

LDC CODE UPDATE	
DATE:	January 30, 2025
LDC SECTION:	Section 4.2.2 General requirements for all agricultural classifications
COMP PLAN REFERENCE:	N/A
DISCUSSION: Background During recent EAR workshops with the BOCC, it was noted that Solar Energy Facilities are allowable in all Agricultural zoning classifications per Florida State Statutes. As of January 2025, the Land Development Code of Marion County, FL, Sec. 4.2.2, General requirements for all agricultural classifications is absent of Solar Energy Facilities requirements. The Board requested that regulations be adopted that provide for buffering, setbacks, etc., which is allowable for the local jurisdictions to adopt. With the continued growth of such facilities throughout the region, the primary intent of the recommended text changes is to reflect current development standards. Changes to the LDC Section Changes to the text of Section 4.2.2 General requirements for all agricultural classifications address the following issues. 1. Add the Solar Energy Facilities development standards pursuant to F.S.S. 162.3205 to Sec 4.2.2 The proposed standards are in line with projects completed by similar utility providers and comparable jurisdictions. Attachments: Redline LDC Changes to Section 4.2.2 General requirements for all agricultural classifications	

Sec. 4.2.2. General requirements for all agricultural classifications.

- A. Contained in the following sections are the allowed land uses, building and lot standards (including minimum setbacks), other general requirements, and permitted uses specified for all agricultural zoning classifications.
- B. Where the setback requirements set forth herein preclude development of the parcel or tract; and where the parcel or tract could be developed in conformance with the zoning code in effect prior to the adoption of this Code; the prior requirements shall prevail.
- C. Special requirements for all agricultural zoning classifications:
- (1) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs, pilasters, chimneys and fireplaces may protrude two and one-half feet into a required setback
 - (2) No structure or building may be erected, placed upon or extend over any easement unless approved in writing by the person or entity holding said easement
 - (3) Outdoor ground and building lighting shall not cast direct light on adjacent properties.
 - (4) The sale, either retail or wholesale, of hay, either locally grown or imported from outside the State of Florida, is allowed as an accessory use on a working farm, as defined in CH 604.50 FS, where hay is already produced and sold. This provision is not permitted in the A-3 zoning classification.
 - (5) On A-1 zone parcels residential complexes for agricultural employees are allowed as an accessory use and may be clustered provided central water and sewage facilities are provided. Dwelling units may be conventional construction, or manufactured housing.
 - (6) On legal non-conforming lots or parcels of one acre or less in size or lots up to nine and nine-tenths acres in size, the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, beefalo and other large farm animals is as follows:
 - (a) The minimum square footage of contiguous open pasture area, not including the dwelling and the garage (either attached or detached) shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal.
 - (b) The total number of such animals that may be kept shall not exceed four per acre except offspring, which may be kept until weaned.
 - (7) Requirements of the Storage of Manure:
 - (a) Manure shall not be allowed to accumulate causing a nuisance or hazard to the health, welfare, or safety of humans or animals.
 - (b) The outside storage of manure in piles (two cubic yards or greater) shall not be permitted within 100 feet of any lot line and/or any residence.
 - (c) Compliance with Article 5 Springs Protection Zone standards.
 - (8) Requirements for Solar Facilities:
 - (a) Solar facilities shall be a permitted use in all Agricultural land use districts and zoning classifications and shall require the submittal and approval of a Major Site Plan application meeting all criteria contained within the LDC. Additionally, solar facilities are subject to the following criteria:
 - (1) Buffers per Section 6.8.6 is required around the perimeter boundary of the project site, solar facilities are considered IND use.

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- (2) All mechanical equipment, including solar panels and similar structures, shall be set back a minimum of 100 feet from all property boundaries.
- (3) The solar facility power inverters and similar equipment shall be oriented towards the interior of the site and away from adjacent properties and be set back a minimum of 300 feet from the property boundary.
- (4) Solar Facilities must include a stormwater management system that complies with all sections of the LDC, and specifically mitigates the conversion of sheet flows to concentrated flows to meet pre-development rates and volumes.
- (b) Solar Facilities are subject to all applicable regional, state, and federal regulations, and more specifically, as follows:
- (1) Impacts to wetlands may be allowed to the extent permitted by state, regional, and federal agencies, provided impacts are offset by mitigation consistent with said agencies.
- (2) State or federally listed plant and animal species shall be protected pursuant to the requirements and recommendations of the Florida Fish and Wildlife Conservation Commission and the United States Fish and Wildlife Service.
- (c) The following maximum height provisions shall apply to solar facilities:
- (1) Light poles: twenty (20) feet
- (2) Ground mounted solar panels or modules: twenty (20) feet for top edge at full tilt.
- (3) Roof mounted systems shall not exceed thirty-five (35) feet in height.
- (4) There are no maximum height provisions for transmission lines, substations, and collector yards.
- (d) Physical access to solar facilities shall be restricted by fencing or walls. Razor wire is prohibited. All fencing and wall details shall be shown on the required site plan. The fencing or walls shall be located on the inside edge of the perimeter buffer such that the buffer plantings are between the fence or wall and the adjacent properties.
- (e) The location of points of interconnection from the site to the grid, including any on-site overhead power lines shall be shown on the site plan. Interconnection points and on-site power lines shall be located in a manner that avoids undue visual impacts to adjacent properties to the maximum extent practicable.
- (f) Accessibility for emergency services vehicles shall be required and shown on the Major Site Plan.
- (g) The owner shall provide a decommissioning plan in recordable form for approval by the Board of County Commissioners governing the removal and cleanup of the project site to run with the land as a restrictive covenant, governing the removal and cleanup of the subject property upon the

occurrence of the facilities final operation, and upon such approval the owner shall then record the plan in the Official Records of Marion County, Florida and provide the recorded document to the county for inclusion in its file.

(h) Any approval of a solar facility does not create any actual or inferred solar energy system easement against adjacent property and/or structures. The owner and/or property owner of a solar facility shall not infer or claim any rights to protective writs to any caused shadows or operating ineffectiveness against future development adjacent to or higher than the property location of the solar facility. The approval of any solar facility granted by Marion County shall not create any future liability or infer any vested rights to the owner and/or property owner of the solar facility on the part of the County for any future claims against said issuance of approval of the solar facility that result from reliance on this section or any administrative decision lawfully made thereunder.

D. Permitted Uses:

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

Beekeeping Operations

Pigeon lofts meeting the requirements of Sec. 4.3.20

Pot-bellied pigs as pets

Silos, not exceeding 100 feet in height

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

Yard sales (up to three per year)

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

~~— A Type A buffer per Section 6.8.6 is required around the boundary of the project site.~~

~~— All mechanical equipment, including solar panels and similar structures, shall be set back a minimum of 100 feet from all property boundaries.~~

~~— The solar facility power inverters and similar equipment shall be oriented towards the interior of the site and away from adjacent properties and be set back a minimum of 300 feet from the property boundary.~~

(1) ~~All other development standards in Sec 4.2.4 shall also apply.~~

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

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