

PREPARED  
SEPTEMBER 8,  
2022  
FOR THE LEVY  
COUNTY  
PLANNING  
COMMISSION  
FOR THE  
OCTOBER 3,  
2022  
MEETING

TABLED TO  
THE  
NOVEMBER  
7<sup>TH</sup>  
PLANNING  
COMMISSION

**SPECIAL EXCEPTION APPLICATION SE 22-01**  
Cedar Blessings RV Park – Special Exception to the Comprehensive Plan Policy 3.7 (c)

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LEVY COUNTY PLANNING AND ZONING DEPARTMENT  
STAFF REPORT

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To: Levy County Planning Commission  
From: Stacey Hectus, Planning and Zoning Director

**Applicant/Owner:** Mary and George McMillan  
Cedar Blessings, LLC  
11951 SW Shiloh Road  
Cedar Key, FL 32625

Legal Description: Section 36, Township 14, Range 13, Levy County.

Parcel ID Number: 0029400100

Commission Dist.: District 4, Commissioner Lily Rooks

Total Project Area: 20.39 acres

Current Land Use Designation: Forestry/Rural Residential (F/RR)

Current Zoning Designation: Forestry/Rural Residential (F/RR)

Existing Use of Property: Vacant

Proposed Use: Recreational Vehicle Park

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**Staff Review Based on Submitted Application:**

The applicant is requesting a Special Exception to the Comprehensive Plan Policy 3.7 (c) Complementary Mixed Land Use Development (copied below). (c) specifically relates to Recreational Vehicle (RV) parks and camp grounds that complement and support the recreation and open space system within rural area of the county. The intent is that the proposed use is not the attraction or destination, but rather a supporting use that complements the existing recreation and/or open space system within Rural Levy County.

This property is adjacent to what used to be called the Angler's RV Park (Angler's). This new owner has purchased both pieces but the south piece is not in question for this application. Before 1990 (adoption of the comprehensive plan) the previous owners received a future land use change to commercial and a rezoning to C-3 on "Angler's". This parcel lies outside the Rosewood/Sumner rural commercial designated area where commercial is permitted. The reason the applicant is not asking for a future land use change and rezoning is because commercial is no longer permitted outside the Municipal Service Districts (MSD) or the rural commercial areas designated on the Future Land Use Map. The adjacent Cedar Key RV Park went through the same process this applicant is requesting. The subject property is on SW Shiloh Road just off State Road 24.

This property lies approximately 10 minutes northeast of Cedar Key. This parcel is surrounded by Forestry/Rural Residential (F/RR) on all sides except the south. Angler's has a future land use of Commercial and a zoning of Moderately Intensive Commercial (C-3).

The applicant included a detailed narrative of the proposed operation along with their justification for making this request as it relates to Comprehensive Plan Policy 3.7 (c). They have also included a preliminary concept plan and will be required to permit through both the Suwannee River Water Management District and the Department of Environmental Protection.

The following policy in the comprehensive plan is what allows the applicant to ask for this requested RV Park.

### **Complementary Mixed Land Use Development**

**Policy 3.7** Non-residential uses (i.e., commercial, industrial, recreational, community facilities and uses) that are “functionally related” to rural and/or agricultural land uses may be permitted in the rural areas of the County. “Functionally related” uses are those activities and development which are consistent with one of the following guidelines and development requirements:

- c.** Complement and support the recreation and open space system within rural areas of the county, the intent of which is that the proposed use is not the attraction or destination, rather, but a supporting use that complements the existing recreation and/or open space system within rural areas of Levy County. These uses include, but are not limited to, resource based recreational facilities and amenities such as trail head services and bed and breakfast establishments, excluding hotels and motels. Recreational vehicle parks and camp grounds may be considered by the special exception permit review process when consistent with the following minimum criteria:

The RV park and or campground is located in close proximity to the natural resource or openspace(s) it is intended to complement or support;

Access to the RV park is required from a roadway classified as a major collector, collector, minor arterial or principal arterial;

The parcel proposed for development is a minimum of five (5) acres in area;

The ratio of RV spaces and/or camp sites does not exceed eight (8) spaces per acre;

A minimum area equal to 25% of the total project area is provided as open space and may only be used for passive recreational use. This area shall consist of usable uplands;

Adequate setbacks, screening and buffering are provided between the project area, adjacent non-recreational land uses and public roadways as required by the land development code or deemed appropriate during the special exception review process; and

Accessory uses associated with the RV park, as well as commercial or retail uses, are to be located internal to the park and be of a scale and location as to primarily serve the needs of the guests.

Proposed developments shall be reviewed to ensure such development is compatible with surrounding land uses, are not adverse to the public interest and are consistent with the other provisions and requirements in the Comprehensive Plan.

