



Levy County Board of County Commissioners

PO Box 310, Bronson, Florida, 32621

310 School Street, Bronson, Florida, 32621

Phone: 352.486.5218

LEVY COUNTY

Planning and Zoning Department

Date: March 3, 2025

From: Tara E. Howell, Planning Director

Case: Text Amendment, TA 25-01

Applicant: Darla Zambelli - Byron Flagg, Esq. (Agent)

Subject: Proposed Added Use to Current Use Table and Supporting Sections in the Levy County Land Development Codes.



Commissioners

Charlie Kennedy, District 1

Rock Meeks, District 2

Desiree Mills, Chair, District 3

Tim Hodge, Vice Chair, District 4

Johnny Hiers, District 5



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Standards for Review of Land Development Text Amendments

Article II. – Administration

Division 2. Planning Commission

Sec. 50-55 – Powers, duties, and authority (a) (1) d *Review proposed land development regulations and land development codes or amendments thereto, and make recommendations to the board of county commissioners as to consistency of the proposal with the adopted comprehensive plan or element or portion thereof.*

The proposed Land Development Code Text Amendment is consistent with the Comprehensive Plan, specifically Economic Element Goal: *Promote the growth of a strong, stable and prosperous economy through public and private economic development initiatives that preserves and enhances a high quality of life for the residents while protecting the natural, recreational, historical and cultural resources of the County.*

The request is also consistent with the intent of the Commercial and Industrial Land Uses listed in the Comprehensive Plan and Sec. 50-661 *Establishment of districts and intent of districts (C-3, C-4, I)* of the Levy County Land Development Codes.

Application Overview

The applicant is requesting a Text Amendment to the Land Development Codes (LDC). This request includes three sections of the LDC as follows:

- Sec. 50-1 Definitions
- Sec. 50-700 Generally; Use table
- Sec. 50-732 Reserved

The applicant is requesting the proposed use be allowed as follows:

- F/RR and A/RR as a Permitted Use
- C-1, C-2, and C-3, as a Conditional Use
- C-4, and I as a Permitted Use

The proposed text amendment in its entirety is attached as Exhibit A.



Staff Analysis

Planning staff reviewed the proposed text amendment to determine if it meets the following criteria:

1. The proposed text amendment consistent with the purposes, goals, objectives, and policies of the Levy County Comprehensive Plan.
2. The proposed text amendment implement the best planning practices for Levy County.
3. The proposed text amendment consistent with the intent of any applicable zoning district.

After review and consideration staff finds the following:

- The definitions included in the proposed text amendment application are comprehensive and complete.
- The proposed use **Portable Sanitation Services** is suitable only in zoning districts C-3, C-4, and I, as the intent of districts F/RR, A/RR, C-1, and C-2 are not compatible with this use. From Levy County Code of Ordinances, Chapter 50-661, the intent of districts F/RR, A/RR, C-1 and C-2 are as follows:
 - **Forestry/rural residential (F/RR) district.** The county's existing land use map and the future land use map designate certain lands used (now and in the future) for forestry purposes. Forestry products are an important segment of the county's economic base and, as such, require protection from incompatible uses. It is recognized that forestry operations require prescribed burns, herbicides and pesticides, and heavy equipment, all of which are generally incompatible with residential, commercial and most public uses, and thus forestry lands must be protected from encroachment by such uses. Likewise, separation of forestry uses from those other uses limits exposing residents, businesses and the public to the hazards associated with wildfires, smoke, dust, fumes and exposure to chemicals. As such, the F/RR district is intended to allow only very low-density residential development that is spatially separated from the predominant land use in the district - commercial forests. Residential density is limited to one dwelling per 20 (or more) acres.

- ***Agricultural/rural residential (A/RR) district.*** The conservation element and the land use element within the county comprehensive plan have established objectives and policies to protect agriculturally productive lands. Agricultural products (crops and livestock) are an important segment of the county's economic base, and as with forestry operations, agricultural operations use herbicides and pesticides, and generate noise, dust and waste products. As such, the A/RR district is intended to provide for the continued viability of agribusiness in the county while permitting low-density residential land uses that are compatible with the predominant land use in the district - commercial farming. Residential density is limited to one dwelling per ten (or more) acres.

