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5 **ORDINANCE**
6 **NUMBER 2026- 24**
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8 **AN ORDINANCE OF LEVY COUNTY, FLORIDA,**
9 **AMENDING THE TEXT OF THE LAND DEVELOPMENT**
10 **CODE RELATED TO OFF STREET PARKING AND**
11 **LOADING SPACES, ACCESSORY DWELLING UNITS AND**
12 **TYPES OF LOT SPLITS. PROVIDING FOR INCLUSION IN**
13 **THE CODE; PROVIDING A SEVERABILITY CLAUSE;**
14 **PROVIDING A REPEALING CLAUSE; PROVIDING A**
15 **TRANSITION CLAUSE AND PROVIDING DIRECTION TO**
16 **THE CLERK AND AN EFFECTIVE DATE**
17

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

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

27 **WHEREAS**, in 1991, the Board adopted the Levy County Land Development
28 Regulations, which Regulations have been amended through adoption of subsequent
29 ordinances now codified as Chapter 50 titled “Land Development Code” of the County
30 Code of Ordinances;
31

32 **WHEREAS**, Levy County requested a Text Amendment to the Land Development
33 Code to include changes to the Land Development Codes (LDC). This request includes
34 three sections of the LDC as follows: Sec. 50-382. - Off Street Parking and Loading
35 spaces; Sec.-50-706. - Accessory Dwelling Units and Sec. 50-601. - Types of lots
36 splits.
37

38 **WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Section
39 50-55 of the Land Development Code, at its Regular Meeting on May 18, 2026, the
40 Levy County Planning Commission reviewed the requested Text Amendment (Petition
41 No. TA-26-04) for consistency with the Comprehensive Plan and recommended
42 approval with conditions to the Board.

43 **WHEREAS**, the Board of County Commissioners of Levy County, FL held a first
44 reading and public hearing on June 16, 2026 and a second reading and public hearing
45 was held on July 21st, 2026.

46
47 **WHEREAS**, at its Regular Meeting on July 21st, 2026, the Board directed drafting of this
48 ordinance;

49
50 **NOW, THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners
51 of Levy County, Florida:
52

53 **SECTION 1.**

54 **Sec. 50-382. Off-street parking and loading spaces.**

55 **Off-street parking and loading spaces shall be provided in accordance**
56 **with the following:**

- 57 (1) *Shopping centers:*
- 58 a. *Number of spaces.*
- 59 1. ~~One parking space shall be provided per 200 square feet of gross~~
60 ~~floor area, and~~ each space shall contain a minimum of 200 square
61 feet, except as follows in subsection (1) a.2 of this section.
- 62 2. Up to 25 percent of the total number of spaces required in subsection
63 (1) a.1 of this section may be in areas designated for compact car
64 parking, and each space shall contain a minimum of 128 square feet.
- 65 3. One handicapped parking space shall ~~be provided per 20 conventional plus~~
66 ~~compact vehicle spaces.~~ Comply with handicap space requirement table

67 **Handicap Space Requirements**

<u>Handicap Space Requirements</u>	
<u>Handicap parking spaces shall meet the requirements of the Florida Building Code and be clearly marked and posted.</u>	<u>The number of required handicapped spaces is decided based on the number of required standard parking spaces as follows:</u>
	<u>Total spaces:</u>
	<u>Handicap spaces required*:</u>
	<u>1—25</u>
	<u>26—50</u>
	<u>51—75</u>
	<u>76—100</u>
	<u>101—150</u>

68

69 b. *Loading/unloading.* Off-street loading shall be provided as follows:

Square Feet Gross Floor Area	Berths
8,000	1
25,000	2
50,000	3
100,000	4
Over 100,000	5
Plus one Berth per 25,000 S.F. over 100,000	

70

71 c. Illumination shall measure at least 0.20 footcandles at the lot line.

72 **(2) Parking schedule.**

73 In all districts, the number of parking spaces shall be provided in accordance with
74 Table. The number of spaces may be exceeded or reduced by up to ten (10) percent.

75 *Off street parking for uses other than shopping centers:*

Uses	Required Parking Spaces
Churches, schools and colleges	1 for each four seats in an auditorium or one for each ten classroom seats, whichever is greater.
Community buildings and social halls	1 for each 250 square feet of floor area.
Dwellings, motels and hotels	2 for each family or dwelling unit, and one for each sleeping unit.
Boardinghouses and roominghouses	1 for each three sleeping rooms.
Manufacturing plants, research or testing laboratories	1 for each employee in the maximum working shift or one for each 500 square feet of floor space, whichever is greater.
Restaurants, bars and nightclubs	1 for each 100 square feet of floor space.
Individual retail stores, shops, etc.	1 for each 100 square feet of floor space.
Wholesale establishments or warehouses	1 for each employee in maximum shift or one for each 300 square feet of floor area, whichever is greater.
Offices—General	1 off-street parking space shall be provided for each 300 square feet of floor area.
Table Parking Schedule	
Use	Number of Spaces
<i>Residential Uses:</i>	
Single-family, attached and detached	2 per dwelling unit
Multiple-family dwelling One-bedroom units Two or more bedroom units	1.5 per dwelling unit, plus 1 per 10 bedrooms

