



LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

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To: Levy County Board of County Commissioners

From: Stacey Hectus, Planning and Zoning Director

Date: October 5, 2023

Subject: Transmittal of the proposed 2023 Evaluation & Appraisal Report (EAR)
Comprehensive Plan Amendments

Levy County is required to update their Comprehensive Plan every seven years per state Rule Chapter 73C-49, Florida Administrative Code. This plan was last updated in 2017. The proposed amendments are required to be transmitted to the Florida Department of Commerce, Community Planning, Development and Services (the Department) by December 1, 2023. Once the state makes their comments they will send those back to us as Objections, Recommendations or Comments (ORC) Report. If there are issues we have a certain amount of time to review and/or revise and send back to the state. If there are Objections, Recommendations or Comments then staff will bring the elements back to you for adoption early in 2024.

As discussed at previous meetings, staff has decided to do the required legislative updates as proposed by the Department. Additionally, over the last two years we have adopted a zoning map for Levy County, had workshops on Farmland Preservation and embarked on a hefty Land Development Code update required after the adoption of the zoning map. Staff has been compiling those changes and will be adding them to this EAR amendment. A brief summary of those will be noted below.

Furthermore, the Levy County Comprehensive Plan sunsets or expires in 2026. With that impending date a re-write of our entire comprehensive plan will be required with a new 20 year horizon. This will take shape as our future plan for the next 20 years for Levy County. We will begin this process sometime in 2024.

The following Elements will be transmitted, summary by Element:

Capital Improvements Element – This is a legislative requirement and staff has updated this element with the latest numbers in the Capital Improvement Plan (CIP) for Transportation, Parks and Recreation and added a Non-LOS section for other capital projects that need to be part of the CIP.

Coastal Management Element – Staff updated the element and made some minor edits. Marina and Commercial and Sport Fishery Location policies 9.5-9.20 were removed since there are no real locations these can go in unincorporated Levy County that would not be in our Environmentally Sensitive Lands.

Economic Element – Staff updated the element and made some minor edits to policies 4.3 and 4.4 as staff felt those policies needed more examination as we move forward with the re-write. Staff removed policy 4.9 until further examination is done on Agritourism as part of our Uses review. Additionally, with the adoption of FS 570.85, et.al. in our Uses ordinance staff determined the County already has a robust Agritourism sector.

Future Land Use Element – Staff updated this element with the suggested revisions from Mr. Charles Lee regarding the Turnpike. These were garnered at the Farmland Preservation Workshop. Based on numerous discussions at the many Uses meetings staff removed policy 3.7(c) as this was the policy that allowed a special exception to the comprehensive plan RV parks near or within close proximity to natural resources or recreation. Staff also deleted policy 3.8 Home Based Business section since we no longer control outside of directing to the Florida Statute requirements F.S. 559-995.

Staff really needs to take a more concentrated look at the Rural Commercial Nodes, Historically Commercial Areas, and Non-residential Uses outside the MSD sections of the Comprehensive Plan. With the upcoming re-write that will give staff the time to do the analysis necessary to see what impact these nodes and non-residential uses outside the MSD have on the County as a whole and the environment with the recent BMAP regulations.

Staff also removed confusing or contradictory language. We will reexamine some of those sections better when we do the re-write.

Housing Element – Updated the substandard Housing Inventory list to 2025 as this is something we will be working on. The Accessory Dwelling Unit information got added as part of the legislative requirement. As part of the Land Development Code

update we revised the Community Residential section to refer to the state statute. Policy 3.6 was removed until after the impact fee study is completed to assist with these guidelines.

Infrastructure Element – Staff will be looking for direction from the consultant before revising the package plant provisions in the comp plan. Per the Infrastructure Element uses like RV Parks and manufactured home parks require package plants or hooking into centralized municipal services. Staff will want to revise some of these requirements and guidelines as we get feedback from the consultant since the BoCC is clear we do not want to support residential package plants. The Uses Ordinance is also clear on this statement, especially for RV Parks.

Transportation Element – Staff updated this element with the suggested revisions from Mr. Charles Lee regarding the Turnpike. These were garnered at the Farmland Preservation Workshop.

The following Elements will not be transmitted for the following reasons but will be re-examined during the upcoming re-write:

Conservation Element - There were not enough edits to warrant sending it to the state for the EAR based amendments. There were no legislative changes required.