- ***Exclusive office (C-1) district.*** The C-1 district is intended for commercial offices for professional service types of businesses.

- ***Neighborhood commercial (C-2) district.*** The C-2 district is intended to allow an intensity of use and types of uses that are compatible with, and directed primarily at serving, the surrounding neighborhood. The proposed use must comply with all applicable state health, safety, and environmental regulations governing the renting and servicing of portable sanitation units and the temporary storage of waste. Additionally, staff must determine at the time of application that there will be no adverse effects on lands within a BMAP or conflicts with adjoining land uses. Therefore, this proposed use would be more appropriate as a Conditional Use as stated in Sec. 50-720. Of the Levy County Land Development Code listed below.

Sec. 50-720. – Generally; review criteria; limitations and process. States in part; *The uses allowed as a conditional use in the zoning district use table are listed individually below and are subject to the review criteria, limitations and process outlined herein, including application to the county, review by county staff, and issuance of a final written approval or denial by the county zoning official.*

(1)Review criteria. The zoning official may approve an application for a conditional use upon finding that the proposed use meets the following criteria.

(a)The use is consistent with the county comprehensive plan and is identified as a conditional use in the zoning district use table in this Code.

(b)The use is conditioned upon meeting the specific requirements in this subdivision 5; and

(c)The use is conditioned on compliance with all applicable general zoning and other requirements in this Code, including site plan review.

(2)Limitations.

(a)A conditional use approval is valid only for the specific use described in the final written approval issued by the zoning official. A conditional use approval shall expire and become null and void unless the conditional use is commenced within one year from the effective date of the written approval. Alternatively, the zoning official may proscribe such other timeframe as the zoning official deems appropriate for the particular use. Once the conditional use lawfully commences, the approval shall run with the land, is not transferable to a different site, and will remain in effect until the use is voluntarily ceased or the approval is revoked due to non-compliance.

(b)Upon denial of an application for a conditional use, the zoning official may not consider an application for that use on all or any part of the same property for a period of six months after the denial. However, this limitation may be waived by a majority vote of the county commission when they deem it necessary to prevent injustice.

Staff Proposed Land Development Code Amendment

If the Commission is inclined to add the requested text amendment at this time, staff has provided the following text amendment that is consistent with the purposes, goals, objectives, and policies of the Levy County Comprehensive Plan, implements the best planning practices for Levy County and is consistent with the intent of any applicable zoning district.

Chapter 50 – LAND DEVELOPMENT CODE

Article I – IN GENERAL

Sec. 50-1. – Definitions

Portable sanitation service company – means a company that provides on a temporary basis, portable restrooms (or portable toilets), mobile restrooms, mobile shower trailers, and portable or stationary holding tanks for storage of solid and liquid components of wastewater. Portable sanitation service companies include but are not limited to the rental, installation, maintenance,



and servicing of portable toilets, restrooms, sinks, and related hygiene facilities. These services may also include waste removal and temporary storage of waste from portable toilets on site, cleaning, disinfecting, and deodorizing of portable restrooms. Pursuant to Florida Administrative Code Section 62-6.0101(2), the addition of storage tanks to hold the liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers and portable or stationary holding tanks containing domestic wastewater may be located at sites owned or leased by the company. Storage tanks must comply with the construction standards listed in paragraph 62-6.010(2)(a), F.A.C. Typically, portable sanitation services are offered for construction sites, outdoor events, fairs, carnivals, revivals, agricultural field locations, encampments, emergencies, and other locations lacking permanent restrooms or sanitation facilities.

Portable restroom - means a transportable, self-contained static or flush-type toilet constructed to promote a sanitary environment at remote locations, building sites or special events, comprised of at least a waste storage receptacle, a riser and toilet seat and a protective enclosure.

Article XIII. – ZONING

DIVISION 3. – ZONING DISTRICT REGAULATIONS

Subdivision II. – Zoning District Use Table

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	R M U	P F	RE C	NR- CO N
In this table, P=Permitted Use; CU=Conditional Use; and SE=Use by Special Exception															
Intensive Commercial and Industrial															
Portable Sanitation Services (50-732)									CU	CU	CU				

Subdivision V. Conditional Uses

Sec. 50-732. – Portable Sanitation Services.

