

Land Development Code

Article 6 Technical Standards and Requirements

Division 1 General Provisions

Sec. 6.1.1 Purpose and intent.

The purpose of this article is to provide minimum technical standards and design requirements, as well as the procedural guidelines necessary to support applications outlined in Article 2, and to safeguard the health, safety, and welfare of the general public.

Sec. 6.1.2 Applicability. This article applies to all projects except:

- A. A single family residence unless otherwise indicated herein.
- B. Projects which are vested from meeting the requirements of the Code by either a vesting determination or a Development Agreement.

Sec. 6.1.3 Conflicts. Where the provisions of this article are in conflict with regulations of any other article of this Code, the more restrictive provisions shall take precedence.

Sec. 6.1.4 Approval of alternative design standards. The County Engineer or designated representative may approve alternative design standards if demonstrated to be environmentally sensitive and technologically advanced, with proven capability or effectiveness, while adhering to the intent of this Code.

Sec. 6.1.5 All requirements are to be implemented in conjunction with Florida Statutes and Florida Administrative Code, which may be subject to change as modified by the State of Florida.

Division 2 Technical Standards and Requirements

Sec. 6.2.1 The following requirements apply to all supporting plans:

- A. Plans shall be prepared by a professional licensed by the State of Florida. The name, street address, signature, date, license number, and seal of the responsible professional shall be shown on each plan sheet. The same shall be provided on the cover page of any supporting documents and calculations.
- B. Plans shall be legible and meet typical industry standards.
- C. Standardized sheet size shall be 24" x 36". Any exceptions must be pre-authorized by the County Engineer.
- D. All sheets shall indicate each sheet number and the total number of sheets. Cross references between sheets is required.
- E. Provide drawing legend.
- F. Provide north arrow and graphic drawing and written scale.

Sec. 6.2.2 Conceptual plans may be submitted and shall have sufficient information needed to support discussions with staff, and potential permitting, as required by Growth Services, the Building Safety Department, or the Office of the County Engineer. Additional information regarding the Conceptual Plan application may be found in [Article 2.13](#) Conceptual Plan.

Sec. 6.2.3 Application Requirements. [Table 2.9-1](#) Application Requirements provides a reference of the minimal requirements needed for:

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- A comparable review, and/or
- Information that may be required to move the application efficiently through the approval process.

Requirements in this table may be cumulative to and/or dependent on other aspects of the application.

Division 3 Final Plat Notes and Certification

Sec. 6.3.1 Final Plat Requirements

- A. A title block consisting of a formal title with one or more subtitles, centered at the top of each sheet of the Final Plat, as follows:
- (1) The title shall be the formal name of the proposed subdivision. The name shall not duplicate the name of any other existing subdivision in the County, unless the subdivision is part of an overall development bearing that common name. This portion of the title block shall be largest print included within the title block;
 - (2) In compliance with FS 177.081, the Final Plat shall be reviewed for conformity with FS 177 and the Marion County Land Development Code. Evidence of this review and final approval shall be shown in the form of a signed stamped certification to be placed on the left hand margin of the cover sheet of the plat by the reviewing professional surveyor and mapper.
 - (3) The following sub-titles shall be provided, in a print subordinate to the print of the formal title, as applicable, in the following order:
 - (a) The master or overall development name and phase, if it was not included as part of the formal name;
 - (b) "A *HAMLET SUBDIVISION*" if the final plat is for a hamlet subdivision created under the provisions of **Section 3.3.3.A(2)**;
 - (c) "A *PLANNED UNIT DEVELOPMENT*" if the final plat is for a project within a PUD created under the provision of **Article 4**;
 - (d) "A *REPLAT OF ...*" and then listing a summary of the components for any pre-existing subdivision being replatted by the final plat;
 - (e) The Sections, Townships, and Ranges applicable to the final plat; and
 - (f) The name of the county and state;
- B. A two-inch high by five-inch wide space shall be provided and reserved in the upper right-hand corner of each sheet to include only the following recording and sheet information:
- (1) To be used by the Clerk of the Circuit Court for recording information:
"PLAT BOOK: _____ PAGE: _____"
 - (2) The general sheet listings for the plat, completed appropriately:
"Sheet ____ of ____"
- C. Information requirements:
- (1) If the Final Plat exceeds one sheet, the following shall be provided on the first sheet:
 - (a) A location sketch on page one showing the subject site and general location of the subject site in relation to the surrounding area;
 - (b) An index diagram showing the entire subdivision and indexing each area shown on succeeding sheets shall be provided on the first sheet if the Final Plat exceeds one sheet. The index diagram shall include clearly labeled match lines.
 - (2) "Not included" parcels to be labeled "not a part of this plat";

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- (3) Dimensions and locations of all lots, tracts, parcels, blocks, and rights-of-way, with each lot, tract, parcel, and block individually distinguishable, located, and identified;
- (4) Dimensions and locations of all known existing easements with each easement type individually distinguishable, located, and identified, including their Marion County Official Record Book and Page;
- (5) Dimensions and locations of all proposed easements with each easement type individually distinguishable, located, and identified;
- (6) Dimensions and locations of all existing or recorded streets intersecting or contiguous to the boundary of the plat by bearing and distances, using the street number as designated by 9-1-1 Management;
- (7) Dimensions and locations of all proposed streets using the street number as designated and assigned by 9-1-1 Management;
- (8) All adjacent property identified by the subdivision name, plat book and page number; if not platted, so state;
- (9) County and city limit lines within or abutting the tract;
- (10) The existing future land use designation and zoning classification of the subject property and adjoining properties at the time of approval by the Board. This information may be provided graphically using the location sketch, on the individual sheets best representing the subject and adjoining properties, and/or in a text form as referenced in **Item (p)**;
- (11) For projects subject to a PUD zoning consistent with Division 4, a summary of the corresponding development standards shall be provided, including one or more typical setback graphics which reflect the standards applicable to the area of the Final Plat;
- (12) If any portion of the property depicted on the plat, outside of a designed and designated stormwater facility, includes the one percent (100-year) flood plain that will not be amended and removed from the FEMA FIRM prior to the recording of the plat, this flood plain shall be delineated graphically on the plat with a note detailing source reference, date, elevation, and mapping method used.
- (13) The metes and bounds legal description of the site consistent with the provisions of **Section 6.4.4**, including a final summary sentence, appropriately completed, that states “CONTAINING _____ACRES, MORE OR LESS”, with the acreage provided to one one-hundredth of an acre at a minimum;
- (14) The purpose/use, improvements, and maintenance responsibilities for all tracts shall be listed on the plat in a list or table form;
- (15) The following statements shall be captioned as “ADVISORY NOTICES” and be provided in a prominent manner on the plat, as appropriate, in the following order:
 - (a) "The current future land use designation and zoning classification for the property described hereon is [complete accordingly] and [complete accordingly] respectively." This item may be deleted in the event the subject property’s land use and zoning have been provided graphically consistent with **Item (k)** above;
 - (b) "According to the National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) Community Panel #[complete accordingly], Marion County, Florida, Dated [complete accordingly], the property described hereon lies in Flood Zone [complete accordingly (X, A, AE, etc.) for all zones applicable to the property]. The flooding limits have been identified here within as currently established at the time of final plat recording. All persons with an interest in the lands described hereon should evaluate current floodplain limits as they may be amended from time to time as determined by FEMA”;

