

## **NOVEMBER 22, 2022 BoCC Regular Meeting - ZONING USES**

In follow up to the adoption of a County Zoning Map, a first workshop was held on October 18, 2022 to discuss the framework for an ordinance that would update the Zoning article in the Land Development Code (Chapter 50) to make it a more user-friendly workable regulatory framework.

At the October 18<sup>th</sup> Workshop, Zoning-in-Progress was recognized. ZIP is a tool that puts a pause on accepting applications for uses that are being revised in the Zoning article. This allows staff and the Board time to craft the new regulations and saves potential applicants from wasting time or money on approval processes and conditions that may be simplified, eliminated or otherwise revised.

This agenda item provides the Board with some specific examples of Accessory, Specially Regulated and Special Exception Uses. These are not final regulations, these are a starting point.

The Board can determine if it would like to work (individually or as a group) on particular uses, if it would like additional staff-led workshops, or if it would like staff to draft a complete ordinance and bring it forward for review.

## Accessory Uses

The language below is a starting point for Agritourism, but staff believes that this use (along with Farmworker Housing, Dairy Wash, and Intensive Agriculture currently Concentrated Commercial Farming in the Code) would benefit from input and further research and development by a County Commissioner and Member of the Planning Commission to ensure it is reflective of the community values regarding such uses.

### **Agritourism**

Agritourism activity, as recognized in Section 570.84, Florida Statutes, is allowed as an accessory use to a bona fide agriculture operation on land classified by the county property appraiser as agricultural land pursuant to 193.461, Florida Statutes. Consistent with Section 570.86, Florida Statutes, such accessory use is limited to “agricultural related activity consistent with a bona fide agriculture operation” which the County has determined includes:

- (a) Passive and active recreational activities, educational classes and demonstrations, and events and tours that are related to the agricultural activity on the property;
- (b) Cultural, civic and ceremonial functions that ??;
- (c) Harvest-your-own/u-pick, produce stands and sales of agricultural products, agriculture-related crafts, cottage food products (as defined by Florida Statutes) and limited food and beverage services that make use of agricultural products grown or processed onsite and are not part of a chain or a franchise, and

(d) other substantially similar agriculturally related activities.

The County has determined that the following are not “agricultural related activity consistent with a bona fide agriculture operation:” corporate events, fundraisers, parties, drive-through or drive-In attractions, outdoor movies, carnival rides, bounce houses, and similar amusement uses.

It is recognized that agritourism activity has characteristics of a more commercial use than is generally allowed in the F/RR and A/RR zoning districts, as such the owner of the property is required to address, limit or eliminate (as directed by the County) any substantial offsite impacts. Substantial offsite impacts include, but are not limited to: traffic, noise, light, and odors. To address traffic impacts, access to the property must be provided on a public road that meets County access requirements, including minimum width, stabilization requirements and maintenance. Compliance with the County’s noise regulations, including obtaining Special Permits per Sec. 50-354, is required.

Any structures (existing or new) used for public assembly require a building permit and must be constructed in compliance with all applicable building codes and located in accordance with all setback requirements for the zoning district.

## Specially Regulated Uses (administrative staff review)

### **Community Residential Homes**

The following regulations are intended to comply with Chapter 419, Florida Statutes. Definitions for the terms used in this section can be found in Section 419.001(1), Florida Statutes. ((note: “Resident” means a frail elder as defined in s. 429.65; a person who has a disability as defined in s. 760.22(3)(a); a person who has a developmental disability as defined in s. 393.063; a nondangerous person who has a mental illness as defined in s. 394.455; or a child who is found to be dependent as defined in s. 39.01 or s. 984.03, or a child in need of services as defined in s. 984.03 or s. 985.03.))

1. A **community residential home (small)** is a dwelling unit licensed to serve six or fewer residents by providing a living environment that operates as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

As required by Section 419.001(2), Florida Statutes, before licensure, the sponsoring agency must provide the zoning official with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the county in order to show that there is not a community residential home (small) within a radius of 1,000 feet and that there is not a community residential home (large) within a radius of 1,200 feet of the proposed home. At the time of occupancy of the community residential home (small), the sponsoring agency must notify the zoning official that the home is licensed by the licensing entity.