Intergovernmental Element – There were no legislative changes required. It will be re-examined as part of the re-write.

Property Rights Element – The element was just sent to and approved by the state and adopted by the County in 2021 via Ordinance 2021-13.

Public School Facilities Element - Staff did not receive any feedback from the Levy County School Board regarding the update of this element so this will be reexamined at the re-write stage. There were no legislative changes required.

Recreation and Open Space Element –There were not enough edits to warrant sending it to the state for the EAR based amendments. There were no legislative changes required.

Springs Protection Element – This will be examined by the consultant soon based on the new Basin Management Action Plan (BMAP) requirements. Staff is required to have the updates to the comprehensive plan by July 2024.

What is next – The Planning Commission will hear this item at their October 2nd regular meeting and the BoCC will hear it at the October 17th regular meeting. Once the state does their review of our transmittal packet they will send back to the County the Objections, Recommendations and Comments (ORC) Report. If there are issues we have a certain amount of time to review and/or revise and send back to the state. If there are no Objections, Recommendations or Comments then staff will bring the elements back to the BoCC for adoption early in 2024.

Questions??

Planning Commission

At the Levy County Planning Commission meeting held on Monday, October 2, 2023 the Commission voted 3-0 to transmit the Evaluation and Appraisal Report to the Florida Department of Commerce, Community Planning Division for their review and comment.

Levy County Data and Analysis Report for 2024 Comprehensive Plan Evaluation and Appraisal Report

This Data and Analysis Report is a supplement to the existing Data and Analysis Report for the Levy County Comprehensive Plan. It provides an update of conditions since the 2017 adoption of the Comprehensive Plan. Information in this report includes:

- Population projections
- Areas of new development within the County 2017-2024
- Changed conditions since the 2017 Comprehensive Plan Evaluation and Appraisal Report (EAR)
- Acreage information & breakdown by future land use category

Population Projections

The following table illustrates the 2020 Census population count for the Levy County unincorporated area and the Bureau of Economic and Business Research projections (2022) for the unincorporated area through the year 2050. Assumptions associated with these projections are shown at the end of the table.

Year	Population
2020 (Census)	32,920
2025	35,112
2030	32,879
2035	37,653
2040	38,577
2045	39,347
2050	40,040

Assumptions:

1. No annexations of populated unincorporated areas.
2. No reduction in existing residential densities as shown on the Future Land Use Map.
3. The local, state, and national economies will remain stable during the projection period.

As indicated in the table, over the Planning period, the unincorporated area is expected to grow from the 2020 Census population of 32,920 to 40,040 in 2050. This represents a 21.6% growth rate over the 30-year period or approximately a 0.72% annual population increase.

Areas of New Development in Unincorporated Levy County

Map 1 (see attachments) illustrates areas within unincorporated Levy County where development has taken place in the years 2017-2023. During this time period, 491 building permits were issued for new home construction and 396 permits were issued for new mobile homes.

Changed Conditions since the 2017 Comprehensive Plan

The primary changes since the 2017 adoption of the Comprehensive Plan are:

- 1 The discovery of mapping errors that resulted in some parcels (and their associated acreages) being incorrectly placed in municipalities. The discovery of the errors is due to the transition from paper mapping to more exact Geographic Information System (GIS) mapping. As a result, there is an increase in acreage in several locations.
- 2 Annexations of unincorporated areas into the various municipalities in Levy County.
- 3 In 2023, our Department received a grant from the Department of Commerce, previously Department of Economic Opportunity, to purchase hardware and software for our own Geographic Information System (GIS) mapping. We have worked with our Regional Planning Council, Property Appraiser's Office, and the University of Florida Bureau of Economic and Business Research (BEBR) to gather data and update our maps to show the most accurate information.
- 4 Further Explanation of Analysis of Changes from 2017-2023:
 - a. In 2016, the Data and Analysis Report used a total county area of 701,170 acres. We are now calculating the total county area as 711,463.7 acres, which is an increase of 10,293.7 acres. This area was taken from the future land use layer, which does include some open water. This represents a 1% increase in total area.
 - b. The total area of the unincorporated county was reported at 681,461.2 acres in the previous EAR, and now measures 687,489.2 acres, an increase of 6,028 acres. This was taken from the future land use area. This represents a 1% increase in total area. Additions to the municipalities include 50.83 acres from annexations.
 - c. Staff believes that some of the discrepancies in Commercial and Industrial land use, whose vacant areas have increased significantly but the developed area of commercial remains somewhat consistent, may be due to previous use of Property Appraiser use data rather than a zoning GIS layer. Currently, many commercially zoned areas have residential uses, rather than commercial, so without modern GIS data these areas could have been misconstrued as residential.
 - d. We believe our data is more accurate now than ever before due to increased GIS abilities, cleaned up edges and geometry, and better collaboration between departments. The Property Appraiser's parcels cover approximately 714,000 acres, and they confirmed that my assumption about open water acreage is probably valid. Additionally, this would line up with the disproportionate amount of added acreage in the municipalities as Cedar Key and Yankeetown have many island parcels where most of the parcel is open water, especially at high tide.