- (1) Portable sanitation service companies must obtain and maintain an annual permit from the Florida Department of Environmental Protection and the County Health Department, as per Florida Administrative Code, Chapter 62-6. They must also secure all necessary regulatory permits from relevant State agencies, including the Florida Department of Health and the Florida Department of Environmental Protection. Failure to maintain any required permits while operating will constitute a violation of this section.
- (2) Primary access must be provided on a paved county, state or federal road with a minimum functional classification of Minor collector (refer to the Transportation Functional Classification map in the Levy County Comprehensive Plan).
- (3) Entrance and exit driveways and parking spaces shall be paved. A maximum of two driveways are allowed and the location and spacing of the driveways must meet or exceed the requirements of the county road department or state department of transportation.
- (4) Any property on which a portable sanitation service company operates that is adjacent to property containing residential dwellings must construct a visual barrier along the property boundary that is adjacent to the residential dwelling. Such visual barriers must be designed and constructed consistent with Section 50-775(b) (5) and be sufficient to visually screen stored sanitation equipment, portable restrooms, vehicles, and waste containers.
- (5) The stacking of portable restroom units or related equipment shall not exceed the height of any required visual barrier, as measured from the highest point of the stacked units.
- (6) All sanitation equipment must be cleaned and maintained on-site using an approved wastewater disposal system that meets all federal, state, and local environmental health and environmental standards. The discharge or disposal of wastewater into storm water systems, natural waterbodies, wetlands or any place other than a permitted treatment system is prohibited.



EXHIBIT A
 Levy County Planning and Zoning Department
 320 Mongo Street, Bronson, FL 32621

Phone: 352-486-5203 • Fax: 352-486-5405 • LCPZ@levycounty.org

Land Development Code Text Amendment Application

Petition Number: _____ Amendment Fee Paid: _____
 Submittal Date: _____ Acceptance Date: _____

Applicant Information

Applicant(s)/Agent(s) Name Darla Zambelli (Applicant)/Byron Flagg, Esq. (Agent)
 Address GrayRobinson, P.A. - 643 SW 4th Avenue Suite 110, Gainesville, Florida 32601
 Phone 352-376-6400 Email byron.flagg@gray-robinson.com

Owner Information

Owner(s) Name Darla Zambelli
 Address 7010 NE 150th AVE, WILLISTON, FL 32696
 Phone 352-317-2527 Email darla@princessportabletoilet.com

Request

Land Development Code Section(s) proposed to be amended:

- Section 50-1 (Definitions)
- Section 50-700 (Generally; use table)
- Section 50-732 (Reserved)

OWNER VERIFICATION

I hereby certify that the information contained in this application and its supplements are true and correct, and that I am the legal owner of the above described property.

Darla Zambelli _____ Date 1/14/2025
 Owner(s) Signature
[Signature] _____ Date 1/14/2025
 Owner(s) Signature ATTORNEY FOR APPLICANT
FBN 14311



Levy County Planning and Zoning Department

320 Mongo Street, Bronson, FL 32621

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Land Development Code Text Amendment Checklist

Incomplete application packets will not be accepted.

TO BE SUPPLIED AT THE TIME OF SUBMISSION:

12 paper application packets and 1 electronic version containing the following, to the Levy County Planning and Zoning Department at, 320 Mongo Street, Bronson, Florida, for processing.

- This Checklist:** Please ensure checklist is complete and all items are in the specified order.
- Land Development Code Amendment application**
- Agent Authorization**
- Proposed revised Land Development Code language (in required strike through/italicized format)**
- All required data/analysis as indicated on the Pre-Application Meeting form (if applicable)**
- Written Statement:** At a minimum, the written statement must include the information below. Applications that fail to address each item below will not be processed.
 1. The reason why said regulation(s) should be amended, supplemented, or deleted;
 2. Any public purpose that the amendment would serve;
 3. How the proposed modification is applicable County-wide in lieu of addressing a singular parcel or incident.
 4. How the proposed amendment is consistent with the intent and purpose of the Levy County Comprehensive Plan. This shall include reference to specific goals, objectives, and policies of the Comprehensive Plan.
 5. Statistics, studies, background data, and/or analysis in support of the modification as well as how the proposed regulation will be enforced by Levy County.

