



GREGORY C. HARRELL
CLERK OF COURT AND COMPTROLLER - MARION COUNTY, FLORIDA

CLERK OF COURT
RECORDER OF OFFICIAL RECORDS
CLERK AND ACCOUNTANT OF THE BOARD OF COUNTY COMMISSIONERS
CUSTODIAN OF COUNTY FUNDS AND COUNTY AUDITOR

POST OFFICE BOX 1030
OCALA, FLORIDA 34478-1030
TELEPHONE (352) 671-5604
WWW.MARIONCOUNTYCLERK.ORG

TO: Marion County Board of County Commissioners
FROM: Gregory C. Harrell, Clerk of Circuit Court and Comptroller
DATE: June 4, 2026
RE: Ordinance 26-20, 26-21 and 26-22

The 2013 Legislature passed legislation that changed the manner by which County Ordinances were to be filed with the Florida Department of State and the manner in which the Department would acknowledge that filing. "An Act relating to paper reduction", Chapter 2013-192, amended Section 125.66, Florida Statutes, to require the Clerks of the Board of County Commissioners to file Ordinances and Amendments, as well as Emergency Ordinances, by e-mail to the Department. In turn, the Department would acknowledge receipt of such documents by return e-mail.

Attached, please find e-mail correspondence from the Clerk's Office to the Department and their acknowledgement related to the above Ordinance(s).

GCH/smm



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 28, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-20, which was filed in this office on May 28, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

Debra Lewter

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Thursday, May 28, 2026 10:02 AM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister
Subject: RE: MRN20260518_ORDINANCE_2026_20
Attachments: Marion20260528_Ordinance26_20_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-20.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6270

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, May 28, 2026 9:06 AM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>
Subject: MRN20260518_ORDINANCE_2026_20

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-20, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 09:06 AM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister
Subject: MRN20260518_ORDINANCE_2026_20
Attachments: MRN20260518_ORDINANCE_2026_20.pdf

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-20, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 03:20 PM
To: municodeords@civicplus.com
Subject: Marion County Ordinance 26-20
Attachments: 05-18-26 Ordinance 26-20.docx; 05-18-26 Ordinance 26-20 Exhibit B.docx; 05-18-26 Ordinance 26-20 Exhibit A.docx

Good afternoon,

Attached is Ordinance 26-20, along with exhibits A & B, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise of any problems you may have opening the attached Word document.



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

ORDINANCE 26–20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 1, ADMINISTRATION, DIVISION 2, DEFINITIONS, SPECIFICALLY RELATED TO TREES; 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 March 11, 2026; 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 March 31, 2026, and April 22, 2026;

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, Administration, Division 2, Definitions, Specifically Related to Trees of the Marion County Land Development Code, Zoning, is hereby amended to reflect the attached revised language:

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 does 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.

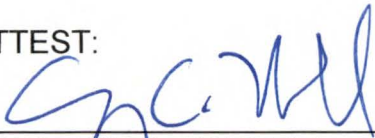
SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this 18th day of May, 2026.

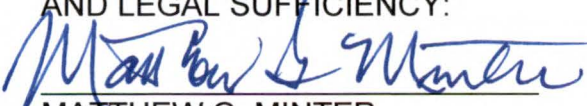
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



CARL ZALAK, III, CHAIRMAN

ATTEST:


GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


MATTHEW G. MINTER
COUNTY ATTORNEY

RECEIVED NOTICE FROM SECRETARY OF
STATE ON MAY 28, 2026 ADVISING ORDINANCE
WAS FILED ON MAY 28, 2026.

1

DIVISION 2. DEFINITIONS

2 Unless otherwise expressly stated, for the purposes of this Code, the following terms shall have the meaning
3 indicated herein.

4 **20TREE, SHADE.** A deciduous or evergreen tree characterized by a broad, spreading branching habit and dense
5 foliage, specifically utilized to provide a high degree of shade by its canopy. These trees are typically "Large Tree"
6 species included on the list provided in Sec. 6.8.10 and provide significant shade over impervious surfaces, such as
7 parking lots, sidewalks, and streets.

DIVISION 2. DEFINITIONS

Unless otherwise expressly stated, for the purposes of this Code, the following terms shall have the meaning indicated herein.

TREE, SHADE. A deciduous or evergreen tree characterized by a broad, spreading branching habit and dense foliage, specifically utilized to provide a high degree of shade by its canopy. These trees are typically "Large Tree" species included on the list provided in Sec. 6.8.10 and provide significant shade over impervious surfaces, such as parking lots, sidewalks, and streets.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 28, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-21, which was filed in this office on May 28, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

Debra Lewter

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Thursday, May 28, 2026 10:02 AM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister
Subject: RE: MRN20260518_ORDINANCE_2026_21
Attachments: Marion20260528_Ordinance26_21_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-21.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6270

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, May 28, 2026 9:09 AM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>
Subject: MRN20260518_ORDINANCE_2026_21

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-21, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 09:09 AM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister
Subject: MRN20260518_ORDINANCE_2026_21
Attachments: MRN20260518_ORDINANCE_2026_21.pdf

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-21, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.

Sincerely,

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 03:21 PM
To: municodeords@civicplus.com
Subject: Marion County Ordinance 26-21
Attachments: 05-18-26 Ordinance 26-21.docx; 05-18-26 Ordinance 26-21 Exhibit B.docx; 05-18-26 Ordinance 26-21 Exhibit A.docx

Good afternoon,

Attached is Ordinance 26-21, along with exhibits A & B, which was adopted by the Marion County Board of County Commissioners on Monday, May 18, 2026.

Please advise of any problems you may have opening the attached Word document.



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

ORDINANCE 26 –21

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 6, TECHNICAL STANDARDS AND REQUIREMENTS, DIVISION 8, LANDSCAPING; 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 March 11, 2026; 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 March 31, 2026, and April 14, 2026;

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 6, Technical Standards and Requirements, Division 8, Landscaping of the Marion County Land Development Code, Zoning, is hereby amended to reflect the attached revised language:

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 does 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 18th day of May, 2026.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



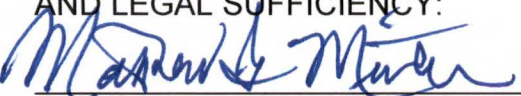
CARL ZALAK, III, CHAIRMAN

ATTEST:



GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MATTHEW G. MINTER
COUNTY ATTORNEY

RECEIVED NOTICE FROM SECRETARY OF STATE
ON MAY 28, 2026 ADVISING ORDINANCE WAS
FILED ON MAY 28, 2026.

DIVISION 8. LANDSCAPING

Sec. 6.8.1. Purpose and intent.

The purpose and intent of this division is to provide landscaping guidelines establishing minimum standards and criteria for the design, installation, and maintenance of landscaping which enhances the aesthetic appearance of Marion County, complimenting the natural and built environments, reducing noise and glare, improving air and water quality, providing shade and habitat, and buffering the aspects of development.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.2. Landscape plan requirements.

A landscape plan which indicates the following is required for all development except for individual single-family homes and duplexes:

- A. All existing landscaping, indigenous open space, and natural features;
- B. Locations of existing protected trees, labeled and with sizes provided, groups of trees, landscaping and other vegetation to be preserved;
- C. Vegetation and tree protection barricades;
- D. All replacement trees as required per Section 6.7.8;
- E. All proposed landscape areas, labeled and with sizes of each landscape area provided;
- F. Construction details as applicable, including but not limited to:
 - (1) Tree protection;
 - (2) Tree, palm, and shrub installation;
 - (3) Details for specialized installations;
 - (4) Elevation drawings of walls proposed for buffers and/or screening; and
 - (5) Cross section of proposed walls/berms/combination for buffers.
- G. Plant schedule:
 - (1) A key matching the plants being specified (may be plant symbols or written)
 - (2) Quantities of plants being specified
 - (3) Common plant names
 - (4) Scientific plant names
 - (5) Plant specifications including height, spread, and spacing
 - (6) Native status
- H. Calculations for required landscaping:
 - (1) Tree preservation and replacement

- 1 (2) Shade tree requirements
- 2 (3) Buffers
- 3 (4) Parking areas
- 4 (5) Vehicle use areas
- 5 ~~H.~~ Proposed street and/or parking lot light pole locations.
- 6 ~~J.~~ All proposed sign locations, including advertisement and internal vehicular control signs.
- 7 ~~K.~~ Notes including installation instructions and special requirements related to contractor licensing, utility
- 8 locating, tree protection, maintenance, fertilizer use, and watering.
- 9 ~~J.~~ Notes. Tree barricade locations and details as well as notes regarding tree protection and
- 10 inspections as outlined in Section 6.7.3 and 6.7.12 and shall also be provided on the site and
- 11 grading landscape plan sheets.
- 12 (Ord. No. 13-20, § 2, 7-11-2013)

13 **Sec. 6.8.3. Landscape design standards.**

- 14 A. All new landscapes in Marion County shall be designed to protect the County's unique natural resources by
- 15 conserving water, protecting the quality of groundwater, reducing waste and pollution, creating wildlife
- 16 habitat, and preventing erosion by implementation of Florida-Friendly Landscaping (FFL) by UF/IFAS and FDEP,
- 17 including but not limited to:
 - 18 (1) Right plant, right place;
 - 19 (2) Water efficiently;
 - 20 (3) Fertilize appropriately;
 - 21 (4) Mulch;
 - 22 (5) Attract wildlife;
 - 23 (6) Manage yard pests responsibly;
 - 24 (7) Recycle yard waste;
 - 25 (8) Reduce stormwater runoff; and
 - 26 (9) Protect the waterfront.
- 27 ~~B.~~ All plant species listed as "Prohibited" in the UF/IFAS Assessment of Non-native Plants (Central Zone) shall be
- 28 removed from proposed development sites. Plant species listed as "Invasive - Not Recommended" shall be
- 29 removed from all proposed development sites outside of the Urban Growth Boundary (UGB); they may remain
- 30 within the UGB with authorization from the County Landscape Architect.
- 31 ~~C.B.~~ Prohibited Plants. Prohibited vegetation based on the following sources:
 - 32 (1) Florida Exotic Pest Plant Invasive Species Council Category I & II List of Invasive Plant Species,
 - 33 (2) Prohibited Aquatic Plants per F.A.C. 5B-64.011, and
 - 34 (3) Center for Aquatic and Invasive Plants, University of Florida, IFAS.
- 35 C. Removal and eradication of Prohibited Plant species shall be a condition of development approval. For areas
- 36 on-site not developed, a containment management plan is required for all Prohibited Plant Species.

1 D. Landscaping within rights-of-way shall require approval by the County Engineer or his designee.

2 ~~D.E.~~ Trees shall not be located in areas that will cause conflict with overhead or underground utilities. ~~Large~~Shade
3 trees shall not be located within 30 feet of ~~power~~overhead electric lines. Alternative design strategies may be
4 approved by the County's Landscape Architect or their designee when conflicts with existing utilities cannot
5 be avoided.

6 (Ord. No. 13-20, § 2, 7-11-2013)

7 **Sec. 6.8.4. Non-residential development.**

8 For non-residential development, at least 20 percent of the ~~land to be developed shall be~~
9 ~~landscaped~~development project area shall be landscape areas as defined below. The development project
10 area is defined as the outer extent perimeter of all disturbed areas of the project.

11 ~~A.~~—When a project area is less than the size of the overall parcel to be developed, the required landscape
12 area calculation may be reduced to apply to the project area as authorized by the County Landscape
13 Architect. All other requirements directed by the Board, DRC, or included in this division shall apply.

14 ~~B.A.~~ Landscape areas shall include:

- 15 (1) Buffers;
16 (2) Landscaping required for parking areas;
17 (3) ~~Building landscaping;~~Shade Trees and/or Replacement Trees;
18 (4) ~~Service~~Landscaped side slopes and equipment area screening.

19 ~~C.~~—Landscape areas may also include ~~planted~~Landscaped side slopes and/or landscaped sodded
20 bottoms of dry stormwater management areas with a depth of four feet or less, and the planted
21 littoral zones of wet stormwater management areas;

22 ~~D(5)~~ Building landscaping;

23 (6) Service and equipment area screening.

24 B. Credit towards the landscape area requirements may be allowed on a 1:1.25 basis for all or part of
25 preserved native habitat if the applicant demonstrates that it includes one or more of the following:

- 26 (1) ~~Tree~~Preserved existing trees or tree clusters including preserved native ~~vegetative communities~~
27 ~~are protected from development impact.~~vegetation under the tree ~~ir~~dripline.
28 (2) ~~Vegetative~~Preserved areas ~~with~~of existing native ~~understory flora are protected from~~
29 ~~development impact.~~vegetation.

30 (Ord. No. 13-20, § 2, 7-11-2013)

31 **Sec. 6.8.5. New residential developments.**

32 For new residential developments and mixed-use developments, landscape plans shall demonstrate the
33 following:

34 ~~A.~~—The landscape design standards in Section 6.8.3 shall be provided for any proposed landscaping in the
35 following areas:

- 36 (1) ~~Development entry areas.~~
37 (2) ~~Medians and/or boulevards.~~

~~(3) Community buildings.~~

~~(4) Recreation and common areas-A. Yard Tree Requirements.~~

~~(1) For all~~

~~B. New residential and mixed-use developments shall create Marion-Friendly Landscape Areas (MFLA) to minimize impacts to the quality and quantity of natural groundwater recharge.~~

~~(1) Non-residential components of mixed-use development shall adhere to the landscape requirements as in accordance with Section 6.8.4.~~

~~(2) MFLA shall not be located on residential lots.~~

~~(3) The MFLA requirements for the residential components are as follows:~~

~~(a) Within the Primary SPZ, 20 percent of the project area shall be MFLA.~~

~~(b) Outside of the Primary SPZ, 15 percent of the project area shall be MFLA.~~

~~(4) Water retention/detention areas that meet the stormwater quality criteria of Section 6.13.6 and land use buffers which use Marion-friendly landscaping qualify as MFLAs.~~

~~(5) The area limitations under Section 6.8.5 above may be reduced in accordance with a mitigation strategy approved by the County.~~

~~C. The developer shall inform future owners within residential developments that all permit applications for construction shall include a landscape plan which meets the requirements of this division.~~

~~D. New residential developments, or single-family and duplex new construction, each individual single-family or duplex lot shall contain two (2) Shade Trees. A minimum of One (1) Shade Tree shall be located in the front yard and one shall be located in the rear yard. One (1) tree shall be of a large tree species as listed in 6.8.10. Front yard trees shall be installed within the residential lot area between the road right of way and the residential structures. Yard trees may be deferred until the home construction.~~

~~(2) For multi-family or mixed-use developments where the residential structures are adjacent to parking areas instead of streets, the required trees for building landscaping, parking lot landscaping and screening shall serve in lieu of yard trees.~~

~~(23) All yard trees shall be Shade Trees. Front yard trees must be planted within a minimum of five (5) feet and a maximum of twenty (20) feet of the right-of-way line.~~

~~(343) Front yard trees may not be planted in the right-of-way or utility easements, or within fifteen (15) feet of any foundation.~~

~~B. In new single-family residential developments with more than 50 lots, the developer shall also promote the practices and principles of FFL as described in the 'Florida Yards and Neighborhoods-Friendly Landscaping Handbook for Home Landscapes', as amended. A program which promotes these principles shall be provided to the County as part of the development application materials, and incorporated into and made part of the restrictive covenants and shall include:~~

~~(1) Information about the applicable landscaping requirements under this division and under Division 6.8;~~

~~(2) Procedures for future owners to follow when implementing FFL on individual lots, and~~

~~(3) Water conservation and FFL educational materials to all new homeowners; and~~

~~(4) Information regarding landscape irrigation scheduling as stipulated in Section 6.9.9.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.6. Buffers.

