board recommendations, and a public hearing was set for May 21, 2025, at 5:30 p.m. Richard Busche made a motion to adopt changes and to proceed to the public hearing. Motion was seconded by Robert Stepp. Motion passed unanimously (4-0).

3. NEW BUSINESS

No new business.

ADJOURNMENT

The meeting adjourned at 6:12 p.m.

Attest:

David Tillman, Chairman

Rebecca Brinkley, Staff Assistant IV



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19011

Agenda Date: 5/7/2025

Agenda No.: 2.1.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 4.3.12 Roadside Vendors

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 4.3.12 Roadside Vendors to update agency names, clarify what qualifies as a roadside vendor, add requirements for minor and major site plan review, include Specialty Business (B-3) zoning classification as a zoning where roadside vendors are allowed by right, and clarify the intended temporary nature of roadside vendors.

LDC CODE UPDATE	
DATE:	January 27, 2025, Revised February 20, 2025 and March 26, 2025
LDC SECTION:	Section 4.3.12 Roadside Vendors
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Text changes to Section 4.3.12 Roadside vendors are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to when a roadside vendor operation would require approval under a Minor Site Plan or Major Site Plan.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.3.12 Roadside Vendors address the following topics.</p> <ul style="list-style-type: none"> • Correct the reference to the permitting agency name from the “Florida Department of Business and Regulation, Division of Hotels and Restaurants” to the “Florida Department of Business and <u>Professional</u> Regulation, Division of Hotels and Restaurants.” • Clarify what qualifies as a roadside vendor by removing the descriptor, “cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood” and replacing it with “Hot Dog Cart or Mobile Food Dispensing Vehicle (aka “Food Truck”).” This change makes the LDC consistent with State definitions and terms. • Add requirements for Minor or Major Site Plan review and approval where more than one roadside vendor operates on a single parcel of land. Revise subsection lettering sequence accordingly. • Clarify the intended temporary nature of roadside vendors. <p>Attachments: Redline LDC Changes to Section 4.3.12 Roadside Vendors</p>	

Sec. 4.3.12. Temporary Roadside vendors.

A. ~~A. Roadside~~Temporary roadside vendors as used herein shall mean a person or business who sells goods as follows:

- (1) From a roadside stand: fruit, vegetables, produce, peanuts, ~~fireworks~~, Christmas trees, firewood, ~~and dry goods, homemade crafts, etc.; and~~
- (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants approved ~~cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood. Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").~~

~~B. B. Sale of the above listed merchandise shall be conducted from a flame retardant tent or pole barn type facility with the~~Seasonal firework sales are an exception of peanuts, food vendors and Christmas trees, which are not required to have a structure on the land. This facility shall be located on private property which is either owned or leased by the vendor. Sales to temporary roadside vendor regulations. These sales require a temporary use permit from the zoning department and a building permit.

C. Temporary roadside vendor sales are prohibited within the publicCounty right-of-way or public easement.

~~C. Roadside vendors~~D. Temporary roadside vendors are intended to function temporarily and independently. Services such as electric, water, and sewer shall not be permitted on vacant land. Permanent structures such as, but not limited to, sheds, carports, modular buildings, etc., ~~shall be~~are prohibited.

~~D. Permitted Zoning Classifications. Sale of listed merchandise will be~~E. Temporary roadside vendors conducting sales from a tent, pole-barn type facility, or other temporary structure shall obtain all applicable building department approvals.

F. Temporary roadside vendors are allowed by right in the following zoning classifications: A-1, A-2, A-3, B-1, B-2, ~~B-3~~, B-4, B-5, M-1, and RAC, ~~upon meeting and shall at a minimum comply with~~ the following ~~conditions~~criteria:

- (1) Driveway access shall be controlled, ~~and~~ driveway permits shall be obtained from the appropriate permitting agency.
- (2) Adequate parking area shall be provided on site for customers including ~~handicapped~~ persons with disabilities, who shall be provided service without leaving their vehicle if requested.
- ~~(3) Parking areas shall be covered with a layer (minimum 1½" thick) of bark chips, sawdust, shavings or combination thereof, or construct a stabilized base parking area or pave the parking area.~~
- (4) On site temporary rest room facilities are to be provided when more than two ~~person~~employees are ~~employed on the site~~present.
- (5) Water and soap for the washing of hands shall be available on site.
- (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.
- ~~(7) Products to be sold will be covered overnight or removed from the site and if required by State law, refrigeration will be provided.~~
- (7) Overnight food, vegetable, produce, etc. storage is not permitted.
- (8) ~~A~~Temporary roadside ~~stand~~stands for the sale of farm products raised or produced on the premises shall be permitted in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.) provided such stands are located not less than 30 feet from any street, highway or right of way. A site plan will be submitted as part of the building permit process for a permanent structure or for the installation of electrical, water or rest room facilities. The applicable site plan shall be submitted as set forth in Article 2

~~of this Code, at least 30 feet from the right of way. Non temporary roadside stands for farm products shall be regulated by applicable Site Plan and Building Plan regulations.~~

(9) All advertising signs shall be removed when the temporary roadside vendor ceases business for the day. The maximum number of signs shall not exceed four signs per vendor and shall be no larger than six square feet in size.

H. Operation of more than two temporary roadside vendors, mobile food dispensing vehicles, food trucks, etc. on a single parcel of land or shared area, or roadside vendors not operating on a temporary basis, shall require either a Minor Site Plan or Major Site Plan approval as set forth in Article 2 of this Code, and be consistent with the underlying land use designation and zoning classification for the property.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

LDC CODE UPDATE	
DATE:	January 27, 2025, Revised February 20, 2025
LDC SECTION:	Section 4.3.12 Roadside Vendors
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Text changes to Section 4.3.12 Roadside vendors are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to when a roadside vendor operation would require approval under a Minor Site Plan or Major Site Plan.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.3.12 Roadside Vendors address the following topics.</p> <ul style="list-style-type: none"> • Correct the reference to the permitting agency name from the “Florida Department of Business and Regulation, Division of Hotels and Restaurants” to the “Florida Department of Business and <u>Professional</u> Regulation, Division of Hotels and Restaurants.” • Clarify what qualifies as a roadside vendor by removing the descriptor, “cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood” and replacing it with “Hot Dog Cart or Mobile Food Dispensing Vehicle (aka “Food Truck”).” This change makes the LDC consistent with State definitions and terms. • Add requirements for Minor or Major Site Plan review and approval where more than one roadside vendor operates on a single parcel of land. Revise subsection lettering sequence accordingly. • Clarify the intended temporary nature of roadside vendors. <p>Attachments: Redline LDC Changes to Section 4.3.12 Roadside Vendors</p>	

Sec. 4.3.12. Temporary Roadside Vendors.