Annexations since the 2017 Comprehensive Plan

Since the adoption of the 2017 Levy County Comprehensive Plan update, there have been several annexations of unincorporated areas into municipalities.

The following table shows the loss of unincorporated area acreage due to annexations by each municipality. Map 1 in the attachments illustrates in yellow shading the areas of annexations that have occurred since the 2017 Plan.

Reduction in Unincorporated Area Acreage Due to Annexation

City	2023 Acreage
Bronson	-0.64
Fanning Springs	-0.5
Chiefland	-19.27
Williston	-5.537
Otter Creek	0
Cedar Key	-16.67
Inglis	-8.22
TOTAL:	50.83

Acreage information & breakdown by Future Land Use Category

Approximately 96.6% of the total acreage in Levy County (711,463 acres) falls within the unincorporated area. Within the unincorporated area there are 40,107 parcels with an acreage total of 687,489.2 acres.

The table below illustrates the unincorporated area acreage by Future Land Use Category.

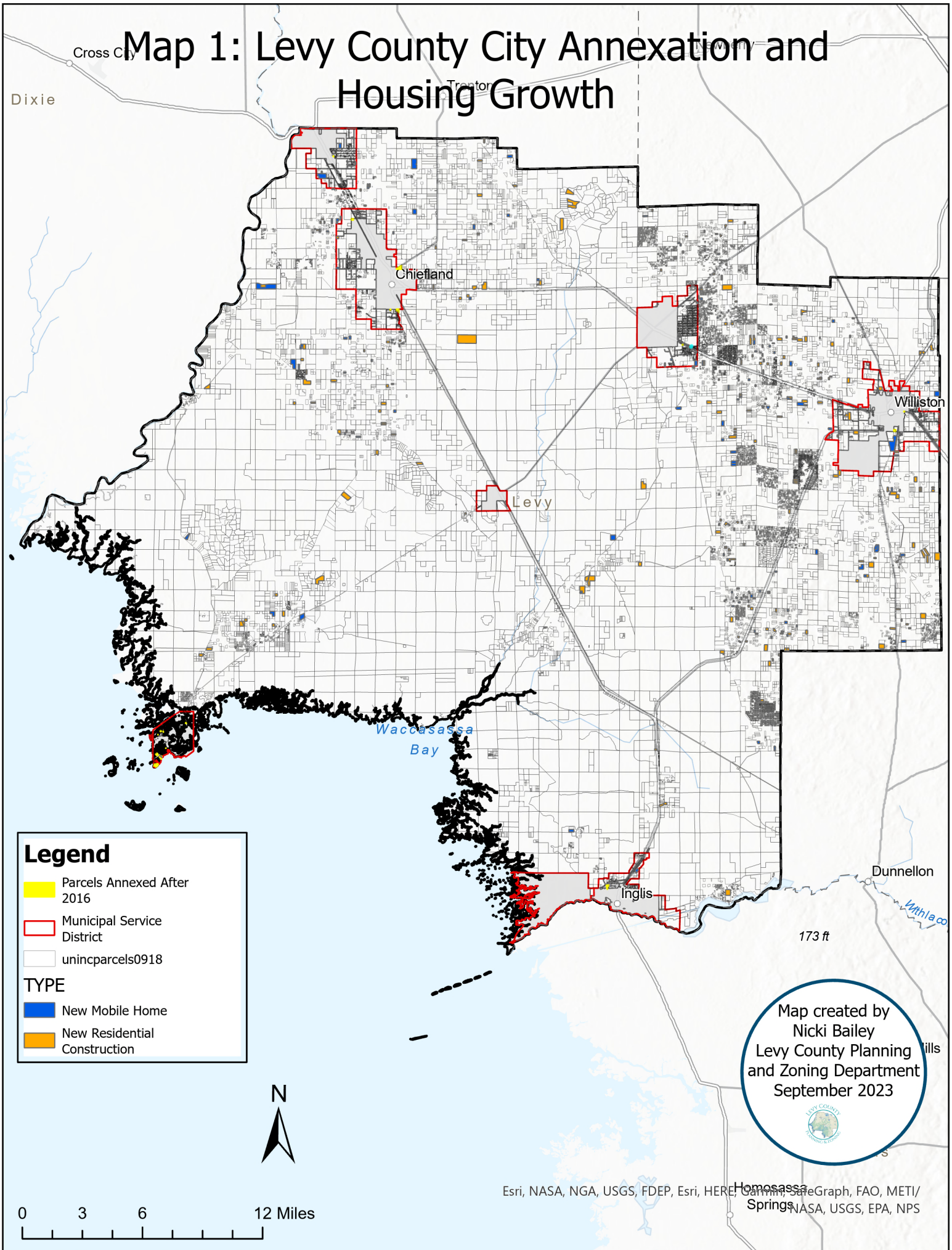
Future Land Use Category	Acreage	Percentage	Density
Natural Resources and Conservation (NR-CON)	123,767	18.0%	None
Forestry/Rural Residential (F/RR)	291,888	42.4%	1/20 acres
Agricultural/Rural Residential (A/RR)	223,130	32.4%	1/10 acres
Rural Residential (RR)	27,127	4.0%	1/3 acres
Urban Low Density Residential (LDR)	12,920	1.9%	1/1 acre
Urban Medium Density Residential (MDR)	1,281	0.2%	5/1 acre
Urban High Density Residential (HDR)	0	0%	12/1 acre
Commercial (C)	2,226	0.32%	None
Industrial (I)	629.66	0.09%	None
Recreation (REC)	160	0.02%	None
Public & Institutional Facilities (PF)	4,364	0.64%	None