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- (c) When stormwater is not contained within the limits of the plat, provide the note as follows: "Stormwater runoff generated from the improvements associated with this plat are discharged into the lands described in Marion County Public Records [Official Record Book {###}, Page {###}] or [Tract {??}] as depicted in Plat Book{###}, Page{###}";
- (d) As related to covenants, restrictions, or reservations:
1. *WHEN COVENANTS, restrictions, or reservations are established by the developer they shall be indicated as follows and completed accordingly: "COVENANTS, RESTRICTIONS, AND/OR RESERVATIONS AFFECTING THE OWNERSHIP OR USE OF THE PROPERTY SHOWN IN THIS PLAT ARE FILED IN MARION COUNTY OFFICIAL RECORD BOOK NO. _____, PAGE _____."*
 2. The following shall minimally be provided: "There may be additional restrictions that are not recorded or referenced on this plat that may be found in the Marion County Official Records";
- (e) "All lots/tracts shall use this subdivision's internal roadways for vehicle/driveway access. Direct vehicle/driveway access to _____ is prohibited." For corner lots, show the restricted areas where driveways cannot be placed.
- (f) *"This plat contains _##_ lots and _##_ miles of roads."*
- (g) If the project is part of DRI/FQD, then the following note shall be provided: "DEVELOPMENT OF THE PROPERTY AS SHOWN ON THIS [SITE PLAN/SUBDIVISION PLAT] IS SUBJECT TO THE TERMS AND CONDITIONS OF THE [PROJECT NAME DRI/FQD] DEVELOPMENT ORDER, AS MAY BE AMENDED FROM TIME TO TIME, INCLUDING PROVISIONS REGARDING THE CONCURRENCY OF PUBLIC FACILITIES."
- (h) "This project has not been granted concurrency approval and/or granted and/or reserved any public facility capacities. Future rights to develop the resulting property(ies) are subject to a deferred concurrency determination, and final approval to develop the property has not been obtained. The completion of concurrency review and/or approval is deferred to a later development review stage."
- (i) *"The Board of County Commissioners of Marion County, Florida, as a condition of precedent to the approval and acceptance of this plat for recording in the Public Records, does hereby notify all present and future owners of the property described hereon that the lands included in this plat are subject to special assessments as may be permitted by law to finance cost incurred in connection with the maintenance, operation, and construction of infrastructure as determined necessary in the opinion of said Board or other governing body having jurisdiction."*
- (j) Acknowledgment of Contiguous Sustainable Agricultural Lands. If the subdivision plat is contiguous to sustainable agricultural land as defined by FS 163.3163(3), then the following shall apply:
1. The following note shall be provided on the plat:
*"ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND.
The developer, successors, and assigns, hereby acknowledge and understand the subdivision herein described and established is contiguous to sustainable agricultural land as shown on this plat.
It is acknowledged and understood by the parties that the farm operation on the contiguous sustainable agricultural land identified herein may be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, section 823.14, Florida Statutes."*
 2. All lands identified as qualified continuous sustainable agriculture lands shall be identified on the plat in a clear manner, similar to the identification of "unplatted" lands as required in **subsection C(2) and (8).**

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3. Compliance with this provision shall deem the requirement for the individual property owners or permittees within this subdivision contiguous to sustainable agricultural land to be in compliance with FS 163.3163.
- D. The Final Plat shall contain, on the first page, the following dedications executed and acknowledged as required by law, in the forms set forth below:
- (1) All dedications shall be in the following forms or as approved by the County Attorney (*ITALIC CAPS*), with the appropriate items below. When a name or entity is used within a dedication item, the exact legal name of the entity shall be provided.
 - (a) **“DEVELOPER’S ACKNOWLEDGEMENT AND DEDICATION”**
“KNOW ALL MEN BY THESE PRESENTS, THAT [EXACT CORPORATE NAME, STATE OF INCORPORATION, OR INDIVIDUAL’S NAME], FEE SIMPLE OWNER OF THE LAND DESCRIBED AND PLATTED HEREIN, AS [EXACT SUBDIVISION NAME], BEING IN MARION COUNTY, HAS CAUSED SAID LANDS TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DOES HEREBY DEDICATE AS FOLLOWS:”
 - (b) Streets, Rights-of-way, and Parallel Access Easements, select as appropriate:
 1. For Public Streets. “[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated for the use and benefit of the public.”
 2. For Non-Public Streets. “[All streets and rights-of-way shown on this plat or name specifically if less than all] are hereby dedicated privately to the [entity name]. All public authorities and their personnel providing services to the subdivision are granted an easement for access. The Board of County Commissioners of Marion County, Florida, shall have no responsibility, duty, or liability whatsoever regarding such streets. Marion County is granted an easement for emergency maintenance in the event of a local, state, or federal state of emergency wherein the declaration includes this subdivision or an emergency wherein the health, safety, or welfare of the public is deemed to be at risk.”
 3. For Parallel Access Easements. “All parallel access easements shown on this plat are hereby dedicated for the use and benefit of the public, and maintenance of said easements is the responsibility of [entity name].”
 - (c) Utility Easements, select as appropriate:
 1. *“[ALL UTILITY EASEMENTS SHOWN OR NOTED OR NAME SPECIFICALLY IF LESS THAN ALL] ARE DEDICATED [PRIVATE OR TO THE PUBLIC] FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITIES BY ANY UTILITY PROVIDER.”*
 2. *“[ALL UTILITY TRACTS OR IDENTIFY EACH TRACT AS APPROPRIATE] AS SHOWN ARE DEDICATED [PRIVATE OR TO THE PUBLIC] FOR THE CONSTRUCTION AND MAINTENANCE OF SUCH FACILITIES.”*
 - (d) Stormwater easements and facilities, select as appropriate:
 1. “[All stormwater and drainage easements as shown or noted or name specifically if less than all] are dedicated [private or to the public] for the construction and maintenance of such facilities.”
 2. “[All stormwater management tracts or identify each tract as appropriate] as shown are dedicated [private or to the public] for the construction and maintenance of such facilities.”
 3. When any stormwater easement and/or management tract is not dedicated to the public or Marion County directly, the following statement shall be added to the dedication language: *“MARION COUNTY IS GRANTED THE RIGHT TO PERFORM EMERGENCY MAINTENANCE ON THE [STORMWATER EASEMENT AND/OR MANAGEMENT TRACT, COMPLETE ACCORDINGLY] IN THE EVENT OF A LOCAL, STATE, OR FEDERAL STATE OF EMERGENCY WHEREIN THE DECLARATION INCLUDES THIS SUBDIVISION OR AN EMERGENCY WHEREIN THE HEALTH, SAFETY, OR WELFARE OF THE PUBLIC IS DEEMED TO BE AT RISK.”*

