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7 **ORDINANCE**
8 **NUMBER 2022-21**
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10 **AN ORDINANCE OF LEVY COUNTY, FLORIDA,**
11 **AMENDING THE TEXT OF THE LAND DEVELOPMENT**
12 **CODE TO ALLOW MOBILE HOMES AS A PERMITTED**
13 **USE IN THE RR-3C ZONING DISTRICT; PROVIDING FOR**
14 **INCLUSION IN THE CODE; PROVIDING A SEVERABILITY**
15 **CLAUSE; PROVIDING A REPEALING CLAUSE; AND**
16 **PROVIDING DIRECTION TO THE CLERK AND AN**
17 **EFFECTIVE DATE.**
18

19 **WHEREAS**, Section 1, Article VIII of the Florida Constitution and Chapter 125,
20 Florida Statutes, vest the Board of County Commissioners of Levy County, Florida (the
21 “Board”) with the authority to adopt county ordinances that are not inconsistent with state
22 general or special law and provide the required procedures to adopt such ordinances;
23

24 **WHEREAS**, in 1990, the Board adopted the Levy County Comprehensive Plan
25 pursuant to the provisions of Chapter 163, Florida Statutes, and have amended the Plan
26 through adoption of subsequent ordinances (the “Comprehensive Plan”);
27

28 **WHEREAS**, in 1991, the Board adopted the Levy County Land Development
29 Regulations, now codified as Chapter 50 titled “Land Development Code” of the Code of
30 Ordinances of Levy County;
31

32 **WHEREAS**, at its Zoning District Uses Workshop held on October 18, 2022, the
33 Board directed staff to prepare this ordinance amending the Land Development Code to
34 allow mobile homes as a permitted use in the RR-3C Zoning District;
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36 **WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Section
37 50-55 of the Land Development Code, this proposed ordinance has been reviewed by the
38 County Planning Commission for consistency with the Comprehensive Plan and the
39 Planning Commission recommendation has been forwarded to the Board;
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Note: deletions shown ~~stricken~~, additions shown underlined.

1 **WHEREAS**, in accordance with Section 125.66(4)(b), Florida Statutes, notice was
2 given by publication of a first advertisement no less than two columns wide by ten inches
3 long in a newspaper of general circulation notifying the public of this proposed ordinance
4 and of a public hearing in the Levy County Government Center in Bronson, Florida, to be
5 held at least seven days after the day the first advertisement was published;
6

7 **WHEREAS**, in accordance with Section 125.66(4)(b), Florida Statutes, notice was
8 given by publication of a second advertisement no less than two columns wide by ten
9 inches long in a newspaper of general circulation notifying the public of this proposed
10 ordinance and of a second public hearing in the Levy County Government Center in
11 Bronson, Florida, to be held at least five days after the day the second advertisement was
12 published; and
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14 **WHEREAS**, in accordance with Section 125.66(4)(b), Florida Statutes, the two
15 public hearings were held at least 10 days apart and at least one of the public hearings
16 was held after 5pm.
17

18 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners
19 of Levy County, Florida, that:
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21 **SECTION 1.** The portions of Sec. 50-661 that relate to the RR-3C Zoning District are
22 amended to read as follows. Except as amended herein, the remainder of Sec. 50-661
23 remains in full force and effect.
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25 **Sec. 50-661. Establishment of districts; intent of districts.**
26

27 The following zoning districts are established to implement the comprehensive plan
28 and to classify and regulate the use of land, buildings and structures within the county in
29 order to promote orderly growth and development and discourage urban sprawl:
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|-------|--|
| F/RR | Forestry/Rural Residential |
| A/RR | Agricultural/Rural Residential |
| RR | Single-Family Residential, Rural |
| R-1 | Single-Family Residential, Urban |
| R-2 | Single-Family Residential, Urban |
| RR-3C | Single-Family, Exclusive, No Mobile Homes |
| R-3 | Multifamily Residential, Urban |

Note: deletions shown ~~stricken~~, additions shown underlined.