A. It is the intent of this section to eliminate or reduce the negative impacts of the adjacent uses upon each other such that the long-term continuance of either use is not threatened by such impacts and the uses may be considered compatible.

B. Buffers shall provide a year-round screen, ~~meaning~~ with a maximum of 25% ~~no 100%~~ deciduous trees, and provide an aesthetic quality, especially along public rights-of-way, which enhance travel corridors and screen developed ~~unsightly~~ areas from public view.

C. ~~Plant~~ A diverse number of plant species shall be ~~mixed~~ incorporated into buffer plantings to provide ~~diversity~~ habitat and appeal.

D. Buffers may consist of landscaping, buffer walls, ~~fencing~~, berms, or combinations thereof which work cohesively to achieve the intent of buffering.

~~E. Every development, E. If no buffering exists on the adjoining property, or if the existing buffer fails to meet the requirements of this section, buffering shall be required with the exception of the construction of an individual single-family residence or duplexes on an individual parcel of record, shall provide sufficient buffering when topographical or other barriers do not provide reasonable screening.~~

~~F. In order to utilize a F. If buffers are required, the length shall be measured along each property line, and shall exclude driveways and other access points.~~

~~No buildings, structures (other than buffer walls or buffer fences), storage of materials, or parking shall be permitted within on an adjoining property to meet the regulations, the buffer area.~~

~~Buffers shall not be located on any portion of an existing or dedicated right-of-way.~~

~~Arrangement of plantings in buffers shall provide maximum protection to adjacent properties, avoid damage to existing trees and plant material, and take mature growing sizes into consideration regarding shade, root damage, and interference with nearby utilities.~~

~~Required buffer types between land uses:~~

~~(1) Specialized Commerce Districts include a mix of both commercial and industrial land uses, therefore, buffer requirements shall apply only to lots on the perimeter of the district.~~

~~(2) Buffer installation and maintenance shall be provided concurrently with the adjoining property must have been required by a development of the more intense land use, with the following deviations: order issued by Marion County or a municipality in Marion County.~~

~~(a)(2) If a buffer exists on the adjoining property that meets the requirements of this section, no additional buffering shall be required.~~

~~(3) Commercial properties within a master planned commercial center, or mixed-use PUD may utilize the buffer installed on adjacent parcels within the same development if such buffers were required by a development order issued by Marion County.~~

~~(4) Commercial properties within a master planned commercial center if an adjacent commercial parcel is vacant, only fifty (50) percent of the buffer width and plants shall be required for the commercial parcel being developed. The adjacent vacant commercial parcel shall install the remaining fifty (50) percent of the buffer when it is developed.~~

~~(5) When a new but less intense land use is developed adjoining a pre-existing developed site with a higher intensity use that does not provide a buffer consistent with this code, the new use is subject to providing the required land use buffer.~~

~~(b) When a new but less intense land use is responsible for providing the required land use buffer. In this case, the developer may reduce the required buffer by one buffer type with acknowledgement of the buffer reduction clearly noted on the development plan.~~

~~(c) The 4) Regardless of type of land use adjoining it, the development of an individual single family residence or duplex is exempt from providing the required buffer buffers.~~

~~(351)~~ In interpreting and applying the provisions of buffers, development is classified into categories shown in Table 6.8-1. and as based on the project's proposed use(s).

~~(462)~~ Table 6.8-2 provides the type of buffer required between a proposed use and an existing use, or in the absence of an existing use.

F. If buffers are required, the length shall be measured along each property line and shall exclude driveways and other access points and easements.

G. No buildings, structures (other than lighting, signs, buffer walls, decorative hardscape, or fences), storage of materials, or parking shall be permitted within the buffer area. Pedestrian trails, sidewalks, etc. are permitted in buffers when integrated into the design of the buffer areas.

H. Buffers shall not be located on any portion of an existing or dedicated right-of-way, or on individual single-family residential or duplex parcels.

I. Arrangement of plantings in buffers shall: ~~(Landscape to be given priority in buffers.)~~

(1) Provide maximum screening to adjacent properties.

(2) Avoid damage to existing trees and plant material both within the development and in those areas outside of but directly adjacent to the project development.

(3) Account for mature growing sizes of preserved existing and proposed trees regarding shade, root damage, and interference with nearby utilities and signage.

(4) Offer interesting layouts ~~with a meandering, organic layout~~ where appropriate and a variety of textures and colors.

~~Table 6.8-1 Buffer Type Requirements~~

AG	Agriculture, Rural Lands, Natural Reservation
SFR	Single family, duplex residential
MF	Multi-family residential
COM	Commercial, RV parks, Commercial Recreation
IND	Industrial uses
PUB	Public Use (including Government, Institutional, and related Professional Offices)
ROW	Arterial or Collector Right of Way or Road Easement

~~Table 6.8-2 Land Use Categories for Buffers~~

R#	EP	Permitted or Existing Use						
		AG	SFR	MF	COM	IND	PUB	ROW
	AG	-	-	-	-	-	-	-
	SFR	E	-	C	A	B	C	C
	MF	E	A	-	A	B	C	C
	COM	D	B	B	-	B	C	C
	IND	B	B	B	B	-	B	D
	PUB	E	B	C	C	C	-	C

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K. Description of buffer classifications. The content and composition of each buffer type is described in the following items. ~~The design professional~~ Landscaping Plans for required buffers shall be prepared by a Registered Landscape Architect, who shall use these requirements to design buffers that are thoughtfully designed and enhance the perimeter of the development site. Visual screening shall be achieved through the use of proper plant material, arrangement, and layering. The plant quantities and parameters in the buffer type descriptions may be used to develop a total quantity of plants for the entire buffer length and then utilized to achieve an appealing, comprehensive landscape design. Desirable buffers are creatively designed, minimize the implementation of evenly spaced trees or a cookie-cutter appearance, and consider the specific character and topography of the proposed development.

Required landscaping as per below shall meet Section 6.8.10 General Planting Requirements.

- (1) ~~A Type~~ All landscaping required as part of a buffer shall consist of a 30-foot wide landscape strip without a be installed on the public view side of any buffer wall. ~~The buffer shall contain at least three shade trees and five accent/ornamental trees for every 100 lineal~~, if a wall is required. Plant selection shall be made in consideration of shade and sun patterns along walls.
- (2) Buffer sShrubs, used for screening within a buffer, if required per by the following, shall be specified appropriately to reach a minimum of three (3) feet in height within one (1) year of installation ~~a minimum of seven (7) gallon in size, or equivalent, reaching a minimum height of three (3) feet or fractional part thereof. within one year of planting~~ and shall be spaced no further apart than 48 inches on center unless otherwise approved by the County's or their designee.
- (3) Groundcovers, if required per the following, shall be spaced no further apart than 30 inches on center.
- (4) Shrubs and groundcovers, ~~excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall if required by Table 6.8-3, shall be arranged to form a layered landscape screen with a minimum height of three feet achieved within one year of planting.~~ If a buffer wall is not required, then shrubs and groundcovers shall attain eighty (80) percent opacity within 12 months of planting. If a buffer wall is required, then shrubs and groundcovers shall attain fifty (50) percent opacity in front of the buffer wall within 12 months of planting.
- (2) ~~B-5) Type buffer C~~ Buffers adjacent to the following roadways shall consist of a 20 ~~require a 25-foot Type C the 25-foot wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees buffer width and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs planting requirements, and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer.~~
- (shall also require an equestrian or agricultural-themed 3) ~~C Type buffer shall consist of a 15-foot wide landscape strip without a buffer wall. The buffer shall contain at least two shade trees and three~~

1 ~~accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers,~~
2 ~~excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered~~
3 ~~landscape screen with a minimum rail, or 4-rail wooden fence of a 48" height of three feet achieved~~
4 ~~within one year.~~

5 (4) ~~D Type buffer shall consist of a 15 foot wide landscape strip with a buffer wall. The buffer shall contain~~
6 ~~at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part~~
7 ~~thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent~~ at least 50% of
8 ~~the required buffer. buffer's linear footage and distributed throughout that linear footage:~~

9 (5) ~~E Type buffer shall consist of a five foot wide landscape strip without a buffer wall. The buffer shall~~
10 ~~contain at least four shade trees for every 100 lineal feet or fractional part thereof. Shrubs shall be~~
11 ~~planted in a double staggered row and be capable of reaching a maintained height of six feet within~~
12 ~~three years. Groundcovers and/or turfgrass shall not be used in this buffer.~~

13 a) ~~All roadways classified as a Collector or above in the following locations:~~

14 i. Within the Farmland Preservation Area.

15 ii. Outside of the Urban Growth Boundary, west of I-75.

16 iii. US 27 and SR 40 within the Urban Growth Boundary, west of I-75.

17 iv. US HWY 301/441 within the Urban Growth Boundary, north of the Ocala City
18 Limits.

19 v. Classified as a Scenic Road.

20 (6) The preservation of existing natural vegetation within buffers is permitted and encouraged to meet
21 buffering requirements. -In order to utilize natural vegetation as a portion of required buffer plantings,
22 or in lieu of required buffer plantings, the applicant may review existing trees and or vegetation on-site
23 with the County's Landscape Architect or their designee to determine if the existing trees and or
24 vegetation will satisfy the required buffer. ~~shall prepare an assessment of the existing trees vegetation~~
25 ~~and conduct a field meeting with the County Landscape Architect or their designee. Utilization of existing~~
26 ~~natural vegetation to satisfy buffer requirements is subject to approval by the County Landscape~~
27 ~~Architect or their designee.~~

28 (7) A post-construction inspection of preserved existing natural vegetation and trees shall be conducted in
29 accordance with Section 6.7.12. Damaged or removed vegetation, damaged or trees which are no longer
30 considered viable, including those with heavily impacted root zones as determined by the County's
31 Landscape Architect or their designee, shall be supplemented and/or replaced.

32 K. ~~Buffer walls, buffer fences, and berms.~~

33 (1) ~~Where buffer walls are required by this article, a combination of buffer walls and berms may be used to~~
34 ~~meet the intent of buffering. Buffer fences may be used to as a substitute for buffer walls with approval~~
35 ~~of the DRC. The buffer walls, buffer fences, and berms shall:~~ (1) Buffer walls and berms shall:

36 (a) Not be constructed or installed in a manner which creates a threat to public safety or interferes
37 with vehicular circulation;

38 (b) Be designed to be compatible with existing and proposed site architecture and the character of the
39 surrounding and adjacent settings including the style and selection of materials; and

40 (c) Be situated so that the ~~wall or fence components~~ walls and berms are within the buffer limits and
41 any required landscaping shall be installed on the public view side of the wall.

42 (2) The substitution of required buffer walls along a public right-of-way requires Board approval.

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(32) When a buffer wall is required, the buffer wall may be used in conjunction with a berm to achieve a minimum final elevation of ~~six~~eight (8) feet in height. When buffer walls, berms and/or combinations of each are used, they shall be constructed to e:

~~(a) — Ensure that historic and/or proposed drainage, stormwater, or other surface water flow patterns or facilities are accommodated not impacted.;~~

~~(b) — Not interfere with or obstruct any stormwater facilities; and~~

~~(c) — Provide sufficient ingress/egress for bicycle traffic and pedestrians access with proper arrangement to limit visibility into the proposed development.~~

~~(3) — If planted berms are used, the top of the berm shall have a four foot wide maintainable area. (34)~~

_____ The maximum side slope for a berm planted with shrubs and woody groundcovers shall be 3:1. The maximum side slope for a berm planted with turfgrass shall be 3.5:1. ~~Planting trees~~Trees or shrubs ~~on~~may not be planted along the very top~~ridgeline of a~~the berm ~~is discouraged.~~

~~M. — Buffer plantings shall be irrigated appropriately for the specific plant species and characteristics of the site to promote healthy growth.~~

~~N. (45)~~ Buffer areas shall be continually maintained and kept free of all trash and debris.