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- (e) Park, Recreation, Amenity areas. "Tracts [identify each tract as appropriate] are dedicated in perpetuity for the [exclusive use and enjoyment of the owners of lots in this subdivision or use and enjoyment of the public, complete accordingly] and shall be the perpetual maintenance obligation of [state exact name of entity or Marion County, Florida, complete accordingly]."
- (f) If a Conservation Easement is required the following shall be provided: "A Conservation Easement [as shown or on Tract and identify the tract, complete accordingly] is dedicated to [the Board of County Commissioners of Marion County, Florida or entity name, if not Marion County] for the purpose of preservation of [listed species, habitat, karst feature and/or native vegetation, complete accordingly]."
- (2) Add the appropriate closing.
- (a) If corporation:
- IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its _____ and its corporate seal to be affixed hereto by and with the authority of its board of directors this _____ day of _____, 20____.*
(FULL CORPORATE NAME), a corporation of the State of _____
By: _____
(Signature of president or vice president or chief executive above)
Type Name and Title of Officer (signature must have two (2) witnesses or be under corporate seal).
- (b) If individual:
- IN WITNESS WHEREOF, (I) (we), (name(s), have hereunto set (my) (our) hand(s) and seal(s) this _____ day of _____, 20____.*
WITNESSES:
_____ (signature)
(Typed name)

- (c) Add the acknowledgement (witnesses and notary) of those executing the dedication consistent with **FS 689.01**.
- (3) Add the appropriate joinder and consent to the dedication by a mortgagee or other party of interest using one, or a combination of, the following methods:
- (a) Provide the joinder and consent to the dedication by a mortgagee or other party in interest as a direct statement on the Final Plat as follows:
- "[MORTGAGEE or PARTY OF INTEREST] CONSENT*
The undersigned hereby certifies that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage(s), lien(s), or other encumbrance(s) which (is)(are) recorded in Official Record Book _____ at page(s) _____ of the public records of Marion County, Florida, shall be subordinated to the dedication shown hereon."
1. Provide the appropriate closing.

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- a. If corporation:

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THE PRESENTS TO BE SIGNED BY ITS _____ AND ITS CORPORATE SEAL TO BE AFFIXED HEREON BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTOR THIS _____ DAY OF _____, 20_____.

(FULL CORPORATE NAME), A CORPORATION OF THE STATE OF _____

BY (SIGNATURE OF PRESIDENT VICE PRESIDENT OR CHIEF EXECUTIVE OFFICER)

(TYPED NAME AND TITLE OF OFFICER)

(AFFIX CORPORATE SEAL) or have two witnesses as listed in Item 2 below.

- b. If individual:

IN WITNESS WHEREOF, (I) (WE), _____ DO HEREUNTO SET (MY) (OUR) HAND(S) AND SEAL(S) THIS _____ DAY OF _____, 20_____.

WITNESSES (repeat signature below as necessary for each owner).

(SIGNATURE) _____

(TYPED NAME)

- c. Add the acknowledgment (witnesses and notary) of those executing the Mortgagee or party of interest consent consistent with **FS 689.01**.

2. Provide the joinder and consent as a separate instrument joining in and ratifying the plat and all dedications thereon, in accordance with Florida Statutes, Section 177.081, as follows:

- a. The final plat and the separate instrument(s) shall be recorded within the Marion County Public Records concurrently and include coordinated references between the documents as provided in following **Items b and c**.
- b. The following statement shall be placed on the final plat: "A SEPARATE INSTRUMENT(S) SERVING AS JOINDER AND CONSENT FOR A MORTGAGEE OR OTHER PARTY OF INTEREST TO THE PLAT DEPICTED HEREON HAS BEEN SEPARATELY FILED AND RECORDED IN THE MARION COUNTY PUBLIC RECORDS OFFICIAL RECORD BOOK (ENTER NUMBER), PAGES (ENTER NUMBER) TO (ENTER NUMBER)", AS ASSIGNED BY THE CLERK OF THE COURT'S OFFICE.
- c. The separate instrument shall utilize the same general form as provided in Item (a) above and shall include the final plat's official name as listed on the final plat and include a blank entry reference for the Marion County Public Records Plat Book and Page(s) as assigned by the Clerk of the Court's Office.

- E. Certifications and Approvals. The Final Plat shall contain on the first page the following certifications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

- (1) The Surveyors and Mappers Certification shall contain the signature, Florida registration number, and name of firm, if applicable (if submitted by a firm the signing surveyors name will also appear in a legible manner), street address, and embossed seal of the Surveyor certifying the plat and will contain the following statement:

"I CERTIFY THIS PLAT, PREPARED UNDER MY DIRECTION AND SUPERVISION, COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, AND IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE MARION COUNTY LAND DEVELOPMENT CODE, AND THAT THIS PLAT DOES NOT ADVERSELY AFFECT THE LEGAL ACCESS OF ADJACENT PARCELS."

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- (2) Development Review Committee certification shall appear in the following form:

APPROVAL BY COUNTY OFFICIALS – DEVELOPMENT REVIEW COMMITTEE:

BY: _____ *County Engineering*
BY: _____ *County Fire Services*
BY: _____ *County Planning*
BY: _____ *County Surveyor*
BY: _____ *County Utilities*
BY: _____ *County Zoning*

- (3) Board of County Commissioners and Clerk of Circuit Court certification shall include the following:

“CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY, THAT ON _____/_____/_____ THE FOREGOING PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA.

*[Printed Name of Chair], CHAIR
BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA
ATTEST:*

*[Printed Name of Clerk]
CLERK OF THE CIRCUIT COURT”*

- (4) Clerk's certification for acceptance and recording shall include the following:

“I, CLERK OF CIRCUIT COURT OF MARION COUNTY, FLORIDA, DO HEREBY ACCEPT THIS PLAT OF ___ [list legal name of subdivision] ___ FOR RECORDING. THIS PLAT FILED FOR RECORD THIS _____ DAY OF _____, _____, AT ____:____ AM/PM AND RECORDED ON PAGE _____ OF PLAT BOOK _____ IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF MARION COUNTY, FLORIDA

BY: _____
*[Printed Name of Clerk]
CLERK OF THE CIRCUIT COURT”*

F. The following supporting documentation shall also be provided as appropriate:

- (1) A copy of the documents demonstrating the establishment of a corresponding MSBU, CDD, or other State recognized special district responsible for the maintenance and operation of the dedicated improvements. If the MSBU option is selected by the developer, it shall be established to provide maintenance and upkeep for, at minimum, roads and drainage infrastructure. Other improvements, such as, but not limited to, street lighting or recreation, can be added to the MSBU if desired by the development.
- (2) For a subdivision with privately dedicated improvements, a copy of the completed and filed documents demonstrating the private entity is properly established, operating, and eligible to be responsible for the improvements so dedicated to the association. In the case of an entity previously created and encompassing the proposed subdivision, documents demonstrating the continued establishment of the entity and its acceptance of responsibility for the improvements to be conveyed shall be required;
- (3) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant, in a form to be recorded and cross-referenced to the submitted Final Plat. In the case where covenants and restrictions are previously recorded and applicable to a proposed subdivision, a copy of the effective covenants and deed restrictions shall also be provided;

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- (4) A certificate of title demonstrating the following:
- (a) The lands as described and shown on the plat are in the name of, and apparent record title is held by, the person, persons, or organizations executing the dedication;
 - (b) That all taxes have been paid on said property as required by FS 197.192, as amended; and
 - (c) The official record book and page number of all mortgages, liens, or other encumbrances against the land, and the names of all persons holding an interest in such mortgage, lien or encumbrance.

The title certification shall be an opinion of a Florida attorney-at-law or the certification of an abstract or title insurance company licensed to do business in Florida. The County reserves the right to require that the title certification be brought current at the time of Final Plat approval.

