

Deputy Clerk UWILLIAMS

**RESOLUTION
NUMBER 2022-4**

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF LEVY COUNTY, FLORIDA,
REGARDING BARN WASTE/MANURE USES; PROVIDING
DIRECTIONS TO THE COUNTY COORDINATOR;
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, regional growth in the horse industry and related activities continues to expand and with it the generation of significant amounts of barn waste/manure that require appropriate disposal;

WHEREAS, neighboring counties have placed prohibitions and stringent restrictions on the storage and/or disposal of barn waste/manure in their counties;

WHEREAS, Levy County is concerned that such actions by neighboring counties may result in the horse industry and its service providers looking to store, dispose of or process regional barn waste/manure on property in Levy County;

WHEREAS, the Levy County Land Development Code does not currently allow the dumping, storage, disposal, treatment or processing of barn waste/manure as a permitted commercial use in any zoning district;

WHEREAS, the Levy County Board of County Commissioners (the "Board") adopted Ordinance Number 2022-3 which created new Zoning Districts, and by adoption of a County-wide Zoning Map Atlas, placed a Zoning District designation on all real property located in the unincorporated County effective as of February 9, 2022;

WHEREAS, it was recognized by the Board that the next phase was for County staff to prepare an ordinance to update the uses that are permitted in each of the newly adopted Zoning Districts; and

WHEREAS, staff is working diligently on the zoning uses ordinance and, as part of that work, has been researching how barn waste/manure uses might be addressed in the recommendations that staff brings forward to the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. It is recognized that the dumping, storage, disposal, treatment and/or processing of barn waste/manure are not currently allowed commercial or industrial uses

in any zoning district within Levy County and, as such, it is recognized that those uses are prohibited. It is also recognized that this prohibition of such commercial or industrial uses does not operate to limit the activity of generating and re-using manure on a bona fide farm operation on land classified as agricultural land, where such activity is done in the course of their normal farming operations as defined and regulated under State law.

2. Staff is directed to continue work on the zoning uses ordinance and to include recommendations to address barn waste/manure commercial and industrial uses in a manner that would allow environmentally sound and economically viable re-use/treatment/processing of barn waste/manure into beneficial product, while safeguarding against the devaluation of County property values and the creation of public nuisances (e.g., odor, flies, visual blight) that would result from allowing unregulated dumping, storage or processing of barn waste/manure.

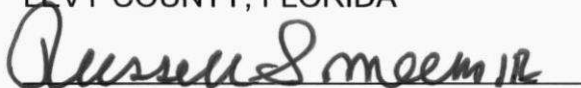
3. When staff has prepared draft recommendations that are ready for public review as directed in 2 above, staff is directed to schedule a Workshop for the Board to solicit and consider public input. In particular, the Board seeks input from industry representatives, governmental agencies, academics and any other persons who have knowledge, experience and information relevant to the beneficial re-use of barn waste/manure and how such uses may be regulated to minimize/avoid devaluation of property and the creation public nuisances.

4. The County Coordinator is directed to forward a copy of this Resolution to appropriate persons at the Florida Department of Environmental Protection, the Southwest Florida Water Management District, the Suwannee River Water Management District and the Florida Department of Agriculture and Consumer Services.

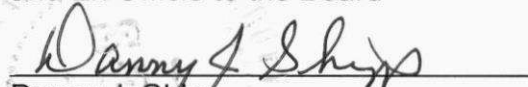
5. This Resolution shall take effect upon adoption by the Board.

DULY ADOPTED this 22nd day of February, 2022.

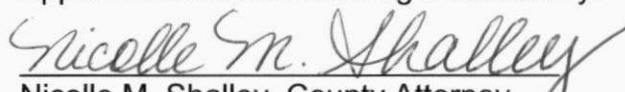
BOARD OF COUNTY COMMISSIONERS
LEVY COUNTY, FLORIDA


Russell Meeks Jr., Chairman

ATTEST: Clerk of the Circuit Court
and Ex Officio to the Board


Danny J. Shipp

Approved as to form and legal sufficiency:


Nicolle M. Shalley, County Attorney