(Ord. No. 13-20, § 2, 7-11-2013)

1 **Table 6.8-1 Buffer Type Requirements**

AG	<u>Agriculture, Rural Lands, Rural Residential, Natural Preservation</u>
SFR	<u>Single family or duplex residential</u>
MF	<u>Multi-family residential</u>
COM	<u>Commercial, RV parks, Commercial Recreation</u>
IND	<u>Industrial uses</u>
PUB	<u>Public Use (including Government, Institutional, and related Professional Offices)</u>
ROW	<u>Arterial or Collector Right-of-Way or Arterial / Collector Road Easement</u>

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3 **Table 6.8-2 Land Use Categories for Buffers**

		Adjacent Permitted or Existing Use						
		AG	SFR	MF	COM	IND	PUB	ROW
Proposed Use	AG	=	=	=	=	=	=	=
	SFR	<u>AGD¹</u>	<u>E³</u>	<u>C</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D⁺CD¹</u>
	MF	<u>A/B</u>	<u>D</u>	=	<u>A</u>	<u>B</u>	<u>C</u>	<u>D⁺GD¹</u>
	COM	<u>D</u>	<u>B</u>	<u>B</u>	=	<u>B</u>	<u>C</u>	<u>C</u>
	IND	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	=	<u>B</u>	<u>C/D²</u>
	PUB	<u>A/B</u>	<u>B</u>	<u>C</u>	<u>C</u>	<u>C</u>	=	<u>C</u>

4 1. Properties within the limits of 6.8.6.J(5) shall comply with that buffer requirement

5 2. D Type Buffer if residential is adjacent to opposite ROW

6 3. A 6' opaque fence may be used in lieu of a vegetative buffer

7

1 **TABLE 6.8-3 – BUFFER CLASSIFICATION REQUIREMENTS** Buffer Classification Requirements

BUFFER CLASSIFICATION	BUFFER WIDTH	PLANTING REQUIREMENTS (Per 100 lineal feet)	WALL REQUIRED?
A	40-50 feet	Three Shade Trees Five Understory Trees 30% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
	30 feet	Four Shade Trees Six Understory Trees 70% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
B	30 feet	Two Shade Trees Three Understory Trees 50% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	Yes
	20 feet	Three Shade Trees Four Understory Trees 75% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	Yes
C	25 feet	Two Shade Trees Three Understory Trees 50% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
	15 feet	Three Shade Trees Five Understory Trees 80% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
D	25 feet	Two Shade Trees Three Understory Trees 25% Shrubs and Groundcover, excluding turf grass	Yes
	15 feet	Three Shade Trees Three Understory Trees 60% Shrubs and Groundcover, excluding turf grass	Yes
E	15 feet	Four Shade Trees Single row of continuous Shrubs	No
	5 feet	Five Shade Trees Double row of continuous Shrubs	No

1 **Sec. 6.8.7. Parking areas and vehicular use areas.**

2 A. A minimum five (5)-foot wide landscape area consisting of shrubs and groundcovers, excluding turfgrass, shall
3 be provided around the perimeter of parking areas to form a landscape screen with a minimum height of three
4 (3) feet achieved within one (1) year of planting. A land use buffer that abuts a parking area may satisfy this
5 requirement.

6 B. Landscaping adjacent to parking areas and vehicular use areas shall be protected from being damaged ~~by~~
7 ~~vehicles using these areas~~. Landscaping at the ~~end~~ nose of parking stalls shall be offset ~~away~~ two and a half feet
8 from the ~~parking stall~~ face of curb or wheelstop to allow for vehicle overhang. The area between the landscape
9 ~~screening and the end of the~~ and parking stall shall be mulched and contain no vertical irrigation components.

10 C. A landscaped parking lot island shall be located every ~~fifteen~~ ten parking spaces ~~and~~. ~~Where Shade Trees are~~
11 ~~required, to provide sufficient space for health root development, parking lot islands shall be a minimum of~~
12 ~~200~~ 360 400 square feet in size. ~~Unsuitable soils, including limerock road base, shall be excavated and replaced~~
13 with properly drained soils. For paved parking areas within a Primary SPZ, including those with permeable or
14 porous surfaces, parking lot islands shall be completely planted with shrubs or groundcovers; the use of
15 turfgrass is prohibited.

16 ~~D. Trees within parking areas.~~

17 ~~(1) All trees required for parking areas and vehicular use areas shall be shade trees, unless required~~
18 ~~otherwise by provisions in this section.~~

19 ~~(2) All parking lot islands, including terminal parking lot islands, shall contain one shade tree unless site~~
20 ~~lighting fixtures are proposed in said island. Double parking lot islands (where double loaded parking~~
21 ~~bays are proposed) shall contain two shade trees.~~ D. _____

22 ~~(3) In parking lot islands with site lighting fixtures, an arrangement of one or two accent/ornamental trees~~
23 ~~shall be installed depending on the size and configuration of the island.~~

24 ~~(4) Parking lot islands with control signage may contain other tree (or palm) species, in lieu of shade trees,~~
25 ~~which will not conflict with the visibility of such signage.~~

26 E. Each row of parking spaces shall be terminated by a landscaped island.

27 FE. Divider medians may be used to meet parking area landscape requirements.

28 (1) The minimum width of a divider median shall be eight (8) feet.

29 (2) One (1) ~~shade tree~~ Shade Tree shall be provided per 50 lineal feet of divider median.

30 GF. To offset heat gain from paved surfaces, ~~shade trees~~ Shade Trees as required in Section 6.7.4 should be located
31 to provide as much shade as possible on such surfaces.

32 HG. Parking lot screening must be achieved regardless of other landscaping requirements in this article. Shade
33 trees as required in Section 6.7.4 ~~may~~ shall be integrated into the parking area landscaping.

34 H. All landscaping in parking areas and street frontages shall be placed so that it will not obstruct any sight
35 triangle.

36 ~~J. Trees within parking areas.~~

37 (1) ~~All trees required for parking areas and vehicular use areas shall be Shade Trees, unless required~~
38 ~~otherwise by provisions in this section.~~

39 (2) ~~All parking lot islands, including terminal parking lot islands, shall contain one (1) Shade Tree unless site~~
40 ~~lighting fixtures are proposed in said island.~~

1 (3) In parking lot islands with site lighting fixtures, an arrangement of one (1) or two (2) accent/ornamental
2 trees shall be installed depending on the size and configuration of the island.

3
4 (Ord. No. 13-20, § 2, 7-11-2013)

5 **Sec. 6.8.8. Building landscaping.**

6 A. Landscape plantings shall be provided ~~for along the public view sides of a~~all proposed structures to reduce the
7 monotony of large blank walls, reduce heat gain and glare, and enhance the aesthetic appearance of the
8 building.

9 ~~BB. Building landscape shall be provided for all sides facing public or private streets, and shall extend a minimum~~
10 ~~of 60 percent of the total length of the wall, excluding those areas required for access to the building. Landscape~~
11 ~~areas shall be provided adjacent to or within 25 feet from the building walls and shall extend along 60 percent~~
12 ~~of the total length of the wall, excluding those areas required for access to the building.~~

13
14 ~~CC. Landscape areas shall be a minimum of five feet wide allowing for a minimum distance of two (2) feet from~~
15 ~~the façade to the innermost plants.~~

16 ~~DD. Shade Trees shall not be located within 20 feet of a building. Large trees shall not be located within 20~~
17 ~~feet of a building. Accent/ornamental trees shall be located sufficiently to allow for healthy growth and to minimize~~
18 ~~the need for pruning.~~

19 (Ord. No. 13-20, § 2, 7-11-2013)

20 **Sec. 6.8.9. Service and equipment areas.**

21 ~~A. Utility areas and loading/unloading areas shall be screened as follows:~~

22 ~~(1) A planting area a minimum of three feet wide and shall form a continuous three foot high landscape~~
23 ~~screen, or~~

24 ~~(2) Buffer fencing with a minimum height of three feet.~~

25 ~~BA. Garbage collection areas (dumpster pad) shall be screened with a wall, bufferopaque fencing, or a landscape~~
26 ~~screen capable of reaching a minimum height of six (6) feet within three (3) years, and maintained to preserve~~
27 ~~an opaque screening quality.~~

28 ~~CB. Shade Trees shall remain fifteen feet while other trees and shrubs shall remain eight (8) feet from any fire~~
29 ~~service connection.~~

30 ~~DDC. Trees and shrubs shall remain offset three (3) feet from any electrical transformer and shall not be proposed~~
31 ~~along the access door face of the transformer within the distance provided by the power provider.~~

32 ~~ED. Exterior air conditioning components shall be screened by locating the equipment away from public view or~~
33 ~~through the use of a landscape screen with a minimum height of three (3) feet, offset a minimum of three (3)~~
34 ~~feet from the equipment.~~

35 (Ord. No. 13-20, § 2, 7-11-2013)

1 **Sec. 6.8.10. General planting requirements.**

2 A. All trees, palms, shrubs, and groundcovers shall be nursery grown and Florida No. 1 quality or better, as
3 established by Florida Grades and Standards for Nursery Plants, Department of Agriculture, State of Florida,
4 including latest updates, ('Florida Grades and Standards') as amended.

5 B. Plant ~~palettes~~selection shall be appropriate for the development site and provide the highest level of diversity
6 as practicable.

7 ~~CC.~~ Diversity requirements: Landscape: Landscape design that includes a diversity of tree and plant species is
8 required. For projects in which 20 or more trees are required, one species may not account for more than
9 ~~25~~25% of the total number of trees unless otherwise approved by the County Landscape Architect. At least
10 three species of shrubs or groundcover shall be specified unless otherwise approved by the County Landscape
11 Architect.

12 D. Planting specifications are listed as follows:

13 (1) Native plant requirements:

14 (a) Within the Urban Growth Boundary (UGB), a minimum of 25 percent of all proposed plant
15 quantities, excluding turfgrass, shall be Florida native species suitable for use in Marion County.

16 (b) Outside of the UGB a minimum of 35 percent of all proposed plant quantities, excluding turfgrass,
17 shall be Florida native species suitable for use in Marion County.

18 (c) A minimum of 50 percent of the required ~~shade trees~~Shade Trees shall be Florida native species
19 suitable for use in Marion County.

20 ~~(d) To promote biological diversity, no more than 50 percent of the required shade trees for a~~
21 ~~development shall be of one species.~~

22 (2) The use of invasive plant species ~~is based on the UF/IFAS Assessment of Non-native Plants (Central Zone)~~
23 ~~as updated~~ following sources, shall be prohibited:

24 (a) Florida Exotic Pest Plant Invasive Species ~~species listed as "Council Category I & II List of Invasive~~
25 Plant Species,

26 (b) ~~Prohibited" are not permitted for use in any proposed development.~~ Aquatic Plants per F.A.C. 5B-
27 64.011, and

28 ~~(b) Plant species listed as "Invasive - Not Recommended" are not permitted for use in any~~
29 ~~development outside of the UGB. This group of plants may be used within the UGB with subject to~~
30 ~~approval by the County Landscape Architect.~~

31 ~~(c) Plant species listed as "Caution" may be used provided specific management strategies and~~
32 ~~monitoring are included in the project's BMP manual.~~

33 (c) Center for Aquatic and Invasive Plants, University of Florida, IFAS.

34 (3) Trees.

35 (a) Shade trees shall have a minimum caliper of 3.5 inches ~~and a height and crown diameter as per~~
36 Florida Grades and Standards.

37 (b) ~~Accent or ornamental (understory)~~Understory trees shall have a minimum ~~overall height~~caliper of
38 two (six feet and a minimum spread of 422) inches upon installation. ~~and a height and crown~~
39 diameter as per Florida Grades and Standards.

(c) To promote a sustainable and biodiverse tree canopy, Marion County recommended trees can be found in Table 6.8-4.

TABLE 6.8-4 – Tree Recommendations for Marion County – Non-Inclusive

<u>Scientific name</u>	<u>Common name</u> (<u><40ft height</u>)	<u>Native</u>	<u>Zone</u>	<u>Mature Height</u> (<u>ft</u>)	<u>Est. Crown Spread</u> (ft)	<u>Lifespan</u> (<u>years</u>)
Small / Medium Trees						
<u>Acacia farnesiana</u>	<u>Sweet acacia</u>	<u>Yes</u>	<u>8B - 11</u>	<u>20-40</u>	<u>20-30</u>	<u>12-50</u>
<u>Aesculus pavia</u>	<u>Red buckeye</u>	<u>Yes</u>	<u>6A - 9A</u>	<u>15-30</u>	<u>15-25</u>	<u>30-50</u>
<u>Callistemon linearis</u> / <u>Callistemon rigidus</u>	<u>Bottlebrush</u>	<u>No</u>	<u>8B - 11</u>	<u>15-20</u>	<u>15-20</u>	<u>20-40</u>
<u>Carpinus caroliniana</u>	<u>American Hornbeam</u>	<u>Yes</u>	<u>8 - 9A</u>	<u>20-30</u>	<u>20-30</u>	<u>50-150</u>
<u>Cephalanthus occidentalis</u> ¹	<u>Buttonbush</u>	<u>Yes</u>	<u>5 -10</u>	<u>5-20</u>	<u>4-12</u>	<u>20-40</u>
<u>Cercis canadensis</u>	<u>Redbud</u>	<u>Yes</u>	<u>4B - 9A</u>	<u>20-30</u>	<u>20-35</u>	<u>20-70</u>
<u>Chionanthus virginicus</u>	<u>Fringetree</u>	<u>Yes</u>	<u>8 - 9</u>	<u>12-20</u>	<u>12-20</u>	<u>25-60</u>
<u>Ilex cassine</u>	<u>Dahoon holly</u>	<u>Yes</u>	<u>7A - 11</u>	<u>20-40</u>	<u>8-12</u>	<u>25-100</u>
<u>Ilex vomitoria</u>	<u>Yaupon holly</u>	<u>Yes</u>	<u>7A - 9B</u>	<u>15-25</u>	<u>15-20</u>	<u>30-75</u>
<u>Ilex x attenuata</u> 'East Palatka'	<u>East Palatka holly</u>	<u>Yes</u>	<u>7-9</u>	<u>30-45</u>	<u>10-15</u>	<u>20-40</u>
<u>Magnolia grandiflora</u> 'Little Gem'	<u>Little Gem magnolia</u>	<u>Yes</u>	<u>7 - 10</u>	<u>20-40</u>	<u>8-12</u>	<u>50-100</u>
<u>Magnolia Xsoulangiana</u>	<u>Saucer Magnolia</u>	<u>No</u>	<u>8 - 9A</u>	<u>20-30</u>	<u>20-30</u>	<u>50-120</u>
<u>Myrcianthes fragrans</u> ¹	<u>Simpson stopper</u>	<u>Yes</u>	<u>8B -11</u>	<u>10-30</u>	<u>15-20</u>	<u>20-40</u>
<u>Ostrya virginiana</u>	<u>Hop-hornbeam</u>	<u>Yes</u>	<u>3-9A</u>	<u>20-40</u>	<u>25-30</u>	<u>100-150</u>
<u>Prunus angustifolia</u>	<u>Chickasaw plum</u>	<u>Yes</u>	<u>6A - 9B</u>	<u>10-25</u>	<u>10-20</u>	<u>15-25</u>
<u>Prunus umbellata</u>	<u>Flatwoods or hog plum</u>	<u>Yes</u>	<u>6A - 9B</u>	<u>10-20</u>	<u>10-30</u>	<u>30-40</u>
<u>Vaccinium arboreum</u>	<u>Sparkleberry</u>	<u>Yes</u>	<u>8 - 10B</u>	<u>10-25</u>	<u>10-15</u>	<u>20-30</u>
<u>Viburnum obovatum</u> ¹	<u>Walter's viburnum</u>	<u>Yes</u>	<u>7 - 10</u>	<u>10-20</u>	<u>10-15</u>	<u>30-60</u>
<u>Viburnum odoratissimum</u> ¹	<u>Sweet Viburnum</u>	<u>No</u>	<u>8B -10A</u>	<u>15-30</u>	<u>10-25</u>	<u>40-60</u>
Large Trees						
<u>(40*ft height)</u>						
<u>Acer barbatum floridanum</u>	<u>Florida maple</u>	<u>Yes</u>	<u>6B-9A</u>	<u>50-60</u>	<u>20-30</u>	<u>80-130</u>
<u>Acer rubrum</u>	<u>Red maple</u>	<u>Yes</u>	<u>4-9</u>	<u>60-75</u>	<u>25-35</u>	<u>80-150</u>
<u>Betula nigra</u>	<u>River birch</u>	<u>Yes</u>	<u>4 - 9a</u>	<u>50-90</u>	<u>25-30</u>	<u>50-75</u>
<u>Carya glabra</u>	<u>Pignut hickory</u>	<u>Yes</u>	<u>5-9</u>	<u>50-65</u>	<u>30-40</u>	<u>200-300</u>
<u>Carya tomentosa</u>	<u>Mockernut hickory</u>	<u>Yes</u>	<u>4-9</u>	<u>50-100</u>	<u>40-60</u>	<u>200-500</u>
<u>Carya illinoensis</u>	<u>Pecan</u>	<u>Yes</u>	<u>5B-9A</u>	<u>70-130</u>	<u>40-75</u>	<u>100-300</u>
<u>Diospyros virginiana</u>	<u>Persimmon</u>	<u>Yes</u>	<u>4B-9B</u>	<u>40-60</u>	<u>20-35</u>	<u>50-150</u>
<u>Fraxinus americana</u>	<u>White ash</u>	<u>Yes</u>	<u>3-9A</u>	<u>50-80</u>	<u>50-80</u>	<u>200-300</u>