2 A **community residential home (large)** is a dwelling unit licensed to serve 7 to 14 residents by providing a living environment that operates as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

(a) When a site for a community residential home (large) has been selected by a sponsoring agency in an area zoned for multifamily, the sponsoring agency shall notify the county coordinator in writing of the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the licensing entity indicating the licensing status of the proposed community residential home (large) and shall specify how the home meets applicable licensing criteria for the safe care and supervision of the clients in the home. The sponsoring agency shall also provide the county with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the county. The zoning official shall review the notification of the sponsoring agency in accordance with county code.

(b) Pursuant to such review, the zoning official may:

1. Determine that the siting of the community residential home (large) is in accordance with county zoning and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected.

2. Deny the siting of the home, if the zoning official determines that the siting of the home at the site selected:

a. Does not conform to existing zoning regulations applicable to other multifamily uses in the zoning district.

b. Does not meet applicable licensing criteria established and determined by the licensing entity, including requirements that the home be located to assure the safe care and supervision of all clients in the home.

c. Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of 1,200 feet of another existing community residential home in a multifamily zone shall be an overconcentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.

(c) If the zoning official fails to respond within 60 days, the sponsoring agency may establish the home at the site selected.

(4) Community residential homes (small) and (large) which are located within a planned residential community are not subject to the proximity requirements of this section and

may be contiguous to each other. A planned residential community must comply with all requirements of the county code. However, the county may not impose proximity limitations between homes within a planned residential community if such limitations are based solely on the types of residents anticipated to be living in the community.

(5) A dwelling unit housing a community residential home (small) and (large) established pursuant to this section shall be subject to the code requirements applicable to other noncommercial, residential family units in the zoning district in which it is established.

## **Minor Recreational Vehicle Park and Campground**

(a) *Purpose.* The minor recreational vehicle park and campground uses are to be an alternative way to experience the natural beauty that Levy County offers. The County has determined two levels of these types of uses Major (20+ spaces) and Minor (19 or less spaces). This code section refers to minor (19 spaces or less). These should be natural in design and concept, can be mixed but nothing permanent like yurts or cabins. Self-contained units but they could include water hook-ups. No dumping facility. Once communal bath house. No stays over 6 months. These are permitted outside the Municipal Service District (MSD). The primary locations of these uses should be the following:

- (1) Designated State Highways and Paved County roads;
- (2) Locations adjacent to natural resources, consistent with the protection of those resources.

(b) *Standards.* The minimum area allowable for a recreational vehicle park and/or campground shall be five (5) acres and the maximum density of recreational vehicle spaces, cabins, and/or tent campsites shall not exceed eight (8) per acre. Density shall be calculated as gross density and include all land area exclusive of major bodies of water starting at the high-water mark within the approved recreational vehicle or campground boundaries. All park and campground uses shall comply with the requirements of this Section.

- (1) *Tent campsites.*



- a. Primitive campsites shall be located, designed, and intended to afford the users an opportunity to camp in a quiet, uncongested and natural setting. The density of the area designated for primitive sites shall not exceed four (4) spaces per gross acre.
  - b. Non primitive campsites may be included in the overall density calculation of the park not to exceed eight (8) sites per acre.
- (2) *Camping cabins.* In addition to spaces for recreational vehicles and tents, a maximum of ten (10) percent of the total number of spaces may be utilized for camping cabins constructed in compliance with the Florida Building Code. Each cabin shall not exceed four hundred (400) square feet, including outdoor porches. Each cabin shall contain a minimum of fifty (50) square feet per occupant.
- (c) *Minimum setback from property lines.* All principal and accessory structures, recreational vehicle spaces, camping cabin spaces, and tent spaces shall be setback a minimum of fifty (50) feet from any property line.
  - (d) *Vehicular access.* Access to any recreational vehicle parks and campgrounds shall be via a paved arterial or collector roadway. Each recreational vehicle park and campground shall be limited to one ingress point and one egress point, plus an emergency drive.
  - (e) *Permitted accessory uses.* Within a recreational vehicle park and campground, the following accessory uses are permitted:

- (1) Recreation amenities restricted to use by guests, including pools, tennis and shuffleboard courts, recreation rooms, equestrian facilities, nature and walking trails, playgrounds, tot lots, docks, and similar facilities;
  - (2) Gate houses or similar facilities designed to provide security to the park and campground;
  - (3) Maintenance facilities;
  - (4) Administrative office space necessary for operation of the park and campground;  
and
  - (5) Commercial or retail use located internal to the park and restricted to use by guests, including convenience food and beverage items and recreational vehicle parts.
- (f) *Permitted accessory commercial and retail uses.* The permitted accessory commercial and retail uses shall, in addition to the requirements of this Section, comply with the following:
- (1) The use shall be located and accessed internally to the recreational vehicle park and campground.
  - (2) The use shall not be provided with separate signage along a public road.
  - (3) The structures housing a commercial or retail use shall not be constructed until a minimum of seventy-five (75) percent of the recreational vehicle spaces, camping cabins, and tent sites have been constructed or installed.
- (g) *Prohibited uses.* The uses, activities or improvements listed below are prohibited within a recreational vehicle park and campground.

- (1) *Permanent residence.* Permanent residential use of any park land, camping cabin, tent, structure, or facility is prohibited, excluding occupants of any security/owners quarters that may be established in the park. Residence in any recreational vehicle space, camping cabin or tent within a park is restricted to ninety (90) consecutive days, and a maximum of one hundred eighty (180) calendar days during any one-year period.
- (2) *Permanent structures.* The installation or construction of permanent structures or additions accessory to a recreational vehicle or camping cabin, including but not limited to screen rooms, carports and utility sheds is prohibited.
- (3) *Improper parking.* Parking of recreational vehicles in areas not designated for such use is prohibited.
- (4) *Storage.* The storage of recreational vehicles is prohibited.

(h) *Stormwater and other Departmental Approvals.*

- (1) *Stormwater Requirements.* On-site water retention shall be adequate to retain the 25-year storm unless applicant provides a letter from the Water Management District stating no permit is required.
- (2) *Approval shall be conditional upon approval of the:*
  - a. Water system by the state department of environmental protection and F.A.C. ch. 17-22.

b. Sewer system by the county health department and F.A.C. ch. 10D-26 and by state department of health and F.S. ch. 513.

(i) *Floodprone areas and evacuation.*

- (1) No travel trailer may be tied down, blocked up, added onto, or otherwise made to be immobile.
- (2) Both permanent and temporary storage on-site are expressly prohibited in floodprone areas.
- (3) If an evacuation order is given, all RV's, trailers, campers and tents are required to be evacuated. The applicant shall provide written assurances that this can and will be accomplished.

## Uses by Special Exception (Board Approval)

### Composting Facility

*Definitions.* The definitions in the land development code will be used when construing and applying this section. In addition, the definitions adopted by the Florida Department of Environmental Protection may be used to supplement the county definitions. If any definition adopted by the county conflicts with a definition adopted by the Florida Department of Environmental Protection, the definition adopted by the county shall prevail when construing and applying the requirements of county code.

*Animal Byproducts* means source-separated organic solid waste that is animal in origin, such as meat, fat, dairy or eggs, and is generated by commercial, institutional, agricultural, or industrial operations.

*Composting Facility* means a facility where organic materials are processed using composting technology, processing may include any combination of physical turning, windrowing, aeration, and mechanical handling.

*Manure* means a solid waste composed of excreta of animals which is combined with residual wood or vegetated materials that have been used for bedding, sanitary, or feeding purposes for such animals.

*Organic materials* include animal byproducts, manure, vegetative waste, and yard trash. Organic materials may not include biosolids, septage, domestic wastewater, or other hazardous materials.

*Vegetative Waste* means source-separated organic solid waste that is vegetative in origin, and is generated by commercial, institutional, agriculture, or industrial operations that is not considered yard trash.

*Yard Trash* means vegetative matter resulting from landscaping maintenance or land clearing operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, wood chips or shavings and associated rocks and soils.

