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**ORDINANCE  
NUMBER 2022-15**

**AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE LEVY COUNTY COMPREHENSIVE PLAN BY CHANGING THE LAND USE CATEGORY OF APPROXIMATELY 9.5 ACRES (A PORTION OF PARCEL ID 0475100000) GENERALLY LOCATED AT THE INTERSECTION OF NE 50<sup>TH</sup> STREET AND NE HWY 41, WILLISTON, FLORIDA, AS MORE SPECIFICALLY DESCRIBED IN THIS ORDINANCE FROM URBAN MEDIUM DENSITY RESIDENTIAL (UMDR) TO COMMERCIAL (C); PROVIDING DIRECTIONS TO THE COUNTY COORDINATOR; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING DIRECTIONS TO THE CLERK AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3167, Florida Statutes, requires Levy County to maintain a Comprehensive Plan to guide the future development and growth of the County; and

**WHEREAS**, Section 163.3177(6), Florida Statutes, requires the County Comprehensive Plan to include a Future Land Use Element with a Future Land Use Map that designates the future general distribution, location, and extent of the uses of land for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land, with the goals of protecting natural and historic resources, providing for the compatibility of adjacent land uses and discouraging the proliferation of urban sprawl; and

**WHEREAS**, in compliance with State law, the County maintains a Future Land Use Map as part of the County’s Comprehensive Plan;

**WHEREAS**, if adopted, this ordinance will amend the Future Land Use Map by changing the land use category of the property that is the subject of this ordinance; and

45           **WHEREAS**, this amendment to the Future Land Use Map involves a use of 50  
46 acres or fewer and qualifies as a small-scale development amendment per Section  
47 163.3187, Florida Statutes; and

48  
49           **WHEREAS**, upon petition of the property owner (Petition No. SSA 22-01), the  
50 County Planning Commission which acts pursuant to the authority granted in Sec. 50-55  
51 of the County Code and which acts as the Local Planning Agency pursuant to Section  
52 163.3174, Florida Statutes, held a public hearing on August 1, 2022, and voted to  
53 recommend approval of this Future Land Use Map amendment; and

54  
55           **WHEREAS**, at least five days' notice has been given once by publication in a  
56 newspaper of general circulation notifying the public of this proposed ordinance and a  
57 public hearing to be held by the County Commission; and

58  
59           **WHEREAS**, the public hearing was held pursuant to the notice described above  
60 at which hearing the parties in interest and all others had an opportunity to be heard; and

61  
62           **WHEREAS**, after due consideration at the public hearing, the County Commission  
63 finds that this proposed amendment to the Future Land Use Map is consistent with the  
64 Levy County Comprehensive Plan and that the requirements and conditions of Chapter  
65 163, Florida Statutes, have been met.

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67           **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners  
68 of Levy County, Florida:

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70           **Section 1.** The Future Land Use Map of the Levy County Comprehensive Plan is  
71 amended by changing the land use category of the following property from **Urban**  
72 **Medium Density Residential (UMDR) to Commercial (C)**:

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74           A Portion of Parcel ID 0475100000 described as follows:

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76           A part of lands described in O.R.B. 926, page 871 of the Public Records of Levy County,  
77 Florida; lying in the Southwest ¼ of Section 30, Township 12 South, Range 19 East, Levy  
78 County, Florida; being more particularly described as follows:

79  
80           Commence at the Southwest corner of said Section and run thence South 89°13'04"East,  
81 along the South line of said Section, a distance of 1003.09 feet; thence North  
82 00°46'56"East, a distance of 11.82 feet to the North right-of-way line of N.E. 50th Street  
83 (a.k.a. County Road No. 503) and the Point-of-Beginning of the herein described parcel;  
84 thence continue North 00°46'56"East, a distance of 890.59 feet to the South line of the

85 North 1775.37 feet of said Southwest ¼; thence 88°54'08"East, along the South line, as  
86 distance of 338.66 feet to the West right-of-way line of U.S. Highway 41; thence South  
87 15°07'43"East, along West right-of-way line, a distance of 924.13 feet to the said North  
88 right-of-way line of N.E. 50th Street; thence North 88°13'04"West, along said North right-  
89 of-way line, a distance of 592.00 feet to the said Point-of-Beginning. Containing 9.501  
90 Acres, more or less.

91  
92 The location of the property is shown on **Exhibit A** for visual reference. In the event of  
93 conflict or inconsistency, the legal description above shall prevail over **Exhibit A**.

94  
95 **Section 2.** The County Coordinator, or designee, is authorized and directed to  
96 make the necessary changes to maps and other data in the Levy County Comprehensive  
97 Plan in order to comply with this ordinance.

98  
99 **Section 3.** If any word, phrase, clause, paragraph, section, or provision of this  
100 ordinance or the application hereof to any person or circumstance is held invalid or  
101 unconstitutional, such finding will not affect the other provisions or applications of this  
102 ordinance that can be given effect without the invalid or unconstitutional provision or  
103 application, and to this end the provisions of this ordinance are declared severable.

104  
105 **Section 4.** All ordinances or parts of ordinances in conflict herewith are to the  
106 extent of such conflict hereby repealed.

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108 **Section 5.** This ordinance shall not be codified in the Code of Ordinances of Levy  
109 County, Florida.

110  
111 **Section 6.** In accordance with Section 125.66, Florida Statutes, the Clerk to the  
112 Board of County Commissioners is directed to file this ordinance with the Florida  
113 Department of State within 10 days after adoption and upon such filing, this ordinance  
114 shall become effective. However, the effective date of this Levy County Comprehensive  
115 Plan Amendment, if not timely challenged, will be thirty-one (31) days after adoption. If  
116 this Comprehensive Plan Amendment is timely challenged pursuant to Section  
117 163.3187(5)(a), Florida Statutes then the effective date of this Comprehensive Plan  
118 Amendment shall be the date the state land planning agency or the Administrative  
119 Commission issues a final order determining the Amendment to be in compliance with  
120 Chapter 163, Florida Statutes. No development orders, development permits, or land  
121 uses dependent on this Comprehensive Plan Amendment may be issued or commenced  
122 before it has become effective.

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**PASSED AND DULY ADOPTED** this 20th day of September, 2022.

**BOARD OF COUNTY COMMISSIONERS  
OF LEVY COUNTY, FLORIDA**

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Russell Meeks Jr., Chairman

ATTEST: Danny J. Shipp, Clerk of  
Circuit Court and Ex Officio Clerk to  
the Board of County Commissioners

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Danny J. Shipp, Clerk

Approved as to form and legal sufficiency

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Nicolle M. Shalley, County Attorney

Exhibit A to Ordinance Number 2022-15