As can be noted from the table, the largest percentage of land (42.4%) is in the Forestry/Rural Residential category. Additionally, the Agricultural/Rural Residential category is 32.4%, and the Natural Reservation category is 18% of the unincorporated area. These three categories account for 92.9% of the acreage in unincorporated Levy County. This reflects the rural nature of the unincorporated area.

The table that follows illustrates the amount of vacant acreage in each of the future land use categories. Land that is in active agricultural use and natural reservation acreages were not included in the vacant, developable acreage totals because it is assumed those lands will remain undeveloped during the planning period. Acreage in use for active or passive recreation was also excluded from the developable, vacant acreage totals.

Future Land Use Category	Vacant Acreage	Percent Vacant
Natural Resource and Conservation (NR-CON)	122,664.21	99.11%
Forestry/Rural Residential (F/RR)	263,758.02	90.36%
Agricultural/Rural Residential (A/RR)	147,249.98	65.99%
Rural Residential (RR)	13,615.24	50.19%
Urban Low Density Residential (LDR)	6094.87	47.17%
Urban Medium Density Residential (MDR)	624.87	48.80%
Urban High Density Residential (HDR)	0	0
Commercial (C)	1286.48	57.81%
Industrial (I)	476.74	76.10%
Recreation (REC)	159.97	100.00%
Public & Institutional Facilities (PF)	4300.94	98.55%

Map 1: Levy County City Annexation and Housing Growth



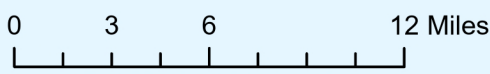
Legend

- Parcels Annexed After 2016
- Municipal Service District
- unincparcels0918

TYPE

- New Mobile Home
- New Residential Construction

Map created by
 Nicki Bailey
 Levy County Planning
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 September 2023

Statutory Changes to the Community Planning Act

Chapter 163, Part II, Florida Statutes: 2016-2022



****Levy County comments in bold, italics and underline****

2016: [Chapter 2016-10, section 13, Laws of Florida, effective May 10, 2016; Chapter 2016-148, sections 2-4, Laws of Florida, effective July 1, 2016]

1. Section 163.3177, Florida Statutes (F.S.), **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2016-10, section 13, Laws of Florida)
 - Removes language in subsection (6)(a)11., requiring local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent to or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.