- (5) When required in conjunction with an Improvement or Maintenance Agreement, an itemized cost estimate prepared and certified by the developer's engineer including the cost of construction of all required improvements in the following form:

"CERTIFICATE OF COST ESTIMATE

I, _____, A Florida registered engineer, License No. _____, do hereby certify to Marion County that a cost estimate has been prepared under my responsible direction for those improvements itemized in this exhibit and that the total cost estimate for said improvements is \$ _____. This estimate has been prepared, in part, to induce approval by the County of a Final Plat for the _____ Subdivision, and for the purpose of establishing proper surety amounts associated therewith.

_____ (Signature)

*(Name, Florida Registered Engineer
License No. _____)"*

(AFFIX SEAL)

Division 4 Survey and Mapping

Sec. 6.4.1 Purpose and intent. This division will dictate the technical specifications to satisfy minimum survey information as required. The following shall be implemented in addition to the requirements of Florida Statutes and Florida Administrative Code, which may be subject to change as modified by the State of Florida.

Sec. 6.4.2 All plats and surveys shall adhere to the minimum plan requirements in Division 2 and the requirements listed in the following sections.

Sec. 6.4.3 Preliminary Plat Requirements.

- A. Current boundary survey of the project boundary including location of all interior improvements, not more than one year old, or as approved by the County Surveyor, and meeting requirements as set forth in FAC 5J-17.52. If the Preliminary Plat is one phase of lands to be platted, a survey of the overall proposed site is acceptable.
- B. Lot and tract areas and dimensions.
- C. Show proposed typical building setbacks and the zoning designations.
- D. The quadrant number (as assigned by Marion County 911 Management), location, and right-of-way width of all proposed and existing streets, identifying maintenance responsibilities. Include location and names of any proposed rights-of-way to be vacated.
- E. Locate and identify all known easements, existing and proposed, indicating width, maintenance responsibilities, recording information, and purpose. Include any easements proposed to be vacated.

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- F. The location of the existing one percent (100-year) flood plain as shown on FEMA maps with zone, elevation, and vertical datum noted. A note shall appear on the Preliminary Plat stating the source and method used to obtain the flood plain line shown.
- G. Show all contiguous property in accordance with FS 177.091(17) by plat book and page number or Marion County Property Appraiser parcel identification number, if not platted. Graphically show and identify all adjacent streets, existing utilities, and individual lots.
- H. A current topographic survey at one-foot intervals will be submitted with the Preliminary Plat to provide sufficient information to support preliminary design and based on an approved vertical datum by the Office of the County Engineer. Contours shall extend a minimum of 100 feet beyond the project boundary. The topographic survey will have a statement detailing source of information shown and field survey methods used to obtain and verify data.
- I. Line and curve tables can be used but must be shown on the sheet to which they apply.
- J. The legal description shall include a metes and bounds description, with the point of commencement and/or the point of beginning indicated, together with all bearings and distances of the boundary lines, and stating the total number of acres platted. The point of commencement or point of beginning in the description shall be tied to the nearest section corner or established identifiable, real property corner.
- K. Show all existing improvements on the site. Buildings, fencing, wells, septic, utilities, driveways/roads shall be dimensioned and tied to the plat boundary. Intended use or removal of improvements shall be noted.
- L. Show all apparent means of access on site to adjoining properties.
- M. Show existing stormwater facilities and cross drains, and general location of the proposed stormwater facilities.

Sec. 6.4.4 Final Plat Requirements.

- A. All plats shall comply with FS 177 and the requirements of this Code. They shall contain sufficient survey data to describe the boundary of the subdivision, each lot, block, tract, easement, right-of-way, and all other parcels shown on the plat.
- B. The legal description shall include a metes and bounds description, with the point of commencement and/or the point of beginning indicated, together with all bearings and distances of the boundary lines, and stating the total number of acres platted. The point of commencement or point of beginning in the description shall be tied to the nearest section corner or established identifiable, real property corner.
- C. The point of commencement in the description shall be accurately tied to the nearest public land or identifiable corner. If a public land survey corner is used, a Certified Corner Record must be submitted to the State of Florida and the County Surveyor;
- D. The boundary dimensions of the Final Plat shall not have a mathematical error of closure and shall be in compliance with FAC 5J-17.
- E. Any plat showing or establishing the location of the ordinary high water line shall describe the methodology used for said determination;
- F. The point of beginning and the point of commencement shall be clearly labeled in bold when a point of beginning or point of commencement is used in the legal description;
- G. Unless installation is provided for within the surety bond, all permanent reference monuments and permanent control points as prescribed in FS 177 shall be installed prior to submission of Final Plat;
- H. Clearly drawn to a scale not smaller than 1" = 100' or as approved by the County Surveyor or designee.

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- I. Clearly drawn or printed with permanent black drawing ink, with lettering no smaller than one-tenth of an inch in height and stroke for letters shall be bold enough so as to be clearly legible after reduction. No shadow or broken stroke letter is permitted.
- J. No grayscale, shadowing, or stippling is permitted.
- K. All signatures required shall be originals on the Final Plat and shall be made in permanent dark ink acceptable to the Clerk of Circuit Court, or designee.
- L. Clear margins not less than 1/2" wide on three sides and 3" wide on the left side for binding.
- M. Seals. The Final Plat shall establish locations for the placement of necessary seals to accompany the dedications and certifications as required in this Section. The locations shall be labeled or keyed to their respective certification and located no closer than 1/2" to, but not more than 1" from, the top, bottom, or right edge of the sheet. Locations for professional seals and Clerk of the Court shall be provided within 1/2" of the top, right, and bottom 1" of the edge of sheet.

Sec. 6.4.5 Monumentation.

- A. Permanent Reference Monuments (PRMs) shall be set in accordance with FS 177.091 and meet the following requirements:
 - (1) They shall be set or recovered in the field at each corner and change of direction of the boundary line;
 - (2) They shall be graphically shown and fully described on the plat;
 - (3) They shall not exceed a maximum spacing of 1,400' apart; and
 - (4) They shall be referenced to the State Plane Coordinate System with datum and adjustment stated.
 - (5) When PRMs are set as offset/witness corners, the corners shall be shown on the plat with their relation to the PRM position clearly stated. The offset/witness corners placed in the field shall be stamped "offset" or "witness."
- B. State Plane coordinate values shown on the plat shall be derived from redundant measurements that meet or exceed the accuracy standards for Third Order, Class I standards as set forth by the Federal Geodetic Control Committee (FGCC).
- C. A table or note will be shown containing the geodetic control station(s) name or designation of control points used to establish State Plane Coordinates.
- D. Distance shown on the plat shall be shown as ground distances and noted as such.
- E. Prior to the final approval of the plat for recordation, the County Surveyor or designee, shall perform a site inspection to verify PRMs placement.
- F. Permanent Control Points (PCPs) shall be set in accordance with FS 177.091 and meet the following requirements:
 - (1) They shall be set in the field at each block corner and change in direction along block boundary.
 - (2) They shall not exceed a maximum spacing of 1,000 feet apart.
 - (3) They shall be set in the field at centerline of right-of-way, at changes of right-of-way width, point of curvature, point of tangency, changes of centerline or right-of-way direction, and at the centerline intersection of rights-of-way.
 - (4) PCPs shall be graphically shown and fully described on the plat.
 - (5) When PCPs are set as offset/witness corners, the corners shall be shown on the plat with their relation to the PCP position clearly stated. The offset/witness corners placed in the field shall be stamped "offset" or "witness".