A. Composting facilities must be approved by special exception issued by the board of county commissioners and are subject to the standards and requirements set forth in this section. The requirements of this section do not apply to:

1. Normal farming operations on a bona fide farm operation, as defined in Section 823.14(3)(b), Florida Statutes, on land classified as agricultural land pursuant to Section 193.461, Florida Statutes, which may include the following:
  - (a) Composting or anaerobic digestion of yard trash, manure, or vegetative wastes generated on the farm, as part of agronomic, horticultural, or silvicultural operations, for use on the farm, as part of agronomic, horticultural, or silvicultural operations; or
  - (b) Composting or anaerobic digestion of yard trash, manure, or vegetative wastes generated off the farm, for use on the farm, as part of agronomic, horticultural, or silvicultural operations.
2. Backyard composting, including composting that is conducted by an individual or family solely for their farming or gardening activities on their own property.

B. An application for a special exception for a composting facility must include the following:

(a) A Facility Management Plan. The facility management plan must demonstrate that the operation of the composting facility will not cause substantial offsite impacts, such as objectionable odors, pathogens, dust, stormwater runoff, insects, vermin, other vectors, truck traffic, noise, or other impacts detrimental to the public health, safety and welfare. The facility management plan must be prepared by qualified professional(s) and must address, at a minimum, the following:

- i. A description of applicable federal, state, and county standards for protection of water, air, and other natural resources; and how the facility will comply with those standards
- ii. Days and hours of operation
- iii. Traffic volume and mitigation of traffic impacts
- iv. Facility lighting
- v. Description of the organic material to be processed.
- vi. Description of the manner in which organic material will be processed, including compost pile height, and how and when the compost will be removed from the facility
- vii. A fire protection plan and contingency plan, which describes the fire control and emergency operating measures that will be used at the composting facility. The contingency plan must describe the measures that will be followed during hurricanes, tropical storms, and other severe weather conditions to ensure that materials used to produce compost, partially and fully treated compost, and

leachate will not be blown, discharged, or otherwise released into the environment as a result of the severe weather conditions. The contingency plan also must describe the measures that will be used to prevent fires from occurring on the site, as well as the measure that will be used to extinguish fires.

viii. A description of the operating procedures to address: (1) Dust, litter, and odor control, (2) Noise, and (3) Pests, vermin and vectors.

(b) Performance assurance. The applicant must demonstrate that it has the ability to obtain and maintain a performance bond, irrevocable letter of credit, or other form of financial surety (collectively, "performance bond") for the benefit of the county. Before the applicant commences construction or operation of the composting facility, the applicant must provide a performance bond in a form acceptable to the county. The amount of the performance bond must be enough to ensure that the County will have sufficient funds available, if necessary, to remove all of the organic material, compost, leachate, and similar materials from the applicant's site if the applicant fails to perform in compliance with the County's Land Development Code and other applicable requirements. The applicant shall have an independent professional engineer prepare an estimate of the cost of having a third party remove the organic materials, compost and leachate from the applicant's site based on the composting facility operating at its maximum design capacity. The performance bond shall be in the amount indicated below, unless the applicant demonstrates to the county's satisfaction that a lesser amount is appropriate, based on the specific facts and circumstances of the applicant's project:

<b>Facility Capacity</b>	<b>Performance Bond Amount</b>



<50 tons per day compost produced	\$200,000.00 bond
50—100 tons per day compost produced	\$400,000.00 bond
100—250 tons per day compost produced	\$1,000,000.00 bond
250—500 tons per day compost produced	\$2,000,000.00 bond
>500 tons per day compost produced	\$4,000,000.00 bond

The County may increase or decrease the required amount of the performance bond during the term of the special exception, based on the prevailing hauling, disposal, and treatment costs.

*C. Standards for Controlling Water Quality Impacts.*

1. An applicant must demonstrate in that the composting facility is designed to collect and appropriately treat all of the leachate that will be generated on-site. Leachate includes: (a) all of the stormwater that comes into contact with the organic material used to create compost; (b) all of the liquid that emanates from the organic material used to create compost; (c) all of the stormwater that comes into contact with, and all of the liquid that emanates from, the materials that have been combined for processing, partially treated compost (e.g., compost that is curing) and fully treated compost (i.e., compost that complies with the specifications for the composting facility's finished product).

