

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 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/combo 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. Notes including installation instructions and special requirements related to licensing, tree protection, maintenance, fertilizer use, and watering.
 - J. Notes regarding tree protection and inspections as outlined in Section 6.7.3 and 6.7.12 and shall also be provided on the site and grading 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. All plant species listed as "Prohibited" in the UF/IFAS Assessment of Non-native Plants (Central Zone) shall be removed from proposed development sites. Plant species listed as "Invasive - Not Recommended" shall be removed from all proposed development sites outside of the Urban Growth Boundary (UGB); they may remain within the UGB with authorization from the County Landscape Architect.
- C. Landscaping within rights-of-way shall require approval by the County Engineer or his designee.
- D. Trees shall not be located in areas that will cause conflict with overhead or underground utilities. Large trees shall not be located within 30 feet of power lines. Alternative design strategies may be approved by the County's Landscape Architect 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 land to be developed shall be landscaped.

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- A. When a project area is less than the size of the overall parcel to be developed, the required landscape area calculation may be reduced to apply to the project area as authorized by the County Landscape Architect. All other requirements directed by the Board, DRC, or included in this division shall apply.
 - B. Landscape areas shall include:
 - (1) Buffers;
 - (2) Landscaping required for parking areas;
 - (3) Building landscaping; and
 - (4) Service and equipment area screening.
 - C. Landscape areas may also include planted stormwater management areas with a depth of four feet or less.
 - D. Credit towards the landscape area requirements may be allowed for all or part of preserved native habitat if the applicant demonstrates that it includes one or more of the following:
 - (1) Tree clusters including native vegetative communities are protected from development impact.
 - (2) Vegetative areas with native understory flora are protected from development impact.

(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. The landscape design standards in Section 6.8.3 shall be provided for any proposed landscaping in the following areas:
 - (1) Development entry areas.
 - (2) Medians and/or boulevards.
 - (3) Community buildings.
 - (4) Recreation and common areas.
- 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.

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- 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. In new 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 Handbook, as amended. A program which promotes these principles shall be 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 and provide an aesthetic quality, especially along public rights-of-way, which enhance travel corridors and screen unsightly areas from public view.
- C. Plant species shall be mixed to provide diversity 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, 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. If buffers are required, the length shall be measured along each property line, and shall exclude driveways and other access points.
- G. No buildings, structures (other than buffer walls or buffer fences), storage of materials, or parking shall be permitted within the buffer area.
- H. Buffers shall not be located on any portion of an existing or dedicated right-of-way.
- I. 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.
- J. 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 development of the more intense land use, with the following deviations:
 - (a) When a new but less intense land use is developed adjoining a pre-existing developed site with a higher intensity use, 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, 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 development of an individual single family residence or duplex is exempt from providing the required buffer
- (3) In interpreting and applying the provisions of buffers, development is classified into categories shown in Table 6.8-1.
- (4) 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.

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

		Permitted or Existing Use						
		AG	SFR	MF	COM	IND	PUB	ROW
Proposed Use	AG	-	-	-	-	-	-	-
	SFR	E	E**	C	A	B	C	C
	MF	E	D	-	A	B	C	C
	COM	D	B	B	-	B	C	C
	IND	B	B	B	B	-	B	C/D*
	PUB	E	B	C	C	C	-	C

*D Type Buffer if residential adjacent to ROW

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

- K. Description of buffer classifications. The content and composition of each buffer type is described in the following items. The design professional shall use these requirements to design buffers that are thoughtfully designed and enhance perimeter of the development site. Visual screening shall be achieved through the use of proper plant material, arrangement, and layering.
 - (1) A-Type buffer shall consist of a 30-foot wide landscape strip without a buffer wall. The buffer shall contain at least three shade trees and five accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet achieved within one year of planting.

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- (2) B-Type buffer shall consist of a 20-foot wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer.
 - (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 accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer and form a layered landscape screen with a minimum height of three feet achieved within one year.
 - (4) D-Type buffer shall consist of a 15-foot wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.
 - (5) E-Type buffer shall consist of a five-foot wide landscape strip without a buffer wall. The buffer shall contain at least four shade trees for every 100 lineal feet or fractional part thereof. Shrubs shall be planted in a double-staggered row and be capable of reaching a maintained height of six feet within three years. Groundcovers and/or turfgrass shall not be used in this buffer.

L. Buffer walls, buffer fences, and berms.

- (1) Where buffer walls are required by this article, a combination of buffer walls and berms may be used to meet the intent of buffering. Buffer fences may be used to as a substitute for buffer walls with approval of the DRC. The buffer walls, buffer fences, and berms shall:
 - (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 wall or fence components are within the buffer limits and any required landscaping shall be installed on the public view side of the wall.
- (2) 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 feet in height. When buffer walls, berms and/or combinations of each are used, they shall be constructed to:
 - (a) Ensure that historic and/or proposed water flow patterns are accommodated;
 - (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. 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 or shrubs on the very top of a 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. Buffer areas shall be continually maintained and kept free of all trash and debris.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 24-30, § 1(Att. 1), 12-9-2024)

Sec. 6.8.7. Parking areas and vehicular use areas.

