

As the Board and public is aware, County staff has been diligently working to update the Land Development Code since adoption of the County Zoning Map on February 8, 2022, with several ordinances adopted to address smaller pieces of this large endeavor. Our current effort is focused on drafting a comprehensive re-organization and re-write of the uses (principal, accessory and temporary) allowed in each Zoning District.

The goal is a more user-friendly, workable and enforceable regulatory framework that is reflective of the future land use and zoning plan for Levy County.

At the October 18, 2022 Public Workshop on Zoning Uses, Zoning-in-Progress (“ZIP”) was recognized by the Board. ZIP is a tool that puts a pause on accepting applications for uses that are actively under revision. This allows time for the County to craft new regulations and saves potential applicants from wasting time or money on processes and conditions that may be simplified, eliminated or otherwise revised.

At the November 22, 2023 Public Workshop, examples of revised uses were discussed and Commissioners volunteered to take on review and development of certain uses to ensure they are reflective of community values. Commissioners and Staff have continued to actively work on Zoning Uses since that time.

This presentation:

- **Provides an overview of the staff proposed Zoning District Use Table. If a principal use is not listed, it is prohibited. However, the Board or an applicant can request a Zoning Text Amendment to add uses. This allows for careful consideration of whether it is a use the County desires and, if so, for drafting of appropriate criteria for the use.**
- **Identifies uses in the current Code that staff is proposing be deleted. These are uses that are infrequently or never asked for; perhaps not desired by the County; require municipal services; and/or the existing code provisions are inadequate and staff does not have the expertise or time to update right now.**
- **Identifies issues that staff would like to discuss and get input from the Board.**
- **Identifies the issues that individual Board and Planning Commission members are working on and allows them to provide an update, if they are ready**

At the end of this workshop, staff requests Board direction to finalize a draft Zoning Uses ordinance based on the discussion; to meet with each Board member to review and discuss the draft; and then move the draft ordinance on to the Planning Commission and Board for adoption in April/May 2023.

We know the Zoning Uses ordinance will not be perfect and will not include every use at this time, but it will be a solid starting point and, importantly, it can be amended at Board, Staff or Applicant request. The Land Development Code should be frequently reviewed and updated to implement the County's Comprehensive Plan and to reflect the County's vision for its future developed environment.

As the County embarks on reviewing its Comprehensive Plan during this year's required Evaluation and Appraisal Report Process, it is likely that process will reveal the need for additional Land Development Code amendments.

P = Permitted Use by Right (all business/commercial uses will require development review by staff, currently using the Special Exception review criteria in Sec. 50-816 through 823, and other criteria throughout the code, such as environmental. The next ordinance staff plans to work on is for the development review and subdivision processes)

CU = Conditional Use (clear criteria established by BoCC or references to State law, Affidavit of Compliance from Applicant, and review by staff)

SE = Use by Special Exception (requires public notice, review by the Planning Commission and Board of County Commissioners, and a written development order)

| ZONING DISTRICT USE TABLE | F/ RR | A/ RR | RR | R-1 | R-2 | RR -3C | R-3 | C-1 | C-2 | C-3 | C-4 | I | RMU | PF | REC | NR- CON |
|---|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|---|-----|----|-----|------------|
| Agriculture | | | | | | | | | | | | | | | | |
| Agricultural operation, bona fide | P | P | P | CU? | CU? | | CU? | P | P | P | P | | CU? | | | |
| Agricultural operation, intensive | SE | SE | | | | | | | | | | | | | | |
| <p>Discuss</p> <ul style="list-style-type: none"> • Continue to prohibit bona-fide ag in the MSD zoning districts (R-1,2,3) and RMU? Or allow as a conditional use, with minimum acreage and setbacks (general and for structures housing animals)? consider impact of Right-to-Farm Act? • Agritourism (accessory use to bona-fide ag per Section 570.84, Florida Statutes), County can determine what uses meet/or don't meet the statutory definition and can regulate "substantial off-site impacts" – Commissioners are working on • Farmworker Housing (another accessory use) – Commissioners are working on | | | | | | | | | | | | | | | | |

