

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY FLORIDA, CREATING A PRIVATE RECREATION USES WITHIN THE LAND DEVELOPMENT CODE; AMENDING SECTION 50-1. OF THE LEVY COUNTY LAND DEVELOPMENT CODE RELATED TO DEFINITIONS; AMENDING SECTION 50-700. OF THE LEVY COUNTY LAND DEVELOPMENT CODE RELATED TO PERMITTED USES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is the intent of Levy County Board of County Commissioners (“Board”) to regulate the use and development of land within the County to promote, protect, and improve the public health, safety, and welfare of Levy County’s residents, while maximizing economic benefits and minimizing threats to the environment and natural and man-made resources; and

WHEREAS, Section 163.3167(c), *Florida Statutes*, empowers the Board to adopt land development regulations to guide the growth and development of the County; and

WHEREAS, the Levy County Comprehensive Plan provides that the Land Development Code shall promote eco-tourism and recreation and that the County shall coordinate public and private resources to meet the County’s recreational needs; and

WHEREAS, in furtherance of the public health, safety, and welfare, and to facilitate the proper and efficient administration of the County’s Land Development Code in a manner that protects and balances the rights and interests of property owners, the general public, and the environmental and natural resources of the County, the Board finds it necessary to define private recreation in the Land Development Code and to add private recreation as a permitted use in certain zoning districts.

NOW, THEREFORE, BE IT ORDAINED by the Levy County Board of County Commissioners as follows:

SECTION 1. AMENDMENT OF ARTICLE I, SECTION 50-1. OF THE LEVY COUNTY LAND DEVELOPMENT CODE. Section 50-1. of the Levy County Land Development Code, entitled “Definitions” is hereby amended as follows:

50-1. DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. In addition, any word used in this chapter that is not defined herein shall be defined by its plain and ordinary meaning:

* * *

Private recreation uses means the use of land, water, structures, and related facilities owned or operated by a private entity for resource-based outdoor recreational activities that are compatible with the rural and forestry character of the Forestry/Rural Residential (F/RR) zoning district. Such activities may include paddling and water access facilities; hunting and hunting-related recreational activities, including customary practice, training, and proficiency activities traditionally associated with lawful hunting, such as sporting clays, skeet, trap, patterning, and similar clay target shooting activities; zipline activities and similar elevated adventure course activities; outdoor education; wildlife observation; nature-based recreation; and other similar low-impact recreational uses. Such uses may be open to the public on a fee, reservation, membership, or other lawful basis. Customary accessory structures and uses incidental and necessary to the principal recreational use, including trailheads, pavilions, equipment storage buildings, maintenance facilities, restrooms, picnic areas, administrative offices accessory to the principal recreational use, and other similar support facilities, shall be permitted. Nothing in this definition shall be construed as regulating the ownership, possession, transportation, storage, discharge, sale, transfer, or use of firearms or ammunition, all of which remain governed exclusively by applicable state and federal law.

* * *

[underline indicates addition; ~~strike through~~ indicates deletion; * * * indicates that text following * * * remains unchanged]

SECTION 2. AMENDMENT OF SECTION 50-700. OF THE LEVY COUNTY LAND DEVELOPMENT CODE. Section 50-700. of the Levy County Land Development Code, entitled “Generally; use table” is hereby amended as follows:

50-700. GENERALLY, USE TABLE

* * *

Use (reference to code section that contains SE or CU requirements)	F/RR	A/RR	RR	R-1	R-2	RR-3C	C-1	C-2	C-3	C-4	I	RMU	PF	REC	NR-CON
	In this table, P=Permitted Use; CU=Conditional Use; and SE = Use by Special Exception														

* * *

Recreation															
Public recreation uses ¹ restricted to passive, resource based recreation	P	P	P	P	P	P							P	P	P1
Private recreation uses	P														

* * *

[underline indicates addition; ~~striketrough~~ indicates deletion; * * * indicates that text following * * * remains unchanged]

SECTION 3. CODIFICATION. It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Levy County Land Development Code, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 4. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 5. CONFLICT. All ordinances or parts of ordinances in conflict herewith are, to the extent of such of conflict, hereby repealed.

SECTION 6. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Board and shall take effect as provided by law.

PASSED AND DULY ADOPTED with a quorum present and voting by the Board of County Commissioners of Levy County this ____ day of ____, 202__.

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

Tim Hodge, Chair

ATTESTED BY:

Matt Brooks, Clerk of Court

APPROVED AS TO FORM

Ray Poole, County Attorney