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<u>Fraxinus pennsylvanica</u>	<u>Green ash</u>	<u>Yes</u>	<u>3-9A</u>	<u>60-70</u>	<u>35-50</u>	<u>100-120</u>
<u>Juniperus virginiana</u>	<u>Red cedar</u>	<u>Yes</u>	<u>8 to 9</u>	<u>25-50</u>	<u>10-30</u>	<u>100-450</u>
<u>Liriodendron tulipifera</u>	<u>Tulip poplar</u>	<u>Yes</u>	<u>8 to 9a</u>	<u>80-100</u>	<u>30-50</u>	<u>200-300</u>
<u>Magnolia grandiflora</u>	<u>Southern Magnolia</u>	<u>Yes</u>	<u>8 to 9</u>	<u>60-120</u>	<u>30-50</u>	<u>80-120</u>
<u>Nyssa sylvatica</u>	<u>Black tupelo</u>	<u>Yes</u>	<u>4B-9B</u>	<u>65-75</u>	<u>25-35</u>	<u>150-300</u>
<u>Pinus palustris</u>	<u>Longleaf pine</u>	<u>Yes</u>	<u>8 to 9</u>	<u>60-125</u>	<u>30-40</u>	<u>250-500</u>
<u>Quercus austrina</u>	<u>Bluff oak</u>	<u>Yes</u>	<u>8A-9B</u>	<u>40-90</u>	<u>35-50</u>	<u>200-300</u>
<u>Quercus chapmanii</u>	<u>Chapman oak</u>	<u>Yes</u>	<u>7B-10B</u>	<u>10-50</u>	<u>10-25</u>	<u>200-500</u>
<u>Quercus falcata</u>	<u>Southern red oak</u>	<u>Yes</u>	<u>7A-9B</u>	<u>60-80</u>	<u>60-70</u>	<u>150-275</u>
<u>Quercus geminata</u>	<u>Sand live oak</u>	<u>Yes</u>	<u>8A-10B</u>	<u>50-90</u>	<u>50-80</u>	<u>200-300</u>
<u>Quercus lyrata</u>	<u>Overcup oak</u>	<u>Yes</u>	<u>6-9A</u>	<u>30-70</u>	<u>30-60</u>	<u>150-300</u>
<u>Quercus michauxii</u>	<u>Swamp chestnut oak</u>	<u>Yes</u>	<u>5-9</u>	<u>60-100</u>	<u>30-50</u>	<u>100-200</u>
<u>Quercus virginiana</u>	<u>Live oak</u>	<u>Yes</u>	<u>7B-10B</u>	<u>60-80</u>	<u>60-120</u>	<u>250-500</u>
<u>Taxodium ascendens</u>	<u>Pond cypress</u>	<u>Yes</u>	<u>8A-10B</u>	<u>50-85</u>	<u>15-30</u>	<u>300-600</u>
<u>Taxodium distichum</u>	<u>Bald cypress</u>	<u>Yes</u>	<u>5A-10B</u>	<u>100-150</u>	<u>20-35</u>	<u>400-1000</u>
<u>Ulmus alata</u>	<u>Winged elm</u>	<u>Yes</u>	<u>6A-9B</u>	<u>45-70</u>	<u>30-40</u>	<u>50-100</u>
<u>Ulmus americana floridan</u>	<u>Florida elm</u>	<u>Yes</u>	<u>8-10A</u>	<u>60-80</u>	<u>50-60</u>	<u>100-150</u>
<u>Ulmus crassifolia</u>	<u>Cedar elm</u>	<u>Yes</u>	<u>6-9</u>	<u>40-90</u>	<u>40-60</u>	<u>50-100</u>

¹ Shall be specified as tree form

- 1 (4) Palms.
- 2
- 3 (a) Not more than 25 percent of all required trees shall be palm trees unless a higher percentage is
- 4 authorized as stated in Section 6.7.9.
- 5 (b) Additional palms may be provided in excess of the 25 percent threshold when three (3) palms are
- 6 used to substitute one (1) required tree. ~~Where specimen palms are specified, substitution may be~~
- 7 ~~a one-to-one ratio.~~
- 8 (c) Palm trees shall not be substituted for Shade Trees required ~~shade trees~~ to meet tree mitigation
- 9 plantings.
- 10 (d) Palms shall have a clear trunk height of 10 feet minimum.
- 11 (5) Shrubs shall ~~be~~ reach a ~~minimum~~ ~~minimum~~-height of ~~18~~~~30~~18 inches within one year of planting, unless
- 12 specified differently elsewhere in this Section, and be spaced appropriately for the species and
- 13 the required ~~screening and maintenance height.~~
- 14 (6) Groundcovers shall be those species of plants with a mature growing height of 24 inches maximum and
- 15 spaced up to ~~2~~~~3~~24 inches ~~minimum~~maximum and 30 inches on-center maximum.
- 16 (7) Vining groundcovers shall have a minimum of three runners per plant. Vines may be spaced accordingly
- 17 for the proposed use. Stakes of vines shall be removed upon planting, and vines shall be trained to the
- 18 wall or fence for which they are proposed.
- 19 (8) Turfgrass may be of any variety which is adapted and suitable for use in Marion County and that meets
- 20 FFL requirements. The use of rolled turf is prohibited on property with public access unless the

supportive netting is removed prior to or during installation and the integrity of the turf is not jeopardized during installation.

~~D.E.~~ Mulch types shall be of a renewable resource or a recycled product. The use of cypress mulch is ~~discouraged~~not allowed.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.11. Landscape installation.

A. Any person providing landscape installation services for hire shall meet the licensing and certification requirements under Section 6.8.15.

B. All plantings shall be installed according to current best management practices.

C. Trees and palms shall be properly planted and guyed or staked.

D. All plantings shall be properly ~~watered during installation and through the establishment period~~irrigated for healthy growth as recommended by Florida Grades and Standards and UF/IFAS literature.

E. Installation shall mean survival in perpetuity, and replacement if necessary, of all materials. Dead and/or dying plant material shall be replaced by the owner ~~within 30 days of notification by the County~~.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.12. Landscape completion and ongoing inspection requirements.

A. Upon completion of the installation, ~~of the contractor shall request an inspection by the design professional.~~ Project a Landscape and Irrigation As-Built Certification shall be signed and sealed by the design professional and submitted to the County Landscape Architect prior to the issuance of a Certificate of Occupancy.

~~B. Where landscape buffers are required under this code as a condition of development approval, the responsible maintenance entity shall every 24 months prepare a written certification, on a form provided by the County, that the buffers are in good health and maintenance, and that all plantings required in the buffer are meeting the requirements of the development approval. The certification must be signed by a responsible design professional and submitted to the Growth Services Department.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.13. Landscape maintenance.

A. All landscape areas shall be maintained in accordance with the Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, FFL, UF/IFAS and FDEP.

B. Trees or palms shall not be severely pruned or shaped. If over 25% of the crown is trimmed during one trimming, then that tree is considered critically impacted and will require replanting at the cost of the Owner. The natural growth habit of a tree or palm shall be considered during the design phase to avoid maintenance conflicts.

C. Trees or palms which are guyed or braced shall have such guying or bracing removed ~~once sufficient root growth has enable the tree or palm to support itself.~~within one year of planting. Damaging trees with guying devices shall be considered a violation of this Code. Damaged trees shall be replaced at the expense of the owner.

- 1 D. The alteration of any required and approved landscape area without obtaining prior written approval from the
 2 County is prohibited. The expansion of drought tolerant landscaping, excluding the replacement of planted
 3 areas with turfgrass, or replacing dying or diseased plants with similar plant material is excluded.
- 4 E. Buffers and screening plantings shall provide healthy appearance year round and be maintained at the
 5 required minimum heights.
- 6 (Ord. No. 13-20, § 2, 7-11-2013)

7 **Sec. 6.8.14. Fertilizers and other landscape chemicals.**

- 8 A. Applicability.
- 9 (1) This section shall be applicable to and shall regulate any and all applicators of fertilizer and areas of
 10 application of fertilizer within the unincorporated area of Marion County, unless such applicator is
 11 specifically exempted by the terms of this section from the regulatory provisions of this Code. This
 12 section shall be prospective only, and shall not impair any existing contracts.
- 13 (2) This section requires the use of BMPs which provide specific management guidelines to minimize
 14 negative secondary and cumulative environmental effects associated with the misuse of fertilizers.
- 15 B. Exemptions. The provisions set forth in Section 6.8.14 above in this section shall not apply to:
- 16 (1) Bona fide farm operations as defined in the Florida Right to Farm Act, § 823.14 FS, provided that
 17 fertilizers are applied in accordance with the appropriate Best Management Practices Manual adopted
 18 by the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy for
 19 the crop in question.
- 20 (2) Any lands used for bona fide scientific research, including, but not limited to, research on the effects of
 21 fertilizer use on urban stormwater, water quality, agronomics, or horticulture.
- 22 C. Fertilizer content and application rates.
- 23 (1) Fertilizers applied to turfgrass and/or landscape plants within Marion County shall be applied in
 24 accordance with directions provided by FAC Rule 5E-1.003(2), Labeling Requirements for Urban Turf
 25 Fertilizers.
- 26 (2) Fertilizer containing nitrogen or phosphorus shall not be applied before seeding or sodding a site, and
 27 shall not be applied for the first 30 days after seeding or sodding.
- 28 (3) Fertilizers should be applied to turf and/or landscape plants at the lowest rate necessary. Nitrogen shall
 29 not be applied at an application rate greater than 0.7 lbs of readily available nitrogen per 1,000 square
 30 feet at any one time based on the soluble fraction of formulated fertilizer, with no more than 1 pound
 31 total nitrogen per 1,000 square feet applied at any one time, and not to exceed the nitrogen
 32 recommendations set forth below on an annual basis:

33 **Table 6.8-3 Fertilizer Application Rates**

Grass Species	Maximum N Application Rate (Lbs/1,000 sf ² /year)
Bahia	3
Bermuda	4
Centipede	2
St. Augustine	3
Zoysia	4

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- (4) No phosphorus fertilizer shall be applied to existing turf and/or landscape Plants within the County at application rates which exceed 0.25 pounds phosphorus per 1,000 square feet per application nor exceed 0.50 pounds phosphorus per 1,000 square feet per year.
 - (5) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in Section 6.8.14.C(1) above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.
- D. Timing of fertilizer application. No applicator shall apply fertilizers containing nitrogen and/or phosphorus when soils are saturated.
- E. Fertilizer-free zones.
- (1) Fertilizer shall not be applied to turf or landscape plants within 30 feet of any pond, stream, watercourse, lake, canal or wetland. The use of macro-tab slow release fertilizer tablets for landscape plants which are installed within the plant pits during plant installation is allowed.
 - (2) Fertilizer shall not be applied to turf grass within the following areas:
 - (a) Seventy-five feet of the WBSL of any spring, pond, stream, watercourse, lake, wetland or sinkhole or other karst feature that has an opening at the surface.
 - (b) Fifteen feet from the top of the bank of any drainage retention area, canal, or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained.
 - (3) In the event an area is included in one or more of the areas described in Section 6.8.14.E(2) above, the more restrictive provision (i.e., the larger distance) shall apply.
 - (4) Newly planted turf and/or landscape plants may be fertilized in this zone only for a 60-day period beginning 30 days after planting if need to allow the plants to become well established. Caution shall be used to prevent the direct deposit of nutrients into the water.
- F. Low maintenance zones. A 10-foot low maintenance zone is required from any pond, stream, water course, lake, wetland, or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. If more stringent County regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. No mowed or cut vegetative material shall be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone.
- G. Impervious surfaces. Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.
- H. Management of grass clippings and vegetative matter. In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, piled or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

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- 1 I. Training for fertilizer applicators.
- 2 (1) Commercial applicators of fertilizer within the unincorporated area of Marion County, shall maintain
3 current Limited Urban Commercial Fertilizer Applicator Certification through the Florida Department of
4 Agriculture and Consumer Services by January 1, 2014, per § 482.1562 FS.
- 5 (2) Any other person whose duties include the application of fertilizer not required to maintain certification
6 in Section 6.8.14.(1) above, shall obtain a GI-BMP Certificate of Completion within six months of
7 assuming such duties.
- 8 (3) Private homeowners are required to follow the recommendations of the Florida Yards and
9 Neighborhoods Handbook by FDEP and UF/IFAS, as amended except to the extent this Code provides
10 more stringent requirements.
- 11 J. Enforcement.
- 12 (1) In addition to county code enforcement officers, the County Administrator may also delegate
13 enforcement responsibility for this section to agencies and departments of Marion County government,
14 in accordance with state and local law.
- 15 (2) Funds generated by penalties imposed under this section shall be used by the County for the
16 administration and enforcement of § 403.9337 FS, and the corresponding sections of this Code, and to
17 further water conservation and nonpoint pollution prevention activities.
- 18 K. Penalties.
- 19 (1) Violation of any provision of this section shall be subject to the following penalties:
- 20 (a) First violation: Written Notification and Education.
- 21 (b) Second violation: Written Notification and Education.
- 22 (c) Third violation: Fifty dollars (\$50.00).
- 23 (d) Fourth and subsequent violation(s): One Hundred dollars (\$100.00).
- 24 (2) Each day in violation of this section within a 365-day period, beginning the date of the first violation,
25 shall constitute a separate offense. The Board may take any other appropriate legal action, including but
26 not limited to emergency injunctive action, to enforce the provisions of this section.
- 27 (Ord. No. 13-20, § 2, 7-11-2013)

28 **Sec. 6.8.15. Landscape installation and maintenance licensing and certification.**

- 29 A. Landscape installation professionals performing work for hire within the unincorporated areas of Marion
30 County shall be landscape contractors licensed by the Marion County Building Department, unless otherwise
31 licensed by the State of Florida.
- 32 (1) Unless subject by Florida Statutes to certain continuing education requirements, contractors licensed
33 under this section are required to complete a minimum of eight (8) Professional Development Hours or
34 Continuing Education Units in Florida Friendly Landscaping Practices from a continuing education
35 organization approved by the County before each succeeding license renewal or bi-annually, whichever
36 is shortest. Compliance with this requirement will be confirmed at the time of license renewal, or by an
37 approved audit procedure.
- 38 (2) A list of required and approved courses or certifications for Section 6.8.15.A(1) above will be maintained
39 by the Marion County Licensing Board.