Not Applicable. There are no military installations or lands adjacent to an airport in Levy County.

2. Section 163.3175, F.S., **Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information between Local Governments and Military Installations** (Chapter 2016-148, section 2, Laws of Florida)
 - Modifies subsection (7) to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.

Not Applicable. There are no military installations or lands in Levy County. No military personnel on the land planning or zoning board.

3. Section 163.3184, F.S., **Process for Adoption of Comprehensive Plans or Plan Amendments** (Chapter 2016-148, section 3, Laws of Florida)
 - Amends language of subsection (2)(c) pursuant to changes in section 380.06, F.S., to require a state coordinated review of plan amendments that approve Development of Regional Impact-sized proposed developments; no substantive change.
 - Adds subsection (5) (e) 3 to provide direction that when an administrative law judge issues an order recommending that a plan amendment be found in compliance, the recommended order becomes the final order 90 days after issuance unless the state land planning agency issues a final order finding the amendment in compliance, refers the recommended order to

the Administration Commission, or all parties consent in writing to an extension of the 90day period.

- Amends subsection (7) (d), for plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order. If the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order.

Acknowledged.

4. Section 163.3245, F.S., **Sector Plans** (Chapter 2016-148, section 4, Laws of Florida)
 - Modifies subsection (1) to reduce the minimum amount of total land area required for a sector plan from 15,000 acres to 5,000 acres.

Acknowledged.

2017: [None]

2018: [Chapter 2018-34, section 1, Laws of Florida, Effective March 19, 2018; Chapter 2018-158, sections 7, 8, and 21, Laws of Florida, Effective April 6, 2018.]

1. Section 163.3221, F.S., **Florida Local Government Development Agreement Act; Definitions** (Chapter 2018-34, section 1, Laws of Florida)
 - Amends the definition of “development” within subsection (4) (b) to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.

Acknowledged.

2. Section 163.3245, F.S., **Sector Plans** (Chapter 2018-158, section 7, Laws of Florida) • Updates statutory cross references within subsection (3) (e) and subsection (12).
 - Revises subsection (6) to amend the requirements associated with a master development approval.

Acknowledged.

3. Section 163.3246, F.S., **Local Government Comprehensive Planning Certification Program** (Chapter 2018-158, section 8, Laws of Florida)
 - Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact.

Acknowledged.

4. Section 163.3164, F.S., **Community Planning Act; Definitions** (Chapter 2018-158, section 21, Laws of Florida)
 - Renumbers existing subsections (31) through (51) as (32) through (52) and adds a new subsection (31) to define “master development plan” or “master plan”.

Acknowledged.

2019: [Chapter 2019-3, section 31, Laws of Florida, Effective July 3, 2019; Chapter 2019-106, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-144, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-155, section 2, Laws of Florida, Effective July 1, 2019; Chapter 2019-157, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-165, sections 3-7, Laws of Florida, Effective June 28, 2019]

1. Section 163.3177, F.S., **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2019-3, section 31, Laws of Florida)
 - Updates statutory reference related to affordable workforce housing within subsection (6) (f).

Acknowledged.

2. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges** (Chapter 2019-106, section 1, Laws of Florida)
 - Revises the section’s title.
 - Amends language of paragraphs (a) through (d) of subsection (3) to clarify the local government responsibilities related to impact fees.
 - Adds new paragraphs (e) through (i) to subsection (3) to amend the minimum requirements for the adoption of impact fees by specified local governments and note restrictions to the allowable uses of those impact fees.
 - Adds a new subsection (6), which exempts water and sewer connection fees from the Florida Impact Fee Act.

Acknowledged.

3. Section 163.3175, F.S., **Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information between Local Governments and Military Installations** (Chapter 2019-144, section 1, Laws of Florida)
 - Predesignate existing paragraphs (i) through (n) of subsection (2) as paragraphs (j) through (o).
 - Adds new paragraphs (i) and (p) to subsection (2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development.

Acknowledged. Not applicable.

4. Section 163.3209, F.S., **Electric Transmission and Distribution Line Right-of-way Maintenance** (Chapter 2019-155, section 2, Laws of Florida)
- Removes language the requiring local government approval of a property owner's request for electric utilities to perform certain right-of-way vegetation and tree maintenance.

Not applicable, never had approval requirements for right-of-way vegetation and tree maintenance.