	<u>2 per dwelling unit, plus 1 per 10 bedrooms</u>
<u>Rooming house, dormitory, fraternity or sorority</u>	<u>1 per 2 beds</u>
<u>Assisted living facility/Nursing home</u>	<u>1 per 2 persons of licensed capacity</u>
<u>Manufactured home park</u>	<u>2 per unit space</u>
<u>Public and Civic Uses:</u>	
<u>Place of assembly/Civic Organization/Place of worship</u>	<u>1 per 5 seats of maximum seating capacity in the principal area of assembly</u>
<u>Child Care Center, Adult Day Care</u>	<u>1 per 6 persons of licensed capacity</u>
<u>Private School</u>	<u>10 plus 2 per classroom</u>
<u>Public School (Includes collage/university)</u>	<u>1.5 spaces per employee plus one space per ten students of design capacity</u>
<u>Hospital</u>	<u>1 per bed</u>
<u>Medical or dental office/Medical clinic</u>	<u>1 per 200 sq. ft GFA</u>
<u>Mortuary or funeral home</u>	<u>1 per 4 persons of licensed capacity, plus 1 per funeral vehicle, plus 1 per employee</u>
<u>Utilities</u>	<u>1 per employee</u>
<u>Commercial Uses:</u>	
<u>Banks and financial institutions</u>	<u>1 per 400 sq. ft GFA,</u>
<u>Barber or beauty shop</u>	<u>2 per operators' chair</u>
<u>Bar, cocktail lounge, tavern, and nightclub</u>	<u>14 per 1,000 sq. ft GFA</u>
<u>Offices, non-medical including governmental offices</u>	<u>1 per 250 sq. ft GFA</u>
<u>Car wash</u>	<u>1 per service bay, plus three stacking spaces</u>
<u>Convenience store or service station, with or without fuel sales</u>	<u>1 per fueling position, plus 2 per working bay, plus 1 per 200 sq. ft of sales area</u>
<u>Restaurant, maximum of 23 seats (stand-alone)</u>	<u>8 spaces, plus required stacking spaces in accordance with Section 407.23</u>
<u>Restaurant, minimum of 24 seats (stand-alone)</u>	<u>1 per 3 seats, plus required stacking spaces in accordance with Section 407.23</u>
<u>Restaurant, Fast Food</u>	<u>1 per 70 square feet of gross leasable area, or 1 per 3 persons of seating capacity, whichever is greater</u>

<u>Gym, spa or fitness center</u>	<u>10 plus 1 per 200 sq. ft GFA in excess of 1,000 sq. ft</u>
<u>Personal services, not otherwise specified (stand-alone) Up to 15,000 sq. ft.</u>	<u>One space for every 250 square feet of gross floor area devoted to sales and display plus one space per 500 square feet of gross floor area devoted to storage.</u>
<u>Retail Sales and Service, not otherwise specified Over 15,000 sq. ft.</u>	<u>Spaces per 1,000 sq. ft. GFA</u> <u>4</u>
<u>RV Park/Campground</u>	<u>1 per RV or tent space</u>
<u>Hotel or Motel</u>	<u>1 per guest room</u>
<u>Manufactured Sales, (Homes, Shed, Carport)</u>	<u>3 Per 1,000 sq. ft. GLA</u>
<u>Self-service storage facilities</u>	<u>1 per employee</u>
<u>Vehicle sales and rental (including sales of boats and recreational vehicles)</u>	<u>1 per 2,000 sq. ft of display area whether indoors or outdoors, plus 1 per 500 sq. ft devoted to servicing vehicles</u>
<u>Vehicle repair</u>	<u>1 per 200 sq. ft GFA</u>
<u>Industrial Uses:</u>	
<u>Industrial Uses (other than Warehousing)</u>	<u>1 per 1,000 sq. ft, plus 1 per company vehicle operating from the premises, plus 1 per 250 sq. ft of accessory retail or wholesale use</u>
<u>Mining, excavation, and fill operations</u>	<u>1 per employee</u>
<u>Warehousing, Storage and Distribution</u>	<u>1 per 1,000 sq. ft GFA</u>
<u>Manufacturing</u>	<u>1 per 625 square feet of gross floor area devoted to manufacturing plus the required parking for floor area devoted to other uses</u>
<u>Recreation Uses</u>	
<u>Indoor Recreation</u>	<u>1 per 250 sq. ft. GFA</u>
<u>Outdoor Commercial, Recreational Facility</u>	<u>1 per 1,000 square feet of use area</u>
<u>Marina, Boat Dock, Harbor</u>	<u>1 per 5 boat berths and 1 per 1,000 square feet of dry boat storage area, plus 1 per employee on the largest shift.</u>
<u>Golf and Country Club</u>	<u>3 spaces per golf hole, plus 1 per 2 employees, plus half required parking for restaurant/bar area plus parking for office area</u>