1 (3) A course or certification may be added to or withdrawn from the approved list using an approved petition
2 procedure.

3 B. Landscape maintenance professionals performing work for hire within the unincorporated areas of Marion
4 County shall possess current GI-BMP Certificate of Completion.

5 C. Any person providing services for hire regarding any aspect of landscape maintenance that includes the
6 application of fertilizer or pesticide shall meet the applicable state and County licensing and certification
7 requirements included herein.

8 (Ord. No. 13-20, § 2, 7-11-2013)

9

DIVISION 8. LANDSCAPING

Sec. 6.8.1. Purpose and intent.

The purpose and intent of this division is to provide landscaping guidelines establishing minimum standards and criteria for the design, installation, and maintenance of landscaping which enhances the aesthetic appearance of Marion County, complimenting the natural and built environments, reducing noise and glare, improving air and water quality, providing shade and habitat, and buffering the aspects of development.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.2. Landscape plan requirements.

A landscape plan which indicates the following is required for all development except for individual single-family homes and duplexes:

- A. All existing landscaping, indigenous open space, and natural features;
- B. Locations of existing protected trees, labeled and with sizes provided, groups of trees, landscaping and other vegetation to be preserved;
- C. Vegetation and tree protection barricades;
- D. All replacement trees as required per Section 6.7.8;
- E. All proposed landscape areas, labeled and with sizes of each landscape area provided;
- F. Construction details as applicable, including but not limited to:
 - (1) Tree protection;
 - (2) Tree, palm, and shrub installation;
 - (3) Details for specialized installations;
 - (4) Elevation drawings of walls proposed for buffers and/or screening; and
 - (5) Cross section of proposed walls/berms/combination for buffers.
- G. Plant schedule:
 - (1) A key matching the plants being specified (may be plant symbols or written)
 - (2) Quantities of plants being specified
 - (3) Common plant names
 - (4) Scientific plant names
 - (5) Plant specifications including height, spread, and spacing
 - (6) Native status
- H. Calculations for required landscaping:
 - (1) Tree preservation and replacement

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- (2) Shade tree requirements
 - (3) Buffers
 - (4) Parking areas
 - (5) Vehicle use areas
 - I. Proposed street and/or parking lot light pole locations.
 - J. All proposed sign locations, including advertisement and internal vehicular control signs.
 - K. Notes including installation instructions and special requirements related to contractor licensing, utility locating, tree protection, maintenance, fertilizer use, and watering.
 - L. Tree barricade locations and details as well as notes regarding tree protection and inspections as outlined in Section 6.7.3 and 6.7.12 shall also be provided on the landscape plan sheets.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.3. Landscape design standards.

- A. All new landscapes in Marion County shall be designed to protect the County's unique natural resources by conserving water, protecting the quality of groundwater, reducing waste and pollution, creating wildlife habitat, and preventing erosion by implementation of Florida-Friendly Landscaping (FFL) by UF/IFAS and FDEP, including but not limited to:
 - (1) Right plant, right place;
 - (2) Water efficiently;
 - (3) Fertilize appropriately;
 - (4) Mulch;
 - (5) Attract wildlife;
 - (6) Manage yard pests responsibly;
 - (7) Recycle yard waste;
 - (8) Reduce stormwater runoff; and
 - (9) Protect the waterfront.
- B. Prohibited Plants. Prohibited vegetation based on the following sources:
 - (1) Florida Invasive Species Council Category I & II List of *Invasive Plant Species*,
 - (2) Prohibited Aquatic Plants per F.A.C. 5B-64.011, and
 - (3) Center for Aquatic and *Invasive Plants*, University of Florida, IFAS.
- C. Removal and eradication of Prohibited Plant species shall be a condition of development approval. For areas on-site not developed, a containment management plan is required for all Prohibited Plant Species.
- D. Landscaping within rights-of-way shall require approval by the County Engineer or his designee.
- E. Trees shall not be located in areas that will cause conflict with overhead or underground utilities. Shade trees shall not be located within 30 feet of overhead electric lines. Alternative design strategies may be approved by the County's Landscape Architect or their designee when conflicts with existing utilities cannot be avoided.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.4. Non-residential development.

For non-residential development, at least 20 percent of the development project area shall be landscape areas as defined below. The development project area is defined as the outer extent perimeter of all disturbed areas of the project.

- A. Landscape areas shall include:
 - (1) Buffers;
 - (2) Landscaping required for parking areas;
 - (3) Shade Trees and/or Replacement Trees;
 - (4) Landscaped side slopes and/or landscaped bottoms of dry stormwater management areas with a depth of four feet or less, and the planted littoral zones of wet stormwater management areas;
 - (5) Building landscaping;
 - (6) Service and equipment area screening.
 - B. Credit towards the landscape area requirements may be allowed on a 1:1.25 basis for all or part of preserved native habitat if the applicant demonstrates that it includes one or more of the following:
 - (1) Preserved existing trees or tree clusters including preserved native vegetation under the tree dripline.
 - (2) Preserved areas of existing native vegetation.
- (Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.5. New residential developments.

For new residential developments and mixed-use developments, landscape plans shall demonstrate the following:

- A. Yard Tree Requirements.
 - (1) For all new residential developments, or single-family and duplex new construction, each individual single-family or duplex lot shall contain two (2) Shade Trees. A minimum of one (1) Shade Tree shall be located in the front yard. One (1) tree shall be of a large tree species as listed in 6.8.10. Front yard trees shall be installed within the residential lot area between the road right of way and the residential structures. Yard trees may be deferred until the home construction.
 - (2) For multi-family or mixed-use developments where the residential structures are adjacent to parking areas instead of streets, the required trees for building landscaping, parking lot landscaping and screening shall serve in lieu of yard trees.
 - (3) Trees may not be planted in the right-of-way or utility easements, or within fifteen (15) feet of any foundation.
- B. In new single-family residential developments the developer shall also promote the practices and principles of FFL as described in the 'Florida-Friendly Landscaping Handbook for Home Landscapes', as amended. A program which promotes these principles shall be provided to the County as part of the development application materials, and incorporated into and made part of the restrictive covenants and shall include:

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- (1) Information about the applicable landscaping requirements under this division and under Division 6.8;
 - (2) Procedures for future owners to follow when implementing FFL on individual lots, and
 - (3) Water conservation and FFL educational materials to all new homeowners; and
 - (4) Information regarding landscape irrigation scheduling as stipulated in Section 6.9.9.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.6. Buffers.

- A. It is the intent of this section to eliminate or reduce the negative impacts of adjacent uses upon each other such that the long-term continuance of either use is not threatened by such impacts and the uses may be considered compatible.
- B. Buffers shall provide a year-round screen, with a maximum of 25% deciduous trees, and provide an aesthetic quality, especially along public rights-of-way, which enhance travel corridors and screen developed areas from public view.
- C. A diverse number of plant species shall be incorporated into buffer plantings to provide habitat and appeal.
- D. Buffers may consist of landscaping, buffer walls, berms, or combinations thereof which work cohesively to achieve the intent of buffering.
- E. If no buffering exists on the adjoining property, or if the existing buffer fails to meet the requirements of this section, buffering shall be required with the exception of the construction of an individual single-family residence or duplexes on an individual parcel of record.
 - (1) In interpreting and applying the provisions of buffers, development is classified into categories shown in Table 6.8-1. and as based on the project's proposed use(s).
 - (2) Table 6.8-2 provides the type of buffer required between a proposed use and an existing use, or in the absence of an existing use.
- F. If buffers are required, the length shall be measured along each property line and shall exclude driveways and other access points and easements.
- G. No buildings, structures (other than lighting, signs, buffer walls, decorative hardscape, or fences), storage of materials, or parking shall be permitted within the buffer area. Pedestrian trails, sidewalks, etc. are permitted in buffers when integrated into the design of the buffer areas.
- H. Buffers shall not be located on any portion of an existing or dedicated right-of-way, or on individual single-family residential or duplex parcels.
- I. Arrangement of plantings in buffers shall:
 - (1) Provide maximum screening to adjacent properties.
 - (2) Avoid damage to existing trees and plant material both within the development and in those areas outside of but directly adjacent to the project development.
 - (3) Account for mature growing sizes of preserved existing and proposed trees regarding shade, root damage, and interference with nearby utilities and signage.
 - (4) Offer interesting layouts where appropriate and a variety of textures and colors.

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- J. Description of buffer classifications. The content and composition of each buffer type is described in the following items. Landscaping Plans for required buffers shall be prepared by a Registered Landscape Architect, who shall use these requirements to design buffers that are thoughtfully designed and enhance the perimeter of the development site. Visual screening shall be achieved through the use of proper plant material, arrangement, and layering. The plant quantities and parameters in the buffer type descriptions may be used to develop a total quantity of plants for the entire buffer length and then utilized to achieve an appealing, comprehensive landscape design. Desirable buffers are creatively designed, minimize the implementation of evenly spaced trees or a cookie-cutter appearance, and consider the specific character and topography of the proposed development.

Required landscaping as per below shall meet Section 6.8.10 General Planting Requirements.

- (1) All landscaping required as part of a buffer shall be installed on the public view side of any buffer wall, if a wall is required. Plant selection shall be made in consideration of shade and sun patterns along walls.
- (2) Buffer shrubs, used for screening within a buffer, if required by the following, shall be specified appropriately to reach a minimum of three (3) feet in height within one (1) year of installation and shall be spaced no further apart than 48 inches on center unless otherwise approved by the County's or their designee.
- (3) Groundcovers, if required per the following, shall be spaced no further apart than 30 inches on center.
- (4) Shrubs and groundcovers, if required by Table 6.8-3, shall be arranged to form a layered landscape screen. If a buffer wall is not required, then shrubs and groundcovers shall attain eighty (80) percent opacity within 12 months of planting. If a buffer wall is required, then shrubs and groundcovers shall attain fifty (50) percent opacity in front of the buffer wall within 12 months of planting.
- (5) Buffers adjacent to the following roadways shall require a 25-foot Type C buffer width and planting requirements, and shall also require an equestrian or agricultural-themed 3-rail or 4-rail wooden fence of a 48" height at least 50% of the buffer's linear footage and distributed throughout that linear footage:
 - a) All roadways classified as a Collector or above in the following locations:
 - i. Within the Farmland Preservation Area.
 - ii. Outside of the Urban Growth Boundary, west of I-75.
 - iii. US 27 and SR 40 within the Urban Growth Boundary, west of I-75.
 - iv. US HWY 301/441 within the Urban Growth Boundary, north of the Ocala City Limits.
 - v. Classified as a Scenic Road.
- (6) The preservation of existing natural vegetation within buffers is permitted and encouraged to meet buffering requirements. In order to utilize natural vegetation as a portion of required buffer plantings, or in lieu of required buffer plantings, the applicant may review existing trees and or vegetation on-site with the County's Landscape Architect or their designee to determine if the existing trees and or vegetation will satisfy the required buffer.
- (7) A post-construction inspection of preserved existing natural vegetation and trees shall be conducted in accordance with Section 6.7.12. Damaged or removed vegetation, damaged or trees which are no longer considered viable, including those with heavily impacted root zones as determined by the County's Landscape Architect or their designee, shall be supplemented and/or replaced.

- K. Buffer walls and berms.

- (1) Buffer walls and berms shall:

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- (a) Not be constructed or installed in a manner which creates a threat to public safety or interferes with vehicular circulation;
 - (b) Be designed to be compatible with existing and proposed site architecture and the character of the surrounding and adjacent settings including the style and selection of materials; and
 - (c) Be situated so that the walls and berms are within the buffer limits and any required landscaping shall be installed on the public view side of the wall.
- (2) The substitution of required buffer walls along a public right-of-way requires Board approval.
 - (3) When a buffer wall is required, the buffer wall may be used in conjunction with a berm to achieve a minimum final elevation of eight (8) feet in height. When buffer walls, berms and/or combinations of each are used, they shall be constructed to ensure that historic and/or proposed drainage, stormwater, or other surface water flow patterns or facilities are not impacted.
 - (4) The maximum side slope for a berm planted with shrubs and woody groundcovers shall be 3:1. The maximum side slope for a berm planted with turfgrass shall be 3.5:1. Trees or shrubs may not be planted along the ridgeline of the berm.
 - (5) Buffer areas shall be continually maintained and kept free of all trash and debris.