- A. Temporary roadside vendors as used herein shall mean a person or business who sells goods as follows:
- (1) From a roadside stand: fruit, vegetables, produce, peanuts, Christmas trees, firewood, dry goods, homemade crafts, etc.; and
 - (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants approved Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").
- B. Seasonal firework sales are an exception to temporary roadside vendor regulations. These sales require a temporary use permit from the zoning department and a building permit.
- C. Temporary roadside vendor sales are prohibited within the public right-of-way or public easement.
- D. Temporary roadside vendors are intended to function temporarily and independently. Services such as electric, water, and sewer shall not be permitted on vacant land. Permanent structures such as, but not limited to, sheds, carports, modular buildings, etc., are prohibited.
- E. Temporary roadside vendors conducting sales from a tent, pole-barn type facility, or other temporary structure shall obtain all applicable building department approvals.
- F. Temporary roadside vendors are allowed by right in the following zoning classifications: A-1, A-2, A-3, B-1, B-2, B-3, B-4, B-5, M-1, and RAC, and shall at a minimum comply with the following criteria:
- (1) Driveway access shall be controlled, and driveway permits shall be obtained from the appropriate permitting agency.
 - (2) Adequate parking area shall be provided on site for customers including persons with disabilities, who shall be provided service without leaving their vehicle if requested.
 - (4) On site temporary rest room facilities are to be provided when more than two employees are present.
 - (5) Water and soap for the washing of hands shall be available on site.
 - (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.
 - (7) Overnight food, vegetable, produce, etc. storage is not permitted.
 - (8) Temporary roadside stands for the sale of farm products raised or produced on the premises shall be permitted in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.).
 - (9) All advertising signs shall be removed when the temporary roadside vendor ceases business for the day. The maximum number of signs shall not exceed four signs per vendor and shall be no larger than six square feet in size.
- H. Operation of more than two temporary roadside vendors, mobile food dispensing vehicles, food trucks, etc. on a single parcel of land or shared area, or roadside vendors not operating on a temporary basis, shall require either a Minor Site Plan or Major Site Plan approval as set forth in Article 2 of this Code, and be consistent with the underlying land use designation and zoning classification for the property.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19018

Agenda Date: 5/7/2025

Agenda No.: 2.2.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 4.2.30 Government Use (G-U) Classification

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 4.2.30 Government Use (G-U) Classification to amend the permitted uses, special uses, and establish development standards

LDC CODE UPDATE	
DATE:	January 27, 2025
LDC SECTION:	Section 4.2.30 Government Use (G-U) Classification
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Section 4.2.30 of the Land Development Code outlines uses permitted and permissible by Special Use Permit within the Government Use (G-U) zoning category. Currently, the G-U zoning category does not provide for any uses as permissible by right and all uses must obtain a Special Use Permit. The text changes identify uses that are recommended to be permitted by right within the G-U zoning category, based on the premise that the proposed allowable uses are generally not impactful to surrounding properties, and that they are allowed by right in other zoning categories.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.2.30 Government Use (G-U) address the following issues.</p> <ol style="list-style-type: none"> 1. Add a Permitted Use subsection to the G-U zoning category and revise letter subsection sequencing accordingly. 2. Move the following list of uses from the Special Uses (requiring permit) subsection to the newly created Permitted Use subsection of the G-U zoning category: <ol style="list-style-type: none"> a. Fire Station b. Library c. Park and Recreation Areas up to ten acres d. Post Office e. Schools f. Sheriff's Substation g. Government Owned Auditorium up to 250 seats 3. Add the use "Government Administrative Use such as office buildings and similar uses" to the newly created Permitted Uses subsection. 4. Following adoption of these changes, the allowable uses for G-U in the zoning tables will need to be updated. <p>Attachments: Redline LDC Changes to Section 4.2.30 Government Use (G-U) Classification</p>	

Sec. 4.2.30. Government Use (G-U) classification.

A. ~~A.~~ Intent of Classification. The Governmental Use classification is intended to apply to those areas where the only activities conducted are those of the U. S. Government, State of Florida, and Marion County Board of Commissioners, Marion County School Board or incorporated communities in Marion County.

B. ~~B.~~ Permitted Use:

Fire station

Library

Park and recreation areas up to ten acres in size.

Post Office

Schools

Sheriff's Substation

Government owned assembly/auditorium/conference center up to 250 seats

Government Administrative Use such as office buildings and similar uses

C. ~~BC.~~ Special Uses (requiring permit):

Airport

Armory

Equipment yards

~~Fire station~~

~~Garbage transfer station.~~

Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state or federal regulations)

Government owned assembly/auditorium/conference center greater than 250 seats

Hospital (County owned)

Landfill, any type

Landfill, construction, and demolition

Park and recreation areas greater than ten acres in size.~~Park and recreation areas~~

Penal institution, jail

Post Office (US Postal Service owns land and building)

Schools

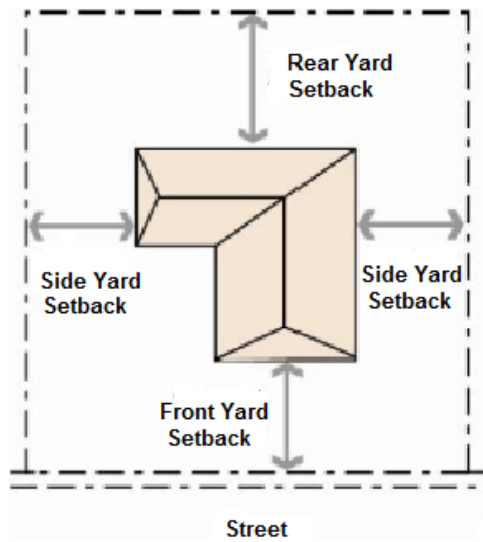
Sewage treatment plants with an inflow exceeding 5,000 gallons per day

~~Sheriff's Substation~~

Sprayfields or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law

Water wellfields

D. Development Standards:



Minimum Lot Area: None

Minimum Lot Width: None

Maximum Building Height: 50 feet

Maximum Floor Ratio: 1.0

E. Setbacks:

Minimum Front Setback: 40 feet

Minimum Rear Setback: 25 feet

Minimum Side Setback: 10 feet

F. Special Requirements

1. For items requiring a special use permit approval, applications shall be accompanied by
_____ Architectural renderings and conceptual plan for the proposed facilities.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

LDC CODE UPDATE	
DATE:	January 27, 2025
LDC SECTION:	Section 4.2.30 Government Use (G-U) Classification
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>Section 4.2.30 of the Land Development Code outlines uses permitted and permissible by Special Use Permit within the Government Use (G-U) zoning category. Currently, the G-U zoning category does not provide for any uses as permissible by right and all uses must obtain a Special Use Permit. The text changes identify uses that are recommended to be permitted by right within the G-U zoning category, based on the premise that the proposed allowable uses are generally not impactful to surrounding properties, and that they are allowed by right in other zoning categories.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.2.30 Government Use (G-U) address the following issues.</p> <ol style="list-style-type: none"> 1. Add a Permitted Use subsection to the G-U zoning category and revise letter subsection sequencing accordingly. 2. Move the following list of uses from the Special Uses (requiring permit) subsection to the newly created Permitted Use subsection of the G-U zoning category: <ol style="list-style-type: none"> a. Fire Station b. Library c. Park and Recreation Areas up to ten acres d. Post Office e. Schools f. Sheriff's Substation g. Government Owned Auditorium up to 250 seats 3. Add the use "Government Administrative Use such as office buildings and similar uses" to the newly created Permitted Uses subsection. 4. Following adoption of these changes, the allowable uses for G-U in the zoning tables will need to be updated. <p>Attachments: Redline LDC Changes to Section 4.2.30 Government Use (G-U) Classification</p>	

Sec. 4.2.30. Government Use (G-U) classification.