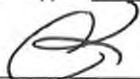


Levy County Planning and Zoning Department

320 Mongo Street, Bronson, FL 32621

Phone: 352-486-5203 • Fax: 352-486-5405 • LCPZ@levycounty.org

STATE OF FLORIDA COUNTY OF Alachua the foregoing instrument was acknowledged before me by means of physical presence or online notarization this 14 day of January, 2025. Individual identified by: Personal Knowledge Satisfactory Evidence: Type: personally known to me



Signature of Notary Public - State of Florida



CERTIFICATION

The undersigned has read and understands the application, and has received, read, and understands the Instructions & Submission requirements. It is agreed and understood that the undersigned will be held responsible for the accuracy of the application and information submitted. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) provided is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners and their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).



Owner/Agent Signature

JAN 14 2025
Date

STATE OF FLORIDA COUNTY OF Alachua the foregoing instrument was acknowledged before me by means of physical presence or online notarization this 14 day of January, 2025. Individual identified by: Personal Knowledge Satisfactory Evidence: Type: personally known to me



Signature of Notary Public - State of Florida



January 15, 2025

Tara Howell
Director, Planning & Zoning
Levy County
320 Mongo Street
Bronson, FL 32621

Re: Land Development Code Text Amendment Application for Princess Portable Toilets LLC

Dear Ms. Howell:

Pursuant to your Land Development Code Text Amendment Application requirements, we are pleased to submit this application on behalf of our client Princess Portable Toilets, LLC. Below is our required “Written Statement” in support of our client’s application.

Written Statement: This Written Statement is submitted on behalf of Princess Portable Toilets, LLC (“Applicant”) in support of its application for a Land Development Code Amendment (“Application”) seeking to amend the Levy County Land Development Code to include a new business type definition applicable to our client’s business and many other similar businesses operating in Levy County, FL. Specifically, we are proposing a new business type definition for “Portable Sanitation Service Companies,” which will include special site plan conditions applicable to such businesses, state agency regulatory compliance, as well as environmental and health considerations to safeguard neighboring properties and the public in general. We also propose that such businesses be located by right on property zoned industrial and in the more intense commercial zoned properties, and by conditional use approval in other zoning districts.

1. Reason why the proposed regulation should be adopted to amend the Levy County Land Development Code. The applicant company is an all-woman-owned and operated business specializing in portable sanitation services, which involves the rental, installation, maintenance, and servicing of portable toilets, restrooms, sinks, and related hygiene facilities. Applicant operates from a 40-acre property at 7010 NE 150 Ave, Williston, FL 32696, (Levy County Property Appraiser Parcel ID 0409700000) and is fully compliant with all applicable state agency health, safety, and environmental regulations governing the renting and servicing of portable restrooms and sanitation units as well as temporary storage of waste. Included herein is a copy of the applicant’s OSTDS Permit from the Florida Department of Health to operate as a portable sanitary service company.

2. Any public purpose the amendment would serve. Unfortunately, because the Levy County Land Development Code lacks any definition whatsoever to allow for or regulate the applicant’s type of business to operate in Levy County, the applicant’s business and those like hers, are currently not permitted to be located or operate in any zoning category in Levy County, Florida. As a result, the applicant’s business, and others like hers, are legally not in compliance with the Levy County Land Development Code and are facing code enforcement actions against them. Portable sanitation service companies in Levy County play a critical role in providing sanitation services at public and private events, festivals, sporting events, construction sites, and agricultural operations and at other outdoor locations lacking permanent restroom facilities. We believe the applicant’s business is plays an essential role in providing a service necessary to

protect the health and safety of the public and the environment in Levy County, Florida and to support important economic activity throughout the county.

3. How the proposed modification is applicable County-wide in lieu of addressing a singular parcel or incident. As discussed above, the proposed text amendment has been drafted to apply county-wide for the purpose of allowing any business in Levy County that may be classified as a “portable sanitation service company” to lawfully operate in certain zoning categories and under special conditions to safeguard neighboring property, the public, and the environment.