5. Section 163.3187, F.S., **Process for Adoption of Small-Scale Comprehensive Plan Amendment** (Chapter 2019-157, section 1, Laws of Florida)
- Removes subsection (1) (b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments.

Acknowledged.

6. Section 163.3167, F.S., **Scope of Act** (Chapter 2019-165, section 3, Laws of Florida)
- Amends subsection (3) to require local governments that have adopted comprehensive plans after January 1, 2019 to incorporate into their comprehensive plans development orders that existed before the comprehensive plan's effective date.

Not Applicable.

7. Section 163.3180, F.S., **Concurrency** (Chapter 2019-165, section 4, Laws of Florida)
- Amends subsection (5) (i) to clarify compliance requirements for a mobility fee-based funding system.
 - Revises subsection (6)(h)2.b. to require a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities and provides the requirements for the basis of that credit.

Acknowledged.

8. Section 163.31801, F.S., **Impact Fees; Short Title; Minimum Requirements: Audits; Challenges** (Chapter 2019-165, section 5, Laws of Florida)
- Amends subsection (3) to add minimum conditions that certain impact fees must satisfy.
 - Renumbers existing subsections (4) and (5) as subsections (6) and (7).
 - Adds a new subsection (4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities.
 - Add subsection (5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections.
 - Amends renumbered subsection (7) to provide that in certain actions, the local government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government.

- Adds subsection (8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing, and in doing such is not required to use any revenues to offset the impact.
- Adds subsection (9) to clarify that this section does not apply to water and sewer connection fees.

Acknowledged.

9. Section 163.3202, F.S., **Land Development Regulations** (Chapter 2019-165, section 6, Laws of Florida)
- Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.

Acknowledged.

10. Section 163.3215, F.S., **Standing to Enforce Local Comprehensive Plans Through Development Orders** (Chapter 2019-165, section 7, Laws of Florida)
- Amends subsection (8) (a) to provide that either party is entitled to a certain summary procedure in certain court proceedings.
 - Adds subsection (8) (b) clarifying how a court may find a summary procedure does not apply.
 - Adds subsection (8) (c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs.

Acknowledged.

2020: [Chapter 2020-2, section 27, Laws of Florida, Effective May 18, 2020; Chapter 2020-27, sections 4 and 5, Laws of Florida, Effective July 1, 2020; Chapter 2020-58, section 1, Laws of Florida, Effective July 1, 2020; Chapter 2020-122, section 2, Laws of Florida, Effective July 1, 2020; Chapter 2020-150, section 28, Laws of Florida, Effective July 1, 2021]

1. Section 163.3178, F.S., **Coastal Management** (Chapter 2020-2, section 27, Laws of Florida)
- Amends subsection (2) (k) to update statutory references. DEEP WATER PORTS
 - Revises paragraphs (b) and (c) within subsection (8) to remove outdated deadlines.
- (b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by following the process in paragraph (a), the level of service shall be no greater than 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale.
- (c) This subsection shall become effective immediately and shall apply to all local governments. Local governments shall amend their future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map.

Acknowledged.

2. Section 163.31771, F.S., **Accessory Dwelling Units** (Chapter 2020-27, section 4, Laws of Florida)
- Amends subsections (3) and (4) to allow a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use and removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction.

Adopted Accessory Dwelling Unit (ADU) Ordinance 2022-10 to permit ADU's in Levy County if provisions can be met.

3. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges** (Chapter 2020-27, section 5, Laws of Florida)
- Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district.

Acknowledged.

4. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits, Challenges** (Chapter 2020-58, section 1, Laws of Florida)
- Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant.
 - Amends subsection (4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution.
 - Renumbers existing subsections (8) and (9) as subsections (9) and (10).
 - Adds a new subsection (8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.

Acknowledged.

5. Section 163.3168, F.S., **Planning Innovations and Technical Assistance** (Chapter 2020-122, section 2, Laws of Florida)
- Adds subsection (4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in section 338.2278, F.S., contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections.

Acknowledged. Repeal below acknowledged.

6. Section 163.3180, F.S., **Concurrency** (Chapter 2020-150, section 28, Laws of Florida)
 - Amends subsection (2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection.

Acknowledged.