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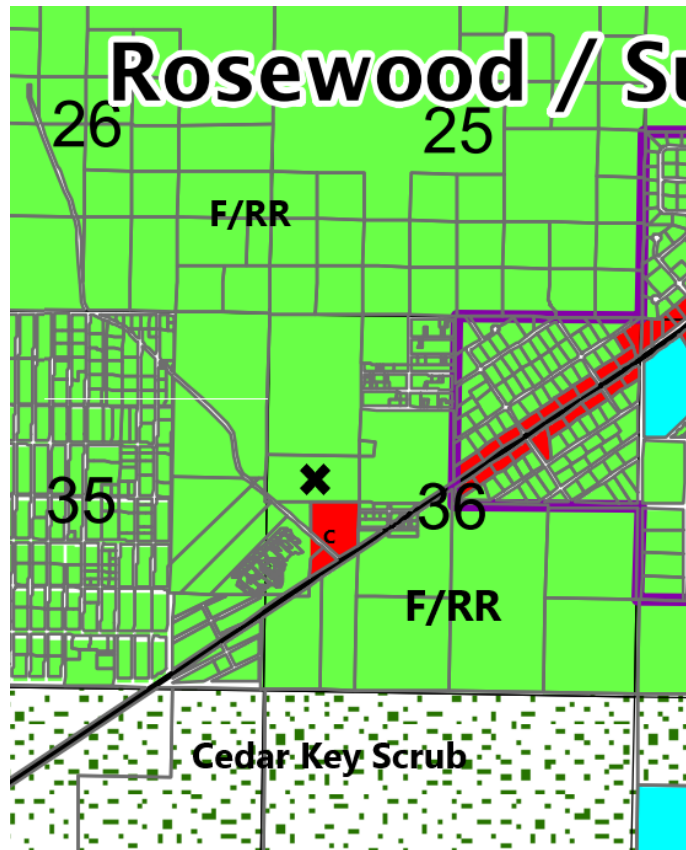
**Staff Examination of the Application Submitted to the Policy 3.7 (c)**

This is a site within close proximity to the Cedar Key Scrub and other natural amenities in this area of Levy County. Please see the applicant’s narrative for more specific examples. The proposed site is larger than the required five acres for the above referenced policy. The applicant is requesting the maximum number of spaces per acre at 8 spaces which is a total of 163. The applicant is showing 30% open space on the conceptual site plan which exceeds the criteria in the above policy. The proposed setback meet the intent of the code and the applicant has stated they will ensure adequate buffering and it will be natural in nature. The proposed amenities are appropriately located as to meet the intent of this policy.

APPROXIMATE LOCATION OF CEDAR BLESSINGS, LLC



FUTURE LAND USE AND ZONING DESIGNATIONS



## Code Section Review of Application:

The following are the code sections related to special exceptions. Staff has provided comments following each applicable code section marked in **bold**.

### DIVISION 5. STANDARDS AND REQUIREMENTS FOR SPECIAL EXCEPTIONS

#### Subdivision I. Special Exceptions in General

##### Sec. 50-796. Generally.

Special exceptions, as enumerated in Schedule 1. Use Regulations, of section 50-676 hereof, or as contained in the Levy County Comprehensive Plan shall be permitted only upon authorization by the board of county commissioners subsequent to review by the planning commission. In granting any special exception, the board of county commissioners may require appropriate conditions and safeguards, made a part of the terms on which the special exception is granted, which if not complied with shall be deemed a violation of this article. The board of county commissioners may grant an application for special exception, provided that such application for special exception and the uses proposed therein shall be found by the board of county commissioners to comply with the following requirements or criteria and any other applicable requirements, criteria or standards set forth in this article. Sec. 50-676 of the Land Development Code is what enables an applicant to apply through Sec. 50-796. Applicant response in *italics*. Staff response in **bold**.

1. This is allowed by the Comprehensive Plan Policy 3.7 (c) and Sec. 50-796 of the Levy County Land Development Code.

**The use is a special exception as set forth in Comprehensive Plan Policy 3.7 (c). Complementary Mixed Land Use Development** and Sec. 50-796 allows for applicants to request a special exception for an RV Park that complement and support the recreation and open space system within rural areas of the county, the intent of which is that the proposed use is not the attraction or destination, but rather, a supporting use that complements the existing recreation and/or open space system within rural areas of Levy County.

2. That the use is so designated, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

*The resort will be professionally managed to prevent any undesirable activities or tenants. All RV's must be checked by management prior to admission and security checks will be required.*

3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

*The applicant is confident the resort will increase the surrounding property values. Five-star resorts never devalue property values.*

4. That the property that is the subject of the special exception is suitable for the type of use proposed by virtue of its location, shape, topography, and by virtue of its compatibility with adjacent development, with uses allowed in adjacent land use and zoning districts, and with the character of the zoning district where it is located.