- A. A minimum five-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 feet achieved within one 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. Landscaping at the end of parking stalls shall be offset away from the parking stall to allow for vehicle overhang. The area between the landscape screening and the end of the parking stall shall be mulched and contain no vertical irrigation components.
- C. A landscaped parking lot island shall be located every ten parking spaces and shall be a minimum of 200 square feet in size 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. 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 shade tree unless site lighting fixtures are proposed in said island. Double parking lot islands (where double-loaded parking bays are proposed) shall contain two shade trees.
 - (3) In parking lot islands with site lighting fixtures, an arrangement of one or two accent/ornamental trees shall be installed depending on the size and configuration of the island.
 - (4) Parking lot islands with control signage may contain other tree (or palm) species, in lieu of shade trees, which will not conflict with the visibility of such signage.
- E. Each row of parking spaces shall be terminated by a landscaped island.
- F. Divider medians may be used to meet parking area landscape requirements.
 - (1) The minimum width of a divider median shall be eight feet.
 - (2) One shade tree shall be provided per 50 lineal feet of divider median.
- G. 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.
- H. Parking lot screening must be achieved regardless of other landscaping requirements in this article. Shade trees as required in Section 6.7.4 may be integrated into the parking area landscaping.
- I. All landscaping in parking areas and street frontages shall be placed so that it will not obstruct any sight triangle.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.8. Building landscaping.

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

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- B. Landscape areas shall be provided adjacent to or within 25 feet from the building walls and shall extend along 60 percent of the total length of the wall, excluding those areas required for access to the building.
 - C. Landscape areas shall be a minimum of five feet wide allowing for a minimum distance of two feet from the façade to the innermost plants.
 - D. Large trees shall not be located within 20 feet of a building. Accent/ornamental trees shall be located sufficiently to allow for healthy growth and to minimize the need for pruning.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.8.9. Service and equipment areas.

- A. Utility areas and loading/unloading areas shall be screened as follows:
 - (1) A planting area a minimum of three feet wide and shall form a continuous three-foot high landscape screen, or
 - (2) Buffer fencing with a minimum height of three feet.
- B. Garbage collection areas (dumpster pad) shall be screened with a wall, buffer fencing, or a landscape screen capable of reaching a minimum height of six feet within three years.
- C. Trees and shrubs shall remain eight feet from any fire service connection.
- 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 feet.

(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 Grades and Standards for Nursery Plants, Department of Agriculture, State of Florida, including latest updates, as amended.
- B. Plant palettes shall be appropriate for the development site and provide the highest level of diversity as practicable.
- C. Planting specifications are listed as follows:
 - (1) Native plant requirements:
 - (a) Within the 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.
 - (d) To promote biological diversity, no more than 50 percent of the required shade trees for a development shall be of one species.
 - (2) The use of invasive plant species is based on the UF/IFAS Assessment of Non-native Plants (Central Zone) as updated.

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- (a) Plant species listed as "Prohibited" are not permitted for use in any proposed development.
 - (b) Plant species listed as "Invasive - Not Recommended" are not permitted for use in any development outside of the UGB. This group of plants may be used within the UGB with subject to approval by the County Landscape Architect.
 - (c) Plant species listed as "Caution" may be used provided specific management strategies and monitoring are included in the project's BMP manual.
- (3) Trees.
- (a) Shade trees shall have a minimum caliper of 3.5 inches.
 - (b) Accent or ornamental (understory) trees shall have a minimum overall height of six feet and a minimum spread of 42 inches upon installation.
- (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 palms are used to substitute one required tree. Where specimen palms are specified, substitution may be a one-to-one ratio.
 - (c) Palm trees shall not be substituted for required shade trees.
 - (d) Palms shall have a clear trunk height of 10 feet minimum.
- (5) Shrubs shall be a minimum height of 18 inches spaced appropriately for the species and the required screening and maintenance height.
- (6) Groundcovers shall be those species of plants with a mature growing height of 24 inches maximum and spaced up to 2' - 3' on-center.
- (7) Vining groundcovers shall have a minimum of three runners per plant. Vines may be spaced accordingly for the proposed use.
- (8) Turfgrass may be of any variety which is adapted and suitable for use in Marion County. The use of rolled turf is prohibited on property with public access unless the supportive netting is removed and the integrity of the turf is not jeopardized during installation.
- D. Mulch types shall be of a renewable resource or a recycled product. The use of cypress mulch is discouraged.
- (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 for healthy growth as recommended by UF/IFAS.
- 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 inspection requirements.

Upon completion of the installation, the contractor shall request an inspection by the design professional. 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.

(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, UF/IFAS and FDEP.
- B. Trees or palms shall not be severely pruned or shaped. 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. 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/year)
Bahia	3
Bermuda	4
Centipede	2
St. Augustine	3
Zoysia	4

- (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.

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- (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.
- 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.

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- (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 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)