Analysis of Review Standards. The requisite review factors referenced in the Land Development Code Text Amendment Checklist are addressed below.

- (a) Sections 50-1, 50-700, and 50-732 of the Levy County Land Development Code should be amended because the Code currently lacks both a definition and zoning classification for portable sanitation service companies, a necessary business activity that is essential to public health and safety, and to support economic activity;

Portable sanitation service companies (or portable restroom service companies), and persons servicing those portable restrooms, and the temporary storage of waste from portable restrooms are regulated by the Florida Department of Health and the Florida Department of Environmental Protection (The state regulatory oversight of On Site Treatment and Disposal Systems (OSTDS) which includes portable restrooms was recently transferred from the Florida Department of Health to the Florida Department of Environmental Protection but some permitting responsibility is still under the purview of the Florida Department of Health). Companies that provide for the rental and servicing of portable restrooms play an important role in every county of the state by providing temporary sanitary services for events, emergencies (as recently experienced in Cedar Key) and at locations that lack permanent restrooms. The applicant has been operating such a business for 14 years under the belief that obtaining the necessary state Department of Health Permit was all that was necessary to legally operate on her property. However, according to Levy County Code Enforcement, because the Levy County Land Development Code does not include portable sanitation service companies as an identified permitted use in any of the county’s zoning districts, it is not a permitted use anywhere in the county and must cease operations.

Not only will the proposed text amendment help make the Applicant’s company, and others like hers, an identified lawful use, it will also help designate which zoning districts the applicant’s company may operate in and under what conditions. The applicant firmly believes that this proposed text amendment will have a positive economic impact because other portable sanitation service companies will also be able to operate in the county. These are important businesses which are often essential for temporary events and construction projects, which contribute to the local economy. Also, Applicant’s proposed text amendment would address a growing demand for portable sanitation solutions, which are often required in locations where permanent facilities are not feasible. The amendment would ensure that Applicant, and other similar businesses, can legally provide services that support construction, festivals, emergencies, and other community needs, benefiting the local workforce and event planners.

The County should amend its Land Development Code to better manage businesses by proactively addressing the growing demand for portable sanitation services. By clearly regulating portable sanitation services through this amendment, the county can ensure that these services are provided in a safe and sanitary manner, effectively minimizing potential public health risks. The amendment will also help guarantee proper waste disposal, reducing the risk of contamination and other environmental hazards. Furthermore, it will align the county’s code with best practices and industry standards for portable sanitation services. This will provide the county with greater control over business operations, ensuring compliance with health and safety standards while supporting growth in this essential service industry. By doing so, the county will not only remain in compliance with broader regulations but also foster the development of a vital service within a modern regulatory framework.

- (b) The proposed development will serve a public purpose by ensuring that portable sanitation services are provided in a safe, regulated manner, thereby minimizing health risks associated with inadequate sanitation in temporary or underserved areas;

Portable sanitation services are vital for many local industries, including construction, festivals, outdoor events, and emergency response. By allowing for the legal and regulated operation of these services, the amendment would support economic activity and help facilitate the success of these industries, which contribute to job creation and local revenue. The amendment would also help ensure that portable sanitation services are operated in an environmentally responsible manner. In recent years, the industry has seen significant advancements, including improved sanitation technologies, enhanced ventilation systems, upgraded accessibility features, and the use of superior materials and construction. Establishing clear guidelines for waste disposal, maintenance, and servicing would further reduce the risk of pollution and contamination, promoting environmental sustainability within the community.

Lastly, by introducing specific zoning classifications for portable sanitation services, the amendment would facilitate more effective planning and coordination, ensuring these services are appropriately integrated into the community. Designating proper zones for their operation would help minimize conflicts with surrounding land uses, preserving the character and integrity of residential, commercial, and recreational areas. This proactive approach not only ensures that portable sanitation services are located where they are most needed, but also promotes a balanced, sustainable community development strategy that supports both business operations and quality of life for residents.