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| C-1 | Exclusive Office |
| C-2 | Neighborhood Commercial |
| C-3 | Moderately Intensive Commercial |
| C-4 | Highway Commercial |
| I | Industrial |
| RMU | Rural Mixed Use |
| PF | Public and Institutional Facilities |
| REC | Recreation |
| NR-CON | Natural Reservation and Conservation |
| PUD | Planned Unit Development |

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2 The intent of each zoning district is as follows:

3 ~~Single-family, exclusive, no mobile homes (RR-3C) district.~~ The RR-3C district is
4 intended to provide locations for single-family residential use at net densities of one unit
5 per one (or more) acre. The RR-3C district is intended to be a transition from RR
6 zoning. ~~continuity of zoning between Levy County and Marion County within the area~~
7 ~~known as the Rainbow Lakes Estates Municipal Service District (created by a Special~~
8 ~~Act of the Florida Legislature set forth in Chapter 2001-293, Laws of Florida).~~ Within this
9 ~~district, only conventional site-built or modular single-family dwellings are allowed;~~
10 ~~mobile homes are prohibited.~~

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13 **SECTION 2.** The portion of Schedule 1. Use Regulations within Sec. 50-676 that
14 specifies the uses for the RR-3C Zoning District is amended to read as follows. Except
15 as amended herein, the remainder of Schedule 1 remains in full force and effect.

16
17 **Sec. 50-676. Generally.**

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| SCHEDULE 1. USE REGULATIONS | | | | |
|------------------------------------|--|---|--|---|
| <i>District</i> | <i>Permitted Uses</i> | <i>Accessory Uses</i> | <i>Prohibited Uses</i> | <i>Special Exception Uses</i> |
| RR-3C | One conventional single-family dwelling. Churches. Schools. Public buildings and uses, except prisons and jails. Essential public utility services, except as prohibited. | Home occupations. FFA Projects. ^[20] Temporary yard sales. | All commercial, except home occupation. Towers, commercial and broadcasting. Mobile homes, parking commercial vehicles. General farming and forestry. | Private club, outdoor recreation including golf courses, hunt clubs, bridle trails, nonvehicular trail facilities and other similar uses. Golf courses, country club equestrian facilities, hunt clubs which |

Note: deletions shown ~~stricken~~, additions shown underlined.

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| | residential design m Mobile homes. Private club, enclosed clubhouse and lodges. Public parks, noncommercial playgrounds and other public recreational facilities. Parks and recreational areas accessory to residential development including swimming pools and facilities, fitness facilities, tennis and golf course facilities and similar uses. | | Nightclub/bottle club. Medical marijuana treatment center dispensing facilities. | may have a clubhouse. Camps. Outdoor commercial recreation. Outdoor passive recreation. On-premises consumption of alcohol in chartered or incorporated private country clubs or lodges. |
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SECTION 3. Inclusion in the Code. The provisions of Sections 1 and 2 of this Ordinance shall become and be made a part of the Levy County Code, and the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or other appropriate word or phrase in order to accomplish the codification.

SECTION 4. Severability Clause. It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase, portion or provision of this Ordinance is for any reason declared or held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase, portion or provision shall be deemed a separate, distinct and independent provision, and the remainder of this Ordinance shall be not affected by such declaration or holding.

SECTION 5. Repealing Clause. All ordinances or parts of ordinances and all resolutions or parts of resolutions of Levy County in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. Effective Date. In accordance with Section 125.66, Florida Statutes, the Clerk to the Board of County Commissioners is directed to file this ordinance with the Florida Department of State within 10 days after adoption and upon such filing, this ordinance shall become effective.

Note: deletions shown ~~stricken~~, additions shown underlined.

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PASSED ON FIRST READING on the 20th day of December, 2022.
PASSED AND ADOPTED ON SECOND READING on this 21st day of February,
2023.

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

Matt Brooks, Chairman

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

Danny J. Shipp

Approved as to form and legal sufficiency

Nicolle M. Shalley, County Attorney

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