A. Intent of Classification. The Governmental Use classification is intended to apply to those areas where the only activities conducted are those of the U. S. Government, State of Florida, and Marion County Board of Commissioners, Marion County School Board or incorporated communities in Marion County.

B. Permitted Use:

Fire station

Library

Park and recreation areas up to ten acres in size

Post Office

Sheriff's Substation

Government owned assembly/auditorium/conference center up to 250 seats

Government Administrative Use such as office buildings and similar uses

C. C. Special Uses (requiring permit):

Airport

Armory

Equipment yards

Garbage transfer station

Gas meter facility and supply lines, high pressure (except where such permits are pre-empted by state or federal regulations)

Government owned assembly/auditorium/conference center greater than 250 seats

Hospital (County owned)

Landfill, any type

Landfill, construction, and demolition Park and recreation areas greater than ten acres in size

Penal institution, jail Post Office (US Postal Service owns land and building)

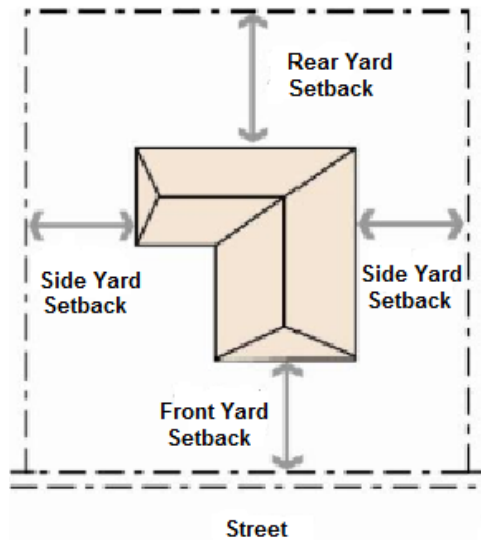
Schools

Sewage treatment plants with an inflow exceeding 5,000 gallons per day

Sprayfields or other type of effluent disposal area when application rate exceeds 5,000 gallons per day, if allowed by law

Water wellfields

D. Development Standards:



Minimum Lot Area: None

Minimum Lot Width: None

Maximum Building Height: 50 feet

Maximum Floor Ratio: 1.0

E. Setbacks:

Minimum Front Setback: 40 feet

Minimum Rear Setback: 25 feet

Minimum Side Setback: 10 feet

F. Special Requirements

1. For items requiring a special use permit approval, applications shall be accompanied by Architectural renderings and conceptual plan for the proposed facilities.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19020

Agenda Date: 5/7/2025

Agenda No.: 2.3.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 4.2.2 General Requirements for all Agricultural Classifications.

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 4.2.2 General Requirements for all Agricultural Classifications relating to solar facilities. Solar facilities are now allowed by right in agricultural zoning per Florida Statutes, this proposed amendment to the zoning code will provide development standards for solar facilities. The changes also propose removing aircraft hangars as an accessory use in approved fly in communities because the fly in communities is getting a separate section of code and this item will be regulated there.

LDC CODE UPDATE	
DATE:	January 30, 2025
LDC SECTION:	Section 4.2.2 General requirements for all agricultural classifications
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>During recent EAR workshops with the BOCC, it was noted that Solar Energy Facilities are allowable in all Agricultural zoning classifications per Florida State Statutes. As of January 2025, the Land Development Code of Marion County, FL, Sec. 4.2.2, General requirements for all agricultural classifications is absent of Solar Energy Facilities requirements. The Board requested that regulations be adopted that provide for buffering, setbacks, etc., which is allowable for the local jurisdictions to adopt. With the continued growth of such facilities throughout the region, the primary intent of the recommended text changes is to reflect current development standards.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.2.2.D General requirements for all agricultural classifications address the following issues.</p> <ol style="list-style-type: none"> 1. Add the Solar Energy Facilities development standards pursuant to F.S.S. 162.3205 to Sec 4.2.2D. The proposed standards are in line with projects completed by similar utility providers and comparable jurisdictions. 2. Remove the accessory use aircraft hangar height in Sec 4.2.2.D standard given more detailed Fly-in Communities regulation will soon be proposed. <p>Attachments: Redline LDC Changes to Section 4.2.2 General requirements for all agricultural classifications</p>	

Sec. 4.2.2. General requirements for all agricultural classifications.

- A. Contained in the following sections are the allowed land uses, building and lot standards (including minimum setbacks), other general requirements, and permitted uses specified for all agricultural zoning classifications.
- B. Where the setback requirements set forth herein preclude development of the parcel or tract; and where the parcel or tract could be developed in conformance with the zoning code in effect prior to the adoption of this Code; the prior requirements shall prevail.
- C. Special requirements for all agricultural zoning classifications:
- (1) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, chimneys and fireplaces may protrude two and one-half feet into a required setback
 - (2) No structure or building may be erected, placed upon or extend over any easement unless approved in writing by the person or entity holding said easement
 - (3) Outdoor ground and building lighting shall not cast direct light on adjacent properties.
 - (4) The sale, either retail or wholesale, of hay, either locally grown or imported from outside the State of Florida, is allowed as an accessory use on a working farm, as defined in CH 604.50 FS, where hay is already produced and sold. This provision is not permitted in the A-3 zoning classification.
 - (5) On A-1 zone parcels residential complexes for agricultural employees are allowed as an accessory use and may be clustered provided central water and sewage facilities are provided. Dwelling units may be conventional construction, or manufactured housing.
 - (6) On legal non-conforming lots or parcels of one acre or less in size or lots up to nine and nine-tenths acres in size, the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, beefalo and other large farm animals is as follows:
 - (a) The minimum square footage of contiguous open pasture area, not including the dwelling and the garage (either attached or detached) shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal.
 - (b) The total number of such animals that may be kept shall not exceed four per acre except offspring, which may be kept until weaned.
 - (7) Requirements of the Storage of Manure:
 - (a) Manure shall not be allowed to accumulate causing a nuisance or hazard to the health, welfare, or safety of humans or animals.
 - (b) The outside storage of manure in piles (two cubic yards or greater) shall not be permitted within 100 feet of any lot line and/or any residence.
 - (c) Compliance with Article 5 Springs Protection Zone standards.
- D. Permitted ~~Uses:~~

~~Accessory use aircraft hangars in approved fly-in communities shall be permitted and include a maximum height of 30 feet.~~

Beekeeping Operations

Pigeon lofts meeting the requirements of Sec. 4.3.20

Pot-bellied pigs as pets

Silos, not exceeding 100 feet in height

Commented [RB1]: This is a pretty short list for all allowable AG zoning uses. I think there is a table in the code that lists a lot of other uses? How does the County want to handle that?

Commented [RB2]: They should delete this because it is being addressed with the soon to be proposed Fly In Community regulations.

Single-family guest cottage/apartment Refer to Sec. 4.3.18

Yard sales (up to three per year)

Solar Energy Facilities pursuant to F.S.S 163.3205 with the following development standards:

- (1) A Type A buffer per Section 6.8.6 is required around the boundary of the project site.
- (2) All mechanical equipment, including solar panels and similar structures, shall be set back a minimum of 100 feet from all property boundaries.
- (3) The solar facility power inverters and similar equipment shall be oriented towards the interior of the site and away from adjacent properties and be set back a minimum of 300 feet from the property boundary.
- (4) All other development standards in Sec 4.2.4 shall also apply.