(c) The proposed modification is applicable on a county-wide basis, rather than being limited to a single parcel or isolated incident:

The proposed amendment to the county code for portable sanitation services would not only address issues related to a specific business but would establish a comprehensive framework applicable throughout the entire county. It would create consistent regulations for the operation of portable sanitation services across various business contexts, including construction, public events, and temporary facilities, which are common county-wide. By addressing this need on a broader scale, the amendment ensures that portable sanitation businesses are properly regulated, supporting public health, safety, and environmental standards across all areas, regardless of specific circumstances.

(d) The proposed amendment will be consistent with the Comprehensive Plan:

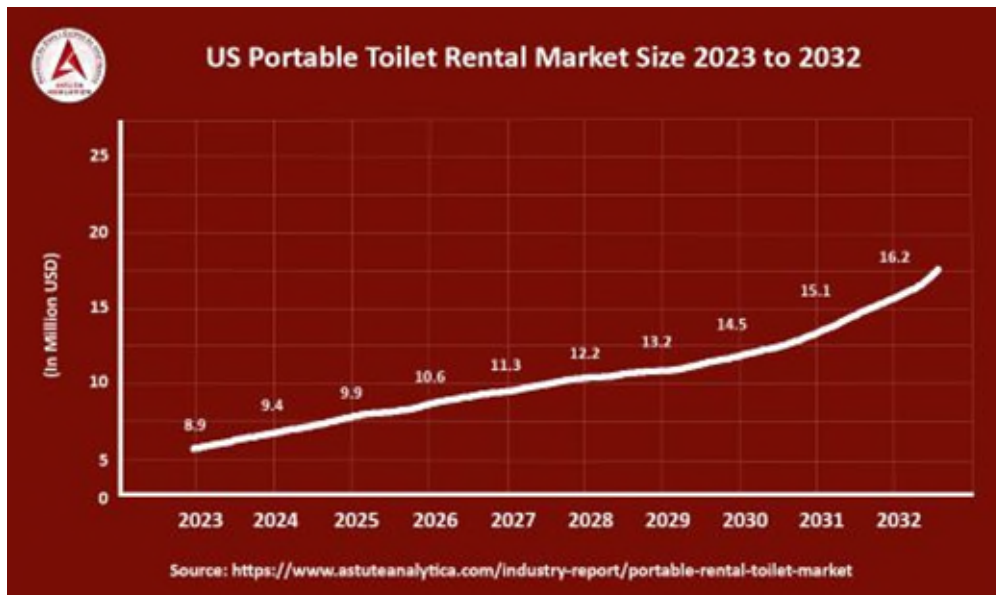
The proposed text amendment to the Levy County Land Development Code is consistent with the Comprehensive Plan. The amendments would not result in a commercial development that would be inconsistent with the Comprehensive Plan or have a negative impact on transportation, the environment, or the county's drainage and water resources. On the contrary, the proposed amendments support the county's policies and goals identified in the Comprehensive Plan. The county's needs, as reflected in the Comprehensive Plan, include economic development, sustainable land use, and environmental stewardship. More specifically, the proposed text amendments support the following goals identified in the Comprehensive Plan:

- **Promoting commercial development:** Including portable sanitation services within the county's code aligns with Policy 1.9 of the Future Land Use Element, encouraging business growth and development that meets community needs.
- **Ensuring compatibility with agricultural areas:** In accordance with Policy 3.3 of the Future Land Use Element, these amendments prevent encroachment of incompatible development in agricultural areas by allowing businesses that operate without disrupting agricultural activities or land use.
- **Supporting economic growth while preserving natural resources:** These amendments are consistent with the county's overarching goal of fostering a strong, stable, and prosperous economy (Economic Element, Goal 1) and promote growth in a way that also protects the quality of natural resources, as outlined in Policy 4.7 of the Economic Element and Policy 6.1 of the Conservation Element.

The inclusion of portable sanitation services in the Levy County Land Development Code will be instrumental in fostering economic development within the county and supporting local businesses, while also ensuring the county can enforce safe and responsible business practices.

- (e) The following section provides relevant statistics, studies, background data, and analysis supporting the proposed modification, as well as an outline of how the county will enforce the new regulation.