- 76
- 77 (a) Motorcycle parking. One (1) motorcycle space shall be required per forty (40)
78 vehicle spaces required by this Section. Motorcycle spaces are optional if less
79 than forty (40) vehicle spaces are required. Motorcycle stalls shall be clearly
80 labeled as such
- 81

82 **Sec. 50-601. – Types of lot splits.**

- 83 (a) *One time split of a parent parcel.* Through the process in **Section 50-600**, a
84 parent parcel may be split one time to create two lots that meet all lot
85 requirements, such as minimum lot size, width, depth and setbacks and lot
86 coverage (as to any existing improvements). Any parent parcel that was
87 previously split one time may reconfigure that split upon application made by
88 the current owners of both parcels.
- 89 (b) *Lot split for utilities.* Through the process in **Section 50-600**, any lot of record
90 (legal or unlawful) may be split to create a new lot for any utilities that are
91 allowed in that zoning district. The utilities lot is not required to meet all lot
92 requirements, such as minimum lot size, width, depth, setbacks and lot
93 coverage; however, such a lot will be deemed a legal lot of record solely for
94 utilities use and may not be used or developed for any other use
- 95 (c) *Lot split for right-of-way.* Any lot of record (legal or unlawful) may be split by
96 recorded deed (it is not required to follow the process set forth in **Section 50-**
97 **600** that conveys land for public right-of-way to the federal, state, county or
98 municipal government. If the remnant lot does not meet all lot requirements,
99 the property owner may request a variance as set forth in **Section 50-851** to
100 allow reasonable use of the lot.
- 101 (d) *Lot split for a family homestead.* As authorized by F.S. §163.3179, the
102 following standards implement policy 1.13 of the future land use element in
103 the comprehensive plan. These standards authorize the creation of a family
104 homestead lot by deed to an eligible family member who is ready to establish
105 their homestead residence on the lot within ten years.

106 (1) *Eligibility standards*

- 107 a. *Eligible lot* means a legal lot of record that is not within a platted
108 subdivision, is not within a municipal service district, and has a zoning
109 designation of F/RR, A/RR or RR.
- 110 b. *Eligible grantor* means a natural person who has owned the eligible lot
111 for three consecutive years or more.
- 112 c. *Eligible grantee* means the eligible grantors grandparent, parent,
113 stepparent, adopted parent, sibling, child, stepchild, adopted child, or
114 grandchild who has not previously received a family homestead lot or (or
115 formerly a lineal heir homestead density exemption parcel) within the
116 county.

117 (2) *Family homestead lot; conditions and limitations; transfer certificate.*

118 a. The family homestead lot is not required to meet the minimum lot size
119 (density) required within that zoning district; however, the family
120 homestead lot must be a minimum of two acres in a flood hazard area
121 and one acre in a non-flood hazard area, meet the setback requirements
122 for its zoning designation, and must have sufficient area for a permitted
123 onsite sewage treatment and disposal system and potable water well,
124 unless connected to a central water and wastewater system.

125 b. Notwithstanding **Section 50-712**, an accessory dwelling unit is not
126 allowed on a family homestead lot that does not meet the minimum lot
127 size (density) required within its zoning district.

128 c. The family homestead lot is created solely for use as the homestead
129 residence of the eligible grantee. As such, the grantee must establish a
130 permanent residence on the lot, obtain homestead exemption from the
131 property appraiser within ten years from the recording date of the lot split
132 certificate, and maintain homestead exemption for a period of five
133 consecutive ye consecutive years. Upon satisfying the foregoing
134 conditions, the lot will be deemed a legal lot of record.

135 d. If the grantee does not satisfy the conditions in c, the lot will be
136 deemed an unlawful lot of record. The unlawful status may be remedied
137 by obtaining a transfer certificate. A request for a transfer certificate must
138 be made on the application form provided by the county and
139 accompanied by the applicable fee in appendix B. If approved, the
140 zoning official or designee will issue a transfer certificate and, upon
141 property owner signature, will record the transfer certificate in the public
142 records of the county. The zoning official or designee is authorized to
143 issue transfer certificates that allow:

144 1. Conveyance of the lot back to the original grantor, provided
145 they still own the remnant lot. Upon such conveyance, the family
146 homestead lot previously created is extinguished;

147 2. Conveyance of the lot to an eligible grantee (of either the
148 grantee or the original grantor) who then satisfies the conditions in
149 c above; or

150 3. Conveyance of the lot to a third party (not the original grantor or
151 another eligible grantee), but only when the grantee established a
152 residence on the family homestead lot and is unable to complete
153 the homestead requirement due to documented circumstances
154 beyond their control, such as divorce, death, or relocation due to
155 job change.