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|---|----------|----------|----|-----|-----|-----------|-----|----------------------|----------------------|----------------------|----------------------|---|----------------------|----|-----|------------|
| Animals (not agriculture) | | | | | | | | | | | | | | | | |
| Animal rescue or sanctuary, animal breeding, canine club, private dog park, animal daycare | CU? | CU? | | | | | | | | P | P | | | | | |
| Keeping captive wildlife for personal use or commercial use | CU | CU | | | | | | | | | | | | | | |
| Animal boarding or Veterinary offices with outdoor kennels or runs (¹ if located adjacent to property zoned RR, R-1, R-2, RR-3C or R-3) | CU | CU | | | | | | CU ¹ P | CU ¹ P | CU ¹ P | CU ¹ P | | CU ¹ P | | | |
| <p>Discuss: Given code enforcement/nuisance issues, prohibit animal rescue/sanctuary, breeding and other business uses in residential districts? Or allow as conditional use in F/RR and A/RR, with minimum acreage, housing animals in enclosed insulated buildings, limits on animal density, disposal of waste, setbacks, hours of operation?</p> | | | | | | | | | | | | | | | | |

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|---|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|---|-----|----|-----|------------|
| Lodging | | | | | | | | | | | | | | | | |
| Bed and breakfast inn | CU | CU | CU | | | | | | | | | | | | | |
| Hotel/Motel (as defined and regulated by the State pursuant to Chapter 509, Part I, Florida Statutes) | | | | | | | | | | | P | | | | | |
| <p>Discuss:</p> <ul style="list-style-type: none"> All types of recreational vehicle parks and campgrounds (50-767/former 50-746, 50-753, 50-754, Comp Plan FLUE 3.7) – Commissioners are working on | | | | | | | | | | | | | | | | |

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|---|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|----|-----|----|-----|------------|
| Intensive Commercial and Industrial Uses | | | | | | | | | | | | | | | | |
| Manufacturing, assembly, processing, packaging, storage and distribution of products without emissions of odor, noise, dust, smoke, vibration or light | | | | | | | | | | P | P | P | | | | |
| Warehouses and wholesale distribution centers, including offices and showrooms | | | | | | | | | | P | P | P | | | | |
| Major mining, excavation and fill activities or operations | SE | SE | | | | | | | | | | | | | | |
| Construction contractors/trades offices with storage yard | | | | | | | | | | P | P | P | | | | |
| Junkyard, scrap yard, recycling facility Note: use is prohibited on lot that is located adjacent to property zoned RR, R-1, R-2, RR-3C or R-3 | | | | | | | | | | CU | CU | CU | | | | |
| Permanent sawmill or woodchipper | CU | CU | | | | | | | | CU | P | P | | | | |

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|--|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|----|-----|----|-----|------------|
| Self-storage, RV/boat storage facilities | | | | | | | | | | P | P | P | | | | |
| Automotive paint and body | | | | | | | | | | CU | CU | CU | | | | |

Discuss

- Do existing mining regs work well? Any concerns from prior applications? Couple applications coming forward.
- Composting facility – **Commissioners are working on**

Deleted: Sanitary or refuse landfills (50-751), Support and operation facilities related to the extraction of water for bulk or retail sales (50-752)

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|---|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|---|-----|----|-----|------------|
| Public services | | | | | | | | | | | | | | | | |
| Public and private schools, colleges, vocational and technical schools | SE | SE | SE | SE | SE | SE | SE | SE | SE | SE | SE | | SE | SE | | |
| Adult and Child care facility | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | | | | | |
| Hospital | | | | | | | | | CU | CU | CU | | | CU | | |
| Nursing home and assisted living facility | | | | | | | SE | | SE | SE | SE | | | | | |
| Place of religious assembly, civic organization or membership club | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | | | | | |
| Government offices and facilities | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Cemetery, family and public | CU | CU | | | | | | | | | CU | | | CU | | |
| Deleted: Halfway homes and rehabilitation centers (50-724 and 50-737), Institutions (other than group homes and foster care facilities) (50-726), prisons and jails (50-736) | | | | | | | | | | | | | | | | |