The applicant’s proposed change to the Land Development Code, which includes a new definition and zoning classifications for portable sanitation service companies, is essential for supporting sectors like construction, public and private events, agricultural operations, and disaster relief. The U.S. portable rental toilet market, valued at \$22.5 million in 2023, is projected to grow at a 6.0% annual rate, reaching over \$38 million by 2032. **[Refer to the chart below, which plots the projected U.S. portable toilet rental market from 2023 to 2032.]** This growth is driven by the increasing demand for portable sanitation solutions in urban development, large-scale events, agricultural operations, and emergency response efforts. However, existing zoning regulations may not fully address the specific logistical and operational requirements of portable sanitation businesses, which can limit their ability to operate efficiently and meet community needs in a timely manner.



Portable sanitation services are particularly important for construction projects, which often take place in areas lacking permanent restroom facilities. In these settings, portable toilets are easily moved and adjusted as the project progresses, ensuring continuous sanitation and compliance with health and safety standards. According to OSHA and Florida’s septic code, these services are not only necessary for worker health and safety but are also mandated to ensure compliance with regulatory requirements. Similarly, events, which serve as major economic drivers, also rely on portable sanitation, especially when they are held in locations without permanent restroom infrastructure. Portable sanitation is indispensable for hosting such events, which contribute significantly to local economies by attracting visitors who contribute heavily to the local economy via what they spend on hotels, food, and other services. Without portable toilets, many events would be impossible to host resulting in lost economic opportunities.

In Florida, agriculture, a cornerstone of the economy, also heavily depends on portable sanitation for its workforce. The FDA’s sanitation regulations require portable toilets in agricultural fields and packing houses, ensuring food safety and worker hygiene. This sector, which employs millions of seasonal workers, faces unique challenges, as permanent restroom facilities are often impractical or too costly to install. Portable sanitation also plays a vital role in agritourism sites and state parks, contributing to Florida’s tourism industry by ensuring clean and hygienic environments for visitors. Additionally, portable sanitation is critical in disaster relief efforts, particularly in areas impacted by natural disasters such as the recent hurricanes that devastated Cedar Key. After such disasters, portable toilets and handwashing stations are quickly deployed to provide sanitation for relief workers and affected communities, ensuring the safety and effectiveness of recovery efforts.

The proposed LDC text amendment would update zoning regulations to better support portable sanitation services, allowing for designated zones for equipment placement, truck access, and operational guidelines. This would not only enhance operational efficiency but also reduce environmental and traffic impacts, promoting public health and safety. By aligning land use policies with the growing demand for portable sanitation, local governments can foster economic development, improve public infrastructure, and ensure the continued availability of this critical service. The amendment would also address the increasing need for portable sanitation in urban growth areas, ensuring that industries like construction, events, agriculture, and disaster relief continue to thrive while meeting the necessary regulatory standards. If the proposed amendment is adopted, it will be subject to the county's existing code enforcement procedures.

Lastly, the proposed text amendment should be approved to support both the essential service of portable sanitation and the continued growth of Levy County's economy. As one of the few woman-owned businesses in the county, the Applicant provides valuable employment opportunities, offering competitive wages that support the local workforce. Currently, five women work full-time, one works remotely in bookkeeping, and the business supports seven households in the county. The growth potential of this business means even more opportunities for local households in the future. Approving this amendment would allow this successful, community-oriented business to continue contributing positively to Levy County's economy and well-being.

The Applicant looks forward to working with the Levy County staff and Board of County Commissioners to amend the Levy County Land Development Code as requested in this application. Thank you for your consideration. If you have any questions or need further information, do not hesitate to contact us and we will always be open to discuss desired or recommended revisions to what we have proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Byron D. Flagg', with a stylized flourish at the end.

Byron D. Flagg, Esq.