- E. Owners of properties located on waterbodies considered "non-ESQZ" waterbodies may elect to designate the yard fronting on the waterbody as the new front or rear yard of the property.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

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LDC CODE UPDATE	
DATE:	January 30, 2025
LDC SECTION:	Section 4.2.2 General requirements for all agricultural classifications
COMP PLAN REFERENCE:	N/A
DISCUSSION:	
<p>Background</p> <p>During recent EAR workshops with the BOCC, it was noted that Solar Energy Facilities are allowable in all Agricultural zoning classifications per Florida State Statutes. As of January 2025, the Land Development Code of Marion County, FL, Sec. 4.2.2, General requirements for all agricultural classifications is absent of Solar Energy Facilities requirements. The Board requested that regulations be adopted that provide for buffering, setbacks, etc., which is allowable for the local jurisdictions to adopt. With the continued growth of such facilities throughout the region, the primary intent of the recommended text changes is to reflect current development standards.</p> <p>Changes to the LDC Section</p> <p>Changes to the text of Section 4.2.2.D General requirements for all agricultural classifications address the following issues.</p> <ol style="list-style-type: none"> 1. Add the Solar Energy Facilities development standards pursuant to F.S.S. 162.3205 to Sec 4.2.2D. The proposed standards are in line with projects completed by similar utility providers and comparable jurisdictions. 2. Remove the accessory use aircraft hangar height in Sec 4.2.2.D standard given more detailed Fly-in Communities regulation will soon be proposed. <p>Attachments: Redline LDC Changes to Section 4.2.2 General requirements for all agricultural classifications</p>	

Sec. 4.2.2. General requirements for all agricultural classifications.

- A. Contained in the following sections are the allowed land uses, building and lot standards (including minimum setbacks), other general requirements, and permitted uses specified for all agricultural zoning classifications.
- B. Where the setback requirements set forth herein preclude development of the parcel or tract; and where the parcel or tract could be developed in conformance with the zoning code in effect prior to the adoption of this Code; the prior requirements shall prevail.
- C. Special requirements for all agricultural zoning classifications:
 - (1) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, chimneys and fireplaces may protrude two and one-half feet into a required setback
 - (2) No structure or building may be erected, placed upon or extend over any easement unless approved in writing by the person or entity holding said easement
 - (3) Outdoor ground and building lighting shall not cast direct light on adjacent properties.
 - (4) The sale, either retail or wholesale, of hay, either locally grown or imported from outside the State of Florida, is allowed as an accessory use on a working farm, as defined in CH 604.50 FS, where hay is already produced and sold. This provision is not permitted in the A-3 zoning classification.
 - (5) On A-1 zone parcels residential complexes for agricultural employees are allowed as an accessory use and may be clustered provided central water and sewage facilities are provided. Dwelling units may be conventional construction, or manufactured housing.
 - (6) On legal non-conforming lots or parcels of one acre or less in size or lots up to nine and nine-tenths acres in size, the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, beefalo and other large farm animals is as follows:
 - (a) The minimum square footage of contiguous open pasture area, not including the dwelling and the garage (either attached or detached) shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal.
 - (b) The total number of such animals that may be kept shall not exceed four per acre except offspring, which may be kept until weaned.
 - (7) Requirements of the Storage of Manure:
 - (a) Manure shall not be allowed to accumulate causing a nuisance or hazard to the health, welfare, or safety of humans or animals.
 - (b) The outside storage of manure in piles (two cubic yards or greater) shall not be permitted within 100 feet of any lot line and/or any residence.
 - (c) Compliance with Article 5 Springs Protection Zone standards.
- D. Permitted Uses:
 - Beekeeping Operations
 - Pigeon lofts meeting the requirements of Sec. 4.3.20
 - Pot-bellied pigs as pets
 - Silos, not exceeding 100 feet in height
 - Single-family guest cottage/apartment Refer to Sec. 4.3.18
 - Yard sales (up to three per year)

Solar Energy Facilities pursuant to F.S.S 163.3205 with the following development standards:

- (1) A Type A buffer per Section 6.8.6 is required around the boundary of the project site.
- (2) All mechanical equipment, including solar panels and similar structures, shall be set back a minimum of 100 feet from all property boundaries.
- (3) The solar facility power inverters and similar equipment shall be oriented towards the interior of the site and away from adjacent properties and be set back a minimum of 300 feet from the property boundary.
- (4) All other development standards in Sec 4.2.4 shall also apply.

E. Owners of properties located on waterbodies considered "non-ESQZ" waterbodies may elect to designate the yard fronting on the waterbody as the new front or rear yard of the property.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19021

Agenda Date: 5/7/2025

Agenda No.: 2.4.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 2.21.1 Applicability

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 2.21.1 Applicability - Amendments related to Stormwater and site plans for certain development.

Sec. 2.21.1. Applicability.

- A. A Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds:
- (1) Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.
 - (2) The combined driveway trip generation meets or exceeds 50 peak hour vehicle trips.
 - (3) A 24-inch diameter pipe, its equivalent, or larger is utilized to discharge stormwater runoff from the project area.
- B. Off-site improvements related to a Major Site Plan shall be submitted as a separate Improvement Plan application.
- C. Improvements which do not require a Major Site Plan but ~~do result in an increase in flooding of~~ adversely affect drainage, contribute to downstream flooding, adjacent property or increase the concentration of stormwater discharge onto adjacent property shall only be subject to stormwater compliance as follows:
- (1) Demonstrate to the Office of the County Engineer that proposed and existing development will not adversely affect public property and will not generate stormwater runoff in excess of pre-development runoff. Demonstration can be provided through sketches, pictures, site maps, etc. and can be confirmed through a scheduled and coordinated site visit. Stormwater controls can be provided through a combination of natural retention areas with excess capacity and/or constructed stormwater systems provided on the owner's property or within an easement.
 - (2) Provide erosion control. Temporary erosion control shall be provided as needed throughout construction and permanent erosion control shall be established prior to the project being considered successfully closed and completed by the County, including but not limited to the issuance of any Certificate of Occupancy associated with the property.
 - (3) Submit two copies of a finalized sketch which shows the existing improvements in the immediate vicinity, proposed improvements, stormwater controls and a statement that the owner understands and complies with required stormwater controls. Both copies shall bear the owner's original signature and date. Upon review and approval, one approved sketch shall be returned to the applicant.
- D. ~~Large Existing~~ parcels of property such as, ~~but not limited to, single-family residential lots,~~ farms, woodlands, commercial nurseries, or sod farms where existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet ~~shall not be subject to submittal of a complete Major Site Plan which are not otherwise exempt from the requirements of a Major Site Plan but instead~~ shall be subject to stormwater compliance as follows:
- (1) Demonstrate to the Office of the County Engineer that proposed and existing development will not adversely affect adjacent property and will not generate stormwater runoff in excess of pre-development runoff. Existing improvements may be excluded from excess stormwater runoff if the improvements were constructed prior to October 1, 2013 or discharge from the existing improvements is into a system designed to accept such discharges and there is no adverse impact downstream. Demonstration can be provided through sketches, pictures, site maps, etc. and can be confirmed through a scheduled and coordinated site visit. Stormwater controls can be provided through a combination of natural retention areas with excess capacity and/or constructed stormwater systems provided on the owner's property or within an easement.