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|--|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|---|-----|----|-----|----------------|
| Recreation | | | | | | | | | | | | | | | | |
| Boat landings, sport fisheries and marinas | | | | | | | | | | | | | | | SE | |
| Public parks, public playgrounds and other public recreation facilities (¹ restricted to passive, resource based recreation) | P | P | P | P | P | P | P | | | | | | | P | P | p ¹ |
| <p>Discuss:</p> <ul style="list-style-type: none"> Outdoor intensive recreation (50-764/former 50-739); Outdoor passive recreation (50-749); Hunting and Fishing Camps or Clubs (50-748/former 50-754) – Commissioners are working on | | | | | | | | | | | | | | | | |

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|---|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|---|-----|----|-----|------------|
| Residential | | | | | | | | | | | | | | | | |
| Single-family dwelling | P | P | P | P | P | P | P | P | P | P | P | | | | | |
| Multi-family dwelling, medium density (up to 5 units/acre) | | | | | CU | | CU | | | | | | | | | |
| Multi-family dwelling, high density (up to 12 units/acre) | | | | | | | CU | | | | | | | | | |
| Community residential home - with 6 or fewer residents or with 7 of more residents | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU | | | | | |
| Family day care home and Large family child care home | CU | CU | CU | CU | CU | CU | CU | | | | | | CU | | | |
| <p>Discuss</p> <ul style="list-style-type: none"> Home-based businesses (accessory use per Section 559.955, Florida Statutes) – limitations? <p>Deleted: Mobile home parks (50-730), Mobile home subdivisions (50-731)</p> | | | | | | | | | | | | | | | | |

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|---|-----------------|-----------------|----|-----|-----|-----------|-----|-----|----------------|----------------|----------------|----|----------------|----|-----|------------|
| Retail sales and services | | | | | | | | | | | | | | | | |
| Restaurant (if serves alcoholic beverages, also refer to Ch. 6) | | | | | | | | | P | P | P | | P | | | |
| Retail (10,000 sq ft or less) | | | | | | | | | P | P | P | | P | | | |
| Retail sales or service of oil, gasoline, diesel, liquid petroleum, bottled gas or fuel storage and distribution | | | | | | | | | | CU | CU | CU | CU | | | |
| Butcher, custom processing and wrap services, cold storage (¹ if accept live animals or ² no live animals) | CU ¹ | CU ¹ | | | | | | | p ² | p ² | p ² | | p ² | | | |
| Funeral homes with chapel (no crematorium) | | | | | | | | P | P | P | P | | | | | |
| Personal services, such as barbershop, hair salon, nail salon, tattoo, piercing, massage therapist, gyms | | | | | | | | P | P | P | P | | P | | | |
| Automotive, equipment and boat sales, supplies and service (excluding paint and body) | | | | | | | | | | CU | CU | CU | | | | |

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| Manufactured and modular home sales and service | | | | | | | | | | CU | CU | | | | | |
| Professional services, such as accountant, attorney, architect, medical, engineering, title, financial, insurance, management, real estate, veterinary without outdoor runs | | | | | | | | P | P | P | P | | P | | | |
| Deleted: Flea Market (50-720), Sale of unfinished products outside structures (50-741), Shopping Centers (50-744), Mechanical automobile washing establishment (50-757) | | | | | | | | | | | | | | | | |
| Transportation | | | | | | | | | | | | | | | | |
| Bus or Truck Terminal, truck stop, trucking company (must be located on State or Federal Highway) | | | | | | | | | | | P | | | | | |
| Deleted: Airport (50-711), but added private runways, airstrips and heli-pads as an accessory use to a home or business in the A/RR and F/RR zoning districts | | | | | | | | | | | | | | | | |

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|--|----------|----------|----|-----|-----|-----------|-----|-----|-----|-----|-----|----|-----|----|-----|------------|
| Utilities | | | | | | | | | | | | | | | | |
| Communications facilities, towers and antennas | CU | CU | CU | | | | | | CU | CU | CU | CU | | CU | CU | |
| Electric generating facilities | SE | SE | | | | | | | | | | | | | | |
| Essential public utility services note: county may have additional requirements for installation on county owned property or right-of-way | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Solar facilities | CU | CU | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

Questions?

Next Steps? (1) finalize a draft Zoning Uses ordinance based on this discussion, (2) staff meet with each Board member to review and discuss the draft; and (3) advertise and agenda the draft ordinance for the Planning Commission and Board adoption in April/May 2023.