(Ord. No. 13-20, § 2, 7-11-2013)

Table 6.8-1 Buffer Type Requirements

AG	Agriculture, Rural Lands, Rural Residential, Natural Preservation
SFR	Single family or duplex residential
MF	Multi-family residential
COM	Commercial, RV parks, Commercial Recreation
IND	Industrial uses
PUB	Public Use (including Government, Institutional, and related Professional Offices)
ROW	Arterial / Collector Right-of-Way or Arterial / Collector Road Easement

Table 6.8-2 Land Use Categories for Buffers

		Adjacent Permitted or Existing Use						
		AG	SFR	MF	COM	IND	PUB	ROW
Proposed Use	AG	-	-	-	-	-	-	-
	SFR	D ¹	E ³	C	A	B	C	D ¹
	MF	A/B	D	-	A	B	C	D ¹
	COM	D	B	B	-	B	C	C
	IND	B	B	B	B	-	B	C/D ²
	PUB	A/B	B	C	C	C	-	C

1. Properties within the limits of 6.8.6.J(5) shall comply with that buffer requirement
2. D Type Buffer if residential is adjacent to opposite ROW
3. A 6' opaque fence may be used in lieu of a vegetative buffer

TABLE 6.8-3 – Buffer Classification Requirements

BUFFER CLASSIFICATION	BUFFER WIDTH	PLANTING REQUIREMENTS (Per 100 lineal feet)	WALL REQUIRED?
A	40 feet	Three Shade Trees Five Understory Trees 30% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
	30 feet	Four Shade Trees Six Understory Trees 70% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
B	30 feet	Two Shade Trees Three Understory Trees 50% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	Yes
	20 feet	Three Shade Trees Four Understory Trees 75% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	Yes
C	25 feet	Two Shade Trees Three Understory Trees 50% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
	15 feet	Three Shade Trees Five Understory Trees 80% Shrubs and Groundcover, excluding turf grass and with continuous shrubs	No
D	25 feet	Two Shade Trees Three Understory Trees 25% Shrubs and Groundcover, excluding turf grass	Yes
	15 feet	Three Shade Trees Three Understory Trees 60% Shrubs and Groundcover, excluding turf grass	Yes
E	15 feet	Four Shade Trees Single row of continuous Shrubs	No
	5 feet	Five Shade Trees Double row of continuous Shrubs	No

Sec. 6.8.7. Parking areas and vehicular use areas.

- A. A minimum five (5) foot wide landscape area consisting of shrubs and groundcovers, excluding turfgrass, shall be provided around the perimeter of parking areas to form a landscape screen with a minimum height of three (3) feet achieved within one (1) year of planting. A land use buffer that abuts a parking area may satisfy this requirement.
- B. Landscaping adjacent to parking areas and vehicular use areas shall be protected from being damaged by vehicles using these areas. Landscaping at the nose of parking stalls shall be offset two and a half feet from the face of curb or wheelstop to allow for vehicle overhang. The area between the landscape and parking stall shall be mulched and contain no vertical irrigation components.
- C. A landscaped parking lot island shall be located every fifteen parking spaces. Where Shade Trees are required, to provide sufficient space for health root development, parking lot islands shall be a minimum of 360 square feet in size. Unsuitable soils, including limerock road base, shall be excavated and replaced with properly drained soils. For paved parking areas within a Primary SPZ, including those with permeable or porous surfaces, parking lot islands shall be completely planted with shrubs or groundcovers; the use of turfgrass is prohibited.
- D. Each row of parking spaces shall be terminated by a landscaped island.
- E. Divider medians may be used to meet parking area landscape requirements.
 - (1) The minimum width of a divider median shall be eight (8) feet.
 - (2) One (1) Shade Tree shall be provided per 50 lineal feet of divider median.
- F. To offset heat gain from paved surfaces, Shade Trees as required in Section 6.7.4 should be located to provide as much shade as possible on such surfaces.
- G. Parking lot screening must be achieved regardless of other landscaping requirements in this article. Shade trees as required in Section 6.7.4 shall be integrated into the parking area landscaping.
- H. All landscaping in parking areas and street frontages shall be placed so that it will not obstruct any sight triangle.
- I. Trees within parking areas.
 - (1) All trees required for parking areas and vehicular use areas shall be Shade Trees, unless required otherwise by provisions in this section.
 - (2) All parking lot islands, including terminal parking lot islands, shall contain one (1) Shade Tree unless site lighting fixtures are proposed in said island.
 - (3) In parking lot islands with site lighting fixtures, an arrangement of one (1) or two (2) accent/ornamental trees shall be installed depending on the size and configuration of the island.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.8. Building landscaping.

- A. Landscape plantings shall be provided for all proposed structures to reduce the monotony of large blank walls, reduce heat gain and glare, and enhance the aesthetic appearance of the building.
- B. Building landscape shall be provided for all sides facing public or private streets, and shall extend a minimum of 60 percent of the total length of the wall, excluding those areas required for access to the building.

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- C. Landscape areas shall be a minimum of five feet wide allowing for a minimum distance of two (2) feet from the façade to the innermost plants.
 - D. Shade Trees shall not be located within 20 feet of a building(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.9. Service and equipment areas.

- A. Garbage collection areas (dumpster pad) shall be screened with a wall, opaque fencing, or a landscape screen capable of reaching a minimum height of six (6) feet within three (3) years and maintained to preserve an opaque screening quality.
- B. Shade Trees shall remain fifteen feet while other trees and shrubs shall remain eight (8) feet from any fire service connection.
- C. Trees and shrubs shall remain offset three (3) feet from any electrical transformer and shall not be proposed along the access door face of the transformer within the distance provided by the power provider.
- D. Exterior air conditioning components shall be screened by locating the equipment away from public view or through the use of a landscape screen with a minimum height of three (3) feet offset a minimum of three (3) feet from the equipment.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.10. General planting requirements.

- A. All trees, palms, shrubs, and groundcovers shall be nursery grown and Florida No. 1 quality or better, as established by Florida Grades and Standards for Nursery Plants, Department of Agriculture, State of Florida, including latest updates, ('Florida Grades and Standards') as amended.
- B. Plant selection shall be appropriate for the development site and provide the highest level of diversity as practicable.
- C. Diversity requirements: Landscape design that includes a diversity of tree and plant species is required. For projects in which 20 or more trees are required, one species may not account for more than 25% of the total number of trees unless otherwise approved by the County Landscape Architect. At least three species of shrubs or groundcover shall be specified unless otherwise approved by the County Landscape Architect.
- D. Planting specifications are listed as follows:
 - (1) Native plant requirements:
 - (a) Within the Urban Growth Boundary (UGB), a minimum of 25 percent of all proposed plant quantities, excluding turfgrass, shall be Florida native species suitable for use in Marion County.
 - (b) Outside of the UGB a minimum of 35 percent of all proposed plant quantities, excluding turfgrass, shall be Florida native species suitable for use in Marion County.
 - (c) A minimum of 50 percent of the required Shade Trees shall be Florida native species suitable for use in Marion County.
 - (2) The use of invasive plant species based on the following sources, shall be prohibited:
 - (a) Florida Invasive Species Council Category I & II List of Invasive Plant Species,
 - (b) Prohibited Aquatic Plants per F.A.C. 5B-64.011, and
 - (c) Center for Aquatic and Invasive Plants, University of Florida, IFAS.

(3) Trees.

- (a) Shade trees shall have a minimum caliper of 3.5 inches and a height and crown diameter as per Florida Grades and Standards.
- (b) Understory trees shall have a minimum caliper of two (2) inches and a height and crown diameter as per Florida Grades and Standards.
- (c) To promote a sustainable and biodiverse tree canopy, Marion County recommended trees can be found in Table 6.8-4.

TABLE 6.8-4 – Tree Recommendations for Marion County – Non-Inclusive

Scientific name	Common name (<40ft height)	Native	Zone	Mature Height (ft)	Est. Crown Spread (ft)	Lifespan (years)
Small / Medium Trees						
<i>Acacia farnesiana</i>	Sweet acacia	Yes	8B - 11	20-40	20-30	12-50
<i>Aesculus pavia</i>	Red buckeye	Yes	6A - 9A	15-30	15-25	30-50
<i>Callistemon linearis</i> / <i>Callistemon rigidus</i>	Bottlebrush	No	8B - 11	15-20	15-20	20-40
<i>Carpinus caroliniana</i>	American Hornbeam	Yes	8 - 9A	20-30	20-30	50-150
<i>Cephalanthus occidentalis</i> ¹	Buttonbush	Yes	5 - 10	5-20	4-12	20-40
<i>Cercis canadensis</i>	Redbud	Yes	4B - 9A	20-30	20-35	20-70
<i>Chionanthus virginicus</i>	Fringetree	Yes	8 - 9	12-20	12-20	25-60
<i>Ilex cassine</i>	Dahoon holly	Yes	7A - 11	20-40	8-12	25-100
<i>Ilex vomitoria</i>	Yaupon holly	Yes	7A - 9B	15-25	15-20	30-75
<i>Ilex x attenuata</i> 'East Palatka'	East Palatka holly	Yes	7-9	30-45	10-15	20-40
<i>Magnolia grandiflora</i> 'Little Gem'	Little Gem magnolia	Yes	7 - 10	20-40	8-12	50-100
<i>Magnolia Xsoulangiana</i>	Saucer Magnolia	No	8 - 9A	20-30	20-30	50-120
<i>Myrcianthes fragrans</i> ¹	Simpson stopper	Yes	8B - 11	10-30	15-20	20-40
<i>Ostrya virginiana</i>	Hop-hornbeam	Yes	3-9A	20-40	25-30	100-150
<i>Prunus angustifolia</i>	Chickasaw plum	Yes	6A - 9B	10-25	10-20	15-25
<i>Prunus umbellata</i>	Flatwoods or hog plum	Yes	6A - 9B	10-20	10-30	30-40
<i>Vaccinium arboreum</i>	Sparkleberry	Yes	8 - 10B	10-25	10-15	20-30
<i>Viburnum obovatum</i> ¹	Walter's viburnum	Yes	7 - 10	10-20	10-15	30-60
<i>Viburnum odoratissimum</i> ¹	Sweet Viburnum	No	8B - 10A	15-30	10-25	40-60
Large Trees						
(40+ft height)						
<i>Acer barbatum floridanum</i>	Florida maple	Yes	6B-9A	50-60	20-30	80-130
<i>Acer rubrum</i>	Red maple	Yes	4-9	60-75	25-35	80-150
<i>Betula nigra</i>	River birch	Yes	4 - 9a	50-90	25-30	50-75
<i>Carya glabra</i>	Pignut hickory	Yes	5-9	50-65	30-40	200-300

<i>Carya tomentosa</i>	Mockernut hickory	Yes	4-9	50-100	40-60	200-500
<i>Carya illinoensis</i>	Pecan	Yes	5B-9A	70-130	40-75	100-300
<i>Diospyros virginiana</i>	Persimmon	Yes	4B-9B	40-60	20-35	50-150
<i>Fraxinus americana</i>	White ash	Yes	3-9A	50-80	50-80	200-300
<i>Fraxinus pennsylvanica</i>	Green ash	Yes	3-9A	60-70	35-50	100-120
<i>Juniperus virginiana</i>	Red cedar	Yes	8 to 9	25-50	10-30	100-450
<i>Liriodendron tulipifera</i>	Tulip poplar	Yes	8 to 9a	80-100	30-50	200-300
<i>Magnolia grandiflora</i>	Southern Magnolia	Yes	8 to 9	60-120	30-50	80-120
<i>Nyssa sylvatica</i>	Black tupelo	Yes	4B-9B	65-75	25-35	150-300
<i>Pinus palustris</i>	Longleaf pine	Yes	8 to 9	60-125	30-40	250-500
<i>Quercus austrina</i>	Bluff oak	Yes	8A-9B	40-90	35-50	200-300
<i>Quercus chapmanii</i>	Chapman oak	Yes	7B-10B	10-50	10-25	200-500
<i>Quercus falcata</i>	Southern red oak	Yes	7A-9B	60-80	60-70	150-275
<i>Quercus geminata</i>	Sand live oak	Yes	8A-10B	50-90	50-80	200-300
<i>Quercus lyrata</i>	Overcup oak	Yes	6-9A	30-70	30-60	150-300
<i>Quercus michauxii</i>	Swamp chestnut oak	Yes	5-9	60-100	30-50	100-200
<i>Quercus virginiana</i>	Live oak	Yes	7B-10B	60-80	60-120	250-500
<i>Taxodium ascendens</i>	Pond cypress	Yes	8A-10B	50-85	15-30	300-600
<i>Taxodium distichum</i>	Bald cypress	Yes	5A-10B	100-150	20-35	400-1000
<i>Ulmus alata</i>	Winged elm	Yes	6A-9B	45-70	30-40	50-100
<i>Ulmus americana floridan</i>	Florida elm	Yes	8-10A	60-80	50-60	100-150
<i>Ulmus crassifolia</i>	Cedar elm	Yes	6-9	40-90	40-60	50-100

¹ Shall be specified as tree form

- (4) Palms.
 - (a) Not more than 25 percent of all required trees shall be palm trees unless a higher percentage is authorized as stated in Section 6.7.9.
 - (b) Additional palms may be provided in excess of the 25 percent threshold when three (3) palms are used to substitute one (1) required tree.
 - (c) Palm trees shall not be substituted for Shade Trees required to meet tree mitigation plantings.
 - (d) Palms shall have a clear trunk height of 10 feet minimum.
- (5) Shrubs shall reach a minimum height of 18 inches within one year of planting, unless specified differently elsewhere in this Section, and be spaced appropriately for the species and required maintenance.
- (6) Groundcovers shall be those species of plants with a mature growing height of 24 inches maximum and spaced up to 24 inches maximum and 30 inches on-center maximum.
- (7) Vining groundcovers shall have a minimum of three runners per plant. Vines may be spaced accordingly for the proposed use. Stakes of vines shall be removed upon planting, and vines shall be trained to the wall or fence for which they are proposed.

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- (8) Turfgrass may be of any variety which is adapted and suitable for use in Marion County and that meets FFL requirements. The use of rolled turf is prohibited on property with public access unless the supportive netting is removed prior to or during installation and the integrity of the turf is not jeopardized during installation.

E. Mulch types shall be of a renewable resource or a recycled product. The use of cypress mulch is not allowed.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.11. Landscape installation.

- A. Any person providing landscape installation services for hire shall meet the licensing and certification requirements under Section 6.8.15.
- B. All plantings shall be installed according to current best management practices.
- C. Trees and palms shall be properly planted and guyed or staked.
- D. All plantings shall be properly irrigated for healthy growth as recommended by Florida Grades and Standards and UF/IFAS literature.
- E. Installation shall mean survival in perpetuity, and replacement if necessary, of all materials. Dead and/or dying plant material shall be replaced by the owner.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.12. Landscape completion and ongoing inspection requirements.

