

LEVY COUNTY PLANNING COMMISSION  
MEETING MINUTES  
Levy County Planning Commission  
320 Mongo Street  
Bronson, FL 32621

Monday, May 6, 2024  
Regular Meeting  
5:45 P.M.

**I. CALL TO ORDER**

**Members Present:**

Kelly Bishop  
Thomas Harper  
Co-Chair- J.D. Holmes III  
Christopher Mills  
Chair- Parks Wilson

**Staff Present:**

Andrew Carswell- County Engineer  
Stacey Hectus- Planning & Zoning Director  
Nicolle Shalley, County Attorney  
Elizabeth Vigorito- Administrative Assistant II

**Attendee(s):**

**Public Attendee(s):** Linda Cooper

**II. ROLL CALL – Administrative Assistant, Elizabeth Vigorito**

**III. APPROVAL OF MINUTES**

**April 1, 2024 meeting minutes approved**

1<sup>st</sup> Motion to Approve, JD Holmes, III

2<sup>nd</sup> Motion to Approve, Thomas Harper

Motion Carries 5-0

**V. New Business**

- Legislative ORDINANCE NO. 2024-02:** AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE COUNTY CODE OF ORDINANCES RELATED TO COMMUNITY GARDENS; BY AMENDING DEFINITIONS; BY AMENDING PERMITS REQUIRED FOR ELECTRICAL SERVICE; BY AMENDING THE ZONING DISTRICT USE TABLE; BY CREATING CONDITIONAL USE REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE CLERK AND AN EFFECTIVE DATE.

*Recommend Approval* ✓     *Recommend Denial* □

1<sup>st</sup> Motion to Approve, Kelly Bishop

2<sup>nd</sup> Motion to Approve, Thomas Harper

Motion carries 4-1, Opposed: J.D. Holmes III

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Hectus presented Ordinance 2024-02, "Community Gardens" to the Planning Commission (PC). There were no ex parte communications for said item. Hectus explained background regarding Ordinance 2024-2. There was an opportunity in a Williston subdivision for a piece of property, for land to be donated towards a community garden for the "Children's Table". The Board of County Commissioners tasked Planning and Zoning staff with adding Community Garden as a use to the zoning uses table. There were no provisions in the code previously for subdivision communities wanting to start a community garden who do not have Ag classification in order to have access to water and electrical service on vacant parcels. David Meyer collaborated with Planning and Zoning staff in adding specific language to the ordinance strictly limiting the use of water and power on said parcels to agricultural uses necessary to maintain a community garden (i.e. watering crops). Hectus explained the new use of a community garden as defined in pg. 2 of the ordinance and further specified that this is not bona fide agricultural use and they would not receive the classification as an Ag business or operation. Prospective applicants would have to fill out a "Conditional Use" application which would then be evaluated by staff for approval. Chair, Parks Wilson asked if there were parameters as far as size, Hectus explained there is no size limitation. Hectus, Carswell and Shalley looked at surrounding counties with similar community garden ordinances as a guide and decided on no size limitation. Hectus further explained that many subdivisions have quarter acre lots for example and it is very feasible to maintain a community garden on such lots, making size limitation unnecessary. Wilson asked for clarification on setbacks, Hectus referred the PC to page 7, (1) for specific setbacks required. Bishop and Parks asked about parking regulations and were referred to pg.5 of the ordinance outlining hours of operation, parking requirements and traffic analysis evaluated by zoning official as part of Conditional Use approval for a community garden. The PC discussed that it is very possible most residents would conduct such activity without permission. Hectus explained that Planning and Zoning staff would help guide residents through the process and there are requirements they would have to meet. Residents who do not abide by this process would most likely trigger code violations and they will be addressed as they arise and access to water and power will be cut if they are not compliant. In response to public comment provided by Cooper below, the discussion steered towards the influx of current code violations in the county. Parks asked for clarification and was told that the bulk of violations are unpermitted structures being occupied. Hectus informed the PC that Planning and Zoning staff is collaborating with Code Enforcement closely in identifying these cases as they arise. Mills asked for clarification regarding the definition of who can create a community garden- he was informed by both Hectus and Shalley that the code stipulates only a residential community or a nonprofit organization can apply and not an individual. Shalley guided the PC through the various definitions and terms of the ordinance. The PC recommended for the language to be further revised to make the intent of a community garden more clear to residents.

#### **PUBLIC COMMENT ON SAID ITEM:**

Public attendee, Linda Cooper, asked about the possibility of using solar panels for community gardens instead of electrical. She voiced concern regarding the code violations such a permitted use would trigger and feels it would overwhelm code enforcement staff already stretched dealing with other violations in the county. Cooper stated she is not in favor of this ordinance.

#### **VI. GENERAL PUBLIC COMMENT**

#### **VII. UPDATES**

Hectus confirmed that she received various item recommendations via email for upcoming joint meeting with BOCC on July 22<sup>nd</sup> 2024. She also updated the Planning Commission on the status creating the new survey expected to be distributed this summer and informed the board that a draft of the new survey will be provided for the next PC meeting on June 3<sup>rd</sup>.

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## **ADJOURN**

1<sup>st</sup> Motion to Adjourn—J.D. Holmes, III

2<sup>nd</sup> Motion to Adjourn- Thomas Harper

Motion Carried 5-0

**Meeting ended 6:30 pm**

Should any agency or person decide to appeal any decision made by the Board with respect to any matter considered at this meeting, such agency or person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, person needing a special accommodation or an interpreter to participate in the proceeding should contact the County Clerk's Office at (352) 486-5266, or the Office of the Board of County Commissioners at (352) 486-5217, at least two (2) days prior to the date of the meeting. Hearing-impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD).

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