APPLICANT PRINCESS PORTABLE TOILETS, LLC
PROPOSED REVISED LAND DEVELOPMENT CODE LANGUAGE

Applicant requests consideration to amend **Sections 50-1 (Definitions), 50-700 (Generally; use table), and 50-732 (Reserved)**. The Levy County Land Development Code currently lacks both a definition and zoning classifications for portable sanitation services or portable sanitation service companies. Thus, Applicant proposes to amend the Code to include the following:

- (a) Applicant proposes to amend the text of **Section 50-1** with the addition of the following underlined language to add the following definitions:

Portable sanitation service company – means a company that provides on a temporary basis, portable restrooms (or portable toilets), mobile restrooms, mobile shower trailers, and portable or stationary holding tanks for storage of solid and liquid components of wastewater. Portable sanitation service companies include but are not limited to the rental, installation, maintenance, and servicing of portable toilets, restrooms, sinks, and related hygiene facilities. These services may also include waste removal and temporary storage of waste from portable toilets on site, cleaning, disinfecting, and deodorizing of portable restrooms. Pursuant to Florida Administrative Code Section 62-6.0101(2), the addition of storage tanks to hold the liquid waste associated with portable restrooms, portable hand washing facilities, restroom trailers, shower trailers and portable or stationary holding tanks containing domestic wastewater may be located at sites owned or leased by the company. Storage tanks must comply with the construction standards listed in paragraph 62-6.010(2)(a), F.A.C. Typically, portable sanitation services are offered for construction sites, outdoor events, fairs, carnivals, revivals, agricultural field locations, encampments, emergencies, and other locations lacking permanent restrooms or sanitation facilities.

Portable restroom - means a transportable, self-contained static or flush-type toilet constructed to promote a sanitary environment at remote locations, building sites or special events, comprised of at least a waste storage receptacle, a riser and toilet seat and a protective enclosure.

Applicant proposes to amend the text of **Section 50-700** with the addition of the following underlined language to allow “portable sanitation service companies” to be located in the following zoning districts:

Use (reference to code section that contains SE or CU requirements)	F/RR	A/R R	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															
Intensive Commercial and Industrial															
Manufacturing, assembly, processing, packaging, storage and distribution of products without emissions of odor, noise, dust, smoke, vibration or light							P	P	P	P					
Warehouses, including offices and showrooms							P	P	P	P					
Wholesale distribution centers								P	P	P					

Mining (50-759)	SE	SE	SE												
<u>Portable sanitation services (50-732)</u>	<u>P</u>	<u>P</u>					<u>CU</u>	<u>CU</u>	<u>P</u>	<u>P</u>	<u>P</u>				

(b) Applicant proposes to replace the text of **Section 50-732** with the addition of the following underlined language to allow Portable Sanitation Service Companies as a “Conditional Use” on property zoned C-1 or C-2 (or as otherwise recommended by County Planning Staff):

Sec. 50-732. – Portable sanitation service company conditions.

- (a) Portable sanitation service companies may not commence operations in the county without first obtaining and maintaining an annual permit from the Florida Department of Environmental Protection and the County Health Department pursuant to Florida Administrative Code, Chapter 62-6.
- (b) The minimum parcel size for portable sanitation service companies located on property zoned A/RR, C-1 or C-2 is 5 acres.
- (c) Property owned or leased by portable sanitation service companies on which waste from portable restrooms is temporarily stored in holding tanks must have access to a paved public right of way.
- (d) Any property on which a portable sanitation service company operates (or temporarily stores waste from portable restrooms) that is adjacent to property containing residential dwellings must construct a visual barrier along the property boundary that is adjacent to the residential dwelling. Such visual barriers must be designed and constructed consistent with Section 50-775(b)(5) and be sufficient to visually screen stored sanitation equipment, portable restrooms, vehicles, and waste containers.
- (e) The stacking of portable restroom units or related equipment shall not exceed the height of any required visual barrier, as measured from the highest point of the stacked units.
- (f) All sanitation equipment must be cleaned and maintained on-site using an approved wastewater disposal system that meets all federal, state, and local environmental

- health and environmental standards. The discharge or disposal of wastewater into stormwater systems or natural waterbodies and wetlands is prohibited.
- (g) If a portable sanitation company that has received a conditional use permit ceases operations for more than 6 consecutive months, the conditional use approval may be revoked, and the business operations must cease, including the removal of sanitation units, waste containers, and equipment from the site.
- (h) Portable sanitation service companies must obtain and maintain all regulatory permits from State agencies having regulatory jurisdiction over portable sanitation services, including the Florida Department of Health and the Florida Department of Environmental Protection. Failure to maintain any permit that may be required from the Florida Department of Environmental Protection, the Florida Department of Health, or the County Health Department while conducting business, shall constitute a violation of this section.