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- (2) Provide erosion control. Temporary erosion control shall be provided as needed throughout construction and permanent erosion control shall be established prior to the project being considered successfully closed and completed by the County, including but not limited to the issuance of any Certificate of Occupancy associated with the property.
 - (3) Submit two copies of a finalized sketch which shows the existing improvements in the immediate vicinity, proposed improvements, stormwater controls and a statement that the owner understands and complies with required stormwater controls. Both copies shall bear the owner's original signature and date. Upon review and approval, one approved sketch shall be returned to the applicant.

E. Improvements related to single-family residential uses within developments previously subject to Major Site Plans or Improvement Plans approved by the County and constructed per the approved plan that meet all of the following conditions are exempt from the requirements of a Major Site Plan:

- (1) The existing and proposed impervious ground coverage does not exceed the amount of gross lot area coverage accounted for in the development's stormwater analysis or it can be demonstrated that the cumulative development impervious coverage does not exceed the amount accounted for in the stormwater analysis, excluding the amount assumed for any remaining undeveloped lots.
- (2) The existing and proposed impervious ground coverage does not exceed the amount of gross lot area coverage restricted by plat or covenant.
- (3) The development's stormwater analysis used the 25-year, 24-hour frequency duration design storm for open basins and 25-year and 100-year, 24-hour frequency duration design storms for closed basins.
- (4) The development's post-developed discharge rate and volume does not exceed the pre-developed conditions.
- (5) Acknowledgement and acceptance of additional stormwater runoff in excess of the percentage of gross lot area impervious ground coverage accounted by the development's stormwater analysis is provided by the recipient of said runoff.

EE. Improvements related to bona fide agricultural uses that meet all of the following conditions are exempt from the requirements of a Major Site Plan:

- (1) Are on a parcel greater than or equal to ten acres.
- (2) Are a minimum of 200 feet from all property lines.
- (3) If collectively all existing and proposed surfaces are less than three percent of the gross site area and do not exceed 30,000 square feet of impervious ground coverage.
- (4) Do not increase any offsite drainage.
- (5) Do not contribute offsite drainage to a County documented drainage problem.

FG. Exemptions or partial exemptions from a Major Site Plan do not make the applicant exempt from any other sections of this Code.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 2.21.1. Applicability.

- A. A Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds:
 - (1) Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.
 - (2) The combined driveway trip generation meets or exceeds 50 peak hour vehicle trips.
 - (3) A 24-inch diameter pipe, its equivalent, or larger is utilized to discharge stormwater runoff from the project area.
- B. Off-site improvements related to a Major Site Plan shall be submitted as a separate Improvement Plan application.
- C. Improvements which do not require a Major Site Plan but adversely affect drainage, contribute to downstream flooding, or increase the concentration of stormwater discharge onto adjacent property shall only be subject to stormwater compliance as follows:
 - (1) Demonstrate to the Office of the County Engineer that proposed and existing development will not adversely affect public property and will not generate stormwater runoff in excess of pre-development runoff. Demonstration can be provided through sketches, pictures, site maps, etc. and can be confirmed through a scheduled and coordinated site visit. Stormwater controls can be provided through a combination of natural retention areas with excess capacity and/or constructed stormwater systems provided on the owner's property or within an easement.
 - (2) Provide erosion control. Temporary erosion control shall be provided as needed throughout construction and permanent erosion control shall be established prior to the project being considered successfully closed and completed by the County, including but not limited to the issuance of any Certificate of Occupancy associated with the property.
 - (3) Submit two copies of a finalized sketch which shows the existing improvements in the immediate vicinity, proposed improvements, stormwater controls and a statement that the owner understands and complies with required stormwater controls. Both copies shall bear the owner's original signature and date. Upon review and approval, one approved sketch shall be returned to the applicant.
- D. Existing parcels of property such as single-family residential lots, farms, woodlands, commercial nurseries, or sod farms where existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet which are not otherwise exempt from the requirements of a Major Site Plan shall instead be subject to stormwater compliance as follows:
 - (1) Demonstrate to the Office of the County Engineer that proposed and existing development will not adversely affect adjacent property and will not generate stormwater runoff in excess of pre-development runoff. Existing improvements may be excluded from excess stormwater runoff if the improvements were constructed prior to October 1, 2013 or discharge from the existing improvements is into a system designed to accept such discharges and there is no adverse impact downstream. Demonstration can be provided through sketches, pictures, site maps, etc. and can be confirmed through a scheduled and coordinated site visit. Stormwater controls can be provided through a combination of natural retention areas with excess capacity and/or constructed stormwater systems provided on the owner's property or within an easement.
 - (2) Provide erosion control. Temporary erosion control shall be provided as needed throughout construction and permanent erosion control shall be established prior to the project being considered

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- successfully closed and completed by the County, including but not limited to the issuance of any Certificate of Occupancy associated with the property.
- (3) Submit two copies of a finalized sketch which shows the existing improvements in the immediate vicinity, proposed improvements, stormwater controls and a statement that the owner understands and complies with required stormwater controls. Both copies shall bear the owner's original signature and date. Upon review and approval, one approved sketch shall be returned to the applicant.
- E. Improvements related to single-family residential uses within developments previously subject to Major Site Plans or Improvement Plans approved by the County and constructed per the approved plan that meet all of the following conditions are exempt from the requirements of a Major Site Plan:
- (1) The existing and proposed impervious ground coverage does not exceed the amount of gross lot area coverage accounted for in the development's stormwater analysis or it can be demonstrated that the cumulative development impervious coverage does not exceed the amount accounted for in the stormwater analysis, excluding the amount assumed for any remaining undeveloped lots.
- (2) The existing and proposed impervious ground coverage does not exceed the amount of gross lot area coverage restricted by plat or covenant.
- (3) The development's stormwater analysis used the 25-year, 24-hour frequency duration design storm for open basins and 25-year and 100-year, 24-hour frequency duration design storms for closed basins.
- (4) The development's post-developed discharge rate and volume does not exceed the pre-developed conditions.
- (5) Acknowledgement and acceptance of additional stormwater runoff in excess of the percentage of gross lot area impervious ground coverage accounted by the development's stormwater analysis is provided by the recipient of said runoff.
- F. Improvements related to bona fide agricultural uses that meet all of the following conditions are exempt from the requirements of a Major Site Plan:
- (1) Are on a parcel greater than or equal to ten acres.
- (2) Are a minimum of 200 feet from all property lines.
- (3) If collectively all existing and proposed surfaces are less than three percent of the gross site area and do not exceed 30,000 square feet of impervious ground coverage.
- (4) Do not increase any offsite drainage.
- (5) Do not contribute offsite drainage to a County documented drainage problem.
- G. Exemptions or partial exemptions from a Major Site Plan do not make the applicant exempt from any other sections of this Code.

(Ord. No. 13-20, § 2, 7-11-2013)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19022

Agenda Date: 5/7/2025

Agenda No.: 2.5.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 6.13.4 Stormwater Quantity Criteria

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 6.13.4 Stormwater Quantity Criteria - Amendments related to Stormwater calculation and design.

Sec. 6.13.4. Stormwater quantity criteria.

