



## Levy County Planning and Zoning Department

### Application # SSA 22-01

Staff Contact: Stacey Hectus, Planning and Zoning Director  
352-486-5203

**Staff Report Date:** July 7, 2022  
**Local Planning Agency:** Hearing Date: August 1, 2022  
**Board of County Commissioners:** Tentative Adoption Hearing Date: Continued to Sept. 20th

**SUBJECT:** SSA 22-01: A request for a small scale land use amendment to the Future Land Use Map from "Urban Medium Density Residential" (5 dwelling units per acre) to "Commercial" on approximately 9.5 acres of land within the Williston Municipal Service District.

**APPLICANT/AGENT:** Clay Sweger, EDA Consultants, Inc.

**OWNER:** Matthew and Angela Brooks

**PROPERTY DESCRIPTION:** Parcel Number: 0475100000 (portion),  
Section/Township/Range: 30/12/19  
Land Use: Urban Medium Density Residential  
Existing Use: Vacant  
Acreage: Approximately 9.5 of 29.38 acres

**COMMISSION DISTRICT 5:** Commissioner Matt Brooks

**PREVIOUS REQUESTS:** None

**ZONING VIOLATION HISTORY:** None

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission hear the proposed small scale land-use amendment and make a recommendation to the Levy County Board of County Commissioners.

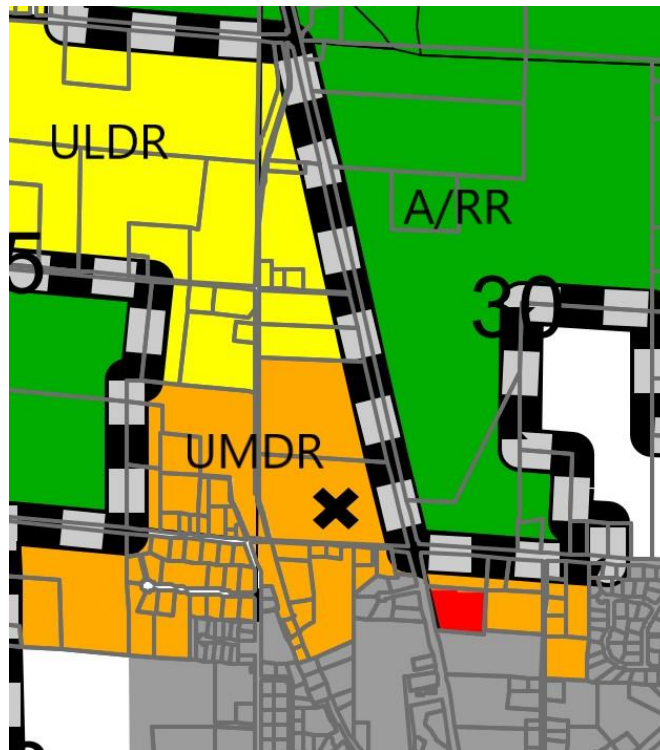
**LPA RECOMMENDATION:** TBD

**BOCC ACTION:** TBD

Aerial Showing General Location of Subject Property and Surrounding Parcels for SSA 22-01



Future Land Use Map



## **ANALYSIS OF REQUEST**

### **Background**

The applicant is requesting a small-scale land use amendment to the Future Land Use Map from “Urban Medium Density Residential” (five dwelling units per acre) to “Commercial” on a portion of parcel number 0475100000, located in Williston, Florida. The subject property is located within the Williston Municipal Service District (MSD). The property is vacant/undeveloped and is at the corner of US 27 N/NE Hwy 41 and NE 50<sup>th</sup> Street.

Commercial land use allows for commercial uses such as offices and warehouses. This land use is permitted within the MSD. This land use change request is the necessary first step for the applicant’s future plans for their commercial endeavors such as an office and warehouses. Those uses will be handled in the change of zoning application following this land use request.

