

Levy County Development Services

Planning and Zoning Department

Date: June 2, 2026

From: Bernard Cox, Development Services Director

Case: Text Amendment, TA-26-02

Applicant: Levy County

Subject: Proposing text amendment to the Land Development Code to amend Sec.50-700 for Retail Store and Solar Facilities.

Application Overview: Retail Store

Levy County is requesting a Text Amendment to the Land Development Code. These requests include one section of the LDC as follows.

- Sec. 50-700 Generally; Use Table
- Requesting to add ***Retail Store more than 15,000 sqft***
- Requesting make corrections for ***Solar facilities use*** according to Florida Statute 163.3205.

Application Overview

- In the Levy County Land Development Code is currently allow *Retail Stores with 15,000 sqft or less*, in the following zoning districts C-2, C-3, C-4 and RMU zoning district.
- This application intended to allow to include the ***Retail Stores more than 15,000 sqft in the C-3, C-4 and Industrial zoning.***
- The proposal seeks to permit these larger retail stores within Industrial zoning and higher-intensity commercial zoning districts, while **excluding** the C-2 and RMU zoning districts.

Sec.50-661- Establishment of districts

- **C-2 Zoning District**

- In Levy County Land Development Code describe the C-2 zoning district as Neighborhood Commercial (C-2). This district is intended to for small-scale commercial services that directly support the nearby residential areas.

- **Industrial Zoning District**

- Industrial zoning districts are established for intensive industrial uses, including warehousing, processing and supporting commercial uses.

Sec.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	RR3C	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														
Sales and services															
Retail (15,000 sq ft or less)								P	P	P		P			
Retail more than 15,000 sq ft									P	P	P				

Application Overview: Solar facilities

Levy County is requesting a Text Amendment to the Land Development Code to make corrections on Sec. 50-700 Generally; Use Table for ***Solar facilities use***.

According to the **Florida Statutes 163.3205**

(3) A solar facility shall be a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area and must comply with the setbacks and landscaped buffer area criteria for other similar uses in the agricultural district.

Florida Statutes 163.3205

THE FLORIDA SENATE

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2021 Florida Statutes (Including 2021B Session)

Title XI COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	Chapter 163 INTERGOVERNMENTAL PROGRAMS Entire Chapter	SECTION 3205 Solar facility approval process.
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163.3205 Solar facility approval process.—

(1) It is the intent of the Legislature to encourage renewable solar electrical generation throughout this state. It is essential that solar facilities and associated electric infrastructure be constructed and maintained in various locations throughout this state in order to ensure the availability of renewable energy production, which is critical to this state's energy and economic future.

(2) As used in this section, the term "solar facility" means a production facility for electric power which:

- (a) Uses photovoltaic modules to convert solar energy to electricity that may be stored on site, delivered to a transmission system, and consumed primarily offsite.
- (b) Consists principally of photovoltaic modules, a mounting or racking system, power inverters, transformers, collection systems, battery systems, fire suppression equipment, and associated components.
- (c) May include accessory administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures.

(3) A solar facility shall be a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area and must comply with the setback and landscaped buffer area criteria for other similar uses in the agricultural district.

(4) A county may adopt an ordinance specifying buffer and landscaping requirements for solar facilities. Such requirements may not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in agricultural land use categories and zoning districts.

(5) This section does not apply to any site that was the subject of an application to construct a solar facility submitted to a local governmental entity before July 1, 2021.

History.—s. 1, ch. 2021-178.

Sec.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															
Agriculture															
Agricultural operation, bona fide	P	P	P				P	P	P	P					
Utilities															
Solar facilities (50-726)	CU	CU	CU				CU	CU	CU	CU					

Staff Recommendations

- After reviewing the proposed text amendment applications, Staff recommends the Board of County Commissioners to amend Sec. 50-700 for Retail Store and Solar facilities.
- Staff has reviewed the application request and finds the proposed use **Retail stores more than 15,000 sq ft** is suitable for the zoning districts proposed and consistent with the intent of the Levy County Land Development Code.
- Staff has reviewed the application request and finds the proposed use **Solar facilities use** *correction will comply with the Florida Statute 163.3205 allowing the same use to all agriculture land.*

Sec.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														
Sales and services															
Retail more than 15,000 sq ft										P	P	P			
Utilities															
Solar facilities (50-726)	CU	CU	CU				CU	CU	CU	CU					

Planning Commission Recommendations

- The Levy County Planning Commission heard Application TA 26-02 on April 27, 2026. The Commission recommends:
- Add Retail Store more than 15,000 sq ft to the Levy County Uses Table as an allowed use.
- Make the corrections to the Solar facilities use in the Uses Table to comply with the Florida Statutes 163.3205.