- A. Methodologies, rainfall distribution and intensities shall be consistent with those approved by the governing water management district. Assumed parameters must be supported by conventional methods.
- B. Design storms shall consider open or closed basins as provided in Table 6.13-1.

Table 6.13-1 Design Storms and Discharge Conditions

Basin	Frequency Duration	Peak Discharge Rate	Discharge Volume
Open Basin without downstream retention storage	25-year 24-hour	Post ₂₅ less than or equal to Pre ₂₅	Post ₂₅ less than or equal to Pre ₂₅
Closed Basin or Open Basin with downstream retention storage	25-year 24-hour and 100-year 24-hour	Post ₂₅ less than or equal to Pre ₂₅ and Post ₁₀₀ less than or equal to Pre ₁₀₀	Post ₁₀₀ less than or equal to Pre ₁₀₀
Open or Closed Basin with downstream flooding*	25-year 24-hour and 100-year 24-hour	Post₂₅ less than or equal to Pre₂₅ and Post₁₀₀ at least 25 percent less than Pre₁₀₀	Post₁₀₀ at least 25 percent less than Pre₁₀₀

Commented [CJ1]: SWFWMD requires 100-year storm analysis when there is downstream retention

*Downstream flooding is that flooding ~~observed and which has been~~ validated by the County ~~Engineer or their designee through field observations, FEMA FIRMs, or County Flood Prone data.~~

- C. Discharge conditions
 - (1) All stormwater facilities shall be designed to limit discharges considering open or closed basins per Table 6.13-1.
 - (2) Discharges shall mimic the pre-development condition, match the pre-development location and not exceed the pre-development rate, except when discharging into a stormwater system designed to accept such discharges.
 - (3) The bypass or discharge of offsite runoff, shall be allowed when it mimics the pre-development condition, matches the pre-development location and does not exceed the pre-development rate, except when discharging into a stormwater system designed to accept such discharges.
 - (4) In ~~open or closed~~ basins with downstream flooding, existing improvements may be ~~included in the pre-development calculations excluded from the discharge volume reduction requirements~~ when all of the following apply:
 - (a) The existing improvements were constructed as part of a development with a permitted stormwater system or constructed prior to stormwater permitting requirements;
 - (b) Discharge from the existing improvements ~~are is~~ into a ~~private~~ system designed to accept such discharges ~~or a public system~~; and
 - (c) There is no adverse impact downstream including, but not limited to, flooding of structures or hindering of access.

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(Supp. No. 5)

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- (5) A discharge structure shall be required for all retention/detention areas not designed to retain the entire 100-year 24-hour post-development design storm.
 - (6) Discharge structures shall include a skimmer at a minimum. Design elements such as baffles or other mechanisms suitable for preventing oils, greases, and floating pollutants from discharging out of the facility shall be considered. When discharging from a natural facility, a skimmer may not be required upon approval from the County Engineer or his designee. When a grassed weir is used it shall be constructed with a hard core center or geoweb.

D. Recovery.

- (1) All retention/detention areas shall recover the total volume required to meet the discharge volume limitations within 14 days following the design rainfall event.
- (2) For retention/detention areas not able to recover the total required volume within 14 days, the stormwater facility volume shall be increased to retain an additional volume of the post minus pre difference in runoff for the 25-year 24-hour design storm when in an open basin without downstream retention storage or flooding or for the post minus pre difference in runoff for the 100-year 24-hour design storm when in a closed basin or open basin with downstream retention storage or flooding. The control elevation for retaining this volume shall be no greater than the top of constructed stormwater facility or the easement limits of a natural facility. Credit for the recovered volume through the 14-day duration may be considered to meet this requirement.

E. Infiltration or percolation can be considered when establishing the design high and discharge elevation.

F. Other design criteria may be used if approved by the County Engineer or his designee.

(Ord. No. 13-20, § 2, 7-11-2013)

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(Supp. No. 5)

Sec. 6.13.4. Stormwater quantity criteria.

- A. Methodologies, rainfall distribution and intensities shall be consistent with those approved by the governing water management district. Assumed parameters must be supported by conventional methods.
- B. Design storms shall consider open or closed basins as provided in Table 6.13-1.

Table 6.13-1 Design Storms and Discharge Conditions

Basin	Frequency Duration	Peak Discharge Rate	Discharge Volume
Open Basin without downstream retention storage	25-year 24-hour	Post ₂₅ less than or equal to Pre ₂₅	Post ₂₅ less than or equal to Pre ₂₅
Closed Basin or Open Basin with downstream retention storage	25-year 24-hour and 100-year 24-hour	Post ₂₅ less than or equal to Pre ₂₅ and Post ₁₀₀ less than or equal to Pre ₁₀₀	Post ₁₀₀ less than or equal to Pre ₁₀₀
Open or Closed Basin with downstream flooding*	25-year 24-hour and 100-year 24-hour	Post ₂₅ less than or equal to Pre ₂₅ and Post ₁₀₀ at least 25 percent less than Pre ₁₀₀	Post ₁₀₀ at least 25 percent less than Pre ₁₀₀

*Downstream flooding is that flooding which has been validated by the County Engineer or their designee through field observations, FEMA FIRMs, or County Flood Prone data.

- C. Discharge conditions
 - (1) All stormwater facilities shall be designed to limit discharges considering open or closed basins per Table 6.13-1.
 - (2) Discharges shall mimic the pre-development condition, match the pre-development location and not exceed the pre-development rate, except when discharging into a stormwater system designed to accept such discharges.
 - (3) The bypass or discharge of offsite runoff, shall be allowed when it mimics the pre-development condition, matches the pre-development location and does not exceed the pre-development rate, except when discharging into a stormwater system designed to accept such discharges.
 - (4) In open or closed basins with downstream flooding, existing improvements may be excluded from the discharge volume reduction requirements when all of the following apply:
 - (a) The existing improvements were constructed as part of a development with a permitted stormwater system or constructed prior to stormwater permitting requirements;
 - (b) Discharge from the existing improvements is into a system designed to accept such discharges; and
 - (c) There is no adverse impact downstream including, but not limited to, flooding of structures or hindering of access.
 - (5) A discharge structure shall be required for all retention/detention areas not designed to retain the entire 100-year 24-hour post-development design storm.

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- (6) Discharge structures shall include a skimmer at a minimum. Design elements such as baffles or other mechanisms suitable for preventing oils, greases, and floating pollutants from discharging out of the facility shall be considered. When discharging from a natural facility, a skimmer may not be required upon approval from the County Engineer or his designee. When a grassed weir is used it shall be constructed with a hard core center or geoweb.

D. Recovery.

- (1) All retention/detention areas shall recover the total volume required to meet the discharge volume limitations within 14 days following the design rainfall event.
- (2) For retention/detention areas not able to recover the total required volume within 14 days, the stormwater facility volume shall be increased to retain an additional volume of the post minus pre difference in runoff for the 25-year 24-hour design storm when in an open basin without downstream retention storage or flooding or for the post minus pre difference in runoff for the 100-year 24-hour design storm when in a closed basin or open basin with downstream retention storage or flooding. The control elevation for retaining this volume shall be no greater than the top of constructed stormwater facility or the easement limits of a natural facility. Credit for the recovered volume through the 14-day duration may be considered to meet this requirement.