### **Description of Site and Surrounding Properties**

The proposed land use change applies to approximately 9.5 acres of 29.38 acres of property fronting US 27 N/NE Hwy 41 within the Williston Municipal Service District (MSD). The property adjacent to the south is NE 50<sup>th</sup> Street and residential, east is US 27 N/NE Hwy 41, vacant and timberland and an expanding electric substation to handle the solar project to the east, north is residential and pasture and west is vacant land, per the property appraiser website. All these surrounding properties carry the UMDR future land use except for the property to the east where the timberland and vacant land is located. That is Agriculture/Rural Residential (A/RR) and outside the MSD. There is no central water or sewer in this area but it is not far away.

### **COMPREHENSIVE PLAN CONSISTENCY**

The Commercial future land use request for a portion of this parcel is not inconsistent with growth patterns in this area. While the land use adjacent to the parcel is residential, there is a mix of more intense commercial or industrial uses within close proximity located in the City limits of Williston. Additionally, caddy-corner across the street is the expansion of the Duke Energy substation to handle the large scale solar array going into this area.

The current Urban Medium Density Residential while is the actual FLU in the area is not what is actually “on the ground”. When the Comprehensive Plan Map was adopted in 1990, this area was the logical location for transitional future of higher density land use from the municipal core. While this future land use permits, five units to the acre there are no parcels in this area with that density. Commercial is one of those uses promoted in the MSD. The companion rezoning following this application will be for Moderately Intensive Commercial (C-3). Future commercial development on the subject property would be required to comply with the code requirements for building setbacks to help ensure compatibility. Additionally, this parcel has a natural buffer already provided in the many trees it has on its perimeter. A location on a major thoroughfare is

a compatible location for a commercial business that does deliveries. The main ingress and egress for this activity will be off US 27 N/NE Hwy 41 so as not to negatively impact the residences.

## **STAFF ANALYSIS:**

### **Future Land Use Policies and Objectives**

1. The Goal of the Future Land Use Element of the Levy County Comprehensive Plan is to: *Promote complementary development patterns that are efficiently served by public facilities and services to support growth, while providing for the protection and enhancement of the county's rural character and unique natural qualities.*

2. **Policy 1.1** Municipal Service District (MSD) states: *Municipal Service Districts are intended to be areas for urban expansion within which urban densities and intensities are allowed and urban services, such as central water, central sewer, police protection, fire protection, solid waste collection, streets, drainage facilities and recreational facilities and services are provided, or encouraged to support development. Within a Municipal Service District, on the following land uses shall be permitted: Urban Low Density Residential, Urban Medium Density Residential, Urban High Density Residential, Commercial and Industrial.*

3. **Policy 1.3** *The County encourages incremental development of MSD's that radiate outward from the municipal limits. Future land use map amendments that propose higher densities and intensities of development at the edge of an MSD boundary, as opposed to radiating outward from the municipal limit, shall be discouraged by the County and will be subject to review for compatibility and the efficient provision of services.*

4. **Policy 1.8** *The Commercial Future Land Use Map designation shall be limited to Municipal Service Districts, as well as the areas designated as Gulf Hammock, Lebanon Station and Rosewood/Sumner on the Future Land Use Map Series.*

### **Infrastructure Element Policies and Objectives**

#### **5. Objective 3 Discourage Urban Sprawl**

*Encourage compact urban development patterns and provide for the efficient use of existing public services and facilities in Municipal Service Districts.*

6. **Policy 3.2** *The County will provide for higher density and intensity land uses within Municipal Service Districts and areas with existing public facilities, including special districts. Land development regulations shall establish standards and requirements for the provision and use of centralized water supply systems.*

## **Economic Element Policies and Objectives**

7. **Policy 3.1** Provide adequate amounts of land for future development and expansion in suitable locations for agricultural/aquacultural, commercial and industrial land uses.

### **Existing and Future Land Use Pattern and Compatibility**

Existing Development Patterns	Existing Use	Future Land Use Designations
North	Residential and Pasture	Urban Medium Density Residential
South	NE 50 <sup>th</sup> St. and Residential	Urban Medium Density Residential
East	Vacant and Timber Land	Agriculture/Rural Residential
West	Residential and Pasture	Urban Medium Density Residential

**Properties in the surrounding area are generally a mix of vacant, residential, timber and US 27 N/NE Hwy 41 and all within the Williston Municipal Service District. The Williston Municipal boundary is less than 400 feet from the subject property.**

### **Environmental Suitability**

This property is not located in or adjacent to any of the county's Environmentally Sensitive Lands (ESL). The Health Department and the appropriate water management district will be required to weigh in as the permit process evolves regarding septic and well expansion.