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- G. Where plat boundary corners are found to coincide with previously set monumentation, the description and stamping of the existing monumentation shall be shown on the plat.
- H. All lot and tract corner monumentation shall be set in accordance with the requirements of FS 177.091.
- I. All section lines, government lot lines and grant lines and/or corners found within the subdivision shall be shown with ties to the plat boundary.
- J. Platted adjoining lands shall be identified by subdivision name, plat book and page, with the graphic depiction and labeling of lots, blocks, easements, and rights-of-way.
- K. Unplatted adjoining lands shall be labeled as “unplatted” with deed book or official record book and pages shown.
- L. Boundary overlaps, gaps, hiatus, or encroachments involving the plat boundary must be resolved prior to plat approval.
- M. Line and curve tables can be used but must be shown on the sheet to which they apply.
- N. Bearings basis shall be noted and referenced to an established, monumented line shown on the plat.

Sec. 6.4.6 Replats shall include:

Replats shall meet requirements as set forth in **FS 177.051(2), FAC 5J-17**, all provisions as described in this Code under Final Plat, **Div 2 & Section ?**, and the following;

- A. Replats shall show the lot and block lines of the previous plat in such a manner to avoid confusion, including monumentation that may have been previously set. As an exception, the platting Surveyor and Mapper can state on the Replat that the original monumentation was not previously set.
- B. Any rights-of-way and/or easements to be vacated by the Replat or other process must be clearly shown on the Replat with reference to the approval date of the resolution by the Board and Marion County Official Record Book and Page that the action is recorded, as applicable.
- C. Any discrepancies between the boundary of a Replat and the previous plat must be clearly noted. Original dimensions shall be noted with corrected information on both the plat drawing and legal description.

Sec. 6.4.7 Construction Plans.

Survey information to support construction plans, including but not limited to Mass Grading, Improvement, or Major Site plans, shall meet requirements as set forth in FAC **5J-17.51** in addition to the following:

- A. Vertical control shall be provided and meet the following:
 - (1) All surveys submitted for the purpose of construction shall show a minimum of two bench marks per site. For linear construction, bench marks shall be set at 1,000' intervals. For large acreage sites, additional bench marks may be required by the County Surveyor, not to exceed a ratio of one bench mark per 20 acres.
 - (2) Bench mark information shall be in a current datum approved by the Office of the County Engineer.
 - (3) Plans shall have a statement or table detailing vertical datum and adjustment, including the origin points with name of the agency responsible for establishing the point, with the date of the field survey used to establish the vertical information shown. One copy of the vertical control field notes shall be submitted to the Office of the County Engineer for review.
 - (4) When using stationing, all vertical control points shall be referenced to station and offset information.

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- B. Horizontal control shall be provided and meet the following:
- (1) All surveys submitted for the purpose of construction shall show a minimum of two intervisible horizontal control points per site. For linear construction, horizontal control points shall be set at no greater than 1,000 foot intervals and at every change of direction. For large acreage sites, horizontal control points shall include all boundary corners and additional horizontal control points as may be required by the County Surveyor not to exceed a ratio of two intervisible horizontal control points per 20 acres.
 - (2) Horizontal control points shall be monumented and referenced to the State Plane Coordinate System based on a current datum approved by the Office of the County Engineer.
 - (3) State Plane Coordinate values shall be derived from redundant measurements that meet or exceed Third Order, Class I accuracy standards as set forth by the Federal Geodetic Control Committee (FGCC).
 - (4) Plans shall have a statement or table detailing horizontal datum, adjustment, and coordinate values including the origin points with name of the agency responsible for establishing the point, with the date of the field survey used to establish the State Plane information shown. One copy of the horizontal control notes along with reduction reports shall be submitted to the Office of the County Engineer for review.
 - (5) When using stationing, all control points shall be referenced to station and offset information. If multiple line stationing exists, the basis for the station and offsets shall be clearly defined.
- C. Monumentation shall be protected during construction. Any monuments disturbed or destroyed during construction shall be replaced by a professional Surveyor and Mapper licensed in the State of Florida and shown as “reset” on the As-Built/Record Survey at completion of construction. Any variance from this must be pre-approved by the County Surveyor.
- D. The location of the existing one percent (100-year) flood plain as shown on FEMA FIRM, with zone, elevation, and vertical datum noted. A note shall appear on the construction plans detailing source and survey field methods used to obtain and delineate the flood plain line shown.
- E. Line and curve tables can be used but must be shown on the sheet to which they apply.
- F. All abbreviations used shall be clearly defined in the legend.
- G. All features shown as existing or proposed shall be mapped to standards as set forth in FAC 5J-17.
- H. When stationing is used to define features on a plan, all property corners and any control points found within the right-of-way or project site shall be referenced to this stationing (these points include but are not limited to: point of intersection, point of curvature, point of tangency, and vertical and horizontal control). Section and quarter section corners found within 1,320 feet of the limits of the project shall also be referenced. On plans where multiple stationing lines are shown, a note shall appear within the general notes indicating the line controlling the referenced information. The reference information will appear on the sheet where it is graphically shown and may be displayed in a table. Information shown shall contain, at a minimum, the station, offset (left or right), State Plane Coordinate, elevation (if applicable), and a detailed description of the point.

Sec. 6.4.8

As-Built/Record Survey Requirements. As-Built/Record Survey shall be submitted to the Office of the County Engineer as a record of completed construction. Information shown on this survey shall be an actual record of the horizontal and vertical location of features as constructed and shall be archived with the Office of the County Engineer. As-Built/Record Survey shall meet requirements as set forth in FAC 5J-17.52(1). The survey shall be signed, sealed, and dated by a Professional Surveyor and Mapper licensed in the State of Florida with the dates of field survey shown.

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- A. One copy of the survey field notes shall be provided and shall detail survey methods used.
- B. Any and all field changes during construction shall be clearly noted and shown on the As-Built/Record Survey.
- C. All force main sewer, water main and reclaimed water lines shall be located at 500 foot intervals and at any change of direction. This information shall contain at a minimum, station, offset, and elevation (indicating top or invert).
- D. Information shown on the as-built/record survey shall be sufficient to compare the plans to constructed conditions.
- E. All section and quarter section corners found within 1,320 feet of the project limits shall be referenced to the State Plane Coordinate system. When stationing is used on the plans, the reference shall include station and offset to the corner. On plans where multiple stationing lines are shown, a note shall appear indicating the line controlling the referenced information. The reference information will appear on the sheet where it is graphically shown and may be displayed in a table.
- F. Monumentation. All monumentation shall meet standards as set forth in this Code and the State of Florida:
 - (1) Property corners, vertical and horizontal control points, PRMs, and PCPs disturbed or destroyed during construction shall be replaced by a Professional Surveyor and Mapper and shown as “reset” on the As-Built/Record Survey.
 - (2) Section corners disturbed or destroyed during construction shall be replaced by a Professional Surveyor and Mapper and shown as “reset” on the As-Built/Record Survey. A new copy of the Certified Corner Record for each reset corner shall be submitted to the State of Florida and a copy provided to the Office of the County Engineer.
 - (3) Any monumentation shown on the construction plans as “to be set” or “proposed” shall be set and shown on the As-Built/Record Survey as “set”. All corners and points found, set, or reset shall be shown on the As-Built/Record Survey in accordance with the requirements of the State of Florida.
 - (4) When it is not possible to set or reset a corner due to an obstruction, a reference or witness corner shall be set and described on the As-Built/Record Survey. Offset/witness corners placed in the field shall be stamped “offset” or “witness”.