*This RV Resort is contiguous to the Anglers RV Park, which will also be upgraded in time to a five-star quality as well. Our desire is to maintain a natural look in the area. An example might be a "Cracker Barrel" look. We want to utilize the natural landscape as much as possible to satisfy your requirements.*

5. That adequate buffering, landscaping and screening are provided as required in this article, or as necessary to provide a visual and sound barrier between adjacent property and the property that is the subject of the special exception.

*We will always strive to protect, use natural landscape but if there is a need to fill in the gap areas, we will be in tune per code requirements. Our Landscape Architect will provide plans.*

6. That adequate off-street parking and loading are provided and ingress and egress are so designed as to cause minimum interference with or congestions of vehicular or pedestrian traffic on abutting streets or of boat or vessel traffic on adjacent waterways.

*We will provide two entrances/exits per code. Also our site plan will provide on-site parking. With our type of resort traffic is minimal as we aren't an overnight type. Our RV Parks are destination oriented meaning they stay a lot longer.*

7. That the use conforms with all applicable regulations governing the district where located, as may otherwise be determined for large-scale developments.

*We will provide according to Levy County code and water management district guidelines for RV Use.*

8. That the use is consistent with the provisions of the Levy County Comprehensive Plan and the Land Development Code, and that the application and use comply with the applicable provisions of subdivision II of this division 5 and with any specific requirements for the use contained in subdivision II of division 3 hereof.

*This resort will be in compliance with all the above code requirements.*

**Sec. 50-746. - Travel trailer parks.**

The following provisions apply to travel trailer parks:

- (1) All driveways and aisles shall be paved, except those which serve less than 20 spaces.
- (2) Pads and individual lots may remain unpaved.
- (3) On-site water retention shall be adequate to retain the 25-year storm.
- (4) 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.
  - c. Location, construction, equipment and operation by state department of health and F.S. ch. 513.
- (5) Each travel trailer park shall be limited to one ingress point and one egress point, plus an emergency drive.
- (6) Each travel trailer park may include accessory commercial facilities, such as laundromats and convenience stores, as a part of the project; however, such uses shall be of a scale and location as to primarily serve the needs of the renters within the park.
- (7) In any floodprone area, no travel trailer may be tied down, blocked up, added onto, or otherwise made to be immobile.
- (8) Both permanent and temporary storage on-site are expressly prohibited in floodprone areas.
- (9) If an evacuation order is given, all travel trailers are required to be evacuated. The applicant shall provide written assurances that this can and will be accomplished.
- (10) Setbacks shall be established in schedule 2 of the district regulations, with no improvements allowed within the required setback area.

(1991 LDR ch. 79, § 6.01(G)(37); Ord. No. 2007-03, § 22, 7-17-2007)

**Staff Examination of the Application Submitted to Sec. 50-746 Travel Trailer Parks**

Staff believes all the provisions of Sec. 50-746 – Travel Trailer Parks are sufficient in the proposed application. However, staff did not see a 75 ft. rear setback as is required in F/RR per (10) above.



**Staff Recommendations:**

Should the Planning Commission, and subsequently, the Board of County Commissioners upon review and recommendation of the Planning Commission, find the requested “Special Exception Use” consistent with the Comprehensive Land Use Plan and Land Development Code, staff recommends the following conditions be attached to the approval of the Special Exception Use Permit:

**Conditions of Approval for SE 22-01 Cedar Blessings, LLC**

1. The applicant shall shield lighting so as not to be a nuisance to residential neighbors.
2. All applicable permits from the various state agencies be filed for and obtained before construction can begin.
3. All development provisions in the Levy County Land Development Code will be met before pre-development begins.
4. The applicant will get the proper ingress/egress permits from the Road Department.
5. The applicant will be required to pay all applicable impact fees associated with this use.
6. Other conditions as assigned by the Planning Commission and the Board of County Commissioners based on public participation.
7. Continue to keep the rural character in their design.
8. Request for a traffic impact analysis.

This item was tabled at the October 3<sup>rd</sup> Planning Commission (PC) as the PC did not think the original design met the intent of the Comp Plan policy. So they asked the applicants to reassess and come back to them in November. The applicant obliged and the proposal you are seeing is a result of the re-examination of the site plan to be more conducive to the Comp Plan Policy. The Planning Commission voted in 4-0 in favor of the revised design and requested the applicant do a traffic study to see if this development will push any thresholds. The applicant is amenable to doing the traffic study.

**INSERT SITE PLAN**