E. Infiltration or percolation can be considered when establishing the design high and discharge elevation.

F. Other design criteria may be used if approved by the County Engineer or his designee.

(Ord. No. 13-20, § 2, 7-11-2013)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19023

Agenda Date: 5/7/2025

Agenda No.: 2.6.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 6.13.5 Watershed storage volume and conveyance protection

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 6.13.5 Watershed storage volume and conveyance protection - Amendments related to Stormwater

Sec. 6.13.5. ~~Flood plain~~Watershed storage volume and conveyance protection.

A. This section provides requirements for all land use activities, including single family residences, which materially change the location, elevation, size, capacity, or hydraulic characteristics of the ~~existing effective one percent (100-year) Special Flood Hazard Area (SFHA)~~, also commonly referred to as the ~~100-year Flood Plain~~, as identified by the Federal Emergency Management Agency (FEMA) and flood prone areas as identified by County watershed management plans. Flood prone area data shall be viewable on the County GIS mapping portal.

The intent is to ensure that equivalent flood plain and flood prone area volume and conveyance is maintained. This section also supplements Division 5.3 Flood-Plain ~~Overlay Management Zone~~.

B. Land use activities which materially change the flood plain or flood prone areas.

(1) Land use activities that meet the thresholds for a stormwater analysis, such as Major Site Plans, Improvement Plans, or developments that increase flooding on adjacent property, may be permitted ~~when~~ shall be required to provide calculations performed by a licensed professional ~~are provided~~ demonstrating favorable hydraulic characteristics are provided that do not increase flooding ~~that~~ or compensating storage or other hydraulic characteristics are provided on the owner's property or within an easement. ~~Compensating storage shall be equivalently provided between the base flood elevation and the seasonal high ground water level or surface water level.~~ The calculations shall be reviewed and approved by the County Engineer or ~~his~~ their designee. ~~Small or isolated flood prone areas contained to a single parcel may be determined by the County Engineer or their designee to be of de minimus impact and waived of the requirements of this section. In addition to all other requirements set forth in Division 13 Stormwater Management, plans and calculations shall include the following information when compensating storage is required:~~

1. Plan Eextents of proposed fill and excavation;
2. Volume of proposed fill and excavation;
3. Volume calculations supporting one-for-one compensating storage; and
4. Cross sections or typical sections through the extents of the proposed fill and excavation with existing and finished site elevations.

~~C.~~ (2) Land use activities that do not meet the thresholds for a stormwater analysis, such as single-family residential building permits, minor site plans, or other development waived from such requirements, shall minimally be required to demonstrate one-for-one compensating storage, to be reviewed and approved by the County Engineer or ~~his~~ their designee. ~~Compensating storage shall be equivalently provided between the base flood elevation and the seasonal high groundwater or surface water level as estimated by the United States Department of Agriculture (USDA) Natural Resources Soil Conservation Service (NRCS) soil survey data or as evidenced on site by watermarks, sediment deposition, aquatic vegetation, seepage or other indicators, such as restrictive soil layering or as determined groundwater encountered in by geotechnical data such as soil borings.~~

~~D.~~ C. When proposed improvements associated with mass grading plans, major site plans or improvement plans ~~encroach into~~ create buildable areas in a ~~flood hazard zone~~ FEMA SFHA, it shall be ~~necessary for the applicant's responsibility~~ to file a ~~Letter of map-Map amendment-Amendment (LOMA), or Letter of Map revision~~ Revision (LOMR), or Letter of Map Revision based on Fill (LOMR-F) with FEMA as applicable. ~~If a Conditional Letter of Map Revision (CLOMR) is obtained for a development, the applicant must request a revision to the Flood Insurance Rate Map (FIRM) to reflect the constructed project, which includes as-built certification and all other data supporting the map revision as required by FEMA. The applicant shall provide the County with the necessary GIS data required to update the county flood prone map.~~

Commented [CJ1]: Changed title of section so that may apply to flood prone areas instead if only flood plain.

Commented [CJ2]: Stormwater modeling that shows no increase in flooding can satisfy this section's requirements in lieu of compensating storage.

Commented [CJ3]: Mirrors water management district language.

Commented [CJ4]: Small areas unlikely to impact outside parcels may be waived of requirements of this section.

Commented [CJ5]: We have run into situations where property owners are creating compensating storage below groundwater elevation which is causing them to fill with water and not be able to provide flood plain storage.

Commented [CJ6]: Map amendments and revisions only necessary if buildable areas are going to be located in flood plain.

Commented [CJ7]: Changed wording to be consistent with FEMA terminology.

(Ord. No. 13-20, § 2, 7-11-2013)

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(Supp. No. 5)

Sec. 6.13.5. Watershed storage volume and conveyance protection.

- A. This section provides requirements for all land use activities, including single family residences, which materially change the location, elevation, size, capacity, or hydraulic characteristics of the effective Special Flood Hazard Area (SFHA), also commonly referred to as the 100-year Flood Plain, as identified by the Federal Emergency Management Agency (FEMA) and flood prone areas as identified by County watershed management plans. Flood prone area data shall be viewable on the County GIS mapping portal.

The intent is to ensure that equivalent flood plain and flood prone area volume and conveyance is maintained. This section also supplements Division 5.3 FloodPlain Management.

- B. Land use activities which materially change the flood plain or flood prone areas.

- (1) Land use activities that meet the thresholds for a stormwater analysis, such as Major Site Plans, Improvement Plans, or developments that increase flooding on adjacent property, shall be required to provide calculations performed by a licensed professional demonstrating favorable hydraulic characteristics are provided that do not increase flooding or compensating storage is provided on the owner's property or within an easement. Compensating storage shall be equivalently provided between the base flood elevation and the seasonal high ground water level or surface water level. The calculations shall be reviewed and approved by the County Engineer or their designee. Small or isolated flood prone areas contained to a single parcel may be determined by the County Engineer or their designee to be of de minimus impact and waived of the requirements of this section. In addition to all other requirements set forth in Division 13 Stormwater Management, plans and calculations shall include the following information when compensating storage is required:

1. Plan extents of proposed fill and excavation;
2. Volume of proposed fill and excavation;
3. Volume calculations supporting one-for-one compensating storage; and
4. Cross sections or typical sections through the extents of the proposed fill and excavation with existing and finished site elevations.

- (2) Land use activities that do not meet the thresholds for a stormwater analysis, such as single-family residential building permits, minor site plans, or other development waived from such requirements, shall minimally be required to demonstrate one-for-one compensating storage, to be reviewed and approved by the County Engineer or their designee. Compensating storage shall be equivalently provided between the base flood elevation and the seasonal high groundwater or surface water level as estimated by the United States Department of Agriculture (USDA) Natural Resources Soil Conservation Service (NRCS) soil survey data or as evidenced on site by watermarks, sediment deposition, aquatic vegetation, seepage or other indicators, such as restrictive soil layering or as determined by geotechnical data such as soil borings.

- C. When proposed improvements associated with mass grading plans, major site plans or improvement plans create buildable areas in a FEMA SFHA, it shall be the applicant's responsibility to file a Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), or Letter of Map Revision based on Fill (LOMR-F) with FEMA as applicable. If a Conditional Letter of Map Revision (CLOMR) is obtained for a development, the applicant must request a revision to the Flood Insurance Rate Map (FIRM) to reflect the constructed project, which includes as-built certification and all other data supporting the map revision as required by FEMA. The applicant shall provide the County with the necessary GIS data required to update the county flood prone map.