2021: [Chapter 2021-7, sections 6 and 7, Laws of Florida, Effective July 1, 2021; Chapter 2021-63, section 1, Laws of Florida, Effective June 4, 2021; Chapter 2021-161, section 1, Laws of Florida, Effective July 1, 2021; Chapter 2021-178, section 1, Laws of Florida, Effective July 1, 2021; Chapter 2021-186, section 1, Laws of Florida, Effective July 1, 2021; Chapter 2021-195, sections 1-3, Laws of Florida, Effective July 1, 2021; Chapter 2021-201, section 1, Laws of Florida, Effective July 1, 2021; Chapter 2021-206, sections 1 and 3, Laws of Florida, Effective July 1, 2021]

1. Section 163.3162, F.S., **Agricultural Lands and Practices**, (Chapter 2021-7, section 6, Laws of Florida)
 - Reenacts subsection (2) (b) to provide a definition for “Farm operation.”

Acknowledged.

2. Section 163.3163, F.S., **Applications for Development Permits; Disclosure and Acknowledgement of Contiguous Sustainable Agricultural Land**, (Chapter 2021-7, section 7, Laws of Florida)
 - Reenacts subsection (3) (b) to provide a definition for “Farm operation.”

Acknowledged.

3. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges**, (Chapter 2021-63, section 1, Laws of Florida)
 - Adds a new subsection (3) to define “Infrastructure” and “Public facilities.”
 - Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity.
 - Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits.
 - Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.

Acknowledged.

4. Section 163.3168, F.S., **Planning Innovations and Technical Assistance** (Chapter 2021-161, section 1, Laws of Florida; and Chapter 2021-186, section 1, Laws of Florida)
 - Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections.

Acknowledged.

5. Section 163.3205, F.S., **Solar Facility Approval Process**, (Chapter 2021-178, section 1, Laws of Florida)
 - Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define “solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.

This will be completed with the adoption of our Uses Ordinance 2023-9.

6. Section 163.3167, F.S., **Scope of Act** (Chapter 2021-195, section 1, Laws of Florida)
 - Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016.

Not Applicable.

7. Section 163.3177, F.S., **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2021-195, section 2, Laws of Florida)
 - Ads subsection (6) (i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision-making. The statute also provides a statement of rights local governments may adopt in order to meet these requirements.

This was done via Ordinance # 2021-013.

8. Section 163.3237, F.S., **Amendment or Cancellation of a Development Agreement** (Chapter 2021-195, section 3, Laws of Florida)
 - Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner’s property.

Acknowledged.

9. Section 163.3202, F.S., **Land Development Regulations** (Chapter 2021-201, section 1, Laws of Florida)
- Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.

Not applicable, as Levy County does not have design elements related to single-family or two-family dwellings.

10. Section 163.3167, F.S., **Scope of Act** (Chapter 2021-206, section 1, Laws of Florida)
- Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect.

Not applicable as we are a County not a municipality.

11. Section 163.3187, F.S., **Process for Adoption of Small-Scale Comprehensive Plan Amendment** (Chapter 2021-206, section 3, Laws of Florida)
- Amends subsection (1) (a) to increase the small-scale development amendment limit to 50 acres or fewer.
 - Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a).

This has already been instituted and updated on all our applications and literature that pertains to small scale comprehensive plan amendments.

2022: [Chapter 2022-83, section 1, Laws of Florida, Effective July 1, 2022; Chapter 2022-122, section 1, Laws of Florida, Effective July 1, 2022; Chapter 2022-183, section 5, Laws of Florida, Effective July 1, 2022; Chapter 2022-204, section 2, Laws of Florida, Effective July 1, 2022]

1. Section 163.32051, F.S., **Floating Solar Facilities**, (Chapter 2022-83, section 1, Laws of Florida)
- Creates 163.32051, which provides legislative findings regarding floating solar facilities.
 - Defines the term "floating solar facility."
 - Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities.
 - Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts.

- Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project.

Acknowledged.

2. Section 163.3180, F.S., **Amending Concurrency**, (Chapter 2022-122, section 1, Laws of Florida)
 - Amends subsection (6) (h) 2. To revise provisions specifying when school concurrency is deemed satisfied.
 - Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding commitment.
 - Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.

Acknowledged.

3. Section 163.3175, F.S., **Updating Military Base Names**, (Chapter 2022-183, section 5, Laws of Florida)
 - Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach.

Not applicable.

4. Section 163.3178, F.S., **Coastal Management**, (Chapter 2022-204, section 2, Laws of Florida)
 - Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council.

Not applicable.