2. An applicant must demonstrate that the stormwater management system for the composting facility will comply with the following:
  - (a) If the applicant's stormwater management system will discharge to a waterbody that drains into the ((insert names of water bodies/watersheds)), the stormwater system must be designed to collect, treat, and retain the runoff generated by a 100 year, 72 hour design storm, without discharging.
  - (b) All retention and detention basins in the applicant's stormwater management system must be setback 100 feet from any waterbody that drains into the ((insert names of water bodies/watersheds)).
  - (c) The stormwater management system must comply with all of the applicable standards established for such systems by the Florida Department of Environmental Protection and the applicable Water Management District.
3. The applicant must provide a vegetated buffer (setback) between areas of the applicant's site and any waterbody that drains to the ((insert names of water bodies/watersheds)). The setback shall be 100 feet for all areas where organic materials are delivered, stored, or used to produce compost and for all areas where the fully treated compost is stored.
4. The applicant must demonstrate that the composting facility will be built at an elevation above the 100 year floodplain. This requirement applies to all buildings and areas used for composting, including but not limited to buildings and areas used for receiving, storing, or processing organic materials used to produce compost, and used to process or store partially or fully treated compost.

D. *Standards for Controlling Objectionable Odors and Airborne Pathogens.*

1. An applicant must demonstrate that its composting facility will not cause objectionable odors at or beyond the boundary (property line) of the applicant's site.
2. An applicant will be presumed to comply with this requirement if the applicant demonstrates that all composting materials and operations (organic materials, processing, partially and fully treated compost) will be conducted inside an enclosed building that is designed, constructed, and operated to collect and minimize the emissions of objectionable odors. For example, the building should be equipped with a ventilation system designed to produce a negative air pressure inside the building. The negative air pressure should be maintained throughout the building at levels sufficient to prevent objectionable odors from leaving the inside of the building during normal operations.
  - (a) The applicant must demonstrate that any objectionable odors generated in the building will be minimized before they are released to the outdoor environment.
    - (1) The applicant should use an odor neutralization system to reduce objectionable odors inside the building. For example, the applicant should use misting systems that spray odor neutralizing compounds inside the building, and/or systems that generate and release ozone inside the building.
    - (2) The objectionable odors inside the building should be treated with an activated carbon filter system or other air pollution control system that is designed and operated to minimize or eliminate the objectionable odors before the odors are discharged from the building to the atmosphere.

- (b) If the building has any doors or entranceways that are used to provide ingress and egress for vehicles, the doors must be equipped with high speed roll-up covers or equivalent mechanisms to minimize the potential for objectionable odors to leave the building. The applicant must provide the County with an operations plan demonstrating that the doors used to provide vehicular access into the building, and other large openings into the building (e.g., openings for ventilation fans), will be closed to the greatest extent practicable.
- (1) All doors used to provide vehicular access into the building must be closed at all times, except when a vehicle is approaching the door to enter or exit the building.
  - (2) All doors for vehicles must be closed at night, on weekends, and at other times that are outside of the commercial composting facility's normal business hours.
  - (3) All of the other large openings into the building, such as the openings for ventilation fans (if any), shall be closed when the vehicle doors are closed, unless such openings need to remain open at other times pursuant to the operating plan for controlling objectionable odors (e.g., if the openings need to remain open so that ventilation fans can be used to provide negative air pressure inside the building).
3. For composting operations that are not located within an enclosed building that satisfies the above requirements, the applicant must provide buffers (setbacks) from its composting facility to reduce the potential for objectionable odors and airborne pathogens to reach off-site areas.

- (a) A setback of three hundred (300) feet must be provided between the boundary (property line) of the applicant's site and any area on the site where the applicant receives, stores, or uses organic materials used to produce compost, or partially or fully treated compost.
- (b) A setback of one thousand three hundred twenty (1,320) feet must be provided between the boundary (property line) of the applicant's site and any residence located on adjacent property.