Division 5 Environmental Assessment for Listed Species (EALS)

Sec. 6.5.1 Purpose and Intent.

The Environmental Assessment for Listed Species is a supporting document for various applications, wherein submittal of the EALS accompanies or precedes the submission of the application. Marion County features a variety of habitat types which may include species identified and listed as endangered, threatened, or of special concern by the US Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission. Additionally, Marion County includes significant natural areas which are relatively undisturbed and include flora or fauna that reflect the conditions of the area at the time colonial settlement occurred in Florida and Marion County as identified by the Florida Department of Environmental Protection and the Florida Natural Areas Inventory. The identification and preservation of these habitats, species, and areas is critical to balance development and quality of life in Marion County.

Sec. 6.5.2 Applicability.

All developments which meet any of the following criteria shall prepare an EALS:

- A. Projects which contain land identified as habitat for plant and animal species listed as threatened, endangered, or species of special concern by the USFWS and the FWC.

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- B. Proposed land clearing or development projects located on all or part of a parcel or contiguous parcels of land containing more than 40 acres under common ownership.
- C. Projects involving 20 dwelling units or more.
- D. Parcels involving non-residential uses.
- E. Parcels within the Environmentally Sensitive Overlay Zone (ESOZ) that have frontage on water or wetlands.
- F. Projects located within the Urban Growth Boundary, or have an Urban land use, Development of Regional Impact, Florida Quality Development, or Specialized Commerce District land use designation by Marion County Comprehensive Plan Future Land Use Map Series Map 1, *Marion County 2035 Future Land Use Map*, which are also located within an area identified as a Qualifying Natural Area/Community by the Florida Natural Areas Inventory available at www.fnai.org.

Sec. 6.5.3 Exemptions.

- A. Bona fide agricultural activities as evidenced by an agricultural property tax exemption applicable to the development property as established by the Marion County Property Appraiser Office consistent with the provisions of FS 193.461.
- B. Lands involving silvicultural activities which are part of and/or subject to a resource management plan approved by the USDA, USFS, DEP, DOF, or the applicable water management district.
- C. The applicant may submit an EALS Exemption Request (EALS-ER) for land which meets the following requirements:
 - (1) No listed species have been documented within the proposed project area within the last two years;
 - (2) No portion of the project area is within the known or suspected range of any listed species; and
 - (3) The project area by itself, or in connection with other adjacent lands, does not meet the minimum habitat needs for a viable population of listed species.
 - (4) The applicant or property owner submitting an EALS-ER certifies that the proposed development of the project area is in accordance with the requirements listed above.
- D. The County shall give the review agencies listed in [Section 6.4.4.A](#) the opportunity to comment on the EALS-ER and the reliability of the information provided consistent with [Section 6.4.2.B\(3\)](#).

Sec. 6.5.4 Submittal requirements.

- A. An EALS/EALS-ER shall be submitted to the Office of the County Engineer concurrent with a corresponding development review application as provided in [Article 2](#). In the event an EALS/EALS-ER is submitted prior to a development review application, the EALS shall be submitted directly to Zoning.
- B. The appropriate number of copies of the EALS and supporting documentation shall be submitted to the Office of the County Engineer.
- C. A fee in the amount established by resolution of the Board of County Commissioners shall accompany the application. The fee schedule is available at the [Office of the County Engineer](#).
- D. Provide a narrative of the project's site data including the following:
 - (1) Name of the property owner(s),
 - (2) Name of the project applicant, if different from the property owner,
 - (3) Title of the corresponding project for which the EALS has been submitted,
 - (4) Current Marion County Property Appraiser Office parcel identification number(s),
 - (5) Acreage of the proposed project area, and

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- (6) Acreage of the gross lands held under common ownership including and/or adjoining the project area.
- E. Provide the results and findings of a field assessment including the following:
 - (1) Date(s) and time(s) of the field assessment,
 - (2) Name of the individual(s) and organization(s) conducting the field assessment with their qualifications,
 - (3) A statement of the methodology used to conduct the investigation of the site,
 - (4) A summary of the published information used to determine the probability of occurrence of listed species on the proposed development or land clearing site, including identifying the agency or organization providing the data. The use of data, as made available by the reviewing agencies, is encouraged. A copy of cited materials, upon request, may be required to support and evaluate the EALS.
 - (5) A map of land use and land cover classifications on the site, and directly abutting the site, using the *Land Use, Cover and Forms Classification System: A Technical Manual, State of Florida Department of Transportation (FLUCCS), January 1999, as amended.*
 - (6) A general map or map series that identifies the following:
 - (a) The project area limits,
 - (b) The adjoining lands under common ownership, if any,
 - (c) The location of current on-site improvements,
 - (d) The location of transects of the interior and perimeter of the site,
 - (e) The location of the habitat types identified by the field assessment, and
 - (f) The approximate placement and location of adjacent off-site wildlife and plant communities in relation to the site.The map(s) may be provided as an overlay on the most recent color aerial photograph which shows the project site. However, the aerial must be at a resolution and scale sufficient to identify the location of current on-site improvements in relation to other data provided in the EALS, and ensure that the information required can be readily identified on the map and verified in the field.
 - (7) An inventory of the wildlife and plant communities as found on the site and observed on adjacent property surrounding the site including:
 - (a) An inventory of the listed species populations within the proposed development site,
 - (b) Size and distribution of native habitat and native vegetation types as specified in Table 6.5-1: Marion County Upland Plant Communities,
 - (c) Character and type of species, such as native or invasive, endangered and threatened, and species of special concern.
- F. Provide the feasibility and viability of on-site protection and management of native habitats and listed species.
- G. Provide the location of the site in relation to any existing or proposed conservation areas and wildlife corridors within the project area and the feasibility of maintaining the corridor or conservation area post-development.
- H. In the event that on-site protection is shown to be ineffective, evaluate other mitigation options, such as relocation of the listed species to an approved location.

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Table 6.5-1: Marion County Upland Plant Communities

Type	Dominant Plant Species
Sand Pine	sand pine overstory, myrtle oak, Chapman's oak, sand-live oak understory
Sandhill	longleaf pine overstory, turkey oak understory, wiregrass, partridge pea, queen's delight ground cover
Xeric Oak Scrub/Xeric Hammock	myrtle oak, Chapman's oak, sand-live oak, rosemary, saw palmetto
Pinelands	pine, slash pine loblolly pine, pond pine overstory, palmetto, gallberry, wax myrtle understory, including planted pine plantations
Mixed Hardwood/Pine Forest	pine, slash pine live oak, laurel oak, water oak sweetgum overstory, wax myrtle, cabbage palm understory
Hardwood Hammock and Forest	oak, laurel oak, sweetgum, magnolia, basket oak, pignut hickory overstory, cabbage palm, wax myrtle understory

Source: Florida Fish and Wildlife Conservation Commission, LANDSAT Habitat Mapping, 2003

Sec. 6.5.5 Review Procedures.