### **Impact on Adopted Level of Service Standards**

#### **Potable Water Impact**

The site is not served by a centralized water system so there will be no impact.

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#### **Sanitary Sewer Impact**

The site is not served by a centralized sewer system so there will be no impact

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#### **Solid Waste Impact**

The LOS standard is 2.8 lbs. per person per day of an equivalent residential unit (ERU) for non-residential development. The County uses the Tri-County Three Rivers Landfill in Union County, which has a projected 50 year time-frame for capacity.

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### Drainage Impact

Design standards for stormwater management systems to address quantity and quality of stormwater treatment is outlined in Policy 1.2 of the Infrastructure Element and is consistent with FAC 62-330 now which references FAC 40B for SRWMD and FAC 40D for SWFWMD.

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### Recreation Impact

This policy does not apply to commercial development per Recreation and Open Space Element, Policy 1.2.

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### Traffic Impact

The following table contains information concerning the assessment of the traffic impact on the surrounding road network by the proposed amendment.

Level of Service	Existing Average Annual Daily Traffic	Existing Level of Service	Reserved Capacity Trips for Previously Approved Development	Development Trips	Average Annual Daily Traffic with Development	Level of Service with Development
US 27 N/US Hwy 41	4,500a	B	0	2,214	6,714	B

a 2020 Annual Traffic Count Station Data, Florida Department of Transportation.

Sources: Trip Generation, Institute of Transportation Engineers, 11th Edition  
Level of Service Handbook, Florida Department of Transportation, 2020.

As you can see from the above analysis the LOS is not impacted negatively by this request for future land use change.

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### Affordable Housing

This policy does not apply to commercial development.

**Summary:** The proposed amendment will not have an adverse impact to the above listed LOS standards. Water and wastewater services are not provided to the subject parcel; solid waste is adequately served by the Three Rivers Landfill; Parks and Recreation LOS does not apply to commercial development; and drainage must meet all applicable rules. The proposed will not render roadway links LOS deficient.

**Accessibility to Public Services:**

Road Access	US 27 N/NE HWY 41
Fire Protection	1 mile
Police Protection	1 mile
Emergency Medical Service	1 mile
Nearest School	1 mile
Centralized Water and Sewer	N/A approximately 1 mile

*Source: Applicant*

**Land Allocation Analysis**

The Florida Bureau of Economic and Business Research (BEBR) latest mid-range population projections for Levy County estimate approximately 41,600 residents by 2020 and a 3% increase to 42,900 by year 2025. The Levy County Comprehensive Plan provides goals, objectives and policies to guide growth and development to appropriate areas of the County.

The Commercial land use category comprises approximately 1,111 acres within the County. This category makes up a total of 0.2% acres of all land uses in the County. In the last two years the County has approved the conversion of just 13.7 acres of Commercial to Rural Residential, bringing down the total acres to 1,037.3 acres of Commercial, but previously approved the conversion of 60 acres from Urban Low Density Residential to Commercial back in 2017. The primarily rural character of the County is reflected in the percentages of land uses dedicated to agricultural and rural residential uses, with Forestry/Rural Residential (42.9%), Agricultural/Rural Residential (37.3%) and Natural Reservation (17.9%). Together, these three categories make up 93.1% of all land uses in unincorporated Levy County.

The subject property is located off an FDOT designated Strategic Intermodal System (SIS) highway and has been determined to be a Principle Arterial- Rural by the Levy County Comprehensive Plan’s Functional Classification Map. Per the Florida Department of Transportation, US 27 N/NE HWY 41 is operating at the required “B” level of service, which allows the existing 4,500 annual daily trips to maintain the “B” level of service up to a total of 14,400 daily trips before the LOS drops to “C” (over three times the current daily average daily trip counts).