E. *Other Standards.*

1. Organic materials must be managed on a "first-in, first-out" basis. Such materials shall be used to produce compost or removed from the site within 60 days after the material is delivered to the site. All of the fully treated compost shall be removed from the site within 120 days after the composting process is completed. All of the raw materials used to produce compost, all of the partially treated compost, and all of the fully treated compost shall be removed from the site within 60 days after the applicant ceases operation of the composting facility.
2. No compost pile shall be visible from the public right-of-way or adjacent properties due to its height exceeding vegetative screening. The maximum height of any pile of organic material, or partially or fully treated compost, is 15 feet.
3. Fire lanes shall be established and maintained on the site to ensure access can be provided in the event of a fire or other emergency. The fire lanes shall be at least 15 feet wide. The fire lanes shall be located between each windrow of partially or fully treated compost, and between any stockpiles of organic materials used to create compost, and compost. None of these materials may be more than 50 feet from a

fire lane or other location where access is provided for motorized firefighting equipment.

4. The applicant must demonstrate that organic materials will not be tracked from the applicant's site onto local roads as a result of truck traffic. The applicant must install a wheel wash system, or a "soil tracking prevention device" designed in compliance with the requirements of the Florida Department of Transportation, or a similar system that will remove such materials from the tires and undercarriage of the trucks leaving the site of the composting facility.
5. If the applicant's site is located within 1,000 feet of any residential dwelling unit (whether now existing or constructed in the future) the business hours, including deliveries of materials and transport of compost from the site, of the composting facility are limited to Monday through Friday, from 8:00 a.m. to 6:00 p.m.
6. Chipping and grinding of yard trash, land clearing debris, wood waste, or other similar materials on site is prohibited.
7. An opaque buffer for visual screening must be maintained between all adjoining property lines. The buffer shall be composed of a berm and/or existing dense vegetation, supplemented with plantings as needed to maintain 100% opacity.

F. The standards in this section establish the minimum requirements specific to a composting facility. In addition, an applicant must demonstrate that the composting facility will be located, designed, built, and operated in compliance with all of the other generally applicable County requirements, including but not limited to the requirements for landscaping, lighting, fire protection, and signage.

G. In granting a special exception, the County may impose additional requirements on the applicant's proposed facility, based on the specific features of the applicant's proposed site, facility, and operating plan. Such requirements may address the facility's adverse impacts on public health, safety, and welfare, including but not limited to the adverse impacts on public safety and highway maintenance caused by the truck traffic generated by the applicant's facility.

H. The applicant must demonstrate that all necessary permits and approvals for the construction and operation of the composting facility have been received by the applicant before commencement of construction or operation of the facility. Such approvals include, but are not limited to, permits and approvals required by the Fire Marshall, the local or state Department of Transportation, the local or state Department of Health, the Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency.

I. County representatives shall have the right to enter the applicant's site, after presenting their credentials or other form of identification, to determine whether the construction and operation of the composting facility complies with the special exception. County representatives shall have the right to collect and analyze samples of the environmental media (e.g., soil, air, water) on or adjacent to the applicant's site to determine compliance. If a composting facility fails to comply with the county's requirements, the county may require the facility to reimburse the county for any monitoring conducted by the county to evaluate the environmental conditions on the facility's site.

J. The applicant shall provide the county with a copy of each report the applicant submits to the FDEP or WMD concerning the commercial composting facility's compliance with the applicable FDEP or WMD standards. Each such report shall be delivered to the County within 7 days after the report is delivered to the FDEP or SFWMD.

K. The County shall have the right to retain engineers, consultants, and other independent technical experts, as the County deems necessary, to assist the County with its review of an application for a composting facility or an application for a waiver. In such cases, the County may charge a special fee for its review of the application. The amount of the special fee shall be equal to the estimated cost the County will incur for using the experts' services. The special fee must be paid to the County before the County conducts its review of the application.

L. The county recognizes that the state-of-the-art is evolving with regard to composting, odor controls, and related matters. Accordingly, the county may grant a waiver of a requirement in this section where the applicant demonstrates to the county's reasonable satisfaction that granting the waiver will not pose a threat to the environment or public welfare, and that the underlying purpose of the requirement has been or will be achieved by other means employed by the applicant. For the purposes of this Section, "the underlying purpose of the requirement" means the protection of the public health, safety, and welfare in the manner provided by the specific requirement from which the applicant is seeking relief. Waivers will not be granted solely because the applicant will experience a hardship, financial or otherwise, as a result of the requirement. A waiver may be included in the original special exception or granted as an amendment to the special exception.