- A. Copies of the EALS/EALS-ER shall be forwarded within five working days after receipt to the following review agencies: Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife Service, US Forest Service, and Florida Department of Agriculture and Consumer Services Division of Forestry.
- B. The review agencies shall have an opportunity to review and comment on reliability and accuracy of the information provided, and shall provide their respective comments on the EALS/EALS-ER within 30 working days of receiving the information.

Sec. 6.5.6 Completion and close out.

- A. If no comments are received from staff and/or review agencies, the EALS/EALS-ER shall be considered complete.
- B. If comments are received from staff and/or review agencies, the comments shall be forwarded to the applicant within five working days and the applicant shall be scheduled to appear before the Development Review Committee for resolution.
- C. An approved EALS/EALS-ER shall be valid for two years.

Division 6 **Habitat Protection**

Sec. 6.6.1 Purpose and Intent.

The purpose of this division is to preserve and protect listed species, their supporting habitats, open bodies of water, wetlands, and other natural areas including unique and historic landscapes. Habitat protection is critical to promote development that enhances the quality of life in Marion County.

Sec. 6.6.2 Open Water.

- A. Open water classified as State of Florida sovereign submerged lands, pursuant to **FS Ch 253 and FAC Ch 18-21.003**, shall not be eligible for use or development except as authorized by the State of Florida. Nor shall such open water be used in the calculation of gross density development potential or be eligible to be counted towards natural or improved open space requirements.

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- B. Open water privately owned in common with adjoining wetland or upland areas cannot be used in the calculation of gross density development potential or be eligible to be counted towards natural open space requirements. Said open water may be counted towards improved open space requirements when included and incorporated into a project.
- C. The following densities shall apply to any upland area contiguous to a lake, river, or other water body with an Urban Residential land use designation:
 - (1) Less than or equal to one dwelling unit per acre, if wastewater service is provided by conventional septic systems.
 - (2) Less than or equal to two dwelling units per acre, if wastewater service is provided by a performance based treatment system or by central sewer system which is not operating consistent with **SPZ requirements**.
 - (3) Per the underlying land use designation, if wastewater service is provided by central sewer system operating consistent with **SPZ requirements**.

Sec. 6.6.3 Wetlands.

- A. Development on sites which contain wetlands not included within the boundaries of an ESOZ shall meet the following requirements:
 - (1) All development shall be clustered on the upland portion of the site if sufficient upland area exists. The maximum density of respective land use designation applicable to the wetland areas may be transferred to and clustered on the upland area. All other requirements of this Code shall be met for the upland development.
 - (2) Where there are insufficient uplands to allow a clustered development, development shall occur on the upland and may include portions of adjacent wetland areas. However, the following densities shall apply to those portions of projects which are in wetlands:
 - (a) One dwelling unit per 10 acres in Rural Lands and development shall be located or clustered outside the wetlands.
 - (b) One dwelling unit per five acres in an Urban Residential land use designation.
 - (c) Where elimination of all or a portion of a wetland is proposed through off-site mitigation conservation efforts, the maximum density of the respective land use designation applicable to the mitigated wetland area shall be accredited as follows:
 - 1. For mitigation conservation efforts within Marion County, the full maximum density of the on-site mitigated wetlands' potential density under the land use designation shall be available.
 - 2. For mitigation conservation efforts outside Marion County, 50 percent of the maximum density of the on-site mitigated wetlands' potential density under the land use designation shall be available.
- B. Development in wetlands within the boundary of an ESOZ shall meet the wetland development and density requirements of the ESOZ.

Sec. 6.6.4 Listed Species.

- A. When a proposed development or land clearing site is found to include listed species, the application shall identify species and habitat protection as on-site or off-site. The selected option shall be a condition of approval and shall be completed at time of final inspection.
- B. For on-site protection, a habitat management plan shall be provided as an appendix to the EALS or submitted as a separate document, and shall include the following information:
 - (1) The number and types of listed species present, or presumed to be present;
 - (2) The size, type, quality, and location of habitat in relation to the overall site;

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- (3) The life cycle needs supplied by the habitat, e.g., nesting, roosting, breeding, foraging;
 - (4) The location of the site and habitat in relation to existing or proposed wildlife corridors, designated conservation areas, lands with conservation easements, or Natural Reservation;
 - (5) The practices necessary to protect the species from the impacts of development or land clearing, including at a minimum, the following:
 - (a) Access management and control of the habitat;
 - (b) Practices to manage the habitat to maintain a viable, thriving and diverse population;
 - (c) Practices to provide connectivity to surrounding similar habitats;
 - (d) Practices to discourage and/or prevent the establishment of and, when suitable, the removal of exotic or nuisance species as listed by the [UF/IFAS Assessment of Non-native Plants](#), "Prohibited" or "Invasive – Not Recommended" tables, as updated; and
 - (6) The proposed conservation easement, along with its accompanying certified sketch of description of the area/community to be protected, to be filed in the Marion County Public Records.
- C. **Off-site mitigation.**

If off-site mitigation is the preferred strategy, a minimum of one-for-one replacement value of habitat shall be required for monetary contributions or land donations. Subject to approval by the appropriate regulating agency, the following off-site mitigation options are listed below in order of preference. It must be clearly demonstrated that the preferred option is not available before moving to the next option:

- (1) Provide a monetary contribution to the Marion County Parks and Recreation Department for the acquisition of environmentally sensitive lands within Marion County. Monetary contributions for land acquisition pursuant to this section shall be applied to lands that are known to contain viable populations of listed species or habitat similar in type and quality to that on the site proposed for development or clearing as determined by the Parks and Recreation Department, which shall consult with the appropriate jurisdictional agency when necessary;
- (2) Provide species relocation to similar habitat on protected lands subject to approval by the jurisdictional agency responsible for those lands (e.g., USFS, DOF, DEP, WMD, etc.), and the agency having jurisdiction over the species to be relocated (e.g., FWC, USFWS, etc.); or
- (3) Acquire and donate land within Marion County that is within or contiguous to the Federal, State/Regional, and/or County lands, or other Natural Reservation lands to the appropriate managing agency. Lands donated under this option must be of equivalent acreage and contain listed species habitat of the same type and value as that on the proposed development site. However, the review agency having jurisdiction over the species for which mitigation is being provided may choose to set an alternative type and value. A Conservation Easement shall also be conveyed to Marion County to maintain and ensure Marion County's interest in the protection and preservation of the species/habitat.

Sec. 6.6.5 Native Habitat Vegetation.

- A. When a proposed development or land clearing site is found to include Qualifying Natural Areas/Communities, available at www.fnai.org, and has an Urban Area land use, Development of Regional Impact, Florida Quality Development, or Specialized Commerce District land use designation by Marion County Comprehensive Plan Future Land Use Map Series Map 1, *Marion County 2035 Future Land Use Map*, the Qualifying Natural Area/Community shall be protected in a manner which protects, conserves, and enhances the resource.
- B. The development application shall identify the area/community habitat protection as on-site or off-site. The selected option shall be a condition of approval and shall be completed at time of final inspection.