(Ord. No. 13-20, § 2, 7-11-2013)



Marion County

Land Development Regulation Commission

Agenda Item

File No.: 2025-19024

Agenda Date: 5/7/2025

Agenda No.: 2.7.

SUBJECT:

Discussion for Proposed Marion County Land Development Code (LDC) Amendments to Review and Update Section 6.13.9 Grading Criteria

DESCRIPTION/BACKGROUND:

Staff has attached the proposed language to update LDC Section 6.13.9 Grading Criteria - Amendments related to grading criteria.

Sec. 6.13.9. Grading criteria.

- A. Parcels and lots with a County approved individual lot grading plan or part of a multi-lot grading plan. The intent is to demonstrate that sufficient grading shall be designed is provided to allow surface water runoff and controlled discharge to be drained to the retention/detention approved drainage areas without causing adverse affects effects on to adjacent property. Each parcel or lot shall have a direct connection to the stormwater system; unless the applicant can clearly demonstrate that there are not adverse impacts to adjacent property. In subdivisions, each lot shall have grading designed to be independent of any other lot unless provisions are made for multi-lot grading at initial phase of development, and/or easements for grading purposes are established. All downstream grading must be at a level of completion to support upstream development prior to or simultaneously with the upstream development. Grading can shall be demonstrated by the use of flow arrows, spot grades, and other iteration callouts, details, and typical grading depictions, or any combination thereof.
- B. Parcels and lots without a County approved lot grading plan. The intent is to demonstrate that sufficient grading is provided to establish stable slopes and to allow surface water runoff and controlled discharge to be drained without causing adverse effects to adjacent property. Grading shall be demonstrated by the use of flow arrows, spot grades, and other iteration callouts, details, and typical grading depictions, or any combination thereof. Parcels and lots less than 75 feet in width must comply with the following additional grading criteria as confirmed by a Florida licensed professional surveyor:
1. Fill shall be limited to the under-roof area of the lot's primary structure and access driveway footprint;
 2. The finished floor elevation of the structure shall not exceed 32 inches above lowest existing adjacent lot line elevation unless vertical walls such as stem walls or retaining walls are used to tie into existing grade. Fill shall be allowed for a taper out from the slab to existing grade;
 3. The driveway longitudinal slope shall be no greater than 20% grade and shall not exceed 10% for a distance of 10 feet from the edge of roadway or shoulder unless a 9-foot minimum vertical curve is provided;
 4. There shall be no net change to the average elevation of the existing grade of the lot outside of the under-roof area of the lot's primary structure or access driveway footprint and respective taper. A change in grade of up to 6 inches is permitted provided that an equal volume is removed; and
 5. Fill shall not encroach into the required side or rear lot setbacks except for the taper out from the slab or access driveway to existing grade provided that an equal volume is removed and a swale is formed capable of directing surface water runoff without causing adverse effects to adjacent property.
- B.C. Buildings. All buildings shall have a minimum finished floor elevation 8 inches above finish grade and graded away from the building for stormwater runoff. Exception: porches, patios, carports, garages, screen rooms may be 4 inches above finish grade. In no case shall finished floor elevations shall be specified below a minimum of one foot above the one-percent (100-year) FEMA flood plain Base Flood Elevation (BFE) plus one foot unless revised or altered by a Letter of Map Amendment or Letter of Map Revision. If no FEMA BFE data is available or the subject property lies within a County determined Flood Prone Area, finished floor elevations shall be specified a minimum of one foot above the County determined BFE unless other BFE data is available from a supplemental flood study.
- E.D. Driveways. In the case where roadside swales are the drainage conveyance system, driveway design information shall be included on the plans minimally addressing culvert size, invert elevation, and direction of slope of culvert or the placement of ditch block for each at every specific lot. If design is not to be lot-specific, design shall be based on worst-case scenario. As-built driveway culvert information confirming the culvert size and invert elevations shall be submitted to the County by a Florida licensed professional surveyor.
- D.E. Affidavit. At time of building application, applicant shall provide an affidavit that the impervious area, lot grading plan, minimum finished floor elevation, and stormwater system complies with the development plan

Commented [CJ1]: Lot development in existing developments that were created prior to the modern LDC may not be able to meet the requirements in paragraph A. The focus should remain on not causing adverse impacts to neighboring property rather than retaining runoff increases on site. It is not usually feasible to retain on-site on small lots with well and septic. A lot grading plan would be accepted in lieu of the below requirements.

Commented [CJ2]: Revised to 75' to be consistent with the minimum width of non-confirming Residential lots in Sec. 4.1.4.

Commented [CJ3]: Private industry seemed to concur with 24" pad grading + 8" slab being a good cutoff point. They also highly recommended requiring provided FFE and spot elevations for all permits. This is required in some neighboring counties.

on file with the County. If no development plan is on file, applicant shall provide an affidavit that all drainage ~~is held on-site or directly tied to a recognized drainage system~~ does not cause adverse impacts to adjacent property. If located within a FEMA SFHA or County Flood Prone Area, the affidavit must also indicate that the grading plan complies with the requirements of Sec. 6.13.5. - Watershed storage volume and conveyance. The applicant shall provide a sketch with the building application indicating the drainage intent.

- EE.** Construction. All stormwater runoff ~~increase~~ increases during construction and following ~~must shall~~ be kept on-site or directed to swales, ditches, or piping to approved drainage areas with adequate capacity.

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- C. Buildings. All buildings shall have a minimum finished floor elevation 8 inches above finish grade and graded away from the building for stormwater runoff. Exception: porches, patios, carports, garages, screen rooms may be 4 inches above finish grade. Finished floor elevations shall be specified a minimum of one foot above the FEMA Base Flood Elevation (BFE) unless revised or altered by a Letter of Map Amendment or Letter of Map Revision. If no FEMA BFE data is available or the subject property lies within a County determined Flood Prone Area, finished floor elevations shall be specified a minimum of one foot above the County determined BFE unless other BFE data is available from a supplemental flood study.
- D. Driveways. In the case where roadside swales are the drainage conveyance system, driveway design information shall be included on the plans minimally addressing culvert size, invert elevation, and direction of slope of culvert or the placement of ditch block for each at every specific lot. If design is not to be lot-specific, design shall be based on worst-case scenario. As-built driveway culvert information confirming the culvert size and invert elevations shall be submitted to the County by a Florida licensed professional surveyor.
- E. Affidavit. At time of building application, applicant shall provide an affidavit that the impervious area, lot grading plan, minimum finished floor elevation, and stormwater system complies with the development plan on file with the County. If no development plan is on file, applicant shall provide an affidavit that all drainage does not cause adverse impacts to adjacent property. If located within a FEMA SFHA or County Flood Prone

Area, the affidavit must also indicate that the grading plan complies with the requirements of Sec. 6.13.5. - Watershed storage volume and conveyance. The applicant shall provide a sketch with the building application indicating the drainage intent.

- F. Construction. All stormwater runoff increases during construction and following shall be kept on-site or directed to swales, ditches, or piping to approved drainage areas with adequate capacity.

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