**Summary:** This amendment would increase the amount of acreage designated for Commercial by approximately 9.5 acres. Commercial land use is encouraged in the MSD.

**Urban Sprawl Analysis**

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*Requirement: Provide an Urban Sprawl Analysis which evaluates whether the proposed amendment incorporates a development pattern or urban form that achieves four or more of the following criteria:*

*Responses below are from the application.*

1. Directs growth and development to areas of the community in a manner that does not adversely impact natural resources;

**Response:** The proposed Commercial land use category will not create an increased impact on natural resources. There are no known environmental features on the property. In addition, any future development shall comply with Levy County environmental protection regulations and require an Environmental Resource Permit (ERP) from the Water Management District.

2. Promotes the efficient and cost effective provision or extension of public infrastructure and services;

**Response:** The proposed Commercial land use category will promote the efficient and cost effective provision of public infrastructure and services. The site will be served with on-site water and sewer service, thereby not creating any increased demand on this public infrastructure. In addition, the property is in close proximity to the City of Williston police and fire services, thereby not requiring extended travel time to serve the site with these services.

3. Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that support a range of housing choices and a multimodal transportation system;

**Response:** The proposed Commercial land use category will allow for a mix of residential and commercial development in close proximity to each other, which promotes more compact development in which there is an increase opportunity for a variety of connected and walkable uses.

4. Promotes conservation of water and energy;

**Response:** The proposed land use change from residential to commercial will promote the conservation of water and energy because it is supporting commercial development in more concentrated areas that are closer to higher population areas, as the property is within a Comprehensive Plan designated Municipal Services District and not in more remote, rural areas. Concentration of development helps reduce the overall potential need / usage of water and energy.

5. Preserves agricultural areas and activities;

**Response:** The project area does not contain any existing agricultural activities other than pasture land and therefore, will not negatively affect preservation of agricultural areas and activities.

6. Preserves open space and natural lands and provides for public open space and recreation needs;

**Response:** The proposed commercial use of the land will meet all of the requirements of the above stated requirement by providing appropriate open space as part of future development. In addition, there are no environmentally sensitive features, natural lands or public open space on the property.



7. Creates a balance of land uses based on demands of residential population with the non-residential needs of an area;

**Response:** The proposed land use change will create a mix of residential and non-residential land use designations on the overall tax parcel with commercial activity clustered along the state highway and residential development to the rear. This mix of uses, not just on the parcel itself, but in the area as a whole, will create a balance of land uses to serve the demands of the local residential population with the non-residential needs of the area.

8. Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned sprawl development pattern or provides for an innovative development pattern such as transit-oriented development or new towns.

**Response:** The proposed use of the properties will not create sprawl, as the proposed land use change will allow for the creation of new commercial use on the property that is located along a state arterial roadway and is within the Comprehensive Plan designated Williston Municipal Services District which is where commercial activity is supported and will better serve the local population. Because of these reasons, the land use change will reduce development intensity in the more rural areas of the County.

### **Staff Recommendations**

**1. Comprehensive Plan Policies:** The proposed land use change is consistent with Comprehensive Plan policies related to “urban” Municipal Service Districts.

**2. Urban Sprawl Analysis:** The evaluation of the proposed amendment for urban sprawl shows that urban sprawl would not be promoted. In regards to available capacity of infrastructure (Potable water sub-element policies 3.1, 3.2 and 3.3), it must be noted that water and wastewater public facilities are currently not provided to the subject property and it is not known at what time in the future such municipal services might be available.

**3. Level of Service:** The proposed amendment would not have an adverse effect on adopted level of service standards.

**4. Compatibility:** A determination of compatibility of the proposed land use with surrounding land uses is dependent upon the character of surrounding uses and land use designations, which are discussed in this report. Staff finds that the proposed land use amendment would be compatible with changes occurring in this area of the county.

Based on the four above findings staff recommends **APPROVAL** of the applicant’s request to change the future land use from Urban Medium Density Residential to Commercial on approximately 9.5 acres.

Local Review:

Planning Commission Recommendation, August 1, 2022

Vote: 4-0

Board of County Commissioners Action, September 20, 2022

Vote: TBD