- A. Upon completion of the installation of the project a Landscape and Irrigation As-Built Certification shall be signed and sealed by the design professional and submitted to the County Landscape Architect prior to the issuance of a Certificate of Occupancy.
- B. Where landscape buffers are required under this code as a condition of development approval, the responsible maintenance entity shall every 24 months prepare a written certification, on a form provided by the County, that the buffers are in good health and maintenance, and that all plantings required in the buffer are meeting the requirements of the development approval. The certification must be signed by a responsible design professional and submitted to the Growth Services Department.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.13. Landscape maintenance.

- A. All landscape areas shall be maintained in accordance with the Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries, FFL, UF/IFAS and FDEP.
- B. Trees or palms shall not be severely pruned or shaped. If over 25% of the crown is trimmed during one trimming, then that tree is considered critically impacted and will require replanting at the cost of the Owner. The natural growth habit of a tree or palm shall be considered during the design phase to avoid maintenance conflicts.
- C. Trees or palms which are guyed or braced shall have such guying or bracing removed within one year of planting. Damaging trees with guying devices shall be considered a violation of this Code. Damaged trees shall be replaced at the expense of the owner.

- D. The alteration of any required and approved landscape area without obtaining prior written approval from the County is prohibited. The expansion of drought tolerant landscaping, excluding the replacement of planted areas with turfgrass, or replacing dying or diseased plants with similar plant material is excluded.
- E. Buffers and screening plantings shall provide healthy appearance year-round and be maintained at the required minimum heights.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.14. Fertilizers and other landscape chemicals.

- A. Applicability.
 - (1) This section shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer within the unincorporated area of Marion County, unless such applicator is specifically exempted by the terms of this section from the regulatory provisions of this Code. This section shall be prospective only, and shall not impair any existing contracts.
 - (2) This section requires the use of BMPs which provide specific management guidelines to minimize negative secondary and cumulative environmental effects associated with the misuse of fertilizers.
- B. Exemptions. The provisions set forth in Section 6.8.14 above in this section shall not apply to:
 - (1) Bona fide farm operations as defined in the Florida Right to Farm Act, § 823.14 FS, provided that fertilizers are applied in accordance with the appropriate Best Management Practices Manual adopted by the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy for the crop in question.
 - (2) Any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.
- C. Fertilizer content and application rates.
 - (1) Fertilizers applied to turfgrass and/or landscape plants within Marion County shall be applied in accordance with directions provided by FAC Rule 5E-1.003(2), Labeling Requirements for Urban Turf Fertilizers.
 - (2) Fertilizer containing nitrogen or phosphorus shall not be applied before seeding or sodding a site and shall not be applied for the first 30 days after seeding or sodding.
 - (3) Fertilizers should be applied to turf and/or landscape plants at the lowest rate necessary. Nitrogen shall not be applied at an application rate greater than 0.7 lbs of readily available nitrogen per 1,000 square feet at any one time based on the soluble fraction of formulated fertilizer, with no more than 1 pound total nitrogen per 1,000 square feet applied at any one time, and not to exceed the nitrogen recommendations set forth below on an annual basis:

Table 6.8-3 Fertilizer Application Rates

Grass Species	Maximum N Application Rate (Lbs/1,000 sf ² /year)
Bahia	3
Bermuda	4
Centipede	2
St. Augustine	3
Zoysia	4

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- (4) No phosphorus fertilizer shall be applied to existing turf and/or landscape Plants within the County at application rates which exceed 0.25 pounds phosphorus per 1,000 square feet per application nor exceed 0.50 pounds phosphorus per 1,000 square feet per year.
 - (5) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in Section 6.8.14.C(1) above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.
- D. Timing of fertilizer application. No applicator shall apply fertilizers containing nitrogen and/or phosphorus when soils are saturated.
- E. Fertilizer-free zones.
- (1) Fertilizer shall not be applied to turf or landscape plants within 30 feet of any pond, stream, watercourse, lake, canal or wetland. The use of macro-tab slow release fertilizer tablets for landscape plants which are installed within the plant pits during plant installation is allowed.
 - (2) Fertilizer shall not be applied to turf grass within the following areas:
 - (a) Seventy-five feet of the WBSL of any spring, pond, stream, watercourse, lake, wetland or sinkhole or other karst feature that has an opening at the surface.
 - (b) Fifteen feet from the top of the bank of any drainage retention area, canal, or from the top of a seawall, unless a deflector shield, drop spreader, or liquid applicator with a visible and sharply defined edge, is used, in which case a minimum of 3 feet shall be maintained.
 - (3) In the event an area is included in one or more of the areas described in Section 6.8.14.E(2) above, the more restrictive provision (i.e., the larger distance) shall apply.
 - (4) Newly planted turf and/or landscape plants may be fertilized in this zone only for a 60-day period beginning 30 days after planting if need to allow the plants to become well established. Caution shall be used to prevent the direct deposit of nutrients into the water.
- F. Low maintenance zones. A 10-foot low maintenance zone is required from any pond, stream, water course, lake, wetland, or from the top of a seawall. A swale/berm system is recommended for installation at the landward edge of this low maintenance zone to capture and filter runoff. If more stringent County regulations apply, this provision does not relieve the requirement to adhere to the more stringent regulations. No mowed or cut vegetative material shall be deposited or left remaining in this zone or deposited in the water. Care should be taken to prevent the over-spray of aquatic weed products in this zone.
- G. Impervious surfaces. Spreader deflector shields are required when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Fertilizer shall not be applied, spilled, or otherwise deposited on any impervious surfaces. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.
- H. Management of grass clippings and vegetative matter. In no case shall grass clippings, vegetative material, and/or vegetative debris be washed, swept, piled or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadways. Any material that is accidentally so deposited shall be immediately removed to the maximum extent practicable.

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- I. Training for fertilizer applicators.
 - (1) Commercial applicators of fertilizer within the unincorporated area of Marion County, shall maintain current Limited Urban Commercial Fertilizer Applicator Certification through the Florida Department of Agriculture and Consumer Services by January 1, 2014, per § 482.1562 FS.
 - (2) Any other person whose duties include the application of fertilizer not required to maintain certification in Section 6.8.14.I(1) above, shall obtain a GI-BMP Certificate of Completion within six months of assuming such duties.
 - (3) Private homeowners are required to follow the recommendations of the Florida Yards and Neighborhoods Handbook by FDEP and UF/IFAS, as amended except to the extent this Code provides more stringent requirements.
 - J. Enforcement.
 - (1) In addition to county code enforcement officers, the County Administrator may also delegate enforcement responsibility for this section to agencies and departments of Marion County government, in accordance with state and local law.
 - (2) Funds generated by penalties imposed under this section shall be used by the County for the administration and enforcement of § 403.9337 FS, and the corresponding sections of this Code, and to further water conservation and nonpoint pollution prevention activities.
 - K. Penalties.
 - (1) Violation of any provision of this section shall be subject to the following penalties:
 - (a) First violation: Written Notification and Education.
 - (b) Second violation: Written Notification and Education.
 - (c) Third violation: Fifty dollars (\$50.00).
 - (d) Fourth and subsequent violation(s): One Hundred dollars (\$100.00).
 - (2) Each day in violation of this section within a 365-day period, beginning the date of the first violation, shall constitute a separate offense. The Board may take any other appropriate legal action, including but not limited to emergency injunctive action, to enforce the provisions of this section.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.15. Landscape installation and maintenance licensing and certification.

- A. Landscape installation professionals performing work for hire within the unincorporated areas of Marion County shall be landscape contractors licensed by the Marion County Building Department, unless otherwise licensed by the State of Florida.
 - (1) Unless subject by Florida Statutes to certain continuing education requirements, contractors licensed under this section are required to complete a minimum of eight (8) Professional Development Hours or Continuing Education Units in Florida Friendly Landscaping Practices from a continuing education organization approved by the County before each succeeding license renewal or bi-annually, whichever is shortest. Compliance with this requirement will be confirmed at the time of license renewal, or by an approved audit procedure.
 - (2) A list of required and approved courses or certifications for Section 6.8.15.A(1) above will be maintained by the Marion County Licensing Board.

-
- (3) A course or certification may be added to or withdrawn from the approved list using an approved petition procedure.
 - B. Landscape maintenance professionals performing work for hire within the unincorporated areas of Marion County shall possess current GI-BMP Certificate of Completion.
 - C. Any person providing services for hire regarding any aspect of landscape maintenance that includes the application of fertilizer or pesticide shall meet the applicable state and County licensing and certification requirements included herein.

(Ord. No. 13-20, § 2, 7-11-2013)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 28, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-22, which was filed in this office on May 28, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

Debra Lewter

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Thursday, May 28, 2026 10:02 AM
To: Debra Lewter; County Ordinances
Cc: Debra Windberg; Susan Mills McAllister
Subject: RE: MRN20260519_ORDINANCE_2026_22
Attachments: Marion20260528_Ordinance26_22_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-22.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6270

From: Debra Lewter <DebraL@marioncountyclerk.org>
Sent: Thursday, May 28, 2026 9:24 AM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>
Subject: MRN20260519_ORDINANCE_2026_22

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-22, which includes Resolutions 26-R-143 through 26-R-146. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, May 19, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 09:24 AM
To: CountyOrdinances@dos.myflorida.com
Cc: Debra Windberg; Susan Mills McAllister
Subject: MRN20260519_ORDINANCE_2026_22
Attachments: MRN20260519_ORDINANCE_2026_22.pdf

Good morning Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of Marion County Ordinance 26-22, which includes Resolutions 26-R-143 through 26-R-146. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, May 19, 2026.

Please advise our office of the date on which this Ordinance was filed.

Thank you in advance for your cooperation in this matter.



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Debra Lewter

From: Debra Lewter
Sent: Thursday, May 28, 2026 03:22 PM
To: municodeords@civicplus.com
Subject: Marion County Ordinance 26-22
Attachments: 05-19-26 Ordinance 26-22 Zoning.docx; 05-19-26 Resolution 26-R-146 - 260509ZP Marion Gaming Management, LLC.docx; 05-19-26 Resolution - 26-R-145 - 260504SU 848 Broadway, LLC.docx; 05-19-26 Resolution - 26-R-144 - 260505SU FCH Propertues, LLC.docx; 05-19-26 - Resolution 26-R-143 - 260502SU Partners Self-Storage.docx

Good afternoon,

Attached is Ordinance 26-22 (Zoning) along with Resolutions 26-R-143 through 26-R-146, which were adopted by the Marion County Board of County Commissioners on Tuesday, May 18, 2026.

Please advise of any problems you may have opening the attached Word documents.



Debra Lewter

Clerk, Commission Records

352-671-5620 | DebraL@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

ORDINANCE NO. 26-22

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL USE PERMIT APPLICATIONS, AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application(s) for Special Use Permits and Zoning Changes were duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned applications were considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026; and

WHEREAS, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

WHEREAS, property owner(s) have submitted application(s) for rezoning, and/or special use permits, and such applications identify the property by metes and bounds description or by the Marion County Property Appraiser parcel number, and such identifications of property are hereby incorporated into this ordinance by reference, and

WHEREAS, the Board has considered the approval recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. The Board has determined that each application will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. Now therefore,

BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. REZONING, AND SPECIAL USE PERMIT APPROVALS. The Board hereby approves the below-listed applications for Rezoning and Special Use Permits. NOTE: The terms and conditions of Board approval of the Special Use Permits and PUD Amendment are stated in the Board Resolution corresponding to the Special Use Permit Applications and PUD Amendment shown below.

1. **AGENDA ITEM 15.4.2. 260502SU** – Partners Self Storage, LLC, Special Use Permit to allow for covered outdoor storage of RVs, boats, and trailers, in a Community Business (B-2) zone, on an approximate 11.0 Acre Parcel, on Parcel Account Number 39169-000-00, Site Address 7655 E. Highway 25, Belleview, FL 34420

Subject to all terms and conditions of Resolution 26-R-143 attached hereto and incorporated herein by reference.

2. **AGENDA ITEM 15.4.3. 260505SU** – FCH Properties, LLC, Special Use Permit to allow construction or contractor yard, in a Regional Business (B-4) zone, on an approximate 5.02 Acre Parcel, on Parcel Account Number 45458-002-03, Site Address 13866 S. US Highway 441, Summerfield, FL 34491

Subject to all terms and conditions of Resolution 26-R-144 attached hereto and incorporated herein by reference.

3. **AGENDA ITEM 15.4.4. 260504SU** – 848 Broadway, LLC, Special Use Permit to allow for the operation of a funeral home and crematorium facility, in a Heavy Business (B-5) zone, on an approximate 1.65 Acre Parcel, on Parcel Account Number 36459-001-00, Site Address 7075 S. Pine Avenue, Ocala, FL 34480

Subject to all terms and conditions of Resolution 26-R-145 attached hereto and incorporated herein by reference.

4. **AGENDA ITEM 15.4.5. 260402ZC** – Gironj, LLC, Zoning Change, from Single Family Dwelling (R-1) to Community Business (B-2) zone, for all permitted uses, on an approximate 0.48 Acre Parcel, on Parcel Account Number 14138-000-00, Site Address 9645 NE 21st Avenue, Anthony, FL 32617


5. **AGENDA ITEM 15.4.7. 260509ZP** – Marion Gaming Management, LLC, Zoning Amendment to Planned Unit Development (PUD) and Approve Master Plan to allow for the addition of six (6) pickleball courts, two (2) manufactured buildings, and modify conditions concerning buffers and construction access, on an approximate 65.51 Acre Tract, on Parcel Account Numbers 48476-001-00 and 48476-002-00, Site Address 17996 S. US Highway 301, Summerfield, FL 34491

Subject to all terms and conditions of Resolution 26-R-146 attached hereto and incorporated herein by reference.

SECTION 3. EFFECTIVE DATE. A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from the Secretary of State that this Ordinance has been filed with such office.

DULY ADOPTED in regular session this 19th day of MAY 2026.

ATTEST:



GREGORY C. HARRELL, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



CARL ZALAK, III, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE
ON MAY 28, 2026 ADVISING ORDINANCE WAS
FILED ON MAY 28, 2026.

