

Levy County Board of County Commissioners
Section 125.66(3), F.S. – Business Impact Estimate for Proposed Ordinance
For public hearing ON OR AFTER October 1, 2024

Instructions: This form must be completed and signed by the County Manager or Department Head for each proposed ordinance that is placed on a County Commission meeting agenda. If the proposed ordinance falls within one of the exemptions listed below, check the applicable exemption(s) and stop there. If the proposed ordinance does NOT fall within one of the listed exemptions, then complete the Business Impact Estimate. Please email your completed, signed form to the County Attorney (rpoole@constangy.com) with a copy to the County Manager (harper-mary-ellen@levycounty.org), and ensure posting to the county's website no later than the date the notice of the public hearing is published. If you have questions regarding completion of this form, contact the County Attorney's Office.

I am familiar with the proposed ordinance identified below and completed this form to the best of my knowledge for the sole purpose of compliance with Section 125.66(3), Florida Statutes.



Bernard "Bo" Cox, County Development Services Division Director

Date: 8-17-26

This form shall be included in the agenda packet and shall be posted on County's website no later than the date the notice of the proposed ordinance is published.

Proposed Ordinance's Title/Reference: ORDINANCE NUMBER 2026-05

AN ORDINANCE OF LEVY COUNTY, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM WITHIN THE UNINCORPORATED AREA OF LEVY COUNTY ON THE SUBMISSION, ACCEPTANCE, PROCESSING, REVIEW, APPROVAL, OR ISSUANCE OF APPLICATIONS AND COUNTY APPROVALS FOR DATA CENTERS, LARGE-SCALE DATA CENTERS, LARGE LOAD CUSTOMER FACILITIES, AND ASSOCIATED FACILITIES; DIRECTING COUNTY STAFF TO STUDY AND PREPARE PROPOSED REGULATORY AMENDMENTS ADDRESSING SUCH FACILITIES; PROVIDING FOR APPLICABILITY, EXCEPTIONS, DURATION, ENFORCEMENT, SEVERABILITY, NONCODIFICATION, AND AN EFFECTIVE DATE.

If one or more boxes are checked below, this means that Levy County is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the County is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. The County reserves the right to revise this Business Impact Estimate following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation.
- ☐ The proposed ordinance relates to the issuance or refinancing of debt.
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

¹ See Section 125.66(3)(c), Florida Statutes.

- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.
- ☐ The proposed ordinance is an emergency ordinance.
- ☐ The proposed ordinance relates to procurement.
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243; or
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the county; or
 - c. Sections 190.005 and 190.046, Florida Statutes, relating to community development districts; or
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with Section 125.66(3), Florida Statutes, even notwithstanding the fact that an exemption noted above may apply, the County hereby publishes the following information:

1. A summary of the proposed ordinance, including a statement of the public purpose, such as serving the public health, safety, morals and welfare of the County:

The Levy County Board of County Commissioners seeks to establish a temporary moratorium of up to one (1) year on the acceptance, review, or approval for development permits, development orders, rezoning, or site plans related to data center facilities within unincorporated areas. The moratorium is reasonable and necessary to accomplish the goal of revising regulations to ensure the community welfare is well-balanced and the public health, safety, and general welfare are preserved.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County, including the following, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted: \$0.00

The Proposed Ordinance does not impose compliance costs on existing businesses because it does not impose new requirements on any businesses. Businesses seeking approval of Data Center Facilities as defined in the Proposed Ordinance may face indirect costs resulting from delay, which costs are inestimable by the County at this time. Further, the County is not aware of any such businesses.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: NONE

(c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: The County may incur administrative costs associated with implementing the Data Center Facility moratorium including staff review, public notice requirements, consideration of vested rights or hardship requests, and preparation of potential amendments to the Levy County Comprehensive Plan and Land Development Code.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The County cannot accurately determine the number of private businesses likely to be impacted by the Proposed Ordinance, which applies to Data Center Facilities as defined therein seeking new Development Approvals within Levy County. As of the date of this estimate, the County is unaware of any businesses that would be affected by the temporary moratorium imposed by the Proposed Ordinance.

4. Additional information the County deems useful (if any, but may wish to include how you determined the above information. For Example: The methodology or data used to prepare the Business Impact Estimate including the sources of that data: social media postings, direct mail or email, public workshops, etc. Any efforts made to reduce the potential fiscal impact on businesses. If applicable, a statement that the proposed ordinance applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not only affect businesses):

NONE