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- C. When more than one Qualifying Natural Area/Community is identified on site, the extent of protection or mitigation shall not be required to exceed 50 percent of the combined acreage for all natural communities.
- D. For on-site protection, a habitat management plan shall be provided as an appendix to the EALS or submitted as a separate document. The plan shall be prepared consistent with FNAI guidelines and shall include the following information:
- (1) The size, type, quality, and location of each area/community found on-site in relation to the overall site;
 - (2) The life cycle needs of each area/community;
 - (3) The frequency and extent of each area/community in Marion County and the State of Florida;
 - (4) The importance of each area/community as an individual area/community and as part of the Marion County and State-wide inventory, to demonstrate and provide a "priority" of areas/communities for preservation or mitigation when multiple acres/communities are found on-site;
 - (5) The location of each area/community on the site and in relation to existing or proposed wildlife corridors, designated conservation area, lands with Conservation Easements, or lands with a Natural Reservation land use designations;
 - (6) The environmental feasibility and economic impact of on-site protection;
 - (7) The potential use and impact of clustering, transfer of development rights to other portions of the site, or similar techniques to promote preservation of the area/community;
 - (8) The opportunity to include and integrate the area/community into the development project such as serving as land use buffering or Groundwater Recharge Protection Areas and/or Marion-Friendly Landscape Areas maintained native landscape areas;
 - (9) The practices necessary to protect the selected area/community from the impacts of development or land clearing, including at a minimum, the following:
 - (a) Access management and control of the area/community;
 - (b) Practices to manage the habitat to maintain a viable and thriving area/community, and maintain and continue the diversity of the area/community on-site;
 - (c) Practices to provide connectivity to adjoining and/or surrounding areas/communities to maintain a viable and thriving presence, and maintain and continue the diversity of the area/community;
 - (d) Practices to discourage and/or prevent the establishment of and, when suitable, the removal of exotic or nuisance species as listed by the [UF/IFAS Assessment of Non-native Plants](#), "Prohibited" or "Invasive – Not Recommended" tables, as updated.
 - (10) The proposed Conservation Easement, along with its accompanying certified sketch of description of the area/community to be protected, to be filed in the Marion County Public Records.
- E. For off-site mitigation, the mitigation methods listed in **Section 6.6.4.C** shall be similarly applied for the preservation of similar area/community habitat protection.
- F. The method(s) of area/community protection, on-site or off-site, shall be reviewed and approved by the DRC as part of the development application review process. The DRC may consult with reviewing agencies (e.g., USFWS, FWD, DEP, USDF, etc.) and/or request and obtain a recommendation regarding the proposed protection or mitigation action.

Sec. 6.6.6 **Open Space.**

- A. The provision of Natural Open Space shall comply with the following design standards:

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- (1) The preservation of environmentally sensitive lands and locally significant resources shall be given priority when determining the location of natural open space.
- (2) Natural open space shall be arranged in a contiguous manner which supports the preservation and connectivity of the space, with particular attention to providing connectivity to wildlife, agricultural, and/or passive recreational uses, as appropriate for the characteristics of the space.
- (3) Natural open space shall be arranged in a manner which supports compatibility with surrounding areas which are not part of the proposed development.
- (4) The buildable area resulting from the identification of natural open space shall be compact and contiguous with the natural open space providing a buffering effect to surrounding areas.
- (5) Natural open space shall be designated accordingly on a plan and conveyed for ownership and maintenance which will include identifying one or more entities responsible for ownership and maintenance of the open space, and conveyed accordingly.
- (6) The Board may also require that a Developer's Agreement and/or a Conservation Easement conveyed to Marion County be established for the natural open space as part of the plan review process.
- (7) The natural open space shall be maintained in a healthy state consistent with the habitat and use of the space and current applicable best management practices acceptable to Marion County, if any, consistent with characteristics of the space.
- (8) Constructed stormwater facilities of any kind are prohibited within areas designated as natural open space.
- (9) Structures are prohibited within natural open space; however limited minimal structural improvements may be provided for passive access and agricultural or environmental control such as boardwalks, trails, and fencing. Agricultural structures which are for bona-fide agricultural purposes and not for human occupancy for residential or non-residential purposes (e.g., residence, apartment, office) may be placed within natural open space in compliance with the following design requirements:
 - (a) The area where the agricultural structures may be located, either on individual lots and/or on common property, as appropriate, shall be clearly designated as a separate agricultural structure buildable area on the development project's primary development plan and presented for approval by the Board.
 - (b) The cumulative acreage of the agricultural structure buildable areas shall not exceed 10 percent of the natural open space.
 - (c) The stormwater design for the development project shall provide for and reflect projected impervious surface coverage calculations for the identified agricultural structure buildable areas.

For hamlet subdivisions platted and recorded on or before **[date of LDC adoption]**, agricultural structures may be located within the natural open space but items (a) through (c) above will not apply; however, if all or part of the recorded hamlet subdivision is re-platted, the re-plat must comply with items (a) through (c) above.
- (10) The location, scope, and intent of any proposed limited structural improvements to be placed within the natural open space shall be clearly indicated by the corresponding project application and its accompanying plan.
- (11) Natural open space is not eligible to be awarded TDCs as provided in **Division 3.4, Special Programs**.

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- B. The provision of Improved Open Space shall comply with the following design standards:
 - (1) IOS may include active and passive parks and recreation facilities, public squares and plazas, and outdoor areas.
 - (2) Stormwater facilities and golf courses may be located within designated IOS.
 - (3) No more than 25 percent of stormwater facilities may be counted to satisfy area/acreage requirements for required IOS. A higher percentage may be approved by DRC, depending on the design and lay of the facility.
 - (4) IOS shall be designated accordingly on any development plan and shall also include identifying the ownership and maintenance entity of the IOS.

Sec. 6.6.7 Conservation Easements.

- A. Conservation Easements shall be dedicated to Marion County when required under the provisions of this Code, and shall serve to “protect” or provide “protection” for those areas required to be identified as such.
- B. In lieu of dedication to Marion County, Conservation Easements may be dedicated to a public or private non-profit conservation agency or organization; or to a quasi-public agency or organization; or to a governmental agency. Conveyances to parties other than Marion County will require a verification of acceptance by the receiving entity prior to filing of the Conservation Easement, and the approval of DRC.
- C. When property subject to protection is proposed for fee simple conveyance to a third party, said conveyance will require a verification of acceptance by the receiving entity prior to the conveyance and the approval of DRC. The conveyance will also include establishing a Conservation Easement dedicated to Marion County, reflecting Marion County’s interest in the creation and designation of the property for protection.
- D. A Conservation Easement held by Marion County may be released. Any release requires approval by the Board with a recommendation from DRC. A request by a land owner to release any Conservation Easement shall be accompanied by and based on sufficient study and analysis of the Easement land which demonstrates that the purpose for which the Easement was dedicated has changed in a manner found warranting release; such changes may include, but are not limited to:
 - (1) An alternative form of protection or mitigation as been provided, either on-site or off-site;
 - (2) The Easement land has been irrevocably damaged by natural disaster;
 - (3) The Easement land’s listed species and/or area/community has been irrevocably damaged by disease or other natural threat;
 - (4) The Easement land was subject to the County’s TDR program and the land owner has obtained and shall redeem/relinquish TDCs equal to the creation/exchange ratio in effect at the time the release is proposed and approved.
- E. Marion County may elect to designate lands subject to a Conservation Easement as Conservation or Natural Reservation on the Marion County Comprehensive Plan Future Land Use Map Series, subject to the ownership of said lands.