



# LEVY COUNTY BOARD OF COUNTY COMMISSIONERS

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**To:** Levy County Planning Commission

**From:** Stacey Hectus, Planning and Zoning Director

**Date:** September 15, 2023

**Subject:** Transmittal of the proposed 2023 Evaluation & Appraisal Report (EAR)  
Comprehensive Plan Amendments

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Levy County is required to update their Comprehensive Plan every seven years per state Rule Chapter 73C-49, Florida Administrative Code. This plan was last updated in 2017. The proposed amendments are required to be transmitted to the Florida Department of Commerce, Community Planning, Development and Services (the Department) by December 1, 2023. Once the state makes their comments they will send those back to us as Objections, Recommendations or Comments (ORC) Report. If there are issues we have a certain amount of time to review and/or revise and send back to the state. If there are Objections, Recommendations or Comments then staff will bring the elements back to you for adoption early in 2024.

As discussed at previous meetings, staff has decided to do the required legislative updates as proposed by the Department. Additionally, over the last two years we have adopted a zoning map for Levy County, had workshops on Farmland Preservation and embarked on a hefty Land Development Code update required after the adoption of the zoning map. Staff has been compiling those changes and will be adding them to this EAR amendment. A brief summary of those will be noted below.

Furthermore, the Levy County Comprehensive Plan sunsets or expires in 2026. With that impending date a re-write of our entire comprehensive plan will be required with a new 20 year horizon. This will take shape as our future plan for the next 20 years for Levy County. We will begin this process sometime in 2024.

The following Elements will be transmitted, summary by Element:

Capital Improvements Element – This is a legislative requirement and staff has updated this element with the latest numbers in the Capital Improvement Plan (CIP) for Transportation, Parks and Recreation and added a Non-LOS section for other capital projects that need to be part of the CIP.

Coastal Management Element – Staff updated the element and made some minor edits. Marina and Commercial and Sport Fishery Location policies 9.5-9.20 were removed since there are no real locations these can go in unincorporated Levy County that would not be in our Environmentally Sensitive Lands.

Economic Element – Staff updated the element and made some minor edits to policies 4.3 and 4.4 as staff felt those policies needed more examination as we move forward with the re-write. Staff removed policy 4.9 until further examination is done on Agritourism as part of our Uses review. Additionally, with the adoption of FS 570.85, et.al. in our Uses ordinance staff determined the County already has a robust Agritourism sector.

Future Land Use Element – Staff updated this element with the suggested revisions from Mr. Charles Lee regarding the Turnpike. These were garnered at the Farmland Preservation Workshop. Based on numerous discussions at the many Uses meetings staff removed policy 3.7(c) as this was the policy that allowed a special exception to the comprehensive plan RV parks near or within close proximity to natural resources or recreation. Staff also deleted policy 3.8 Home Based Business section since we no longer control outside of directing to the Florida Statute requirements F.S. 559-995.

Staff really needs to take a more concentrated look at the Rural Commercial Nodes, Historically Commercial Areas, and Non-residential Uses outside the MSD sections of the Comprehensive Plan. With the upcoming re-write that will give staff the time to do the analysis necessary to see what impact these nodes and non-residential uses outside the MSD have on the County as a whole and the environment with the recent BMAP regulations.

Staff also removed confusing or contradictory language. We will reexamine some of those sections better when we do the re-write.

Housing Element – Updated the substandard Housing Inventory list to 2025 as this is something we will be working on. The Accessory Dwelling Unit information got added as part of the legislative requirement. As part of the Land Development Code update we revised the Community Residential section to refer to the state statute.

Policy 3.6 was removed until after the impact fee study is completed to assist with these guidelines.

Infrastructure Element – Staff will be looking for direction from the consultant before revising the package plant provisions in the comp plan. Per the Infrastructure Element uses like RV Parks and manufactured home parks require package plants or hooking into centralized municipal services. Staff will want to revise some of these requirements and guidelines as we get feedback from the consultant since the BoCC is clear we do not want to support residential package plants. The Uses Ordinance is also clear on this statement, especially for RV Parks.

Transportation Element – Staff updated this element with the suggested revisions from Mr. Charles Lee regarding the Turnpike. These were garnered at the Farmland Preservation Workshop.

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The following Elements will not be transmitted for the following reasons but will be re-examined during the upcoming re-write:

Conservation Element - There were not enough edits to warrant sending it to the state for the EAR based amendments. There were no legislative changes required.

Intergovernmental Element – There were no legislative changes required. It will be re-examined as part of the re-write.

Property Rights Element – The element was just sent to and approved by the state and adopted by the County in 2021 via Ordinance 2021-13.

Public School Facilities Element - Staff did not receive any feedback from the Levy County School Board regarding the update of this element so this will be reexamined at the re-write stage. There were no legislative changes required.

Recreation and Open Space Element –There were not enough edits to warrant sending it to the state for the EAR based amendments. There were no legislative changes required.

Springs Protection Element – This will be examined by the consultant soon based on the new Basin Management Action Plan (BMAP) requirements. Staff is required to have the updates to the comprehensive plan by July 2024.

What is next – The Planning Commission will hear this item at their October 2<sup>nd</sup> regular meeting and the BoCC will hear it at the October 17<sup>th</sup> regular meeting. Once

the state does their review of our transmittal packet they will send back to the County the Objections, Recommendations and Comments (ORC) Report. If there are issues we have a certain amount of time to review and/or revise and send back to the state. If there are no Objections, Recommendations or Comments then staff will bring the elements back to the BoCC for adoption early in 2024.

Questions??