## **Major Recreational Vehicle Park and Campground**

(a) *Purpose.* The major recreational vehicle park and campground uses are to be an alternative way to experience the natural beauty that Levy County offers. The County has determined two levels of these types of uses Major (20+ spaces) and Minor (19 or less spaces). This code section refers to major (20 + spaces). These are commercial in design and concept, can be a mixed park of camping such as RV's, cabins, yurts and tents. There could be multiple amenities such as bath house, community recreation area/building, dump facility if meets FDOH regulations. No stays over 6 months. These must be inside the Municipal Service District (MSD). The primary locations of these uses should be the following:

- (1) Designated State Highways and Paved County roads;
- (2) Locations adjacent to natural resources, consistent with the protection of those resources;
- (3) Commercial Future Land Use and Zoning within the MSD.

(b) *Standards.* The minimum area allowable for a recreational vehicle park and/or campground shall be five (5) acres and the maximum density of recreational vehicle spaces, cabins, and/or tent campsites shall not exceed eight (8) per acre. Density shall be calculated as gross density and include all land area exclusive of major bodies of water starting at the high-water mark within the approved recreational vehicle or campground boundaries. All park and campground uses shall comply with the requirements of this Section.

- (1) *Tent campsites.*

- a. Primitive campsites shall be located, designed, and intended to afford the users an opportunity to camp in a quiet, uncongested and natural setting. The density of the area designated for primitive sites shall not exceed four (4) spaces per gross acre.
  - b. Non primitive campsites may be included in the overall density calculation of the park not to exceed eight (8) sites per acre.
- (2) *Camping cabins.* In addition to spaces for recreational vehicles and tents, a maximum of ten (10) percent of the total number of spaces may be utilized for camping cabins constructed in compliance with the Florida Building Code. Each cabin shall not exceed four hundred (400) square feet, including outdoor porches. Each cabin shall contain a minimum of fifty (50) square feet per occupant.
- (c) *Minimum setback from property lines.* All principal and accessory structures, recreational vehicle spaces, camping cabin spaces, and tent spaces shall be setback a minimum of fifty (50) feet from any property line.
- (d) *Vehicular Access and Traffic Circulation.*
- (1) Access to any recreational vehicle parks and campgrounds shall be via a paved arterial or collector roadway. Each recreational vehicle park and campground shall be limited to one ingress point and one egress point, plus an emergency drive.
  - (2) All parks shall be provided with safe, convenient, paved vehicular access from a paved road to each lot.
  - (3) All streets internal to the park shall have a minimum right-of-way of thirty (30) feet, and shall be paved to county specifications.

- (4) Park entrance paving shall be at least thirty-six (36) feet wide, and park rights-of-way shall be marked or signed.
  - (5) No entrance or exit from a park shall be permitted through a residential district.
- (e) *Permitted accessory uses.* Within a recreational vehicle park and campground, the following accessory uses are permitted:
- (1) Recreation amenities restricted to use by guests, including pools, tennis and shuffleboard courts, recreation rooms, equestrian facilities, nature and walking trails, playgrounds, tot lots, docks, and similar facilities;
  - (2) Gate houses or similar facilities designed to provide security to the park and campground;
  - (3) Maintenance facilities;
  - (4) Administrative office space necessary for operation of the park and campground;  
and
  - (5) Commercial or retail use located internal to the park and restricted to use by guests, including convenience food and beverage items and recreational vehicle parts.
  - (6) One (1) permanent residence, intended for occupation by the manager of the park or security guard.
- (f) *Permitted accessory commercial and retail uses.* The permitted accessory commercial and retail uses shall, in addition to the requirements of this Section, comply with the following:

- (1) The use shall be located and accessed internally to the recreational vehicle park and campground.
  - (2) The use shall not be provided with separate signage along a public road.
  - (3) The structures housing a commercial or retail use shall not be constructed until a minimum of seventy-five (75) percent of the recreational vehicle spaces, camping cabins, and tent sites have been constructed or installed.
- (g) *Prohibited uses.* The uses, activities or improvements listed below are prohibited within a recreational vehicle park and campground.
- (1) *Permanent residence.* Permanent residential use of any park land, camping cabin, tent, structure, or facility is prohibited, excluding occupants of any security/owners quarters that may be established in the park (as referred to above in (e)(6)). Residence in any recreational vehicle space, camping cabin or tent within a park is restricted to ninety (90) consecutive days, and a maximum of one hundred eighty (180) calendar days during any one-year period.
  - (2) *Permanent structures.* The installation or construction of permanent structures or additions accessory to a recreational vehicle or camping cabin, including but not limited to screen rooms, carports and utility sheds is prohibited.
  - (3) *Improper parking.* Parking of recreational vehicles in areas not designated for such use is prohibited.
  - (4) *Storage.* The storage of recreational vehicles is prohibited.
- (h) *Stormwater and other Departmental Approvals.*

(1) *Stormwater Requirements.* On-site water retention shall be adequate to retain the 25-year storm unless applicant provides a letter from the Water Management District stating no permit is required.

(2) *Approval shall be conditional upon approval of the:*

- a. Water system by the state department of environmental protection and F.A.C. ch. 17-22.
- b. Sewer system by the county health department and F.A.C. ch. 10D-26 and by state department of health and F.S. ch. 513.

(i) *Floodprone areas and evacuation.*

- (1) No travel trailer may be tied down, blocked up, added onto, or otherwise made to be immobile.
- (2) Both permanent and temporary storage on-site are expressly prohibited in floodprone areas.
- (3) If an evacuation order is given, all RV's, trailers, campers and tents are required to be evacuated. The applicant shall provide written assurances that this can and will be accomplished.

(j) *Lot Size and Parking Pad Requirements.*

- (1) The minimum dimensions for any Recreational Vehicle Park lot shall be forty (40) feet wide, and seventy (70) feet long.
- (2) Each lot shall provide a stabilized vehicular pad, measuring no less than ten (10) feet by twenty (20) feet long;

- (k) *Central utilities.* Each recreational vehicle space, the administrative office, maintenance facilities, security quarters, or any other similar use shall provide a connection to central water and wastewater treatment facilities. Common sanitary facilities, including showers, toilets and sinks, shall be provided for use by the visitors to the park. If services are not currently available upon development then an agreement will have to be initiated with the closest service provider that this development will have adequate services and be permitted to hook up to their services upon extension.
- (l) *Open Space Standards.* At least twenty percent (20%) of the gross site area of the park shall be set aside and developed as open space, recreation space, and buffering between recreational spaces. Such areas may provide recreation opportunities such as marinas, swimming pools, swimming beaches, tennis courts, picnic areas, playgrounds, pedestrian and bicycle paths, and playing fields. Common open space shall be laid out in according to the following standards:
1. Open space shall not include streets, parking lots, lease or rental lots, buildings, public rights-of-way, or sites for water and sewer treatment plants.
  2. Up to fifty percent (50%) of the required open space may be accounted for through any on-site stormwater retention areas.
  3. Pedestrian and bicycle paths shall be at least six (6) feet in pavement width and shall, where practicable.
  4. Open space used as buffer areas or left undeveloped shall retain, to the maximum extent practicable, native vegetation that is present on the site.

- (m) *Landscape and buffer requirements.* There shall be a landscaped buffer around all Recreational Vehicle Parks and Campground of at least twenty-five (25) feet in width. Landscaping in this area shall conform to the requirements of Section 50-701.
- (n) *Requirement for Site Plan.* All Recreational Vehicle Parks and Campgrounds are required to undergo Development Review where the site plan that was approved by the Special Exception process can be further refined to meet all other requirements of the Levy County Land Development Code.

There are other uses that staff believes would benefit from review and input by a County Commissioner and Member of the Planning Commission to ensure they are reflective of community values for the uses, these include:

- Hunting and Fishing Camps or Clubs
- Outdoor Intensive Recreation, such as golf course, shooting or archery range, motorized sports

There are a few uses that staff will retain subject matter experts (legal and/or technical) to craft, these include:

- Airport Hazard Zoning Regulations
- Communication and Broadcast Towers and Personal Wireless Service Facilities
- Sign Code

## **Questions?**

**Board Direction? Would Board Members like to work (individually or as a group) on particular uses, would the Board like additional staff-led workshops, or would the Board like staff to complete the draft ordinance and bring it forward for Board review?**