(3) *Remnant lot; conditions and limitations.*

a. If the remnant lot meets all lot requirements, such as minimum lot size, width, depth and setbacks and lot coverage (as to existing improvements), it will be deemed a legal lot of record.

b. If the remnant lot does not meet all lot requirements, it may be:

1. Occupied as the homestead (as evidenced by homestead exemption) of the eligible grantor for a period of five consecutive years after the family homestead lot split, upon which it will be deemed a legal lot of record; or

2. Conveyed (in whole or in part) as additional family homestead lots through the process in **Section 50-600**.

(e) *Boundary Line adjustment.* Through the process in **Section 50-600** the boundary line adjustment will allow for the relocation of common lot lines without the requirement to plat for land that has not previously been platted. If the land is platted, a re-plat is required.

(1)The total number of lots or parcels shall not be increased and the resultant lots shall comply with density limitations of the Comprehensive Plan and the dimensional standards of the Land Development Code.

(2)The reconfigured or adjusted area shall not prevent access to an improved right of way.

(3)New boundary lines shall not create noncompliance with LDC setback requirements.

(4)Application to be made by owners of both parcels.

Sec. 50-706. Accessory dwelling units.

In all agricultural and residential zoning districts (refer to section 50-661), one single-family dwelling is allowed as an accessory use to the principal single-family dwelling without being included in density calculations, subject to all of the following requirements:

(1) *Location.* An accessory dwelling unit ~~may be attached to or~~ must be detached from the principal dwelling.

(2) *Minimum lot size.* The minimum lot size for a principal and accessory dwelling unit is one acre, provided the total estimated daily flow for the principal and accessory dwelling units combined does not exceed the maximum flow limits established by the Florida Department of Environmental Protection or other applicable regulatory agency.

(3) ~~Access. An accessory dwelling unit and any off-street parking spaces must be served by the same driveway/driveway connection as the principal dwelling~~

For lots of one acre or more, depending on the property and site conditions, an additional driveway may be requested and will require review and approval by the appropriate authority.

(4) *Standards.* An accessory dwelling unit must comply with all standards applicable within the zoning district, including required setbacks and building height limits.

(5) *Owner occupancy required.* The property owner must permanently reside in and maintain homestead exemption for either the principal dwelling or the accessory dwelling unit. If the property owner fails to do so, only one of the dwelling units can be occupied.

a. *Existing principal dwelling.* Prior to the issuance of a building permit for the construction of an accessory dwelling unit on a lot with an existing principal dwelling, the owner/applicant must submit a signed affidavit (in the recordable form provided by the county) along with proof of homestead exemption for the principal dwelling; or

b. *New principal dwelling and new accessory dwelling unit.* Prior to the issuance of building permits for a new principal dwelling and an accessory dwelling unit that are being applied for at or near the same time, the owner/applicant must submit a signed affidavit (in the recordable form provided by the county) affirming that the property owner will permanently reside and obtain/maintain homestead exemption on the lot.

(6) Building size; Minimum sizes will be determine based on all actable current Florida Building Codes, with no maximum size limitations required.

(7) *Water and wastewater services.* An accessory dwelling unit must be connected to: (1) the central water and central sewer system that serves the principal dwelling; or (2) where central water and central sewer service is not available, a shared well and septic with the principal dwelling and/or its own well and septic, provided all applicable requirements of the Florida Department of Environmental Protection or other applicable regulatory agency are met.

(8) *No conveyance.* Ownership of an accessory dwelling unit may not be transferred or conveyed and must remain under unified ownership with the principal dwelling.

Commented [BC1]: Need to strikethrough the first part and rewrite. To allow an additional driveway access upon approval by the appropriate authority.

Commented [BC2]: Need to remove no minimum. The minimum size would be based on all actable current Florida Building Codes

SECTION 2. Inclusion in the Code. The Provisions of Section 1 of this Ordinance shall be made a part of the Levy County Code, and the section 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 3. 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 or 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 not be affected by such declaration or holding. .

SECTION 4. Repealing Clause. All ordinances or parts of ordinances and all resolutions or parts of resolutions of Levy County in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. 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 Florida Department of State within 10 days after adoption and upon such filing, this ordinance shall become effective.

PASSED AND ADOPTED this 21st day of July, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA**

Tim Hodge, Chair

ATTEST:

Matt Brooks, Clerk of Circuit Court

Approved as to form and legal sufficiency:

Byron Flagg, County Attorney