RESOLUTION NO. 26-R-143

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

- 1. SECTION 1. SPECIAL USE PERMIT APPLICATION 260502SU** – Partners Self Storage, LLC, the application requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Anthony McGuire, Newark, DE 19711, to allow for covered outdoor storage of RVs, boats, and trailers in a Community Business (B-2) zone, on an approximate 11.00 Acre Parcel, on Parcel Account Number 39169-000-00, Site Address 7655 E. Highway 25, Belleview, FL 34420

SECTION 2. FINDINGS AND CONDITIONS. The Board has determined that this request will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. The Board of County Commissioners agrees with the recommendation of approval with conditions and findings of the Planning and Zoning Commission, and approves the Special Use Permit subject to the following conditions:

1. Site access shall be determined during the Development Review phase of development.
2. Off-street parking and loading areas on site shall be determined during the Development Review phase of development.
3. Screening for on-site refuse and service areas shall be determined during the Development Review phase of development.
4. Provision of utilities shall be determined during the Development Review phase of development.
5. The outdoor vehicle storage parking spaces shall be located internally to the site and screened by pull-up/self-storage buildings, consistent with the concept plan (dated February 2026). The vehicle storage area clusters may be covered as elected by the applicant/owner/developer.
6. In the event that gaps between pull-up / mini-storage buildings are provided to comply with Building/Fire Code requirements, the gaps between the buildings shall be filled with an opaque vinyl privacy fence reaching at least 6 feet in height. The opaque fencing combined

with the buildings shall form a continuous screen blocking views from adjacent properties and E Hwy 25.

7. Landscape area buffers shall be provided and maintained along the site's boundaries consistent with the following:
 - a. North, East, and West, where pull-up / self-storage buildings are located and abut existing residential properties – a modified 20' B-Type no-touch buffer. The blank rear-wall of the storage building(s) and fencing outlined in condition 6 shall serve as the required buffer wall. The storage buildings and fences shall be located on the perimeter of the development area, with the outdoor storage being internal to the storage buildings. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place, and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.
 - b. West, where pull-up/self-storage buildings are not located and where there is an adjacent existing residential property – a modified 20' B-type no-touch buffer. There shall be an opaque vinyl privacy fence reaching at least 6-feet in height running parallel with the preserved trees. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place, and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation that do not meet B-Type buffer LDC requirements shall be planted per code.
 - c. East, where pull-up/self-storage buildings are not located and where there is an adjacent public use – a 20' no-touch buffer. Viable existing buffer vegetation, as confirmed by a Landscape Architect or Certified Arborist, shall be left in place, and each viable tree's Critical Root Zone shall be adequately protected during site grading and development. Any gaps in existing buffer vegetation shall be planted and maintained according to the LDC.
 - d. South, along E Hwy 25 – a 15' C-Type buffer, per LDC requirements.
8. No trees shall be removed from the property prior to obtaining Development Review Committee site plan approval.
9. Screening for covered parking structures is required as follows:
 - a. For the covered parking structure shown on the northwest portion of the site. Opaque metal siding must be installed consistent with the concept plan dated February 2026. The metal siding must fully screen the parking stalls from end to end and extend from the finished pavement to the roof of the structure. The siding must be continuous, non-transparent, and maintained in good condition, with no gaps or openings, to ensure that parked vehicles are not visible from the south at any time. Evergreen plantings must be provided between the outdoor storage area and E Hwy 25. Plantings may be located inside or outside of the required 15' Type C buffer along E Hwy 25. If the developer opts to provide plantings outside of the buffer, then plantings must be located inside planter boxes situated within 20 feet of the metal siding. Selected species must provide foliage between 6 feet to 12 feet in height at maturity.
 - b. For the covered parking structures shown on the southern portion of the site. Evergreen plantings must be provided between the outdoor storage area and E Hwy 25. Plantings may be located inside or outside of the required 15' Type C buffer

along E Hwy 25. Selected species must provide foliage between 6 feet and 12 feet in height at maturity.

10. Exterior lighting shall comply with applicable sections of the LDC and shall be designed and located to minimize glare, maintain traffic safety, and ensure compatibility with adjacent uses.
11. The conditions approved under Resolution No. 25-R-299 are repealed and replaced with the conditions contained herein.
12. The project shall be developed consistent with the conditions outlined herein and with the concept plan (dated 02/2026) provided with this Special Use Permit application.
13. The use of the covered outdoor storage parking shall be limited to RVs, boats, trailers, or any licensed and registered vehicle. The parking of refrigerated tractor-trailer units, running/idling tractor-trailer cab units, and/or similar vehicles requiring continuous or cyclical operation to maintain particular vehicle conditions is prohibited on the property.
14. The Special Use Permit shall not have a time-based expiration date and shall run with the property.
15. Expansion of the mini-storage facility consistent with the overall site's zoning is permitted. Outdoor parking may only take place in areas proposed, consistent with this site plan (dated February 2026). Any additional outdoor parking will require a new Special Use Permit.

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 19th day of May 2026.

ATTEST:

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



GREGORY C. HARRELL, CLERK



for CARL ZALAK, III, CHAIRMAN

RESOLUTION NO. 26-R-144

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

- 1. SECTION 1. SPECIAL USE PERMIT PETITION 260505SU – FCH Properties, LLC**, the petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Robert W. Batsel, Jr., Ocala, FL 34471, to allow construction or contractor yard, in a Regional Business (B-4) zone, on an approximate 5.02 Acre Parcel, on Parcel Account Number 45458-002-03, Site Address 13866 S. US Highway 441, Summerfield, FL 34491

SECTION 2. FINDINGS AND CONDITIONS. The Board has determined that this request will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. The Board of County Commissioners agrees with the recommendation of approval with conditions and findings of the Planning and Zoning Commission, and approves the Special Use Permit subject to the following conditions:

1. The property shall maintain existing buffers and fill in any gaps to meet or exceed the buffer requirements of the Major Site Plan Improvements approved by the County pursuant to Application Request (AR) No. 23191
2. Areas used for outdoor storage shall be screened by opaque fencing at least 6' in height.
3. A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.
4. Stacking of materials outdoors shall be limited to a maximum height of six (6) feet.
5. No manufacturing, fabrication, or processing of materials shall occur at the property. All construction activities shall take place at off-site project locations.
6. Applicant shall operate the site in a manner that reduces the need for backing movements, including use of pull-through circulation patterns where feasible, and otherwise use its best efforts to reduce noise during late-night and early-morning hours.
7. This site shall be developed consistent with the proposed conceptual plan.

8. The Special Use Permit is granted only for the benefit of Chinchor Electric, Inc. on the subject property. Any change of ownership of the subject property will terminate this Special Use Permit.
9. The Special Use Permit shall expire on May 19, 2046.

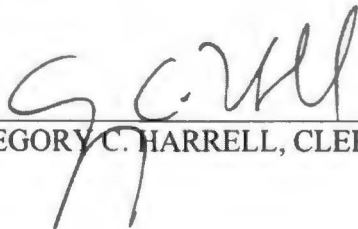
SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 19th day of May, 2026.

ATTEST:

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



GREGORY C. HARRELL, CLERK



CARL ZALAK, III, CHAIRMAN

RESOLUTION NO. 26-R-145

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A SPECIAL USE PERMIT, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a petition for a Special Use Permit was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned petition was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

1. **SECTION 1. SPECIAL USE PERMIT PETITION 260504SU** – 848 Broadway, LLC, the petition requesting a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Spencer Fane, SCI Funeral Services of Florida, LLC, Tampa, FL 33602, to allow for the operation of a funeral home and crematorium facility, in a Heavy Business (B-5) zone, on an approximate 1.65 Acre Parcel, on Parcel Account Number 36459-001-00, Site Address 7075 S. Pine Avenue, Ocala, FL 34480

SECTION 2. FINDINGS AND CONDITIONS. The Board has determined that this request will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with the surrounding land uses. The Board of County Commissioners agrees with the recommendation of approval with conditions and findings of the Planning and Zoning Commission, and approves the Special Use Permit subject to the following conditions:

1. The site shall be developed and operated consistent with the proposed uses, the submitted Conceptual Site Plan, and the conditions as provided with this approval.
2. The crematorium shall comply with all applicable federal, state, and local regulations, including air quality permitting requirements.
3. No outdoor storage or processing of materials associated with the crematorium shall be permitted.
4. The proposed cremation and processing operation shall be conducted indoors.
5. The dumpster enclosure shall not be used to dispose of materials associated with cremation.
6. To avoid potential noise and limits on emissions that are released through the cremation process, the crematorium's hours of operation are limited to 6:00 a.m. to 9:00 p.m.
7. No funeral or memorial services shall be conducted on-site.
8. A modified C-type buffer along South Pine Avenue consisting of evergreen hedges, which are to be maintained at a minimum of 3' in height, and three (3) ornamental trees per one hundred (100) lineal feet is to be installed and maintained.

9. If public water or sewer becomes available from the public utility provider, connection to such services will be required within 365 days of notification.
10. A new Special Use Permit will be required for any future expansion of the approved crematory use.
11. The Special Use Permit is granted only for the subject property and only for the benefit of the current property owner, 848 Broadway LLC, on the subject property, and shall remain in effect until such time as the property is conveyed to SCI Funeral Services of Florida, LLC. The transfer of ownership shall occur within one hundred eighty (180) days from the date of approval of this Special Use Permit, after which the Permit shall run with the new owner on the subject property. Any other such change of ownership of the subject property shall terminate this Special Use Permit.
12. The Special Use Permit shall expire on May 19th, 2031; however, it may be renewed administratively three times for up to 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
 - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the permit,
 - b. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
 - c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

SECTION 3. REVOCATION. Violation or failure to comply with one or more condition(s) of this Special Use Permit shall be grounds for revocation of this Special Use Permit by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session this 19th day of May, 2026.

ATTEST:

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



GREGORY C. HARRELL, CLERK



CARL ZALAK, III, CHAIRMAN

RESOLUTION NO. 26-R-146

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT and AMENDMENT TO A MASTER PLAN ON AN OVERALL ±65.51 ACRE TRACT FOR MARION GAMING MANAGEMENT, LLC, ZONING CASE NUMBER 260509ZP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for an amendment to a Planned Unit Development and Amendment to Master Plan was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on April 27, 2026; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, May 19, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

- 1. SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 260509ZP – Marion Gaming Management, LLC**, the application requesting an Amendment to a Planned Unit Development, and Amendment to Master Plan, Articles 2 and 4 of the Marion County Land Development Code, as submitted by David Tillman with Tillman & Associates Engineering, LLC, Ocala, FL 34471, to allow for an addition of six (6) pickleball courts, two (2) manufactured buildings, and modify conditions concerning buffers on a approximate 65.51 Acre Tract, on Parcel Account Numbers 48476-001-00 and 48476-002-00, Site Address 17996 S. US Highway 301, Summerfield, FL 34491

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the amendment to the existing Planned Unit Development and amendment to Master Plan, and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

- 1. The PUD Master Plan approved under this case shall constitute the final PUD Master Plan for Case No. 20191106Z as amended. Any future modifications shall require BCC approval with proper notice and advertisement at the applicant's expense.**

2. PUD Zoning allowable land uses are limited to: RV park (not to exceed 220 lots), gaming facility, horse track, pickleball courts (up to six courts), temporary manufactured structure/trails (up to two for office and storage uses), and B-2 permitted uses.
3. Total commercial and recreational floor area shall not exceed 80,000 SF. The cardroom operation gaming floor area shall not exceed 26,000 SF, counted as part of the total commercial and recreational 80,000 SF.
4. The buffers for the proposed PUD shall be designed, installed, and maintained as follows:
 - a. Northern Boundary:
 - i. RV Park area: Modified Type D-2 buffer shall be provided, consisting of a minimum three-foot-high berm, minimum width 25 feet. The buffer shall contain at least five shade trees and 18 shrubs for every 100 lineal feet.
 - ii. Other area: Modified Type D-1 Buffer, with a minimum 15-foot width. The buffer shall contain at least five shade trees and 18 shrubs for every 100 lineal feet.
 - b. Western Boundary:
 - i. Western boundary of the adjacent parcel to the west, along SE 58th Ave (Parcel ID: 48476-000-00): Modified Type D-2 buffer shall be provided, consisting of a minimum three-foot-high berm, minimum width 25 feet. The buffer shall contain at least five shade trees and 18 shrubs for every 100 lineal feet.
 - ii. Western boundary of the subject property (48476-001-00 & 48476-002-0): No buffer required.
 - c. Southern Boundary:

The Owner shall submit an affidavit, in a form acceptable to the Marion County Growth Services Director, or his or her designee, and signed by the adjacent property owner(s), acknowledging and accepting the proposed modified buffer and buffer deferral shown on the site plan until the time that the property to the south is under new ownership, within thirty days of the approval date of this PUD Master Plan. In the event the adjacent property is sold or conveyed to different owner(s), the subject property Owner shall submit the required affidavit signed by the new adjacent property owner(s) within sixty days of the ownership change in order to maintain the approved buffer deferral. Failure to submit the affidavit within the required timeframe shall result in the requirement to install and maintain the buffer, same as the Northern boundary requirement, within 90 days of the ownership change.
 - d. Eastern Boundary:

No buffer required.
5. All project development shall be served by Marion County Utilities' central potable water and central sanitary sewer services. Utility easements of adequate size to serve current and future development phases shall be dedicated to Marion County Utilities prior to or concurrent with Major Site Plan approval.
6. Lighting shall be limited to full cutoff fixtures as defined by IESNA, scaled and located to minimize glare and light diffusion to adjoining properties. All exterior lighting shall comply with LDC Section 6.19.
7. All on-site speakers and public address systems shall be designed and installed to direct and maintain announcements, music, and general noise into the subject property, and no

such system audio broadcast/speaker components shall be installed or mounted greater than 25 feet above ground level. The subject property and all uses thereon (including pickleball courts and the outside bar) shall comply with the Marion County Noise and Vibration Control Ordinance and the noise standards applicable to the surrounding agricultural lands under the “plainly audible” standard.

8. Access to the property shall be limited to the existing access on S. US Highway 301 via a paved driveway apron, including obtaining approval and permitting by the Florida Department of Transportation. Additional access may be provided to SE 177th Place, subject to compliance with Marion County Land Development Regulations (e.g., access management requirements, emergency access only, driveway permit requirements, etc.) All construction traffic shall use the primary entrance from S. US Highway 301.
9. Where Drainage Retention Areas (DRAs) are located partially or wholly on parcels other than the project parcels (48476-001-00 and 48476-002-00), recorded drainage easements shall be established across both the subject property and the adjacent parcel(s) prior to approval of any Major Site Plan involving those DRAs. The easements shall run with the land and shall be in a form acceptable to the Marion County Stormwater section.

SECTION 3. COMPLIANCE/REVOCATION. Violation or failure to comply with one or more conditions of this Planned Unit Development Amendment shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development Amendment by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon the effective date of this Zoning Change’s corresponding Rezoning Ordinance, No. 26-22.

DULY ADOPTED in regular session this 19th day of May 2026.

ATTEST:

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



GREGORY C. HARBELL, CLERK



for CARL ZALAK, III, CHAIRMAN

